

2023

U.P. RAJARSHI TANDON OPEN UNIVERSITY

Prayagraj-211021



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Guidelines - Central Purchase Committee

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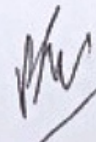
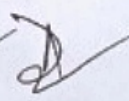

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Introduction

This manual contours the purchase procedure of various kinds of goods, services and project funds to be adopted by the schools of the university. Every Director/Project Investigator making purchase is accountable to bring efficiency, economy and transparency promoting competitive environment in public procurement.

The procedure to be adopted for the purchase of diverse kind of equipment and stores required by the various users of the university should be in consonance with the wider objective to achieve excellence in all activities of the university, be it academic, research or extension. Such procedures therefore, should address to the needs and aspirations of the actual users and at the same time promote building conducive environment much needed for the furtherance of university activities. The related aspects of accounting, record keeping, inventory stock verification, asset registered etc. will need proper attention so as to make the overall store and purchase systems efficient and transparent. Emphasis should be made on the use of office automation to achieve efficiency and responsiveness in functioning.

Constitution of Central Purchase Committee (CPC):

1. There shall be a central purchase committee constituted by the Hon'ble Vice-Chancellor

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|-----|----------------------------------------------------------|---------------------------------|
| (a) | A member not below the ranks of Director/Professor | - Chairman |
| | (Nominated by the Hon'ble Vice Chancellor) | |
| (b) | Registrar or his nominee | - Member |
| (c) | Finance officer or his nominee | - Member |
| (d) | Two faculty members nominated by Hon'ble Vice-Chancellor | - Member |
| (e) | Purchase Officer | - Member Secretary |
| (f) | HOD of the identifying department | - Special Invitee (if Required) |
| (g) | Indenter (Project Investigator for Project Purchase | - Special Invitee (if Required) |

Quorum for the meeting:

Presence of at least 50% members including the Chairman will form the Quorum for holding the Central Purchase Committee meeting.

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Tenure of the Central Purchase Committee

1. Tenure of the central purchase committee shall normally be of one year. It is up to the satisfaction of the Hon'ble Vice-Chancellor whether to reduce or extend the tenure of the existing committee.
2. The Registrar (Member of the purchase committee) should submit the proposal to the Vice-Chancellor for constituting the new committee, in the first week of the April.

Functions of Central Purchase Committee (CPC)

- a. This committee shall act for purchase of articles in bulk i.e. valuing Rs.20000 and above subject to the rules.
- b. The requirements of various department received by General/Central Branch shall be consolidated and placed before the committee for scrutiny. The committee will then recommend for calling quotations or for negotiations (Amazon/Flipkart/etc.) as it may deem it.
- c. In order to expedite supplies or to ensure the quality of goods, the committee shall have the power to allot the supply of articles to any agencies by negotiations i.e. calling tender or without it, if the circumstances so require, even at higher than the lowest tender rates.
 - i. The committee or any member/members authorized by it cell may inspect the article supplied and would approve the same.
 - ii. In the event of this agreement in the purchase committee the matter will be referred to the Vice-Chancellor for final decision.
 - iii. This committee may also consider other matters relating to purchaser referred to it by the Vice-Chancellor.

The Hon'ble Vice-Chancellor may also appoint other purchase committee/committees when consider necessary consisting of one or more persons affecting purchase of articles required by the university, from local market or market at other stations irrespective of amount of the purchases.

