

NATIONAL HIGHWAYS AUTHORITY OF INDIA
Regional Office - Kolkata

Dated: 07 July 2023

Opening & Evaluation of Technical e-Bids for the work of Construction of RCC Brick Boundary Wall, Chain Link Fencing at Panagarh Military Base Camp in the State of West Bengal

NIT No. 03/2023-24/NH-19/PAN-PAL/Boundary Wall/2nd Call dated 23 May 2023

PUC is the RO-Kolkata letter dated 25 May 2022 vide which concurrence has been given for transferring of Defence land measuring 3.996 Acre (1.617 Ha) at Mouza-Kotachandipur, Arjunpur and Budbud, Panagarh Military Station on Equal Value Infrastructure (EVI) Basis for 6-laning work of Panagarh – Palsit section of NH-19.

Accordingly, PD, PIU- Durgapur had submitted draft NIT alongwith Bid Documents for the work of Construction of RCC Brick Boundary Wall, Chain Link Fencing at Panagarh Military Base Camp in the State of West Bengal amounting to Rs 13,65,95,335/- for the period of 06 months to RO-Kolkata.

Opening of Technical Bid (1st Call):-

Accordingly, NIT was published on the Government e-procurement System i.e. <https://etenders.gov.in> as well as on NHAI website i.e. www.nhai.org along with bid document on 08 Feb 2023.

For Uploading, opening & evaluation of Technical & Financial e-Bids, a committee was constituted by Chief General Manager (Tech) / RO-Kolkata vide office order no. NHAI/RO-KOL/001/2023/11/21/145 dated 10 Feb 2023 consisting of the following members.

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|----|---|---|-------------|
| 1. | Shri S K Mallik, Project Director, PIU-Durgapur | - | Chairperson |
| 2. | Shri D K Choudhary, Project Director, PIU-Kolkata | - | Member |
| 3. | Shri S Pal, Manager (Tech), RO-Kolkata | - | Member |
| 4. | Shri L P Bhagat, Dy Manager (F&A), FAU-Kolkata | - | Member |

Within stipulated date & time, there were 02 nos bidders participated in the bidding procedure. The names of the bidders were:-

- (a) M/s Biswajyoti Bhattacharyya, Berhampore, Murshidabad, West Bengal
- (b) M/s Vaisno Construction, Kolkata, West Bengal

On scrutiny of both the proposals, the Committee observed that, both the bidders have not submitted proper experience certificate pertaining to similar nature of works i.e. Building Works (Civil) / Construction of Boundary Wall etc. Therefore, the Committee declared both the bids as Technically Non-Responsive and recommended to go for 2nd Call by cancelling the instant tender procedure.

CGM (Tech), RO-Kolkata vide Note dated 09 May 2023 had approved the recommendation of the Committee.

Accordingly, 2nd Call of the tender was invited vide NIT No 03/2023-24/NH-19/PAN-PAL/Boundary Wall/2nd Call dated 23 May 2023 for the subject tender work.

Opening of Technical Bid (2nd Call):-

Due to recent transfer posting of few committee members, CGM (T)/RO-Kolkata had issued revised office order vide no NHAI/RO-KOL/001/2023/11/21/747 dated 07 July 2023 consisting of following officers:-

- | | | | |
|----|---|---|-------------|
| 1. | Shri D K Choudhary, Project Director, PIU-Kolkata | - | Chairperson |
| 2. | Shri A Sarkar, DGM (F&A) & Head, FAU-Kolkata | - | Member |
| 3. | Shri Manish Kumar, PD, PIU-Durgapur | - | Member |
| 4. | Shri S B Ghosh, Manager (Tech), RO-Kolkata | - | Member |

The last date of submission of e-bids was re-scheduled on 03 July 2023 upto 12.00 Hrs on the Government e-procurement System i.e. <https://etenders.gov.in>.



Accordingly, the Technical e-bids were opened on 04 July 2023 at 12.00 Hrs in the office of the CGM (T) / RO-Kolkata by the Committee members.

No Authorised representative was present at the time of opening of Technical e-bids.

After opening of e-bids through Government e-procurement System i.e. <https://etenders.gov.in>, the Committee observed that, total 03 (three) nos of bids of the following firms were uploaded in e-portal:

- (c) M/s United Road Constructions Pvt Ltd, Kolkata, West Bengal
- (d) M/s R N Infra Projects, Durgapur, West Bengal
- (e) M/s Mackintosh Burn Ltd, Kolkata, West Bengal

Documents uploaded by both the above mentioned bidders in the e-portal regarding "Bid Security", "Bid Document fees" etc were verified and tabulated in the Technical bid opening Statement which is attached herewith as Annexure-A. Amount deposited as bid document fees were verified from NHAI, RO-Kolkata's bank statement.

On scrutiny of the Bid Securities of the above mentioned 03 nos Bidders, it is observed by the Committee that, M/s RN Infra Projects has submitted Bank Guarantee bearing no 04163GPGE2307 dated 15 Mar 2023 amounting to Rs 27,32,000/- valid upto 14 July 2023.

