

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE MEMBER (FINANCE)
VARUNALYA BUILDING: KAROL BAGH: NEW DELHI-110005

NO. DJB/MEMBER (FIN)/TEND.PROCESS/2014/

DATED:- 18.09.2014

INSTRUCTIONAL ORDER

Following Orders have been issued by the authorities on the various subject from time to time to ensure clarity and transparency in the system:-

1. Instructional Order dated 10.6.2004 regarding preparation of estimates, tender, justification etc. issued by Member(WS)
2. Instructional order regarding procurement vouchers issued by Director(F&A)vide No.DJB/Dir(F&A)/Pre-audit/2004148122-148313 dated 2.11.2004
3. Instructional order No.DJB/MEM(F)/2005 /33218 dated 18.3.2005 regarding maintenance works/equipments.
4. Order NoF(3)/>DJB/M(WS)2005/160987 dated27.12.2005 of Member(WS) regarding WAC
5. Check list for payment issued vide No.DJB/Director(F&A)/2006/60388 dated8.6.2006
6. Instructional order No.C EO/DJB/PS/2007 /495 dated 8.5.2007 regarding STC
7. Instructional order No.DJB/SE(P)W/2007 /2633 dated 24.10.2007 regarding estimates and justification of more than Rs.50 lac to be checked by planning
8. Instructional order No.DJB/ACEO/2008/864 dated 12.6.2008 and DJB/CEO/2008/TC/1228 dated 26.8.2008 regarding technical committee and sub technical committee
9. Director(F&A) order No 72724 dt 12-7-2012
10. CEO circular NO F-81/DJB/CE(Dr)p-I.2012/3200 dt 16-8-2012
11. Instructional Order No.F220/Dir(F&A)/2012/96928 dated 6.9.2012 issued from CEO regarding proprietary spares/equipments/repairs.
12. Office order No.30 Dated19.2.13 issued from Director(A&P)and Office order No.04 Dated 07.08.14 discussed from EE(EDP) regarding Technical Committee.
13. Instructional order No.DJB/M(F)/2011/ Dated 26.05.11 regarding acceptance of single tender.
14. Endorsement No. DJB/Delegation of power/2013/228-428 Dated 05-03-2013 regarding delegation of power in two-bid system.

In order to stream line above instructional orders consolidated instructions on various issues i.e preparing of estimates, justifications and tendering process as well as role and responsibility of the Technical authorities Sub Technical, Technical/WAC, Finance wing etc. The orders have been incorporated herein and circulated for compliance.

(1) **Preparing of Estimate/proposal:** The estimate should invariably be prepared in a systematic manner containing the following information:-

1. Name of the project
2. Estimated cost of the project
3. Basis of rates adopted in the estimate: DSR or planning circulated/market rates are adopted.
4. Feasibility and implementation of scheme:-

(i) source of water supply/Sewerage Generation

(ii) will sufficient quantity of water/sewerage be available for area under consideration indicating the population proposed to be served. It should be certified before putting up the estimate that the system shall be optimally utilized.

5. The designing/hydraulic calculation of the system should be placed on file. The selection of material shall be in line with the circular issued by the S.E (Planning)Water/Drainage and subsequent decisions. The wall thickness/thickness of M.S pipes shall be designed/worked out precisely as per design.

Similarly, the class of D.I. pipes whether K-7 or K-9 should be decided keeping in consideration of pressure in the line/anticipated pressure along with other required design parameters. The planning shall examine and clear the proposal after the above technical requirements are met with.

6. Adequate provision of sluice, reflex, air & scour valves etc. as per the site requirements / technically viability is made.

7. Appropriate provision of crossing roads, nallahs wherever necessary, has been made.

8. Availability of land for the work or under the possession of department or as to whether the alignment is clear and permission has been obtained from the land owning agency for execution of work.

9. Realistic time schedule for completion of the work has been worked out.

10. Lay out plan should be on GIS map

11. Clearances/permissions to be obtained from various agencies should be listed out along with estimates.

2. Procedure of Technical and Administration sanction of project/supply

(1) **Technical sanction** : The technical sanction shall be given by the competent authority as per delegation of power.

Besides the above, it shall be certified for the following :

- a) That the estimate/proposal is really required
- b) The estimate is justified.
- c) The technical sanction is not based on the earlier accepted rates
- d) The quantities of the items included in scope of work are not likely subjected to the major change during execution of work. In case of need the same is required to be examined as regards to its essentiality and effect on the cost of execution and to be decided for payment within provisions of CPWD manual to avoid pecuniary benefit to contractor.
- e) The provisional/tentative budget liability has been booked by the divisional office under the proper head as per the latest circular of Director (Finance).

