



GOVERNMENT OF ODISHA  
DEPARTMENT OF ENERGY

**TECHNICAL BID DOCUMENTS / DETAILED TENDER CALL  
NOTICE FOR THE WORK**

**Creating 02 nos. of Energy Conservation Awareness Stalls and  
Stage Show during Baliyatra-2023 at Cuttack.**

Approximate Estimated Cost Put To Tender:

**Rs.14.45 Lakhs**

**OFFICE OF THE ENGINEER IN CHIEF (ELECTRICITY) -CUM-  
PRINCIPAL CHIEF ELECTRICAL INSPECTOR, ODISHA, BBSR**

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GOVERNMENT OF ODISHA  
OFFICE OF THE ENGINEER-IN-CHIEF, ELECTRICITY-CUM-  
PRINCIPAL CHIEF ELECTRICAL INSPECTOR: ODISHA  
UNIT-V, POWER HOUSE SQUARE, BHUBANESWAR  
PH:-0674-2394873/FAX-2391255/2391014  
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**BID IDENTIFICATION NO: 01 / EIC(E) / BBSR / 2023-24**

No.TECH-EC-582 (Vol-IV)/ **6646** / Dated, the **04<sup>th</sup> November 2023**.

1. The **Engineer In Chief (Elec.) -cum- PCEI, Odisha, BBSR** on behalf of Governor of Odisha, invites **Percentage Rate** bids in **Single Cover System** in **Online Mode** for creating 02 nos. of Energy Conservation Awareness Stalls and Stage Show during Baliyatra-2023 at Cuttack as **works** detailed in the **DTCN** from the eligible Class of Firms.
2. No. of work : **01 (One)**
3. Tender Cost : **Rs.6,000/-**
4. Class of Firm : **Registered Agencies / Organizations having EA / EM / Energy Professionals and having experience in event managements shall only participate in the tender**
5. Date and time Available in Web site & receipt of Bids: **From 10:00 AM of 06.11.2023 to 5:00 PM of 15.11.2023.**
6. Date of Opening of Tender: **16.11.2023 at 11:30 AM.**
7. The Bidders have to participate in Online bidding only further details can be seen from the Web Site.
8. Any Corrigendum / Addendum will be displayed in the website [www.tendersodisha.gov.in](http://www.tendersodisha.gov.in) only.

Sd/-  
EIC (E)-Cum-PCEI, Odisha

**Memo No. 6647/ Dated 04<sup>th</sup> November 2023.**

Copy along with soft copy forwarded to the deputy director (Advertisement) , I & P.R. Department, Odisha, Bhubaneswar with a request to get it published in two leading Oriya Daily and one no of Local English Daily News Paper at an early date for wide circulation of the Tender Call Notice and Invitation for bid (IFB) on 06.11.2023 . Complimentary copy of the News Papers containing the Tender Call Notice may be sent to this office for reference and record.

Sd/-  
EIC (E)-Cum-PCEI, Odisha

**Memo No. 6648/ Dated 04<sup>th</sup> November 2023.**

Copy submitted to the Principal Secretary to Government, Department of Energy, Govt. of Odisha, Bhubaneswar for favour of his kind information.

Sd/-  
EIC (E)-Cum-PCEI, Odisha

**Memo No. 6649/ Dated 04<sup>th</sup> November 2023.**

Copy along with soft copy forwarded to the Head,State portal , IT centre , Department of electronics &Information Technology , Odisha Secretariat , Bhubaneswar for information and necessary action . It is requested to Upload the above IFB in govt. website <http://tendersodisha.gov.in> for wide circulation .

Sd/-  
EIC (E)-Cum-PCEI, Odisha

**Memo No. 6650/ Dated 04<sup>th</sup> November 2023.**

Copy forwarded to the Director, Printing stationery and publication, Govt. of Odisha, madhupatna, cuttack -10 for information and necessary action. It is requested to arrange the publication of IFB in next issue of odisha gazzete.

Sd/-  
EIC (E)-Cum-PCEI, Odisha



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GOVERNMENT OF ODISHA  
OFFICE OF THE ENGINEER-IN-CHIEF, ELECTRICITY-CUM-  
PRINCIPAL CHIEF ELECTRICAL INSPECTOR: ODISHA  
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**E-procurement notice**  
**INVITATIONS FOR BIDS (I.F.B.)**  
**BID IDENTIFICATION NO: 01 / EIC(E) / BBSR / 2023-24**

**No.TECH-EC-582 (Vol-IV)/ 6651 / Dated, the 04<sup>th</sup> November 2023.**

The **Engineer In Chief (Elec.) -cum- PCEI, Odisha, BBSR**, on behalf of Governor of Odisha, invites **Percentage Rate bids in Single Cover System in Online Mode** for creating 02 nos. of Energy Conservation Awareness Stalls and Stage Show during Baliyatra-2023 at Cuttack as **works** detailed in the **DTCN** from the eligible Class of Firms.

Sl. No	Name of the work	Approximate value of work	Period of completion	class of firm	Bid security (Online)	Cost of document (Online)	Last date & time of online receipt of Bids
1	2	3	4	5	6	7	8
1.	creating 02 nos. of Energy Conservation Awareness Stalls and Stage Show during Baliyatra-2023 at Cuttack	<b>Rs.14.45 Lakhs</b>	08 (Eight) Calendar Days	Registered Agencies / Organizations having EA / EM / Energy Professionals and having experience in event managements	Rs. 14,500/-	Rs. 6,000/-	15.11.2023 Up to 5:00 PM

- Bid documents consisting of plans, specifications, the schedule of quantities and the set of terms & Conditions of contract and other necessary Documents can be seen in the website [www.tendersodisha.gov.in](http://www.tendersodisha.gov.in)
- The cost of Bid Security amount has to be paid by each bidder in shape of Online mode in favour of the **Executive Engineer, (P & M), payable at Bhubaneswar** from any nationalized scheduled bank payable at Bhubaneswar for the above work **for Rs.14,500/- (The Statement "Bid Security Declaration) as per Works Department OM No.4710, dated 12.04.2022 is Deleted from all the clauses related Bid Security in the DTCN.**
- The Bid documents will be available in the website [www.tendersodisha.gov.in](http://www.tendersodisha.gov.in) from **10:00 AM of 06.11.2023 to 5:00 PM of 15.11.2023.**
- Bids received "on-line" shall be opened **at 11:30 AM on 16.11.2023** in the office of the **Engineer In Chief (Elec.) -cum- PCEI, Odisha, BBSR** in the presence of bidders who wish to attend. Bidders who wish to participate in the bid can witness the opening of bids after logging on to the site through their DSC. If the office happens to be closed on the stipulated date of opening of Bids as specified, the bids will be opened on the next working day at the same time and venue.
- The cost of bid documents has to be paid by each bidder in shape of Online mode in favour of the **Executive Engineer, (P & M), payable at Bhubaneswar** from any nationalized scheduled bank payable at Bhubaneswar for the above work **for Rs.6,000/- towards cost of tender paper.**
- Detailed information as contained in the D.T.C.N. shall have to be strictly adhered to while submitting the tender papers.
- Other details can be seen in the bid documents.
- This notice is to be read with all the Clauses / addendum to the "Procedure to participate in online bidding".
- If any of the intending bidders wish to withdraw from participation in the bid, he/she can freely withdraw from the participation before scheduled date and time of closure, failing which action as deemed fit as per relevant codal practice will be taken against him/her.
- Any corrigendum / Addendum will be displayed in the website [www.tendersodisha.gov.in](http://www.tendersodisha.gov.in) only.
- Conditional tender will be summarily rejected. The department reserves the right to reject any or all bids without assigning any reason thereof.

Sd/-  
**EIC (E)-Cum-PCEI, Odisha**

**Memo No. 6652/ Dated 04th November 2023.**

Copy along with soft copy forwarded to the deputy director (Advertisement) , I & P.R. Department, Odisha, Bhubaneswar with a request to get it published in two leading Oriya Daily and one no of Local English Daily News Paper at an early date for wide circulation of the Tender Call Notice. and Invitation for bid (IFB) on 06 .11 .2023 . Complimentary copy of the News Papers containing the Tender Call Notice may be sent to this office for reference and record.

**Sd/-  
EIC (E)-Cum-PCEI, Odisha**

**Memo No. 6653/ Dated 04<sup>th</sup> November 2023.**

Copy submitted to the Principal Secretary to Government, Department of Energy, Govt. of Odisha, Bhubaneswar for favour of his kind information.

**Sd/-  
EIC (E)-Cum-PCEI, Odisha**

**Memo No. 6654/ Dated 04<sup>th</sup> November 2023.**

Copy along with soft copy forwarded to the Head, State portal, IT centre, Department of electronics &Information Technology, Odisha Secretariat, Bhubaneswar for information and necessary action. It is requested to Upload the above IFB in govt. Website: <http://tendersodisha.gov.in> for wide circulation.

**Sd/-  
EIC (E)-Cum-PCEI, Odisha**

**Memo No. 6655/ Dated 04<sup>th</sup> November 2023.**

Copy forwarded to the Director, Printing stationery and publication, Govt. of Odisha, madhupatna, cuttack -10 for information and necessary action. It is requested to arrange the publication of IFB in next issue of Odisha gazzete.

**Sd/-  
EIC (E)-Cum-PCEI, Odisha**

### CHECKLIST TO BE ENSURED BY THE BIDDER

Sl. No	Particulars	Whether furnished		Reference to Page no.
		Yes	No	
01.	Cost of tender paper <b>Rs.6,000.00 (Online)</b>			
02.	E.M.D for 1%Bid @ <b>Rs.14,500.00 (Online)</b>			
03.	<b>Additional Performance Security</b> in case the bid price/rate is less than the estimated cost put to tender <b>{D.T.C.N Clause No.44 (iii)}</b>			
04.	Copy of valid Registration Certificate			
05.	Copy of valid GST clearance certificate			
06.	Copy of PAN Card			
07.	No Relationship Certificate in Schedule - A			
08.	Works Experience (Organizations having EA / EM / Energy Professionals and having experience in event managements)			
(B)	Affidavit (Schedule-C)			
<b>09.</b>	<b>DETAIL ADDRESS OF BIDDERS- following data for quick communication to bidders (Mandatory)</b>			
(A)	Postal Address			
(B)	E-Mail Address			
(C)	Mobile Number			

**Name of the Bidder-**

### **Procedure to participate in online bidding e-procurement**

**1. PARTICIPATING IN THE BID IN THE E-PROCUREMENT PORTAL:** The Contractor/ Bidder intending to participate in the bid is required to register in the Portal using his / her active personal/ official e-mail ID as his Login ID and attach his/ her valid Digital Signature Certificate (DSC) to his/ her unique Login ID. The DSC used must be of appropriate class (Class II or Class III) issued from a registered Certifying Authority such as n-Code, Sify, TCS, MTNL etc. He/ She has to submit the relevant information as asked for about the firm/ contractor. The portal registration of the bidder/ firm is to be authenticated by the State Procurement Cell after verification of original valid certificates/ documents such as (i) PAN and (II) Registration Certificate (RC)/ GST Registration Certificate and GSTIN (for procurement of goods) of the concerned bidder. The time period of validity in the portal is at par with validity of RC/ GST Registration Certificate and GSTIN. Any change of information by the bidder is to be re-authenticated by the State Procurement Cell. After successful authentication bidder can participated in the online bidding process.

Contractor not registered with Government of Odisha, can participate in the e-procurement after necessary enrolment in the portal but have to subsequently register themselves with the appropriate registering authority of the State Government before award of the work as per prevalent registration norms of the State.

- a) To log on to the portal the Contractor/ Bidder is required to type his/her *username* and password. The system will again ask to select the DSC and confirm it with the password of DSC. For each login, a user's DSC will be validated against its date of validity and also against the Certificate Revocation List (CRL) of respective CAs stored in system database. The system checks the unique ID, password and DSC combination and authenticates the login process for use of portal.
  - b) The tender documents uploaded by the Tender Inviting Officer in the website <https://tendersodisha.gov.in> will appear in the section of "Upcoming Tender" before the due date of tender sale. Once the due date has arrived, the tender will move to "Active Tender" Section of the *homepage*. Only a small notification will be published in the newspaper specifying the work details along with *mention* of the specific website for details. The publication of the tender will be for specific period of time till the last date of submission of bids as mentioned in the 'Invitation for Bid' after which the same will be removed from the list of Active tenders. Any bidder can view or down load the bid documents from the web site.
  - c) Contractor exempted from payment of EMD will be able to participate in the tender directly by uploading documentary evidences towards his eligibility for such exemption.
  - d) The *software* application has the provision of payment of cost of tender document through payment gateways of *authorized* bankers by directly debiting the account of the bidders.
- 1.1. Furnishing scanned copy of such documents is mandatory along with the tender documents otherwise his/ her bid shall be declared as non-responsive and thus liable for rejection. Bidders participating through Joint Venture shall declare the authorized signatory through Memorandum of Understanding duly registered and enroll in the portal in the name and style of the joint venture company. It is mandatory that the DSC issued in the name of the authorized signatory is used in the portal.
  - 1.2. In the case of any failure, malfunction, or breakdown of the electronic system used during the e-procurement process, the tender inviting officer shall not accept any responsibility for failures or breakdowns other than in those systems strictly within their own control.
  - 1.3. Any third party/ company/ person under a service contract for operation of e-procurement system in the State or his/ their subsidiaries or their parent companies shall be ineligible to participate in the procurement processes that are undertaken through the e-procurement system irrespective of who operates the system.
  - 1.4. For submission of Bids through the E-Procurement Portal, the bidder shall up load the scanned copy/ copies of document in prescribed format wherever warranted in support of eligibility criteria and qualification information. The on line bidder shall have to produce the original documents in support of the scanned copies and statements uploaded in the portal before the specified date as per DTCN.
  - 1.5. Each bidder shall submit only one bid for one package. A bid is said to be complete if accompanied by cost of bid document and appropriate bid security. The system shall consider only the last bid submitted through the E-Procurement portal.
  - 1.6. The bidder may ask question related to tender online in the e-procurement portal using his/ her DSC, provided the questions are raised within the period of seeking clarification as mentioned in tender call

notice/ Bid. The Officer inviting the Bid/ Procurement Officer-Publisher will clarify queries related to the tender.

