

GOVT.OF ASSAM
OFFICE OF THE CHIEF ENGINEER, PWD,(NH WORKS),
ASSAM, CHANDMARI, GUWAHATI-3

File No. 487322/2024/15

Dated Guwahati, the 5th August/ 2024

To

1. The Regional Officer, MoRT&H,
Chandmari, Guwahati-3
MEMBER, BID EVALUATION COMMITTEE
2. The Financial Adviser, PWD
Assam, Chandmari, Guwahati-3
MEMBER, BID EVALUATION COMMITTEE
3. The Superintending Engineer, PWD,
Dibrugarh NH Circle, Dibrugarh
MEMBER, BID EVALUATION COMMITTEE
4. The Executive Engineer, PWD,
Dibrugarh NH Division, Dibrugarh
MEMBER SECRETARY, BID EVALUATION COMMITTEE.

Sub: - Opening of online Financial Bids for the work: Construction of New Bridge over River Gariajan (Br. No. 416/1) on NH-15 under Annual Plan 2023-24 under PWD NH Dibrugarh NH Division in the state of Assam under EPC- Mode. (Job No. Br./15/2023-24/264)

Ref.: NIB No. 487322/2024/5, dated 18.06.2024

D/ Sirs,

With reference to the above, it is to state that the date of opening of financial bids for the above-mentioned work is hereby fixed on 13.08.2024 at 2.00 PM.

As such, you are hereby requested kindly to make it convenient to attend the same

Yours faithfully,

(Er. Debajit Das)

Chief Engineer, PWD, NH Works, Assam
Chandmari, Guwahati- 3
Chairman, Bid evaluation committee

Memo No.487322/2024/15 -A
Copy to:

Dated Guwahati, the 5th August/ 2024

1. The Director General (Road Development) and Special Secretary to the Govt. of India, MoRT&H, Transport Bhawan, No.1, Parliament Street, New Delhi-110001 for favour of kind information. [Kind attention: CE, NER ZONE-V, MoRT&H, New Delhi]
2. The Spl. Commissioner & Spl. Secretary to the Govt. of Assam, P.W. (Bldg. & NH) Department, Dispur, Guwahati-781006 for favour of kind information.
3. M/s Sanjay Kumar Singh, H.No. 14528, Chirwapatty Road, Tinsukia, P.O.- Tinsukia Assam-786125/ Sri Kulen Hazarika, Vill-Batabari, P.O.&P.S- Dalgaoon, Darrang, Assam-784116. They are requested to attend the opening of financial bids.

(Er. Debajit Das)

Chief Engineer, PWD, NH Works, Assam
Chandmari, Guwahati- 3
Chairman, Bid evaluation committee

MINUTES FOR TECHNICAL BID EVALUATION HELD ON 05.08.2024

NAME OF WORK:- Construction of New Bridge over River Gariajan (Br. No. 416/1) on NH-15 under Annual Plan 2023-24 under PWD NH Dibrugarh NH Division in the state of Assam under EPC- Mode. (Job No. Br./15/2023-24/264)

(A) Reference of according sanction to the project:

- i) Authority : - MoRT&H, New Delhi.
- ii) Sanction letter : - NH-12014/52/2024-RO Guwahati, C-No. 235216 Dated 15.03.2024
- iii) Sanctioned amount of Estimate:- Rs. 873.00 Lakh

(B) Bidding Process:-

(i) Bid Value: Rs. 658.00 Lakhs

The RFP for the work was issued by the Chief Engineer, (NH Works), PWD Assam vide letter no. 48322/2024/5, dated 18.06.2024. The RFP and the Bidding documents were made available in the CPPP, MoRT&H of <https://eprocure.gov.in> from 20.06.2024 to 14.00 hrs on 20.07.2024.

(ii) Pre-bid Meeting: The Pre-bid meeting was fixed on **04.07.2024**. However, no queries were raised in the Pre-bid meeting.

