DELHI DEVELOPMENT AUTHORITY DDA: with 16 spare copies fc and FPs under

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

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

In one of the works inspected by CTE, it was observed that pregualification 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 elegibity 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

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.

- 3. CE (Design), DDA with 10 spare copies for circulation among SEs and EEs under DELHI DEVELOPMENT AUTHORITY
- 4. CVO, DDA with 16 spare copies for circulation among SEs and EEs under his control. No. EM 1(10)2006/ Cir. (M.P. Road)/DDA/ _____
- 5. CAO, DDA
- 6. Project Manager (Flyover) Gr.I and II, DDA with 7 spare copies each for circulation among EEs and FOs. See 100 MALUDAID
- 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 contractor has been done after relaxing the eligibility criteria mention
- 10. Director (Works), DDA, Director (PR), DDA musob nonsoft laupong out mi se llow se
- 11. EO-I, II, III, EE (PPC), DDA or the basis of relacions contractors (pre qualified on the basis of relacions)
- 12. Dy. CA.O (Plan), DDA bettuser osla sidi contractor. This also resulted ADD, CA.O (Plan)
- 13 Sr.R.O, C-Block, Vikas Sadan I digita of sldigila eraw odw stotaethos eldigila erawl
- 13. Hindi officer for Hindi version please. Saussed ylique ton bluos but (sinetity ytilidigile Copy also forwarded to -
- 1. OSD to VC for kind information of the latter land and the annual ni anotared I
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- healthy competition to dilute the prequalification criteria. free noithmrofni bnix rol.M.T for relaxed critique instead of selecting contractor from the applications a

15 (756) 0 0 0 B. Item (krqoh, X.V). Rate Not Queted for One Item EO III to EM

It has further been observed by CTE that in a particular tendes the contractor did not

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

Proposed General Rules & Directions

_	completion and maintenance of the works	
SI.	Existing General Rules & Directions / Conditions of Contract in PWD-6	Proposed General Rules & Directions/Conditions of Contract in PWD-6
www.commission.com		
scale	General Rules and Directions in PWD-6	Proposed to be replaced against (9), (9A)
201197	1 11 D-0	(0) In the case of the Data Tondon calculation
ot so	(9) The rate quoted by the	(9) In the case of Item Rate Tenders, only rates
	contractor in item rate tenders win	quoted shall be considered. Any tender
adt o	be the correct basis and not the	containing percentage below/above the rates
Petait:	amount worked out by them. di (1,4)	quoted is liable to be rejected. Rates quoted by
	(9A) The rate quoted in words will	words shall be accurately filled in so that there
	be the correct basis and not the rates	is no discrepancy in the rates written in figures
	shown in figures in case of	and words. However, if a discrepancy is found,
	discrepancy between them. drivered (1	the rates which correspond with the amount
	Condition, if any.	worked out by the contractor shall unless other
	3) Drawings.	wise proved be taken as correct. If the amount
	() CPWD Specifications.	of an item is not worked out by the contractor
	S) Indian Standard Specifications of Bif	or it does not correspond with the rates written
	The state of the s	either in figure or words, then the rates quoted
	4.2) If there are, varying or conflicting	by the contractor in words shall be taken as
entine	provisions made in any one document for	correct. Where the rate quoted by the
1	part of the contract, the Accepting Author	contractor in figures and in words tany but the
	shall be the deciding authority with regar	amount is not worked out correctly, the rates
00.00	the intention of the documents and his	quoted by the contractor win unices otherwise
	recision shall be final and binding on the	provided be taken as correct and not the
	contractor:	amount. In the event of no rate has been quoted
	.1013/01/102	for any item(s), leaving space both in figure(s),
01077	4.3) Any error in description, quantity or	word(s), and amount blank, it will be presumed
	a Schedule of Quantities or any om	that the contractor has loaded the cost of
1	there from shall not vitiate the Contra	this/these field(s) in other field(s) and the rate
1	mere from sman not violete the Contractor from the execute	for such field(s) will be considered as zero and
	the whole or any part of the works com-	work will be required to be executed
Car Car		accordingly.
2.	nerela according to drawings specifications or from any of his obliga	ronowing additions to conditions of Contract to
		be incorporated after 5.140-2 of Condition of
	ander the contract.	Contract, as
		(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
	- 15	schedule of Quantities, which rates and the
1		I work a self-off control of the con

price shall, except as otherwise provided, cover

ban (a) mati radio al (a) mati acadizadi 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	Sl.No.	Existing General Rules & Directions / Conditions of Contract PWD-6	Proposed General Rules & Directions /Conditions of Contract PWD-6
3) Drawings. 4) CPWD Specifications. 5) Indian Standard Specifications of BIS. 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. 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 there in according to drawings and specifications or from any of his obligations and and any of his obligations.	2. Ily rates tender tender oted by order and figures and figures stound, amount amount as other	6-GW9 toarno ho anoitibno \(\) (ERAL RULES & DIRECTIONS AND roposed General Rules & roposed to be replaced against (9), (9A) in the case of Item Rate Tenders, or untaining percentage below/above the contractor in item rate tender in figured shall be accurately filled in so the vords shall be accurately filled in so the shall be accurately filled in so the and words. However, if a discrepancy in the rates written in the rates which correspond with the worked out by the contractor shall unled worked out by the contractor shall unled to the	/Conditions of Contract PWD-6 all his obligations under the contract and all matters and things necessary for the proper completion and maintenance of the works. (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. (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:- 1) Description of Schedule of Quantities. 2) Particular specification and Special
(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. (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	tiracior written quoted	of an item is not worked out by the contribution in does not correspond with the rates after in figure or words, then the rates	3) Drawings.4) CPWD Specifications.
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		hat the contractor has tonded the bis/these frem(a) in other item(s) and or such item(s) will be considered as I work will be required to be accordingly.	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