



**GOVERNMENT OF ORISSA
WORKS DEPARTMENT**

TECHNICAL BID DOCUMENTS / DETAILED TENDER CALL NOTICE FOR THE WORK

Construction of Temporary Stage, Barricading and Other ancillaries at Lalbahadur sastri Stadium, Bhawanipatna on the eve of 80th Independence day 15th August 2026.

Approximate Estimated Cost Put To Tender:

Rs.5.008 Lakhs

**OFFICE OF THE SUPERINTENDING ENGINEER
KALAHANDI (R&B) DIVISION, BHAWANIPATNA**



**GOVERNMENT OF ODISHA
OFFICE OF THE SUPERINTENDING ENGINEER KALAHANDI (R&B) DIVISION BHAWANIPATNA
E-Procurement Notice**

Bid Identification No. BC KLD- 02/2026-27

No. 6423 //Dated. 06.08.2026

- The **Superintending Engineer Kalahandi (R&B) Division Bhawanipatna** on behalf of Governor of Odisha invites **Percentage Rate bids** for the construction of works detailed in the table below in **Single Cover** system **ONLINE MODE** from the Class of Contractors mentioned in **column-5** registered with the State Governments and Contractors of Equivalent Grade / Class Registered with Central Government / MES / Railways for execution of Civil works. The proof of registration from the appropriate authority shall be enclosed along with the Bid. If successful, the bidder who has not registered under the state government has to register under the appropriate registering authority of state Government of Odisha in appropriate class for eligibility before signing of the agreement.
- The bidders may submit bids for the following works.

	Name of Work.	Approximate Value of Work (Excluding GST) (Rs. In lakhs)	Period of completion	Class of Contract or	Cover Type	Cost of Bid Document	Date & time of availability of bid documents in the portal
1	2	3	4	5	6	7	8
1	Construction of Temporary Stage, Barricading and Other ancillaries at Lalbahadur sastri Stadium, Bhawanipatna on the eve of 80th Independence day 15th August 2026.	5.008	3(Three) Days	C & D	Single Cover	Rs.4,000/-	11.00 hrs of 07.08.2026 to 11.00 hrs of 12.08.2026

- Bid documents consisting of specifications, the schedule of quantities and the set of terms & conditions of contract and other necessary Documents can be seen in the website www.tendersorissa.gov.in.
- A bid is said to be responsive if accompanied by cost of bid document and appropriate bid security paid in online.
- The Bid documents will be available in the www.tendersodisha.gov.in from **11.00 hrs of 07.08.2026 to 11.00 hrs of 12.08.2026** on line bidding.
- The Bidder must possess *Compatible Digital Signature Certificate (DSC)* of **Class II or Class- III**.
- Bids shall be received only “on line” on or before **11.00 hour of 12.08.2026**.
- The Single Cover shall be **opened at 12.00 Hours on 12.08.2026** in the office of the Superintending Engineer Kalahandi (R&B) Division Bhawanipatna in the presence of bidders who wish to attend. Bidders who participated in the bid can witness the opening of bids after login on to the site through their DSC. If it happens to be a holiday the same will be opened in the next working days at the same time and venue. The Price Bid (Cover-II) of those bidders will be opened who will be qualified in the Technical Bid.
- The bidder to be paid online bid security of the amount @ 1% (One percent) of the estimated cost Put to tender rounded to nearest hundred rupees. Bidder's desirous to higher machineries or equipment's from outside the state or owned but deployed outside the state are required to furnish additional one (1) percent EMD / Bid Security.
- Other details can be seen in the bidding document.

- 11 This Notice is to be read with all clauses/ addendum to the 'Procedure to participate in on-line Biddings'.
- 12 Checklist to be duly filled in
- 13 The intending Bidders are required to furnish their e-mail address and cell Phone No so as to inform them any things relating to the tender.
- 14 If any 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, In case the 1st lowest Bidder or even the Next lowest Bidder withdraw in series one by one, in later stage thereby facilitating a particular Bidder For award, then they shall be penalized with adequate disincentives with forfeiture of EMD/Bid Security unless adequate justification for such back out is furnished. Appropriate action for blacklisting the bidder shall also be taken apart from disincentivizing the bidder.
- 15 The authority will not be held responsible for any technical problem/ failure of network and server during the schedule dates of online Bidding.
- 16 Any corrigendum/ Addendum will be displayed in the website www.tendersodisha.com only.
- 17 The authority reserves right to cancel any or all bids without assigning any reason thereof.
- 18 The bidder may ask question in the e-procurement portal using his/her Digital Signature Certificate from **11.00 hours of 07.08.2026 to 17.00 hour of 10.08.2026** relating to tender for clarification.
- 19 Those bidders who will qualify in the technical Bid (Cover-I), the Price bid (Cover –II) of only those qualified Bidder will be opened.
- 20 The 1st lowest bidder must produce the original documents within the stipulated time period failing which action shall be taken for blacklisting.
21. As per amendment to Para 3.5.5 (V) of Note-II of OPWD Code, Vol-I by modification vide Works Department, Government of Odisha Office Memorandum No-07556900012013-14299/03.10.2017, 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) in shape of e-B.G, B.G, Postal Saving book Pledged in favour of Divisional Officer Superintending Engineer Kalahandi (R&B) Division, Bhawanipatna within seven days**, otherwise the bid shall be cancelled and security shall be forfeited. Further, proceeding for black listing shall be initiated against bidder.
22. 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.

