

(b) During the proof checking of the structural design, there could be a tendency on the part of the contractor not to agree to the department's genuine contention for revising the structural design that may increase the cost of structure to his disadvantage.

(ii) Wherever the above problem(s) is/are anticipated, the tenders shall be invited in a two-bid system,

(a) The technical bid, containing the architectural plans, structural design calculations, structural drawings, service plans, the detailed measurement sheets, and other technical parameters as may be required, etc.

(b) The price bid.

(iii) The technical bids shall be evaluated by a Committee chaired by the tender accepting authority (not higher than the Chief Engineer), and comprising the Senior Architect/Architect, Superintending Engineer / Executive Engineer (P). The Committee shall co-opt appropriate officers from other disciplines concerned with the work. The Committee shall obtain clarifications from the tenderer(s) and/or call them for discussions wherever required, and select a final scheme. The same shall be made available or made known to all the participating tenderers, preferably through a pre-bid conference, and invite revised technical bids from them, if required.

(iv) After examining the technical bids/revised technical bids, and equalising the same in respect of all the tenderers, the price bids shall be opened. If the tenderers are asked to modify their structural design and calculations as a result of this exercise, or if the validity period of the price bids expire, they shall be given the chance of offering revised price bids, and in that event, only the revised price bids shall be opened.

(v) The NIT approving authority shall consider paying to all the participating tenderers a reasonable and specified amount for furnishing all the above details along with their tenders, if it is felt that the specified requirements so warrant. In that event, the same should be suitably incorporated in UPJN Form 6 as well as in the advertisements through website/press.

**12.2.8(1)** The lump sum tender documents shall contain:-

(i) the detailed architectural and structural drawings,

(ii) detailed specifications for the various items and components of the work,

(iii) the schedule of quantities for the various items and components of the work,

(iv) the inclusions in and exclusions from the scope of the contract, if required, for better clarity, and,

(v) the various stages of work, and the percentage of the contract value for each stage for release of intermediate and final payments.



(2) The schedule of quantities referred to above is only limited for the purpose of assessing the quantum of work involved by the tenderers. It is not meant for subsequent measurement and payment in the course of execution of the work. Before submitting their tenders, the tenderers shall, therefore, have to satisfy themselves that the quantities given in the tender documents for the various items and components of the work are correct. Deficiencies noticed, if any, should be immediately brought to the notice of the tender inviting authority, who shall examine the same, and make necessary corrections, if required, to the tender documents before receipt of the tenders.

(3) The contractor shall execute the work as per the drawings and specifications as given in the tender documents, and shall have no claim for any payment on account of deviations and variations in quantity of any item(s) or component(s) of the work, unless they are authorised deviations from the parameters, drawings and specifications contained in the tender documents.

(4) The rates of deviated items shall be determined on the lines of clause 12 of the General Conditions of Contract for percentage/item rate contracts.

(5) The Junior Engineer and Assistant Engineer shall satisfy themselves that the work has been done in each stage in conformity to the drawings and specifications contained in the tender documents, and certify the same before recommending to the Divisional Office for the release of the stage payment. The Executive Engineer shall conduct test checks to the prescribed levels as under para 7.10.2.

#### **12.2.9 UPJN Form 47 - Tender for demolition of buildings**

This form of tender is adopted for demolition of buildings and removal of debris from the site.

#### **12.2.10 External documents**

(1) The Standard Bidding Documents finalised by External Aided Agencies like World Bank, ADB and BRICS etc. are used for works aided by them. Only work specific changes, acceptable to the Bank, may be made in the conditions of contract. Such changes may be incorporated through additional conditions or contract-data-sheets and not by introducing changes in the standard wordings of the Standard Bidding Documents of the External Aided Agencies.

(2) The two authorities for administering the contract for World Bank project, viz. the "Employer" and the "Engineer" should be substituted with "The Uttarakhand Peyjal Nigam represented by Chief Engineer/Superintending Engineer" and "The Executive Engineer represented by the Assistant Engineer/Junior Engineer" respectively in the Additional Conditions of Contract, and should be got approved by the World Bank representative. It should be mentioned that it shall be open for the Executive Engineer to invite a third party to inspect the work and advise him on the quality, workmanship etc. of the work.





## SECTION 13

### AWARD OF WORK WITHOUT CALL OF TENDERS

#### 13.1 Procedure

Works awarded on the basis of Quotations are known as works awarded without call of tenders.

(i) *Work order can be drawn up to an amount of Rs. 3,00,000/- (Rs. Three lakh) in each case by the competent authority based on quotations from at least three registered contractors. Work order can be drawn up to an amount of Rs. 5,00,000/- (Rs. five lakh) in emergency. Award of work without call of tender/ through work order shall be resorted to only in emergent conditions and suitable reasons should be recorded.*

*In view of the fulfilment of tender process in hilly regions facing difficulties in the management of resources and facilities and in view of a situation of non-availability of materials at local level, the works costing upto Rs. 1.50 crore may be done on departmental basis. In this case, the materials will be procured by placing supply order to the on manufacturers/authorized distributors against any prevailing departmental Rate Contract with them or the procurement will be done on the basis of quotations/market survey carried out by the Departmental Purchase Committee. Machines and equipment's will also be procured by way of quotations through the Departmental purchase committee. The arrangement of labour will be made separately based on item rates through work orders/outsourcing. For such a working method, other related rules of the 'Procurement rules' shall be deemed relaxed.*

#### 13.2 Award of works on Work order basis.

*As stated at Sl. No. 13.1 each work order on item rate basis not more than a value of Rs. 3.00 lacs ( Rs Three Lacs) will be issued by the Execute Engineer/Project Manager on every occasion.*

#### 13.3 Award of works to Registered Labour Co-operative Societies

(1) With a view to encouraging the Registered Labour Co-operative Societies, works costing upto the limit fixed from time to time, can be awarded to them at current market rates without call of tenders by officers of the Department.

(2) In relaxation of the provisions of the Standard UPJN Contract Forms, running payments may be made even in respect of works awarded to these Societies on work orders.

(3) The frequency of payments may be fortnightly, provided there is appreciable progress on the work, and the value of work executed is not less than 1.00 lacs.



(4) The Registered Labour Co-operative Societies are exempted from payment of earnest money for works estimated to cost upto Rs.3 lakhs. These Co-operative Societies, however, shall pay Security Deposits by way of percentage deduction from their bills.

**Note:** (1) The Labour Co-operative Societies should be registered in the District and approved for the purpose by the Registrar of Co-operative Societies.

(2) Such works shall not be counted towards the annual ceiling for issue of work order..



**SECTION 14**  
**PREPARATION OF TENDER DOCUMENTS**  
**(FOR NORMAL WORKS)**

**14.1 Preparatory works**

(1) (i) Before tenders for a work are invited, a detailed estimate showing the quantities, rates and amounts of the various items of work, and also the specifications to be adopted, should be prepared.

(ii) The estimated cost put to tender in the NIT shall be worked out by enhancing the estimated cost of schedule items in accordance with the current cost Index and combining it with cost of non scheduled items if any, worked out on market rates.

(2) Before approval of NIT, the following are desirable:-

- (i) Availability of clear site, funds and approval of building plans from local bodies.
- (ii) Availability of structural drawings for the foundations.
- (iii) Lay out plan for all services.

(3) Tender documents of work comprising of the following should be prepared and approved by an authority who is empowered to approve the Notice Inviting Tenders (NIT) before it is issued :--

(i) The notice inviting tender in Form UPJN 6.

(ii) The form of tender to be used along with a set of conditions. Particular specifications and special conditions should not be repetitive and in contradiction with each other. Additional conditions should be decided by the NIT approving authority, and he shall be responsible for the same. Wherever special conditions have financial implications, the same should be enforceable.

(iii) The schedule of quantities of work.

(iv) A set of drawings referred to in the schedule of quantities of work.

(v) Specifications of the work to be done.

(4) The Assistant Engineer/Junior Engineer/Draftsman who compiles the tender documents for sale, should invariably date and initial all corrections, conditions and additions in the Schedule of Quantities, Schedule of Materials to be issued and specifications and other essential parts of contract documents, and also date and initial on all the pages of the tender documents, irrespective of fact whether they contain or do not contain any corrections or over writings etc. The officer concerned should record the fact in writing at the end of those pages individually.

(5) (i) The stipulated materials shall be issued for use at site on works, for all the items where such materials are required.

*Qd*



(ii) It should also be ensured that the description of the materials to be issued is adequately specified in order to obviate chances of any dispute. For example, if cement is specified for issue, it should be stated whether it is grey cement or white cement, and whether it will be in bags or otherwise.

(iii) The issue and recovery of stipulated materials to contractors for use in construction works is governed by clause 10 & 42 of UPJN 7 and 8. Recovery of stipulated materials used by contractor beyond permissible variations is to be made at rates specified in Schedule "F" of the General conditions of contract. Such fixed rates for recovery for each type of stipulated materials shall be specified in Schedule "F" by the authority approving the NIT for operation of Clause 10 and 42 of CPWD Form 7/8, and will be fixed at the issue rate at which materials are stipulated for issue + ten per cent.

(iv) A fifteen days notice should invariably be issued to the contractor to return the excess quantity of materials got issued by him over and above the theoretical consumption and permissible variations, for taking action in terms of Clause 42.

(6) Clause 12 of the General Condition of Contract provides for specifying of deviation limits for various works. Such deviation limits are to be specified in Schedule "F" annexed to the Form, and shall form part of tender documents. For maintaining uniformity in works carried out by the department, following deviation limits shall be stipulated by the authorities approving the NIT's for operation of Clause 12 of the Form 7/8 unless there are specific reasons to adopt different deviation limits for a particular work:

(i) For original works

(a) Superstructure- 30 %

(b) Foundation-100 %

(ii) For original works of time bound, urgent and emergency nature

(a) Superstructure -50 %

(b) Foundation--100 %

(iii) All maintenance works—50 %

(7) The agreement Forms UPJN 7 and 8 contain general conditions of contract (GCC) for works in UPJN and shall be applicable both for item rate as well as percentage rate tenders.

(8) For work not covering under the purview of composite tendering, tenders for electrical, and building works (including sanitary and water supply works) must be invited concurrently, or at an appropriate stage when they are required to be commenced. Where it is not possible to do so due to some reasons, the fact should be intimated to the Superintending Engineer and Chief Engineer concerned explaining the reasons for delay.



