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KANDLA PORT TRUST

VIGILANCE DEPARTMENT

CIRCULAR NO. 27

Sub: Vigilance observations for compliance by the Departments
- regarding

In a case regarding Annual Maintenance Contract dealt and finalized by one of the Departments, the following lapses have been observed during surprise check/inspection as well as scrutiny of Tender Documents etc:-

(a) The concerned Department has took about 15 months time period in finalizing and award of maintenance contract for 24 months which resulted into gap/vacuum between previous contract and new maintenance contract and certain period the machinery/infrastructure/plant were left out without proper and due day to day maintenance for want of alive maintenance contract for such equipment. This may lead to untoward circumstances and possible risk of accident and operational hazards/exigencies and could not be attended due to non-existence of live maintenance contract. The maintenance works, which are considered under the Annual Maintenance, are required the regular and periodical maintenance without any gap/vacuum/break. Thus, the 15 month's time is considered as abnormal and too long time period for finalization and awarding of such AMC contract.

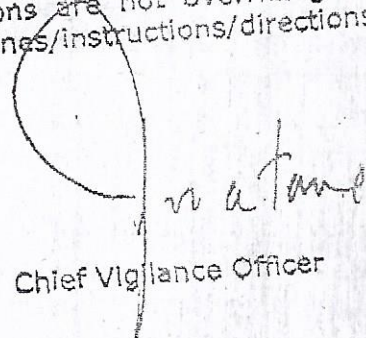
(b) That the instruction to the bidders provided under the category of eligibility criteria of the respective tender was regarding declaration about the credentials etc but such instructions were not supported with effective provisions to the effect that in case whatsoever declaration furnished by the bidder against the instructions under any such clauses, the bidder has suppressed the necessary details against such instructions of tender. This has resulted into acceptance of tender of the bidder having negative track record found later on. In case the bidder could have fairly declared such information/details then the interest of Government could have been guarded with care and cautiously which could not be made possible in the given case and such an important aspect has been found unattended and principally a bidder with negative track report has been short listed.

The above issues have been submitted to the Chairman in vigilance Inspection Report with suggestive measures to avoid any such situation which has been approved by the Chairman with remarks that all HODs shall strictly follow the suggestions mentioned below:-

(i) A Time frame of 45 days and not exceeding more than 60 days may be fixed to finalize and award the AMC contract in any department so there may not be any vacuum/gap of days without the maintenance contract for any operational areas/instruments/infrastructures etc

(ii) The provision/terms and conditions regarding eligibility criteria may be provided with effective and restrictive clauses in tender documents so as to bidder cannot take it granted for hiding such important details regarding any of the eligibility criteria/element and on noticing any adverse/negative or misleading information in the tender, the respective bidder may be debar for the participation for 3-5 years from the tenders in the Organization.

All HODs are, therefore, advised that the necessary compliance in all such cases. The above suggestions are not overriding or superseding any other prevailing guidelines/instructions/directions of respective authorities.


Chief Vigilance Officer

All HODs

Dated: 24.10.2016

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