

**NIT FOR ENGAGEMENT OF CHARTERED ACCOUNTANT FIRM
FOR HANDLING INCOME TAX, VAT/GST & SERVICE TAX MATTERS IN CERC**

INTRODUCTION :

1. Central Electricity Regulatory Commission (CERC) is a statutory body constituted under the Act of Parliament and has been vested with various powers, amongst others, to regulate the tariff of the generating companies owned and controlled by the Central Government, the generating companies which have a composite scheme for generation and supply of electricity in more than one State, inter-state transmission of electricity and for adjudication of disputes between generating companies and transmission licensees.
2. The Commission also provides secretariat services to various other forums namely, the Forum of Regulators (FOR), Forum of Indian Regulators (FOIR) and South Asia Forum for Infrastructure Regulation (SAFIR). The details are annexed in Annexure-III.
3. CERC intends to engage a Chartered Accountant Firm 'as Consultants' for handling Income Tax, Service Tax and VAT/GST related matters of CERC, Forum of Regulators(FOR), Forum of Indian Regulators(FOIR) and South Asia Forum for Infrastructure Regulation(SAFIR) as per the following:-

Scope of Work:

The scope of work of the firm shall be as follows:-

4. To register and compile the data related to purchases made by CERC, FOR, FOIR and SAFIR from the supplying dealers registered under the Value Added Tax Act, 2004 and having a valid TIN/Registration number.
5. To prepare and furnish the quarterly returns of VAT/GST online by 28th of the month following the quarter to which the return pertains in compliance of Notification of Government of NCT of Delhi.
6. To provide services related to registration, preparation and filing of e-TDS returns, TDS Certificates (Form No. 16 & 16A), certificate for taxable foreign remittance in the form of 15CA/15CB in respect of CERC, FOR, FOIR and SAFIR.
7. All matters related to TDS in respect of CERC including FOR, FOIR and SAFIR shall be examined and attended to the satisfaction of the concerned statutory authorities.
8. To provide opinion (both oral and written) on various issues pertaining to Income Tax/Service Tax/VAT/GST of CERC, FOR, FOIR and SAFIR, as and when required.

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9. To aid and advice in the preparation/updation of mandatory registers etc. and in the filing of various documents before the Registrar of Societies as and when required in respect of FOIR only.

10. The Annual Report and Annual Accounts of CERC can be accessed on website or can be collected personally from CERC office. CERC and FOIR is exempted from tax and matter for Income Tax exemption of FOR pending in the Income Tax Department. Income Tax matter in respect of SAFIR is under Appeal at ITAT. The firm shall be required to participate and pursue in matters of FOR and SAFIR before the statutory authorities as and when required. **The party may be required to pursue matters of FOR & SAFIR for which separate charges may be quoted in the Financial Bid.**

Eligibility:

11. The firm shall be empanelled with C&AG office. The firm should have its office within the NCT of Delhi.

12. The firm should have atleast three years of experience in handling matters related to Income Tax, Service Tax, VAT matters for Govt. Organisation/PSUs/Autonomous Bodies.

13. The firm should have a turnover of at least Rs. 20.00 lacs per annum during the last three years. (The copy of the annual accounts for the last three years should be attached with the application)

14. The firm should have a valid Registration No., PAN No., Service Tax No.

Tenure of Contract:

15. The tenure of contract shall ordinarily be one year. However, the competent authority in CERC, may at the discretion, allow the extension of the tenure of contract of the firm for the said work, upto two spells of one year, subject to the satisfactory services of the firm.

Other Terms & Conditions

16. The firm shall not appoint any sub-contractor for this work under any circumstances.

17. The firm shall be reimbursed taxi charges for visiting tax offices for official work.

18. The payment to the firm for the service availed shall be made on monthly basis by way of cheque/NEFT on production of pre-receipted bills.

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19. Income Tax shall be deducted at source from all accepted payments, in accordance with the provisions of Income Tax Act, 1961 as amended from time to time.

20. The firm shall not disclose or divulge any business secrets, information, facts relating to CERC and other Forums (FOR, FOIR, SAFIR) acquired or gained while discharging their professional duties (under this agreement) or after termination of contract without the prior written permission of CERC. The firm shall, however, disclose conflict of interest, if any, before undertaking this assignment.

21. The firm should not have been indicted or convicted by court of law. No adverse orders should have been passed against the firm by any Regulatory or Statutory or Government authorities.