(2) **Finance concurrence to the estimate** : The finance concurrence shall be accorded to the estimate by designated competent authority w.r. to the budgetary provisions and the details provided w.r. to the above provision and regarding feasibility and implementation of scheme on which the expenditure is being proposed. In case of deposit work, availability of adequate funds as per estimated cost including anticipated increase needs to be ensured.

(3) **Administrative approval** : There upon, the case shall be submitted to the competent authority for administrative approval as per delegation of powers in the department.

(4) **Preparation of tender document/draft N.I.T** : The tender documents shall be prepared by the Ex. Engineer In charge of the work and shall be examined by the concerned S.E./C.E. The draft of the tender documents shall be approved by the competent authority as per the accepted procedure in the D.J.B.

- (i) for the works costing up to Rs 10 lac: EE concerned

- (ii) for the works costing >Rs 10 to Rs. 25 lacs : S.E. concerned
 (iii) for the works costing >Rs. 25 lac : C.E. concerned

Tender documents shall consist of eligibility criteria Bill of quantity, special & particular condition of the work, specification of work, Drawings, format of Bank Guarantee, different schedules as mentioned in the clauses of contract/General condition of contract, along with other documents as required) and other information as per the site requirements. The documents shall be properly bounded.

(5) Only standard tender conditions ir-respective of the cost approved by the Board shall be followed. In case any amendment is required in tender condition , it will be recommended by the concerned M(T), M(F) and approved by CEO.

(6) Justification of rates for the work:- The justification should be prepared and approved by the competent authority and kept in sealed cover before opening the tender. For the works costing Rs. 50 Lac or more the justification should be checked by the planning. The justification shall be prepared strictly as per D.A.R. and procedure contained in CPWD manual . The justification file shall contain all the documents identical to the approval draft N.I.T./Press Notification shall be placed in the justification file by the Planning. This supersedes earlier instruction for placing the copy of the N.I.T. in the justification file so as to avoid delay. It shall be ensured that the justification file duly checked by the circle should reach to the S.E.(Planning) directly by SE concerned within 7 days. The file may be sent by concerned S.E. In charge of the work to S.E.(Planning) directly. However, the earlier procedure & placing of documents in justification file as contained in the C.E.(C)-II's circular shall continue (i.e. reference to DSR number, page, DAR reference, General Conditions. Special Conditions, Bill of Quantities, Copy of N.I.T., Analysis of Rate, Lead & Lift, documents/quotations in support of market rates etc.). The SE(Planning) will convey one figure which will include Part-A,B and Part C as certified by the SE concerned. The S.E.(Planning) will get the justification checked and cleared within next 7 days . In case any clarification is required by Planning, S.E. (Planning) will call the concerned S.E./EE for taking suitable action in his office itself so as to avoid any delay. The file in general shall not be routed again. In case there is any major variation in the prices of the material based on DGS & D Rate Contract or the prevailing rates of SAIL which effects the justification shall be taken in consideration by concerned S.E. Planning over to above the finalized justification, which shall be clearly reflected in his note. In any case Financial bid shall be opened only after approval of departmental justification.

(7) PROCESSING OF TENDERS

Now e-procurement system has been introduced and notification procedure has also been changed and small notification is to be issued only through press and detailed tender document is to be uploaded on website of DJB.

After implementation of two-bid system for tendering technical bid is to be accepted by the officers as under:-

- | | | |
|-------|---|---------------------|
| (i) | Chief Engineer | Full Power |
| (ii) | SE/Director(A&P)/ DOR/DTQC/Director(Bottling) | >Rs 10 to Rs 25 Lac |
| (iii) | EE/Jt DOR/DD(H)/CWA | Upto Rs 10 Lac |
| (iv) | Asstt Engineer | Upto Rs 0.5 Lac |

Finalization/approval of tenders: It has been noticed that there have been abnormal delays in finalization of tender cases. The following procedure and the time schedule is circulated for compliance.

TIME SCHEDULE FOR THE WORK COSTING UPTO 10 LACS (No. Of working days)

- (i) **Validity of tender : 60 days**

A) DIVISION

- | | |
|---|--------|
| Comparative Statement by Head Clerk, AAO. : | 3 days |
| EE to A.E. for scrutiny Performa & comments : | 1 day |
| A.E. to E.E. : | 2 days |
| E.E. to AAO for financial concurrence : | 3 days |
| Financial concurrence : | 3days |

Procedure for opening of tenders shall be as per CPWD Work Manual with amendment if any as per section-18

B) CIRCLE : for the works costing upto 25 lacs

Validity of tender : 60 days

| | | |
|---|---|--------|
| Comparative Statement by Head clerk, AAO.: | | 3 days |
| EE to A.E. for scrutiny Performa & comments | : | 1 day |
| A.E. to E.E. | : | 2 days |
| E.E. to S.E. | : | 3 days |
| S.E. to E.E. | : | 3 days |
| E.E. to AAO for financial concurrence : | : | 3 days |
| Financial concurrence /AAO/AO | : | 5 days |

Procedure for opening of tenders shall be as per CPWD Work Manual with amendment if any as per section-18.

