

OPWD CODE (Ready Reckoner)

(PART - I)

[While utmost care has been exercised in the preparation of this Ready Reckoner to assist numerous users of this platform, the possibility of inadvertent errors cannot be ruled out, owing to revisions in codal provisions or delegation of financial powers. In the event that any such discrepancies are observed, it is earnestly requested that the same be brought to the notice of the compiler for necessary rectification. Thank you.]

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Preamble:

This Code defines the scope of the function of the officers in charge of Public Works Working under the Administrative control of

- a) Works,
- b) Rural Works,
- c) Water Resources,
- d) Public Health (H & UD),
- e) R.W.S. & S. (P.R. & D.W.), and
- f) Any other Departments to which the execution of Public Works are assigned by the State

Government.

Unless otherwise stated in the Code, the Rules in this Code apply to all public works and are complementary to those laid down in the Orissa Treasury code, Orissa Service Code, Orissa General Financial Rules, and Central public Works Account Code as adopted and other Rules issued by competent authority.

Scope of Public Works:

The operations of the Departments in-charge of public works are divided primarily into two classes, viz.

Original works	Repairs or Maintenance and operation
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a) Original works cover all new constructions including extension and improvement (or addition and alteration) to the existing works.

b) The terms 'Repairs' or "Maintenance and Operation" includes all operations required to maintain in proper condition or put to service buildings and works in ordinary use.

Repairs may be divided into two classes 'Ordinary' and 'Special' ----

(a) Ordinary repairs are those which, as matter of regulation are carried out periodically and are usually of the same quantity from time to time such as the painting or white washing of a building or a new coating of metal on a road etc.

(b) Special repairs are which are not periodical or frequent, e.g., re-roofing a building, replacing of beams, renewal of flooring etc.

(c) Operation is required only in certain types of works, viz., Irrigation works, and public Health engineering works.

Initiation of Public Works:

There are three essential prerequisites for commencement of public works, namely

Administrative Approval	Technical Sanction	Allotment of Funds
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L Administrative Approval (A.A.)

The formal acceptance of the proposal by the competent authority requiring the work is termed '**Administrative Approval**' of the work.

It is an order to the officers in charges of public works to execute certain specified works at a stated sum to meet the administrative needs of the Department.

For petty works and repairs Administrative Approval is not required.

(But to start the work only AA is not sufficient. Placement of Fund and Technical Sanction to the detailed Estimate is required.)

Administrative Approval is done in two stages.

An application for according 1st stage administrative approval for preparing Detail Project Report (DPR) should be submitted by the local Officer requiring the work to the authority competent to accord it.

After receipt of Details Project Report (DPR) steps will be taken for land acquisition, forest clearance, preparation of detail alignment drawing (GAD) and detailed estimate.

Thereafter, 2nd stage Administrative Approval of Competent Authority, on this detail estimate will be obtained by local Officer requiring the work.

(Expenditure towards preparation of this DPR will be met out of the lump provision made in the budget for survey and investigation.)

Budget provision for minimum 15% of the project cost is required for according 2nd stage administrative approval by Competent Authority.

This detail estimate will be countersigned by the authority competent to accord technical sanction and will be forwarded by the Countersigning Authority direct to the Competent Authority. The amount of Departmental charges, if any leviable on the works should be clearly indicated in the estimate as a separate item below the total for works outlay.

The Chief Engineers and the Officer subordinate to them will exercise the following powers to accord administrative approval

Particulars	E.I.C.	Chief Engineer	Superintending Engineer	Executive Engineer`
a) Buildings Non-residential	Rs.6.00 Crores	Rs.4.00 Crores	-	-
b) Building Residential	Rs.4.00 Crores	Rs. 3.00 Croes	-	-
c) Irrigation work	Rs. 10.00 Crores	Rs. 6.00 Crores	Rs.15.00 Lakhs	-
d) Communication	Rs. 10.00 Crores	Rs. 6.00 Crores	Rs.15.00 Lakhs	-
e) Flood control,	Rs. 10.00	Rs. 6.00	Rs.15.00 Lakhs	-

