



भारत हेवी इलेक्ट्रिकल्स लिमिटेड

(भारत सरकार का उपक्रम)

BHARAT HEAVY ELECTRICALS LIMITED

(A Govt. of India Undertaking)

TCN - 01

Ref: PSER:SCT:BRM-E1565:TCN-01

Date: 05/07/2014

Sub	Tender change notice (TCN) 01	
Job	Package (Electrical-1) : Erection, Testing, Commissioning etc of Generator Transformer, Station Transformer, Unit Auxiliary Transformer, Other Misc Transformer, HT Bus Duct, DG Set, Associated Equipments/ Items/ Panel etc of (Electrical-1) Package for 2X250 MW Barauni Extension Project at Begusarai , Bihar .	
Ref	1.0	Tender no PSER:SCT:BRM-E1565:14
	2.0	BHEL's NIT , vide ref no PSER:SCT:BRM-E1565:14:3791 Dated 18/06/2014.
	3.0	Other references (if any).

With reference to above, following points , relevant to tender, may please be noted and complied with while submitting offer.

- 1.0 Clarification to Bidders Query as per [Annexure- A](#) to TCN-01 .
- 2.0 Clausae no. 41.0 (TAXES & DUTIES) of Technical condition of contract (VOLUME-IF-CML-R-0) Page 28 of 38 has been modified as per annexure-B to TCN-01 .
- 3.0 Clausae no. 43.1.12 of Technical condition of contract (VOLUME-IF-CML-R-0) Page 30 of 38 stands deleted.
- 4.0 Revised BOQ cum price schedule format VOL-III-PRICE SCHEDULE, REV-01 superseding VOL-III PRICE SCHEDULE, REV-0 issued earlier along with NIT .
Bidders are requested to submit their offer as per revised BOQ (Rev-01) only . Offer from bidders in superseded price schedule (Vol-III, REV-00) shall not be considered. Bidders are also requested to submit a declaration in techno-commercial offer that they have submitted their price bid in sealed envelope as per **REVISED price schedule format (VOL-III- PRICE SCHEDULE, REV-01)** .
- 3.0 Revised 'No deviation certificate' is attached. Bidder to submit 'No deviation certificate' as per attached Format only .
- 4.0 All other terms & conditions shall remain unchanged .

Thanking you,

Yours faithfully,

For BHARAT HEAVY ELECTRICALS LTD

Sr. ENGR (SCT)

Encl

- 1.0 Annexure-A to TCN-01
- 2.0 Annexure-B to TCN-01
- 3.0 VOL-III, Price Schedule , Rev-01
- 4.0 Revised 'No deviation certificate' format.

पावर सेक्टर पूर्वी क्षेत्र (मुख्यालय)

POWER SECTOR EASTERN REGION, DJ-9/1, SALT LAKE CITY, KOLKATA - 700 091

फैक्स/Fax : (033) 23211960

फोन/Phone : बोर्ड/EPABX : 23211495/ 1691

ANNEXURE-B TO TCN-01	
Erection, testing, commissioning etc of generator transformer, station transformer, unit auxiliary transformer, other misc transformer, Bus duct, DG set, associated equipments/ items/ panel, etc for 2x250 MW Barauni Extension Project at Bugusarai, Bihar.	
TENDER NO. PSER:SCT:BRM-E1565:14	

41.0	TAXES AND DUTIES
41.1	TDS under Income Tax, V.A.T etc, if any, shall be deducted at prevailing rates on Gross Invoice Value from the Running Bills unless Exemption Certificate from the Appropriate Authority/ Authorities is furnished .
41.2	<p>All Taxes excluding (Service Tax , Educational Cess and other Cess) , Works Contract Tax under state VAT Act, charges royalties, duties, Entry Tax , Cess, B.O.C.W Cess , any State or Central levy and other taxes for materials obtained for the work and for the execution of the contract shall be borne by the contractor and shall not be payable extra.</p> <p>Any increase of the same at any stage during execution of the contract shall have to be borne by the contractor. Quoted/ accepted rates/ price shall be inclusive of all such requirements after taking the Input Credit, if any, as per provisions of the State VAT Act. The contractor is responsible to furnish all documentary evidences towards payment of Works Contract Tax as & when required by BHEL. Submission of Tax Invoice is a must after Grossing up the Bills as the price is inclusive of VAT</p> <p>The Bidder must note that Bidder is required to provide us Tax –Invoice wherein VAT TAX on Materials used / consumed must appear with applicable Tax rate . In other words , Tax Invoice would clearly show vivisection of Materials and Services value separately ..</p>
41.3	<p>Contractor has to obtain Tax Clearance Certificate from the prescribed Authority in terms of SEC 42 OF BIHAR VALUE ADDED TAX ACT, 2005 read with Rule 28 of BIHAR VALUE ADDED TAX Rule , 2005 after issue of W.O to Contractor</p> <p>Advance Recovery of Tax from Works Contractors : BHEL will deduct applicable WCT TDS as per Sec 41 The Bihar Value Added Tax Act,2005 unless exemption Certificate is obtained .</p>
41.3.1	The Contractor has to make his own arrangement at his cost for completing the formalities ,if required, with State V.A.T. Act Authorities , for bringing their materials ,plants and machinery at Site for the execution of the Works under this Contract , Road Permit / Way Bill, if required, shall be arranged by the Contractor and BHEL-P.S.E.R will not supply any Road Permit/Way Bill for this purpose. The Contractor must be a Registered Dealer with the State VAT Act ,if not Registered yet and a copy of the said Registration Certificate along with TIN Number must be provided to Site R.A.O.
41.3.2	Entry Tax : Contractor has to get Entry Tax Registration Certificate from Local Sales Tax Authority and has to pay Entry Tax for bringing scheduled goods to local area of Barauni for use, sale & consumption for this Project / Work Order . Entry Tax paid Challan / Invoice Copy shall be made available to BHEL-Site Finance along with Tax Invoice as mentioned aforesaid .
41.4	Service Tax : The subject service is “works contract” as per Sec. 65B (54) of the Finance Act, 1994. Service Tax as legally leviable & payable by you under the above provisions of Finance Act, 1994 shall be paid by BHEL <u>on production of G.A.R-7 Challan</u> .
41.4.1	<p>2A. Determination of Value of Service Portion in the execution of a Works Contract vide Notification 24/2012 S.,T dated 06.06.2012 .</p> <p>Subject to the provisions of Section 67 , the value of Service portion in the execution of Works Contract , referred to in clause (h) of Section 66E of the Act , shall be determined in the following manner , namely ;</p> <p>i) Value of Service portion in the execution of Works Contract shall be equivalent to the Gross amount charged for Works Contract <u>less</u> the value of property in goods transferred in the execution of Works Contract.</p>