C) CHIEF ENGINEER

Validity-90 days

| | | |
|--|---|---------|
| Comparative Statement by Head clerk, AAO.: | | 3 days |
| EE to A.E. for scrutiny Performa & comments | : | 1 day |
| A.E. to E.E. | : | 2 days |
| E.E. to S.E. | : | 3 days |
| S.E. to C.E. | : | 3 days |
| C.E. to S.E. to E.E. | : | 6 days |
| EE.to AAO for financial concurrence : | : | 3 days |
| Financial concurrence /AAO/AO/Dy. Dir. (F&A) | : | 10 days |
| Dy. Dir. (F&A) to C.E. to S.E. to E.E. | : | |

5days

Procedure for opening of tenders shall be as per CPWD Work Manual with amendment if any as per section-18.

D) MEMBER (W.S.)/ Member (Dr)

Works costing 50 lacs to 100 lacs

Validity-120 days

| | | |
|--|---|--------|
| Comparative Statement by Head clerk, AAO.: | | 3 days |
| EE to A.E. for scrutiny Performa & comments | : | 1 day |
| A.E. to E.E. | : | 2 days |
| E.E. to S.E. | : | 3 days |
| S.E. to C.E./Member(W) | : | 3 days |
| Member(W)/C.E. to S.E. to E.E. | : | 6 days |
| E.E. to AAO for financial concurrence : | : | 3 days |
| Financial concurrence /AAO/AO/ | | |
| Dy. Dir. (F&A)/Dir (F&A) | : | 7 days |
| Dir. (F&A) to Member (W)/(Dr)/C.E. to S.E. to E.E. : | | 5 days |

Procedure for opening of tenders shall be as per CPWD Work Manual with amendment if any as per section-18. Cases involving negotiations and submission to C.E.O. for the works upto 3 crores and for approval and for placing preamble to Delhi Jal Board for the works costing more than 3 crores : additional 15 days

Queries of finance should be raised in one go to the extent possible which shall be replied by the respective wing. In case, the queries are raised by the Finance or otherwise by any other authority it shall be the responsibility of the concerned S.E. to ensure complete replies/clarifications etc. are given within 3 working days from the date of receipt of file in their office through the concerned C.E. (he may call EE & other related staff in his office to prepare the replies etc.)

All the officers/officials shall be responsible for their duties and need not required to be persuaded by the other officer/officials. The time mentioned above shall be adhered to. The tender cases presently under movement need to be expedited without any waiting for any reference from the clarifications seeking office. The required action be taken by the officers immediately at their personal level so as to avoid expiry of validity otherwise the officer/official holding the file shall be held responsible.

For budgetary control and other monitoring mechanism instructions issued from time to time regarding Financial management system should be followed.

All such cases are to be dealt in accordance of the delegation of financial powers of DJB authorities from time to time.

Tendering procedure should be followed within the provision of CPWD Manual, guidelines of CVC, Govt. of NCT and other instructions issued by the Competent Authorities of Delhi Jal Board from time to time to ensure transparency.

(8)Cases to be placed before Sub Technical Committee/Technical Committee:

The cases up to Rs.1.00 cr. should be approved/sanctioned by the various authorities under the delegated financial powers.

For the cases above Rs.1.0 cr. should be routed through Sub Technical Committee/Technical Committee(STC/TC) and for cases > 3 crore shall be routed through STC/T C and WAC for which revised guide lines are issue as under:

Role, functions and jurisdiction of sub-Technical and Technical Committee:

(For Administrative Approval of Estimates)

- (i) The Chief Engineer concerned should scrutinize all the cases from procedural, administrative, vigilance and technical angles and submit his recommendation in the Prescribed format to the Sub Technical Committee. For cases relating to administrative approval of the estimates costing more than 1 crore, concerned Member (Technical) will chair the Sub-Technical Committee*
- (ii) The Sub technical committee will recommend the cases for approval . The cases up to Rs. 3 cr.will be approved by the CEO with the concurrence in finance and cases above Rs.3 cr. will be placed before the board for approval.*

(For Award of Work)

- (iii) For cases relating to tender and award of work, the Sub-Technical Committee will be chaired by respective Chief Engineer (Planning) of other sector i.e for. all water cases, CE(Planning) Dr will chair STC and vice-versa .*
- (iv) the Chief Engineer concerned should scrutinize all the cases from procedural, administrative, vigilance and technical angles and submit his recommendation in the Prescribed format to the Sub Technical Committee ,which will submit its recommendation to TC*
- (v) the Technical Committee must be provided with the existing checklist, the prescribed Performa and recommendations of the Sub Technical Committee.*
- (vi) The Technical Committee may evolve a check list of guidelines for itself which will be followed , while recommending the case for consideration of the WAC. The following points must invariably be noted and recorded in the recommendations by the Committee:-*

The concerned Chief Engineer has certified that the tenders have been invited as per the approved technical estimates after following due procedure. (Again, in case of any

variation or deviation from the established procedures, the fact should be duly recorded and the Technical Committee will consider this aspect in its recommendations .