Drainage, Anti-water logging and Anti-scarossion	Crores	Crores		
f) Public Health works	Rs. 6.00 Crores	Rs. 4.00 Crores	Rs.15.00 Lakhs	-
g) Electrical works	Rs. 6.00 Crores	Rs. 4.00 Crores	Rs.15.00 Lakhs	
h) Deposit / Contribution works	Full power	Full power	Rs.20.00 Lakhs	Rs.0.50 Lakhs
i) Sanitary and water supply to residential and Non-residential buildings				
(i) Non-Residential	Rs.60.00 Lakhs	Rs. 40.00 Lakhs	Rs. 10.00 Lakhs	-
(ii) Residential	Rs.20.00 Lakhs	Rs. 15.00 Lakhs	Rs. 5.00 Lakhs	-
j) Electrical installation to residential and Non-residential buildings				
(i) Non-Residential	Rs.60.00 Lakhs	Rs. 40.00 Lakhs	Rs. 10.00 Lakhs	-
(ii) Residential	Rs.20.00 Lakhs	Rs. 15.00 Lakhs	Rs. 5.00 Lakhs	-
k) Rural water supply work	Rs. 6.00 Crores	Rs. 4.00 Crores	Rs.15.00 Lakhs	-
l) Other items	Rs. 20.00 Lakhs	Rs. 15.00 Lakhs	-	-

Notes- (I) (a) The enhanced powers in respect of 'Commission' and 'Public Health' works shall be subject to the restriction that this may be exercised in respect of works which form part of the approved programme in the Capital Budget.

In regard to Flood Control, Drainage, Anti-Water logging and Anti-sea erosion, powers to accord administrative approval shall be exercised only after obtaining recommendations and approval of competent authorities as prescribed by the planning Commission in their letter No. 11-16 [12]-72 I & CAD, Dated the 8th June 1973, as may be amended from time to time.

(b) In case of works which are classified as debitable to Revenue head, the financial powers should be limited to 50 percent of the above.

(II) In respect of residential buildings the enhanced powers will be subject to the condition that the building will conform to the standard type designs approved by Government.

Revised Administrative Approval is required :

1) In cases where the amount of the accepted tender exceeds the amount of administrative approval by more than 15 percent by tender premium.

2) In cases where the total value of a contract increases by more than 15 percent of the Administrative Approval due to deviation in the course of execution.

(In this case the deviation statement can be accorded by the authority competent to accept the tender after the revised administrative approval is obtained.)

II. Technical Sanction

For every work proposed to be carried out, a properly detailed estimate must be prepared for the sanction of competent authority except petty works, petty repairs for which a lump sum provision has been sanctioned.

This sanction is known as the technical sanction to the estimate and unless, otherwise provided, must be obtained before the execution of any work is commenced.

As the term indicates, it amount to no more than a guarantee that the proposal is structurally, sound and that the estimate is accurately calculated and based on adequate data .

In the case of an original work, the counter signature of the local Head of the Department on behalf of whom it's execution is proposed, or of such other officer of lower status as may have been empowered to accord administrative approval to it, should be obtained to the plans and estimates in token of his acceptance of them, before technical sanction to the latter is accorded.

If subsequent to the grant of technical sanction, material structural alterations are contemplated, the orders of the original sanctioning authority should be obtained, even though no additional expenditure may be involved by the alterations.

Until funds for the work have actually been allotted by a competent authority, a Divisional Officer cannot be required, except by his departmental superiors, to prepare the detailed plans and estimates necessary for the purpose of technical sanction.

Following officers are empowered to accord technical sanction to detailed estimates for works .

1.	Engineer-in-Chief.	Full Power
(A)	Chief Engineer	Full Power
2.	Superintending Engineer	
(a)	Original Works-	Rs. 10.00 Crore (Rupees four Crore)
(b)	Repairs-	Full Power
3. (a)	Superintending Engineer (GPHD)	Rs. 2.00 Crore (Rupees two Crore)
(b)	Superintending Engineer (GED)	Rs. 2.00 Crore (Rupees two Crore)
(c)	Superintending Engineer (RWSS)	Rs. 2.00 Crore (Rupees two Crore)
3.	Divisional Officer	
(a)	Original Works	Rs. 1.00 Crore (Rupees one Crore)
(b)	Repairs-	Rs. 1.00 Crore (Rupees one Crore)
(c)	GPHD/GED	Rs. 0.50 Crore (Rupees Fifty Lakh)

4. Sub-Divisional Officer-

- (a) Repairs Ordinary Rs. 30.00 (Rupees thirty thousand)

A return of all sanctioned estimates costing more than Rs. 25 Lakhs in respect of projects and Rs. 10 Lakhs in respect of non-projects should be sent to the Accountant General, Orissa. While technical sanctions are accorded to works forming parts of the project costing more than Rs. 25 Lakhs, copies of such sanctions quoting reference number and sub-work of the main project should also be furnished to the Accountant General.