1.7. The details of drawings and documents pertaining to the works available with the officer inviting the Bid as well as in the office of the Superintending Engineer and Executive Engineer as mentioned in the Contract Data will be open for inspection by the bidders. The bidder is required to download all the documents for preparation of his bid. It is not necessary for the part of the Bidder to upload other Bid documents (after signing) while uploading his bid. He is required to upload documents related to his eligibility criteria and qualification information and Bill of Quantities duly filled in. It is assumed that while participating in the bid, the bidder has referred all the drawings and documents. Seeking any revision of rates or backing out of the bid claiming for not having referred to any or all documents provided in the Bid by the Officer Inviting the Bid will be construed as plea to disrupt the bidding process and in such cases the bid security shall be forfeited.

1.8. Any addendum / corrigendum/ cancellation of tender shall be published in the website <https://tendersodisha.gov.in>, notice board and through paper publication and such notice shall form part of the bidding documents.

1.8.1. The system generates a mail to those bidders who have already uploaded their tenders and those bidders if they wish can modify their tenders. The bidders are required to which the website till last date and time of bid submission for any addendum/ corrigendum/ cancellation thereof. Tender inviting authority is not responsible for communication failure of system generated mail.

All the volumes/ documents shall be uploaded/ provided in the portal by the Officer inviting the bid. The bidder shall carefully go through the document and prepare the required documents and upload the scanned documents in Portable Document Format to the portal in the designated locations of Technical Bid. He will fill up the rates of items or percentage in the BOQ downloaded for the work in designated Cell and uploads the same in designated locations of Financial Bid. Bidders are to submit only the original BOQ uploaded by publisher after entering the relevant fields without any alteration/ deletion/ modification. Multiple BOQ submission shall lead to cancellation of bid. In case of item rate tender, bidders shall fill in their rates other than Zero value in the specified cells. In the percentage rate tender, the bidder quoting Zero value is valid and will be taken as Schedule of Rates. Submission of document shall be effected by using DSC of appropriate class.

**2. PAYMENT OF EMD/ BID SECURITY AND COST OF BID DOCUMENTS:** The Bidder shall furnish, as part of his Bid, a Bid security for the amount mentioned under NIT/Contract Data in online mode. Non-submission of bid security within the designated period shall debar the bidder from participating in the on-line bidding system and his portal registration shall be cancelled. His name shall also be informed to the registering authority for cancellation of his registration.

2.1. The EMD or Bid Security payable along with the bid is 1% of the estimated contract value (ECV) or as mentioned in the bid document.

2.2 The tender accepting authority will verify the originals of all the scanned documents submitted online of the successful lowest bidder. In the eventuality of failure on the part of the lowest successful bidder to produce the original documents, he will be debarred in future from participating in tender for 3 years and will be black listed by the competent authority. In such a situation, successful L-2 bidder will be required to produce his original documents for consideration of his tender at the negotiated rate equal to L1 bidder.

2.3 Contractor exempted from payment of EMD will be able to participate in the tender directly by uploading documentary evidences towards his eligibility for such exemption.

2.4 Government of Odisha has introduced e-payment gateway in to the portal for payment of cost of Bid and Bid Security/ Earnest Money Deposit. The process of using e-payment gateway is mentioned in the "**Procedure for Electronic receipt, accounting and reporting of Cost of Tender Paper and Earnest Money Deposit on submission of bids**". .

**3. FORMAT AND SIGNING OF BID:** (Logging to the Portal)-The Contractor/ Bidder is required to type his/ her Login ID and Password. The system will again ask to select the DSC and confirm it with the password of DSC as a second stage authentication. For each login, a user's DSC will be validated against its date of validity and also against the Certificate Revocation List (CRL) of respective CAs stored in system database. The system checks the unique Login ID, Password and DSC combination and authenticates the login process for use of portal. The bidder can download the tender of his choice and save it in his system and undertake the necessary preparatory work off-line and upload the completed tender at his convenience within the final date and time of submission. The bidder shall only submit single copy of the required documents and Price Bid in the portal. In the Financial bid, the bidder cannot leave any figure blank. He has to only write the figures, the words will be self generated. The Bidders are advised to up load the completed Bid document well ahead of the last date & time of receipt to avoid any last moment problem of power failures etc.

3.1. The Bidder shall go through the Bid carefully and list the documents those are asked for submission. He shall prepare all documents including Declaration form, price bid etc. and store in the system.

3.2. The bidder shall log on to the portal with his DSC and move to the desired tender for up loading the documents in appropriate place one by one simultaneously checking the documents. Once the Bidder makes sure that all the documents have been up-loaded in appropriate place he clicks the submit button to submit the bid to the portal.

3.2.1. The bids once submitted cannot be retrieved or corrected. Tender cannot be pre-opened and cannot be submitted after due date and time. Therefore only after satisfying that all the documents have been uploaded, the Bidder should activate submit button.

3.2.2. In the e-procurement process each processes are time stamped. The system can identify each individual who has entered in to the portal for any bid and the time of entering in to the portal.

3.2.3. The Bidder should ensure clarity of the document up loaded by him to the portal especially the scanned documents by taking out sample printing. Non-submission of legible documents may render the bid non-responsive. However, the Officer inviting the Bid if so desires can ask for legible copies or original copies for verification with in a stipulated period provided such document in no way alters the Bidder's price bid. If the Bidder fails to submit the original documents with in the stipulated date, his bid security shall be forfeited.

#### **SUBMISSION OF BIDS:**

3.3. The bidder shall carefully go through the tender and prepare the required documents. The bid invited in single covered have both Technical and a Financial. The Technical generally consists of GSTIN, PAN, Registration Certificate, Affidavits, Profit Loss statement, Joint venture agreement, List of similar nature of works, work in hand, list of machineries and any other information required by OIT. The Financial shall consist of the Bill of Quantities (BOQ) and any other price related information/ undertaking including rebates.



- 3.4. Bidders are to submit only the original BOQ (in .xls format) uploaded by Procurement Officer Publisher (Officer Inviting Tender) after entering the relevant fields without any alteration/ deletion/ modification. Multiple BOQ submission by bidder shall lead to cancellation of bid. In case of items rate tender, bidders shall fill in their rates other than zero value in the specified cells without keeping it blank. In the percentage rate tender the bidder quoting zero percentage is valid and will be taken at par with the estimated rate of the work put to tender.
- 3.5. The bidder shall upload the scanned copy/ copies of document in support of eligibility criteria and qualification information in prescribed format in Portable Document Format (PDF) to the portal in the designated locations of Technical Bid.
- 3.6. The bidder shall write his name in the space provided in the specified location in the Protected Bill of Quantities (BOQ) published by the Officer Inviting Tender. The bidder shall type rates in figure only in the rate column of respective items(s) without any blank cell in the rate column in case of item rate tender and type percentage excess or less up to two decimal place only in case of percentage rate tender.
- 3.7. The bidder shall log to the portal with his/ her DSC and move to the desired tender for up loading the documents in appropriate place one by one simultaneously checking the documents.
- 3.8. Bids cannot be submitted after due date and time. The bids once submitted cannot be viewed, retrieved or corrected. The Bidder should ensure correctness of the Bid prior to uploading and take print out of the system generated summary of submission to confirm successful uploading of bid. The bids cannot be opened even by the OIT or the Procurement Officer Publisher/ opener before the due date and time of opening.
- 3.9. Each process in the e-procurement is time stamped and the system can defect the time of log in of each user including the Bidder.
- 3.10. The Bidder should ensure clarity/ legibility of the document uploaded by him to the portal.
- 3.11. The system shall require all the mandatory forms and fields filled up by the contractor during the process of submission of the bid/ tender.
- 3.12. The bidder should check the system generated confirmation statement on the status of the submission.
- 3.13. The bidder should upload sufficiently ahead of the bid closure time to avoid traffic rush and failure in the network.
- 3.14. The Tender Inviting Officer is not responsible for any failure, malfunction or breakdown of the electronic system used during the e-procurement process.
- 3.15. The Bidder is required to upload documents related to his eligibility criteria and qualification information and Bill of Quantity duly filled in. It is not necessary for the part of the bidder to upload the drawing and the other Bid documents (after signing) while uploading his bid. It is assumed that the bidder has referred all the drawings and documents uploaded by the Officer Inviting the Bid.
- 3.16. The Bidder will not be able to submit his bid after expiry of the date and time of submission of bid (server time). The date and time of bid submission shall remain unaltered even if the specified date for the submission of bids declared as a holiday for the Officer Inviting the Bid.
- 3.17. The 'Online bidder' shall digitally sign on all statements documents, certificates uploaded by him, owning responsibility for their correctness/ authenticity as per IT ACT 2000. If any of the information

furnished by the bidder is found to be false/ fabricated/ bogus, his EMD/BID Security shall stand forfeited and his registration in the portal shall be blocked and the bidder is liable to be blacklisted.

#### **4. SECURITY OF BID SUBMISSION:**

- 4.1. All bid data uploaded by the Bidder to the portal will be encrypted by the DSC of the opener(s). The system shall require all the mandatory forms and fields filled up by the contractor during the process of submission of the bid/tender.
- 4.2. The Bid shall be received in encrypted format by the system which can only be decrypted / opened by the authorized openers only on or after the due date and time.

#### **5. DEADLINE FOR SUBMISSION OF THE BIDS:**

- 5.1. The online bidding will remain active till the last date and time of the bid submission. Once the date and time (Server date and time) is over, the bidder will not be able to submit the bid. The date & time of bid submission shall remain unaltered even if the specified date for the submission of bids declared as a holiday for the Officer inviting the Bid.

#### **RESUBMISSION AND WITHDRAWAL OF BIDS:**

- 5.2. Resubmission of bid by the Bidders for any number of times before the final date and time of submission is allowed.
- 5.3. Resubmission of bid shall require uploading of all documents including price bid afresh.
- 5.4. If the bidder fails to submit his modified bids within the pre-defined time of receipt, the system shall consider only the last bid submitted.

#### **6. LATE BIDS:**

- 6.1. The system shall reject submission of any bid through portal after closure of the receipt time. For all purpose the server time displayed in the e-procurement portal shall be the time to be followed by the bidder and concerned officers.

#### **7. MODIFICATION AND WITHDRAWAL OF BIDS:**

- 7.1. In the E-Procurement Portal, it is allowed to modify the bid any number of times before the final date and time of submission. The bidder shall have to log on to the system and resubmit the documents as asked for by the system including the price bid. In doing so, the bids already submitted by the bidder will be removed automatically from the system and the latest bid only will be admitted. But the bidder should avoid modification of bid at the last moment to avoid system failure or malfunction of internet or traffic jam or power failure. If the bidder fails to submit his modified bids with in the designated time of receipt, the bid already in the system shall be taken for evaluation.
- 7.2. In the E-Procurement Portal, withdrawal of bid is allowed. But in such case he has to write a letter with appropriate reasons for his withdrawal addressed to the Officer inviting the bid and up load the scanned document to portal in the respective bid before the closure date and time of receipt of the bid. The system shall not allow any withdrawal after expiry of the closure time of the bid.

#### **8. OPENING OF THE BID:**

- 8.1. Bid opening date is specified during tender creation or can be extended with corrigendum. This date is available in IFB, tender document as well as the home page of portal. Bid opening can be done by the

authorized users which are defined during the tender publication / approval stage. The bids are encrypted using their public keys and can be decrypted only on or after the Bid Opening due date and time. The bid openers private key will be required to open the bids and all the openers have to log on to the portal during that time.

- 8.1.1. The bidders who participated in the on line bidding can witness opening of the bid from any system logging on to the portal with the DSC away from opening place. Contractors are not required to be present during the bid opening at the opening location if they so desire.
- 8.1.2. Each activity is date and time stamped with user details. For time stamping, server time is taken as the reference.
- 8.2. In the event of the specified date of bid opening being declared a holiday for the Officer inviting the Bid/Engineer-in-Charge, the bids will be opened at the appointed time on the next working day.
- 8.3. In case bids are invited for more than one package, the order for opening of the "Bid" shall be that in which they appear in the "Invitation for Bid".
- 8.4. The Bid openers; who have been pre-defined shall log on to the portal with their respective DSC. Unless all the Officers who have been declared as Opening officers, log on the portal with their DSC the Tender cannot be opened.
- 8.5. In case of non-responsive tender the officer Inviting tender should complete the e-Procurement process by uploading the official letter for cancellation/ re-tender.

#### **EVALUATION OF BIDS:**

All the opened bids shall be downloaded and printed for taking up evaluation. The officer authorized to open the tender shall sign and number on each page of the documents downloaded and furnish a certificate that "the documents as available in the portal containing..... nos. of pages".

