

**Government of West Bengal**  
**Public Works Department**

No.:198-CRC/2M-10/2012

Dated:21/12/2012

**NOTIFICATION**

WHEREAS it is, in the wake of issuance of Memorandum No.: 9701-F(Y); Dated: 30/11/2012 of the Finance (Audit Branch) Department read with Memorandum No.: 9754-F(Y); Dated: 03/12/2012 of that Department, considered expedient so to do;

NOW, THEREFORE, the Governor is pleased hereby to make the following amendments in the Public Works Department Code, as subsequently amended (hereinafter referred to as the said Code):-

**Amendments**

In the said Code, in Volume -I,-

1. For sub rule (3) of rule 216, substitute the following:-

“(3) If upon calling for competitive tenders, the number of tenders received is less than three, the tenders shall be invited afresh. Such Re-Tender notice shall be published in widely circulated dailies for conventional ‘Notice Inviting Tender’ (NIT) and also through e-Tender portal in case of e-Tender. Prior to invitation of Re-Tender or fresh Tender the eligibility criteria and other terms and conditions as contained in the first ‘Notice Inviting Tender’ shall have to be reviewed by the Tender Inviting Authority to ascertain whether(i) it was too much restrictive, say, specifications and qualifications were fixed at higher standard than required, (ii) advertisements in the widely circulated Newspapers were properly published and (iii) other related procedural matters were observed in its entirety. However, in every such case of Re-Tender, Outside Contractors shall be allowed to participate irrespective of the fact whether the initial tender was confined to any class of Enlisted Contractors or to registered co operative society formed by Unemployed Engineers.

Even after taking such steps as elucidated above, the response to the Re-Tender is less than three, that tender may be accepted by the Tender Accepting Authority as per Finance Department’s Memorandum No.: 5458; Dated: 27/06/2012; provided that the rates do not exceed the estimated or the schedule rates beyond 3% in case of works estimate and reasonable prevailing market price for goods and service in other cases. Otherwise, such cases should be referred to the Finance Department for decision.”

2. After sub rule (3) of rule 216, insert the following sub rule:-

“(4) The Tender Inviting Authority shall maintain a ‘Tender Register’ in the proforma enclosed herewith as annexure.”

3. In rule 229, insert the following paragraph:-

“However, in case of re-tender, the tenderer who has deposited the requisite Earnest Money alongwith his tender earlier in accordance with the earlier NIT and has not withdrawn such Earnest Money shall not be required to deposit further Earnest Money alongwith his tender for participating in re-tendering.”

This supersedes all previous orders/notifications on the subject.

This is issued in the spirit of the directives contained in Memorandum No.: 9701-F(Y); Dtd.: 30/11/2012 of the Finance (Audit Branch) Department read with Memorandum No.: 9754-F(Y); Dtd.: 03/12/2012 of that Department.

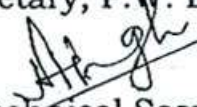
By order of the Governor,

Sd/-A. R. Bardhan  
Secretary to the  
Government of West Bengal

Memo No.:198/1(2)-CRC/2M-10/2012 Dated:21/12/2012

Copy forwarded for information and necessary action to:-

1. The Secretary, Finance Department.
2. The Engineer-in-Chief & Ex-Officio Secretary, P.W. Department.

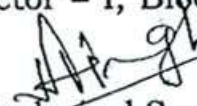
  
Technical Secretary  
Public Works Department

Memo No.:198/2(2)-CRC/2M-10/2012

Dated:21/12/2012

Copy forwarded for information and necessary action to:-

1. The Accountant General (A & E), West Bengal, Government Place (west), Kolkata-1.
2. The Accountant General (Local Bodies Audit), West Bengal, C.G.O. Complex, 3<sup>rd</sup> MSO Building, Sector - I, Block - DF, 5<sup>th</sup> Floor, Bidhan Nagar, Kolkata - 64.

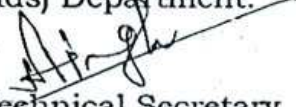
  
Technical Secretary  
Public Works Department

Memo No.:198/3(13)-CRC/2M-10/2012

Dated:21/12/2012

Copy forwarded for information and necessary action to:-

1. The Chief Engineer, Public Works Directorate.
2. The Chief Engineer (Electrical)-I, Public Works Directorate.
3. The Chief Engineer, Public Works (Roads) Directorate.
4. The Chief Engineer, National Highway, P. W. (Roads) Directorate.
5. The Chief Engineer, Planning & Quality Assurance, P. W. (Roads) Directorate.
6. The Chief Engineer, Special Projects, P. W. (Roads) Directorate.
7. The Chief Engineer, P. W. (C.B.) Directorate.
8. The Chief Engineer, World Bank Project & P.M.G.S.Y., P. W. (Roads) Directorate.
9. The Joint Secretary, Public Works Department.
10. The Joint Secretary (Technical), Public Works (Roads) Department.
11. The Finance (Audit) Department of this Government.
12. Accounts/CRC Branch, Public Works Department.
13. Accountants Branch, Public Works (Roads) Department.

  
Technical Secretary  
Public Works Department ,