**NHAI/11013/2021/Hardoi-Lucknow/E-103668**

**Sub:-** Construction and Up-gradation of Existing Road to 4-lane with Paved Shoulder from Km 229.070 to 260.800, End of Hardoi District to Lucknow of NH-731 (Pkg-IV) on EPC basis in the state of Uttar Pradesh **- Result of Technical Evaluation - (Tender ID: 2021_NHAI_89916_1)-reg.**

**31.01.2022**

## Result of Technical Evaluation

| Sl. No. | Name of the Applicant | Technical Capacity in Category 1,2, & 4* (Rs. In crore) Clause 2.2.2.2(i) | Financial Capacity (Rs. In crore Clause 2.2.2.3(i) | One similar work completed in Category 1 and/ o 3 in last 5 years (Rs. In crore)- Clause 2.2.2.2(ii) | Average Annual Turnover (Rs In crore) Clause 2.2.2.3(ii) | Assessed Available Bid Capacity (Rs. I crore)** Clause 2.2.2.1 |
|---|---|---|---|---|---|---|
| **RFP Requirement** | | **405.08** | **20.25** | **81.02** | **60.76** | **405.08** |
| 1. | Atlas Constructions Pvt. Ltd | **835.58** | **119.70** | **154.55** | **224.49** | **538.64** |
| 2. | D P Jain and Compan Infrastructure Private Limited | **931.45** | **279.08** | **246.79** | **523.08** | **514.03** |
| 3. | Gawar Construction Limited | **2577.14** | **2189.06** | **554.40** | **3854.85** | **1162.31** |
| 4. | J.K Associates - M/s Sivansh Infrastructure Development Pvt. Ltd (JV) | **522.50** | **71.01** | **110.00** | **284.21** | **925.96** |
| | J.K Associates | 382.84 | 22.18 | | 153.03 | 524.73 |
| | M/s Sivansh Infrastructure Development Pvt. Ltd | 139.67 | 48.83 | | 131.18 | 401.23 |
| 5. | Mundan Construction Company – Radhakishan Infra Developers Pvt. Ltd. (JV) | **Non Responsive** | | | | |
| 6. | PNC Infratech Ltd | **3745.16** | **2908.48** | **1799.35** | **3509.90** | **5845.33** |
| 7. | R P Infraventure Private Limited – Sobt Infratech Ltd. (JV) | **Non Responsive** | | | | |
| 8. | R.G Buildwell Engineers Ltd - | **683.48** | **100.27** | **163.94** | **327.83** | **561.49** |
| 9. | Raj Corporation Ltd | **812.61** | **308.79** | **184.60** | **310.61** | **1394.32** |
| 10. | Raj Shyama Constructions Pvt. Ltd | **535.18** | **159.13** | **189.37** | **336.49** | **1295.61** |
| 11. | S and P Infrastructure Developers Private Limited – Bhardwaj Unibuild Pvt. Ltd. (JV) | **Non Responsive** | | | | |
| 12. | Shiv Buildindia Private Limited – Kaluwala Construction Pvt. Ltd. (JV) | **567.83** | **80.90** | **175.49** | **365.12** | **963.85** |
| | Shiv Buildindia Private Limited | 422.11 | 62.37 | | 278.09 | 477.14 |

| Sl. No. | Name of the Applicant | Technical Capacity in Category 1,2, & 4* (Rs. In crore) Clause 2.2.2.2(i) | Financial Capacity (Rs. In crore Clause 2.2.2.3(i) | One similar work completed in Category 1 and/ o 3 in last 5 years (Rs. In crore)- Clause 2.2.2.2(ii) | Average Annual Turnover (Rs In crore) Clause 2.2.2.3(ii) | Assessed Available Bid Capacity (Rs. In crore)** Clause 2.2.2.1 |
|---|---|---|---|---|---|---|
| **RFP Requirement** | | **405.08** | **20.25** | **81.02** | **60.76** | **405.08** |
| | Kaluwala Constructior Pvt. Ltd. | 145.72 | 18.53 | | 87.03 | 486.71 |
| 13. | Shivam Condev Priva Limited | **471.07** | **149.94** | **112.20** | **359.17** | **1012.91** |
| 14. | Shree Girrajjee Infra Heights Private Limite – COMT Construction Pvt. Ltd. (JV) | **456.04** | **50.17** | **111.25** | **177.17** | **515.32** |
| | Shree Girrajjee Infra Heights Private Limite | 302.09 | 16.72 | | 64.82 | 304.10 |
| | COMT Constructions Pvt. Ltd. | 153.96 | 33.45 | | 112.35 | 211.22 |
| 15. | Siddharth Constructio – Prabhunath Prasad Thekedar (JV) | **600.35** | **44.46** | **116.08** | **184.08** | **876.01** |
| | Siddharth Constructio | 407.08 | 30.43 | | 109.20 | 268.44 |
| | Prabhunath Prasad Thekedar | 193.27 | 14.03 | | 74.88 | 607.57 |
| 16. | SRSC Infra Private Limited | **408.14** | **22.24** | **81.89** | **159.51** | **959.40** |
| 17. | Vijai Construction (India) Private Limited | **461.73** | **106.84** | **283.82** | **261.62** | **796.41** |

**Reasons of Non-responsiveness of the Firms**

**S.No. 5 - Mundan Construction Company – Radhakishan Infra Developers Pvt. Ltd**

**Radhakishan Infra Developers Pvt. Ltd** – It has been observed that project namely "***Construction of Eight Lane Carriageway starting from Major bridge over Takli river near Nayagaon Jageer village to Rajasthan-MP Border (Ch.427.300 to Ch.452.425) section of Delhi-Vadodara (NH-148N) under BMP in the State of Rajasthan on EPC mode Package 16***" is ongoing project. Company's own website also showing this work under ongoing project. However, this project has not been mentioned as its on-going commitment while computing the Available Bid Capacity of the Bidder-RIDPL.

