

Ref: EOI No.: X/IO/GLBL/EOI-01
Dated: 18th July, 2020
BHARAT HEAVY ELECTRICALS LTD.
(A Govt. Of India Undertaking)
INTERNATIONAL OPERATIONS DIVISION
5TH Floor, INTEGRATED OFFICE COMPLEX LODHI ROAD,
NEW DELHI - 110003, INDIA

Notice inviting Expression of Interest from interested Parties to enlist as Sales Agents for BHEL Products for Global Markets

- 1.0** BHARAT HEAVY ELECTRICALS LIMITED (BHEL) is a celebration of India's industrial achievements. With footprints in all the six inhabited continents, BHEL is India's "Industrial Ambassador". Leveraging its scale and depth of operations, BHEL has also recently taken the initiative of forging long term partnerships in manufacturing of technology based critical equipment with global OEMs. The company is now looking to expand the sale of its various existing and new products & services in the overseas markets.
- 2.0** BHEL is therefore seeking Expression of Interest (EOI) from the interested parties with proven credentials to enlist as Sales Agents of BHEL to promote and sell BHEL product(s) for various applications across industries in different countries worldwide.
- 3.0** BHEL, a Public Limited Company with a majority shareholding by the Govt. of India, is listed at the Indian stock exchanges. BHEL is the largest engineering and manufacturing enterprise of its kind in India and one of the leading international companies in the power and industrial field touching an annual revenue of ~4 billion USD. Further details can be obtained at www.bhel.com.

Brief overview of BHEL:

- a) BHEL offers over 180 products and provides systems and services to meet the needs of core sectors like: power, transmission, transportation, renewables, water, oil & gas, aerospace and defence. Major Product Offerings are boilers, turbines & generators (thermal, gas & hydro) with integral auxiliaries, transformers, transmission equipment, motors, reactors, compressors, castings & forgings, solar panels, pumps, oil field equipment etc.
- b) EPC: BHEL has extensive experience in executing EPC projects in power plants and other industrial sectors. BHEL supplied equipment account for 60% of India's power generation, with a global installed capacity base of 185 GW (coal, lignite, nuclear, solar, hydro). BHEL has also catered to several overseas customers, with a global footprint in over 84 countries.
- c) Manufacturing and R&D: BHEL has 16 manufacturing facilities spread across India that manufacture equipment compliant with latest national and international standards. BHEL earmarks over 2.5% of the annual turnover for R&D spend, making it one the highest in the capital goods manufacturing industry in India. BHEL's dedicated R&D center in Hyderabad has been instrumental in shaping technology and innovative manufacturing capabilities. This center has a number of advanced laboratories in the area of metallurgy, material science, vibration, tribology, aerodynamics, electrical machines, heat transfer, etc. Each manufacturing facility is also equipped with a research center. Additionally, the company has 14 Centres of excellence (Computational Fluid Dynamics, Simulators, Intelligent Machines & Robotics, Compressor & Pump Dynamics, Hydro Machines, Machine Dynamics, Nano Technology, Power Electronics, Ultra High Voltage, Advanced Transmission, Control &

Instrumentation, Permanent Magnet Generators, Surface Engineering, Coal Research, Advance Fabrication Technology etc) and 5 specialised research institutes spread across the country (Welding Research Institute at Trichy, Ceramic Research Institute at Bangalore, Centre for Electric Traction at Bhopal, Pollution Control Institute at Hardwar etc.).

- d) Technology partnerships: BHEL has collaborated with several global players in establishing over 75 technology collaborations over the years. These partnerships have helped both parties, fruitfully benefit by sharing technology, know-how and resources. Currently, there are 14 active technology collaborations in place to support manufacturing. BHEL also has 3 active joint ventures in place today.
- e) Exports: With an installed base of 11GW outside India and ongoing projects of ~6GW, BHEL has experience in 84 countries for different products and projects.

