



PUBLIC WORKS DEPARTMENT

BUILDING ORGANISATION

OFFICE OF THE CHIEF ENGINEER (BUILDINGS), CHEPAUK, CHENNAI - 600 005

CIRCULAR MEMORANDUM NO. HDO (A) / 18769 / 2009, dated. 27.08.2019

Sub: Tenders – Evaluation / Submission of Tender – Certain
Instructions – issued – reg.



The Superintending Engineers are requested to follow the procedures / rules prescribed in Tami Nadu Transparency In Tender Act 1998 and Tami Nadu Transparency In Tender Rules 2000 while opening and evaluating the tender. In this connection the attention of the officers of this Department is invited to Rule 21 and Rule 22 of Chapter V and Rule 28 of Chapter VI of TTTT Act 1998 and Rules 2000 in which it is stipulated.

1. Rule 21 of Chapter - V – Opening of Tenders:

- (1) All the tenders received by the Tender Inviting Authority shall be opened at the time and venue specified in the Notice Inviting Tenders and in cases where an extension of time for the submission of tenders has been given subsequent to the original Notice Inviting Tenders in accordance with sub – rule (5) of rule 18 at the time so specified subsequently. (The e-submitted tenders may be permitted to be opened by a Tender Inviting Authority or a member of the Tender Scrutiny Committee from their new location if they are transferred after the issue of Notice Inviting Tender and before tender opening and where the new incumbent is yet to obtain his digital signature certified.)
- (2) The time specified for the opening of tenders shall be immediately after the closing time specified for the receipt of tenders allowing a reasonable period, not exceeding one hour, for the transportation of the tenders received to the place they are to be opened in the presence of the tenderers who choose to be present.
- (3) The tenders will be opened in the presence of the tenderers or one representative who choose to be present.

2. Rule 22 of Chapter - V - Procedure to be followed at tender opening:

- a) All the envelopes containing tenders and the tenders received through the electronic mail in the designated website shall be counted.
- b) All the tenders received in time shall be opened.
- c) Any tender received subsequently shall not be opened and shall be returned unopened to the tenderer and in the case of tenders submitted through electronic mail in the designated website, a report on the late submission of tenders shall be generated and the same shall be sent to the tenderers concerned.
- d) On opening of the tender, the members of the Tender Scrutinizing Committee shall initial the main bid including the prices and any corrections.
- e) A record of the corrections noticed at the time of the bid opening shall be maintained.
- f) The name of the tenderers and the quoted price should be read out aloud.
- g) The fact whether earnest money deposit has been submitted and other documents required produced may be indicated, but this shall be merely an examination of the documents and not an evaluation.
- h) Minutes of the tender opening shall be recorded.
- i) The signatures of all the tenderers present shall be obtained and if any of the tenderers or his representatives refuses to sign the minutes, the same shall be recorded.

3. Rule 28: Initial examination to determine substantial responsiveness:

- (1) The Tender Inviting Authority shall cause an initial examination of the tenders, submitted to be carried out in order to determine their substantial responsiveness.
- (2) The initial examination shall consider the following factors, namely:
 - a) Whether the tenderer meets the eligibility criteria laid down in the tender documents.
 - b) i) Whether the crucial documents have been duly signed.
ii) Whether the documents have been authenticated by digital signature, in the case of tenders submitted through electronic mail in the designated website.
 - c) Whether the requisite Earnest Money Deposit (EMD) has been furnished.
 - d) Whether the tender is substantially responsive to the technical specifications,

Commercial conditions set out in the bidding documents including the testing of samples where required.

(3) The Tenders which on initial examination are found not to be substantially responsive under any of the clauses under sub - rule (2) may be rejected by the Tender accepting authority.

4. Further, In General the following instructions are also to be adhered at the time of evaluation of tender and before submission to higher authorities.

i. The Tender documents before uploading should be numbered in each page and total number of pages should be reflected in the docket sheet.

ii. In the bill of quantities (Schedule A) of price tender, submitted by the tenderer the number of overwritings and No. of Corrections in the rates quoted by the tenderer should be recorded by the tender Inviting authority in each page as model below:

MODEL						
Buildings (C & M) Division / Circle,						
PWD SCHELUDE - A						
Name of Work:						
Sl. No	Quantity	Description	TNBP No.	Rate	Unit	Amount
1	2	3	4	5	6	7
1.	647.00 M3 (Six hundred and forty seven cubic meters only)	Earth work excavation for foundation in all soils and sub-soils and to full depth as may be directed except in rock requiring blasting inclusive of shoring shuttering, bailing out water wherever necessary and depositing the surplus earth within the compound in places shown by the departmental officers with an initial lead of 10 mts and initial lift of 2 mts. and clearing and levelling the site, etc., complete complying with standard specification.	28		1 M ³ (one cubic meter)	
Contractor	No. of Corrections :	Executive Engineer / Superintending Engineer, P.W.D				
	No. of over writings:	Buildings (C&M) Division / Circle,-----				

The authority opening the tender Schedule should initial all the pages in the tender document, besides this and requested to follow the procedure indicated in Para 154 of PWD code, Note (1) - 7th Para and the Chief Engineer, PWD(G1) Madras -5, Circular Memo. No. Wks II (2)/ 125500 / 76-1 / dt: 26.08.1976. Copy of this circular enclosed for ready reference.

iii. Departmental requirements for the tenderer, viz., registration class, live certificate, IT and GST details, work experience certificate and any other relevant criteria should be clearly mentioned in the tender document without omission.

- iv. In case of discrepancy between price quoted by the tenderer in words and figures, lower value of the two shall (Rule 29 (2) (b) of Chapter - VI of Tamil Nadu Transparency in Tender Rules 2000) be considered.
- v. In the negotiation letter, the reduced rates should be briefed in wordings and in figure and after receipt of negotiation letter from the tenderer should be initialed by the tender inviting authority in each and every page. Corrections if any, the tender inviting authority should record it.
- vi. If the firm / Company has participated in the tender, they shall produce the copy of registration order, live certificate issued by the competent registration authority. (**Register of Firm / Incorporation of company**). Further incase of Private / Public Limited Companies participated in the tender, they should produce Articles of Association and Memorandum of Association registered with register of Company as per company Act. The registered copy of partnership deed, power attorney if any should be enclosed along with the tender document.
- vii. As per Chief Engineer (General) PWD., Circular Memo No. Wks II (2) / 164912 / 76 / CR dt.03.01.1977 if the Tender Inviting Authority happens to be away on camp on the date already fixed for the opening of tenders, then he should take timely action to extend suitably the date of opening of tenders. The copy of notification for extension communicated to the tenderers should be enclosed with the tender proposal while submitting to higher officials.
- viii. The Period of completion (Rate of Progress) to complete the work should be furnished in the tender documents. The Period of completion should be framed taking in to account the guidelines issued in CE (B)'s Circular Memo No. HDO (A) / 24179 / 2002-1 / dt.22.04.2002 (Copy enclosed for ready reference) especially for the works in which Price Adjustment clause is applicable.
- ix. The Liquidated damages / Penalty imposed on the contractor for the lapse / for short fall, in achieving the rate of progress due to contractors fault should be clearly indicated in the tender document, which shall not exceed 5% of the value of work executed (Condition 57.2 of General condition of contract).
- x. Adequate care should be taken to record reasons (Department delay or Contractor fault) for granting Extension of time by the authorities concern, since the above

said reasons lead to decide the applicability of Price adjustment clause in the EOT period.