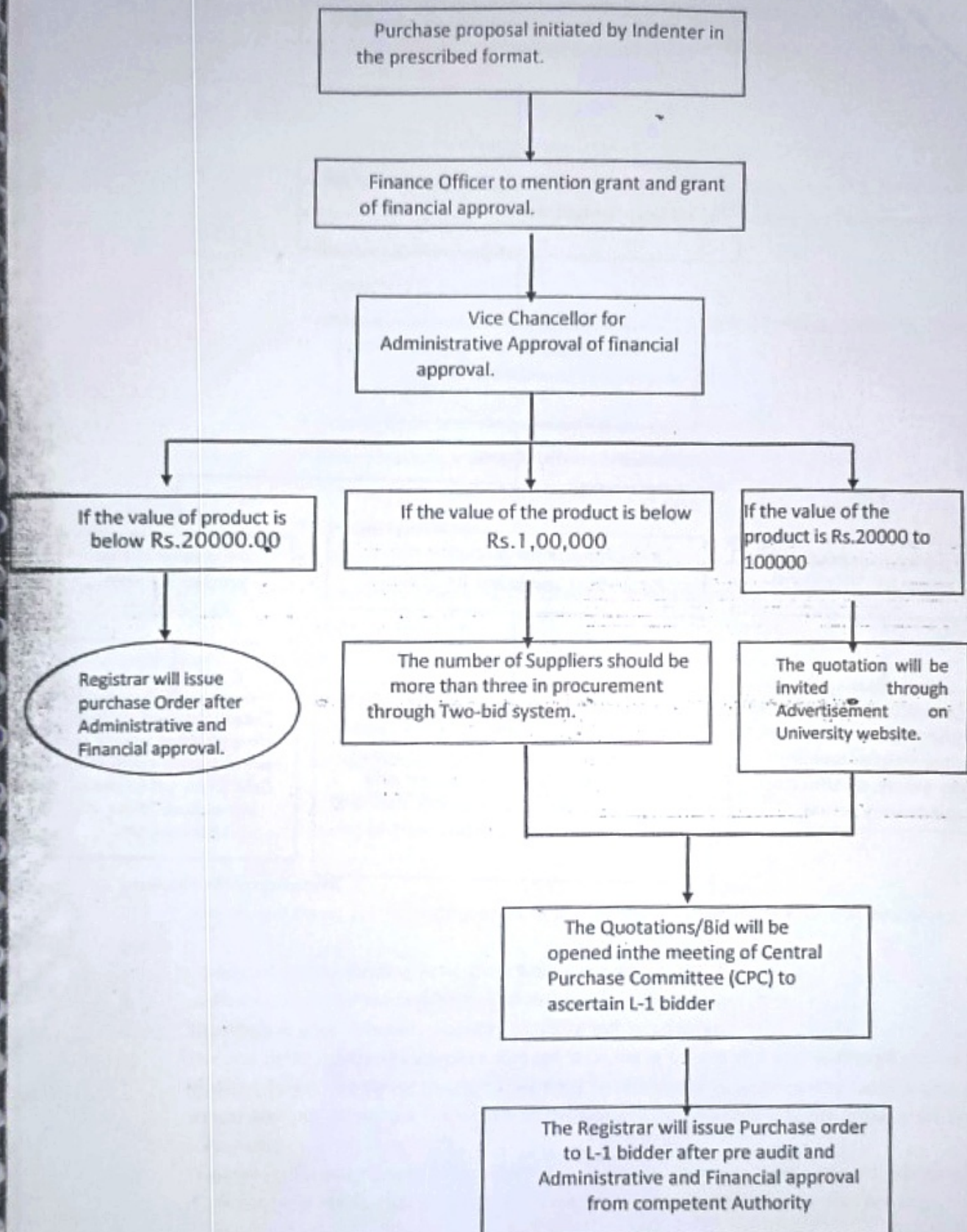
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CPC AT-A-GLANCE



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Goods & Services

Goods and Services include all the articles, material, commodities and consumables, whether, indigenous or imported, Books for SLM, services and manpower, commonly required for university use, are namely:

Goods:

- Furniture for classrooms, Laboratories, Libraries, and Offices etc.
- Electrical Goods & Equipments including Fans, Gen-sets, Invertors, Batteries etc.
- Electronic Gadgets, including water coolers, Refrigerators, Air Conditioners etc.
- Sanitary & Plumbing items,
- Computers & accessories,
- Office Equipments including Almirahs, Photocopiers, Printers, Scanners, Projectors etc.
- Books for SLM.
- Answer book used for examinations.
- Paper, Stationery Items & Office Consumables,
- Printing of Forms and Stationery,
- Computer Software,
- Laboratory Equipments/Major Scientific Equipments,
- Laboratory Chemicals, Consumables, (Glass Ware) etc.
- Motor Vehicles etc.

Services:

- Security Services,
- Sanitation & other Labour Contract Services,
- Advertisement Services,
- Computerization, Net-working and Automation Services.
- Hiring of Transport etc.

Methods of Procurement

Following type of methods or procedure are mentions in the manual of U.P. procurement of goods-

1. Open competitive bidding/Advertised Tender enquiry (ATE).
 2. Limited competitive bidding/limited tender enquiry. (LTE)
- Situations in which limited competitive bidding can be adopted.
- (i) The competent authority certifies that the demand is urgent and any additional expenditure involved by not procuring through advertised tender enquires justified in view of urgency. He should also put on record the nature of the urgency and reasons why procuring could not be anticipated.
 - (ii) There are sufficient reasons to be recorded in writing by the competent authority indicating that it will not be in public interest. To procure the goods through advertised tender enquiry.