Power to Pass Excess over Technical Sanction

(i) The powers of Officer-in-Charge of public works to accord technical sanction to revised estimates are the same as their power to accord sanction to original estimates.

(ii) A public works officer may pass excess over estimates provided that the excess is not more than 5 percent of the amount sanctioned and the total amount of the sanctioned estimate plus such excess does not exceed the amount up to which he is entitled to accord sanction to an original estimate.

1. Supplementary Estimates

Any development of a project though necessary while a work is in progress, which is not fairly contingent on the proper execution of the work as first sanctioned, must be recovered by a supplementary estimate, accompanied by a full report of the circumstance which render it necessary. The abstract must show the amount of the original estimate and the total of the sanction required including the supplementary amount.

2. Revised Estimates

(a) A revised estimate must be submitted when the sanctioned estimate is likely to be exceeded by more than 5 percent in respect of residential buildings and by more than 10 percent in respect of all other works, either from the rates being found insufficient or when material developments or deviation have necessitated revised administrative approval from or any cause whatever .

(b) When there is likelihood of unavoidable delay in the preparation of a revised estimate, an immediate report should be made to the authority whose sanction (administrative approval and technical sanction) would ultimately be required to the revised estimate.

(i) No officer of public work under various Departments of government is entitled to pass any excess over a revised estimate sanctioned by a higher authority than him.

(ii) When excess occurs at such an advanced period in the construction of a works so as to submission of a revised estimate is purpose less and the completion report is utilized as such and an officer not lower than that of a Superintending Engineer, may pass the completion report, if the total expenditure in question is not greater than that which is he is empowered to sanction in case of revised estimate under Sub-Para (i) above, when it is beyond the powers of the Superintending Engineer to pass the excess as shown in the completion report, the same shall be submitted to the Chief Engineer, who in his turn will submit it to government, if he is not empowered to deal with the excess.

(iii) In case of productive public works, the power of passing excess over detailed estimates, as stated in his sub-para, can be exercised so long as the total project estimate is not exceeded by more than 5 percent.

III. Allotment of Funds:

Allotment of funds means provision of funds to meet expenditure on a specified object. The funds are provided either in the budget or by supplementary demands, re-appropriation and advances from the Contingency Fund in urgent cases.

In cases where lump sums provision is made (e.g., minor works grant, repairs grant, tools and plant, suspense etc.) necessary funds are allotted by the controlling officers.

The allotment available for works in departmental budget of other Department may be placed at the disposal of the concerned Department of P.W.D., if the works included therein are proposed to be executed through the agency of the P.W.D.

Note: Where the budget provision has been admitted in anticipation of administrative approval, expenditure should not be incurred until the administrative approval has been accorded by the competent authority.

In exceptional cases, where it is considered necessary to go ahead with the execution of a project, specified authorization of Govt. will be necessary before expenditure is incurred.

Such cases will not be considered unless full details of the circumstances in which the administrative approval is being delayed and the reasons for going ahead with the work are furnished.

The Administrative Department concerned will be competent to issue such orders of authorization only in respect of projects other than residential buildings where the rough estimated cost is within their power of according administrative approval.

In all cases of authorization of this nature the Chief Engineer should submit proposals for administrative approval within three months from the date of commencement of work.

Contract:

The recognized system of carrying out work otherwise than by the employment of daily or periodical labour or departmental machinery is by entering into contracts.

Before entering into contracts, it must be ensured that unless the following conditions are satisfied no work shall be commenced or liability incurred in connection with it.

- (i) Administrative approval where necessary has been received.
- (ii) Properly detailed design and estimate have been technically sanctioned;
- (iii) Allotment of funds has been made; and
- (iv) Orders for its commencement have been issued by a competent authority.

Provision in budget estimate for a work does not convey any authority for the commencement of outlay on the work.

The contract should be executed either on the basis of tender or an award of work without calling for tender. In either case orders of the competent authority must be obtained before entering into any contract.

Notes (1) In this Code, the term 'contract' does not includes mere purchase of materials or stores but also covers supply of any materials or articles which usually involves manufacture processing of excavation before it is ready for delivery, such as bricks, chips, metal etc., which may be procured be entering into contract for procurement of such materials.