4.0 Products offered: Sales Agents are proposed to be enlisted for the following existing product offerings of BHEL:

- 4.1 **Electrical Machines-** AC Squirrel cage, Slip ring, Synchronous, Variable speed motors; Industrial Alternators and Motors for Hazardous applications
- 4.2 **Valves** for Power and Industrial Applications
- 4.3 **Castings and Forgings** of creep resistant alloy steels, stainless steel and other grades of alloy steels meeting stringent international specifications
- 4.4 **Transformers, Reactors, Switchgear, other transmission Products**
- 4.5 **Compressors** - Multistage Centrifugal compressors along with auxiliary systems for different applications
- 4.6 **Solar Photovoltaics**
- 4.7 **Oil Field Equipment** – Onshore oil rigs, well heads and X – Mas trees
- 4.8 **Other Products** – on a case to case basis.

Details of BHEL's product profile are available on company website www.bhel.com. Brochures of above products can be downloaded using the link given below:

<http://www.bhel.com/assets/downloads/5f10004118aa2Brochures.pdf>

5.0 Indicative terms of Sales Agency Agreement:

Sales Agent's Scope

- 5.1 To Promote, market and facilitate sale of identified BHEL Product(s) within the agreed Country.
- 5.2 To Act as representative of BHEL and liaison with owners, clients, related authorities, consultants etc.
- 5.3 Ensure Pre-Qualification/Registration of BHEL Products with the Clients / Consultants / other agencies as required. Necessary support for the registration and any prescribed fee and expense towards local certification will be borne by BHEL at actuals.
- 5.4 To engage sufficient technical manpower to ensure proper marketing and pre award / post award support to BHEL including with authorities for Customs, Immigration, Taxation, Security etc.
- 5.5 To keep BHEL updated about the market developments, competitive scenario and strategic information on regular basis as required by BHEL. A report on market

- intelligence, competitor profile & activities, client's plan & projections, advance information on forthcoming business / tenders etc. to be provided once a quarter at least.
- 5.6 To Provide assistance to BHEL for following activities as & when asked by BHEL at no extra cost.
 - 5.6.1 To arrange meeting/Video Conference/Tele conference with the client
 - 5.6.2 Arranging visa Invitation letters for staff of BHEL visiting the destination country
 - 5.6.3 To provide Interpreter service if required for discussions with the client
 - 5.6.4 To provide translation services if required
 - 5.6.5 Provide support in identification of Legal and regulatory services, local sub-contractors
 - 5.6.6 Coordination for client visit to BHEL, if required
 - 5.6.7 Other miscellaneous activities
 - 5.7 Liaison with the Client for smooth execution of the purchase orders/contracts & closure thereof including required approvals from clients for any drawings / documents, inspection, dispatch clearance, test acceptance, final taking over etc. Assist in timely release of payments to BHEL in conformity with contractual terms and conditions. Liaison for all banking activities including Bank Guarantee preparation, collection, extension etc.
 - 5.8 Assist in release of all bank guarantees from the client on completion of contractual obligations by BHEL, if applicable

BHEL's Scope

- 5.9 BHEL will provide support for the promotion of the Products in the target country by making available Product presentations, product brochures, discussions with technical experts as and when required.

Terms of Engagement

- 5.10 Sales Agent will be enlisted for a Product/Products mentioned at serial no. 4.0 based on evaluation of their credentials and interest as submitted under this EOI.

There will be only one Sales Agent appointed for a particular product of BHEL in any one country. However, same Sales Agent may be appointed for more than one products in a country.

- 5.11 Agency Agreement will be initially valid for a period of two years and the same may be extended further with mutual consent, one year at a time, and any extension will be based on the performance.
- 5.12 In case of Non-Performance by the appointed Sales Agent; BHEL reserves the right to terminate the agency agreement any time before the expiry of the Agreement period. Valid reasons of non-performance will be detailed in the agreement.

