

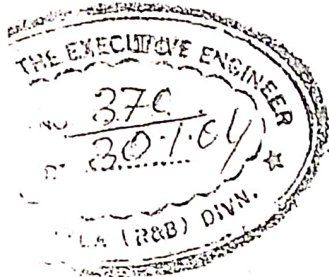
GOVERNMENT OF ORISSA
WORKS DEPARTMENT

=0=

No. Codes-1/2004
From:

1220 /W., Bhubaneswar, dt.

19.1.04

Shri A.K. Bhadra,
F.A.-Cum-Joint Secretary to Govt.

The Engineer-in-Chief (Civil), Orissa/
 Engineer-in-Chief, Water Resources, Orissa/
 F.A.-Cum-Addl. Secretary to Govt. W.R. Deptt./
 F.A.-Cum-Joint Secretary to Govt. R.D. Deptt./
 F.A.-Cum-Joint Secretary to Govt., H. & U.D. Deptt./
 Joint Secretary to Govt. (Works Expenditure) Finance
 Department/Chief Engineer, D.P.I. & Roads, Orissa/
 Chief Engineer, Buildings, Orissa/Chief Engineer,
 Bridges, Orissa/Chief Engineer, N.H.S, Orissa/
 Chief Architect, Orissa/Chief Engineer, P.H. (Urban),
 Orissa/Chief Electrical Inspector, Orissa/Chief
 Engineer Rural, Works-I, Orissa/Chief Engineer,
 Rural Works-II, Orissa/Chief Engineer, Minor Irrigation,
 Orissa/Chief Engineer, Lower Mohanadi Basin, Orissa.

Subj: Amendment to O.P.W.D. Code and condition of contract.

Sir,

In inviting a reference to the above subject, I am directed to say that after careful consideration Government have been pleased to make amendment to the O.P.W.D. Code and condition of contract as per Annexure-I, II, III, IV, V, VI & VII.

2. These amendments shall take effect from the date of issue of the order.

3. This has been concurred in by the Finance Department in their U.O.R. No. 21 WF-I dt. 8.1.2004.

Encl: As above.

Yours faithfully,

[Signature]
 F.A.-Cum-Joint Secretary to Govt.

Contd. P/2.

E/B.
[Signature]
 29/1

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Memo No. 1221 /W., Dated, Bhubaneswar the 19.01.04
Copy with copy of Annexures forwarded to the Private
Secretary to Commissioner-Cum-Secretary to Chief Minister,
Orissa for information and necessary action.

F.A.-Cum-Jt. Secretary to Govt.

Memo No. 1222 /W., Dated, Bhubaneswar the 19/01/04
Copy with the copy of Annexures forwarded to the
P.S. to Hon'ble Minister, Works, Orissa / P.S. to Hon'ble Minister
of State, Finance, Orissa for information and necessary action.

F.A.-Cum-Jt. Secretary to Govt.

Memo No. 1223 /W., Dated, Bhubaneswar the 19/01/04
Copy with the copy of Annexures forwarded to the Finance
Deptt./Water Resources Deptt./Rural Development Deptt./H. & U.D.
Deptt./Energy Deptt./Law Deptt./All other Departments of Govt.
Orissa / Managing Director, M/S. O.B. & C.C. Ltd., / Managing
Director, M/S. O.C.C. Ltd., for information and necessary action.

F.A.-Cum-Jt. Secretary to Govt.

Memo No. 1224 /W., Dated, Bhubaneswar the 19/01/04
Copy with the copy of Annexures forwarded to the
Accountant General (A&E), Orissa / Sr. Dy. Accountant General (Works
& Audit), Orissa for information and necessary action.

F.A.-Cum-Jt. Secretary to Govt.

Memo No. 1225 /W., Dated, Bhubaneswar the 19/01/04
Copy with the copy of Annexures forwarded to the
Director, Printing Stationary and Publication, Orissa, Cuttack
for information and necessary action.

He is requested to publish these amendment in the
next issue of Orissa Gazettee and supply 100 (hundred) spare
copies to this Deptt. for favour of reference.

F.A.-Cum-Jt. Secretary to Govt.

Memo No. 1226 /W., Dated, Bhubaneswar the 19/01/04
Copy with the copy of Annexures forwarded to all
Superintending Engineers / Executive Engineers / All Sections of
Works Department / 50 (fifty) spare copies to F.A. Section for
information and necessary action.

F.A.-Cum-Jt. Secretary to Govt.

ANNEXURE-I

Amendment to Rule-9(c) of Appendix-IX of O.P.W.D. Code, Vol. II.