The public works officers empowered to sign contracts on behalf of Governor of Orissa will ordinarily sign the contract in one of the standard forms specified.

Contracts may be three of kinds, viz, **Item Rate, Lump Sum, and Percent Rate**

(i) Item Rate Contract - F2 Form

For item rate tenders contractors are required to quote rates for individual items of work on the basis of schedule of quantities. Failure in maintaining the progress will make him liable to pay compensation. The items of works and the quantity can be increased, reduce or replaced. The period of completion can correspondingly be altered.

(iii) Item rate Work Order - K2 Form

This form may normally be used for small works costing Rs. 10,000 and below to be executed without calling for tenders. The description of items should be strictly according to the schedule of rates and the rates for various items of work should not exceed the rate entered in the schedule of rate. Any work awarded in this form may be stopped by the engineer-in-charge or the contractor at any time without being required to pay any compensation.

Powers of different officers for Work order

(a)	Chief Engineer	Rs. 50,000.00
(b)	Superintending Engineer	Rs. 15,000.00
(c)	Executive Engineer (Divisional Officer)	Rs. 10,000.00

(iii) Lump Sum Contract - G2 Form

In the lump sum contract, the contractor agrees to execute a complete work with all its contingencies in accordance with the drawings, designs and specifications for a fixed sum, the following being its essential characteristics.

(a) A schedule of rates is specified in order to regulate the amount to be added or deducted from the fixed sum on account of additions and alterations to drawings, designs and specification not covered by the contract.

(b) Except as provided in clause (a) no allusion is made in the contract to the departmental estimate of the work, schedule of rates or quantities of work to be done.

(c) Detailed measurements of the work done are not required to be recorded except in respect of additions and alterations.

(d) The deductions to which Government is entitled to as per contract are clearly recorded and attended to while issuing final certificates and they should record in writing the method adopted and also refer to the documents on the basis of which a certificate is given.

(e) There is no restriction in the value of the contract. Specific permission from the authority competent to accept the tender is necessary before this form is adopted. Detailed drawings, designs and specifications which form the basis of the lump sum contract should be approved by the competent authority before tenders are called for

(iv) Percentage Rate Contract - P1 Form

Percentage contract will be in addition to item rate, lump sum contracts etc. In such contracts the schedule of quantities shall mention estimated rate of each item and amount thereto. The Contractor has to mention percentage excess of less over the estimated cost (in figures and will as words) in the prescribed format appended to the tender document.

The contractor is required to maintain a certain rate of progress specified in the contract. The contract can also be terminated with penalty when the progress of work is not as per the conditions of contract.

The contractor will write percentage excess or less up to one decimal point only. If he writes the percentage excess of less up to two or more decimal point, the first decimal point shall only be considered without rounding off.

(v) Contract for supply of materials - H2 Form

This form should normally be used where the purchase of materials for which specifications and rates have been stipulated by the Department, is involved. According to the form the contractors are required to quote rates for supply of the required quantity of materials such as bricks, chips and metal etc.

Tenders:

Tenders should invariably be invited publicly in the manner prescribed for all works given out on contracts and estimated to cost above Rs.5.00 lakh except in cases where additional works or items of work have to be undertaken as part of a scheme work for which tenders have originally been invited publicly and which are required to be executed while the work originally undertaken is in progress or for other exceptional reasons.

The places and time period of availability of tender document and also the amount, if any, to be paid for such forms of tender. It also stipulates the eligibility criteria and EMD amount for the work tendered. Authority should always be reserved to reject any or all of the tenders so received without assignment of any reason and this should be expressly stated in the advertisement. The tender is opened at advertised place and time by the Authority invited the tender in the presence of the bidders participated. Normally in selecting the tenders other conditions being equal, the lowest valid tender should be accepted. Reasons should also be recorded for declaring any tender received as invalid.

Notes: (I) Contract for works estimated to cost up to Rs.5.00 lakh may be given out with or without invitation of open tenders at the discretion of the Divisional officers to the best advantage of Government. In the later case, the rates allowed should not be in excess of the current schedule of rates. He should also record reasons for not inviting tenders.

(II) If a work is to be split up for facility of execution, the approval of the authority competent to accept the tender for the work as a whole should be obtained before inviting tenders for the work.