(iii) Date stipulated for receiving the bid document: The deadline for submission of online bid was up to 14.00 hours on **20.07.2024** and the last date of Physical Submission of Bid Security/POA etc was up to 14.00 hr. on **20.07.2024**

(vi) Technical Bid opening: -

The online technical bids were opened on **22.07.2024** after **14.00 hrs** in the office Chamber of CE (NH), in presence of Bid Evaluation committee members & representatives of bidders. Total 5 (Five) nos. of bids from the following bidders were received through online mode in the portal of CPPP website <https://eprocure.gov.in> from the following bidders:-

1. M/s Sanjay Kumar Singh, H.No. 14528, Chirwapatty Road, Tinsukia, P.O.- Tinsukia Assam-786125
2. M/S M.K. Hatibaruah & Co., A.T. Road, H.no. Dilbagh Raj Anand Complex, Guwahati, Kamrup(M), Assam-781001

3. Sri Kulen Hazarika, Vill-Batabari, P.O.&P.S- Dalgaon, Darrang, Assam-784116
4. M/S B.K. Construction, Lachit Nagar, Jeuti Path, P.O. & P.S.- Dibrugarh, Assam- 786001
5. M/S Tanor Engineering, P-Sector, Itanagar, P.O.&P.S- Itanagar, Papum Pare, Arunachal Pradesh-791111

However, it was noticed that the bidder M/S B.K. Construction has not submitted the physical copy of the undertaking as per stipulation of clause no. 2.11.2 of the RFP and the remaining 4 (Four) nos. of bidders have submitted requisite documents in hard copy as per stipulation of clause no. 2.11.2 of the RFP. Accordingly, as per the decision of the BEC in the meeting dated 22.07.2024, evaluation of technical bid of the bidder M/S B.K. Construction was not done and the bidder was declared as non-responsive as per the provisions of clause no. 2.13 of the RFP due to non-submission of requisite documents as per stipulation of clause no. 2.11.2 of the RFP.

(C) Evaluation of Technical Bids: -

Confirmation of BG's submitted as bid securities by the bidders were obtained from the respective Banks.

To establish the responsiveness of each & every individual's technical bids, the qualification information submitted online by the bidders have been examined on the basis of technical qualification criteria laid down in the bidding documents and compiled in the form of a statement -"TABLE FOR EVALUATION OF SUBSTANTIVE RESPONSIVENESS OF TECHNICAL BIDS" to be placed before the Bid Evaluation Committee.

(D) The meeting of Bid Evaluation Committee (BEC) for technical evaluation of bids is held on **05.08.2024** at the office chamber of the CE (NH), in presence of CE (NH) as Chairman of Bid Evaluation Committee (BEC).

(E) The Bid Evaluation Committee verified and examined the documents of the technical bids & all other relevant papers. The deliberations of the Bid evaluation committee are as follows:-

1. M/s Sanjay Kumar Singh, H.No. 14528, Chirwapatty Road, Tinsukia, P.O.- Tinsukia Assam-786125: Qualification information submitted by the bidder is found to be in order as per stipulations of RFP.
2. M/S M.K. Hatibaruah & Co., A.T. Road, H.no. Dilbagh Raj Anand Complex, Guwahati, Kamrup(M), Assam-781001: The bidder has not submitted all the details as per Appendix-IA(Annexure-I)i.e., Details of the bidder as per clause no. 2.1.4 of the RFP.

3. Sri Kulen Hazarika, Vill-Batabari, P.O.&P.S- Dalgaon, Darrang, Assam-784116
Qualification information submitted by the bidder is found to be in order as per stipulations of RFP.
4. M/S Tanor Engineering, P-Sector, Itanagar, P.O.&P.S- Itanagar, Papum Pare, Arunachal Pradesh-791111:

The bidder i.e. M/s Tanor Engineering participated in the bidding process of the work "Construction of 2 lane Barpeta Bypass from km 77+900 (Baradi) to km 86+150 (Deurikuchi) (Length=8.25 Km) on NH-427 in the State of Assam under EPC Mode. (Job No. 427/AS/2022-23/245)" under Assam PWD (NH Works). In the qualification information submitted by the bidder it has been seen that only one similar nature of work has been submitted which is of sub-contract in nature. Clarification regarding the approval of the sub-contract for the said work was sought from the Chief Engineer (HW zone) PWD, Arunachal Pradesh vide this office's letter Date 27/09.2023. But, as per the clarification received from the Chief Engineer (HW zone) PWD, Arunachal Pradesh vide their letter No. CEAP(HW)/W-9/PP/Pgk-5/2022-2023/2817-18 dated 04.10.2023, sub-contract for the said work neither approved by the Authority nor the work under sub-contract is being done, which was considered as a fraudulent practice. Accordingly, the bidder was disqualified as per Clause 2.6.2 & 2.20.5 of the Request for Proposal (RFP). The same was presumably agreed upon by the bidder as no disagreement letter was received from the bidder.

The same bidder again participated in the bidding process of the work "Performance Based Maintenance Contract (PBM) from Ch.264.100 km to Km 305.000 km and from Km 330.000km to Km 345.000 km (Total length 55.90 km) of NH-15 under contract Maintenance of NH for 2023-24 under Nagaon NH Division, Nagaon in the state of Assam. Job No. PBM/15/AS/2023-24/250". In the qualification information submitted by the bidder it was again found that the bidder has submitted the same sub-contract work mentioned above along with an

approval of subcontract from the Authority on 23.11.2023. As per clause no. 4.2 (ii) under Article-4 of the contract agreement approval is to be granted within 15 days from the receiving of the proposal for sub-contract. But no correspondence was made with the contractor within 15 days from the receiving of the proposal for sub-contract by the Authority until 23.11.2024. Whereas the subcontract was completed by the sub-contractor on 30.04.2023 as per the certificate submitted by the concerned Executive Engineer and payment was also received as per the certificate submitted from CA. Accordingly, legal opinion was sought from Standing Counsel of PW (B&NH) Dept and it was opined that the *tendering authority may take action against the bidder as per provisions of the tender document in view of submission of contradictory documents. The Authority is at liberty to take their decision considering the documents available in their records as submitted by the bidder along with the bid document including the relevant documents which are available in their records although submitted in connection with an earlier tender process while considering their credential / qualification criteria. The Authority is not precluded from considering the documents submitted by the same bidder referring to same subcontract with substantial variations, which has a serious implication on their credibility and qualification.*

In view of above BEC decided that the same work shall not be considered for qualification criteria and the bidder is liable to be declared as non-responsive as per clause no. 2.2.2.2 (ii) of the RFP.

Bid Evaluation Committee finalized the names of the technically responsive & non-responsive bidders and are depicted in the Table for Evaluation of Substantive Responsiveness of Technical Bids & also stated below:

RESPONSIVE

1. M/s Sanjay Kumar Singh.
2. Sri Kulen Hazarika

NON-RESPONSIVE

1. M/S M.K. Hatibaruah & Co
2. M/S Tanor Engineering
3. M/S B.K. Construction

In view of above, the BEC has decided to open Financial Bids of both the Technically Responsive Bidders.

Executive Engineer, PWD,
Dibrugarh NH Division, Dibrugarh
MEMBER SECRETARY,
BID EVALUATION COMMITTEE

(Representative of)
the Regional Officer, MoRT&H,
Assam, Chandmari, Guwahati-3
MEMBER,
BID EVALUATION COMMITTEE

Superintending Engineer,
Dibrugarh NH Circle, Dibrugarh
MEMBER,
BID EVALUATION COMMITTEE

Financial Adviser, P.W.D. Assam,
Chandmari, Guwahati-3
MEMBER,
BID EVALUATION COMMITTEE

Chief Engineer, PWD, (NH Works),
Assam, Chandmari, Guwahati-3.
CHAIRMAN,
BID EVALUATION COMMITTEE

Signature Not Verified

Digitally signed by DEEPAK KUMAR DAS
Date: 2024.08.07 15:10:27 IST
Location: eProcure-EPROC