

BHEL/PEM/PG1, NOIDA
SPECIAL CONDITIONS OF CONTRACT (Rev-01)
2x500MW, DURGAPUR STEEL TPS

These Conditions shall be read and construed along with General Conditions 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 : 2x500MW DURGAPUR STEEL TPS
- 2.0 Consignee Address : CONSTRUCTION MANAGER, BHEL SITE OFFICE
2X500 MW DURGAPUR STEEL TPS PROJECT ,
P.O.: ANDAL, DIST:- BURDWAN-713321 (WEST BENGAL) (Rev-01)
- 3.0 BHEL Site Office Address : CONSTRUCTION MANAGER, BHEL SITE OFFICE
2X500 MW DURGAPUR STEEL TPS PROJECT ,
P.O.: ANDAL, DIST:- BURDWAN-713321 (WEST BENGAL) (Rev-01)
- 4.0 Mode of Despatch : By Road on Door Delivery & Freight Pre-paid basis
- 5.0 Road Permit required : Yes. West Bengal State Road Permit will be Applicable.
- 6.0 Prior dispatch intimation to BHEL Site Office and Underwriters : Yes. One set consisting of LR / RR copy, packing List indicating the items dispatched (with their gross & net 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 : By BHEL
- Policy No. : 350600/44/08/5050000002
- Underwriters : M/s National Insurance Co. Ltd
Contact Person:- Sh. B. K. Sachdeva
Sr. Divisional Manager,
Divisional Office- VI, 302-304 Sahyog Building,
58, Nehru Place, New Delhi-1100019
Ph:- 011-26432109,
E-Mail:- bk.Sachdeva@nic.co.in (Rev-01)
- 8.0 Customer CST No. : 19381230210
- Customer VAT No. : 19381230016
- Customer WBST No. : 19381230113
- Customer PAN No. : AABCD0541M (Rev-01)

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- 11.0 Movement of Materials : By BHEL site office for supply packages
within site
- 12.0 Paying Authority : ~~DIRECTLY~~
DH (FIN.), BHEL-PEM, PPFI,
SECTOR – 16A, NOIDA – 201301 (U.P.). (Rev-01)
Note: Complete documents is to be submitted to PG1 for processing the payment. Only
- 13.0 Documents : As below
Requirement (For Supply payment)
- 13.1 DIRECT PAYMENT : a) Supplier invoice along with documentary evidence of Excise Duty paid.
(Original + 2 copies) b) Photocopy of Original LR (Consignee Copy). Original Consignee LR shall be sent along with the material directly to site for taking delivery of the Material on FOR Site basis.
c) Item-wise Packing List indicating Quantity/Gross Weight/Net Weight.
d) Original copy of MDCC (Material Despatch Clearance Certificate) to be issued by DVC, Kolkata.
e) Copy of letter addressed to Insurance Co.
f) Guarantee/Test Certificate/Inspection Reports.
- OR**
- 13.2 Through Bank : a) Supplier invoice along with documentary evidence of Excise Duty Paid
b) Original LR (Consignee copy)
c) Item-wise Packing List indicating Quantity/ Gross Weight/Net Weight.
d) Copy of MDCC (Material Despatch Clearance Certificate) issued by DVC, Kolkata.
e) Copy of letter addressed to Insurance Co.
f) Guarantee/Test Certificate/Inspection Reports.
- 13.3 For Payment against : Supplier's invoice (linking with dispatch invoice) along with Original
Receipt of material : Material Receipt Certificate (MRC) issued by site.
(MRC)
(Original + 6 Copies)

Only

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14.0 Despatch Markings : Each box shall be marked with Capital Letters in Red indicating the Main Supply or Commissioning Spare package for 2x500MW DURGAPUR site, P.O.: ANDAL, DIST:- BURDWAN-713321 (WEST BENGAL)
Each package 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 & address of the Consignee
- 2) Project Reference
- 3) Customer Contract No.
- 4) PEM P.O. Reference No.
- 5) Packing No. (1/10, 2/10, 3/10 when there are 10 packages for one
- 6) consignment)
- 7) Ultimate Destination: DURGAPUR
- 8)

Packing Mark: (Symbols indicating "TOP" and other special marking)

Type of Equipment: "E" (for equipment supply)

"T" (for tools & tackles)

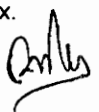
"S" (for Mand. Spares)

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.

For receiving payment from DVC Customer, BHEL has to raise invoices in 6 copies (one original plus 5 copies). The supplier must provide 6 set of dispatch documents (copy of Consignee LR, packing list, TC/CQIR, copy of MDCC) to PEM / PG1 for Customer billing.

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.



