TRANSPARENCY IN PUBLIC PROCUITEMENTS

TO PROCYURE WORK, MATERIAL, SERVICES
OF THE SPECIFIED QUALITY WITHIN THE
SPECIFIED TIME AT THE MOST COMPETITIVE
PRICES IN A FAIR, JUST & TRANSPARENT
MANNER

Some Focal Points

CTEO, Central Vigilance Commission
“Satarkata Bhawan”, GPO Complex, Block-A, INA, New Delhi - 110023
1. **Identification of Need**
   - Need inescapable
   - Factors to be taken into account:
     - Obsolescence
     - Shelf Life
     - Life cycle period
     - Availability of existing stocks
     - Availability of substitutes which can be used in lieu
     - Availability of funds
     - Approval of Competent Authority

2. **Technical Specifications**

<table>
<thead>
<tr>
<th>Do/ Ensure</th>
<th>Don’t / Avoid</th>
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<tbody>
<tr>
<td>• Generic</td>
<td>• Restrictive</td>
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<td>• Product available in market</td>
<td>• Over specify-Best always not the Best</td>
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<tr>
<td>• Meets Requirements</td>
<td>• Superfluous and non-essential features</td>
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3. **Estimation of Costs**

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<tr>
<td>• Should be based on Standard Schedule of Rates as far as possible</td>
<td>• Inflated due to unjustified reasons</td>
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<td>• Based on market survey</td>
<td>• Hypothetical budgetary quotes</td>
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4. **Qualification Requirement**

   - Neither too stringent nor too lax
   - Non restrictive
   - Unambiguous/Objective
   - Able to generate fair competition and attract established players
5. Preparation of Tender Document

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<tr>
<td>* Order of precedence of tender documents clearly spelt out</td>
<td>* Conditions conflicting with the existing rules/ regulations/ guidelines</td>
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<td>* Right Procedure for arithmetic corrections, difference in rates in figures and words etc.</td>
<td>* Ambiguous price format or tax liabilities on either party to the contract</td>
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<tr>
<td>* Complete and Unambiguous Evaluation criteria - take care of all foreseeable eventualities</td>
<td>* Conditions difficult to implement at execution stage</td>
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<td>* Well defined Inspection Methodology.</td>
<td>* Instructions to Bidders ambiguous</td>
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<td>* Scope of work - Well defined</td>
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<td>* Condition to prevent substantial post contract deviations/ substitutions</td>
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* Type and Conditions of Contract, if contract concluded

6. Pre-bid Conference:
* Representations critically examined - Ensure level playing field
* Amendments required notified to all bidders who purchased bid document and in subsequent copies to prospective bidders — Substantial amendments to be notified in press
* Decisions taken to be deliberated in evaluation report

7. Bids Opening
* e-Tendering
* Sound methodology to prevent bid tampering, authenticate of corrections/ overwriting, if bids received physically

8. Evaluation
* Transparent and time bound
* As per terms of tender document
* Well deliberated
* Reasonableness of rates ensured
* Time of delivery/Milestones/Quality aspects etc.
9. **Award/Contract**
   - Acceptance within bid validity
   - As per bid conditions and agreed changes, no unilateral clauses
   - Signed by the competent authority

10. **Post Award**
    - Quality as per contract specifications
    - Effective supervision—Time essence of contract
    - Proper accountability mechanism for delays
    - Avoid large and avoidable deviations/substitutions
    - Insurance/ Guarantees/tax compliance as per contract

11. **Use of Integrity Pact as a Tool to build Transparency**

12. **Awareness of RTI Act, 2005**