

 भारत सरकार कार्यालय मुख्य अभियन्ता (सी०एस०क्यू०)सिविल के०लो०नि०वि, निर्माण भवन, नई दिल्ली 336-ए, निर्माण भवन, नई दिल्ली-110011 टैलीफैक्स - 011-23061737 ईमेल - cecsq.cpwd@nic.in	 CPWD
--	---

No. CSQ(CM)/5(1)/Debar/2021 /724
 e-file no. 9115159

Date: 16/09/21

कार्यालय ज्ञापन

Subject: Suspension of enlisted/un-enlisted contractors due to violation of EMD declaration.

Reference: (i) OM No. DG/CON/Misc./13 dated 23.11.2020
 (ii) OM No. DG/SOP/23 dated 03.08.2021
 (iii) OM No. DG/MAN/409 dated 03.08.2021

Above references may be seen by all the Executive Engineer who are proposing suspension of bid by erring contractors. It is seen that full information is not being sent leading to delay in finalization of suspension of bid by erring contractor. Hence forth it is mandatory to send the following proforma alongwith proposal to CE(CSQ)Civil, Nirman Bhawan without which the case shall not be processed.

Proforma for sending Suspension cases to CE(CSQ)Civil

		Details to be filled by Executive Engineer
1.	Contractor details a. Name b. PAN Number c. Class/category d. Full postal address with pin-code e. e-mail ID	
2.	Whether details available in CPWD website at "List of CPWD Enlisted Contractors".	
3.	Whether Contractor is Non-CPWD Contractor.	
4.	a. Details of correspondences made with the contractor & response of the contractor b. Copy of acceptance letter issued by Executive Engineer. c. Copy of undertaking/EMD declaration submitted by contractor. d. Copy of enlistment order	

5.	Regarding PG a. Copy of letter for depositing PG. b. Last date of submission of PG as per NIT. c. Copy of letter for depositing PG with late fee if any. d. Last date of submission of PG with late fee as per NIT.	
6.	Division, Name, address, phone, email id	
7.	Whether sufficient time was given to the contractor as per agreement conditions. Give details.	

Note:-

1. Above details are mandatory. All details to be provided by Executive Engineer, without which case is not acceptable for processing in CSQ(Civil) unit in Nirman Bhawan.
2. Executive Engineer shall interact with member secretary (CE or SE TLQA) in SDG/ADG office to ensure that details of CPWD Contractors are available in the "List of CPWD Enlisted Contractors".
3. Legible copy of above documents and this proforma to be enclosed alongwith forwarding letter.

Executive Engineer
Name, address,
phone, mobile, e-mail ID

This issues with the approval of CE(CSQ)Civil.


 (वी. पी. साहू) 16/09/2024
 अधीक्षण अभियंता(सी.एंड एम.)

प्रतिलिपि:-

केलोनिवि तथा लोनिवि दिल्ली के सभी अधिकारियों को आवश्यक सूचना एवं कार्यवाही हेतु। (केलोनिवि वेबसाईट के माध्यम से)



CENTRAL PUBLIC WORKS DEPARTMENT

OFFICE MEMORANDUM

No. DG/ CON/Misc./13

ISSUED BY AUTHORITY OF DIRECTOR GENERAL, CPWD

NIRMAN BHAWAN, NEW DELHI

DATED 23-11-2020

Subject: Relaxation for Earnest Money Deposit as per OM No. F-9/14/2020-PPD dated 12.11.2020 issued by the Department of Expenditure.

A copy of OM No.F-9/14/2020-PPD dated 12.11.2020 issued by the Department of Expenditure (Procurement Policy Division), Ministry of Finance is enclosed for compliance. These instructions are applicable for all the tenders issued till 31.12.2021.

This issues with the approval of Director General, CPWD.

- Encl: 1. OM dated 12.11.2020
2. Proforma for Earnest Money Declaration

(V.P. Sahu)

Superintending Engineer (C&M)

Issued from the file no. CSQ/CM/17(1)/2020
e-file no. 9098045

Copy to: CPWD/PWD Delhi officers for necessary action.

Superintending Engineer (C&M)

Proforma for Earnest Money Deposit Declaration

Whereas, I/we (name of agency) have submitted bids
for (name of work).....

I/We hereby submit following declaration in lieu of submitting Earnest Money Deposit.

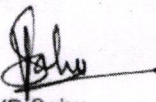
(1) If after the opening of tender, I/we withdraw or modify my/our bid during the period of validity of tender (including extended validity of tender) specified in the tender documents,

or

(2) If, after the award of work, I/we fail to sign the contract, or to submit performance guarantee before the deadline defined in the tender documents,

I/we shall be suspended for one year and shall not be eligible to bid for CPWD tenders from date of issue of suspension order.

Signature of the contractor(s)


VP Sahu
SE C&M

No. F.9/4/2020-PPD
Government of India
Ministry of Finance
Department of Expenditure
Procurement Policy Division

512, Lok Nayak Bhawan, New Delhi
Dated the 12th November 2020

OFFICE MEMORANDUM

Subject: Bid Security/ Earnest Money Deposit.

The Government is in receipt of many representations that on account of slowdown in economy due to the pandemic, there is acute financial crunch among many commercial entities and contractors, which in turn is affecting timely execution of the contracts. It has also been represented that this may affect the ability of contractors to bid in tenders and hence reduce competition. Requests are being received for reduction in quantum of Security Deposits in the Government contracts.

