

RW/GHT/AS/AP/NH-427(BarpetaBypass)/2022-23 (C.No.219307)

Government of India

Ministry of Road Transport & Highways

(Zone-5)

1 Transport Bhawan, Parliament Street, New Delhi - 110001

Dated 05th January, 2024

OFFICE MEMORANDUM

Sub: - Minutes of Meeting of Screening Committee for appraisal of recommendation of State Level Evaluation Committee with regard to Technical Evaluation of Bids for the work of "Construction of 2 lane Barpeta Bypass from km 77.900 (Baradi) to km 86.150 (Deurikuchi) (Length:8.25 km) on NH-427 in the state of Assam under EPC mode (Job No. 427/AS/2022-23/245)" - **Reg.**

Please find enclosed herewith the minutes of meeting of Screening Committee held on 04.01.2024 under the chairmanship of Chief Engineer (NE), MORTH on the subject cited above for information and necessary action.

Encl: - As above


(L.Behera)
SE(NER)
For DG(RD)&SS

To,

1. CE (Zone NE), MORTH
2. CE, PWD(NH), Assam
3. SE (Zone NE), MORTH
4. SE (Zone East-I), MORTH
5. AFA, IFD, MORTH

Minutes of Meeting of Screening Committee for appraisal of recommendation of State Level Evaluation Committee with regard to Technical Evaluation of Bids for the work of "Construction of 2 lane Barpeta Bypass from km 77.900 (Baradi) to km 86.150 (Deurikuchi) (Length:8.25 km) on NH-427 in the State of Assam under EPC Mode. (Job No. 427/AS/2022-23/245)"

A meeting of Screening Committee (SC) to examine and further evaluate the bids based on the recommendation of State Level Evaluation Committee (SLEC) made while evaluating the Technical Bids received for the above mentioned work held on 04.01.2024 under the chairmanship of Chief Engineer (NE-Zone), MORTH in his chamber, Transport Bhawan, New Delhi. At the very outset CE(NE) welcomed the participants for screening of evaluation of bids done by SLEC.

2. The RFP for the work was issued by the Chief Engineer, (NH Works), PWD Assam vide letter No. NHR.60/2022/Pt./08, dated 11.07.2023 for an amount of Rs.157.24 crore with last date of submission as 11.08.2023. Total 18 Nos. of bids were received by the bid due date. The Bids were opened on 14.08.2023.

3. The Technical Bids were evaluated by the SLEC on 20.10.2023 and recommended to SC for further needful action. On recommendation of SLEC the SC in its meeting dated 09.11.2023 has declared 9 nos. of bidders as technically responsive and recommended for opening of financial bids after following the due procedure of intimating the results to all the participating bidders and giving them a week's time for making representation, if any. The date of opening of financial bids was fixed on 16.11.2023. However, in the interim representations from 6 nos. of technically non-responsive bidders were received with some objections on the evaluation of the technical bids. The representations were considered by the SLEC and discussed in their meeting held on 16.11.2023 and 14.12.2023. The objections contained in the representations received from the 6 bidders are as follows: -

- (i) M/s Kaushal Sharma, Ambikagiri Raichowdhuri Road, P.O- Hijuguri, Dist- Tinsukia, Assam-786192: Regarding not allowing to withdraw his technical bid after bid due date and not evaluating his technical bid.
- (ii) M/s Bhavya Construction, 1A, Ramkrishna Vihar, Dr. Sundori Mohan Lane, Rangirkhari, Silchar, Assam: Regarding calculation of threshold technical capacity.
- (iii) M/s AARPEE Infraprojects Pvt. Ltd., Infinity Square, Room No. 201, 2nd Floor, Beside PCM Bus Terminus, 2nd Mile, Sevoke Road, P.O. Siliguri-734001:

Regarding non-consideration of value of civil engineering works for the year 2017-18 in calculation of Bid Capacity.

(iv) M/s ALLONE Infra Private Limited, SCO-120, Phase-2, Urban Estate, Patiala, Punjab-147002: Regarding non-consideration of similar work due to non-submission of completion certificate in the name of ALLONE Infra Pvt. Ltd.