(III) Unless otherwise authorized by competent authority no tender shall be invited and accepted for a work to which administrative approval and technical sanction has not been accorded.

(IV) Financial limit for resorting technical qualifications:

(a) prequalification of tender has to be resorted to when cost of the works (excluding centages) is more than Rs. 2,000=00 Lakhs (Two thousand Lakhs) as per the guidelines prescribed by the concerned Engineering Department.

(b) Tender for the works costing above Rs. 50.00 Lakhs has to be invited in double covers, one cover containing technical bid and other containing financial bid as per the guidelines prescribed by the concerned Engineering Department.

The Tender Call Notice should in all cases broadly state:

In cases where a tender other than the lowest valid tender is proposed to be accepted, action should be taken as below;

(i) If the tender proposed to be accepted is not more than 10% in excess of the lowest valid tender a report giving full reasons for rejection of each of the lower tenders should be made confidentially to the next higher authority and unless contrary instructions are received within three weeks from the date of report, the selected tender may be accepted.

(ii) If the Officer is in doubt of his own judgment about the suitability of the lowest valid tender in case falling under (i) and in all cases in which the selected tender is in excess of 10% of the lowest valid tender, the confidential report giving reasons for proposing rejection of the lower tenders should be made along with all tenders received, valid or invalid to the following authorities for approval.

Approving authority if the selected tender exceeds lowest by:

Officer empowered to accept the tender	More than 10 percent but not more than 15 percent and also in cases of doubt within excess of 10 percent.	More than 15 percent.
Sub-Divisional Officer	Divisional Officer	Superintending Engineer (through Divisional Officer)
Divisional Officer	Superintending Engineer	Chief Engineer (through Superintending Engineer)
Superintending Engineer	Chief Engineer	Administrative Department.

(iii) In cases in which the Chief Engineer is the authority to accept the tender, the acceptance of a tender other than the lowest valid one will in all cases have to be reported to the Administrative Department for information in cases falling under (i) above and approval in other cases.

(iv) The single tender received in the first call shall be cancelled without opening the bid. The acceptance of the single tender after retendering should have prior approval of the next higher authority.

(v) The currency period of any tender should not be more than 3 months from the last date prescribed for receipt of the tenders. If delay in deciding the tender is inevitable, the consent of the tenderer to keep the offer open for a further period absolutely required should be obtained.

(vi) Contractors shall in each case be required to deposit one percent of the estimated cost of work tendered for as earnest money (EMD) while offering tenders, and one percent as initial security (ISD) at the time of acceptance of tender provided.

(vii) Depending on the necessity and urgency of execution of work of damaged roads and buildings under plan scheme, work may be split-up to Rs. 5 Lakhs after approval by the concerned Superintending Engineer.

(viii) Under Non Plan Scheme such as repair to Road and CD works, Building and other PH works limiting to Rs. 5.00 Lk may be split up into small reaches after obtaining approval from Competent Authority. In extra ordinary situations split up can be done without any Financial Limit on approval from Competent Authority.

(ix) When the bidder quoted his rate less than the estimated cost put to tender, he has to furnish the differential amount in shape of pledged DD/TDR in a sealed envelope at the time of submission of tender which is known as Additional Performance Security (APS)

(x) The notice inviting tenders for works costing more than Rs.10, 000=00 but up to Rs.5.00 lakh should be circulated among the local offices. A copy of NIT should be sent to contractors, Association (s), all Divisions of PWD within the District & concerned SEs office.

(xi) For all tenders costing more than Rs.5.00 lakh the e-Tender route to be adopted. Tenders for works costing more than Rs.5.00 lakh and up to Rs.10.00 lakh shall be published in two local Oriya News Papers.

(xii) If L1 bidder does not turn up for agreement after finalization of the tender, then he shall be debarred from participation in bidding for three years and action will be taken to blacklist the contractor. In that case, the L2 bidder, if turns, other required criteria would be called for drawing agreement for execution of work subject to the condition that L2 bidder negotiates at par with the rate quoted by the L1 bidder otherwise the tender will be cancelled. In case a contractor is black listed, it will be widely publicized and intimated to all departments of Government and also to Govt. of India agencies working in the state.

(xiii) Special category of Bidders

(a) Physically challenged contractors up to C Class will be exempted from paying EMD and ISD.

(b) Engineering Contractors may get exemption of EMD in three successful tenders up to B class for Diploma and A class for Degree Holders.