Sd/-
(Er. Nandan Kumar Karar)
Superintending Engineer
Kalahandi (R&B) Division

Memo No. 6424 // Dated. 06.08.2026

Copy forwarded to the Director, Printing Stationery and Publication, Government of Odisha, Madhupatana, Cuttack –10 for information and necessary action. He is requested to arrange for publication next issue of Orissa Gazette.

Sd/-
Superintending Engineer
Kalahandi (R&B) Division

Memo No. 6425 // Dated. 06.08.2026

Copy forwarded to the Head State Portal Group, I.T. Centre Department of I.T. of Odisha, Bhubaneswar for information and necessary action.

Sd/-
Superintending Engineer
Kalahandi (R&B) Division

Memo No.6426

// Dated. **06.08.2026**

Copy submitted to the Chief Engineer, Roads-II, Odisha, Bhubaneswar/ Chief Engineer (Buildings-II) Odisha, Bhubaneswar/ Chief Construction Engineer, Balangir (R&B) Circle, Balangir / Superintending Engineer Western Irrigation Circle, Bhawanipatna/ Minor Irrigation (KBK) Circle, Bhawanipatna for favour of kind information with request to exhibit on the Notice Board for wide publicity.

Sd/-

Superintending Engineer
Kalahandi (R&B) Division

Memo No. 6427

// Dated. **06.08.2026**

Copy submitted to the Collector and District Magistrate, Kalahandi/ Superintendent of Police Kalahandi for favour of kind information and necessary action.

Sd/-

Superintending Engineer
Kalahandi (R&B) Division

Memo No. 6428

// Dated. **06.08.2026**

Copy forwarded to the Superintending Engineer Koraput (R&B) Division, Koraput/ Superintending Engineer Khariar (R&B) Division Khariar/ the Superintending Engineer Rayagada (R&B) Division Rayagada/ Superintending Engineer Jeypore (R&B) Division Jeypore/ Superintending Engineer ,RW Division Bhawanipatna/ Executive Engineer NH Division Kesinga/ Executive Engineer Irrigation Division Bhawanipatna/ Executive Engineer Minor Irrigation Division Bhawanipatna/ Executive Engineer RWSS Division Bhawanipatna/ for favour of information with request to exhibit on the Notice Board for wide publicity.

Sd/-

Superintending Engineer
Kalahandi (R&B) Division

Memo No. **6429**

// Dated. **06.08.2026**

Copy to all SDOs under Kalahandi (R&B) Division/ Assistant Executive Engineer (Estimator) / DAO/ Head Clerk/ Tender clerk/ Divisional Cashier/ Office Notice Board for information.

Sd/-

Superintending Engineer
Kalahandi (R&B) Division

Memo No. 6430

// Dated. **06.08.2026**

Copy to Inspector in charge, Town Police Station, Bhawanipatna for information and necessary action.

Sd/-

Superintending Engineer
Kalahandi (R&B) Division

Memo No. **6431**

// Dated. **06.08.2026**

Copy forwarded to the Executive Engineer, G.P.H. Division, Sambalpur / Executive Engineer, G.E. Division- No.IV, Sunabeda for information and necessary action. He is requested to depute their Junior Engineer/ Asst. Engineer concerned to receive the sanctioned copy along with funds provision for execution of G.E.D. / G.P.H. portion of work.

Sd/-

Superintending Engineer
Kalahandi (R&B) Division

E-mail. eeekalahandi@gmail.com

FAX No.06670-230512



**GOVERNMENT OF ODISHA
OFFICE OF THE SUPERINTENDING ENGINEER KALAHANDI (R&B) DIVISION BHAWANIPATNA
E-Procurement Notice**

Bid Identification No. BC KLD-02/2026-2027

No. 6432

Dated. **06.08.2026**

1	No. of the work:	:	01 (One) Civil works
2	Estimated cost:	:	Rs 5.008 Lakhs
3.	Period of completion:	:	03 (Three) days
4.	Date and time of availability of bid document in the portal:	:	11.00 hrs of 07.08.2026 to 11.00 hrs of 12.08.2026
5	Last date/Time for receipt of bid in the portal:	:	11.00hour of 12.08.2026
6	Name and address of the Officer Inviting Bid:	:	Superintending Engineer, Kalahandi(R&B)Division, Bhawanipatna
7	Opening of the Single Cover Bid / Technical Bid of double cover.	:	On 12.08.2026 at 12.00 PM in the Office of the Superintending Engineer, Kalahandi(R&B)Division, Bhawanipatna

Further details can be seen from the e-procurement portal <https://tendersodisha.gov.in>

Sd/-

Superintending Engineer
Kalahandi (R&B) Division

Memo No. 6433 // Dated. 06.08.2026

Copy in duplicate along with details of works list and the CD containing the Tender Call Notice forwarded to the Deputy Director of Information and Public Relation Department (Advertisement) Odisha, Bhubaneswar for information with a request to arrange for publication in the two consecutive issues of leading newspaper in two local Odia dailies and one National English daily for wide publication. The complimentary copy of the newspaper containing the tender call notice may please be sent to this office for reference and record.