22. The firm should not have been barred from appointment by any Govt. /Semi Govt. / entities/quasi judicial bodies.

23. No investigation by any authority as stated above should be pending against the firm.

24. There should be no court/arbitration/legal cases pending against the firm and the firm proprietor or partners should not have been debarred or cautioned by ICAI during the last five years.

25. No separate professional charge/fees shall be quoted for pursuing services related to register and filing of income tax returns etc. and appearance in respect of matters related to CERC, FOR, FOIR and SAFIR.

26. In case of any dispute over the terms, the decision of Secretary, CERC shall be final.

Termination of Contract:

27. The parties are also at liberty to terminate the contract at any time by giving one month's notice in writing to the other, during the subsistence of this contract. However, in case the performance of the firm is not satisfactory, CERC shall have the right to terminate the contract, by serving one month's notice in writing. In the event of termination of contract as above, all records (including the updated records) maintained for and on behalf of CERC including other firm and belonging to CERC shall be handed over by the firm to Assistant Chief (Accounts), CERC or any designated officer of CERC immediately.

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Earnest Money Deposit:

28. The bidder shall furnish EMD of Rs. 25,000(Rupees Twenty Five Thousand only) in the form of Demand Draft/Banker's Cheque from a scheduled commercial bank, drawn in favour of **Central Electricity Regulatory Commission**.

Pre-Bid Meeting:

29. CERC shall hold a pre-bid meeting with the prospective bidders on 28.09.2016 at 16.00 hrs at CERC office, New Delhi for any clarification regarding scope, eligibility criteria and other terms & conditions of the NIT.

30. CERC will not be bound to clarify any query after the pre-bid meeting.

Submission & Opening of Bids and Selection Criteria:

31. The bids shall be submitted in two separate sealed covers. First cover indicating "TECHNICAL BID" should consist of the following documents:-

(a) Earnest Money Deposit(EMD) of Rs.25000/- in the form of DD/Pay order of scheduled commercial bank in favour of 'CENTRAL ELECTRICITY REGULATORY COMMISSION' payable at New Delhi before bid submission end date and time, otherwise bid will be rejected.

(b) Technical Bid on (Annexure-I) duly signed by Proprietor under the seal of the firm giving all requisite details alongwith copies of Registration Certificate/PAN/TAN/Service Tax No., and other documents.

(c) Second cover indicating "Financial Bid" should consist of Annexure-II furnishing the monthly charges excluding applicable taxes (VAT/GST/Service Tax).

(d) The sealed "Technical Bid" envelop and the "Financial Bid" envelop shall be placed in a bigger envelop scribed as "Engagement of Chartered Accountant Firm for handing Income Tax, Service Tax and VAT/GST matters" and must be dropped in Tender Box at Ground Floor, 36, Chanderlok Building, Janpath, New Delhi-110 001 before the due date i.e. 20th October, 2016 by 14.00 hrs.

(e) The bids received after due date and time are liable to be rejected. Envelope containing Technical Bid shall be opened on the same day i.e. on 20th October, 2016 at 16.00 hrs.

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(f) The constituted committee by CERC shall first open and evaluate Technical Bids. Financial bids of those bidders shall be opened in the presence of representative of the bidders whose technical bids should be found responsive and has been accepted by the Competent Authority in CERC. The bidder whose quoted rates (excluding applicable taxes) in **Part-A of Financial Bid** (Annexure-II), shall be the lowest, would be selected as the successful bidder.

(g) In case, there is any tie in the rates, the maximum documentary support on the past experience and past performance shall be given more weightage in the selection. The decision of CERC shall be final and no representation shall be entertained in this case.

(h) The firm should furnish declaration to the effect that all the terms & conditions are acceptable to them and shall comply with them strictly.

(i) The CERC reserves the right to accept or reject any bid or cancel the tender process without assigning any reason whatsoever.

(j) All disputes are subject to the jurisdiction of courts in the NCT of Delhi.

