

**Government of West Bengal  
Irrigation & Waterways Department  
Jalasampad Bhavan, 3rd Floor, Salt Lake City, Kolkata 700091,**

**No. 16 –W/2023-24**

**Dated: 26.12.2023**

**MEMORANDUM**

**Reg:** Re-Constitution of the Government Appointed **Departmental Tender Committee (DTC)** in the Irrigation & Waterways Department, GoWB.

Two no. of “Government Appointed Departmental Tender Committee (DTC)” were earlier constituted vide this Department’s Memorandum No. 9-W/2021-22 dated 07.10.2022, one for North Bengal districts including Birbhum & Murshidabad and the another for South Bengal districts.

2. There is no representation of the Financial Advisor in the aforesaid DTCs of the Department, which was advised by the Finance Department, vide their Memorandum No. 5965-F(Y) dated 14.09.18. Moreover, with the promulgation of the recent Memorandum of the State Finance Department, bearing no. 2320-F(Y) dated 07.06.22, on tender acceptance, some of the clauses of the Department’s Memorandum No.9-W/2021-22 dated 07.10.22, need revisions.
3. It has also been felt necessary to clearly delineate the role of DTC in recommending the suspension including debarment of bidders/contractors/Agencies/Suppliers, in term of the Department’s memorandum No. 3-W/2017-18 dated 18.05.2017 or its corrigendum/addendum and the guideline of the Finance Department issued from time to time.
4. Accordingly, the above stated two no. of Government appointed Departmental Tender Committees (DTC) are hereby reconstituted, one For North Bengal district, including Birbhum and Murshidabad and the other for South Bengal districts with the following composition and Terms of Reference (TOR) :-

- 4A. DTC for North Bengal** (For all works within the administrative jurisdiction of Irrigation & Waterways Directorate in the Districts of Jalpaiguri, Alipurduar, Coochbehar, Darjeeling, Uttar & Dakshin Dinajpur, Malda, Murshidabad, Birbhum and Dumka but excluding package contracts, EPC Contracts, EAP tenders for which there exist separate institutional mechanism or Departmental Committee) :

1	Chief Engineer (North), I&W Dte.	Member
2	Chief Engineer, Teesta Barrage Project, I&W Dte.	Member
3	Chief Engineer, North East, I&W Dte.	Member
4	Chief Engineer (Mechanical & Electrical), I&W Dte.	Member
5	Superintending Engineer, I&W Dte. concerned	Member-Convenor
6	Executive Engineer, I&W Dte. concerned	Member
7	Deputy Financial Advisor, I&W Deptt.	Member

- 4B. DTC for South Bengal** (For all works within the administrative jurisdiction of Irrigation & Waterways Directorate, other than mentioned at 4A but excluding package contracts, EPC Contracts, EAP tenders for which there exist separate institutional mechanism or Departmental Committee) :

1	Chief Engineer (South), I&W Dte.	Member
2	Chief Engineer, (WBMIFMP), I&W Dte	Member
3	Chief Engineer, (Design & Research), I&W Dte	Member
4	Chief Engineer (South-West), I&W Dte.	Member
5	Chief Engineer (West), I&W Dte.	Member
6	Chief Engineer (Mechanical & Electrical), I&W Dte.	Member
7	Superintending Engineer, I&W Dte. concerned	Member-Convenor
8	Executive Engineer, I&W Dte. concerned	Member
9	Deputy Financial Advisor, I&W Deptt.	Member

- 4.C (a)** Quorum of the DTC for North Bengal is deemed to have achieved only if concerned Executive Engineer, Superintending Engineer & Chief Engineer and at least two other member Chief Engineers & Deputy Financial Advisor (DFA) remain present. However, in order to form quorum of the DTC for South Bengal, presence of the concerned Executive Engineer, Superintending Engineer & Chief Engineer and at least three other member Chief Engineers & Deputy Financial Advisor (DFA) would

suffice. Senior most Chief Engineer attending the DTC meeting would function as the Chairman.

- (b) Obtaining recommendations of DTC for acceptance of tender involving works spreading across the jurisdictions of more than one Chief Engineer require full strength of DTC.

5. Functions and Terms of Reference (ToR) of the aforesaid "Government Appointed Departmental Tender Committees" (DTC) and related procedural modalities are detailed below:

- I. Procedure and guidelines as prescribed in the FD No. 2320-F(Y) dated- 07.06.2022, No. 9754-F(Y) dated 03.12.2012, No. 5400-F(Y) dated 25.06.2012, No. 5965-F(Y) dated-14.09.2018, No. 3661- F(Y) dated-07.06.2018 and its corrigendum issued time to time should be followed for accepting the lowest bids under different situations covering all the aspects of tender outcomes.