- a) The deliberations/negotiations of the Technical Committee have been carried out as per guidelines of the CVC. In case of any variation, reasons shall be recorded in writing by the Technical Committee in its recommendations.*

2. Technical Committee is an advisory body. However final authority rests with concerned technical and sanctioning authority. As DJB is following the CPWD manual, the responsibility and authority for all procedural, vigilance, administrative and technical aspects of a project/work remains with respective authorities, viz. EE, SE, CE .

3. In all cases, the concerned officers should exercise due diligence on procedure , vigilance, administrative and technical aspects, including those relating to choice of technology or Technical Qualification or Evaluation of Bids of CVC guidelines or allocation of supplies.

4. When any issue is referred to Technical Committee for advice, specific recommendation must be made by CE concerned, who, in any case, has the specific responsibility to pilot the proposal before the Board.

5. Technical Committee should deliberate on rates quoted by L-1 with respect to the departmental justification and negotiations is done as per CVC guidelines.

6. The background material for Technical Committee meeting should consist of existing check lists and Appendix-I (on lines of CPWD) and should be sent to all members at least 5 days before the meeting .

Timelines for Award Cases: Award Cases must be sent to:

>After STC recommendations, financial concurrence should be done within 10 days. The case after recommendation by STC and having seen in Finance should be presented to T.C.

- (i) > After recommendations in T.C. , The cases up toRs. 3cr. will be approved by the CEO with the concurrence in finance and cases above Rs.3 cr .should be placed before WAC for onward approval of Board through CEO DJB with the concurrence of Finance.*

9. Brief Check Lists on functions and composition of TC and STC and WAC - Appendix – I are annexed herewith.

MEMO FORWARDING TENDER CASES TO TECHNICAL COMMITTEE

1. Name of work.....
2. Reference to administrative approval and Expenditure sanction
 - (ii) Authority.....
 - (iii) No and date.....
 - (iv) Amount.....
 - (v) Proportionate amount available for the work included in the present tender.....
3. Reference to Tech sanction
 - (i) Scope of work.....
 - (ii) Authority.....
 - (iii) No and date.....
 - (iv) Amount.....
4. Scope of work; to be annexed
This should clearly indicate the items omitted from the sanctioned estimate and how the omitted items shall be executed.
- 5 Reference to approval of NIT
 - (i) Authority.....
 - (ii) No and date.....
 - (iii) Est Amount put to tender.....
 - (iv) Qualifications set for Technical Bid(technical/ Financial/ experience); to be annexed.
6. Reference to publicity:
 - (i) Date on which NIT was placed on notice board in Divisional Office.....
 - (ii) Date on which it was circulated to other offices.....
 - (iii) Name of Newspapers (with date and edition) in which the notice inviting tenders was actually advertised
 - (iv) Date of which NIT was placed on website and online tender system.....
7. (i) The date and time at which tenders were due to be received in Divisional Offices.....
 - (ii) Postpones date and time , if any.....
 - (iii) Reasons for postponement.....
 - (iv) Reference to publicity in regard to postponement of tenders.....
8. The date from which tenders were available for sale to contractors.....
9. Particulars of contractor to whom tenders were sold. Quote authority for issue of tenders to contractors not eligible to tender in remarks column.

| | | | | |
|-----|--|------------------------------|--------------------------|---------|
| (i) | Name of class in which Contractor registered | Department in which enlisted | Date of issue of tenders | Remarks |
|-----|--|------------------------------|--------------------------|---------|
10. Pre-Bid meeting, if any. .Detail of contractors attended and issue raised be provided
11. Opening of tenders
 - (i) Date and time at which tenders were due to be opened.....
 - (ii) (a) Date and time at which tenders were actually opened.....

(b) Name and Designation of Officer who actually opened the tenders.....

- (iii) Name of contractor present at the time of opening of tenders.....
- (iii) Name and designation of any other person present.....
- (iv) Have all the contractors, if not exempted , deposited earnest money in proper form.....
12. List of persons who tendered for the job , with their tendered amount

| Name of Contractor | Tendered amount | Net Tendered amount after negotiations, if any | percentage above or below justification |
|--------------------|-----------------|--|---|
| | | | |
13. (a) Justified percentage as worked out by CE.....
(b) Was the justification finalized before opening of tender? If No, detailed reasons
14. Date on which validity/ extended validity of tender of lowest expires.....
15. Important information
- Availability of site.....
 - Availability of stipulated materials.....
 - Approval to layout plan.....
 - Approval to building plans clearance from DUAC/ Local body.....
 - Comments on the capabilities of lowest tenderer including financial and technical resources.....
 - List of works in hand with lowest tenderers indicating the name of works tendered amount date of start stipulated period, progress made and remarks.....
 - Is this the first call of tenders? If not , details of pervious calls and results.....
 - Availability of funds.....
 - Justification.....
 - Any other information.....
16. Reference of forwarding of tenders by the Executive Engineer to the Chief Engineer :
No..... & date.....
17. Recommendation of the Chief Engineer.....
Shri.....
Date.....

