

No. NHIII-33 (108)/72

*Dated the 28th March, 1973*

To

All State Governments & Union Territories

Subject : Tenders for road and bridge works financed entirely by the Central Government funds.

I am directed to invite your attention to this Ministry's letters Nos. WI-43(9)/65, dated the 9th June, 1965 and NHI-41 (14)/68, dated the 4th September, 1968 (copies enclosed for ready reference), and the procedure laid down therein in regard to the acceptance of tenders for road and bridge works financed entirely out of Central Government funds, which is now clarified as follows :

- (i) Tenders for such works can be finalised by the State Government concerned only after the requisite technical approval and financial sanction have been accorded by the Government of India.
- (ii) In case the revised cost of work based on an acceptable tender exceeds or is likely to exceed its original sanctioned estimated cost beyond the permissible limit (which, according to the latest instructions contained in this Ministry's circular letter No. NHI-40(10)/70, dated the 2nd July, 1971, is 10% or Rs. 2.5 lakhs, whichever is less), prior approval of Government of India should be sought and obtained before the acceptance of such tenders. While making a reference to the Government of India in such cases, it should be accompanied by all the tender documents, including alternative designs received with any of the tenders and definite recommendations of the State Government. While doing so, for tenders involving material deviation from approved designs and/or specifications, for the work, the reference to the Government of India should also be accompanied by plans and designs with relevant details and conditions stipulated, if any along with detailed comments thereon by the State Govts./Chief Engineer.
- (iii) If the amount of an acceptable tender for a work is such that the revised cost of the work based on that tender remains within the sanctioned amount plus the permissible excess (as mentioned in para (ii) above), and if there is no material deviation in design and/or specification for the work from those technically approved the State Government may dispose of such tenders without any reference to Government of India. However, in such cases where there are any material deviations in design and/or specification from those technically approved earlier by Govt. of India, a reference should be made by the State Government for obtaining the prior technical approval of the Government of India to the deviation (s) involved, before accepting such a tender. Such a reference to Government of India should be accompanied by plans, designs and relevant details of the acceptable tender, and a certificate from the State Chief Engineer/State Government to the effect that the acceptance of the deviation and/or revised design of the tender under consideration for acceptance, will not entail any excess over the sanctioned cost plus the permissible excess, in view of any conditions

included in the tender which should be carefully examined by the State Chief Engineer/ Government. There is no need to forward the other general conditions of the tender to Government of India.

2. It has now been decided that while making a reference to Government of India in accordance with sub-paras (ii) and (iii) of para I above, it is not necessary to forward to the Government of India, the tender papers received by the State Government in original but it would be quite sufficient if certified copies of all those tender papers received are forwarded to the Government of India. Besides, these, a comparative statement, giving the assessment of the various tenders received for the work together with the firm recommendations by the State Government for the award of work may also be forwarded invariably along with all such tender cases.
3. It is also reiterated that while making a reference to the Government of India regarding approval for acceptance of tenders in the aforementioned cases, the position that may have resulted from previous tender calls, if any, alongwith comparative statements, the State Governments' assessment and action if any, taken by the State Governments/State Chief Engineers with reasons therefore should also be invariably intimated.
4. The permissible excess of 10% of Rs 2.5 lakhs mentioned in para 1 (ii) above, is limited to cases as defined in circular letter No. NHI-40 (10)/70, dated the 20th July, 1971.
5. Immediately after obtaining the approval of the Government of India for cases mentioned in para (ii) above, a revised estimate should be prepared based on the accepted tender and forwarded to the Government of India in the prescribed form for obtaining revised financial sanction for the work.

Note : Enclosures not printed.

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