

**Joydebpur-Mymensingh Road (N3) Improvement Project**  
**Contract Package No. WI-4**  
**Construction of**  
**Roymoni to Mymensingh Road Section (27.329 Km, 4 lanes)**  
**Ch. 59+850 to Ch. 87+179**

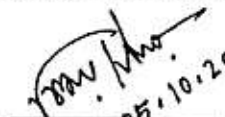
**Major Component of Works Completed**

Component	Unit	Work done Q'ty	Remarks
Embankment fill	Cum	717,667.86	25.29 Km
Improved Subgrade	Cum	207,721.16	25.29 Km. 4-lane
Sub base	Cum	220,217.84	25.29 Km. 4-lane
Agg. Base Type - I	Cum	92,107.92	25.75 Km. 4-lane
Agg. Base Type - II	Cum	121,927.24	27.12 Km. 4-lane
Bituminous Prime Coat	Sqm	510,951.26	25.75 Km. 4-lane
Bituminous Tack Coat	Sqm	408,207.79	25.96 Km. 4-lane
Bit. Binder Course	Cum	40,708.01	25.75 Km. 4-lane
Bit. Wearing Course	Cum	20,534.12	25.96 Km. 4-lane
Rigid Pavement (1368 m, 4 lane), C 30 Concrete	Cum	9,218.79	1.37 Km. 4-lane
Khiru P.C Girder Bridge	(126 m length, 9.4 m width, 3 span, 1000 mm dia 500 m & 750 mm dia 600 m Pile)		Old 2 lane Bridge Retained
Sutia P.C Girder Bridge	(60 m length, 9.4 m width, 3 span, 750 mm dia 896 m Pile)		Old 2 lane Bridge Retained
Pagaria P.C Girder Bridge	(30 m length, 9.4 m width, 1 span, 750 mm dia 552 m Pile)		Old 2 lane Bridge Retained
<b>RCC Box Culvert :</b>	No.	51	New and Extension
Concrete - C 30	Cum	7,379.34	All concealed
Rebar	Ton	749.465	
New profile Concrete Kerb for Median & Island	LM	50,203.94	450 mm high above Road Surface
Footover Bridge	No.	02	At Trishal and Mymensingh
Road Traffic Signs & Signal	No.	253	Roymoni to Mymensingh

Certified that the works has been completed in compliance to the Contract.

Footover bridges construction will be completed in DLP.

  
 05/10/15  
 OE, Consultant  
 A A Tarequejaman

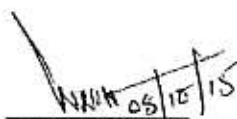
  
 05.10.2015  
 Resident Engineer, CSC  
 Chinmoy Samadder

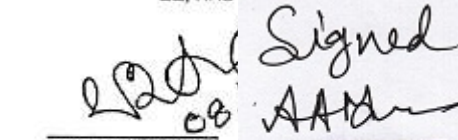
  
 05/10/15  
 DT/SRE, CSC  
 M M Sultan

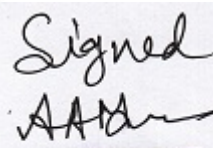
  
 Team Leader, CSC  
 M A Mercer

  
 05/10/15  
 SDE, RHD

  
 8.10.2015  
 Project Manager  
 EE, RHD

  
 05/10/15  
 APD (S.E), RHD

  
 08/10/15  
 Project Director (ACE, CC  
 JMRIP, RHD

**Signed**  
  
 কাজী আব্দুল্লাহ আল-মামুন  
 সিনিয়র  
 সিস্টেম এনালিস্ট ও মাস্টার  
 সিস্টেম এনালিস্ট ও সিস্টেম  
 এনালিস্ট বাংলাদেশ সরকার

**Joydebpur-Mymensingh Road (N3) Improvement Project**  
**Contract Package No. WI-4**  
**Construction of**  
**Roymoni to Mymensingh Road Section (27.329 Km, 4 Lanes)**  
**Ch. 59+850 to Ch. 87+179**

**List of Structures**

Sl No.	Location Ch.	Type of Structure	New/Extended	Size	Remarks
1	60+000	Box Culvert	New	3.0 x 5.0	
2	60+275	Box Culvert	New	1.5x1.5	
3	60+406	Box Culvert	New	1.5x1.5	
4	61+363	Bridge	PC Girder New 2-lane	126 m - 3 span	Old 2-lane retained
5	61+998	Box Culvert	New	3.0x3.0	
6	62+313	Box Culvert	New	6.0x4.0	
7	62+645	Box Culvert	Extended	3.0x3.0	
8	63+189	Box Culvert	Extended	6.0x3.0	
9	64+133	Box Culvert	New	2-2.5x2.5	
10	65+218	Box Culvert	Extended	3.0x2.0	
11	65+454	Box Culvert	New	1.0 x 1.0	
12	66+281	Box Culvert	Extended	3.0x2.0	
13	67+263	Box Culvert	Extended	3.0 x 2.2	
14	67+672	Bridge	PC Girder New 2-lane	60 m - 3 span	Old 2-lane retained
15	67+820	Box Culvert	New	1.5 x 1.5 x 6.0	Side Rd. (Trisal H)
16	67+920	Box Culvert	New	1.5x1.5	
17	68+006	Box Culvert	New	1.5 x 1.5 x 6.0	Side Rd. (Trisal Fd)
18	68+090	Box Culvert	New	1.5 x 1.5 x 6.0	Side Rd. (Trisal C.)
19	68+214	Box Culvert	New	1.5 x 1.5 x 8.0	Side Rd. (Nazrul)
20	68+404	Box Culvert	Extended	0.93 x 0.93	
21	69+415	Box Culvert	New	1.5x1.5	
22	69+759	Box Culvert	New	1.5x1.5	
23	70+341	Box Culvert	New	2-3.0x3.0	
24	70+788	Box Culvert	New	2-3.0x3.0	
25	71+388	Box Culvert	New	1.5x1.5	
26	71+562	Box Culvert	New	1.5x1.5	
27	71+836	Box Culvert	New	3.0x2.0	
28	72+157	Box Culvert	New	2-3.0x3.0	
29	72+403	Box Culvert	New	1.5x1.5	
30	72+645	Box Culvert	New	1.5x1.5	
31	73+935	Box Culvert	New	1.5x1.5	
32	74+440	Box Culvert	New	3.0x2.5	
33	74+840	Box Culvert	New	1.5x1.5	
34	75+176	Box Culvert	New	3.0x2.5	
35	75+746	Box Culvert	New	2-4.5X3.5	
36	76+206	Box Culvert	New	3.0x2.0	
37	76+980	Box Culvert	New	1.5x1.5	
38	77+593	Box Culvert	New	1.5x1.5	
39	77+933	Box Culvert	New	1.5x1.5	

