



BHEL-PEM, NOIDA

SPECIAL CONDITIONS OF CONTRACT (SCC) REV 0

2x800 MW, DARLIPARLI STPP PROJECT, STAGE-I (SG PKG)

1. **Project Name** : **2x800 MW, DARLIPARLI STPP PROJECT, STAGE-I (SG PKG)**
2. **Consignee Address** : CONSTRUCTION MANAGER/ BHEL SITE,
2x800 MW, DARLIPARLI STPP PROJECT, STAGE-I (SG PKG),
PO: DARLIPARLI, DISTT-SUNDARGARH, ODISHA, PIN-770072
- Notes :** 1) **Consignee address in LR should be strictly as per above.**
2) **Vendor to note that to effect "Sale in Transit", BHEL shall issue "Delivery Note" to the Transporter for transferring the ownership from BHEL to the customer (NTPC). Delivery Note shall be carried by transporter along with other dispatch documents.**
3. **Buyer and Paying Authority** : **A) For Inter-state sales (where CST is applicable):**
1) BHEL-PEM, Noida for those packages for which PO is placed by PEM.
2) BHEL-PSSR Cheanni, for those packages for which PO is placed by BHEL-PSSR. However, LOI for PSSR packages shall be issued by BHEL-PEM.
B) For Intra-state sales (where VAT is applicable):
Paying Authority shall be same as referred above. However, Buyer Authority shall be informed later.
4. a) **Mode of Dispatch** : As per GCC. For Road dispatch, it is Vendor's responsibility to ensure availability of trucks well in advance for dispatch of material to meet contractual delivery requirement.
b) **Road Permit Requirement** : Required
5. **Transit Insurance** : In BHEL Scope (Policy details shall be provided **LATER**).
Prior Dispatch intimation shall be issued to Insurance Company about the value of consignment, dispatch details, along with one set of documents consisting of LR / RR copy, Packing List/ Challan indicating the items dispatched (with their weights). A copy of above should be sent to the following:
a) BHEL Site office (Address same as Consignee address)
b) BHEL-PEM, Plot no 25, Sec 16-A, Noida 201301 (**For Supply Packages**)
c) BHEL PSSR, Chennai (**For Turnkey Packages**)
6. **BHEL-PEM TIN** : **09765702874** (To be used for PO issued by BHEL-PEM)
7. **BHEL-PSSR TIN** : **21031301916** (To be used for PO issued by BHEL-PSSR)
8. **Unloading at Site** : 1) **For Supply Packages:** In the scope of **BHEL** Site.
(The Supplier shall furnish LR wise Gross Wt. of the consignment for the purpose of handling the consignment by BHEL Site Contractor)
Please note that unloading of materials at Site sometimes may take 3-4 days. Transporters to be advised suitably before dispatch of materials in this regards.
2) **For Turnkey Package:** In the scope of **Vendor**.
9. **Storage at Site** : 1) **For Supply Packages:** In the scope of **BHEL** Site.
2) **For Turnkey Package:** In the scope of **Vendor**.
10. **Movement of Material Within Site** : 1) **For Supply Packages:** In the scope of **BHEL** Site.
2) **For Turnkey Package:** In the scope of **Vendor**.
11. **Inspection Agency** : Inspection of packages shall be carried out by agency as per below Inspection category of
1) **Cat-I:** Inspection shall be done jointly or separately by **NTPC and BHEL** .
2) **Cat-II:** Inspection shall be done by BHEL only.
3) **Cat-III:** Certificate of Compliance shall be furnished by Vendor.
Please note, for Cat I & II items BHEL reserve the right to carry inspection by themselves or through nominated third party. For Inspecting Agency for various items, vendor may refer to Quality Plan.
12. **Material Dispatch Clearance Certificate (MDCC) Issuing Agency** : For Cat-I item, MDCC shall be issued by NTPC and it's the responsibility of vendor to arrange MDCC from them, and **original MDCC** shall be attached with Invoice by Vendor for claiming payment from BHEL. For Cat- II & Cat-III items, MDCC shall be issued by BHEL.

13. Dispatch Documents Required (to be furnished by Vendor)

: A) For customer billing by PEM, the supplier shall provide the following documents to BHEL-PEM in 4 sets :

- 1) Copy of Vendor Invoice (Original VAT Invoice required in case of VAT).
- 2) Original LR
- 3) Copy of Packing List indicating Quantity/ Gross weight/ Net weight and NTPC approved BBU item no. wherever applicable against each item dispatched.
- 4) MDCC (Original NTPC MDCC, if applicable)
- 5) CHP issued by NTPC – Original (if applicable)
- 6) Insurance intimation copy
- 7) Test certificate/Inspection Reports- Original (for Cat II & Cat III Packages)

B) For Vendor payments documents mentioned in GCC shall be applicable. However, original money receipt for Freight payment is not required.

