

**P.W.D. K. 2 FORM**

(Approved in G.O.Ms.No.618/PWD/dated 30-04-85)

Agreement between the Assistant Executive Engineer/Executive Engineer on behalf of the Governor of Tamil Nadu and (Name of Contractor)

Thru.....  
Number of pages in the agreement ; ..... for piece work  
Number of items in the shedule;

**TERMS AND CONDITIONS**

Directions to the parties tendering

1. Piece work is that which involves a paymnet of workdone at a stipulated rate only without reference to a total quantity or time.

2. A list of materials proposed to be supplied by Government and the places where and the price at which they are proposed to be supplied is given at the end of the schedule accompanying the tender notice. This should be entered by the tenderer also at the end of the schedule accompanying the tender. The tenderers must accept those materials at the specified prices and quote for finished works accordingly. Not with standing any subsequent changes in the market value for those materials, the charge to the party executing the works will remain as originally entered in the tender. If at any time subsewuent in the acceptance of this tender, government materials other than those specified in the tender documents are to be supplied to the pice worker for use on the work, they will be charged at the market value prevailing at time of supply or stock issue rate, whichever is greater. The piece worker will be informed in writing of this change and he should intimate in writing the rate which he demands for finished work in view of the fact that he is to use Government materials. No cartage or incidental charges will be borne by Government in connection with the supply of materials referred to this paragraph.

3. Subsidiary items such as water for work, claning and making out site hire of tools and plant should be separately entered. If such items are not so entered, it will be assumed that the rates quoted in the schedule include provisions for them also.

4. The tenderer shall examine closely the Tamil nadu Building Practice and also the relevant clauses of the General Conditions to the Contract contained therein and sign the sub Divisional/ Divisional Office copy of the Tamilnadu Building Practice and its addends volume in token of such study,before submitting his tender unit rates, which shall be for finished work in situ. He shall als carefully study the drawing and additional specifications and all the documents. Which form part of the contract between him and the Governmor of Tamilnadu.

5. Each tender must also sent a certificate of income-tax verification from the appropriate income tax authority in the form prescribed therefor. In the case of propiretory or partnership firm it will be necessary to produce the certificate aforementioned for the proprietor or partuers and for each of the partner as the case may be.

If the tenderer is a registered Public Works Department Contractor. If a certificate for the current year had already been produced by him during the calender year in which the tender is made. It will be sufficient, if particulars regarding the pervious occasion on which the said certificate was produced are given.

All tenders received without a certificate aforementioned will be summerly rejected.

6. Every tenderer is expected before quoting his rates, to inspect the site of the proposed work. He should also inspect the quarries and satisfy himself about the quality and availability of materials. The namesof materials. The name quarries/ kiln etc., where from certain materials are to be obtained will be given in the descriptive specifications sheet. The best class of materials to be obtained from the quarries. or other source defined shall be used on work in every case the materials must comply with the relevent standard specification Samples of materials as called for the standard specification or in this tender notice or as required by the Executive Engineer/Sub Divisional Officer of Bulds (c.e.n) Division/~~Sub~~ Division having jurisdiction for the time being over the work. herein after called the Executive Engineer/Sub Divisional Officer shall be submitted for approval before the supply to the site work is egun. If the contractor after examination of the source of materials.

Contractor

sd/-  
Executive Engineer

defined in the descriptive specification sheet, is of opinion that materials complying with the standard or other specifications of the contractor, cannot be obtained in quality or sufficient quantity from the source defined in the descriptive specification sheet, he shall so state clearly in his tender and state where from he intends to obtain materials subject to the approval of Executive Engineer/ Sub Divisional Officer, Attention of the piece worker is directed to the general conditions to the contract, regarding payment of signio rage, tolls etc.

7. The tenderer should quote specific rates for each items in the schedule and the rates should be in rupees in sum of five paise. The units and rates should be written both in words and figures. The schedule accompanying the tender shall be written legibly and free from erasures over writings, or conversions of figures. Corrections where unavoidable be made by crossing out initialling, dating and rewriting. No alteration which is made by the tenderer in the tender conditions stipulated in the tender notice and tender form, the drawings or specification accompanying same will be recognised and if any such alterations are made the tender will be void.

8. The tenderers who are themselves not professionally qualified shall under take to employ qualified technical men at their cost to look after the work. The tenderers should state in clear terms whether they are professionally qualified or whether they undertake to employ technical men required by the department specified in the schedule below for the work. In case the selected tenderer is professionally qualified or has undertaken to employ technical men under him, he should see that one of the technically qualified men is always at the site of the work during working hours personally checking all items of works and paying extra attention to such works as may demand special attention (e.g.) Reinforced concrete work etc. N.B. In the format below enter or incorporate the latest norms fixed by Government from time to time for the employment of technical assistant and penalty for non employment of such technical assistant.

