



स्टील अथॉरिटी ऑफ इण्डिया लिमिटेड
STEEL AUTHORITY OF INDIA LIMITED

No. SAIL/ CMMG/ PCP-2020/Amendment/2021-22/2029
Date: 21.05.2021

Sub: Amendment – 1 to Purchase/Contract Procedure 2020 (PCP-2020)

1. The existing Paras **1.4, 5.3.4, 5.3.5, 5.4.2, 5.5.2, 6.12, 7.7(b), 8.1, 8.2, 8.3.1, 8.3.2.1, 9.3, 10.1, 10.4, 10.7, 19.2** and **19.7** of the Purchase/Contract Procedure 2020 (PCP-2020) are hereby amended and placed at **Annexure – 1**.
2. A new para **5.1.4** has been included.
3. Further, "**NHA : Next Higher Authority**" has been included in the list of Abbreviations Used at page (iii) of PCP-2020.

This has the approval of Chairman, SAIL and comes into immediate effect.

Updated version of *Purchase/Contract Procedure (PCP-2020)*, amended as above, would be uploaded at Corporate Portal under "CMMG -->GUIDELINES DIRECTIVES --> Purchase Related (Including PCP)" for use by all plants/units.

(Arun K. Padhi)
General Manger (MM)

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CGMs of CO	: Chairman Sectt./ Admn./ CAD/ Fin./ Projects/ CMMG

Secretariat of Directors : Technical, Project & Raw Material/ Finance/ Commercial/ Personnel

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ANNEXURE - 1
AMENDMENT TO PURCHASE/ CONTRACT PROCEDURE 2020 (PCP – 2020)

Sl. No.	Para No.	Existing Para	Amended Para
(1)	(2)	(3)	(4)
1	1.4	Deviations to the PCP-2020 should be rare. In exceptional cases, deviation may be permitted for recorded reasons with the specific approval of Chief Executive Officer of the Steel Plant/ Chief Executive of the Unit. The deviation shall be reported to CVO through ACVO of the Plant/ Unit and to Corporate Materials Management Group (CMMG) (For MM Cases) & Corporate Projects (for Projects cases). For Units being headed by Executive Director, the Chief Executive will be respective Functional Director to whom the concerned Unit is reporting to.	Deviations to the PCP-2020 should be rare. In exceptional cases, deviation may be permitted for recorded reasons with the specific approval of Director In-charge of the Plant/ Chief Executive Officer of the Plant/ Chief Executive of the Unit. The deviation shall be reported to CVO through ACVO of the Plant/ Unit and to Corporate Materials Management Group (CMMG) (For MM and Contract Cases) & Corporate Projects (for Projects cases). For Units being headed by Executive Director, the Chief Executive will be respective Functional Director to whom the concerned Unit is reporting to.
2.	5.1.4	New Para	For issuance of tenders, the OMs/ Orders issued by Government of India and any subsequent modifications/ amendments thereto, relating to: (a) Public Procurement (Preference to Make In India) Order 2017 (b) Restrictions imposed on issuance of GTEs and (c) Requirement of registration of bidders with Competent Authority, such as in case of bidders from countries sharing land border with India etc., shall be adhered to and necessary clause (s) shall be included in the Terms & Conditions of Tender Enquiry / RFQ for complying with the provisions thereof.
3.	5.3.4	The selection of firms for LTE shall be done by the MM Dept. / Contract Cell in a judicious manner to ensure that: i) The firms are financially and technically sound; ii) The past performance of the firms with regard to quality and adherence to time schedule should also be considered while recommending a firm for issue of LTE; iii) The supplier / contractor who has successfully made the last supply / executed the last job, needs to be considered for issuance of LTE;	The selection of firms for LTE shall be done by the MM Dept. / Contract Cell in a judicious manner to ensure that: i) The firms are financially and technically sound; ii) The past performance of the firms with regard to quality and adherence to time schedule should also be considered while recommending a firm for issue of LTE; iii) The supplier / contractor who has successfully made the last supply / executed the last job, needs to be considered for issuance of LTE, except in case of any restriction(s) imposed by Government Policy/ Statute/ Guidelines;

