



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण NATIONAL HIGHWAYS AUTHORITY OF INDIA

(सड़क परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार)
(MINISTRY OF ROAD TRANSPORT & HIGHWAYS, GOVT. OF INDIA)

क्षेत्रीय कार्यालय: नागसंद्रा मेट्रो स्टेशन के पीछे, बेंगलूरु-५६० ०७३.
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No.NHAI/RO-BNG/Road Safety/Tender/2022/4861

Date: 23.03.2022

To,
All participated Bidders,

Sub: Permanent Rectification of Blackspot KA-(02)-373 by Constructing VUP with RE Wall Approaches at Chainage Km. 319+960 and Service Road (Chainage Km. 319+560 - Km. 320+840) on NH - 66 at Ambalpaddy in the State of Karnataka under EPC mode - **Hosting of final outcome of Technical Evaluation of bids & Disposal of objections** - reg.

Ref NIT No.30/NHAI/RO-BNG/Road safety/Tender/2021-22 dated 22.09.2021

Sir,

The bids were received (online) for the subject work on 22.10.2021 till 15.00 Hrs. Bids were opened on 25.10.2021 at Regional Office, Bengaluru. The replies were sought from the non-responsive bidders by giving 07 days of time period to respond in case of any objection. The objections submitted by the bidders have been examined by the Evaluation Committee and final outcome is as detailed below;

Sr. No.	Name of the bidders	Final Outcome	Remarks
1	M/s. Arjunvaishnavi Infrastructure and Developers Pvt Ltd.	Non-Responsive	Refer Note 4 beneath this table
2	M/s. Concord Constructions.	Non- Responsive	Refer Note 3 beneath this table
3	M/s. Hindustan Construction.	Non-Responsive	Refer Note 2 beneath this table
4	M/s. Iqbal Ahmed Infra Projects Pvt Ltd.	Responsive	-
5	Sh. M G Arun Kumar.	Non-Responsive	Refer Note 5 beneath this table
6	M/s. R. S. Nayak & Co.	Non-Responsive	Refer Note 1 beneath this table
7	M/s. Rama Kamath & Co.	Responsive	-

Note-1: M/s R S Nayak & Co.

- a. Bidder is not meeting the eligibility criteria as specified in Clause 2.2.2.2 (ii) of RFP, i.e. one similar work of 20% of Estimated Project Cost shall have been completed or substantially completed (i.e. where more than 90% value of work have been completed) over the last 5 Financial Years i.e. up to 31.03.2021 from the Eligible Projects in Category 1 and/or Category 3 specified in Clause 2.2.2.2 (ii) of RFP read in conjunction with Clause 2.2.2.2(i) of RFP, wherein it has been specifically mentioned that the last 5 (five) years preceding the Bid Due Date are to be considered.

Other Points

- b. Bidder has not uploaded the Bid documents on BIMS portal on which RO Bengaluru may take a view as it is required as per clause 2.2.2.7 of RFP.

- c. Bidder has submitted along with its reply Annex-I however in point no. 5(d) and 7(d), Bidder has again mentioned NA instead of Nil or No which does not fulfill the requirement of clarification sought. Hence, the same may not be considered.

Note-2: M/s Hindustan Construction

- a. None of the project claimed by the Bidder is not meeting the eligibility criteria as specified in Clause 2.2.2.2 (ii) of RFP, which states that one similar work of 20% of Estimated Project Cost shall have been completed or substantially completed (i.e. where more than 90% value of work have been completed) over the last 5 Financial Years i.e. up to 31-03-2021 from the Eligible Projects in Category 1 and/or Category 3 specified in Clause 2.2.2.2 (ii) of RFP read in conjunction with Clause 2.2.2.2(i) of RFP, wherein it has been specifically mentioned that the last 5 (five) years preceding the Bid Due Date are to be considered.

Therefore, the Bidder is not meeting the technical capacity criteria due the non-fulfilment of the clause 2.2.2.2 (ii) of RFP.

- b. Bidder is not meeting the Technical Threshold capacity as per the clause 2.2.2.2(i) of RFP.

Other Points

- c. Bidder has not submitted the undertaking from the Statutory Auditor (UDIN generated and verified) that the Annual Accounts for the FY 2020-21 are not yet audited on Bid due date which is required as per the clause 2.2.2.8(ii) of RFP.

- d. Bidder has not uploaded the Bid documents on BIMS portal as it is required as per clause 2.2.2.7 of RFP.

Note-3: Concord Construction

- a. Bidder is not meeting the eligibility criteria as specified in Clause 2.2.2.2 (ii) of RFP, i.e. one similar work of 20% of Estimated Project Cost shall have been completed or substantially completed (i.e. where more than 90% value of work have been completed) over the last 5 Financial Years i.e. up to 31.03.2021 from the Eligible Projects in Category 1 and/or Category 3 specified in Clause 2.2.2.2 (ii) of RFP read in conjunction with Clause 2.2.2.2(i) of RFP, wherein it has been specifically mentioned that the last 5 (five) years preceding the Bid Due Date are to be considered.

Other Points

- b. Bidder has mentioned in its reply to excuse the omission of UDIN on Annex-VI certified by the Chartered Accountant which is mandatory as per ICAI w.e.f 1.07.2019. Further, the Annex-VI submitted by the Bidder at the time of Bid is not as per the format which is required as per clause 3.1.6.1(i) of RFP which can also be not excused.