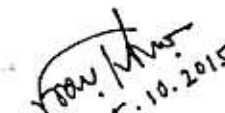
Signed  
AAM  
কাজী আব্দুল্লাহ আল-মামুন  
প্রোগ্রামার  
পল্লব পরিদর্শন ও মাসিক বিতরণ  
পল্লব পরিদর্শন ও পল্লব মালিক  
পল্লব মালিক

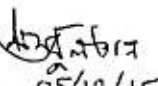



SI No.	Location Ch.	Type of Structure	New/Extended	Size	Remarks
40	78+106	Box Culvert	New	3.0x2.0	
41	78+605	Box Culvert	New	1.5x1.0	
42	79+060	Box Culvert	Extended	3-4.44x4.855	
43	80+051	Box Culvert	New	1.5x1.5	
44	81+215	Bridge	PC Girder New 2-lane	30 m - 1 span	Old 2-lane retained
45	81+600	Box Culvert	New	1.5x1.5	
46	81+773	Box Culvert	New	1.5x1.5	
47	82+507	Box Culvert	New	1.5x1.5	
48	83+096	Box Culvert	New	2-4.5x3.0	
49	84+108	Box Culvert	New	2-6.0x4.5	
50	84+796	Box Culvert	New	2.0x2.0	
51	85+080	Box Culvert	New	2.0x2.0	
52	85+325	Box Culvert	New	2-4.5x3.0	
53	86+132	Box Culvert	New	1.20 x 1.20	
54	86+442	Box Culvert	New	2.0x2.0	
55	68+543	Footover Bridge	New	31.90 x 14.97	Will be completed in DLP
56	86+898	Footover Bridge	New	31.90 x 14.97	

Note: All Box Culverts are concealed.

  
05/10/15  
QE, Consultant  
A A Tarequejaman


  
05.10.2015  
Resident Engineer, CSC  
Chinmoy Samadder


  
05/10/15  
DTU/SRE, CSC  
M M Sultan

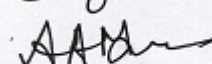
  
Team Leader, CSC  
M A Mercer

  
8.10.15  
Md A H Tarafder  
SDE, RHD

  
8.10.2015  
ASM Nazmul Huda  
Project Manager  
EE, RHD

  
05.10.15  
Md Shamsul Hque APD  
(S.E), RHD

  
08.10.2015  
Md Hafizur Rahman  
Project Director (ACE, CC)  
JMRIP, RHD

Signed  
  
কাজী আব্দুল্লাহ আল-মামুন  
প্রোগ্রামার  
সড়ক পরিবহন ও মরসুমিক বিভাগ  
সড়ক পরিবহন ও সেতু মন্ত্রণালয়  
গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

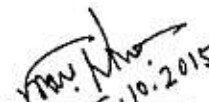
**Joydebpur-Mymensingh Road (N3) Improvement Project**  
**Contract Package no. WI-4**  
**Construction of**  
**Roymoni to Mymensingh Road Section = 27.329 Km, 4 Lanes**  
**Ch. 59+850 to Ch. 87+179**

**List of Defects in Completed Works**

Any Defect will be notified by the Engineer as and when identified between 01 October 2015 and 30 September 2016, the Defects Liability Period (DLP) in accordance with General Conditions of Contract clause 57.1. The Contractor shall correct the notified defects within specified time as per GCC clause 57.2.

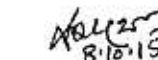
Contractor's failure to correction will be dealt under GCC clause 58.1.

  
05/10/15  
QE, Consultant  
A A Tarequejaman

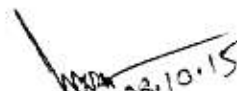
  
05/10/2015  
Resident Engineer, CSC  
Chinmoy Samadder


  
05/10/15  
DTL/SRE, CSC  
M M Sultan

  
Team Leader, CSC  
M A Mercer

  
8/10/15  
Md A H Tarafder  
SDE, RHD

  
8.10.2015  
ASM Nazmul Huda  
Project Manager  
EE, RHD

  
02.10.15  
Md Shamsul Haque  
APD (S.E), RHD

  
02.10.2015  
Md Hafizur Rahman  
Project Director (ACE, CC)  
JMRIP, RHD



ঢাকা দক্ষিণ সিটি কর্পোরেশন  
DHAKA SOUTH CITY CORPORATION

Clean Air & Sustainable Environment (CASE) Project

Ref: ৪৬.২০৭.০১৪.০৯.১০.৫৫৫.২০১৭

Date: ১৫/০৯/১৭

উন্নয়নের গণতন্ত্র  
শেখ হাসিনার মূলমন্ত্র

চেয়ারপার্সন

দরপত্র মূল্যায়ন কমিটি

ও

অতিরিক্ত প্রধান প্রকৌশলী

সওজ, ময়মনসিংহ জোন, ময়মনসিংহ।

বিষয় : ইস্যুকৃত কাজ সম্পাদন প্রত্যয়নপত্রের সত্যতা যাচাই প্রসঙ্গে।

সূত্র : আপনার দপ্তরের পত্র স্মারক নং- ৮১৭-এমজেড তারিখঃ ০৭/১১/২০১৭ইং

উপর্যুক্ত বিষয় ও সূত্রের প্রেক্ষিতে জানানো যাচ্ছে যে, কার্য সম্পাদন সনদ পত্র স্মারক নং- ৪৬.২০৭.০১৪.০৯.১০.১২১.২০১৬, তারিখ- ২৯/০৮/২০১৬ইং এ “MBEL-UDC JV, House # 104-B, Lane-8, New DOHS, Mohakhali, Dhaka-1206” এর অনুকূলে অত্র দপ্তর কর্তৃক জারী করা হয়েছে।