M/s Dineshchandra R. Agrawal Infracon Private Limited the main Contractor has also confirmed that *"the bidder is associated with them.*

So, in view of the above it is evident that the bidder is involved in this project and hide this fact from the Authority and did not mention this project in its on-going commitments which will have a negative impact on its Assessed Available Bid Capacity. **Therefore, the bidder may be considered as non-responsive for misrepresentation of the facts. However, Authority may take an appropriate view on qualification of the bidder.**

**S.No. 7 - R P Infraventure Private Limited – Sobti Infratech Ltd. (JV)**

Bidder had not mentioned UDIN on the Undertaking (as per clause-2.2.2.8 (ii)) form the SA for non-audit of Balance sheet for the FY 2020-21. A query was asked from the bidder for same. Bidder replied to the query as "*Since this is an undertaking and not a financial document containing financial figures UDIN cannot be generated or required for this document".*

However, ICAI has conceptualized and implemented an innovative concept called Unique Document Identification Number (UDIN). ICAI at its 379th Council Meeting held on 17th – 18th December, 2018 made generation of **UDIN mandatory for every signature of Full time Practicing Chartered Accountant**s in phased manner for the following services:

. All Certificates with effect from 1st February, 2019
. GST and Income Tax Audit with effect from 1st April, 2019
. All Audit and Assurance Functions with effect from 1st July, 2019.

Hence, reply submitted by the bidder that UDIN is not required for this document is not acceptable.

Therefore, in the absence of UDIN, certificate from the SA may not be considered as valid and accordingly bidder may be considered as Non-Responsive as per clause 3.1.6.1(f) read along with clause 2.11.1(m) of RFP

**S.No. 11 - S and P Infrastructure Developers Private Limited:**

The Bidder in its replies has submitted a letter from Authority Engineer dated 22.09.2021, wherein it has been inter-alia mentioned that 65.26% delay was attributable to the Contractor and 34.74% delay was attributable to the Authority, which implies that the delay was not solely attributable to the Authority. Furthermore, as informed by the Authority, Bidder has submitted the NHAI letter no. NHAI/PIU/Karaikudi/11024/01/2021/1408 Dated 31.08.2021 addressed to RO, Madurai in other project of the Technical division of Uttar Pradesh of NHAI, in which it is recommended that the proportionate delay is attributable to Authority is 5.26% and proportionate delay is attributable to Contractor is 94.74% and penalty has been proposed to be imposed on both the parties. Accordingly, revised Milestones and project completion Schedule date were also proposed to be modified. The Schedule Completion date of delayed project was 29.04.2020 and the proposed Revised Date is 05.11.2021.

In this regard, relevant Note to Annex-VIII of Appendix-IA is read as follows: "the Bidder shall be deemed to be ineligible for bidding this project (under bidding), both as the sole party or as one of the parties of Joint Venture/Consortium, if any, during the period from Scheduled Completion Date to issuance of Completion Certificate for that project." In the instant case, as per the Schedule Completion date, 03 months has been passed however, as per proposed revised date 3 months will pass on 05.02.2022. Further, in para 4.1 of the said letter it has been mentioned that delay analysis has been worked out and is enclosed as Annexure-I, however, the same has not been submitted by the Bidder along with the said letter and hence the same has not been reviewed.

However, the recommendation letter of PD submitted by the Bidder in its reply to the clarifications sought, the Bidder has failed to achieve the Completion of the project within a period of 90 (ninety) days from the Schedule Completion Date of the project (it is also not clear whether the Schedule Completion Date should be considered with EOT given or to be given or it will be remain fixed as per Contract Agreement/ Concession Agreement) and delay reasons attributable to the Bidder, the Bidder shall be deemed to be ineligible for bidding this project (under bidding). In view of the forgoing, and on the basis of available document/information the Bidder may not be eligible for bidding considering the letter issued by Project Director as final letter and considering that the Schedule Completion Date mentioned in the said note of RFP referring to the Schedule Completion Date as per Contract Agreement only. EOT has not been considered in Schedule Completion date.

Other Member of the JV it its reply to the query has mentioned that "it is submitted that the Financial Statements for FY 2020-21 have been Audited and the Audited Annual Reports for FY 2020-21 have been submitted with the Bid.

However, the same has neither found in Technical Bid nor in replies.

Hence, the reply of the bidder may not be accepted and the bid may not be considered as complete in all respect as required under clause 3.1.6.1 (f).

Signature Not Verified

Digitally signed by SANJAY KUMAR ARORA
Date: 2022.02.03 15:55:03 IST
Location: eProcurement System for Central PSUs