

UNIVERSITY OF JAMMU
ORDER

In pursuance to the Notification No. F. 1/26/2018-PPD dated: 02-04-2019 issued by the Ministry of Finance, Govt. of India and in continuation of this office order No. Fin./2018-19/7209-69 dated: 08-01-2019, the amended version of the General Financial Rules-2017 (GFR-2017) is hereby circulated for the information of all the concerned.

No: Fin. /2019-20/ 665-72

Date: 06/05/2019

Copy to:-

1. Spl. Secy. to the Vice-Chancellor.
2. P.S to Dean, Academic Affairs.
3. P.S. to Dean, Research Studies.
4. Sr. P.A. to Registrar.
5. Sr. P.A. to Controller of Examinations /Director, Colleges Dev. Council.
6. Sr. P.A. to Joint Registrar (Finance), (Examinations).
7. Content Manager, University Website **with the request that this circular be uploaded in the University Website under the Link 'Finance Wing'**.
8. Guard File.

Sumita Sharma
Assistant Registrar (B&F)
6/5/19
6/5/19

UNIVERSITY OF JAMMU

CHAPTER XXXV

**"REVISED REGULATIONS RELATING TO PROCUREMENT OF GOODS & SERVICES AND
MANAGEMENT OF STORES IN THE UNIVERSITY"**

(Based on the modified GFR-2017 issued under No. F.1/26/2018-PPD dated: 2.04.2019)

INTRODUCTORY

1. With the ever expanding activities of the University, considerable annual expenditure is being incurred by the various departments of the University on stores, which has necessitated to exercise utmost economy and efficiency in their procurement and utilization.

The following guidelines are, therefore, being laid down to enable the University employees entrusted with the function of procurement and accountal of stores to be followed.

GOODS AND SERVICES

Goods are tangible products for sale and possession that can be moved from one place to another.

Service is an intangible system that is not stored and does not result in ownership.

2. The term "goods and services" includes all articles, material, commodities, live stock, general furniture/laboratory furniture, fixtures, raw materials, spares, instruments, machineries, equipments, industrial plant, chemicals, solvents, gases, glassware, stationery, liveries, and any other item meant for Research & Development, both standard and non standard

It also includes Annual Maintenance Contracts (AMC) of goods and equipments purchased or otherwise acquired for the use of Institute, custom clearance & cargo handling & consolidation services, exporting of goods for warranty replacements/repairs/upgradation, Specific Scientific & Technical Services viz, Professional consultant services, Computer & Network management, Software & Web design Development services, Special Storage, Communication facilities, outsourcing activities relating to Infrastructure, housekeeping, security, horticulture, empanelment of media agency including graphic designer, cartoonist, etc, but excludes books, publications, periodicals etc. purchased for a library, or any other item that is included in the definition from time to time.

DIVISION OF STORES

3. The purchase of stores and machinery will be divided into two categories viz.
 - i) Articles of standard pattern/design commonly available in the market or which can be manufactured locally according to given design and specifications.
 - ii) Articles of proprietary, special or unusual character.
 - iii) It also includes dead Stock such as plant and machinery, instruments, furniture and equipment, fixtures, live stock (if any) and also the 'engineering stores'.

4. PROCEDURE

4.1 Government e-Market place (GeM).

Government of India has established the Government e-Marketplace (GeM) for common use Goods and Services. GeM SPV will ensure adequate publicity including periodic advertisement of the items to be procured through GeM for the prospective suppliers. The procurement of Goods and Services by University or Departments will be mandatory for Goods or Services available on GeM. The credentials of suppliers on GeM shall be certified by GeM SPV. The procuring authorities will certify the reasonability of rates. The GeM portal shall be utilized by the Government buyers for direct on line purchases as under:-

