

राजस्थान सरकार
वित्त विभाग
(सामान्य वित्तीय एवं लेखा नियम अनुभाग)

क्रमांक प.1(1)/वित्त/साविलेनि/2007

जयपुर, दिनांक : 19.06.2020

समस्त लेखा संवर्ग के अधिकारी,
समस्त उपापन संस्था/स्टेक होल्डर्स/आमजन

विषय: सामान्य वित्तीय एवं लेखा नियम खण्ड-I के भाग-II के कतिपय नियम
निरसन किये जाने के संबंध में सुझाव आमंत्रण।

महोदय,

उपर्युक्त विषयान्तर्गत लेख है कि वर्तमान में राज्य में उपापन हेतु राजस्थान लोक उपापन में पारदर्शिता अधिनियम, 2012 एवं राजस्थान लोक उपापन में पारदर्शिता नियम, 2013 के प्रावधान प्रभावी हैं। अतः सामान्य वित्तीय एवं लेखा नियम (GF&AR) के भाग-II में अंकित क्रय से संबंधित ऐसे प्रावधानों को जिनका राजस्थान लोक उपापन में पारदर्शिता अधिनियम, 2012 एवं राजस्थान लोक उपापन में पारदर्शिता नियम, 2013 में प्रावधान किया हुआ है का निरसन (Repeal) किया जाना समीचीन होगा।

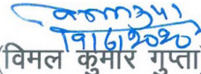
सामान्य वित्तीय एवं लेखा नियम भाग-II के ऐसे नियम जिनका प्रावधान राजस्थान लोक उपापन में पारदर्शिता अधिनियम, 2012 एवं राजस्थान लोक उपापन में पारदर्शिता नियम, 2013 में किया जा चुका है, का एक तुलनात्मक चार्ट तैयार किया गया है जो सुलभ संदर्भ हेतु संलग्न है।

उक्त के अनुक्रम में आपके बहुमूल्य सुझाव/टिप्पणी अधोहस्ताक्षरकर्ता को ई-मेल "jsfgt@rajasthan.gov.in" पर 15 दिवस में प्रेषित करने का श्रम करावें। आपके सुझाव/टिप्पणी पर समुचित विचार कर प्रस्तावित निरसन को अंतिम रूप दिया जावेगा।

कृपया इसे प्राथमिकता प्रदान करावें

संलग्न : उपरोक्तानुसार।

भवदीय,


(विमल कुमार गुप्ता)
संयुक्त शासन सचिव

प्रतिलिपि निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है :

1. निजी सचिव, मुख्य सचिव राजस्थान।
2. निजी सचिव समस्त अतिरिक्त मुख्य सचिव/प्रमुख शासन सचिव/शासन सचिव।
3. समस्त विभागाध्यक्ष।
4. समस्त कार्यकारी अधिकारी निगम, बोर्ड एवं राजकीय उपक्रम।


(राम गोपाल पारीक)
वित्तीय सलाहकार

COMPARATIVE STATEMENT OF GF&AR PART-II/RTPP ACT/RTPP RULES

Suggestions are invited on the existing Rule 1, 2, 3, 30, 31, 32(A), 33, 35,36,37, Annexure'A', 38, 38 (B), 39, 40(1), 40 (2), 41, 42(1), 42(2), 43, 44,45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57(1), 57 (2), 57 (3), 57 (4), 57 (5)(a), 59, 60, 61, 65, 66, Appendix-1

(to be deleted/partly deleted/not to be deleted)

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
1.	<p>Rule 1 : This Chapter contains general rules applicable to all departments, regarding stores required for use in the public service. Detailed rules and instructions relating to the various departments, e.g., Public Works Stationery and Printing, and other departments responsible for or concerned in large purchases, manufactures or consumption of stores shall be contained in departmental regulations relating to the departments concerned.</p> <p>Note : 1. The term "stores" used in this Chapter applies generally to all articles, materials, services procured or otherwise acquired for the use of Government, including not only expendable consumable articles in use or accumulated for specific purposes, but also articles of permanent stock of the nature of plant, machinery, instruments, furniture, equipment, fixtures, and live stock, etc., but excluding books, publications, periodicals, etc., in a library.</p> <p>2. Services may include following :</p> <p>(i) for maintenance of office equipments, computers, etc.</p> <p>(ii) for hiring of vehicles, tentage, equipments, etc.</p> <p>(iii) for occasional works for which inhouse personnel are not available e.g. organizing fairs, festivals, exhibitions, specific events, designing of tablaus, photography, etc.</p> <p style="text-align: center;">Above are illustrative and not exhaustive.</p>	<p>1. Short title, extent and commencement.- (1) This Act may be called the Rajasthan Transparency in Public Procurement Act, 2012.</p> <p>(2) It shall extend to the whole of the State of Rajasthan.</p> <p>(3) It shall come into force on such date* as the State Government may, by notification in the Official Gazette, appoint:</p> <p style="text-align: center;">Provided that different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.</p>	<p>1. Short title and commencement.-</p> <p>(1) These rules may be called the Rajasthan Transparency in Public Procurement Rules, 2013.</p> <p>(2) They shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.</p>

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
2.	<p>Rule 2: Expenditure on stores incurred in the Civil departments is included under Contingent expenditure (except where it is treated otherwise, e.g. stores relating to works), and subject to what is provided in the following rules, is governed generally by the rules which apply to such expenditure.</p>	<p>2. Definitions.- In this Act, unless the context otherwise requires,-</p> <p>(i) “bid” means a formal offer made in pursuance of an invitation by a procuring entity and includes any tender, proposal or quotation;</p> <p>(ii) “bidder” means any person participating in a procurement process with a procuring entity;</p> <p>(iii) “bidder registration documents” means the documents issued by a procuring entity, including any amendments thereto, that set out the terms and conditions of registration proceedings and includes the invitation to register;</p> <p>(iv) “bidding documents” means documents issued by the procuring entity, including any amendments thereto, that set out the terms and conditions of the given procurement and includes the invitation to bid;</p> <p>(v) “bid security” means a security provided to the procuring entity by a bidder for securing the fulfilment of any obligation in terms of the provisions of the bidding documents;</p> <p>(vi) “electronic reverse auction” means an online realtime purchasing technique utilised by the procuring entity to select the successful submission, which involves presentation by bidders of successively lowered bids during a scheduled period of time and the automatic evaluation of bids;</p> <p>(vii) “goods” includes all articles, material, commodities, electricity, livestock, furniture, fixtures, raw material, spares, instruments, software, machinery, equipment, industrial plant, vehicles, aircraft, ships, railway rolling stock and any other category of goods, whether in solid, liquid or gaseous form, purchased or otherwise acquired for the use of a procuring entity as well as services or works incidental to the supply of the goods if the value of services or works or both does not exceed that of the goods themselves;</p> <p>(viii) “invitation to bid” means a document published by the procuring entity inviting bids relating to the</p>	<p>2. Definitions.- (1) In these rules, unless the context otherwise requires, -</p> <p>(i) “Act” means the Rajasthan Transparency in Public Procurement Act, 2012 (Act No. 21 of 2012);</p> <p>(ii) “competent authority” means an authority or officer to whom the relevant administrative or financial powers have been delegated for taking decision in a matter relating to procurement;</p> <p>(ii-a) “Earnest Security” means an amount of security provided by the Project Proponent to the Administrative Department concerned as a token of sincerity and good faith, as specified in sub-rule (6) of rule 79F;</p> <p>(ii-b) “Eligible Sector” means the Sector, as specified in rule 79B, in which the project proposals can be accepted under the Swiss Challenge method;</p> <p>(iii) “form” means form appended to these rules;</p> <p>(iv) “international competitive bidding” means a bidding process in which qualified bidders from all over the world, except those having nationality of a country declared ineligible by the Central Government, are allowed to participate;</p> <p>(v) “national competitive bidding” means a bidding process in which qualified bidders only from within India are allowed to participate ;</p> <p>(v-a) “Project Proponent” means a Legal entity or a Person who submits a proposal under Swiss Challenge Method;</p>

	<p>subject matter of procurement and any amendment thereto and includes notice inviting tender and request for proposal;</p> <p>(ix) “notification” means a notification published in the Official Gazette;</p> <p>(x) “prescribed” means prescribed by rules made under this Act;</p> <p>(xi) “pre-qualification” means the procedure set out to identify, prior to inviting bids, the bidders that are qualified;</p> <p>(xii) “pre-qualification documents” means the documents issued by a procuring entity, including any amendments thereto, that set out the terms and conditions of the pre-qualification proceedings and includes the invitation to pre-qualify;</p> <p>(xiii) “procurement” or “public procurement” means the acquisition by purchase, lease, licence or otherwise of works, goods or services, including award of Public Private Partnership projects, by a procuring entity whether directly or through an agency with which a contract for procurement services is entered into, but does not include any acquisition without consideration, and “procure” or “procured” shall be construed accordingly;</p> <p>(xiv) “procurement contract” means a contract entered into between the procuring entity and a successful bidder concerning the subject matter of procurement;</p> <p>(xv) “procurement process” means the process of procurement extending from the issue of invitation to pre-qualify or to register or to bid till the award of the procurement contract or cancellation of the procurement process, as the case may be;</p> <p>(xvi) “procuring entity” means an entity referred to in subsection (2) of section 3;</p> <p>(xvii) “Public Private Partnership” means an arrangement between the State Government, statutory entity or any other government owned entity on one side and a private sector entity on the other, for the provision of public assets or public services or both, through investments being made or management being undertaken, or both investments being made and management being undertaken, by the private sector entity, for a specified period of time, where</p>	<p>(vi) “section” means section of the Rajasthan Transparency in Public Procurement Act, 2012; and</p> <p>(vii) “State Level Empowered Committee (SLEC)” means the State Level Empowered Committee constituted by the State Government under the chairmanship of the Chief Secretary for consideration/ examination/ approval of the project, received under Swiss Challenge Method.</p> <p>(2) Words and expressions used in these rules but not defined shall have the same meaning as assigned to them in the Act.</p> <p>11. Administrative, Financial and Technical sanctions and availability of budget provision.- For each procurement, it shall be necessary to obtain all required approvals and sanctions as applicable. In case of procurement of works, this shall include administrative sanction, financial sanction, technical sanction and appropriation or re-appropriation. The procuring entity must have the necessary financial powers delegated to it for procurement of the subject matter.</p> <p>Rule 40. Time frame for the procurement process. (2) A decision on acceptance or rejection of bids invited in a procurement process must be taken by the competent sanctioning authority within the period as given below, even if the period of validity may be more, from the date of opening of technical bids where two envelope system is followed, otherwise from the date of opening of financial bids. If the decision is not taken within the given time period by the concerned sanctioning authority, reasons of not taking decision within the given time period shall</p>
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	<p>there is well defined allocation of risk between the private sector and the State Government, statutory entity or any other government owned entity, as the case may be, and the private entity receives performance linked payments that conform (or are benchmarked) to specified and pre-determined performance standards, measurable by the State Government, statutory entity or any other government owned entity, as the case may be, or its representative;</p> <p>(xviii) “rate contract” means an agreement between a procuring entity and one or more bidders which specifies the terms and conditions including the price, for the supply of a subject matter of procurement required on a recurring basis;</p> <p>(xix) “registered bidder” means any bidder who is on a list of registered bidders of the procuring entity maintained under section 19;</p> <p>(xx) “services” means any subject matter of procurement other than goods or works and includes physical, maintenance, professional, intellectual, consultancy and advisory services or any service classified or declared as such by a procuring entity and does not include appointment of any person made by any procuring entity;</p> <p>(xxi) “subject matter of procurement” means any item of procurement whether in the form of goods, services or works;</p> <p>(xxii) “works” mean all works associated with the construction, reconstruction, site preparation, demolition, repair, maintenance, or renovation or railways, roads, highways or a building, an infrastructure, or structure or an installation or any construction work relating to excavation, drilling, installation of equipment and materials, as well as services incidental to the works if the value of those services does not exceed that of the works themselves.</p>	<p>be specifically recorded by the competent sanctioning authority while taking its decision.</p> <p>68. Lack of competition.- (3) The procuring entity competent to decide a procurement case, as per delegation of financial powers, shall decide as to whether to sanction the single bid or re-invite bids after recording its reasons for doing so.</p> <p>70. Acceptance of the successful bid and award of contract.- (2) Decision on bids shall be taken within original validity period of bids and time period allowed to procuring entity for taking decision. If the decision is not taken within the original validity period or time limit allowed for taking decision, the matter shall be referred to the next higher authority in delegation of financial powers for decision.</p>
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S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
3.	<p>PURCHASE AND ACQUISITION OF STORES.</p> <p>Rule 3: Rule for purchase of Stores :</p> <p>(1) All purchases of stores for use in the public service shall be regulated in strict conformity with the Stores Purchase Rules contained in Chapter-II of this part and the subsidiary instructions as may be issued by Government from time to time.</p> <p>(2) Authorities competent to purchase Stores : Subject to any special rule or order applying to any particular department, an authority which is competent to incur contingent expenditure may sanction the purchase of stores required for use in the public service in accordance with the provisions contained in the following rules. Such purchases are also subject to the usual restriction regarding the existence of necessary appropriation and to any monetary limits and other conditions prescribed generally or in regard to specific articles or classes of articles. The powers of subordinate authorities in the matter of purchase of stores are laid down in the Delegation of Financial Powers contained in Part-III of these Rules.</p>	<p>8. Obligations related to value of procurement.- (1) Every procuring entity shall obtain the approval of the authority which has the necessary financial powers before initiating a procurement process.</p> <p>(2) A procuring entity shall neither divide its procurement nor use a particular valuation method for estimating the value of procurement so as to avoid its obligations under sub-section (1) or to limit competition among bidders or otherwise avoid its obligations under this Act:</p> <p>Provided that in the interest of efficiency, economy and timely completion or supply, a procuring entity may, for reasons to be recorded in writing, divide its procurement into appropriate packages.</p>	<p>11. Administrative, Financial and Technical sanctions and availability of budget provision.- For each procurement, it shall be necessary to obtain all required approvals and sanctions as applicable. In case of procurement of works, this shall include administrative sanction, financial sanction, technical sanction and appropriation or re-appropriation. The procuring entity must have the necessary financial powers delegated to it for procurement of the subject matter.</p> <p>40. Time frame for the procurement process. (2) A decision on acceptance or rejection of bids invited in a procurement process must be taken by the competent sanctioning authority within the period as given below, even if the period of validity may be more, from the date of opening of technical bids where two envelope system is followed, otherwise from the date of opening of financial bids. If the decision is not taken within the given time period by the concerned sanctioning authority, reasons of not taking decision within the given time period shall be specifically recorded by the competent sanctioning authority while taking its decision.</p> <p>68. Lack of competition.- (3) The procuring entity competent to decide a procurement case, as per delegation of financial powers, shall decide as to whether to sanction the single bid or re-invite bids after recording its reasons for doing so.</p> <p>70. Acceptance of the successful bid and award of contract.- (2) Decision on bids shall be taken within original validity period of bids and time period allowed to procuring entity for taking decision. If the decision is not taken within the original validity period or time limit allowed for taking decision, the matter shall be referred to the next higher authority in delegation of financial powers for decision.</p>