## 14.2 Tender for normal works (Non specialized works)

14.2.1 Tenders for works costing up to Rs. 20 crores:- *General Procedure for Procurement of work shall be in principle the same as for procurement of goods.*

1(A) Single source procurement:- For small works upto Rs 5 lacs when such work is a small component of the total project or works which are small and scattered or are situated in remote areas/hilly terrains, where adequate number of contractors may not be available or where mobilization cost for contractors is unreasonably high, the work may be executed on the basis of single source procurement giving suitable reasons.

1(B) *In view of the fulfilment of tender process in hilly regions facing difficulties in the management of resources and facilities and in view of a situation of non-availability of materials at local level, the works costing upto Rs. 1.50 crore may be done departmental basis. In this case, the material will be procured by placing supply order to the on manufacturers/authorized distributors against any prevailing departmental Rate Contract with them or the procurement will be done on the basis of quotations/market survey carried out by the Departmental Purchase Committee. Machines and equipment's will also be procured by way of quotations through the Departmental purchase committee. The arrangement of labour will be made separately based on item rates through work orders/outsourcing. For such a working method, other related rules of the 'Procurement rules' shall be deemed relaxed.*

2(A) *Limited Tender Enquiry: - This method of Limited Tender Enquiry may be adopted when estimated cost of the work is upto Rs. 60.00 lacs (Rs. Sixty lacs). Tender document will be sent to at least three or more contractors registered in the department through Speed Post/Registered Post.*

2(B) *Advertised Tender Enquiry:- For the Procurement of works above Rs. 60.00 lacs, the tender will be published at least in two widely circulated National News Papers.*

2(C) *E-Tenders:- For the Procurement of works above Rs. 150.00 lacs (Rs. One crore Fifty lacs) the tender will be invited by E-Tendering.*

(3) **Single Bid System:** -- The tender documents for works costing beyond Rs 60 lacs & upto Rs. 20 crores shall be invited under Single Bid System only from the contractors registered in the UPJN, CPWD, MES, BSNL, AIR, Railways, BRO, GREF, Postal Deptt. of GOI, Uttarakhand State PWD, and other Departments & Undertakings of Uttarakhand Govt. in the appropriate category and class. All such registered contractors shall have to fulfil the criteria of satisfactory execution & completion of works as given below:-

- a) 3 similar works, each of value not less than 40% of the estimated cost put to tender OR
- b) 2 similar works, each of value not less than 60% of the estimated cost put to tender OR





c) 1 similar work of value not less than 70% of the estimated cost put to tender, all amounts rounded off to a convenient full figure, during the last 7 years counting backwards from the last date of submission of the tender.

However it would be also a condition that the tenderer must have satisfactorily executed & completed at-least 1 work (either part of a,b,c above OR a separate work costing not less than 40% of the estimated cost put to tender) with some central / state Govt. department or an Autonomous body or PSU of State Govt or Central Govt.

Actual value of such similar executed works shall be increased at a simple rate of 7% per annum to bring the same to the current costing level, calculated from the date of current rates *which were* prevailing at the time of invitation of tender.

(d)The term “**Similar work**” shall be properly defined and appropriately mentioned in the tender document (NIT) by the NIT approving authority with the prior approval of MD. Similar Work shall mean works similar in nature and of quantum mentioned in the above para. It should not be defined in a manner which could result in restricted tendering unless a conscientious decision has been taken by the competent authority to go for restricted tendering, preconditions for which are given in para 14.6 hereinafter.

For an appropriate definition of “**similar work**”, CPWD’s O.M. No.DG/MAN/306 dtd 16.5.2014, available on the web site of CPWD may be reffd. to.

(4) **Two/Three bid system** :-- For works costing over Rs. 20 Crores, the tenders shall be invited under Two/Three envelope system as prescribed under Para 14.7 hereinafter.

**14.2.2 Execution of work in Packages** :-- Due to hostile atmosphere in remote and difficult hilly terrains of Uttarakhand, several times the response from eligible/ capable contractors is poor when tenders are called for execution of works on full rate contract basis, where labour and material both are arranged/ managed by the contractor. Under such circumstances the MD/Chief Engineer, UPJN will be competent to allow execution of works on departmental basis, where the work *package* is split into labour component and material component. One or more contracts for labour component are awarded. For material component, as a matter of practice, several supply orders are placed with different suppliers, who supply materials for the work. As the work is split into several parts of small magnitude, the local contractors are thus able to handle the work efficiently.

Otherwise also the Chief Engineer, UPJN will be competent to allow splitting of package works in emergent and urgent case in any area for recorded reasons.





#### **14.2.3 Declaration by contractor to be submitted with tender.**

1) In all cases, an affidavit should be submitted by the contractor along with the tender, declaring that he has not executed the works (on the basis of which he wants himself to be qualified / eligible) through any other contractor on a back to back basis & that he has not been debarred from tendering by any authority. Provision to debar the contractor from tendering in UPJN, for a period of 3 years should also be kept in the NIT in case he files a false affidavit. Also if such a violation comes to the notice of UPJN before the date of start of work, the Engineer-in-charge shall forfeit the Earnest Money Deposit & the Performance Guarantee, submitted by the tenderer / contractor.

#### **14.2.4 Tendering limit of registered contractors**

If a contractor is enlisted in more than one department, he shall be eligible to tender for works up to the highest amount permitted by virtue of his enlistment limit in the said departments.

14.2.5 Works costing more than *Rs. 1.50 crore (Rs. One crore Fifty lacs)* shall be invited through E-Tendering.

#### **14.3 Invitation of tenders for component parts**

(1) Para 2.5.3 of this Manual may be referred to for splitting of the sanctioned project/work into packages for the purpose of accord of technical sanction.

(2) In cases where the main work has been completed and there is some residual work forming part of the big project, remaining to be done, the tenders for such residual part need not be sent to the higher authorities, and may be decided by the Executive Engineer or Superintending Engineer if the amount of such residual work is up to 10% of their power to accord Technical Sanction power respectively. CE will have full powers to decide the tenders for residual part.

(3) In case responsive tenders are not received even after inviting tender for the second time, work can be split in suitable parts with the permission of the competent authority as per power delegated for the approval of the tender and then tender will be invited third time separately for different parts. If the tender are not received for the split works then the works shall be executed as per para 13.1 of this manual upto Rs. 10.00 crore. For such works costing more than Rs. 10.00 crore, case will be referred to the Govt. for the approval of work through departmental basis as para 13.1.

#### **14.4 Composite tenders**

System of composite tendering shall be followed for all kind of building works (irrespective of cost) which shall include component of all internal Electric Installation and some other internal works as given below:---



- (i) Providing and fixing Conduits, Boxes, Switches & fixtures, EDB, MCB and Floor Trucking etc. and all required wiring
- (ii) Providing and fixing Conduits, Boxes & Switches, fixtures for EPBAX/Intercom and Telephone, UPS, LAN etc. and all required wiring
- (iii) Providing and fixing: Conduits, Wiring, Boxes and all fittings and fixtures for Fire Detection & Fire Alarm System and all required wiring.
- (iv) Items of providing and fixing of fans and light fittings & fixtures may be executed through separate contract.
- (v) In case of works costing up to Rs. 10 crore the MD may dispense with the system of composite tender on a case to case basis on the basis of recommendations of the chief engineer. System of composite tendering shall be followed for all kind of building works costing more than Rs. 10 crore. Apart from civil & horticulture works, MD may include following components in the composite tender irrespective of sanctioned cost of work:

1. Compound lighting
2. Street lighting
3. Low pressure side of air conditioning system
4. Wet riser system
5. Fire fighting system
6. Lifts
- 7 Any other item as decided by MD

**14.4.1 Steps to be followed are given here as under:**

(1) The Department will fix only one agency i.e. the main contractor for the work who will be responsible for execution of entire work. This contractor will be fixed by inviting tenders under two/three envelopes system as described under para 14.7 of this manual.

**(2) The NIT will include following three components:---**

**Part A :-** UPJN –Form 6, UPJN – 7/8 (Standard General Conditions of Contract) including schedules 'A' to 'F' for major component of the work, Standard General Conditions of Contract will be adopted with all amendments/ modifications as applicable, upto the date of approval of the NIT by the competent authority.

**Part B:-** General *and* specific conditions, specifications and schedule of quantities applicable to major component of the work.

**Part C:-** Schedules A to F for minor component of the work, (where SE/EE in charge of major component shall also be competent authority under clause 2 and clause 5 as mentioned in schedule A to F for major components) General/specific conditions, specifications and





schedule of quantities applicable to minor component/components of the work. Entire work under the scope of composite tender shall be executed under one agreement.

Schedules for minor components of the work will be supplied by technical sanctioning authority of the *concerned* discipline well in time to be included in the main tender. Approval of NIT of Composite works shall be accorded by the major component authority and the cost component of other than major head shall not be considered for the purpose of financial power as there is merely compilation of different heads for the purpose of NIT. The eligible tenderers for major component will quote rates for various items of minor components of work also. The lowest tenderers would be decided based on quoted rates in respect of all the schedules attached in tender documents. It will be obligatory on the part of the main contractor to sign the tender documents for all the components.

(3) The Department will lay down eligibility criteria for agencies responsible for execution of minor components of works. Agencies to be engaged by main contractor *for minor components* shall have to fulfil the laid down criteria. In case the main contractor himself meets the required eligibility criteria as laid down by the Department for any minor component(s) of work, he shall be allowed to execute the same after due verification etc.

(4) The main contractor will give detailed execution programme of the work which will form part of his agreement with the department. He will indicate in the programme, the time/stage of the work when the agencies of minor components of works will be deployed by him.

(5) Acceptance of the tender shall be done by the Tender Committee or CE or SE or EE as defined in Schedule 'F' and *acceptance will be* conveyed by the Engineer –in- charge of major component of the work on behalf of the approving authority. After the work is awarded, the main contractor will have to sign two/or more copies of agreement depending upon number of EE's/DDH in charge of minor components. One set of agreement shall be handed over to EE/DDH in charge of minor component. EE of major component will operate part A and part B of the agreement. EE/DDH in charge of minor components shall operate Part C along with Part A' of the agreement. The main contractor has to enter in agreement with the contractor associated by him for execution of minor component. Copy of such agreement shall be submitted to EE/DDH in charge of minor component as well as to EE in charge of major component.

