



# WEST BENGAL HOUSING BOARD

(Estd. under W.B. Act XXXII of 1972)

'A B A S A N', 105, S. N. Banerjee Road, Kolkata – 700014,

Phone : (033) 2265-1965, 2264-1967 / 3966 / 8968 / 4974 / 0950. Fax : (033) 2264-1480 /

0979, Web site : [www.wbhousingboard.in](http://www.wbhousingboard.in) Email : [wbhousingboard@gmail.com](mailto:wbhousingboard@gmail.com)

Memo .No:- 1042 /JD(EP)/HB

Dated :- 11.09.2018

## NOTICE INVITING QUOTATION ( e-NIQ)

NIQ No:-WBHB/JD(EP)/NIQ-07 /2018-2019/2<sup>nd</sup> Call

The Joint Director (EP), West Bengal Housing Board, invites e-Quotation for the work detailed in the table below. (Submission of Bid through online in two fold system).

Name of Work	Earnest Money	Cost of Bidding documents (Non- refundable)	Period of Completion	Engineer-in-charge of the work	Eligibility of Bidder
Proposal for carrying out a lottery for allotment of un-allotted old and new constructed flats about <b>1500</b> (Fifteen Hundred) units in different Projects of the WBHB and JVC/ASC of WBHB	<b>Rs 20,000.00</b> shall have to be deposited by all the Bidders. The Labour Co-perative Societies are exempted from depositing Earnest money/ Security deposit for participating in Govt. Tenders vide order No. 6204- F(Y) Dt. 17.08.2015 of Joint Secretary, Govt. of West Bengal	<b>Rs. 1000.00</b> (per set) to be deposited by the successful Bidder during formal agreement after issuance of LOA. Cost of Bidding document is not required during participation in Nle-Q.	36(Thirtysix) months with the provision of further extension of another Six months.	Assistant Housing Commissioner- I, WBHB.	Bonafied and Resourceful Agencies having experience in similar nature of service fulfilling requisite eligibility criteria as stated in the NIQ Eligibility.

1. On line receipt and refund of EMD of E-Tender through State Govt. E-Tender Portal referred Nit clause No.-7
2. Intending bidder shall download the Quotation documents from the website: <http://wbtenders.gov.in> directly with the help of Digital Signature Certificate & necessary earnest money may be remitted through E-Tender Portal. The L1 bidder shall submit the hard copy of the documents to the tender inviting authority with his acceptance letter of the LOI/LOA .Failure to submit the Hard copy with the acceptance letter within the time period prescribed for the purpose, may be construed as an attempted to disturb the tendering process and dealt with accordingly legally including black listing of the bidder.  
Rest amount of 2% EMD to be deposited only by the successful bidder after finalization of total Bid value

2. Both **Technical bid and Financial Bid** are to be submitted in technical (Statutory & Non Statutory folder) and financial folder concurrently duly digitally signed in the website <http://wbtdenders.gov.in> as per Tender time schedule stated in Sl. No. 13  
The documents submitted by the bidders should be properly indexed & digitally signed.

3. The FINANCIAL OFFER of the prospective Bidder will be considered only if the TECHNICAL Document (both statutory and non-statutory) of the Bidder found qualified by the, Tender committee W.B.H.B. The decision of the Tender committee, W.B.H.B. will be final and absolute in this respect. The both list of Responsive and Non-Responsive Bidders will be displayed in the website and also in the Notice Board of the Joint Director (EP), W.B.H.B. on the scheduled date and time.
4. For any queries and clarification, interested Bidder may visit the sites and may contact the Authorised person of Office of Joint Director ( Engg. Planning) at the address mentioned below.

**5. Address for Communication :**

Joint Director (Engg. Planning),  
**WEST BENGAL HOUSING BOARD**  
'A B A S A N', 105, S. N. Banerjee Road, Kolkata – 700014,  
Phone : (033) 2265-1965, 2264-1967. Fax : (033) 2264-1480/ 0979.  
Web site : [www.wbhousingboard.in](http://www.wbhousingboard.in)  
Email : [wbhousingboard@gmail.com](mailto:wbhousingboard@gmail.com)

**WBHB reserves the right to accept/reject any or all proposals** without assigning any reason thereof.

**6. Eligibility Criteria For Participation In The Quotation.**

- i) Intending Bidders should produce credentials of a similar nature of services for at least one work under Govt. Sector, Semi Govt. Sector, Corporations, Govt. Companies, Boards, Autonomous/Statutory Bodies, Reputed Bank, Local Bodies, etc. and having a magnitude of **30% of total assignment units** during 5(five) years prior to the date of issue of this Quotation notice of similar nature. OR
- ii) Intending Bidders should produce credentials of 2 (two) similar nature of work, each of the minimum assignment units of **20%** during 5 (five) years prior to the date of issue of this Quotation notice of similar nature. OR
- iii) In case of running works, only those Bidders who will submit the certificate of satisfactory running work from the concerned EIC, or equivalent competent authority will be eligible for the Quotation. In the required certificate it should be clearly stated that the work is in progress satisfactorily and value of which is not less than the desire value also that no penal action has been initiated against the executed agency, i.e. Quotationer
- iv) Bidders having experience of completed projects shall have to submit the completion certificates with 1) **Name and address of the Client** 2) **No of Assignment units for conducting lottery** 3) **Date of start and completion**
- v) The proposals for this contract will be considered only from those bidders (proprietorship firms, partnership firms, companies, corporations, consortium etc.) who meet requisite eligibility criteria subject to complying with the provisions.
- vi) Bidder must not have been blacklisted or deregistered by any central/state government department or public sector undertaking. Also no work of the bidder must have

been rescinded by client after award of contract during last 5 years. The bidder should submit undertaking to this effect in writing.

