

**Government of India**  
**Ministry of Road Transport & Highways**  
**(EAP Zone)**  
**[Transport Bhawan, 1- Parliament Street, New Delhi-110 001]**

**No.RW/NH-37010/2/2016/EAP**

**Dated 02.09.2016**

**To,**

- 1 The Principal Secretaries/Secretaries of all States/UTs Public Works Department dealing with National Highways, other Centrally Sponsored Schemes & State Schemes
- 2 The Engineers-in-Chief and Chief Engineers of all States/UTs Public Works Department dealing with National Highways, other Centrally Sponsored Schemes & State Schemes.

**Subject: Advisory for fixation of timelines for e-tendering for Projects of Road and Bridge works on National Highways and Centrally Financed Schemes being implemented by State PWDs -Reg.**

**Sir,**

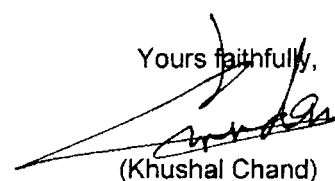
A decision has been taken by the Government to streamline the process of procurement through e-tendering by fixing days for uploading the tenders as well timelines for various milestones with regard to the procurement process. A copy of the Report submitted by the Committee chaired by JS(PPD), Department of Expenditure and Minutes of Meeting dtd. 12.08.2016 held under the Chairmanship of the Cabinet Secretary is enclosed as Annexure-I and Annexure-II respectively.

2. In this context, circulars (Annexure-III & Annexure-IV) have been issued by Ministry, for fixation of timelines for tenders being invited by NHIDCL. NHAI has also been requested to issue similar guidelines for the procurement activities being undertaken by it

3. It is requested that State PWDs may adopt a similar system of fixing of days, may be twice a week, on which the tenders will be uploaded and also fix the timelines for other stages of procurement. State PWDs are also requested to take action for further compressing the time frame for completion of tendering process

4 The Ministry may be kept apprised of the developments.

Yours faithfully,

  
(Khushal Chand)  
Superintending Engineer (EAP)  
For DG(RD)&SS

**Copy for information to:**

- 1 PS to Minister (RTH)
- 2 PPS to Secretary (RT&H), PPS to DG(RD) & SS, PS to AS&FA, PS to ADG I/II, PS to Coordinator I/II/III
- 3 Shri. Sanjay Aggrawal, Director (PPD), Department of Expenditure, Ministry of Finance, North Block, New Delhi
- 4 NIC- with the request to upload in the Ministry's portal

## **Annexure-I**

### **Report of the Committee headed by Joint Secretary (Procurement Policy Division), Department of Expenditure -- Proposal regarding fixation of Government Tenders (MP Model)**

#### **Background**

1. A meeting was held on 10.05.2016 at the level of the Prime Minister with Chief Minister, Madhya Pradesh (MP) to discuss the drought situation and water scarcity in the State of Madhya Pradesh. During the meeting, in addition to other issues, the CM, MP highlighted a new e-tendering system for procurement and construction in Works Departments in Madhya Pradesh.
2. It was desired in the meeting that the Expenditure Secretary in consultation with Cabinet Secretary will examine whether the dates of Government tenders can be fixed at a national level for all Departments of Government of India. A note on Madhya Pradesh Model of procurement system in Works Departments was obtained from the Chief Secretary, Madhya Pradesh.
3. The salient features of the Madhya Pradesh Model are as under:
  - (i) There is a single and centralised registration system for contractors/agencies.
  - (ii) Agencies registered with Central Registry in Public Works Department (PWD) only, are eligible to enter into agreement with any entity of the State Government. Un-registered bidders will have to get themselves registered before the opening of the bids.
  - (iii) Tenders are released three times a month, i.e., on 10<sup>th</sup>, 20<sup>th</sup> and 30<sup>th</sup> of every month.
  - (iv) Bid submission dates are so determined that bids are opened only on fixed scheduled dates, viz, 7<sup>th</sup>, 17<sup>th</sup> and 27<sup>th</sup> of every month.
  - (v) Advertisements in newspapers are issued only about issuance of online tenders. Extension of dates or corrigendum is issued only on-line.
  - (vi) Decisions/recommendations by Head of Department (HoD) are made on the same day of opening of financial bids. Decisions by Government Committees on recommendations of HoD are made between one to four weeks. Decisions are uploaded on the website on the next day.
  - (vii) No negotiation with L-1 is held. In case, L-1 price is unreasonable, the bid is rejected and re-tendering is done.
4. In order to examine the feasibility of implementation of MP model in the present form or modified form in Government of India, a meeting was convened at the level of the Dr. Vivek Joshi, Joint Secretary (PPD), Department of Expenditure on 19.05.2016. The representatives of Ministry of Railways (MoR), Ministry of Road