Value of Contract (1)	Qualifications (2)	No. of Technical Assistants to be employed (3)

Note:

- Item (1)(2)(3)(4)(5) or (6) should be scored out in case where not applicable to a particular work
- A penalty of Rs.500/- per month for diploma holder and Rs. 1000/- per month for degree holder be levied in case of default on the part of contractors following the norms laid down above.
- The employment of technical assistants could be based only on the value of contract.
  - Engineers with mechanical engineering qualifications and retired from Civil Engineering Department are also suitable to supervise the Civil Engineering works because of their experience in civil engineering field.
- In case the contractor who is professionally qualified is not in a position to remain always at the site of work and pay to extra attention to such work as may demand special attention (e.g. RCO work etc.) he should employ technically qualified men as prescribed above.
- If will not be incumbent on the part of the contractor to employ technical Assistant/Assistants when the work is kept in abeyance due to valid reasons and if during such period in the opinion of the Executive Engineer, the employment of Technical Assistant/ Assistants is not required for the due fulfilment of the contract.
- The entire clause relating to employment of technical assistants will be applicable for works given on tender under piece work contractor and not the works give on nomination under piece work system.

Date:

Designation

Station:

Office.

Contractor

*sd/-*  
Executive Engineer

**SCHEDULE - A****NAME OF WORK:**

Number of item 1	Class and description of work to be executed 2	TNBP Number or other special specifications if any 3	Unit of calculation in figures and in words 4	Rate of Payment (to be entered both in figures and in words one below the other) 5	
				Rs.	Ps.
(Vide separate sheet attached)					

Enter S.S before the number if it is a TNBP number.

- Note : 1. Enter below the schedule a list of drawings and descriptive specification sheet with relevant extracts from the relevant page of TamilNadu Building Practice item as may otherwise be applicable vide also paragraph I of directions to partless tendering.
2. The tender should affix his signature at the end of each page of his tender and other documents attached thereto. The accepting authority should similarly affix his signature in the accepted tender.

I am/ We are professionally qualified and my/our qualifications are as follows:

I/We in pursuance of clause \_\_\_\_\_ of tender notice undertake to employ the following technical staff for supervising the work and will see that one of them is always at site during working hours personally checking all items of work s and paying extra attention to such works as required special attention e.g R.C.C.

Names of technical staff proposed to be employed (1)	Qualifications (2)	Experience (3)

Signature of Contractor with date

( Note: Score out the above clause if one necessary)

**TENDER FORM**

Tender for Piece Work (K2 Form)

To  
His Excellency the Governor of Tamilnadu by the Executive Engineer/Sub Divisional Officer of .....  
Division /sub Division at.....

I/We..... do hereby tender to execute works of undermentioned description by piece work and in accordance with the conditions noted below and as per the stipulations in the tender notice in considerations of payment being made for the quantity of work executed at the respective rates specified in the following schedule,

I/We..... hereby distinctly and expressly acknowledge that, before the submission of my/our tender, I/We have carefully followed the instructions in the tender notice and have read the Tamilnadu Building and the relevant clauses of the General Conditions to the contract of the Tamilnadu Building Practice and that I/We have made such examination of the contract documents and of the specifications etc., and of the location, where the said work is to be done and in regard to the materials required to be furnished as to enable me/us throughly to understand to intention of same and requirements, convenants, stipulations and restrictions contained in the contract and in the said specifications and distinctly agree that I/We will not here after make any claim or demand upon the Government based upon or arising out of any alleged misunderstanding or misconception or mistake on my/our part of the said requirements, convenante, stipulations, restrictions and conditions.

Contractor

sd/-  
Executive Engineer

I/We enclose an income tax verification certificates.

I/we..... being a registered Public Works Department contractor. have already produced an income tax verificate during the current calender year in respect of ..... (here particulars of the previous occasion of which the certificate was produced should be given.)

### CONDITIONS

1. The Executive Engineer/Sub Divisional Officer of Division/Sub Division, Public Works Department, having jurisdiction for the time being (here inafter called the Executive Engineer/sub.Divisional Officer or a subordinate officer deputed by him shall with in a period of two months from the date of acceptance of the tender by the competent authority give to the contractor full and complete particulars of works to be done here under and within like period permit the contractor and his workmen free access to the site on which the work is to be executed. On receiving such particulars and permission, the contractor shall forthwith start the work and shall carry on same with due deligence and all work executed is to be done on a workmen like manner. The decision of the Exective Engineer/Sub Divisional Officer of the Public Works Department of the Govern-ment of Tamilnadu duly authorised in this behalf by such executive engineer/ Sub Divisional Officer as to the rate of progress and the quality of work or material shall be final. The contractor shall have the right to the cancel the contract and obtain refund of his earnest money if such particulars andlor the permission are not given within the said period of two months.