Mandatory Prequalification Requirement:

- 5.13 The parties will have to meet the following minimum requirements to qualify for the subsequent detailed due diligence and evaluation of their proposal. Parties not meeting these requirements after completion of initial screening shall not be considered for further evaluation. The documents required to be submitted in support of meeting these requirements are to be furnished along with the response to this EOI:

Sl. No	Requirement	Support Document required
1	Submission of a legible and legally executed Expression of Interest document	Document as per EOI format no. IO:EOI:20:01, duly signed by the authorised representative. Power of Attorney in favour of signing authority to be submitted.
2	Party to be a Company/ Firm/ Entity (individuals not eligible to participate)	Valid Registration document in the Country of interest; Proof of office address
3	Proof of solvency	Bank account details showing name, address, account number etc. with latest statement of above account duly endorsed by same bank; or banker's certificate/chamber of commerce/ auditor certificate of solvency; Suggestive format no. IO:EOI:20:02.
4	Should not have place of business in India	Certificate as per format no. IO:DP:MKT:F06-07.
5	No conflict of interest between business of BHEL's Products & services in the target country and Party's other interest	Affidavit or Confirmation on Letter Head as per format no. IO:DP:MKT:F06-01.
6	Adherence to the laws of target country, domicile country of Party with no blacklisting, no legal cases for anti-bribery, no malpractices	
7	Compliance to the laws of target country: <ul style="list-style-type: none"> - Whether target country has laws prohibiting the appointment of agent - Establish that Party is eligible to act as agent for foreign principle 	Certificate from legal firm/lawyer, Indian Mission in target country, Govt. agency in target country, self-certificate attested by legal firm/lawyer as per format no. IO:DP:MKT:F06-02 and IO:EOI:20:03.
8	Presence in target country	Party to confirm it has office in target country, as per format no. IO:DP:MKT:F06-03.

Note: All the above documents shall be submitted in English only. Where ever a certificate / document is in another language then an English translation for that document is to be submitted.

6.0 Evaluation Criteria: The parties who meet the mandatory requirement after initial screening shall be further evaluated based on inter alia the following criteria:

6.1 Experience of the Party with BHEL in the past, if any. (Documents with respect to past engagement with BHEL to be submitted).

6.2 Past track record of business done by the prospective party with the following:

- a) Target customers for similar product.
- b) Target customers for different products.
- c) Other companies for similar products in the country of prospective business.
- d) Other companies for other products in the country of prospective business.

Higher the track record of above business, evaluation priority to be better.

6.3 Reference/ Recommendation from the following (as many as possible to comply will be preferred)

- a) Indian Mission looking after that Country/ Mission of that country looking after India.
- b) Customers, Trade Associations, Local chambers of Commerce in that country.
- c) Ministries / Govt. agencies in country of prospective business.
- d) Engineering Consultants of international repute who have worked in the country of prospective business.
- e) Other Govt. of India owned companies who have worked in the country of prospective business.
- f) Ministries / Govt. agencies from India.

More the number of above reference/recommendations (as accepted), evaluation priority to be better.

6.4 Registration / enlisting of Products done by Party for different OEMs / customers in the target country/ other country till date. Higher the track record, evaluation priority to be better

6.5 Revenues and Profits. Annual financial report of last 3 years (minimum 2 years required) to be submitted. Strong financials to have higher priority.

6.6 Office details and resources available such as staff (technical/non-technical), assets etc. in the target country. It is preferred that party should have English speaking staff to interact with BHEL, else party will use the service of interpreter. All communication with BHEL shall be in English. Higher the assets/resources, evaluation priority to be better.

6.7 Business presentation, if required. This would be called for at the discretion of BHEL, generally in case where there are more than one interested parties.

Note: All the documents shall be submitted in English only. Where ever a certificate / document is in another language then an English translation for that document is to be submitted.

7.0 Evaluation Process and Timeline: The Parties meeting Mandatory Qualification Requirements as per clause 5.13 will be evaluated as per Evaluation Criteria as per clause 6.0.

7.1 Interested Parties willing to submit EOI as per this notice will initially confirm their interest through email to addresses at clause 9.0 below by 8th August, 2020. (Not meeting this requirement will not lead to disqualification)

7.2 Interested Parties are required to submit EOI along with all the documents required latest by 29th August, 2020 through email. Original hard copy of their EOI must reach BHEL office latest by 11th September, 2020. Any delay in meeting above deadline may lead to their disqualification. Therefore, parties are encouraged to submit all the required documents as soon as possible without waiting for the end date.

