

**PEM / COMMERCIAL, BHEL, NOIDA**  
**SPECIAL CONDITIONS OF CONTRACT (REV. 00)**

**2X600 MW D B POWER LTD.**  
**(Applicable for UNIT-2 also)**

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   | 2X600 MW D B POWER LTD.   |
| 2.0 | Consignee Address  | BHARAT HEAVY ELECTRICALS LIMITED<br>VILL & P.O. : BARADARHA<br>Distt. : JANJGIR-CHAMPA<br>State : CHHATTISGARH  |
| 3.0 | BHEL Site Office Address                                       | BHARAT HEAVY ELECTRICALS LIMITED / Site Office<br>VILL & P.O. : BARADARHA<br>Distt. : JANJGIR-CHAMPA<br>State : CHHATTISGARH  |
| 4.0 | Nearest Road Head  | The site is located adjacent to the district road which connects the site with Kharsia.   |
| 5.0 | Nearest Rail Head  | Kharsia, approx. 7 kms from the Project site.   |
| 6.0 | Mode of Dispatch   | By Road/Rail on Door Delivery and freight Pre-Paid Basis  |
| 7.0 | Road Permit Required   | Yes   |
| 8.0 | 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:<br>a. BHEL Site office<br>b. Insurance co. |
| 9.0 | Transit Insurance  | BY BHEL<br><br>Following shall be required to be intimated to Underwriter :<br>(1) POLICY No.<br>(2) CONSIGNMENT DETAILS<br>(3) VALUE IN INR.<br>(4) FROM WHERE TO WHERE<br>(5) DATE OF DESPATCH<br>(6) CONSIGNEE NAME  |
|     | Policy No.   | LATER   |
|     | Underwriters   | LATER   |

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10.0	Customer CST & VAT Nos.	LATER
11.0	Unloading at site	-By BHEL site office for supply packages. -By vendor for Turnkey i.e. supply and Erection & Commissioning packages.
12.0	Storage at site	-By BHEL site for supply packages -By vendor for Turnkey i.e. supply and Erection & Commissioning packages.
13.0	Movement of Material within Site	-By BHEL site for supply packages -By vendor for Turnkey i.e. supply and Erection & Commissioning Packages
14.0	DOCUMENT REQUIRED FOR VENDOR PAYMENT.	For Vendor Payment by PEM the Vendor shall provide the following Documents to PG : - <ul style="list-style-type: none"> <li>a. <b>Supplier Invoice – 1 Copy</b></li> <li>b. <b>Consignee copy LR.</b> (CONSIGNOR / LORRY COPY NOT REQD) – <b>8 Copies</b></li> <li>c. <b>Packing List</b> indicating Quantity/ Gross weight/ Net weight against each item dispatched. – <b>8 Copies</b></li> <li>d. <b>Original MDCC by Customer and 8 Copies</b></li> <li>e. Any other doc. If required, shall be intimated later</li> </ul>
15.0	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 based on receipted LR provided by vendor, however supplier/ contractor shall provide support for verification of material at site if required.
16.0	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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17.0 Mandatory Spares  
(IF APPLICABLE)

N. A

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

All Bidders to note that this is expected to be Mega Project, as the customer Dainik Bhaskar Power Ltd. (DBPL) has applied to the Ministry of Power Govt. of India, for grant of Mega status as per the policy for MEGA project of Govt. of India. The materials for the project if required to be imported for the manufacture of the final goods into India are exempted from the Custom duty. The applicable custom duty in this project shall become zero %, accordingly DBPL shall issue **Project Authority Certificates (PAC)** for imported materials, if applicable, to enable BHEL/ Sub-Vendors to avail the benefits of 0% Custom duties from Customs authorities at respective Indian Port at the time of clearance of imported goods for this project, subject to documentary proof.

Therefore it is the sole responsibility of the Bidders to avail 0% custom duty benefits against the PAC issued by DBPL.

It is further notified that on getting Mega Project status excise duty shall be zero for this project.

HOWEVER SALES TAX / VAT TAX / ENTRY TAX / AS APPLICABLE TO THE SELF MANUFACTURED ITEMS SHALL BE PAID BY BHEL EXTRA AT ACTUAL. HOWEVER, CST/VAT SHALL NOT BE CONSIDERED FOR EVALUATION.

In the event of delay in getting Mega Project status, the supplier shall be reimbursed ED and CD by BHEL, in line with the contract between BHEL & DBPL.

Further vendor to quote the CD% & amount on quoted CIF, ED% & amount separately. However same shall not be included in quoted price and should not be considered in evaluation.

CIF is available for following packages viz. PHE, Angle drain valves, CCS Gate Globe NRV.

18.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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- 19.A Inspection Agency (Domestic supplies) **BHEL / Customer / Third Party Inspection agency**  
Vendor shall give inspection call in line with approved QP/Customer Hold Points to Regional "BHEL-CQS WEB SITE" with a copy of inspection call to BHEL-PEM for arranging Customer/DBPL 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 DBPL 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.
- 19.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.
20. Construction Power and Water to Turnkey Suppliers. **Construction Power:** BHEL shall provide construction power at 415 V, A.C, 3 Phase, 50 Hz on chargeable basis.  
**Construction Water:** BHEL shall provide Free of cost Construction Water, to supplier at single point. Further distribution of Construction water at Project site for their use shall be arranged by supplier at their own cost. Potable water shall be arranged by supplier at their own cost.
21. Final Drawings / Documents Submission Final Drawing / Documents to be submitted shall be as per Technical specifications otherwise will be intimated during kickoff meeting or later.
22. Sub-vendor List All bidders to submit the List of their sub vendor along with the offer. The final placement of order shall be subject to approval of Sub-vendors by the customer DBPL.
23. VAT Invoices Suppliers to note that in case of local(with in state) dispatches, in their VAT Invoices, address & TIN no. of Nodal agency shall be indicated instead of PEM's address & TIN no. and paying authority shall be same as BHEL/PEM NOIDA –**Please refer Annexure-I (enclosed).**

PREPARED BY

REVIEWED BY

APPV BY

Name : Swati Rawat

Asif Iqbal Qureshi

S K MAUDAR

Designation : Engineer (PG-2/2)

Manager (PG-2/2)

DH/PG-2-2

Signature : 

  
05/11/11



Date : 5/1/2011

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## **Annexure-I**

### **SPECIAL CONDITIONS OF CONTRACT (REV00)** **FOR 2 X 600 MW DAINIK BHASKAR TPS**

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, PSWR  
SITE OFFICE,  
2X250 MW BESCL Expension Site,  
Purena, P.O. Bhilai-3,  
Disstt. Durg - 490021, Chattisgarh

VAT TIN No.: 22173202974

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 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, VAT shall not be reimbursed by BHEL.
- WHERE THE SUPPLIES ARE MADE FROM WITHIN THE SAME STATE WHERE THE PROJECT IS LOCATED, THE VENDOR HAS TO PROVIDE VAT INVOICE FOR SUCH SUPPLIES EVEN IF THE PRICE QUOTED IS ALL INCLUSIVE.

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