Sd/-

**Superintending Engineer
Kalahandi (R&B) Division**

Memo No. 6434 // Dated. 06.08.2026

Copy in duplicate forwarded to the Director of Information and Public Relation Department Odisha, Bhubaneswar for kind information and necessary action.

Sd/-

Superintending Engineer
Kalahandi (R&B) Division

CHECKLIST TO BE ENSURED BY THE BIDDER

Sl. No	Particulars	Whether furnished		Reference to Page No.
		Yes	No	
01.	Cost of tender paper Rs. 4,000.00 paid in online mode Which is mandatory or the bid will be treated as non responsive			
02.	E.M.D for Rs 5,000/- paid in online mode shall be furnished			
03.	Copy of valid Registration Certificate with CDMS Registration			
04.	Copy of valid GSTIN Registration certificate			
05.	Copy of PAN Card			
06.	No Relationship Certificate in Schedule – A			
07.	Similar Nature of Work			

CONTRACT DATA

A. GENERAL INFORMATIONS

SI No	Item	Details
1.	Bid Identification No.	BC KLD- 02/2026-27
2.	Name of the Work	Construction of Temporary Stage, Barricading and Other ancillaries at Lalbahadur sastri Stadium, Bhawanipatna on the eve of 80th Independence day 15th August 2026.
3.	Officer Inviting Tender	Superintending Engineer, Kalahandi (R&B) Division, Bhawanipatna
4	Estimated Cost of Work	Rs.5.008 Lakhs

B. BID INFORMATION

5	Intended completion period/Time period assigned for Completion		03(Three)Days
6	Last Date & time of submission of Bid		17.00 Hrs
			Date 10.08.2026
7	Cost of Bid Document		
	i	Paper cost amount should be submitted online or the bid will be treated as non responsive.	Rs 4,000/-
	ii	in favour of	Superintending Engineer, Kalahandi (R&B) Division, Bhawanipatna
	iii	payable at	Bhawanipatna
8	Bid Security amount should be submitted online		
	i	Amount	Rs. 5,000/-
	ii	Type of instrument	As specified in the bid document
9	Bid validity period		10 days
10	Minimum period of contract / agreement / lease deed of equipment and machineries		Not applicable.
11	Currency of payment for Contract		Indian Rupee
12	Language of Contract		English

Procedure to Participate in on-line bidding e-procurement

**It stands modified vide Work's department , Odisha ,office memorandum No-
7885 Dt.23.7.2013 (Included in the DTCN)**

1. NOTICE INVITING BID AND OBTAINING BID DOCUMENTS:

1.1. The authority belonging to the major discipline is competent to invite tender of composite bids. He will also nominate the Executive Engineer who will deal with all matters relating to the bids in the invitation of bids.

1.2. For composite tender, estimated cost of each component should be clearly indicated in addition to combined estimated cost put to tender. The eligibility of bidders will correspond to the combined estimated cost of different components put to tender.

1.3. The contractor shall comply with the provisions of the Apprentices Act 1961, and the rules / amendments issued there under from time to time. If he fails to do so, it will be considered a breach of the contract and the Superintending Engineer/Executive Engineer may at his discretion without prejudice to any other right or remedy available under law, cancel the contract. The contractor shall also be liable for any pecuniary liability arising on account of any violation of the provisions of the said Act by him.

1.4. The contractor shall be deemed to have satisfied himself as to the correctness and sufficiency of the Tender and of the rates and prices quoted in the Bill of Quantities, all of which shall, except in so far as it is otherwise provided in the Contract, cover all his obligations under the Contract (including those in respect of the supply of goods, materials, plant & services or of contingencies for which there is a Provisional Sum) and all matters and things necessary for the proper execution and completion of the work and the remedying of any defects therein.

1.5. The successful bidder shall complete the works by the intended completion date specified in the Contract data.

1.6. Throughout these bidding documents, the terms " bid and tender" EMD and Bid Security and their derivatives (bidder / tenderer, bidding / tendering, etc.) are synonymous.

1.7. In case the tender for composite work includes in addition to main work / building work all other ancillary works such as sanitary and water supply installations, drainage installation, electrical work, horticulture work, roads and paths and gate works in dams and canals etc. , the bidder apart from being a registered civil Contractor of appropriate class must associate himself with agencies of appropriate class those who is eligible to tender for sanitary and water supply drainage, electrical and horticulture works in the composite tender. Intending purchasers are not required to produce any documents viz. copy of Registration,

Valid GSTIN clearance certificate etc, at the time of purchase of tender documents but will be required for verification purpose at later stage. Furnishing 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.

1.8. 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 with some information about the firm/Contractor. This is a onetime activity for registering in Portal. During registration, the contractor has to attach a Digital Signature Certificate (DSC) to his / her unique user 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.

1.8.1. 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.