(v) M/s Mohini Tiwari L.L.B, Advocate, Guwahati High Court on behalf of Chanchal Paul: Regarding declaration of the bidder as technically non-responsive for submission of Net Worth certificate in the name of a different firm and omission of facts.

(vi) M/s Macrocosm Builders, B.B. Road Barpeta, Pin-781301, Assam: Regarding declaration of the bidder as technically non-responsive for non-submission of Integrity pact in proper format and Annexure-I (details of bidder). The bidder also made complaint against some of the technically responsive bidders stating about submission of FDR as bid security, non-submission of compliance certificate and defects in Bank Guarantee.

3. Based on the representations, SLEC decided to examine the matter and also decided to seek clarification from the bidders and from concerned Authority to finalize the technical evaluation. The representations and clarifications furnished by the bidders were examined by the SLEC and bids of two bidders namely (i) M/s Bhavya Construction and (ii) M/s ALLONE Infra Private Limited were found by the SLEC for reconsideration. The representations of other bidders were replied by the Chief Engineer, Assam, PWD on 28.11.2023. Clarifications submitted by the bidders M/s Bhavya Construction and M/s ALLONE Infra Private Limited were reviewed by the SLEC in the meeting dated 14.12.2023. After thorough examination and deliberations made on the clarification received from the bidders vis-à-vis the qualification information in technical bids, SLEC recommended the bids of these two bidders as technically responsive.

4. The details as submitted by SLEC was further deliberated and reviewed by the SC as below: -

(i) M/s Kaushal Sharma: The bidder had clearly mentioned in his letter dated 19.08.2023 that his firm is not in a position to continue with the bidding process and if his firm turns out to be the L1 bidder, he would not be able to carry out the work in expected time. Based on the said statement, bidder was informed that withdrawal of bid is not possible after the bid due date as per the clause no 2.14.3.1 of the RFP. Bidders technical bid was not evaluated as there may be a chance of his bid to

be technically responsive and may become the L1 bidder in financial bid evaluation. In that case bidder will not be able to execute the work as per his own admission. Due to this the bidder was declared as non-responsive earlier by SLEC & SC and now again the same is recommended by SLEC as technically non-responsive and also agreed to SC.

(ii) M/s Bhavya Construction: In previous evaluation of Threshold Technical Capacity SLEC considered JV share 49% in favour of Bhavya Construction for the work "Construction of Road from T04-Haflong to Jorai Michiboroehenam via Chaikam road including CD works and routine Maintenance for five years" (Chanchal Paul-Bhavya; 51%:49%) (JV)". Later EE, PWD(R&B), Haflong Division vide his letter No. HRD/TECH/01/PMGSY-III/2022-23/192 dated 10.10.2023 has confirmed that 100% of the work was executed by Bhavya Construction. The bidder has earlier failed for not meeting the criteria of "Technical Capacity", but based on the clarification the Technical Capacity now stands at Rs.166.68 crore from earlier value of Rs.154.11 crore (the minimum "Technical Capacity" required is Rs.157.24 crore, as per Cl. 2.2.2.2 of the RFP). The SLEC therefore agreed and recommended the bidder as technically responsive. The same is agreed to by the SC.

(iii) M/s AARPEE Infraprojects Pvt. Ltd.: As per the stipulation of Cl. No. 2.2.2.1 of the RFP "*Bidders who inter alia meet the minimum qualification criteria will be qualified only if their available BID capacity is more than the total BID value (value as per Clause 1.1.1). The available BID capacity will be calculated, based on information mentioned at Annexure-VI of Appendix-IA*" As per the said Annexure-VI of Appendix-IA, the value of Civil engineering works is sought from the FY 2018-19 to 2022-23. However, the bidder has submitted the value of Civil engineering works from FY 2017-18 to 2021-22. Which is not as per the provisions of the RFP floated for the instant work. Therefore, the value of the FY 2017-18 cannot be considered.