- vii) Bidder should submit a written power of attorney authorizing the signatory of the bid to commit the bidder.
- viii) The Quotationer shall have an office at Kolkata
- ix) The Quotationer must have I.T.Registration No, P.Tax certificate, Pan Card No,GST Registration No.(In case of Quoted amount exceeded Rs 20,000,00.00(Rupees Twenty lacs) ( Copy of necessary documents are to be submitted in the Technical folder).
- x) The prospective bidder would also have documents in support of valid **Provident fund enrolment No. and ESI registration** issued by appropriate authority[Non statutory Documents].
- xii) The Partnership Firm shall furnish the registered partnership deed and the company shall furnish the **Article of Association and Memorandum**. [Non statutory Documents].
- xiii) Bidder shall submit the minimum Average Annual Turn Over of Rs10,000,00.00(Ten lacs) during last Three Financial years

The particulars of Annual Turnover may be submitted in the following format:

Sl. No.	Year	Turn Over in (Rs. Lakh)
1.	2017-2018	
2.	2016-2017	
3.	2015-2016	

TOTAL:-

Average:-  $(1+2+3)/3$

7. **On-line receipt and refund of EMD of E-Tender through State Govt. E-Tender Portal**
- Necessary earnest money will be deposited by the bidder electronically online through his net banking enabled bank account maintained in any bank or generating NEFT/RTGS challan from the e-tendering portal. Intending bidders will get the beneficiary details from e-tender portal with the help of Digital Signature Certificate and may transfer the EMD from their respective bank as per beneficiary name and account no., amount, Beneficiary Bank Name[ICICI Bank] & IFSC Code and e-proc Ref. no. Intending bidder who wants to transfer EMD through NEFT/RTGS must read the instructions of the challan generated from e-procurement site (i.e., Unique Transaction Receipt) and must be uploaded in EMD folder of Statutory Bid Documents. Bidders are also advised to submit EMD of their bid, at least 3 working days before the bid submission closing as it requires time for processing of payment of EMD. Bidders eligible for exemption of EMD as per Govt. rules may avail the same and necessary documents regarding the exemption of EMD must be uploaded in the EMD folder for Statutory Bid Documents.
- The EMD of the bidders disqualified at the technical evaluation will revert to the respective bidders accounts without any manual intervention following the same path in which the EMD was transferred from the bidder's bank account to the pooling account electronically, once the

technical evaluation is electronically processed in the State Government e-tender portal of <https://wbtenders.gov.in>.

The EMD of the technically qualified bidders other than L1 bidders will revert to the respective bidders accounts without any manual intervention following the same path in which the EMD was transferred from the bidder's bank account to the pooling account electronically, once the financial bid evaluation is electronically processed in the State Government e-tender portal of <https://wbtenders.gov.in>, as per memorandum no. 148-W(C)/1M-23/15 dt. March 16, 2018 of Additional Chief Secretary, PWD.

The L1 bidder shall submit the hard copy of documents to the tender inviting authority with his acceptance letter of the LOI.

Failure to submit the hard copy with the acceptance letter within the time period prescribed for the purpose may be construed as an attempted to disturb the tendering process and dealt with accordingly legally including black listing of the bidder.

Since the provision of the fixed security deposited has been deleted vide notification no. 24-A/2D-13/2010 dt. 31.01.2014 the EMD amounting to 2% the estimated amount put to tender shall have to be deposited by all tenderers.

**At the time of uploading the Tender, the intending Tenderer should upload a scanned copy of such Unique Transaction Receipt (UTR) through NEFT/RTGS fund transfer for aforesaid amount as Earnest Money in favour of the concerned Executive Engineer, (prescribed in the front page of this e-NIT).**

#### **8. Bidding Process:**

The Technical Bid consisting of documents in support of eligibility criteria are required. Financial bid, considering unit price rate will be called from successful technically qualified firms. The Technical Bid will be evaluated w.r.t. eligibility criteria and on the basis of marks stated below.

Evaluation of Technical Bid for the empanelment of Independent Auditors shall be made on the following basis: -

<b>Sl. No</b>	<b>Particulars</b>	<b>Maximum Marks.</b>	<b>Marks</b>
<b>1</b>	<b>Experience in conducting the similar nature of jobs</b>	<b>20</b>	
	<b>At least 5 years</b>		<b>10</b>
	<b>&gt;5 to 10 years</b>		<b>15</b>
	<b>&gt;10 years .</b>		<b>20</b>
<b>2</b>	<b>Annual Turnover of the Firm (Average of last 3 years)</b>	<b>20</b>	
	<b>At least INR 10 lacs</b>		<b>14</b>
	<b>&gt;INR 10 lacs To INR 15 lacs.</b>		<b>16</b>
	<b>&gt;INR 15 lacs To INR 20 lacs.</b>		<b>18</b>
	<b>&gt;INR 20 lacs .</b>		<b>20</b>

3	<b>Conducting No of units</b>	20	
	At least 500 units		14
	501 to 1000 units		16
	1001 to 1500 units		18
	More than 1500 units		20
		60	

Each Technical Bid having fulfil minimum criteria set for all 3 categories will be evaluated by the Tender Evaluation Committee on the basis of the points as mentioned above in a maximum achievable score of 60.00.

Those securing average score of 75% or above in Technical Bid will qualify for financial bid (WBHB reserves the right to reduce the average qualifying marks up to 60%.)

After opening the financial bids of the Technically qualified Bidders the Financial evaluation statement will be sent to Tender Committee and Technical-Cum-Works-Committee, for their consent/objection, if any,

#### 9. **SCOPE OF WORK**

- i) Checking, counting and confirming that all valid applications received have been included in lottery.
- ii) Lottery exercise to be conducted on the day of event.  
(Note:- Place and other arrangement related with the lottery will be borne by the WBHB)
- iii) Lottery to be conducted for a minimum of 25 units on the day of event for 1st time event of any unit.
- iv) Subsequent lottery for waitlisted units only to be conducted for minimum of 1(One) unit on the day of the event.
- v) Multiple lottery exercises to be conducted within the total period of contract, with the aim of successful allotment of all 1500 (Fifteen hundred) units on offer.