1.8.2. The tender documents uploaded by the Tender Inviting Officer in the website **www.tendersorissa.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.

1.8.3. 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.

1.8.4. If 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, bidders will be required to avail on-line payment.

1.9. DELETED.

1.10. DELETED.

1.11. In the case of any failure, malfunction, or breakdown of the electronic system used during the 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.

1.12. 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.

2. DELETED

2.1. This Bid is open to **all** Contractors of the class mentioned in the *Invitation for Bids* registered with the State Governments and Contractors of Equivalent Grade / Class Registered with Central Government / MES / Railways for execution of civil works. The Bidders are required to enclose the proof of registration from the registering authority along with the Bid subject only to the registration in the portal using his/her DSC for on-line bids.

2.2. All bidders *shall* provide a statement that the bidder is neither associated, nor has been associated, directly or indirectly, with the Consultant or any other entity that has prepared the design, specifications, and other documents for the Project or being proposed as Project Manager for the Contract. A firm that has been engaged by the Engineer-in-Charge to provide consulting services for the preparation or supervision of the works, and any of its affiliates shall not be eligible to bid.

2.3. If the bidder has a relative employed as an Officer in the rank of an Assistant Engineer/Under Secretary and above in the Government of Orissa in the concerned Department, he shall inform the same in the bid mentioning the exact details in a covering letter along with the tender, failing which his bid will not be considered. Also if the fact of relationship subsequently comes to light, his contract will be rescinded. The bid security or the performance security will be forfeited and he shall be liable to make good any loss or damage resulting from such cancellation. In case the bidder has no relationship with any of the officers mentioned above he shall have to furnish with his bid an undertaking to that effect.

2.4. He shall also intimate the names of persons who are working with him in any capacity or are subsequently

employed by him and who are near relatives to any gazette officer in the concerned Department. Any breach of this condition by the contractor would render him liable for penal action for suppression of facts.

2.5. No Engineer of gazetted rank or other gazetted officer employed in Engineering or Administrative duties in an Engineering Department of the Government of Orissa is allowed to work for contractor for a period of two years after his retirement from Government service, without prior permission of the Government of Orissa in writing. Such a contract is liable to be cancelled if either the contractor or any of his employees is found any time to be such a person who had not obtained the permission of the Government of Orissa as aforesaid before submission of the tender for engagement in the contractor's service.

3. DELETED.

3.1. For submission of Bids through the E-Procurement Portal, the bidder shall up-load the scanned copy/copies of documents listed under clause 3.2 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. Bids from Joint ventures are acceptable.

3.2. The bid shall include following information and documents.

- a. Copy of valid contractor's registration certificate, PAN card, GSTIN clearance certificate and labour license should accompany the technical bid.
- b. Copies of original documents defining the constitution or legal status, place of registration, and principal place of business; written power of attorney of the signatory.
- c. Major construction equipment to be deployed to carry out the Contract. The contractors are required to furnish evidence of ownership of principal machineries / equipments for only those machineries / equipments asked for in the tender documents. (As per Annexure-I).
- d. In case if contractor executing several works, he is required to furnish a time schedule for movement of equipment/machinery from different site to this work site when work is to be executed.
- e. The contractor shall furnish ownership documents for those machineries which he is planning to deploy for the tendered work.
- f. In case the contractor proposes to engage machineries and equipments as asked for in the tender document, owned or hired but deployed outside the state, he/she is required to furnish additional 1% EMD/Bid security.
- g. The contractor intending to use/lease equipments/machineries are required to furnish proof of ownership from the company/persons providing equipment/lease deed and duration of such contract.
- h. The contractor or his identified sub-contractor (Permissible in case of Composite bids only) should possess and furnish required valid license for executing the water supply/sanitary engineering works/electrical installation works/mechanical works/ building electrification works and should have executed similar water supply/sanitary engineering works .
- i. Details of work under progress (As per Schedule- B)
- j. Details of works executed (As per Schedule-D)

3.3.1 DELETED

3.4 The Bidders are subject to be disqualified if they have:

- a. Made misleading or false representations in the forms, statements and attachments submitted in proof of the qualification requirements; and/or
- b. Record of poor performance such as abandoning the works, not properly completing the contract, inordinate delays in completion, litigation history, or financial failures etc.; and/or
- c. Participated in the previous bidding for the same work and had quoted unreasonable prices and could not

furnish rational justification to the Engineer-in-Charge.

- d. Indulged in unlawful & corrupt means in obtaining bids.
- e. Been black listed/their registrations by the competent authority.

4. ONE BID PER BIDDER:

- 4.1.** Each bidder shall submit only one bid for one package. A bid is said to be responsive if accompanied by cost of bid document and appropriate bid security paid in online. The system shall consider only the last bid submitted through the E-Procurement portal.

5. COST OF BIDDING:

- 5.1** The bidder shall bear all costs associated with the preparation and submission of his bid, and the Engineer-in-Charge will in no case be responsible and liable for those costs.
- 5.2** All the rates and prices in the bid shall cover all taxes, viz. Central or State Sales Tax, Octroi, Goods & services tax or any other local taxes, ferry, tollage charges and royalties and any other charges.
- 5.3** The rate of royalties and taxes prevailing on the date of measurement shall be considered while making deductions in the bills.
- 5.4** The successful bidder shall make his own arrangement for all materials unless otherwise specified in the conditions of contract.