SUB TECHNICAL COMMITTEE FUNCTIONS: Scrutiny and recommendations by STC based on

- ❖ Technical viability and feasibility (availability of water supply/ out fall of sewer/ Adequate pressure availability);
- ❖ Need and essentially of proposal / work and choice of technology for the work;
- ❖ Examination of all cases form vigilance angle so that all guidelines of CVC fare followed.
- ❖ Schedule of rates are followed and analysis carried out for non- schedule items.
- ❖ Procedural matters as per CPWD manual, CVC guidelines and extant instructions of DJB.
- ❖ Key points on tendering and evaluation process as per STC checklist are followed.

18. TECHNICAL COMMITTEE FUNCTIONS:

- To examine following
 - Financial and Technical sanction of competent authority is available.
 - Adequate and wide publicity is given.
 - Pre-qualification criteria are properly defined and notified.
 - Sufficient time has been provided for tender response and adequate market response is generated.
 - Standard check lists and appendix-I(on lines of CPWD) from CE/Concerned/ STC are available;
 - NIT conditions if it is with the approval of competent authority by giving equal opportunity to all participating bidders.
 - Entire Tender evaluation process is completed transparently within shortest possible time.
 - Conducting Negotiations as per CVC guidelines.

The constitution of Sub Technical Committee(For Estimates) :

- | | |
|--|----------|
| 1. Member(Water Supply)/Dr- | Chairman |
| 2. Chief Engineer(concerned) | Member |
| 3. Chief Engineer(WW) in case of Water or if work involves E&M work Or Chief Engineer(SDW) in case of Drainage | Member |
| 4. C.E.(Maintenance) of the area | Member |
| 5. SE concerned | Convenor |

The constitution of Sub Technical Committee(For award of work) :

- | | |
|--|----------|
| 1. Chief Engineer(Planning) Water for Drainage cases Or Chief Engineer (Planning) Drainage for Water Cases | Chairman |
| 2. Chief Engineer(WW) in case of Water Or Chief Engineer(SDW) in case of Drainage | Member |
| 3. Chief Engineer(concerned) | Member |
| 4. C.E.(Maintenance) of the area | Member |
| 5. SE concerned | Convenor |

The constitution of Technical Committee :-

Technical Committee(Water)

- | | |
|--|----------|
| 1. Member(Water Supply) - | Chairman |
| 2. Member(Finance)/Dir(F&Aupto 3 cr) | Member |
| 3. Member(Drainage) | Member |
| 4. Chief Engineer(Project(W) | Member |
| 5. Chief Engineer(Maint) of the area Member | |
| 6. Chief Engineer(E&M)Water Works | Member |
| 7. Chief Engineer concerned whose item is placed before the committee for consideration. | |

Technical Committee(Drainage)

- | | |
|--|----------|
| 1. Member(Drainage) - | Chairman |
| 2. Member(Finance)/Dir(F&A upto 3 cr) | Member |
| 3. Member(Water) | Member |
| 4. Chief Engineer(Dr)Pr.I | Member |
| 5. Chief Engineer(Dr)Pr.II | Member |
| 6. Chief Engineer(E&M)SDW NW | Member |
| 7. CE(Manit) of the area | Member |
| 8. Chief Engineer concerned whose item is placed before the committee for consideration. | |

Member of Technical Committee(IT related)

- | | |
|---------------------|----------|
| 1. Member(Finance) | Chairman |
| 2. Member(Drainage) | Member |
| 3. Member(Water) | Member |

| | |
|---|--------|
| 4. System Administrator | Member |
| 5. One CE from DJB who is directly related to the project | Member |
| 6. One Member from Delhi Govt. IT Deptt. | Member |
| 7. One representative of NIC | Member |

The constitution of Work Advisory Committee(W/Dr):-

| | |
|---|----------|
| 1. Member(DR)/(WS),DJB | Chairman |
| 2. Member(Fin),DJB | Member |
| 3. One representative of PWD | Member |
| 4. Chief Engineer(Civil) Maintenance of area concerned | Member |
| 5. Chief Engineer((Dr)Project, DJB for drainage cases only | Member |
| OR | |
| Chief Engineer(W)Project, DJB for water cases only | Member |
| 6. Chief Engineer(E&M)-WW for water cases only | Member |
| OR | |
| Chief Engineer(SDW) for drainage cases only | Member |
| 8. Concerned Chief Engineer, DJB of the work | Member |
| 9. Representative from CGWB | Member |