Transport and Highways (MoRTH), Ministry of Urban Development (from CPWD), Ministry of Power, Ministry of Commerce (from DGS&D) attended the meeting. The observations made by Ministries/Departments are summarized as under

- (i) Work will get concentrated on few days only, if all the tenders are opened on three/five days.
- (ii) Efficiency of the system will suffer as the procuring officers will have to wait for extra days to open the tender on defined dates.
- (iii) It will be difficult for contractors to fill various tenders only on few days in a month.
- (iv) Capacity of Servers will be a constraint and IT infrastructure will need up-gradation.
- (v) Opening date of tenders is frequently shifted, wherever pre-bid clarifications are required by the bidders. MP model does not provide for pre-bid meetings.
- (vi) Due to volume of tenders, it may not be advisable to follow the MP model in totality as around 25,000 tenders are opened on e-portal and same numbers are opened manually per month by Ministry of Railways only.
- (vii) Currently, most of the tenders are being decided within validity period of 90 days of the bids.
- (viii) No-negotiation policy with L-1 will prolong the overall procurement process.
- (ix) Procurement in MP is largely limited to registered suppliers.

#### **Discussion in Committee of Secretaries (CoS)**

5. The Committee of Secretaries (CoS) has discussed the proposal regarding "Fixation of Government Tenders at the National Level" on 07.06.2016. After detailed deliberations, the CoS recommended the following:

- (i) Ministry of Railways (MoR) and Ministry of Road Transport & Highways (MoRTH) may consider setting up an online system for enlistment of contractors for procurement of their departmental Works. For the remaining procurement of works, enlistment may be done centrally by Central Public Works Department (CPWD). The enlistment may be done by the bidders before or after the Notice Inviting Tender (NIT) but before the last date of submission of bids
- (ii) MoR, MoRTH and CPWD will examine fixing of dates for issue of NIT, tender opening and award of contracts across various locations. divisions or levels. Efforts should be made to ensure that the entire procurement cycle takes not more than 45 days in most cases
- (iii) MoP, MoRTH & CPWD will take steps to ensure that all stages of processing tenders including dates for awarding the contract are mentioned in the NIT itself.

- (iv) MoR, MoRTH & CPWD will consider fixing dates in week/month for meeting of the Tender Evaluation Committee (TEC). They will also ensure that the procuring entities upload decisions/minutes of the TEC on their portals timely.
- (v) A mechanism should be set up to ensure that any agency/contractor blacklisted by one Department is also blacklisted by other Departments.
- (vi) CPWD, MoR & MoRTH will submit their plan of action to a Committee under the chairmanship of Joint Secretary(PPD), Department of Expenditure (DoE) along with representatives from MoR, MoRTH, National Informatics Centre (NIC), CPWD and Directorate General of Supplies & Disposal (DGS&D) within a week. The Committee will work out further details for successful implementation of the new framework. The Committee will suggest specific changes in Government orders, including General Financial Rules (GFRs), which may be necessary and finalize its recommendations within a fortnight. The matter will be further reviewed in a meeting of the CoS thereafter.

6. The Department of Expenditure has requested all concerned Ministries/Departments to send their Plan of Action with regard to recommendations of CoS on 17.06.2016 followed by another reminder on 21.06.2016. Ministries/Departments were also requested to nominate officers for the committee constituted by CoS as above.

