

Sub: Increasing corruption in PWD B&R department regarding Patiala – Sirhind Road & Sirhind Chunni Road

PUC: PWD B&R Branch-I memo no. 10/94/08-ESI(3)/5246 dated 18.12.2008

1. Vide PUC a copy of the CE/CVO cum DQCC memo no. 620/660 dated 15.10.2008, along with a copy of Complaint from Kulwant Singh (without Address or any other particulars) has been sent for comments.
2. The contents of the Complaint & the comments / remarks of the CE / CVO cum DQCC have been examined, and the factual position / comments are listed in following paras:
3. The Rehabilitation of Patiala Sirhind road has been done under Phase – I of the World Bank funded Punjab State Road Sector Project.

4. The advertisement of the work, i.e. IFB (Information for Bidders) seeking bids is placed at Flag 'A'.

[It may be noted that IFB only refers to the name of work, amount, dates of availability of the bid documents etc. & does not contain the technical specifications which are listed only in Bid Documents (NIT). Hence the allegation of the Complainant that ' We were told at the time of issue of tenders that cone crusher has to be installed' is incorrect as any serious prospective bidder who intends to bid for the work, can purchase the bid document (or even otherwise) & can seek the written clarification from Employer on any clause/condition of the Bid Document.


5. The Pre-Bid meeting was held on 21.08.2006. It was attended by 3 Contractors, concerned Executive Engineer, Deputy Project Director & 2 Sub Divisional Engineers. The minutes of the Pre-bid meeting & draft corrigendum were submitted to the World Bank, and on the instance of the World Bank the related item (501.2.2) was changed to allow for use of aggregates even from crushing plants without Cone Crusher. World Bank comments & 'No Objection' are placed at Flag 'B' and the issued corrigendum is placed as Flag 'C'

[It may be noted that complying the World Bank procurement Guidelines the minutes/corrigendum were issued to all those bidders who had purchased the bid documents. Refer Flag 'D & E']

6. The Bids were submitted by 4 Contractors on 15.9.2006, and the work was awarded to lowest qualified bidder 'M/s Trillion Continent Sdn. Bhd., Malaysia' on 13.12.2006.

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7. But as 'M/s Trillion Continent Sdn. Bhd.' failed to submit the Performance security [Flag 'F'] & the rate of the next lowest bidder was 3.65 Crore higher hence the bids for this work was recalled after the recommendation of Tender evaluation committee.
 8. During the next bidding process, the Pre-Bid meeting held on 20.7.2007 was attended by representatives of 2 Contractors, Concerned EE, Deputy Project Director & Project Manager PRBDB. It was pointed out by the present Contractors that though *in clause 501.2.2, for coarse aggregates of Base & Sub Base courses (Bituminous), obtaining the material from Cone Crusher is not binding. But for Coarse aggregates of BM & DBM, there is restriction of obtaining the same from cone crusher only. For this the bidder shall have to install cone crusher.* (Flag 'G'). Keeping in view the reasonability of the argument / query, and the fact that World Bank had already relaxed the condition in previous bidding, necessary amendments were made to relevant clauses 504.2.2 & 507.2.2 also, subject to the condition that **'the Contractor may procure material from any crusher so long as it (material) adheres to specifications'**. All the bidders who had purchased the bid documents were issued this corrigendum. [Flag 'H']
 9. In the re-bid, 8 (Eight) Bidders had purchased the bid documents [Flag 'I'], and 6 (Six) bids were received on 6.8.2007. After bid evaluation, the work was awarded to M/s Singla Construction Co. Bathinda on 3.9.2007.
 10. Entire procurement process was as followed as per the Procurement Guidelines of the World Bank. As per required provision, any modification to bidding document has to issued to all the bidders who have purchased the Bid Documents (which was complied to). [Flag 'D'] Hence there was no need to advertise & re-invite the bids again as implied in the memo of CE/ CVO cum DQCC.
 11. The Procurement of this work was Post-Reviewed by the World Bank on 12.8.2008 and found satisfactory. The report is placed at Flag 'J'.
 12. The Procurement process was transparent, and well advertised. No undue benefit was given to any bidder during entire bidding process. No complaint was received in this regard from any of the 8 (Eight) participating bidders. An Executive Engineer represents Director CVO cum DQCC in Tender Evaluation Committee for all the bid openings & tender evaluations. The work was allotted only after the recommendation of the Tender Evaluation Committee [Flag 'K'].

13. The Complainant could have approached PRBDB or concerned Office & lodged his complaint/query even till the allotment of work. This could have enabled PRBDB / Concerned PWD office in taking timely necessary suitable action for redressal of the complaint.
14. The work stands completed, and the World Bank has appreciated the same during its last visit [Flag 'L'].
15. Keeping in view of the above we may request to file this anonymous / pseudonymous complaint.


12/2/09.

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