

2. The Project Officer shall evaluate the reasons on a case to case basis and shall inform the Concessionaire of his decision, as to whether he deems the reason fit to excuse the Concessionaire from carrying on his duties in the inaccessible area till the time access is restored or he deems the reason unfit and hence the Concessionaire shall be obligated to carry on his duties as usual.

9 Payments

Subject to the provisions of this Agreement and in consideration of the Concessionaire accepting and undertaking to perform and discharge its obligations in accordance with the terms, conditions and covenants set forth in this Agreement, CoC agrees and undertakes to pay the Concessionaire the tipping fee, as specified by the Concessionaire in his commercial proposal, subject to further calculations as per this clause and the Performance Evaluation.

9.1 Calculation of Payment

The gross payment for the day will be the **Tipping Fee**.

The total payment shall be subject to further calculation as follows:

- a. Payment computation based on Performance Evaluation for the day as filled by the Grievance cell and the Project Officer. The following shall be the procedure to be followed:
 - i. The daily Performance Evaluation done by the Grievance Cell shall be handed over to CoC at the end of the day.
 - ii. The Project Officer shall maintain the daily weighment record. This amount shall be referred to as the "Payment after weight consideration".
 - iii. CoC shall compute the weighted average of points secured by the Concessionaire as per the Performance Evaluation reports of the Grievance Cell.
 - iv. CoC shall then reduce the "Payment after weight consideration" based on the overall weightage received by the Concessionaire as per sub clause iii above. Such reduction in payment shall be proportional to the weightage received.
 - v. Though MSW is weighed at the transfer station as well as Dumping Ground, the lesser of the two shall be considered for the purpose of making payment to the Concessionaire.
- b. The amount hence computed shall be known as the Net Payment for the day and will be the amount payable for the week by CoC to the Concessionaire.

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For FANALCA S.A.,

For NEEL METAL PRODUCTS LTD.,

SUPERINTENDING ENGINEER
SOLID WASTE MANAGEMENT
CORPORATION OF CHENNAI