

PEM / COMMERCIAL, BHEL, PPEI, NOIDA

SPECIAL CONDITIONS OF CONTRACT (REV03)

2x750 MW PRAGATI CCPP-III

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	<u>Project Name :-</u>	<u>2x750 MW PRAGATI CCPP-III</u>
2.0	<u>Consignee Address :-</u>	<u>A. FOR MAIN EQUIPMENT:-</u> BHEL 1500 MW PRAGATI-III POWER PROJECT, SECTOR-V,DSIDC INDUSTRIAL AREA, BAWANA, DELHI-110039. <u>B. FOR MANDATORY SPARES:-</u> BHEL 1500 MW PRAGATI-III POWER PROJECT, SECTOR-V,DSIDC INDUSTRIAL AREA, BAWANA, DELHI-110039.
3.0	<u>BHEL Site Office Address :</u>	CONSTRUCTION MANAGER BHEL-SITE PRAGATI POWER CORPN. LTD., 1500 MW PRAGATI-III POWER PROJECT, SECTOR-V,DSIDC INDUSTRIAL AREA, BAWANA, DELHI-110039.
4.0	<u>Customer Order Ref No:-</u>	<u>CW-CM-9472-C-O-M-001-FCC-NOA-GN/PRG./08/PRG.III/85 TO 88</u>
5.0	<u>Mode of Dispatch:-</u>	By Road on Door Delivery and freight Pre-Paid Basis
6.0	<u>Road Permit Required:-</u>	NA
7.0	<u>Prior Dispatch intimation to BHEL Site Office and Underwriters :-</u>	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: a) BHEL Site office b) BHEL, PEM, PPEI-Noida
8.0	<u>Transit Insurance details:</u>	

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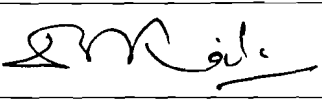
Ankit Gupta
15/7/10

	Policy No.	Marine- 500300/21/08/02/00000135 SCE- 500300/44/08/04/40000113
	Underwriters	Sh.K.K.Panda Officer-In-Charge Large Corporate Brokers M/s United India Insurance Co. Ltd. 6th Floor, "Kailash" Building, K G Marg New Delhi Phone No: 011-43509330 Mobile No.9958069955 email ID- kkpanda@uiic.co.in corpcelldel@uiic.co.in FAX No. -011-23355307
9.0	Customer CST	TIN No. 007/07330258068/1102 IEC No.: 0504050575 dtd-14.10.2004. PAN No.: AACC P8035F
10.0	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.
11.0	Documents required for vendor payment:	The supplier shall provide the following documents to PEM: a. Supplier invoice Original plus two copies b. Copy of consignee LR – 3 copies c. Copy of packing list indicating quantity, /gross weight/net weight – 3 copies d. MDCC by PPCL/NTPC – 3 copies e. Copy of letter addressed to insurance company. f. Guarantee/test certificate/inspection reports
12.0	Mandatory Spares:-	The Mandatory spares shall be properly packed separately in separate box indicating Mandatory Spares in bold letters and each spare shall be properly tagged giving details & Number per item (to match the description given in the packing slip) to facilitate their proper identification by ultimate customer M/s PPCL. One Copy of Packing list must be put inside the Box along with Manufacturing Drawing No. reference, Catalogue reference etc. The Supplier to note that separate PPCL MDCC shall be obtained for Mandatory spares .

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13.0	<u>Taxes & Duties:-</u>	<p>Please note that this is a Mega project and as per Extent of Foreign Trade Policy of Govt. Of India, the material if required to be imported for the manufacture of final goods into India are exempted from the Custom Duty. Excise Duty Exemption is also available as per customer order. PAC issued by PPCL in favour of BHEL is available. BHEL/PEM will issue annexure to PAC to enable vendors claim customs/excise benefits. Any other document required by vendors may be highlighted and brought to the notice of BHEL, well in advance.</p> <p>List of imported contents, quantity, CIF value (in RS.) and Foreign currency etc, shall be indicated in price bid.</p> <p>BHEL shall not compensate for any foreign exchange variation on accounts of imports.</p> <p>In case of vendor's inability to obtain customs/excise duty benefits, BHEL will not reimburse the same to the bidder.</p> <p>Therefore, it is the sole responsibility of bidder to ascertain the documentation requirements for the same.</p> <p>Sales Tax/ VAT tax as applicable to the self manufactured items shall be paid by BHEL extra at actual and same shall be considered for evaluation.</p> <p>No credit for VAT shall be applicable for bidders in evaluation. For intra state transition refer Annexure-I attached.</p>
14.0	<u>Inspection Agency:-</u>	<p><u>NTPC/BHEL:</u></p> <p>NTPC shall be carrying out the inspection on behalf of PPCL, as such it is requested that the Notice of inspection be directly sent to the concerned RIOs of NTPC, with copy to PPCL.</p> <p>However, for final inspection thereof intimation be given simultaneously to PPCL, so that PPCL could also witness the inspection, if so desired.</p>
15.0	<u>Final Drawings / Documents Submission:-</u>	Final Drawing / Documents to be submitted shall be as per Technical specifications otherwise it will be intimated during kickoff meeting.

	PREPARED BY	CHECKED BY	APPROVED BY
Name:	AMIT KUMAR GUPTA	DK KATE	SATINDER BEDI
Designation:	ASSTT ENGINEER	Sr. MANAGER	Addl. GENERAL MANAGER
Signature:			
Date:	15 TH July 2010	15 TH July 2010	15 TH July 2010

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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, TRANSMISSION BUSINESS GROUP, Integrated office complex, Lodi Road, New Delhi- 110003

TIN NO. 07472001760

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.** 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 invoice as indicated above shall be essential document to be submitted by vendor for claiming payment. duly verified shall be attached with original copy of payment advice by BHEL and sent to Fin Section for payment purposes. Original shall be forwarded by Finance to concerned nodal unit while extra copy of original invoice shall be retained with Bank voucher.
- 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 and the items being procured is otherwise eligible for set off, suitable loading for VAT element shall be done for comparative price evaluation.


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