Sl. No.	Para No.	Existing Para	Amended Para
(1)	(2)	(3)	(4)
		<p>iv) The firms registered for a particular category are all given coverage by rotation. Subject to (i), (ii) and (iii) above, no registered party should be considered for LTE for the second time unless all the registered parties in the list have been considered at least once in each cycle;</p> <p>v) Wherever sub-category-wise registration exists, enquiry should be issued to all such registered parties. Any deviation should be recorded with reasons.</p> <p>Explanation: In the Para 5.3.4 (iv), the registration of firms has been done for general categories, namely bearings, motors, gears etc. Wherever feasible, subcategory-wise registration should be done and Limited Tender Enquiry should be sent to all such registered vendors in the sub-category.</p>	<p>iv) The firms registered for a particular category are all given coverage by rotation. Subject to (i), (ii) and (iii) above, no registered party should be considered for LTE for the second time unless all the registered parties in the list have been considered at least once in each cycle. However, for procurement of Security Services, LTE shall be issued to the panel of Security Service Providers sponsored by Directorate General Resettlement (DGR);</p> <p>v) Wherever sub-category-wise registration exists, enquiry should be issued to all such registered parties. Any deviation should be recorded with reasons.</p> <p>Explanation: In the Para 5.3.4 (iv), the registration of firms has been done for general categories, namely bearings, motors, gears etc. Wherever feasible, subcategory-wise registration should be done and Limited Tender Enquiry should be sent to all such registered vendors in the sub-category.</p>
4.	5.3.5	<p>In cases where there are less than three registered suppliers for an item, vendors registered for similar items with other SAIL Plants/ Units should be considered for issuance of LTE, provided there is no adverse report on their performance. Under exceptional cases, such tender enquiry to only these two registered suppliers shall be issued with the approval of Chief Executive Officer of the Plant/ Chief Executive of the Unit.</p> <p>However, for the items so far purchased as proprietary for which additional vendor(s) has/ have been found/ developed, LTE to all such additional vendors shall also be issued with the approval of Competent Authority as per DOP.</p>	<p>In cases where there are less than three registered suppliers for an item, vendors registered for similar items with other SAIL Plants/ Units should be considered for issuance of LTE, provided there is no adverse report on their performance. Under exceptional cases, such tender enquiry to only these two registered suppliers shall be issued with the approval of Director In-charge of the Plant/ Chief Executive Officer of the Plant/ Chief Executive of the Unit.</p> <p>However, for the items so far purchased as proprietary for which additional vendor(s) has/ have been found/ developed as proven source, LTE to all such additional vendors shall also be issued with the approval of Competent Authority as per DOP.</p>



Sl. No.	Para No.	Existing Para	Amended Para
(1)	(2)	(3)	(4)
5.	5.4.2	Single Tender Enquiry (Other than Proprietary Cases)	
		The cases where the enquiry is restricted to only one source, though many sources/ suppliers/ contractors/ agencies exist, such procurement/ contract is on nomination basis. Such Single Tender Enquiries should be issued as an exception only and processed, after recording reasons. The indenter should take approval of Chief Executive Officer of the Plant/ Chief Executive of the Unit in all cases except procurement/ service contract from PSUs/ Central Government/ State Government Undertakings where approval of Competent Authority shall be obtained as per the applicable DOP.	The cases where the enquiry is restricted to only one source, though many sources/ suppliers/ contractors/ agencies exist, such procurement/ contract is on nomination basis. Such Single Tender Enquiries should be issued as an exception only and processed, after recording reasons. The indenter should take approval of Director In-charge of the Plant/ Chief Executive Officer of the Plant/ Chief Executive of the Unit in all cases except: (i) procurement/ service contract from PSUs/ Central Government/ State Government Undertakings where approval of Competent Authority shall be obtained as per the applicable DOP (ii) small value purchases which shall be governed by provisions of Para 23.2.3 (d).
6.	5.5.2	However, in exceptional cases, a third repeat order can be placed with the approval of Chief Executive Officer of the Plant/ Chief Executive of the Unit, after recording justification.	However, in exceptional cases, a third repeat order can be placed with the approval of Director In-charge of the Plant/ Chief Executive Officer of the Plant/ Chief Executive of the Unit, after recording justification.
7.	6.12	For job contract cases, there should be a stipulation in the tender documents under General Terms & Conditions that if a tenderer quotes unworkable rates, i.e., if the quoted price is less than the lower limit of the estimated price (Ref. Para 10.1) and is considered for placement of order, the party will be asked to justify the rate quoted and will be required to give Performance Guarantee Bond (PGB) (in addition to the Security Deposit) in the form of Bank Draft/ Bank Guarantee if the justification given by the bidder regarding rates has not been accepted or has been refused (Para 10.4). The amount of PGB to be decided by SAIL/ Plant (name of the Plant) at the time of placement of order and methodology for seeking PGB to be indicated in the tender document. Earnest Money Deposit of the tenderers who refuse to give PGB will be forfeited and they will not be considered in re-tendering if order/ contract is not finalised from the present tender.	For job contract cases, there should be a stipulation in the tender documents under General Terms & Conditions that if a tenderer quotes unworkable rates, i.e., if the quoted rate is abnormally low, such that it raises material concerns as to the capability of the Bidder to perform the contract at the offered rate, the party will be asked to justify the rate quoted. After evaluating the justification provided, if it is felt that the bidder has failed to substantially demonstrate its capability to deliver the contract at the offered rate, the bid/ quote may be rejected. However, under compelling circumstances, where the bidder is considered for placement of order despite having quoted abnormally low rates, the Bidder may be required to give Performance Guarantee Bond (PGB) (in addition to the Security Deposit, if applicable) in the form of Bank Draft/ Bank Guarantee. The amount of PGB to be decided by SAIL/ Plant at the time of

