



SEEPZ SEZ AUTHORITY

No.:E-OPT-11/84/2022-EO

Date: 10/06/2022

Responses to Pre-bid Queries

Tender Title: Request for Proposals for “GEOTECHNICAL INVESTIGATION WORKS FOR SETTING UP NEW STANDARD DESIGN FACTORY (SDF) BUILDINGS IN SEEPZ, ANDHERI, MUMBAI”

Tender Reference No.: E-OPT-11/84/2022-EO

Tender ID: 2022_SEEPZ_691047_1

Sr. No.	Reference	Brief Clause	Clarification Requested	Response
1	Tender document, page 30, Clause 5.3.2 line - 6	Carrying out topographical survey of plant and allied areas including clearance of jungles and cutting of trees etc which are interfering with the survey works and any other field works necessary for the completion of the said item	It is mentioned in the Tender doc. "Including clearance of jungles and cutting of trees which are obstructing the survey or other related work". However, such an item is not mentioned in the BOQ document. Kindly elaborate please	It is mentioned in the BoQ. Clause 1.02 of Price Schedule A
2	Tender document, page 30, Clause 5.3.3 line - 1	Find out geological phenomena (including collapsing soil and liquefaction phenomena, etc.) that could affect the stability of the construction activity at the Project Site and the extent of harm thereto and provide calculation indexes and data required for the prevention and control of such geological phenomena.	It's mentioned that to find out the liquefaction potential of the soil. However, the laboratory or field test to arrive up to this soil property is not listed in the BOQ document. Kindly elaborate please.	Clause deleted as it is only required in area prone to earth quake. Please refer to the Para 1 of Clause 1 in corrigendum issued in this regard.

Sr. No.	Reference	Brief Clause	Clarification Requested	Response
3	Tender document, page 30, Clause 5.3.6 line - 1	Measure the shear wave velocity of the soil layer, classify the soil at the Project Site, and evaluate the possibility of liquefaction of saturated sand and silt, so as to meet the requirements of seismic design.	It is mentioned in the document to " Measure the shear wave velocity of the soil layer & evaluate the possibility of liquefaction for seismic design". However, the relevant laboratory or field test is not mentioned in BOQ. Kindly elaborate please.	Clause has been deleted as it is only required in area prone to earth quake Please refer to the Para 2 of Clause 1 in corrigendum issued in this regard.
4	Tender document, page 31, Clause 5.3.8 Para - 2	Trial investigation/ survey shall be carried out prior to formal investigation/ survey. After trial investigation/ survey, the Employer and Consultant shall discuss with each other and determine the conditions of the soil layer at the Site and the requirements of the building to determine the final depth of exploration.	It is mentioned that "Trial investigation survey shall be carried out before the formal investigation". Are the quantities for the trial investigation considered in the BOQ?	Clause has been deleted considering the size of the plot and previous data available, trial investigation is not necessary. Please refer to the Para 3 of Clause 1 in corrigendum issued in this regard.
5	-	-	The Termination depth of the Borehole is not specifically mentioned (Like; 5m in moderately weathered Rock, 3m in Hard rock etc). Termination criteria play a major role to limit or increase the drilling activity for the purpose of arriving necessary conclusions about the subsoil. Kindly include the same please.	Termination Criteria: Generally 10 m or depending upon Rock Quality Designation (RQD) > 75% (Final calculation as per actuals). Please refer to the Clause 5 in corrigendum issued in this regard.
6	Tender document, page 31, Clause 5.3.12 Line - 1	Provide the earth resistivity of the Project Site. Provide resonant column experiment data.	It's mentioned that "Provide resonance column experiment data". However, the test is not mentioned in the BOQ. Kindly elaborate please	Clause has been deleted as it is only required in area prone to earth quake Please refer to the Para 4 of Clause 1 in corrigendum issued in this regard.

Sr. No.	Reference	Brief Clause	Clarification Requested	Response
7	Tender document, page 33, Clause 5.4.1	The drilling holes are divided into general exploration holes and controlled exploration, one controlled exploration hole is set every 5 general exploration holes, the control depth of the general exploration holes is not less than 10m, and the control depth of the controlled exploration holes is not less than 15m, trial investigation/ survey shall be carried out prior to formal investigation/ survey. After trial investigation/ survey, the Employer and Consultant shall discuss with each other the requirements of the building	Geotechnical Investigation is defined in terms of Controlled drilling holes and General drilling holes, saying the depths as not less than 10m and 15m respectively. Also, there will be 1 controlled hole for every 5 general exploration holes. It's creating confusion on how the investigation process will begin. At the same time, the quantity mentioned in BOQ is 120m, which looks different from what's being understood from the Tender document. Kindly elaborate please.	Clause revised. Please refer to the Clause 2 in corrigendum issued in this regard.
8	-	-	Rock drilling rate and laboratory rock testing quantities are not mentioned in BOQ	Refer Revised BoQ with necessary changes. Please refer to the Clause 4 in corrigendum issued in this regard.

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CORRIGENDUM

Tender Title: Request for Proposals for “GEOTECHNICAL INVESTIGATION WORKS FOR SETTING UP NEW STANDARD DESIGN FACTORY (SDF) BUILDINGS IN SEEPZ, ANDHERI, MUMBAI”

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Subsequent to the pre-proposal meeting held on 01st June 2022 and suggestions received thereof, the following changes are hereby made to the bid document originally issued on 25th May 2021.

1. The following clause in objectives and scope of work has been deleted:

“5.3.3 -

Find out geological phenomena (including collapsing soil and liquefaction phenomena, etc.) that could affect the stability of the construction activity at the Project Site and the extent of harm thereto and provide calculation indexes and data required for the prevention and control of such geological phenomena.”