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013			Remarks
4.	<p>Rule 30 : (1) Purchases without tender: Ordinarily all the purchases, shall be made through in the manner specified therein. In the cases mentioned in Annexure "A" Department shall have the choice to purchase without tender or procurement through a competitive tender process. Procurement above Rs. 50,000/- from Annexure "A", shall be made after approval of Purchase Committee and entering into contracts of agreement or MoU.</p> <p>(2) Rates for Letter Press and Offset Printing shall be as per Annexure "B" and "C" respectively.</p>	<p>6. Participation of bidders.-</p> <p>(2) The State Government may, by notification in this behalf, provide for mandatory procurement of any subject matter of procurement from any category of bidders, and purchase or price preference in procurement from any category of bidders, on the following grounds, namely:-</p> <p>(a) the promotion of domestic industry;</p> <p>(b) socio-economic policy of the Central Government or the State Government;</p> <p>(c) any other consideration in public interest in furtherance of a duly notified policy of the Central Government or the State Government:</p> <p>Provided that any such notification shall contain a reasoned justification for such mandatory or preferential procurement, the category of suppliers chosen and the nature of preference provided.</p>	<p>32. Direct procurement from notified agencies.- A procuring entity may procure subject matter of procurement from the category of bidders, without inviting bids, as notified by the State Government, from time to time.</p> <p>Item 33 & 34 of Notification dated 4.9.2013 :</p>			<p>Rule 30 may be deleted but new general condition number 5 in Notification dated 4.9.2013 may be added as below :</p> <p>"5. Procurement above Rs. 50,000/-, shall be made after approval of Purchase Committee and entering into contracts of agreement. "</p>
S. No.	Subject matter of Procurement	Sources/ Category of bidders	Conditions/ Remarks			
33	Printing Work (Black & White and Coloured Printing) and purchases of stationery articles	All Government Presses of Rajasthan	The rates shall be approved by the Administrative Department.			
34	Printing Work (Black & White and Coloured Printing)	From Rajasthan State Cooperative Press Limited	<p>1. The rates shall be approved by the Administrative Department of Printing and Stationery.</p> <p>2. In case the paper is not supplied by the procuring entity then the cost of paper charged by the RSCPL should not be more than 10% extra on their purchase cost.</p> <p>3. The State Co-operative Press will be responsible to give complete paper account with invoice of printing.</p> <p>4. Quality and G.S.M. of paper can be inspected by the procuring entity at any time in the State Cooperative Press.</p>			

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
5.	<p>Rule 31: (1) Purchases of items of special or unusual character and from abroad: All articles not obtainable in India or any other articles of special or unusual character which have to be purchased for the public service may, when suitable and economical purchases cannot be made in accordance with these rules, shall be obtained without reference to these rules after placing on record reasons for not effecting the purchases in accordance with these rules and subject to the condition that the expenditure involved has received the sanction of the competent authority and specific budget provision exists, necessary foreign exchange made available and the stores ordered are not available either from indigenous sources or from stockiest of imported stores in India.</p> <p>(2) Items of furniture shall ordinarily be purchased through tenders as provided in these rules on the basis of detailed specifications. Purchases or work may also be got done on the basis of samples or design through Purchase Committees, hereinafter mentioned after carrying out negotiations.</p>	<p>31. Single source procurement.- (1) A procuring entity may choose to procure the subject matter of procurement by the method of single source procurement, if-</p> <p>(a) the subject matter of procurement is available only from a particular prospective bidder, or a particular prospective bidder has exclusive rights in respect of the subject matter of procurement, such that no reasonable alternative or substitute source exists, and the use of any other procurement method would therefore not be possible; or</p> <p>12. Description of the subject matter of procurement.- (1) The description of the subject matter of procurement shall be set out in the pre-qualification documents, bidder registration documents and the bidding documents and shall -</p> <p>(a) be such as to meet the essential needs of the procuring entity;</p> <p>(b) to the extent practicable-</p> <p>(i) be objective, functional, generic and measurable;</p> <p>(ii) set out the relevant technical, quality and performance characteristics;</p> <p>(iii) not indicate a requirement for a particular trade mark, trade name or brand;</p> <p>(c) be drawn up in accordance with guidelines as may be prescribed.</p> <p>(2) Where applicable, the technical specifications shall, to the extent practicable, be based on national technical regulations or recognised national standards or building codes, wherever such standards exist or in their absence, relevant International Standards may be used.</p>	<p>Rule 2. (iv) “international competitive bidding” means a bidding process in which qualified bidders from all over the world, except those having nationality of a country declared ineligible by the Central Government, are allowed to participate;</p> <p>13. Participation of bidders.- (2) Normally the procedure of National Competitive Bidding (NCB) shall be adopted. The procedure of International Competitive Bidding (ICB) may be adopted if there is such a condition of adopting International Competitive Bidding for certain procurements under an obligation of an agreement with an intergovernmental international financing institution, or the subject matter of procurement is such that in the opinion of the procuring entity, it will be in the public interest to adopt International Competitive Bidding, after recording reasons.</p> <p>34. Description of subject matter of procurement.- (1) The description of the subject matter of procurement shall be set out in the pre-qualification documents, bidder registration documents or the bidding documents as provided in section 12.</p> <p>(2) In description of the subject matter of the procurement, the procuring entity shall, if required, include specifications, plans, drawings, designs, trials, sample testing and test methods, packaging, marking, labeling, conformity certification or symbols and terminology.</p>

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013			
6.	<p>Rule 32(A) : Normally the procurement of goods and services relating to IT and e-governance of Government departments shall be carried out after inviting open tenders. However, departments may get the work done without calling tender through DoIT&C/RISL/NIC/ NICSI on single source citing the reasons for the same.</p>	<p>6. Participation of bidders.- (2) The State Government may, by notification in this behalf, provide for mandatory procurement of any subject matter of procurement from any category of bidders, and purchase or price preference in procurement from any category of bidders, on the following grounds, namely:- (a) the promotion of domestic industry; (b) socio-economic policy of the Central Government or the State Government; (c) any other consideration in public interest in furtherance of a duly notified policy of the Central Government or the State Government: Provided that any such notification shall contain a reasoned justification for such mandatory or preferential procurement, the category of suppliers chosen and the nature of preference provided.</p>	<p>32. Direct procurement from notified agencies.- A procuring entity may procure subject matter of procurement from the category of bidders, without inviting bids, as notified by the State Government, from time to time.</p> <p>Item No. 3 and 53 of Notification dated 4-9-2013 :</p>			
			S. No.	Subject matter of Procurement	Sources/ Category of bidders	Conditions/ Remarks
			1	2	3	4
			3.	Goods and Services related to IT and e-Governance projects	Department of Information Technology and Communication/ RajComp Info Services Ltd./ National Informatics Centre/ National Informatics Centre Services Incorporated (NICSI)	Departments of State Government will require administrative and technical sanction from competent authority.
			53	Specialized services, related to IT, Electronics and Telecommunication	Centre for Development of Advanced Computing, Government of India. (C-DAC)	Approval of the Finance Department shall be obtained before procurement.

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013				Remarks
7.	<p>Rule 33 : In all cases of urgent needs where there is likely to be delay in getting supplies of DGS&D rate contract items through operation of such rate contracts, the same items could be purchased from the open market as long as price to be paid for such items does not exceed those stipulated in the rate contract. Such purchase should not exceed Rs.20,000/- at a time and Rs.One lac in a year and are to be exercised in accordance with the powers delegated to the authority under the GF&AR Part-III.</p>	<p>6. Participation of bidders.- (2) The State Government may, by notification in this behalf, provide for mandatory procurement of any subject matter of procurement from any category of bidders, and purchase or price preference in procurement from any category of bidders, on the following grounds, namely:- (a) the promotion of domestic industry; (b) socio-economic policy of the Central Government or the State Government; (c) any other consideration in public interest in furtherance of a duly notified policy of the Central Government or the State Government: Provided that any such notification shall contain a reasoned justification for such mandatory or preferential procurement, the category of suppliers chosen and the nature of preference provided.</p>	Item No. 2 of Notification dated 4.9.2013 :				<p>1. Rule 33 may be deleted.</p> <p>2. The GeM has replaced DGS&D, hence Item No. 2 of Notification dated 4.9.2013 needs to be deleted.</p>
1	2	3	4				
2.	Items on Rate Contract with Director General, Supplies & Disposals (D.G.S.&D.) of Government of India	DGS&D, Government of India or The firms holding DGS&D rate contract	<p>1. Purchase order shall be placed on DGS&D by procuring entity including Direct Demanding Officers or a firm holding valid rate contract with the DGS&D on the date of placing order.</p> <p>2. Preference will be given to the firms situated in Rajasthan, if there are any having DGS&D rate contract for the item to be procured.</p> <p>3. Inspection of the item may be got conducted from the Jaipur branch of DGS&D for ensuring quality of the item procured.</p>				

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013				Remarks	
8.	<p>Rule 35 : Purchase from D.G.S.&D. :Articles which are not manufactured in Rajasthan shall preferably be purchased through the agency of DGS&D by the Direct Demanding offices. In such cases where rate contract is both with a manufacturer situated outside Rajathan and a manufacturer within Rajasthan, preference shall be given to the units located in Rajathan provided that the specifications are as per requirements of the purchasing department.</p>	<p>6. Participation of bidders.- (2) The State Government may, by notification in this behalf, provide for mandatory procurement of any subject matter of procurement from any category of bidders, and purchase or price preference in procurement from any category of bidders, on the following grounds, namely:- (a) the promotion of domestic industry; (b) socio-economic policy of the Central Government or the State Government; (c) any other consideration in public interest in furtherance of a duly notified policy of the Central Government or the State Government: Provided that any such notification shall contain a reasoned justification for such mandatory or preferential procurement, the category of suppliers chosen and the nature of preference provided.</p>	Item No. 2 of Notification dated 4.9.2013 :				1. Rule 35 may be deleted.	
			1	2	3	4		
			2.	Items on Rate Contract with Director General, Supplies & Disposals (D.G.S.&D.) of Government of India	DGS&D, Government of India or The firms holding DGS&D rate contract	1. Purchase order shall be placed on DGS&D by procuring entity including Direct Demanding Officers or a firm holding valid rate contract with the DGS&D on the date of placing order. 2. Preference will be given to the firms situated in Rajasthan, if there are any having DGS&D rate contract for the item to be procured. 3. Inspection of the item may be got conducted from the Jaipur branch of DGS&D for ensuring quality of the item procured.		2. The GeM has replaced DGS&D, hence Item No. 2 of Notification dated 4.9.2013 needs to be deleted.

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013				Remarks	
9.	<p>Rule 36: Purchase of Machinery : Important Plant, Machinery and Iron and Steel work shall be obtained as far as possible from the firms registered as approved suppliers by the DGS&D.</p> <p>Note: The intention is to ensure that Plant, Machinery and other engineering equipments shall be obtained from firms which possess workshops and appliances capable of turning out work of desired standard.</p>		Item 39 of Notification dated 4.9.2013 :				<p>1. Rule 36 may be deleted.</p> <p>2. The GeM has replaced DGS&D, hence Item No. 2 of Notification dated 4.9.2013 needs to be deleted.</p>	
			1	2	3	4		
			2.	Items on Rate Contract with Director General, Supplies & Disposals (D.G.S.&D.) of Government of India	DGS&D, Government of India or The firms holding DGS&D rate contract	<p>1. Purchase order shall be placed on DGS&D by procuring entity including Direct Demanding Officers or a firm holding valid rate contract with the DGS&D on the date of placing order.</p> <p>2. Preference will be given to the firms situated in Rajasthan, if there are any having DGS&D rate contract for the item to be procured.</p> <p>3. Inspection of the item may be got conducted from the Jaipur branch of DGS&D for ensuring quality of the item procured.</p>		
			13.	(a) (ii) Medical equipment, instruments and other hospital supplies	Rajasthan Medical Services Corporation Ltd. (RMSCL)	-		
	39.	Purchase of motor vehicles	<p>1. From DGS&D rate contract holding firms,</p> <p>2. If a DGS&D Rate Contract is not in existence at the time of purchase, then procurement shall be done from an authorised dealer.</p>		<p>The make and model of the motor vehicle will be decided by the State Government as per its policy and purchase of Motor Vehicles (including Electric Motor Vehicle) on the rates and terms and conditions fixed by the Finance Department, from time to time.</p>			

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013			
10.	Rule 37: Nothing in these rules shall be deemed to prohibit the purchase of articles by one department from another.	19.(5) Where a procuring entity does not register bidders in respect of a subject matter of procurement, it may use the list of registered bidders of any other procuring entity, if any.	Item No. 1 of Notification dated 4-9-2013			
			S. No.	Subject matter of Procurement	Sources/ Category of bidders	Conditions/ Remarks
			38	Any goods produced or manufactured or any specialised services provided by a departments/ boards of any State or Central Government or a Government Company or a company owned or controlled, directly or indirectly, by the Central Government, or by any State Government or Governments, or partly by the Central Government and partly by one or more State Governments which is subject to audit by the Auditor appointed by the Comptroller and Auditor-General of India under sub-section (5) or (7) of section 139 of the Companies Act, 2013 or Autonomous bodies, Registered Societies, Cooperative Societies which are owned or controlled or managed by any State Government or Central Government.	Departments/ boards of any State or Central Government or Government Company or company owned or controlled, directly or indirectly, by the Central Government, or by any State Government or Governments, or partly by the Central Government and partly by one or more State Governments which is subject to audit by the Auditor appointed by the Comptroller and Auditor-General of India under sub-section (5) or (7) of section 139 of the Companies Act, 2013 or Autonomous bodies, Registered Societies, Cooperative Societies which are owned or controlled or managed by any State Government or Central Government, which produces or manufactures the subject matter of procurement or provides specialised services.	-

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
11.	<p style="text-align: center;">ANNEXURE – A</p> <p style="text-align: center;">PURCHASES WITHOUT TENDER</p> <p style="text-align: center;">(See Rule 30)</p>	<p>6. Participation of bidders.-</p> <p>(2) The State Government may, by notification in this behalf, provide for mandatory procurement of any subject matter of procurement from any category of bidders, and purchase or price preference in procurement from any category of bidders, on the following grounds, namely:-</p> <p>(a) the promotion of domestic industry;</p> <p>(b) socio-economic policy of the Central Government or the State Government;</p> <p>(c) any other consideration in public interest in furtherance of a duly notified policy of the Central Government or the State Government:</p> <p>Provided that any such notification shall contain a reasoned justification for such mandatory or preferential procurement, the category of suppliers chosen and the nature of preference provided.</p>	<p>32. Direct procurement from notified agencies.- A procuring entity may procure subject matter of procurement from the category of bidders, without inviting bids, as notified by the State Government, from time to time.</p> <p>Read with FD Notification dated 4-9-2013.</p>