#### 10. **REJECTION OF BID**

A prospective bidder shall be allowed to participate in a single job either in the capacity of individual or as a partner of a firm. If found to have applied severally in a single job, all his applications will be rejected for that job.

The Quotation Inviting Authority reserves the right to reject any application for participating in bidding process and to accept or reject any offer without assigning any reason whatsoever and is not liable for any cost that might have incurred by any Quotationer at the stage of Bidding.

#### 11. **BILLING & PAYMENT PROCEDURE**

No Mobilisation Advance and Secured Advance will be allowed.

#### 12. **VALIDITY OF BID**

Bids shall remain valid for a period not less than **120 (One hundred twenty) days** after the dead line date for Financial Bid submission. If the bidder withdraws the bid during the period of bid validity the earnest money as deposited will be

forfeited forthwith without assigning any reason thereof.

**13 PERIOD OF CONTRACT**

**36(Thirty Six) months with the provision of further extension of another 6 (Six) months.**

**14. Important Information: Date & Time schedule**

Sl.NO	Particulars	Date & Time
1.	Date of uploading of N.I.Q. and Bid	11.09.18 at 11.00 Hrs
2.	Date & time of start of downloading Bid	11.09.18 at 11.00 Hrs
3.	Date & time of start of Bid submission (On line)	11.09.18 at 11.00 Hrs
4.	Date & time of closing of Bid Submission	20.09.18 at 18.00 Hrs
5.	Date & time of Bid opening for Technical Proposals (Online)	24.09.18 at 11.00 Hrs
6.	Date of uploading list of technically qualified bidders (online)	To be notified after evaluation of Technical Bid.
7.	Date & time of Bid opening for Financial Proposal (Online)	To be notified during uploading of Technical Evaluation Sheet of Bidders

15. **Earnest Money :** The amount of Rs20,000.00(Rupees Twenty thousand ) shall have to be deposited by all the Bidders. The Labour Co-operative Societies are exempted from depositing Earnest money/ Security deposit for participating in Govt. Tenders vide order No. 6204- F(Y) Dt. 17.08.2015 of Joint Secretary, Govt. of West Bengal. Rest amount of 2% EMD to be deposited only by the successful bidder after finalization of total Bid value
16. Prospective applicants are advised to note carefully the minimum qualification criteria as mentioned in 'Instructions to Bidders' (ITB) and various conditions in "Conditions of Contract", "Special Terms & Conditions" & other bidding documents before Quotationing the bids.
17. No Conditional/ Incomplete Quotation will be accepted under any circumstances. In case of ascertaining the authority of the intending bidders at any stage of Quotation process or execution of work, necessary registered irrevocable power of attorney in original is to be produced for verification as and when asked for by the Quotation Inviting & Accepting Authority / Engineer -in- Charge.
18. During the scrutiny, if it comes to the notice to Quotation inviting authority that the

credential or any other paper found incorrect/ manufactured/ fabricated, that bidder would not be allowed to participate in the Quotation and that application will be out rightly rejected without any prejudice.

The Quotation Inviting Authority reserves the right to cancel the N.I.Q. due to unavoidable circumstances without assigning any reason, whatsoever, to the bidders and no claim in this respect will be entertained.

19. During the process of scrutiny of Quotation document, the Quotation inviting authority or his authorized representative may verify the credential and other related documents as submitted by the Bidders with the original, if necessary. After verification, if it is found that the documents submitted by the Bidders is either manufactured or false, the bid submitted by the Bidder will be summarily rejected and the Earnest Money deposited by the bidder will be forfeited by the Quotation Inviting Authority without assigning any reason thereof.

20. The documents forming the Contract shall be interpreted in the following order of priority :

- i) Agreement,
- ii) Letter of Acceptance,
- iii) Notice to proceed with the work (i.e Work Order),
- iv) Contractor's Bid,
- v) Contract Data,
- vi) Special Terms & Conditions,

21. **Qualification criteria.**

The Quotation inviting & Accepting Authority through a 'Quotation Evaluation Committee' will determine the eligibility of each bidder. The bidders shall have to meet all the minimum criteria regarding :

**a) Financial Capacity.**

**b) Experience/Credential.**

The eligibility of a bidder will be ascertained on the basis of the digitally signed documents in support of the minimum criteria as mentioned in a, b, above and the declaration executed through prescribed affidavit in non-judicial stamp paper of appropriate value duly notarized.. If any document submitted by a bidder is found either manufactured or false, in such cases the eligibility of the bidder/ Quotationer will be out rightly rejected at any stage without any prejudice with forfeiture of earnest money forthwith or will be debarred from participation in any Quotation within the jurisdiction of W BHB for a period of 1 (one) year or more as deemed fit by the Quotation Inviting authority.

22. "Where an individual person holds a digital certificate in his own name duly issued to him against the company or the firm of which he happens to be director or partner, such individual person shall, while uploading any Quotation for and on behalf of such company or firm, invariably upload a copy of registered power of attorney showing clear authorization in his favour by the rest of the directors of such company or the partners of such firm, uploading such Quotation. The power of attorney shall have to be registered in accordance with the provisions of the Registration Act, 1998"

23. **Check List for Submission of NIQ**



- **NIQ Document.**
- **Eligibility Criteria.**
- **EMD in the form of Bank Draft/Pay order.**
- **Stated Completion Certificate**
- **Type of Firm.**
- **Audited Balance sheet(Last three Financial years).**
- **Income tax return for last three F.Y.**
- **Voter Identity/Adhar identity card and Pan card Xerox copy.**
- **Latest P.Tax return.**
- **GST registration details.**
- **E.P.F and E.S.I documents.**
- **A written power of attorney authorizing the signatory of the bid.**