(মোঃ মফিজুর রহমান খান)

নিবাহী প্রকৌশলী

কেইস প্রকল্প

ঢাকা দক্ষিণ সিটি কর্পোরেশন

ফোন : ৯৫১৩৯৪৩

অনুলিপি :

- ১। প্রকল্প পরিচালক (তত্ত্বাবধায়ক প্রকৌশলী), কেইস প্রকল্প, ঢাকা দক্ষিণ সিটি কর্পোরেশন।
- ২। অফিস কপি।

F:\Xm-U\Bangle Letter\Bangle Letter new.docx

Signed  
AAM

কাজী আব্দুল্লাহ আল-মামুন  
মোঃ আমানুল্লাহ  
সরকার পরিদপ্তর ও মহাসড়ক বিভাগ  
সড়ক পরিবহন ও সেতু মন্ত্রণালয়  
গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

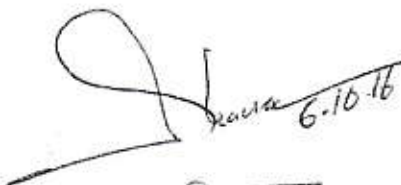




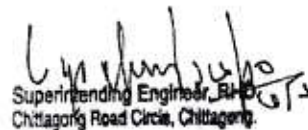
# Completion Certificate

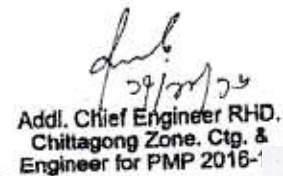
Name of RHD Office : Cox's Bazar, (Division Office)  
Name of Contractor : MAQ Engineering Ltd.  
Name of Contract : Rehabilitation of pavement by providing Base Type-I, DBS Base Course and Overlay, Construction of Toe Wall, U-Drain and Hard Shoulder from Chainage 58.000 Km. to chainage 76.000 Km. at Anowara-Banskhali-Chakaria Road (R-170) under Coxs Bazar Road Division during the financial year 2015-2016.  
Contract Number : e-gp/PMP (Road)/CZ-04 (Re-Tender)/Cox/CZ/2015-16 (MAQ Engineering Ltd.)  
Name of Project : 4936 - 31 - PMP Roads (GOB)  
Budget Head : Revenue  
Value of Contract : Tk.131,551,311.00(thirteen crore fifteen lac fifty-one thousand three hundred eleven taka only)  
Value of Work Done : TK. 131,537,751.00 (thirteen crore fifteen lac thirty-seven thousand seven hundred fifty-one taka only)  
Commencement Date : 07 January 2016  
Planned Completion Date : 05 July 2016  
Actual Completion Date : 05 July 2016

Certified that the Contractor has completed execution of the works of the contract as mentioned in this Certificate, based on the final measurement recorded in CMS on 05 July, 2016.

  
১০/০৭/১৬

রানাশ্রিয় বড়ুয়া  
মহাপ্রকৌশলী (সংজ্ঞা)  
সড়ক বিভাগ, কক্সবাজার।

  
Superintending Engineer RHD,  
Chittagong Road Circle, Chittagong.

  
Addl. Chief Engineer RHD,  
Chittagong Zone. Ctg. &  
Engineer for PMP 2016-17

Signed  
AAM

কাজী আব্দুল্লাহ আল-মামুন  
মোহাম্মাদ  
সড়ক পরিবহন ও মরসিফ বিভাগ  
সড়ক পরিবহন ও সেতু মন্ত্রণালয়  
গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

Government of the People's Republic of Bangladesh  
Office of Executive Engineer, RHD,  
Road Division, Cox's Bazar  
Phone : 0341-52160

**WORK DONE CERTIFICATE.**

Serial No. of Certificate : 37  
Financial year : 2015-2016.

This is to certify that **MAQ Engineering Ltd.** House No. 142-B, Lane-22, Mohakhali New DOHS, Dhaka-1206 has been Executed the following work satisfactorily under this Division.

Sl No.	Name of work with Location	Qty. of work km./Cum./Sqm/ Metre	Date of work order & Date of completion	Contract Amount	Final Bill Amount	Remarks
1	2	3	4	5	6	7
01.	Rehabilitation of pavement by providing Base Type-I, DBS Base Course and Overlay. Construction of Toe Wall, U-Drain and Hard Shoulder from Chainage 58.000 Km. to chainage 76.000 Km. at Anowara-Banskhali-Chakaria Road (R-170) under Cox's Bazar Road Division during the financial year 2015-2016.	18.00 Km.	07-01-2016 05-07-2016	Contract Amount Tk. 13,15,51,311.00	Tk. 13,15,37,751.00	1. Embankment fill from borrowpit- 13179.00 Cum 2. Aggregate Base Type-1- 1025.71 Cum. 3. Bituminous Tack Coat in Plant Method- 90474.65 Sqm 4. DBS-Base Course 50mm thick (Av) Plant Method- 571.03 Cum. 5. DBS-Wearing Course 50mm thick (Av) Plant Method- 5049.00 Cum 6. New and extended Brick work-317.30 Cum 7. Concrete Slope Protection- 2310.00 Sqm. 8. Thermoplastic Road Marking-4194.00 Sqm 9. U-Drain- 447.00 Metre 10. RCC plate palasiding. 520.00 Metre
Total Work 01 (One) No.				(Tk. Thirteen crore fifteen lac thirty seven thousand seven hundred seventy one) Only.	Tk. 13,15,37,771.00	

*22/11/2016*  
Divisional Accountant  
Road Division, Cox's Bazar

*(Rana Priya Barua)*  
ID. No. 005155  
Executive Engineer, RHD,  
Road Division, Cox's Bazar.

Dated : 22-11-2016

Memo No. 3416

Copy to :  
**MAQ Engineering Ltd.** House No. 142-B, Lane-22, Mohakhali New DOHS, Dhaka-1206 for information and necessary action.