(c) SC and ST contractors will get 10% of price preference irrespective of number of tenders and class. But availing of EMD and Performance Security @ 50% is restricted up to B class only

(xiv) If the rate quoted by the bidder is less than 15% of the tendered amount then such a bid shall be rejected and the tender shall be finalized basing on merits of rest bids. But if more than one bid is quoted at 14.99% (Decimals up to two numbers will be taken for all practical purposes) less than the estimated cost, the tender accepting authority will finalize the tender through a transparent lottery system, where all bidders/their authorized representatives, the concerned Executive Engineer and DAO will remain present. All participants in the tender whether by naturally quoting 14.99% less or by any special order will be allowed to participate in the lottery.

(xv) Finance limit of for Contractors

Contractors	Amount Limit for Tender
(i) Super Class	Above 20 Crore
(ii) Special Class	Above 6 Crore up to 50 Crore
(iii) 'A' Class	Above 1 Crore up to 20 Crore
(iv) 'B' Class	Above 20 Lakh up to 3 Crore
(v) 'C' Class	Up to Rs. 40 Lakhs
(vi) 'D' Class	Up to Rs. 20 Lakhs

A contractor having license for a particular class can offer tender meant for next below class only.

(xvi) Time Limit for Tender

(a) Minimum 10 days and maximum 15 days in case of works, the cost of which does not exceed Rs. 50.00 lakhs.

(b) Minimum 15 days and maximum 21 days in case of works, the cost of which is more than Rs. 50.00 Lakhs and up to Rs. 3.00 crores.

(c) In case of very large and complex projects, minimum 21 days but not more than 45 days.

(xvii) Up to Rs. 5.00 Lk no paper publication . Beyond it e-Procurement method to be adopted.

(xviii) The following will be the scale of charges for tender forms to be sold to contractors

(i)	Tenders costing up to Rs. 10,000/-	Rs. 200.00+ VAT
(ii)	Tenders costing over 10,000.00 but below Rs. 1.00 Lakh	Rs. 400.00+ VAT
(iii)	Tenders costing over 1.00 Lakh but below Rs. 2.00 Lakh	Rs. 600.00+ VAT
(iv)	Tenders costing over 2.00 Lakh but below Rs. 5.00 Lakh	Rs. 2000.00+ VAT
(v)	Tenders costing over 5.00 Lakh but below Rs. 10.00 Lakh	Rs. 4000.00+ VAT
(vi)	Tenders costing over 10.00 Lakh but below Rs. 50.00 Lakh	Rs. 6000.00+ VAT
(vii)	Tender costing Rs. 50.00 Lakhs & above.	Rs. 10,000.00+ VAT

(xix) Negotiation with the successful tenderer

If an officer inviting tender considers it necessary in the interest of Government to negotiate with a tenderer with a view to reduce the rates quoted or to withdraw special condition imposed by a tenderer,

negotiations may be conducted by him or by an officer authorized by him in writing with the lowest tender only, if the tender value exceeds the estimates cost by more than 5%. If the quoted rate of the lowest bidder is within 5% excess of the estimated cost, there is not need for negotiation. There will be no negotiation with any other bidder except with lowest bidder.

(xx) Time limit for refund of security deposit-

Security deposit of contractors for each work will be refunded in accordance with the following procedure

(i)	In case of contractors for supply of materials and carriage of materials.	Security deposit is to be refunded in full along with the final bill within a month of satisfactory completion of contract.
(ii)	In case of item rate of L.S. contractors	Full refund is to be made one year after the date of completion provided final bill has been paid and defects, if any, rectified. However in case of projects executed with externally aided fund security deposit is to be refunded as outlined therein.
(iii)	Piece-rate contractor	Full refund is to be made one year after the date of completion provided final bill has been paid and defects, if any, rectified.

In case, however, where refund of security is delayed for non-payment of final bill, the two percent of the security deposit recovered as earnest money and initial security may be refunded and the balance of the deposit may be refunded after the payment of the final bill.

Acceptance of Tenders:

A public works officer may accept a tender for a work up to the amount to which he is authorized to accord technical sanction to estimates 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 liabilities or any condition of an unusual character.

