

C-2

BRIHANMUMBAI MAHANAGARPALIKA

CIRCULAR

2012-13

No. Director(17)/8693 dated 24.12.2012

Sub : Implementation of e-quotation/unstar tendering for
Civil Works Contract bidding.

Ref : Circular No.IT Deptt/6969 dated 08.11.2012

The detailed guidelines on implementation of e-quotation/unstar tendering for Civil Works Contract bidding have already been issued vide circular under reference.

It has been clarified at Sr.No.7 of above referred to circular that –

“In case the recommended bidder refuses/fails to –

- (i) accept the purchase orders issued to them within 3 days,
- (ii) start the work on given date after accepting the PO within 2 days

The user department shall seek the approval of the D.M.C. of that Zone to debar such errant vendors from participating in future tenders and tendering processes and also to initiate the process of blacklisting such vendors. On receipt of such information and approval from the user department, the IT department shall block the vendor's user ID/password in SAP SRM.”

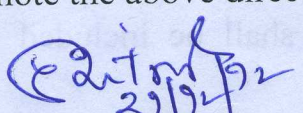
The subject issue was further discussed in the meeting held under the chairmanship of Hon'ble M.C. on 12.12.2012 when further instructions were given as under :-

1. (a) New CWC vendors shall be asked to submit Bank Guarantee of Rs.1 lakh for vendor registration.
- (b) The CWC vendors already registered shall be asked to submit Bank Guarantee of Rs.1 lakh for vendor registration within 7 days and if the same is not submitted, IT department shall block the bidders SRM User ID.
- (c) The Bank Guarantee pre-requisite shall be included in the CWC e-tender notice.
- (d) The vendor SRM ID shall be blocked automatically if –
 - (i) The validity of BG expires.
 - (ii) No BG details are recorded.

(21) If the recommended L1 bidder refuses/fails to accept the purchase order issued to them within 3 working days and/or fails to start the work on given date after accepting the PO within 2 days –

- (a) The PO will be issued to L2 bidder asking him to match his offer with the L1 and to pay contract deposit within 3 working days and to start the work on given date after accepting the PO within 2 days.
- (b) If L2 bidder does not agree to match his offer with the rate of L1 bidder, the PO will be issued to L2 bidder as per his offer and he will be asked to pay the contract deposit within 3 working days and to start the work on given date after accepting the PO within 2 days.
- (c) Since the work is to be carried out through L2 bidder at L2's rate due to refusal/failure on the part of L1 bidder to accept the PO and start the work, the difference in L2 and L1 offer will be recovered from the defaulter bidder from his other pending bills or his bankers will be suitably instructed to encash the Bank Guarantees or forfeit deposits of the bidder.
- (d) If L2 bidder refuses/fails to accept the PO, then retendering for the work shall be resorted to.
- (e) In such case, the user department shall seek the approval of Zonal D.M.C. within 7 days to debar the L1 bidder from participating in future tenders and tendering processes for a period of 5 years and also initiate the process of blacklisting such vendor alongwith its owners or partners. On receipt of such information and approval from the user department, the IT department shall block the vendors user ID in SAP SRM with immediate effect.
- (f) In view of the recent amendments in Section 72 of the MMC Act, 1888 through Government GR and Maharashtra Ordinance No.12 of 2011, there is no need to execute a written contract for works less than Rs.3 lakhs and for that stationery and legal charges should not be recovered from the bidders.

The above guidelines have been issued in continuation of the circular under No.IT Deptt/6969 dated 08.11.2012. All Assistant Commissioners and HoDs shall note the above directives and follow them scrupulously.


Chief Accountant (Finance)


Dy. Muni. Commissioner (Zone-I)


Addl. Municipal Commissioner (E.S.)