The following shall be substituted in place of the existing Rule-9(c) of Appendix-IX

Rule-9(c)- Tender costing more than Rs.50,000 and up to Rs.10.00 lakhs shall be published in two local Oriya News Papers, above Rs.10.00 lakhs and upto Rs.1.00 Crore shall be published in one local English Daily and two local Oriya Dailies. Tender for works costing more than Rs.1.00 Crore shall be published in one English National News Paper in addition to one Oriya daily. Besides above, tenders for works costing more than Rs.50.00 lakhs shall also be posted in the website of the State Government. The bid documents will be available on the website for down loading by intending bidders. In addition, the bid documents in the form of compact disc may also be made available on payment of cost. Bidders who down load the bidding document from the internet site will have to pay the cost of bid documents i.e. Rs.10,000/- in shape of Demand Draft in favour of the concerned Executive Engineer and submit the D.D. in a separate envelope marked " Cost of bidding documents down loaded from the internet" with bid documents. The authority will not be responsible, if any portion of the approved documents available in the office of the E.E. or the C.E. is excluded or modified. The download facility will be available up to the last date of sale of tender papers. Tenders where special skill or experience is required for execution of work or where the requisite material for execution is not locally available, the same may be published in the News paper or posted in the website at the discretion of the Engineer-in-Chief/Chief Engineer. "

ANNEXURE-II

Amendment to Para-3.5.5 of C.P.W.D.Code, Volume-I

The following provision shall be made for agreement with the contractor under Para-3.5.5. of C.P.W.D.Code, Volume-I as :-

"NOTE-I- Provision of incentive will be made in the Agreement. This incentive will be @ 1% in case of completion of work ahead of one month(part of the month shall be excluded) and the maximum amount payable will be fixed at 2% if the work is completed two months ahead of the schedule time".

ANNEXURE-III

Amendment to Para 3.5.5. of C.P.W.D.Code, Volume-I

The following provisions shall be made for agreement with the contractor under Para 3.5.5. of C.P.W.D.code Volume-I as:-

"NOTE-II- Additional performance security shall be deposited by the successful bidder when the bid amount is seriously unbalanced i.e. less than the estimated cost by more than 10%. In such an event the successful bidder will deposit the additional performance security to the extent of the differential cost of the bid amount and 90% of the estimated cost in shape of Post Office Savings Bank Account/National Savings certificate/Post Office Time Deposit account/Kissan Vikash Patra/Deposit receipt of schedule Bank".

ANNEXURE-IV

Amendment to Para-6.3.2 of O.P.W.D. Code Volume-I

The following shall be substituted in place of the existing table under Para-6.3.2 of O.P.W.D. Code, Volume-I

- | | | |
|----------------------|----|-------------|
| 1. Engineer-in-Chief | .. | Full Power |
| 1(A) Chief Engineer | .. | Full power. |

2. Superintending Engineer

(a) Original works:

- | | | |
|--|----|--------------------------------------|
| i) Roads, Bridges and Buildings | .. | Rs. 1.00 Crore
(Rupees One crore) |
| ii) Irrigation, flood control, drainage works and storage reservoir for drinking water supply. | .. | Rs. 1.00 Crore
(Rupees one crore) |
| iii) Public Health Engineering Works. | .. | Rs. 1.00 crore
(Rupees one crore) |
| iv) Electrical work | .. | Rs. 1.00 crore
(Rupees one crore) |
| v) All other works. | .. | Rs. 1.00 lakhs
(Rupees one lakh) |
| b) Repairs | .. | Full Power. |

3. Divisional Officer.

(a) Original works:-

- | | | |
|---|----|---|
| i) Roads, Bridges and Buildings | .. | Rs. 25.00 lakhs
(Rupees twenty five lakhs) |
| ii) Irrigation, flood control, drainage works, storage reservoir for drinking water supply. | .. | Rs. 25.00 lakhs
(Rupees twenty five lakhs) |
| iii) Public Health Engineering Works | .. | Rs. 25.00 lakhs
(Rupees twenty five lakhs) |
| iv) Electrical works. | .. | Rs. 25.00 lakhs
(Rupees twenty five lakhs) |
| v) All other works. | .. | Rs. 50,000/-
(Rupees fifty thousands) |
| (b) Repairs. | .. | Rs. 25.00 lakhs
(Rupees twenty five lakhs) |

4. Sub-Divisional Officer:-

- | | | |
|-----------------------|----|---|
| (b) Repairs ordinary. | .. | Rs. 30,000/-
(Rupees thirty thousands) |
|-----------------------|----|---|

WORKS Dept. No 1220 dt 19.1.04

ANNEXURE-V

Amendment to Rule-10 of Appendix-IX of O.P.W.D. Code, Volume-II

The following shall be substituted in place of the existing Rule-10 of Appendix-IX.

