



No. CWC CO-ED0ENGG/50/2023-O/o HoD(ENGINEERING)

Dated: 22.02.2023

CIRCULAR

The various divisions viz Engineering, MIS, Technical, Personnel, Finance & Commercial etc. at the corporate office New Delhi are inviting the tenders for procurement of work(s), goods & services as per their functional requirements. "

The works of publishing and opening the tenders including other activities performed during the live and post live period of tenders requires common nature of expertise and a lot of man power is got engaged in performing these activities by each division independently due to which chances of error are increased in dealing with the tenders by all the Divisions parallelly.

In view of above, to cope up with the situation it has been decided that a centralized "**Tender Cell**" shall be functioning at Corporate Office New Delhi as part of Engineering Division.

In-charge of Tender Cell shall directly report to Chief Engineer.

The Standard Operating Procedure (SoP) for processing the tenders in "Tender Cell" at Corporate Office is enclosed as **Annexure-I**.

Encl: As above.

(Anil Manik Rao)
Group General Manager (Personnel)

Copy to:-

1. All Heads of Divisions, CWC, CO, New Delhi.
2. All Regional Managers.
3. PS to MD/PS to Director(M&CP)/PA to Director (Finance)/PPS to Director (Personnel), CWC, CO, New Delhi.
4. SAM(MIS), CWC, CO, New Delhi - with the request to arrange to upload the same on the official website of CWC.

Annexure-I**Standard Operating Procedure (SoP) for processing the tenders in "Tender Cell" at Corporate Office.****A. Pre award stage:**

1. The Tender Cell shall maintain Model tender document (MTD) for each Division and the content of NIT, instructions to Bidder and general condition of contract shall be standardized for each kind of the procurement like for construction works / other works / purchase of goods / purchase of consulting services / purchase of non-consulting services/ sale or auctions etc.
2. Each Division will prepare the project estimate, project specific tender BOQ and price schedules, project specific special and technical conditions of contract & qualification norms for bidders and will take the approval of the Competent Authority for calling open/ limited /single tender as per prevailing DOP.
3. The Division shall submit bid document, as approved by the Competent Authority, to Tendering Cell for onward publishing the tender, inviting the bids and award of contract. The Division shall clearly stipulate mode of procurement like (open/limited/single tender).

The bid document, to be submitted by division, shall consist qualification norms, estimated cost (if to be disclosed in tender), tender BOQ, Special and technical conditions of contract, delivery schedule, Project design and drawings related documents and other specific T&C / Agreement clauses etc.

4. The Tender Cell shall frame complete Tender document etc by compiling bid document received from concerned division, General conditions of contract (pre-approved by competent authority for each kind of procurement), NIT and ITB (instructions to Bidder) etc.

If any project specific alteration is required in content of NIT, instructions to bidder or in general condition of contract then tender Cell shall incorporate such changes into their tender Document only upon request of concerned Division. Prior approval of Competent Authority, as per prevailing DOP, should be available for such project specific alterations.

5. The in- charge of Tender cell will obtain the approval of competent authority i.e., officer in the Division competent to approve the NIT and invite the tender as per prevailing DOP.

The Tender shall be published in the name of concerned officer who has approved the NIT and delegated the power to call the tenders.

6. Tender cell shall publish approved tender document to invite the bids on CPP portal / GeM Portal/ CWC e- procurement portal as per procurement policy of the Corporation.

The tender Cell shall ensure advertisement of the tender in the newspaper(s) as per the tender advertisement policy of the Corporation.

7. The Tender Cell shall arrange for pre bid meeting (if any) during the live tender. The name of officers participating in the pre bid meeting shall be decided by the concerned Division with the approval of the Competent Authority.
8. The Tender Cell shall communicate with the bidders regarding the queries and replies relevant to the published tender. The replies shall be prepared jointly by tender cell and procuring division but only Tender Cell shall forward & publish the replies as per provision of Procurement portal / Tender document.
9. The Tender Cell shall publish any addendum/ corrigendum to the NIT.
10. In charge of Tender cell shall nominate to constitute the tender opening committee (TOC). Any three officers from Tender Cell shall be the member of Tender Opening Committee. These officers shall be nominated by in charge of Tender Cell based on the nature of procurement and availability of the officer(s) at the time of tender opening.

