

Examination of Tender for “Civil works at explosive magazine, Kothagudi village, Tharangambadi Taluk, Mayiladuthurai District, Tamilnadu”.

Bids received for the above work has been examined by the under signed on **03-09-2024** and the following observed.

Invitation of tender:

- PR no. 2090062025 for Rs.9,71,295.00 respectively vide DISHA file no. KKL/CAU-ASSET/SERVICES/LOGGING-SER/2024/Civil/1307140.
- DTP approved by GM(C) on 30.07.2024
- SAP Tender No. : VC1CC24017 dtd: 31.07.2024
- Period of Sale of Tender : 01.08.2024 to 22.08.2024
- Date of opening : 23.08.2024
- Date of CS prepared : 27.08.2024
- Date of CS vetted in Finance : 29.08.2024

Tender for the above work was invited as open tender with **Normal notice period under single bid system.** NIT was issued copies sent to display in notice board and loaded in the website 'https://etenders.gov.in' on **31.07.2024.**

Tender for the above work was opened on 29.08.2024 and four bids were received from the bidders viz. (1/4) MECH-TECH ENGINEERING, (2/4) N.PALANIVEL, (3/4) R.Thiruvengadam and (4/4) VSK CONSTRUCTIONS.

Since the sanction value is less than 10 lakhs, bidders are exempted from payment of EMD as per 16.5.2 of Integrated MM Manual - 2015.

The certificates and supporting documents submitted by the bidders were examined and the following were observed:

OBSERVATION AND DELIBERATION:

Bidder (1/4) MECH-TECH ENGINEERING:

I – Clauses regarding submission of certificates, agreements/documents & supporting documents in respect of technical & commercial qualification of BEC (and also bidder's compliance vide BEC Matrix):

Clause A.1: Bidder has accepted all the terms and conditions of ONGC tender documents for tender no. VC1CC24017 and not made any deviations from the same and has confirmed his compliance against the clause vide his letter in his official letter head dt:21.08.2024. Therefore, **the bidder is qualifying this criteria.**

Clause B.2.4 (f): Bidder has confirmed his compliance against the clause and uploaded the GST registration certificate No: **33BTIP55704B4ZU** dated **25.03.2019**. Therefore, **the bidder is qualifying this criteria.**

Clause B.2.4 (g): Bidder has confirmed his compliance against the clause and uploaded undertaking dtd: 21.08.2024. However undertaking is not as per stipulated format in tender document. . Therefore, **the bidder is deficient in qualifying this criteria.**

Clause B.2.4 (h): Bidder has confirmed his compliance against the clause and uploaded undertaking vide his letter dt: 21.08.2024 that all the documents / certificates / information towards fulfillment of tender / contract conditions submitted by them are genuine. Therefore, **the bidder is qualifying this criteria.**

Clause B.2.4 (i): Bidder has confirmed his compliance against the clause and uploaded necessary undertaking vide his letter dt. 21.08.2024 that to provide all the necessary compliances/invoice / documents for enabling ONGC to avail input tax (GST) credit benefits in his official letter head. Therefore, **the bidder is qualifying this criteria.**

II – Other clauses which require the bidder’s compliance vide BEC Matrix:

Clause B.2.1, B.2.2, B.2.3, B.2.4 (a), B.2.4 (b), B.2.4 (c), B.2.4 (d), B.2.4 (e), B.2.4 (j), B.2.4 (k), C.1, C.2, D.1, D.2, E.1, E.2, E.3 & E.4: Bidder has confirmed his compliance against the clause in BEC Matrix. Therefore, **the bidder is qualifying the criteria.**

Therefore, the bid of **(1/4) MECH-TECH ENGINEERING is commercially deficient as per clause B.2.4 (g).**

Bidder (2/4) N.PALANIVEL:

I – Clauses regarding submission of certificates, agreements/documents & supporting documents in respect of technical & commercial qualification of BEC (and also bidder’s compliance vide BEC Matrix):

Clause A.1: Bidder has accepted all the terms and conditions of ONGC tender documents for tender no. VC1CC24017 and not made any deviations from the same and has confirmed his compliance against the clause but not uploaded requisite certificate. Therefore, **the bidder is deficient in qualifying this criteria.**

Clause B.2.4 (f): Bidder has confirmed his compliance against the clause and uploaded the GST registration certificate No: **33AOPPP9762B1ZM dated 02.08.2018**. Therefore, **the bidder is qualifying this criteria.**

Clause B.2.4 (g): Bidder has confirmed his compliance against the clause but not uploaded requisite certificate declaring that their company / partners or associates where not issued banning orders by ONGC / blacklisted by any Central Govt/ State Govt./State PSU / Central PSU department. Therefore, **the bidder is deficient in qualifying this criteria.**

Clause B.2.4 (h): Bidder has confirmed his compliance against the clause but not uploaded requisite undertaking that all the documents / certificates / information towards fulfillment of tender / contract conditions submitted by them are genuine. Therefore, **the bidder is deficient in qualifying this criteria.**

