

DELHI DEVELOPMENT AUTHORITY

EM's OFFICE

No. EM 1(10)2006/ Cir. (M.P. Road)/DDA/ 2870

dt: 1/8/06

CIRCULAR No: 586

A- Pre qualification of Contractors: Relaxing the eligibility criteria:-

In one of the works inspected by CTE, it was observed that prequalification of the contractor has been done after relaxing the eligibility criteria mentioned in the Press Notice as well as in the prequalification documents, which resulted into issuing the tender to ineligible contractors (pre qualified on the basis of relaxed criteria) and subsequently awarding the work to ineligible contractor. This also resulted in not giving chance to all those eligible contractors who were eligible to apply for pre qualification (as per revised eligibility criteria) but could not apply because of higher eligibility condition advertised in press notice.

Therefore, in future all the Chief Engineers are advised not to relax the criteria of prequalification at the time of evaluation of P.Q. document; and in case it is essential for healthy competition to dilute the prequalification criteria, fresh applications shall be invited for relaxed criteria, instead of selecting contractor from the applications after diluting the eligible criteria.

B- Item Rate Tender: - Rate Not Quoted for One Item

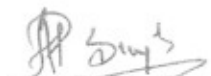
It has further been observed by CTE that in a particular tender the contractor did not quote rate for a particular item. However, as per tender condition, tender in which any of the prescribed conditions are not fulfilled or are incomplete in any respect, such tender are liable to be rejected. Instead of rejecting such incomplete tender or adopting "Nil" rate where contractor did not quote, justified rate observed to have been paid to the contractor, thus extending undue benefit to the contractor.

Therefore, it is enjoined upon all concerned that the tender in which any of the prescribed conditions are not fulfilled and / or the tender which is incomplete in any respect, shall be rejected. Wherever the contractor has not mentioned any rate against any item(s), the rates against such item(s) shall be treated as "Nil" for evaluation/ execution purposes.

Appropriate Amendment / Addition in General rules and Directions and Conditions of Contract in the PWD-6 as annexed at **Annexure-I, shall be incorporated in all future NITs.**

The above instruction shall be followed by all concerned meticulously.

Encl: **Annexure-I**


(A.P. Singh)
C.E. (H.Q.)

Copy to

1. All CEs (Civil/Elect.) DDA with 20 spare copies for further distribution amongst SEs and EEs, Jt. CAO/FO & CE (HQ), DDA
2. CE (QC), DDA with 10 spare copies for circulation among SEs and EEs under his control.

5901
24/8/06
AEZ
24/8

3. CE (Design), DDA with 10 spare copies for circulation among SEs and EEs under his control.
4. CVO, DDA with 16 spare copies for circulation among SEs and EEs under his control.
5. CAO, DDA
6. Project Manager (Flyover) Gr.I and II, DDA with 7 spare copies each for circulation among EEs and FOs.
7. Director (Systems) for necessary action.
8. Director (Hort.), North and South, DDA with 10 spare Copies each for circulation among Jt./Dy. Directors
9. Director (MM), DDA with 7 spare copies for circulation among EEs and FOs under his control.
10. Director (Works), DDA, Director (PR), DDA
11. EO-I, II, III, EE (PPC), DDA
12. Dy. CA.O (Plan), DDA
13. Sr.R.O, C- Block, Vikas Sadan
13. Hindi officer for Hindi version please.

Copy also forwarded to -

1. OSD to VC for kind information of the latter
2. EM for kind information.
3. F.M. for kind information

(V.K.Chopra)
EO III to EM

It has further been observed by CTR that in a particular tender the contractor did not quote for a particular item. However, as per tender condition, tender in which any of the prescribed conditions are not fulfilled or are incomplete in any respect, such tender are liable to be rejected. Instead of rejecting such incomplete tender or adopting "Nil" rate where contractor did not quote, justified rate observed to have been paid to the contractor, thus extending undue benefit to the contractor.

Therefore, it is enjoined upon all concerned that the tender in which any of the prescribed conditions are not fulfilled and/or the tender which is incomplete in any respect, shall be rejected. Wherever the contractor has not mentioned any rate against any item, the rates against such item(s) shall be treated as "Nil" for evaluation/execution purposes.