- 8.5.1. After opening of technical bid, the bidder may be asked in writing / online (in their registered e-mail ID) to clarify on the uploaded documents provided in the Technical Bid, if necessary, with respect to any doubts or illegible documents required for Technical Evaluation. The Officer Inviting Tender may ask for any other document of historical nature during Technical Evaluation of the tender. Provided in all such cases, furnishing of any document in no way alters the bidders price bid. Non submission of legible documents may render the bid non-responsive. The authority inviting bid may reserve the right to accept any additional document.
- 8.5.2. The bidders will respond in not more than 7 days of issue of the clarification letter, failing which the bid of the bidder will be evaluated on its own merit
- 8.5.3. Immediately, on receipt of these clarifications, the Evaluating Officers; predefined in the system for the bid, will finalize the list of responsive bidders. They will log on to the site with their DSC and record their comments on the Technical evaluation page in the system. The Officer Inviting the Bid if also the accepting authority, shall log on to the system with his digital signature and check the technical evaluation. He can either accept or pass on to the evaluating officers for re-evaluation. Upon acceptance of technical evaluation by the Accepting authority in the system, the system shall automatically generate letter to all the responsive bidders and the system shall forward the letter to all the responsive bidder that their technical bid has been evaluated responsive with respect to the data/information furnished by him and the letter shall also intimate

him the date & time of opening of financial bid. The system shall also inform the non-responsive bidders in their e-mail ID that their bid has been found non-responsive.

8.6. The Technical evaluation of all the bids shall be carried out up as per the information furnished by the Bidders. But evaluation of the bid does not exonerate the bidders from checking their original documents and if at a later date the bidder is found to have misled the evaluation through wrong information, action as per relevant clause of DTCN shall be taken against the bidder/contractor.

8.7 The Procurement officer-Evaluators will evaluate bid and finalized list of responsive bidders. Opening of price bid and evaluation of lowest bidder is subject to satisfaction of other qualification information.

8.7.1 The financial bids of the technically responsive bidders shall be opened on the due date of opening. The Procurement Officer-Openers shall log on to the system in sequence and open the financial bids.

8.7.2 The Financial Bid will be opened on the notified date & time in the presence of bidders or their authorised representative who wish to be present.

8.7.3 At the time of opening of "Financial Bid", the names of the bidders whose technical bids were found responsive will be announced and the bids of only those bidders will be opened. The remaining bids will be rejected.

8.7.4 The responsive bidders' name, the bid prices, the item wise rates, the total amount of each item in case the item rate tender and percentage above or less in case of percentage rate tenders will be announced any discounts and withdrawals, and such other details as the officer inviting the tender may consider appropriate, will be announced by him or his authorized representatives at the time of opening.

8.7.5 Rebate/discount offer if any uploaded to the system shall be declared and recorded first.

8.7.6 The Financial bid of the bidders shall be opened one by one by the designated officers. The system shall auto-generate the Comparative statement.

8.7.7 The Bidder can witness the principal activities and view the documents/summary reports for that particular work by logging on to the portal with his DSC from anywhere.

8.7.8 Procurement Officer-Openers shall sign on each page of the download BOQ and the Comparative Statement and furnish a certificate to that respect.

8.7.9 System provides an option to Procurement Officer Publisher for reconsidering the rejected bid with the approval of concern Chief Engineer/ Head of Department.

## **9. CLARIFICATION AND NEGOTIATION OF BIDS:**

9.1. For examination, evaluation, and comparison of bids, the officer inviting the bid may, at his discretion, ask the lowest bidder for clarification of his rates including reduction of rate on negotiation and breakdowns of unit rates.

9.2. On opening of the price bid the system shall arrange the financial bids in order of their value (L1 first, followed by L2, L3 ....) for subsequent evaluation. The evaluation status (Sheet) will be visible to all the participating bidders after opening on their respective logins. Each activity is recorded in the system with date and time stamping.

## **10. NOTIFICATION OF AWARD AND SIGNING OF AGREEMENT:**

- 10.1. In the E-Procurement Portal, the system shall generate the template of award letter and the Officer Inviting the Bid shall mention the amount of Performance Security and additional security required to be furnished in the letter and intimate the bidders in his e-mail ID.
- 10.2. The Employer/ Engineer-in-Charge shall notify acceptance of the work prior to expiry of the validity period by cable, telex or facsimile or e-mail confirmed by registered letter. This letter of Acceptance will state the sum that the Engineer-in-Charge will pay the contractor in consideration of execution and completion of the works by the contractor as prescribed by the contract and the amount of performance security and Additional Performance Security required to be furnished. The issue of the letter of Acceptance shall be treated as closure of the Bid process and commencement of the contract.
- 10.3. The Contractor after furnishing the required acceptable Performance Security and Additional Performance Security, "Letter of Proceed" or "Work Order" shall be issued by the Engineer-in-Charge with copy thereof to the Procurement Officer-Publisher. The Procurement Officer-Publisher shall upload the summary and declare the process as complete.
- 10.4. If the L1 bidder does not turn up for agreement after finalisation of the tender then he shall be debarred from participation in bidding for three years and action will be taken to blacklist the contractor. Besides the consortium/ JV/firm where such an agency/ firm already happens to be or is going to be a partner/ member/ proprietor, he/ they shall neither be allowed for participation in bidding for three years nor his/ their application will be considered for registration and action will be initiated to blacklist him/ them. In that case, the L2 bidder, if fulfils other required criteria would be called for drawing agreement for execution of work subject to condition that the L2 bidder negotiates at par with the quoted by the L1 bidder, otherwise the tender will be cancelled.

#### **11. BLOCKING OF PORTAL REGISTRATION:**

- 11.1 If the registration Certificate of the contractor is cancelled/ suspended by the registering authority/ blacklisted by the competent authority his portal registration shall be blocked automatically on receipt of information to that effect.
- 11.2 The portal registration blocked in the ground mentioned in the above Para- 11.1 shall be unblocked automatically in receipt of revocation order of cancellation/ suspension/ blacklisting from the concerned authority.
- 11.3 The Officer Inviting Tender shall make due inquiry and issue show cause notice to the concerned contractor who in turn shall furnish his reply, if any, within a fortnight from the date of issue of show cause notice. Thereafter the Officer Inviting Tender is required to issue an intimation to the defaulting bidder about his unsatisfactory reply and recommend to the Chief Manager (Tech) for blocking of portal registration within 10 days of intimation to the defaulting bidder regarding his unsatisfactory reply with intimation to the Registering Authority and concerned Chief Engineer/ Heads of Office if any of the following provisions are violated.
  - 11.3.1 Fails to furnish original Technical Documents before the designated officer within the stipulated date and time.
  - 11.3.2 Backs out from the bid on any day after the last date of receipt of tender till expiry of the bid validity period (including till the extended bid validity period)
  - 11.3.3 Fails to execute the agreement within the stipulated date.
  - 11.3.4 If any of the information furnished by the bidder is found to be false/ fabricated/ bogus.

Accordingly the officer Inviting Tender shall recommended to the Chief Manager (Tech) State Procurement Cell, Odisha for blocking of portal registration of bidder and simultaneously action shall also be initiated by OFFICER INVITING TENDER for blacklisting as per Appendix-XXXIV of OPWD code Volume-II.

The minimum period of blocking of Portal Registration shall in no case be less than 180 days.

**Procedure for Electronic receipt, accounting and reporting of Cost of Tender Paper and Earnest Money Deposit on submission of bids**

1. The State Government have formulated rules and procedures for Electronic receipt, accounting and reporting of the receipt of Cost of Tender Paper and Earnest Money Deposit on submission of bids through the e-procurement portal of Government of Odisha i.e. "<https://tendersodisha.gov.in>".
2. Electronic receipt of cost of tender paper has been successfully tested through SBI payment gateway. Now it has been decided to introduce electronic receipt of **Cost of Tender Paper and Earnest Money Deposit on submission of bids** through payment gateway of designated banks such as SBI/ ICICI, Bank/ HDFC Bank for all Government Departments, State PSUs, Statutory Corporations, Autonomous Bodies and Local Bodies etc. in phases (ANNEXURE-I). The process outline as well as accounting and reporting structure are indicated below:
  - a) It will be carried out through a single banking transaction by the bidder for multiple payments like **Cost of Tender Paper and Earnest Money Deposit on submission of bids**.
  - b) Various payment modes like Internet banking/ NEFT/ RTGS of Designated Banks and their Aggregator Banks as well can be accessed by the intending bidders.
  - c) Reporting and accounting of the e-receipts will be made from a single source.
  - d) Credit of receipts into the Government accounts and to the designated Bank account of the participating entities indicated in Para 2 above would be faster.
3. Only those bidders who successfully remit their **Cost of Tender Paper and Earnest Money Deposit on submission of bids would be eligible** to participate in the tender/ bid process. The bidders with pending or failure payment status shall not be able to submit their bid. Tender inviting authority, State Procurement Cell, NIC, the designated Banks shall not be held responsible for such pendency or failure.
4. **Banking arrangement:**
  - a) Designated Banks (SBI/ ICICI Bank / HDFC Bank) payment gateway are being integrated with e-Procurement portal of Government of Odisha (<https://tendersodisha.gov.in>)
  - b) The Designated Banks participating in **Electronic receipt, accounting and reporting of Cost of Tender Paper and Earnest Money Deposit on submission of bids** will nominate a Focal Point Branch called e-FPB, who is authorized to collect and collate all e-Receipts. Each such branch will act as the Receiving branch and Focal Point Branch notwithstanding the fact that the bidder might have debited his account in any of the bank's branches while making payment.
5. **Procedures of bid submission using electronic payment of tender paper cost and EMD by bidder:**
  - a) **Log on to e-Procurement Portal:** The bidders have to log onto the Odisha e-Procurement portal (<https://tendersodisha.gov.in>) using his/ her digital signature certificate and then search and then select the required active tender from the "Search Active Tender" option. Now submit button can be clicked against the selected tender so that it comes to the "My Tenders" section.

- b) **Uploading of Prequalification/ Technical/ Financial bid:** The bidders have to upload the required Prequalification / Technical/Financial bid, as mentioned in the bidding document and in line with Works Department office memorandum no.7885, dt.23.07.2013.
  - c) **Electronic payment of tender paper cost and EMD:** Then the bidders have to select and submit the bank name as available in the payment options
    - i. A bidder shall make electronic payment using his/her internet banking enabled account with designated Banks or their aggregator banks.
    - ii. A bidder having account in other Banks can make payment using NEFT/RTGS facility of designated Banks.
    - iii. Online NEFT/RTGS payment using internet banking of the bank in which the bidder holds his account, by adding the account number as mentioned in the challan as an interbank beneficiary.
  - d) **Bid submission:** Only after receipt of intimation at the e-Procurement portal regarding successful transaction by bidder the system will activate the 'Freeze Bid Submission' button to conclude the bid submission process.
  - e) **System generated acknowledgement receipt for successful bid submission:** System will generate an acknowledgement receipt for successful bid submission. The bidder should make a note of 'Bid ID' generated in the acknowledgement receipt for tracking their bid status.
6. **Settlement of Cost of Tender Paper;**
- a) **Cost of Tender Paper:** In respect of Government receipts on account of **Cost of Tender Paper**, the e-Procurement portal shall generate a MIS for the State Procurement Cell (SPC). The MIS will contain an abstract of the cost of tender paper collected with reference to **Bid Identification Number**. The State Procurement Cell shall generate Bank-wise-head-wise challans separately for **Cost of Tender Paper** and instruct the designated Banks to remit the money to the State Government account under different heads. In respect of the cost of tender paper received through the e-procurement portal, the remittance to the Cyber Treasury account will be made to the Head of Account 0075-Misc, General Services-800-Other Receipts -0097-Misc. Receipts-02237-Cost of Tender Paper.
  - b) For the time being, the State Procurement Cell (SPC) will use over the counter payment facility of the Odisha Treasury portal. Thereafter, remittance through NEFT & RTGS will be facilitated through the Odisha Treasury portal.
  - c) Similarly, in case of State PSUs, Statutory Corporations, Autonomous Bodies and Local Bodies etc., **Cost of Tender Paper**, the e-Procurement portal shall generate a MIS for the State Procurement Cell (SPC). The MIS will contain an abstract of the cost of tender paper collected with reference to **Bid Identification Number**. The State Procurement Cell shall generate Bank-wise list of challans and instruct the designated Banks to remit the money through the Odisha Treasury portal. The cost of tender papers will be credited to the registered Bank account of the concerned State PSUs, Statutory Corporations, Autonomous Bodies and Local Bodies etc.
  - d) Bank will refund (in case the Tender Inviting Authority (TIA) issues such instructions) the tender fee, EMD to the bidder, in case the tender is cancelled before opening of Bid as per direction received from TIA through e-procurement system.
  - e) Back-end Transaction Matrix of Electronic receipt of Cost of Tender Paper and Earnest Money Deposit on submission of bids is enclosed in the Annexure.

**7. Settlement of Earnest Money Deposit on submission of bids:**

- a) The Bank will remit the **Earnest Money Deposit on submission/cancellation of bids** to respective bidders accounts as per direction received from TIA through e-procurement system.

**8. Forfeiture of EMD:**

Forfeiture of **Earnest Money Deposit on submission of bid** of defaulting bidder is occasioned for various reasons.

