

REGIONAL OFFICE- KERALA NATIONAL HIGHWAYS AUTHORITY OF INDIA

Minutes of the technical Bid Evaluation (Date - 03.09.2021 12.00 pm)

Sub: Long term rectification of 8 Black Spots (KI.02.093, KI.02.001, KI.02.094, KI.02.031, KI.02.012, KI.02.026, KI.02.075, KI.02.045) in National Highways in the State of Kerala Package IV (NH-744)

Ref: 1) NIC e tender portal Tender ID: 2021_NHAI_84620_1

The tender for the “Long term rectification of 8 Black Spots (KI.02.093, KI.02.001, KI.02.094, KI.02.031, KI.02.012, KI.02.026, KI.02.075, KI.02.045) in National Highways in the State of Kerala Package IV (NH-744)” has been floated on 10/08/2021 through NHAI tender portal “ <https://nhai.gov.in> ” and NIC e tender portal “ <https://etenders.gov.in>”. The tender opening was fixed on 31/08/2021 the details of the tender are as follows:

- | | |
|----------------------------|--------------------------|
| □ Availability of Bids: | 10.08.2021 to 30.08.2021 |
| □ Pre bid Query last date: | NA |
| □ Tender submission date: | 30.08.2021@ 11.00 AM |
| □ Tender opening date: | 31.08.2021 @ 12.00 AM |

Further based on the approval of Competent Authority, A Technical and Financial Committee have been constituted with the following members on 23/08/2021

- i) Sh. B.L. Meena, Regional Officer----- Chairman
- ii) Sh. COP Furtado DGM(T), RO Kerala ----- Member
- iii) Sh. P Pradeep DGM (T), PD PIU Thiruvananthapuram ----- Member
- iv) Sh. Ancil Hassan, Dy.Manager(T), RO Kerala -----Secretary
- v) Miss. Remya R, Dy. Manager,Head F&A Unit, RO Kerala----- Member

The Committee has opened the tender on 31/08/2021 and following bidders have submitted the bids .

Sl. No.	Name of Bidder
1	Deens Constructions
2.	Metaguard Engineers And Contractors
3.	THERUVATH BUILDERS
4.	Thoppil Contractors (India) Private Limited

The bids have been evaluated by the Committee members and technical evaluationsheet attached separately. The findings of the Committee are as follows

1. M/s Deens Constructions

- 1) Networth was found to be Rs. 15.69 Cr which is less than the required net worth of Rs.17.32 Cr
- 2) Minimum average annual turnover as per Clause 2.2.2.3 has been submitted but the same has not been certified by CA
- 3) Copies of duly audited complete annual accounts of the bidder for



preceding 5 years were not submitted.

As the bidder doesn't have the required Net Worth, the bidder is technically non-responsive.

2. M/s Metaguard Engineers And Contractors

- 1) Annexure-VIII of Appendix-IA showing details of all ongoing project works (Rf Cl.10.3(iv) of Document for EPC agreement) were not submitted. However, for calculation of Bid capacity, details of all existing commitments and ongoing works have been submitted by the bidder.
- 2) An undertaking from the person having PoA that they agree and abide by the bid documents uploaded by NHAI and amendments uploaded if any; were not submitted. However, the bidder has signed and submitted the complete RFP along with the proposal.

Hence the bidder may be considered as technically responsive upon the approval of chairman of the tender committee as the observations are of very minor in nature and as the subject works need to be expedited as soon as possible as it pertains to Road safety.