II. **In case of the tenders where number of the qualified bidders is three and above:**

- (a) **Tenders up to Rs. 5.00 Crore**, having the lowest financial bid **up to 5% above** the amount put to tender (Tender Value), will be accepted by the concerned Tender Accepting Authority (TAA) as per their financial power delegated by the Finance Department in the FD No. 2320-F(Y) dated- 07.06.2022, after verifying all norms and procedure as per extant rules. There is no need to refer the matter to the DTC or to the Department.
- (b) **Tenders above Rs. 5.00 Crore**, having the lowest financial bid **up to 5% above** the amount put to tender (Tender Value), will be accepted by the concerned Chief Engineer with recommendation of the Government Appointed Departmental Tender Committee (DTC). The DTC would normally recommend the lowest financial bid **up to 5% above** the Amount Put to Tender, for works above **Rs.5.00 Crore**, after verifying all norms and procedure as per extant rules. There is no need to refer the matter to the Department. The RoD of DTC should be preserved in the official tender file for records.
- (c) The Government Appointed Departmental Tender Committee (DTC) after careful evaluation shall either advice 2<sup>nd</sup> call/Subsequent re-tender or may recommend the discovered rate in the 1<sup>st</sup> call tender with proper justifications to the Government

for acceptance of the lowest bid beyond **5% above** the amount put to tender (Tender Value) for all works.

- (d) The DTC would recommend the lowest financial bid **beyond 5% above** the Amount Put to Tender to the Government for acceptance, only under exceptional circumstances after fully exploring / satisfying all the points mentioned in the 'Remarks' column of the Table 1.I.a.(vi) of the 1<sup>st</sup> page of the FD No. 2320-F(Y) dated-07.06.2022. The Tender Inviting Authority (TIA) should mention nature of exceptional / peculiar situation and special circumstances in the DTC meeting and DTC should verify the relevant facts & figures, documents and certificates in all respect and recommend such nature of exceptional / peculiar situation and special circumstances in the Minutes of the Meeting (MoM) / Record of Discussions (RoD).
- (e) The proposal for acceptance of L1 bid shall have to be referred to the Department with the photocopies of detailed justifications of L1 bidder, Rate analysis formulated by TIA, MoM / RoD of DTC, Check list (Annexure -I/II as applicable) and other necessary related tender documents as the case may be.
- (f) In case, due to acceptance of tender at higher rate, the administrative approval cost exceeded, the revised technically sanctioned DPR along with original DPR are to be submitted to the Department in due course (preferably not more than one month), for accordence of Revised Administrative Approval (AA). However, the Work Order may be issued for commencement of work for utilization of the available working seasons, if any, subject to the expenditure restricted up to the AA amount, till the accordence of revised AA.

**III. In case of the tenders where number of the qualified bidders is less than three:**

The DTC should check whether the extension of bid submission period was made at least for 5 days which would be counted from the date of publication of the corrigendum notice for such extension in at least one widely circulated newspaper as per FD No. 2320-F(Y) dated- 07.06.2022. Such extension of dates cannot be treated as fresh or subsequent call.

- (a) In case of 1st call :
  - (i) The tender is to be mandatorily invited afresh. However, the eligibility criteria and other terms & conditions are required to be reviewed by the Technical Bid Evaluation Committee (TEC) / High Value Technical Bid Evaluation

Committee (HTEC) before inviting subsequent calls as per FD No. 2320-F(Y) dated- 07.06.2022.

- (b) In case of 2<sup>nd</sup> and subsequent calls where the number of technically qualified bid is still less than three.
- (ii) Tendered value up to **Rs. 5 Lakh**, having the lowest financial bid up to the amount put to tender (Tender Value), may be accepted by the concerned Tender Accepting Authority (TAA) as per their financial power delegated by the Finance Department in the FD No. 2320-F(Y) dated- 07.06.2022, after verifying all norms and procedure as per extant rules. There is no need to refer the matter to the DTC or the Department.
  - (ii) For tendered value up to **Rs. 10 Crore**, the Government Appointed Departmental Tender Committee (DTC) after careful examination shall either advice to go for 3<sup>rd</sup> call/Subsequent re-tender or may recommend the discovered rate in the 2<sup>nd</sup> or subsequent call with proper justifications to the Department for acceptance by the Head of the Department provided the lowest bid is **up to 5% above** the amount put to tender (Tender Value).
  - (iii) In normal circumstances, the DTC will advice the Tender Inviting authority (TIA) / Tender Accepting Authority (TAA) to go for re-tender with relaxed PQ eligibility criteria, if the lowest financial bid in 2<sup>nd</sup> or subsequent re-tender is **beyond 5% above** the Amount Put to Tender.
  - (iv) The DTC would recommend the lowest financial bid **beyond 5% above** the Amount Put to Tender to the Government for acceptance in 2<sup>nd</sup> call or subsequent re-tender, **only under exceptional circumstances** after fully exploring / satisfying all the points mentioned in the '**Remarks**' column of the Table 1 I a (vi) of the 1<sup>st</sup> page of the FD No. 2320-F(Y) dated-07.06.2022. The Tender Inviting Authority (TIA) should mention nature of exceptional / peculiar situation and special circumstances in the DTC meeting and DTC should verify the relevant facts & figures, documents and certificates in all respect and recommend such nature of exceptional / peculiar situation and special circumstances in the Minutes of the Meeting (MoM) / Record of Discussions (RoD).
  - (v) The proposal for acceptance of L1 bid shall have to be referred to the Department with the photocopies of detailed justification of L1 bidder, Rate analysis by TIA, MoM / RoD of DTC, Check list **Annexure-II**, which is