- a) In case the **Earnest Money Deposit on submission of bid** is forfeited, the e-Procurement portal will direct the Bank to transfer the EMD value from the Pooling Account of SPC to the registered account of the tender inviting authority.
- b) The Tender inviting authorities of the Government Departments will deposit the forfeited **Earnest Money Deposit on submission of bid**, in the State Government Treasury under the appropriate head (8782-Cash Remittances and Adjustments between the officers rendering accounts to the same Accounts Officer-102-P.W.Remittances-1683-Remittances-91028-Remittances into Treasury) after taking the amount as a revenue receipt in their Cash Book under the head 0075-Misc. General Services-00-101 -Unclaimed Deposits-0097-Misc, Receipts-02080-Misc. Deposits and submit the detail account to DAG (Puri) as a deposit of the Division.
- c) By clicking submit button, system will initiate the forfeiture of EMD. System will not allow the evaluator to edit the initiation after clicking the submit button. Forfeiture option can be carried out in phased manner like one bidder at a time.
- d) (**Note: Bidders are requested to follow instructions mention as per Finance Department Government of Odisha Vide OM No- 8943 Date-18.03.2021 and OM No- 8952 date- 18.03.2021.**)

**9. Role of the Banks:**

- a) Make necessary provision / customizations at their end to enable the provision for online payments / refunds as per this document.
- b) Provide necessary real-time message to bidders regarding successful or unsuccessful transactions during online payment processes and redirect them to e-Procurement website with necessary transaction reference details enabling them to submit their bids.
- c) The bank shall ensure transfer of funds from the pooling account to the Government Head/current account of PSUs/ULBs within the next bank working day as per the directions generated from e-Procurement portal.
- d) Bank should provide timely reports and reference details to NIC enabling them to carry out their role as stated below.
- e) Refund of amount to bidders as per the XML file provided by e-Procurement system on the next bank working day from the date of generation of the XML file and also provide a confirmation to NIC on the same.

**10. Role of State Procurement Cell:**

- a) Communicate requirements of Government departments/ State PSUs/ Autonomous Bodies/ ULBs online payment requirements to National Informatics Centre / the authorized Banks for mapping/ customization.



- b) In every working day, the State Procurement Cell shall generate MIS from the e-Procurement portal to ascertain the tender paper cost received in the e-Tendering process separately bank-wise for the Government Department and the PSUs/ULBs. The SPC shall generate bank-wise separate online challans from the Odisha Treasury portal and make the remittance through over the counter facility or NEFT/RTGS (as and when this functionality is available in Treasury portal) and issue instruction to the bank for remittance of the receipt to the State Government account.
- c) The State Procurement Cell shall be responsible for providing challan details and MIS in respect of the remittance towards tender paper cost to the Tender inviting authorities for their record.
- d) State Procurement Cell shall monitor the progress of e-Tendering by different Government departments / State PSUs/ Autonomous Bodies / ULBs through an MIS. State Procurement Cell shall monitor and send monthly progress reports to the Government.
- e) The e-Procurement system will generate a consolidated refund & settlement XML file as an end of the day activity.
- f) E-procurement system will provide a web service for payment gateway (PG) provider to pull the encrypted refund and settlement details in XML file against a day.
- g) Similarly, payment gateway (PG) provider will provide a web service to pull the refund and settlement status against a day
- h) h) e-procurement system will update the status accordingly for reconciliation report.

**11. Role of National Informatics Centre:**

- a) Customize e-Procurement software and web-pages of Government of Odisha (<https://tendersodisha.gov.in>) to enable the provision for electronic payment.
- b) The NIC, Odisha will modify / rectify the errors in electronic data relating to the Chart of Account.
- c) NIC will provide an interface to organisations to download the electronic receipt data.
- d) Enable automatic generation of daily XML files from e-Procurement system and ensure delivery of the same to the authorised Banks for enabling automatic refund/settlement of funds.
- e) NIC shall enable the e-Procurement portal to generate MIS as required for the State Procurement Cell in order to make remittance of the tender paper cost to the State Government account using the Odisha Treasury portal.

**12. Role of Cyber Treasury:**

- a) The cost of the tender paper deposited by the SPC using the Odisha Treasury Portal which will be accounted for by the Cyber Treasury and it shall submit the accounts to A.G (O) as per the established process.
- b) The Cyber Treasury will provide MIS as required to the SPC for the purpose of accounting and reconciliation of the electronic remittances made to the State Government account.

**13. Redressal of Public grievances:**

- a) The State Procurement Cell, Odisha, National Informatics Centre, Odisha and the e-FPB will have an effective procedure for dealing with, public complaint for e-Receipt related matters. In case, any mistake is detected by any of the stakeholders in reporting of receipt of tender paper cost and EMD, either suomoto or on being brought to its notice, the State Procurement Cell, Odisha, National Informatics Centre, Odisha unit, Cyber Treasury and the bank will promptly take steps for rectification. The e-Focal Point Branch of the participating Banks, National Informatics Centre, Odisha and the State

Procurement Cell, Odisha will notify the contact number and address of the Help Desk for resolution of any dispute regarding e-Receipt.

**14. Applicability and modification of existing rules / orders:**

The modalities prescribed in this Office Memorandum for downloading of tender paper, submission and rejection of bid, acceptance of Bids as well as refund and forfeiture of earnest deposit will be applicable for electronic submission of bids through e-procurement portal. Existing provisions regulating cost of tender paper, earnest money deposit in OPWD Code and OGFR would stand modified to the extent prescribed.

- 15.** These arrangements would be made effective after signing of MoU between the designated Banks and the State Procurement Cell, firming up of Banking arrangements and technical integration between designated Bank and e-Procurement Portal.

**ANNXURE-I**

**Back-end Transaction Matrix of Electronic receipt and remittance of Cost of Tender Paper and Earnest Money Deposit on submission of bids.**

	<b>Cost of Tender Paper on submission of bids</b>	<b>Earnest Money Deposit on submission of bids</b>
Government Departments	i. The payment towards the cost of Tender Paper, in case Government Departments, shall be collected in separate Pooling accounts opened in Focal Point Branch called e-FPB of respective designated banks [as stated in Para 2] at Bhubaneswar on T+1_day	i. In case of tenders of Government Departments, amount towards Earnest Money Deposit on submission of bids shall be collected in a pooling account opened for this purpose at Focal Point Branch called e-FPB of respective designated banks at Bhubaneswar and the banks will remit the amount to respective bidder's account within two working days on receipt of instruction from TIA through refund and settlement of e-procurement system.
	ii. With reference to the Notice Inviting Tender / Bid Identification Number, the amount so realized is to be remitted to Government Account under the Head Of Account 0075-Misc. General Services-800-Other Receipts-0097-Misc. Receipts-02237-Cost of Tender Paper through Odisha Treasury Portal after opening of the bid.	ii. In case of forfeiture of Earnest Money Deposit on submission of bids, the e-Procurement portal will direct the Bank to transfer the EMD value from the Pooling Account of SPC to the registered account of the tender inviting authority within two working days of receipt of instruction from TIA.
	<b>Cost of Tender Paper on submission of bids</b>	<b>Earnest Money Deposit on submission of bids</b>
State PSUs Statutory Corporations, Autonomous Bodies and Local Bodies.	i. In case of State PSUs, Statutory corporations, Autonomous Bodies and Local Bodies etc. the amount towards Cost of Tender Paper, on submission of bids shall be collected in separated pooling accounts opened in Focal Point Branch called e-FPB of respective designated Banks at Bhubaneswar on T+1 days.	i. Amount towards EMD on submission of bids shall be collected in a separate pooling account of Focal Point Branch called e-FPB of respective designated banks at Bhubaneswar and the banks will remit the amount to respective bidder's account on receipt of instruction from TIA through refund and settlement of e-procurement system within two working days from receipt of such instruction.

## DETAILED TENDER CALL NOTICE

The bidders are requested to go through details of Works Dept. Letter No File No.07556900042013 (P+II)-7885(W) dt.23.07.2013 Guidelines/Procedure to be followed in introduction of e-Procurement in Government of Orissa (Included in the DTCN). & WORKS DEPARTMENT Memorandum No-12366 Dt.8.11.2013 will be strictly followed.

1. Sealed percentage rate bids are invited in **Single cover** system from "**Firms**" for the work of "**Organizing 02 nos. of Energy Conservation Awareness Stalls and Stage Show during Baliyatra-2023 at Cuttack**". At an estimated cost of **Rs.14.45 Lakhs**.
  - a. This tender is only tenderers with sound financial background capable of investing required amount for advance procurement of all materials required for the work need apply. Department shall not supply any material at all for the work.
  - b. This detailed Tender Call Notice along with the clauses mentioned herein shall form a part of the contract and agreement.
  - c. This tender is only tenderers with sound financial background capable of investing required amount for advance procurement of all materials required for the work need apply. Department shall not supply any material at all for the work.
  - d. This detailed Tender Call Notice along with the clauses mentioned herein shall form a part of the contract and agreement.
2. The Bid documents are available on official website of Government: <http://www.tendersodisha.gov.in> from **06.11.2023 10:00 AM to 5:00 PM of 15.11.2023**. The last date and time of submission of Bid is **5:00 PM of 15.11.2023**.
3. The Bid documents will be opened by the assigned officer in the office of the **EIC (E)-cum-PCEI, Odisha** at **11:30 AM on 16.11.2023** in the presence of the bidders or their authorized representatives who wish to attend. **The date, time and place for verification of original documents of L1 bidder will be intimated.**
4. The cost of Bid documents in shape of Online mode issued from any nationalized / scheduled bank may be prepared in the name of the **Executive Engineer, (P & M), payable at Bhubaneswar of Rs.6,000.00**.
5. The bid is to be submitted in **Single** covers as follows.
  - a. Technical bid should contain scanned EMD, Cost and GST Certificate of bid document, DTCN, scanned copy of registration certificate, PAN card, valid GST certificate, undertaking/certificates duly filled, affidavit, work experience certificate and documents required as per the relevant clauses of this DTCN.
  - b. Financial bid should contain the price bid duly filled in and signed by the bidder.
6. The intending bidders are required to produce documents viz original Registration, valid GST Certificate, Valid VAT Clearance, PAN card after opening of Technical Bid for verification purpose in the latter stage along with the original documents relating to ownership and hiring of plants and machineries mentioned at **Annexure-III**, preferably within three working days from the date of opening of the tender. Furnishing scanned copy of such documents along with the Bid is mandatory otherwise his/ her bid shall be declared as non-responsive and thus liable for rejection.
7. The companies or individuals registered with State Government and contractors of equivalent Grade / class registered with Central Government / MES / Railways having registration for Civil works having both legal

competency and expertise in Civil Engineering works need put tenders for this work and the documentary evidence under appropriate Act in support of their legal competency and expertise to execute Civil work invariably should accompany their tender papers. The Contractor in order to take part in the tender papers shall bear signature of authorized person of the tenderer, the letter of authorization should accompany tender papers. The authorization should clearly indicate the name of legal person to sign and enter in to agreement and receiving payment and will be responsible for execution of work to the Engineer-in- Charge.

8. If the application is made by proprietary firm, it shall be signed (with DSC) by the proprietor & furnish full type written name and the full name of his firm with its current address in a forwarding letter.
9. If the application is made by a firm in partnership, it shall be signed (with DSC) by a partner holding power of attorney for the firm in which case a certified copy of the power of attorney shall accompany the application. A certified copy of the partnership deed and current address of all partners of the firm shall also accompany the application.
10. If the application is made by a limited company or a corporation, it shall be signed (with DSC) by a duly authorized person holding power of attorney for signing the application in which case a certified copy of the power of attorney shall accompany the application. Such limited company or corporation will be required to furnish satisfactory evidence of its existence along with the bid.
11. No tenderers will be permitted to furnish their tender in their own manuscript papers. No letter should accompany the tender.
12. The tender should be strictly in accordance with the provisions as mentioned in the tender schedule. Any change in the wordings will not be accepted.
13. All the arrangement with equipments and stalls to be completed before 26.11.2023. The event is to be completed in all respects as per scope of work within **8 (Eight)** calendar days between 27/11/023 to 4/12/2023 (Baliyatra Period). Tenderer whose tender is accepted must submit a programme of work immediately after issue of work order for approval of Engineer-in-Charge.
14. All tenders received will remain valid for a period of **90 days** from the last date prescribed for receipt of tenders and validity of tenders can also be extended if agreed by the tenderers and the Department.
15. The tender shall carefully study the tentative drawings and specifications applicable to the contract and all the documents, which will form a part of the agreement to be entered in to, by the accepted tenderer and detailed specifications for Orissa, and other relevant specifications and drawings, which are available. Complaint at a future date that the tenderers have not seen plans and specifications cannot be entertained.
16. The drawings furnished with the tender are tentative and subject to revision or modification as tendered during the execution as per actual necessity and detail test conducted. But the tendered rates quoted by the tenderer will hold good in case of such modification of drawings during the time of execution and shall in no way invalidate the contract and no extra monetary compensation will be entertained. The work shall however be executed as per final approved drawing to be issued by the Engineer-in-Charge as and when required.
17. By admission of a tender for the work, a tenderer will be deemed to have satisfied himself by actual inspection of the site and locality of the work, about the quality and availability of the required quantity of material including the wheat/ rice referred to above, medical aid, labour and food stuff etc., and that rates quoted by him in the tender will be adequate to complete the work according to the specifications attached there to and that he had taken in to account all conditions and difficulties that may be encountered during its progress and

to have quoted rates including labour and materials with taxes, octroi, other duties, lead, lifts, loading and unloading, freight for all materials and all other charges necessary for the completion of the work, to the entire satisfaction of the Engineer-in Charge of the work and his authorised subordinates. After acceptance of the contract rate Government will not pay any extra charges for any reason in case the contractor claims later on to have misjudged as regard availability of materials, labour and other factors.