- xi. As per Chief Engineer (B)'s is Circular memo. No. HDO / 42205 / 2000 / dt.08.06.2005, percentage tender system should be adopted for works Original / Maintenance costing upto Rs.1.00 Crore for items covered in the Schedule of Rates and local rates approved by Engineer in Chief PWD.,. In the tenders schedule, for the percentage tender system, along with quantity and specification, unit rate and total amount for each items of works should be furnished and final departmental value put to tender (excluding GST) will be indicated both in figures and in words. The tenderer shall be asked to quote tender premium, more / less than the total departmental value put to tender (excluding GST) in two decimal places only. i.e., (+)1.01% (or) (-)2.02% etc.,. in the format model prescribed below.

MODEL

OFFICE OF THE EXECUTIVE / SUPERINTENDING ENGINEER, PWD.,
BUILDINGS (C&M), DIVISION / CIRCLE -----

PERCENTAGE TENDER SYSTEM

TENDER NO. / 2019-20

Name of work:

Department value of work put to tender: Rs. /- excluding GST (Rupees ----- only).

I / We Agree to execute the above work with tender percentage of (+)/(-) -----(in words) Plus / Minus -- -- -- -- -- -- -- -- -- -- -- over / below the Departmental estimated value of work indicated above. In case of variation in quantity of various items of works during execution, I/We agree that the amount payable for individual items of work be as per the Departmental unit rates indicated in the Tender Schedule for the item as varied in accordance with the Tender Percentage and the total quantity of work done.

Signature of the Contractor/Firm

Executive Engineer/Superintending Engineer, PWD.,
Buildings (C&M) Division / Circle,-----

- xii. In respect of Negotiation enter into the lowest responsive tenderer, the Tender Inviting authorities are requested to follow the instructions in the CE (B)'s circular No. Wks II (1) 26135 / 82 / dt.06.01.1982 mentioned below. The Executive Engineers and Superintending Engineers who invite tenders for works, are

expected to have a fair knowledge about the prevailing rates in the locality and also about the position of tenders decided for similar works and hence with a view to minimize the administrative delays, the tender inviting authority may enter into negotiation with the established lowest tenderers for bringing down the rates for items which are high pitched and for withdrawal of conditions stipulated by the tenderers. The tender inviting authorities have to enter into negotiation with the established lowest tenderer wherever it is felt, that the rates quoted by the tenderer for individual items are high pitched, when compared with the estimate rates and the rates quoted / accepted for similar type of works in the locality. Negotiation should not be dispensed with merely on the only plea that overall tender excess is well within the powers to accept tender. Where split up portions of work in a compound / locality is to be taken up for execution at a time, when, every effort has to be made to bring down the rates uniform for identical / similar items of work to the extent possible reasonable, irrespective of the fact that

- i) The overall tender excess is within the limit for acceptance of tender
- ii) The tenderers are different.
- iii) The date of receipt of tender is different.

If the tenderer refuses to reduce or his reduction is not sufficient, for his own reasons, then the fact of refusal or difference even after reduction during negotiation is not sufficient, etc., may be recorded in the tender proposals specifically while accepting such tenders based on various other factors, care should be taken that the quantity of the items of work for which high rates are quoted, is not exceeded during execution.

Another disturbing factor is that the decisions on tenders are often delayed on the pretext of resorting to negotiation. The tenders, immediately after opening, should be compared and the items for which the rates have been quoted in excess of prevailing rates or rates quoted for similar works during the same period, should be identified within a week by the Tender Scrutiny Committee members to enable the Tender Inviting authorities for giving his orders for negotiation on the rates and any conditions stipulated by the contractor beyond the standard conditions.

5. In respect of PQ Tender (Two Cover system) following instructions are given:-

- i. Certain modification in submission of Encumbrance certificate in supersession of orders issued in CE (B)'S Circular Memo No.HDO (A) / 18769 / 2009, dt.28.04.2010 is given below. Since the EC can obtain through online without any difficulty or any lapse of period, "Continuous Encumbrance certificate on that properties listed out in the solvency certificate for the period from the date of solvency upto the date of publication of tender notice" should be produced. The property listed out in the solvency should not be Hypothecation.
- ii. The solvency certificate (for the properties in the name of the Applicant) issued by the revenue authority concerned shall not be prior by 3 years from the date of tender.
- iii. In addition to this, the Applicant should furnish the copy of same solvency certificate furnished to the registration authority at the time of Contractor registration and along with the Encumbrance Certificate on that property, which should be authenticated by the Notary Public. If it is noticed that the solvency certificate produced at the time of tender and contractor's registration is varied, the Tender Inviting authority may contact the registration authority for clarification and verify its genuineness.
- iv. The details with evidence for execution of major building works during the preceding five years and Income Tax Return filed and Auditors Balance Sheet for the past five years should be produced by the tenderer along with the GST clearance certificate for the current period.
- v. In the case of similar nature of work in single agreement completed within the period of past five years should be under Government / Quasi Government. The Completion certificate with all the details required in the PQ document should be obtained from the Engineer not below the rank of Executive Engineer.
- vi. In respect of private building works completed by the tenderer the following partial modification is issued in supersession of instructions of Para II-(a) of CE(B)'S Circular Memo No.HDO(A) / 18769 / 2009, dt.31.08.2009, "If the single similar nature of work executed by the tenderer for the private parties, shall also be considered for tender evaluation, provided that, certificate issued by the

employer with the details required in PQ booklet should be furnished, which should be authenticated by the Notary Public". If any ambiguity is noticed, the Tender Inviting authority can refer it to the PWD., Engineer not below the rank of Executive Engineer at that Jurisdiction should personally inspect and certify the genuineness of the performance certificate of the said private building work.

- vii. Regarding the working capital required, the certificate obtained from the bank shall be in original.
 - viii. If any special conditions incorporates in the tender conditions, relevant to the nature of work, which should be got approved from one level superior authority, before incorporating in the tender documents. Further any Additional conditions implemented and amended by Government from time to time and General condition of contract should also been included in the tender document without omission.
6. It should be ensured that attested copy of credential / evidence documents submitted by the tenderers.

7. Time limit for receipt, Evaluation and Finalization of Tender:

- i. The Rule 20 of chapter-V of TTTT Rules 2000, states the minimum time for submission of tender i.e., minimum time allowed between date of publication of Notice Inviting Tenders (in the relevant Tender Bulletin or in the Newspaper whichever is later) and the last date for submission of tenders as follows.

a) For tenders upto Rupees Two Crores in value, **Fifteen days**.

b) For tenders in excess Rupees Two Crores in value, **Thirty days**.

Any reduction in the time stipulated above should be authorized by an authority superior to the tender Inviting authority for reasons to be recorded in writing.

- ii. The Chief Engineer (Buildings) PWD., Chennai in Circular No. AEE / T10(B) / 24475 / 2003-12 / dt.30.10.2003 specified the time limit for Evaluation and Finalization of Tender from the of receipt of tender.

(1) Chief Engineer:

Within the power of acceptance of tender - One month.

For submission to TAC - Seven days.

(2) Superintending Engineer:

- i. Within the Power for acceptance of tender - Thirty days.
- ii. Submit to Chief Engineer (Buildings) - Fifteen days.

