

PEM / PG-II, BHEL, NOIDA
SPECIAL CONDITIONS OF CONTRACT (REV.02)

2x250 MW SIKKA Extn. UNIT # 3&4

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 | Sikka Thermal Power Station, Extn. 3 & 4,
2 X 250 MW,
Sikka - 361 141
Distt. Jamnagar (Gujrat) |
| 2.0 | Consignee Address | BHEL
Sikka Thermal Power Station Extn. 3 & 4
Sikka - 361 141
Distt. Jamnagar (Gujrat) |
| 3.0 | BHEL Site Office
Address | BHEL
Sikka Thermal Power Station Extn. 3 & 4
Sikka - 361 141
Distt. Jamnagar (Gujrat) |
| 4.0 | Mode of Dispatch | By Road on Door Delivery and freight Pre-Paid Basis |
| 5.0 | Road Permit Required | Yes |
| 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 | Following shall be required to be intimated to Underwriter :
(1) POLICY No.
(2) CONSIGNMENT DETAILS
(3) VALUE IN INR.
(4) FROM WHERE TO WHERE
(5) DATE OF DESPATCH
(6) CONSIGNEE NAME |
| | Policy No.
Underwriters | LATER
LATER |
| 8.0 | Customer CST
& VAT Nos. | CST TIN No.: 24690201429
VAT TIN No. : 24190201429 |
| 9.0 | Unloading at site | -By BHEL site office for supply packages.
-By vendor for Turnkey i.e. supply and Erection & Commissioning
packages. |

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- 10.0 Storage at site -By BHEL site for supply packages
-By vendor for Turnkey i.e. supply and Erection & Commissioning packages.
- 11.0 Movement of Material within Site -By BHEL site for supply packages
-By vendor for Turnkey i.e. supply and Erection & Commissioning packages
- 12.0 DOCUMENT REQUIRED FOR VENDOR PAYMENT. For vendor payment the supplier shall provide the following Documents to PG: -
a. **Supplier Invoice – 1 Copy**
b. **Consignee copy LR. (CONSIGNOR / LORRY COPY NOT REQD) – 8 Copies**
c. **Packing List** indicating Quantity/ Gross weight/ Net weight against each item dispatched. – **8 Copies**
d. **GSECL/Customer MDCC – 8 Copies**
e. Any other doc. If required, shall be intimated later
- 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 Turnkey Supplier/ Contractor. Only for Supply Packages BHEL/PEM will arrange MRC, however supplier/ contractor shall provide support for verification of material at site if required.
- 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. GIPCL. One Copy of Packing list must be put inside the Box along with Manufacturing drawing no. Reference, Catalogue reference etc.

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17.A Taxes & Duties &
Nature of Project for
availing Concessional
Custom Duty.(FOR
DOMESTIC BIDDER)

All Bidders to note that this is a Non Mega (Negotiated) Project and Essentiality Certificate issued by GSECL through BHEL for the items identified by PEM (MM) at Enquiry stage (Limited to CIF content indicated by you in P.O.) for availing Concessional Custom Duty for imported contents under Project Import regulations. The Bidder to get confirmation from PEM (MM) at Enquiry stage if CIF is available for their supply items/ system/ Package. If CIF is confirmed by PEM-MM as not available at Enquiry stage than bidder to quote their prices as DOMESTIC. The list of imported items, 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 Essentiality Certificate from Customer M/s GSECL 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.

Vendor shall be solely responsible for arranging the foreign exchange release for any material, component & bought out items that may be required to be imported and no foreign exchange will be paid or arranged by BHEL. Any increase or decrease in exchange rate shall be borne by Vendor/supplier.

Therefore, it is the sole responsibility of the bidder to obtain custom duty benefit in line with the Essentiality Certificate issued.

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

17.B Taxes & Duties
(For Order Directly to
Foreign Bidders)

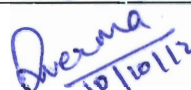

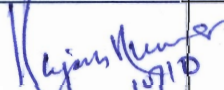
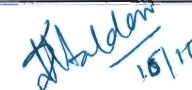
In case of Order on foreign supplier, the dispatches shall be FOB (Port of Dispatch) basis and the Taxes Duties in the country of dispatch shall be borne by Bidder & to be accounted in the prices quoted to BHEL/PEM.

The taxes duties applicable in India shall be borne by BHEL/PEM as port clearance/handling in India shall be done by BHEL-PEM/ BHEL ROD Mumbai for the direct order placed by PEM to the foreign bidder.

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- 18.A Inspection Agency (Domestic supplies) BHEL / Customer
Vendor shall give inspection call in line with approved QP to Regional "BHEL-CQS WEB SITE" with a copy of inspection call to BHEL-PEM (MM) for arranging Customer/GSECL participation (Where ever applicable) with an advance notice of 15 – 20 days for participation in inspection/ Joint inspection on the proposed date. The MDCC shall be issued by GSECL based on the BHEL-CQS report OR Joint inspection report of BHEL CQS & Customer (Wherever applicable). The MDCC in original shall be attached by vendors for their payment from BHEL.
- 18.B Inspection Agency (Imported supplies)
In case of Imported Supplies the Test Certificates & Inspection reports duly accepted by the Foreign supplier Inspection agency shall be submitted in 5 Sets to BHEL/PEM, Noida. The above Inspection reports & Test certificates shall be reviewed by PEM/Engineering in line with the Technical Specifications & Approved Data sheets and than sent to Customer for Customer clearance.
The dispatch clearance (MDCC) by Customer shall be given to the Foreign supplier OR their representative in India after acceptance of above test certificates by Ultimate Customer.
- 19.0 Construction Power and Water to Turnkey Suppliers.
Construction Power: BHEL shall provide construction power to vendors free of cost at one point.
Construction Water: construction water tapping by vendor from existing Intake Canal Or from existing water supply line shall be permitted Free of charges on request
- 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.

Encl: (*)ANNEXURE-I
for VAT

	Prepared by	Checked by	Reviewed By	Vetted by	Approved by
Signature & date	 10/10/12	 21/10/2012	 10/10		 15/10
Name	AKASH VERMA	PUSHKAR KHAKHA	RAJESH KUMAR		SK HALDAR
Designation	ENGR	ENGR	AGM		DH/PG-II-2

SCC Rev 02: Change at Clause no. 19.0 for Construction Power to Turnkey Suppliers.

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:

BHARAT HEAVY ELECTRICALS LIMITED,

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.

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