ANNEXURE-B TO TCN-01	
Erection, testing, commissioning etc of generator transformer, station transformer, unit auxiliary transformer, other misc transformer, Bus duct, DG set, associated equipments/ items/ panel, etc for 2x250 MW Barauni Extension Project at Bugusarai, Bihar.	
TENDER NO. PSER:SCT:BRM-E1565:14	

	<p>Hence , the Bidder should take note of Service Tax Liability on the Services Portion only .</p> <p>. In case Service Tax is payable by BHEL under reverse charge mechanism vide Notification No. 30/2012-Service Tax dtd. 20-06-2012, shall be paid separately.</p>
41.4.2	The Bidder shall issue invoice complying with Rule 4A of the Service Tax Rules 1994. The invoice shall indicate the name, address and the registration number (PAN Based STC No.) of the Bidder; the name and address and the registration number(_AAACB4146PST005) of BHEL .; the description and value of taxable service provided; and the service tax payable thereon by the Bidder.
41.5	You shall furnish proof of Service Tax registration (ST-2) with Central Excise Division covering the Services . Registration should also bear endorsement for the premises from where the billing shall be done by you on BHEL for this Project.
41.5.1	BHEL will not be held to be responsible for non-compliance of various Service Tax Rules, being framed from time to time
41.6	<p>➤ Point of Taxation Rule,2011 has come into operation from 01-04-2011. As per the rule Invoice must be generated within 14 days from the date of completion of service. In such case, the date of invoice will be the relevant date. However, if the invoice is not generated within 14 days as stated above, the date of completion of service shall be the relevant date.</p> <p>➤ Vendors must take adequate care and cautions w.r.t “Point of Taxation Rule,2012” as otherwise both the Vendors (for non-compliance) and BHEL (unable to take Credit on Input Services, resulting in extra fund flow in that particular month) will suffer.</p>
41.7	New taxes & duties, if imposed subsequent to due date of offer submission as per NIT & TCN, by statutory authority during contract period (including extension, if the same is not attributable to you), shall be reimbursed by BHEL on production of relevant supporting document to the satisfaction of BHEL. However, you shall obtain prior approval from BHEL before depositing new taxes and duties.

ANNEXURE-B TO TCN-01
Erection, testing, commissioning etc of generator transformer, station transformer, unit auxiliary transformer, other misc transformer, Bus duct, DG set, associated equipments/ items/ panel, etc for 2x250 MW Barauni Extension Project at Bugusarai, Bihar.
TENDER NO. PSER:SCT:BRM-E1565:14

FORMAT FOR NO DEVIATION CERTIFICATE
(To be submitted in the bidder's letter head)

BHARAT HEAVY ELECTRICALS LIMITED,
Power Sector - Eastern Region,
Plot no 9/1, DJ Block, Sector – II, Salt Lake City,
Kolkata – 700 091

Sub	No Deviation Certificate.	
Job	Package (Electrical-1) : Erection, Testing, Commissioning etc of Generator Transformer, Station Transformer, Unit Auxiliary Transformer, Other Misc Transformer, HT Bus Duct, DG Set, Associated Equipments/ Items/ Panel etc of (Electrical-1) Package for 2X250 MW Barauni Extension Project at Begusarai , Bihar .	
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	3.0	BHEL's TCN-01 , vide ref no PSER:SCT:BRM-E1565:TCN-01 Dated 05/07/2014.
	4.0	Other references (if any) .

Dear Sirs,

With reference to above, this is to confirm that as per tender conditions, we have visited site before submission of our offer and noted the job content & site conditions etc. We also confirm that we have not changed/ modified the tender documents as appeared in the website/ issued by you and in case of such observance at any stage, it shall be treated as null and void .

We hereby confirm that we have not taken any deviation from tender clauses together with other references as enumerated in the above referred NIT. We hereby confirm our unqualified acceptance to all terms & conditions, unqualified compliance to technical specification, Integrity Pact (If applicable) and acceptance to reverse auctioning process.

In the event of observance of any deviation in any part of our offer at a later date whether implicit or explicit, the deviations shall stand null & void.

We confirm to have submitted offer in accordance with tender instructions and as per aforesaid references.
Thanking you,

Yours faithfully,

(Signature , date & seal of authorized
Representative of the bidder)

पावर सेक्टर पूर्वी क्षेत्र (मुख्यालय)

POWER SECTOR EASTERN REGION, DJ-9/1, SALT LAKE CITY, KOLKATA - 700 091

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