



# भारत हेवी इलेक्ट्रिकल्स लिमिटेड

( भारत सरकार का उपक्रम )

## BHARAT HEAVY ELECTRICALS LIMITED

(A Govt. of India Undertaking)

### TCN - 12

Ref: PSER:SCT:KLN-Q1842:TCN-12

Date: 05-09-2017

Sub	Tender Change Notice (TCN)- 12	
Job	Providing services of field health, safety & environment (HSE) assurance engineers for Unit- 1&2 at 2X660 MW Units, Maitree Super Thermal Power Project, Rampal, Bangladesh.	
Ref	1.0	Tender no PSER:SCT:KLN-Q1842:17
	2.0	BHEL's NIT, vide reference no PSER:SCT:KLN-Q1842:5803 Date: 10-07-2017
	3.0	BHEL's TCN-01, vide reference no PSER:SCT:KLN-Q1842:TCN-01 Date: 14-07-2017
	4.0	BHEL's TCN-02, vide reference no PSER:SCT:KLN-Q1842:TCN-02 Date: 27-07-2017
	5.0	BHEL's TCN-03, vide reference no PSER:SCT:KLN-Q1842:TCN-03 Date: 03-08-2017
	6.0	BHEL's TCN-04, vide reference no PSER:SCT:KLN-Q1842:TCN-04 Date: 04-08-2017
	7.0	BHEL's TCN-05, vide reference no PSER:SCT:KLN-Q1842:TCN-05 Date: 05-08-2017
	8.0	BHEL's TCN-06, vide reference no PSER:SCT:KLN-Q1842:TCN-06 Date: 09-08-2017
	9.0	BHEL's TCN-07, vide reference no PSER:SCT:KLN-Q1842:TCN-07 Date: 11-08-2017
	10.0	BHEL's TCN-08, vide reference no PSER:SCT:KLN-Q1842:TCN-08 Date: 16-08-2017
	11.0	BHEL's TCN-09, vide reference no PSER:SCT:KLN-Q1842:TCN-09 Date: 18-08-2017
	12.0	BHEL's TCN-10, vide reference no PSER:SCT:KLN-Q1842:TCN-10 Date: 28-08-2017
	13.0	BHEL's TCN-11, vide reference no PSER:SCT:KLN-Q1842:TCN-11 Date: 04-09-2017
	14.0	Other References, if any.

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

1. Clarification to bidder's queries as per attached Annexure-A.
2. Revised 'No deviation certificate' is attached. Bidder to submit 'No deviation certificate' as per attached format only.
3. All other terms & conditions shall remain unchanged.

Thanking you,

Yours faithfully,  
for BHARAT HEAVY ELECTRICALS LTD

Encl: As Above.

Dy. Mgr (SCT)

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 : (033) 2339 8000

**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	Providing services of field health, safety & environment (HSE) assurance engineers for Unit-1&2 at 2X660 MW Units, Maitree Super Thermal Power Project, Rampal, Bangladesh.	
Ref	1.0	Tender no PSER:SCT:KLN-Q1842:17
	2.0	BHEL's NIT, vide reference no PSER:SCT:KLN-Q1842:5803 Date: 10-07-2017
	3.0	BHEL's TCN-01, vide reference no PSER:SCT:KLN-Q1842:TCN-01 Date: 14-07-2017
	4.0	BHEL's TCN-02, vide reference no PSER:SCT:KLN-Q1842:TCN-02 Date: 27-07-2017
	5.0	BHEL's TCN-03, vide reference no PSER:SCT:KLN-Q1842:TCN-03 Date: 03-08-2017
	6.0	BHEL's TCN-04, vide reference no PSER:SCT:KLN-Q1842:TCN-04 Date: 04-08-2017
	7.0	BHEL's TCN-05, vide reference no PSER:SCT:KLN-Q1842:TCN-05 Date: 05-08-2017
	8.0	BHEL's TCN-06, vide reference no PSER:SCT:KLN-Q1842:TCN-06 Date: 09-08-2017
	9.0	BHEL's TCN-07, vide reference no PSER:SCT:KLN-Q1842:TCN-07 Date: 11-08-2017
	10.0	BHEL's TCN-08, vide reference no PSER:SCT:KLN-Q1842:TCN-08 Date: 16-08-2017
	11.0	BHEL's TCN-09, vide reference no PSER:SCT:KLN-Q1842:TCN-09 Date: 18-08-2017
	12.0	BHEL's TCN-10, vide reference no PSER:SCT:KLN-Q1842:TCN-10 Date: 28-08-2017
	13.0	BHEL's TCN-11, vide reference no PSER:SCT:KLN-Q1842:TCN-11 Date: 04-09-2017
	14.0	BHEL's TCN-12, vide reference no PSER:SCT:KLN-Q1842:TCN-12 Date: 05-09-2017
	15.0	All other pertinent issues till date.