(6) Running payment for the major component shall be made by EE of major discipline to the main contractor. Running payment for minor components shall be made by the EE/DDH in charge of the discipline of minor component directly to the main contractor.

In case main contractor fails to make the payment to the contractor associated by him within 15 days of receipt of each running account payment then on the written complaint of





contractor associated for such minor component, EE/DD(H) in-charge of minor component shall serve the show cause to main contractor and after considering the reply of the same he may make the payment directly to the contractor associated for minor component as per the terms & conditions of the agreement drawn between main contractor and associate contractor fixed by him, if reply of main contractor either not received or found unsatisfactory. Such payment made to the associate contractor shall be recovered by EE of major or minor component from the next RA/final bill due to main contractor as the case may be.

(7) If the main contractor fails to associate agency/agencies for execution of minor components of work within prescribed time or furnishes incomplete details or furnishes details of ineligible agencies even after the tenderer is given due opportunity, the entire scope of such component of works shall be withdrawn from the tender and the same shall be got executed by the Engineer-in-Charge at the risk and cost of the main contractor.

(8) In case the main contractor intends to change any of the above agency/agencies during the operation of the contract, he shall obtain prior approval of respective Engineer-in-Charge/DDH of the agreement. The new agency/agencies shall also have to satisfy the laid down eligibility criteria. In case Engineer-in-Charge of respective discipline is not satisfied with the performance of any agency, he can direct the contractor to change the agency executing such items of work and this shall be binding on the contractor.

(9) Supervision of various components of works will be carried out by concerned wings of the department under the overall coordination of the CE.

(10) Final bill of whole work shall be finalized and paid by the EE of major component. Other EEs/ DD(H) will prepare and pass the final bill for their component of work and pass on the same to the EE of major component for including in the final bill for composite work.

(11) SE or Director Horticulture of the concerned discipline will be competent authority for deciding reduced rates, if any. Date of completion of all components of work will be same. Levy of compensation under Clause 2 as well as fair and reasonable extension of time will be granted by the SE in charge of the major component in consultation with SE concerned of minor discipline and on receipt of required information in this regard from EE of major discipline as well as concerned of minor discipline. Also EE in charge of major component shall be competent authority to give fair and reasonable extension of time under provision of clause 5 and SE in charge of major component shall be competent authority to reschedule milestones as stipulated under clause 5.

(12) Same milestones shall be applicable for all components of work. The agencies of minor components will ensure that their components of the work are executed in time without giving any chance for slippage of milestones of the project. The amount to be withheld under Clause





5 of the contract will be decided by the EE of the main discipline only and not by other EEs. In the event of not achieving the necessary milestones as assessed from milestone bar chart, specified percentage of the tendered value of work will be withheld for failure of each milestone.

(13) Arbitration case shall be handled by the EE of the major discipline along with the support of the minor discipline.

#### **14.5 Pre-bid conference**

At the discretion of the NIT approving authority a pre-bid conference may be held after sale of tenders with the intending tenderers at least 5 days before the last date of submission of the tenders as per details given in the tender documents for clarification of any doubts of the intending tenderers or for modification of any condition of the contract, specification etc. Minutes of the meeting shall be circulated to all the intending tenderers, whether or not they attend the pre-bid conference.

#### **14.6 Restricted Tenders**

##### **14.6.1 Cases where restricted tenders can be resorted to.**

Restricted tenders of any value can be called in the following cases with the prior approval of the MD/Chief Engineer, UPJN.

- (i) The work is required to be executed with very great speed, which not all the contractors are in a position to generate.
- (ii) The work is of special nature requiring specialised equipment, which is not likely to be available with all contractors.
- (iii) Where the work is of secret nature and public announcement is not desirable.
- (iv) Where the list of pre-qualified contractors is required to be shortened to a suitable limited number.
- (v) Maintenance of VIP residences/important buildings as decided by Chief Engineer concerned.
- (vi) Other exigencies of the work so demand.

#### **14.7 Tenders with two/three envelope system**

This system involves prequalifying the parties before opening their financial bids.

- (1) Tenders for all works estimated to cost more than Rs 20 crores as also for specialised works), shall be called on two/three envelope system.



(2) For works estimating to cost upto Rs. 20 crores also, this system may be resorted to but with prior approval of MD.

(3) The definition of similar work is to be spelt out clearly in the NIT by NIT approving authority and shall be got approved from the MD. The definition of the similar work should be decided considering the following guidelines :-

(i) For building works, the number of storeys for the purpose of definition of similar works may be taken as under :-

No. of storeys to be constructed in the proposed building	No. of storeys to be mentioned in the definition of similar work
Upto 4 storeys	No binding
5 to 10 storeys	Minimum 5 storeyed buildings
11 to 15 storeys	Minimum 8 storeyed buildings
More than 15 storeys	Minimum 10 storeyed buildings

(ii) In case the work involves Const of 2 or more basements, then it is to be stipulated in the definition of similar work that the bidder should have executed and completed 1 similar work with minimum 1 basement.

(iii) For any civil work (other than building work) if there is a significant component in the the work, which is other than the normal building work, then that component should be considered as the main component of the work for the purpose of definition of similar work. The amount of such component can be mentioned in the definition of similar work.

However MD may deviate from above guidelines in the interest of the work with recorded reasons.

List of contractors satisfying the eligibility criteria and technical bid shall be got approved from MD. Financial bid shall be got approved from the authority competent for acceptance of tenders.

(4) The system specifies for simultaneous call of technical and financial bids. However if the exigencies of work so demand, only technical bid can be called first, but with the approval of MD. Later on, financial bids can be called from qualified contractors.

#### 14.7.1 Procedure for call of tenders under two/three envelope system.

##### 14.7.1.1 Two envelope system

Works for which technical specification is finalized & defined clearly in NIT, *tenderers shall be required to submit the bids in two envelopes.*

Envelope - 1 :-Documents related to eligibility criteria.

Envelope - 2 :-Financial bid.

Envelope-1 of all tenders shall be opened first. Eligibility related documents shall be





evaluated and parties qualified/disqualified by the competent authority. Financial bid of qualified tenderers shall then be opened at notified time, date and place in presence of tenderers *(or their representatives) who may wish to be present.*

#### **14.7.1.2 Three envelope system**

Works for which technical specification has not been finalized and the same is to be finalised on receipt of the details from the tenderers, the tenderers shall be required to submit the bids in three envelopes.

Envelope - 1 :- Documents related to eligibility criterion.

Envelope - 2 :- Technical bid.

Envelope - 3 :- Financial bid

Envelope-1 of all tenderers shall be opened first. Technical bids of tenderers who satisfy the eligibility criteria shall then be opened at notified time, date and place in presence of tenderers or their representative, *who may wish to be present.* If required, a conference in respect of technical bids shall be held on notified date, time and place. After finalization of technical bid, if required, *tenderers* may be given chance to modify their financial bids and there after the financial bids shall be opened. The validity of the tenders shall be reckoned from the date of opening of the financial bids. The financial bids shall be opened within 30 days of the date of receipt of tenders.

#### **14.7.1.3 Pre-bid conference**

There shall be a pre-bid conference in which the doubts of the intending tenderers shall be clarified, besides discussions on any additional suggestion proposed by the tenderers. If found necessary, a corrigendum to the tender documents would be issued to all the intending tenderers, and thereafter no further query/condition shall be entertained. There would be no bar to hold the pre-bid conference more than once, especially in more complex types of works.

**14.7.1.4** The Chief Engineer incharge of the work shall finalise the eligibility as well as bid evaluation criteria in accordance with the guidelines given in **Appendix- 13**. In case any deviation from guidelines (except for recalling tenders under para 16.7) are considered necessary, same should be got approved from the MD.

**14.7.1.5** After opening of the technical bids, the EE shall prepare a list of all the deficiencies found in the bids of each bidder vis-à-vis the requirements of the NIT within 7 days of the opening and send these deficiency lists to the individual bidders by speed post with a request to furnish the required documents within 1 week of receipt , failing which it will be presumed that they do not have any further documents to furnish and decision on bids will be taken accordingly.

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**14.8 Tenders for Specialized works- For details Section 15 be referred to.**

**14.9 Preparation of Notice Inviting Tenders**

(1) The Notice Inviting Tenders should be carefully prepared. All notices calling for tenders should be in the standard form, and be serially numbered. A proper register (as per Annexure below) shall be maintained for this purpose. The notices should be issued only after the authority competent to accord Technical Sanction has approved the NIT papers.

(2) Avoidance of use of symbols:- The use of symbols, such as %, and 'per thousand' in the Schedule of quantities accompanying the Notice Inviting Tenders is prohibited, and the words 'hundred', 'thousand', etc. must be written, e.g. "Per hundred sq. meter" must be written, and not "% sq. meter". The units should thus be more specific.

(3) Lump sum tenders:- In case of lump-sum tenders, the Divisional Officer should ensure that the detailed drawings and specifications, duly authenticated by the competent authority, form part of the Notice Inviting Tenders, and that the cost of various items forming part of the sanctioned estimate of the work is correctly assessed with reference to the relevant Schedule of Rates, and in the case of non-schedule items, on the basis of rates supported by detailed analysis thereof and duly sanctioned by the competent authority.

(4) Authentication of all corrections:- The NIT papers are very important documents, on which call of tenders and subsequent agreements with the contractors are based. It is, therefore, very necessary that each page and the correction slips, as well as other corrections and modifications made in the NIT papers, are numbered and signed by the competent authority in token of approval so that chances of tampering with such documents are avoided. Mere approval on forwarding letters would not serve the purpose. All corrections in the NIT's and pages of the NIT's approved by the Superintending Engineer and Chief Engineer should be attested by EE (P). Thereafter the documents must be properly sealed to prevent any tampering.

(5) All the pages/forms forming part of NIT, whether printed or otherwise, should be clear, legible and unambiguous. The Schedule of Quantities attached to the tender documents other than Form UPJN 7 must also contain a column for the "Amount" after the column "Rate". Care shall be taken in the preparation of the Schedule of Quantities so that there is adequate space between the items to enable the contractor to quote the rates without being cramped for space. The contractor must calculate the amount of each item, and enter it in the column. The Contractor must also total these amounts by sub-heads, and give a grand total in words and figures at the end of the Schedule.

(6) The NIT for all works for which tenders are invited on UPJN form 7 should provide that the Contractor should quote the percentage above or below to two places of decimal only.