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			<p>placement of order and methodology for seeking PGB to be indicated in the tender document.</p> <p>In case the tenderers refuse to give the PGB, the following action may be taken against them: (i) If they have submitted Earnest Money Deposit - their Earnest Money Deposit will be forfeited and they will not be considered in re-tendering if order/contract is not finalised from the present tender. (ii) If they have submitted Bid Securing Declaration - action may be taken against them as stipulated in the Bid Securing Declaration.</p>
8.	7.7 (b)	<p>In case of LTE, if less than specified X+2 number of offers are received in the first attempt, a second attempt may be made by inclusion of new vendors or extension of due date if there is no scope of adding new vendors. In case adequate number (X+2) of offers are not obtained even in response to the second attempt, the offers received shall be processed after taking approval of the authority one stage higher than the authority competent to approve the enquiry proposal. Where the Approving Authority of enquiry proposal is the Chief Executive Officer of the Plant/ Chief Executive of the Unit, the Approving Authority for processing the case where offers received are less than X+2 shall also be the Chief Executive Officer of the Plant/ Chief Executive of the Unit, who shall have full powers to approve such proposals.</p>	<p>In case of LTE, if less than specified X+2 number of offers are received in the first attempt, a second attempt may be made by inclusion of new vendors or extension of due date if there is no scope of adding new vendors. In case adequate number (X+2) of offers are not obtained even in response to the second attempt, the offers received shall be processed after taking approval of the authority one stage higher than the authority competent to approve the enquiry proposal. Where the Approving Authority of enquiry proposal is the Director In-charge of the Plant/ Chief Executive Officer of the Plant/ Chief Executive of the Unit, the Approving Authority for processing the case where offers received are less than X+2 shall also be the Director In-charge of the Plant / Chief Executive Officer of the Plant/ Chief Executive of the Unit, who shall have full powers to approve such proposals.</p>
9.	8.0	EARNEST MONEY DEPOSIT (EMD)	EARNEST MONEY DEPOSIT (EMD)
10.	8.1	<p>Earnest Money Deposit is aimed at protecting the organization against irresponsible offers but should not be so high as to discourage tenders. EMD should be taken in all cases of open tender and in case of LTE wherever considered necessary. Non requirement of EMD/reduced EMD*, if any, in open tender should be decided on case to case basis by the Head of MM Dept./ Contract Cell of Plants/ Units with the approval of Competent</p>	<p>In order to protect the organization from irresponsible offers, Earnest Money Deposit (EMD) or Bid Securing Declaration (Format provided at Appendix – 1) in place of EMD (Refer Para 8.3.2.1) should be taken in all cases of Open Tenders and LTEs.</p> <p>Earnest Money Deposit* is required to be sought from the Bidders as per extant guidelines and the same will require the approval of the Competent Authority&.</p>



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		Authority. The amount of EMD is to be specified in the tender document in terms of absolute value as per the following indicative schedule.	The amount of EMD to be submitted should not be so high as to discourage participation in tenders. The amount of EMD is to be specified in the tender document in terms of absolute value as per the following indicative schedule:																																																				
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11.	8.2	<p>* In case where the techno-commercially acceptable vendors are frozen for an extended period of time and price bids are taken on a periodic basis, EMD amount shall be based on the estimated value of the particular price discovery cycle.</p>	<ul style="list-style-type: none"> * In case where the techno-commercially acceptable vendors are frozen for an extended period of time and price bids are taken on a periodic basis, EMD amount shall be based on the estimated value of the particular price discovery cycle. & For tenders issued till 31.12.2021, the Competent Authority for EMD will be the Next Higher Authority/ Director In-charge of the Plant/ Chief Executive Officer of the Plant/ Chief Executive of the Unit. 																																																				
		<p>Micro & Small Enterprises (MSEs)/ PSUs/ Government Undertakings and Co-operative Societies/ Start-ups as recognised by Department of Industrial Policy & Promotion (DIPP) etc., may be exempted from submission of EMD as per extant Government policy. For MSEs, the exemption will be extended on the basis of self-certified copy of Udyog Aadhar Memorandum (UAM) provided the concerned MSE is also registered in the MSME databank and MSE is registered for given scope of job/ procurement. SSI/ NSIC certificate holders are also exempted from submitting EMD and should submit a copy of valid Entrepreneurs Memorandum, if</p>	<p>Micro & Small Enterprises (MSEs)/ PSUs/ Government Undertakings and Co-operative Societies/ Start-ups as recognised by Department for Promotion of Industry and Internal Trade (DPIIT) etc., may be exempted from submission of EMD as per extant Government policy. For MSEs, the exemption will be extended on the basis of :</p> <ul style="list-style-type: none"> (i) Self-certified copy of Udyam Registration Certificate; (ii) the concerned MSE is registered in the MSME databank and (iii) MSE is registered for the given 																																																				