Signed  
SAH  
কাজী আব্দুল্লাহ আল-মামুন  
প্রোগ্রামার  
সড়ক পরিবহন ও মরসিফ বিভাগ  
সড়ক পরিবহন ও সেতু মন্ত্রণালয়  
গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

*22/11/2016*  
(Rana Priya Barua)  
ID. No. 005155  
Executive Engineer, RHD,  
Road Division, Cox's Bazar.



# Prime Bank

Mymensingh Branch, Mymensingh

Prime/MMN/2017/ 2091

12 November 2017

The Additional Chief Engineer  
RHD, Mymensingh Zone  
Mymensingh

Sub: Confirming authenticity of Certificate No: Prime/MMN/2017/2020 dated October 25, 2017 issued by us in favor of Shamim Enterprise (Pvt.) Ltd.

Dear Sir,

With the reference to your memo no-৮১৩-এমজেড Dated ০৭/১১/২০১৭, we would like to inform you that your enquired Certificate No: Prime/MMN/2017/2020 dated October 25, 2017 has been issued by us in favor of Shamim Enterprise (Pvt.) Ltd. We are also confirming the genuineness of all information included in that certificate.

This is for your kind information and record.

With best regards

SHARIFUL AHSAN  
FAVP & Head of Branch

Signed  
AAS

কাজী আব্দুল্লাহ আল-মামুন  
মোঃমামুন  
স্বাক্ষর পরিচালক ও মর্যাদাপূর্ণ বিভাগ  
স্বাক্ষর পরিচালক ও সেক্টর ম্যানেজার  
মহাপ্রকল্পকর্তা বাংলাদেশ সরকার



# Bank Asia

LIMITED

BA/TLR/CR/2017/3909  
November 14, 2017

Mr. Monirul Islam  
Chairperson  
Tender Evaluation Committee &  
Additional Chief Engineer  
Roads & Highways  
Mymensing Zone  
Mymensing

**Subject: Authentication of Letter of Commitment.**

Dear Sir,

Please refer to your memo no. ৮১৫-এমজেড dated 07.11.2017. We write to confirm having issued the subject certificate under our seal & signature in favor of "MAQ Engineering Ltd." details of which is as follows:

Invitation Reference No.	: MZ/e-GP/09/PMP(Road)/2017-2018.
Tender Id No	: 123524.
Description	: "Improvement of Existing Pavement by Rigid Pavement and DBS overlay work at 28th Km to 37th Km of Madhupur-Mymensingh Road (N- 401) under Road Division Mymensingh during the year 2017-2018".
Beneficiary	: Additional Chief Engineer, Mymensingh Zone, Mymensingh, Bangladesh
Amount	: BDT 20,000,000.00 (Two Crore) only.

The confirmation letter has been furnished for your kind information and necessary action.

  
Authorized Signature

Partha Kumar Saha  
First Assistant Vice President  
PA # 506  
Bank Asia Limited  
Tejgaon Link Road Branch, Dhaka.

  
Authorized Signature

Zahirul Haque  
Vice President & Head of Branch  
Bank Asia Limited  
Tejgaon Link Road Branch:

Signed  
AAM

কাজী আব্দুল আল-মামুন  
মোহাম্মাদ  
স্বাক্ষর পরিচালক ও মহাসচিব বিভাগ  
সড়ক পরিবহন ও সেতু মন্ত্রণালয়  
গণপ্রজাতন্ত্রী বাংলাদেশ সরকার



BA/TLR/CR/2017/3909  
November 14, 2017

**Mr. Monirul Islam**  
Chairperson  
Tender Evaluation Committee &  
Additional Chief Engineer  
Roads & Highways  
Mymensing Zone  
Mymensing

**Subject: Authentication of Letter of Commitment.**

Dear Sir,

Please refer to your memo no. ৮১৫-এমজেড dated 07.11.2017. We write to confirm having issued the subject certificate under our seal & signature in favor of "MAQ Engineering Ltd." details of which is as follows:

<b>Invitation Reference No.</b>	<b>:</b>	MZ/e-GP/09/PMP(Road)/2017-2018.
<b>Tender Id No</b>	<b>:</b>	123524.
<b>Description</b>	<b>:</b>	"Improvement of Existing Pavement by Rigid Pavement and DBS overlay work at 28th Km to 37th Km of Madhupur-Mymensingh Road (N- 401) under Road Division Mymensingh during the year 2017-2018".
<b>Beneficiary</b>	<b>:</b>	Additional Chief Engineer, Mymensingh Zone, Mymensingh, Bangladesh
<b>Amount</b>	<b>:</b>	BDT 20,000,000.00 (Two Crore) only.

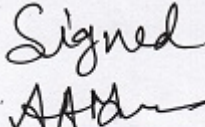
The confirmation letter has been furnished for your kind information and necessary action.

  
Authorized Signature

**Partha Kumar Saha**  
First Assistant Vice President  
PA # 506  
Bank Asia Limited  
Tejgaon Link Road Branch, Dhaka.

  
Authorized Signature

**Zahirul Haque**  
Vice President & Head of Branch  
Bank Asia Limited  
Tejgaon Link Road Branch;

  
Signed  
Zahirul Haque

কাজী আব্দুল্লাহ আল-মামুন  
মোহাম্মাদ  
স্বাক্ষর পরিচালক ও মর্যাদাপূর্ণ বিভাগ  
স্বাক্ষর পরিচালক ও সেক্টর ম্যানেজার  
মহাপ্রকল্পকারী বাংলাদেশ সরকার

[www.rthd.gov.bd](http://www.rthd.gov.bd)

কাজী আব্দুল্লাহ আল-মামুন  
মোহাম্মাদ  
সভক পরিবহন ও মহাসড়ক বিভাগ  
সভক পরিবহন ও সেতু মহাশালায়  
মহাপ্রজ্ঞাকাজী বাংলাদেশ সরকার





IN THE SUPREME COURT OF BANGLADESH

HIGH COURT DIVISION

(SPECIAL ORIGINAL JURISDICTION)

WRIT PETITION NO. 3664 of 2017

IN THE MATTER OF:

An application under Article 102 of the Constitution of the People's Republic of Bangladesh.