7. The following members were nominated by respective Ministries/Departments on the Committee:

- (a) Shri Anil Kumar Dubey, Executive Director (Civil Engineering/G), MoR
- (b) Shri A.K. Shrivastava, Chief Engineer, MoRTH
- (c) Shri Manoj Kumar Sharma, Chief Engineer (CSQ-Civil), CPWD
- (d) Shri Rajesh Gupta, Director (R&I), DGS&D
- (e) Ms Usha Saxena, Technical Director, NIC

#### **Deliberations of the Committee**

8. The committee appointed by CoS met on 05.07.2016 to deliberate the responses received from Ministries/Departments. Shri Anil Kumar Dubey, Executive Director (Civil Engineering/G) MoR, Sh. Rajesh Gupta, Director (R&I), DGS&D and Ms Usha Saxena, Technical Director, NIC attended the meeting. From MoRTH, Ms Leena Nandan, Joint Secretary and from CPWD Shri Sanjiv Rastogi, SE (CSQ) participated in the deliberations. Earlier to this, one more meeting was held with Shri Anil Kumar Dubey, Executive Director (Civil Engineering/G) MoR in first week of July, 2016. The recommendations of CoS and response of Ministries/Departments is discussed in the following paragraphs:

9. **CoS Recommendation 1- Online system for enlistment of contractors for procurement:**

9.1 **MoR:** MoR is already using e-procurement systems. Already a system of online enlistment is in place with general details like Digital Signature Certificate, PAN and identity proof of organisation

9.2 **MoRTH:** MoRTH has also confirmed that they are also using e-procurement system and there is a system of online enlistment in place.

9.3 **CPWD:** CPWD is also doing enlistment in the following classes and categories of bidders :-

Category	Class	Tendering Limit( in Rs)
<b>Composite</b>	I(Super)	Unlimited
	I(AAA)	200 Crore
	I(AA)	100 Crore
	I(A)	50 Crore
	I	20 Crore
	II	5 Crore
	III	1.5 Crore
	IV	60 lakh
<b>Civil Road only</b>	I	20 Crore
	II	5 Crore
<b>Horticulture</b>	I	1.20 Crore
	II	40 lakh
	III	20 lakh
	IV	10 lakh
<b>Nursery</b>	--	20 lakh
<b>Furniture</b>	I	2 Crore
	II	50 lakh
	III	20 lakh
	IV	7 lakh

The contractors enlisted with CPWD are usually allowed by other Central Government Departments for procurement of works in their organizations.

10. **CoS Recommendation 2-** *The fixing of dates for issue of NIT, tender opening and award of contracts across various locations, divisions or levels and ensuring that the entire procurement cycle does not take more than 45 days.*

10.1 **MoR:** MoR has informed that fixing of dates of issue of NIT, tender opening and award on contract on pan India basis is difficult in view of very large number of tenders in Railways. However, reduction of procurement cycle may be agreed subject to creation of centralized online portal maintaining details of contractors credentials. At this stage, NIC was requested to expedite end to end procurement within the target period of December 2016 or earlier. Similarly MoR and CPWD are required to start end to end e-procurement on their e-procurement portals. MoR and CPWD are not using NIC portal and they have their own e-procurement portals.

**10.2 MoRTH:** MoRTH informed that this concept may be adopted on trial basis in National Highways Infrastructural Development Corporation Ltd. (NHIDCL) which have been set up recently for execution of National Highways work in certain hilly region of the country. For other projects where procurement and execution are being done by State PWDs/National Highway Authority of India (NHAI), no change in procurement procedure is proposed at this point of time. As regards NHAI, bids are invited mainly under BOT, BOT(Annuity), Hybrid Annuity, EPC modes of project implementation. The project size is higher both in terms of physical as well as financial magnitude, involving different input for different mode of projects with different time lines for their evaluation and award. It involves site visits by the concessionaire/contractor for assessment before the bidding/verification of their BG etc., which requires considerable time and may vary from work to work. Accordingly, it may not be possible to keep fixed time NIT/award of work. Besides, there are numerous works to be tendered. Therefore, it may not be possible to adopt the fixed date for procurement activities in NHAI.

**10.3 CPWD:** CPWD has informed that it is difficult to fix one specific day for entire CPWD for inviting/uploading of NITs for call of tenders as uploading and opening on one specific date may cause system failure of e-tendering platform due to heavy rush as all the divisions will have to open tenders on the same time and date. However, CPWD has fixed following specific days of the week region-wise for inviting/uploading Notice Inviting Tender (NIT) as well as for opening of tenders.

Region	Day for inviting/uploading NITs for call of tenders	Day for opening of tenders*
Delhi	Monday	Monday
Northern	Tuesday	Tuesday
Southern	Wednesday	Wednesday
Eastern	Thursday	Thursday
Western	Friday	Friday

\* One week in the case of works with estimated cost put to tender up to Rs.2 crore and two weeks in the case of works with estimated cost more than Rs.2 crore. If there is holiday on a particular day, the day of inviting/uploading NIT may be proposed to earlier day and opening of tender may be postponed to next day.