- (i) Up to Rs.25,000/- through any of the available suppliers on the GeM, meeting the requisite quality, specification and delivery period.
- (ii) Above Rs.25,000/- and up to Rs.5, 00,000/- through the GeM Seller having lowest price amongst the available sellers (excluding automobiles where current limit of 30 lakh will continue) of at least three different manufacturers, on GeM, meeting the requisite quality, specification and delivery period. The tools for online bidding and online reverse auction available on GeM can be used by the Buyers even for procurements less than Rs.5,00,000.
- (iii) Above Rs.5,00,000/- through the supplier having lowest price meeting the requisite quality, specification and delivery period after mandatorily obtaining bids, using online bidding or reverse auction tool provided on GeM (excluding Automobiles where current limit of 30 lakh will continue).
- (iv) The invitation for the online ebidding/reverse auction will be available to all the existing Sellers or other Sellers registered on the portal and who have offered their goods/services under the particular product/service category, as per terms and conditions of GeM.

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- (v) The above mentioned monetary ceiling is applicable only for purchases made through GeM. For purchases, if any, outside GeM, relevant GFR Rules shall apply.
 - (vi) The University/Departments shall work out their procurement requirements of Goods and Services on either "OPEX" model or "CAPEX" model as per their requirement/ suitability at the time of preparation of Budget Estimates (BE) and shall project their Annual Procurement Plan of goods and services on GeM portal within 30 days of Budget approval.
 - (vii) The Government Buyers may ascertain the reasonableness of prices before placement of order using the Business Analytics (BA) tools available on GeM including the Last Purchase Price on GeM, Department's own Last Purchase Price etc.
 - (viii) A demand for goods shall not be divided into small quantities to make piecemeal purchases to avoid procurement through L-1 Buying / bidding / reverse auction on GeM or the necessity of obtaining the sanction of higher authorities required with reference to the estimated value of the total demand.

4.2 PROCEDURE FOR PURCHASES OF GOODS

For procurement of article category (i) above, the following procedures shall be adopted:-

4.2.1 Purchase of goods without quotations

Purchase of goods without quotation Purchase of goods upto the value of Rs. 25,000 (Rupees twenty five thousand) only on each occasion may be made without inviting quotations or bids on the basis of a certificate to be recorded by the competent authority in the following format.

"I _____ am personally satisfied that these goods purchased are of the requisite quality and specification and have been purchased from a reliable supplier at a reasonable price."

4.2.2 Purchase of goods by Purchase Committee

In case a certain item is not available on the GeM portal, purchase of goods costing above Rs.25,000 (Rupees twenty five thousand only) and upto Rs.2,50,000 (Rupees two lakh and fifty thousand only) on each occasion may be made on the recommendations of a duly constituted Local Purchase Committee consisting of three members of an appropriate level as decided by the Head of the Department. The Committee will survey the market to ascertain the reasonableness of rate, quality and specifications and identify the appropriate supplier. Before recommending placement of the purchase order, the members of the Committee will jointly record a certificate as under:-

"Certified that we, members of the purchase committee are jointly and individually satisfied that the goods recommended for purchase are of the requisite specification and quality, priced at the prevailing market rate and the supplier recommended is reliable and competent to supply the goods in question, and it is not debarred by the Govt./University.

4.2.3 Purchase of goods through bids

Purchase of goods by obtaining bids. Except in cases covered under Rule 4.1.1, 4.1.2, 4.1.3, Departments shall procure goods by following the standard method of obtaining bids in:

- (i) Advertised Tender Enquiry
- (ii) Limited Tender Enquiry
- (iii) Two-Stage Bidding
- (iv) Single Tender Enquiry

4.2.4 E-Publishing

- (i) It is mandatory for all the departments / campuses / centers of the University to publish their tender enquiries, corrigenda thereon and details of bid awards on the Central Public Procurement Portal (CPPP).
- (ii) Individual cases where confidentiality is required, for reasons of national security, would be exempted from the mandatory e-publishing requirement. The decision to exempt any case on the said grounds should be approved by the Vice-Chancellor with the concurrence of the concerned B&F Section. Statistical information on the number of cases in which exemption was granted and the value of the concerned contract should be intimated on a Quarterly basis to the Budget and Finance Section.
- (iii) The above instructions apply to all Tender Enquiries, Requests for Proposals, Requests for Expressions of Interest, Notice for pre Qualification/ Registration or any other notice inviting bids or proposals in any form whether they are advertised, issued to limited number of parties or to a single party.
- (iv) These instructions would not apply to procurements made in terms of provisions of Rules 4.2.1 (Purchase of goods without quotations) or 4.2.2 (Purchase of goods by purchase committee) of General Financial Rules.

