

REVISED PROCEDURE FOR TENDERING & CONNECTED ACTIVITIES

The Revised procedures for tendering and connected activities relate to the following:-

1. Constitution of Tender Committee
2. Inviting Budgetary quotes
3. Basis for preparation of Estimates
4. Invitation of Tenders
5. Evaluation and acceptance of tenders
6. Discharge of tenders
7. E-Tender/E-Tender Procurement

I CONSTITUTION OF TENDER COMMITTEE

The Committee has recommended that the practice of the tenders being evaluated by a Technical Evaluation Committee may be discontinued with immediate effect. Instead the Officer concerned – Executive Engineer/Superintending Engineer/Dy.HoD/HoD will give a note to the Tender Committee for tender evaluation and recommendation. The constitution of Tender Committee for procurement and work are as below:-

Department	Nature of Tender	Composition
Civil	Below Rs. 1 lakh	No Tender Committee
	From Rs. 1,00,000 upto Rs.25,00,000	Chairman - Dy.CE Member - Supdtg.Engineer/Exe.Engineer Member (Finance) - Sr.AO / AO Officer in the pay scale of not less than Rs.24,900 – Rs.50500 nominated by HoD of the User Depts.
	From Rs.25,00,000 to Rs.1,00,00,000	Chairman - CE Member - Dy.CE / SE Member (Finance) - Sr.Dy.CAO / Dy.CAO Officer in the pay scale of not less than Rs.24,900 – Rs.50,500 nominated by HoD of the User Depts.

	Above Rs.1,00,00,000	Chairman - CE Member - Dy.CE Member (Finance) - FA & CAO Officer in the pay scale of not less than Rs.32,900- Rs.58,000 nominated by HoD of the User Depts.
Mechanical	<u>For Procurements other than Stores/ Electrical/ Mechanical works:</u>	
	Below Rs. 5 lakhs - No Tender Committee	
	<u>From Rs. 5,00,000</u> <u>upto Rs. 25,00,000</u>	Chairman - Dy.CME Member - Supdg.Eng/Exe.Eng Member (Finance) - Sr.AO / AO Officer in the pay scale of not less than Rs.24,900 – Rs.50,500 nominated by HoD of the User/Indenting Depts.
	<u>From Rs. 25,00,000</u> <u>to Rs. 1,00,00,000</u>	Chairman - CME Member - Dy.CME Member (Finance) - Sr.Dy.CAO / Dy.CAO Officer in the pay scale of not less than Rs.24,900 – Rs.50,500 nominated by HoD of the User/Indenting Depts.
	<u>Above</u> <u>Rs.1,00,00,000</u>	Chairman - CME Member - Dy.CME Member (Finance) - FA & CAO Officer in the pay scale of not less than Rs.32,900 - Rs.58,000 nominated by HoD of the User/Indenting Depts.
	<u>For procurements of stores</u>	
	Below Rs. 5 lakhs - No Tender Committee	
Above Rs.5,00,000 upto Rs.25,00,000	Chairman - Dy. CME (M) Member - Sr.Dy.MM Member (Finance) - Sr.AO / AO Officer in the pay scale of not less than Rs.24,900 – Rs.50,500 nominated by HoD of the User/Indenting Depts.	

Stores	From 25,00,000 to Rs.10,00,0000	Chairman - CME Member - Sr.Dy.MM Member (Finance) - Sr.Dy.CAO/Dy.CAO Officer in the pay scale of not less than Rs.24,900 – Rs.50,500 nominated by HoD of the User/Indenting Depts.
	<u>Above Rs.1,00,00000</u>	Chairman - CME Member - Sr.Dy.MM Member (Finance) - FA&CAO Officer in the pay scale of not less than Rs.32,900 – Rs.58,000 nominated by HoD of the User/Indenting Depts.

II Inviting Budgetary Quotes

- (i) Invitation of budgetary offers shall be hosted in Port's website.
- (ii) In addition to the hosting in the Port's website, the Department may also send the enquiries to reputed firms known or registered with the Port.
- (iii) The Department shall also scrutinize the PAN, TIN, or ST Registration details.

