

Directorate General of Supplies & Disposals
(P&C Directorate)

Circular No. 09

Date : 15.3.2013

Subject : Extension of tender opening date.

Tender enquiries for inviting the bids for conclusion of R/Cs are issued after approval of planning note by the competent authority prescribing 45 days time for the regular R/C items and 60 days time for the new items. During this period the firms are required to seek registration with DGS&D/NSIC and also favourable capacity report from NSIC in case the items are declared as safety/difficult/complaint prone categories. The firms commence this exercise after publication of T/E which inter-alia prescribes the final technical specifications and the requirements relating to various type test certificates including environmental test reports. Normally, technical specifications requirement keep changing in case of hi-tech stores where technical upgradations and obsolesce are rapid and thereby require the testing on each occasion. This envisages a time consuming process in the testing laboratories apart from huge financial burden towards the cost of lab testing in addition to long queues/rush at testing labs. The firms, therefore, seek extension in tender opening date to enable them to get such lab tests completed and obtain the registration certificate from DGS&D. Such requests of tender opening are received almost in every case especially in IT and ES Directorates where changes of technical specifications are quite frequent.

2. Para 8.16 of the DGS&D Manual prescribe guidelines for postponement of tender opening date which are reproduced as under:

“8.16 Postponement of Tender Opening Date :

8.16.1 Requests for the postponement of tender opening date received from the tenderers should be decided on the individual merits of each case with the approval of the competent authority. Such requests from unregistered firms should normally be refused except in case of stores for which competition is lacking.

8.16.2 Whenever it is considered necessary to postpone the tender opening date, quick decision must be taken and communicated to the tenderers, who have purchased the tender sets and should be at least 10 days before the original due date of opening. Such notice of extension of date of tender opening of tenders should be put up on Notice Board, and published in the Indian Trade Journal / DGS&D Monthly Bulletin without delay.

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8.16.3 In cases where firms' request for return of tender documents before the date of tender opening in the event of tender opening being extended, there may be no objection in returning the tender documents to the concerned firms as the documents may accompany EMD.

3. Recently, the correction slips to the DGS&D Manual have been issued prescribing for Green Channel status and facilities to the eligible firms, enabling such firms to treat them as deemed registered and allow to self-certify their quality products. Test reports from ILAC laboratory or their worldwide accredited labs or NABL Laboratories shall be considered adequate and sufficient for purposes of registration and inspection for DGS&D R/Cs. These policy steps are deterrent to as such problems of repeated extensions in tender opening.

4. The R/Cs are concluded on annual basis and therefore, once the specifications are finalized for inviting the tenders after due diligence including the process of CCM etc., any further modifications in the technical upgradations etc. should normally not be considered for the present and the same may be taken into account in the subsequent year when all such technical upgradations could be analysed and accounted for. Similarly, the requests received from the firms on account of obtaining capacity verifications or laboratory test reports should also not be considered as a valid ground for extension of tender opening since sufficient time of 45 to 60 days is already given and the mode of communication in modern days is very fast i.e. e-mode. Nevertheless, there could be some instances where such extension of tender opening may be considered genuine and are required to be decided on merits by the competent authority though, in principle, the tender opening extensions should normally not be granted as it results delay in the R/C cycle. Therefore, the purchase officer need to take a cautious decision considering the merit of the case while granting the tender opening extensions with the approval of the competent authority.

In order to obviate the above problems relating to dealing with the requests of the firms for tender opening extension received even at the fag end, on the various pretexts including delay in obtaining lab test reports for seeking registration, the following Trade Off policy need to be applied as has been practised in a few cases recently as approved by DG(S&D) :

Trade Off Policy for Extension of Tender Opening Date :

- (a) The request of tender opening extension received from the firms are to be decided on merit of each case with the approval of DG(S&D) irrespective of the value of the drawals. However, such requests shall be delinked with Green Channel applications pending approval, if any.

(b) The unregistered firms may be allowed to put their bid by giving DD (Demand Draft) in favour of "Directorate General of Supplies & Disposals, New Delhi" along with their tender, for the value of 1% of the estimated drawal of the tender. Such firms may then submit their favourable laboratory test reports including TTC (Type Test Certificate) to DGS&D for the items of the said tender within 30 days after the date of bid opening to consider them eligible for consideration for award of RC. In case such firms are found eligible as aforesaid, their security deposit shall be returned and no interest thereon shall be payable by DGS&D. If the firm fails to comply with the same, their 1% deposit shall be forfeited. In case the firm fails to deposit the DD as above, they will not be entitled for furnishing the test reports subsequently after the tender opening and shall be rejected summarily as non-responsive.

(c) The above provisions may apply to the cases where tender opening date is extended or not.

(d) Suitable clause for the above shall be incorporated in the tender enquiry upfront in all future cases.

6. The above instructions may be followed with immediate effect by all Directorates of DGS&D and Regions.

7. This issues with the approval of DG(S&D).


18/3/2013

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Standard Distribution

file No. P-13008 | 1 | 2013 | P&C-I