(3) Executive Engineer for finalization

- i. Rate tender system - Fifteen days.
- ii. Percentage tender system - Ten days.

(4) Assistant Executive Engineer for finalization

- i. Rate tender system - Two weeks.
- ii. Percentage tender system - One week.

8. Regarding maintaining the Tender Register, It is also instructed that the tender opening authority himself to record in his own hand writing to fill up the vertical column No.1, 2, 4(a), 5(a), 6(a), 6(b), 8 and 9 in the tender register and other columns may be filled in by the office.

The Executive Engineer's / Superintending Engineer's are requested to strictly adhere the above procedure while Evaluating & Submitting the tender documents to the higher officials for acceptance without fail.

Encl: Copy of G.O's, Circular, Acts – 25Pages

Sd/- M. Rajamohan,
Engineer-in-Chief (Buildings) &
Chief Engineer (Buildings) C.R., PWD.,

To

The Chief Engineer (Buildings), PWD.

Trichy Region, Trichy and Madurai Region, Madurai.

All the Superintending Engineers of Building Organisation, PWD.

All the Executive Engineers of Building Organisation, PWD.

All the AEE's & HDO, O/o Engineer-in-Chief (Buildings), PWD, Chennai.

// Forwarded by order //


for Engineer-in-Chief (Bldgs) &
Chief Engineer (Bldgs) Chennai Region,
PWD, Chennai-5.
27/8/19

TAMIL NADU TRANSPARENCY IN TENDERS RULES, 2000.

21. Opening of Tenders.- (1) All the tenders received by the ³⁵[Tender Inviting Authority] shall be ³⁶[opened at the time and venue] specified in the Notice Inviting Tenders and in cases where an extension of time for the submission of tenders has been given subsequent to the original Notice Inviting Tenders in accordance with sub-rule (5) of rule 18 at the time so specified subsequently. ³⁷[The e-submitted tenders may be permitted to be opened by a Tender Inviting Authority or a member of the Tender Scrutiny Committee from their new location if they are transferred after the issue of Notice Inviting Tender and before tender opening and where the new incumbent is yet to obtain his digital signature certified.]

(2) The time specified for the opening of tenders shall be immediately after the closing time specified for the receipt of tenders allowing a reasonable period, not exceeding one hour, for the transportation of the tenders received to the place they are to be opened in the presence of the tenderers who choose to be present.

(3) The tenders will be opened in the presence of the tenderers or one representative of the tenderer who chooses to be present.

22. Procedure to be followed at tender opening.- The following procedure shall be followed at the tender opening.-

³⁸(a) All the envelopes containing tenders and the tenders received through the electronic mail in the designated website shall be counted.]

(b) All the tenders received in time shall be opened.

³⁵ Substituted by Amt. No.(11)(a) for the expression 'Tender Accepting Authority,' [TNGGE No.345 / 11-12-2012 (No.SRO.A-36(a)/2012) - G.O.Ms.No.425 / 11th December, 2012].

³⁶ Substituted by Amt. No.(11)(b) for the expression 'opened at the time,' [TNGGE No.345 / 11-12-2012 (No.SRO.A-36(a)/2012) - G.O.Ms.No.425 / 11th December, 2012].

³⁷ Added by Amt No.3, [TNGGE No.272A / 30-09-2007 (No.SRO A-44(a-1)/2007) - G.O.Ms.No.471 / 30th September, 2007].

³⁸ Substituted for the clause '(a) All the envelope containing tenders shall be counted,' by Amt.1 No.4(a), [TNGGE No.272A / 30-09-2007 (No.SRO A-44(a-1)/2007) - G.O.Ms.No.471 / 30th Sept., 2007].



TAMIL NADU TRANSPARENCY IN TENDERS RULES, 2000.

³⁹[(c) Any tender received subsequently shall not be opened and shall be returned unopened to the tenderer and in the case of tenders submitted through electronic mail in the designated website, a report on the late submission of tenders shall be generated and the same shall be sent to the tenderers concerned.];

(d) On opening of the tender, the members of the Tender Scrutiny Committee shall initial the main bid including the prices and any corrections;

(e) A record of the corrections noticed at the time of the bid opening shall be maintained;

(f) The name of the tenderers and the quoted prices should be read out aloud.

(g) the fact whether earnest money deposit has been submitted and other documents required produced may be indicated, but this shall be merely an examination of the documents and not an evaluation;

(h) Minutes of the tender opening shall be recorded.⁴⁰[...]

⁴¹[(i) The signatures of all the tenderers present shall be obtained and if any of the tenderers or his representative refuses to sign the minutes, the same shall be recorded.]

23. Changes and alterations not to be permitted after tender opening.- No changes, amendments which materially alter the tendered prices shall be permitted after the opening of the tender, except as per the procedure prescribed in sub-section (3) of section 10 of the Act.

³⁹ Substituted by Amt. No.4(b) for clause '(c) Any tender received subsequently shall not be opened and shall be returned unopened to the tenderer,' [TNGGE No.272A / 30-09-2007 (No.SRO A-44(a-1)/2007) - G.O.Ms.No.471 / 30th Sept., 2007].

⁴⁰ Omitted by Amt. No.(12)(a) the expression 'The signatures of the tenderers present shall be obtained unless any of the tenderers or his representative refuses to sign the minutes,' [TNGGE No.345 / 11-12-2012 (No.SRO.A-36(a)/2012) - G.O.Ms.No.425 / 11th December, 2012].

⁴¹ Added by Amt. No.(12)(b), [TNGGE No.345 / 11-12-2012 (No.SRO.A-36(a)/2012) - G.O.Ms.No.425 / 11th December, 2012].

TAMIL NADU TRANSPARENCY IN TENDERS RULES, 2000.

(3) Tenderers shall not make attempts to establish unsolicited and unauthorised contact with the Tender Accepting Authority, Tender Inviting Authority or Tender Scrutiny Committee after the opening of the Tender and prior to the notification of the Award and any attempt by any tenderer to bring to bear extraneous pressures on the Tender Accepting Authority shall be sufficient reason to disqualify the tenderer.

(4) Notwithstanding anything contained in sub-rule (3), the Tender Inviting Authority or the Tender Accepting Authority may seek bonafide clarifications from tenderers relating to the tenders submitted by them during the evaluation of tenders.

23. Initial examination to determine substantial responsiveness.- (1) The Tender Inviting Authority shall cause an initial examination of the tenders submitted to be carried out in order to determine their substantial responsiveness.

(2) The initial examination shall consider the following factors, namely:-

(a) Whether the tenderer meets the eligibility criteria laid down in the tender documents;

⁴⁵(b)(i) Whether the crucial documents have been duly signed;

(ii) Whether the documents have been authenticated by digital signature, in the case of tenders submitted through electronic mail in the designated website.]

(c) Whether the requisite Earnest Money Deposit (EMD) has been furnished;

(d) Whether the tender is substantially responsive to the technical specifications, commercial conditions set out in the bidding documents including the testing of samples where required.

(3) Tenders which on initial examination are found not to be substantially responsive under any of the clauses under sub-rule (2) may be rejected by the Tender Accepting Authority.

⁴⁵ Substituted by Amt. No.5 for clause '(b) whether the crucial documents have been duly signed,' [TNGGE No.272A / 30-09-2007 (No.SRO A-44(a-1)/2007) - G.O.Ms.No.471 / 30th Sept., 2007].