4.2.5 E-Procurement

- (i) It is mandatory for all the departments / campuses / centres to receive all bids through e-procurement portals in respect of all procurements.
- (ii) University departments which do not have a large volume of procurement or carry out procurements required only for day-to-day running of offices and also have not initiated e-procurement through any other solution provided so far may use

e-procurement solution developed by NIC. Other Departments may either use e-procurement solution developed by NIC or engage any other service provider following due process.

- (iii) In individual case where national security and strategic considerations demands confidentiality, the University may exempt such cases from e-procurement after seeking approval of concerned Budget and Finance Section and with concurrence of Joint Registrar (Finance).
- (iv) In case of tenders floated by Indian Missions Abroad, Competent Authority to decide the tender may exempt such case from e - procurement.

4.2.6 Advertised tender enquiry

- (I) Subject to exceptions incorporated under rule 4.1.1, 4.1.2, 4.1.6 & 4.1.7, invitation to tenders by advertisement should be used for procurement of goods of estimated value of Rs. 25 lakhs (Rupees Twenty Five Lakh) and above. Advertisement in such cases should be given on University website. An department having its own website should also publish all its advertised tender enquiries on the website.
- (II) The Department should also post the complete bidding document in its website and on University website to enable prospective bidders to make use of the document by downloading from the web site.
- (III) The advertisements for invitation of tenders should give the complete web address from where the bidding documents can be downloaded.
- (IV) In order to promote wider participation and ease of bidding, no cost of tender document may be charged for the tender documents downloaded by the bidders. (iv) Where the Department feels that the goods of the required quality, specifications etc., may not be available in the country and it is necessary to also look for suitable competitive offers from abroad, the Department may send copies of the tender notice to the Indian Embassies abroad as well as to the foreign Embassies in India. The selection of the embassies will depend on the possibility of availability of the required goods in such countries.
- (V) Ordinarily, the minimum time to be allowed for submission of bids should be three weeks from the date of publication of the tender notice or availability of the bidding document for sale, whichever is later. Where the Department also contemplates obtaining bids from abroad, the minimum period should be kept as four weeks for both domestic and foreign bidders.

4.2.7 Limited tender enquiry

- (i) This method may be adopted when estimated value of the goods to be procured is up to Rupees Twenty five Lakhs. Copies of the bidding document

should be sent directly by speed post/registered post/courier/ email to firms which are borne on the list of registered suppliers for the goods in question. The number of supplier firms in Limited Tender Enquiry should be more than three. Further, Web based publicity should be given for limited tenders. Efforts should be made to identify a higher number of approved suppliers to obtain more responsive bids on competitive basis.

- (ii) Purchase through Limited Tender Enquiry may be adopted even where the estimated value of the procurement is more than Rupees twenty-five Lakhs, in the following circumstances.
 - (a) The competent authority in the University Department certifies that the demand is urgent and any additional expenditure involved by not procuring through advertised tender enquiry is justified in view of urgency. The University Department should also put on record the nature of the urgency and reasons why the procurement could not be anticipated.
 - (b) 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.
 - (c) The sources of supply are definitely known and possibility of fresh source(s) beyond those being tapped is remote.
 - (iv) Sufficient time should be allowed for submission of bids in Limited Tender Enquiry cases.

4.2.8 Single Tender Enquiry

Procurement from a single source may be resorted to in the following circumstances:

- (i) It is in the knowledge of the user department that only a particular firm is the manufacturer of the required goods
- (ii) In a case of emergency, the required goods are necessarily to be purchased from a particular source and the reason for such decision is to be recorded and approval of competent authority obtained.
- (iii) For standardization of machinery or spare parts to be compatible to the existing sets of equipment (on the advice of a competent technical expert and approved by the competent authority), the required item is to be purchased only from a selected firm

Note : Proprietary Article Certificate in the following form is to be provided by the University/Department before procuring the goods from a single source under the provision of sub Rule 4.2.8 (i) & (iii) as applicable.