However, in case of exigencies of work and emergent situations, the Chief Engineer/Chief Project Manager/Project Manager can allow to call and open tenders on another day instead of specific fixed days.

CPWD has further informed that efforts are being made to ensure that the entire procurement cycle takes not more than 45 days. For this purpose, the validity of tender can be fixed in the following manner:-

Tender to be accepted/ approved by	Proposed validity of tender
Assistant Engineer	10 days

Executive Engineer	15 days
Superintending Engineer	30 days
Chief Engineer	45 days
Additional Director General/Regional Works Board (RWB) / Central Works Board(CWB)	60 days

CPWD has informed that by adopting above validity of the tender, most of the tenders will be awarded within 45 days.

**11. CoS Recommendation 3-** *MoR, MoRTH & CPWD will take steps to ensure that all stages of processing tenders including dates for awarding the contract are mentioned in the NIT itself:*

**11.1 MoR:** Ministry of Railways has informed that the suggestion seems impractical and cannot be agreed to, as it would lead to a lot of unnecessary litigation in case of failure of timeline due to any reason beyond the control of authorities like emergency situation, issue related to contractor's reputation etc. However, a guideline will be issued duly mentioning the timeline for finalization of tenders on Indian Railways. By mentioning the validity of tender in the NIT, practically the date of award also becomes known to the contractor.

**11.2 MoRTH:** MoRTH has agreed 'in principle' to the suggestion during the discussions.

**11.3 CPWD:** CPWD has informed that the date of submission and opening of tender is already mentioned in the NIT. By mentioning the validity of tender in the NIT, practically the date of award also becomes known to the contractor. The facility to show details of award of works is also available on e-tendering system of CPWD.

**12. CoS Recommendation 4-** *MoR, MoRTH & CPWD will consider fixing dates in week/month for meeting of the Tender Evaluation Committee (TEC). They will also ensure that the procuring entities upload decisions/minutes of the TEC on their portals timely.*

**12.1 MoR:** MoR has informed that generally tender meetings are held as per requirement and tenders are finalized within validity. Delay in finalization of tender is mainly due to credential and rate issues. However, MoR agreed to issue suitable guidelines for bigger tenders of more than Rs 20 crore.

**12.2 MoRTH:** MoRTH has informed that they will be issuing guidelines for deciding the tenders in time.

**12.3 CPWD:** CPWD informed that the date for Regional Works Board/ Central Works Board for the deliberations can be fixed as under:

Board	Fixed day for meeting of CWB/RWB
RWB, Delhi Region	1 <sup>st</sup> /3 <sup>rd</sup> Monday of the month
RWB, Northern Region	1 <sup>st</sup> /3 <sup>rd</sup> Wednesday of the month
RWB, Southern Region	1 <sup>st</sup> /3 <sup>rd</sup> Friday of the month
RWB, Eastern Region	2 <sup>nd</sup> /4 <sup>th</sup> Monday of the month
RWB, Western Region	2 <sup>nd</sup> /4 <sup>th</sup> Wednesday of the month
CWB	2 <sup>nd</sup> /4 <sup>th</sup> Friday of the month

13. **CoS Recommendation 5-** *A mechanism should be set up to ensure that any agency/contractor blacklisted by one Department is also blacklisted by other Departments.*

13.1 **MoR:** MoR has informed that list of debarred contractors is already available on their website which can be used by all Departments.

13.2 **MoRTH:** MoRTH was requested to implement the same.

13.3 **CPWD:** The CPWD already has a mechanism to upload the blacklisted/debarred contractor on CPWD website [www.cpwd.gov.in.>contractor>debarred](http://www.cpwd.gov.in.>contractor>debarred) contractors.

#### Conclusion and Recommendations

14. The Committee was mandated to work out further details for implementation of the new framework and to suggest specific changes in Government orders, including General Financial Rules (GFRs). From the deliberations in para 9 to para 13 above, the Committee is of the opinion that for implementation of above five recommendations of the CoS, there is no requirement for any changes in the GFRs or in Government instructions centrally by the Ministry of Finance. The current instructions of DoE already empower the Ministries/Departments for implementing proposed changes in the existing procurement systems of MoR, MoRTH and CPWD. However, these Departments are required to issue necessary guidelines for implementing the five CoS recommendations.