Appropriate Amendment \ Addition in General rules and Directions and Conditions of Contract in the PWD-6 as annexed at Annexure-I, shall be incorporated in all future NITs.

The above instruction shall be followed by all concerned meticulously.

Encl: Annexure-I

(V.K.Chopra)
C.E. (H.O.)

Copy to
1. All CE's (Civil/Elect), DDA with 10 spare copies for further distribution among
SEs and EEs, Jt. CAO & CE (HOD) DDA
2. CE (H.O.) DDA with 10 spare copies for circulation among SEs and EEs under his

PROPOSED CHANGES/ ADDITION TO GENERAL RULES & DIRECTIONS AND CONDITIONS OF CONTRACT IN PWD-6:

Sl. No.	Existing General Rules & Directions / Conditions of Contract in PWD-6	Proposed General Rules & Directions/Conditions of Contract in PWD-6
1.	<p>General Rules and Directions in PWD-6</p> <p>(9) The rate quoted by the contractor in item rate tenders will be the correct basis and not the amount worked out by them.</p> <p>(9A) The rate quoted in words will be the correct basis and not the rates shown in figures in case of discrepancy between them.</p>	<p>Proposed to be replaced against (9), (9A)</p> <p>(9) In the case of Item Rate Tenders, only rates quoted shall be considered. Any tender containing percentage below/above the rates quoted is liable to be rejected. Rates quoted by the contractor in item rate tender in figures and words shall be accurately filled in so that there is no discrepancy in the rates written in figures and words. However, if a discrepancy is found, the rates which correspond with the amount worked out by the contractor shall unless otherwise proved be taken as correct. If the amount of an item is not worked out by the contractor or it does not correspond with the rates written either in figure or words, then the rates quoted by the contractor in words shall be taken as correct. Where the rate quoted by the contractor in figures and in words tally but the amount is not worked out correctly, the rates quoted by the contractor will unless otherwise provided be taken as correct and not the amount. In the event of no rate has been quoted for any item(s), leaving space both in figure(s) , word(s), and amount blank, it will be presumed that the contractor has loaded the cost of this/these item(s) in other item(s) and the rate for such item(s) will be considered as Zero and work will be required to be executed accordingly.</p>
2.		<p>Following additions to conditions of Contract to be incorporated after S.No-2 of Condition of Contract, as</p> <p>(3) The contractor shall be deemed to have satisfied himself before tendering as to the correctness and sufficiency of his tender for the works and of the rates and prices quoted in the schedule of Quantities, which rates and the price shall, except as otherwise provided, cover</p>

[Handwritten signatures and initials in the left margin]

[Handwritten signature]
[Handwritten initials]

[Handwritten signature]

2/1/18

Sl.No.	Existing General Rules & Directions / Conditions of Contract PWD-6	Proposed General Rules & Directions / Conditions of Contract PWD-6
2.	GENERAL RULES & DIRECTIONS AND	all his obligations under the contract and all matters and things necessary for the proper completion and maintenance of the works.
	Proposed General Rules & Directions (Conditions of Contract in PWD-6) proposed to be replaced against (9) (A)	<p>(4) The several documents forming the contract are to be taken as mutually explanatory of one another, detailed drawings being followed in preference to small scale drawing and figured dimensions in preference to scale and special conditions in preference to General Conditions.</p> <p>(4.1) In the case of discrepancy between the schedule of Quantities, the Specifications and/or the Drawings, the following order of preference shall be observed :-</p> <ol style="list-style-type: none"> 1) Description of Schedule of Quantities. 2) Particular specification and Special Condition, if any. 3) Drawings. 4) CPWD Specifications. 5) Indian Standard Specifications of BIS. <p>(4.2) If there are, varying or conflicting provisions made in any one document forming part of the contract, the Accepting Authority shall be the deciding authority with regard to the intention of the documents and his decision shall be final and binding on the contractor.</p> <p>(4.3) Any error in description, quantity or rate in Schedule of Quantities or any omission there from shall not vitiate the Contract or release the Contractor from the execution of the whole or any part of the works comprised therein according to drawings and specifications or from any of his obligations under the contract.</p>



 10/8/18