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
12.	<p>Rule 38 : Purchase through tender : Tenders shall be invited for supply of all articles unless the value of the order to be placed is small or the Departmental Purchase Committee/Committee at the level of Head of Department is satisfied that sufficient reasons, which shall be recorded in writing, exist that it is not in the public interest to call for tenders or the demand is so urgent that any additional expenditure involved in the tender system must not be incurred or the sources of supply are definitely known and possibility of fresh source beyond those being tapped is remote or in cases where tenders are not received even after two attempts of invitation. The nature of urgency and circumstances under which demand could not be anticipated and other cause shall be recorded and approval of the competent authority to dispense with advertisement will be taken.</p> <p>Note : Small orders as provided in the above rule would mean an order the total value of which does not exceed Rs. 3,000/- in each case.</p> <p>* the value of the order to be placed is small (See Rule 26)</p> <p>* the Departmental Purchase Committee/Committee at the level of Head of Department is satisfied that sufficient reasons, which shall be recorded in writing, exist that it is not in the public interest to call for tenders (See Section 6 (2) (c) and 31 (1) (f)</p> <p>* the demand is so urgent that any additional expenditure involved in the tender system must not be incurred (See Section 30(1)(b) & (c).</p> <p>* the sources of supply are definitely known and</p>	<p>6. Participation of bidders.- (2) The State Government may, by notification in this behalf, provide for mandatory procurement of any subject matter of procurement from any category of bidders, and purchase or price preference in procurement from any category of bidders, on the following grounds, namely:-</p> <p>(c) any other consideration in public interest in furtherance of a duly notified policy of the Central Government or the State Government:</p> <p>Provided that any such notification shall contain a reasoned justification for such mandatory or preferential procurement, the category of suppliers chosen and the nature of preference provided.</p> <p>28. Methods of procurement.- (1) Subject to the provisions of this Act and the rules made thereunder, a procuring entity may procure a subject matter of procurement by means of any of the following methods, namely:-</p> <p>(a) Open Competitive Bidding; or (b) Limited Bidding; or (c) Two stage Bidding; or (d) Single Source Procurement; or (e) Electronic Reverse Auction; or (f) Request for Quotations; or (g) Spot Purchase; or (h) Competitive negotiations; or (i) Rate Contract; or (j) any other method of procurement notified by the State Government satisfying the principles of procurement contained in this Act and which the State Government considers necessary in public interest.</p> <p>(2) The State Government may, by notification, declare adoption of electronic procurement as compulsory for different stages and types of procurement, and on such declaration, every requirement for written communication under this Act shall be deemed to have been satisfied if it were done by electronic means.</p>	<p>14. Methods of Procurement.- Subject to the provisions of the Act, these rules, any additional conditions notified under section 37 and guidelines issued under the Act, a procuring entity may procure a subject matter of procurement by any of the methods specified or notified under sub-section (1) of section 28.</p> <p>26. Procurement without quotations.- The subject matter of procurement valuing up to rupees ten thousand may be procured on one occasion subject to a limit of below rupees one lakh during a financial year without inviting quotations, from the Government Departments / Corporations, authorised dealers, cooperative stores/ bhandars or retailers who are bona-fide dealers in the subject matter of procurement.</p>

<p><u>possibility of fresh source beyond those being tapped is remote</u> (See Section 30 (1)(a))</p> <p>** in cases where tenders are not received even after two attempts of invitation (See Section 28 and 29 (4) and Rule 14)</p>	<p>(3) In procuring a subject matter of procurement, every procuring entity shall follow the detailed procedure in respect of the relevant method of procurement as may be prescribed.</p> <p>29. Open competitive bidding.-</p> <p>(4) Where the procuring entity chooses a method of procurement other than the open competitive bidding, it shall record the reasons and circumstances thereof.</p> <p>30. Limited bidding.- (1) A procuring entity may choose to procure the subject matter of procurement by the method of limited bidding, if -</p> <p>(a) the subject matter of procurement can be supplied only by a limited number of bidders; or</p> <p>(b) the time and cost involved to examine and evaluate a large number of bids may not be commensurate with the value of the subject matter of procurement; or</p> <p>(c) owing to an urgency brought about by unforeseen events, the procuring entity is of the opinion that the subject matter of procurement cannot be usefully obtained by adopting the method of open competitive bidding; or</p> <p>31. Single source procurement.- (1) A procuring entity may choose to procure the subject matter of procurement by the method of single source procurement, if-</p> <p>(f) procurement from a particular prospective bidder is necessary in terms of sub-section (2) of section 6; or</p>	
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S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
13.	<p>Rule 38(B): e-procurement :</p> <p>(i) All stores/works/services of Rs. 50.00 lacs or more for all Government Departments other than PWD shall be procured only through e-tendering from April 1, 2012.</p> <p>(ii) All stores/works/services of Rs. 25.00 lacs or more for PWD shall be procured only through e-tendering from April 1, 2012.]</p> <p>(iii) Departmental Purchase Committees will finalize terms and conditions of the tender document for e-procurement before publishing of tender.</p> <p>(iv) NITs of all mandated and optionally decided e-tender shall only be published on the e-procurement portal (http://eproc.rajasthan.gov.in) of the State.</p> <p>Note : DIPR and the departments concerned shall make arrangement for linking their tender page with e-procurement portal for simultaneously display of tender on DIPR/Department website.</p> <p>(v) A brief NIT shall only be published in the news papers as required under rule 41 of GF&AR-II containing a note that other particulars of the tender may be seen on the e-procurement portal (http://eproc.rajasthan.gov.in) of the State. Detailed NIT shall not be published in the newspapers. Web address of e-procurement portal has to be provided in the NIT.</p> <p>(vi) Conditions of participation by bidders :-</p> <p>(1) Every bidder will need to have digital signature issued as per IT Act 2000.</p> <p>(2) Every bidder shall be allotted a user ID and Password on furnishing requisite details on e-procurement website.</p>	<p>28. (2) The State Government may, by notification, declare adoption of electronic procurement as compulsory for different stages and types of procurement, and on such declaration, every requirement for written communication under this Act shall be deemed to have been satisfied if it were done by electronic means.</p>	<p>5. e-procurement.- All subject matters of procurement of an estimated value, as may be notified by the State Government under sub-section (2) of section 28, shall be procured through e-procurement. In such cases every bidder shall deposit user charges as may be fixed by the State Government, from time to time. Every bid shall be digitally signed by the bidder. The procedure of e-procurement shall be as specified for this purpose on the State Public Procurement Portal.</p>

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
14.	<p>Rule 39 : System of Tenders: Tenders shall be obtained in the following manner :</p> <p>(i) Open Tender (by Advertisement in news papers) in case where the estimated value of Tender to be received is more than Rs 50,000/-;</p> <p>(ii) Limited Tender (by direct invitation to a number of limited firms/shops dealing in the articles to be purchased) in case where the estimated value of the Tender to be received is more than 3000/- but upto Rs 50,000/-.</p> <p>Note : The limited Tenders will be allowed upto the limit of Rs 50,000/- in each case and upto an annual limit of Rs 2,00,000/-.</p>	<p>28. Methods of procurement.- (1) Subject to the provisions of this Act and the rules made thereunder, a procuring entity may procure a subject matter of procurement by means of any of the following methods, namely:-</p> <p>(a) Open Competitive Bidding; or</p> <p>(b) Limited Bidding; or</p> <p>(c) Two stage Bidding; or</p> <p>(d) Single Source Procurement; or</p> <p>(e) Electronic Reverse Auction; or</p> <p>(f) Request for Quotations; or</p> <p>(g) Spot Purchase; or</p> <p>(h) Competitive negotiations; or</p> <p>(i) Rate Contract; or</p> <p>(j) any other method of procurement notified by the State Government satisfying the principles of procurement contained in this Act and which the State Government considers necessary in public interest.</p>	<p>14. Methods of Procurement.- Subject to the provisions of the Act, these rules, any additional conditions notified under section 37 and guidelines issued under the Act, a procuring entity may procure a subject matter of procurement by any of the methods specified or notified under sub-section (1) of section 28.</p>

S. No.	GF&AR PART-II STORES			RTPP Act, 2012	RTPP Rules, 2013
15.	Rule 40 (1) : Time limit for open tender :- The minimum time to be given for receipt of tenders from the date of publication of the notice inviting tender shall be as under :			<p>9. Time frame for processing.- (1) Subject to the rules as may be made by the State Government in this behalf, every procuring entity shall pre-determine a reasonable time frame for completion of various stages of the process of procurement and indicate the same in the pre-qualification documents, bidder registration documents or bidding documents, as the case may be.</p> <p>(2) The procuring entity shall endeavour to adhere to the time frame indicated under sub-section (1) and in case of failure to do so extend such time frame for reasons to be recorded in writing.</p> <p>21. Time frame for submission of bids.- (1) While fixing the last date by which bids are to be submitted by the bidders, the procuring entity shall take into account-</p> <p>(a) the need of the bidders for having a reasonable time to prepare and submit their bids; and</p> <p>(b) the time frame envisaged for procurement.</p> <p>(2) Subject to the provisions of section 23, the maximum time as may be allowed for submission of bids shall be the same for all bidders.</p>	<p>Rule 40. Time frame for the procurement process.- (1) The time frame for the one stage bidding shall be as under:-</p> <p style="text-align: center;">Table</p> <p style="text-align: center;">Bid cycle of outer time frame for various procurement method by one stage bidding</p> <p>43. Notice Inviting Bids.- (6) Time for submission of bids for supply of goods or providing services in response to publication of Notice Inviting Bids in newspapers and notice boards shall be as under:-</p> <p style="text-align: center;">Table</p> <p style="text-align: center;">Time for submission of bids and modes of publicity for procurement of Goods and Services</p> <p>(7) Time for submission of bids for execution of works in response to publication of Notice Inviting Bids in newspapers and notice boards shall be as under:-</p> <p style="text-align: center;">Table</p> <p style="text-align: center;">Time for submission of bids and modes of publicity for procurement of works</p>
	S.No.	Amount	Days		
	(i)	Where the estimated value is above Rs 50,000/- and upto Rs 5.00 lac	10 days		
	(ii)	Above Rs 5.00 lac and upto Rs 10.00 lac	15 days		
(iii)	Above Rs 10.00 lac	30 days			
<p>Note :</p> <p>(i) The minimum time shall be counted from the date of publication of the NIT in the first newspaper.</p> <p>(ii) Extension in the date of receipt of tenders shall also be published in the newspapers and on the website.</p>					

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
16.	<p>Rule 40(2) - Short notice tender :</p> <p>In case of urgent requirement which shall be recorded in writing, the Departmental Purchase Committee and Committee at the level of Head of Department may reduce the period of publicity for open tender from 30 days to 20 days and from 15 days to 10 days.</p>	<p>21. Time frame for submission of bids.- (1) While fixing the last date by which bids are to be submitted by the bidders, the procuring entity shall take into account-</p> <p>(a) the need of the bidders for having a reasonable time to prepare and submit their bids; and</p> <p>(b) the time frame envisaged for procurement.</p> <p>(2) Subject to the provisions of section 23, the maximum time as may be allowed for submission of bids shall be the same for all bidders.</p>	<p>43. Notice Inviting Bids.- (1) A procuring entity shall solicit bids in open competitive bidding and two stage bidding, or, where applicable, applications for pre-qualification by causing an invitation to bid or pre-qualify, as the case may be, to be published on the State Public Procurement Portal and on its own official website, if available. An abridged notice shall also be published in newspapers of adequate circulation, as prescribed in sub-rule (6) and (7) of this rule.</p> <p>43. Notice Inviting Bids.- (6) Time for submission of bids for supply of goods or providing services in response to publication of Notice Inviting Bids in newspapers and notice boards shall be as under:-</p> <p style="text-align: center;">Table</p> <p style="text-align: center;">Time for submission of bids and modes of publicity for procurement of Goods and Services</p> <p>Provided that, in appropriate cases, the procuring entity may relax the above mentioned period of publication of notice inviting bid and submission of bid if the estimated value of procurement is upto Rs. 50 crores and with the approval of the Administrative Department concerned, if the value of procurement is more than Rs. 50 crores.</p> <p>(7) Time for submission of bids for execution of works in response to publication of Notice Inviting Bids in newspapers and notice boards shall be as under:-</p> <p style="text-align: center;">Table</p> <p style="text-align: center;">Time for submission of bids and modes of publicity for procurement of works</p> <p>Provided that, in appropriate cases, the procuring entity may relax the above mentioned period of publication of notice inviting bid and submission of bid if the estimated value of procurement is upto Rs. 50 crores and with the approval of the Administrative Department concerned if the value of procurement is more than Rs. 50 crores.</p>

S. No.	GF&AR PART-II STORES				RTPP Act, 2012	RTPP Rules, 2013	
17.	Rule 41 : Publicity of Tender : The publicity of tenders for purchase of articles shall be made as under :-						
	S.N.	Amount	Days		Mode of publication		
	(i)	Where the estimated value is above Rs 50,000/- and upto Rs 5.00 lac	10 days	(1)	Notice Board of all Regional and Divisional H.Qs.as the case may be.	<p>43. Notice Inviting Bids.- (1) A procuring entity shall solicit bids in open competitive bidding and two stage bidding, or, where applicable, applications for pre-qualification by causing an invitation to bid or pre-qualify, as the case may be, to be published on the State Public Procurement Portal and on its own official website, if available. An abridged notice shall also be published in newspapers of adequate circulation, as prescribed in sub-rule (6) and (7) of this rule.</p>	
				(2)	One Regional news paper.		
				(3)	One State Level news paper having circulation of 50,000 copies & above.		
	(ii)	Above Rs 5.00 lac and upto Rs 10.00 lac	15 days	(1)	Notice Board of all Regional and Divisional H.Qs.as the case may be.		
				(2)	One Regional news paper.		
				(3)	Publication in two leading daily State Level news papers one of which should have circulation of 50,000 copies & above.		
	(iii)	Above Rs 10.00 lac	30 days	(1)	Notice Board of all Regional and Divisional H.Qs.as the case may be.		
				(2)	Two State level news papers one of which should atleast have a circulation of 50,000 copies & above.		
				(3)	One all India level paper.		
				(4)	Any Trade Journal specialising for publication of NITs.		
	<p>Note : (i) The Notice Inviting Tender shall also be publicised by including it on the Website of the Director Information and Public Relations, Rajasthan, Jaipur (DIPR) if the value of the tender exceeds Rs. 10.00 Lac. The tender below Rs. 10.00 Lac shall, however, be publicised through the Departmental Website. (ii) The tenders to be published through the Website of the DIPR shall be sent either through e-mail on "tender@rajasthan.gov.in." by attaching Word/ HTML format file or through a soft copy]. (iii) As the tender is being publicised on the Website, a brief NIT only shall be given in the newspapers containing a note that other particulars of the tender may be seen on the website "www.dipronline.org." [and Departmental Website.....].</p>						