18. The tender containing extraneous conditions not covered by the tender notice are liable for rejection and quotations should be strictly in accordance with the items mentioned in the Tender Call Notices. Any change in the wording will not be accepted.
19. The department reserves the right of authority to reject any or all tenders received without assigning any reason whatsoever.
20. The earnest money will be retained in the case of successful tenderers and will be dealt with as per terms and condition of O.P.W.D. Code. The earnest money will be refunded to the unsuccessful tenderers on application after intimation is sent to rejection of their tenders. The retention of E.M.D. with the Department will carry no interest.
21. The Engineer-in-charge will notify the bidder / tenderer whose bid has been accepted of the award prior to expiration of the validity period by cable, telex or facsimile confirmed by registered letter. This letter (hereinafter and in the conditions of Contract called the "Letter of Acceptance") will state the sum that the Engineer-in-charge will pay the contractor in consideration of the execution, completion and maintenance of the Works by the contractor as prescribed by the contract (Hereinafter and in the contract called the "Contract Price").

The Notification of award will constitute the formation of the contract, subject only to the furnishing of a performance security (Initial Security Deposit) in form of Deposit receipt of Schedule Bank / Kissan Vikash Patra / Post Office Savings Bank Account/National Savings Certificate / Post Office Time Deposit Account duly pledged in favour of the **Executive Engineer, (P & M), payable at Bhubaneswar** and in no other form, which including the amount already deposited as bid security (earnest money) shall be 2% of the value of the tendered amount (excluding 1% deposited towards hiring of equipments / machineries from outside the state if any) and sign the agreement in the P.W.D. form No. **P-1 (Schedule XLV No. 61)** for the fulfilment of the contract in the office of the **Executive Engineer, (P & M), payable at Bhubaneswar** or as directed. The security deposit together with the earnest money and the amount withheld according to the provision of **P-1** agreement shall be retained as security for the due fulfilment of this contract and additional performance security in accordance with the provisions of the agreement.

The agreement / work order will incorporate all agreements between the officer inviting the bid/Engineer-in Charge and the successful bidder **within 5 days** following the notification of award along with the Letter of Acceptance. The successful bidder will sign the agreement and deliver it to the Engineer-in Charge. Following documents shall form part of the agreement.

- a. The notice-inviting bid, all the documents including additional conditions, specifications and drawings, if any, forming the bid as issued at the time of invitation of bid and acceptance thereof together with any correspondence leading thereto & required amount of performance security including additional performance security.
- b. Standard **P.W.D. Form P-1 with latest amendments**. Failure to enter in to the required agreement and to make the security deposit as above shall entail forfeiture of the Bid Security (earnest money)

.No contract (tender) shall be finally accepted until the required amount of initial security money is deposited. The security will be refunded after 12 (Twelve) months of completion of the work and payment of the final bill and will not carry any interest.

As concurred by Law Department & Finance Department In their U.O.R. No 848, dtd.21.05.97 J.O.R.No.202 W.F.D. dtd.06.03.98 respectively the E.M.D. will be forfeited in case, where tenderers back out from the offer before acceptance of tender by the competent authority.

22. The contractor should be liable to fully indemnify the Department for payment of compensation under workmen compensation act. VIII of 1923 on account of the workmen employed by the contractor and full amount of compensation paid will be recovered from the contractor.
23. Tenderers are required to liable by fair wages clause as introduced by Govt. of Orissa, Works Department letter No.VII (R&B) 5225, dt.26-2-55 and No.II, M-56/61-28842 (5), dt.27-9-61.
24. The contractor shall bear cost of various incidentals, sundries and contingencies necessitated by work in full within the following or similar category.
  - a. Rent royalties, cess and other charges of materials, Octroi and all other taxes including prevailing sale tax / GST Certificate, Valid VAT Clearance from time to time. Ferry tolls, conveyance charges and other cost on account of land buildings including temporary building required by the tenderer for collection of materials, storage, housing of staff or other purpose of the work are to be borne by the contractor at his own cost. No rent will be payable to Govt. for temporary occupation of land owned by govt. at the site of the work for bonafide use of the land for work and all such construction of temporary nature by the contractor shall be done after obtaining written permission from the Engineer-in-Charge of Civil portion of the work and all such construction shall have to be demolished and debris removed and ground made good and cleared after completion of the work at no extra cost.
  - b. Royalty will be recovered from each bill as notified by Govt. from time to time unless K Forms are enclosed. Refund of royalty at later date after passing of the bills cannot be entertained as the recovery of royalty is being credited to revenue.
  - c. Labour camps or huts necessary to a suitable scale including conservancy and sanitary arrangements therein to the satisfaction of the local labour laws and health authorities shall have to be provided by the Contractor.
  - d. Arrangement of suitable water supply including pipe water supply where available for the staff and labour as well as for the execution of the work is sole responsibility of the Contractor and no extra cost for carriage of water will be entertained.
  - e. All fees and dues levied by Municipal, Canal or Water Supply Authorities are to be borne by the Contractor.
  - f. Suitable safety equipments and dresses, gloves, life belts etc. for the labour engaged in risky operations are to be supplied by the contractor at his own cost.
  - g. Suitable fencing barriers, signals including paraffin and electric signals where necessary at work and approaches in order in project the public and employees from accident has to be provided by the Contractor at his own cost.
  - h. Compensation including cost of any legal suit for injury to persons or property arising out of execution of the work and also any sum, which may become payable due to operation of the workmen compensation act, shall have to be borne by the contractor.

- i. The contractor has to arrange adequate lighting arrangements for the work wherever necessary at his own cost.
25. No payment will be made for layout, benchmark, level pillars, profiles and benching and levelling the ground required, which has to be carried out by the contractor at his own cost. The rates to be quoted should be for finished items of work inclusive of carriage of all materials and all incidental items of work.
26. After the work is finished all surplus materials should be removed from the site of work, preliminary work such as vats, mixing platforms, etc. should be dismantled and all materials removed from the site and premises left neat and his should be inclusive in the rates. No extra payment will be made to the Contractor in this account.
27. It should be understood clearly that no claim what-so-ever will be entertained to extra items of works quantity of any item besides estimate amount unless written order is obtained from the competent authority and rate settled before the extra items of work or extra quantity of any items of work is taken up.
28. The tenderers shall have to abide by the C.P.W.D. safety code rules introduced by the Govt. of India, Ministry of Works and Housing & Supply in their standing order no.44150, dtd.25-11-57. 38. No part of the contract shall be sublet without written permission to the concerned Executive Engineer or transfer be made by the power of attorney authorizing others to receive payment on contractor's behalf.
29. Bid documents consisting of plans, specifications, the schedule of quantities and the set of terms and conditions of contract and other necessary documents can be seen in all the offices issuing the documents and office of the under signed during office hours every day except on Sundays and Public Holidays till last date of sale and receipt of tender papers. Interested bidders may obtain further information at the same address. But it must be clearly understood that tenders must be received in order and according to instructions in complete shape. Incomplete tender is liable for rejection
30. The tenderers shall make all arrangements for proper storage of materials but no cost for raising shed for store and pay of security guard etc. will be borne by the Department. The department is not responsible for any theft or loss of materials at site. It is contractor's risk. Under any such plea, if the tenderer stops the work he shall have to pay the full penalty as per clauses of the contract.
31. Approach road to site of work for transport of materials to site of work is sole responsibility of the Contractor. Statutory traffic restriction in the town area for Transport of construction material to site of work is to be taken in to consideration before tendering and no consideration for extra time or compensation thereof shall be considered.
32. The contractor should at his own cost arrange necessary tools and plants required for efficient execution of work and the rates quoted should be inclusive of transportation, hire and running charges of such plant and cost of consumables.
33. The contractor shall properly co-ordinate with the execution of works and take care of the safety of workers.
34. The machineries if available, with the department may be supplied on hire as per charges noted in the enclosed statement and may be changed from time to time subject to the condition that the contractor will execute in advance an agreement with the Engineer-in-Charge.
35. No claim whatsoever will be entertained for supply of machineries. No extension of time will be granted to the contractor under this ground under any circumstances
36. The tenders should furnish along with their tender a list of works executed during the last three years duly



certified by the concerned Engineer-in-charge indicating the satisfactory completion for works as per the proforma enclosed in a separate sheet of schedule-H.

37. The rates quoted should be inclusive of carriage of water required in connection with execution of the work. No claim for carriage of water whatsoever will be entertained.
38. For submission of a tender for the work, the tenderer will be deemed to have satisfied himself by actual inspection of the site and locality of the work about the quality and availability of the required quantity of materials, Medical aid, labour and Flood stuff etc. and that the rates quoted by him in the tender will be adequate to complete the work according to the specifications attached thereto and that he had taken in to account all conditions and difficulties that may be encountered during its progress and to have quoted labour rates and materials with taxes, Octoroi and other duties lead, lifts, loading and unloading freight for materials and all other charges necessary for the completion of the work to the entire satisfaction of the Engineer-in-charge of the work and his authorized subordinates. After acceptance of the contract rates Government will not pay any extra charges for any reason in case the contractor finds later on to have misjudged the conditions as regards the availability of materials, labour and other factors. The contractor will be responsible for any misuse, loss or damages due to any reasons whatsoever of any departmental material during the execution of work. In case of loss, damage or misuse, recovery at the rate at 5 times the cost of the materials will be deducted from the bills or his other dues.
39. The prevailing percentage of I.T. Department of the gross amount of the bill towards income tax will be deducted from the contractor's bill.
40. Prevailing rate of VAT on the gross amount of the bill will be deducted from the contractor's bill, where Agreement Value is **One Lakh and above**.
41. It must be clearly understood that under no circumstances any interest is chargeable for the dues or additional dues if any payable for the work executed and final bill pending disposal due to any reason whatsoever.
42. No extra payment will be made for removing spreading and consolidating salvaged metals and materials.
43. Under section 12 of contractors labour (Regulation and Abolition) Act. 1970 the contractor who undertakes execution of work through labour should produce valid license from licensing authorities of labour Department.
44. **(i) Amendment to Appendix - IX, Clause - 36 of OPWD Code Vol.-II by inclusion**

If the rate quoted by the bidder is less than 15% of the tendered amount, then such a bid shall be rejected and the tender shall be finalized basing on merits of rest bids. But if more than one bid is quoted at 14.99% (Decimals up to two numbers will be taken for all practical purposes) less than the estimated cost, the tender accepting authority will finalise the tender through a transparent lottery system, where all bidders / their authorized representatives, the concerned Executive Engineer and DAO will remain present.

**(ii) Clause 36 of Appendix-IX of O.P.W.D. Code, Volume-II by inclusion.**

If the rate quoted by the SC and ST Category Contractor comes to 14.99% (decimals up to two numbers will be taken for all practical purposes) less than the estimated cost after availing 10% price preference as per Para-2 of Works Department Resolution No.27748 dtd.11.10.1977, then the tender shall be finalized by the tender accepting authority through a transparent lottery system along with other category of contractors whose rates are 14.99% less than the estimated cost" as per Works Department Memorandum No.10224 dtd.01.09.2015.

(iii) Amendment to Para-3.5.5 (v) of OPWD Code Volume-I by inclusion.

**(Additional performance Security)**

Additional Performance Security shall be obtained from the bidder when the bid amount is less than estimated cost put to tender. In such an event, only the successful bidder who has quoted less bid price/ rates than the estimated cost put to tender shall have to furnish the exact amount as Additional Performance Security (APS) as per following **instructions mention as per Works Department Government of Odisha Vide OM No- 4559 Date-05.04.2021 and** in shape of Demand Draft/ Term Deposit Receipt pledged in favour of the Divisional Officer **within Seven days, otherwise the bid shall be cancelled and the security deposit shall be forfeited. Further, proceeding for blacklisting shall be initiated against bidder as per Works Department Office Memorandum No.14299 dtd.03.10.2017.**

Sl. No.	Rang of Difference between the estimate cost put to tender and Bid amount	Additional Performance Security to be deposited by the successful bidder
1	Below 5%	No Additional Performance Security.
2	From 5% and above and below 10%	50% of (Difference between estimated cost put to tender and Bid Amount)
3	From 10% and above	150% of (Difference between estimated cost put to tender and Bid Amount)

If the rate quoted by the bidder is less than 15% of the tendered amount, then such a bid shall be rejected and the tender shall be finalized basing on merits of rest bids. But if more than bid is quoted at 14.99% (Decimals up to two numbers will be taken for all practical purpose) less than the estimated cost, the tender accepting authority will finalize the tender thorough a transparent lottery system where all bidders / their authorized representatives, the concerned Executive Engineer and DAO will remain present.

**(Amendment to Appendix-IX, Clause-36 of OPWD Code Vol.-II)**

**(by inclusion vide O.M.No.12366 dt.08.11.2013).**

**(B) Additional Performance Security shall be obtained from the bidder, when the bid amount is less than the estimated cost put to tender. In such an event, only the successful bidder who have quoted less bid price / rates than the estimated cost put to tender shall have to furnish the exact amount of differential cost i.e. estimated cost put to tender minus the quoted amount as Additional Performance Security in shape of Term Deposit Receipt pledged in favour of Executive Engineer, (P & M), payable at Bhubaneswar within seven days, otherwise the bid shall be cancelled and the security deposit shall be forfeited. Further proceeding for blocking shall be initiated against bidder (O.M. No.14299 dt.03.10.2017). If the Contractor fails to complete the work, the amount so furnished as additional performance security will be forfeited in addition to the other penal clauses, if any to be imposed.**

45. The Tenderer should furnish along with their tender 1.a list of works, which are at present in their hand 2. list of T&P and 3.list of work executed in the prescribed proforma(s) enclosed herewith in appropriate place of bid document.
46. The tenderer may at his option quote reasonable rate for each item of work carefully so that the rate for one item should not be unworkable low and for others too high.
47. If there is any damage to the work due to natural calamities like flood or cyclone or any other cause during the course of execution of work or up to 6 months after completion of work or if any, imperfection becomes apparent to the work within 6 months from the date of final certificate of completion of work the contractor shall make good of all such damages at his own cost with no extra cost to the Department. No claims, whatsoever, in this regard will be entertained.
48. That for the purpose of jurisdiction in the event of disputes if any of the contract would be deemed to have been entered in to within the State of Orissa and it is agreed that neither party to the contract will be competent to bring a suit in regard to the matter by this contract at any place outside the State of Orissa.

