



PMC Cell – MM

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Circular No. 03/2021

No: MAT/PMC/13(29)/2021

Dated: 28.01.2021

Sub: System improvement in tendering processes as advised by CVC.

Consequent to investigations carried out in some of the cases, following observations have been made and referred by the investigation agency for necessary systemic improvement measures:

- (i) Following Note (viii) of Standard BEC related to “Criteria for ascertaining Financial Capability of the bidders” was not found incorporated in the BEC of Tender:

“In the tender, if there is specific provision allowing bidders to quote part quantity for each item/category/group (evaluation in that case being done item wise/category wise/ group wise), then bidder should meet financial criteria required for the item/category/group and being offered by the bidder. In case the bidder quotes for more than one item/category/group, then the bidder has to comply with the financial parameters after adding up all the item/category/group quoted by them in the tender.”

This led to wrong interpretation of bid value by some of the bidders. Tender Committee evaluated the bids as per past practice though the above provision was not incorporated in the BEC. Two bidders had got rejected for not meeting financial criteria, after opening of Price Bids.

- (ii) While recommending the BEC to be followed in a tender, comparison of BEC provisions proposed to be followed in current tender w.r.t BEC provisions in previous tender, was not done which is required to be done as per para 11.1.2.6 of IMM Manual.
- (iii) Bidder offered the same products in two different tenders (say Tender-1 and Tender-2). In Tender-1, parameters mentioned in technical catalogue of manufacturer and technical data sheet provided by bidder, were same. Offer of the bidder was rejected for not meeting the technical specifications of tender.

In Tender-2, bidder submitted same technical catalogue. However, parameters mentioned in technical catalogue of manufacturer and technical data sheet provided by bidder, were different. Offer of the bidder was considered acceptable based on the details available in technical data sheet, even though there were mismatches in technical catalogue and technical data sheet.

Further, though the same products was quoted by the bidder in both the tenders, result of technical evaluation of Tender-1 was not taken into consideration while evaluating offer for Tender-2.

In view of the above observations in three referred cases, following systemic improvement measures to be complied:

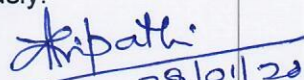
- i) Tender should be evaluated strictly as per BEC/terms & conditions specifically stated or referred in that tender. Evaluation of tenders should not be based on "Presumptions" or "Past Practices".

Further, utmost care should be taken by concerned officer/group that tender document is prepared based on provisions approved by the competent authority. Uploading or issuing tender document by deleting a clause or para which has already been approved, will be viewed as a serious lapse.

- ii) Para no. 11.1.2.6 of Integrated MM manual, stipulates that the Bid Evaluation Criteria (BEC) along with the Matrix will be brought before the Competent Purchase Authority for approval. In case, if some particular clause is proposed to be modified, then the existing clause and proposed modification along with the reasons/justifications for modifying the clause should only be submitted to the CPA while seeking approval of the BEC. This should be complied by all.

- iii) While offering technical comments, Indenting/technical section should go through the change in status of the bidder from earlier tender vis-a-vis current tender i.e. Technically Acceptable (TA) to Technically Not Acceptable (TNA) or vice-a-versa. If there is any change in status of bidder, the same should be clearly brought out in technical comments along with proper justifications and details. Tender committee to deliberate on change of Technical/commercial status with respect to previous tender for same item, and submit their recommendations with full justifications.

All concerned are advised to comply the above instructions meticulously.


29/01/2021
(A. P. Tripathi)
ED-Chief MM Services

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