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
18.	<p>Rule 42 : (1) Procedure for Limited Tenders :</p> <p>(i) Limited tenders shall be obtained from the S.S.I. units/whole sellers/producers, original equipment manufacturers, sole/distributors/ sole selling/ marketing agent/sub-distributors, authorised dealers, retail shops of manufacturers, authorised stockists, retailers of known reliability and who are bonafide dealers in stores/articles to be purchased.</p> <p>For this purpose the purchase officers shall maintain a list of such firms, of known reliability who deal in items and that they possess the necessary equipments and facilities for supply of stores which they offer.</p> <p>(ii) Tender notice shall be given to sufficient number of firms to avail competitive rates.</p> <p>(iii) The Director of Industries shall provide a list of all S.S.I. units of Rajasthan alongwith their place of location, items manufactured, capacity etc.</p> <p>Note: In case of purchases of the spare parts of motor-vehicles, machinery and equipments of the particular make of the values exceeds Rs.5,000/- limited tenders shall be invited from the authorised dealers and original equipment suppliers.</p> <p>Rule 42 : (2) Time limit for limited tender: A</p>	<p>30. Limited bidding.- (1) A procuring entity may choose to procure the subject matter of procurement by the method of limited bidding, if -</p> <p>(a) the subject matter of procurement can be supplied only by a limited number of bidders; or</p> <p>(b) the time and cost involved to examine and evaluate a large number of bids may not be commensurate with the value of the subject matter of procurement; or</p> <p>(c) owing to an urgency brought about by unforeseen events, the procuring entity is of the opinion that the subject matter of procurement cannot be usefully obtained by adopting the method of open competitive bidding; or</p> <p>(d) procurement from a category of prospective bidders is necessary in terms of sub-section (2) of section 6.</p> <p>(2) Subject to the rules as may be made in this behalf, the procedure for limited bidding shall include the following, namely:-</p> <p>(a) the procuring entity shall issue an invitation to bid by writing directly, and on the same day, to-</p> <p>(i) all the bidders who can supply the subject matter of procurement in terms of clause (a) of sub-section (1); or</p> <p>(ii) all the bidders who are registered for the subject matter of procurement with the procuring entity or with any other procuring entity, where procuring entity uses the list of registered bidders of such other procuring entity in terms of sub-section (5) of section 19; or</p> <p>(iii) an adequate number of bidders who can supply the subject matter of procurement selected in a non-discriminatory manner to ensure effective competition, in case of clause (b) of sub-section (1);</p> <p>(b) a procuring entity may allow all</p>	<p>16. Limited bidding.- (1) In case of procurement of a subject matter as per clause (b) of sub-section (1) of section 30, a procuring entity may adopt the method of limited bidding if the estimated cost or value of the subject matter is less than Rupees two lakh on one occasion but it shall not exceed Rupees ten lakh in a financial year :</p> <p>Provided that a Panchayati Raj Institution or its committee may adopt the method of limited bidding if the estimated cost or value of the subject matter is less than Rupees five lakh on one occasion but it shall not exceed Rupees fifty lakh in a financial year.</p> <p>Provided further that procurement shall be made by the Panchayati Raj Institution or its committee in accordance with the guidelines issued by the Rural Development and Panchayati Raj Department.</p> <p>(2) The procedure for limited bidding shall be as under:-</p> <p>(a) The procuring entity shall issue an invitation to bid by exhibiting it on the State Public Procurement Portal and by writing directly, and on the same day, to-</p> <p>(i) all the bidders who can supply the subject matter of procurement in terms of clause (a) of sub-section (1) of section 30; or</p> <p>(ii) all the bidders who are registered for the subject matter of procurement with the procuring entity or where a procuring entity does not register the bidders in respect of a subject matter of procurement, to the registered bidders of any other procuring entity, if any; or</p> <p>(iii) at least three manufacturers, authorised dealers, authorised service centres, bona-fide dealers or service providers, in case registered bidders are not available.</p> <p>(b) The procuring entity may allow all prospective bidders who fulfill the qualification criteria laid down for the procurement in the bidding documents, whether an invitation to bid has been issued to such bidders or not, to participate in the bidding process.</p>

	<p>minimum period of 3 days shall be given to the firms to offer their tenders. However, this may be relaxed in case of agency.</p>	<p>prospective bidders who fulfill the qualification criteria laid down for the procurement, whether an invitation to bid has been issued to such a bidder or not, to participate in the bidding process.</p>	<p>(c) A minimum period of seven days, in case of emergency after recording reasons three days, shall be given to the bidders to offer their bids. (d) If limited bidding is invited under clause (b) and (c) of sub-section (1) of section 30, bid security shall not be obtained. (e) For the remaining procedure of procurement by limited bidding, the provisions of Chapter-V shall apply mutatis mutandis except publication of Notice Inviting Bids in the news papers as per sub-rule (6) or (7) of rule 43.</p>
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S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
19.	<p>Rule 43: Limited tender in place of Open Tender: Limited tenders may be invited in place of open tender in the circumstances explained in Rule 38 even when the estimated value is more than Rs.50,000/- in the manner provided in Rule 42.</p>	<p>29. Open competitive bidding.-(4) Where the procuring entity chooses a method of procurement other than the open competitive bidding, it shall record the reasons and circumstances thereof.</p> <p>30. Limited bidding.- (1) A procuring entity may choose to procure the subject matter of procurement by the method of limited bidding, if -</p> <p>(a) the subject matter of procurement can be supplied only by a limited number of bidders; or</p> <p>(b) the time and cost involved to examine and evaluate a large number of bids may not be commensurate with the value of the subject matter of procurement; or</p> <p>(c) owing to an urgency brought about by unforeseen events, the procuring entity is of the opinion that the subject matter of procurement cannot be usefully obtained by adopting the method of open competitive bidding; or</p> <p>(d) procurement from a category of prospective bidders is necessary in terms of sub-section (2) of section 6.</p>	<p>16. Limited bidding.- (1) In case of procurement of a subject matter as per clause (b) of sub-section (1) of section 30, a procuring entity may adopt the method of limited bidding if the estimated cost or value of the subject matter is less than Rupees two lakh on one occasion but it shall not exceed Rupees ten lakh in a financial year:</p> <p>Provided that a Panchayati Raj Institution or its committee may adopt the method of limited bidding if the estimated cost or value of the subject matter is less than Rupees five lakh on one occasion but it shall not exceed Rupees fifty lakh in a financial year.</p> <p>Provided further that procurement shall be made by the Panchayati Raj Institution or its committee in accordance with the guidelines issued by the Rural Development and Panchayati Raj Department.</p> <p>(2) The procedure for limited bidding shall be as under:-</p> <p>(a) The procuring entity shall issue an invitation to bid by exhibiting it on the State Public Procurement Portal and by writing directly, and on the same day, to-</p> <p>(i) all the bidders who can supply the subject matter of procurement in terms of clause (a) of sub-section (1) of section 30; or</p> <p>(ii) all the bidders who are registered for the subject matter of procurement with the procuring entity or where a procuring entity does not register the bidders in respect of a subject matter of procurement, to the registered bidders of any other procuring entity, if any; or</p> <p>(iii) at least three manufacturers, authorised dealers, authorised service centres, bona-fide dealers or service providers, in case registered bidders are not available.</p> <p>(b) The procuring entity may allow all prospective bidders who fulfill the qualification criteria laid down for the procurement in the bidding documents, whether an invitation to bid has been issued to such bidders or not, to participate in the bidding process.</p> <p>(c) A minimum period of seven days, in case of emergency after recording reasons three days, shall be given to the bidders to offer their bids.</p> <p>(d) If limited bidding is invited under clause (b) and (c) of sub-section (1) of section 30, bid security shall not be obtained.</p> <p>(e) For the remaining procedure of procurement by limited bidding, the provisions of Chapter-V shall apply mutatis mutandis except publication of Notice Inviting Bids in the news papers as per sub-rule (6) or (7) of rule 43.</p>

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
20.	Rule 44: Purchase of articles on small orders : Articles of the value upto Rs.3000/- shall be purchased from the Government Department/Corporation shops, wholesalers/ Sole-distributors, Distributors/Sub-distributors, authorised dealers, co-operative stores or Bhandars, retail shops of manufacturers, authorised stockists and retailers of known reliability and who are bonafide dealers in stores/articles to be purchased.		26. Procurement without quotations.- The subject matter of procurement valuing up to rupees ten thousand may be procured on one occasion subject to a limit of below rupees one lakh during a financial year without inviting quotations, from the Government Departments / Corporations, authorised dealers, cooperative stores/ bhandars or retailers who are bona-fide dealers in the subject matter of procurement.

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
21.	Rule 45: Tender notice to contain : Tender notice in the case of open tender shall contain the following particulars:- (i) Office of issue and tender number; (ii) Brief specification of stores including I.S.I., Part number of Agmark. In case of paper I.S.I. Certification number, G.S.M., weight, type and other details; (iii) Quantity and estimated value; (iv) Office from which tender forms and the time and date upto which these can be obtained. (v) The time and date by which the tender should reach the office issuing the tender notice; (vi) Cost of tender forms, mode of payment and the fact that		43. Notice Inviting Bids.- (1) A procuring entity shall solicit bids in open competitive bidding and two stage bidding, or, where applicable, applications for pre-qualification by causing an invitation to bid or pre-qualify, as the case may be, to be published on the State Public Procurement Portal and on its own official website, if available. An abridged notice shall also be published in newspapers of adequate circulation, as prescribed in sub-rule (6) and (7) of this rule. (2) An invitation to bid to be published on the State Public Procurement Portal shall contain, at least, the following information, namely:- (a) the name and address of the procuring entity including email address, if any; (b) a summary of the principal required terms and conditions of the procurement contract or rate contract to be entered into as a result of the procurement proceedings, including the nature, quantity, time and place of delivery of the goods to be supplied, the works to be executed, or the services to be provided; (c) whether the bid procedure shall be conducted in a single stage or two stages and whether it is to be presented simultaneously in two envelopes (one envelope containing the technical, quality and performance characteristics of the bid and the other envelope containing the financial aspects of the bid); (d) the criteria and procedures to be used for evaluating the qualifications of bidders; (e) the procedure of obtaining the solicitation documents and the place from which they may be obtained; (f) the price, if any, charged by the procuring entity and the mode of payment for the solicitation documents and the amount of bid security and its form; (g) the manner, place and deadline for the submission of bids; (h) right of the procuring entity to cancel the bid process and reject any or all of the bids;

	<p>tender fees once paid would not be refundable;</p> <p>(vii) Earnest money and its form and exemption to S.S.I. units under rules;</p> <p>(viii) Time, date and place where tenders will be opened;</p> <p>(ix) Fact of exclusive reservation of those items to be purchased from SSI units mentioned in rule 62(3)(i);</p> <p>(x) Delivery period;</p> <p>(xi) Price Preference, if any; and</p> <p>(xii) Validity of tenders.</p>		<p>(i) the time, date and place of opening of bids;</p> <p>(j) whether any of the items of procurement are reserved for a specific category of bidders; and</p> <p>(k) any other important information.</p> <p>(3) An invitation to prequalify to be published on the State Public Procurement Portal shall contain, at least, the following information, namely:-</p> <p>(a) the name and address of the procuring entity including email address, if any;</p> <p>(b) a summary of the required principal terms and conditions, to the extent known at the time of invitation to prequalify, of the procurement contract or rate contract to be entered into as a result of the procurement proceedings, including the nature, quantity and place of delivery of the goods to be supplied, the nature and location of the works to be effected, or the nature of the services and the location where they are to be provided, as well as, the required time for the supply of the goods or for the completion of the works, or the timetable for the provision of the services, if already known;</p> <p>(c) the criteria and procedures to be followed for evaluating the qualifications of bidders;</p> <p>(d) the procedure of obtaining the pre-qualification documents and the place from which they may be obtained;</p> <p>(e) the price, if any, charged by the procuring entity and the mode of payment for the pre-qualification documents and subsequent to pre-qualification, for the bidding documents;</p> <p>(f) the manner, place and deadline for presenting applications to pre-qualify; and</p> <p>(g) the time, date and place of opening of proposals for prequalification.</p> <p>(4) [Deleted]</p> <p>(5) The Notice Inviting Bids to be published in the newspapers must be in brief. The bids for more than one subject matter of procurement shall be published in one Notice, as far as possible.</p>
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S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
22.	<p>Rule 46 : Cost of Tender forms for open tender :</p> <p>(i) In case of sale of tender forms, tender fee per tender form will be charged as under :-</p> <p>For value of Rs.50,001/- and upto Rs.10.00 lacs. Rs. 200/- For value above Rs. 10.00 lacs. Rs. 400/- Cost of drawing and specification will be charged extra.</p> <p>(ii) Tender Form shall be given at 50% of the prescribed cost] to S.S.I. units of Rajasthan on production of an attested copy of Registration alongwith Competency Certificate issued by the Director of Industries, Rajasthan or his subordinate officers at all districts.</p> <p>Note : (1) Any tender received other than on prescribed form shall not be entertained. The tender form can also be downloaded from the website and this shall be entertained. Cost of the tender form downloaded from the website shall be deposited by the tenderer separately as applicable by way of Demand Draft or in Cash alongwith the earnest money.</p> <p>(2) In case of e-procurement/ e-tender system the supplier can view the NIT and if interested, they can purchase/download the tender document by paying the tender fee either electronically (whenever such facility is created) or manually and submit their bids along with EMD. The suppliers will scan the documents and certificates that they are required to submit along with their bids and upload the scanned copies as part of their bids.</p>		<p>44. Price for bidding documents, pre-qualification documents or bidder registration documents and processing fee or user charges.- The price for the bidding documents, prequalification documents or registration documents shall be fixed after considering its preparation and delivering costs. The procuring entity may also charge processing fee or user charges for using e-procurement facility.</p> <p>45. Sale of bidding documents.- (1) The sale of bidding documents shall be commenced from the date of publication of Notice Inviting Bids and shall be stopped one day prior to the date of opening of bids. The complete bidding documents shall also be placed on the State Public Procurement Portal. The prospective bidders shall be permitted to download the bidding document from the website and pay its price while submitting the filled-up bidding document to the procuring entity, or e-procurement gateway, if the facility is available.</p> <p>(2) The bidding documents, pre-qualification documents or bidder registration documents shall be made available to any bidder who pays the price for it in cash or by bank demand draft, banker's cheque, unless the procurement is reserved for specific category of bidders:</p> <p>Provided that in case pre-qualification proceedings were held for a bidding process including registration or empanelment proceedings, the bidding documents shall be made available to only those bidders who have been prequalified or registered or empanelled, as the case may be.</p> <p>(3) A detailed account of bidding documents sold shall be kept. It shall also incorporate the details of the bidding documents downloaded from the website, when their price is paid at the time of submission of bid.</p> <p>(4) Bidding documents purchased by Principal of any concern may be used by its authorised sole selling agents/ marketing agents/ distributors/sub-distributors and authorised dealers or vice versa.</p>