49. **SPECIAL CONDITIONS (PART OF THE CONTRACT)**

- i. All materials before they are being used in the items of works as per this Schedule of quantities and also the finished items of work where tests are applicable shall have to be tested through the Engineer-in-charge of the respective wing at appropriate Laboratories according to the relevant I.S. specifications of the materials and the said items of works and the cost of all such tests shall have to be borne by the Contractor and the rates of the items of works should be inclusive of cost of such tests.
  - ii. The tests have to be planned & carried out such that the progress of work is not hampered
  - iii. The tests are mandatory as per the prescribed frequencies and I.S. specifications. However, these are not exhaustive and the Engineer-in-charge has the right to prescribe other required test if any as will be considered from time to time.
50. Schedule of quantities is accompanied in Bid It shall be definitely understood that the Government does not accept any responsibility for the correctness or completeness of this schedule and that this schedule is liable for alternation or omissions, deductions or alternations set forth in the conditions of the contract and such omissions, deductions, additions or alternations shall no way invalidate the contract and no extra monetary compensation, will be entertained.
51. In case of any complaint by the labour working about the non-payment or less payment of his wages as per latest minimum Wages Act, the Executive Engineer will have the right to investigate and if the contractor is found to be in default, he may recover such amount due from the contractor and pay such amount to the labour directly under intimation to the local labour office of the Govt. The contractor shall not employ child labour. The decision of the Executive Engineer is final and binding on the contractor.
52. The bidder will be responsible for the loss or damage of any departmental materials during transit and in the execution of the work due to reasons what-so-ever and the cost of such materials will be recovered from the bills at stock issue rates or market rates whichever is higher.
53. If the contractor removes Government materials supplied to him from the site of work with a view to dispose of the same dishonestly, he shall be in addition to any other liability civil or criminal arising out of his contract be liable to pay a penalty equivalent to five times of the price of the materials according to the stock issue rate or market rate whichever is higher. The penalty so imposed shall be recovered at any time from any sum that may then or at any time thereafter become due to the contractor or from his security deposit or from the proceeds of sale thereof.
54. The Department will have the right to supply at any time in the interest of work any departmental materials to be used in the work and the contractor shall use such materials without any controversy or dispute on that account. The rate of issue of such materials will be at the stock issue rates inclusive of storage charges or rates fixed by the Department or current market rate whichever is higher.
55. In case the 1st lowest tenderer or even the next lowest tenderers withdraw in series one by one, there by facilitating a particular tender for award, then they shall be penalized with adequate disincentives with forfeiture of EMD unless adequate justification for such back out is furnished. Appropriate action for black listing the tenderers shall also be taken apart from dis-incentivising the tenderer.

## **ELIGIBILITY CRITERIA FOR QUALIFICATION:**

Applicants shall furnish the followings.

- a) **Online E.M.D of Rs.13,600/-.**
- b) **Online towards cost of tender paper of Rs.6,000/-.**
- c) **Information regarding current litigation, debarring / expelling of the applicant or abandonment of work by the applicant in schedule "B" and affidavit to that effect including authentication of tender documents and Bank guarantee in schedule "C" or otherwise his/her bid shall be declared as non-responsive and thus liable for rejection**
- d) **Registered Agencies / Organizations having EA / EM / Energy Professionals and having experience in event managements and have to submit hard copy of experience.**
- e) **Copy of PAN Card.**
- f) **Copy of GST Registration.**
- g) **Firm Registration Certificate.**
- h) **Name, Qualification and experience of EM / EA / Energy Professionals with BEE Certificate**  
**NOTE: Scanned copies of evidence of all documents to justify Eligibility under the above clauses are to be furnished with the online bid.**

### **2.1. Progress of work and Re-scheduling programme.**

- 2.1.1. The Engineer-in-Chief (Elec) -cum- PCEI, Odisha shall issue the letter of acceptance to the successful contractor. The issue of the letter of acceptance shall be treated as closure of the Bid process and commencement of the contract.
- 2.1.2. Within 5 days of issue of the letter of acceptance, the contractor shall submit EMD and ISD (2% of the tender cost) and APS if applicable to the Engineer-in- Charge for drawal of work order.

**SCOPE OF WORK:-**

Sl. No.	Description of items	Unit	Quantity
1	Charges for supply and installation of stall of size (20 feet x30 feet ) arrangement with wooden platform base covered by carpet, ply walls in all sides and false ceiling with minimum clearance of 12 feet from bottom, podium for display of products, Backlit panels, supply and fixing of posters, banners, flower arrangements, decorative plants etc., illumination with LED Lightings, fire extinguishers (minimum 2 nos.), Address System with speakers and microphone, LED for Video Display (8 feet x 6 feet), Sitting arrangement at the stall with discussion tables including installation and transportation of all items for Stall-1.	Days	8
2	Provide 1 no. of Energy Manager / Energy Auditor / Energy Professionals for Stall-1	Days	8
3	Provide three nos. of support staff, one Security arrangement for Stall-1	Days	8
4	Demonstration arrangement for energy efficiency such as display of lux level, voltage, current, power, power factor. Different measuring instruments like multimeter, lux meter, digital thermometer etc. All kinds of energy efficient gadgets for Stall-1	Days	8
5	Colour painting 20 sets per day, A4 paper, slogan writing slips and arrangements for spot painting; quiz, slogan, 10 Prizes on the spot competitions per day on energy conservation and efficiency for Stall-1	Days	8
6	Distribution of gift items with printed EC awareness message to the visitors of stalls for 8days. i. Cotton Handkerchief (500Nos.) size (1feet * 1feet) ii. Caps (2000 Nos.) iii. Tea cups (500 Nos.)	Set	1
7	Printing and fixing of 10 nos. of direction board of size (2 feet * 2 feet)	Nos.	10
8	Charges for supply and installation of stall (20 feet x 30 feet) arrangement with wooden platform base covered by carpet, ply walls in all sides, fixing of posters, banners, flower arrangements, decorative plants etc., illumination with LED Lightings, fire extinguishers (minimum 4 nos.), arrangement and parking 02 nos. of Electric Vehicle for display for Stall-2	Days	8
9	Logistic arrangement for site visit of Officers and Staffs for activity observation and report for Stall-1 and Stall-2	Days	8
10	Supply and installation of LED Video Display (8 feet x 6 feet) for Stall-2	Days	8
11	500 nos. Leaflet per day for Distribution in total 8 days (Odia and English) (Total 4000 nos. of leaflets )	Nos.	4000
12	Provide One no support staff, and one no security arrangement at the stall-2	Days	8
13	Hosting of half an hour stage show daily for 8 days on awareness programme for public in main stage of Baliyatra on Energy Conservation and Energy Efficiency Theme	Days	8
14	Sanitation expenses like Mask, Sanitizer, Water Bottle etc. for both stalls	Days	8
15	Programme co-ordination fee	Days	8

1. The stall design, colour of carpets, no. of fire extinguishers, no. of decorative plants with all other necessities to be done with consulting to Engineer in charge .
2. All the samples of cap, handkerchief and tea cup should checked from Engineer in charge.
3. Arrangement of 4 wheeler vehicle (8 days) for logistic support of officers in charge of baliyatra.
4. The leaflet, banners with size and design, posters should approved from engineer in charge.
5. Arrangement of 2 nos. EV for stall no. 2 till completion of baliyatra with support staff.
6. Arrangement of stage events show for half an hour for all days of baliyatra such as nukkad, drama, kathanatya etc on Energy Conservation & Energy Efficiency Themes.

## 2.2. Compensation for Delay.

2.2.1. If the contractor fails to maintain the required progress in terms of clause-2 of P-1 Contract or to complete the work and clear the site on or before the contract or extended date of completion, he shall, without prejudice to any other right or remedy available under the law to the Government on account of such breach, pay as agreed compensation the amount calculated at the rates stipulated below as the Chief Engineer (whose decision in writing shall be final and binding) may decide on the amount of tendered value of the work for every completed day / month (as applicable) that the progress remains below that specified in Clause-2 of P-1 Contract or that the work remains incomplete. This will also apply to items or group of items for which a separate period of completion has been specified. Compensation @ 1.5% per month of for delay of work, delay to be completed on per Day basis. Provided always that the total amount of **compensation** for delay to be paid under this condition shall not exceed 10% of the Tendered Value of work or to the Tendered Value of the item or group of items of work for which a separate period of completion is originally given. The amount of compensation may be adjusted or set-off against any sum payable to the Contractor under this or any other contract with the Government. In case, the contractor does not achieve a particular milestone mentioned in contract data, or the rescheduled milestone(s) in terms of Clause-2.5, the amount shown against that milestone shall be withheld, to be adjusted against the compensation levied at the final grant of extension of time. Withholding of this amount on failure to achieve a milestone shall be automatic without any notice to the contractor. However, if the contractor catches up with the progress of work on the subsequent milestone(s), the withheld amount shall be released. In case the contractor fails to make up for the delay in subsequent milestone(s), amount mentioned against each milestone missed subsequently also shall be withheld. However no interest whatsoever shall be payable on such withheld amount.

56. A Contractor may be black listed as per amendment made to Appendix XXXIV to OPWD Code Vol.-II on rules for black listing of Contractors vide letter no.3365 dt.01.03.2007 of Works Department, Orissa.

As per said amendment a Contractor may be blacklisted

- a) Misbehavior/threatening of Departmental & supervisory officers during execution of work/tendering process.
- b) Involvement in any sort of tender fixing.
- c) Constant non-achievement of milestones on insufficient and imaginary grounds and non-adherence to quality specifications despite being pointed out.
- d) Persistent and intentional violation of important conditions of contract.
- e) Security consideration of the State i.e. any action that jeopardizes the security of the State.
- f) Submission of false/ fabricated / forged documents for consideration of a tender.

57. Percentage rate contract (vide Works Department letter no.8310 dt.17.05.2006) In case of percentage rate tender:-

- a) The Contractor has to mention percentage excess or less over the estimated cost (In figures as well as words) in the prescribed format appended to the tender document.
- b) Contractors participated in the tender for more than one work may offer conditional rebate. Rebate offer submitted in separate sealed envelope shall be opened, declared and recorded first. The rebate so offered shall be considered after opening of all packages called in the same Tender Notice. The Contractors who wish to tender for two or more works shall submit separate tender for each. Each tender shall have the Bid Identification No., Name & Sl. No. of the work (as per IFB) to which they refer, written on the envelope.
- c) Only percentage quoted shall be considered. Percentage quoted by the Contractor should be accurately filled-in figures and words, so that there is no discrepancy.
- d) If any discrepancy is found in the percentage quoted in words and figures, then the percentage quoted by the Contractor in words shall be taken as correct
- e) If any discrepancy is found in the percentage quoted in percentage excess/ less and the total amount quoted by the Contractor, then percentage will be taken as correct.
- f) The percentage quoted in the tender without mentioning excess or less and not supported with the corresponding amount will be treated as excess.
- g) The percentage quoted in the tender without mentioning excess / less supported with corresponding amount does not tally with either to percentage excess or less then it will be treated as percentage excess.

- h) The percentage quoted in the tender without mentioning excess / less supported with corresponding amount if tallied with the percentage then it will be treated as to which side the amount tallies.
- i) The Contractor will write percentage excess/ less unto one decimal point only. If he writes the percentage excess / less up to two or more decimal points, the first decimal point shall only be considered without rounding off.
- j) The tender shall be written legibly and free from erasures, over writings or corrections of figures. Corrections, over writings & interpolations where unavoidable should be made by making out, initialing, dating and rewriting.
- k) In the contract P1 time is the essence. The contractor is required to maintain a certain rate of progress specify in the contract.
- l) The quantity mentioned can be increased or reduced to the extent of 10% for individual items subject to a maximum of 5% over the estimated cost. If it exceeds the limit stated above prior approval of competent authority is mandatory before making any payment.
- m) The period of completion is fixed and cannot be altered.
- n) Bills for percentage rate tenders shall be prepared at the estimated rates for individual items only and the percentage excess or less shall be added or subtracted from the gross amount of the bill.

**(Total 57 Clauses)**

**APPROVED BY**

**Sd/-  
EIC (E)-Cum-PCEI, Odisha**

**CERTIFICATE OF NO RELATIONSHIP**

I/We hereby certify that I/We\* am/are\* **related / not related**(\*) to any officer of O/o EIC (Elec) -cum-PCEI, Odisha of the rank of Assistant Executive Engineer & above and any officer of the rank of Assistant / Under Secretary and above of the Department of Energy, Govt. of Odisha I/We\* am/are\* aware that, if the facts subsequently proved to be false, my/our\* contract will be rescinded with forfeiture of E.M.D and security deposit and I/We\* shall be liable to make good the loss or damage resulting from such cancellation.

I//We also note that, non-submission of this certificate will render my / our tender liable for rejection.

