

**East Coast Railway
Engineering Department**

CE's Circular No.-29

Sub: Adopting Equivalent/Similar products in Civil Engineering Contracts.

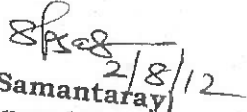
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As per extant instructions East Coast Railway USSOR-2010 for Works & Material should be adopted for preparation of estimates and Contracts. In all such cases, corresponding specifications of IRUSSOR-2010 are required to be followed.

In terms of Railway Board letter No. 2010/CE-I (Spl)/IRUSSOR/W & M/1 dated. 01.09.2011, it is to be ensured that non-schedule items in contracts are to be resorted to only as exception and not as a routine. The existing NS-Items of the Railway should be operated through the SOR items, if similar descriptions are part of the approved unified documents. In case such coverage is not there in the unified document then these items, if justified, may be incorporated as non-schedule items following extant instructions.

It is seen that in some of the NS items, the description of the work specifies use of some products/materials by Brand name followed by the words 'or equivalent'. In such cases, the interpretation of the words 'or equivalent' has to be made keeping in view the functional aspects of the product, its specification, quality and also the cost. However, in a situation where the Contractor offers to use an equivalent product instead of the product mentioned in the specifications, the decision to approve the equivalent product should be taken by the Sectional Sr.DEN/DEN on ascertaining that the product meets the technical requirements of the work after conducting necessary laboratory tests. The cost of the 'equivalent product' should also be similar to the cost of the product specified in the contract and the accepted rate should be justifiable for using the equivalent product. In case if cost of equivalent product differs too much (say more than $\pm 10\%$), a new NS item should be operated.

It is desirable to mention the technical specification/requirements of the materials/products to be used in the works and avoid the use of Brand Names followed by 'or equivalent'. However, in case a Tenderer intends to supply 'equivalent product' at the tender stage itself, then the tenderer should be required to specify in his offer the product he intends to use. This will enable the Tender Committee to evaluate the technical suitability of the product as well as its financial implications. Suitable Clause should be incorporated in the Tender documents in this regard.


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 For General Manager (Engg)
 Bhubaneswar

No: W-4/374/Pt.I/CE's Circular/6742

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2. CAO/Con/BBS, FA&CAO/BBS, SDGM/BBS & CSO/BBS.
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4. All HODs, Dy.HODs and Sr. Scale and Jr. Scale Officers of Engg. Department at Head Quarters -- for information please.

Dtd. 02.08.2012