Member of Work Advisory Committee(IT Related matters):-

| | |
|--|----------|
| 1. Member (Finance) DJB | Chairman |
| 2. System Administrator DJB | Member |
| 3. Director(F&A) | Member |
| 4. One Member from Delhi Govt. IT Deptt. | Member |
| 5. Representative of M/sTCIL | Member |
| 6. Representative of M/s ECIL | Member |
| 7. One representative of NIC | Member |

(3) For Proprietary items:

Instructional Order No.F220/Dir(F&A)/2012/96928 dated 6-9-2012 issued from the office of CEO(Copy enclosed.) should be followed.

(4) PROCUREMENT VOUCHERS

In case of procurement of material it has been observed that procurement vouchers of the manufacturers./dealers have been produced of the firms which is neither the manufacturer/dealers of the item being supplied nor in existence in some of the cases so it is evident the sub standard material has been supplied against the standard item. Further , Test Certificate and Guarantee of the manufacturer of the Bearing and other items are not being obtained by the Division from the Contractor.

In view of above, executive Engineers are directed for strict compliance that:

- a. *Challan of bearings and other items be obtained from the Contractor. C.A. No and consumption be noted thereon and then attested copy be enclosed with the Bill. Cuttings and use of white/coloured correcting fluid on the Procurement Vouchers is prohibited;
Test Certificate and Guarantee of the Bearings and other items (issued by the manufacturer) be obtained from the Contractor along with the bill.*

(5) REPAIRS/MAINTENANCE WORKS/EQUIPMENTS/Vehicles

- A. *It has been noticed that pump-set ,motors/Vehicles are being repaired during the guarantee period. It is learnt that considerable expenditure is being incurred on repair of equipments installed on various installations . Henceforth, Before, the estimate for repairing of Pump-Set motors and other installation is prepared the following details should be prepared:-*
- I. *Maintenance Register for each installation should be maintained separately and the maintenance register should be given separate pages for each major equipmentsviz motor, submersible pump ,mono Block , Panel Board of HT lines, Transformer etc.*
 - II. *The page of each equipment shall contain serial No of equipment allotted by the division, the serial No allotted by the manufacture if any the initial cost of equipment with reference of order no& date the expenditure incurred on their maintenance from time to time indicating work order No ,date ,cost thereof and guarantee period.*
 - III. *Guarantee period of each pump-set ,Motor and other installations should be clearly laid out. At the time of payment of repair of any equipment Maintenance Register shall be submitted to the concerned ACA who will counter sign the same.*
- B. *Instructions issued for spot quotation from time to time by the authorities should be complied strictly*
- C. *It is noticed that a large number of repeat orders are being issued. This should be avoided and in case they are of urgent need the sanction should be obtained from the concerned Authority as laid down in delegation of power and financial concurrence of AO/Sr.AO concerned for cases upto RS 10.00 Lac / Director(F&A) for cases uptoRs 50.00 Lacs/ Member(Finance) for cases upto any limit in respect of spot quotation.*
- D. *It may be ensured that every NIT is displayed on DJB website and a certificate in this respect be recorded by division concurrence /release of payment stage that NIT has been displaced on DJB website, duly acknowledged by PRO section.*
- E. *Purchase of E&M equipment should be made only from manufacturers and in case of authorized dealer as so intimated by the manufacturer.*
- F. *It has been observed that cases for purchase of E&M and Civil Maintenance equipment are generally split up deliberately in spite of the fact that all these cases of supplies/worksshould have been included in the same NIT . This should be avoided and consolidated proposals be framed to attract competitive rates.*
- G. *While framing estimates for procurement of E&M equipment, discount available on the latest price list should be considered.*
- H. *It is felt that estimates for purchase of E&M equipments are prepared on prevailing market rate so often without considering the trade discount involved, there is no scope for adding any other component in the estimated cost to justify the received/tendered rates. Hence, in such cases Contractor profit may not be considered in departmental justification.*
- I. *It is seen that various makes of a product are mentioned in the estimates for procurement of E&M equipments, it must be ensured that rates taken in the estimate are of the make having lowest price, which also meets departmental specification.*
- J. *Guarantee and original test certificates of E&M equipments should always be on printed form of the manufacturer with proper serial no etc.*
- K. *Submersible pumps/motors be got repaired invariably from manufacturer/Authorized dealer. Efforts made to pursue the manufacturer/Authorized dealer to repair the E&M equipments are brought on record.*

6. Further In order to ensure a transparent and predictable bidding environment in Delhi Jal Board, and that promotes competition, the following instructions should be complied :