P.W. Officers	Tender Finalisation Power
EIC	Above 7.00 Cr. to 10.00 Cr. Above this limit to be referred to Admn Dept where there is EIC
CE	Above 5.00 Cr. to 7.00 Cr Above this limit to be referred to Admn Dept where there is no EIC
SE	Above 1.00 Cr. to 5.00 Cr
EE	Upto 1.00 Cr

Execution of Contracts:

Before entering into a contract, all pros and cons should be considered and validity of contractual document should be ensured Adequate care should also be taken to complete the agreement consists of tender documents which includes-

- (a) Letter of the contractor submitting the tender;
- (b) Letter of acceptance of the tender;

(c) Letter of Divisional Officer communicating acceptance of the Tender.

All payments due to the contractors for work done, services rendered and materials delivered should be promptly settled, in any case not later than 60 days after the satisfactory completion of the work of the latest unless otherwise provided in any contract

Extension of Time:

Application for extension of time for the completion of a work on the grounds of unavoidable hindrance or any other grounds shall be submitted by the contractor within 30 days of such hindrance and the divisional Officer shall authorize or recommend such extension of time as deemed necessary or proper within fifteen days of the receipt of such an application. In cases where the sanction of the higher authority to the grant of extension of time is necessary, the Divisional Officer should send his recommendation as expeditiously as possible. The higher authority should communicate his decision within 60 days from the date of receipt on recommendation in his office. If the orders of the competent authority are not received in time the Divisional Officer may grant extension of time under intimation to the concerned authorities so that the contract might remain in force, but while communicating this extension of time, he must inform the contractor that extension is granted without prejudice to Government's right to levy compensation under relevant clause of the contract.

Notes- (I) The power for grant of extension of time is vested with the authority who is competent to accept the tender, but such extension of the period is limited to the period equivalent to the period originally, stipulated in the agreement for completion of the work, if such extension will be beyond this period, then the approval of the next higher authority should be obtained before grant of such extension.

(II) The application for extension of time and sanction thereto should be made in the prescribed form.

Extension of time in P1 agreement

The period of completion is fixed and cannot be altered except in case of exceptional circumstances with due approval of next higher authority.

Deviations from Contracts:

Any increase/decrease, excess/below the schedule of quantities appended to the tender during execution should be carefully investigated into by the Divisional Officer with a view to determine the financial implication of such variation position of lowest tender. If due to wide variations during execution the relative position of the lowest tender stands changed subsequently, the work should ordinarily be closed and the balance work executed under a separate contract following the usual procedure. However the balance of work can be continued under the same contract with the specific approval of authority higher than the officer, who accepted the tender.

Extra Item:

Extra items of work are those which are not covered under the original agreement for the execution of a work and consist of new and / or substituted items

(i) New items of work are items which are completely new and are in condition to the items in the contract. These are commonly known as extra and additional items.

(ii) Substituted items are those items which substitute the existing ones or are taken up lieu of those already provided for in the contract.

Extra Quantities:

Extra quantities are those executed in excess of the quantities mentioned against each item in the agreement.

The public works officers will exercise the following powers for sanctioning rates for extra/ substituted items and for approving deviations in quantities in respect of a contract.

(i) Chief Engineer- Full power, subject to the condition that the net value of the extra/substituted items and extra quantities shall be with 10 percent of the value of the contract accepted by any authority.

(ii) Superintending Engineer- Can sanction rates for extra/substituted items and approve deviation in quantities so long as the net value of these items remains with 10 percent of the value of the contract accepted by any authority or Rs. 50,000 whichever is less.

(iii) Divisional Officer- Can sanction rates for extra/ substituted items and approve deviation in quantities so long as the net value of these items remains with 5 percent of the value of the contract accepted by any authority or Rs. 10,000 whichever is less.

Within this limit, he may also sanction rates which cannot be derived either from the agreement or Schedule of Rates, up to Rs. 2,000 only in respect of each contract.

(iv) Sub-Divisional Officer- Can sanction rates for extra/ substituted items and approve deviation in quantities so long as the net value of all these items remains with 5 percent of the of the contract accepted by any authority or Rs. 250, whichever is less. He cannot sanction rates for items which cannot be derived from the Schedule of Rates.

In exercising the powers indicated above, the following principles should be observed.

(a) The power should be exercised for technical reasons only.

(b) Scale of, accommodation and furniture sanctioned by a higher authority should not be exceeded.

(c) These powers are to be exercised in respect of each contract.