AND

IN THE MATTER OF:

SHAMIM ENTERPRISE (PVT.) LTD. represented by its Managing Director Md. Aminul Haque Shamim. Address: 4 K.B. Ismail Road, Kachari Ghat, Mymensingh.

.....Petitioner.

-Versus-

1. Bangladesh, represented by the Secretary, Ministry of Roads and Bridges, Roads and Highways Division, Bangladesh Secretariat, Dhaka.
2. Central Procurement and Technical Unit (CPTU) Agargaon, Dhaka, represented by its Director General.
3. The Chief Engineer, Roads and Highway's Department, Ellen Bari, Dhaka.
4. The Deputy Secretary, Ministry of Roads and Bridges, Roads and Highways Division, Bangladesh Secretariat, Dhaka.
5. Additional Chief Engineer, Roads and Highway's Department, Dhaka Zone, Ellen Bari, Dhaka.
6. Additional Chief Engineer, Roads and Highway's Department, Mymensingh Zone, Mymensingh.
7. Superintending Engineer, Roads and Highway's Department, Road Circle, Jamalpur.
8. Executive Engineer, Roads and Highway's Department, Road Division Tangail.
9. Sub-Divisional Engineer, Roads and Highway's Department, Modhupur Road, Sub-Division, Tangail.

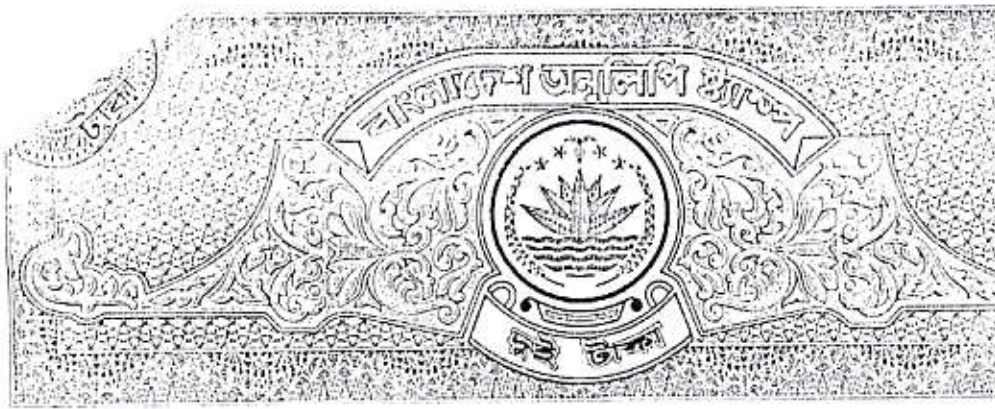
.....Respondents.

AND

IN THE MATTER OF:

Signed  
AAM

কাজী আব্দুল আল-মামুন  
সিনিয়র  
সহকারী  
সচিব  
সরকার  
বাংলাদেশ



Condition Nos. Gha and Uma contained in স্মারক নং-৩৫.০০.০০০০.০১৫.০৭.০৪১.১৬-৭০ dated 13.02.2017 issued by the Ministry of Roads and Bridges under the signature of respondent No. 4 treating petitioner's performance as poor performance (Annexure-"D").

Present:

Mr. Justice M. Enayetur Rahim.

And

Mr. Justice Jahangir Hossain.

The 12<sup>th</sup> day of September, 2017.

Mr. S.R.M. Lutfur Rahman Akhand, Advocate,

.....For the Petitioner.

Mr. S.S. Sarkar, D.A.G. with

Mr. Md. Abul Kalam Khan, A.A.G. and

Mr. Md. Mehedi Hassan, A.A.G.

..... For the respondents.

This is an application for extension of order of stay which was expired on 20.06.2017.

Mr. S.R.M. Lutfur Rahman Akhand, the learned Advocate appearing for the petitioner submits that due to unavoidable situation he could not take step to get extension of the stay order in time which was expired on 20.06.2017. He apologizes for such mistake. He further submits that position of the case has remained unchanged.

The application was not opposed.

Having Consider the submission of the learned Advocate of the petitioner and the statement made in the application we are inclined to extend the order of stay.

Accordingly, this application is allowed.

Let the order of stay granted earlier by this court be extended for a further period of 06(x) months from the date of expiry.

M. Enayetur Rahim.

Jahangir Hossain.

Typed by: Nipa: 18.09.2017.

Read by: 18.09.17

Exam by: 18.09.17

Revised by: 18.09.17

18.09.17

Signed  
A.A.G.  
কাজী আব্দুল্লাহ আল-মামুন  
সিনিয়র অ্যাডভোকেট  
সরকারি পরিদপ্তর ও মন্ত্রণালয়  
সহকারী সচিব  
গণপ্রজাতন্ত্রী বাংলাদেশ সরকার





IN THE SUPREME COURT OF BANGLADESH  
HIGH COURT DIVISION  
(SPECIAL ORIGINAL JURISDICTION)

**WRIT PETITION NO. 3664 of 2017**

IN THE MATTER OF:

An application under Article 102 of the Constitution of the People's Republic of Bangladesh.

AND

IN THE MATTER OF:

SHAMIM ENTERPRISE (PVT.) LTD. represented by its Managing Director Md. Aminul Haque Shamim, Address: 4 K.B. Ismail Road, Kachari Ghat, Mymensingh.

.....Petitioner.

-versus-

1. Bangladesh, represented by the Secretary, Ministry of Roads and Bridges, Roads and Highways Division, Bangladesh Secretariat, Dhaka.
2. Central Procurement and Technical Unit (CPTU) Agargaon, Dhaka, represented by its Director General.
3. The Chief Engineer, Roads and Highway's Department, Ellen Bari, Dhaka.
4. The Deputy Secretary, Ministry of Roads and Bridges, Roads and Highways Division, Bangladesh Secretariat, Dhaka.
5. Additional Chief Engineer, Roads and Highway's Department, Dhaka Zone, Ellen Bari, Dhaka.
6. Additional Chief Engineer, Roads and Highway's Department, Mymensingh Zone, Mymensingh.
7. Superintending Engineer, Roads and Highway's Department, Road Circle, Jamalpur.
8. Executive Engineer, Roads and Highway's Department, Road Division Tangail.
9. Sub-Divisional Engineer, Roads and Highway's Department, Modhupur Road, Sub-Division, Tangail.