1. **Standard Tender Documents for EPC/ DBO Projects:** All Divisions would use DJB's standardized documents for General Conditions of Contract and for General, Technical and Financial eligibility criteria for all Item Rate, Percentage Rate Tender, EPC and DBO projects costing>Rs. 3 crore. Accordingly, for all works with estimated cost>Rs 3 crore, open tendering would be undertaken and to that extent DJB registered contractors would be treated at par with other bidders for such projects. Even for works costing>Rs 3 Crore, all Divisions are encouraged to use DJB's standard tender documents
2. **Lowest Life Cycle Cost Principle:** The contracts would be awarded on lowest life cycle (LLC) cost *principle* wherein overall project cost, including Capex + Opex + Energy + Spares+ Land etc. over a period of 15 years would be evaluated (Model Excel sheet may be downloaded from DJB web-site) and emphasis would be given to open technology procurement, with put parameters monitored against pre-specified Key Performance Indicators. Even for EPC procurement of works/ E&M supplies, life cycle cost for at least 3 years duration would be/taken into account. Further, to ensure that LLC actually delivers in practice, no change of command area (disturbs most efficient duty point of pumps in terms of 'Head' & 'Discharge' that are fixed on basis of hydraulic

modeling - use of currently in vogue Water Gems/ Sewer Gems software for the purpose has already been mandated) would be allowed from initial, unless there are urgent and compelling reasons, and all concerned from Civil and E&M side are taken in confidence and accordingly necessary adjustments made. To prevent shift of command area projected requirements such as population rise, etc. would be duly incorporated while designing the capacity and most efficient duty point of E&M equipments. Specific approval of concerned Member (Technical) will be taken for change of command area.

3. **Price Negotiations:** Price negotiation will not be held with L-1 bidder if quoted price 'P' is > 1.25 times the Justified Rate (JR) in first call of tender. However, if JR preparation is not possible and basis for comparison is Suggestive Cost (SC), the SC would be first firmed up by the Sub-Technical Committee (STC), in its very first meeting, after receipt of bids to ensure that no element within Scope of Work has been left out in preparation of SC. If still $P > 1.25*SC$, no price negotiations would be held. If $P < 1.25*JR/SC$, the negotiation would be done with LI to bring down P within JR/SC. However, if it is not first call of tender, price negotiation may be held with L-1 bidder even if $P > 1.25*JR/SC$, to bring the same within JR/SC. In exceptional cases, for reasons to be recorded in writing Up to 1.05 times JR/ SC could be accepted with prior concurrence of CEO. Further, to ensure fair comparison of awarded prices across DJB, copy of work order issued by a Division would be marked to all other Divisions.
4. **Single Tender Case:** In case of receipt of single bid only, under open e-bidding route or when only one technically qualified bidder is left at end of such process, the price bid could be opened for evaluation and award of work. However, prior to opening the price bid, the Chief Engineer/ Director concerned would ascertain that the technical and financial qualification criteria is not overly strict or there is any unreasonable/unrealistic condition in the tender which prevented at least 3 bidders being eligible to submit bids. Further, in this case, P would be negotiated (provided it is $< 1.25*JR/SC$, in accordance as mentioned above so that it is within JR/SC and the work awarded after taking approval of the next higher level. However, if it is assessed that the technical and financial qualification criteria was overly strict or there was any unreasonable/unrealistic condition in the tender which prevented at least 3 bidders being eligible to submit bids, then bids would be recalled by relaxing those conditions). This would be in best interest of DJB since each recall leads to time induced cost escalation besides loss of opportunity cost from delayed realization of project benefits. Also, as mentioned above, to ensure fair comparison of awarded prices across DJB, copy of work order issued by a Division would be marked to all other Divisions.

After taking into consideration the observations of the Public Accounts Committee in its meeting on 22-02-11 and the board in its meeting on 29-03-2011 it has been decided that single tender should be avoided except in exceptional and emergent circumstances. It should be accepted only when tender has been invited more than one time or the work is so emergent that it cannot be postponed for the re-invitation of tender. All such cases where it is essential to accept the single tender detailed justification would need to be recorded by the Chief Engineer concerned and each case will be required to be approved by the Competent Authority not below the rank of Chief Engineer.

5. **DJB's Schedule of Rate:** DJB's own Schedule of Rates for water and sewer projects would be implemented.
6. **Standard Tender Documents for PPP Projects:** DJB would standardize tender conditions for PPP projects.
7. **Training of Contractors:** Mandatory training of contractors in Projects Management for seeking registration with Delhi Jal Board and tie-up all modalities in this regard.
8. **Seeking clarification post-receipt of tenders:** On opening of technical bids after receipt of tenders, it is often noticed that the documents submitted by bidders are either incomplete or inadvertently leave out a few critical documents that are vital to ensure that the bidder meets the technical, general and financial qualification criteria. Strictly speaking this is result of oversight/ careless attitude of bidders and bids could be rejected as 'non-responsive'. However, this stand may not be in best interest of DJB, since it qualifies only a limited number of bidders and/ or may even necessitate re-

tendering in case no bidder qualifies. Re-tendering is associated with time-induced cost overruns besides loss of opportunity cost from delayed realization of project benefits.

