



Government of West Bengal
Irrigation & Waterways Department
Jalasampad Bhavan, 1st Floor, Western Block
Bidhannagar, Salt Lake City, Kolkata 700 091

No.05 –W/2015-16

Dated Kolkata., 20th November, 2015

MEMORANDUM

Finance Department has brought out certain amendments in the delegation of financial power of the Engineer officers of various Departments for 'Technical Sanction' and 'Tender Acceptance' vide their Memorandum No.5458-F(Y) dated 27th June 2012, No.6427-F(Y) dated 25th July 2012 and No.9754-F(Y) dated 3rd December 2012.

These Memorandums and Notifications are available in the website of the Finance Department www.wbfin.nic.in. It is obligatory on the part of all Engineering (Works) Departments to follow those during floating of tenders including e-tenders, and Department specific orders are not always necessary.

However, clarifications have been sought from various quarters in the Irrigation & Waterways Directorate for some time past regarding delegation of financial power to the engineer officers and competency for acceptance of e-tenders, and role of Government Appointed Tender Committee as contained in the Notifications of the Finance Department vis-à-vis this Department.

In view of above, in supersession to this Department Notification No.01-IWB dated, 19.07.2012, the modified order incorporating the amendments considered by the Finance Department in matters relating to delegation of financial powers, (DFP) to the engineer offices 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, Furnitures & other items charged under Works Head from Departmental / Non-Departmental budgetary allocations under Plan & Non-Plan.

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

Note-1: Government appointed Tender Acceptance 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 Engineers of the lowest valid bid out of minimum three valid tenders up to 5% above the Tender value (amount put to tender) for works having tender value in excess of ₹ 4.00 crore, subject to the provisions contained in Para 3.

Above 5% but up to and below 10% of the Tender Value may be accepted 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 three valid 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 the FY is not exceeded and the lowest tender out of at least three valid tenders is accepted. In case, administratively approved sanctioned estimated cost is exceeded, and additional fund is required, after acceptance of tenders 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.

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 bid out of minimum three valid tenders is accepted.

3. Constitution of Departmental Tender Committee (DTC) in the Irrigation & Waterways Department:

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

A. **DTC for North Bengal** (For works within the jurisdiction of TBP & NBFCC)

1	Chief Engineer, Teesta Barrage Project	...	Member
2	Chief Engineer North East	...	Member
3	Superintending Engineer concerned with the work	...	Member Convonor
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 also excluding package works/Works 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	Director of Personnel & Ex-officio Chief Engineer	...	Member
7	Superintending Engineer concerned with the work	...	Member-Convonor
8	Executive Engineer concerned with the work	...	Member

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

- a. Concerned Superintending Engineer, for all e-tenders of Tender Values above Rs 4.0 Crore after opening the financial bids of the technically qualified bidders, forward the financial picture of the comparative statement duly test checked by the concerned Divisional Accounts Officer/Accountant to the concerned Chief Engineer with his comments as to whether further bids are necessary to lower down the lowest rate received. The concerned Chief Engineer, thereafter, would take a decision after application of mind on the comment of the Superintending Engineer and attempt to further lower down the rates, if felt necessary, through sealed bids.

Open bid is normally discarded to ensure confidentiality and transparency. However in extraordinary situations, if in the opinion of the Tender Accepting Authority the rate of L1 is still high (being above Tender Value) and there is a scope for lowering, only L1 bidder may be requested to attend an open bid for further lowering down the rate on pre-notified time and date in presence of the Tender Accepting Authority.

Finally, comparative statement showing rates finally obtained and other necessary documents as may be required for appraisal of the DTC, would have to be placed by the concerned Chief Engineer.

- b. The DTC after having due deliberation would either recommend acceptance of the lowest rate up to 5% above the amount put to tender, in cases where at least three number of valid bidders have participated in financial bids or may advice fresh Tender. There is no need or refer the matter to the Finance Department.

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% on the plus side may also be accepted by the DTC for peculiar situations and special circumstances only, provided budgetary provision (Administratively approved sanctioned estimated cost) is not exceeded because of such excesses and the lowest tender out of three valid 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 may be referred to the Government with specific recommendation, if the Committee is of the opinion that there is no scope of lowering down the rate below 10%.
- e. The DTC will generally consider all tenders where amount put to tender is above ₹ 4.00 crore. However, tenders where the lowest rate is above 5% for all tenders and the concerned Chief Engineer is of the opinion that there is little scope for lowering down the rates and the work is urgently required to be executed, the same should be placed before the DTC for processing as per modalities stated in Paragraph 3.1.d. above, irrespective of the amount put to tenders.
- f. The lowest tender for all works should be accepted as a rule. If for any reason the lowest tender is not accepted reference to be made to the Finance Department recommended by the DTC through this Department for decision as to which of the contractors the work should be given.
- g. 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 be accepted without reference to the Finance Department, provided the rates do not exceed the schedule rates (SoR) beyond 5% in case of works and within the overall administratively approved cost. Otherwise, such cases should be referred to the Finance Department for decision enclosing recommendation by the DTC and filled up copy of 'Tender Register' in the prescribed proforma.

- h. The concerned Superintending Engineer will invite tender notice for all works which are under purview of acceptance of either himself or by his Chief Engineer.
 - i. Tender Committees already constituted for deciding on issuance of e-tender papers will continue to function as well.
 - j. Quorum of the DTC for 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.
 - k. 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 all concerned remains present.
4. This order will have immediate effect and moreover tenders which have not yet been accepted formally also would come in the purview of this order.

The Departmental Code would be amended accordingly is due course.

Sd/-
(K. Chattopadhyay)
Secretary to the
Government of West Bengal

Memo No. 252 (3) - IB
IW/O/IB-Misc-12/2007

Dated, 20th November, 2015

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. P.A to Financial Advisor & Secretary
Irrigation & Waterways Department

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

Memo No. 252/1(4) - IB
IW/O/IB-Misc-12/2007

Dated, 20th November, 2015

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

Sd/

(A. Ghosh)

Deputy Secretary to the
Government of West Bengal

Memo No. 252/2(8) - IB
IW/O/IB-Misc-12/2007)

Dated, 20th November, 2015

Copy forwarded for information and necessary action:

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. Director of Personnel & Ex-officio Chief Engineer
Irrigation & Waterways Directorate
5. Chief Engineer (North)
Irrigation & Waterways Directorate
Netaji More Market Complex, 3rd Floor
Saraju Prasad Road
Netaji More, Malda 732 101
6. Chief Engineer (Design & Research)
Irrigation & Waterways Directorate
7. Chief Engineer (North East)
Irrigation & Waterways Directorate
Club Road, P.O & District Jalpaiguri
Pin 735 101
8. Chief Engineer, Teesta Barrage Project
Irrigation & Waterways Directorate
Teesta Sech Bhavan
2nd Mile, Sevoke Road
Siliguri, District Darjeeling
Pin 734 001

Sd/-

(A. Ghosh)

Deputy Secretary to the
Government of West Bengal



Copy forwarded for information and necessary action to:

1-40. Superintending Engineer

Irrigation & Waterways Directorate

✓ 41. Executive Engineer
DVC Study Cell
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**".


(A. Ghosh)

17.11.2015
Deputy Secretary to the
Government of West Bengal