



Government of West Bengal
Irrigation & Waterways Department
Jalasampad Bhavan, 1st Floor, Western Block
Bidhannagar, Salt Lake City, Kolkata 700091

No. 39 -W/2016-17

Dated, Kolkata, 10th March, 2017

MEMORANDUM

Finance Department had notified the general guidelines for acceptance of tenders where under it is clearly stated that the minimum number of valid /technically qualified bidders (Technically qualified for Financial Bid stage) should be at least three, else the tender is to be invited afresh with relaxed eligibility and wider publication. During acceptance of bids in Re-tenders, if the number of valid /technically Qualified bids is less than three, the general guidelines for acceptance of tenders issued vide Finance Department Notification No. 9754-F(Y) dated 3rd December 2012 has since been partially superseded vide their No. 925-F(Y) dated 14th February 2017.

In view of above, the modified Order incorporating the amendments introduced by the Finance Department in matters relating to delegation of financial powers to the Engineer officers of various Departments for 'Technical Sanction' and 'Tender Acceptance' and amendments in tender rules, functions of the Government Appointed Departmental Tender Committee (DTC) and procedure to be followed, if the number of valid bids received in Re-tenders is less than three is detailed here under below:

2. Delegation of power for accordance technical sanction and acceptance of tenders for all major / minor / maintenance / Deposit Works and Tools & Plants, Furniture & other items charged under Works Head under Plan & Non-Plan / Deposit Works.

Designation	Tender Acceptance in respect of amount put to tender	Technical Sanction
Chief Engineer	i. With approval of Government appointed Departmental Tender Committee (DTC) ii. Under own of power Chief-Engineer	} Full Power*
	i. Full Power (Refer Note-1 below) ii. ₹ 4.00 crore (Refer to Note-2)	
Superintending Engineer	₹ 2.00 crore + 5% excess of amount put to tender (Refer to Note-2)	₹ 200 Lakh*
Executive Engineer	₹ 45.00 lakh + 5% excess of amount put to tender (Refer to Note-2)	₹ 45.00 lakh*
Assistant Engineer	₹ 3.00 lakh + 5% excess of amount put to tender (Refer to Note-2)	₹ 3.00 lakh* (Refer to Note-3)

*All powers delegated are in connection with tenders (Quotation excluded) wherever at least three valid /Technically Qualified bids have been received and the L1 bid is accepted as a Rule.

Note-1: Government Appointed Departmental Tender Committee is to be defined and identified as (DTC) Departmental Tender Committee, (Composition & Function stated below in Para 3) will normally recommend and approve acceptance of tender by the concerned Chief Engineer of the lowest valid bid out of minimum three valid /Technically Qualified tenders up to 5% above the Tender value (amount put to tender) for works having tender value in excess of ₹ 4.00 crore. For tenders

of value (Amount put to Tender) above ₹ 2.00 crore and up to ₹ 4.00 crore, if the L1 bid is above tender value (beyond @ PAR), the same is also to be placed before the DTC for approval before the acceptance is given by the concerned Chief Engineer.

Above 5%, but up to and below 10% of the Tender Value may be recommended for acceptance by the DTC for peculiar situations and special circumstances, provided budgetary provision and administratively approved cost is not exceeded because of such excesses and the lowest tender out of at least three valid /Technically Qualified tenders is accepted. Reasons for doing so shall be kept on record.

Note-2: Provided Administrative Approval/ Revised Administrative Approval from the competent authority is received, as and when required under the prescribed rules, and budgetary provisions (administratively approved cost for plan works/expenditure allocation on sanctioned estimates for Non-Plan works in that Financial Year is not exceeded and the lowest tender out of at least three valid /Technically Qualified tenders is accepted. In case, administratively approved sanctioned estimated cost is exceeded, and additional fund is required, the same would have to be referred to the Government in the Irrigation & Waterways Department as per usual procedure for accordance of revised administrative approval and for making provision of additional fund in the budget/financial sanction.