The In charge of the Tender Cell may also be member of the Tender Opening Committee.

The Tender Opening Committee (TOC) from Tender Cell shall open the tender as per due time lines mentioned in the NIT/ corrigendum.

11. TOC shall download all bids received from the respective e- procurement portal, will do the pagination and will make the committee report for further actions on the tender.

The tender opening committee report (TOCR) should be comprehensive, explicit and should elucidate about all credential documents received along with bid(s), key time lines of NIT, the EMD deposited by Bidders, The details of portal /newspapers where tender was published/advertised etc.

12. There should be a pre-approved standing tender evaluation committee (STEC), constituted by Competent Authority, based on the estimated cost & nature of the procurement. The Tender Cell shall submit the TOCR for further evaluation to such Tender Evaluation Committee (TEC).
13. The Tender Evaluation Committee shall evaluate the bid(s) presented by TOC and will prepare the Committee report (TECR).

TECR shall be prepared with clear recommendations for obtaining the approval of competent authority for acceptance/ rejection of technical bid (s) in case of two/three bid system and for acceptance of L1/H1 bid (in case of single bid system).

14. In case, any clarification is required in technical bid, it shall be obtained by Tender Cell, upon request of TEC as per the procedure mentioned in the NIT.

The Tender Evaluation Committee should inform to Tender Cell about requirement of such clarifications (if any). The content of the clarification/ queries with the bidder(s) during the technical evaluation shall be provided by TEC only.

15. The member of the TEC from concerned division (executing division) shall also act as a convener of TEC and will also prepare/ forward the minutes / technical evaluation note etc. to facilitate ease in evaluation by TEC.
16. The convener of TEC shall obtain the approval of Competent Authority on TEC recommendation after finalization of TECR.

The TECR should be comprehensive and should contain the clear information on following:

- a. The qualification criteria of the NIT.
- b. The technical evaluation criteria followed by TEC.
- c. The name of bidders who are recommended for rejection in techno commercial evaluation.
- d. The reasons of disqualification of each such bidder.
- e. The name of bidder(s) whose technical bid is recommended for acceptance and qualified for part -II etc. or opening the financial bid.
- f. The evaluations / marking of each bidder in case of the QCBS system of evaluation
- g. The information submitted and evaluations done by TEC should be supported with the documents of the bidder along with the reference of page numbers where these documents can be referred at later stage.

17. The Convener of TEC, upon receipt of the TECR approval from the Competent Authority, shall inform to tender shall for publishing relevant notice(s) on web portals for date and time of opening of price bid as per procedure mentioned in the NIT.

The bidders who are technically disqualified shall be informed as per the procedure of tender portal and conditions defined in the NIT.

18. The Tender opening Committee, duly constituted by in charge of Tender cell, shall open the financial bid(s) and will prepare a comprehensive report on the documents and comparison statement table of rates received in the financial bid of each bidder.

The TOC shall submit this report to TEC for further evaluation and recommendation.

19. TEC shall evaluate the financial bid, check the comparative statement table of rates and will determine L1, L2, L3 / H1, H2, H3..... Bidder (as the case may be). TEC will recommend the action based on the reasonability of the rates received in the bid.

The TECR on financial evaluation will be prepared explicitly citing clear recommendation on award of work/ counter offer/ price negotiation / rejection of bid etc. based on the conditions stipulated in the NIT.

20. The convener of TEC after obtaining the approval of Competent Authority on the recommendations of TEC shall inform to tender cell for final action on tender as per the approval accorded.

21. (a) In case of the counter offer: upon receipt of approval of competent authority for counter offer, The Tender Cell shall give notice(s), on portal /email (as the case may be), for counter offer to other bidders as per the procedure defined in the NIT.

- (b) In case of the price negotiation; upon receipt of approval of competent authority for conducting the negotiation with L1 bidder, the Tender Cell shall give notice to L1 bidder and will arrange the price negotiation meeting.

TEC who has earlier checked the reasonability of the rates during the financial evaluation will conduct the price negotiation with the bidder. Any additional

member may be nominated by the Competent Authority for specific purpose of the price negotiation if he/she finds it appropriate or so.

