



भारत हेवी इलेक्ट्रिकल्स लिमिटेड

(भारत सरकार का उपक्रम)

BHARAT HEAVY ELECTRICALS LIMITED

(A Govt. of India Undertaking)

TCN - 04

Ref: PSER:SCT:PAL-M1053:TCN-04

Date: 18-12-2009

Sub	Tender change notice (TCN) 04.	
Job	<i>Logistics of ODC Consignment from Various BHEL Manufacturing units and or Port of Origin to Palatana site through Road & Waterways (Alt-1- through Karimganj & Alt-2- through Ashuganj) for Unit # 1 & 2 of 726.6 (2X363.3) MW Gas based CCPP at Palatana, Udaipur, Tripura</i>	
Ref	1.0	Tender no PSER:SCT:PAL-M1053:09
	2.0	BHEL's NIT, vide reference no PSER:SCT:PAL-M1053, dated 05-11-09
	3.0	BHEL's TCN-01 vide ref. no. PSER:SCT:PAL-M1053:TCN-01 dated 23/11/09
	4.0	BHEL's TCN-02 vide ref. no. PSER:SCT:PAL-M1053:TCN-02 dated 05/12/09
	5.0	BHEL's TCN-03 vide ref. no. PSER:SCT:PAL-M1053:TCN-03 dated 10/12/09
	6.0	Other references (if any).

With reference to above, following changes/modifications, relevant to the subject tender, may please be noted and complied with while submitting offer.

- 1.0 Modification to tender terms has been incorporated as per annexure-A
- 2.0 Revised 'No deviation certificate' is attached. Bidder to submit 'No deviation certificate' as per attached format only.
- 3.0 All other terms & conditions shall remain unchanged.

Thanking you,

Yours faithfully,
for BHARAT HEAVY ELECTRICALS LTD

DGM(SCT)

Enclosure:

2. Annexure-A (Modification to tender terms has been incorporated)
1. Annexure -2: Revised 'No deviation certificate'.

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 : 23211798/ 1691

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	Logistics of ODC Consignment from Various BHEL Manufacturing units and or Port of Origin to Palatana site through Road & Waterways Waterways (Alt-1-through Karimganj & Alt-2- through Ashuganj) for Unit # 1 & 2 of 726.6 (2X363.3) MW Gas based CCPP at Palatana, Udaipur, Tripura	
Ref	1.0	Tender no PSER:SCT:PAL-M1053:09
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	4.0	BHEL's TCN-02 vide ref. no. PSER:SCT:PAL-M1053:TCN-02, dated 05-12-09
	5.0	BHEL's TCN-03 vide ref. no. PSER:SCT:PAL-M1053:TCN-03, dated 10-12-09
	5.0	BHEL's TCN-04 vide ref. no. PSER:SCT:PAL-M1053:TCN-04, dated 18-12-09
	6.0	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 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

फैक्स/Fax : (033) 23211960

फोन/Phone : बोर्ड/EPABX : 23211691/ 1798

ANNEXURE-A TO TCN-04

SUB: Logistics of ODC Consignment from Various BHEL Manufacturing units and or Port of Origin to Palatana site through Road & Waterways (Alt-1-through Karimganj & Alt-2- through Ashuganj) for Unit # 1 & 2 of 726.6 (2X363.3) MW Gas based CCPP at Palatana, Udaipur, Tripura

TENDER NO : PSER : SCT : PAL-M1053:09

MODIFICATION TO TECH SPEC & SCC (VOL-II & ID) CLAUSES:

1.0 In cl no. 3.3 & 6.3 (Note - Point no. 5), of tender spec has been modified as follows:

“BILL IS TO BE RAISED ON OTPC(A/C - BHEL). WORK DONE SHALL BE CERTIFIED BY BHEL-PSER(LOGISTICS GROUP) AND FORWARDED TO OTPC AND OTPC SHALL MAKE DIRECT PAYMENT TO THE BIDDER AS PER ABOVE CERTIFICATION.”

2.0 In cl no. 3.13 and 6.13 (Point no. 3),of VOL-II & ID of tender spec shall be read as

SERVICE TAX:

Vide Section 65 (105) (zzp), OTPC is liable to pay Service Tax @ 25 % on the value of Taxable Service of “ Transport of Goods by Road in a Goods Carriage” provided a simple declaration should be made by GTA in the Consignment Note that he has not taken Cenvat Credit on Inputs or Capital Goods used for providing Taxable Services and also no benefit under Notification No. 12/2003 has been taken by him.

SERVICE TAX FOR CIVIL JOBS:

Finance Act, 2007 introduced a new sub-clause (zzzza) to Section 65 (105) which provided for levying Service Tax on execution of Works Contract with effect from 1.6.07

Notification No. 32/2007-Service Tax provides an option (of composition) to the person liable to pay service tax in relation to works contract service to pay an amount equal to 4.12%(at present) of the gross amount charged for the Works contract instead of normal rate provided in the Sec. 66 of the Act. However, this option of paying service tax @4.12 %(at present) on gross value can be exercised prior to payment of service tax in respect of said Works contract and the option so exercised shall be applicable for the entire works contract and shall not be withdrawn until the completion of said works contract.

As such, Service Tax as legally leviable & payable by the Contractor under the above provisions of applicable law/Act, shall be paid by **OTPC** on Contractor's Gross Bill. However, Contractor shall have to submit proof of Service Tax deposited by them immediately after the deposit but not later than the next Bill submitted after the due date of deposit. The Contractor shall furnish proof of Service Tax registration with Central Excise Division covering the Services as well as exercising the aforesaid option i.e. the Composition Scheme under Notification 32/2007 under this Contract. Registration should also bear endorsement for the premises from where the billing shall be done by the Contractor on OTPC(A/C – BHEL) for this Project. **BHEL-PSER/OTPC** will not be held to be responsible for non-compliance of various Service Tax Rules, being framed from time to time.