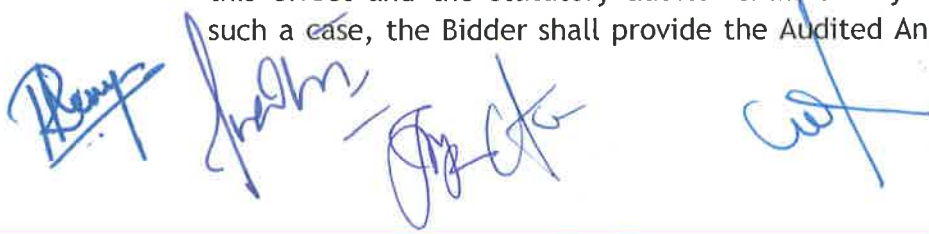
3. M/s THERUVATH BUILDERS

- 1) Copies of duly audited complete annual accounts of the bidder for preceding 5 years were submitted but as the annual accounts for the latest financial year are not audited and therefore the Bidder cannot make it available, the Bidder shall give an undertaking to this effect and the statutory auditor shall certify the same. In such a case, the Bidder shall provide the Audited Annual Reports for 5 (five) years preceding the year for which the Audited Annual Report is not being provided. However, as Gol has extended the last date of audit of final accounts for FY 2020-21, the same may be accepted.

Hence the bidder may be considered as technically responsive upon the approval of chairman of the tender committee as the observations are of very minor in nature and as the subject works need to be expedited as soon as possible as it pertains to Road safety.

4. M/s Thoppil Contractors (India) Private Limited

- 1) Copies of duly audited complete annual accounts of the bidder for preceding 5 years were submitted but as the annual accounts for the latest financial year are not audited and therefore the Bidder cannot make it available, the Bidder shall give an undertaking to this effect and the statutory auditor shall certify the same. In such a case, the Bidder shall provide the Audited Annual Reports



for 5 (five) years preceding the year for which the Audited Annual Report is not being provided. However, as Gol has extended the last date of audit of final accounts for FY 2020-21, the same may be accepted.

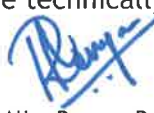
- 2) Bidder shall, over the past [5 (five)] financial years preceding the Bid Due Date, have received payments for construction of Eligible Project(s), or has undertaken construction works by itself in a EPC project, such that the sum total thereof, as further adjusted in accordance with clause 2.2.2.5 (i) & (ii), should be more than Rs. 17.32 crore. However receipts for more than Rs.17.32 Cr is found in the profit and loss account submitted by the bidder as well as the same can be verified through the experience certificates enclosed by the bidder.

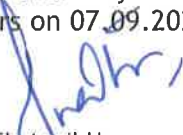
Hence the bidder may be considered as technically responsive upon the approval of chairman of the tender committee as the observations are of very minor in nature and as the subject works need to be expedited as soon as possible as it pertains to Road safety.

The gist of the bid evaluation is as follows:-

Sl. No.	Name of Bidder	Technically responsive or not	Reasons for rejection
1	Deens Constructions	Technically non Responsive	Stated above
2.	Metaguard Engineers And Contractors	Technically Responsive	Stated above
3.	THERUVATH BUILDERS	Technically Responsive	Stated above
4.	Thoppil Contractors (India) Private Limited	Technically Responsive	Stated above

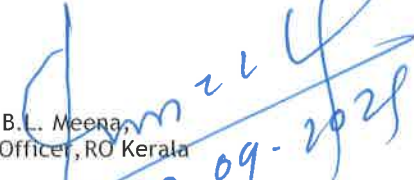
In view of the above the Committee members has opined, subjected to the approval of Chairman of the tender committee, that M/s.THERUVATH BUILDERS, M/s.Thoppil Contractors (India) Private Limited and M/s. Metaguard Engineers And Contractors may be declared as technically responsive and M/s. Deens Constructions may be declared as technically non responsive. Hence, approval may be accorded for opening of the financial bids of the technically responsive bidders on 07.09.2021 @ 04.00 PM.


Miss Remya R,
Dy.Manager, Head
F&A Unit, RO-Kerala


Sh. Ancil Hassan,
Dy. Manager (T),
RO Kerala


Sh. P Pradeep,
DGM (T), PD PIU
Thiruvananthapuram


Sh. COP Furtado,
DGM(T), RO Kerala


Sh. B.L. Meena,
Regional Officer, RO Kerala

*Approved you are advised to
upload on portal as per RFP*

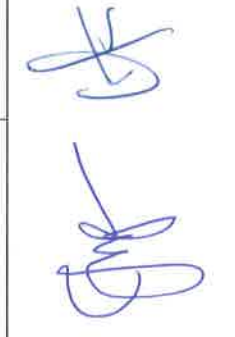
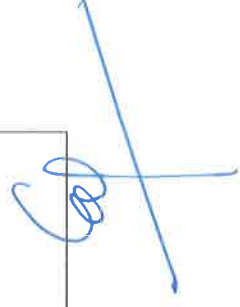
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06.09.2021