TAMIL NADU TRANSPARENCY IN TENDERS RULES, 2000.

(d) any other reasonable grounds exist, for such extension which shall be recorded in writing by the Tender Inviting Authority.

³³[(e) in the case of tenders not submitted electronically, the tenderer shall ensure that all the pages are serially numbered and the submitted tender documents are properly stitched and bound.]

19. Marking of covers in which the tender is submitted.-
The tenderer shall be responsible for properly superscribing and sealing the cover in which the tender is submitted and the Tender Inviting Authority shall not be responsible for accidental opening of the covers that are not properly superscripted and sealed as required in the tender documents before the time appointed for tender opening.

20. Minimum time for submission of tenders.- (1) The Tender Inviting Authority shall ensure that adequate time is provided for the submission of tenders and a minimum time is allowed between date of publication of the Notice Inviting Tenders in the relevant Tender Bulletin or in the newspapers whichever is later and the last date for submission of tenders. This minimum period shall be as follows.-

- (a) for tenders upto rupees two crores in value, fifteen days; and
- (b) for tenders in excess of rupees two crores in value, thirty days.

(2) Any reduction in the time stipulated as per sub-rule (1) has to be specifically authorized by an authority superior to the Tender Inviting Authority for reasons to be recorded in writing.

³⁴**20-A. Withdrawal of Tenders Before Opening:-** (1) No tenderer shall be allowed to withdraw the tenders after submitting the tender.

(2) A Tenderer may submit a modified tender before the last date for receipt of tender:

Provided that where more than one tender is submitted by the same tenderer, the lowest eligible financial tender shall be considered for evaluation.]

³³ Added by Amt. No.(9) [TNGGE No.345 / 11-12-2012 (No.SRO.A-36(a)/2012) - G.O.Ms.No.425 / 11th December, 2012].

³⁴ Added by Amt. No.(10) [TNGGE No.345 / 11-12-2012 (No.SRO.A-36(a)/2012) - G.O.Ms.No.425 / 11th December, 2012].

OFFICE OF THE CHIEF ENGINEER, PUBLIC WORKS
DEPARTMENT (GENERAL) CHEPAUK, MADRAS-5.

[Circular Memo. No. Wks. II (2)/125500/76-1, dated 26th
August 1976.]

Subject.—Tender documents—Processing by the officers—Full security measures to be taken—Instructions issued.

A case was brought to the notice of the Chief Engineer (General) by a Superintending Engineer that in a Public Works Division Office an attempt was made to tamper with the tender documents and alter the rates originally quoted by the tenderer after the tenders were opened by the officer and the tenders handed over to the office for processing.

2. In this connection the attention of the officers of this department is invited to paragraph 154 of "D" code which stipulated—

"(a) The officer opening the tender should also initial corrections in each tender which have been initialled by the tenderer.

(b) If there are corrections in the tender unattested by the tenderer, a note of such corrections should be made on the tender itself when opened.

(c) The officer opening the tender should keep a personal note of the total number of tenders opened by him and verify there with the number in the comparative statement of tenders.

(d) After the receipt of comparative statement and before the selection of a tenderer, the officer concerned should examine all the tenders and satisfy himself that no corrections which were not in the tenders at the time he received them had been made in any of them."

3. The officers of this department are therefore requested to follow the procedure indicated in paragraph 145 of "D" code strictly without any deviation of code rule. They are further requested to ensure that the tender documents are kept under the safe custody of responsible officers and processed in confidential manner without providing any chance for an interested person to have approach to the tender documents for tampering with the documents and correcting them to suit their convenience. Any officer/subordinate who violates the rules and fails to safeguard the interests of Government will be very severely dealt with.

4. The Superintending Engineers of circles are requested to issue suitable instructions to the officers under their control and acknowledge the receipt of this circular within a fortnight.

P. SIVALINGAM,
Chief Engineer (General).

OFFICE OF THE CHIEF ENGINEER, PUBLIC WORKS
DEPARTMENT (GENERAL), MADRAS-5.

[Memo. No. Wks. II (2)]164912/76-CR, dated 3rd January
1977.]

Subject.—Tenders—Openings of—Competent authority—Dele-
gation of powers to Personal Assistant to Superintending
Engineers—Suggestion—Nagatived.

Reference.—Chief Engineer's (Genl.) Circular Memo. No.
Wks. II (2)]7132/68, dated 21st February 1969.

From the Superintending Engineer, Special Bldgs. Circle,
Madras Lr. No. 1953 CE (B), dated 6th November 1976.

The attention of the Superintending Engineer, Special
Buildings Circle, Madras is invited to the reference first cited
wherein it was already stated that

“Para 154 of ‘D’ Code implies that Tenders should be
opened by the Tender calling authority himself and this duty
should not be delegated to any of his subordinate under any
circumstances.”

“If the Superintending Engineer happens to be away on
camp on the date already fixed for the opening of tenders,
then he should take timely action to extend suitably the date
for opening of tenders.”

In the circumstances, tenders invited by the Superintending
Engineers, should invariably be opened by the Superintending
Engineers themselves following the procedure indicated in para
154 of ‘D’ code. Such responsibilities should not be vested
upon the Personal Assistant to Superintending Engineers merely
on the ground that the post of Personal Assistant to Superin-
tending Engineers have been upgraded to the cadre of
Executive Engineers.

3. The Superintending Engineer, Special Buildings Circle,
Madras is therefore requested to follow the existing proce-
dure without any change.

P. SIVALINGAM,
Chief Engineer (General).



PUBLIC WORKS DEPARTMENT
Buildings Organisation

Office of the Chief Engineer (Buildings), PWD, Chepauk, Chennai, 600005

* * * *

Memorandum No. H.D.O. (A) / 24179 / 2002-1, dated 22. 04. 2002

Present:

Er. T. Jeyachandran, BE., MIE.,
Chief Engineer (Buildings)

* * *

Sub: PWD - Execution of building works-
Avoidance of delay - Instructions - Issue
of -- Regarding.

* *

Instances have come to the notice of the undersigned that there is undue delay in processing of works right from the stage of communication of Government Orders of Administrative Sanctions, followed by the next step of preparation of drawings, preparation of estimates, sanctioning of estimates, calling for tenders, scrutiny and acceptance of tenders, communication of orders on acceptance of Tender, concluding of agreement, handing over of site to the selected contracting agency, actual execution of the project (including the electrical facet of it), completion in all respects and handing over of the building or the constructed structure to the User department.

2. Even though instructions were issued from time to time including a government order fixing time limit for processing of various activities, these instructions were not followed in a number of cases resulting in disputes, dropping of proposals or the user department going to the extent of entrusting the work to other (constructional) agencies.

3. To avoid the above and also to keep the image of this department *intact*, the following guidelines are issued for **strict adherence** :-

A. Administrative Sanction:

As soon as an order on administrative or financial sanction for a work is received (and availability of site is ensured) action should be taken to address the Government Architect, with relevant details, for furnishing detailed (conceptual) drawings. The Executive Engineer concerned should send correct Layout Plan of the site, indicating all adjoining roads with levels, buildings, service lines, position of electrical lines, land, etc., with reference to the main road. In case the road is secondary or subsidiary, the level with reference to Main Road should be indicated. The Chief Architect should also mark an **Index Plan** (in the plans prepared by him with details). Then action should be

taken to prepare detailed estimates and designs. Whenever or wherever the design requires specialisation, it may be referred to the Superintending Engineer, Planning and Designs circle without any loss of time. Further, the designs for works costing more than 30.00 lakh should invariably be sent to the to the Superintending Engineer, Planning and Designs circle for scrutiny. In normal cases, the period of preparation of drawings, sanction of detailed designs and estimates should not exceed **one month**.