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
23.	<p>Rule 47 : (1) Sale and account of Tender Form : All tender forms shall be signed at the top by the Purchase Officer before being sold to the intending tenderers. An account of the tender forms sold shall be kept in sale of tender form Register in form prescribed in S.R Form 9.</p> <p>(2) On receipt of the tender form downloaded from the website, entries shall be made in the register of sale of tender as required in sub-rule (1) above.</p> <p>(3) Tender forms purchased by Principals of any Concern may be used by its authorised sole selling agents/marketing agents/distributors/sub-distributors and authorised dealers or vice-versa.</p>		<p>45. Sale of bidding documents.- (1) The sale of bidding documents shall be commenced from the date of publication of Notice Inviting Bids and shall be stopped one day prior to the date of opening of bids. The complete bidding documents shall also be placed on the State Public Procurement Portal. The prospective bidders shall be permitted to download the bidding document from the website and pay its price while submitting the filled-up bidding document to the procuring entity, or e-procurement gateway, if the facility is available.</p> <p>(2) The bidding documents, pre-qualification documents or bidder registration documents shall be made available to any bidder who pays the price for it in cash or by bank demand draft, banker's cheque, unless the procurement is reserved for specific category of bidders:</p> <p>Provided that in case pre-qualification proceedings were held for a bidding process including registration or empanelment proceedings, the bidding documents shall be made available to only those bidders who have been prequalified or registered or empanelled, as the case may be.</p> <p>(3) A detailed account of bidding documents sold shall be kept. It shall also incorporate the details of the bidding documents downloaded from the website, when their price is paid at the time of submission of bid.</p> <p>(4) Bidding documents purchased by Principal of any concern may be used by its authorised sole selling agents/marketing agents/ distributors/ sub-distributors and authorised dealers or vice versa.</p>

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
24.	<p>Rule 48 :</p> <p>(i) Receipt of Tender Forms : All tenders shall be received upto the scheduled date and time preferably in a sealed box. In case of arrangements for personal delivery a receipt will be given. Tenders shall be entered in the Tender Receipt Register prescribed in S.R. Form 10.</p> <p>(ii) All tenders received unsealed or in torn/damaged condition through post or by personal delivery shall be so marked on the cover by the person receiving the same and put in a fresh cover and reseal if so warranted. All such entries shall be attested by the Purchase Officer.</p> <p>(iii) The Register of tenders shall be closed at the scheduled time giving in words and figures the number of tenders received in time.</p> <p>(iv) The tenders shall remain in personal custody in lock and key of Purchase Officer.</p> <p>(v) Tenders received by telegram or given in the form other than the prescribed form shall not be considered.</p> <p>(vi) All documents/letters received from tenderers as supplementary information or as a substitution/alternation of rates and condition of contract upto the time of receipt of tenders shall be distinctly recorded on the tender file.</p> <p>(vii) Declaration by the tenderers Intending tenderers shall furnish a declaration in S.R. Form 11 that they are bonafide Manufacturers/Wholesalers/Sole or Sub-Distributors/Sole-selling/Marketing Agent/ Authorised Dealers/Dealers in the goods/ stores equipments of which they have tendered.</p>	<p>24. The procedure relating to submission, opening and evaluation of bids.- Subject to the terms and conditions as may be laid down in the bidding documents, submission of bids, opening and evaluation of bids, including constitution of committees for those purposes shall be in accordance with the rules as may be prescribed.</p>	<p>39. Eligibility of bidders.- (4) In case of procurement of goods, bidder must be a manufacturer, distributor or bona-fide dealer in the goods and it shall furnish necessary proof for the same in the specified format. Where applicable, proof of authorisation by the manufacturer or country distributor in India, shall be enclosed.</p> <p>53. Receipt and Custody of Bids.- (1) The bids shall be received by hand delivery, by courier or by post in the specified format up to the specified time and date and at the specified place, by the person authorised by the procuring entity except when bids are received through e-procurement or they are directly dropped in the bid box.</p> <p>(2) The person authorised to receive the bids shall provide a receipt signed by him with date and time of receipt of bid to the person, who delivers the bid.</p> <p>(3) All bids received unsealed, in torn or damaged condition through post or by personal delivery shall be so marked and signed on the cover by the person receiving the same and get signed on it by the person delivering it and put in a fresh cover and reseal, if so warranted. All such entries shall be attested by the receiving person.</p> <p>(4) Preferably, all bids received shall be put into a duly locked bid box placed for receiving the bids. In the absence of a bid box, the received bids shall be kept in safe custody in lock and key by the person authorised to receive the bids.</p> <p>(5) The location of bid box shall be such as to facilitate easy access to bidders. The bid box shall have two sealed locks. The key of one of the locks shall remain with the procuring entity and the key of the other lock shall be with the person authorised to receive the bids.</p> <p>(6) Bids received by the authorised person on or before the time and date fixed for receipt of bids shall be entered in bids receipt register and the same shall be closed at the scheduled time and date giving in words and figures the number of bids received up to the last time and date for submission of bids.</p> <p>(7) The record of bids received late through post shall be entered in bids receipt register after closing the register as per sub-rule (6).</p> <p>(8) Bids received by telegram or given on form other than the prescribed form shall not be considered.</p> <p>(9) In case of e-tendering, that is to say bid proposals submitted through electronic methods, the same shall be submitted in accordance with the procedure outlined on the State Public Procurement Portal.</p>

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
25.	<p>Rule 49 : (1) Delayed/Late tenders : The department/office shall continue to receive delayed tenders (i.e. tenders received before the time of opening but after the prescribed time of receipt of tenders). These tenders shall also be entered in the Register of tender after the closure of the register. The tenders so received shall be marked time and date and initialed by the receiving officer. Late tenders (i.e tenders received after the specified time of opening) shall not be considered at all.</p> <p>(2) The Purchasing Officer shall furnish full details of tenders received in time, and delayed tender to the Purchase Committees.</p>		<p>52. Late bids.- The person authorised to receive the bids shall not receive any bid that is submitted personally, after the time and date fixed for submission of bids. Any bid which arrives by post after the deadline for submission of bids shall be declared and marked as “Late” and returned unopened to the bidder by registered post.</p>

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
26.	<p>Rule 50 : (i) The Government at its discretion may form Departmental Purchase Committee of atleast 3 Members for departments like Education, Jail, Medical, Police, Agriculture, Animal Husbandry, P.W.D., PHED, Irrigation, Forest, Ayurved, Printing & Stationery and other big departments/projects for recommending purchases for the value of items exceeding Rs.10.00 lacs or for those common items whose rate contracts are required to be entered into for department as a whole. The senior most member of Accounts Service/Subordinate Accounts Service should necessary be member of the committee and one other will be Technical Officer.</p> <p>(ii) For purchases upto rupees ten lacs, there will be Purchase Committees at the level of the Head of the Department, Regional Office and the Head of Office. The minimum number of members of this Committee would be three.</p> <p>Out of three members, one would be Head of the Department/Regional Officer/Head of Office who will be the Presiding Officer, second member would be the ¹[Senior Most Accounts person of Accounts Wing] of the Department/Regional Office/Subordinate offices ²[or Treasury Officer/Assistant Treasury Officer or his nominee not below the rank of Accountant/Junior Accountant where there is no such post in the Department,] as the case may be. The third member shall be as nominated by the Presiding Officers. The meeting of the purchase committee shall not be held unless the accounts member in present.</p> <p>(iii) The Purchase Committee may associate Experts/Technical Officers in cases where they are required to make purchases involving technical aspects.</p> <p>(iv) Case of limited and open tenders only shall be placed before the committees.</p> <p>(v) A representative of the Industries Department shall also be a member of the Committee constituted as per clause (i) and (ii) above, if the purchased items are reserved in Schedule-I under Purchase of stores (Preference to Industries of Rajasthan) Rules, 1995. However, the member in the Committee constituted under clause (i) above shall not be below the rank of Joint Director/Dy. Director/ Assistant Director of Industries Department/General Manager, District Industries Centre.</p> <p>Note :- 1. The purchasing officer will get the committee appointed before issue of the tender notice. The tender conditions and other formalities of the tender would be approved by the committee before floating N.I.T.</p> <p>2. The member secretary of the committee shall be responsible for the following :-</p> <p>(a) Proper agenda note.</p> <p>(b) Comparative statement of bids.</p> <p>(c) Statement of cost rates of the items tendered.</p> <p>(d) Justification of the rates received with reference to past offers and recommendations. Any deviation from the prescribed norms should also be justified clearly.</p>		<p>3. Procurement committees.- (1) Every procuring entity shall constitute one or more committees for the following purposes, namely:</p> <p>-</p> <p>(a) Preparation of bidding documents;</p> <p>(b) Opening of bids;</p> <p>(c) Evaluation bids;</p> <p>(d) Monitoring of contract;</p> <p>(e) Spot Purchase;</p> <p>(f) Competitive negotiation; and</p> <p>(g) Any other purpose relating to procurement, as may be decided by the procuring entity.</p> <p>(2) Each committee shall consist of three or more members including senior most accounts officer or official of the procuring entity, and if required, a technical official may be nominated by the procuring entity. A consultant, as subject matter specialist, may also be nominated in the committee by the procuring entity, after recording reasons, with the prior approval of the competent authority.</p> <p>(3) In complex projects, the work of preparation of project report or bidding documents may be assigned to consultants with the prior approval of the competent authority.</p>

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
27.	<p>Rule 51 : Rate contracts for common items : The Departments may, where common items are used in the offices on a large scale, enter into annual rate contracts with the firms at their level for making supply of articles needed by these offices.</p>	<p>36. Rate contract.- (1) A procuring entity may choose to engage in a rate contract procedure in accordance with the rules as may be made in this behalf, where it determines that-</p> <p>(a) the need for the subject matter of procurement is expected to arise on an indefinite or repeated basis during a given period of time;</p> <p>(b) by virtue of the nature of the subject matter of procurement, the need for it may arise during a given period of time.</p>	<p>29. Rate contract.- (1) In addition to the conditions included in sub-section (1) of section 36 for adopting the method of rate contract, a procuring entity may adopt the method of rate contract, when it determines that by virtue of the nature of subject matter of procurement, the need for that subject matter may arise on an urgent basis during a given period of time.</p> <p>(2) The procedure for rate contract shall be as under:-</p> <p>(a) A procuring entity may award a rate contract by the method of open competitive bidding. If it is not possible to adopt the method of open competitive bidding, the procuring entity after recording reasons may adopt another method of procurement. An approximate quantity of required goods, works or service during the period shall be indicated in the Notice Inviting Bids, but no minimum quantity is guaranteed.</p> <p>(b) The period of rate contract shall be generally one year, preferably a financial year to match with budget provisions and levy of taxes. It may be a shorter period, if variations in market prices are expected to be significant. It may also be a longer period up to maximum two years, if the variations in market prices are not expected to be significant. The reasons for selecting the period for rate contract shall be recorded.</p> <p>(c) In the first stage single part or two part bids shall be invited in accordance with the provisions of section 13.</p> <p>(d) A rate contract shall be entered, for price without a commitment for quantity, place and time of supply of subject matter of procurement, with the bidder of lowest priced bid or most advantageous bid.</p> <p>(e) In the second stage supply or work order shall be placed at the contracted price for supply or execution of the required quantity of the subject matter of procurement mentioning the place of supply or execution, delivery schedule, etc., as and when needed.</p> <p>(f) Rate contracts may be entered with more than one bidder as parallel rate contracts provided there is such provision in the bidding documents, in the order of their standing in final evaluation, by giving them counter offer of prices of the lowest or most advantageous bidder, in order to secure prompt delivery of goods or services or execution of works, if the quantity of the subject matter of procurement required is beyond the capacity of the lowest bidder or the subject matter of procurement is of critical or vital nature.</p> <p>(g) The terms and conditions of the rate contract including</p>

			<p>provision for liquidated damages shall be similar to those prescribed for procurement by open competitive bidding.</p> <p>(h) The prices under a rate contract shall be subject to price fall clause. A clause regarding price fall shall be incorporated in the terms and conditions of rate contract. Price fall clause is a price safety mechanism in rate contracts and it provides that if the rate contract holder quotes / reduces its price to render similar goods, works or services at a price lower than the rate contract price to anyone in the State at any time during the currency of the rate contract, the rate contract price shall be automatically reduced with effect from the date of reducing or quoting lower price, for all delivery of the subject matter of procurement under that rate contract and the rate contract shall be amended accordingly. The firms holding parallel rate contracts shall also be given opportunity to reduce their price by notifying them the reduced price giving them fifteen days time to intimate their acceptance to the revised price. Similarly, if a parallel rate contract holding firm reduces its price during currency of the rate contract, its reduced price shall be conveyed to other parallel rate contract holding firms and the original rate contract holding firm for corresponding reduction in their prices. If any rate contract holding firm does not agree to the reduced price, further transaction with it, shall not be conducted.</p> <p>(i) It should be ensured that new rate contracts become operative right after the expiry of the existing rate contracts without any gap. In case it is not possible to conclude the new rate contracts due to unavoidable reasons, the existing rate contracts may be extended on same price, terms and conditions for a period not exceeding 3 months. In such cases it shall be ensured that market prices have not fallen down during the period for the subject matter of procurement or its constituents, to be procured under the rate contract.</p> <p>(j) Except as otherwise provided in this rule all other provisions of Chapter-V shall, mutatis mutandis, apply.</p>
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S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
28.	<p>Rule 52 : (i) Opening of tenders : Tenders shall be opened on the date and time mentioned in the tender notice in the presence of such of the tenderers or their authorised representative who may choose to attend.</p> <p>(ii) Name of firms or their authorised representatives shall be read out. A list of representatives present shall be prepared in the S.R. Form 12 and attached with the proceedings. Rate as mentioned in tender and other details shall also be read out.</p> <p>(iii) Each tender and schedules shall be signed with date by the persons opening the tender.</p> <p>(iv) Alterations/corrections/additions/over-writings shall be initialled legibly to make it clear that such alteration, etc., were existing on the tender at the time of opening.</p> <p>(v) Details of delayed tenders/earnest money received shall be declared.</p> <p>(vi) Samples asked for and received shall be disclosed.</p> <p>(vii) The tenders opened shall be numbered as a/b, where "a" denotes the serial number of tender and "b" total number of tenders received.</p> <p>(viii) In case of e-procurement/ e-tender system, the purchase department will at the specified date and time open the Technical/Financial bid, as the case may be, of all the bidders and evaluate the</p>	<p>24. The procedure relating to submission, opening and evaluation of bids.- Subject to the terms and conditions as may be laid down in the bidding documents, submission of bids, opening and evaluation of bids, including constitution of committees for those purposes shall be in accordance with the rules as may be prescribed.</p>	<p>55. Opening of bids.- (1) The sealed bid box shall be opened by the bid opening committee constituted by the procuring entity at the time, date and place specified in the bidding documents in the presence of the bidders or their authorised representatives, who choose to be present.</p> <p>(2) The bids receiving person shall also hand over all the bids received by him up to the time and date for submission of bids to the Convener of bids opening committee and obtain its signature in the bids receipt register.</p> <p>(3) The bid opening committee may co-opt experienced persons in the committee to conduct the process of bid opening.</p> <p>(4) If electronic bidding is adopted, specific electronic bid opening procedure as specified on the State Public Procurement Portal shall be followed. The bidders may witness the electronic bid opening procedure online.</p> <p>(5) The bids shall be opened by the bids opening committee in the presence of the bidders or their authorised representatives who choose to be present. All envelopes containing bids shall be signed with date by the members of the committee in token of verification of the fact that they are sealed. The envelopes shall be numbered as a/n, where 'a' denotes the serial number at which the bid envelop has been taken for opening and 'n' denotes the total number of bids received by specified time.</p> <p>(6) The bid opening committee shall prepare a list of the bidders or their representatives attending the opening of bids and obtain their signatures on the same. The list shall also contain the representative's name and telephone number and corresponding bidders' names and addresses. The authority letters brought by the representatives shall be attached to the list. The list shall be signed by all the members of bid opening committee with date and time of opening of the bids.</p> <p>(7) First, envelopes marked as "WITHDRAWAL" shall be opened, read out, and recorded and the envelope containing the corresponding bid shall not be opened, but returned to the bidders. No bid shall be permitted to be withdrawn unless the corresponding withdrawal notice contains a valid authorisation to request the withdrawal and readout and recorded in bid opening. If the withdrawal notice is not accompanied by the valid authorisation, the withdrawal shall not be permitted and the corresponding bid shall be opened. Next, envelopes marked as "SUBSTITUTION" shall be opened, read out, recorded and exchanged for the corresponding bid being substituted and the substituted bid shall not be opened, but returned to the bidder. No bid shall be substituted unless the corresponding substitution notice contains a valid authorisation to request the substitution and is read out and recorded at bid opening. Envelopes marked as "MODIFICATION" shall be opened thereafter, read out and recorded with the corresponding bid. No bid shall be modified unless the corresponding modification notice contains a valid authorisation to request the modification and is read out and recorded at bid opening. Only envelopes that are opened, read out, and recorded at bid opening shall be considered further.</p> <p>(8) All other envelopes shall be opened one at a time and the following details shall be read out and recorded-</p> <p>(a) the name of the bidder and whether there is a substitution or modification;</p> <p>(b) the bid prices (per lot if applicable);</p>

