

**PEM / PG-II, BHEL, NOIDA**  
**SPECIAL CONDITIONS OF CONTRACT**  
**2X250MW CFBC LIGNITE BASED BHAVNAGAR TPP**

These Conditions shall be read and construed along with General Condition of Contract enclosed along with the tender enquiry. In case of any conflict or inconsistency the condition given in SCC shall prevail over the GCC.

1.0 Project Name 2X250 MW CFBC LIGNITE BASED  
BHAVNAGAR TPP.

**For Imported Items**

2.0 Consignee Address BHEL  
2X250 MW CFBC LIGNITE BASED  
BHAVNAGAR TPP ,  
NEAR VILLAGE PADVA, TALUKA GHOGHA,  
DISTT.- BHAVNAGAR,  
GUJARAT STATE.

**For Other items**

3.0 Consignee / Delivery Address BHEL  
2X250 MW CFBC LIGNITE BASED  
BHAVNAGAR TPP ,  
NEAR VILLAGE PADVA, TALUKA GHOGHA,  
DISTT.- BHAVNAGAR,  
GUJARAT STATE.

4.0 Mode of Dispatch By Road/ Rail and freight Pre-Paid Basis.

5.0 Road Permit Required Yes, ( VAT form 403 applicable ).

6.0 Prior Dispatch intimation to BHEL Site Office and Underwriters Yes, one set consisting of LR / RR copy, Packing List/ Challan indicating the items dispatched (with their weights) and letter informing the underwriters about the value of consignment and dispatch details to be sent to:  
a. BHEL Site office.  
b. Insurance co.

7.0	Transit Insurance	Shall be intimated later.
	Policy No.	Shall be intimated later.
	Underwriters	Shall be intimated later.
8.0	Sales Tax No.	CST: 24560303738 TIN: 24060303738 PAN: AADCB2095G TAN: AHMB03994E
9.0	Unloading at site	By BHEL site office for supply packages  By vendor for Turnkey i.e. supply and Erection & Commissioning packages
10.0	Storage at site	By BHEL site office for supply packages  By vendor for Turnkey i.e. supply and Erection & Commissioning packages
11.0	Movement of Material within Site	By BHEL site office for supply packages  By vendor for Turnkey i.e. supply and Erection & Commissioning packages
12.0	DOCUMENT REQUIRED FOR VENDOR PAYMENT.	For payment by PEM, the supplier shall provide the following Documents to PG :-

  
 04/10/10

3 SETS - (1 Set consisting of following documents):-

1. Invoice – Original + 2 copies
2. LR – Original + 2 copies / receipted LR as applicable
3. Packing list - clearly showing number of packages, gross weight net wet
4. BHEL MDCC – where inspection only by BHEL.
5. Customer MDCC- where customer involved in inspection.
6. Guarantee certificates
7. Insurance intimation
8. CQIR Report
9. PVC Calculation and copy of all applicable indices , if PVC applicable.
10. Proof of approval of drawing and document from engineering department to establish contractual delivery date for the purpose of LD.
11. Proof of submission of final documents including as built drawings, O&M Manual as applicable.

**DOCUMENTS FOR CLAIMING MRC & FREIGHT PAYMENT**

- a. Invoice in duplicate
- b. Copy of MRC
- c. Original money receipt from transporter for freight payments (if required).

**13.0 Material Receipt Certificate (MRC).**

Responsibility to obtain MRC from Site for Turnkey i.e. supply and E&C packages shall be of the Supplier/ Contractor. Only for Supply Packages BHEL/PEM will arrange MRC from BHEL Site, however supplier/ contractor shall provide support for verification of material at site if required.

*N. Singh*  
04/10/10

#### 14.0 Dispatch markings

Each box/ drum shall be marked with Capital Letters in Red indicating the **Main Supply or Commissioning spare package for 2X250MW Bhavnagar TPP.**

Each package/ drum delivered under the Contract shall be marked by vendor and such marking must be distinct and in English language (all previous irrelevant markings being carefully obliterated). Such marking shall show the description and quantity of contents, the name and address of consignee, the Gross weight and Net weight of the package, the name of the Vendor, PEM P.O. reference No. with a distinctive number of mark sufficient for purposes of identification. Besides above necessary, packing shall bear a special marking "TOP", "BOTTOM", "DO NOT TURN OVER", "KEEP DRY", "HANDLE WITH CARE", etc.

IMPORTANT:- One copy of respective standard manufacturer's erection instruction/operation instruction manual shall be kept in each package/container for immediate reference by BHEL site.

Each and every box (package) shall be marked with following:-

- 1) Name and address of the consignee:
- 2) Project reference:
- 3) Customer Contract No.:
- 4) Vendor Name :
- 5) PEM P.O. reference No.
- 6) Packing No.: (1/10, 2/10, 3/10 when there are 10 packages for one consignment)
- 7) Ultimate Destination: Bhavnagar
- 8) Packing Mark: (symbols indicating "TOP" and other special marking)
- 9) Type of Equipment: "E" (for equipment supply)  
"T" (for Tools & Tackles)  
"S" (for Mandatory Spares)

NOTE:- The Copy of complete Packing list for the consignment must be put inside the Box/ Boxes.

20 copies of supplier's Erection / Instruction manuals to be given to the Customer/ BHEL site.

*Abhishek*  
*04/10/10*

15.0 Commissioning spares

The commissioning spares shall be properly packed separately in separate box and each spare shall be properly tagged giving details i.e dispatch (to match the description given in the packing slip) to facilitate their proper identification. One Copy of Packing list must be put inside the Box.