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- (iii) The sources of supply are definitely known and possibility of fresh source(s) beyond those tapped is removed.
 - 3. Two stage bidding.
 - 4. Single source procurement.
- Situations in which single source procurement can be adopted-
- (i) The commodity to be procured is available only to the prospective tenderer or the prospective tenderer have the privilege of that commodity or item.
 - (ii) Some commodity or item is urgently needed due to some sudden unexpected situation.
 - (iii) Conformity and standardization of Pre-Procurement
 - (iv) For the sake of National Security.
 - (v) If the nature of procurement is artistic.
 - (vi) If the nature of procurement is as such that confidentiality is important in the procedure.
- 5. E-Procurement/E-Tender
 - 6. Request for Quotation
 - 7. On the spot purchase

At least 03 firms are required to pass the minimum technical qualification for opening the financial bid. Even after inviting the tender once, if less than three firms pass the technical qualifications while opening the tender for the second time, then the decision will be taken by the head of the department regarding the opening of the financial tenders.

8. Fee for Tender form/determining the price

Estimated Price of Commodities for that tenders are invited	Price of Tender Form	
	Each original copy	Each duplicate copy
Amount above Rs. 1,00,000 and up to Rs.10,00,000	2% of the Tender Value rounded off to the nearest multiple of Rs 100 from minimum Rs. 400 to maximum Rs. 1500 +local tax as applicable	Rounding off 50% of the value of the original to the nearest hundred + local tax as applicable.
Above than Rs.10,00,000	0.15% of the Tender Value rounded off to the nearest multiple of Rs. 100 subject to a maximum amount of Rs. 25000 +Local Tax as applicable	50% of the cost of the original copy rounded off to the nearest multiple of 100 +local Tax as applicable

Earnest Money Deposit (EMD):

Determining of Earnest Money is expressed as follows:

Estimated amount of commodity upto Rs.1,00,000	Earnest money - Rs.1500
for every additional Rs. 1 lac and part thereof	add additional amount Rs. 1000

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Earnest money will not be taken in the methods of spot purchase, request for purchase, request for quotation, limited tender and single tender.

Earnest money can be pledged in the form of account payee demand draft or fixed deposit receipt(FDR) in the name of Head of Director/Director or any other officer authorized by the government/government or can be deposited in any schedule commercial bank to be taken in the form of bankers cheque or bank guarantee issued by.

Tenderer should be instructed through advertisement that no earnest money in closed envelop should be given.

If successful tenderer is not able to submit performance security in the given period his earnest money will be forfeited.

Earnest money without any interest will be returned to all unsuccessful tenderer at its earliest.

E-Tender:

No change is being made in the rules and procedures in e-procurement/e-tendering system, but tendering will be done using electronic system only under the existing rules and procedures. U. P. procurement manual (Procurement of Goods) and other rules related to e-tendering of the above categories will remain applicable in the same way and in place of paper transaction prevailing in these, using only electronic medium, the tender process will be created by e-tendering system.

It is mandatory to advertise tender enquiry, corrigenda thereon and details of bids awards on the university website (UPRTOU Portal). Under the e-procurement various action such as e-registration, e-coding, tender creation, tender publication, tender purchase, submission, e-opinion etc will be done through electronic means.

Government Order No.-6/2018/256/78-2-2018-42/T/2017 dated 24th April 2018 increasing the financial limit of tenders to be invited through e-tendering system from Rs.100,000 to Rs. 10,00,000.00 has been arranged. Purchase of goods/services/job-work and material worth more than Rs.1,00,000.00 mandatory for inviting tenders for the ongoing contract, under the Government Order dated 23rd September 2018 issued by the Finance Department, the previous rate will remain the same, however it will not be mandatory to invite tenders up to Rs.10 lakh.

GeM (Government electronic Market place) In relation to the Purchase of materials, the Government of Uttar Pradesh has given the government order number-5/2016/253 of Micro, Small and Medium Section-28-2-2016-3(S.P.)/2010 dated 01.04.2016 has promulgated the Uttar Pradesh (Procurement of Goods), 2016. In point 10 of paragraph 84 under chapter-8 method of procurement of this manual, it is provisioned that the state government may notify any such process for material purchase which is in accordance with the general principle of purchase and in public interest. With the use of GeM portal, it has been possible to make the Purchase system efficient, transparent and economical for government department.