(7) The time period for completion of work should be reasonable as decided by NIT approving authority, keeping in view the quantum of work, requirement of user department, geographical conditions of the site and other constraints. The Schedule of contract period as given in **Appendix-25** may act as a rough guideline.

(8) The notice inviting tender should also stipulate minimum requirement of technical staff for the work. Requirement of technical staff should be decided by NIT approving authority. For building works recommended scale is given in **Appendix 18**.

(9) It should be ensured that a specific reference to the number of correction slips as well as the year of the Schedule of Rates as well as that of the CPWD Specifications, are made while mentioning the Schedule of Rates or the UPJN Specifications for Works, e.g. "Schedule of Rates ..... for..... with correction slips ..... to .....", and "UPJN Specifications for Works at ..... with correction slips ..... to .....".

(10) Following condition may be incorporated in the NIT:- No condition shall be incorporated in the NIT regarding visit of UPJN officers within the country or outside the country to inspect equipments/materials/stores where such expenditure is to be borne by the contractor. Officers of the department may conduct inspection before dispatch of equipments/materials at manufacturer's works. The contractor has to arrange facilities for inspection of equipments/materials including conducting the required tests in the manufacturing unit. However no condition shall be incorporated in the NIT regarding inspection of equipments/materials in the manufacturing unit located outside India without prior permission of MD. In case any such condition regarding inspection outside India is incorporated in NIT without approval of MD, it will tantamount to deliberate violation of instructions and this will attract disciplinary action against the officer approving the NIT..



**Annexure (Refer para 14.9.1)**

**Register of NIT's issued during the year .....**

**Name and address of the Division .....**

**Example:**      Serial      number      first      available      in      the      register:      5  
Year.....:      2007-08

Division.....: Construction Division IV

Location.....:      Delhi      Sub-

Division.....: (if outstation, suffix suitable initials) Number

Sl. No.	Date	Sub-Division/ Division	S. no. assigned by Sub-Division (if located out station)	Name of work	Estimated Cost	Date of opening	Remarks

assigned to the NIT shall be.....:





## SECTION 15

### TENDERS FOR SPECIALIZED WORKS

#### 15.1 Specialized works to be executed through specialized agencies

Specialized works are those works for which there are specialized agencies available in the market to execute them. These works are listed by the department and are updated periodically. These works should be got executed through such agencies only to ensure a proper quality of work.

#### 15.2 Tenders for specialized works are to be invited on two/three envelope systems.

15.2.1 Procedure for call of tenders under two/three envelope system as approved by NIT. approving authority shall be followed as per para 14.7.1 of this Manual.

#### 15.3 Tenders with specialized components of work

In a building construction there are other specialized works, such as plumbing, aluminum work, doors and windows shutters, painting, etc., for which there are agencies who are specialized in such fields. The procedure to be followed in executing such works is given as under:--

(1) Agencies acceptable to the department :- In a tender where there are components of such specialized nature of works, there should be a stipulation in the NIT (Form 6) that such works should be got executed only through associated agencies specialized in these fields. For this purpose, the NIT should list out the names of such specialized agencies that are acceptable to the Department, and/or stipulate the conditions for acceptable agencies. The contractor shall indicate the name(s) of his associated specialized agencies from the above list, or those fulfilling the above conditions as early as possible *but* within one month of award of work.

(2) Press advertisement in brief :-

(i) Since the NIT would be long in such cases, the above requirement may be mentioned in brief while releasing the advertisement in the press, and the intending tenderers may be requested to seek the regular NIT (Form 6) from the Department for more details. This may be issued to them free of cost.

(ii) However, the NIT shall be posted in full in the website. The press advertisement may also request the intending tenderers to refer to this website for more details.

#### 15.4 Tenders for specialized works

(1) Specialized items/ jobs/ works are those that require special T&P and/or specialized skill.

(2) The MD will be competent to declare an item/job/work as a specialized item/job/work. While approving such a specialized item/job/work, the MD shall endorse a copy of such approval letters/orders to all the CEs, as well as post such letters/orders in the website in order to maintain uniformity.



(3) Tenders for works pertaining to DG Sets, HVAC, Sub Station, Fire Fighting, Fire Alarm/Fire Detection and lifts shall be invited for each work on two/three envelope system from specialized agencies/firms including OEM/OEA provided he/they meet the eligibility criteria as stipulated in the NIT.

#### **15.5 Preparation of NIT**

(1) The NIT approving authority of the work shall finalize the eligibility as well as bid evaluation criteria in accordance with the guidelines given in **Appendix- 13**. In case any deviation from guidelines (except for recalling of tenders under para 16.7) are considered necessary, same should be got approved from the MD .

(2) The eligibility criteria for pre-qualification should be made very clear in the Press Notice and NIT (Form 6). In order to get competitive rates in respect of specialized jobs, the NIT (Form 6) shall also be sent to some prominent specialized firms, which in the opinion of NIT approving authority are likely to become eligible.

(3) Definition of similar work and eligibility criteria shall be spelt out clearly in the NIT by NIT approving authority. Definition of similar work shall got to be approved from MD if estimated cost of work is more than financial powers of Chief Engineer.

(4) Apart from the criteria of the work experience, NIT approving authority may lay down other suitable conditions depending upon the nature of work.

(5) The system specifies for simultaneous call of technical and financial bids. However if the exigencies of work so demand, only technical bids can be called first but with the approval of MD, *UPJN*. Later on financial bids can be called from qualified contractors.

(6) In the case of some specialized jobs by specialized firms, Guarantee Bonds are also required to be executed, viz. water proofing works and anti-termite treatment. A sample Guarantee Bond is given in Appendix 22 as a general guideline. NIT approving authority may decide separate/common Guarantee Bonds required for different jobs based on this sample.

(7) **Eligibility criteria** for such works (except DG Set, HVAC and Sub Station works) shall be specified in NIT as follows:-

**Experience** of having successfully completed works during last 7 years ending last day of the submission of tenders :---

(i) Three similar works each of value not less than 40% of the estimated cost put to tender **or** Two similar works each of value not less than 60% of the estimated cost put to tender **or** one similar work of value not less than 70% of the estimated cost put to tender, all amounts rounded off to a convenient figure.





The eligibility criteria for similar works of outsourcing of day to day maintenance along with annual repair and maintenance work and special repair shall be based on the estimated cost of the work for 1 year even if tender is invited for a period of 2 or 3 years.

(ii) **Eligibility criteria** for DG Set, HVAC and Sub Station works shall be specified in NIT as follows:--

**Experience** of having successfully completed works during last seven years ending last day of the submission of tenders :- Two similar completed works each of value not less than 60% of the estimated cost put to tender with capacity of individual DG Set/Chiller/transformer being 70% of the individual capacity (rounded off to next available higher capacity) of the equipment i.e. DG Set/ Chillers/ transformer proposed in the NIT.

OR

One similar completed work of value not less than 70% of the estimated cost put to tender with capacity of individual DG Set/Chillers/transformer being 70% of the individual capacity (rounded off to next available higher capacity) of the equipment i.e. DG Set/Chillers/transformer proposed in the NIT. All amounts rounded off to a convenient figure.

**(8) DG set**

(1) Suitable conditions be incorporated in the NIT to ensure compliance of following: -

- (a) Makes of engine, alternator and AMF panel be incorporated in the NIT and it is to be ensured that the DG Set(s) and AMF panel of Specified makes are procured from OEM/OEA only.
- (b) Inspection and testing of DG set and AMF panel before dispatch shall be carried out in the works of OEM/OEA only.
- (c) At the time of submission of tender document the contractor shall submit:---
  - (i) Written commitment from OEM/OEA to supply the DG Sets and delivery schedule as per requirement of department.
  - (ii) Certificate from OEM/OEA or authorized service provider of engine manufacturer for satisfactory installation and commissioning of DG Set after completion of the work.
  - (iii) Required Guarantee of DG Set from OEM/OEA in favour of Engineer-in-Charge to cover defect liabilities.
  - (iv) An undertaking that mandatory free service shall be carried out during the guarantee period by the authorized service provider of engine manufacturer

(2) The tenders for DG Sets to be installed in VVIP Complex or buildings of national importance/ prestige may be invited from OEA/OEM only with prior approval of MD. The firm has to be OEM/OEA for the highest capacity of DG Set proposed to be installed.



(9) No condition shall be incorporated in the NIT's regarding visits of UPJN officers within country or outside India to inspect equipments/materials/stores where such expenditure is to be borne either by the contractor. Officers of the department may conduct inspection before dispatch of equipments/materials at manufacturer's works. The contractor has to arrange facilities for inspection of equipments/ materials including conducting the required tests in the manufacturing unit." However no condition shall be incorporated in the NIT regarding inspection of equipments/ materials in the manufacturing unit located outside India without prior permission of MD.

In case any such condition is incorporated in NIT, it will tantamount to deliberate violation of instructions and this will attract disciplinary action against the officer approving the NIT.

(10) The procedure for call of tenders with two/three envelope system (excluding envelope containing earnest money ) given under Para 14.7.1 shall be followed for such works involving following stages:-

- (i) **Stage I** – Approval of definition of similar work by competent authority.
- (ii) **Stage II** – Approval of names of eligible contractors by competent authority.
- (iii) **Stage III** – Approval of technical specifications by competent authority.
- (iv) **Stage IV** – Revision of financial bids, if required.
- (v) **Stage V** – Acceptance of financial bids by competent authority.

#### **Definition of Competent Authority at each Stage:**

##### **Stage; I & II**

Sl No.	Cost of work	Competent Authority.
1	Up to powers of technical sanction of EE	SE
2	Beyond T.S. powers of EE & upto the tender acceptance powers of CE under his own authority	Full powers to CE
3	Beyond the tender acceptance powers of CE under his own authority	MD

**Stage: III-** To approve technical specifications : NIT approving authority

**Stage: V-** To approve financial bid : As per delegation of financial powers in Appendix-1

Similar procedure is to be followed in case the work is to be executed through Work Order without call of tenders. Definition of similar work shall got to be approved from competent authority. To obtain approval of competent authority for definition of similar work, a proposal in the form of a letter containing the following information is to be submitted to competent authority by the NIT approving authority:-





- (a) Name of work and Sub Head.
- (b) Brief description of the work to be undertaken.
- (c) Estimated cost put to tender
- (d) Amount of A/A & EIS
- (e) Time of completion
- (f) Any other relevant information
- (g) Proposed definition of similar work.

