

Government of West Bengal
Public Works Department
Works Branch
Nabanna, Howrah-711102

No:07-W(C)/1M-204/15(Pt)

Dated: 17.07.2015

NOTIFICATION

It has been experienced that Divisional Engineer Officers are often compelled to take recourse to off-line mode of tender viz spot bid / table bid / sealed bid etc to cater to a situation of emergent execution of works for reasons of exigency and overwhelming security consideration. Therefore, these bids could not be accomplished strictly in compliance of provisions of the enjoined rules of 47 (8) of WBFR since amended in terms of FD Notification No:- 5400-F(Y) dated 25th June, 2012. Eventually these proposals are sent to Department for post-facto approval for which Department has little option but to accord approval by obtaining matching concurrence from Finance Department.

With view to avoiding such situations, it has been decided that apart from specifying situations, detailed tender formalities would be prescribed so as to ensure appropriate financial competence for Division or circle level Offices, provided the value of such works shall be restricted to a maximum limit of Rs 1 Crore. Accordingly, Governor is pleased to prescribe following procedure for execution of works at a short tender notice.

a. Emergent Situation:-

- i. Visit of High level dignitaries for which PWD is required to make arrangement for Pandal, Lighting etc.
- ii. Relief work in case of Natural Disaster, Calamities etc, for which PWD is required to carry out urgent repairing works to roads, bridges etc and
- iii. Emergent works relating to civil disturbance causing damages to public utilities viz, road, bridges and Public Buildings etc, for which PWD is to carry out restoration work.

b. Tender Formalities:-

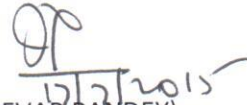
- i. Off-line seal bid may be invited by an authority as permitted in terms of FD memo No:- 5458-F(Y) dated 27th June, 2012 i.e. Executive Engineer-(up-to Rs 45,00,000/-) and Superintending Engineer (exceeding Rs 45,00,000 but limited up-to Rs 1,00,00,000/-).
- ii. Off-line seal bids may be invited when time is extremely short and only permits requisite notice to be given by allowing as short as possible a time. When, however, reasonable time is available, tender may be invited in terms Rule 47 (8) of WBFR as amended vide Notification no:- 5400-F(Y) dated 25th June, 2012.
- iii. Evaluation of these bids shall be done by a committee which shall have at least any three of the following members:
 1. Immediate higher authority of the officer who is authorised to call tender of equal value.
 2. Concerned bid inviting authority;
 3. Divisional Accounts Officer.
- iv. All such emergent works shall have a sanctioned estimate whose value shall be certified by an Engineering Officer in terms of 5458-F(Y) dated 27th June, 2012.

- v. Bid shall be invited by publication of the notice in the notice board and by uploading the same in the Departmental web-site. If there is reasonable apprehension that such notice would have inadequate response, direct communication through messenger delivered letter or through e-mail to the bonafide and resourceful contractors having sufficient experience of execution of such works at a very short notice may be contemplated provided all such steps shall not encourage enlistment of contractors that has since been abolished.
- vi. Response from at least three bidders shall be necessary for evaluation of the bid in emergent situations as explained in (a) above.
- vii. Tender inviting authority would seek permission from Department to invite bids giving detailed justification. Depending upon the prevailing situation such permission can be sought by e-mail, fax or in extreme cases over phone also. However, in case of telephonic concurrence, post-facto permission should be obtained.
- viii. The Departmental authority will certify such emergency necessitating the relaxed procedure of selection of agency for works execution.
- ix. The tendering authority will explain the circumstances that compelled them to have recourse to the spot sealed bids in relaxation of the tender procedure prescribed in WBFR and will also explain the emergent situation in the file dealing with the tender related to the work to justify adoption of the offline bid procedure.
- x. A maximum of 5 % of the excess of tender value may be accepted by the Tender evaluating Committee in terms of 5458-F(Y) dated 27th June, 2012.

Therefore, Rule 163 of WB Works manual will stand modified to the extent this order will apply.

This order is issued with the concurrence of the Finance Department vide there U.O. No:- Group T/2015-2016/0212 dated 22nd June, 2015.

By order of the Governor,



(INDEVAR PANDEY)

Principal Secretary to the Govt. of West Bengal,
Public Works Department.

Copy forwarded for information and necessary action to:-

1. The Principal Accountant General (A&E), West Bengal.
2. The Finance Department, Group-'T'.
3. The Finance (Budget) Department.
4. The Additional Chief Secretary/ Principal Secretary/ Secretary,-----
Department. (all)
5. The Divisional Commissioner, Jalpaiguri/Burdwan/Presidency Division.
6. The District Magistrate, _____ (all districts).
7. The Engineer-in-Chief & Ex-Officio Secretary, PWD.
8. The Chief Engineer(All), P.W.Directorates /P.W.(Roads) Wing / Social Sector / Electrical, PWD.
9. The Superintending Engineer(All), P.W.Directorates /P.W.(Roads) Wing / Social Sector /
Electrical, PWD.
10. The Financial Adviser, PWD.
11. Technical Secretary, P.W.Department.
He is requested to take necessary steps to amend the Rule accordingly.
12. The Executive Engineer(All), P.W.Directorates /P.W.(Roads) Wing / Social Sector / Electrical,
PWD.
13. The Executive Engineer, IT Division, PWD.
He is requested to upload the Notification in PWD website.


Joint Secretary,
Public Works Department.

Copy forwarded for information to:-

- 1) The Secretary to the Hon'ble Chief Minister, West Bengal.
- 2) The P.S. to Hon'ble M.I.C, Public Works Department.
- 3) The Senior P.S. to the Chief Secretary to the Government of West Bengal.
- 4) The Sr.Pr.S. to the Principal Secretary, PWD.


Joint Secretary,
Public Works Department.