The bidder has referred clause 2.2.2.8 (ii) of the RFP in his representation in support of his claim for meeting the condition of Bid Capacity. The clause 2.2.2.8 (ii) of the RFP is regarding Financial Capacity and not for Bid capacity. For Bid Capacity the exclusive condition is outlined in Clause no. 2.2.2.1. SLEC decided that the status of bidder as decided by earlier evaluation of SLEC & SC shall stand unchanged i.e. Technically Non- Responsive and the same is agreed to by the SC now also.

(iv) M/s ALLONE Infra Private Limited:

The bid of M/s ALLONE Infra Private Limited was considered non-responsive by both SLEC and SC on the ground that the bidder has neither furnished the document of subcontract nor work completion certificate in his name. In this regard the bidder mentioned in their representation that they had taken over M/s Singh Construction Company on 01.02.2021 and all assets and liabilities accordingly stand transferred to them since 01.02.2021. The bidder has submitted supporting documents duly authenticated by Chartered Accountants about taking over of M/s Singh Construction Company by M/s ALLONE Infra Private Limited and transfer of all assets and liabilities from M/s Singh Construction Company to M/s ALLONE Infra Private Limited and mentioned that these are also already there with the original technical bid and also mentioned the relevant pages of the technical bid. The same was inadvertently overlooked by both the SLEC and the SC.

Now, based on the clarification the bid of M/s ALLONE Infra Private Limited has been considered by the SLEC. The SLEC has considered all the 6 works as submitted by the bidders in his technical Bid and recommended the technical bid to be responsive. The SC observed that out of 6 works only two works can be considered as their completion/substantial completion is duly certified by the Government Agency, whereas for the other works only certificate from chartered accountant was given and hence not considered. Even, by considering only these two works the bid of bidder M/s ALLONE Infra Private Limited meets the qualifying criteria. The SC has therefore agrees with the recommendation of SLEC and considers the bidder as Technically Responsive.

(v) M/s Chanchal Paul: SLEC observed that the bidder has submitted "Net Worth" in the name of different firm namely M/s Binni Construction, and has not considered the same, due to which the bidder was declared non-responsive earlier by both SLEC & SC. The bidder has represented to consider the document originally submitted. The SLEC has not considered the document as represented by the bidder and has declared the bid of the bidder as technically non-responsive as before. The same is agreed to by the SC.

(vi) M/s Macrocosm Builders: The bidder has submitted incomplete Integrity Pact & Annexure-I (Details of the bidders) with the original bid and therefore the bid of the bidder was considered non-responsive by both the SLEC as well as the SC. The bidder has mentioned it to be an inadvertent mistake and represented for its replacement. The same has not been considered by SLEC and the bid of the bidder

has been considered non-responsive as before. The SC agrees with the recommendation of the SLEC.

(vii) M/s Midas Constructions: As stipulated in the Ministry's Circular No. RW/NH-37010/2/2010/PIC-EAP(Printing) Dated 16.01.2017 the SLEC decided that the bidder may be allowed to rectify the observed minor deficiency in the Bank Guarantee (Bid Security). Therefore, SLEC recommends that the status of the bidder will remain unchanged i.e., technically responsive subject to rectification of BG within 3(Three) days i.e., up to 16.12.2023. The SC agrees to the recommendation of SLEC subject to furnishing the rectified BG before opening of financial bid.

(viii) M/s Babul Nath: As stipulated in the Ministry's Circular No. RW/NH-37010/2/2010/PIC-EAP(Printing) Dated 16.01.2017 the SLEC decided that the bidder may be allowed to rectify the observed minor deficiency in the Bank Guarantee (Bid Security). Therefore, SLEC recommends that the status of the bidder will remain unchanged i.e., technically responsive subject to rectification of BG within 3(Three) days i.e., up to 16.12.2023. The SC agrees to the recommendation of SLEC subject to furnishing the rectified BG before opening of financial bid.

(ix) M/s ABCI Infrastructures Pvt. Ltd.: The Bidder did not submit the Certificate of Compliance in his technical bid. But, this criterion, as per clause no. 2.2.1. (d) of the RFP, is for bidder from a country, which shares a land border with India only and is not applicable for native bidders like the instant one. The bid of the bidder is meeting all the other criteria and therefore SLEC has considered the bid of the bidder as technically responsive. The SC agrees with the recommendation of the SLEC.