After approval of definition of similar work, tender shall be called and after satisfying that contractor has submitted earnest money in proper form, the envelope containing documents related to eligibility criteria shall be opened and to be sent to competent authority for approval of names of eligible contractors. In case CE is the competent authority, then case is to be sent to CE directly by the EE with a copy to SE. In case MD is the competent authority, then the case shall be submitted to MD by the CE.

After examining the documents related with eligibility criteria names of contractors satisfying the eligibility criteria shall be approved by the competent authority. After finalization of name of eligible contractors, second envelope containing details of technical specifications shall be opened and assessment of technical specifications and their finalization shall be done by NIT approving authority.

After finalization of technical bid, if required, the eligible contractors may be given chance to modify their financial bids. The financial bids (original or revised as the case may be) shall be opened by the Ex. Engineer and tender shall be accepted by the competent authority as per delegation of financial powers. After opening of financial bids tenders shall be processed as per the existing procedure.

(11) **Pre bid conference:** There shall be a pre-bid conference in which the doubts of the intending tenderers shall be clarified, besides discussions on any additional suggestion proposed by the tenderers. If found necessary, a corrigendum to the tender documents would be issued to all the intending tenderers, and thereafter no further query/condition shall be entertained. There would be no bar to hold the pre-bid conference more than once, especially in more complex types of works. NIT approving authority should allow sufficient time to hold the pre-bid conference after sale of tenders.

(12) Tenders received by EE shall be submitted to NIT approving authority directly.

#### **15.6 Sale of tenders**

(1) It is necessary that the tenders for specialized jobs/works are sold to the firms who deal in the items of works for which the tenders are being invited.

(2) It is not necessary that specialized agencies who tender for the work should be registered with central or state government engineering department.

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(v) The Chief Engineer may decide the buildings of prestige and National Importance to be classified under category "A" to invite tenders from manufacturers approved under category "A".

(vi) The makes approved under category "A" can be installed in any buildings provided the user department makes such specific request and is willing to bear the extra cost involved over and above the sanctioned provision of the estimate. Recommendation of Consultant to provide lift out of five makes approved under "A" category should not be treated as final word unless approved by user department.

(vii) The preliminary estimate for the lifts to be installed in various buildings under category "A" & "B" should be prepared accordingly.

(viii) Para 15.3 of this Manual may be referred to regarding the main contractor associating specialized agencies for specialized components of the work that are covered by the contract.

#### **15.8 Tenders for Specialized Civil Works:**

In case of specialized Civil works where specifications of various items are already finalized, tender for civil works may be invited from specialized agencies as being invited for normal works but tenders shall only be sold to specialized agencies subject to fulfillment of eligibility criteria. For such case powers to approve NIT and acceptance of tender shall be as per normal delegation of financial powers.

However, there is no bar to invite tender on two/three envelope system if competent authority to approve NIT, decide so.

#### **15.9 Maintenance of specialized E&M Systems by Manufacturers/Authorized Agencies.**

The following shall be followed for Operation & Maintenance of specialized E&M Systems:

##### **(1) Central AC Plant**

(i) Irrespective of capacity, screw and centrifugal plants (to include both high & low side) will be got comprehensively maintained by Manufacturers/Authorized Agents for maintenance works of the Plant. This should include all repairs, spares, gas, oil etc. To ensure undivided responsibility, operation of the Plant also should be entrusted to Manufacturer/Authorized Agent for maintenance works.

(ii) Reciprocating Plants above 200 Tons aggregate capacity will be got comprehensively maintained/operated by Manufacturer/Authorized Agents/original executing agencies.

(iii) Reciprocating Plants with aggregate capacity upto 200 Tons can be maintained and operated by specialized agencies selected on basis of prequalification criterion.

(2) Lifts will be got comprehensively maintained by the respective Lift manufacturer only.





(3) The requirements of experience and expertise are applicable to all the intending tenderers viz. specialized firms as well as registered contractors. Tender papers should be issued only after ascertaining from them, about their experience and expertise in the specialized field concerned. The registered contractor shall not be eligible to purchase tender unless he meets out the eligibility criteria for that particular specialized work. Press notice should also be issued accordingly.

(4) The issue of tender papers to civil or electrical contractors will be regulated by the discipline of work, namely, civil or electrical. The intending tenderers should append details and expertise with their applications for issue of tender papers.

(5) The tender papers should be issued only after ascertaining from the contractors their expertise and experience in the specialized field concerned with reference to the laid down eligibility criteria, and after satisfying that they fulfill the criteria.

(6) At the time of purchase of tender, the tenderer shall have to furnish an affidavit as under: "I/We undertake and confirm that eligible similar works(s) has/have not been got executed through another contractor on back to back basis. Further that, if such a violation comes to the notice of Department, then I/We shall be debarred for tendering *for UPJN works* in future for 3years . Also, if such a violation comes to the notice of Department before date of start of work, the Engineer-in-Charge shall forfeit the entire amount of Earnest Money Deposit/ Performance Guarantee."

**15.7 Guideline to call tenders for lifts :-** The lift manufacturers are approved into two categories as mentioned below:

(i) Category "A"

1. M/s OTIS
2. M/s Kone
3. M/s Mitsubishi
4. M/s Schindler
5. M/s Johnson Lifts Pvt. Ltd. Chennai

(ii) Category "B" - The firms prequalified for a period of two years

(iii) The categorization of lift for various buildings is as under.

Category "A" – Residential Building, Hospital, Prestigious Buildings, Buildings of National Importance other non residential and office buildings more than six floors (G + 5).

Category "B" – Office buildings and other non residential buildings except type of buildings classified under category A.

(iv) The manufacturers approved under category "A" can participate for the works to be executed in various buildings under category "B".



(3) Addressable Type fire Alarm System will be got maintained by manufacturer/authorized agents/ pre qualified firms up to their tendering limit.

(4) The following systems will be got maintained comprehensively by the Manufacturer/Authorized Agents only.

(i) Baggage/Security Scanner

(ii) Video/Film Projection System

(iii) CC TV System

(iv) UPS System

(v) PA System

(vi) Sound reinforcement System

(vii) Conference System

(viii) Communication System

(ix) Computer System

(x) Water Pump Automation System

(xi) Fire Extinguishers

(xii) DG Set

(5) Wet Riser, Fire Alarm System will be got operated/maintained by specialized firms selected on basis of prequalification criterion.

(6) Any other specialized System:- The Chief Engineer will decide whether the system is to be got maintained by Manufacturer/ Authorized Agents for maintenance works or by specialized firms to be selected on basis of prequalification criterion.

**Note:** When maintenance work is to be got awarded to Manufacturer/authorized agent, there is no need to call tender with press publicity. It is adequate to send the NIT to only the manufacturer/authorized agent. The tender accepting authority will be responsible for the best offer received and reasonability of rates.

#### **15.9.1 Operation and maintenance of E&M installations**

The operation and maintenance (including repairs) of the equipments and systems listed under para 15.9 above shall also be treated as specialized items of works.

#### **15.10 List of specialized items/jobs for Civil / Electrical works**

The list of specialized items/jobs that have been declared in respect of civil works is given in Annexure I, & electrical works in Annexure II.





## Annexure- I

### List of specialized items/jobs for civil works

- (1) Carriage of Materials
- (2) Water proofing treatment work
- (3) Steel work in steel bridge work, space frames for long span structures, steel towers
- (4) Laying of granite stone flooring
- (5) Special foundations including all types of piles.
- (6) Fibrous plaster ceiling.
- (7) Acoustic treatment and other decorative items such as glass ceiling.
- (8) <sup>†</sup> Sinking of tube well.
- (9) Erection of food storage-both silos and flat type.
- (10) Aluminium doors and windows, aluminium partition.
- (11) RCC overhead tank with independent staging.
- (12) Underground tank.
- (13) Guniting, Ready mix concrete.
- (14) Repair and rehabilitation works.
- (15) Soil investigation and survey work.
- (16) Façade cleaning system and Façade cleaning.
- (17) Custom made wooden furniture (factory made).
- (18) Aluminium composite panel.
- (19) Swimming pool.
- (20) Fabrication and erection of space frame including covering with lightweight poly carbonate sheet roofing.
- (21) Diaphragm walls.
- (22) Glass/green house (climate control)/screen house.
- (23) Anti-termite chemical treatment.
- (24) Stainless steel cladding and stainless steel railing.
- (25) Water treatment plants.
- (26) Structural glazing work.
- (27) Fiber glass doors.
- (28) Stone works such as:
  - (a) Ashlar stone masonry work.
  - (b) Stone jali work.
  - (c) Italian marble work.

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(29) Pre-fabricated structures and portable units such as sentry posts, toilets, temporary office or residential accommodation, etc.

(30) Modular furniture, moulded PVC furniture and kitchen cabinets.

(31) Superior water supply fittings such as Jacuzzi steam cabins, cascades, etc.

(32) Sensor operated system for flushing.

(33) Plumbing with copper/polypropylene pipes using advanced technology for jointing.

(34) <sup>†</sup> Trenchless pipe works.

(35) Textured finishing work.

(36) <sup>†</sup> Care taking works.

(37) Security to vacant bungalows/premises.

(38) Tentage/view cutter works.

(39) Washing/dry cleaning works.

(40) Synthetic play area surface for games.

(41) Signages

(42) Stainless steel Water tanks

(43) \*Bamboo work

(44) Environment Impact Assessment Study and Environment Clearance

(45) Compactors/Optimizers

(46) Wooden flooring

(47) <sup>†</sup> Composite work pertaining to Civil, Electrical & Horticultural Services

Outsourcing of all Maintenance, Special Repair, up gradation works and Mechanized housekeeping etc. (Provided composite tenders are invited for civil, electrical, Horticulture and Mechanized housekeeping)

Note: Works of different categories such as Maintenance, Special Repairs and Upgradation works pertaining to Civil, Electrical & Horticulture, if executed independently, tenders are to be invited from registered contractors only by respective wings.

(48) Mechanized Housekeeping Work

(49) <sup>†</sup> Outsourcing of day to Maintenance along with Annual Repair & Maintenance work and special Repair etc.:-

(a) Out sourcing day to day Maintenance for civil or electrical or Horticulture services.

(b) Out sourcing day to day Maintenance with any service such as Annual Repair & Maintenance and /or Special Repairs pertaining to civil or electrical or Horticulture services.

