

Minutes of Meeting of Tender Evaluation Committee held @ 18.00 Hr on 28.04.2022, for the services of

“Consultancy Services for Supervision Consultants of Operation & Maintenance of Trichy Bypass on NH83 (Old 67) from Km.110.016 to Km.135.930, Trichy - Pudukottai on NH 336 (Old 210) from Km.10.000 to Km.43/600, Pudukottai - Thirumayam on NH 36 (210) from Km.43.600 to Km.66.000, Thirumayam - Karaikudi - Ramanathapuram on NH 536 (210) from Km.66.000 to Km.174.000 in the State of Tamil Nadu”.

The Tender Evaluation Committee, constituted upon approval of the Regional Officer, Madurai has opened the bids @ 15:00 Hrs on 16.02.2022 and found that both the bids are **responsive** based on pre-technical scrutiny. Later, the Detailed Technical Evaluation of Bids was taken up on 25.03.2022. The Initial scores assigned to the bidders are tabulated as under:

SNo	Name of the Bidder	Bid ID	Initial Scores Evaluated by NHAI
1	M/s.MSV International Inc, in association with (as a sub Consultant) Sri Info tech	387550	91.23
2	M/s. L N Malviya Infra Projects Pvt. Ltd in Association with Intratech Solutions & Consultant., Bhopal	387808	94.68

2. The evaluation sheets with the initial scores were circulated in Public Domain to receive objections from the bidders, if any, within a period of 07 days as per Para 5.3 (ii) of RFP. As the approved Minutes of Meeting along with annexure of Detailed Technical Evaluation sheets were uploaded in NHAI Public portal (www.nhai.org) on 02.04.2022, 07 days of time was considered until 09.04.2022. In this regard, one bidder has furnished their objections/remarks towards the scores given against their technical bids.
3. As such, the Tender Evaluating Committee has examined the objections raised by the bidder and accordingly, the scores assigned were reviewed and following are brought out;
- I. **M/s. L N Malviya Projects Pvt.Ltd., Bhopal** did not raise any Objections hence there is no change in the Final scores:

S. No	Description	Max Marks	Initial Evaluation By NHAI	Final Evaluation by NHAI
1	Relevant experience for the assignment	35	35.00	35.00
2	Quality of approach and	5	3.0	3.00

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	methodology			
3	Experience in use of Technology for road inspection	20	20.00	20.00
4	Qualifications and competence of the key staff for the assignment	40	37.18	37.18
Total		100	94.68	94.68

- II. **MSV International Inc in Association with (as a sub Consultant) Sri Infotech., Gurgaon** vide Letter No. MSV/BD/2022/34530 dated: 06.04.2022 has raised certain objections towards the initial evaluation done by NHAI w.r.t Firm Evaluation. The issues raised by bidder have been deliberated by the committee and examined with reference to the provisions of RFP & procedure being adopted by this office during evaluation of Technical Bids for various Consultancy Services like AE/IE/SC during O&M Phase of both PPP / Projects.

A. Length of Project:

Submission by Bidder

- i. As per Technical Evaluation, we have been assigned 5 marks only in this criterion by misinterpreting and modifying/altering, knowingly or unknowingly, the evaluation criterion as kept in the RFP of the subject project. The misinterpreted and modified/altered evaluation criterion in the evaluation sheet is adopted as follows:
 - a. For DPR project length > project length 189.91km -5 Marks
 - b. For DPR project length > two times the project length 379.82km -7.5 Marks
 - c. For project length > three times the project length 569.74km - 10 Marks
- ii. The above evaluation criterion used for evaluation is not in lines with the criterion laid down in the RFP, mentioned in column 2 of this table. The above criterion restricts to the project length or cumulative package length only, whereas, RFP permits to consider the individual package length under a particular project. This has led to the alteration of evaluation criterion furnished in the RFP.
- iii. It is to be noted that the subject project consists of four packages of distinct NH having length 25.91 km, 33.6 km, 22.4 km and 108 km. Since, original or legitimate evaluation criterion under RFP allows considering Single Package length under a particular project also, therefore, the firm's experience should have been examined by comparing any length of single package under subject project having 25.91 km or 33.6 km or 22.4 km or 108 km.