Hence, the concerned Chief Engineer/ Director may obtain clarifications on the documents submitted with the Technical bid by bidders to enable the bidders to complete incomplete documents, supply missing documents and/or withdrawal of conditions, if any, in deviation with the tender conditions. However, not more than 15 days would be given to bidders for this purpose. This will not put DJB to any disadvantage and / or accord any advantage to bidders. During seeking of clarification, bidder would not be allowed to contradict an already submitted document/ fact. The clarification will be sought only on conditions laid down in the tender documents, and in no case would any tender eligibility criteria be relaxed to make bidders eligible. The price bid would be opened only after Technical evaluation is completed and technically qualified bidders declared. No clarification would ever be sought on price bid or on any part of technical bid after the price bid is opened. The tender should clearly bring out the process of clarification. This shall initially apply to works having estimated cost >Rs. 50 lac

In civil and EE(E&M) wings purchases of material /spare parts purchases should be made only on divisional basis instead of section/ ZE/AO wise.

For Scrutiny Performa for estimate and awards of work should be used as circulated by the department.

For repair works particularly in vehicle and Pumps etc job register should be maintained of reach pump/Vehicle No payment should be processed for sanction /release unless it has been processed in the Job register/log book.

Before making the payment the following check list should be followed:

17. CHECK LIST PERFORMA BEFORE MAKING PAYMENT

1. *Is the contract agreement duly signed by the Contractor/ Department? Yes/ No*
2. *Whether latest conditions of contract available at DJB websites have been made part of contract agreement? Yes/ No*
3. *Whether Budget Provision for amount of bill in question exists and in case of loan works covered under approved Action Plan? Yes/ No*
4. *Is the gross amount of bill within the sanctioned amount as per contract? If there is excess, whether the approval of excess amount has been obtained from competent authority as per delegation of powers? Yes/ No*
5. *Is the stipulated period of completion over? If so , whether extension of time granted by the competent authority or amount withheld from dues of contractor as provided in the contract? Yes/ No*
6. *Are the measurements of work done duly checked by Technical Officer(s) as required? Yes/ No*
7. *In case of supply of material, is the material duly accounted for in the stock register? Yes/ No*
8. *In case of advance granted , if any, whether recovery of advance has been effected along with interest as per contract? Yes/ No*
9. *In case of final bill whether all recoveries due from the contractor /supplier have been effected, site has been cleared of all encroachments i.e removal of jhuggies/stores etc. Yes/ No*
10. *The bill has been diarized date wise in the Account section and no earlier bill is pending for payment. Yes/ No*
11. *Rates and calculations checked arithmetically and nomenclature is tallied with bill of quantity an supply/ work order. Yes/ No*
12. *Whether purchase vouchers along with test report/guarantee period for material/ E&M equipments/spares have been duly obtained in context of each and every of civil /E&M/ contract duly verified in original purchase vouchers by JE/AE that the material has been consumed in C.A. in question and a Photostat copy is made available with the bill? Yes/ No*

13. *Whether due applicable recoveries like income tax, VAT, Water Charges, Security Deposit, non submission of labour report, Building cess have been made? Yes /No*
14. *If the contractor has arranged water form own sources, whether sample of water has been got tested from DJB Lab and test report is made available with the bill? Yes/ No*
15. *Whether the labour report submitted by the contractor covers all aspects as per provision of C.A.? Yes / No*
16. *Whether reason for non recovery of Building and other construction workers welfare cess has been mentioned? Yes / No*
17. *Whether the inspection of third party has been carried out wherever applicable? Yes / No*
18. *Whether recovery for not employing the qualified Engineers by the contractors as per provision of C.A. has been made? Yes / No*
19. *Whether test check statements cement statement and completion report wherever applicable is available with the bill? Yes /No*
20. *All labour issues are clear. Yes/No*

In Civil and E(&M) wings purchases of material /spare parts purchases should be made only on divisional basis instead of section/ZE/AO wise

For Scrutiny Performa for estimate and awards of Work should be used as circulated by the department (Copy Enclosed)

For repair works particularly in Vehicle and Pumps etc Job register should be maintained for each pump/Vehicle No payment should be processed for sanction/release unless it has been processed in the Job register .

This instructional order issued with the approval of the competent authority and supersedes all above previous orders on the subject.

Sd/-
(S.N.A NAJMI)
MEMBER (FINANCE)

All CEs

*Copy for kind information to :
CEO/Mem. (A)/(WATER)/(DR).*