

PROCEEDINGS OF THE GOVERNMENT OF KARNATAKA

Sub : Procurement of works - use of Standard
Tender Document - Revision - Reg.

- Read : (1) G.O.No.FD 9 PCL 2004 (I) dated:6-8-2005
(2) G.O.No.FD 6 PCL 2006 dated:21-03-2007
(3) G.O.No.FD 04 PCL 2006 dated:12-07-2007
(4) G.O.No.FD 04 PCL 2007 dated:2-4-2008
(5) G.O.No.FD 04 PCL 2008 dated:14.10.2008
(6) G.O.No.FD 480 Exp-12/2014, dated:19.07.2014.

PREAMBLE:

In Government Order dated:6-8-2005, Standard Tender Documents given in Annexure 1 to 6 appended there with were prescribed to be used in certain identified divisions of PWD and WRD and the corporations under WRD for procurement of works from 1st September 2005 for a period of six months initially on an experimental basis, so that any problems encountered in use of these Standard Tender Documents can be suitably addressed before making the Standard Tender Documents mandatory for procurement of works.

By the G.O.No.FD 06 PCL 2006, dated:21-03-2007 use of Standard Tender Documents was made mandatory for all procurement entities under the Government for procurement of works specified in Annexure I to VII to the Government Order cited at (1) above.

However, implementation of G.O.No.FD 06 PCL 2006 dt:21-03-2007 mandating Standard Tender Documents was deferred till 31-12-2007 as per G.O. cited at (3) above or till the final decision is taken on the proposed modification and the same was extended till 30-06-2008 by the G.O's cited at 3&4 above.

By the G.O.No.FD 04 PCL 2008 dated:14.10.2008, Government has decided to modify certain clauses of the Standard Tender Documents as per the G.O.cited at 5 above.

Further by the G.O.No.FD 480 Exp-12/2014, dated:19.07.2014, Government has decided to modify certain clauses of the Standard Tender Documents as per the G.O.cited at 6 above.

In the Budget speech for the year 2014-15, it was announced that to overcome the unemployment problem in Scheduled Caste / Scheduled Tribe community and to encourage their participation in trade and business activities, guidelines will be formulated for specified preference to them in Government works up to Rs. 50 Lakhs and in purchase of goods up to 5 lakhs.

In view of this, necessary amendment to Section 6 of KTPP Act and amendment under Rule 27A have been brought to give preferences to the contractors belonging to Scheduled Caste and Scheduled Tribe for participating in the tenders up to Rs.50 lakhs of construction works.

Further, to facilitate their participation in tenders of construction works up to Rs.50 lakhs, Scheduled Castes and Scheduled Tribe tenderer's associations and other organizations have represented the Government to make certain modifications to conditions of pre-qualifications stipulated in the Standard Tender Documents. These have been discussed in detail with the Departments of PWD, WRD, RDPR, MI & DPAR (e-Governance) and Government has decided to modify certain clauses of Standard Tender Documents viz., KW-1 & KW-2, to facilitate the Scheduled Caste and Scheduled Tribe category contractors to participate in the tenders of construction works up to Rs.50 lakhs.

Hence the following Order.

Government Order No.FD 876 EXP-12/2017, Bangalore, dated:10/10/2017

Under the circumstances explained in the preamble, for the tenders invited from among tenderers belonging to Scheduled Castes category and Scheduled Tribe category, the following clauses of the Standard Tender Documents as prescribed in Government Order dated: 6-8-2005 are modified to the extent noted below:

Sl No	Reference to Standard Tender Documents	Existing Clause	Modified Clauses
01	<p>Clause 3.2 (a) KW-2</p>	<p>Qualification; (a) achieved in at least two financial years a minimum financial turnover (in all classes of civil engineering construction works only) of Rs.... (usually not less than two times the estimated annual payments under this contract)</p>	<p>(a) achieved in at least one financial year a minimum financial turnover (in all classes of civil engineering construction works only) of Rs..... (usually not less than the estimated annual payments under this contract)</p>
02	<p>Clause 3.2 (b) KW-2</p>	<p>Satisfactory completion of Similar works; Satisfactorily completed (at least 90% of the contract value), as prime contractor, at least one similar work such as of value not less than Rs... .. (usually not less than 50% estimated value of contract)</p>	<p>a) Satisfactory completion as a prime contractor for at least any construction work to an extent of 25% of the cost of the work. For all works costing up to Rs.50 lakh.</p>
03	<p>Clause 3.1 KW-1 Clause 3.3 KW-2</p>	<p>Assessed Available Tender Capacity; In order to ensure higher tender capacity and better selection of eligible contractors and also to ensure more competition the existing multiplying factor of 1.50 for assessing the available tender capacity may be modified to 2.50 for works costing upto Rs.100 lakh.</p>	<p>In order to ensure higher tender capacity and better selection of eligible contractors and also to ensure more competition the existing multiplying factor of 2.50 for assessing the available tender capacity may be modified to 5.00 for works costing upto Rs.50 lakh.</p>

Sl No	Reference to Standard Tender Documents	Existing Clause	Modified Clauses
04	Clause 9.1	Earnest Money Deposit: The tenderer shall furnish as part of his tender, EMD at the following rates: EMD amount as % of the estimated cost of the work put to tender a) Upto Rs.20 lakh - 2.5% b) Rs.20.00 lakh and above upto Rs.1.00 cr. - 2% subject to a minimum of Rs.50,000/-	The tenderer shall furnish as part of his tender, EMD at the following rates: EMD amount as % of the estimated cost of the work put to tender a) Upto 20 lakh 1.25% b) Rs.20 lakh and above upto Rs.50.00 lakh - 1% subject to a minimum of Rs.25,000/-
05	Performance Security	Within 20 days of the receipt of the letter of acceptance, the successful tenderer shall deliver to the employer a security deposit in any of the forms given below for an amount equivalent to 5% of the contract price.	Security deposit for an amount equivalent to 5% of the contract price shall be deducted in every running bill. However, in case of first and final bill the entire security deposit will be deducted from the final bill.

2) This order will apply for invitation of tenders for procurement of construction works to be invited hereafter and shall not be applicable for tenders already invited.

3) There is no change in the remaining clauses of the Standard Tender Documents.

By Order and in the name of
Governor of Karnataka,

(J.S.N.PRASAD)

Additional Chief Secretary to Government
Finance Department

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