(x) M/s Dhariwal Buildtech Limited: The Bidder did not submit the Certificate of Compliance in his technical bid. But, this criterion, as per clause no. 2.2.1. (d) of the RFP, is for bidder from a country, which shares a land border with India only and is not applicable for native bidders like the instant one. The bid of the bidder is meeting all the other criteria and therefore SLEC has considered the bid of the bidder as technically responsive. The SC agrees with the recommendation of the SLEC.

(xi) M/s Woodhill Infrastructure Ltd.: The bidder has submitted Fixed Deposit Receipt (FDR) as Bid Security and it is already mentioned in the NIB dated 11.07.2023 that Bid security/Performance security shall be accepted as per provisions of MoRT&H Circular No. NH-35014/20/2020-H dated 12.08.2022 which is a part of the RFP. In the said circular Ministry has allowed to accept FDR as bid

security/Performance Security and accordingly FDR has been accepted. Further, in the reply to query raised in Pre-Bid meeting dated 25.07.2023 it has already been intimated that FDR will be accepted as Bid Security. Therefore, SLEC has recommended the status of the bidder to remain unchanged i.e., the bid of the bidder has been considered technically responsive. The SC agrees to the recommendation of SLEC.

(xii) M/s DOOARS Construction Company: The bidder has submitted an undertaking stating that the audit of the Turnover for the FY 2022-23 is under progress and after UDIN verification it is found that of the Turnover shown in the FY 2022-23 is provisional. Therefore, SLEC recommends that the status of the bidder will remain unchanged i.e., the bid of the bidder has been considered technically responsive. The SC agrees to the recommendation of SLEC.

5. SLEC has submitted revised list of technically responsive and non-responsive bidder, after duly considering the representations received, as follows:

Technically Responsive Bidders: -

1. M/s Shree Gautam Construction Company Limited
2. M/s Woodhill Infrastructure Ltd.
3. M/s Dhariwal Buildtech Limited
4. M/s Midas Constructions
5. M/s ABCI Infrastructures Pvt. Ltd.
6. M/s Anupam Nirman Pvt. Ltd
7. M/s Dhar Construction Company
8. M/s DOOARS Construction Company
9. M/s Babul Nath
10. M/s ALLONE Infra Private Limited
11. M/s Bhavya Construction

Technically Non-responsive Bidders: -

1. M/s AARPEE Infraprojects Pvt. Ltd.
2. M/s Chanchal Paul
3. M/s Kaushal Sharma
4. M/s M.P. Agarwala Pvt. Ltd.
5. M/s Macrocosm Builders
6. M/s Purbanchal Buildtech Private Limited
7. M/s Tanor Engineering

A.K. Singh

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6. The SC has examined and evaluated the bids as recommended by the SLEC and agrees with the recommendation of the SLEC as regard responsiveness and non-responsiveness of the bids submitted by the bidders for the instant work.
7. Screening Committee recommends for opening of financial bids of the 11 technically responsive bidders as mentioned below:
1. M/s Shree Gautam Construction Company Limited
 2. M/s Woodhill Infrastructure Ltd.
 3. M/s Dhariwal Buildtech Limited
 4. M/s Midas Constructions
 5. M/s ABCI Infrastructures Pvt. Ltd.
 6. M/s Anupam Nirman Pvt. Ltd
 7. M/s Dhar Construction Company
 8. M/s DOOARS Construction Company
 9. M/s Babul Nath
 10. M/s ALLONE Infra Private Limited
 11. M/s Bhavya Construction
8. Meeting ended with the vote of thanks to the chair.