RO Kerala						
National Highways Authority of India						
Name of Project		Long term rectification of 8 Black Spots (KI.02.093, KI.02.001, KI.02.094, KI.02.031, KI.02.012, KI.02.026, KI.02.075, KI.02.045) in National Highways in the State of Kerala Package IV (NH-744)				
Estimated Cost		Rs. 21.65 Crore (Incl. GST)				
Cost of Tender		Rs 10,000/-				
Sr No.		RFP Clause	Deens Constructions	Metaguard Engineers And Contractors	THERUVATH BUILDERS	Thoppil Contractors (India) Private Limited
1	Scanned copy of proof of payment for cost of tender documents (Rs.10000)	3.1.6.1 (h)	Submitted	Submitted	Submitted	Submitted
2	Bid securing declaration in the format at Appendix-II	2.11.1	Submitted	Submitted	Submitted	Submitted
3	Power of Attorney for signing the BID as per the format at Appendix-III	2.11.1	Submitted	NA	Submitted	Submitted
4	Appendix-IA (Letter comprising the Technical bid) including Annexure-I-VI and supporting certificates/documents (Certificate from statutory auditors/clients stating the payments received or in case of PPP project, construction carried out by itself during past 5 years, in respect of eligible projects. In case of JV it should support its claim for payments received/construction carried out by itself in PPP projects as applicable the share in work done for that particular job/contract by producing a certificate from statutory auditor/client) & { Certificate from statutory auditors specifying net worth of bidder as at close of preceding FY and also specifying methodology adopted for calculating networth as Cl.2.2.2.9(ii). Net worth shall mean aggregate value of paid up share capital and reserves created out of the profits and securities premium account after deducting aggregate value of accumulated losses, deferred expenditure and miscellaneous expenditure not written off, as per audited balance sheet but does not include reserves created out of revaluation of assets, write back of depreciation and amalgamation}	2.11.1 & 2.2.2.9	Submitted	Submitted	Submitted	Submitted
5	Bidder shall comply with provisions of OM No.RW/NH-37010/4/2010/PIC-EAP(Printing) dated 22.02.2016 and its subsequent amendments if any, issued by MoRTH (Appendix-VI) regarding Integrity Pact(IP) and IP duly signed by the Authorized signatory shall be submitted by the bidder with the RFP bid and shall be part of the Contract agreement	2.11.1	Submitted	Submitted	Submitted	Submitted