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		available.	scope of job/ procurement. SSI/ NSIC certificate holders are also exempted from submitting EMD.
12.	8.3.1	For contract cases Plants/ Units may give option to the registered contractors for deposition of one time nonadjustable EMD to be decided locally with the approval of Chief Executive Officer of the Plant/ Chief Executive of the Unit. However, no interest shall be payable on such deposits.	For contract cases Plants/ Units may give option to the registered contractors for depositing one time nonadjustable EMD to be decided locally with the approval of Director In-charge of the Plant/ Chief Executive Officer of the Plant/ Chief Executive of the Unit. However, no interest shall be payable on such deposits.
13.	8.3.2.1	In place of EMD, Bidders may require 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 one year from being eligible to submit bids for contracts. A format for Bid Security Declaration is attached at Appendix – 1 .	In place of EMD, Bidders may submit a duly signed 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 a period of one year from being eligible to submit bids for contracts.
14.	9.3	In case any specific adverse report is received against a tenderer, as an information or upon enquiry made by SAIL, in respect of capabilities and performance of the tenderer, after receipt of tender but before the opening of the Price Bids, the quotation/ tender submitted by such tenderer is liable to be rejected on the basis of recorded reasons and with the approval of the Next Higher Authority/ Chief Executive Officer of the Plant/ Chief Executive of the Unit. If such report is received after opening of the price bids, then also the quotation/ tender of that tenderer is liable to be rejected after recording the reasons and with the approval of the Next Higher Authority/ Chief Executive Officer of the Plant/ Chief Executive of the Unit.	In case any specific adverse report is received against a tenderer, as an information or upon enquiry made by SAIL, in respect of capabilities and performance of the tenderer, after receipt of tender but before the opening of the Price Bids, the quotation/ tender submitted by such tenderer is liable to be rejected on the basis of recorded reasons and with the approval of the Next Higher Authority/ Director In-charge of the Plant / Chief Executive Officer of the Plant/ Chief Executive of the Unit. If such report is received after opening of the price bids, then also the quotation/ tender of that tenderer is liable to be rejected after recording the reasons and with the approval of the Next Higher Authority/ Director In-charge of the Plant / Chief Executive Officer of the Plant/ Chief Executive of the Unit.
15.	10.0	PURCHASE / CONTRACT PROPOSAL	
16.	10.1	As a policy each Plant/ Unit will fix the (+) range for purchase proposals & (\pm) range for	As a policy each Plant / Unit will fix the (+) range for purchase proposals & (\pm) range