III Basis for Preparation of Estimate:

Sl. No.	Dept.	Nature of Work/procurement	Procedure
1	Civil	All Civil Works covered under SOR	Referring SOR Data book of Port/CPWD/PWD
2	M&EE	All electrical/electronics/ Communication works	SOR of CPWD/PWD or any other SOR of Govt./PSU.
3	M&EE	All mechanical and other works	Budgetary quotes may be invited from reputed firms ascertained through market assessment. If three budgetary offers are not received in the first instance, budgetary offers may be again invited. In the second instance, even if one budgetary offer is received, the estimate may be based on the budgetary quotes received and the market assessment.
4	Civil/M&EE/ Marine	Items not covered under any SOR	
5	Civil / Mechanical/Electrical/ Marine	Repairs & Maintenance work	
6	M&EE/ Marine	All capital procurements	
7	M&EE/MM	Procurement of materials except Stock items.	Estimate to be prepared based on the purchase price (made within last two years) considering the inflatory trend determined by the dept. Or market analysis if previous rate is not available.
8	M&EE/ Marine	All proprietary items/works	Budgetary quote may be invited from the manufacturer / authorised dealer.

9	Finance, GAD, Medical	Any work/ procurement not specified in the above	To follow the relevant procedure as applicable as stated above.
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Once the Budgetary offers are received and accepted by the Department, the estimate shall be prepared **within 7 working days** and the proposal for approval of the estimate shall be submitted in the prescribed format. It is the responsibility of proponent department to ensure that the proposal/Estimate is reasonable and technically sound. After approval of estimate by the competent authority, the tender document shall be prepared and approved within 5 working days. The proponent department shall bring to the notice of competent authority if there are any deviations to the normal tender conditions. Finance department shall audit the justification, availability of budget provision and commercial conditions of the tender documents.

IV Invitation of Tenders:

The following tender method as applicable may be followed

Sl. No.	Procurement/Mecanical&Electrical works	Civil Works	Procedure
1.	Rs.25 lakhs or above	Rs.10 lakhs or above	Open e-tender through Press Advertisement
2.	Above Rs.5 lakhs and upto Rs.25 lakhs	Above Rs. 1 lakh and upto Rs.10 lakhs	Special Limited Tenders plus hosting in Port website
3.	Upto Rs.5 lakhs	Upto Rs.1 lakhs	Quotations
4.	Proprietary items	Proprietary works	Single Tender/quotation as applicable

- (i) **Within 7 working days** of approval of the estimate, Open tenders shall be invited and NIT shall be issued in the Press for all procurements of estimated value of Rs.25 lakhs and above and for works of estimated value of Rs.10 Lakhs and above.
- (ii) For Special Limited Tenders, offers may be invited from registered vendors/firms, if available and if not reputed vendors/firms capable of undertaking the procurement/work may be ascertained through market assessment and offers may be invited. In both the above cases, the tender/quotation may be hosted in the Port's website also. However, if the department proposes not to host the tender/quotation in the Port website for justifiable reasons, Chairman's approval may be obtained giving justification.
- (iii) For quotations, minimum three offers may be invited.
- (iv) For Special Limited Tenders, offers may be invited from minimum 6 firms.
- (v) For proprietary items certified as such by the department through a Proprietary Article Certificate, Single tender/quotation may be invited.
- (vi) In cases where open tenders through press advertisement is to be followed but the department proposes to go for Special Limited Tenders (SLT), proper justification may be given and approval of the competent authority be obtained.
- (vii) Two-cover tender may be invited for all major procurements/works.

- (viii) Pre-bid meeting may be conducted in tenders of complex nature and where there is likelihood of any ambiguity in understanding the tender conditions. In such cases the replies to pre-bid queries may be done **within 7 working days** of pre-bid meeting.
- (ix) Only the recommended tenderer's original documents may be verified by the department's any two officers before recommending the offer for acceptance. On verification, the department's officers may attest such verification in the documents.