similar to Annexure-I of FD Memorandum No. 2320-F(Y) dated 07.06.21 and other necessary related tender documents as deemed required.

- (vi) In case, due to acceptance of tender at higher rate, the administrative approval cost exceeded, the revised technically sanctioned DPR along with original DPR are to be submitted to the Department in due course (preferably not more than one month), for accordance of Revised Administrative Approval (AA). However, the Work Order may be issued for commencement of work for optimum utilization of the available working seasons, subject to the expenditure restricted up to the AA amount, till the accordance of revised AA.

**IV. In case of tie bid among the L1 bidders:**

- a) The procedure mentioned under “Situation III: In case of tie bid”—is to be followed in accepting tender by the appropriate authority.
- b) Such proposals are to be recommended by the respective DTC, if those are similar to that stated at Sl.-II and III above requiring recommendation of DTC.

**V. In case of dealing with the proposals of Suspension including Debarment of Bidders / Contractors / Agencies / Suppliers participating in works and procurement tenders / quotations:**

- a. The Chief Engineer concerned on receipt of recommendations from the HTEC (High Value Technical Bid Evaluation Committee) /TEC (Technical Bid Evaluation Committee), will immediately place the matter before the Departmental Tender Committee (DTC) for consideration of the said recommendations. However, for bid evaluation of consultancy assignments, EAP projects, where there are separate Government appointed bid evaluation committees having FA/DFA as a member, such proposal of debarment/suspension is to be examined in that committee itself and needs not to be referred to the DTC.
- b. The DTC will reserve the right to modify the recommendations of the HTEC /TEC, if felt necessary. The RoD of the DTC in this regard should clearly contain the reason(s) to modify the recommendation(s) of the HTEC/TEC.
- c. Finally, the Chief Engineer concerned, will place the matter before the Head of this Department along with recommendations and findings of HTEC / TEC and DTC in the prescribed format stated in the table under sub-clause 6.1 (b) of Departmental Order no. 03-W/2017-18 dated 18.05.17 with its subsequent amendment, for examination of the recommendations at Department Level.

6. Other General Terms of References (ToR) of the Government Appointed Departmental Tender Committee (DTC) in recommending tender acceptance:-

The DTC shall be responsible for examination and recommendations of tenders related to works, supplies etc with proper justifications including but not limited to the following:

- i. Scrutinize all the tender related documents to ascertain whether all the basic principles of public procurement have been followed.
  - ii. Ensure that the necessary formalities as per guidelines issued by Finance Department from time to time have duly been observed by the Tender Inviting Authority.
  - iii. Check the technical criteria including the necessary credentials in order to ensure that the technical criteria were not too restrictive and not fixed at a higher level than required for the project;
7. A specimen checklist for recommending the acceptance of any tender by the Government Appointed Departmental Tender Committee (DTC) is being enclosed as **Annexure- A**.
8. This is issued in supersession to this Departments earlier Orders No. 9-W/2021-22 dated 07.08.2021. This order will take effect from **01.01.2024**. All tenders for which technical bids will be opened after this date shall come under the purview of this order.
9. This is issued vide U.O. No. FA/IWD/17/2023-2024 dated- 12/05/2023 of the Financial Advisor of this Department.
10. The Departmental Code would be amended accordingly is due course.

**Encls:** As stated.

*S. Kundu*  
26/12/2023

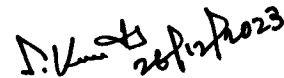
(S. Kundu)  
**Secretary to the  
Government of West Bengal**

**Annexure -A**

**(Enclosure to I & WD No. No. 16 –W/2023-24 IB dated 26.12.2023)**

The DTC shall be responsible for 2<sup>nd</sup> tier examination of the technical bid and recommendation of the discovered LI bid from tender related to works with proper justifications including but not limited to the following.