Clause B.2.4 (i): Bidder has confirmed his compliance against the clause but not uploaded requisite undertaking that to provide all the necessary compliances/invoice / documents for enabling ONGC to avail input tax (GST) credit benefits in his official letter head. Therefore, **the bidder is deficient in qualifying this criteria.**

II – Other clauses which require the bidder’s compliance vide BEC Matrix:

Clause B.2.1, B.2.2, B.2.3, B.2.4 (a), B.2.4 (b), B.2.4 (c), B.2.4 (d), B.2.4 (e), B.2.4 (j), B.2.4 (k), C.1, C.2, D.1, D.2, E.1, E.2, E.3 & E.4: Bidder has confirmed his compliance against the clause in BEC Matrix. Therefore, **the bidder is qualifying the criteria.**

Therefore, the bid of **(2/4) N.PALANIVEL is commercially deficient as per clause A.1, B.2.4 (g), B.2.4 (h), B.2.4 (i) of BEC.**

Bidder (3/4) R.Thiruvengadam:

I – Clauses regarding submission of certificates, agreements/documents & supporting documents in respect of technical & commercial qualification of BEC (and also bidder’s compliance vide BEC Matrix):

Clause A.1: Bidder has accepted all the terms and conditions of ONGC tender documents for tender no. VC1CC24017 and not made any deviations from the same and has confirmed his compliance against the clause vide his letter in his official letter head dt:22.08.2024. Therefore, **the bidder is qualifying this criteria.**

Clause B.2.4 (f): Bidder has confirmed his compliance against the clause and uploaded the GST registration certificate No: **33ATKPT1615M1ZE dated 11.04.2019**. Therefore, **the bidder is qualifying this criteria.**

Clause B.2.4 (g): Bidder has confirmed his compliance against the clause and uploaded undertaking dtd: 22.08.2024. However Undertaking is not as per prescribed format in tender document. Therefore, **the bidder is deficient in qualifying this criteria.**

Clause B.2.4 (h): Bidder has confirmed his compliance against the clause and uploaded undertaking vide his letter dt: 22.08.2024 that all the documents / certificates / information towards fulfillment of tender / contract conditions submitted by them are genuine. Therefore, **the bidder is qualifying this criteria.**

Clause B.2.4 (i): Bidder has confirmed his compliance against the clause and uploaded necessary undertaking vide his letter dt. 22.08.2024 that to provide all the necessary compliances/invoice / documents for enabling ONGC to avail input tax (GST) credit benefits in his official letter head. Therefore, **the bidder is qualifying this criteria.**

II – Other clauses which require the bidder’s compliance vide BEC Matrix:

Clause B.2.1, B.2.2, B.2.3, B.2.4 (a), B.2.4 (b), B.2.4 (c), B.2.4 (d), B.2.4 (e), B.2.4 (j), B.2.4 (k), C.1, C.2, D.1, D.2, E.1, E.2, E.3 & E.4: Bidder has confirmed his compliance against the clause in BEC Matrix. Therefore, **the bidder is qualifying the criteria.**

Therefore, the bid of **(3/4) R.Thiruvengadam is commercially deficient as per clause B.2.4 (g)**

Bidder (4/4) VSK CONSTRUCTIONS:

I – Clauses regarding submission of certificates, agreements/documents & supporting documents in respect of technical & commercial qualification of BEC (and also bidder’s compliance vide BEC Matrix):

Clause A.1: Bidder has accepted all the terms and conditions of ONGC tender documents for tender no. VC1CC24017 and not made any deviations from the same and has confirmed his compliance against the clause vide his letter in his official letter head dt:22.08.2024. Therefore, **the bidder is qualifying this criteria.**

Clause B.2.4 (f): Bidder has confirmed his compliance against the clause but not uploaded the GST registration certificate. Therefore, **the bidder is deficient in qualifying this criteria.**

Clause B.2.4 (g): Bidder has confirmed his compliance against the clause and uploaded certificate dtd: 22.08.2024. However Undertaking is not as per prescribed format in tender document. Therefore, **the bidder is deficient in qualifying this criteria.**

Clause B.2.4 (h): Bidder has confirmed his compliance against the clause and uploaded undertaking vide his letter dt: 22.08.2024 that all the documents / certificates / information towards fulfillment of tender / contract conditions submitted by them are genuine. Therefore, **the bidder is qualifying this criteria.**

Clause B.2.4 (i): Bidder has confirmed his compliance against the clause and uploaded necessary undertaking vide his letter dt. 22.08.2024 that to provide all the necessary compliances/invoice /

documents for enabling ONGC to avail input tax (GST) credit benefits in his official letter head. Therefore, **the bidder is qualifying this criteria.**

II – Other clauses which require the bidder’s compliance vide BEC Matrix:

Clause B.2.1, B.2.2, B.2.3, B.2.4 (a), B.2.4 (b), B.2.4 (c), B.2.4 (d), B.2.4 (e), B.2.4 (j), B.2.4 (k), C.1, C.2, D.1, D.2, E.1, E.2, E.3 & E.4: Bidder has confirmed his compliance against the clause in BEC Matrix. Therefore, **the bidder is qualifying the criteria.**

Therefore, the bid of **(4/4) VSK CONSTRUCTIONS is commercially deficient as per clause B.2.4 (g) & B.2.4 (f) of BEC.**

Since the tender has been invited under single bid system, the price bid were also opened on the same day. The status of the price bid opened is as follows.