Note-3: Provided prior approval of Superintending Engineer to the list of work(s), including the work in question is received along with concurrence of Executive Engineer to such sanction of estimate & acceptance of tender is accorded, and also administratively approved sanctioned estimated cost is not exceeded with the lowest valid /Technically Qualified bid out of minimum three valid /Technically Qualified tenders is accepted.

3. Re-constitution of the Government Appointed Departmental Tender Committee (DTC) in the Irrigation & Waterways Department:

Two Departmental Tender Committees are hereby constituted, one for North Bengal and the other for South Bengal with the following composition:

A. **DTC for North Bengal** (For works within jurisdiction of Jalpaiguri, Alipurduar, Coochbehar, Darjeeling and TBP in Uttar Dinajpur)

1	Chief Engineer, Teesta Barrage Project	...	Member
2	Chief Engineer, North East	...	Member
3	Superintending Engineer concerned	...	Member-Convenor
4	Executive Engineer concerned with the work	...	Member

B. **DTC for South Bengal** (remaining areas of the State, other than mentioned at 'A' above and excluding package contracts not tendered under W.B Form No. 2911(i)/(ii))

1	Chief Engineer (South)	...	Member
2	Chief Engineer (North)	...	Member
3	Chief Engineer (Design & Research)	...	Member
4	Chief Engineer (South West)	...	Member
5	Chief Engineer (West)	...	Member
6	Superintending Engineer concerned with the work	...	Member-Convenor
7	Executive Engineer concerned with the work	...	Member

3.1 Functions of the Departmental Tender Committee (DTC) and related procedural modalities are detailed below:

a. Government appointed Departmental Tender Committee (DTC) will normally recommend and approve acceptance of tender by the concerned Chief Engineer of the lowest valid /Technically Qualified bid out

of minimum three valid /Technically Qualified tenders up to Tender value (amount put to tender) for works above ₹ 4.00 crore.

- b. The DTC after careful evaluation may recommend acceptance of the lowest rate beyond tender value but up to 5% above the amount put to tender (Tender Value) above ₹ 2.00 crore, in cases where at least three number of valid /Technically Qualified bidders have participated in financial bids or advice Re-tender. There is no need to refer the matter to the Finance Department if at least three valid /Technically Qualified bids are received during Re-tender which is invited after relaxation of eligibility criteria.

In case the administratively approved estimated sanctioned cost is exceeded, and there is likely requirement of additional fund, the case after acceptance would have to be referred as per usual procedure to the Government in the Irrigation & Waterways Department for accordance of revised administrative approval and making suitable provision of additional fund in the budget.

- c. Variation up to 10% may also be accepted by the DTC for only peculiar situations and special circumstances provided budgetary provision (Administratively approved sanctioned estimated cost) is not exceeded because of such excesses and the lowest tender out of at least three valid /Technically Qualified tenders is accepted. Reasons for doing so shall be kept on record. Similar procedure of obtaining revised administrative approval as started at para 3.1(b) above, needs to be followed for these cases as well.
- d. Tenders above this limit of 10% should not normally be accepted and re-tenders invited with relaxed eligibility and may be referred to the Finance Department with recommendation of Financial Advisor and Department Head with specific recommendation of DTC if the DTC is of the opinion that there is no scope of lowering down the below 10% and at least three valid /Technically Qualified bids have been received.
- e. The lowest tender for all works should be accepted as a rule. If for any reason the lowest tender is not proposed to be accepted, prior reference is to be made to the Finance Department recommended by the DTC and then the Financial Advisor of this Department and views of Department Head / Secretary for decision, as to which of the contractors the work should be given.
- f. Quorum of the DTC for both North Bengal is deemed to have been achieved only if all the members remain present. However, in order to form quorum of the DTC for South Bengal, presence of the concerned Chief Engineer, concerned Superintending Engineer, concerned Executive Engineer and two other Chief Engineers would suffice. Senior most Chief Engineer attending the DTC meeting would function as the Chairman.
- g. The DTC meetings may be utilised for obtaining recommendations for acceptance of tender for works under the jurisdiction of more than one Chief Engineer provided full strength of DTC remain present.
- h. Extension of date in a e-tender:
- i. The e-tender process shall be initiated well in advance keeping in mind that there may be a situation for extension of last dates and/or re-tender.
- ii. Last date of submission may be extended if the notice of extension is issued within the life of the tender period.
- iii. After expiry of the Tender period, date cannot be extended, however re-tender may be invited.
- iv. Extension of date cannot be treated as 2nd or subsequent Call or Re-tender.
- j. Even if, after taking appropriate steps, in regard to relaxation of the eligibility criteria and other terms & conditions, the response to the Re-tender is less than three, that tender may treated in the following manner:
- A. If the Tender value (Amount put to Tender) is less than ₹ 5.00 lakh:

Case 1: If the number of qualified bidder is 1 (one) during retender, the Departmental Head may accept the tender in consultation with the FA of the Department.

Case 2: If the number of qualified bidder is 2 (two) during retender, The Tender Inviting Authority may accept the tender on recommendation of the Departmental Tender Committee (DTC).

B. If the Tender value (Amount put to Tender) is equal to or more than ₹ 5.00 lakh but not more than ₹ 1.00 (One) Crore:

Case 1: If the number of qualified bidder is 1(one) during Re-tender:

- i) If the Bid is within 2% above the Tender value (Amount put to tender), the Departmental Head may accept the tender in consultation with the FA of the Department on recommendation of the Departmental Tender Committee (DTC)
- ii) If the Bid is beyond 2% above the Tender value (Amount put to Tender), the Departmental Head, in consultation with the FA of the Department will refer the file to the Finance Department.

Case 2: If the number of qualified bidder is 2 (two) during Re-tender:

- i) If the Bid is within 2% above the Tender value (Amount put to Tender), the Tender Inviting Authority may accept the tender on recommendation of the Departmental Tender Committee (DTC).
- ii) If the Bid is more than 2% but less than 5% above the Tender value (Amount put to Tender), the Department Head may accept the tender in consultation with the FA of the Department on recommendation of the Departmental Tender Committee (DTC).
- iii) If the Bid is more than 5% above the Tender value (Amount put to Tender), the Departmental Head in consultation with the FA of the Department will refer the file to the Finance Department for approval.

C. If the Tender value (Amount put to Tender) is more than ₹ 1 (one) Crore:

The Departmental Head, in consultation with the FA of the Department and Departmental Tender Committee (DTC) will refer the file to the Finance Department.


However, in all such cases at **A**, **B** and **C** above, the following procedure are to be observed:

- 1) In case the tender is to be accepted by the Head of the Department, the Tender Inviting Authority will forward the case along with the duly filled up Format (Annexure-I) and necessary documents to the Head of the Department. The Head of the Department, in consultation with the FA of this Department on recommendation from the Departmental Tender Committee (DTC), will take the decision and accord approval.
- 2) If the case is to be referred to Finance Department through the Head of the Department, the Tender Inviting Authority will forward the case along with the duly filled up Format (Annexure-I) and necessary documents to the Head of the Department. The Head of the Department, in consultation with the FA of the Department on recommendation from the Departmental Tender Committee (DTC) will forward the file to the Finance Department along with necessary justifications.

This is issued in supersession to this Departments Order No.05-W/2015-16 dated, 20th November, 2015 and will have retrospective effect from 15.2.2017. All tenders for which technical bids have been opened after the date shall come in the purview of this order.

The Departmental Code would be amended accordingly is due course.