B. Invitation for Tenders:-

According to G.O.Ms.No.222, PW (G2) Department dated 08.04.1999 and **Rule 20** of the Tamilnadu Transparency in Tenders Rules-2000, the minimum period between the date of publication of the Notification in the relevant Tender Bulletin or in the Newspapers (whichever is later) and the last date for submission of Tender should be

- a. 15 days for Tenders upto Rs.2.00 crore in value
- b. 30 days for Tenders, the value of which exceed Rs.2.00 crore.

This should be followed scrupulously and no further extension should be allowed without reason or without specific orders of Chief Engineer (Buildings).

C. Deciding of Tenders:-

As per G.O.Ms.No.873, Public Works Department, dated 04.05.1982 read with G.O.Ms.No.49 Finance (salaries) Department, dated 11.09.1998, the following **time-limit** should be followed in processing tenders.

- 1 The Superintending Engineer, PWD concerned should scrutinise and examine the tenders carefully and if necessary, after negotiating with the contractors, submit the tender proposals to the Chief Engineer, **within 15 days (fifteen days) from the date of receipt of the tenders.**
- 2 The Chief Engineer should also scrutinise the tenders, which require Government sanction, and submit them to the Government along with his specific recommendations **within 7 days (seven days) from the date of receipt of the proposals from the Superintending Engineers.**
- 3 The Government in the Public Works Department, which receive the tender proposals should place it before the Tender Committee to take a decision and finalise them after obtaining orders in circulation within a period of one month.

(Instead of Government, now the Tender Award Committee shall finalise the tenders costing more than Rs.1.00 crore and others which exceed 10% over the estimated value)

D. Time limit for execution of works:-

For important and prestigious works costing Rs.30.00 lakh and above, the Superintending Engineer should see that PERT / CPM / BAR charts are prepared with a realistic time-frame for completion of project and this should be furnished along with the estimate. The time schedule for execution of work shall be incorporated in the Tender documents, agreements etc., in accordance with the time-frame worked out in PERT / CPM / BAR charts. And such time limits should not be exceeded. However, the period of execution of works as furnished below can also be taken as guidelines:-

Sl. No.	Type of buildings	Construction Period (in months) for total Plinth Area of buildings		
		Upto 500 sq.m	501 sq.m to 1000 sq.m	1001 sq.m to 2500 sq.m
1.	Single-storeyed, load bearing structures	4	7	10
2.	Single-storeyed, framed structures	5	9	12
	Extra for every additional storey (for both types) 1.5 months			-

During the execution of works, the monthly progress of each and every work shall be **critically reviewed** at circle-level with reference to PERT / CPM / BAR Charts. The time limits can be modified and updated due to unforeseen contingencies but with the approval of higher authorities only. For the buildings where the plinth area exceeds 2500 sq. m. (special type of buildings) the time limit can be fixed with the approval of the Chief Engineer (Buildings).

4. The Superintending Engineers of circles are, therefore, requested to see that the works are taken up for execution **at the earliest opportunity and completed within the time-limits** indicated.

5. During the Inspection of circle offices / division offices, the inspecting staff should verify whether all the above activities of works are processed as per time-limits noted above and record the results of such verification in the draft-inspection notes to facilitate the **Inspecting Officer** to set right the lapses, if any.

6. The Superintending Engineers of circles are also requested to issue **firm and forthright** instructions in this regard to all the subordinate officials upto the grass-root (section) level for strict adherence.

7. All the officials noted against the address entry are requested to acknowledge receipt of this memorandum of instructions by return post.

For **Chief Engineer (Buildings)**
Public Works Department
Chepauk, Chennai, 600005

To

(vide overleaf)

To

1. The Superintending Engineers of all circles (including the electrical and ESI)
in Building Organisation, PWD.
2. The Chief Architect, PWD, Chepauk, Chennai, 600005
3. The Superintending Engineer, PWD, Planning and Designs Circle, Chepauk, Chennai-5

Copy to :

The Executive Engineers of all divisions in Building Organisation, PWD,
through the Superintending Engineers concerned.

Copy transmitted to:

The Engineer in Chief, WRO and Chief Engineer (General), PWD, Chennai-5
for kind information and record.

Internal distribution of copies:

Copy to :

1. The Joint Chief Engineer (Buildings)
2. The Deputy Chief Engineer (Buildings)
3. The Head Draughting Officer-1
4. The Head Draughting Officer-2
5. The Superintendent, Inspection Section

Stock File / Spare copies.

Copy with copy of circular to :

- (1) Chief Engineer (Buildings) table.
- (2) Joint Chief Engineer (Buildings) table.
- (3) Deputy Chief Engineer (Buildings) table.
- (4) Deputy Chief Engineer (Electrical) table.
- (5) P.O. to Chief Engineer (Buildings) & P.O. to Joint Chief Engineer (Buildings).
- (6) HDO I & II
- (7) All Assistant Executive Engineers of Chief Engineer (Buildings) Office.
- (8) Spare copies - 20 Nos.
- (9) Copy of stock file.

Copy of Circular Memorandum No.HDO / 42205 / 2000 Dt.08.06.2005 from Engineer-In-Chief, WRO and Chief Engineer (General) PWD, Chepauk, Chennai-5 addressed to all Chief Engineers of PWD.

Sub : P.W.D. - Works Contract- Adoption of Percentage Tender System - Orders Issued - Enhancement of monetary limit - Instructions - Reg.

- Ref: (1) G.O. Ms.No.222, PW (G2) Dept. Dt.08.04.99
 (2) EIC's Circular Memo No. HDO (A) / 27506 / 98-3 dt.09.09.99
 (3) G.O. Ms.No.555, PW (G2) Dept. Dt.17.11.99

1. The Government in the G.O. Ist cited, while accepting the adoption of percentage tender system for works, have allowed the concerned department to fix the ceiling limit from adoption of percentage a tender system.
2. Based on that, the adoption of percentage tender system has been approved in the reference II cited for works (Both Original and Maintenance) upto the value of Rs.20.00 lakh in which all the item of works are covered by schedule of rates and local rates approved by the Chief Engineer for which data has been standardized.
3. Subsequently in G.O. III cited, orders have been issued by the Government to adopt percentage tender system for works (both Original and Maintenance) upto the value of Rs.5.00 Crore. But the enhanced monetary limit could not be adopted for the reasons that the prevailing Data / Schedule of rates required revision and standardization.
4. Now considering the increase in cost of materials and labour involved in constructions industry during the past 6 years and taking into account the enhanced technical sanction powers vested with the various level Engineers of PWD vide G.O. Ms.No.140, PWD dt.23.03.2000, the monetary limit for adoption of percentage tender system for work (both original and maintenance) is increased from Rs.20.00 Lakhs to Rs.1.00 Crore in which all the items of works are covered by schedule of rates and local rates approved by Chief Engineer for which data has been standardized.
5. The officers of the department are therefore requested to adopt percentage tender system for both Original and Maintenance works costing upto Rs.1.00 Crore (Rupees One Crore only) in which all the items of works are covered by schedule of rates and local rates approved by the Chief Engineer for which data has been standardized.
6. All the other procedures outlined in Para 5 of this office circular under reference II cited remain unaltered.