16.0 Mandatory Spares (if applicable)

The Mandatory spares shall be properly packed separately in separate box indicating Mandatory Spares in bold letters and each spare shall be properly tagged giving details i.e item number of the equipment in line with the ultimate customer contract & Number per item (to match the description given in the packing slip) to facilitate their proper identification by ultimate customer M/s BECL. One Copy of Packing list must be put inside the Box along with Manufacturing drawing no. reference, Catalogue reference etc.

17.0 CIF Content

Packages for which CIF value considered are:  
Plate Heat Exchangers, COLTCS, Simplex Strainer, APRDS, VIS for TG and GCB.

*Aditya*  
04/10/10

## 18.0 Taxes & Duties

All Bidders to note that this is a ICB Project (Non Mega) and as per Extent of Foreign Trade Policy of govt. of India, the material if required for the manufacture of final goods when imported in to India are exempted from the Custom duty only, accordingly Customer M/s BECL will issue PAC for imported contents for the Project and subsequently BHEL/PEM will issue PAC based on the customer approved/ signed PAC for the applicable items to PEM to enable supplier to avail the benefit from Govt. List of imported contents, quantity, CIF value (in Rupee) and Foreign currency along with the origin of country supplying raw material etc, shall be indicated in price bid. This list will be later on as reference list for getting the PAC from BECL Customer for this Project. Please note that no request later at Contract execution stage shall be entertained by BHEL PEM for additional Item/ additional CIF other than the Original Bid.

BHEL shall not compensate for any foreign exchange variation on account of imports. BECL / BHEL shall issue PAC (Certified List of Goods) to enable bidders to avail exemption from Custom duty.

In case of vendor's inability to obtain zero duty license / reimbursement of CD paid, BHEL will not reimburse the same to the bidder.

Therefore, it is the sole responsibility of the bidder to obtain custom duty benefit in line with the PAC issued by PEM.

**IT IS FURTHER CLARIFIED THAT EXCISE DUTY DRAWBACK IS NOT APPLICABLE FOR THIS PROJECT. THE SUPPLIER TO QUOTE APPLICABLE EXCISE DUTY & CORRESPONDING CST/ VAT IN THE PRICE BID AND THE SAME WILL BE CONSIDERED FOR EVALUATION.**

*N. Singh*  
04/10/10

19.0 Inspection Agency

BHEL/ BECL.

Vendor shall give inspection call in line with approved QP to Regional BHEL-CQS with a copy of inspection call to BHEL-PEM (MM) for arranging Customer participation (Wherever applicable) with advance notice of 15 – 20 days for participation in inspection/ Joint inspection on the proposed date. The MDCC shall be issued by BHEL-PEM (MM) based on the BHEL-CQS report OR Joint inspection report of BHEL CQS & Customer (Wherever applicable). The MDCC in original shall be attached by bidders for their payment from BHEL.

20.0 Final Drawings / Documents Submission

Final Drawing / Documents to be submitted shall be as per Technical specifications otherwise will be intimated during kickoff meeting.

**PREPARED BY**

**REVIEWED BY**

**Name** : **Naina Singh**

**Perminder Singh**

**Designation** : **Sr. Engr.**

**AGM/PG-II**

**Signature** :

  
04/10/10

  
7/7/10

**Date** :

**ANNEXURE - I**

In order to avail the benefit of input tax credit available to BHEL in case of VAT leviable on intra-state transaction between BHEL and vendor, & to fulfill the compliances as per requirements of applicable State's VAT law, the following modality shall be applicable:

BHEL has identified a nodal agency in each State to take care of VAT compliances in the State in which project is located. For the subject project nodal agency shall be:

BHEL, POWER SECTOR WESTERN REGION,

SERVICE AFTER SALES, 568/1,

PARPIA COMPOUND, R.C.DUTT ROAD,

VADODARA-390007

**VAT TIN NO. 24190101571**

Nodal agency is defined as Buyer and BHEL/ PEM shall be paying agency in such cases, where VAT is applicable.

Vendors' original tax invoice for intra State transactions is one of important documents for availing Input Tax credit. In this regard the following may be noted by all vendors for strict compliance:

- As a general rule, a tax invoice must be original, must contain vendor's TIN No with full address, invoice no & date, product description with unit rate, quantity, value, VAT rate, VAT amount, gross value of bill, **buyer i.e. BHEL's address with TIN No.** (as given above) special marking like "Original" and/or "valid for input credit"/ Buyer can take credit against this" etc as per applicable State VAT law.
- Please note that BHEL's address and TIN to be mentioned in vendors tax invoice shall be **principal place of business & applicable TIN No. of nodal agency of BHEL, as given above.** **In no case the vendors, invoices shall be addressed to BHEL PEM nor shall they contain our TIN.** However for payment purposes, the invoice may mention BHEL PEM as paying authority.
- As original tax invoice of vendors are to be furnished to nodal unit for assessment/VAT audit purposes, extra copy of Original invoice is reqd to be submitted by vendors for retaining with PEM bank payment voucher.
- Original tax invoice along with extra copy of Original Tax invoice in line with respective state VAT law shall be essential document to be submitted by vendor for claiming payment.
- Vendor shall also furnish a certificate/statement/document as prescribed under applicable State VAT law. Please note that some of the States requires additional certificate/documents e.g. Haryana requires certificate in form C-4 in addition to original tax invoice.
- Please note that reimbursement/payment of VAT shall be subject to furnishing of Vat compliant tax invoice and other certificate/document as per applicable State VAT law.
- Tax invoice must show Vat rate & VAT amount separately and in no case all inclusive prices is to be shown in the tax invoice since input credit is not admissible in case VAT is not indicated separately.
- In case vendor is unable to furnish Vat compliant tax invoice & other certificate/document, VAT shall not be reimbursed by BHEL.

*N. Singh*  
04/10/10