

No.F.12/17/2019-PPD
Government of India
Ministry of Finance
Department of Expenditure
Procurement Policy Division

Room No.512, Lok Nayak Bhavan,
New Delhi dated the 6th February, 2020.

OFFICE MEMORANDUM

Subject: Predatory Pricing/ Abnormally Low Bids – Reg.

It has come to the notice of this Department that procurement entities are facing difficulties in finalization of tenders, in cases of predatory pricing/ abnormally low bids. In this connection, para 7.5.7 of the Manual for Procurement of Goods, 2017 issued by Department of Expenditure is being reiterated for information:

An Abnormally Low Bid is one in which the bid price, in combination with other elements of the Bid, appears so low that it raises material concerns as to the capability of the bidder to perform the contract at the offered price. Procuring Entity may in such cases seek written clarifications from the bidder, including detailed price analyses of its bid price in relation to scope, schedule, allocation of risks and responsibilities, and any other requirements of the bids document. If, after evaluating the price analyses, Procuring Entity determines that the bidder has substantially failed to demonstrate its capability to deliver the contract at the offered price, the Procuring Entity may reject the bid/proposal. However it would not be advisable to fix a normative percentage below the estimated cost, which would be automatically be considered as an abnormally low bid. Due care should be taken while formulating the specifications at the time of preparation of bid document so as to have a safeguard against the submission of abnormally low bid from the bidder.

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To,

Secretaries of all Central Government Ministries/ Departments