Further actions on opening / evaluation/ recommendation/ approval on these offers shall be done as per the procedure mentioned in the above paras (cl-18 to 20).

22. The In charge of Tender Cell shall place the letter of Acceptance (LOA) / Purchase order to the bidder(s) to whom the Competent Authority has approved for award of contract (s).
23. The Tender Cell shall initiate the action to refund the EMD to unsuccessful bidder(s) as per the procedure defined in the contract.
24. The Tender Cell shall keep concerned Division informed on the progress of the tender during various stages when tender is Live / opened/under evaluation or awarded.

B. Post award stage:

25. The in- charge of Tender cell shall communicate with the successful bidder for acceptance of LOA and submission of the performance security / guarantee (PG) etc.
26. The Tender Cell, upon receipt of Bank guarantee against PG, shall inform Cash & Bank Section, C.O.

Cash & Bank Section shall verify the genuineness and validity of performance bank guarantee through its ICICI SFMS platform system and inform the same to the Tender Cell. Thereafter, Tender Cell shall hand over the original bank guarantee (in case received in physical) to the Cash & Bank Section.

27. The Tender Cell shall also verify credential documents of the bidders from the clients / CA s who have issued these documents. The Tender cell should also verify the copies of the documents / affidavit submitted by bidders with the original documents. Such verification may be done at any stage as decided prudently by in charge of tender cell.
28. Upon receipt of confirmed PG, the Tender Cell shall arrange for signing of the contract agreement between the successful bidder, ie to whom the contract is awarded, and the authority in CWC as designated in the contract.
29. After award of work and signing of contract agreement, the tender cell shall handover the copies of contract documents to executing division and will share the copies of LOA/ Agreement etc. with concern officers in Finance/ Account Division.
The execution of contract including monitoring of PG etc. shall be done by concerned division.
30. The Tender Cell shall be a nodal contact point for settling the quarries, interacting with the bidders etc. right from the day of publishing the tender and up to the date the contract agreement is signed.

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by ROOPENDRA
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SHARMA Date: 2023.02.22
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In case the successful bidder back out or contract agreement could not be signed within the timeline defined in the NIT, the In- charge of the Tender Cell should act to recall the tender in consultation with the concerned Division.

31. The Tender Cell shall publish the details of award of contract on procurement portal(s).

The In- charge of the Tender Cell shall inform to Competent Authority regarding the details of contract awarded through open /limited / single tender through MIS /agenda etc.

Tender Cell shall be maintaining MIS report on actions on various tenders to apprise the Management as and when asked.

C. Others:

1. The officers in the Tender Cell shall keep themselves updated and well aware with the recent guidelines, policies of procurement approved by Corporation (CWC), released by Department of Expenditure (DOE) and Department of Public Enterprises (DPE), CVC, GFR etc. The Tender Cell shall also be responsible for ensuring that any new Govt. guidelines with respect to tender works are also complied with including levy of any statutory taxes. The Tender Cell shall also be looking into the content mentioned in the procurement manuals (goods, services, works, non-consulting services) for ensuring that all the contents therein are complied with. These manuals are issued by Ministry of Finance, Department of Expenditure, Public Procurement Division.

The officers will take the training of various e tools, procedures of publishing and opening and interacting on tender portal like CWC e procurement portal, GeM, CPP etc.

2. Tender cell shall reply to the audit, quarries of Vigilance Division, quarries of the management, RTI etc. pertaining to the procedures followed in award of the contract and clauses in model tender document.
3. The tender Cell shall keep the information of all type of tenders either at C.O. or at R.O. level. They shall maintain the list in the prescribed format for easy verification. As per CVC guidelines, Board of Directors are to be informed about the contracts awarded on nomination basis and the same is also required to be published on the website of the Corporation. This activity on centralized basis can be handled by Tender Cell and BoD can be informed on quarterly bases by the Tender Cell.
4. The centralized Tender Cell (at C.O.), shall also be issuing guidelines to all the field offices for ensuring standardized tendering procedure, so that tenders in the powers of RM are also in sync with the tenders floated at C.O. level.
5. Tender cell shall keep the track of validity of rate contract at CO and will initiate the action before expiry of existing rate contract for recalling the fresh tenders in consultation of executing division.