14.1 CPWD has already implemented four out of five recommendations (*except recommendation 3*).

14.2 MoR has already implemented recommendation No.1 and 5 MoR is yet to implement recommendations No. 2, 3 and 4 MoR must take necessary steps to implement remaining *three* recommendations. MoR should fix specific days of the week for tender opening zone-wise or division-wise as has been already done by CPWD. They may fix dates department-wise viz Engineering, Electrical, Signal & Telecom etc. Once dates are fixed all such information should also be prominently displayed on the website of MoR



14.3 MoRTH has already implemented CoS recommendation No.1 and agreed to implement recommendations No.2, 3 and 4 and 5 and that too for only in case of National Highways Infrastructural Development Corporation Ltd. (NHIDCL). MoRTH must issue necessary instructions/guidelines in respect of NHIDCL by 31.07.2016. A copy of these instructions/guidelines may also be sent to DoE for information. Further, MoRTH must start implementing these recommendations not only in case of projects implemented by NHIDCL but also in projects undertaken by NHAI. Further, as MoRTH is funding State PWDs, hence they must insist State PWDs as well to implement these recommendations for the projects being implemented by Central funding.

14.4 In respect of DeitY, NIC should implement end-to-end e-procurement on Central Public Procurement Portal (CPPP) before December 2016 (as already committed by them in January, 2016). Once end to end e-procurement is implemented on CPPP, NIC should also integrate with other e-procurement portals being used by MoR, CPWD etc. for exchange of data such as execution of work, payments made, debarment of contractors. This will not only streamline the e-procurement for the organisations which are using CPPP but will also help the other Departments in getting the credentials of the bidders verified in a short time. This will eventually help reduction in time for award of contracts after opening of bids.

14.5 So far as Recommendation No.3 is concerned, no organisation is able to implement it due to the fear of litigation in case a date for award of contract is mentioned in the tender documents itself. Even the CPWD who has been most sincere in implementing CoS recommendations and has already reduced the time limit for award of contract from 90 days to maximum 45 days for most of their tenders is not confident to implement this recommendation. However, Department of Expenditure is of the view that for successful implementation of new Procurement framework, it is an essential requirement. MoR, MoRTH and CPWD may be insisted to accept this recommendation.

\*\*\*\*\*

SECRET

Copy No. \_\_\_\_\_ of 15

F. No. 213/2/2016-CA. IV  
 Government of India/ भारत सरकार  
 Cabinet Secretariat/ मंत्रिमण्डल सचिवालय  
 Rashtrapati Bhawan/ राष्ट्रपति भवन  
 \*\*\*\*\*

New Delhi, the 18<sup>th</sup> August, 2016

**Subject: - Proposal regarding fixation of Government tenders at national level.**

Please find enclosed herewith a copy of the minutes (DoC. No. 36/2016-CA.IV) of the meeting of Committee of Secretaries (CoS) held under the Chairmanship of Cabinet Secretary on **Friday, the 12<sup>th</sup> August, 2016 at 11.00 a.m.** in the Committee Room, Cabinet Secretariat, Rashtrapati Bhawan, on the subject mentioned above for information and necessary action. Action taken on the recommendations of the Committee may kindly be uploaded on e-SamikSha web portal.

*(Signature)*  
 (Murali Bhavaraju)

Under Secretary to the Government of India  
 Tel: 2301 3363

Secretary, D/o Expenditure  
 Chairman, Railway Board  
 Secretary, M/o Road Transport & Highways  
 Secretary, M/o Urban Development  
 Secretary, M/o Power  
 Secretary, D/o Commerce  
 Secretary, M/o Electronics & Information Technology  
 DG, CPWD  
 DG, DGS&D  
 DG, NIC

Copy also forwarded to:  
 Principal Secretary to the Prime Minister

*(Signature)*  
 (Murali Bhavaraju)

Under Secretary to the Government of India

Internal Circulation (One copy only)  
 Secy(C)/AS/JS(TKP)/Dir(AP)

SECRET

CABINET SECRETARIAT  
RASHTRAPATI BHAWAN

**MINUTES OF THE MEETING OF COMMITTEE OF SECRETARIES**

Doc. No. 36/2016-CA.IV

Copy No.....of 15

Venue: Committee Room, Cabinet Secretariat, Rashtrapati Bhawan

Date of meeting: Friday, the 12<sup>th</sup> August, 2016

Time of Meeting: 11:00 A.M.