The receipt of the circular memo shall be acknowledged.

Sd/-

For Engineer-In-Chief, WRO &
 Chief Engineer (General) PWD

// True Copy //

OFFICE OF THE CHIEF ENGINEER, P.W.D.
(BUILDINGS), MADRAS-600 005.

(Circular Memo. No. Wks. II (2)|26135|82, dated 6th
January 1982.)

Subject.—Tender Negotiation with the established|valid
lowest tenders—Instructions—Issued.

Reference.—Chief Engineer (G's) Circular Memo. No. Wks.
II (2)/107948/70, dated 21st March 1970.

The attention of the Superintending Engineers of Circles is invited to the reference cited, wherein it had been observed that :

"The Executive Engineers and Superintending Engineers who invite tenders for works, are expected to have a fair knowledge about the prevailing rates in the locality and also about the position of tenders decided for similar works and hence with a view to minimise the administrative delays, the tender inviting authority may enter into negotiation with the established lowest tenders for bringing down the rates for items which are high pitched and for withdrawal of conditions stipulated by the tenderers.

Further, while disagreeing with the recommendation of the study team on C.P.W.D. that "No negotiation should be resorted to, when the lowest rates obtained through call of tenders are within marginal limits", the Government of Tamil Nadu, have upheld the procedure adopted by the State Public Works Department to negotiate with the lowest tenderer for getting the high pitched individual rates reduced wherever possible" vide Government memo. No. 74406|C3|69|2, dated 28th August 1969 communicated in Chief Engineer (General)'s Endt. No. R. Dis. Wks. II (2)|40322|69, dated 8th September 1969.

2. In the circumstances explained above, the tender inviting authorities have to enter into negotiation with the established lowest tenderer wherever it is felt, that the rates quoted by the tenderer for individual items are high pitched, when compared with the estimate rates and the rates quoted|accepted for similar type of works in the locality. Negotiation should not be dispensed with merely on the only plea that overall tender excess is well within the powers to accept tender.

3. In spite of the above, a typical case was pointed out for further negotiation by the Board of Engineers, wherein three separate single tenders for the split up portions of work in the same compound have been received from one single contractor quoting different rates for nearly 10 items of work.

In this connection, it is observed that where split up portions of a work in a compound|locality is to be taken up for execution at a time, when, every effort has to be made, to bring down the rates uniform for identical similar items of work to the extent possible reasonable, irrespective of the fact that

(i) the overall tender excess is within the limit for acceptance of tender,

(ii) the tenderers are different,

(iii) the date of receipt of tender is different.

If the tenderer refuses to reduce or his reduction is not sufficient, for his own reasons, then, the fact of refusal or difference even after reduction during negotiation is not sufficient, etc. may be recorded in the tender proposals specifically while accepting such tenders based on various other factors, care should be taken that the quantity of the items of work for which high rates are quoted, is not exceeded during execution".

5. Another disturbing factor is that the decision on tenders are often delayed on the pretext of resorting to negotiation. The tenders, immediately after opening, should be compared and the items for which the rates have been quoted in excess of prevailing rates or rates quoted for similar works during the same period, should be identified within a week by the T.O./P.A. to Superintending Engineer to enable the Superintending Engineer for giving his orders for negotiation on the rates and any conditions stipulated by the contractor beyond the standard conditions.

6. The Superintending Engineers are requested to follow the instructions and to see suitable instructions are issued to all his subordinate officers and acknowledge this memo by return post.

S. SHANMUGASUNDARAM,
Chief Engineer (Buildings).



**PUBLIC WORKS DEPARTMENT
BUILDING ORGANISATION**

OFFICE OF THE CHIEF ENGINEER (BUILDINGS), CHEPAUK, CHENNAI-600 005

CIRCULAR MEMORANDUM NO. HDO (A) / 18769 / 2009, dated 28.04.2010

Sub: Tenders - Information and Instructions for tenderers - To be furnished in tender notices - Evidences to be produced in support of current Revenue Solvency Certificate - Instructions - Issue of - Regarding.

Ref: This office circular memo No. HDO (A) / 18769 / 2009, dated 26.03.2010.



Instructions were issued to the Superintending Engineers and Executive Engineers of Building Organisation, PWD., on the minimum criteria to be observed in respect of pre-qualification tenders under the head "Information and Instructions for Tenderers", which includes, the revenue solvency on immovable properties in his / her / their name obtained from Revenue Authorities to the value specified in tender notice.

2.0. It may be seen from the 'evidences to be produced by the tenderers' while applying for pre-qualification of the tenderers in respect of revenue solvency,

"there shall be continuous Encumbrance Certificate issued by the Registration Department on the properties listed out in the solvency certificate for the period from the date of solvency to a specific date" - in many cases it will be from the date of publication of tender notices

3.0. While indicating the specific date in this regard, the encumbrance certificate obtained towards applying for pre-qualification of other work previously, could not be used when it is short even by a day or two to the date specified in the tender notice of other work, which leads to repetition of work to the contractors with Revenue Department in every cases.

4.0. Considering the difficulties in obtaining encumbrance certificate upto the date as indicated in the "Information and Instructions to the Tenderers" for each and every works separately, it is now reviewed by the undersigned and the following revised procedure is hereby issued for strict adherence by the Superintending Engineers and Executive Engineers of Building Organisation, while inviting tenders in future.

PTO.

- (i) The revenue solvency issued by the Revenue Authority concerned shall not be prior by 3 years from the date of tender.
- (ii) Continuous encumbrance certificate issued by the Registration Department on the properties listed out in the solvency certificate shall be produced as given below.
 - (a). For the tenders called for fixing the last date for receipt of tenders during the period of 1st half of financial year starting from 1st of April - 30th of September, the encumbrance certificate should have been obtained in the months of January - March of that year.
 - (b). Similarly, for the tenders called for fixing the last date for receipt of tenders during the period of 2nd half of financial year starting from 1st of October to 31st of March of subsequent year, the encumbrance certificate should have been obtained in the months of July - September of that year.

5.0. So that, the time and energy required in obtaining and submission of encumbrance certificate for each and every work upto the date prescribed in the "Information and Instructions to the Tenderers" could be eliminated. The encumbrance certificate obtained by the tenderers as above may be considered as valid for the next 6 months and may be used for the tenders called for during the next 6 months, as indicated above.

6.0. Hence, the Superintending Engineers and Executive Engineers of Building Organisation are hereby informed to follow the above revised system in respect of Revenue Solvency in the tenders to be called for in future.

7.0. The receipt of this circular memo may be acknowledged.

28/04/10
 for Chief Engineer (Buildings)
 28.04.2010

To

All the Superintending Engineers of Building Organisation, PWD.
All the Executive Engineers of Building Organisation, PWD.