1. Scrutinize all the tender related documents ascertain whether all the basic principles of public procurement have been followed by the tending authorities;
2. Ensure that the necessary formalities as per guidelines issued by Finance Department from time to time have duly been observed by the Tender Inviting authority;
3. Re-check the technical PQ criteria including the necessary credentials in order to ensure that the technical criteria were not too restrictive and not fixed at a higher level than required for the project;
4. Whether there was sufficient publicity given to the Tender in adequate no of newspaper having appropriate territorial coverage and readership. Departmental Website, State Govt. e-tender Portal & Notice Boards;
5. Whether the EMD was received online through the e-Tender Portal.
6. Whether the minimum mandatory period for submission of bids as per Financial Rules was available to bidders from the date of publication in newspapers, Departmental Website (if any) and e-Tender Portal;
7. Whether date extension corrigendum due to non receipt of at least three bids prescribed by finance Department was published in web portal and advertised in newspaper as per rules in the 1<sup>st</sup> call tender as well as subsequent calls as per rules;
8. Whether the Tender Inviting Authority (TIA) has provided sufficient justification for recommending acceptance of the selected bid and certified that the lowest quoted rate is reasonable as per available market rate and site conditions;
9. Whether the Technical Criteria were reviewed and revised by the TIA, if necessary, before 2<sup>nd</sup> or subsequent calls of the Tender;
10. Whether the Eligibility Criteria like Minimum Average Turnover, Net Worth, Technical Credentials, etc did not restrict fair competition among the prospective bidders;
11. Whether the Departmental Tender Committee after examination of the Tender documents is satisfied and considers it for recommendation for acceptance and found the quoted rate as reasonable.
12. Special justifications for their recommendation for acceptance of lowest bid.
13. Any other aspects and factors as required and deemed fit.



(S.Kundu)

**Secretary to the  
Government of West Bengal**




**Memo No. 450(5) –IB- IW-14011(21)/3/2020-SECTION(IW)**

**Date : 26.12.2023**

Copy forwarded for information to:

1. P.S to Hon'ble Minister-in-Charge, Irrigation & Waterways Department.
2. OSD to Minister-of-State, Irrigation & Waterways Department.
3. P.A to Principal Secretary, Irrigation & Waterways Department.
4. The Financial Advisor, Irrigation & Waterways Department.
5. The Deputy Financial Advisor, Irrigation & Waterways Department.

**Enclo:** As stated



(S.Sarkar)

Deputy Secretary to the  
Government of West Bengal


**Memo No. 450/1(3)–IB- IW-14011(21)/3/2020-SECTION(IW)**

**Date : 26.12.2023**

Copy forwarded for information to:

1. The Principal Accountant General (A&E), West Bengal, Treasury Buildings. 2, Government Place (West), Kolkata -700 001.
2. The Principal Accountant General (Audit-I), West Bengal, Treasury Buildings. 2, Government Place (West), Kolkata -700 001.
3. The Accountant General (Audit-II), West Bengal, Economics & Revenue Sector Audit, 5<sup>th</sup> Floor, MSO Building, CGO Complex, Block-DF, Sector-1, Bidhannagar, Kolkata - 700 064

**Enclo:** As stated.



(S.Sarkar)

Deputy Secretary to the  
Government of West Bengal

**Memo No. 450/2(10) –IB- IW-14011(21)/3/2020-SECTION(IW)   Date : 26.12.2023**

Copy forwarded for information and necessary action to:

1. The Chief Engineer (South), Irrigation & Waterways Directorate.
2. The Chief Engineer (West), Irrigation & Waterways Directorate.
3. The Chief Engineer (South-West), Irrigation & Waterways Directorate.
4. The Chief Engineer (North), Irrigation & Waterways Directorate.
5. The Chief Engineer & Project Director WBMIFMP, Irrigation & Waterways Dte.
6. The Chief Engineer (Design & Research), Irrigation & Waterways Directorate.
7. The Chief Engineer (North-East), Irrigation & Waterways Directorate.
8. The Chief Engineer, Teesta Barrage Project, Irrigation & Waterways Directorate.
9. The Chief Engineer (Mechanical & Electrical), Irrigation & Waterways Directorate.
10. Executive Engineer, DVC Study Cell, Irrigation & Waterways Directorate.

He is requested to upload the instant order in the Notification link of the departmental website [www.wbiwd.gov.in](http://www.wbiwd.gov.in) under heading **“Reconstitution of the Government Appointed Departmental Tender Committee (DTC) in the Irrigation & Waterways Department”**.

**Enclo:** As stated.



(S.Sarkar)

Deputy Secretary to the  
Government of West Bengal