**Joint Director (EP)  
West Bengal Housing Board**

**Memo .No:- 1042 /1/(14)/JD(EP)/HB**

**Dated :-11 .09.2018**

Copy forwarded for kind information to :-

1. Housing Commissioner, WBHB
2. JHC & Secy., WBHB
3. FA-Cum-CAO, WBHB
4. CA-Cum-AP, WBHB
- 5 . Director (Engg.), WBHB
- 6-10. JD(EW)-I/II/III/IV/(E.W.)/(EEW ) / Slg. ,WBHB
11. L.A.O./AHC-I, WBHB with the request to publish the Notice in BOARD's Web site.
12. DD(E.P)-III, WBHB
13. . Estimator under JD(EP),WBHB.
14. Notice Board

**Joint Director (EP),  
West Bengal Housing Board.**



# **WEST BENGAL HOUSING BOARD**

## **Section-1**

### **INSTRUCTION TO BIDDERS**

#### **• GENERAL**

##### **General guidance for e-QUOTATION**

Instruction/Guidelines for Quotations for electronic submission of the Quotations online have been annexed for assisting the contractors to participate in e-QUOTATION.

#### **1. Project Background**

West Bengal Housing Board (hereinafter referred to as “WBHB” or the “Client”) intends to engage reputed proprietorship firms, partnership firms, companies, corporations, consortium in the field of carrying out a lottery for allotment of un-allotted old and new constructed flats about 600(Six hundred) units in different projects of the WBHB and JVC/ASC of WBHB

Above details are tentative and are subject to change. Above description is given only for the purpose of submitting the proposal.

#### **2 Scope of Work**

West Bengal Housing Board was constituted by the Government of West Bengal under WBHB Act,1972 under the Administrative control of the Housing Department with the aim of real estate development in the State.

West Bengal Housing Board works with the private parties in the form of Joint Venture Companies (JVCs) and Assisted Sector Companies (ASCs) established under Companies Act,1956 for the development of real estate. The Joint Ventures and Assisted Sector Companies have the representation of government (Housing Board & Department) by way of Nominee Directors to safeguard the interest of Government.

The quotation invited is for carrying out a lottery for allotment of un-allotted old and new constructed flats about 600(Six hundred) units in different Projects of the WBHB and JVC/ASC of WBHB

The scope of the work under these terms of reference would consist of but not limited to the provisions laid down below.

#### **(A) PREPARATION OF BIDS**

##### **1. Registration of bidder**

Any bidder willing to take part in the process of e-QUOTATION will have to be enrolled and registered with the Government system through log In on to <https://e-tender.wb.nic.in> (or on the web portal of West Bengal Housing Board). The contractor is to click on the link for e-tender site as given on the web portal.

##### **2. Digital Signature Certificate (DSC)**

Each bidder is required to obtain a class-II or class-III Digital Signature Certificate (DSC) for submission of Quotations from the approved service provider of the National Informatics Centre (NIC) on payment of requisite amount. Details are available at the website stated in clause-1 above. DSC is given as a USB e-Token.

##### **3. Collection of Quotation Documents**

The Bidder can search & download NIT and bid documents electronically from computer once he logs on to the website mentioned above using the Digital Signature Certificate. This is the only mode of collection of Quotation documents.

##### **4. Participation in more than one work**

A prospective bidder shall be allowed to participate in the job either in the capacity of individual or as a partner of a firm. If found to have applied severally in a single job, all his applications will be rejected for that job.

**(B).SUBMISSION OF BIDS**

Bids are to be submitted through online to the website stated in Cl. 1 in two folders at a time for each work, one in Technical Proposal & the other in Financial Proposal before the prescribed date & time using the Digital Signature Certificate (DSC). The documents are to be uploaded virus scanned copy duly Digitally Signed. The documents will get encrypted (transformed into non readable formats).

**a). Technical proposal**

The Technical proposal should contain scanned copies of the following further two covers (folders).

**Non Statutory Cover Containing (Packet 1)**

1. Particulars relating to Qualification of Bidder – Eligibility and Qualification Criteria as per Clause 6.(Self Attested)
2. Self attested copies of PAN CARD, EPF Code No., Professional Tax Enrolment No. and GST Registration Certificate.(If necessary),
3. A written Power of Attorney authorizing the signatory of the bid.
4. Undertaking for not been blacklisted .
5. Scanned copy of Earnest money in the form of Bank draft/ Pay order

**b). Financial Proposal to be Submitted by the Bidder  
Statutory Cover Containing (Packet 2)**

- i) Entire original NIQ document containing the Financial offer.

**(C) Withdrawal of Quotation**

A quotation once submitted shall not be withdrawn within a period of 120 days from the last day of the opening of the financial bid of the quotation. If a Quotationer withdraws his quotation within this period without any valid reason, necessary appropriate legal action may be taken against the Bidder.

**(D) Quotation Evaluation committee (TEC)**

**i. Opening and evaluation of Quotation :-**

If any Quotationer is exempted from payment of EMD, copy of relevant order needs to be furnished.

- ii. Technical proposals will be opened jointly by The Joint Director(EP) and any other Engineer Officer(s) of WBHB (holding DSC) electronically from the web site using their Digital Signature Certificate.
- iii. Intending Quotationers may remain present, if they so desire.
- iv. Cover (folder) statutory documents should be opened first. If there is any

deficiency in the statutory documents, the Quotation will summarily be rejected.

- v. Decrypted (transformed into readable formats) documents of the non-statutory cover will be downloaded and handed over to the Quotation Evaluation Committee.
- vi. Bid opening summary of the Technical Bid is then uploaded to send email to all the participating Bidders.
- vii. Pursuant to scrutiny and decision of the Quotation Evaluation Committee, the summary list of Qualified & Non-qualified Bidders for the work (mentioning the serial number) will be uploaded in the web portals.
- viii. While evaluation, the committee may summon the QUOTATIONERS and seek clarification / information or additional documents or original hard copy of any of the documents already submitted and if these are not produced within the stipulated time frame, their proposals will be liable for rejection.