6. SITE VISIT:

- 6.1.** Bidders are advised to inspect and examine the site and its surroundings and satisfy themselves before submitting their tenders as to the nature of the ground and sub-soil (so far as practicable), the form and nature of the site, the means of access to the site, the accommodation they may require and in general shall themselves obtain all necessary information as to risks, contingencies and other circumstances which may influence or affect their bid. A Bidder shall be deemed to have full knowledge of the site whether he inspects it or not and no extra charges consequent on any misunderstanding or otherwise shall be allowed. The Bidder shall be responsible for arranging and maintaining at his own cost all materials, tools & plants, water, electricity access, facilities for workers and all other services required for executing the work unless otherwise specifically provided for in the contract documents. Submission of a bid by a bidder implies that he has read this notice and all other contract documents and has made himself aware of the scope and specifications of the work to be done and of conditions and rates at which tools and plant, etc. will be issued to him by the Government and local conditions and other factors having a bearing on the execution of work.
- 6.2.** The bidder, in preparing the bid, shall rely on site Investigation Reports referred to in the Contract Data, supplemented by any information available to the bidder.
- 6.3.** The Officer inviting the bid / Engineer-in-Charge will clarify queries on the Contract Data on requisition by the intending Bidder. The bidder may ask question in the e-procurement portal using his DSC; provided the questions are raised before the date mentioned in the home page under critical dates.

B. BIDDING DOCUMENTS

7. GENERAL INSTRUCTIONS:

- 7.1** The description of the work is as mentioned under Invitation for Bid.
- 7.2** The bids uploaded by the Tender Inviting Officer may consist of general arrangements drawings or typical sections of the project. Bidder may down load these drawings and take out the print for detail study. Any other drawings and documents pertaining to the works available with the officer inviting the Bid as well as in the office of the Executive Engineer as mentioned in the contract data will be open for inspection during working hours on all working days by the bidders. The bidder is required to down-load all the documents including the drawings for preparation of his bid. It is not necessary on the part of the Bidder to up-load the

drawings other Bid documents (after signing) while up-loading his bid. He is required to up load documents related to his qualification information and Bill of Quantities duly filled in. It is assumed that while participating in the bid, the bidder has referred to all the drawings and documents uploaded by the Officer Inviting the Bids. 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 document by the Officer Inviting the Bids will be construed as plea to disrupt the bidding process and in such cases the bid security shall be forfeited.

- 7.3 The bidder is expected to examine carefully all instructions, conditions of contract, contract data, forms, terms, and technical specifications, bill of quantities, forms, Annexes and drawings in the Bid Document. Failure to comply with the requirements of Bid Documents shall be at the bidder's own risk.

8. CLARIFICATION OF BIDDING DOCUMENTS:

- 8.1. Bid documents consisting of drawings, plans, specifications, the schedule of quantities of the various items of work to be done and the set of terms & conditions of contract to be complied with by the contractor who intends to bid and other necessary Documents can be seen in the office of the officer inviting the Bid during office hours every day except on Sundays & Public Holidays till last date of sale of tender paper.
- 8.2. **No paper copy of the bid shall be sold.**
- 8.3. **DELETED**
- 8.4. **The bidder can seek clarification on the bids** which he received earlier than 15 days prior to the deadline for submission of bids. The Employer's response will be forwarded through the e-mail ID of the enquirer.
- 8.5. **PRE-BID MEETING: DELETED**

9. AMENDMENT OF BIDDING DOCUMENTS:

- 9.1. Before **the** deadline for submission of bids, the officer inviting the Bid may modify the bidding documents by issuing addenda.
- 9.2. Any **addendum** thus issued shall be part of the bidding documents and shall be notified in the website **www.tendersorissa.gov.in** / notice board and through paper publication.
- 9.3. To give **prospective** bidders reasonable time in which to take an addendum into account in preparing their bids, the Officer inviting the Bid if also happens to be the Engineer-in-Charge with the permission of the higher authority may, at his discretion, extend as necessary the dead line for submission of bids.

C. PREPARATION OF BIDS

10. LANGUAGE OF THE BID:

- 10.1. All documents relating to the Bid shall be in the English / Hindi / Oriya language. Bids submitted in any other language shall be summarily rejected.

11. DOCUMENTS COMPRISING THE BID:

- 11.1. Following documents will be deemed to be part of the bid even if not submitted with the bid.

- (i) Invitation for Bids (IFB)
- (ii) Instructions to bidders (ITB)
- (iii) Conditions of Contract
- (iv) Contract Data
- (v) Specifications
- (vi) Drawings

- 11.1.1. All the volumes/documents shall be provided in the portal by the Officer inviting the bid. The bidder shall

carefully go through the document and prepare the required documents and up load the scanned documents in Portable Document Format to the portal in the designated locations of Technical Bid. He will fill up the percentage rate in the BOQ down loaded for the work in designated Cell and up-load the same in designated locations of Financial Bid. Submission of document shall be effected by using DSC of appropriate class.