(\*) - Strike out which is not applicable

Signature of the Tenderer  
Date:-

**INFORMATION REGARDING CURRENT LITIGATION, DEBARRING EXPELLING OF TENDERER OR ABANDONMENT OF WORK BY THE TENDERER**

- 1. a) Is the tenderer currently involved in any litigation relating to the works. Yes / No  
b) If yes: give details:
- 2. a) Has the tenderer or any of its constituent partners been debarred/expelled by any agency in India during the last 5 years. Yes / No
- 3. a) Has the tenderer or any of its constituent partners failed to perform on any contract work in India during the last 5 years. Yes / No  
b) If yes, give details:

**Note:**If any information in this schedule is found to be incorrect or concealed, qualification application will summarily be rejected.

**Signature of Tenderer**

**AFFIDAVIT**

- 1. The undersigned do hereby certify that all the statements made in the required attachments are true and correct.
- 2. The undersigned also hereby certifies that neither my / our firm / company / individuals \_\_\_\_\_ nor any of its constituent partners have abandoned any road/ bridge/Irrigation /Buildings or other project work in India nor any contract awarded to us for such works have been rescinded during the last five years prior to the date of this bid.
- 3. The undersigned hereby authorise(s) and request(s) any bank, person, firm or Corporation to furnish pertinent information as deemed necessary and as requested by the Department to verify this statement or regarding my (our) competency and general reputation.
- 4. The undersigned understands and agrees that further qualifying information may be requested and agree to furnish any such information at the request of the Department.
- 5. The undersigned undertake that in case of any information furnished by me found to be incorrect, the Government has right to reject the Bid.

(Signature of Tenderer)

Title of Officer  
Name of Firm  
Date



**For e-procurement**  
**(Relevant clauses in the DTCN/Bid document shall be superseded)**

**Works Department Office memorandum**

**File No.07556900042013 (Pt-II)-7885(W) dt.23.07.2013**

1. This office memorandum consists of the procedural requirement of e-procurement and shall be made part of the Detailed Tender Call Notice or Instruction to Bidder for all "works" tenders hosted in the portal.
2. The e-procurement portal of the Government of Odisha is "<https://tendersodisha.gov.in>"
3. Use of valid Digital Signature Certificate of appropriate class (Class-II or Class-III) issued from a registered certifying authority (CA) as stipulated by Controller of certifying authorities (CCA), Government of India such as n-Code, Sify, TCS, MTNL, e-Mudhra is mandatory for all users.
4. The DSC issued to the Department users is valid for the period of two years only. All the department users are responsible for revalidate their DSC prior to expiry.
5. For all purpose, the server time displayed in the e-procurement portal shall be the time to be followed by all the users.
6. Government after careful consideration has decided to host all tenders costing 10 lakhs or above in the e-procurement portal. This will be applicable across all Engineering Departments such as Works Department, Department of Water Resources, Rural Development and Housing & Urban Development Department, Government of Orissa also welcomes hosting of tenders by any other departments, authority, corporations, local bodies etc. of the State with prior approval from Works department. Works department is the Nodal department for the implementation of e-Procurement in the State.
7. The e-procurement shall be operated compliant to relevant provisions of OGFR/OPWD Code / Accounts code / Government statutes including any amendments brought from time to time to suit to the requirement of the best national practice.
8. Registration in the e-procurement portal is without levy of any charges but Government reserves the right to levy any charges for such value added services in future.
9. Contractors not registered with Government of Orissa, can participate in the e-procurement after necessary enrolment in the portal but have to subsequently register themselves with the appropriate registering authority of the State Government before award of the work as per prevalent registration norms of the State.
10. For the role management "Department" is the Administrative Department, Organisation or wing is the Chief Engineer or highest tender accepting authority or equivalent officer, Circle is the Superintending Engineer or equivalent Officer, Division is the Executive Engineer or equivalent Officer and Sub-division is the Assistant Engineer or equivalent officer.
11. The e-procurement software assigns role for operation of the module for specific function. The terminologies used in the Portal and their respective functions in the software are as follows.
  - 11.1 Application Administrator : (NIC and State Procurement Cell)
    - I. Master Management
    - II. Nodal officer Creation
    - III. Report generation
    - IV. Transfer and Officer's login ID.
    - V. Blocking & unblocking of officer's and bidder's login ID.
  - 11.2 Nodal Officer (At organization level not below the Superintending Engineer or equivalent rank)
    - I. Creation of Users
    - II. Role Assignment
    - III. Transfer of Officer's login ID
    - IV. Blocking & unblocking of officer's login ID.
  - 11.3 Procurement Officer - Publisher (Officer having Tender inviting power at any level)
    - I. Publishing of Tender
    - II. Publishing of Corrigendum / addendum / cancellation of Tender
    - III. Bid clarification
    - IV. Uploading of Pre-Bid Minutes
    - V. Report generation
  - 11.4 Procurement Officer - Administrator (Generally Sub-ordinate officer to Officer inviting tender)
    - I. Creation of Tender
    - II. Creation of corrigendum / addendum / cancellation of Tender
    - III. Report generation
  - 11.5 Procurement officer-opener (Generally Sub-ordinate officer to Officer inviting tender)
    - I. Opening of Bid
  - 11.6 Procurement Officer - Evaluator (Generally Sub-ordinate officer to Officer Inviting tender)
    - I. Evaluation Bid
  - 11.7 Procurement Officer-Auditor (Procurement Officer -Publisher and / or Accounts Officer / Finance

Officer)

I. To take up auditing

12. NOTICE INVITING BIDS (NIB) OR INVITATION FOR BID (IFB):

- 12.1 The notice Inviting Bids (NIB) and Bid documents etc. shall be in the Standard formats as applicable to conventional Bids and will be finalised / approved by the officers competent as in the case of conventional Bids.
- 12.2 The officers competent to publish NIB in case of conventional Bids will host the NIB in the portal. Simultaneously, a notification should also be published in the newspapers as per existing rules preferably, in the following format, to effect economy:-

Government of Odisha "e" procurement Notice	
Bid Identification No.	_____
1. Name of the work :	_____
2. Estimated cost : Rs.	_____
3. Period of completion :	_____
4. Date & Time of availability of bid document in the portal :	_____
5. Last date / Time for receipt of bids in the portal :	_____
6. Name and address of the Officer Inviting Tender:	_____
Further details can be seen from the e-procurement portal <a href="https://tendersodisha.gov.in">https://tendersodisha.gov.in</a>	

12.3 The tender documents published by the tender inviting officer (Procurement officer publisher) in the website <https://tendersodisha.gov.in> will appear in the "Latest Active Tender". The Bidders / Guest users can download the Bid documents only after the due date and time of sale. The publication of the tender will be for specific period of time till the last date of submission of bids as mentioned in the 'Notice inviting bid' after which the same will be removed from the list of "Last Active tenders"

13. ISSUE OF ADDENDA / CORRIGENDA / CANCELLATION NOTICE

- 13.1 The Procurement Officer Publisher (Officer inviting tender) shall publish any addendum / corrigendum / cancellation of tender in the website <https://tendersodisha.gov.in>, notice board and through paper publication and such notice shall form part of the bidding documents.
- 13.2 The System generates a mail to those bidders who have already uploaded their tenders and those bidders if they wish can modify their tenders. The bidders are required to watch the website till last date and time of bid submission for any addendum / corrigendum / cancellation thereof. Tender inviting authority is not responsible for communication failure of system generated mail.

14. CREATION AND PUBLISHING OF BID.

- 14.1 All the volumes / documents shall be uploaded in the portal by the tender creating officer (Procurement officer Administrator) and published by the Officer Inviting Tender (Procurement Officer Publisher) using their SDCs in appropriate format so that the document is not tampered with.
- 14.2 The tender document comprise the notice inviting tender, bid document / SBD, drawings in .pdf format and the schedule of quantities / BoQ in.xls format to be uploaded by the Officer Inviting Tender.
- 14.3 Procurement officer Administrator creates tender by filling up the following forms:
- i. BASIC DETAILS
  - ii. COVER CONTENT: The procurement officer Administrator should briefly describe the name and type of documents to be uploaded by the bidder in the following format:
    - (a) For Single cover / Packet:

Sl. No.	Cover Type	Document description	Type
1	Fee / Prequal / Technical / Finance	Tender cost (Online), EMD (online), GST Certificate, PAN Contractor RC	.pdf
		Affidavits, undertakings and any other document as per SBD / DTCN	.pdf
		BoQ	.xls

(b) For Two cover / Packet:

Sl. No.	Cover Type	Document description	Type
1	Fee / Prequal / Technical / Finance	Tender cost (Online), EMD (online), GST Certificate, PAN Contractor RC	.pdf
		Affidavits, undertakings and any other document as per SBD / DTCN	.pdf
		BoQ	.xls
2	Finance	BoQ	.xls
		Special condition if any specifically mentioned by Officer Inviting Tender	.pdf

iii. TENDER DOCUMENT: The procurement officer Administrator should upload the NIT in .pdf

- format.
- iv. WORK ITEM DETAILS
  - v. FEE DETAILS: The Procurement Officer Administrator should mention the cost of tender paper and EMD amount as laid down in DTCN / SBD.
  - vi. CRITICAL DATES: The Procurement Officer Administrator should mention the critical dates of tender such as publishing date, document download start date & end date, seek clarification start date & end date (optional), bid submission start date & closing date, bid opening date as per DTCN / SBD.
  - vii. BID OPENER SELECTION: The Procurement Officer creator can select two / three / four bid openers for a particular bid. If required the bid openers can also be selected within an organisation from other procurement units / Circles / Divisions).
  - viii. WORK ITEM DOCUMENTS: The Procurement Officer Administrator should upload the digitally signed tender document (SBD / DTCN) or any other addition document / drawings in .pdf format and Bill of Quantities in .xls format.
  - ix. PUBLISHING OF TENDER: The Procurement Officer Publisher shall publish the tender using his / her DSC after detail scrutiny of the fields created and documents uploaded by the Procurement Officer Administrator, Procurement Officer Publisher can publish tenders for multiple procurement units using multiple DSCs procured for each post separately. After being relieved from the additional charges he has to surrender the additional DSCs to the Nodal Officer of the concerned organisation.
15. PARTICIPATION IN BID:
- PORTAL REGISTRATION** : The Contractor / Bidder intending to participate in the bid is required to register in the Portal using his / her active personal / official e-mail ID as his / her Login ID and attach his / her valid Digital signature certificate (DSC) to his, her unique Login ID. He / She has to submit relevant information as asked for about the firm / contractor. The portal registration of the bidder / firm is to be authenticated by the State Procurement Cell after verification of original valid certificates / documents such as (i) PAN and (ii) Registration Certificate (RC) / VAT Clearance Certificate (for procurement of goods) of the concerned bidder. The time period of validity in the portal is at par with validity of RC / VAT Clearance. Any change of information by the bidder is to be re-authenticated by the State Procurement Cell. After successful authentication bidder can participate in the online bidding process.
- Bidders participating through Joint Venture shall declare the authorised signatory through Memorandum of Understanding duly registered and enrol in the portal in the name and style of the Joint Venture Company. It is mandatory that the DSC issued in the name of the authorised signatory is used in the portal.
  - Any third party / company / person under a service contract for operation of e-procurement system in the State or his / their subsidiaries or their parent companies shall be ineligible to participate in the procurement processes that are undertaken through the e-procurement system irrespective of who operates the system.
  - **Logging to the portal:** The Contractor / Bidder is required to type his / her Login ID and password. The system will again ask to select the DSC and confirm it with the password of DSC as a second stage authentication. For each login, a user's DSC will be validated against its date of validity and also against the certificate Revocation List (CRL) of respective CA stored in system database. The system checks the unique Login ID, password & DSC combination and authenticates the login process for use of portal.
  - **Downloading of bid:** The bidder can down load the tender of his choice and save it in his system to undertake necessary preparatory work off-line and upload the completed tender at his convenience before the closing date and time of submission.
  - **Clarification on bid:** The bidder may ask question related to tender online in the e-procurement portal using his / her DSC; provided the questions are raised within the period of seeking clarification as mentioned in tender call notice / Bid. The Officer inviting the bid / Procurement Officer-Publisher will clarify queries related to the tender.
  - **Preparation of bid :**
  - The bids may consist of general arrangements drawings or typical or any other drawings relevant to the work for which bid has been invited. Bidder may down load these drawings and take out the print for detail study and preparation of his bid. Any other drawings and documents pertaining to the works available with the Officer Inviting the Bid will be open for inspection by the Bidders.
  - The Bidder shall go through the Bid carefully and list the documents those are asked for submission. He shall prepare all documents including cost of bid document, Bid Security, Declaration form, price bid etc. and store in the system.