**(E). Penalty for suppression / distortion of facts/Non Performance/Losses**

Submission of false document by Quotationers strictly prohibited and in case of such act by the Quotationers the same may be referred to the appropriate authority for prosecution as per relevant IT Act with forfeiture of earnest money forthwith. In case of non-performance /Loss, the performance BG shall be en-cash proportionately.

**(F). REJECTION OF BID**

The Employer (Quotation accepting authority) reserves the right to accept or reject any Bid and to cancel the Bidding processes and reject all Bids at any time prior to the award of Contract without thereby incurring any liability to the affected Quotationer or Quotationers or any obligation to inform the affected Quotationer or QUOTATIONERS of the ground for Employer's (Quotation accepting authority) action.

**(G) Opening of Financial Bid**

- a) Financial proposals will be opened by the Joint Director(EP) along with other authorised Engineer Officer(s) of WBHB electronically as per schedule date, time place.
- b) After opening of Financial Bid if situation demands, the Joint Director(EP) WBHB may call off-line open Bid among the Bidders to lower down the offer rate further.

**(H) Award of Contract**

The Quotationer whose Bid has been accepted will be notified by the Quotation Inviting and Accepting Authority through acceptance letter/ Letter of Acceptance. The Letter of Acceptance will constitute the formation of the Contract. The Agreement in Printed Quotation Form will incorporate all necessary documents e.g. LOA, N.I.Q. with all addenda-corrigendum, Instruction to Bidders special terms and condition and the same will be executed between the Quotation Accepting Authority and the successful QUOTATIONER.

Throughout these bidding documents, the terms 'bid' and 'Quotation' and their

derivatives(bidder/Quotation, bid/Quotation, bidding/QUOTATION, etc.) are synonymous.

- **(I) NOTIFICATION OF AWARD**

Prior to expiration of the period of bid validity prescribed by the Employer, the Employer will notify the successful bidder by e-mail confirmed by registered letter that his bid has been accepted. This letter (hereinafter and in the Conditions of Contract called the "Letter of Acceptance") shall name the sum which the Employer will pay the Agency in consideration of the execution of the Services by the Agency as prescribed by the Contract (hereinafter and in the Conditions of Contract called "the Contract Price").

The notification of award will constitute the formation of the Contract.

Upon final selection of the bidder, the Employer will promptly notify the other bidders that their bids have been unsuccessful.

### **Signing of Agreement**

At the same time that he notifies the successful bidder that his bid has been accepted, the Employer will send the bidder the Form of Agreement provided in the NIT documents, incorporating all agreements between the parties.

Within seven days of receipt of the Form of Agreement, the successful bidder shall sign the Form and return it to the Employer.

### **(J) Suspension**

If the Agency fail to perform any of their obligations under this Contract, including the carrying out of the service provided, the WBHB may, by written notice of suspension to the Agency, suspend all payments (Full/Part) to the Agency hereunder, such notice of suspension shall specify the nature of the failure and with the request to the Agency to take remedy of such failure within a period not exceeding thirty (30) days after receipt by the Agency of such notice of suspension.

### **(K) Termination**

The WBHB may be terminate by not less than thirty (30) days' (Written notice of termination) for the following reasons:-

- (a) if the Agency fails to remedy a failure in the performance of their obligations hereunder, as specified in a notice of suspension hereinabove, within thirty (30) days of receipt of such notice of suspension or within such further period as the Client may have subsequently approved in writing;
- (b) if the Agency become insolvent or bankrupt or enter into any agreement with their creditors for relief of debt or take advantage of any law for the benefit of debtors or go into liquidation or receivership whether compulsory or voluntary;
- (c) if the Agency submit to the Client a statement which has material effect on the rights, obligations or interests of the Client and which the Agency know to be false;
- (d) if, as the result of Force Majeure, the Agency are unable to perform their services.

- (e) if the Client(WBHB), in its sole discretion and for any reason whatsoever, decides to terminate this Contract.

**(L) Payment upon Termination**

Upon termination of this Contract hereof, the Client shall make the following payments to the Agency:

- (i) amount for items of service which have been executed prior to the date of termination but payment for the same not yet made to the Agency.
- (ii) a proportionate sum being the amount of any expenditure reasonably incurred by the Agency for the Service partially performed.

**(M) Payment terms**

**The Agency shall be eligible for payment on the actual number of units successfully allotted through the lottery process**

**(N) Security Deposit**

**10% of the Bill value will be deducted from every running account bill (including 2% EMD) submitted by the bidder.**

**(O) Settlement of Dispute and Arbitration**

- 1.) All disputes and differences arising out of or in connection with the contract and services of any nature assigned under the same (whether during the progress of the services or after their completion), determination, abandonment or breach of the contract shall be referred by Housing Commissioner, WBHB to a team of three men arbitrator appointed by the Housing Commissioner, WBHB. The arbitrators shall elect an Chairman among them. In case of conflicting findings by the arbitrators, the decision of the Chairman shall be final and binding. In all cases, the arbitrators shall state their decision in writing and if amount of claims in dispute is Rs.50,000/- and above, the arbitrators shall give reasons for award.
- 2) Subject as aforesaid the provisions of the arbitrations cancellation act or any statutory modification or re-enactment thereof and the rules made there under and for the time being in force shall apply to the arbitration proceeding under this clause.
- 3) It is a term of the contract that the party involving the arbitration shall specify the dispute or dispute to be referred to the arbitrator under this clause together with the amount or amounts claimed in respect of each such dispute.
- 4) It is also a term of the contract that if the contractor's do not make any demand for arbitration in respect of any claims in writing within 90 days of receiving the intimation from the CPCB that final bill is ready for payment, the claim of the contractor's will be deemed to have been waived and absolutely barred and the board will be discharged and released of all liabilities under the contract in respect of these claims.
- 5) The decision of the employer regarding the quantum of reduction as well as justification thereof in respect of rates for sub-standard services which may be decided will be final and would not be open to arbitration.