A. **“Technical Bid”** shall comprise.

- (i) Declaration under the Official Secret Act, 1923
- (ii) Qualification Information and supporting documents,
- (iii) Certificates, undertakings, affidavits,

B. **“Financial Bid”** shall comprise.

- (i) Priced Bill of Quantities

12. PROPOSAL BY THE BIDDER:

12.1. In the E-Procurement Portal, an intelligent Bill of Quantity in Microsoft Excel format shall be made available to the bidder.

12.2. For **Item** rate tenders, the bidder shall fill in rates in figures and should not leave any cell blank. The line item total in words and the total amount shall be calculated by the system and shall be visible to the bidder.

12.3. In case of **percentage rate** tender, the bidder will only fill in the designated cell and activate “less” or “excess” to indicate how much his price offer is excess or less than the estimated amount.

12.4. The **bidder** shall bid for the whole works as described in the Bill of Quantities.

12.5. Bidders **shall** submit offers that fully comply with the requirements of the bidding documents, Including the Conditions of Contract basic technical design as indicated in the drawing and specification. **Conditional offer or alternative offers will not be considered** in the process of bid evaluation.

12.6. All duties, taxes, including GSTIN and other levies payable by the contractor under the contract, or for any other **cause** shall be included in the rates, prices submitted by the bidder. Sales-tax, purchase tax, turnover tax or any other tax on material in respect of this contract shall be payable by the Contractor and Government will not entertain any claim whatsoever in respect of the same.

12.7. In the case of any bid where unit rate of any item/items appear unrealistic, such bid will be **considered** as unbalanced and in case the bidder is unable to provide satisfactory explanation such a tender is liable to be disqualified and rejected.

12.8. DELETED

12.9. DELETED

12.10. DELETED

12.11. DELETED

12.12. DELETED

12.13. The contractor shall be deemed to have satisfied himself as to the correctness and sufficiency of the Tender and of the rates and prices stated in the Bill of Quantities, all of which shall, except in so far as it is otherwise provided in the Contract, cover all his obligations under the Contract (including those in respect of the supply of goods, materials, plant & services or of contingencies for which there is a **Provisional** Sum) and all matters and things necessary for the proper execution and completion of the work and the remedying of any defects therein.

12.14. The **contractor shall** conform in all respects, by giving all notices and paying all fees, with the provisions of:

- (i) Any national or State Statute, Ordinance, or other Law, or any regulation, or bye-law of any local or other duly constituted authority in relation to the execution and completion of the works and remedying of any defects therein, and
- (ii) The rules and regulations of all public bodies and companies whose property rights are affected or may be affected in any way by the works.

12.15. FOR COMPOSITE BIDS: DELETED.

13. CURRENCIES OF BID AND PAYMENT:

- 13.1 The unit rates and the prices shall be quoted by the bidder entirely in Indian Rupees. All payments shall be made in Indian Rupees.

14. VALIDITY:

- 14.1. Bids shall remain valid for a period not less than **10 days** or the period mentioned in the Contract Data, after the deadline date for submission of bid as specified in the notice inviting the Bids. A Bid valid for a shorter period shall be rejected by the Engineer-in-charge as non-responsive.
- 14.2. In exceptional circumstances, prior to expiry of the original time limit, the Officer inviting the Bid may request the bidders to extend the period of validity for a specified additional period. The request and the bidders' responses shall be made in writing or by cable or by e-mail. A bidder may refuse the request without any risk of forfeiture of his bid security.
- 14.3. A bidder agreeing to the request will not be required or permitted to modify his bid but will be required to extend the validity of his bid security for the period of the extension.

15. Payment of EMD / Bid security and cost of Bid documents::

15.2.0 DELETED.

- 15.2.1 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.
- 15.2.2 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.
- 15.2.3 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.
- 15.2.4 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 is established.
- 15.2.5 Combined bid security for more than one work is not acceptable.
- 15.2.6 The Bid Security may be forfeited
- a. If the bidder withdraws the bid after opening of the bid but within the period of validity.
 - b. If the Bidder seeks any revision of rates or backs out of the bid claiming for not having referred to any or all documents provided in the Bid by the Officer Inviting the Bids.
 - c. If the Bidder fails to submit the original documents with in the stipulated date pursuant to clause 3.1,
 - d. In the case of a successful bidder, if the bidder fails within the specified time limit to
 - (i) Sign the Agreement; or

- (ii) Furnish the required Performance Security including additional performance security if any.

16. FORMAT AND SIGNING OF BID:

- 16.1.** 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.
- 16.2.** 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.
- 16.3.** 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.
- 16.3.1.** 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.
- 16.3.2.** In the e-procurement process, each process is time stamped. The system can identify each individual who has entered into the portal for any bid and the time of entering into the portal.
- 16.3.3.** 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 Bids if so desires, can ask for legible copies or original copies for verification within 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.
- 16.3.4** **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 & his registration in the portal shall be blocked and the bidder is liable to be blacklisted may be incorporated in the DTCN and should be strictly adhered to before invitation of tender in e-procurement.**

D. SUBMISSION OF BIDS

17. SECURITY OF BID SUBMISSION:

- 17.1.** 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.
- 17.2.** 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.