Encl: Annexure-I


(K. Chattopadhyay)
Secretary

Copy forwarded for information to:

1. P.S to Hon'ble Minister-in-Charge
Irrigation & Waterways Department
2. P.A to Principal Secretary
Irrigation & Waterways Department
3. Financial Advisor
Irrigation & Waterways Department


Encl: Annexure-I


(A. Ghosh)
Deputy Secretary to the
Government of West Bengal

Copy forwarded for information to:

1. Principal Accountant General (A&E), West Bengal
Treasury Buildings, 2, Government Place (West)
Kolkata 700 001
2. Principal Accountant General (Audit), West Bengal
Treasury Buildings, 2, Government Place (West)
Kolkata 700 001
3. Accountant General, West Bengal
Economics & Revenue Sector Audit
5th Floor, MSO Building, CGO Complex
Block DF, Sector-I, Bidhannagar, Kolkata 700 064
4. Secretary
Finance Department
Government of West Bengal
NABANNA
325, Sarat Chatterjee Road
Howrah 711 102

Encl: Annexure-I


(A. Ghosh)
Deputy Secretary to the
Government of West Bengal

Copy forwarded for information and necessary action to:

1. Chief Engineer (South)
Irrigation & Waterways Directorate
2. Chief Engineer (West)
Irrigation & Waterways Directorate
P.O Sadhanpur (Near Polytechnic)
District Burdwan
Pin 713 101

3. Chief Engineer (South West)
Irrigation & Waterways Directorate
Khusjungle, P.O Abas, District Paschim Medinipur
Pin 721 102
4. Chief Engineer (North)
Irrigation & Waterways Directorate
Netaji More Market Complex, 3rd Floor
Saraju Prasad Road
Netaji More, Malda 732 101
5. Chief Engineer (Design & Research)
Irrigation & Waterways Directorate
6. Chief Engineer (North East)
Irrigation & Waterways Directorate
Club Road, P.O & District Jalpaiguri
Pin 735 101
7. Chief Engineer, Teesta Barrage Project
Irrigation & Waterways Directorate
Teesta Sech Bhavan
2nd Mile, Sevoke Road
Siliguri, District Darjeeling
Pin 734 001

Encl: Annexure-I


(A. Ghosh)
Deputy Secretary to the
Government of West Bengal

Dated, 10th March, 2017

Memo No. 425/3(42) -IB
IW/O/IB-Misc-12/2007

Copy forwarded for information and necessary action to:

- 1-40. Superintending Engineer
Irrigation & Waterways Directorate
41. Executive Engineer
DVC Study Cell
Irrigation & Waterways Directorate
- ✓ 42. Shri S. Saha
Executive Engineer
Irrigation & Waterways Directorate

He is requested to upload the instant order in the Notification link of the departmental website www.wbiwd.gov.in under heading "Delegation of Financial Power for tenders and powers of DTC".

Encl: Annexure-I


(A. Ghosh) 10.3.2017
Deputy Secretary to the
Government of West Bengal

Annexure I

Estimated amount	
Amount put to tender	
<u>In case of First Call</u>	
Eligibility Criteria (Technical)	
Eligibility Criteria (Financial)	
Details of Publications of NIT Date of NIT: Last Date of submission of bid : Names of Newspapers in which publicity was made : Whether e-Tender :	
Nos. of Bidders Responded	
Nos. of Technically Qualified Bidders	
<u>In case of 2nd Call</u>	
Revised Eligibility Criteria (Technical)	
Revised Eligibility Criteria (Financial)	
Details of Publications of NIT Date of NIT: Last Date of submission of bid : Names of Newspapers in which publicity was made : Whether e-Tender:	
Nos. of Bidders Responded	
Nos. of Technically Qualified Bidders	
Details of Financial Bids received	
Whether and by what % is the L1 bid is - a. Below the amount put to tender b. at par the amount put to tender c. beyond the amount put to tender d. Reasonable market rates	
Specific Comments of TIA with reasons justifying and recommending the acceptance of L1 bid from less than three (3) bidders	
Specific Recommendation of the FA	
In case of (a) & (b) recommendation of Head of the Administrative Department	



