

Dated: 28th August, 2024

CIRCULAR

To

1. The Chief Secretaries of all the State Governments/ UTs.
2. The Principal Secretaries/ Secretaries of all States/ UTs Public Works Department/ Road Construction Department/ Highways Department (dealing with National Highways and other centrally sponsored schemes).
3. The Chairman, National Highways Authority of India, G-5 & 6, Sector-10, Dwarka, New Delhi-110 075.
4. The Managing Director, NHIDCL, World Trade Centre, New Delhi-110029.
5. The Director General (Border Roads), Seema Sadak Bhawan, Ring Road, New Delhi-110 010.
6. All Engineers-in-Chief and Chief Engineers of Public Works Department of States/ UTs/ Road Construction Department/ Highways Departments (dealing with National Highways and other centrally sponsored schemes).
7. The Secretary General, Indian Roads Congress
8. The Director, IAHE, Noida, UP
9. All CE-ROs, ROs and ELOs of the Ministry.

Subject: Acceptance of Single Bid for National Highways Works-reg.

Madam/Sir,

Ministry vide circular no. NH-14019/4/2008-P&M dated 27.06.2008 decided that single bid received in the first call would be cancelled and tender will be re-invited. It also specified that the single bid received even after re tendering can be accepted after obtaining approval of the competent authority.

2. Ministry of Finance, Department of Expenditure vide their letter No.F.1/1/2021-PPD dated 29th October, 2021 specified the following with regards to single bid.

“11.8 Rejection of Single Bid: 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 the 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.

Bhinder Kant Singh

Lack of competition shall not be determined solely on the basis of the number of Bidders. Even when only one Bid is submitted, the process should be considered valid provided following conditions are satisfied:

- i. the procurement was satisfactorily advertised and sufficient time was given for submission of bids;
 - ii. the qualification criteria were not unduly restrictive; and
 - iii. prices are reasonable in comparison to market values”.
3. The same has also been clearly outlined in para 5.6.7 of Manual for Procurement of Works June, 2022 published by Ministry of Finance, Department of Expenditure.
4. In view of the above, it has been decided that single bid received in open bidding will not be rejected provided the following conditions are satisfied:
- i. the procurement was satisfactorily advertised and sufficient time was given for submission of bids;
 - ii. the qualification criteria were not unduly restrictive; and
 - iii. prices are reasonable in comparison to market values.
5. The Evaluation Committee while recommending acceptance of single tender shall record confirmation of the conditions mentioned in para 4 above in the minutes of meeting.
6. As regards the reasonableness of the prices, the Evaluation Committee may examine the rates taking into consideration the comparison with the similar contracts awarded elsewhere. The purchase price of similar contracts may be updated taking into consideration inflation during the interim period, geographical conditions, etc. The purchase price of similar contracts may also be corrected to match the carriage of materials required for the instant project vis-a-vis carriage of materials in the project being compared.
7. It is requested that the contents of the circular may be brought into the notice of all concerned for immediate needful compliance.
8. This issues with the approval of Competent Authority.

Yours sincerely,

Bidur Kant Jha
28/08/2024
(Bidur Kant Jha)

Director (New Technology for Highway Development)
For Director General (Road Development) & Special Secretary

Copy to:

1. All CEs in the Ministry of Road Transport & Highways
2. All ROs of the Ministry of Road Transport & Highways
3. The Secretary General, Indian Roads Congress
4. Technical circular file of S&R (P&B) Section

5. NIC-for uploading on Ministry's website under "What's new"

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6. Sr. PPS/ PPS to AS&FA
7. Sr. PPS/ PPS to ADG (SKN) / ADG (RP)/ ADG(DS)
8. Sr. PPS/ PPS to JS (RT&MVL)/ JS (EIC) / JS (Logistics)/ JS (NHIDCL)