“5.3.6 –

Measure the shear wave velocity of the soil layer, classify the soil at the Project Site, and evaluate the possibility of liquefaction of saturated sand and silt, so as to meet the requirements of seismic design.”

“Para 2 of 5.3.8 -

Trial investigation/ survey shall be carried out prior to formal investigation/ survey. After trial investigation/ survey, the Employer and Consultant shall discuss with each other and determine the conditions of the soil layer at the Site and the requirements of the building to determine the final depth of exploration.”

“5.3.12 –

Provide the earth resistivity of the Project Site. Provide resonant column experiment data.”

2. Technical Requirement Para 01 of 5.4.1 is hereby modified as follows, “The estimated engineering quantity of this work as provided in the Price Bid document tentatively, and

the spacing between geological investigation points is not greater than 20m, however Consultant shall make necessary checks as per standard requirement. The Employer reserves the rights to provide additional technical requirements to the Consultant, which shall be deemed to be incorporated under this Inquiry document. Borehole types and technical requirements shall meet the relevant Central and legislations and the relevant standards prescribed by appropriate authorities.”

3. GST for the services provided to SEEPZ SEZ is zero-rated as per section 16 of the IGST Act. There shall be no instance of GST for services provided under this contract. Hence, SEEPZ SEZ Authority shall not reimburse any amounts towards taxes. Clarification on Exemption from GST is attached at Annexure 02.
4. Rock drilling rate and laboratory rock testing quantities are now mentioned in BOQ. The revised BOQ is attached as Annexure 01.
5. For including the additional item related to the rock testing, an extra sheet titled- “Price Schedule – C2” has been added to the BOQ. Bidder must be careful while filling out BOQ.

Methodology:

- a) Bidders are to fill the item rates in Price Schedule – A, Price Schedule – B, Price Schedule – C-1, Price Schedule – C-2 and Price Schedule D (boxes marked with blue/cyan colour).
 - b) Bidders should not fill anything in Price Schedule – C.
The BOQ will automatically add the total values from Price Schedule C-1 & Price Schedule C-2 and fill it in Price Schedule C.
 - c) Finally, the Bidders must fill the BOQ 1 sheet according to the name mentioned in the row. (eg. Serial number 3 in BOQ sheet indicates Price Schedule C, so bidder must simply pick the total value from the particular sheet i.e. Price Schedule C sheet and enter it there manually)
6. Termination Criteria:
The boreholes are to be dug up to the depth of 10 m or depending upon Rock Quality Designation (RQD > 75%). In case RQD is greater than 75% for 3 meters, the hole may be terminated.
(Final calculation will be as per the actual requirement on site or according to the employer.)

Enclosed Annexure –

1. Annexure 1 – Revised BoQ
2. Annexure 2 - GST Clarification

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Exemption from GST

The Ministry of Finance notification No. 18/2017- Integrated Tax (rate) dated 5th July 2017, service imported by a unit or a developer in the Special Economic Zone for authorized operations is exempted from tax leviable under GST. The relevant portion is extracted below:

‘G.S.R. (E).- In exercise of the powers conferred by sub-section (1) of section 6 of the Integrated Goods and Service Tax Act, 2017 (13 of 2017), the Central Government, on being satisfied that it is necessary in the public interest so to do and on the recommendations of the Council, hereby exempts services imported by a unit or a developer in the Special Economic Zone for authorised operations, from the whole of the integrated tax leviable thereon under section 5 of the Integrated Goods and Service Tax Act, 2017 (13 of 2017).’

Further Section 16(1) of the IGST Act defines 'Zero rated supply'. Zero rated supply means any of the following supplies of goods or services or both namely- (a) Export of goods or services or both or (b) Supply of goods or services or both to a Special Economic Zone (SEZ) developer or SEZ unit.

Hence, the works in SEZ premises are exempted from GST as per Ministry of Finance Govt. of India notification No.18/2017 and in terms of section 16(1) of IGST Act,2017. Hence, the charges for GST can not be leviable to SEEPZ Authority.

Further section 54 of CGST Act 2017, provides that

Section 54 – Refund of tax (1) Any person claiming refund of any tax and interest, if any, paid on such tax or any other amount paid by him, may make an application before the expiry of two years from the relevant date in such form and manner as may be prescribed

Section 54 of CGST Act,2017 defines the refund as below:


“refund” includes refund of tax paid on zero-rated supplies of goods or services or both or on inputs or input services used in making such zero-rated supplies, or refund of tax on the supply of goods regarded as deemed exports, or refund of unutilized input tax credit as provided under sub- section(3)

Thus, even if a supply is exempted, the credit of input tax may be availed for making zero-rated supplies. A registered person making a zero rated supply can claim refund under either of the following options, namely:

- a) He may supply goods or services or both under bond or letter of Undertaking, subject to such conditions, safeguards and procedure as may be prescribed, without payment of integrated tax and claim refund of unutilized input tax credit; or
- b) He may supply goods or services or both, subject to such conditions, safeguards and procedure as may be prescribed, on payment of integrated tax and claim refund of such tax paid on goods or services or both supplied, in accordance with provisions of section 54 of the CGST Act, 2017 or the rules made there under.

As per **Section 54(3)** of the CGST Act, 2017, a registered person may claim refund of unutilised input tax credit at the end of any tax period.

In view of the above provisions and as per the practice followed by the other PSUs with the other SEZs and at SEEPZ it is apparent that, the GST is not applicable and payable for the works carried out in the SEEPZ, SEZ and it is not payable by the SEEPZ, SEZ. The PSU's can claim the refund of GST paid to sub contractors as per the provisions of CGST Act, 2017 and GST can also be utilized against the output liability of other works.


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