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सेन्ट्रल माइन प्लानिंग एण्ड डिजाइन इंस्टीट्यूट लिमिटेड
(कोल इण्डिया लिमिटेड की अनुबंधी कंपनी / भारत सरकार का एक लोक उपक्रम)
गोन्दवाना प्लेस, कंके रोड, राँची - 834 031, झारखण्ड (भारत)
Central Mine Planning & Design Institute Limited
(A Subsidiary of Coal India Limited / Govt. of India Public Sector Undertaking)
Gondwana Place, Kanke Road, Ranchi - 834 031, Jharkhand (INDIA)
CORPORATE IDENTITY NUMBER - U14292JH1975GOI001223

पत्रांक संख्या : सीएमपीडीआई / टी.एस./5.03/2024/ *E-1424932*

दिनांक : 27-02-2024

अति आवश्यक
MOST URGENT

- सेवा में,
सभी क्षेत्रीय निदेशक-गण,
क्षेत्रीय संस्थान - I/II/III/IV/V/VI/VII
आसनसोल/धनबाद/राँची/नागपूर/बिलासपुर/सिंगराली/भूबनेश्वर
- सभी विभागाध्यक्ष-गण,
सेन्ट्रल माइन प्लानिंग एण्ड डिजाइन इंस्टीट्यूट लिमिटेड,
गोडवाना प्लेस, कंके रोड,
राँची

विषय : - Additional Performance Security Deposit.

Dear Sir,

This is in reference to the decisions taken by the CoFDs in its 3rd of 2024 meeting held on 08.02.2024 and 09.02.2024. In the said meeting, the proposal for additional performance security deposit forwarded by CVO, CMPDI vide letter no.- CMPDI/CVO/Misc/2023/811, dated 25.01.2024 (copy enclosed) was put up for deliberation. After detailed deliberation on the matter, the CoFDs decided the following:-

Quote

CVO, CMPDI briefed the observations/remarks on the matter as contained in the agenda note.

After deliberation, the CoFDs agreed to get the same circulated to all concerned for consideration. GM(TS) was advised to take necessary action in this regard.

Unquote

In view of the above, as directed, please find attached herewith the aforementioned letter for information and necessary compliance at your end.

संलग्नक : यथोपरि ।

भवदीय,

27 अप्रैल 2024
(एस.के. दुबे)

महाप्रबंधक (टी.एस./पी.आर.)

प्रतिलिपि :

- अध्यक्ष-सह-प्रबंध निदेशक, सीएमपीडीआई : सादर सूचनार्थ ।
- सभी निदेशक-गण, सीएमपीडीआई : सादर सूचनार्थ ।
- निदेशक-गणों के तकनीकी सचिव, सीएमपीडीआई : कृपया सूचनार्थ ।



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A Mahatma Company

GZ
2023 INDIA
संस्थान द्वारा देश, कर्मियों द्वारा, राज्यी - 834 031, झारखण्ड

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CORPORATE IDENTITY NUMBER - U24292TH1975601001223

Ref. No: CMPDI/CVO/Misc/2023/ 811

Date: 25.01.2024

To
The Chairman-cum-Managing Director,
CMPDI,
Ranchi.

Sub: Additional Performance Security Deposit.

1. It has come to the notice that proposal for inclusion of Additional Performance Security Deposit (APSD) Clause in the approved model NIT for all the civil e-tender works contracts came up for discussion in Functional Directors' Meeting. In this regard, following are the remarks of the undersigned in the matter of Additional Performance Security Deposit:

- i. APSD is required for the contracts when the contract is awarded 15% below the estimated value of tender. The main reason for taking APSD is to protect the interest of the company arising out of apprehensions of failure of contract, compromise in quality of work and other problems inherent with award of contract at abnormally low rate.
- ii. **The APSD Clause is not an enabling provision to award contract at abnormally low rate.** The contract is to be awarded only after the Tender Committee and Accepting Authority is convinced that the price offered by the lowest technically suitable bidder is reasonable for the performance of the contract. However, in case the contract is awarded at 15% below the estimated value when the tender Accepting Authority is convinced regarding the performance of contract, the issue of APSD comes in picture to set off the institutional apprehensions regarding the performance of contract as per the scope of work, quality and timelines to protect the interest of the company in case of breach of contract which obviously has financial implications.
- iii. In case the lowest technically suitable offer is seriously unbalanced at abnormally low price, then the detailed price analysis for any or all items of Bill of Quantities is to be taken from the bidder to demonstrate the internal consistency of these prices with the construction method and schedule proposed. Only after this, if the Tender Committee is convinced that the bidder can perform the contract at the offered rate, the tender is awarded to the bidder. It is clarified that the APSD is the tender condition to form the part of contract in case the contract is awarded below 15% of the estimated value and in no way, it is an enabling provision for award



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संस्कृति कृषिकला

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of contract without the price being reasonable for performance of contract.

2. Hence, it is strongly advised that while including the APSD Clause in NIT document, it may be informed to all the Officers of CMPDI dealing with tender that APSD is the terms and conditions of contract and not an enabling provision for award of contract at abnormally low that is unreasonable for performance of the contract. The work is to be awarded if the TC and TAA is convinced by doing price analysis that the low price offered by the bidder is reasonable for performance of contract.

Yours sincerely,

25/11/24

(Sumeet Kumar Sinha)
CVO/CMPDI



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