<p>financial bids, the system will automatically prepare the bid comparative statement for evaluation.</p>		<p>(c) the bid security, if required; and (d) any other details as the committee may consider appropriate.</p> <p>After all the bids have been opened, they shall be initialed and dated on the first page of the each bid by the members of the bids opening committee. All the pages of the price schedule and letters, Bill of Quantities attached shall be initialed and dated by the members of the committee. Key information such as prices, delivery period, etc. shall be encircled and unfilled spaces in the bids shall be marked and signed with date by the members of the committee. The original and additional copies of the bid shall be marked accordingly. Alterations/corrections/additions/overwritings shall be initialed legibly to make it clear that such alteration, etc., were existing in the bid at the time of opening.</p> <p>(9) No bid shall be rejected at the time of bid opening except the late bids, alternative bids (if not permitted) and bids not accompanied with the proof of payment or instrument of the required price of bidding documents, processing fee or user charges and bid security.</p> <p>(10) The bid opening committee shall prepare a record of the bid opening that shall include the name of the bidder and whether there is a withdrawal, substitution, or modification, the bid price, per lot (if applicable), any discounts and alternative offers (if they were permitted), any conditions put by bidder and the proof of the payment of price of bidding documents, processing fee or user charges and bid security. The bidders or their representatives, who are present, shall sign the record. The omission of a bidder's signature on the record shall not invalidate the contents and effect of the record. The members of the committee shall also sign the record with date.</p> <p>(11) In case of two part bids, only outer envelopes and envelopes marked as "Technical Bid" shall be opened in the sequence of the serial numbers marked on them. The envelopes marked as "Financial Bid" shall be kept intact and safe and shall be opened of only those bidders who qualify in the evaluation of their Technical Bids in the manner as mentioned in sub-rule (3) to (10) above, on the date and time to be intimated to those bidders.</p> <p>(12) In case of two stage bidding the proposals received in response to invitation of Expression of Interest or Request for Qualification in the first stage shall be opened as per the procedure specified in sub-rules (3) to (10) for the opening of Single Part bid. The procedure for opening of second stage bids shall be similar to that for opening of Two Part bids, specified in sub-rule (11). In case Technical and Financial bids are invited in single envelop in second stage, the procedure for opening of the bids shall be as specified in sub-rule (3) to (10).</p>
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S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
29.	<p>Rule 53: Tabulation of tenders : The tenders received in time shall be tabulated by the Purchase Officer in a form which may indicate the following details :</p> <ul style="list-style-type: none"> (i) Names of tenderers; (ii) Specifications of stores; (iii) Quantity mentioned in the tender; (iv) Rates quoted per unit; (v) Taxes, Rajasthan Sales Tax, Central Sales Tax, separately; (vi) Excise duty; (vii) Local taxes, packing and forwarding, freight, insurance, etc.; (viii) Quantity and make offered; (ix) Delivery period; (x) Mode of payment; (xi) Rebate of Discount; (xii) Previous supply/performances of the contractors with name of the departments; (xiii) Validity; (xiv) Payment of earnest money or exempted (supported by prescribed certificates); (xv) Price Preference; (xvi) Income-tax/ Sales tax clearance certificate; (xvii) Supply capacity; (xviii) Sample(s) offered of Report on the sample(s) offered; (xix) Guarantee/Warranty period/information/conditions if any, received after opening of tenders shall be conspicuously recorded. 		<p>57. Tabulation of Technical bids.- (1) If Technical bids have been invited, they shall be tabulated by the bids evaluation committee in the form of a comparative statement to evaluate the qualification of the bidders against the criteria for qualification set out in the bidding documents. The table may include following:-</p> <ul style="list-style-type: none"> (a) Name and address of the bidder including e-mail address, if any; (b) Reference of registration/ empanelment, if any, with the procuring entity or other procuring entity; (c) Is there any substitution or modification of the original bid; (d) Whether the bidder fulfills the eligibility criteria given in the bidding documents; (e) Whether the bid has been signed by the bidder or an authorised person (whether valid document of authority is enclosed); (f) Whether proof of payment of price of bid documents given; (g) Whether proof of payment of processing fee or user charges, if any, bid security or the instrument of bid security or bid securing declaration given; (h) Response to the required qualification criteria and allotment of marks for them, or whether meets the minimum standards fixed for each criterion in the bidding documents for,- <ul style="list-style-type: none"> (i) availability of financial resources; (ii) past performance and experience; (iii) technical and professional competence including requirement of technical/ professional/ specialist personnel and availability of required machinery and equipment; (iv) managerial resources and competence; (v) whether proof/ declaration has been given as required under clauses (b) to (e) of sub-section (2) of section 7; (vi) any other qualification criteria fixed in accordance with the provisions of section 7. <p>(i) Result of evaluation of Technical bids, whether qualified or not, if not, reasons thereof.</p> <p>(2) The members of bids evaluation committee shall give their recommendations below the table as to which of the bidders have been found to be qualified in evaluation of Technical bids and sign it.</p> <p>(3) The format of the table given in sub-rule (1) may also be used, mutatis mutandis, for evaluation of proposals received in response to Registration/ Empanelment of bidders, Request for Qualifications/ Expression of Interest in first stage of Two-stage bidding process. This format may also be used, mutatis mutandis, for evaluation of Technical Bid in the second stage of the Two Stage bidding, if Technical bids have been invited separately.</p> <p>58. Tabulation of Financial bids.- (1) After evaluation of Technical bids the Financial bids shall be tabulated by the bids evaluation committee in the form of</p>

			<p>a comparative statement to evaluate the lowest or most advantageous bid on the basis of evaluation criteria set out in the bidding documents. The table may include following:-</p> <ul style="list-style-type: none"> (a) Name and address of the bidders including e-mail address, if any; (b) If evaluation of Technical bids has taken place, whether the bidder has qualified in evaluation of Technical bids; (c) Specifications of the subject matter of procurement offered; (d) Rates quoted per unit, per item and total price of each item quoted or percentage above, below on the rates given in the bidding documents, as the case may be; (e) Taxes as applicable, shall be shown separately; (f) Packing and forwarding charges, freight, insurance etc.; (g) Total cost per unit, per item and all items including all cost and taxes; (h) Discount, rebate if any (if permitted); (i) Alternative offers (if permitted); (j) Delivery/completion period quoted; (k) Validity period of bids quoted; (l) Mode of payment quoted; (m) Samples, trials offered (if asked for) and results of sample testing and trials conducted; (n) Guarantee/warranty/defect liability period quoted, if asked for; (o) Contract maintenance period quoted, if asked for; (p) Response to any other information asked for in the bidding documents; (q) Any conditions quoted different from those included in the bidding documents; (r) Is there any material deviation, reservation or omission from the required specifications and terms and conditions set out in the bidding documents; (s) Result of evaluation of financial bids- standing of the bidder in financial evaluation; (t) Combined evaluation of Technical and Financial bids, if stipulated in the bidding documents- standing of the bidder in combined evaluation of Technical and Financial bids; <p>(2) If only Single Part bids have been invited, then the information specified in clause (b), (c), (d), (e), (f), (g) and subclause (v) of clause (h) of sub-rule (1) of rule 57 shall also be included in the table.</p> <p>(3) The table given in sub-rule (1) may also be used for evaluation of Financial bids, in second stage of Two Stage bidding.</p> <p>(4) The members of bids evaluation committee shall give their recommendations below the table regarding lowest bid or most advantageous bid and sign it.</p>
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S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
30.	<p>Rule 54: Comparison of rates of firms outside and those in Rajasthan: While tabulating the tenders of those firms which are not entitled to price preference, the element of Rajasthan Sales Tax shall be excluded from the rates quoted by the firms of Rajasthan and the element of Central Sales Tax shall be included in the rates of firms outside Rajasthan. In such case if the price of any commodity being offered for sale by firms in Rajasthan is the same or lower (excluding element of Rajasthan Sales Tax) than the price of firm outside Rajasthan (including element of Central Sales Tax), the commodity shall be purchased from the firm in Rajasthan.</p>		<p>33. Purchase or price preference in procurement.- A procuring entity shall provide price preference or purchase preference in procurement, to the category of bidders as notified by the State Government, from time to time.</p> <p>67. Price / purchase preference in evaluation.- Price and /or purchase preference notified by the State Government and as mentioned in the bidding documents shall be considered in the evaluation of bids and award of contract.</p>

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
31.	<p>Rule 55 : (1) Approval of Purchase Committee : The purchase Committee after due consideration of tenders, their conditions, financial implications, seeing samples, test reports if any, discussions with the tenderers about the important features of their articles, etc., may approve tender. In cases where there is a disagreement by the Accounts member, tenders will be considered by the next higher Purchase Committee and in case of Departmental Purchase Committee by the Finance Department.</p> <p>(2) Approval of rates of more than one firm : The Departmental Purchase Committee</p>		<p>59. Determination of responsiveness.- (1) The bid evaluation committee shall determine the responsiveness of a bid on the basis of bidding documents and the provisions of sub-section (2) of section 7.</p> <p>(2) A responsive bid is one that meets the requirements of the bidding documents without material deviation, reservation, or omission where: -</p> <p>(a) “deviation” is a departure from the requirements specified in the bidding documents;</p> <p>(b) “reservation” is the setting of limiting conditions or withholding from complete acceptance of the requirements specified in the bidding documents; and</p> <p>(c) “Omission” is the failure to submit part or all of the information or documentation required in the bidding documents.</p> <p>(3) A material deviation, reservation, or omission is one that,</p> <p>(a) if accepted, shall:-</p> <p>(i) affect in any substantial way the scope, quality, or performance of the subject matter of procurement specified in the bidding documents; or</p> <p>(ii) limits in any substantial way, inconsistent with the bidding documents, the procuring entity’s rights or the bidder’s obligations under the proposed contract; or</p> <p>(b) if rectified, shall unfairly affect the competitive position of other bidders presenting responsive bids.</p> <p>(4) The bid evaluation committee shall examine the technical aspects of the bid in particular, to confirm that all requirements of bidding document have been met without any material deviation, reservation or omission.</p> <p>(5) The procuring entity shall regard a bid as responsive if it conforms to all requirements set out in the bidding documents, or it contains minor deviations that do not materially alter or depart from the characteristics, terms, conditions and other requirements set out in the bidding documents, or if it contains errors or oversights that can be corrected without touching on the substance of the bid.</p> <p>70. Acceptance of the successful bid and award of contract.- (1) The procuring entity after considering the recommendations of the bid evaluation committee and the conditions of bid, if any, financial implications, trials, sample testing and test reports, etc., shall accept or reject the successful bid. If any member of the bid evaluation committee, has disagreed or given its note of dissent, the matter shall be referred to the next higher authority, as per delegation of financial powers, for decision.</p> <p>74. Dividing quantities among more than one bidder at the time of</p>