6	An undertaking from the person having PoA that they agree and abide by the bid documents uploaded by NHAI and amendments uploaded if any	2.11.1	Submitted	Not submitted, however entire RFP documents have been signed and submitted by the bidder. The same may be accepted as per approval of CA	Submitted	Submitted
7	Annexure-VIII of Appendix-IA showing details of all ongoing project works (Rf Cl.10.3(iv) of Document for EPC agreement)	2.11.1	Submitted	Not submitted	Submitted	Submitted
8	Copy of Memorandum and Articles of association, if the bidder is a body corporate, and if a partnership then a copy of its partnership deed.	2.11.1	Submitted	NA	Submitted	Submitted
9	Copies of duly audited complete annual accounts of the bidder of each member (in case JV) for preceding 5 years (i) [The Technical Bid must be accompanied by the Audited Annual Reports of the Bidder (of each Member in case of a Joint Venture) for the last 5 (five) financial years, preceding the year in which the bid is submitted.] (ii) [In case the annual accounts for the latest financial year are not audited and therefore the Bidder cannot make it available, the Bidder shall give an undertaking to this effect and the statutory auditor shall certify the same. In such a case, the Bidder shall provide the Audited Annual Reports for 5 (five) years preceding the year for which the Audited Annual Report is not being provided.] (iii) [The Bidder must establish the minimum Net Worth specified in Clause 2.2.2.3, and provide details as per format at Annex-III of Appendix-IA.]	2.11.1 & 2.2.2.8	Not submitted for 2014-15 to 2019-20 or 2015-16 to 2020-21	Submitted	Undertaking on non availability of audited annual reports for FY 2020-21 not enclosed. However, Gol has extended the last date of audit of final accounts.	Undertaking on non availability of audited annual reports for FY 2020-21 not enclosed. However, Gol has extended the last date of audit of final accounts.
10	Bidder shall, over the past [5 (five)] financial years preceding the Bid Due Date, have received payments for construction of Eligible Project(s), or has undertaken construction works by itself in a EPC project, such that the sum total thereof, as further adjusted in accordance with clause 2.2.2.5 (i) & (ii), is more than Rs. 17.32 crore (the "Threshold Technical Capacity") (Updation factor to be considered)	2.2.2.2, 2.2.2.5, 2.2.2.6	Submitted	Submitted	Submitted	Profit and loss accounts submitted. Further, as per experience certificates submitted, the same may be accepted subjected to approval of CA.
11	Provided that at least one similar work of 40% of Estimated Project Cost Rs.8.65 crore shall have been completed from the Eligible Projects in Category 1 and/or Category 3 specified in Clause 2.2.2.5. For this purpose, a project shall be considered to be completed, if more than 90% of the value of work has been completed and such completed value of work is equal to or more than 40% of the estimated project cost. (Updation factor to be considered)	2.2.2.2, 2.2.2.5, 2.2.2.6	Submitted	Submitted	Submitted	Submitted
12	Networth of Rs 17.32 Cr. at close of preceding FY	2.2.2.3	No. Rs.15.69Cr net worth	Submitted. Rs.19.74 Cr.	Yes. Rs.56.128 Cr.	Yes. Rs.17.35 Cr. for FY.2019-20

13	minimum Average Annual Turnover (updated to the price level of the year based on factors indicated in table below) of Rs. 17.32 crore(Rs. Seventeen crore and Thirty two lakh only) for the last 5 (five) financial years.	2.2.2.3	Rs 50.73 Cr. But not signed by CA	Submitted	Submitted	Submitted
14	Bidder should have completed 4 lane NHAI road works of similar nature during last 5 years.					
15	Certificate to be submitted as per Appendix IX	2.1.2				
16	Class-III DSC sign (in the name of Authorized Signatory / Firm or Organisation / Owner of the Firm or Organisation) from any of the licensed Certifying Agency (Bidders can see the list of licensed CAs from the link www.cca.gov.in) to participate in e-tendering of NHAI. DSC should be in the name of the authorized signatory as authorized in Appendix III of this RFP or person executing/delegating such Appendix III in favour of Authorized Signatory. It should be in corporate capacity (that is in Bidder capacity / in case of JV in the Lead Member capacity, as applicable)		Yes	Yes	Yes	Yes
17	Available Bid capacity = (A * N * 2.5 - B+C) should be greater than total bid value (i.e. Rs.21.65 Cr.)		Rs.171.39Cr.	Rs.115.035Cr.	Rs 245.31 Cr	Rs. 119.918 Cr
18	Scanned copies of original documents defining the constitution or legal status, place of registration, and principal place of business;	2.1.2	Submitted	Submitted	Submitted	Submitted
19	Bids from joint ventures, consortiums, combination or any sort of arrangement between two or more than two entities are not allowed. Satisfactorily completed, as a prime contractor for similar works during last five years should be either of the following: (i) Three similar completed works costing not less than amount equal to Rs. 432 Lakhs each (ii) Two similar completed works costing not less than amount equal to Rs. 649 Lakhs each. (iii) One similar completed work costing not less than amount equals to Rs 865 Lakhs (the similar work constitutes O & M Works, Safety item Works, NH/SH Construction Work)		NA	NA	NA	NA
20		NIT	Yes	Yes	Yes	Yes
Technical Evaluation Result						

Ms. Remya R, Dy. Manager, Head F&A Unit,
RO Kerala

Sh. Anil Hassan,
Dy. Manager (tech.), RO
Kerala

Sh. P Pradeep
DGM (IT), PD PIU
Thiruvananthapuram

Sh. COP Furtado DGM(TT),
RO Kerala

Sh. B. Akkera,
Regional Officer, RO Kerala