

ANNEXURE-I

Copy of Railway Board's letter No. 681 WI/ CT/ 15 dated 15th July 1968 addressed to General Manager All Indian Railways including C.L.W., D. L W., I. C. F., R.C F., and The Director General R.D.S.O./Lucknow.

Sub : **Tender — Rejection of lowest offer.**

An instance has come to the notice of the Board where a Tender Committee rejected the lowest quotation on the recorded ground that the contractor did not submit either the credentials or the income tax clearance certificate. On further examination it was found that the actual reason for the rejection of this Tender was that the Tender Committee did not consider the lowest Tenderer suitable for the award of this contract and the contract was correctly awarded to the next higher Tenderer, whom the Tender Committee considered suitable.

The Board desire that suitable instructions should be issued so that in future, the Tender Committee should give their reasons in greater details while rejecting the lowest Tenderer, for proper approval of the case later, if necessary.

Sd/-
(K. K. MITRA)
Joint Director, Civil Engineering
Railway Board.

ANNEXURE-II/4-32

Copy of Board's letter No. 85/RS (G)/ 777/2 dated 8th November 1985 addressed to General Manager, all Indian Railways and others.

Sub : **Non-acceptance of late/delayed/post Tender offers.**

In partial modification of this office letter No. 71/RS (G)/777 dated 1st August 1981 and 19th April 1984 the Railway Board have decided that the instructions contained therein do not apply to late single Tender received against proprietary article certificate.

This issues with the concurrence of the Finance Directorate of the Ministry of Railways.

ANNEXURE-II/4-33

Copy of Board's letter No. 87/ RS (G) 779/ 12 dated 19/23rd June 1987 Addressed to General Managers of all Indian Railways and others.

In a recent Tender case relating to import of equipment the Technical Evaluation Committee rejected the offer of one of the bidders on account of non-compliance with the minimum experience requirement and non-compliance with the clause that the equipment, offered must be compatible with equipment already installed. The first shortcoming in the offer became known at a fairly early stage of the Technical evaluation of the offer and it was a sufficient ground to reject the offer. As regards the second requirement, though several

discussions were held with the prospective bidder and correspondence exchanged, a conclusive reply was not obtained from him as to whether the equipment would fully meet the Technical Specification. Since the bidder had responded to other questions of the Technical evaluation committee with positive answers, he concluded (albeit incorrectly) that his offer had been found technically suitable. When the bidder learnt that his offer had been passed over, he made a series/ of complaints against the Tender Committee.

2. Board desires that, in the first instance, the Technical Specification / requirements should be carefully drawn up so as to clearly bring out the Specific requirements & of the Tender. Thereafter Officers dealing, with evaluation of Tenders must be careful to ensure that they make direct and to the point queries while obtaining clarifications to the bids and try and get positive responses either affirming compliance with the requirements or clearly bringing out the deviations.' The questioning should not be done in such a manner as to leave important issues relating to Specifications unanswered or leave any bidder with an erroneous impression that the Evaluation Committee had found his bid to be acceptable

3. It should also be ensured that if the bid is found to be obviously unacceptable because of a major shortcoming, a clear decision should be taken in this regard as soon as the fact becomes known. The bidder should not thereafter be called again and again for further clarifications.

ANNEXURE-II/4-34

Copy of Board's letter No. 88/RS(G) 777/1 dated 10th August 1988 Addressed to General Manager all Indian Railways and others.

Sub : Procedure for finalisation of Tenders in Railway Boards.

At present the follow among others types of cases are received from Zonal Railways/ Production Units for finalisation in Boards Office-.

1. Cases referred to by Zonal Railways for indigenous items where the value of procurement exceeds Rs. 5 crores.
2. Cases referred to by Zonal Railways in respect of imported Stores where the value of procurement exceeds Rs. 2 crores.
3. Cases refereed to by Zonal Railways involving acceptance of unusual terms like advance payment etc.

With a view to reducing the delays and to streamline the procedure for acceptance, revised procedure has been devised. Accordingly, it has been decided that in so far as the above types of cases are concerned, Railway/Production Units should send recommendations in five copies for placing before an Appreciation Committee. The recommendations should be fully self-contained duly accompanied by requisite data Annexures wherever necessary. Tender files should under no circumstances be sent in original unless specifically called for by Board.