2. As per Rule 170 of General Financial Rules (GFRs) 2017, Micro and Small Enterprises (MSEs) and the firms registered with concerned Ministries/ Departments are exempted from submission of Bid Security. Further, in lieu of Bid Security, Ministries/ Departments may ask bidders to sign "Bid Security Declaration" accepting that if they withdraw or modify their bids during period of validity etc., they will be suspended for the time specified in the tender documents. Similar provisions also exist in the Manuals for Procurement of Works 2019 and Manual for Procurement of Consultancy & other Services 2017.

3. In this context it is noted that Bid Security (also known as Earnest Money Deposit) is still being taken from the contractors by the various Ministries/ Departments, though the relaxations have already been provided in General Financial Rules (GFRs) 2017.

4. In view of above, it is reiterated that notwithstanding anything contained in Rule 171 of GFRs 2017 or any other Rule or any provision contained in the Procurement Manuals, **no provisions regarding Bid Security should be kept in the Bid Documents in future and only provision for Bid Security Declaration should be kept in the Bid Documents.**

5. Wherever, there are compelling circumstances to ask for Bid Security, the same should be done only with the approval of the next higher authority to the authority competent to finalise the particular tender or the Secretary of the Ministry/ Department, whichever is lower.

6. The above instructions will be applicable for all the tenders issued till 31.12.2021.

7. These instructions will be applicable for all kinds of procurements viz. Goods, Consultancy, Works, non-consulting Services etc and are issued under Rule 6(1) of the GFRs 2017.

K. Narayana Reddy

(Kotluru Narayana Reddy)

Deputy Secretary to the Govt. of India

Tel: 24621305

Email: kn.reddy@gov.in

To,

All the Secretaries and Financial Advisers to Government of India

Copy to: Secretary, Department of Public Enterprises with a request to issue the same instructions to Central Public Sector Undertakings (CPSUs).

केन्द्रीय लोक निर्माण विभाग
कार्यालय ज्ञापन

No. DG/ SOP/23

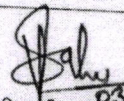
ISSUED BY THE AUTHORITY OF DIRECTOR GENERAL, CPWD
Nirman Bhawan, New Delhi

Dated: 03.08.2021

Subject: Addition of New SOP No. 4/11 in SOP for CPWD Works Manual 2019.

Referring to new para 4.20 added in CPWD Works Manual, 2019, a new SOP is added for suspension of defaulting contractors.

Existing Provision	New Provision
No provision	4/11 Suspension of enlisted/unenlisted contractors due to violation of EMD declaration 1. The GoI instructors dated 12.11.2020 on relaxation for earnest money deposit was circulated vide OM No. DG/CON/Misc./13 dated 23.11.2020. 2. The Executive Engineer concerned shall submit report of following violations by the bidders to the CE (CSQ) Civil, Nirman Bhawan, New Delhi along with full facts of the case. (a) The bidder withdraws/modifies bid during the period of validity of tender (b) The bidders fails to submit PG before the deadline. 3. The CE (CSQ) Civil shall take action for suspension of bidder as per tender after issuing show cause notice by SPEED POST/email. 4. The SE (C&M) shall upload such suspension order in the "List of CPWD/Non CPWD Debarred Contractors" on CPWD website and formally request DDG (e-Gov.) to direct the e tendering portal to disallow the suspended bidder from participating in CPWD tenders.


(वी. पी. साहु)
03.08.2021

अधीक्षण अभियंता (सी.एंड एम.)

Issued from file No.CSQ/CM/16(1)/2021

केलोनिवि तथा लोनिवि दिल्ली के सभी अधिकारियों को आवश्यक सूचना एवं कार्यवाही हेतु। (केलोनिवि वेबसाईट के माध्यम से)

केन्द्रीय लोक निर्माण विभाग

कार्यालय ज्ञापन

No. DG/MAN/409

ISSUED BY THE AUTHORITY OF DIRECTOR GENERAL, CPWD

Nirman Bhawan, New Delhi

Dated: 03.08.2021

Subject: Addition of New Para 4.20 in CPWD Works Manual 2019.

The Ministry of Finance, Department of Expenditure have issued instructions vide OM No. F. 9/4/2020-PPD dated 12.11.2020 that no provisions regarding bid security should be kept in the bid documents till 31.12.2021 and only provision for bid security declaration should be kept. These instructions were circulated to CPWD field units vide OM No. DG/CON/Misc./13 dated 23.11.2020 alongwith the proforma for EMD declaration.

In order to deal with the cases of violation of EMD declaration by the bidders, the following new para 4.20 is added in CPWD Works Manual 2019:

Existing Provision	New Provision
No provision	4.20 Suspension of contractors In cases where the bidders violate the EMD declaration submitted alongwith the bid, the Executive Engineer concerned shall report such case for issue of suspension order to the CE(CSQ)Civil. Refer to SOP No 4/11.


(वी. पी. साहु) 03.08.2021

अधीक्षण अभियंता (सी. एंड एम.)

Issued from file No. CSQ/CM/16(1)/2021

केलोनवि तथा लोनवि दिल्ली के सभी अधिकारियों को आवश्यक सूचना एवं कार्यवाही हेतु। (केलोनवि वेबसाइट के माध्यम से)