Note: However works of different category such as Annual Repair & Maintenance and/or Special Repairs pertaining to Civil, Electrical, Horticulture, if executed independently i.e., excluding works of day to day maintenance, tenders are to be invited from CPWD registered contractors only by respective wings.

(50) Branded Wooden/Steel Furniture's

(51) Semi- Automatic sound proof (50 db) Sliding folding partitions.





## **Annexure II**

(Reference para 15.10)

### **List of specialised items/jobs for electrical works**

Supplying/fabrication, installation, testing and commissioning of the following

- (1) Kitchen equipment.
- (2) Sewage treatment plant.
- (3) HT and LT Switchgear.
- (4) Air-conditioning plants.
- (5) Lifts, escalators and conveyors
- (6) Simultaneous interpretation systems.
- (7) Gas plants.
- (8) Transformers.
- (9) Diesel generating sets.
- (10) Heavy machinery items such as bulldozer, tractor scraper, road rollers, lorries, excavator, etc.
- (11) Refrigerators
- (12) Cold storage plant.
- (13) Water coolers.
- (14) Hot water/steam boilers.
- (15) Public address system; conferencing system, automatic vote recording system, recorders.
- (16) Stage lighting.
- (17) Projector and other special equipment for theatre.
- (18) Repairs and calibration of various types of measuring instruments and relays etc.
- (19) Testing of transformer oil and dehydration and other type of high potential test.
- (20) Runway lighting, taxiway lighting and approach lighting system including control regulators, relays and control panels.
- (21) Supply and erection of High Mast lighting.
- (22) Frequency converter.
- (23) Fabrication of steel cabin of body of trucks chassis.
- (24) Temporary illumination, security lighting and wiring for power outlets for metal detectors in connection with Republic Day and Independence Day celebrations.
- (25) EPBAX system (equipments).
- (26) EPBAX system (cabling and wiring).
- (27) Illumination of heritage caves and fiber optic lighting system.
- (28) Security system and alarm



- (29) Building automation system.
- (30) Digital display board.
- (31) Fire fighting equipment (including wet riser and sprinkler system, \*\*portable fire extinguishers), fire detection and alarm and any other co-related items. \*\* Necessary annual and day-to-day maintenance, refilling of portable fire extinguishers shall be carried out by Electrical wing.
- (32) Hydraulic platform/lift:
- (33) Incinerator.
- (34) Laundry equipment.
- (35) Energy conservation measures for lighting.
- (36) Centralized clock system.
- (37) Interior/exterior flood lighting of heritage/monumental buildings/structures involving computer aided design, and evolution of special mounting arrangements for luminaries:
- (38) Conservation measures for lighting.
- (39) Repair and Maintenance of Dish Antena.
- (40) \*Supply and installation of UPS System and Servo Voltage stabilizers
- (41) \*Rising Mains/Bus Trunking in Buildings.
- (42) Gas pipe line#
- (43) Modular OT#
- (44) Electrically Operated Gate
- (45) Fountain Work
- (46) Water supply motors and pumps of 100 hp or more
- (47) Mechanized Car Parking Systems
- (48) VRV/VRF Type Air-Conditioning Systems
- (49) Oxygen Generation Plant
- (50) CCTV and Allied Equipments
- (51) Access Control System
- (52) Hydro Pneumatic Pumps

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## SECTION 16

### PUBLICITY OF TENDERS

#### 16.1 Wide publicity

(1) Wide publicity should be given to the Notice Inviting Tenders (Form 6). Tenders must be invited in the most open and public manner possible, by advertisement in the website/press, and by notice in English/Hindi and the written language of the district. A copy of the notice should be sent to all the Divisions, Zonal Offices & Circle Offices. The notice may also be sent to the Local Municipality, Collector's office, and the State PWD Divisions, for works in places where there are not enough registered contractors.

(2) Notices for all the works, irrespective of their value, shall be posted *on* the UPJN website. Proof thereof in the form of a printout of NIT details and the Tender ID no. from the web page shall be kept on record. In view of this requirement, sending of NIT's/NIQ's to the Contractors' Associations can be dispensed with.

(3) In respect of works estimated to cost more than Rs. 60 lakhs, a brief advertisement inviting tenders should invariably be inserted in the press in the classified category.

(4) Advertisement for Notice Inviting Tenders should be sent to the press. Sometimes, tenders may have to be invited for different works by the same Division at the same time, or at short intervals of one or two days. In such cases, it is not desirable to send separate press advertisements for each work, and as far as possible composite advertisements in the prescribed format should be sent to avoid unnecessary expenditure on advertisement.

(5) In urgent cases, the authority competent to approve the NIT, for recorded reasons, decide to send the advertisement of tenders directly to the press. In such cases the newspaper bills shall also be settled by UPJN..

(6) Draft specimen of Press Notice to be issued as a combined Advertisement in News Paper is given as **Appendix 11**, Specimen Press Notice forming part of NIT and to be posted on website is given in **Appendix 12**.

#### 16.2 Economy in press advertisement

(1) The advertisement inserted in the press should be brief, but clear in meaning. For economy in cost, following guidelines should be kept in view: -

(i) Combined tender notice may be issued for all the works to be awarded around the same time.

(ii) The official designation and address of the Executive Engineer should not be repeated at the end.

(iii) Details of estimated cost, earnest money, time allowed etc. should be given as per **Appendix 11**.

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(iv) Titles such as "Government of Uttarakhand, Uttarakhand Peyjal Nigam" etc. at the top should not be given, as the official designation at the beginning gives these details.

(v) The name of the Executive Engineer inviting tenders should not be printed.

(2) The above instructions should be strictly observed, and Chief Engineer should ensure that these instructions are complied with, and proper economy is exercised regarding inviting the tenders.

(3) These provisions shall compulsory be followed.

### **16.3 Guidelines regarding publicity of tenders**

The following guidelines are to be followed by the Executive Engineers regarding publicity of tenders:

(i) Request to DAVP for release of advertisement should be sent well in advance so that adequate time is available for release through press.

(ii) The Division/Circle sending the request to DAVP should intimate their complete postal address to the DAVP.

(iii) A watch should be kept on publication of advertisement in those newspapers where advertisements are being released.

(iv) Newspaper cuttings in each case should be collected and kept on record as far as possible as a proof of publicity actually achieved.

(v) Full details of the dates on which advertisement have actually appeared in the newspapers should be indicated while sending cases to higher officers.

### **16.4 Duty of Head Clerk**

It is duty of the Head Clerk of the issuing Division to ensure that all NITs (Form 6) remain on the notice board of the Division from the date of issue of NIT to the date of opening of tenders. For this purpose, he should record a certificate to the effect on office copy of each NIT. The Executive Engineer should check such certificates from time to time. Inspecting Officers from Circle Office and Zonal Office may also check the notice boards for display of the notices, and the office copies of the NIT's for these certificates of the Head Clerk.

### **16.5 Time limit for Publicity of Tenders**

*Ordinarily, the minimum time to be allowed for submission of bids should be two weeks from the date of publication of the tender notice or availability of the bidding document for sale, whichever is later. Where the department also contemplates obtaining bids from abroad, the minimum period should be kept up to three weeks for both domestic and foreign bidders.*





#### **16.6 Procedure for proper publicity of tenders**

The following procedure shall be adopted for proper publicity of tenders by the Divisional Office:--

- (1) All NIT's (Form 6), whether issued by the Sub-Division or the Division, shall be assigned a serial number in the form ['X' of 'Y'], where 'X' is the serial number of the NIT issued in a particular financial year and 'Y' represents that financial year. Abbreviations for Division and the place shall be added. This is illustrated by way of an example under Annexure in section 14. No NIT shall be publicized either on the notice board or in the website/press without the proper serial number. The serial number shall be continuous irrespective of the level of the NIT approving authority, i.e. Assistant Engineer to Chief Engineer.
- (2) The Assistant Engineer shall intimate the details of the prospective NIT (to be issued within his power) to the Executive Engineer in writing in duplicate. On receipt of the intimation, the first serial number available in the register shall be assigned to the NIT, details noted in the register and the duplicate copy of the intimation returned to the Sub-Division with the serial number of the NIT noted on it under the signature of the Executive Engineer. In cases where the Executive Engineer decides not to release a particular NIT, no serial number shall be assigned to it.
- (3) The agreement with the contractor shall bear the serial number of the NIT along with other details on the cover page. This shall be checked and reconciled in the Divisional Office by the Divisional Accountant before making payment of the first bill to the contractor.
- (4) In case of works estimated cost upto Rs.60 lakh, tender notice may not be published in News Paper, but the NIT shall be necessarily displayed on notice boards of the issuing Sub-Division, Division and all the other Sub-Divisions of that Division located in the same station. *But may be published in the website of UPJN and tender notice copy should be sent to minimum three registered contractors through registered post.*
- (5) The NIT register shall be made available to contractors for perusal during a fixed time on working days and also to higher authorities during their inspection.

#### **16.7 Action in case of poor response to tenders**

If the response to tenders from the contractors of the appropriate classes is poor or unreasonably high rates are received, following measures may be taken by the tender accepting officers but with the prior approval of the next higher officer.

- (a) Throw open tenders to next lower class including to contractors registered with any department of any state govt. department/undertakings other than the state of Uttarakhand besides Railways, MES, Telecommunication & state PWDs in the appropriate class and/or

(b) The NIT approving authority may modify the eligibility criteria suitably.

(c) In addition to the above options, in case of poor response, the execution of work may be carried out as envisaged in *para 14.2.2 and 14.3 of the manual*.

#### **16.8 Formalities for re-invitation of tenders**

In case of re-invitation of tenders, all the formalities mentioned in aforesaid paras shall be observed. In cases when the dates and time for sale and receipt of tenders are required to be extended due to unavoidable circumstances, a proper notice for the same shall be placed on the notice board, and the same should also be *placed on* in the website.

#### **16.9 All notices in the name of the Chairman, UPJN.**

All tenders should be invited in the name of the Chairman. It is, therefore, necessary that the words "For & on behalf of the Chairman, UPJN" should be incorporated in all the press notices sent for publication in newspapers and or *on* web site.





## **SECTION 17**

### **SALE OF TENDER DOCUMENTS**

#### **17.1 General**

- (1) The tender documents should be prepared and posted on the web site of UPJN before the Notice (NIT) is actually sent to the press or is pasted on the Notice Board.
- (2) The tender documents should be sold to only those contractors who fulfill the eligibility criteria set out in the notice, and who are not *the* near relatives of the Divisional Accountant or the Superintending Engineer or Executive Engineer or Assistant Engineer/Junior Engineer of the Circle in which the work is to be executed.