1. The bidder **(3/4) R.Thiruvengadam** stood at **1st lowest** with his quote **(-)10.12% below the estimate cost put to tender of Rs.9,25,043.00 amounting to Rs.8,31,428.65.**
2. The bidder **(2/4) N.PALANIVEL** stood at **2nd lowest** with his quote **(-)8.00% below the estimate cost put to tender of Rs.9,25,043.00 amounting to Rs.8,51,039.56.**
3. The bidder **(1/4) MECH-TECH ENGINEERING** stood at **3rd lowest** with his quote **(-)6.60% below the estimate cost put to tender of Rs.9,25,043.00 amounting to Rs.8,63,990.16.**
4. The bidder **(4/4) VSK CONSTRUCTIONS** stood at **4th lowest** with his quote **(-)1.00% below the estimate cost put to tender of Rs.9,25,043.00 amounting to Rs.9,15,792.57.**

Rate reasonability:

Vide Cl. 14.1.1 of IMM Manual “Rate reasonability will be applicable in cost only (other than QCBS) or L-1 selection/evaluation methodology. Tender Committee shall be required to establish and certify the reasonability of rates of L-1 bidder received in a tender. Rate reasonability can be established in comparison to cost estimates and / or last purchase rate (if available) and / or price trends prevailing in the market (if the same can be determined depending on either the type of items being purchased or if there is any published documents / data reflecting the price trends or if there is relationship between raw material being used in manufacture of items like steel is used for manufacture of tubular goods). When purchase does not fall under purview of tender committee, dealing officer of MM in consultation with Indentor and Finance shall ascertain the rate reasonability and put up the proposals for approval of CPA. For cases dealt by departments other than MM but MM support is required as per BDP, rate reasonability shall be ascertained by dealing officer in consultation with finance and MM. While ascertaining the reasonability of rates, comparison should be first done with Cost Estimates/LPR (wherever available) without applying any escalation factor. Thereafter, suitable escalation factor, if any, needs to be considered for ascertaining the reasonability of rates.

Accordingly, the case shall be processed for finalization, if the rates of L-1 bidder are considered to be reasonable on the basis of above analysis. Wherever the rates of L-I bidder are substantially high as compared to cost estimates / or LPR or not in line with the price trend prevailing in the market, a decision shall be taken as to whether price negotiation need to be conducted.”

In view of above, NOA register for LPR/Price trends awarded valuing less than 10 lakhs for the last one year from 01.09.2023 to 31.08.2024 was verified and has observed the following.

Sl. No	Brief name of work	Awarded value	Awarded %	Date of NOA	Name of bidder
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1.	Sub head 1: Repair and renovation of EPABX room for infocom services in Neravy base office, Neravy, Karaikal. Sub head 2: Construction of store room for storing of spare items of VSAT equipment, IT equipment and SCADA etc. in Neravy base office, Neravy, Karaikal	7,42,552.46	(-) 8.90%	21.11.2023	Sri Siva Sakthi constructions
2.	Renovation of HSE section rooms (room no: 11 & 12) in cementing building, ONGC Neravy Office Complex, Cauvery Asset, Karaikal.	3,62,511.06	(+) 2.00%	22.11.2023	GOVINDARAJA N R
3.	Providing and laying of Silpaulin sheet for bio remediation pit at NRM GGS, Nagapattinam District.	3,06,508.87	(-) 19.89%	04.01.2024	SAKTHISAM CONTRACTORS
4.	Renovation of infocom office rooms and new VC room in Neravy base office, Neravy.	6,01,194.69	(-) 12.90%	28.02.2024	SK Construction
5.	Construction of two wheeler parking shed at Polagam DTYS, Karaikal	6,76,201.22	(-) 16.99%	15.03.2024	R.Madhavan

It is observed from the above table that, the works has been awarded between (+) 2.00% above to (-) 19.89% below from which it has been observed that the quoting is in mixed trend.

Hence the offer of L-1 bidder (3/4) R.Thiruvengadam, which is 10.12% less than the estimated cost put to tender is found reasonable.

However as commercially deficient, L1 bidder (3/4) R.Thiruvengadam, may be asked to submit deficient document as per Clause B.2.4 (g), i.e., certificate declaring that their company / partners or associates where not issued banning orders by ONGC / blacklisted by any Central Govt/ State Govt./State PSU / Central PSU department in stipulated format in tender document .

Sanction exists vide PR no.2090062025 for Rs.9,71,295.00

Bid validity expires on 26.11.2024.

RECOMMENDATION:

To seek deficient document from L1 bidder (3/4) R.Thiruvengadam. Bidder may be asked to submit undertaking as per Clause B.2.4 (g), i.e., certificate declaring that their company / partners or associates where not issued banning orders by ONGC / blacklisted by any Central Govt/ State Govt./State PSU / Central PSU department in stipulated format in tender document.

Submitted for approval of CPA at L-IV level.