Therefore, in order to implement the Purchase process of materials and services in all the departments of the state government and their subordinate organization through the GeM portal, under the provisions of point 10 of paragraph-8.4 of the procurement manual, procurement of materials

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and Obtaining services for this, the following arrangement has been promulgated in accordance with the provisions contained in the rule 149 of the Government of India-

1. The materials and services which are available on the GeM portal can be purchased through the GeM portal only. The provisions of Uttar Pradesh Procurement Manual or other relevant rules will continue to apply for the materials or services which are not available on GeM.
2. The appropriateness of the Purchase rates will be certified to the departments or Institutions making the Purchase as above.

Monitoring limit and Process of Purchases-

(Government Order dated 23rd August, 2017)

- a. Purchases upto Rs.25000.00 can be made from any supplier available on the GeM portal who satisfies the required quality, specification and delivery period.
 - b. The purchases above Rs. 25000.00 and up to Rs. 5,00,000 can be made from such supplier available on GeM portal who is offering the best value item from the available suppliers, subject to the condition that at least price comparison of three such vendors or manufacturers will be done who satisfies the required quality, specification and delivery period. The tools of online bidding and online reverse auction available on the GeM can also be used by the department, if the competent authority decides in the regard..
 - c. Purchases above Rs.5 lakhs will compulsory be made using online bidding or reverse auction tools from the seller who offers the lowest price satisfying the required quality, specifications and delivery periods.
 - d. The monitory limit is applicable only for the purchases made through GeM. In case of purchase by any other method the same monitory limit will remain applicable.
 - e. The taxing departments are expected to ensure the reasonableness of the prices by using the business analytics tools available on the GeM portal, including the purchase price available on the GeM the final purchase price by the department etc. to ensure the reasonableness of the prices and then only you will place your purchase orders.
 - f. Necessity will not be purchased by dividing it into small pieces.
- For the uses of GeM portal it will necessary to authorize the officers by designation to act as primary users/Secondary users (Buyers/consignee/DDO) by all the departments or institutions.

In Reference to the implementation of GeM system-

(Government Order dated 27th April, 2018)

Payment is being made for the purchased goods/materials/services only by the drawing and disbursing officers working in various offices of the state. Under GeM system, three persons have important role at a purchase center-buyer, consignee and drawing and disbursing officer. authority. In these the buyer and the consignee will be the same person but the drawing and disbursing officer is a different person.

Therefore, only by having at least two registrations relative to each purchase center, the coverage of GeM in all offices can be considered complete.

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Outsourcing of Manpower and Purchase of Other Available Services

(Government Order dated 25th August, 2020)

As per paragraph of shashnadesh sankhya-8/2019/20/1/19-off-2/2019, the no of agencies nominated by the various departments of the state government for outsourcing manpower are - Shreeton/UPTRON/DUDA/UPDESCO/UPSIC etc. these prevalent outsourcing system are cancelled. So arrangement of manpower outsourcing in all government departments of the state and subordinate institution/corporations/undertaking etc. will be done through BID on GeM portal only.

Qualification for Service Providers-

The qualifications of the service provider for various services are predetermined in the GeM portal for example- if the estimated price of bid is Rs. crore, the buyers department can demand from Rs. 50,000 to Rs. 5,00,000.00 as EMD/FDR. The following are arranged in order of expression-

S.No.	Tender Price	EMD/FDR amount of Money
1.	05 lack to one crore	Between 0.5% to 5%, the buyers department will decide at its discretion
2.	More than One crore	5%

Regarding submission of EMD/FDR as mentioned arrangement in paragraph-4 IT and Electronics department decision 1/2018/3070/78-2-2018/42 IT/2017(22) dated 03.01.2018 will be allowed-

There is provision for taking bank guarantee/FDR from 2% to 10% of the L-1 tender cost on the bid amount of more than 5,00,000.00 on the GeM portal. For example, after selection of L-1 service provider, if L-1 exceeds Rs.90,00,000.00, so bank guarantee/FDR of minimum Rs.1,80,000.00 means 2%, maximum Rs.9,00,000.00 means 10%, can be demanded. The following arrangements have been made in respect of the above.