**Joint Director (EP),  
West Bengal Housing Board.**

Government of West Bengal  
Finance Department  
Audit Branch

No. 3975-F(Y)

Dated, 28<sup>th</sup> July, 2016

**MEMORANDUM**

**Sub: Online receipt and refund of EMD of e-procurement through State Government e-procurement portal**

The State Government procurement portal has already been integrated with the Payment Gateway of ICICI Bank for deposit of EMD and other fees by the bidders participating in e-procurement.

Now, in cancellation of this Department Memorandum No. 1526-F(Y) dated 18.03.2014, the Governor is pleased to prescribe the following procedure to be adopted for deposit of EMD / Bid Security related to e-procurement of the State Government Departments and its subordinate offices, PSUs, Autonomous and Local Bodies, PRIs, etc

**1. Login by bidder:**

- a) A bidder desirous of taking part in a tender invited by a State Government Office/PSU/Autonomous Body/Local Body/ PRIs, etc shall login to the e-Procurement portal of the Government of West Bengal <https://wbtenders.gov.in> using his login ID and password.
- b) He will select the tender to bid and initiate payment of pre-defined EMD / Tender Fees for that tender by selecting from either of the following payments modes:
  - i) Net banking (any of the banks listed in the ICICI Bank Payment gateway) in case of payment through ICICI Bank Payment Gateway;
  - ii) RTGS/NEFT in case of offline payment through bank account in any Bank.

**2. Payment procedure:**

**a) Payment by Net Banking (any listed bank) through ICICI Bank Payment Gateway:**

- i. On selection of net banking as the payment mode, the bidder will be directed to ICICI Bank Payment Gateway webpage (along with a string containing a Unique ID) where he will select the Bank through which he wants to do the transaction.
- ii. Bidder will make the payment after entering his Unique ID and password of the bank to process the transaction.
- iii. Bidder will receive a confirmation message regarding success/failure of the transaction.
- iv. If the transaction is successful, the amount paid by the bidder will get credited in the respective Pooling account of the State Government /PSU/Autonomous Body/Local Body/PRIs, etc maintained with the Focal Point Branch of ICICI Bank at R.N. Mukherjee Road, Kolkata for collection of EMD/Tender Fees.
- v. If the transaction is failure, the bidder will again try for payment by going back to the first step.

b) Payment through RTGS/NEFT:

- i. On selection of RTGS/NEFT as the payment mode, the e-Procurement portal will show a pre-filled challan having the details to process RTGS/NEFT transaction.
- ii. The bidder will print the challan and use the pre-filled information to make RTGS/NEFT payment using his Bank account.
- iii. Once payment is made, the bidder will come back to the e-Procurement portal after expiry of a reasonable time to enable the NEFT/RTGS process to complete, in order to verify the payment made and continue the bidding process.
- iv. If verification is successful, the fund will get credited to the respective Pooling account of the State Government /PSU/Autonomous Body/Local Body/PRIs, etc maintained with the Focal Point Branch of ICICI Bank at R.N. Mukherjee Road, Kolkata for collection of EMD/Tender Fees.
- v. Hereafter, the bidder will go to e-Procurement portal for submission of his bid.
- vi. But if the payment verification is unsuccessful, the amount will be returned to the bidder's account.

3. Refund/Settlement Process:

- i. After opening of the bids and technical evaluation of the same by the tender inviting authority through electronic processing in the e-Procurement portal of the State Government, the tender inviting authority will declare the status of the bids as successful or unsuccessful which will be made available, along with the details of the unsuccessful bidders, to ICICI Bank by the e-Procurement portal through web services.
- ii. On receipt of the information from the e-Procurement portal, the Bank will refund, through an automated process, the EMD of the bidders disqualified at the technical evaluation to the respective bidders' bank accounts from which they made the payment transaction. Such refund will take place within T+2 Bank Working Days where T will mean the date on which information on rejection of bid is uploaded to the e-Procurement portal by the tender inviting authority.
- iii. Once the financial bid evaluation is electronically processed in the e-Procurement portal, EMD of the technically qualified bidders other than that of the L<sub>1</sub> and L<sub>2</sub> bidders will be refunded, through an automated process, to the respective bidders' bank accounts from which they made the payment transaction. Such refund will take place within T+2 Bank Working Days where T will mean the date on which information on rejection of financial bid is uploaded to the e-Procurement portal by the tender inviting authority. However, the L<sub>2</sub> bidder should not be rejected till the LOI process is successful.
- iv. If the L<sub>1</sub> bidder accepts the LOI and the same is processed electronically in the e-Procurement portal, EMD of the L<sub>2</sub> bidder will be refunded through an automated process, to his bank account from which he made the payment transaction. Such refund will take place within T+2 Bank Working Days where T will mean the date on which information on Award of Contract (AOC) to the L<sub>1</sub> bidder is uploaded to the e-Procurement portal by the tender inviting authority.

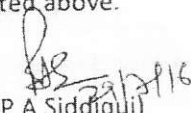


- v. As soon as the L<sub>1</sub> bidder is awarded the contract (AOC) and the same is processed electronically in the e-Procurement portal –
- a) EMD of the L<sub>1</sub> bidder for tenders of State Government offices will automatically get transferred from the pooling account to the State Government deposit head "8443-00-103-001-07" through GRIPS along with the bank particulars of the L<sub>1</sub> bidder.
  - b) EMD of the L<sub>1</sub> bidder for tenders of the State PSUs/Autonomous Bodies/Local Bodies/PRIs, etc will automatically get transferred from the pooling account to their respective linked bank accounts along with the bank particulars of the L<sub>1</sub> bidder.
- In both the above cases, such transfer will take place within T+1 Bank Working Days where T will mean the date on which the Award of Contract (AOC) is issued.
- vi. The Bank will share the details of the GRN No. generated on successful entry in GRIPS with the E-Procurement portal for updation.
- vii. Once the EMD of the L<sub>1</sub> bidder is transferred in the manner mentioned above, Tender fees, if any, deposited by the bidders will be transferred electronically from the pooling account to the Government revenue receipt head "0070-60-800-013-27" through GRIPS for Government tenders and to the respective linked bank accounts for State PSU/Autonomous Body/Local Body/PRIs, etc tenders.
- viii. All refunds will be made mandatorily to the Bank A/c from which the payment of EMD & Tender Fees ( if any ) were initiated.