Recommendations of Committee:

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- i. AS per S.No.5 of Annexure-A-1 Relevant experience of Firm (vide Page No 51 of RFP), it is specified that the marks towards In Hand DPR's for NHAI projects shall be based on single project / Package length and not cumulative of all DPR lengths, which is applicable for considering existing assignments of bidder for evaluation criteria.
- ii. It is also specified that the marks shall be based on length of DPR project with reference to the total length of project for which RFP invited. Under section 01 Information to Consultant of RFP it was clearly mentioned the total length of project is 189.914Km. Even though, the sections specified therein are as per new NH No's, the entire project stretch is continuous and seamless services of Supervision Consultants is expected for the entire project stretch and financial bid is also prepared accordingly.
Hence, the apprehensions of the bidder to consider individual package separately is not acceptable for evaluation of technical bid. Earlier, Authority awarded various Consultancy Contract by combining multiple projects during which the same procedure has been adopted. Hence, there is no Misinterpretation as alleged by the bidder.

B. Number of Lengths:

Submission by Bidder

- i. Here, while interpreting the criterion and evaluating the firm's experience a material fact, lane configuration of the project, to be considered as per RFP has been missed out or overruled by the evaluation committee which amounts to misinterpretation of provisions of RFP. Please note that the subject project is of 2 lane configuration while the below mentioned six projects for which DPR is under preparation stage is having 4/6 lane configuration.
- ii. In support of this argument, we submit that there is not significant design change occurs while preparing DPR of different lengths is it 200 km or 300km. Generally speaking, uniformity of design is maintained. On the other hand, entire design philosophy, especially design standards or specifications, is get transformed while preparing DPR for different lane configuration be it 2 lane or 4 lane or 6 lane.
- iii. Therefore, in order to redress this violation of provisions of RFP, following legitimate methodology should have been adopted in light of provisions of RFP:
 - a) Length of 4 lane experience shall be multiplied by 2 to determine the 2 lane equivalent experience. For instance, 100 km 4 lane= $100 \times 2 = 200$ km 2 lane experience.

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- b) Length of 6 lane experience shall be multiplied by 3 to determine the 2 lane equivalent experience. For instance, 100 km 6 lane = $100 \times 3 = 300$ km 2 lane experience and so on.
- iv. Our third argument is also objecting the misinterpretation and twiddling of evaluation criterion by disqualifying other eligible projects, only single project has been considered, in a particular category. To elaborate more, in a criterion: For DPR project length > the length of project for which RFP invited -5 Marks, evaluation committee has considered single project only while many other projects are eligible in this category which amounts the misinterpretation or twiddling of evaluation criterion.
- v. For instance, if a firm is having two eligible projects in this category, they should have been given full 10 marks. Notwithstanding to the above, we submit that we have already showcased six eligible DPR projects (BID page no. 217-297) with NHAI as follows:
- Consultancy Services for Appointment of Technical Consultant to Carry Out the Feasibility Study and Preparation of Detailed Project Report for 134.200 Km section from Km 00+00 to Km 134+400 of Ujjain- Garoth green field alignment in the state of Madhya Pradesh and Rajasthan through DBFOT/EPC basis. (4 Lane, Total Length 134 Km). 2 lane equivalent length = $134 \times 2 = 268$ km.
 - Consultancy Services for Prepare the DPR for Channarayapatana Bypass & Hassan Bypass in the State of Karnataka Total 4 lane Length 58.5 Km. 2 lane equivalent length = $58.5 \times 2 = 117$ km.
 - Consultancy Services for carrying out feasibility study and detailed project preparation for Improvement, Up-gradation, Redesigning, Rehabilitation and Up-gradation including 4/6 laning roads Ambala-Shazadpur-Naraingarh- Kala Amb (NH72) in the State of Haryana., India Package PWD/HR/PKL/15 (4/6 Lane, Length 45 Km). 2 lane equivalent length = $45 \times 2 = 90$ km.
 - Consultancy Services for preparation of DPR for development of Economic Corridors, Inter Corridors, Feeder Routes and Border to improve the efficiency of freight movement in India under Bharatmala Pariyojana (Package 5/Lot-7 Delhi-Bilaspur 200 Km 4 lane) Total Length 200 Km. 2 lane equivalent length = $200 \times 2 = 400$ km.
 - Consultancy Services for preparation of DPR for development of Economic Corridors, Inter Corridors, Feeder Routes and