1) 1. In the event of the work being transferred to any other Division I sub Division, the Exective Engineer/ Assistant Executive Engineer who is incharge of Division/SubDivision having jurisdiction over the work shall be competent to exereise all the powers and privileges reserved in favour of Government.

2. The folloing clause of the General Conditions to the contract of the Tamil nadu Building Practice only subject to the modification noted below shall apply to this contract.

N,B;- In cases where the acceptance of this tender is within the powers of the Sub Divisional Officer incharge of the work and where he has accordingly accepted this tender, he shall exercise such functions as are delegated to the executive engineer to the relevant clauses of the General Conditions to the Contract applicable to the contract.

**GENERAL CONDITIONS** to the Contract of the Tamilnadu Building Practice.

SectionA: All clauses except that in clauses 2 and 3 Where the General Conditions of the to the contract is mentioned the refernce shall be only to such lauses of the General Conditions to the contract as are here in made applicable to the contract.

SectionC: All clauses except 14-2

Section D: All clauses except that in clause 26-1 in the place of the words within six months from the completion of 'read before final payment for

SectionE: All clauses except that in clause 33-1 the word which occuring between the word 'Progress and 'in' the first sentence shall be deleted, as also the concluding portion of that sentence begining from 'will'. The following shall be substituted for the present clause 39-1.

The Departmental Officer incharge of the work shall be responsible for the correct setting out of all works but the piece worker shall provide at his own cost all labour materials and staff required for so doing.

SectionF: All clauses

Section G: All clauses except 53

Section I,J: Clauses 60 to 63 inclusive second sub paragraph of clause 64. clauses 66,67 and 68.

3. The quantity of work executed shall be measured and payment made ordinarily monthly. On the completion of work or termination of this contract, final measurements will be made and the accounts adjusted accordingly.

Contractor

sd/-  
Executive engineer.

4. (a) The Executive Engineer/Sub Divisional Officer or any officer of the P.W.D of Government of Tamilnadu duly authorised in this behalf by such Executive engineer/Sub Divisional Officer may put an end to this agreement at his option at anytime.

"Provided that in respect of works costing above Rupees one lakh a notice of ten days shall be given in writting before such termination whether it is for continued slow progress or for suspension of work or for sublotting the work or a portion there or for any other reason and

"Provided that is the case of bad work or material, action shall be takne as provided in clause 25-3 of General Conditions to the Contract'

NOTE:If action is taken as provided in the clause 25-5 of General condition to the Contract, the piece worker's agreement to the reduced rates shall be taken in writing.

4. (b) When as agreement is terminated under clause 4(a) above, the officer terminating the agree-ment shall have the option to take over any or all the materials and other requlpmnt at site at a value assessed by him, if the contractor does not agree to this, he shall clear the site by removing at his cost all such materials equipment may remove and sale the same holding the proceeds less the cost of removal and sale to the credit of contractor"

5. Such Executive Engineer/Sub Divisional Officer or any such officer so authorised as a foresaid may fine the piece workers not less than Rs. 10/- and not more than 5 percent of the value of the completed work for slow progress of work provided, however that any authority waive or modify any fine imposed by the Executive engineer/ Sub Divisional Officer under the provisions of this clauses.

6. Any unforeseen additional work that may become necessary and is accordingly carried out under this contract under proper written orders shall be measured and valued by the executive Engineer/ Sub Divi-sional Officer or his representative at the rates contained in the piece worker's original schedule and if these rates do not apply, then prior to execution of the additional work, a rate for such work shall ordinarily be agreed upon entered in a supplemental schedule and signed by both the piece worker and the accepting aauthority .If it is not possible to arrive at such an agreement then the piece worker shall be paid according to the cost labour employed and the materials used to which will be added 10 percent to cover the piece workers profit on the said work on his delivery of the necessary vouchers to the Executive Engineer/ sub Divisional Officer.

7. The earnest money Rs.(Rupees) deposited by the selected piece worker shall be retained as security for due fulfilment of the contract. After the work has been carried out by the piece workers to the extent of fifty time the value of this security deposit, a deduction of 2 percent of the value of further work done by him shall/be made for purposes of additional security, from each intermediate bill to be paid to him until the comple-tion of the work Such deposit and/or deduction or any portion thereof may at the discretion of Executive engineer/Sub Divisional Officer be forfeited on failure of nonfulfilment by the piece workers of any of the above conditions. Any authority higher than one who ordered a forfeiture under the provisions of this clause may in his absolute discretion waive or modify the forfeiture so levied.

Date

Signature of the party

making the tender with full address.

On behalf of the Governor of Tamilnadu the above tender is accepted by me on.....

Witness:

Signature

Designation

NOTE: While accepting the tender the accepting authority should specify on first page of this document the number of pages in the tender and the number of items in the scheduls. A line should also be drawn under the last item in the schedule.

Contractor

Sd/  
Executive Engineer