"Rule-10 - The time limit between issue/publication of tender notice and sale, receipt shall be ordinarily allowed as follows. This period may however be varied at the discretion of the Officer competent to accept the tender in case of urgency. The tender document should be kept ready prior to date of publication/issue of tender notice, so that it will be made available for sale immediately after publication in News Papers.

- (i) Minimum 10 days and maximum 15 days in case of works, the cost of which does not exceed Rs.50.00 lakhs.
- (ii) Minimum 15 days and maximum 21 days in case of Works, the cost of which is more than Rs.50.00 lakhs and upto Rs.3.00 Crores.
- (iii) Minimum 15 days and maximum 30 days in case of works, the cost of which is more than Rs.3.00 Crores.
- (iv) In case of very large and complex projects, minimum 21 days but not more than 45 days.

- Note:- If more than the maximum prescribed time is allowed, the concerned authority will record the reason in writing."

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ANNEXURE-VI

Amendment to Annexure (Time schedule for scrutiny of tenders) of Appendix-IX of O.P.W.D. Code, Volume-II.

The following shall be substituted in place of the existing Annexure (Time schedule for scrutiny of tenders) of Appendix-IX.

Sl. No.	Classification of tenders	Time schedule for scrutiny of tenders				
		Maximum time allowed for.				
		Sub-Divn. Officer	Divn. Officer	S.E.	C.E.	Contract Committee
1	2	3	4	5	6	7
1.	Tenders within the power of Sub-Divisional Officer.	5	-	-	-	-
2.	Tenders within the power of Divisional Officer.	10	-	-	-	-
3.	Tenders requiring orders of authority higher than Divisional Officer.	-	-	-	-	-
	(a) Scrutiny and disposal	-	-	-	-	-
	(b) Disposal by the Divisional Officer after receipt of orders from higher authority	-	(15) 7	10	10	15

Note-I. In case where prolonged negotiations are necessary an additional period of 15 days is allowed at the level at which negotiations are to be carried.

Note-II. In respect of works for which alternate design has been given by the contractor, the period of examination in the Office of the Chief Engineer (including scrutiny in the Design Directorate if any) will be double the period indicated against item 3(a)."

ANNEXURE -VII

Amendment to Para 6.3.15 of O.P.W.D. Code, Volume -I

The following shall be substituted in place of the existing para-6.3.15 of O.P.W.D. Code, Volume-I

"Para 6.3.15- A public works officer may accept a tender upto the following amount provided that any provision in the tender does not infringe any standard rule or order of a higher authority, and that no provision involves an uncertain or indefinite liability or any condition of an unusual character. (See also paragraph 3.5.4).

<u>Public work Officer</u>	<u>Tender finalisation power</u>
1. Engineer-in-Chief	Above Rs. 3.00 crores and upto Rs. 5.00 crores
2. Chief Engineer	Above Rs. 1.00 crore & upto Rs. 3.00 crores
3. Superintending Engineer	Above Rs. 25.00 lakhs & upto Rs. 1.00 crores
4. Divisional Officer	upto Rs. 25.00 lakhs.

Note-I. Tenders for works or supplies above Rs. 5.00 crores should be referred to the Administrative Department who will refer it to a committee consisting of the Secretary of the Administrative Department, Secretary of the Finance Department, Secretary of the Law Department and Chief Engineer concerned. The Financial Adviser or Assistant Financial Adviser of the Department will act as member Secretary of the Committee. Secretary of the Finance Department and Secretary of the Law Department may send their representative not below the rank of Deputy Secretary of the respective Departments, if they so desire. In case the members of the Committee come to a unanimous decision, the recommendation of the Committee should be communicated to the Chief Engineer after obtaining orders of the Government in Administrative Department. In case the members express divergent views on any point final decision in the Administrative Department be taken after obtaining orders of Government.

Note-II. The Departments/Wings where there is no Engineer-in-Chief, tenders for works or supplies above Rs. 3.00 crores should be referred to the Administrative Department for finalisation tender as per the procedure mentioned in Note-I.

Note-III. Acceptance of tender for works or supplies above Rs. 3.00 crores and upto Rs. 5.00 crores at the level of Engineer-in-Chief, a tender committee will be constituted with E.I.C. as Chairman, concerned Chief Engineer as member and Financial Adviser/Accounts Officer of the same office as member Secretary.

2. Provisions made in existing Note-II to Note-V of this part remain unaltered. But, existing Note-II is renumbered as Note-IV, existing Note-III is renumbered as Note-V and so on."