.....Respondents.

AND

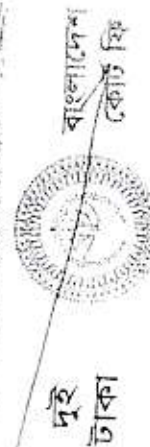
IN THE MATTER OF:

Condition Nos. Gha and Uma contained in স্মারক নং-৩৫.০০.০০০০.০১৫.০৭.০৪১.১৬-৭০ dated 13.02.2017 issued by the Ministry of Roads and Bridges under the signature of respondent No. 4 treating petitioner's performance as poor performance (Annexure-"D").

Signed  
AAM

কাজী আব্দুল্লাহ আল-মামুন  
সিনিয়র  
সহকারী পরিচালক ও মহাপরিচালক বিভাগ  
সড়ক পরিবহন ও সেতু মন্ত্রণালয়  
গণপ্রজাতন্ত্রী বাংলাদেশ সরকার





কাজী আব্দুল্লাহ আল-মামুন  
খোদাধায়  
সবক পরিবহন ও মহাসড়ক বিভাগ  
সবক পরিবহন ও সেতু মহালয়  
মহাপ্রজাতন্ত্রী বাংলাদেশ সরকার

# Tenderers Database Management System (TDMS)

## (Evaluation Sheet)

### Technical Examination of Individual Tenderer

Tender ID : **123524**

IFT Publication Date : **26-Sep-2017**

Name of Tenderer : **M/S Turna Enterprise**

Evaluation Criteria	Minimum Requirement as per TDS	Tenderer's Qualification	Technical Examination (Pass/ Fail)	Remarks
<b>Litigation</b>	Comply	Comply	Pass	
<b>General Experience</b>	10 year(s) upto IFT publication date	13 years 4 months 15 days	Pass	
<b>Specific Experience of Successfully completed contract</b>	1. Type / Nature of Work: Road/Highway 2. Successful Completion of at least 1 - No. of Similar Contract 3. Minimum contract value 90000000 - BDT in Single Contract 4. Actual Completion Date within 7 - Years backward from IFT Publication Date 5. Nature and Complexity of each Similar Contract: DBS Work= 2000.00 cum	Similar Contract -: 1 a) Name Of Work/Supply: PMP works of DBS – wearing course (Plant Method) including soil earthen shoulder repair from 1st Km to 57th Km of Paglapir-Dalia- Teesta Barrage Road under Road Division, Rangpur, Nilphamari & Lalmonirhat during the year 2011-2012. b) Actual Completion Date : 24-Oct-2013 c) Contract Value: 24,87,95,456.66 d) Short Description of Work : Work Type: > Road/Highway, Type of Work- Periodic Maintenance, DBS Wearing Course- 16127.07 m3, Earth Work Road Embankment- 6165738 m3, Tack Coat- 322688.38 m2	Pass	
<b>Average Annual Construction Turnover</b>	1. Average Annual Construction Turnover over the last 5 -Years from IFT Publication Date. 2. Average Minimum Amount 180000000 (BDT)	496582650.86 (BDT)	Pass	
<b>Liquid Asset</b>	Minimum Amount 50000000 (BDT)	50000000 (BDT)	Pass	
<b>Tender Capacity</b>	Minimum Amount 100000000 (BDT)	1129183491.54 (BDT)	Pass	
<b>Personnel Capability</b>	i) Construction Project Manager=01; ii) Material Engineer=01;	OK	Pass	

Signed  
A.A.M.  
কাজী আব্দুল্লাহ আল-মামুন  
প্রোগ্রামার  
সড়ক পরিবহন ও মৎস্যজীবী বিভাগ  
সড়ক পরিবহন ও সেতু মন্ত্রণালয়  
গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

# Tenderers Database Management System (TDMS)

## (Evaluation Sheet)

### Technical Examination of Individual Tenderer

Tender ID : **123524**

IFT Publication Date : **26-Sep-2017**

Name of Tenderer : **M/S Turna Enterprise**

Evaluation Criteria	Minimum Requirement as per TDS	Tenderer's Qualification	Technical Examination (Pass/ Fail)	Remarks
Personnel Capability	iii) Site Engineer=01; iv) Surveyor=01; v) Laboratory Technician=01	OK	Pass	
Equipment Capability	ii) Computerized Auto Batch Mix Asphalt Plant (40-60 ton/ hour)=01; ii) Asphalt Paver=01; iii) Pneumatic Tyre Roller 10 Tonne=02; iv) Dump Trucks 6-10 Tonne=10; v) Concrete Batching Plant=01	OK	Pass	
Overall Result			Pass	

Signed  
A.A. M.  
কাজী আব্দুল্লাহ আল-মামুন  
প্রোগ্রামার  
সড়ক পরিবহন ও মর্যাদাকৃত বিভাগ  
সড়ক পরিবহন ও সেতু মন্ত্রণালয়  
সংস্করণস্বত্বী বাহাদুরপুর সরকার



# Tenderers Database Management System (TDMS)

## (Evaluation Sheet)

### Technical Examination of Individual Tenderer

Tender ID : 123524

IFT Publication Date : 26-Sep-2017

Name of Tenderer : MAQ Engineering Ltd. [Other Partner of SEL-UDC-MAQ JV]