**PRESENT**

Shri P.K. Sinha, Cabinet Secretary  
Shri Sanjay Mitra, Secretary, M/o Road Transport & Highways  
Shri Rajiv Gauba, Secretary, M/o Urban Development  
Ms. Aruna Sundarajan, Secretary, M/o Electronics & Information Technology  
Shri P.K. Das, Additional Secretary, D/o Expenditure  
Shri Binoy Kumar, Director General, Supplies & Disposals  
Shri Abhai Sinha, Director General, CPWD  
Ms. Neeta Verma, Director General, NIC  
Shri K. Swaminathan, Additional Member, M/o Railways  
Shri Tuhin Kanta Pandey, Joint Secretary, Cabinet Secretariat  
Shri Vivek Joshi, Joint Secretary, D/o Expenditure  
Ms. Anju Bhalla, Joint Secretary, M/o Power  
Shri A.K. Dubey, Executive Director, M/o Railways  
Ms. S. Ahladini Panda, Director, Cabinet Secretariat  
Shri Sanjay Aggarwal, Director, D/o Expenditure  
Shri Anil Kumar, Director, M/o Railways  
Ms. Usha Saxena, Technical Director, NIC

**Subject: Proposal regarding fixation of Government tenders at national level –  
Follow up meeting.**

A meeting of Committee of Secretaries (CoS) was held under the Chairmanship of Cabinet Secretary on 12.08.2016 at 11:00 A.M. in the Committee Room, Cabinet Secretariat, Rashtrapati Bhawan to discuss the Note received from D/o Expenditure (DoE) vide their O.M. No. 10/1/2016-PPD dated 11.08.2016 on the subject mentioned above.

2. Initiating the discussion, Additional Secretary, DoE recalled that CoS in its last meeting dated 07.06.2016 had decided that a Committee be formed under JS (PPD), DoE to work out further details for implementing the recommendations of CoS for procurement of works. The Committee so constituted met several times and submitted its final report. DoE gave a presentation on the broad action taken and way forward on the recommendations of CoS.

SECRET

Page 1 of 3

3. The CoS had recommended that there should be an online system for enlistment of contractors for procurement. In this regard it was brought out that both M/o Railways (MoR) and M/o Road Transport & Highways (MoRTH) are using e-procurement system and enlistment is online. CPWD also has an online enlistment system for different categories of bidders. The contractors enlisted with CPWD are usually engaged by other Central Government Departments for procurement of works. It was agreed that enlistment should be done effectively so that less time is required subsequently for verification of details of contractors. The Committee constituted under JS (PPD) may identify the details to be captured for every contractor such as PAN, number of works undertaken, capacity etc., so that there is uniformity in enlistment across all portals. PAN number may be taken as the unique identifier across all portals.

4. The second recommendation by CoS was regarding fixing of dates for issue of NIT, tender opening and award of contracts and ensuring that the entire procurement cycle does not take more than 45 days. In this regard MoR informed that they are in the process of fixing dates of issue of NIT and tender opening on Division/Zone basis. They are also taking steps to ensure reduction of procurement cycle. MoR was of the view that creation of centralized facility for sharing data of contractors credentials across portals of different Ministries/Departments would also facilitate in reducing the time taken. MoRTH informed that they have decided to pilot the fixation of date for tenders in works handled by National Highways Infrastructural Development Corporation Ltd. (NHIDCL), which has been set up recently for execution of National Highways work in hilly areas. As regards NHAI projects, bids are invited mainly under BOT, BOT (Annuity), Hybrid Annuity, EPC modes of project implementation which involve different timelines for evaluation and award. Also these projects are large in terms of physical as well as financial magnitude requiring site visits by bidders. Therefore, it may not be possible to adopt the fixed date for procurement activities in NHAI. For projects being executed by State PWDs, it may be difficult to set a timeframe as every State has different processes. It was observed that for NHAI projects, MoRTH may consider fixing dates for opening/award of tenders in consonance with the timelines laid down in the Model Concession Agreement. MoRTH may also like to review the time prescribed for evaluation of bids and award of contracts. As regards State PWDs, MoRTH can issue an advisory for fixing dates and reducing the time taken for a procurement cycle. CPWD informed that they have already fixed specific days of the week region-wise for inviting/uploading NIT as well as for opening of tenders. CPWD further informed that efforts are being made to ensure that the entire procurement cycle takes not more than 45 days. CPWD informed that by adopting above validity of the tender, most of the tenders would be awarded within 45 days.

