भारत सरकार Government Of India
रेल मंत्रालय Ministry Of Railways
(रेलवे बोर्ड) (Railway Board)

No.94/CE-I/CT/4 Pt.17 **New Delhi, Dated 13.08.2012**

Addressed to :
As per list attached.

विषय : **Two Packets System of Tendering - Finalization of Works Tenders.**

संदर्भ : (i) Board's letter no. 85/W-I/CT/23/GCC, dated 31.01.86.
(ii) Board's letter no. 90/CE-I/CT/27, dated 17.08.95.
(iii) Board's letter no. 94/CE-I/CT/4, dated 17.09.97, 22.10.01, 17.10.02, 04.06.03 and 11.06.03.
(iv) Board's letter no. 2008/CE-I/CT/Con/7 (PCE)/GM), dated 15.12.08.

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Reference is invited to Board's letters mentioned above wherein instructions were communicated regarding inter alia, the 'Two Packets System' of tendering for works tenders.

In view of CVC's concern on adoption of 'Two Packets System' of Tendering in works contracts and recommendations on the subject based on PCEs'/CAOs' Conference; Board has decided to introduce a new Clause 7A to Part-I of IR's existing General Conditions of Contract (GCC) on 'Two Packet System of Tendering'. Accordingly,

1. For all works contract tenders requiring techno-economic evaluation, 'Two Packets System' of tendering shall be the norm as far as possible.

2. However, for all works contract tenders valuing more than Rs. 10 crore, 'Two Packets System' shall mandatorily be followed, except in cases where it is decided by an executive officer not below HAG level for reasons to be recorded in writing and with the concurrence of FA&CAO, that it would be advantageous to follow 'Single Packet System'.

3. For tenders valuing upto Rs. 10 crore, decision to adopt 'Two Packets System' shall be taken by the tender inviting authority with the concurrence of Associate Finance, keeping in view the guiding principle laid down in Item-1 above

As such the Clause 7A, as detailed in Annexure-A herein alongwith associated instructions mentioned above, shall be applicable with prospective effect in all future works contracts.

This issues with the concurrence of Finance Directorate of the Ministry of Railways.

Please acknowledge receipt.

Enclosure/As Above

13.08.12
(आलोक कुमार)
कार्यकारी निदेशक/सिविल इंजीनियरिंग(जी)/रेलवे बोर्ड

No.94/CE-I/CT/4 Pt.17 **New Delhi, Dated 13.08.2012**

Copy forwarded for information to :

1. The FA&CAOs, All Indian Railways.
2. The Deputy Comptroller & Audit General of India (Railways), Room No. 224, Rail Bhawan, New Delhi.

For Financial Commissioner/ Railways

Annexure-A

New Clause 7A to Part-I of Indian Railways General Conditions of Contract

(Ref : Railway Board's letter no. 94/CE-I/CT/4 Pt.17, dated 13.08.2012)

Clause 7A. **Two Packet System of Tendering** - The procedure detailed below shall be adopted for dealing with 'Two Pockets System' of Tendering :

7A.1 With a view to assess the tenders technically without being influenced by the financial bids, 'Two Packets System of tendering' shall be adopted. In this system, the tenderers shall submit their quotations/offers in two sealed envelopes; with one cover containing the Technical & Commercial offers and the other cover containing the Financial Bids. The first packet shall be with the objective of scrutinising the capability, possession of appropriate machinery & equipments, financial strength, experience etc. of the tenderers.

7A.2 The technical details and commercial conditions shall be read out before the tenderers or their representatives at the time of opening of tenders and the same shall be evaluated by the Tender Committee. If the offers are found acceptable by the competent authority (as prescribed by Railway Board from time to time for the estimated value of tender invited), the second packet shall be opened and the tenders shall be processed for finalisation in the normal manner.

7A.3 However, if on the basis of information contained in the first packet, the Tender Committee needs clarification regarding designs, specifications etc.: discussions shall be held with each individual party/ tenderer after obtaining approval of the Competent Authority.

7A.4 'Two Packets System' of tendering shall be resorted to for techno-commercial consideration in Works Contract Tenders of values as communicated by Railway Board from time to time on the subject.