(Dheera)
Superintending Engineer (Zone - East-I)
MoRT&H


(Annada Prashad Sarma)
Chief Engineer, PWD (NH Works), Assam
Government of Assam


(Anup Kumar Dey)
AFA, IFD
MoRT&H


(Lalatendu Behera)
Superintending Engineer (Zone-NER)
MoRT&H


(Aditya Prakash)
Chief Engineer (Zone-NER)
MoRT&H

GOVT.OF ASSAM
OFFICE OF THE CHIEF ENGINEER, PWD,(NH WORKS),
ASSAM, CHANDMARI, GUWAHATI-3

No.NHR.60/2022/Pt/52

Dated Guwahati, the 5th January/ 2024

To,

1. The Regional Officer, MoRT&H,
Chandmari, Guwahati-3
MEMBER, BID EVALUATION COMMITTEE
2. Senior Finance & Accounts Officer, PWD
Assam, Chandmari, Guwahati-3
MEMBER, BID EVALUATION COMMITTEE
3. The Superintending Engineer, NH (P)
O/o the Chief Engineer, PWD, NH Works, Assam
Chandmari, Guwahati-781003
MEMBER, BID EVALUATION COMMITTEE
4. The Executive Engineer, PWD,
Rangia NH Division, Rangia
MEMBER SECRETARY, BID EVALUATION COMMITTEE.

Sub: - Opening of online Financial Bids for the work: Construction of 2 lane Barpeta Bypass from km 77+900 (Baradi) to km 86+150 (Deurikuchi) (Length=8.25 Km) on NH-427 in the State of Assam under EPC Mode. (Job No. 427/AS/2022-23/245)

Ref.: (i) NIB No. NHR.60/2022/Pt/08 dt. 11.07.2023
(ii) MoRT&H's OM No. RW/GHT/AS/AP/NH-427/(Barpeta Bypassa)/2022-23 dated 10.11.2023
(iii) MoRT&H's OM No. RW/GHT/AS/AP/NH-427/(Barpeta Bypassa)/2022-23(C.No. 219307) dated 05.01.2024

D/ Sirs,

With reference to the above, it is to state that the evaluation of technical bids for the above-mentioned work was finalized by Minutes of MoRT&H's Screening Committee meeting dated 09.11.2023 and same was communicated vide OM under reference (ii). Accordingly, date of opening of financial bids were scheduled as 16.11.2023. However, in the interim period, representations from 6(Six) nos. of non-responsive bidders were received and same were taken into consideration both by the State Level Evaluation Committee (SLEC) and the Screening Committee (SC). Based on the representation received, the technical bids were re-evaluated by the SLEC and findings were submitted to SC vide this office's letter no. NHR.60/2022/Pt/46 dated 14.12.2023. Subsequently the technical responsiveness/non-responsiveness was finalized by Minutes of MoRT&H's Screening Committee meeting dated 04.01.2024 and same was communicated vide OM under reference (iii). As per decision of MoRT&H's Screening Committee MoM dated 04.01.2024, the Financial Bids of technically responsive bidders are to be opened and as per discussion held in this context with SE (NER) & CE (Zone-V) of MoRT&H by the undersigned on 05.01.2024 the date of opening of financial bids for the above-mentioned work is hereby fixed on 08.01.2024 at 11:00 AM.

As such, you are hereby requested kindly to make it convenient to attend the same

Yours faithfully,


Chief Engineer, PWD, NH Works, Assam
Chandmari, Guwahati- 3

4/ Chairman, Bid evaluation committee

Memo No.NHR.60/2022/Pt/52 -A

Dated Guwahati, the 5th January/ 2024

Copy to:

1. The Director General (Road Development) and Special Secretary to the Govt. of India, MoRT&H, Transport Bhawan, No.1, Parliament Street, New Delhi-110001 for favour of kind information.
[Kind attention: CE, NER ZONE-V, MoRT&H, New Delhi]
2. The Spl. Commissioner & Spl. Secretary to the Govt. of Assam, P.W. (Bldg. & NH) Department, Dispur, Guwahati-781006 for favour of kind information.
3. Shree Gautam Construction Company Limited, /M/s Woodhill Infrastructure Ltd/Dhariwal Buildtech Limited, /Midas Constructions, /ABCI Infrastructures Pvt. Ltd., /Anupam Nirman Pvt. Ltd, /Dhar Construction Company, /DOOARS Construction Company, /ALLONE Infra Private Limited, /Bhavya Construction, /M/s Babul Nath. They are requested to attend the same on 08.01.2024.



Chief Engineer, PWD, NH Works, Assam
Chandmari, Guwahati- 3

 Chairman, Bid evaluation committee

o/c