Sl. No.	Para No.	Existing Para	Amended Para
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		contract proposals for deviations in the estimated price for acceptance of the total evaluated price of tenderers as worked out in the Comparative Statement. This range may be different for different types of indents as well as for different values of indents. The approval of Chief Executive Officer of the Plant/ Chief Executive of the Unit shall be taken on such ranges of deviation from the estimated price, which may be reviewed once in a year.	for contract proposals for deviations in the estimated price for acceptance of the total evaluated price of tenderers as worked out in the Comparative Statement. This range may be different for different types of indents as well as for different values of indents. The approval of Director In-charge of the Plant/ Chief Executive Officer of the Plant/ Chief Executive of the Unit shall be taken on such ranges of deviation from the estimated price, which may be reviewed once in a year.
17.	10.4	For job contract cases, if tenderer quotes unworkable rate i.e. the L-1 price is not reasonable (less than the lower limit of the estimated price) as compared to the estimated price (Refer Para 6.12), the tenderer (including all other tenderers under split order which match with L-1 price or prices considered for placement of order are less than the lower range of estimated price), will be asked to justify the rates quoted. On non-acceptance of justification/refusal of the same, the tenderer will be asked to furnish Performance Guarantee Bond equal to the amount which will be the difference between lower limit of estimated price and the quoted price of tenderers. In case the tenderers refuse to comply with this, action will be taken as per Para 6.12 with the approval of the Next Higher Authority/ Chief executive Officer of the Plant/ Chief Executive of the Unit on submission of recorded reasons.	<p>For job contract cases, if tenderer quotes unworkable rate, i.e., the L-1 price is not reasonable (less than the lower limit of the allowed range of deviation from the estimated price), such that it raises material concerns as to the capability of the bidder to perform the contract at the offered price, the tenderer (including all other tenderers under split order which match with L-1 price or prices considered for placement of order are less than the lower range of estimated price), will be asked to justify the rates quoted. On non-acceptance of justification/refusal of the same, the bid may be rejected with recorded reasons and with the approval of the Next Higher Authority/ Director In-charge of the Plant/ Chief Executive Officer of the Plant/ Chief Executive of the Unit.</p> <p>Wherever there are compelling circumstances the tenderer may be asked to furnish Performance Guarantee Bond equal to the amount which will be the difference between lower limit of the allowed range of deviation from estimated price and the quoted price of tenderers with the approval of the Next Higher Authority/ Director In-charge of the Plant/ Chief Executive Officer of the Plant/ Chief Executive of the Unit to finalise the particular tender. In case the tenderers refuse to submit the Performance Guarantee Bond, action will be taken against the tenderer as per Para 6.12 with the approval of the Next Higher Authority/ Director In-charge of the Plant/ Chief Executive Officer of the Plant/ Chief</p>



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			Executive of the Unit on submission of recorded reasons.
		<p>In case the L-1 tenderer is able to justify his rate, and found to be workable by the tender committee, or credentials of the party are established, then Performance Guarantee Bond may be waived with the approval of Next Higher Authority/ Chief Executive Officer of the Plant/ Chief Executive of the Unit.</p> <p>The Performance Guarantee Bond, wherever required, should be taken in the form of Bank Draft/ Bank Guarantee from any scheduled commercial bank except Co-operative & Gramin Bank only. In case the contractor has any outstanding amount with the company against a different tender, the same should not be adjusted for this purpose.</p>	<p>In case the L-1 tenderer is able to justify his rate, and found to be workable by the tender committee / MM / Contract Cell (as applicable) or credentials of the party are established, then order may be placed with approval as per DOP.</p> <p>The Performance Guarantee Bond, wherever required, should be taken in the form of Bank Draft/ Bank Guarantee from any scheduled commercial bank except Co-operative & Gramin Bank only. In case the contractor has any outstanding amount with the company against a different tender, the same should not be adjusted for this purpose.</p>
18.	10.7	Any purchase preference to MSEs/ Local MSEs/ Ancillary Units/ PSUs/ Government Organisations/ Startups as recognised by Department of Industrial Policy & Promotion (DIPP) shall be based on the extant guidelines issued by Government of India. Additionally, "Minimum Local Content (LC)" as described in the Public Procurement (Preference to Make in India) Order 2017 (Revised on 29.05.2019) and subsequent amendments, if any, shall be applicable.	Any purchase preference to MSEs/ Local MSEs/ Ancillary Units/ PSUs/ Government Organisations/ Startups as recognised by Department for Promotion of Industry and Internal Trade (DPIIT) shall be based on the extant guidelines issued by Government of India. Additionally, "Minimum Local Content (LC)" as described in the Public Procurement (Preference to Make in India) Order 2017 (As revised on 16 th September 2020) and subsequent amendments, if any, shall be applicable.
19.	19.2	To achieve this objective, Chief Executive Officer of each Plant/ Chief Executive of each Unit shall constitute a Vendor Development Cell (VDC) under HOMM which will co-ordinate and monitor all related activities.	To achieve this objective, Director In-charge of the Plant/ Chief Executive Officer of each Plant/ Chief Executive of each Unit shall constitute a Vendor Development Cell (VDC) under HOMM which will co-ordinate and monitor all related activities.
20.	19.7	Evaluation of Performance: The trial shall be monitored by a Committee constituted for the purpose by the concerned Direct Reporting Officer (DRO) to the Chief Executive Officer of the Plant/ Chief Executive of the Unit.	Evaluation of Performance: The trial shall be monitored by a Committee constituted for the purpose by the concerned Direct Reporting Officer (DRO) to the Director In-charge of the Plant/ Chief Executive Officer of the Plant/ Chief Executive of the Unit.