LIST FOR DISTRIBUTION

1. General Managers, All Indian Railways & Production Units
1a. General Manager (Con), N.F. Railway, Guwahati
2. Principal Chief Engineers, All Indian Railways
3. Chief Administrative Officers (Con), All Indian Railways
4. Chief Vigilance Officers, All Indian Railways

Copy to :

(A)

1. CAO/CAO(R), COFMOW, Tilak Bridge, New Delhi
2. CAO/CAO(R), Diesel Locomotive Works, Patiala (Punjab)
3. CAO, Rail Coach Factory/Rae Bareli Project, Kishanganj, Delhi - 110007

(B)

1. Director General, RDSO, Manak Nagar, Lucknow
2. Director General, Railway Staff College, Vadodara
3. Chief Commissioner of Railway Safety, Ashok Marg, Lucknow

(C)

1. Director, IRICEN, Rail Path, Pune - 411001 (Maharashtra).
2. Director, IRIEEN, P.B.No.-233, Nasik Road - 422101 (Maharashtra)
3. Director, IRISET, Taar Naka Road, Lalla Guda, Secunderabad
4. Director, IRIMEE, Jamalpur - 811214 (Bihar)
5. Director, IRITM, Saraswati Residential Estate, IRITM Campus, Manak Nagar, Lucknow

(D)

1. MD, DMRC, Metro Bhawan, 13, Fire Bridge Lane, Bara Khamba Road, New Delhi - 110 001
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5. MD, RVNL, August Kranti Bhawan, Plot No.25, 1st Floor, Bhikaji Cama Place, New Delhi
6. MD, MRVC Ltd., Churchgate Station Building, Mumbai - 400020
7. MD, KONKAN Railway Corporation Ltd, Rail Bhawan, New Delhi - 110001
8. MD, DFCCIL, 5th Floor, Pragati Maidan Metro Station Building Complex, New Delhi - 110001
9. MD, RLDA, Near Safdarjung Railway Station, Moti Bagh Phase-I, New Delhi - 110021
10. CAO, RCF, Rae Bareilly, Kishan Ganj, Delhi
11. CME, IROFAF, 12th Floor, Core-1, Scope Minar, Distt. Centre, Laxmi Nagar, Delhi - 110092
12. CAO, Indian Railways (Workshop Projects), Chamber Bhawan, Judge's Court Road, Anta Ghat, Patna-800001

(E)

1. General Secretary, IRCA, DRM Office, New Delhi
2. General Secretary, AIRF, Rail Bhawan, New Delhi
3. General Secretary, NFIR, Rail Bhawan, New Delhi
4. General Secretary, IRPOF, Rail Bhawan, New Delhi
5. General Secretary, FROA, Rail Bhawan, New Delhi
6. General Secretary, AIRPA, Rail Bhawan, New Delhi
7. General Secretary, AISC&STREA, Room no. 7, Rail Bhawan, New Delhi
8. The Secretary, RBSS, Group (A) Officers Association, Rail Bhawan
9. The Secretary, RBSS, Group (B) Officers Association, Rail Bhawan
10. The Secretary, RBMSA, Rail Bhawan
11. The Secretary, Railway Board, Group (D) Employees Association, Rail Bhawan

Copy to :

CRB, FC, ME, ML, MS, MM, MT, Secretary, AM(CE), AM(Works), AM(Planning) AM(Staff), AM(ME), AM(Elec.), AM(PU), AM(Tele), AM(Sig.), AM(Traffic), AM(F), AM(B), AM(Stores), AM(IT), AM(T&C), AM(Comml.) DG(RHS), DG(RPF), Adv.(Projects), Adv.(L&A), Adv.(Bridges), Adv.(Vig.), Adv.(Rates), Adv.F(X)-I, EDCE(G), EDCE(P), EDTK(M), EDTK(MC), EDTK(P), EDCE(B&S), EDCE(B&S)-II, ED(Works), EDW(Plg.), ED(Project), ED(L&A)-I, ED(L&A)-II, ED(L&A)-III, ED(PSU), EDF(X)-II, ED(E&R), EDVE, EDV(S), EDV(T), ED/DM, ED(Safety), ED(Sig.), ED(Tele), EDEE(Dev.), EDEE(G), EDEE(RS), EDRE, EDRE(S), EDME(Chg.), EDME(Frt.), EDME(Dev.), EDME(W), ED(Plg.), ED(Chg.), EDE, EDE(N), EDE(Res.), EDFE, EDPC-I, EDPC-II, ED(Accounts), ED(T&MPP), EDE(GC), EDRS(G), EDRS(P), EDRS(S), EDF(S), EDF(B), ED(FC), EDPM, EDPG, EDTC(R), EDTT(F), EDTT(M), EDTT(S), DCE(B&S), DCE(P), Dir.(L&A), DF(X)-I, DF(X)-II, JS(Conf.), JS(G), JS(P), LA, Eco.(Adv.), F(X)I, II, Vig.III, Vig.(Conf.), L&A, Track I & II, Telecom, Signal, RS(G) & Electrical Branches of Railway Board.