Evaluation Criteria	Minimum Requirement as per TDS	Tenderer's Qualification	Technical Examination (Pass/ Fail)	Remarks
Litigation	Comply	Comply	Pass	
General Experience	10 year(s) upto IFT publication date	12 years 27 days	Pass	
Specific Experience of Successfully completed contract	1. Type / Nature of Work: Road/Highway 2. Successful Completion of at least 1 - No. of Similar Contract 3. Minimum contract value 90000000 - BDT in Single Contract 4. Actual Completion Date within 7 - Years backward from IFT Publication Date 5. Nature and Complexity of each Similar Contract: DBS Work= 2000.00 cum	Similar Contract -: 1 a) Name Of Work/Supply: Rehabilitation of pavement by providing Base Type-I, DBS Base Course and Overlay, construction of Toe Wall, U-Drain and Hard Shoulder from Chainage 58.000 K.M. to chainage 76.000 K.M. at Anowara-Banskhali-Chakaria Road (R-170) under Coks Bazar Road Division during the financial year 2015-2016. b) Actual Completion Date : 05-Jul-2016 c) Contract Value: 13,15,37,751.00 d) Short Description of Work : Work Type: > Road/Highway, Type of Work- Rehabilitation, DBS Wearing Course- 5049.00 m3, DBS Base Course- 571.03 m3, Aggregate Base Type I- 1025.71 m3, Earth Work Road Embankment- 13179.00 m3, Tack Coat- 90474.56 m2	Pass	
Average Annual Construction Turnover	1. Average Annual Construction Turnover over the last 5 -Years from IFT Publication Date. 2. Average Minimum Amount 180000000 (BDT)	386564971.16 (BDT)	Pass	
Liquid Asset	Minimum Amount 50000000 (BDT)	20000000 (BDT)	Pass	
Tender Capacity	Minimum Amount 100000000 (BDT)	915528440.39 (BDT)	Pass	

Signed  
AA  
কাজী আব্দুল আল-মামুন  
প্রোগ্রামার  
সড়ক পরিবহন ও মৎস্যজীবী বিভাগ  
সড়ক পরিবহন ও সেতু মন্ত্রণালয়  
গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

# Tenderers Database Management System (TDMS)

## (Evaluation Sheet)

### Technical Examination of Individual Tenderer

Tender ID : **123524**

IFT Publication Date : **26-Sep-2017**

Name of Tenderer : **MAQ Engineering Ltd. [Other Partner of SEL-UDC-MAQ JV]**

Evaluation Criteria	Minimum Requirement as per TDS	Tenderer's Qualification	Technical Examination (Pass/ Fail)	Remarks
Personnel Capability	i) Construction Project Manager=01; ii) Material Engineer=01; iii) Site Engineer=01; iv) Surveyor=01; v) Laboratory Technician=01	OK	Pass	
Equipment Capability	ii) Computerized Auto Batch Mix Asphalt Plant (40-60 ton/ hour)=01; ii) Asphalt Paver=01; iii) Pneumatic Tyre Roller 10 Tonne=02; iv) Dump Trucks 6-10 Tonne=10; v) Concrete Batching Plant=01	OK	Pass	
Overall Result			Pass	

Signed  
A.A. M.  
কাজী আব্দুল্লাহ আল-মামুন  
প্রোগ্রামার  
সড়ক পরিবহন ও মর্যাদাকৃত বিভাগ  
সড়ক পরিবহন ও সেতু মন্ত্রণালয়  
গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

# Tenderers Database Management System (TDMS)

## (Evaluation Sheet)

### Technical Examination of JV Tenderers

Tender ID : **123524**

IFT Publication Date : **26-Sep-2017**

JV Name : **SEL-UDC-MAQ JV**

Name of Tender : **Improvement of Existing Pavement by Rigid Pavement and DBS overlay work at 28th Km to 37th Km of Madhupur-Mymensingh Road**

Tenderer Name	Litigation	General Experience	Specific Experience of Successfully completed contract	Average Annual Construction Turnover	Liquid Asset	Tender Capacity	Personnel Capability	Equipment Capability
Shamim Enterprise (Pvt.) Ltd. [Lead Partner]	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
UDC Construction Limited [Other Partner]	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
MAQ Engineering Ltd. [Other Partner]	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
Total Result	-	-	-	Pass	Pass	Pass	-	-
SEL-UDC-MAQ JV	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass
Overall Result	Pass							

**[ Note: Please see individual evaluation sheet for detailed evaluation result ]**

Signed  
AA  
কাজী আব্দুল্লাহ আল-মামুন  
প্রোগ্রামার  
সড়ক পরিবহন ও মৎস্যজীবী বিভাগ  
সড়ক পরিবহন ও সেতু মন্ত্রণালয়  
গণপ্রজাতন্ত্রী বাংলাদেশ সরকার



# Tenderers Database Management System (TDMS)

## (Evaluation Sheet)

### Technical Examination of Individual Tenderer

Tender ID : 123524

IFT Publication Date : 26-Sep-2017

Name of Tenderer : Shamim Enterprise (Pvt.) Ltd. [Lead Partner of SEL-UDC-MAQ JV]

Evaluation Criteria	Minimum Requirement as per TDS	Tenderer's Qualification	Technical Examination (Pass/ Fail)	Remarks
Litigation	Comply	Comply	Pass	
General Experience	10 year(s) upto IFT publication date	12 years 10 months 21 days	Pass	
Specific Experience of Successfully completed contract	1. Type / Nature of Work: Road/Highway 2. Successful Completion of at least 1 - No. of Similar Contract 3. Minimum contract value 90000000 - BDT in Single Contract 4. Actual Completion Date within 7 - Years backward from IFT Publication Date 5. Nature and Complexity of each Similar Contract: DBS Work= 2000.00 cum	Similar Contract -: 1 a) Name Of Work/Supply: Joydebpur-Mymensingh Road (N3) Improvement Project, Contract package No. W1-4, Construction of Roymoni-Mymensingh Road Section, Ch. 59+850-Ch.87+179 b) Actual Completion Date : 30-Oct-2015 c) Contract Value: 2,62,14,07,151.01 d) Short Description of Work : Work Type: > CulvertWork Type: > Road/HighwayWork Type: > OthersWork Type: > Bridge/Flyover, Type of Super Structure- PC Girder	Pass	
Average Annual Construction Turnover	1. Average Annual Construction Turnover over the last 5 -Years from IFT Publication Date. 2. Average Minimum Amount 180000000 (BDT)	692641477.98 (BDT)	Pass	
Liquid Asset	Minimum Amount 50000000 (BDT)	25000000 (BDT)	Pass	
Tender Capacity	Minimum Amount 100000000 (BDT)	1491353204.43 (BDT)	Pass	
Personnel Capability	i) Construction Project Manager=01; ii) Material Engineer=01; iii) Site Engineer=01; iv) Surveyor=01;	ok	Pass	