- c. Bidder has mentioned in its reply that it has forgotten to put the UDIN on the Net worth certificate and the same has not been submitted along with the clarification. However, the same cannot be excused as UDIN is mandatory w.e.f. 01.07.2019. Hence the Bidder is not meeting the criteria as per clause 2.2.2.9(ii) of RFP.

- d. Bidder has not uploaded the Bid documents on BIMS portal on which RO Bengaluru may take a view as it is required as per clause 2.2.2.7 of RFP.

- e. Bidder has mentioned in its reply to excuse the mistake mentioned in point 7(b) of Annex-I. As the same does not affect the Technical and Financial capacity of the Bidder hence the same may be accepted. However, if the Bidder is required to submit correct Annex-I.

- f. Bidder has mentioned in its reply to excuse for the non submission of Undertaking w.r.t. to agree and abide. As the same does not affect the Technical and Financial capacity of the Bidder hence the same may be accepted. However, bidder is required to submit the correct undertaking.

- g. Bidder has mentioned in its reply that it has uploaded the Annual Reports for the F.Y. 2015-16 to 2019-20 on BIMS portal and not in the technical bid which is required as per the clause 2.2.2.8(i) of RFP. As these are public domain documents and the non submission of the same does not affect the Financial and Technical capacity of the Bidder. Hence the same may be accepted. However, Bidder is required to submit the same.

Note-4: Arjunvaishnavi Infrastructures & Developers Pvt. Ltd.

- a. As per the clause 2.2.2.5(iii)(II) of RFP, it is clear that Maintenance Work and the works with the Nomenclature like PR, OR, FDR, SRshall not be considered.

no

Also, Maintenance Work shall be considered as eligible projects in case of Maintenance works to be taken up on EPC mode which means if the instant Project for which the Bid is invited is a Maintenance Project, then only the Maintenance Projects claimed as Eligible Projects for Technical Threshold Capacity may be considered.

Our Project "Permanent Rectification of Blackspot KA-(02)-373 by Constructing VUP with RE Wall Approaches at..... Ambalpaddy in the state of Karnataka under EPC mode" is NOT a Maintenance Project hence the Maintenance Project claimed by the Bidder may not be considered.

The project claimed by the Bidder under single work category is "Periodic renewal by resurfacing and other safety devices of development of adequate road connectivity to New mangalore Port in the state of Karnataka" P-16 of Tech2

Bidder has also submitted the Tender document in this regard claiming that the project is on EPC mode.

As per clause 2.2.2.5(iii)(II) of RFP, the works with the nomenclature Period renewal etc. shall not be considered under eligible projects.

If the project for which the bid is being invited for is a Maintenance project to be taken up on EPC mode then only Maintenance project claimed by the Bidder under eligible projects be considered.

Apart from this project, other projects enclosed in the Bid were also evaluated however none of the project is meeting the Technical capacity criteria of the clause 2.2.2.2 (ii) of RFP.

- b. Bidder is not meeting the Technical Threshold criteria as per clause 2.2.2.2(i) of RFP.
- c. As per ICAI guidelines, UDIN is required to be generated on all the Certificates issued by Practising Chartered Accountant, an illustrative list is mentioned on ICAI portal which clearly says the certificates not mentioned in the illustrative list shall be covered in "Others". It is nowhere mentioned that UDIN is only applicable for documents containing values. Therefore, undertaking from the Statutory Auditor that Audit for the FY 2020-21 has not yet completed without UDIN may not be accepted.
- d. The issue was not with the General PoA, issue was that the persons i.e. Ms. Aparna Ramesh Shelke, Director and Ms. Sheetal Srinivas shelke, Director authorising the Authorised Signatory, Mr. Srinivas R Shelke to sign the tender document in GPA, Do they have the power to delegate such power to the Authorised Signatory? For which supporting document was asked for. However, the Board Resolution submitted in 1st round of clarification was dated 03.12.2021 which is post the date of POA dated 18.02.2021. New POA submitted in the first round of clarification was an additional document which may not be accepted. Board resolution is a supporting document however it may not be accepted as it is post the date of POA submitted with the Bid. Therefore, the same may not be considered.

Note-5: M G Arunkumar

- a. Bidder has submitted the experience certificates for few of the works claimed in Value of "B" namely:
Reconstruction of Minor Bridges at km 631.500, km 637.500, km 640.250 and km 643.690 on Sholapur Mangalore section of NH-169 in the state of Karnataka (job no. 169-KNT-2015-16-799 and Job no. NH-169-KNT-2017-18-877
However, on the basis of above Bid capacity of the Bidder comes out to be Rs 18.27 cr. Which is less than the requirement of Rs 24.55 cr., therefore, Bidder is still not meeting the Bid capacity criteria as per clause 2.2.2.1 of RFP.
Hence the same may not be considered.

Other Points

- b. Bidder has not uploaded the Bid documents on BIMS portal as it is required as per clause 2.2.2.7 of RFP.



2. In view of the above, financial bids of the 02 Nos. of Technically responsive bidders (as mentioned in Table above) will be opened on **24.03.2022** at 15:00 Hrs, if possible.

3. This issues with the approval of CGM (Tech) / RO - Bengaluru.

Yours faithfully,


(Vutla Padmaja)
Manager (Tech)
Regional Office - Bengaluru