Copy to:

1. Chief Engineer (Buildings)'s Table.
2. Joint Chief Engineer (Buildings)'s Table.
3. Deputy Chief Engineer (Buildings)'s Table.
4. Deputy Chief Engineer (Electrical)'s Table.
5. HDO-I, HDO-II of Office of the Chief Engineer (Buildings), PWD., Chennai-5.
6. All Assistant Executive Engineers of Technical Sections of Chief Engineer (B) Office.
7. All the Members of HDO-I and HDO-II Sections.
8. Stock File.
9. Spare Copy.



**PUBLIC WORKS DEPARTMENT
BUILDING ORGANISATION**

OFFICE OF THE CHIEF ENGINEER (BUILDINGS), CHEPAUK, CHENNAI-600 005

CIRCULAR MEMORANDUM NO. HDO (A) / 18769 / 2009-1, dated 31.08.2009

Sub: Pre-Qualification - Simplification of pre-qualification criteria in respect of works of value not exceeding Rs. 2.00 crores - Revised instructions issue of - Regarding.

Ref: This Office Circular Memo No. HDO (A) / 22262 / 2005, dated 04.10.2005.



During the review meeting by the Chief Engineer (Buildings) held on 15.07.2009 with the Superintending Engineers of Building Organisation, the Superintending Engineers opined that pre-qualification of tenders of value (put to tender) less than Rs.2.00 crores be made simple and uniform and the powers entrusted with them, so that time required for finalisation of tenders called for under two cover system will be reduced considerably and decision can be arrived at early on the approval of such tenders, by the Tender Accepting Authority.

Accordingly, the issue has been studied in detail and it is decided that the essential criteria, in respect of approval of the pre-qualification tenders called for under two cover system for the works of value not exceeding Rs.2.00 crores are hereby simplified and ordered for strict adherence by the Superintending Engineers of Building Organisation.

They are,

I. SOLVENCY CERTIFICATE:

The minimum revenue solvency required for the works of value not exceeding Rs.2.00 crores shall be of Rs.30.00 lakhs only. And therefore, all the Class-I registered contractors become eligible for undertaking the works of value not exceeding Rs.2.00 crores. There is no need for fixing higher value of revenue solvency hereafter.

II. EXPERIENCE:

a. The tenderer should have completed / executed building works to a value of at least 50% of the value of the proposed work under a single agreement either in Government (or) in Quasi Government Organisation and they should possess at least 3 years experience in building works. The works executed externally for private parties may also be considered for the same, provided that, the contractors shall produce an affidavit with regard to the building works they have executed externally [(i.e.) other than Government / Quasi Government works]. The Executive Engineer, PWD In charge of the jurisdiction, after his personal inspection of the buildings referred to by the contractor and also based on local enquiry, shall issue a certificate on the following aspects.

- (i). Value of the building executed by the contractor externally.
- (ii). Structural arrangements of the building [whether the building is of load bearing (or) framed structure].
- (iii). Quality of the work.
- (iv). Understanding with the Employer (Owner), etc., (whether the contractor had cordial relationship with the private employer).

and the Superintending Engineer in charge shall verify, satisfy and confirm the certificate issued by the Executive Engineer. The same should be furnished along with pre-qualification tender for consideration by the Tender Accepting Authority.

- b. The contractor should have executed similar nature of work under single agreement for a value not less than 50% of the proposed contract value, in any single year during any period of their career.

III. TURNOVER:

The average financial turnover of the contractor shall not be less than 150% of the contract value of proposed work, during any 3 years in their total career.

IV. BID CAPACITY:

As per G.O.(Ms).No. 60, Public Works (G2) Department, dated 14.03.2008, the bid capacity of the contractors can also be assessed based on the works executed at any point of time during their total career. As such, the experience and the annual financial turnover of the contractor can be counted even prior to the specified period of 3 years also.

V. WORKING CAPITAL:

Available working capital shall not be less than the requirement for meeting out the one month expenditure required for undertaking all the ongoing works in their hand along with the work for which the tenderer now proposed to participate.

VI. SHARE CAPITAL:

The share capital shall not be less than 20% of the value of the proposed work put to tender.

VII. TECHNICAL PERSONNEL & TOOLS, PLANTS & EQUIPMENTS:

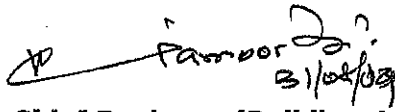
With regard to (i) the requirement of technical personnel and (ii) the requirement of tools, plants and equipments, the Superintending Engineers are hereby authorised to include the same, as per the norms already in force.

A modified check list by including the provisions as above and considering other aspects also is herewith prepared and enclosed for ready reference and strict adherence.

The Superintending Engineers of Building Organisation are therefore hereby authorised to finalise the pre-qualification tenders for the works of value put to tender not exceeding Rs.2.00 crores called for under two cover system by themselves and requested to submit the price tender proposal along with the check list, duly filled in, to the Chief Engineer (Buildings) along with their recommendations for acceptance of price tender, by the Tender Accepting Authority.

The receipt of this circular memo along with revised check list shall be acknowledged.

Encl.: Revised check list for PQ tenders
of value not exceeding Rs.2.00 crores


P. Ramnarayan
31/04/09
for Chief Engineer (Buildings)

To

The Superintending Engineers of Building Organisation, PWD.

Copy to:

1. All Executive Engineers of Building Organisation, PWD.
2. Chief Engineer (Buildings)'s Table.
3. Joint Chief Engineer (Buildings)'s Table.
4. Deputy Chief Engineer (Buildings)'s Table.
5. Deputy Chief Engineer (Electrical)'s Table.
6. HDO-I, HDO-II of Office of the Chief Engineer (Buildings), PWD., Chennai-5.
7. Assistant Executive Engineers of all Technical Sections of Chief Engineer (B) Office.
8. Stock File.
9. Spare copies (10 Nos.)

ANNEXURE-I
PRE-QUALIFICATION OF TENDERS

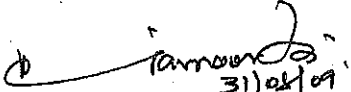
**Check list on essential qualification criteria for works
of value not exceeding Rs. 2.00 crores**

ESSENTIAL CRITERIA

Sl. No	Requirements	:	Compliance on the requirements with details
1	<p><u>Eligibility of Contractor:</u></p> <p>The applicant should be a Registered Civil Contractor of Tamil Nadu State PWD under Class-I as per revised classification with monetary limit above Rs. 75.00 lakhs</p>	:	
2	<p><u>Solvency:</u></p> <p>a Revenue solvency shall be for Rs. 30.00 lakhs on immovable property, obtained not prior by 2 years from the date of opening of tender</p>	:	
	<p>b EC should be obtained and produced for the period [from the date of issue of solvency] upto 15 days prior to the date of submission of tender</p>	:	
3	<p><u>Income Tax:</u></p> <p>Income Tax return prepared and filed by an Auditor on behalf of the contractor / firm for the previous financial year shall be produced</p>	:	
4	<p><u>Sales Tax:</u></p> <p>Sales Tax Clearance Certificate, [with TNGST / TIN No. / CST No.] for the previous year shall be produced</p>	:	
5	<p><u>Experience:</u></p> <p>a The applicant should be in the Civil Engineering field at least for a period of not less than 5 years</p>	:	
	<p>b Details of similar major works carried out by the contractor during his total career</p>	:	

