

SPECIAL CONDITIONS OF CONTRACT (REV01)

3X660 MW BARA PRAYAGRAJ SUPER THERMAL POWER PROJECT

These Conditions shall be read and construed along with General Conditions of Contract enclosed with the tender enquiry. In case of any conflict or inconsistency, the condition given in SCC shall prevail over the GCC (Rev 04).

- 1) Project Name: 3X660 MW BARA PRAYAGRAJ STPP
(Job No. 350)
- 2) Consignee Address: Bharat Heavy Electricals Limited,
3X660 MW BARA PRAYAGRAJ STPP,
Post Office: Lohgara, Police Station Shankargarh
Gram: Lohgara
Tehsil-Bara
Dist Allahabad, Uttar Pradesh-212107
(LR should be in the name of BHEL)
- 3) BHEL Site Office: Construction Manager
Address BHEL-Site Office
3X660 MW BARA PRAYAGRAJ STPP
Post Office: Lohgara, Police Station Shankargarh
Gram: Lohgara, Tehsil-Bara,
Dist Allahabad, Uttar Pradesh-212107
- 4) Mode of Dispatch: By road on door delivery and freight pre-paid basis
- 5) BHEL Clearance for Dispatch required: Yes
- 6) BHEL clearance for road transport required: No
- 7) Road permit required: Yes
Material shall not be consigned on 'self' basis under any circumstances.
- 8) Freight: PREPAID (to be considered for evaluation)
- 9) Project Classification: Mega Power Project and Deemed Export
- 10) Customer: Prayagraj Power Generation Company Limited
- 11) Consultant: TCE, Bangalore
- 12) Prior Dispatch intimation to BHEL Site: Yes, Dispatch documents consisting of LR **copy (Road Permit No. Written over it)**, Packing List/ Challan indicating the items dispatched (**with their net and gross weights**) and letter informing the underwriters about the value of consignment and dispatch details (one set) to be sent to:
 - a) BHEL Site office at s. no. 3 above
 - b) Purchaser
 - c) Insurance company
- 13) Transit Insurance: By BHEL



14) Details of Insurance:
Policy and intimation
to underwriters

Policy No. (Marine): 500300/ 21/ 10/ 02/ 00000188
Policy No. (Storage-cum-Erection): 500300/ 44/ 10/ 04/ 40000047

Details

United India Insurance Company Limited,
Corporate Cell, D-24 & E-25, Himalaya House,
2nd Floor, 23, K.G. Marg, New Delhi-110001
Office: 011- 43560470 Fax: 011- 23355307
Mob: +91- 9910012301
soumyamukherjee@uiic.co.in
anjukochhar@uiic.co.in

(Vendors are required to intimate underwriters immediately after dispatch along with packing list & LR copy).

15) Customer TIN No.: 09665709748 Dtd.02.06.2010

16) Unloading at site: By BHEL site office for Supply Packages.

(The Supplier shall give LR wise Gross Weight Of the consignment for the purpose of handling the consignment by BHEL site loading/ unloading Contractor)

17) Storage at site: By BHEL Site for Supply Packages

18) Movement of Material:
Within site
a) By BHEL site for Supply Packages
b) By vendor for Turnkey Packages (Total Scope including Supply, Erection & Commissioning)

19) Document required for releasing payments :

Following documents are required

- a) Supplier invoice- 1 original + 4 copies
- b) Copy of LR (Consignee copy)- 5 copies
- c) Packing List indicating Quantity/ Gross Weight/ Net Weight and Customer approved BBU item no. against each item dispatched- 5 copies

Very imp: - **In packing list gross & net weight of the dispatches to be clearly indicated against each LR otherwise vendor invoice shall not be processed.

- d) Copy of Material Dispatch Clearance Certificate (MDCC) issued by PPGCL or BHEL (in consideration to contract Clause No. 2.05.01, Section VII, Vol-5A (Page No. 84 of Lead Specification), as per which MDCC shall be issued by PPGCL within five (5) working days of receipt of Inspection reports/ COC. In case the same is not issued, BHEL may dispatch the items in case of issuance of MDCC by PPGCL is delayed)
- e) Guarantee/Test Certificate/ Inspection reports
- f) Copy of Letter addressed to Insurance Co.

20) Material Receipt Certificate (MRC):-

- a) For Supply Packages BHEL/PEM will arrange MRC from BHEL Site which will be issued by the PPGCL. However Supplier/ Contractor shall provide support for verification of material at site if required.
- b) For Turnkey Packages original MRC duly signed by customer & BHEL-Site is to be arranged by vendor for their MRC payment.



21) TAXES & DUTIES:

Custom duty – Exempted.

BHEL/Customer shall provide necessary documents like PAC etc. to avail “Deemed Export Benefits” i.e. NIL Custom Duty.

Central Sales Tax/ VAT-. Vendor to quote Central Sales Tax/VAT at applicable rate & amount on self manufactured items & same shall not be considered for evaluation as the same is re-imbursible from customer.

Excise Duty- Exempted

BHEL/Customer shall provide necessary documents like PAC etc. to avail “Deemed Export Benefits” i.e. NIL Excise Duty.

Service Tax-. Vendor to quote Service Tax at applicable rate and amount and same shall not be considered for evaluation.

Following information shall be provided by the vendor in service tax invoice-

- A. Vendor service tax registration no.(15 digit)
- B. Nature of service and its code.(8 digit)
- C. Name and address of service provider(Vendor)
- D. Name and address of service receiver (BHEL PEM, Noida)

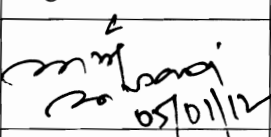
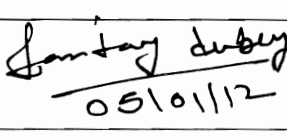
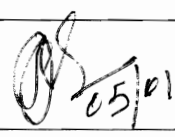
VAT on your intra-state dispatch shall be paid subject to conditions specified in annexure-I. However VAT shall not be considered for evaluation.

This project includes Deemed Export Benefits.

Project Authority Certificate will be issued by customer.

22) Inspection Agency: -

Vendor shall give inspection call in line with approved QP to M/s Lloyds/ M/s Intratek/ Regional BHEL-CQS web site with a copy of inspection call to BHEL-PEM (PG-I) for arranging inspection on the proposed date with an advance notice of 15 days.

| | PREPARED BY | CHECKED BY | ISSUED BY |
|--------------|---|---|--|
| Name: | Apoorv Agrawal | S K Dubey | S. BEDI |
| Designation: | Engineer/ PG-I-2 | Dy. Mgr./ PG-I-2 | GM & DH/ PG-I-2 |
| Signature: |  05/01/12 |  05/01/12 |  05/01 |
| Date: | | | |

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:

BHARAT HEAVY ELECTRICALS LIMITED (PEM DIVISION),

PPEI BUILDING, PLOT NO. 25, SECTOR-16A,

NOIDA (U.P.)

PEM TIN NO. 09765702874

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 compliant 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.