Sd/-
(Kamal Kishor)
Assistant Chief (Admin.)
Tel: 2335 3503/224

Annexure-I

Technical Bid Form

(Engagement of Chartered Accountant Firm
For handling Income Tax/VAT/GST/Service tax matters
of CERC, FOR, FOIR & SAFIR)

1.	Name of the Bidding Firm (in Capital Letters)	
2.	Address of the Firm (Evidence of Main/Branch office in NCT of Delhi)	
3.	Capacity in which bid is signed by the Bidder (Proprietor/Partner/Director)	
4.	Name & Designation of the person signing the bid	
5.	Office Telephone No.	
6.	Mobile No.	
7.	Office Fax No.	
8.	PAN NO. of the Firm (Attached self attested photocopy with seal)	
9.	Service Tax No. (Attached self attested photocopy with seal)	
10.	Firm Registration No.(FRN) with ICAI (Attached self attested photocopy with seal)	
11.	Empanelment No. (Attached self attested photocopy with seal)	
12.	Income Tax Returns for FY 2012, 2013-14 and 2014-15 (Attached self attested audited copies of reports)	
13.	Details of Experience in dealing with similar type of work in Govt Organisation/PSUs/Autonomous Bodies (Attached self attested copies of work order/contract in support of experience)	
14.	Annual Turnover of the Firm during last three financial year (Attached self attested copy of Annual Accounts of the firm)	
15.	Are there any court/arbitration/legal cases against the firm(if yes, give a brief note of the cases indicating its present status)	Yes/No

Signature of authorised signatory with seal

Name:

Designation

Annexure-II**FINANCIAL BID**

(Engagement of Chartered Accountant Firm
For handling Income Tax/VAT/GST/Service Tax matters in CERC)

S.No.	Description of work	Monthly Charges (excluding all applicable taxes)
	PART-A	
(a)	Charges for handling Income Tax, VAT/GST & Service tax matters of CERC, FOR, FOIR & SAFIR as explained in the item Nos. 4 to 9 (Scope of Work) of Tender Document .	Rs. _____ (per month)
Rupees _____ only) (in words)		

S.No.	Description of work (Refer Item No. 10 of Tender Document)	Charges/Professional Fee (excluding all applicable taxes)
	PART-B	
(a)	Charges for Income Tax matters of SAFIR Tax Appeal	Rs. _____ (per Assessment Year)
(b)	Charges for pursuing tax exemption case of FOR	Rs. _____ (Lump Sum basis)
	TOTAL OF PART-B (a) + (b)	Rs. _____
Rupees _____ only) (in words)		

UNDERTAKING

I/We the sole proprietor/partners of M/s _____
Chartered Accountants do hereby jointly and severally verify and declare:-

(i) that the particulars given are complete and correct and that if any of the statements made or the information so furnished in the application form is not found correct at a later stage or false or there had been suppression of material information, the firm would not only stand disqualified from the allotment, but would be liable for disciplinary action under the Chartered Accountants Act, 1949 and the regulations framed thereunder;

(ii) that the firm proprietor or partners have not been debarred or cautioned by ICAI during the last five years;

(iii) that the firm accepts all the terms and conditions and scope of work attached with the application and shall comply with them strictly.

Place:

Date:

Signature of authorised signatory
Name:
Designation:
Seal of the firm

Forum of Regulators (FOR)

FOR was constituted vide the Ministry of Power (MOP), Govt. of India notification dated 16th February, 2005 in terms of the Section 166(2) of the EA, 2003 with the primary objective of harmonization of regulations in the power sector framed by the CERC, State Electricity Regulatory Commissions (SERCs) and Joint ERCs (JERCs) . The Forum consists of Chairperson of CERC and Chairpersons of SERCs and JERCs and the Chairperson of CERC is the Chairperson of the Forum.

Forum of Indian Regulators (FOIR)

FOIR is a registered Society under the Societies Registration Act in 2000. FOIR was conceived as a common platform to discuss emerging issues in regulatory procedures and practices to evolve common strategies to meet the challenges before the regulators and to share information and experiences among the regulators, academic and research institutions in India. Members in FOIR include CERC, SERCs, Petroleum & Natural Gas Regulatory Board, Competition Commission of India Airports Economic Regulatory Authority and Tariff Authority for Major Ports.

South Asia Forum for Infrastructure Regulation (SAFIR)

SAFIR was established in May 1999 and is aims to provide high quality capacity building and training on infrastructure regulation & related topics in South Asia and to stimulate research on the subject by building a network of regional and international institutions & individuals that are active in the field. SAFIR is a network of infrastructure regulators from Bangladesh, Bhutan, Nepal, Sri Lanka, India and Pakistan and connected international institutions and individuals that are active in the field. The sectors covered include electricity, natural gas, telecommunications, water, transport, etc.