Sl. No	Requirements		Compliance on the requirements with details
c	The contractor should have executed similar nature of work under single agreement for a value of not less than 50% of the proposed contract value at any single year during any period of his career	:	
d	Value of the work executed in the earlier periods shall be calculated by including escalation at the rate of 10% for each year	:	
e	The work under single agreement executed in Government / Quasi Government; and externally carried out works for private parties also considered subject to the condition specified in Chief Engineer (Buildings) circular memo No. HDO (A) / 18769 / 2009, dated 31.08.09	:	
6	<p><u>Annual Turnover:</u></p> <p>The average financial annual turnover of the contractor / firm shall not be less than 150% of the value put to tender of the proposed work during any 3 years in his / their total career</p>	:	
7	<p><u>Share Capital:</u></p> <p>The share capital of the contractor / firm shall not be less than 20% of the value put to tender of the proposed work</p> <p>Note:</p> <p>The share capital amount shall include reserve fund / the surplus fund, if any available at the contractors / firm name as fixed deposit in any Nationalised Bank, Scheduled Bank and also In Post Office</p>	:	
8	<p><u>Capability:</u></p> <p>a The tenderer should have ability to execute the work of value not less than one month expenditure required for undertaking all the ongoing works along with the work for which the tenderer now quoted</p>	:	

Sl. No	Requirements		Compliance on the requirements with details
b	<p>Funds available in the Bank Account of the applicant as on date of submission of tender + the un utilised amount of over draft / credit facility given to the contractor by the Nationalised / Scheduled Banks can also be considered</p> <p>Note:</p> <p>In case of deposits, It should have been declared by the Bank Authorities that the deposit is "Free from any encumbrance and readily cashable"</p>	:	
9	<p>Condition:</p> <p>Applicant should not have any of his contracts terminated in the past five years</p>	:	


 31/08/09
 for Chief Engineer (Buildings)

Copy of:

PUBLIC WORKS DEPARTMENT
BUILDING ORGANISATION

Office of the Chief Engineer (Buildings), PWD., Chepauk, Chennai-5

Circular Memorandum No. AEE / T10 (B) / 24475 / 2003-12, Dated: 30.10.2003

Sir,

Sub: Buildings – Tenders – Evaluation and Acceptance of tenders / submission of tenders to higher authorities for acceptance – Avoidance of delay – Instructions - Issued – sent

Ref: 1. G.O.Ms.No.873, PWD, dated: 04.05.1982.
2. Chief Engineer (General), PWD., Circular Memo No. CTO (A) / 93574 / 82, dated. 04.10.1986.
3. G.O. Ms. No. 490, Finance (Salaries) Dept., dated. 11.05.1998.
4. Chief Engineer (Buildings), PWD., Circular Memo No. HDO (A) / 24179 / 2002-1, dated. 22.04.2002.

In order to ensure early decision on tenders the Government in the G.O. first cited have fixed the following time limit for processing of tenders.

- a). The Superintending Engineer, PWD., concerned should scrutinize and examine the tenders carefully and if necessary, after negotiation with the lowest contractors, submit the tender proposals to the Chief Engineer, within "Fifteen days" from the date of receipt of the tenders.
- b). The Chief Engineer should also scrutinize the tenders, which require Government sanction and submit them to the Government with his recommendation within "Seven days" from the date of receipt of the proposals from the Superintending Engineer.
- c). The Government in Public Works Department which received the tender proposals should place it before the Tender Committee take a decision and finalise them after obtaining orders in circulation within a period of "One Month".
- d). The tender proposals which should be finalized by the Chief Engineer and Board of Engineers should be finalized within a period of "One month" from the date of its receipt by the PWD officials.

e). The Chief Engineer (General), PWD should fix suitable time limit for the finalization of tenders by various officers of PWD.

2. As directed by the Government in the G.O. first cited, the time limit for the finalization of tenders by various officers of PWD., was prescribed in the Chief Engineer (General)'s circular memo second cited as follows.

i. The Superintending Engineers will finalise the tenders within their power of acceptance within "Thirty days" from the date of receipt of tenders.

ii. (a). The Executive Engineers will finalise the tenders within their powers of acceptance within "Fifteen days" from the date of receipt of tenders.

(b). In case of percentage rate tender system the Executive engineers will decide the tenders within Ten days from the date of receipt of tenders.

iii. (a). Assistant Executive Engineer / Sub Divisional Officer will decide tenders within their power of acceptance within Two weeks from the date of receipt of tenders.

(b). In the case of percentage tender system, the above time limit will be reduced to one week only for deciding tenders.

The Chief Engineer (General) in the circular memo second cited, has also instructed all the tender inviting and accepting authorities to make sincere efforts to adhere to the above time limits cutting short the procedural delays to the extent practicable and reasonable.

3. The Government in Para 5 of the G.O. third cited, have reiterated that the time limit fixed in the G.O. first cited for processing and finalization of tender proposals should be adhered to with the modification that the order of tender acceptance will be issued at Government level within "Fifteen days".

4. The Chief Engineer (Buildings) in the memo fourth cited, while stressing that the works should be taken up for execution at the earliest opportunity had issued instructions to follow the time limit fixed by the Government in the G.O. first cited for processing and finalizing tender proposals without fail and take up works for execution without delay.

5. It is observed that the time limit fixed by the Government (General) for processing and finalization of tender proposals are seldom followed. In certain cases, it is observed that decision on tenders has not been taken even after the lapse of more than three months from the date of their receipt. This causes not only delay in commencing the works but also embracement to the officers attending the meetings convened by the Secretaries to Government / Hon'ble Ministers when caustic comments are passed about the lackadaisical attitude of Building Organisation of PWD in taking up welfare schemes. Hence, the Superintending Engineers should take sincere efforts to avoid delay in taking decision on the tenders or sending them to the Chief Engineer in time atleast in future.

6. The lowest tenderer, not turning up on the appointed date, for negotiation of rates is attributed as the reason for the delay in most of the cases. In this regard the pointed attention of the Superintending Engineers is invited to Para 5.1 of the detailed tender notice to accompany the tender documents, wherein the contractors have been specifically informed that if they fail to attend office before the end of the specified period, his tender will not be considered. While inviting the lowest tenderes for negotiation of rates, the Superintending Engineers should reiterated the above condition in the communication sent to the "L1" tenderer without fail.

7. In some cases, the Superintending Engineers are recommending tender proposals with high tender premium to the Chief Engineer (Buildings) either for approval or for obtaining the approval of the Tender Award Committee and invariably the proposals are being returned with instructions to negotiate further with the "L1" tenderer and bring down the percentage excess. This causes delay in taking decision on the tender proposals. The Superintending Engineers, being senior level officers, are fully aware of the prevailing trend of tenders and should desist from the practice of recommending tenders with high tender premium in future so that the avoidable delay in taking up the works for execution could be averted.

8. Receipt of this circular memo should be acknowledged.

Sd/- xx 30.10.2003

Chief Engineer (Buildings)

To

All the Superintending Engineers of Buildings Organisation of PWD.,

All the Executive Engineers of Building Organisation of PWD., for information and taking urgent action.

Joint Chief Engineer (Buildings), Deputy Chief Engineer (Buildings), Deputy Chief Engineer (Electrical)

All Assistant Executive Engineers of Technical Sanctions of O/o. the Chief Engineer (Buildings).

HDO-I & HDO-II

P.C. to Chief Engineer (Buildings)

P.C. to Joint Chief Engineer (Buildings)

Spare Copy.