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Border to improve the efficiency of freight movement in India under BharatmalaPariyojana (Package 2/Lot-7 Muzzafarpur - Begusarai 102 Km; Ara-Mohania 120 Km; Sasaram (on NH 19) - Patna : Parallel to Aurangabad - Dharbhanga 95 Km) Total 4L Length 317 Km.2 lane equivalent length= $317 \times 2 = 634$ km.

- f. Consultancy Services for Preparation of DPR for Development of Expressways, Economic Corridors and Inner Corridors under BharatmalaPariyojana Phase II (LOT 10 / Package 1 Pune Ahmednagar -Aurangabad Experience). Total 4 lane Length 220 Km.2 lane equivalent length= $220 \times 2 = 440$ km. Therefore, from the above it can be seen that there are 6 eligible projects having length more than the project/package length.

Recommendations of Committee:

- i. The Committee opined that the request of bidder were considering lane configuration of the projects in addition to length is acceptable as projects with divided carriageway i.e. 4/6 lane requires superior design criteria.
- ii. Similar to criteria for key personnel with experience on projects with 4/6 lane vide Note on Page No. 61 of RFP, committee is adopting 1.5 times multiplication factor for 4/6 lane DPR Projects in hand.
- iii. The longest package is Package 2/Lot-7 on Page No. 255 of Bidding Document. For 317Km of 4 lane, equivalent length of 2 laning 475.5Km, which is more than 2 times of project length (380 Km) and less than 3 times of project length (570 Km). Hence, Committee recommends 7.5 marks towards in Hand DPR for NHAI projects against earlier assigned 5 marks.

4. Considering the above, the Committee has listed the Final Scores of the firm M/s. MSV International Inc, Gurgaon is as under:

S.No	Description	Max Marks	Initial Evaluation by NHAI	Final Evaluation by NHAI
1	Relevant experience for the assignment	35	30.00	32.50
2	Quality of approach and methodology	5	3.75	3.75
3	Experience in use of technology for road inspection	20	20.00	20.00
4	Qualifications and competence of the key staff for the assignment	40	37.48	37.48
	Total	100	91.23	93.73

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5. In view of the re-evaluation conducted by the Committee based on the request of one bidder, Final scores of the bidders are tabulated hereunder:

S. No	Name of the Bidder	Bid ID	Initial Scores Evaluated by NHAI	Final Scores Evaluated by NHAI
1	M/s.MSV International Inc, in association with (as a sub Consultant) Sri Info tech	387550	91.23	93.73
2	M/s. L N Malviya Infra Projects Pvt. Ltd in Association with Intratech Solutions & Consultant., Bhopal	387808	94.68	94.68

6. Further, the Committee hereby recommends the Qualified Bids as “**Responsive Bids**”, based on the final scores of the Detailed Technical Evaluation and as per Para 8 of Instruction to Consultants in RFP, for Financial Bid Opening. The details of **Responsive Bids** are as under:

S. No	Name of the Bidder	Bid ID	Final Scores Evaluated by NHAI	Remarks
1	M/s.MSV International Inc, in association with (as a sub Consultant) Sri Info tech	387550	93.73	Qualified
2	M/s. L N Malviya Infra Projects Pvt. Ltd in Association with Intratech Solutions & Consultant., Bhopal	387808	94.68	Qualified

In view of the above, the Committee further decided to meet at a convenient date & time for opening of Financial Bids of the qualified bidders upon receiving concurrence of the Competent Authority.


S.Syed Dawood Mian
 Member


MS Chaithanya
 Member


MS Pandian
 Member


K Govindasamy
 Convenor



Signature Not Verified

Digitally signed by SUBRAHMANYA
 CHAITHANYA MAMIDI PUDI
 Date: 2022.05.06 17:17:32 IST
 Location: eProcurement System for
 Central PSUs