Note: A near relative includes wife, husband, parents, in-laws, children, brothers, sisters, uncles, aunts and cousins.

- (3) Any tender form that is issued, either for sale or for office use, should be issued under the signature of the Divisional Officer or the Sub-Divisional Officer, as the case may be.
- (4) Para 16.1 may be seen regarding posting of tender notice on the website.

#### **17.2 Sale of tender documents to registered contractors (for normal works)**

17.2.1 Tenders shall be sold to registered & eligible contractor who fulfill the criteria as stipulated in the tender Document.

#### **17.2.2 Sale of tenders to contractors with a blemished record**

If the Executive Engineer concerned receives adverse report against any contractor, either from the Department in which he is enlisted or from any other Department, he should stop issue of tenders to that contractor on the basis of such a report. The Executive Engineer should, however, communicate the information to his Superintending Engineer for record and for approval of the action taken or proposed to be taken by him.

#### **17.2.3 Tendering limit where materials are stipulated for issue**

For deciding the limit up to which a particular contractor is eligible to tender, the cost of materials, whether proposed to be issued free or on payment, shall not be deducted from the estimated cost of work put to tender.

#### **17.3 Sale of tender documents for Balance works**

- (1) When under Clause 3 or 14 of the contract Form 7 or 8, the unexecuted portion of the work is taken out of the hands of the original contractor, the tender documents for the residual work shall not be sold to the original contractor, if asked for.
- (2) In case of rescinded contracts, the NIT for residual work shall be approved by the authority who had approved the original NIT. However, the tender shall be accepted by the authority who has the powers to accept tenders as per the delegated financial powers.



(3) In case a contractor does not start the work after award or withdraws the tender after acceptance, he shall not be issued tender for the same work on recall. The Engineer-in-Charge shall also intimate the enlisting authorities.

#### **17.4 Time interval between sale of tender documents and opening of tenders**

Any tender form which is issued either for sale or for office use should be issued under the signature of the Divisional Officer or the Sub-Divisional Officer, as the case may be. In order to give contractors sufficient time to study tender documents and work out reasonable rates, the tender papers shall be sold as per following time schedule : --

Receipt of applications for issue of forms will be stopped by 1600 hours four days before the date fixed for opening of tenders. Issue of tender forms will be stopped three days before the date fixed for opening of tenders.

#### **17.5 Scale of charges for tender documents**

(1) The following will be the scale of charges for the sale of tender forms to contractors:—

- (a) Works costing upto Rs.1 lakh: ...Rs 150/-
- (b) Works costing between Rs.1 lakh and Rs.50 lakh..... Rs. 500
- (c) Works costing more than Rs.50 lakhs and upto Rs.2 crore..... Rs.1000
- (d) Works costing above Rs.2 crores:..... Rs.2000

(2) Authorities competent to approve NIT's have got the discretion to add to the prices mentioned above any additional cost of drawing to be supplied along with tender documents depending on the labour actually involved in their preparation.

#### **17.6 Accounting of tender documents**

(1) The following procedure is laid down for the accounting of tender documents:

- (a) All the tender documents should be priced and the price *mentioned* on the document.
- (b) All the tender documents should be kept in the charge of the Cashier in the Divisional Offices and the Sub-Divisional Clerk in the Sub-Divisional Offices.
- (c) All the tender documents received by the Cashier/Sub-Divisional Clerk should be entered in the register.
- (d) The register should contain a chronological record of the issue of tender documents, showing the names of the persons to whom issued, the number of forms issued and the amount received.
- (e) The Register of the Sale of the Tender Documents should be treated as a Subsidiary Cash Book and its pages should be machine numbered.
- (f) The money received by the Cashier or the Sub-Divisional Clerk on account of sale of tender documents should be entered in the Divisional or Sub-Divisional Cash Book daily as a





lump sum. This daily total should agree with the detailed record in the Register of the Sale of Tender Documents.

(g) On the 25th of each month, the Cashier or the Sub-Divisional Clerk concerned should close the register by striking the balance of tender documents in stock, the number of documents sold, and the amount of cash realized. He should also count the documents in hand. Thereafter, the tender documents and the entries in the register should be checked and verified by the Divisional or the Sub-Divisional Officer concerned.

(h) Surplus/unutilized tender documents must be destroyed after one month of acceptance of tenders.

(2) To avoid the possibility of bogus and fake tenders being submitted, it is necessary that the tender documents are sold individually and acknowledgements taken from contractors or their accredited representatives in the Register of the Sale of Tender Documents while handing over the tender documents to them. Where the tender documents are transmitted by post, these should be dispatched by Registered A.D. Post/speed post.

#### **17.7 Responsibilities of Divisional Accountant**

(i) To see that all the forms issued to tenderers, whether printed or otherwise are clear, legible and unambiguous. The schedule of quantities attached to the tender document other than Form 7 must contain a column for the "Amount" after the column "Rate".

(ii) To ensure that tenders are issued to only those contractors who satisfy the eligibility criteria for issue of tenders as inserted in the press notice. He should properly scrutinize the applications received for issue of tenders, keeping in view the eligibility criteria and then put up to the EE for a decision.



## SECTION 18 : EARNEST MONEY

### 18.1 Necessity for earnest money

According to the practice in UPJN, earnest money is paid by each tenderer to enable the Government to ensure that a tenderer does not back out of his tender before its acceptance, or refuse to execute the work after it has been awarded to him.

### 18.2 When to be deposited

The earnest money is to be deposited by the intending tenderers in one of the acceptable forms as specified in para 18.4 alongwith their tender documents for a work, and it shall be so stipulated in the NIT (Form 6).

### 18.3 Rates of Earnest Money

The amount of the earnest money, which a contractor should deposit with the tender, is regulated by the following scales. In case of petty works costing Rs.5,000/- or less the Executive Engineer may, at his discretion, dispense with the conditions for calling for earnest money.

- (i) For works estimated to cost upto Rs.25 crores : 2%(Two percent) of the estimated cost .
- (ii) For works estimated to cost more than Rs.25 crores: Rs.50 lakhs plus 1% (one percent) of the estimated cost in excess of Rs.25 crores.

### 18.4 Mode of Deposit

(1) The earnest money may be accepted only in the following forms: --

- (i) Cash upto Rs.10,000.
- (ii) Demand Draft of a Scheduled Bank.
- (iii) Fixed Deposit Receipt (FDR) of a Scheduled Bank.

(2) It should be ensured that the FDR is pledged in favour of the tender inviting authority. It is in the tenderer's own interest to keep the FDR valid as long as it is required. There is no need for the Department to insist upon the tenderer keeping the FDR valid, since he can encash the FDR only when it is assigned back to him by the tender inviting authority.

(3) If the banks are closed on the last date of receipt of tenders, the date shall be postponed suitably.

### 18.5 Refund of earnest money

(1) The earnest money given by all the tenderers except the lowest tenderer should be refunded immediately after the opening of the tenders, or latest within a week from the date of receipt of tenders. Entry of Demand Draft received as earnest money with the tenders may be kept in the Tender Opening Register, and these need not be deposited in the bank except for the lowest tenderer.





(2) The Executive Engineer should periodically review the Tender Opening Register with a view to ensure that the earnest money is refunded in time. If the tenderers do not come forward to get their refund, their Demand drafts / Pay order etc should be sent to them by Registered Post within a week after expiry of the prescribed period. It will be the responsibility of Divisional Accountant to ensure that Earnest Money is refunded to unsuccessful tenderers in time specified above.

(3) The earnest money deposits may be refunded under the authority of an order endorsed by the departmental officer (in whose favour the deposit was made) upon the original deposit receipt. Under no circumstances, part payment be made.

(4) If the departmental officer desires that an item of earnest money deposit, instead of being refunded, be carried to the credit of the UPJN, he must record the fact on the Deposit Receipt and in his initial records, and request the Accounts Officer to effect necessary adjustment in Accounts.

#### **18.6 Earnest money is not security deposit**

The earnest money, which a tenderer for a contract is called upon to furnish along with his application for issue of tender for the contract is not a security deposit within the meaning of rule 45 of the Saving Bank Rules for depositors. No account can, therefore, be opened for the deposit of such earnest money in the Post Office Saving Bank.

#### **18.7 Earnest money stipulation in work/supply to be awarded after call of quotations**

In case where work/supply is to be awarded on the basis of quotations, and a condition for depositing earnest money is laid down in the Notice Inviting Quotation (NIQ), the following condition shall be stipulated in the NIQ:--

“The quotation for the work/supply shall remain open for a period of ..... days from the date of opening of quotations. The UPJN shall, without prejudice to any other right or remedy, be at liberty to forfeit 50% of the earnest money if any quotationer withdraws his quotation before that date or makes any modification in the terms and conditions of the quotation which are not acceptable to the department, and to forfeit the whole of the earnest money if the quotationer, whose quotation is accepted, fails to commence the work/supply specified in the NIQ (along with changes in scope, if any) in the prescribed time or abandons the work/supply before its completion.”

#### **18.8 Forfeiture of earnest money**

(1) If any tenderer withdraws his tender before the expiry of the validity period, or before the issue of letter of acceptance, whichever is earlier, or makes any modification in the terms and conditions of the tender which are not acceptable to the department, then the Government shall, without prejudice to any other right or remedy, be at liberty to forfeit 50% of the earnest



money absolutely. This provision would naturally apply only to the lowest tenderer once the earnest money of all the tenderers except those of the lowest is refunded as per provisions under para 18.5(1).

(2) If contractor fails to furnish the prescribed performance guarantee within the prescribed period, the earnest money is absolutely forfeited to the UPJN automatically without any notice.

(3) In case the contractor fails to commence the work specified in the tender documents on the 15th day or such time period as mentioned in letter of award, after the date on which the Engineer-in-charge issues written orders to commence the work, or from the date of handing over of the site, whichever is later, the UPJN shall, without prejudice to any other right or remedy, be at liberty to forfeit whole of the earnest money absolutely.

(4) If only a part of the work as shown in the tender is awarded, and the contractor does not commence the work, the amount of the earnest money to be forfeited to the Government should be worked out proportionally with reference to the estimated cost of the work so awarded.