**4. Accounting and Monitoring Process:**

- i. The ICICI Internet Banking will communicate to the State Government e-Procurement portal all details of transactions on daily basis.
- ii. The Tender Inviting Authority of the Government Offices/PSUs/ Autonomous Bodies/Local Bodies/PRIs, etc will be using their respective e-procurement User ID and Password to view the EMD and Tender Fees deposited by the bidders in the pooling accounts.
- iii. The nodal officer of the Finance Department, Government of West Bengal will be able to view the Department-wise EMD and Tender Fees deposited by the bidders to the pooling accounts and fund transferred downstream at various stages of the tender process to the Government accounts and bidders' accounts, as applicable by using user access as provided by NIC.
- iv. The details of NIC E-Procurement Help Desk and toll free numbers of ICICI Bank are given in annexure.

The system will become effective from 01/08/2016 and can be used by any Government Offices/PSUs/Autonomous Bodies/Local Bodies/PRIs, etc. with effect from that date. However, with effect from 01/09/2016, all the EMD/Tender fees in respect of e-tender of all State Government Offices/PSUs/Autonomous Bodies/Local Bodies/PRIs, etc will mandatorily be received and refunds/settlements made as per the procedure stated above.

  
(P A Siddiqui)

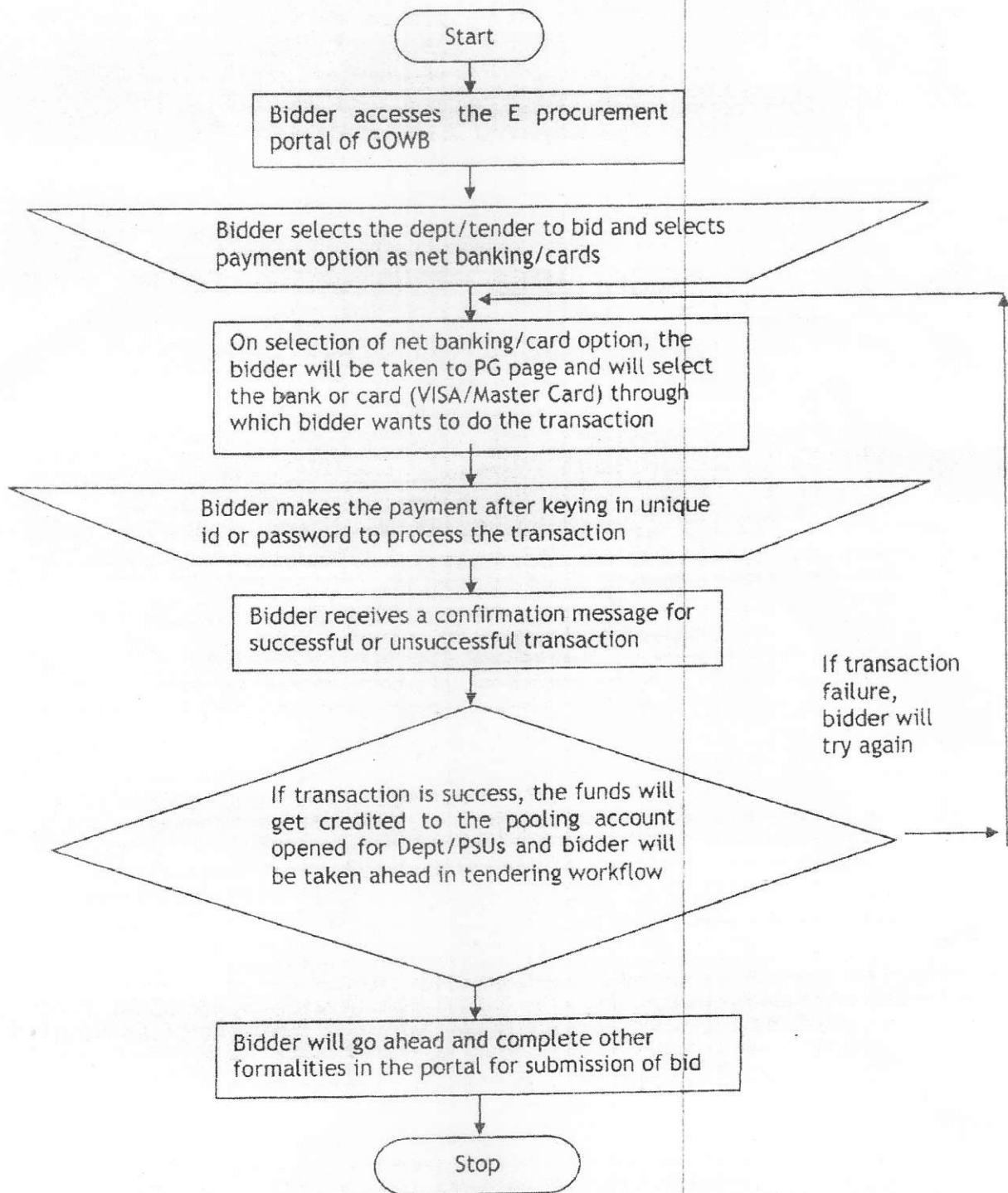
Secretary to the  
Government of West Bengal  
Finance Department

