

SPECIAL CONDITIONS OF CONTRACT (REV.-00)

2 X 250 MW (UNIT #8 & #9) EXTENSION BARAUNI THERMAL POWER STATION

- 1. Project Name :** 2 X 250 MW EXTN (UNIT #8 & #9) BARAUNI THERMAL POWER STATION (BTPS), BARAUNI
- 2. Consignee Address :** BHARAT HEAVY ELECTRICALS LIMITED
2 X 250 MW EXTN BARAUNI THERMAL POWER STATION,
P.O.- BARAUNI TPS, BARAUNI
DISTRICT: BEGUSARAI
BIHAR 851116
(LR should be in the name of BHEL)
- 3. Consultant/Consulting :** EVONIK ENERGY SERVICES (INDIA) PVT LTD
A-29, SECTOR-16, NOIDA-201301
- 4. BHEL Site Office Address :** CONSTRUCTION MANAGER
BHARAT HEAVY ELECTRICALS LIMITED
2 X 250 MW EXTN BARAUNI THERMAL POWER STATION,
P.O.- BARAUNI TPS, BARAUNI
DISTRICT: BEGUSARAI
BIHAR
- 5. Mode of dispatch :** ROAD/ RAIL
- 6. BHEL Clearance for Dispatch :** MDCC BY BHEL
- 7. BHEL clearance for road transport required :** All Transport By Road/ Rail
- 8. Road Permit Required :** Yes (Govt. of Bihar Road Permit form which shall serve the purpose of road permit, will be provided well before dispatch)
Under no circumstances, material shall be consigned on 'self' basis.
- 9. Freight :** PREPAID BASIS
- 10. Prior dispatch intimation to : BHEL site Office and Underwriters**
One set consisting of dispatch document to be sent to following:
 - a) BHEL Site Office
 - b) Chief Engineer (BTPS), 2 x 250 MW Extn Barauni Thermal Power Station, P.O.- Barauni TPS, Barauni, District- Begusarai, Bihar
 - c) Chief Engineer (Project & Design), Bihar State Electricity Board (BSEB), Vidyut Bhavan, Jawaharlal Nehru Marg, Patna, Bihar
 - d) BHEL, PEM (PG-I -2), Noida



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- e) Insurance Company
11. Transit Insurance : By BHEL
12. Insurance details : To be informed later
Policy No.
Intimation to Underwriters
13. Sales Tax No. : CST No. - ND 5341151 DT 01/07/2006
LST No. - ND 0345307 DT 01/07/2006
BHEL TIN No. - 09765702874
BHEL TAN No. - MRTB01278E.
BHEL PAN No. - AAACB4146P
14. A. Customer CST TIN No : 10360022129
B. Customer VAT TIN No. : 10362176030
C. Customer ET TIN No. : 10362176224
D. Customer TAN No. : PTNB01214D
15. Document required : (For Vendor Payment)
(1 Original + 7 copies)
- a). Original Invoice along with copy of Excise Invoice
 - b). L/R/GR/RR (Consignee copy)
 - c). Packing List indicating quantity & gross weight/ Net weight and ref. of LR
 - d). Copy of Road Permit
 - e) Vendor COC
 - f) Evonik/ Customer CHP (if applicable)
 - g) BHEL MDCC
 - h) BHEL Cleared CQIR Report/ Release Note of Third Party Inspection agency
 - i) Test Certificates
 - j) Guarantee Certificates
 - k) Copy of letter addressed to Insurance Co.
- Note:**
- i). **Eight (8) sets** of above documents are required for vendor payment in addition to documents required as per GCC of N.I.T.
16. Taxes and duties : i) Concessional custom duty @ 5.474% shall be applicable and customer shall Arrange Essentiality Certificate for availing concessional custom duty benefits. Vendors to quote their prices considering Concessional custom duty i.e. 5.474% (presently).

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ii) Packages in which CIF is applicable – Vendors to refer Tender Enquiry for the same.

iii) ED/CST/VAT on your self manufactured items shall be paid to you by BHEL against documentary evidence. However, the same are reimbursable to BHEL by customer and hence shall not be considered for evaluation.

Necessary Forms for claiming concessional tax viz Form C shall be provided by BHEL against E1/E2 form.

VAT on your intra-state dispatch shall be paid subject to conditions specified in Annexure-I. Input credit for VAT shall be given for evaluation.

iv) Service Tax – Vendor to quote Service Tax at applicable rate & amount and same shall not be considered for evaluation purpose.

Following information shall be provided by vendor in the Service Tax Invoice:-

- Vendor Service Tax Registration No. (15 digits)
- Nature of Service and its code
- Name and address of Service provider (Vendor)
- Name and address of Service receiver (BHEL, PEM, NOIDA)

17. Type of Project : Project Import

18. Third Party Inspection : The bidder shall note that the equipment shall conform to the technical requirement of the Technical Specification. The equipment supplied should be new and of best Quality manufactured in line with the PEM/Customer approved drawings/ data sheets/ QP in CAT-I. The equipment shall be inspected by BHEL/ Third Party Inspection agency/ Customer for which detail shall be notified to the supplier at a later date. **The charges for Independent Surveyor/ Third Party Inspection agency shall be borne by BHEL.**

BHEL-PEM shall confirm to the bidder at Enquiry stage whether the package/ system/ item at their sub-vendor works shall be inspected by BHEL/ Third Party Inspection agency/ Customer and accordingly the vendor has to arrange inspection by the identified Inspection agencies.

The inspection by BHEL/ Independent Third Party agency/ Customer shall be carried out on the basis of BHEL-PEM/ Customer CAT-I approved QP, Drawing/ Data sheet etc. Such inspection does not relieve the supplier of their responsibility, as regards bad workman ship or any other defects.

PEM/PG-I-2



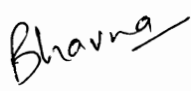
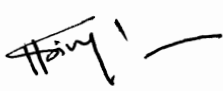

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The Release note by Third Party Inspection agency/ Clear CQIR from BHEL/ Joint Inspection Report of Third Party Inspection agency and BHEL/Customer, as applicable shall be forwarded by supplier to PEM, Noida for issue of MDCC by PEM, Noida.


The bidders to note that on the basis of Release note by Third Party Inspection agency/ Clear CQIR from BHEL/ Joint Inspection Report of Third Party and BHEL/Customer confirming the conformity of goods to contractual conditions, BHEL-PEM shall issue the Material Dispatch Clearance Certificate (MDCC) for dispatch of goods. Supplier to note that NO dispatch of goods, is permitted without obtaining MDCC from BHEL-PEM.

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	PREPARED BY	CHECKED BY	REVIEWED BY
NAME	BHAVNA SHARMA	I.P.SINGH	S.K.GUPTA
DESIGNATION	ENGINEER/PG-I-2	MANAGER/ PG-I-2	ADDITIONAL GENERAL MANAGER/ PG-I-2
SIGNATURE			
DATE	28/07/11	28/07/11	28/07/11

Vetting by Finance

vetted for Taxes & Duties only.


01/8/2011

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ANNEXURE - I

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 :

Name of BHEL Unit :-	BHARAT HEAVY ELECTRICALS LIMITED (P.S.E.R. DIVISION)
Address:-	Third Floor, B-Block, Maurya Lok Complex, Patna- 800001, Bihar
TIN No. :-	10010994046

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 required 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.

1/6/11

Sharma