V. Evaluation and Acceptance of tenders:

- (i) Comparative statement of the offers received shall be prepared **within 5 working days** from the date of opening of the tender by the Department.
- (ii) Clarifications, if any, to be obtained from the tenderers, shall be undertaken by the Department/Division concerned without referring to the Tender Committee.
- (iii) The Department shall give ultimatum of **not more than 10 working days** for clarification on the tenders / bids. No more additional time be granted.
- (iv) All correspondences for clarification with the tenderers may be made through e-mail followed by telephonic conversation to expedite the reply. If no e-mail id is available, then clarification may be undertaken through fax. This is to expedite obtaining clarification from the tenderer / bidder. All correspondences undertaken through fax to be followed by normal postal / courier correspondence.
- (v) **Within 3 working days** from the date of receipt of clarification, the Tender Committee Meeting (Technical) shall be convened by the Chairman of Tender Committee and the recommendations of the Tender Committee Meeting may be finalized and minuted on the same day.
- (vi) The Department note on the proposal based on the Tender Committee Recommendation may be put up to the competent authority in the prescribed format **within 2 workings days** through Finance dept. The official initiating the note or proposal shall mention the name and designation below the signature.
- (vii) Price Bid will be opened within 5 days of the approval of the eligibility on pre-qualification by the Competent Authority.
- (viii) Within 3 working days of opening of the price bid, Tender Committee meeting (financial) shall be held for the acceptance of the offer and recommendation thereon and files will be submitted for approval of the Competent Authority within one working day.
- (ix) **Within 3 working days** of the approval of the competent authority, the Order/LoA may be issued.
- (x) **Within 3 working days** from the date of acceptance of the Order by successful tenderer, the EMD refund recommendation of the unsuccessful tenderers shall be sent by the department concerned to Finance. Finance shall refund the EMD **within 3 working days** from the date of receipt of recommendation from the department.
- (xi) At least 2 technically qualified bids are to be received in a tender on the first invitation for opening price bid, for evaluation. If in the first invitation of tender, no bid/single bid/no qualified bid/single qualified bid is received, the tender is to be discharged and reinvited, if required. On the second or subsequent tenders, even if a single bid is received, the same will be opened and evaluated. If such single

tenderer fulfilled the eligibility criteria, the price bid of the single technically qualified bid will be opened and accepted if the rates are reasonable. However, justification for accepting the single technically qualified bid shall be recorded in the proposal by the department.

- (xii) The tenders received will be evaluated by the Department/Division concerned and Note to Tender Committee with observations may be given to the Tender Committee Members. The Tender committee will consider the Department Note and give its recommendations. In case, the Tender Committee makes any recommendations which are contrary to the Department's Note, the reasons/justifications for the same may be covered in the Tender Committee recommendations.
- (xiii) The Pre-qualification of the tenders based on the eligibility criteria given in the bid document may be evaluated by the Tender Committee Members based on the Department's Note. The pre-qualification of the tenders shall be approved by the authority competent to accept such tender.
- (xiv) Normally there shall not be any negotiation. However, if the Tender Committee/Department concerned recommends that negotiation is to be conducted with the L1 tenderer for justifiable reasons, then in such cases negotiation with L1 tenderer may be conducted with the approval of the competent authority.
- (xv) If the rates quoted by the L1 tenderer are less by more than 10% of the estimate, the Department may, if necessary, call the L1 tenderer for clarification and justifications for the rates may be recorded and the document/undertaking to the effect that the rates are workable and the quality of the work / supply will not be affected, may be obtained from the L1 tenderer before the tender is accepted.

VI Discharge of Tenders

If the Tender Committee recommends to discharge the tender for any reasons whatsoever, the same may be put up to the competent authority for approval. While taking approval for such discharge, the Department shall state whether there is proposal for subsequent invitation of tender, whether there is any modification in the tender document or the tender is proposed to be invited as such without any modification to the tender document. If the tender is proposed to be re-invited without modifications of the tender document, the Department shall mention how the tender will be responsive.

VII. E-Tender/E-Tender Procurement

- 1) E-tenders to be floated for procurement tenders of Electrical /Mechanical more than Rs.25 lakhs and for civil works tenders more than Rs.10 lakhs.
- 2) The quotation limit for procurement items will continue to be at Rs.5 lakhs; whereas for Civil it is proposed to increase the quotation limit from Rs.50,000 to Rs.1,00,000.
- 3) All Civil works estimated at Rs.10 lakhs and above and all procurement items estimated at Rs. 25 lakhs and above shall be done through e-procurement mode.


SECRETARY

(Reference: Agenda C2 of Board of Trustees meeting dt. 11/2/2016)