S.No.	Tender Price (in Rupees)	Bank Guarantee/FDR
1.	Tender Price below 1 Crore	2%
2.	Tender Price between 1 Crore to 3 Crore	5%
3.	Tender Price more than 3 Crore	10%

The turnover of the service provider should be minimum 30% or more of the cost of the tender. It is mandatory to have experience of providing staff of same category in GOV/PSU/GOV Ltd. company in last 3 years and to have one work order of 80% of that type of work cost or two work orders of 50% or 3 work orders of 40%. There is a provision of minimum 4.5% service charge by the service provider. The concern department will take the decision on how much honorarium will be given to the workers by any department for any voluntary services according to various relevant financial rules and according to the minimum wages of Labour Department which should not be lesser than the present wages.

It will be the responsibility of the buyer department for the compliance of Labour contract rules, weekly, state, maternity leaves etc. and also with the rules like working hours.

The deduction of EPF, ESI and GST etc will be done by in accordance with service level agreement (SLA) by service provider and its compliance will be ascertained by buyers department.

At least three firms are required to pass the minimum technical qualification for opening the financial bid. After the opening of the financial bid if more than once service providers comes to L-1,

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then the purchase order will be issue to the L-1 firm selected by the system using the Run L-1 selection tools available in the system. Even after inviting the tender ones if less than three firms pass the technical qualifications while opening the tender for the second time then the decisions will be taken by the head of the department regarding the opening of the financial tenders.

It takes a minimum of 15 working days to complete the process of purchasing a service from the GeM portal. As per the requirements of the service, the concerned departments will ensure that at least one month before the expiry of ongoing contracts, they will starts the process of manpower service purchase on the GeM portal. So that there is no disturbance in the government work.

Regarding the Supply of Manpower through GeM Portal-

(Mandate dated December, 07, 2020)

With regards to supply of manpower through GeM portal full transparency should be maintained by paying special attention to the following points-

- (i) The department should identify the gross requirement of its Outsourcing human resources through a single tender through the "Bunch Tender" methods of gem portal, so that the competent service provider can be selected.
- (ii) No discount will be given in the EMD.
- (iii) If the Tender of any services provider is not technically qualified, then Speaking Reasons should we mention while rejecting it. And the curiosity of the service provider should also be resolved by giving permissible time to the service provider to present his case.
- (iv) The Tenders should not be cancelled technically.
- (iv) In the absence of hard copy of EMD and profile forms, the tender of any service providers should not be technical rejected.
- (v) Due to unavoidable situation and without any concrete reason the date should not be extended and execution of the prescribed tender process should be ensured.
- (vi) Service providers should not be allotted manual tender under any circumstances.
- (vii) After the tender, the heads of the department should keep a control on the service provider companies on the basis of the following points. So that no personnel can be harassed by them.

The head of the department will ensure that the presence of the personnel is made available to the service provider by email on the next working day of the month ended with in 4 to 6 working days of receiving the presence, the service provider must provide there honorarium to the personnel, And PPF and ESI etc by 14th day of every month to be deposited by the service providers by the head of the department within 30 working days in case of delay in payment of Honorarium, penalty may be imposed on the service provider as per GeM policy.

Annual Requirement Report (ARR)

- I. Every unit of the university shall submit its ARR in the prescribed format Central Purchase Committee, to the Central Purchase Committee (CPC), latest by 20th January of each calendar year, projecting their requirement for the ensuing financial year in respect of all the Commodities, This may help the Purchase Committee to frame its annual procurement programme.
- II. Similarly, concerned units may submit their ARR (Central Purchase Committee) in respect of the

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services required during the ensuing financial year.

- III. Departments which regularly consume Lab chemicals, Lab consumables and Lab Glassware and offices using paper including computer paper & photocopy paper, stationary, office consumables, printed form & stationary etc. shall submit their ARR with full details, as required for an indent.

Opening of Quotations/Tenders

- I. Quotation must be opened in the presence of CPC. All quotations/tenders must be signed by all members of the committee (along with date). Signatures are necessary on the covering envelop, financial part of the bid and the part which contains the terms and conditions. Negotiations may be done only with L-1 bidder, if required, on the approval of competent Authority.
- II. In all purchases with multiple quotations, the report of the CPC should include the following:
 - a. A comparative statement of all dealers/sellers indicating all taxes, freight, forwarding etc. up to the point of delivery (i.e. the total cost of the purchase).
 - b. The dealers from whom purchases are recommended (L1 vendor).
 - c. In the event purchase is recommended not on the basis of lowest quotation, the reason thereof shall be explicitly stated.
 - d. Any other relevant information.

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