5. As regards CoS recommendation of mentioning all stages of processing tenders including dates for awarding the contract in the NIT itself, MoR was of the view that this would lead to a lot of litigation in case of failure of timeline due to any reason beyond the control of authorities. Currently, the period of validity is already mentioned in the tenders and therefore, the period within which award will be made is known to contractors. MoRTH agreed in principle to implement this recommendation. CPWD informed that the date of submission and opening of tender is already mentioned in the NIT. As the period of validity is mentioned in tenders, the last date for award of work is known to contractors. Further, the e-tendering system of CPWD also has the facility to show details of award of works. It was observed that while various dates with regard to processing of tenders need to be mentioned, mentioning the date of award may be taken up at a later stage. However, period of validity should be clearly mentioned.

CoS also recommended fixing dates in a week/month for meeting of the Tender Evaluation Committee (TEC) and ensuring that the procuring entities upload decisions/minutes of the TEC on their portals timely. MoR brought out that generally tender meetings are held as per requirement and tenders are finalized within validity. Delay in finalization of tender is mainly due to verification of credentials and reasonability of rates. However, for tenders of amounts above Rs 20 crore, this can be adopted. MoRTH informed that they would be issuing guidelines for deciding the tenders in a time bound manner. CPWD informed that they will be able to fix the dates of meeting region-wise. It was observed that MoR may also fix the dates for TECs wherever such Committees are required, irrespective of tender amount. Further, in all cases, minutes of the TEC as well as the decisions for award of contracts should be uploaded in the portal immediately after the decision is taken.

7. As regards setting up a mechanism for blacklisting of any agency/contractor by any one Department, it was observed that the Department must clearly bring out the reasons and the period for which the agency is blacklisted. Other Departments may verify the specific facts and circumstances before deciding to debar such a contractor/vendor from their bidding. MoR and CPWD already have a mechanism for uploading the list of debarred contractors online. It may be required to also explore steps other than permanent debarment such as keeping defaulting vendors/contractors on watch list, debarment for a specified period as penalties on defaulting contractors/vendors. Departments/Agencies need to also provide an opportunity of being heard to defaulting vendors/contractors before taking a decision to penalize them by way of blacklisting or otherwise.

8. It was observed that the Committee under JS (PPD) may draft the guidelines based on the discussions in the meetings of CoS. Representative from M/o Corporate Affairs may also be co-opted into the Committee. It was felt that the Committee may also explore the feasibility of applying these guidelines for CPSEs. The draft guidelines may be circulated to Ministries/Organisations concerned for their views/concurrence. NIC was requested to expedite end to end procurement portal within the stipulated timeline of December 2016 or earlier. A link may also be provided on the Centralised Procurement Portal to the individual portals of MoR and CPWD.

9. After detailed deliberations, CoS recommended the following:

- (i) The Committee under JS (PPD) will draft the guidelines based on the discussions in the meetings of CoS for procurement of works by Central Government/agencies. Representative from M/o Corporate Affairs may also be co-opted into the Committee.
- (ii) DoE will circulate draft guidelines to Ministries/Organizations concerned for their views/concurrence and send the final draft to Cabinet Secretariat.
- (iii) MoRTH will review the timelines currently prescribed for RFQ & RFP processes with a view to compressing the time frame for deciding tenders.
- (iv) NIC will expedite end to end procurement portal within the stipulated timeline of December 2016 or earlier.

\*\*\*

**Government of India**  
**Ministry of Road Transport & Highways**  
**(EAP Zone)**

**Transport Bhawan**  
**1, Parliament Street**  
**New Delhi-110 001**

**No.RW/NH-37010/4/2010/PIC-EAP(Printing)**

**Dated the 8<sup>th</sup> July, 2016**

**To**

The Managing Director,  
National Highway Infrastructure Development Corporation Ltd.,  
3<sup>rd</sup> floor, PTI Building,  
Parliament Street,  
New Delhi-110 001

**Subject: Fixation of timelines for e-tendering.**

Sir,

Competent Authority has directed that the following timelines for award of works through e-tendering process shall be adhered to with immediate effect|:

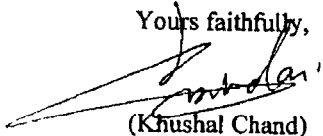
S. No.	Description	Period
1	Date of issue of NIT	1 <sup>st</sup> day
2	Date of start of Sale of Tender Documents	1 <sup>st</sup> Day
3	Date of close of sale of Tender Documents (through online)	44 <sup>th</sup> Day (upto 5 PM)
4	Date of receipt of pre-bid queries	25 <sup>th</sup> Day
5	Date of Pre-bid meeting	25 <sup>th</sup> Day
6	Date of uploading of reply to the pre-bid queries	30 <sup>th</sup> Day
7	Date of submission of Tender/Bid (online & hard Copy)	45 <sup>th</sup> Day (upto 11 AM)
8	Date of uploading of list of Technically Qualified Applicants	60 <sup>th</sup> Day
9	Date of Opening of Financial Bids of Qualified Applicants	68 <sup>th</sup> Day
10	Date of issue of Letter of award (LOA) in cases where NHIDCL is competent	75 <sup>th</sup> Day
11	Date of issue of LOA after obtaining approval from competent Authority in MORTH, where NHIDCL is not competent	100 <sup>th</sup> Day
12	Validity of Bid	120 Days

2. The Wednesday of every week is fixed for uploading of NIT Opening of technical and financial bids will be done on the fixed dates as per above mentioned timelines. In case any of these days happen to fall on a public holiday, bid/tender will be opened on the next working day. Where time extension is given for submission of bids, the extended date shall fall on next Wednesday.



3. The contents of this circular may be brought to the notice of all concerned for its compliance.

Yours faithfully,

  
(Khushal Chand)  
Superintending Engineer(EAP)

Copy to:

1. PS to Hon'ble Minister(RT&H)
2. PS to Secretary (RT&H)
3. The AS &FA
4. The DG(RD) & SS
5. All Technical Officers at the Headquarters

Copy for information to:

1. PS to Minister (RTH)/OSD to Hon'ble Minister/PS to Hon'ble MOS
2. PPS to Secretary (RT&H), PPS to DG(RD) & SS, PS to AS&FA, PS to ADG I/II, PS to Coordinator I/II/III
3. NIC- with the request to upload in the Ministry's portal

**Government of India**  
**Ministry of Road Transport & Highways**  
**(EAP Zone)**

**Transport Bhawan**  
**1, Parliament Street**  
**New Delhi-110 001**

No.RW/NH-37010/2/2016/PIC-EAP

Dated the 11<sup>th</sup> August, 2016

To

The Managing Director,  
National Highway Infrastructure Development Corporation Ltd.,  
3<sup>rd</sup> floor, PTI Building,  
Parliament Street,  
New Delhi-110 001

**Subject: Fixation of timelines for e-tendering.**

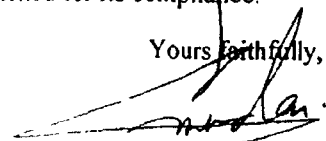
**Ref: Ministry's letter No.RW/NH-37010/4/2010/PIC-EAP(Printing) dtd. 08.07.2016.**

Sir,

In continuation to Ministry's above referred letter, Competent Authority has directed that the meeting of the Tender Evaluation Committee (TEC) for Technical and Financial Evaluation shall be held on every **Tuesday and Thursday**. In case any of these days happen to fall on a public holiday, meeting will be held on the next working day.

2. The contents of this circular may be brought to the notice of all concerned for its compliance.

Yours faithfully,



(Khushal Chand)  
Superintending Engineer(EAP)

Copy to:

1. PS to Hon'ble Minister(RT&H)
2. PS to Secretary (RT&H)
3. The AS &FA
4. The DG(RD) & SS
5. All Technical Officers at the Headquarters

Copy for information to:

1. PS to Minister (RTH)/OSD to Hon'ble Minister/PS to Hon'ble MOS
2. PPS to Secretary (RT&H), PPS to DG(RD) & SS, PS to AS &FA, PS to ADG I/II, PS to Coordinator I/II/III.
3. Shri Sanjay Aggarwal, Director (PPD), Department of Expenditure, Ministry of Finance Public Procurement Cell, North Block, New Delhi
4. NIC- with the request to upload in the Ministry's portal