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16.0 BHEL Over-Heads : All Bidders to note that (in case of Purchase Order is placed by BHEL-PEM). If any supply item for his equipment or system is to be arranged by BHEL on behalf of the supplier, then BHEL's Over Heads presently @ 30% or as prevailing at that time, whichever is higher, for the value of the equipments/items procured by BHEL-PEM or BHEL-Site shall be levied on the supplier and same shall be recovered from the invoices available with BHEL-PEM Noida.

17.0 Taxes & Duties : Please note that this is a Mega Project and as per Extent of Foreign Trade Policy of Govt. of India, the material if required To be imported for the manufacture of final goods into India are exempted from the Customs Duty. The applicable Customs Duty in this project is zero % Accordingly, Customer, DVC will issue Essentiality Certificates only for imported Contents, if applicable, to enable supplier to avail the benefit from Government list of imported contents, Quantity, CIF value (in Rupee) and Foreign Currency etc. shall be indicated in price bid. This list will be later on used as reference list for getting the Essentiality Certificate from Damodar Valley Corporation, Kolkata 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. DVC/ BHEL shall issue Essentiality Certificate (certified List of Goods) to enable bidders to avail exemption from Customs Duty. Therefore, it is the sole responsibility of the bidder to obtain concessional Custom Duty benefit against the Essentiality Certificate issued.

IT IS FURTHER CLARIFIED THAT BEING A MEGA PROJECT, EXCISE DUTY IS ZERO (NOT APPLICABLE) FOR THIS PROJECT. THE SUPPLIER TO QUOTE WITH ZERO EXCISE DUTY AND APPLICABLE CST / VAT IN THE PRICE BID AND SAME WILL BE TAKEN FOR EVALUATION OF THE BIDS FOR ARRIVING AT THE L1 STATUS.
(Rev-01)

No credit of VAT shall be given to the bidders during tender evaluation. (Rev.01)

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 BHAWAN,
PLOT NO-9/1, DJ-BLOCK SECTOR-11
SALT LAKE CITY, KOLKATA-700091
VAT RC NO-20352205642 (REV.01)



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

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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, 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. As original tax invoice of vendors are to be furnished to nodal unit for assessment/VAT audit purposes, extra copy of Original invoice is required to be submitted by vendors for retaining with PEM bank payment voucher.

Original tax invoice along with extra copy of Original invoice as indicated above shall be essential document to be submitted by vendor for claiming payment duly verified shall be attached with original copy of payment advice by BHEL and sent to Fin Section for payment purposes. Original shall be forwarded by Finance to concerned nodal unit while extra copy of original invoice shall be retained with Bank voucher.

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 complaint 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 and the items being procured is otherwise eligible for set off, suitable loading for VAT element shall be done for comparative price evaluation.


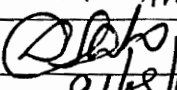
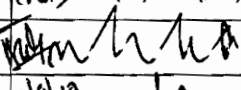
18.0 CIF Allocation Packages :

- (1) COLTS (EURO-880000/-)
- (2) SELF CLEANING STRAINERS (EURO-383875)
- (3) VIS FOR TG FOUNDATION (EURO-730000)



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- 19.0 Inspection Agency : BHEL/Customer.
Vendor shall give inspection call in line with approved QP to Regional BHEL-CQS with a copy of inspection call to BHEL-PEM for arranging Customer participation (wherever applicable) with advance notice of 15-20 days for participation in Inspection/joint inspection on the proposed date. The DVC MDCC shall be issued by BHEL-PEM based on BHEL-CQS report OR joint inspection report of BHEL-CQS & Customer (wherever applicable) AND THE COPY OF THE SAME WILL BE GIVEN TO THE SUPPLIER FOR CLAIMING THEIR PAYMENT FROM BHEL.
- 20.0 Final Drawings/Documents Submission : Final Drawing/Documents to be submitted shall be as per Technical Specifications otherwise to be intimated during kick-off meeting. In the kick-off Meeting, a schedule to be drawn by the supplier with BHEL –PEM indicating drawing submission requirement of final drawing approval, inspection schedule and dispatch of goods to Site in line with the delivery period agreed in the Purchase Order from PEM.
- 21.0 Any other special requirements of BHEL/Customer Contract : Material should be dispatched only after obtaining DVC Material Despatch Clearance Certificate(MDCC) from BHEL-PEM. In case MDCC is not obtained before dispatch, then supplier's payment will not be released for the material.

	PREPARED BY	CHECKED BY	APPROVED BY
Name:	VINIT KUMAR VERMA	D. SAHA / G. L. SHAH	SUKRIT SAHA
Designation:	ENGINEER / PEM (PG 1-1)	SDGM / PEM (PG 1-1) / AGM(PGM) AGM(FH) / PEM(PG1)	
Signature:			
Date:	21/09/10	21/09/10	21/9/10