Signed  
A.A. Khan  
কাজী আব্দুল আল-মামুন  
প্রোগ্রামার  
সড়ক পরিবহন ও মর্যাদার বিভাগ  
সড়ক পরিবহন ও সেতু মন্ত্রণালয়  
গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

# Tenderers Database Management System (TDMS)

## (Evaluation Sheet)

### Technical Examination of Individual Tenderer

Tender ID : **123524**

IFT Publication Date : **26-Sep-2017**

Name of Tenderer : **Shamim Enterprise (Pvt.) Ltd. [Lead Partner of SEL-UDC-MAQ JV]**

Evaluation Criteria	Minimum Requirement as per TDS	Tenderer's Qualification	Technical Examination (Pass/ Fail)	Remarks
Personnel Capability	v) Laboratory Technician=01	ok	Pass	
Equipment Capability	ii) Computerized Auto Batch Mix Asphalt Plant (40-60 ton/ hour)=01; ii) Asphalt Paver=01; iii) Pneumatic Tyre Roller 10 Tonne=02; iv) Dump Trucks 6-10 Tonne=10; v) Concrete Batching Plant=01	ok	Pass	
Overall Result			Pass	

Signed  
AAM  
কাজী আব্দুল্লাহ আল-মামুন  
প্রোগ্রামার  
সড়ক পরিবহন ও মর্যাদাকৃত বিভাগ  
সড়ক পরিবহন ও সেতু মন্ত্রণালয়  
গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

# Tenderers Database Management System (TDMS)

## (Evaluation Sheet)

### Technical Examination of Individual Tenderer

Tender ID : 123524

IFT Publication Date : 26-Sep-2017

Name of Tenderer : UDC Construction Limited [Other Partner of SEL-UDC-MAQ JV]

Evaluation Criteria	Minimum Requirement as per TDS	Tenderer's Qualification	Technical Examination (Pass/ Fail)	Remarks
Litigation	Comply	Comply	Pass	
General Experience	10 year(s) upto IFT publication date	13 years 8 months 11 days	Pass	
Specific Experience of Successfully completed contract	1. Type / Nature of Work: Road/Highway 2. Successful Completion of at least 1 - No. of Similar Contract 3. Minimum contract value 90000000 - BDT in Single Contract 4. Actual Completion Date within 7 - Years backward from IFT Publication Date 5. Nature and Complexity of each Similar Contract: DBS Work= 2000.00 cum	Similar Contract -: 1 a) Name Of Work/Supply: Clean Air and Sustainable Environment (CASE) project, Construction of sidewalks and improvement of roads at Tejgaon area in Dhaka City funded by World Bank b) Actual Completion Date : 20-Apr-2013 c) Contract Value: 28,10,33,238.77 d) Short Description of Work : Work Type: > Road/Highway, Type of Work- Re-Construction	Pass	
Average Annual Construction Turnover	1. Average Annual Construction Turnover over the last 5 -Years from IFT Publication Date. 2. Average Minimum Amount 180000000 (BDT)	373722218.79 (BDT)	Pass	
Liquid Asset	Minimum Amount 50000000 (BDT)	20000000 (BDT)	Pass	
Tender Capacity	Minimum Amount 100000000 (BDT)	709132785.81 (BDT)	Pass	
Personnel Capability	i) Construction Project Manager=01; ii) Material Engineer=01; iii) Site Engineer=01; iv) Surveyor=01;	OK	Pass	

Signed  
A.A. Khan  
কাজী আব্দুল আল-মামুন  
প্রোগ্রামার  
সড়ক পরিবহন ও মর্যাদাকৃত বিভাগ  
সড়ক পরিবহন ও সেতু মন্ত্রণালয়  
গণপ্রজাতন্ত্রী বাংলাদেশ সরকার



# Tenderers Database Management System (TDMS)

## (Evaluation Sheet)

### Technical Examination of Individual Tenderer

Tender ID : **123524**

IFT Publication Date : **26-Sep-2017**

Name of Tenderer : **UDC Construction Limited [Other Partner of SEL-UDC-MAQ JV]**

Evaluation Criteria	Minimum Requirement as per TDS	Tenderer's Qualification	Technical Examination (Pass/ Fail)	Remarks
Personnel Capability	v) Laboratory Technician=01	OK	Pass	
Equipment Capability	ii) Computerized Auto Batch Mix Asphalt Plant (40-60 ton/ hour)=01; ii) Asphalt Paver=01; iii) Pneumatic Tyre Roller 10 Tonne=02; iv) Dump Trucks 6-10 Tonne=10; v) Concrete Batching Plant=01	OK	Pass	
Overall Result			Pass	

Signed  
A.A.M.  
কাজী আব্দুল্লাহ আল-মামুন  
প্রোগ্রামার  
সড়ক পরিবহন ও মৎস্যজীবন বিভাগ  
সড়ক পরিবহন ও সেতু মন্ত্রণালয়  
গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

# Tenderers Database Management System (TDMS)

## (Evaluation Sheet)

### Technical Examination of all Evaluted Tenderer (Combined Report)

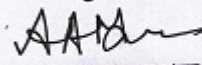
Tender ID : **123524**

IFT Publication Date : **26-Sep-2017**

Name of Tender : **Improvement of Existing Pavement by Rigid Pavement and DBS overlay work at 28th Km to 37th Km of Madhupur-Mymensingh Road (N-**

Tenderer Name	Litigation	General Experience	Specific Experience of Successfully completed contract	Average Annual Construction Turnover	Liquid Asset	Tender Capacity	Personnel Capability	Personnel Capability	Overall Result
M/S Turna Enterprise	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	<b>Pass</b>
SEL-UDC-MAQ JV	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	<b>Pass</b>

**[ Note: Please see individual evaluation sheet for detailed evaluation result ]**

Signed  
  
 কাজী আব্দুল্লাহ আল-মামুন  
 প্রোগ্রামার  
 সড়ক পরিবহন ও মواصلত্ব বিভাগ  
 সড়ক পরিবহন ও সেতু মন্ত্রণালয়  
 গণপ্রজাতন্ত্রী বাংলাদেশ সরকার