(d) The total value of work including the value of extra/ substituted items and increase in quantities shall not exceed the amount of administrative approval by more than 15 percent in any case. As soon as the possibility of such an increase is noticed, no extra expenditure should be incurred till a revised administrative approval or specific permission of the authority competent to accord administrative approval obtained.

(e) While exercising the above powers, a higher authority should also take into account the sanctions accorded by the subordinate authorities in respect of each contract.

Items not covered under agreement:

Chief Engineer- Up to 10 percent of the value of the contract or Rs. 10,000 whichever is less, in respect of a contract accepted by any authority.

Superintending Engineer- Up to 5 percent of the value of the contract or Rs. 5,000 whichever is less, in respect of a contract accepted by him or by his subordinate officers.

Note: (I) Any payment beyond the above limit would require the concurrence of finance Department. The Chief Engineer, while exercising the above powers will take in to account the sanction already accorded to by the Superintending Engineer.

(II) The total value of work including the amount sanctioned for other items shall not exceed the amount of administrative approval by more than 10 percent. If it exceeds, no payment can be made until a revised administrative approval is received or specific permission of the authority competent to accord administrative approval is obtained.

(III) The term 'other items' covers those item like idle labour, Idle machinery, losses due to natural calamities and circumstances beyond human control, payments for which are not covered by any of the clauses of the contract.

Provided that the total payment sanctioned as above, together, shall not exceed 10 per cent of the value of the contract.

Deviation in P1 agreement

The quantity mentioned can be increased or reduced to the extent of 10% for individual items subject to a maximum of 5% over the estimated cost. If it excess the limit stated above prior approval of competent authority is mandatory before making any payment.

Power to Sanction Estimates for purchase of Stores, Tools and Plant etc:

The following are the powers of the public works officers estimates for purchase of stock, tools and plant, manufacture and repairs of tools and plant.

Particular	Chief Engg.	Suptd.Engg.	Divn.Officer.
1. Tools & Plants (New Supply)	10.00 Lakhs	2.50 Lakhs	10,000/-
2. Tools and Plants (Repairs and carriage)	Full Power	1.00 Lakh	20,000/-
3. Stock	Full Power	10.00 Lakhs	2.00 Lakhs

Notes (I) Except in a case of purchase or manufacture not exceeding Rs. 1,000.00 for which estimates may not be required stores including tools and plants can only be purchased or manufactured against the sanctioned estimates;

Write Off / Disposal of Sores Etc:

The following powers are exercised by officers of the Departments in charge of public works in relation to sale, disposal and write off of stores and cash. The powers to write off losses should be exercised provided that the loss does not disclose a defect in the system, the amendment of which requires the orders of Government and that there has not been serious negligence on the part of some individual officer or officers which might possibly call for disciplinary action.

Particulars		Administrative Department	Chief Engineer	Superintending Engineer	Divisional Officer
	1	2	3	4	5
		Rs	Rs	Rs	Rs
(a)	Loss due to depreciation stock	Full Power	20,000	10,000	Nil
(b)	(i) Loss of stores due to theft, fraud or negligence of individual	20,000	10,000	1,000	100
(ii)	Loss of stores not due to the theft, fraud or negligence of individual	50,000	10,000	1,000	100
(iii)	Loss of cash either under (b) (i) or (b) (ii).	4,000	2,000	Nil	Nil
©	Issue of orders declaring stores other than those referred to under (a) and (b) above, surplus or unserviceable the original purchase value of articles being estimated if not known.	Full power	50,000	25,00	1,000
				Not exceeding 5,000/- in a year.	
		(vide Works Deptt. No. 24185., Dated 25.9.1993)			
(d)	Issue of orders for disposal of stores, declared by competent authority to be surplus or unserviceable.		(See Appendix XIX)		
(e)	Sale to private persons at full value plus 10 percent (unless waived by the Superintending Engineer in respect of surplus stock which in his opinion would other wise be unsaleable), provided the sale does not cause any inconvenience to the Public Service.	Full power	20,000	10,000	2,000

Particulars		Administrative Department	Chief Engineer	Superintending Engineer	Divisional Officer
	1	2	3	4	5
(f)	Write off from returns of tools and plant of article of which full value has been	-	-	-	Full power

	recovered.				
(g)	Write off from returns of tools and plant of article of which full value has been recovered.	Full power	5,000	1,000	200
(h)	Adjustment of losses on manufacturing account	-	-	Full power	10 percent on estimated rate of out turn.