(5) In case of forfeiture of earnest money as prescribed in 1 to 4 above, the tenderer shall not be allowed to participate in the retendering process of the work.





## **SECTION 19**

### **OPENING AND ACCEPTANCE OF TENDERS**

With a view to avoid the possibility of original tender documents being tampered with, the following procedure shall be adopted in connection with the receipt and opening of tenders and their acceptance.

#### **19.1 Receipt of tenders**

(1) All the tenders in the power of Executive Engineer and higher officers shall be received in the Divisional Office. Tenders in the power of Assistant Engineer shall be received in the Sub-Division.

(2) Provisions under para 18.2 of this Manual may be seen regarding deposit of earnest money.

##### **19.1.1 Witnessing the opening of tenders**

(1) All the tenders should be opened in the presence of such intending tenderers or their representatives as may choose to attend at the time and place, which should be advertised. The tenders should be entered in the Register as per Form CPWD 41.

(2) The Divisional Accountant (Sub-Divisional Clerk in Sub-Division) should be encouraged to be present at the time of opening of tenders. The tenderers should also be encouraged to be present at the time of opening of the tenders.

(3) The tenders that are received after the due date and time of receipt are not to be considered at all. They should neither be opened nor entered in the tender opening register.

(4) When tenderers sign their tenders in any Indian script or can only write their names in English, the amount of the tender, or rate of percentage above or below offered by them, should be written in the tenderer's own handwriting in Indian script, and in the case of illiterate tenderer, the amount of tenders should be attested by one of the witnesses.

(5) Percentage and lump sum tenders should be read out to the tenderers as far as possible. In the case of item rate tenders, the total amount worked out by the different tenderers may be read out, if required by the tenderers present.

##### **19.1.2 Procedure for dealing with corrections, etc**

(1) The Officer opening the tenders should encircle all corrections, cuttings, conditions, additions and over-writings and number them and attest them in red ink.

(2) In case of a number of corrections in the rate of any one item, either in words or in figures or in both, the number of corrections marked should indicate the corrections serially, that is to say, in case of, say, three corrections in rates of any one item, each of these corrections should be allotted independent numbers serially and not one number to represent all the three corrections.



(3) The number of such corrections, cuttings, additions, conditions and over writings must be clearly mentioned at the end of each relevant page of the Schedule attached to the tender documents, and they should be properly attested with date. Any omission observed should also be brought out clearly on each relevant page of the Bill of quantities (BOQ).

(4) The corrections, cuttings, conditions, additions and over writings etc., should be allotted separate numbers, i.e. corrections should start from 1, 2, 3, etc. and over writings should similarly start separately from 1, 2, 3, etc.

(5) Use of correction fluid anywhere in tender documents should not be allowed. In case use of correction fluid is noticed, such tender will be liable for rejection.

#### **19.1.3 Procedure for dealing with omissions**

(1) Any ambiguity in rates quoted by the tenderers, either in words or figures, must be clearly indicated on each relevant page of the BOQ attached to the tender documents to which it concerns.

(2) Where the contractor has quoted rates in rupees and no paisa is mentioned, the word "only" should invariably be added after the words 'Rupees', and the corrections should be initialled and dated with suitable remarks at the end.

(3) Where the contractors have omitted to quote the rates/amount either in figures or in words, or both as applicable, the Officer opening the tender should record the omissions on each page of the Schedule or BOQ .

(4) The Divisional/Sub-Divisional Officer should see that the tenderers quote entire rates in words including paise to avoid chances of tampering in rates, and if the contractor fails to do so the Executive Engineer/Assistant Engineer should himself write the rates in words at the time of opening of tenders .

(5) The tenderer should be asked to fill in the tenders properly and carefully. They should avoid quoting absurd rates and making too many corrections in the tenders. The amounts should also be correctly worked out. If any contractor does not follow these instructions and desists from filling the tenders carefully, it would be open to the Department to take disciplinary action against the contractor.

#### **19.2 Scrutiny of tenders**

(1) After opening the tenders in the manner mentioned above, and keeping a record as given in para 19.2.2.(1)(i), and preparation of comparative statement, the Executive Engineer will send the same to the office of the Superintending Engineer/Chief Engineer (i.e. the tender accepting authority concerned) and the detailed scrutiny will be done in the office of that accepting authority.





The market rates required for the preparation of justification and special problems / conditions, if any, at the area / site of work will, however, be sent by the Executive Engineer.

(2) In case of tenders within the powers of MD/ Tender Committee, complete scrutiny will be done in the office of the Chief Engineer concerned.

#### **19.2.1 Preparation/checking of comparative statement**

(1) Preparation of comparative statement :--

A complete comparative statement of all the tenders received in response to the notice inviting tenders should be drawn up in the office of the Executive Engineer in UPJN Form No. 13 or 14 as the case may be, and the following instructions should be carefully noted:--

- (i) The Officer opening the tender should prepare in his own hand in the tender opening register a statement of the "Percentage" or "Lump Sum" tenders received and should sign that statement. In the case of item rate tenders, he needs to prepare only a list of tenders received.
- (ii) Care should be taken in preparing and scrutinizing the comparative statement of tenders to guard against arithmetical and other mistakes. Failure to do this may result in the work being awarded to a contractor who is not the lowest acceptable tenderer, a contingency which must be guarded against.

(2) Checking of comparative statement:--

The detailed arrangements for proper check of tenders and comparative statement are left to the tender accepting authority, but any such arrangements must provide: --

- (i) That the work will be carried out under the control of the officer who is designated for the purpose in the Chief Engineer's Office / Superintending Engineer's Office, and Divisional Accountant in Division Office and by Sub-Divisional Clerk in Sub-Division Office.

The duties and responsibilities of the Divisional Accountant mentioned in the subsequent paras shall be deemed to be the duties of the above mentioned officers under whose control the scrutiny of tenders is being done. The officials handling the tender should work on it in the Branch only, and the tenders should not be taken outside the Branch in any case. The tenders and related papers must be kept under lock & key by the officials before leaving the office.

- (ii) That the officials date and initial all papers the calculations of which they have checked and that all working sheets are preserved.

- (iii) That the Divisional Accountant or the concerned officer mentioned in para 19.2.1(2)(i) makes satisfactory and efficient arrangements for checking the computed tenders. He should also conduct personally a test check of computed and checked tenders, sufficient to satisfy himself reasonably that the checking work has been properly done. He should also see that the comparative statement correctly incorporates the total as checked in individual tenders. Full details of the Divisional Accountants responsibility in the matter are contained in para 19.2.2.



(iv) Procedure for dealing with ambiguities in rates:--

That if on check there are differences between the rates given by the contractor in words and in figures or in amount worked out by him, the following procedure shall be followed:--

(a) When there is a difference between the rates in figures and in words, the rates which correspond to the amounts worked out by the contractor shall be taken as correct.

(b) When the amount of an item is not worked out by the contractor, or if it does not correspond with the rates written either in figures or in words, then the rate quoted by the contractor in words shall be taken as correct.

(c) When the rate quoted by the contractor in figures and in words tallies, but the amount is not worked out correctly, the rates quoted in figures and words by the contractor shall be taken as correct and not the amount.

(d) In the case of percentage rate tender, the tenderers are required to quote their rates, both in amount as well as in the percentage below/above the rates entered in the BOQ. In such cases, in the event of arithmetical error committed in working out the amount by the contractor, the tendered percentage and not the amount should be taken into account.

(e) All corrections in the comparative statement should be carried out neatly and clearly, and *initialled* by the person making the corrections. The corrections shall then be attested by the authority concerned.

#### 19.2.2 Responsibilities of the Divisional Accountant

(1) The responsibilities of a Divisional Accountant as regards the computation and checking of tender and the preparation of comparative statements, as decided by the Comptroller and Auditor General of India in consultation with the Government of India, are as follows:

(i) The Divisional Accountant is responsible for the safe custody of tender documents during the period when they remain in the Accounts Branch until submission to the Executive Engineer.

(ii) He is responsible for the arrangements for checking the computed tenders, i.e. for seeing that satisfactory and efficient arrangements are made for checking.

(iii) He should conduct personally a test check of the computed and checked tenders sufficient to satisfy himself reasonably that the checking work has been properly done.

(iv) He should see that the comparative statement correctly incorporates the totals as checked on the individual tenders.

(2) The Divisional Accountant himself should not be called on to do any of the actual computing work or of the intermediate verification of the computations or of the preparation of comparative statement. His responsibility extends to the final checking arrangements and he himself doing a reasonable amount of test check. In fact, an Executive Engineer would be





quite entitled to ask the Divisional Accountant to note on the comparative statement that as far as he could ascertain from such test check as he had been able to carry out, the statement is accurate. There is no objection for the employment of Accounts Clerks, as distinct from the Divisional Accountant, on the computation, if the work is large and the preparation of a comparative statement is urgent. It should, however, be open to the Divisional Accountant, if he thinks this the more satisfactory method of ensuring accurate check, to reserve or to detail one or more of the Accounts Clerks safely for him, to satisfy himself that any check has been properly done.

(3) The Divisional Accountant should record the following certificate on the comparative statement:--

“Certified that, I have personally conducted a test check of all the computed and checked tenders and have satisfied myself that the checking work has been properly done. The comparative statement correctly incorporates the totals as checked on the individual tenders.”

#### **Para 19.2.3 – Responsibilities of Finance Officer**

(1) Finance officer to the Chief Engineer shall be responsible to coordinate the processing of tenders in his branch as well as with EE(P) attached with the CE so as to keep a close watch on validity of tender so that tenders are decided in time and suitable action is taken before expiry of its validity.

(2) Finance officer shall raise all his *queries* or observations in one go and not in piece meal manner to avoid delay in scrutiny and processing of tenders for award of work.

#### **19.3 Processing of tenders:--**

##### **19.3.1 Timely processing of tenders**

(1) Top priority should be given to decide the award of work on receipt of tenders. In order to minimise chances of delay, the time-table as laid down in **Appendix 16** should be observed for processing the tenders by different authorities.

(2) The above time schedule should be adhered to strictly, and if any officer is unable to follow the same, he should invariably give reasons for the same while forwarding the tenders to the authorities competent to accept it.

(3) In case, after receipt of tenders, it becomes necessary to forward the tenders to the higher authority for acceptance due to the tender going beyond the power of the NIT approving authority, details like:--

(a) Validity period of the tender,

(b) Time already taken for scrutiny, and