- (i) The indented goods are manufactured by M/s.....
- (ii) No other make or model is acceptable for the following reasons :

.....

- (iii) Concurrence of finance wing to the proposal vide:
- (iv) Approval of the competent authority vide:

(Signature with date and designation of the indenting officer)

4.2.9 Two bid system

Two bid system (simultaneous receipt of separate technical and financial bids) : For purchasing high value plant, machinery etc. of a complex and technical nature, bids may be obtained in two parts as under :

- (i) Technical bid consisting of all technical details along with commercial terms and conditions; and
- (ii) Financial bid indicating item-wise price for the items mentioned in the technical bid. The technical bid and the financial bid should be sealed by the bidder in separate covers duly super-scribed and both these sealed covers are to be put in a bigger cover which should also be sealed and duly super-scribed.

The technical bids are to be opened by the purchasing University Department at the first instance and evaluated by a competent committee or authority. At the second stage financial bids of only these technically acceptable offers should be opened after intimating them the date and time of opening the financial bid for further evaluation and ranking before awarding the contract.

4.2.10 Late bids

In the case of advertised tender enquiry or limited tender enquiry, late bids (i.e. bids received after the specified date and time for receipt of bids) should not be considered.

4.2.11 Contents of bidding document

All the terms, conditions, stipulations and information to be incorporated in the bidding document are to be shown in the following headings:-

- a. Instruction to bidders.
- b. Conditions of contract.
- c. Schedule of requirements.
- d. Specifications and allied technical details.
- e. Price schedule (to be utilized by the bidders for quoting their prices)
- f. Contract form
- g. Other standard forms, if any, to be utilized by the purchaser and bidders.
- h. Warranty and post warranty maintenance, and
- i. Commercial conditions.

4.2.12 Bid Security

- (i) To safeguard against a bidder's withdrawing or altering its bid during the bid validity period in the case of advertised or limited tender enquiry, Bid Security (also known as Earnest Money) is to be obtained from the bidders. The SSI units, Public sector Undertakings shall also furnish earnest money for the amount as specified in the latest Central/State Government orders amended from time to time.
- (ii) Bid securities of the unsuccessful bidders should be returned to them at the earliest after expiry of the final bid validity and latest on or before the 30th day after the award of the contract.
- (iii) In place of a Bid security, the University Departments may require Bidders to sign a Bid securing declaration accepting that if they withdraw or modify their Bids during the period of validity, or if they are awarded the contract and they fail to sign the contract, or to submit a performance security before the deadline defined in the request for bids document, they will be suspended for the period of time specified in the request for bids document from being eligible to submit Bids for contracts with the entity that invited the Bids.

4.2.13 Advance payment to supplier

Ordinarily, payments for services rendered or supplies made should be released only after the services have been rendered or supplies made. However, it may become necessary to make advance payments for example in the following types of cases :-

- (i) Advance payment demanded by firms holding maintenance contracts for servicing of Air-conditioners, computers, other costly equipment, etc.
- (ii) Advance payment demanded by firms against fabrication contracts, turn-key contracts etc. Such advance payments should not exceed the following limits :
 - (a) Thirty per cent. of the contract value to private firms;
 - (b) Forty per cent. of the contract value to a State or Central Government agency or a Public Sector Undertaking; or
 - (c) in case of maintenance contract, the amount should not exceed the amount payable for six months under the contract.

4.2.14 Part Payment to Suppliers

Depending on the terms of delivery incorporated in a contract, part payment to the supplier may be released after it dispatches the goods from its premises in terms of the contract.

4.3 PROCUREMENT OF SERVICES

4.3.1.

The University / Departments may hire external professionals, consultancy firms or consultants (referred to as consultant hereinafter) for a specific job, which is well defined in terms of content and time frame for its completion.

4.3.2

This chapter contains the fundamental principles applicable to all University Departments regarding engagement of consultant(s). Detailed instructions to this effect may be issued by the University. However, the University Departments shall ensure that they do not contravene the basic rules contained in this chapter.