<p>appointed by the Government may approve wherever considered necessary rates of more than one firm at the lowest rates in order to ensure regular supply of stores where the lowest tenderer is not in a position to make supply of required quantity of stores. The Committee may also approve rates of more than one firm other than the lowest tenders.</p> <p>(3) Approval of other than lowest offer :</p> <p>(i) Where it is not possible to accept the lowest offer for reasons such as quality of stores/equipments, past performance of lowest tenderer, unusual terms of payment or other similar reasons, purchases may be made from other than lowest tenderer by the Purchase Committee at the level of Department and Head of Department. Reasons shall be recorded.</p> <p>(ii) Purchases from firms other than the lowest tenders in case of Committee at regional level shall be referred to next higher Committees.</p> <p>(iii) In case of single tender received in response to N.I.T., the next higher Committee may decide to sanction or re-invite after recording reasons. The Departmental Committee constituted by the Government shall however, be competent to decide itself.</p> <p>Note : 1. It would not be necessary to re-tender if the number of tender received is less than three even after wide</p>	<p>award.- As a general rule all the quantities of the subject matter of procurement shall be procured from the bidder, whose bid is accepted. However, when it is considered that the quantity of the subject matter of procurement to be procured is very large and it may not be in the capacity of the bidder, whose bid is accepted, to deliver the entire quantity or when it is considered that the subject matter of procurement to be procured is of critical and vital nature, in such cases, the quantity may be divided between the bidder, whose bid is accepted and the second lowest bidder or even more bidders in that order, in a fair, transparent and equitable manner at the rates of the bidder, whose bid is accepted if such condition is specified in the bidding documents. Counter offer to first lowest bidder (L1), in order to arrive at an acceptable price, shall amount to negotiation. However, any counter offer thereafter to second lowest bidder (L2), third lowest bidder (L3) etc., (at the rates accepted by L1) in case of splitting of quantities, as pre- disclosed in the bidding documents, shall not be deemed to be a negotiation.</p> <p>68. Lack of competition.- (1) A situation may arise where, if after evaluation of bids the bid evaluation committee may end-up with one responsive bid only, in such situation, the bid evaluation committee should check as to whether while floating the Notice Inviting Bids all necessary requirements to encourage competition like standard bid conditions, industry friendly specifications, wide publicity, sufficient time for formulation of bids, etc. were fulfilled. If not, the Notice Inviting Bids should be refloated after rectifying deficiencies. The bid process shall be considered valid even if there is one responsive bid, provided that-</p> <p>(a) the bid is technically qualified;</p> <p>(b) the price quoted by the bidder is assessed to be reasonable;</p> <p>(c) the bid is unconditional and complete in all respects;</p> <p>(d) there are no obvious indicators of cartelisation amongst bidders; and</p> <p>(e) the bidder is qualified as per the provisions of section 7</p> <p>(2) The bid evaluation committee shall prepare a justification note for approval of the procuring entity, clearly including views of the accounts/finance member of the committee.</p> <p>(3) The procuring entity competent to decide a procurement case, as per delegation of financial powers, shall decide as to whether to sanction the single bid or re-invite bids after recording its reasons for doing so.]</p> <p>(4) If a decision to re invite the bids is taken, market assessment shall be carried out for estimation of market depth, eligibility criteria and cost estimate.</p> <p>40. (2) A decision on acceptance or rejection of bids invited in a procurement process must be taken by the competent sanctioning authority within the period as</p>
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<p>publicity and the Committee is satisfied that the rates received are fair and reasonable.</p> <p>2. The tenders once cancelled shall not be considered at any level because the Offers once cancelled become invalid.</p> <p>3: The tender shall remain open for consideration of the committee from the date of opening of financial bid up to the period given below:-</p> <ol style="list-style-type: none"> 1. At the level of Purchase Committee upto 30 days. 2. At the level of Departmental Purchase Committee upto 60 days. <p>In case the tender is not considered within the prescribed period, the next higher committee may consider the tender. In case of Departmental purchase committee, such tenders may be considered by the Administrative Department. The reasons shall, however, be recorded in writing for not considering the tender within the prescribed time.</p> <p>4: 'Single Tender' means only one evaluated responsive/eligible bid in an open tender, whether one or more bids were received in response to the 'Notice Inviting Tender'.</p>		<p>given below, even if the period of validity may be more, from the date of opening of technical bids where two envelope system is followed, otherwise from the date of opening of financial bids. If the decision is not taken within the given time period by the concerned sanctioning authority, reasons of not taking decision within the given time period shall be specifically recorded by the competent sanctioning authority while taking its decision.</p> <p style="text-align: center;">Table Time schedule for decision on the bids by the competent authority</p>
S. No.	Authority competent to take decision	Time allowed for decision
1	2	3
1.	Head of Office or Executive Engineer	Twenty days
2.	Regional Officer or Superintending Engineer	Thirty Days
3.	Head of the Department or Chief Engineer/Additional Chief Engineer	Forty days
4.	Administrative Department concerned/ Finance Committee/ Board/Empowered Committee/ Empowered Board, etc.	Fifty days

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
32.	<p>Rule 56 : Acceptance of tenders and issue of supply orders :</p> <p>(i) As soon as a tender is accepted, an intimation to this effect shall be promptly conveyed. In cases where a specific stipulation has been made by a tenderer that he should be informed of the acceptance by a particular date and in a particular manner, the same should be strictly followed and acceptance conveyed.</p> <p>(ii) The acceptance is complete as soon as it is posted where the post the medium of communication between the parties. Proper care shall be taken to address the letter or telegram correctly.</p> <p>(iii) In cases, however, where due to unavoidable circumstances the dispatch or the acceptance is likely to be delayed, the tenderer shall be requested to extend validity as in absence of such extension, the contract will not be a valid one.</p> <p>(iv) The tenderer shall be asked to execute agreement bond on a non-judicial stamp paper of prescribed value at his cost.</p> <p>(v) The agreement shall include all important conditions, counter conditions accepted and all correspondence exchanged with the firm.</p> <p>(vi) The unsuccessful tenderer shall be informed simultaneously and asked to collect their samples and earnest money.</p>		<p>70. Acceptance of the successful bid and award of contract.- (1) The procuring entity after considering the recommendations of the bid evaluation committee and the conditions of bid, if any, financial implications, trials, sample testing and test reports, etc., shall accept or reject the successful bid. If any member of the bid evaluation committee, has disagreed or given its note of dissent, the matter shall be referred to the next higher authority, as per delegation of financial powers, for decision.</p> <p>(2) Decision on bids shall be taken within original validity period of bids and time period allowed to procuring entity for taking decision. If the decision is not taken within the original validity period or time limit allowed for taking decision, the matter shall be referred to the next higher authority in delegation of financial powers for decision.</p> <p>(3) Before award of the contract, the procuring entity shall ensure that the price of successful bid is reasonable and consistent with the required quality.</p> <p>(4) A bid shall be treated as successful only after the competent authority has approved the procurement in terms of that bid.</p> <p>(5) The procuring entity shall award the contract to the bidder whose offer has been determined to be the lowest or most advantageous in accordance with the evaluation criteria set out in the bidding documents and if the bidder has been determined to be qualified to perform the contract satisfactorily on the basis of qualification criteria fixed for the bidders in the bidding documents for the subject matter of procurement.</p> <p>(6) Prior to the expiration of the period of bid validity, the procuring entity shall inform the successful bidder, in writing, that its bid has been accepted.</p> <p>(7) As soon as a bid is accepted by the competent authority, its written intimation shall be sent to the concerned bidder by registered post or email and asked to execute an agreement in the format given in the bidding documents on a non judicial stamp of requisite value and deposit the amount of performance security or a performance security declaration, if applicable, within a period specified in the bidding documents or where the period is not specified in the bidding documents then within fifteen days from the date on which the letter of acceptance or letter of intent is despatched to the bidder.</p>

			<p>(8) If the issuance of formal letter of acceptance is likely to take time, in the meanwhile a Letter of Intent (LOI) may be sent to the bidder. The acceptance of an offer is complete as soon as the letter of acceptance or letter of intent is posted and/ or sent by email (if available) to the address of the bidder given in the bidding document. Until a formal contract is executed, the letter of acceptance or Letter of Intent shall constitute a binding contract.</p> <p>(9) The bid security of the bidders whose bids could not be accepted shall be refunded soon after the contract with the successful bidder is signed and its performance security is obtained.</p> <p>71. Information and publication of award.- Information of award of contract shall be communicated to all participating bidders and published on the State Public Procurement Portal in accordance with provisions of sub-section (3) of section 27.</p> <p>76. Execution of agreement.- (1) A procurement contract shall come into force from the date on which the letter of acceptance or letter of intent is despatched to the bidder.</p> <p>(2) The successful bidder shall sign the procurement contract within a period specified in the bidding document or where the period is not specified in the bidding document then within fifteen days from the date on which the letter of acceptance or letter of intent is despatched to the successful bidder.</p> <p>(3) If the bidder, whose bid has been accepted, fails to sign a written procurement contract or fails to furnish the required performance security within specified period, the procuring entity shall take action against the successful bidder as per the provisions of the Act and these rules. The procuring entity may, in such case, cancel the procurement process or if it deems fit, offer for acceptance the rates of lowest or most advantageous bidder to the next lowest or most advantageous bidder, in accordance with the criteria and procedures set out in the bidding documents.</p> <p>(4) The bidder shall be asked to execute the agreement on a nonjudicial stamp of specified value at its cost.</p>
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S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
33.	<p>Rule 57 : (1) Earnest money/Security deposit :</p> <p>(i) Earnest money and security deposit will not be taken in case of small orders and limited tenders. However, in cases of purchases made in accordance with rule 43 of these rules, prescribed earnest money and security deposit shall be taken.</p> <p>(ii) In case of open tender earnest money will be 2% of the estimated value recorded to rounded to next ten rupees.</p> <p>(iii) Security Deposit : Security deposit shall be furnished by the successful to tender equal 5% of the value of the stores.</p> <p>The earnest money of successful tenderer will be adjusted towards security deposit and the balance will be recovered at the time of execution of agreement or commencement of the supply whichever is earlier.</p> <p>Rule 57 : (2) Exemption from Earnest money/Security deposit :</p> <p>(2) Exemption/partial exemption from payment of earnest money/security deposit:</p> <p>(a) Earnest money/security deposit will not be taken from the following :</p> <p>(i) Undertakings, Corporations, Autonomous bodies, Registered Societies, Cooperative Societies which are controlled/managed by Government, Government Undertakings and Companies of Union Government and Government of Rajasthan.</p> <p>(ii) For purchase of articles through limited tender.</p>		<p>42. Bid security.- (1) Bid security shall not be taken in case of petty procurement valuing up to rupees ten thousand and procurement by the methods of limited bidding under clause (b) and (c) of sub-section (1) of section 30, request for quotations, spot purchase, single source procurement and competitive negotiations.</p> <p>(2) In case of open competitive bidding, two-stage bidding, rate contract, electronic reverse auction, bid security shall be 2% or as specified by the State Government of the estimated value of subject matter of procurement put to bid. In case of Small Scale Industries of Rajasthan it shall be 0.5% of the quantity offered for supply and in case of sick industries, other than Small Scale Industries, whose cases are pending with Board of Industrial and Financial Reconstruction, it shall be 1% of the value of bid. Concessional bid security may be taken from registered bidders as specified by the State Government. Every bidder, if not exempted, participating in the procurement process shall be required to furnish the bid security as specified in the notice inviting bids.</p> <p>(3) In lieu of bid security, a bid securing declaration shall be taken from the,-</p> <p>(i) Departments/Boards of the State Government or Central Government;</p> <p>(ii) Government Companies as defined in clause (45) of section 2 of the Companies Act, 2013;</p> <p>(iii) Company owned or controlled, directly or indirectly, by the Central Government, or by any State Government or Governments, or partly by the Central Government and partly by one or more State Governments which is subject to audit by the Auditor appointed by the Comptroller and Auditor-General of India under sub-section (5) or (7) of section 139 of the Companies Act, 2013; or</p> <p>(iv) Autonomous bodies, Registered Societies, Cooperative Societies which are owned or controlled or managed by the State Government or Central Government.]</p> <p>(4) Bid security instrument or cash receipt of bid security or a bid securing declaration shall necessarily accompany the sealed bid.</p> <p>(5) Bid security of a bidder lying with the procuring entity in respect of other bids awaiting decision shall not be adjusted towards bid security for the fresh bids. The bid security originally deposited may, however, be taken into consideration in case bids are re-invited.</p> <p>(6) The bid security may be given in the form of cash, a banker's cheque or demand draft or bank guarantee, in specified format, of a scheduled bank or deposit through eGRAS. The bid security must remain valid thirty days beyond the original or</p>

