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CIRCULAR

Subject: Disqualification of the bidder due to Poor performance of the work

Preamble:

It is observed that due to standard tender condition of qualification, many times bidders are not qualified during evaluation of tenders on the ground of poor performance of some works, whereas in the work in which the bidder had performed poorly, neither the contract is terminated nor the bidder is black listed or debarred by the office order.

In such case, non qualification of the bidder without issuing necessary orders from the Competent Authority shall not stand legal scrutiny, also this is the subjective power and all the field offices may not judge the same way of the performance of the bidder.

It is therefore required to set the principles which shall be followed uniformly.

Orders:

The bidder shall be disqualified:

- 1) If he is not meeting pre-qualification criteria of technical or Financial performance.
- 2) If the bidder is blacklisted by necessary order of the Central or State Government or entities belonging to Central or State Government.
- 3) If the bidder is debarred for poor performance by GWSSB/ GWIL/ WASMO through orders issued by their respective head offices.

Process to be followed for debarring the bidder for poor performance:

The field officer has to submit proposal to debar the contractor / blacklist the contractor for poor performance such as abandoning the work, non completion of the Contract, usage of poor quality of material and workmanship, abnormal delay in completion of the project, litigation History, Arbitration Claims, financial failures

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Chief Engineer
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etc., to the GWSSB Head office through Zonal Chief Engineers with all necessary records, photographs, documentary evidences.

The Chief Engineer (Monitoring and Planning) at Head Office will scrutinize the proposal, keep hearing of the same by calling both field officer and authorized representative of the contractor to represent the case and will process the case up to Competent Authority for appropriate decision and accordingly will issue necessary order regarding debarment of the Contractor.

Other financial & physical and other terms and condition shall remain same as per the previous guidelines.

All Field Officers are instructed to submit the proposals of such cases in due course of time.

This shall be applicable with immediate effect.


Chief Engineer

No. Monitoring Cell/ 61 /date: 03/02/2020

Copy respectfully submitted to:

1. The Chairman GWSSB for information please
2. The Member Secretary for information please

Copy submitted for information and necessary actions-

1. The Chief Administrative Officer, GWSSB
2. The Financial Controller, GWSSB for information please
3. The Chief Engineer, Zone I/II/III/IV/V/VI for information please
4. The Project Director, Urban Cell for information please
5. The Chief Engineer, Mechanical, GWSSB for information please
6. The Chief General Manager, GWIL for information please
7. The Chief Engineer, WASMO for information please