

Name of the Project: - Rehabilitation /Upgradation of Karanja - Kherda - Murtizapur Section to 4Lane+Paved shoulder standards from Design km 74+351 to km 102+331 (Excluding overlapping portion with Samruddhi Mahamarg from Design Km 76+380 to 78+280) (Total length of project 26.080 km) section of NH 361C on EPC Mode in the state of Maharashtra.

With respect to the bid for the subject works, please find result of technical evaluation.

2. Financial bid for the above said work will be opened on 12.10.2023 at 11:30 AM.

Minutes of meeting of Evaluation Committee held on 11.10.2023 under the chairmanship of Chief Engineer (Zone-west) MORT&H for evaluation of Technical bids for the work of Rehabilitation /Upgradation of Karanja – Kherda -Murtizapur Section to 4Lane+Paved shoulder standards from Design km 74+351 to km 102+331 (Excluding overlapping portion with Samruddhi Mahamarg from Design Km 76+380 to 78+280) (Total length of project 26.080 km) section of NH 361C on EPC Mode in the state of Maharashtra.

A meeting of the Evaluation Committee was held on 11.10.2023 at 3:00 PM to discuss the representation dated 07.10.2023 of the bidder **M/s B R Goyal Infrastructure Limited** who has given representation against technical evaluation results published on e-tender portal on 01.09.2023 & 05.10.2023.

2. The Evaluation Committee in its previous meetings dated 31.08.2023 & 05.10.2023 had declared the above bidder as technically non-responsive for not meeting the criteria of required bid capacity & technical threshold capacity as per clause 2.2.2.1 & 2.2.2.2 (i) of RFP respectively.

3. The Bidder vide his letter dated 07-10-2023 has again represented that they are meeting the criteria of required bid capacity & technical threshold capacity as per clause 2.2.2.1 & 2.2.2.2 (i) of RFP respectively.

Bid Capacity as per Clause 2.2.2.1 of RFP:

The bidder has submitted that it is a surprise for us that even after submission of our representation the committee is calculating our Bid Capacity by considering the total value of the balance work as Rs. 675.94 Cr. but the actual figure of this value is only 445.45 Cr. A copy of WIP list certified by SA has already been submitted to yourself earlier, which is once again submitted to your perusal please.

You are requested to calculate Bid Capacity based on this value as mentioned below:-

$$(217.8 \times 2.5 \times 2) - 445.45 = 643.55 \text{ cr.}$$

The Evaluation Committee deliberated on the submission of the bidder and observed that the bidder has again submitted the memorandum of payment regarding the project claimed for Bid capacity. However, the memorandum of payment is not signed by NHIDCL concerned officer / concerned Executive Engineer. Therefore, these memorandums of Payment cannot be considered for the calculation of Bid Capacity. Therefore, the total project cost has been considered for the purpose of calculation of bid capacity. The bid capacity of this bidder is again worked out to Rs. 413.06 crore as against Rs. 430.87 crore minimum required as per clause 2.2.2.1 of RFP.

Technical Threshold capacity as per Clause 2.2.2.2 (i) of RFP:

The bidder has submitted that they have already brought to your kind notice the option available to the bidders regarding submission of data of last 5 audited financial years if the bid due date falls within 3 months from the closing of the latest financial year as per clause 2.1.13 at page 15 of RFP, which is being reproduced below for your ready reference.

“Notwithstanding anything to the contrary contained herein, in the event that the Bid Due Date falls within three months of the closing of the latest financial year of a Bidder, it shall ignore such financial year for the purposes of its Bid and furnish all its information and certification with reference to the 5 (five) years or 1 (one) year, as the case may be, preceding its latest financial year. For the avoidance of doubt, financial year shall, for the purposes of a Bid hereunder, mean the accounting year followed by the Bidder in the course of its normal business.”



The bidder has mentioned that since the last date of tender submission was 01.07.2023 hence they have submitted the bid by considering the last 5 audited financial years as 2017-18 to 2021-22 along with an undertaking certified by SA to this effect as per requirement of above clause, since the audit of their company for latest FY2022-23 was not done at that time, but in response to MOM of evaluation committee dated 31.08.2023, they have also submitted vide their letter dated 02.09.2023 the technical threshold capacity for latest 5 audited FY 2018-19 to 2022-23 which is Rs. 508.57 Cr, hence we are qualified in both cases. Copies of Annex-II (As per Bid) and Revised Annex-II (As per latest 5 FY) are once again being submitted herewith for your perusal please.

The bidder has submitted that in the light of above representation, it is once again requested to consider our presentation and declare us technically qualified for opening of the Financial Bid otherwise we will be compelled to take legal action as per rules & regulations laid down in Laws.

The Evaluation Committee deliberated on the submission of the bidder and observed that clause 2.1.13 would be applicable if the bid due date falls between 1st April 2023 to 30th June 2023. The Bid Due date of the project is 01.07.2023. Therefore, the clause 2.1.13 is not relevant in our project. Hence payment received in FY 2022-23 to FY 2018-19 shall be considered for the calculation of Technical Threshold Capacity. Further, as per clause 2.14.3.1 of RFP "*The Bidder may modify, substitute or withdraw its e- BID after submission prior to the BID Due Date. No BID can be modified, substituted or withdrawn by the Bidder on or after the BID Due Date & Time.*" Therefore, the submission of receipts from FY 2022-23 to FY 2017-18 after bid due date has not been considered as no bid cannot be modify after the bid due date as per clause 2.14.3.1 of RFP. The technical threshold capacity of this bidder is again worked out to Rs. 322.56 crore as against Rs. 430.87 crore minimum required as per clause 2.2.2.2 (i) of RFP.

Therefore, the bidder is not meeting the criteria of Clause 2.2.2.2 (i) Technical Threshold Capacity of RFP and hence considered as non-responsive for not meeting the required technical threshold capacity.

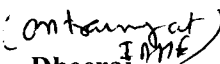
4. In view of above, the Evaluation Committee considered the technical bid of above bidder as technically non responsive as per clause 2.2.2.1 & 2.2.2.2 (i) of RFP respectively.

5. The Evaluation Committee deliberated and found no change in the technical evaluation results of the bidders as recommended by the Evaluation Committee in its previous meeting dated 05.10.2023.

6. The Evaluation Committee recommended to open the financial bids of the responsive bidders at an early date after approval from Competent Authority.

The meeting ended with the vote of thanks to the chair.


Purshottam Kumar,
SE (Zone –West),
MoRTH HQ
(Member Secretary)


Dheera],
SE (East-I)
(Member)


Santosh Shelar, CE(NH),
PWD, Maharashtra
(Member)


Sudhir Kumar Jaiswal
Advisor Cost, MoRTH
Representative of Finance
wing (Member)


Manoj Kumar,
CE(Zone-West), MoRTH
HQ
(Chairperson)