18. DEADLINE FOR SUBMISSION OF THE BIDS:

- 18.1.** 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 a holiday for the Officer inviting the Bid.
- 18.2.** The officer inviting the bid may extend the deadline for submission of bids by issuing an amendment in accordance with Sub-Clause 9.3, in which case all rights and obligations of the officer inviting the bid & Engineer-in-Charge and the bidders previously subject to the original deadline will then be subject to the new

deadline.

19. LATE BIDS :

- 19.1.** 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.

20. MODIFICATION AND WITHDRAWAL OF BIDS:

- 20.1.** 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.
- 20.2.** In the E-Procurement Portal, with-drawl 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 of receipt of the bid. The system shall not allow any withdrawal after expiry of the closure time of the bid.

E. OPENING AND EVALUATION

21. OPENING OF THE BID:

- 21.1** 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.
- 21.2** All bid openers have to log on to the portal to decrypt the bid submitted by the bidders.
- 21.3** The bidders & guest users can view the summery 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.
- 21.4** 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.
- 21.5** Combined bid security for more than one work is not acceptable.
- 21.6** 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.
- 21.7** 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.

22. EVALUATION OF BIDS

- 22.1** 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.
- 22.2** 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.
- 22.3** Deleted.
- 22.4** Technical evaluation of all bids shall be carried out as per information furnished by Bidders.

- 22.5** The procurement Officer-Evaluators; will evaluate bids and finalize list of responsive bidders.
- 22.6** 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.
- 22.7** 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.
- 22.8** At the time of opening of "Financial Bid", bidders whose technical bids were found responsive will be opened.
- 22.9** 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.
- 22.10** Procurement Officer-Openers shall sign on each page of the downloaded BOQ and the comparative statement and furnish a certificate to that respect.
- 22.11** 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.
- 22.12** System provides an option to Procurement Officer Publisher for reconsidering the rejected bid with the approval of concern Chief Engineer / Head of Department.

23 NEGOTIATION OF BIDS

- 23.1.**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 breakdown of unit rates.

24. NOTIFICATION OF AWARD AND SIGNING OF AGREEMENT:

- 24.1.**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.
- 24.2.**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 up load the summary and declare the process as complete.
- 24.3.** 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.

25. BLOCKING OF PORTAL REGISTRATION

- 25.1.** 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.
- 25.2.** The portal registration blocked in the ground mentioned in the above Para-23.1 shall be unblocked automatically in receipt of revocation of cancellation / suspension / blacklisting from the concerned

authority.

25.3. 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.

25.3.1. Fails to furnish original Technical / Financial (Tender Paper cost, EMD / Bid Security) instruments before the designated officer within the stipulated date and time.

25.3.2. Backs out from the bid on any day after the last date of receipt of tender till expiry of the bid validity period.

25.3.3. Fails to execute the agreement within the stipulated date.

25.3.4. 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.

26. GUIDELINES FOR UNBLOCKING OF PORTAL REGISTRATION :

26.1. UNBLOCKING OF PORTAL REGISTRATION.

Unblocking of portal registration of a contractor shall be done by a Committee consisting of the following members.

EIC (Civil)-cum-CPO	-	Chairman
Engineer-in-Chief (WR)	-	Member
Concerned Chief Engineer -		Member
Sr. Manager (Finance), SPC	-	Member
Officer Inviting Tender	-	Member
Chief Manager (Technical),SPC-		Convener

26.2. 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.

26.3. The minimum period of blocking of Portal Registration shall in no case be less than 10 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 ₹ 4,000/- (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.

- 26.4.** 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.
- 26.5.** After scrutiny by the State Procurement Cell if it is found that the portal registration of a contractor has been blocked for the 2nd 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.

27. . PROCESS TO BE CONFIDENTIAL:

- 27.1.** Information relating to the examination, clarification, evaluation, and comparison of bids and recommendations for the award of a contract shall not be disclosed to bidders or any other persons not officially concerned with such process until the award to the successful bidder has been announced. Any effort by a bidder to influence the officer inviting the bid, processing of bids or award decisions may result in the rejection of his bid.

28. CLARIFICATION OF BIDS:

- 28.1.** To assist in the examination, evaluation, and comparison of bids, the officer inviting the bid may, at his discretion, ask any bidder for clarification of his rates including breakdowns of unit rates. The request for clarification and the response shall be in writing or by cable or by e-mail, but no change in the bid price or substance of the bid shall be sought, offered.
- 28.2.** Subject to sub-clause 23.1, no bidder shall contact the officer inviting the bid on any matter relating to his bid from the time of the opening to the time the contract is awarded. If the bidder wishes to bring additional information to the notice of the officer inviting the bid, it should do so in writing.