# NIC & ICICI BANK E-PROCUREMENT

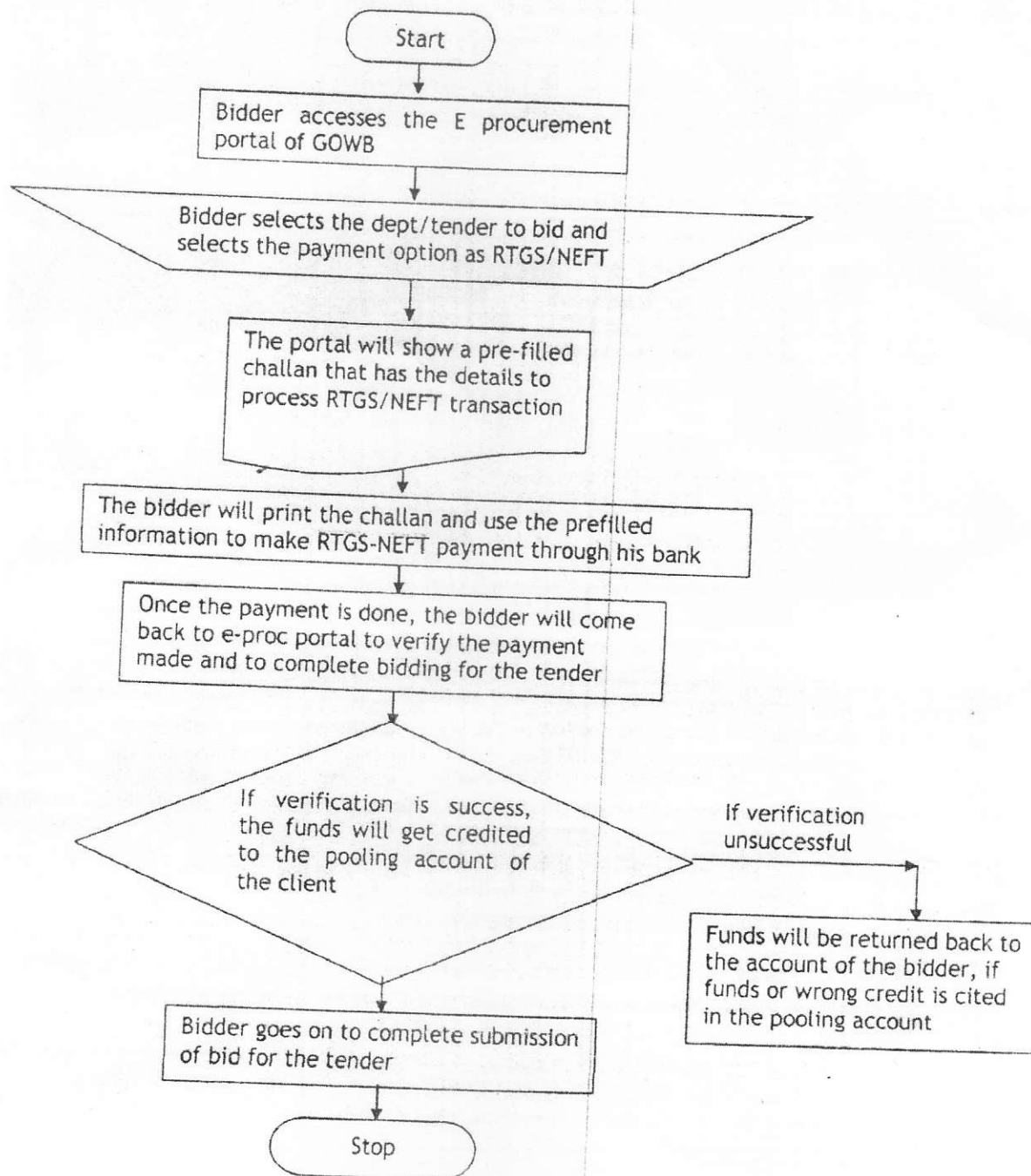
# HELP DESK

<u>NAME</u>	<u>LOCATION</u> <u>NIC HELP DESK</u>	<u>CONTACT</u> <u>NO.</u>	<u>MAIL-ID</u>
Mr. ATANU BHUNIYA TANMOY LAHIRI NAZMUS SAHADAT MOLLA JAYANTA SAMANTA NILADRI HEMBRAM	WBPWD guest house,pranjali 3/2 st. Georgers gate road hasting more	033-22236236	wbehelpdesk@gmail.com
Mr. Habibulla Rahaman Mr. Bhaskar Rao Mr. CHANDAN DEY Mr. ROBIN DAS	Irrigation & Waterways dept Jalsampad bhavan, Jalsampad bhavan, Salt lake GROUND floor, Salt lake	9874961136	habibnic@gmail.com b.bhaskarrao30@gmail.com
CHINMAOY MANDAL (Murshidabad Helpdesk)	Office of Superintending Engineer, C.R. Das Road, P.O-Berhampore, Dist.- Murshidabad, Pin-742101	8158999869 9641902796	hripwdmsd@gmail.com
Mr. ARINDAM BERA (Midnapore Helpdesk)	MIDNAPUR HIGHWAY DIVISION NO.II PUBLIC WORKS(ROADS) DTE SAHEED MANGAL PANDEY SARANI PASCHIM MEDINIPUR:721101	9641951710	hripwdmed@gmail.com
DINESH MAHATO (Burdwan Helpdesk)	P.W.D. Burdwan Division, Aftab Club Court Compound, Burdwan	9932302439	hripwd.burdwan.helpdesk@gmail.com
Mr. RAJU DAS (Malda Helpdesk)	MALDA PWD HIGH DIVISION,SINGTALA BUS STOP-HANTA KALIBARI	9800262930	hripwdmld@gmail.com
Mr. NIRUPAM NAG (Siliguri Helpdesk)	PWD NORTH BENGAL CONSTRUCTION DIVISION AIR VIEW MORE (NEAR 2 <sup>ND</sup> MAHANANDA BRIDGE) HILL CART ROAD SILIGURI - 734001	7501483711	hripwdjg@gmail.com
ICICI Bank Help desk	NA	033-40267512 033-40267513	saptarshi.chandra@icicibank.com

Process for payment through Payment gateway (PG) (Annexure I)



Process for payment through RTGS/NEFT (Annexure II)



Process of refund/settlement (Annexure III)