4.3.3

Identification of Services required to be performed by Consultants: Engagement of consultants may be resorted to in situations requiring high quality services for which the concerned University Department does not have requisite expertise. Approval of the competent authority should be obtained before engaging consultant(s).

4.3.4 Preparation of scope of the required Consultant(s):

The University / Departments should prepare in simple and concise language the requirement, objectives and the scope of the assignment. The eligibility and

prequalification criteria to be met by the consultants should also be clearly identified at this stage.

4.3.5 Estimating reasonable expenditure :

The University / Departments proposing to engage consultant(s) should estimate reasonable expenditure for the same by ascertaining the prevalent market conditions and consulting other organisations engaged in similar activities.

4.3.6 Identification of likely sources :

- (i) Where the estimated cost of the consulting service is up to Rupees twenty-five lakhs, preparation of a long list of potential consultants may be done on the basis of formal or informal enquiries from other University / Departments or Organisations involved in similar activities,
- (ii) Where the estimated cost of the consulting services is above Rupees twenty-five lakhs, in addition to(i) above, an enquiry for seeking 'Expression of Interest' from consultants should be published in at least one National Daily. The University Website addressed should also be given in the advertisement. Enquiry for seeking Expression of Interest should include in brief, the broad scope of work or service, inputs to be provided by the University Department, eligibility and the pre-qualification criteria to be met by the consultant(s) and consultant's past experience in similar work or service. The consultants may also be asked to send their comments on the objectives and scope of the work or service projected in the enquiry. Adequate time should be allowed for getting responses from interested consultants.

4.3.7 Short listing of consultants :

On the basis of responses received from the interested parties as per Rule 4.2.6 above, consultants meeting the requirements should be short listed for further consideration. The number of short listed consultants should not be less than three.

4.3.8. Preparation of Terms of Reference (TOR):

The TOR should include:

- (i) Precise statement of objectives.
- (ii) Outline of the tasks to be carried out.
- (iii) Schedule for completion of tasks.
- (iv) The support or inputs to be provided by the University / Department to facilitate the consultancy.
- (v) The final outputs that will be required of the Consultant.

4.3.9. Preparation and Issue of Request for Proposal (RFP): RFP is the document to be used by the University / Departments for obtaining offers from the consultants for the required service. The RFP should be issued to the shortlisted consultants to seek their technical and financial proposals. The RFP should contain :

- (i) A letter of Invitation
- (ii) Information to Consultants regarding the procedure for submission of proposal.
- (iii) Terms of Reference (TOR).
- (iv) Eligibility and pre-qualification criteria in case the same has not been ascertained through Enquiry for Expression of Interest.
- (v) List of key position whose CV and experience would be evaluated.
- (vi) Bid evaluation criteria and selection procedure.
- (vii) Standard formats for technical and financial proposal.
- (viii) Proposed contract terms.
- (ix) Procedure proposed to be followed for midterm review of the progress of the work and review of the final draft report.

4.3.10 Receipt and opening of proposals:

Proposals should ordinarily be asked for from consultants in 'Two bid' system with technical and financial bids sealed separately. The bidder should put these two sealed envelopes in a bigger envelop duly sealed and submit the same to the University / Departments by the specified date and time at the specified place. On receipt, the technical proposals should be opened first by the University / Departments at the specified date, time and place.

4.3.11

Late bids i.e. bids received after the specified date and time of receipt should not be considered.

4.3.12 Evaluation of Technical Bids:

Technical bids should be analysed and evaluated by a Consultancy Evaluation Committee to be constituted by the University. The CEC shall record in detail the reasons for acceptance or rejection of the technical proposals analysed and evaluated by it.

4.3.13 Evaluation of Financial Bids of the technically qualified bidders:

The University / Departments shall open the financial bids of only those bidders who have been declared technically qualified by the Consultancy Evaluation Committee as per Rule 4.2.12 above for further analysis or evaluation and ranking and selecting the successful bidder for placement of the consultancy contract.