7.3 As soon as EOI is received from the interested parties, same shall be checked by BHEL for the completeness of the documents as per the checklist (Format No IO:EOI:20:CHKLST). Parties will be contacted by BHEL by 5th September, 2020 for submitting any missing information / documents. Such information / documents shall be promptly submitted through email and original hard copy of the same shall reach BHEL office latest by 19th September, 2020.

7.4 Parties may parallelly be asked to also make a business presentation including on market information and business potential in the target country for the BHEL Products through Video Conferencing.

7.5 Subject to satisfactorily meeting the qualification requirement & evaluation criteria, BHEL will then discuss and finalize the detailed terms & conditions of the agency agreement, on a success linked fixed percent commission basis, for the opportunities converted into order for BHEL. Payment of commission will be made on the pro-rata basis on receipt of payments from the client. Details of commission will be discussed and finalised with the shortlisted Parties and an Agency Agreement will be signed. In case of non-agreement on the detailed terms & conditions of the agency agreement, BHEL reserves the right to go to other responding parties.

8.0 EOI Submission Deadline: Last date of receipt of EOI along with all the documents through email is 2400 hrs. on 29th August, 2020. Original hard copy of their EOI must reach BHEL office latest by 11th September, 2020.

9.0 Contact Details for Document Submission/ Clarifications:

9.1 Emails and soft copy of EOI and documents are to be submitted at the following mail address:

rituraj@bhel.in; jitendra@bhel.in; akhilm@bhel.in

9.2 Original hard copy of EOI and support documents to be submitted at:

Bharat Heavy Electricals Limited
International Operations Division, 5th Floor,
Lodhi Road, New Delhi – 110003
INDIA
Attn.: Akhil Mehrotra, General Manager

9.3 Interested parties may seek clarifications in writing/through email/telephone/may also request for Video Conference to the following:

Email: akhilm@bhel.in; rituraj@bhel.in; jitendra@bhel.in;
Phone: +91-11-41793 448 / 340 / 393
Mobile: +91-99108 86617 / 88003 16131 / 84488 50780

Further details can be obtained at www.bhel.com

10.0 Right to Accept/Reject: BHEL reserves the right to accept or reject any or all proposals without assigning any reasons whatsoever

Format No.: **IO:EOI:20:CHKLST**

CHECK LIST FOR DOCUMENTS TO BE SUBMITTED ALONG WITH EOI

Sl. No.	Document	Yes	No
1	IO:EOI:20:01		
2	Registration Document as per clause 5.12 (2)		
3	IO:EOI:20:02		
4	IO:EOI:20:03		
5	IO:DP:MKT:F06-01		
6	IO:DP:MKT:F06-02		
7	IO:DP:MKT:F06-03		
8	IO:DP:MKT:F06-07		
9	Documents as per Evaluation Criterion – 6.1		
10	Documents as per Evaluation Criterion – 6.2		
11	Documents as per Evaluation Criterion – 6.3		
12	Documents as per Evaluation Criterion – 6.4		
13	Documents as per Evaluation Criterion – 6.5		
14	Documents as per Evaluation Criterion – 6.6		

Format No.: **IO:EOI:20:01**

(To be typed in the letterhead of the Party)

EXPRESSION OF INTEREST

To,
General Manager,
Bharat Heavy Electricals Limited
International Operations Divisions
BHEL Lodhi Road
New Delhi -110003

Dear Sir/ Madam,

Having examined the EOI, we, the undersigned, hereby offer to become the sales agent for the following products and countries in conformity with the terms and conditions of EOI:

Sl. No.	Country	Product

We are enclosing our response in original along with the details as per the requirements of the EOI, for your evaluation. It is further noted that any further clarification/ document sought by BHEL and not provided within 14 days, our proposal may be liable for not being considered further.

Should we be enlisted after evaluation, we agree to engage with BHEL for discussing and finalising the detailed terms & conditions for the agency agreement within the timelines stipulated by BHEL.