<p>(b) Earnest money will be taken @ 0.5% (Half per cent) of the value of the quantity offered for supply by the S.S.I. Units of Rajasthan and security deposit @ 1% of value of the quantity ordered to be supplied. They will furnish original or Photostat copy, duly attested by Gazetted Officer of the Registration of S.S.I. Unit issued by the Director of Industries in respect of the stores for which they are registered.]</p> <p>(c) The earnest money, security deposit of a tenderer lying with the Department/Office in respect of other tenders awaiting approval or rejected or on account of contract completed will not be adjusted towards earnest money/security deposit for the fresh tenders. The earnest money originally deposited may, however, be taken into consideration in case tenders are re-invited.</p> <p>(d) Earnest money and security deposit will be taken @ 1% and 2% respectively of the value of the tender from the Sick Industries (other than S.S.I.) whose cases are pending with Bureau of Industrial Finance and Restructuring (B.I.F.R.). The sick units will have to furnish a certificate to this effect from B.I.F.R.</p> <p>Rule 57. (3) Form of Earnest Money/Security Deposit :</p> <p>(a) Earnest money shall be taken only in form of cash or Demand Draft or Banker's Cheque/or receipted copy of challan as in (b) (i);</p> <p>(b) The Security deposit shall be given in one of the following forms only :-</p> <p>(i) Cash through Treasury challan deposited under head "8843 - Civil Deposit 103 - Security</p>		<p>extended validity period of the bid.</p> <p>(7) The bidding documents may stipulate that the issuer of the bid security and the confirmer, if any, of the bid security, as well as the form and terms of the bid security, must be acceptable to the procuring entity. In cases of International Competitive Bidding, the bidding documents may in addition stipulate that the bid security shall be issued by an issuer in India.</p> <p>(8) Prior to presenting a submission, a bidder may request the procuring entity to confirm the acceptability of proposed issuer of a bid security or of a proposed confirmer, if required. The procuring entity shall respond promptly to such a request.</p> <p>(9) The bank guarantee presented as bid security shall be got confirmed from the concerned issuing bank. However, the confirmation of the acceptability of a proposed issuer or of any proposed confirmer does not preclude the procuring entity from rejecting the bid security on the ground that the issuer or the confirmer, as the case may be, has become insolvent or has otherwise ceased to be creditworthy.</p> <p>(10) The bid security of unsuccessful bidders shall be refunded soon after final acceptance of successful bid and signing of Agreement and submitting performance security.</p> <p>(11) The Bid security taken from a bidder shall be forfeited in the following cases, namely:-</p> <p>(a) when the bidder withdraws or modifies its bid after opening of bids;</p> <p>(b) when the bidder does not execute the agreement, if any, after placement of supply / work order within the specified period;</p> <p>(c) when the bidder fails to commence the supply of the goods or service or execute work as per supply / work order within the time specified;</p> <p>(d) when the bidder does not deposit the performance security within specified period after the supply / work order is placed; and</p> <p>(e) if the bidder breaches any provision of code of integrity prescribed for bidders specified in the Act and Chapter VI of these rules.</p> <p>(12) In case of the successful bidder, the amount of bid security may be adjusted in arriving at the amount of the Performance Security, or refunded if the successful bidder furnishes the full amount of performance security.</p> <p>(13) The procuring entity shall promptly return the bid security after the earliest of the following events, namely:-</p> <p>(a) the expiry of validity of bid security;</p> <p>(b) the execution of agreement for procurement and performance security is furnished by the successful bidder;</p> <p>(c) the cancellation of the procurement process; or</p> <p>(d) the withdrawal of bid prior to the deadline for presenting bids, unless the bidding documents stipulate that no such withdrawal is permitted.</p>
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<p>Deposit";</p> <p>(ii) Bank Draft or Banker's Cheque of a scheduled bank;</p> <p>(iii) Post Office savings bank pass books;</p> <p>(iv) Defence Savings Certificates, Kisan Vikas Patras, National Savings Certificates and any other script/instrument under National Savings Schemes for promotion of small savings issued by a Post Office in Rajasthan, if the same can be pledged under the relevant rules. They shall be accepted at their surrender value at the time of tender and formally transferred in the name of Purchase Officer before submission of tenders with the sanction of Head Post Master.</p> <p>An account of such interest bearing securities shall be kept in S.R. Form 13.</p> <p>(c) The Departmental purchase committee and the committee at the level of Head of Department may permit the firms to submit Bank Guarantee also for the part (upto 50%) or full amount (where the amount exceeds Rs.10.00 Lacs) in lieu of cash/demand draft/Bankers cheque/receipted copy of challan in appropriate cases towards earnest money/security deposit.</p> <p>Rule 57 (4) Refund of Earnest Money/Security Deposits :</p> <p>(i) The earnest money of unsuccessful tenders shall be refunded soon after final acceptance of tender;</p>		<p>75. Performance security.-</p> <p>(1) Performance security shall be solicited from all successful bidders except the,-</p> <p>(i) Departments/Boards of the State Government or Central Government;</p> <p>(ii) Government Companies as defined in clause (45) of section 2 of the Companies Act, 2013;</p> <p>(iii) Company owned or controlled, directly or indirectly, by the Central Government, or by any State Government or Governments, or partly by the Central Government and partly by one or more State Governments which is subject to audit by the Auditor appointed by the Comptroller and Auditor-General of India under sub-section (5) or (7) of section 139 of the Companies Act, 2013; or</p> <p>(iv) Autonomous bodies, Registered Societies, Cooperative Societies which are owned or controlled or managed by the State Government or Central Government.</p> <p>However, a performance security declaration shall be taken from them. The State Government may relax the provision of performance security in a particular procurement or any class of procurement.]</p> <p>(2) The amount of performance security shall be five percent, or as may be specified in the bidding documents, of the amount of supply order in case of procurement of goods and services and ten percent of the amount of work order in case of procurement of works. In case of Small Scale Industries of Rajasthan it shall be one percent of the amount of quantity ordered for supply of goods and in case of sick industries, other than Small Scale Industries, whose cases are pending before the Board of Industrial and Financial Reconstruction (BIFR), it shall be two percent of the amount of supply order.</p> <p>(3) Performance security shall be furnished in any one of the following forms-</p> <p>(a) deposit though eGRAS;</p> <p>(b) Bank Draft or Banker's Cheque of a scheduled bank;</p> <p>(c) National Savings Certificates and any other script/instrument under National Savings Schemes for promotion of small savings issued by a Post Office in Rajasthan, if the same can be pledged under the relevant rules. They shall be accepted at their surrender value at the time of bid and formally transferred in the name of procuring entity with the approval of Head Post Master;</p> <p>(d) Bank guarantee/s of a scheduled bank. It shall be got verified from the issuing bank. Other conditions regarding bank guarantee shall be same as mentioned in the rule 42 for bid security;</p> <p>(e) Fixed Deposit Receipt (FDR) of a scheduled bank. It shall be in the name</p>
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<p>(ii) The security deposit shall be refunded within one month of the completion of supply of the items as per purchase order in case it is one time purchase and two months in case the delivery is staggered. It will, however, be refunded on the expiry of guarantee/warranty period where there is condition of guarantee/ warranty.</p> <p>Rule 57 : (5) Forfeiture of Earnest Money :</p> <p>(a) The earnest money shall be forfeited in the following cases :-</p> <p>(i) When the tenderer withdraws or modifies the offer after opening of tender but before acceptance of the tender;</p> <p>(ii) When he does not execute the agreement, if any, prescribed within the specified time;</p> <p>(iii) When he fails to commence the supply of the items as per purchase order within the time prescribed;</p> <p>(iv) When the tenderer does not deposit the security money after the purchase order is given.</p>		<p>of procuring entity on account of bidder and discharged by the bidder in advance. The procuring entity shall ensure before accepting the Fixed Deposit Receipt that the bidder furnishes an undertaking from the bank to make payment/premature payment of the Fixed Deposit Receipt on demand to the procuring entity without requirement of consent of the bidder concerned. In the event of forfeiture of the performance security, the Fixed Deposit shall be forfeited along with interest earned on such Fixed Deposit.</p> <p>(f) In case of procurement of works, the successful bidder at the time of signing of the contract agreement, may submit option for deduction of performance security from his each running and final bill @ 10% of the amount of the bill.</p> <p>(4) Performance security furnished in the form specified in clause (b) to (e) of sub-rule (3) shall remain valid for a period of sixty days beyond the date of completion of all contractual obligations of the bidder, including warranty obligations and maintenance and defect liability period.</p>
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S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
34.	<p>Rule 59 : Negotiations - Objective :</p> <p>(1) Negotiations shall be undertaken in exceptional circumstances. Negotiations will not make original offer made by the tenderer inoperative. The Purchase Committees will have option to consider original offer in case the tenderer decides to increase rates originally tendered or imposes new terms and conditions.</p> <p>(2) Negotiations may be undertaken in the following cases :-</p> <p>(a) Negotiations before tenders : Negotiations before advertisement for tender may be resorted to in the following cases :-</p> <p>(i) Where Purchase pertains to proprietary articles as defined in these rules;</p> <p>(ii) Where stores under purchase are continuously in short supply;</p> <p>(iii) In case of small orders for the purchase of non- proprietary articles;</p> <p>(iv) In case of purchases without tender as mentioned in Rule 30 of these Rules wherever considered necessary.</p> <p>(b) Negotiation after tenders : Negotiation after tenders should be discouraged. It may, however, be undertaken only with the lowest tenderer under the following circumstances :-</p> <p>(i) When ring prices have been quoted by the tenderers for the particular stores under purchase;</p> <p>(ii) When the rates tendered vary considerably and considered much higher than the prevailing market rate at the time of opening of tender.</p>	<p>15. Price negotiations.- Save as otherwise provided in section 31 or section 35 or in such circumstances and subject to such conditions as may be prescribed, no price negotiation shall be held by a procuring entity with a bidder with respect to a bid presented by him.</p>	<p>69. Negotiations.- (1) Except in case of procurement by method of single source procurement or procurement by competitive negotiations, to the extent possible, no negotiations shall be conducted after the pre-bid stage. All clarifications needed to be sought shall be sought in the pre-bid stage itself.</p> <p>(2) Negotiations may, however, be undertaken only with the lowest or most advantageous bidder under the following circumstances-</p> <p>(a) when ring prices have been quoted by the bidders for the subject matter of procurement; or</p> <p>(b) when the rates quoted vary considerably and considered much higher than the prevailing market rates.</p> <p>(3) The bid evaluation committee shall have full powers to undertake negotiations. Detailed reasons and results of negotiations shall be recorded in the proceedings.</p> <p>(4) The lowest or most advantageous bidder shall be informed in writing either through messenger or by registered letter and email (if available). A minimum time of seven days shall be given for calling negotiations. In case of urgency the bid</p> <p>time evaluation committee, after recording reasons, may reduce the time, provided the lowest or most advantageous bidder has received the intimation and consented to regarding holding of negotiations.</p> <p>(5) Negotiations shall not make the original offer made by the bidder inoperative. The bid evaluation committee shall have option to consider the original offer in case the bidder decides to increase rates originally quoted or imposes any new terms or conditions.</p> <p>(6) In case of non-satisfactory achievement of rates from lowest or most advantageous bidder, the bid evaluation committee may choose to make a written counter offer to the lowest or most advantageous bidder and if this is not accepted by him, the committee may decide to reject and re-invite bids or</p>

	<p>(c) Powers of Negotiations : The Purchase Committees shall have full powers to undertake negotiation. Detailed reasons and results of negotiations shall be recorded in the proceedings.</p> <p>(3) Procedure for Negotiation :</p> <p>(a) Negotiation will be conducted with the lowest bidder only.</p> <p>(b) The lowest tenderer(s) shall be informed in writing either through messenger if they are local and by registered letters in case they belong to outstation. A minimum time of 7 days in case of tenderers being of outstations, and 3 days in case of local tenderers shall be given prior to negotiations. In case of urgency the Purchase Committee may reduce this time provided the lowest tenderer has received the intimation regarding holding of negotiations. Reasons in such cases will be recorded.</p> <p>Note : In case of non-satisfactory achievement of rates from lowest tenderer, the Committee may choose to make a written counter offer to the lowest tenderer and if this is not accepted by him, the Committee may decide to reject and re-invite tenders or to make the same counter-offer first to the second lowest tenderer, then to the third lowest tenderer and so on in the order of initial bidding, and work/supply order be awarded to the tenderer who accepts the counter-offer. This procedure should be used in exceptional cases only.</p> <p>(c) In case (of unacceptable rates) the rates even after negotiations are very high fresh tenders should be invited.</p>		<p>to make the same counter-offer first to the second lowest or most advantageous bidder, then to the third lowest or most advantageous bidder and so on in the order of their initial standing and work / supply order be awarded to the bidder who accepts the counter-offer. This procedure should be used in exceptional cases only.</p> <p>(7) In case the rates even after the negotiations are considered very high, fresh bids shall be invited.</p>
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S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
35.	<p>Rule 60: Repeat Orders: Purchases may be increased by 50% of the quantity originally ordered by repeat orders after recording reasons provided that such orders shall not be given for a period exceeding one month from the date of the expiry of last supply made and also subject to the condition that prices have since not reduced and purchases were not made on urgent basis or under rule 38 and 40(2).</p>		<p>73. Right to vary quantity.-</p> <p>(1) If the procuring entity does not procure any subject matter of procurement or procures less than the quantity specified in the bidding documents due to change in circumstances, the bidder shall not be entitled for any claim or compensation except otherwise provided in the bidding documents.</p> <p>(2) Orders for extra items may be placed by the procuring entity in accordance with the Schedule of Powers as prescribed by the Finance Department, upto 5% of the value of the original contract, if allowed in the bidding documents. The fair market value of such extra items payable by the procuring entity to the contractor shall be determined by the procuring entity in accordance with guidelines prescribed by the administrative department concerned.</p> <p>(3) Orders for additional quantities may be placed, if allowed in the bidding documents, on the rates and conditions given in the contract and the original order was given after inviting open competitive bids. Delivery or completion period may also be proportionately increased. The limits of orders for additional quantities shall be as under :-</p> <p>(a) 50% of the quantity of the individual items and 50% of the value of original contract in case of works; and</p> <p>(b) 50% of the value of goods or services of the original contract.</p> <p>Provided that in exceptional circumstances and without changing the scope of work envisaged under the contract, a procuring entity may procure additional quantities beyond 50% of the quantity of the individual items as provided in the original work order with prior approval of the Administrative Department concerned as follows :-</p> <p>(i) the procuring entity shall obtain prior approval for revised requirements from the competent authority for reasons to be recorded in writing. Wherever necessary, due to the quantum of orders for additional quantities, the procuring entity shall obtain prior and revised technical, financial and administrative sanctions from the competent authorities;</p> <p>(ii) that the additional quantities so procured shall be part and parcel of the work being executed;</p> <p>(iii) that the limit of 50% of the value of original contract shall not be exceeded in any case.</p>

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
36.	<p>Rule 61: Re-invitation of tender:- Re-invitation of tenders shall be resorted to sparingly as the Government is put to loss due to higher rates which can be avoided if proper attention is paid at the time of invitation of tenders regarding complete specification, sufficient publicity or adequate time and their validity period. However, there may be cases where tenders are required to be re-invited on account of expiry of validity period, considerable change in specification after the receipt and opening of tenders, insufficient publicity or inadequate time allowed in notices inviting tenders or offers being insufficient or offers having unusual terms and conditions or any other reasons. Detailed reasons for re-invitation of fresh tenders shall be recorded.</p> <p>The extent of loss due to re-tendering and the designation of Government servant responsible for the loss and the action taken or proposed to be taken against him along with other information as required under rule 20(4) of Part-I of G.F.& A.R. shall be furnished to the authorities mentioned in these Rules.</p> <p>Note :1. Changes in the basic conditions/stipulations shall not be made by the Tender Committee of the purchasing department, after advertisement or floating of RFP/tender. In case the basic conditions/ stipulations of the tender are to be changed in the interest of the Government, a fresh tender shall be floated with revised tender conditions/stipulations.</p> <p>2. Agendum/Agenda of any meeting and minutes of the meeting of Tender Committee shall form part of record.</p>		<p>68. Lack of competition.- (1) A situation may arise where, if after evaluation of bids the bid evaluation committee may end-up with one responsive bid only, in such situation, the bid evaluation committee should check as to whether while floating the Notice Inviting Bids all necessary requirements to encourage competition like standard bid conditions, industry friendly specifications, wide publicity, sufficient time for formulation of bids, etc. were fulfilled. If not, the Notice Inviting Bids should be refloated after rectifying deficiencies. The bid process shall be considered valid even if there is one responsive bid, provided that-</p> <ul style="list-style-type: none"> (a) the bid is technically qualified; (b) the price quoted by the bidder is assessed to be reasonable; (c) the bid is unconditional and complete in all respects; (d) there are no obvious indicators of cartelisation amongst bidders; and (e) the bidder is qualified as per the provisions of section 7 <p>(2) The bid evaluation committee shall prepare a justification note for approval of the procuring entity, clearly including views of the accounts/finance member of the committee.</p> <p>(3) The procuring entity competent to decide a procurement case, as per delegation of financial powers, shall decide as to whether to sanction the single bid or re-invite bids after recording its reasons for doing so.</p> <p>(4) If a decision to re invite the bids is taken, market assessment shall be carried out for estimation of market depth, eligibility criteria and cost estimate.</p> <p>78. Cancellation of procurement process.- If any procurement process has been cancelled, it shall not be reopened but it shall not prevent the procuring entity from initiating a new procurement process for the same subject matter of procurement, if required.</p>

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013	Remarks
37.	Rule 65: Provision for concessional sales tax: In case of Inter State sales or supplies within Rajasthan for office use, the Department should use "D" Form in the manner provided under Sales Tax Act and Rules. The supply order should indicate the levy of concessional rate of Sales Tax.	-	-	GST Applicable hence to be deleted

S. No.	GF&AR PART-II STORES	RTPP Act, 2012	RTPP Rules, 2013
38.	<p>Rule 66 : Exemption from payment of Octroi : Purchases by the Department for office use only and not for commercial purposes or for sale or re-sale, or use for manufacturing purposes, are exempted from the payment of octroi to the Municipalities in accordance with the following procedure:-</p> <p>(i) A certificate in the form prescribed as under should be attached to the supply order and produced at the octroi posts for exemption from payment of octroi duty:-</p> <p style="text-align: center;">FORM</p> <p>" _____ (Name) (Designation)</p> <p>Rajasthan Government do hereby certify that the goods detailed below purchased from M/s _____ of _____ holder of Sales Tax Registration Certificate No. _____ dated _____ purchased by me on behalf of State Government for the purpose of official use by the said Government and not for Commercial purpose or for sale or re-sale or use as manufacture for any goods for sale. The rates of goods accepted are exclusive of octroi duty, local tax.</p> <p style="text-align: center;">"Details of goods"</p> <p style="text-align: right;">Signature Designation of the authorised Officer of the Government (Seal)</p> <p>Place : _____ Date : _____</p> <p>(ii) Purchase should be made at the rates excluding the element of octroi duty and local taxes.</p>	-	-

39.	<p style="text-align: center;">APPENDIX - 1 PURCHASE OF STORES (Preference to Industries of Rajasthan) Rules, 1995</p>		<p style="text-align: center;">See Notification dated 4.9.2013 and 19.11.2015</p>
S. No.	<p style="text-align: center;">GF&AR PART-II STORES</p>	<p style="text-align: center;">RTPP Act, 2012</p>	<p style="text-align: center;">RTPP Rules, 2013</p>