

GOVERNMENT OF ODISHA
WORKS DEPARTMENT

No.-07559600052023-

19154 W, dt.

14/11/2023

From

Sri Sibashis Dhal, OFS (SS)

F.A.-cum-Special Secretary to Govt.

To

The E.I.C. (Civil), Odisha, Bhubaneswar/

The Chief Engineer, DPI & Roads, Odisha/

The Chief Engineer, World Bank Projects, Odisha/

The Chief Engineer, Buildings, Odisha/

The Chief Engineer-cum-Additional Secretary, Works Deptt./

The Chief Engineer, National Highways, Odisha

Sub: Codal Provision (Rule 30 of Appendix-IX of OPWD Code, Volume-II) in the matter of Excess Bid.

Sir,

Inviting a reference to the above stated subject, I am directed to reiterate that as per provision contained in OPWD Code vide Office Memorandum No.14220/W dated 14.08.2008 **(Copy enclosed)** of Works Department amending Rule-30 of Appendix-IX of OPWD Code, Volume-II, **"Negotiation may be made only with the lowest valid tenderer (L1), if its/ their quoted rate exceeds the estimated cost."**

You are, therefore, advised to follow Works Department O.M bearing No.14220/W dated 14.08.2008 in the matter of negotiation of excess bids.

Yours faithfully,



F.A.-cum-Special Secretary to Govt.

14/11/2023

No. FAR-503.

1122-0

W. Dated

11.8.88

Sub: - Amendment to codal & contractual provision.

After careful consideration Government have been pleased to make following amendments to codal & contractual provisions:-

- 1.(i) Budget provision of minimum 15% of project cost for accordance of administrative approval and to process tender (amendment to Para-3.2.3 of O.P.W.D. Code, Volume-I) :-

Taking into account the necessity of the situation, budget provision of minimum 15% of the project cost required for according administrative approval and to process tender may be relaxed with the concurrence of Finance Department.

Further, the provision of minimum of 15% of the project cost are not to be insisted in case of resource tied-up projects like RIDF, AIBP etc. subject to fulfillment of the following conditions:-

- a. No financial liability shall be incurred beyond the budgetary provision.
- b. DPR & GAD have been prepared.
- c. Survey & Investigation have been completed, and
- d. Land acquisition & forest clearance have been obtained.
- e. Adequate provision of funds should be made in the subsequent budget (annual/ supplementary).

- (ii) Recovery of outstanding Government dues from the security deposit & other dues payable to contractor (Rule-13 of P.W.D. Contractors' Registration Rule, 1967 (Appendix-VIII) of OPWD Code, Volume-II)

Outstanding Government dues in respect of a work may be recovered from a contractor, from the security deposit, EMD or other dues payable to the contractor for the work or for any other work executed by him in the same Division or for work executed by such contractor in any other Division or executing agency irrespective of the Department to which it relates. Before such recovery, reasonable opportunity should be given to the contractor by issue of a notice to show cause.

(iii) Negotiation only with lowest valid tenderer (L₁) (Rule-30 of Appendix IX of OPWD Code, Volume-II).

Negotiation may be made only with the lowest valid tenderer (L₁), if its their quoted rate exceeds the estimated cost.

(iv) Deletion of provision of quoting special condition/ concession (Rule-21 of Appendix IX of OPWD Code, Volume-II).

The provision of quoting special condition and special concession by the bidder at the time of submission of bid is deleted.

2. Relevant code/ contractual provision stands modified with effect from the date of issue of this Office Memorandum.

BY ORDER OF THE GOVERNOR

EIC - cum- Secretary to Government

W. Dated. 14-8-08

Memo No. 14222

Copy forwarded to P. S. to Hon'ble Minister, Finance, Orissa/ P. S. to Hon'ble Minister, Works, Housing, Orissa for information and necessary action.

FA - cum- Addl. Secretary to Government

W. Dated. 14-8-08

Memo No. 14222

Copy forwarded to OSD to Chief Secretary, Orissa/ P.S. to Development Commissioner- cum-Additional Chief Secretary, Orissa/ P.S. to Principal Secretary to Chief Minister, Orissa for information and necessary action.

FA - cum- Addl. Secretary to Government

W. Dated. 14-8-08

Memo No. 14223

Copy forwarded to Finance Department/ Department of Water Resources/ Housing & Urban Development Department/ Rural Development Department/ Panchayati Raj Department/ all other Departments/ Managing Director, OB & CC Ltd/ Managing Director, O.C.C. Ltd for information and necessary action.

FA - cum- Addl. Secretary to Government