29. EXAMINATION OF BIDS AND DETERMINATION OF RESPONSIVENESS:

- 29.1.** During the detailed evaluation of "Technical Bids", the officer inviting the bid will determine whether each bid:-
- a. Whether the Bid security is confirmed by issuing institution/bank.
 - b. Has submitted legible documents for evaluation
 - c. Meets the eligibility criteria defined in *Clause 3* and;
 - d. Is substantially responsive to the requirements of the bidding documents.

29.2. During the detailed evaluation of the “Financial Bid”, the responsiveness of the bids will be further determined with respect to the remaining bid conditions, i.e., priced bill of quantities, technical specifications and drawings.

29.3. A substantially responsive “Financial Bids” is one, which conforms to all the terms, conditions, and specifications of the bidding documents, without material deviation or reservation. A material deviation or reservation is one

- 29.4.** (a) Which affects in any substantial way the scope, quality, or performance of the works.
(b) Which limits in any substantial way, inconsistent with the bidding documents, the right of the officer inviting the bid or the bidder’s obligations under the contract or
(c) Whose rectification would affect unfairly the competitive position of other bidders presenting substantially responsive bids.

29.5. If a “Financial Bid” is not substantially responsive, it will be rejected by the officer inviting the bid, and may not subsequently be made responsive by correction or withdrawal of the non-conforming deviation or reservation.

29.6. 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.

30. AWARD CRITERIA:

30.1. The officer inviting the bid will award the contract to the bidder whose bid has been determined to be substantially responsive to the bidding documents and who has offered the lowest evaluated price.

30.2. On acceptance of the tender, the Contractor shall name in writing his accredited representative(s) who would be responsible for taking instructions from the Engineer-in-Charge.

30.3. Competent Authority on behalf of Governor of Orissa reserves to himself the right of accepting the whole or any part of the bid and the bidder shall be bound to perform the same at the rate quoted.

30.4. The successful bidder registered under other State Government / MES / Railways / CPWD in equivalent rank has to register under state PWD before signing of the agreement.

30.5. Amendment to Para 3.5.18 Note – viii of OPWD Code Vol.-I

Before acceptance of tender, the successful bidder will be required to submit a work programme and mile stone basing on the financial achievement so as to complete the work within the stipulated time and in case of failure on the part of the agency to achieve the mile stone liquidated damage will be imposed

31. OPTIONS IF THE BIDDER BACKS OUT FROM BIDDING PROCESS:

31.1. In case the 1st lowest Bidder or even the next lowest Bidder withdraw in series one by one, thereby facilitating a particular Bidder for award, then they shall be penalised with adequate disincentives with forfeiture of EMD/Bid Security unless adequate justification for such back out is furnished. Appropriate action for blacklisting the bidder shall also be taken apart from dis-incentivising the bidder.

31.2. The bidding process shall be deemed to be complete till the date of issue of letter of acceptance. If the bidder fails to sign the agreement within the stipulated period mentioned under clause 29.2, his bid security shall stand forfeited.

32. RIGHT TO ACCEPT OR REJECT ANY OR ALL BIDS:

32.1. The competent authority on behalf of the Governor of Orissa does not bind him to accept the lowest or any other tender and reserves to him the authority to reject any or all the tenders received without assigning any reason.

32.2. All bids in which any of the prescribed condition is not fulfilled or any condition including that of conditional rebate is put forth by the bidder shall be summarily rejected.

33. NOTIFICATION OF AWARD AND SIGNING OF AGREEMENT:

- 33.1.** 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. The issue of the letter of acceptance shall be treated as closure of the Bid process and commencement of the contract.
- 33.2.** The bidder shall within 15 days of issue of letter of acceptance, furnish the Performance security & additional Performance security (if any) in the prescribed form & the work programme & shall sign the agreement in prescribed format, failing which the Engineer-in-Charge shall without prejudice to any other right or remedy available in law, be at liberty to forfeit the Bid Security absolutely. The agreement will incorporate all agreements between the officer inviting the bid and the successful bidder.
- 33.3.** 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 & documents leading thereto & required amount of performance security including additional performance security as per sub clause 29.2 hereof.
- b. Standard Bid Document P.W.D. Form **P-1**
- 33.4.** The letter to proceed with the work shall be issued by Engineer-in-charge only after signing of the agreement. The notification of award will constitute the formation of the contract subject only to the furnishing of performance security and additional performance security in accordance with the provisions of the agreement.
- 33.5.** On acceptance of the composite bids by the competent authority the letter of award will be issued by the Engineer-in-Charge of the major component of the work on behalf of the Governor of Orissa, making it clear in the letter of award that the contractor will have to execute separate agreements for different components of work with the concerned officers of the respective discipline (Designation to be given).
- 33.6.** Upon signing of the agreement by the successful bidder, the Engineer-in-Charge will promptly notify the other bidders that their bids have been unsuccessful.

34. CORRUPT OR FRAUDULENT PRACTICES:

- 34.1.** The Engineer-in-Charge will reject a proposal for award if he determines that the bidder recommended for award has been engaged in corrupt or fraudulent practices in competing for the contract in question. He will report to the Officer Inviting Bid / next higher authority.

Canvassing whether directly or indirectly, in connection with tenders is strictly prohibited and the tenders submitted by the contractors who resort to canvassing will be liable for rejection.