As per 16.2 of Section-II of ITB, it is stated that, *"The Earnest Money shall, at the Bidder's option, be in the form of Bank Guarantee/ Bank Fixed Deposit Receipt (FDR) of any scheduled commercial bank approved by RBI having a net worth of not less than Rs. 500 crore as per the latest annual report of the bank must be in the name of Employer. In case of foreign bank (issued by a branch in India) the net worth in respect of the Indian operations shall only be taken into account. It shall be valid for 45 days beyond the validity of the bid. Any bid having bid security for lesser value and shorter validity period shall be treated as non responsive."*

Further as per clause 15.1, *"Bids shall remain valid for a period of 120 days after the deadline date for bid submission specified in Clause 20. A bid valid for a shorter period shall be rejected by the Employer as non-responsive."*

In light of the above clauses, bid security has to be valid upto 15 Dec 2023 (i.e. 120 days + 45 days from 03 July 2023). However, the Bid security Bank Guarantee of M/s RN Infra Projects is valid only upto 14 July 2023. Therefore, the Committee unanimously recommended to declare the bid of M/s RN Infra Projects as Non-Responsive and decided not to further evaluate the bids of M/s RN Infra Projects.

Therefore, the Committee go for further Technical evaluation of other two bids namely (i) M/s United Road Constructions Pvt Ltd, Kolkata, West Bengal and (ii) M/s Mackintosh Burn Ltd, Kolkata, West Bengal.

Technical Evaluation of Bids:-

After prima facie verification of similar nature of works performed by the other two submitted bidders, namely (i) M/s United Road Constructions Pvt Ltd, Kolkata, West Bengal and (ii) M/s Mackintosh Burn Ltd, Kolkata, West Bengal based on the documents uploaded by the firms during last 7 years, the Committee observed that, M/s United Road Construction Pvt Ltd has submitted few experience Certificates mainly for widening & strengthening road works which is not similar nature as per Bid Documents. Documentary evidences of one similar nature work namely "Provn of Storage Accommodation Panagarh (Phase-II) at Panagarh" has been submitted by the firm, however the work is not 90% completed yet. Therefore, the said work experience is not considered by the Committee.

Therefore, the Committee decided further evaluate the bid of M/s Mackintosh Burn Ltd, Kolkata, West Bengal for ascertaining necessary responsiveness in Technical Evaluation.

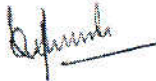
The documents uploaded by M/s Mackintosh Burn Ltd, Kolkata, West Bengal has been examined as per evaluation criteria defined in Bid Documents and found generally in order. Detailed Technical Evaluation is enclosed herewith.

Recommendation of Committee:-

1. In this instant case, there are three nos bids were initially received, however due to disqualification of two bids namely, M/s R N Infra Projects, Durgapur, West Bengal (due to shorter validity of Bid Security) & M/s United Road Constructions Pvt Ltd, Kolkata, West Bengal (due to non-submission of work experience in similar nature), the other bid of M/s Mackintosh Burn Ltd, Kolkata, West Bengal stands Single Technically Responsive Bid.
2. The Committee comprehended the Department of Expenditure Circular no F.1/1/2021-PPD dated 29 Oct 2021 which is attached with NHAI Policy Circular no 18.78/2022 dated 18 Feb 2022 wherein in para 11.8 it is stated that, "It has become a practice among some procuring entities to routinely assume that open tenders which result in single bids are not acceptable and to go for re-tender as a 'safe' course of action. This is not correct. Re-bidding has costs; firstly the actual costs of re-tendering; Secondly the delay in execution of work with consequent delay in the attainment of the purpose for which the procurement is being done; and thirdly, the possibility that the re-bid may result in a higher bid. Lack of competition shall not be determined solely on the basis of number of bidders. Even when only one bid is submitted, the process should be considered....."
3. In view of the above, the Committee unanimously recommends and declared the bids of (i) M/s R N Infra Projects, Durgapur, West Bengal & (ii) M/s United Road Constructions Pvt Ltd, Kolkata, West Bengal as Technically Non-Responsive and Bid of M/s Mackintosh Burn Ltd, Kolkata, West Bengal declared as Technically Responsive.
4. Under the above circumstances and as per NHAI Policy Circular no 18.78/2022 dated 18 Feb 2022, the Committee recommended to considered the single technically responsive bid of M/s Mackintosh Burn Ltd, Kolkata, West Bengal subject to approval of Competent Authority and Financial bid of the firm shall be opened after receipts of affirmative confirmation of their submitted work experience certificate and Bid Security Bank Guarantee from the concerned offices.



S B Ghosh
Manager (Tech)
RO-Kolkata
Member



Manish Kumar
Project Director
PIU-Durgapur
Member



A Sarkar
DGM (F&A) & Head
FAU-Kolkata
Member



D K Choudhary
Project Director
PIU-Kolkata
Chairperson

Submitted for approval please.

CGM (Tech)/ RO-Kolkata:

Signature Not Verified ^{Page 3 of 3}

Digitally signed by ADITYA SHARMA

Date: 2023.07.17 16:21:51 IST

Location: eProcurement System for Central PS