Place & date

Signature & seal of the Authorized Signatory

[SUGGESTIVE FORMAT]

TO WHOMSOEVER IT MAY CONCERN

(Solvency Certificate)

1. _____ (name of the company), a company, with a paid-up capital of US\$ _____, and a tangible net worth of US\$ _____ as per latest audited financial statement.
2. The turnover of the company for the last financial year (as per latest audited financials) is US\$ _____. They enjoy credit facilities to the extent of US\$ _____ extended by _____ (name of the bank). Their dealings with the bank to date have been satisfactory and they have met their financial obligations to the Bank. _____ (name of the company) is solvent to the extent of US\$ _____, as disclosed by the information and record which are available with the bank.
3. The Company is financially sound.
4. The above information is being provided without any responsibility or liability whatsoever of the bank or any of its employees.

Signature & seal of the Authorized Signatory

**CERTIFICATE FROM LEGAL FIRM FOR COMPANY IS ELIGIBLE AS PER
THEIR COUNTRY LAWS TO ACT AS LOCAL AGENTS OF FOREIGN
PRINCIPLE**

This is to certify that _____ (Country of prospective Business) does not have any law prohibiting M/s _____ (name of the agent) to act as local agents of Foreign Principle.

We hereby certify/declare that _____ (Name of the legal Firm) is a licensed registered practitioner in _____ (Country of prospective Business)

(Authorized Signatory of the legal Firm)

Please note: The above certificate is to be issued by a Legal Firm in the country of Prospective business on their letter head with signature & seal

**AFFIDAVIT
(ON NON-JUDICIAL STAMP PAPER)**

I, _____ S/o. _____, aged about ___ years, having office at _____, do hereby solemnly affirm and state as under:-

That I am working as _____ in the _____ Company and I am authorized by the Company to execute the present documents and actions and I am competent and duly authorized to swear and depose this affidavit in my official capacity.

That the contents herein are true to the best of my knowledge and legal submissions made therein (if any) are based on the advice of counsel/licensed practitioner.

1. That I, on behalf of M/s. _____ (name of the agent Company), declare under my responsibility that with reference to the operation/execution and/or smooth functioning of the prospective contract, including but not limited to activities prior, we shall adhere to the laws of the _____ (country of prospective business) and the laws of the _____ (country governing the agency agreement) and in the event of conflict between the two, shall forthwith inform BHEL in order to resolve such issue.
2. That we have not been blacklisted/ banned by any other Company/ Country.
3. That there is no conflict of interest with the business of BHEL and we shall act in favour of BHEL at all times hereafter.
4. That there are no legal cases pertaining to anti-bribery outstanding against us.
5. That we are in legal compliance with the local laws of _____ (Country of prospective business) till date.
6. That our obligations extend to keep BHEL informed of any change in Local Laws of _____ (Country of prospective business)

that is worthy of consideration by way of issuances through a law firm which is a licensed registered practitioner in the _____
(Country of prospective business)

DEPONENT

VERIFICATION

Verified at ----- on this the ___ day of ___ 2013. That the contents of the above affidavit are true and correct to the best of my knowledge. No part of it is false and nothing material has been concealed therefrom.

DEPONENT

**CERTIFICATE FROM LEGAL FIRM FOR LAWS NOT PROHIBITING
APPOINTMENT OF AGENTS**

This is to certify that _____ (Country of prospective Business) does not have any law prohibiting Appointment of Agents/ Service Provider.

We hereby certify/declare that _____ (Name of the legal Firm) is a licensed registered practitioner in _____ (Country of prospective Business)

(Authorized Signatory of the legal Firm)

Please note: The above certificate is to be issued by a Legal Firm in the country of Prospective business on their letter head with signature & seal

CONFIRMATION OF OFFICE

I, the undersigned on behalf of M/s. _____ (name of the agent),
declare under my responsibility that we have an office in _____ (country of
prospective business) located at _____

(Authorized signatory)

Please note: The above certificate is to be issued by the agent on their letter
head with signature & seal of their authorized signatory

Format No.: IO:DP:MKT:F06-07

**PROFORMA OF NO PLACE OF BUSINESS IN INDIA CERTIFICATE FROM
THE AGENT**

We hereby certify that M/s _____ (name of the agent) do not have any operations in India and it doesn't have any agent in India. The services rendered by M/s _____ (name of the agent) are outside India.

(Authorized signatory)

Please note: The above certificate is to be issued by the agent on their letter head with signature & seal of their authorized signatory