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/uploaded offer/documents in accordance with tender instructions with acceptance of the terms & conditions of the tender by us 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, SECTOR-II, SALT LAKE CITY, KOLKATA - 700 091

फैक्स/Fax : (033) 23211960

फोन/Phone : बोर्ड/EPABX : 033-2339 8000/ 2339 8236

<b>ANNEXURE-A TO TCN-12</b>		
<b>Providing services of field health, safety &amp; environment (HSE) assurance engineers for Unit- 1&amp;2 at 2X660 MW Units, Maitree Super Thermal Power Project, Rampal, Bangladesh.</b>		
<b>Tender no PSER:SCT:KLN-Q1842:17</b>		
Sl no.	Bidder's query	BHEL's clarification
1	<p>Since the both tenders are outside India for Bangladesh project. There is no mention or paragraph on Work Permit, Residence Visa. Scope clarity missing. Only in the clarifications asked by some bidders, single line saying "BHEL issue invitation letter, other things to be arranged by contractor/bidder"</p> <p>Our Question : This is most important aspect, there are many legal, technical issues relating to the Work Permit, Residence Visa. There are costs involved and there is no clarification on these costs. When main tender is silent on this, only in clarifications, this issue arised.</p>	<p>We have already clarified in TCN 02 dtd. 27/07/2017.</p> <p>Further, The Contractor shall comply with all applicable relevant Statutory Laws in Bangladesh relating to the scope of work to be carried under this contract.</p>
2	<p><b>International Travel Costs</b></p> <p>Both tenders are for Bangladesh project, there are travel costs for mobilising people from India to Bangladesh. Tender is silent on this issue.</p>	<p>No separate cost shall be payable by BHEL on this ground. Bidder has to include this cost in their quoted price.</p>
3	<p><b>Branch in Bangladesh</b></p> <p>There is mention that the successful bidder should have branch office in Bangladesh and should have TIN and other registrations, licences.</p> <p>Our Question : Tender is issued in India, meeting qualifying requirements with Indian Rupees. Means Indian companies to quote. (Of course Bangladesh companies may also quote). Small and Medium Enterprises (SMEs) majority may not have branch office in Bangladesh. Only Multi country operating Inspection Agencies may have branch there. Hence SME competitive bidders will be deprived to take part in this tender.</p> <p>Suppose any SME successful in getting order, they may open office in Bangladesh. In such case, prior information on various legal, statutory issues are needed to submit tender with price. But the tender time of 25-30 days not sufficient to get such information from other country and to submit tender.</p> <p>There are no details on 'what is a Branch Office?' Just a TIN and address sufficient or what else needed for a Branch Office?.</p>	<p>The successful bidder shall have to get registration / license with the registering authority in Bangladesh. Such registration is required for Getting the Work Permit of the manpower likely to Imported for the subject Job.</p> <p>The Bidder shall carry out their own tax / regulatory diligence to get acquainted with the relevant rules and regulations of Bangladesh pertaining to the subject job.</p>
4	<p><b>Manpower for Bangladesh</b></p> <p>We understand that there is law prevailing in Bangladesh, as per this for every engineer deployed from India, 5 local (Bangladeshi) engineers have to be deployed/employed. There is no mention on such important issue in the NIT</p>	<p>Bidder shall carry out their own tax/ regulatory diligence to get acquainted with the relevant rules and regulations of Bangladesh pertaining to the subject job and may apply for a waiver against any such law with local authorities, if applicable.</p>

<b>ANNEXURE-A TO TCN-12</b>		
<b>Providing services of field health, safety &amp; environment (HSE) assurance engineers for Unit- 1&amp;2 at 2X660 MW Units, Maitree Super Thermal Power Project, Rampal, Bangladesh.</b>		
<b>Tender no PSER:SCT:KLN-Q1842:17</b>		
<b>Sl no.</b>	<b>Bidder's query</b>	<b>BHEL's clarification</b>
5	<p><b>30% Income Tax in Bangladesh</b> It is learned that Income Tax levels are 30% in Bangladesh and it is very high as comparing Indian conditions. BHEL should compensate suitably on this.</p>	No separate cost shall be payable by BHEL on this ground. Bidder has to include this cost in their quoted price.
6	<p><b>Mobilisation time:</b> There is mention of 15 days mobilisation time in NIT. For any international tender and operation, mobilisation time is 30-45 days for making various travel arrangements. But tender giving 15 days time is not meeting the international tender guidelines. If Visa is not issued and delay in other legal aspects, successful bidder has to pay fine per week to BHEL.</p> <p>Equally replacement should be done in 10 days time. Replacement and mobilisation is same in international tenders, operations.</p>	Please refer VOL-II- R-3 issued along with TCN-10
7	<p><b>Working Round the clock</b> Working round the clock may be allowed if the person is given compensatory leave on hours/days basis, with out extra payment.</p>	Please refer VOL-II- R-3 issued along with TCN-10
8	<p><b>VAT in Bangladesh</b> There is Value Added Tax in Bangladesh against each bill. But the both price bids/NITs are not mentioning the same. Prices quoted are inclusive of VAT or exclusive of VAT. (VAT details given for Imports only, not for services)</p>	Bidders are requested to refer Clause No.17.2.4 of the Taxes and Duties Clause of VOL-II- R-3 issued with TCN-10 .The price quoted shall be exclusive of VAT as per clause No. 17.2.4