14. Dispatch Markings

: Each package/Drum delivered under the Contract shall be marked by Supplier as per details listed below and such marking must be distinct and in English language.

- 1) Name and address of the consignee (as given in Sl. no 2)
- 2) Dispatched by: (Vendor name) : A/c BHEL PEM, Noida or BHEL-PSSR, as the case may
- 3) LR No
- 4) Package No / Total Package No eg: 1 of N, 2 of N; where N=Total no of packages in a particular consignment.
- 5) Type of Supply: "Main equipment supply" / "Mandatory Spares" / "Commisioning Spares" as the case may be.

Besides above, necessary packing shall bear a special marking "TOP", "BOTTOM", "DO NOT TURN OVER", "KEEP DRY", "HANDLE WITH CARE", etc.

15. Taxes & Duties

: a) All Bidders to note that this is a **Mega ICB Project** which qualifies for deemed export benefits & other benefits under Mega Power project policy of Government of India. Applicable documents such as **Project Authority Certificate (PAC)** will be issued. For this Project, **Zero % Custom Duty (against PAC)** shall be applicable on the Import Contents of the supplier.

b) The Bidder to indicate the Import contents if any i.e. list of the imported item, Currency of Import and Country of Import including CIF value in their offers. BHEL shall inform, the availability of CIF value for a particular package including ceiling limit, if any, in NIT. Bidder has to pass on the benefit of availing Zero % custom duty in price offered to BHEL.

c) All bidders to note being a Mega ICB Project, **Excise Duty** shall **not** be included in their prices to BHEL as per the nature of the project. PAC shall be issued to main vendor for their **self-manufactured** item only, to avail benefit of Nil ED. **Concessional CST presently 2 % against Form 'C' & 'E1/E2'** or VAT as applicable is to be considered in their quoted prices. Concessional CST/ VAT shall be considered for evaluation of offers to arrive at the L1 bidder. The benefit of Nil Excise duty and concessional CST must be passed on to BHEL in their offer. The benefit of Nil Excise duty and concessional rate of CST must be passed on to BHEL in their offer.

VAT on intra-state dispatch shall be paid subject to conditions specified in Annexure-I.

Entry tax:-If any, shall be payable by ultimate customer (NTPC) directly to sales tax authority. Hence the same should not be considered in the offer.

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16. Final Drawings/ Documents Submission

: Final documentation submission shall be as per GCC. Numbers of copies required to be submitted is as under:

1. As built/ Final Drawing: 16 Sets (Hard Copy)+5 Nos.(CD)
2. O&M Manuals: 6 Sets(Hard Copy)+ 5 Nos.(CD)
3. PG test Report: 5 Sets (Hard Copy)+ 5 Nos.(CD)
4. QA Documents : 3 Sets (Hard Copy)+ 5 Nos.(CD)

	Prepared by	Checked by	Reviewed by	Vetted by Finance	Approved by
Name:	Pankaj Chauhan	Sandeep Kumar	PK Gupta	Swati Rastogi	SB Naithani
Designation:	Engineer/PG-III	Sr Mgr/PG-III	AGM/PG-III	Sr AO/Fin	DH/PG-III
Signature:	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>
Date:	3/9/14	3/9/2014	3/9/14	21/09/2014	03/09/2014

vetted for taxes & duties
Savah



BHEL-PEM, NOIDA

2x800 MW, DARLIPARLI STPP PROJECT, STAGE-I (SG PKG)

Requirements to be fulfilled for Intra-State Sales

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 SITE OFFICE, NALCO CPP
BANARAL P.O 1, ANGUL DT,
ORISSA 759128
VAT TIN: 21031301916**

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 the important documents for availing Input Tax credit. In this regard the following may be noted by all vendors for strict compliance:

- 1) 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**, (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.
- 2) Please note that BHEL's address and TIN to be mentioned in vendors tax invoice shall be **principal place of business & applicable TIN of nodal agency of BHEL, as given above. In no case the vendors, invoices shall be addressed to BHEL PEM nor shall they contain PEM TIN.** However for payment purposes, the invoice must mention BHEL PEM/BHEL PSWR, Nagpur as paying authority (as applicable).
- 3) As original tax invoice of vendors is to be furnished to nodal unit for assessment/VAT audit purposes, extra one copy of Original invoice is reqd to be submitted by vendors for retaining with PEM bank payment voucher.
- 4) 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.
- 5) 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.
- 6) 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.
- 7) 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.
- 8) 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.
- 9) In case vendor is unable to furnish Vat compliant tax invoice & other certificate/document, VAT shall not be reimbursed by BHEL.

Chauhan
3/09/14

Sooch
3/09/2014