- **Payment of EMD / Bid security and cost of Bid documents:**
- The Bidder shall furnish, as part of his Bid, a Bid security for the amount mentioned under NIT / Contract Data. The bidder shall scan all the written / printed pages of the bid security and upload the same in portable document format (PDF) to the system in designated place of the technical Bid. Furnishing scanned copy of such documents is mandatory otherwise his / her bid shall be declared as non-responsive and liable for rejection.
- The EMD or Bid security payable along with the bid is 1% of the estimated contract value (ECV) or as mentioned in the bid document. The validity period of the EMD or Bid security shall be as mentioned in the bid document. Any bid not accompanied by an acceptable Bid Security and not secured as indicated in the bid document shall be rejected as non-responsive. The bid security shall be retained till such time the successful bidder furnishes Initial Security Deposit (ISD) or Performance security acceptable to the Officer inviting the Bid. Failure of the successful Bidder to comply with the requirements shall constitute sufficient grounds for cancellation of the award and forfeiture of the Bid Security. The bid security in the form of FD / BG shall be from a Nationalized Bank valid for a period of 45 days beyond the validity of the bid. Bid security in other form is acceptable if the bid documents provides for it.
- The Fixed deposit / Bank Guarantee or any other form as mentioned in detailed tender call notice in respect of Earnest Money Deposit / Bid Security and the Bank draft in respect of cost of Bid are to be scanned and uploaded in portable document format (PDF) along with the bid.
- The tender accepting authority will verify the originals of all the scanned documents of the successful lowest bidder only within 5 days of opening of the tender. In the eventuality of failure on the part of the lowest successful bidder to produce the original documents, he will be debarred in future from participating in tender for 3 years and will be black listed by the competent authority. In such a situation, successful L-2 bidder will be required to produce his original documents for consideration of his tender at the negotiated rate equal to L-1 bidder.
- Contractor exempted from payment of EMD will be able to participate in the tender directly by uploading documentary evidences towards his eligibility for such exemption.
- Government of Odisha has been actively considering integrating e-payment gateway in to the portal for payment of Cost of Bid and Bid security / earnest money deposit. The process of using e-payment gateway shall be issued separately after it is established.

16. **SUBMISSION OF BID:**

- The bidder shall carefully go through the tender and prepare the required documents. The bid shall have a Technical Bid & a Financial Bid. The Technical Bid generally consist of cost of Bid documents, EMD / Bid Security, VAT, PAN / TIN, Registration certificate, Affidavits, Profit Loss statement, Joint venture agreement, List of similar nature works, work in hand, list of machineries and any other information required by OIT. The Financial Bid shall consist of the Bill of Quantities (BOQ) and any other price related information / undertaking including rebates.
- Bidders are to submit only the original BoQ (in .xls format) uploaded by procurement officer publisher (Officer Inviting Tender) after entering the relevant fields without any alteration / deletion / modification. Multiple BoQ submission by bidder shall lead to cancellation of bid. In case of item rate tender, bidders shall fill in their rates other than zero value in the specified cells without keeping it blank. In the percentage rate tender the bidder quoting zero percentage is valid and will be taken at par with the estimated rate of the work put to tender.
- The Bidder shall upload the scanned copy / copies of document in support of eligibility criteria and qualification information in prescribed format in Portable Document Format (PDF) to the portal in the designated locations of Technical Bid.
- The bidder shall write his name in the space provided in the specified location in the Protected Bill of Quantities (BoQ) published by the Officer Inviting Tender. The bidder shall type rates in figure only in the rate column of respective item (s) without any blank cell in the rate column in case of item rate tender and type percentage excess or less up to two decimal place only in case of percentage rate tender.
- The bidder shall log on to the portal with his / her DSC and move to the desired tender for uploading the documents in appropriate place one by one simultaneously checking the documents.
- Bids cannot be submitted after due date and time. The bids once submitted cannot be viewed, retrieved or corrected. The bidder should ensure correctness of the bid prior to uploading and take print out of the system generated summary of submission to confirm successful uploading of bid. The bids cannot be opened even by the OIT or the Procurement Officer-Publisher / Opener before the due date and time of opening.
- Each process in the e-procurement is time stamped and the system can detect the time of log in of each user including the Bidder.
- The Bidder should ensure clarify / legibility of the document uploaded by him to the portal.

- The system shall require all the mandatory forms and fields filled up by the contractor during the process for submission of the bid / tender.
  - The bidder should check the system generated confirmation statement on the status of the submission.
  - The Bidder should upload sufficiently ahead of the bid closure time to avoid traffic rush and failure in the network.
  - The Tender inviting Officer is not responsible for any failure, malfunction, or breakdown of the electronic system used during the e-procurement process.
  - The Bidder is required to upload documents related to his eligibility criteria and qualification information and Bill of Quantities duly filled in. It is not necessary for the part of the Bidder to upload the drawings and other Bid documents (after signing) while up-loading his bid. It is assumed that the bidder has referred all the drawing and documents uploaded by the Officer inviting the Bid.
  - The Bidder will not be able to submit his bid after expiry of the date and time of submission of bid (Server time). The date and time of bid submission shall remain unaltered even if the specified date for the submission of bids declared as a holiday for the Officer Inviting the Bid.
  - **Signing of Bid:** The 'online bidder' shall digitally sign on all statements, documents, certificates, uploaded by him, owning responsibility for their correctness / authenticity as per IT ACT 2000. If any of the information furnished by the bidder is found to be false / fabricated / bogus, his EMD/Bid security shall stand forfeited and his registration in the portal shall be blocked and the bidder is liable to be blacklisted.
17. SECURITY OF BID SUBMISSION
- All bid uploaded by the Bidder to the portal will be encrypted.
  - The encrypted Bid can only be decrypted / opened by the authorised openers on or after the due date and time.
18. RESUBMISSION AND WITHDRAWAL OF BIDS:
- Resubmission of bid by the bidders for any number of times before the final date and time of submission is allowed.
  - Resubmission of bid shall require uploading of all documents including price bid afresh.
  - If the bidder fails to submit his modified bids within the pre-defined time of receipt, the system shall consider only the last bid submitted.
  - The bidder should avoid submission of bid at the last moment to avoid system failure or malfunction of internet or traffic jam or power failure etc.
  - The Bidder can withdraw his bid before the closure date and time of receipt of the bid by uploading scanned copy of a letter addressing to the Procurement Officer-Publisher (Officer Inviting Tender) citing reasons for withdrawal. The system shall not allow any withdrawal after expiry of the closure time of the bid.
19. OPENING OF THE BID:
- Bid opening date and time is specified during tender creation or can be extended through corrigendum. Bids cannot be opened before the specified date & time.
  - All bid openers have to log on to the portal to decrypt the bid submitted by the bidders.
  - The bidders & guest users can view the summary of opening of bids from any system. Contractors are not required to be present during the bid opening at the opening location if they so desire.
  - In the event of the specified date of bid opening being declared a holiday for the Officer inviting the Bid, the bids will be opened at the appointed time on the next working day.
  - Combined bid security for more than one work is not acceptable.
  - The electronically submitted bids may be permitted to be opened by the predefined Bid opening officer from their new location if they are transferred after the issue of Notice Inviting Bid and before bid opening. Further action on bid documents shall be taken by the new incumbent of the post.
  - In case of non-responsive tender the officer inviting tender should complete the e-procurement process by uploading the official letter for cancelled / re-tender.
20. EVALUATION OF BIDS:
- All the opened bids shall be down loaded and printed for taking up evaluation. The officer authorised to open the tender shall sign on each page of the documents downloaded and furnish a certificate that the documents as available in the portal containing \_\_\_\_\_ nos of pages.
  - The bidder may be asked in writing / online (in their registered e-mail ids) to clarify on the uploaded documents provided in the Technical Bid, if necessary, with respect to any doubts or illegible documents. The officer inviting tender may ask for any other document of historical nature during technical evaluation of the tender. Provided in all such cases, furnishing of any document in no way alters the Bidder's price bid. Non-submission of legible documents may render the bid non-responsive. The authority inviting bid may reserve the right to accept any additional document.
  - The bidders will respond in not more than 7 days of issue of the clarification letter, failing which the

bid of the bidder will be evaluated on its own merit.

- Technical evaluation of all bids shall be carried out as per information furnished by Bidders.
- The procurement Officer-Evaluators; will evaluate bids and finalize list of responsive bidders.
- The financial bids of the technically responsive bidders shall be opened on the due date of opening. The procurement Officer-Openers shall logon to the system in sequence and open the financial bids.
- The Financial Bid will be opened on the notified date & time in the presence of bidders or their authorised representative who wish to be present.
- At the time of opening of "Financial Bid", bidders whose technical bids were found responsive will be opened.
- The responsive bidders' name, bid prices, item wise rates, total amount of each item in case of item rate tender and percentage above or less in case of percentage rate tenders will be announced.
- Procurement Officer-Openers shall sign on each page of the downloaded BOQ and the comparative statement and furnish a certificate to that respect.
- Bidder can witness principal activities and view the documents / summary reports for that particular work by logging on to the portal with his DSC from anywhere.
- System provides an option to Procurement Officer Publisher for reconsidering the rejected bid with the approval of concern Chief Engineer / Head of Department.

21. NEGOTIATION OF BIDS:

- For examination, evaluation, and comparison of bids, the officer inviting the bid may, at his discretion, ask the lowest bidder for clarification of his rates including reduction of rate on negotiation and breakdown of unit rates.

22. NOTIFICATION OF AWARD AND SIGNING OF AGREEMENT:

- The Employer / Engineer-in-Charge shall notify acceptance of the work prior to expiry of the validity period by cable, telex or facsimile or e-mail confirmed by registered letter. This Letter of Acceptance will state the sum that the Engineer-in-Charge will pay the contractor in consideration of the execution and completion of the Works by the contractor as prescribed by the contract and the amount of performance security and additional performance security required to be furnished. The issue of the letter of acceptance shall be treated as closure of the Bid process and commencement of the contract.
- The Contractor after furnishing the required acceptable performance security and additional performance security, "Letter to Proceed" or "Work Order" shall be issued by the Engineer-in-Charge with copy thereof to the Procurement Officer-Publisher. The Procurement Officer-Publisher shall upload the summary and declare the process as complete.
- If the L-1 bidder does not turn up for agreement after finalisation of the tender then he shall be debarred from participation in bidding for three years and action will be taken to blacklist the contractor. Besides the consortium / JV / firm where such an agency / firm already happens to be or is going to be a partner / member / proprietor, he / they shall neither be allowed for participation in bidding for three years nor his / their application will be considered for registration and action will be initiated to blacklist him / them. In that case, the L-2 bidder, if fulfils other required criteria, would be called for drawing agreement for execution of work subject to condition that the L-2 bidder negotiates at par with the rate quoted by the L-1 bidder, otherwise the tender will be cancelled.

23. BLOCKING OF PORTAL REGISTRATION

- If the Registration certificate of the contractor is cancelled / suspended by the registering authority / blacklisted by the competent authority his portal registration shall be blocked automatically on receipt of information to that effect.
- The portal registration blocked in the ground mentioned in the above Para-23.1 shall be unblocked automatically in receipt of revocation or tehr of cancellation / suspension / blacklisting from the concerned authority.
- The Office Inviting Tender shall make due inquiry and issue show cause notice to the concerned contractor who in turn shall furnish his reply, if any, within a fortnight from the date of issue of show cause notice. Thereafter the Officer Inviting Tender is required to issue an intimation to the defaulting bidder about his unsatisfactory reply and recommend to the Chief Manager (Tech.) for blocking of portal registration within 10 days of intimation to the defaulting bidder regarding his unsatisfactory reply with intimation to the Registering Authority and concerned Chief Engineer / Head of Office if any of the following provisions are violated.
- Fails to furnish original Technical / Financial (Tender Paper cost, EMD / Bid Security) instruments before the designated officer within the stipulated date and time.
- Backs out from the bid on any day after the last date of receipt of tender till expiry of the bid validity period.
- Fails to execute the agreement within the stipulated date.
- If any of the information furnished by the bidder is found to be false / fabricated / bogus.

- Accordingly the Officer Inviting Tender shall recommend to the Chief Manager (Tech.), State Procurement Cell, Odisha for blocking of portal registration of bidder and simultaneously action shall also be initiated by OFFICER INVITING TENDER for blacklisting as per Appendix-XXXIV of OPWD Code, Volume-II.
  - The Chief Manager (Tech), State Procurement Cell will be the convener and he will maintain all records for this purpose. The Committee shall meet not less than once in a month if required and shall consider the recommendation of the officer inviting tender for unblocking of portal registration. The quorum of the meeting will be four.
  - The minimum period of blocking of Portal Registration shall in no case be less than 90 days. After blocking of Portal Registration, the Contractor whose Portal Registration has been blocked may file application to the concerned officer inviting tender showing sufficient ground for unblocking of his portal registration along with a Treasury Challan showing deposit of ₹ 10,000/- (Rupees ten thousand) only (non-refundable) under the head of accounts '0059 - Public Works' as processing fees. The officer inviting tender shall forward the application filed by the contractor to the Chief Manager (Tech), State Procurement Cell.
  - On receipt of recommendation from the concerned Chief Engineer along with the copy of challan as mentioned above, the Chief Manager (Tech) being the member Convener of the Committee shall place the case before the Committee for examination and taking a decision in this regard. After examination the Committee may recommend for unblocking of the portal registration of said contractor if the Committee is satisfied that the fault committed by the contractor is either unintentional or done for the first time.
  - After scrutiny by the State Procurement Cell if it is found that the portal registration of a contractor has been blocked for the 2<sup>nd</sup> time the Chief Manager (Tech), SPC may not consider his case to be placed before the Committee and may advise the concerned officer inviting tender to issue show cause notice to the contractor asking him to explain as to why his portal registration shall not remain blocked. On receipt of show cause reply from the contractor the officer inviting tender shall examine the same & if considered proper he may report to the Chief Manager (Tech), SPC along with his views furnishing the copy of the show cause reply for placement of the same before the Committee for taking a decision in respect of blocking / unblocking. If the Committee found that the contractor is in habit of committing such fault again and again intentionally the committee may advise the concerned officer inviting tender to initiate proceeding for blacklisting as per the existing rule.
1. These amendments shall take effect from the date of issue of the order.
  2. This amendment is an addition to the existing provision and will be placed below Appendix-IX to OPWD Code, Vol-II.
  3. Accordingly Office Memorandum No.1027 dt.24.01.2009 stands modified.
  4. This has been concurred in by the Finance Department vide their U.O.R. No.3-WF-I dt.04.01.2013.