NATIONAL HIGHWAYS INVIT PROJECT MANAGERS PRIVATE LIMITED

(A Wholly Owned Entity of NHAI)

Regd. Off.: G-5 & 6, Sector-10, Dwarka, Delhi - 110075

CIN: U45201DL2021GOI378178

Result of Technical Evaluation

Tender ID: 2023_NHAI_142808_1 **Date: 12.05.2023**

To,
All the Participated Bidders,
(As per Table below)

Sub: Improvement Works of Agra Bypass section from km. 0.00 to km. 32.800 connecting km. 176.800 of NH-2 to km. 13.030 of NH-3 in the State of Uttar Pradesh on EPC mode

Sir,
Please refer to your bid for the subject project submitted online on 21.03.2023. The reply to the clarifications sought and the basis of Technical Evaluation is provided at **Annexure-A** below.

The result of Technical Evaluation as per clause 2.19 of the RFP is as under:

S No.	Name of the Bidder	Status	Remarks
1.	M/s Baba Construction Pvt. Ltd. in JV with M/s PRL Projects & Infrastructures Limited	Technically Disqualified	As per Clause 2.2.2.1 of the RFP, "*Bidders who interalia 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).*" which is Rs. 125.68 Cr. (Rupees One Hundred Twenty Five Crore and Sixty Eight Lakh Only). However, M/s Baba Construction Pvt. Ltd. as the Lead Member of the JV does not meet 60% of the Total Bid Capacity requirement. Thus, the Bidder is considered to be Technically Disqualified.
2.	M/s Sarvodya Infracon Pvt. Ltd.	Qualified	Responsive as well as Financially and Technically Qualified.
3.	M/s SKS Infra Projects Pvt Ltd	Qualified	Responsive as well as Financially and Technically Qualified.
4.	M/s P S Constructions	Technically Disqualified	As per Clause 2.2.2.4 (ii) of the RFP, "*For requirement of 2.2.2.2 (ii) & (iii), one similar work of 20% of Estimated Project Cost should have been completed from the Eligible Projects in Category 1 and/or Category 3 individually by any of the JV members as a single work.*".

S No.	Name of the Bidder	Status	Remarks
			However, the Bidder has claimed only one project (i.e., project with code "f") under Category 3 whose anticipated date of completion is not mentioned in the Statutory Auditor certificate certifying the same. Also, the Bidder has not submitted a reply against the query sought by the Authority.
5.	M/s Kaluwala Construction Company	Technically Disqualified	As per Clause 2.2.2.1 of the RFP, "*Bidders who interalia 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).*" which is Rs. 125.68 Cr. (Rupees One Hundred Twenty Five Crore and Sixty Eight Lakh Only). However, M/s Kaluwala Construction Company does not meet the Total Bid Capacity requirement. Thus, the Bidder is considered to be Technically Disqualified.
6.	M/s Preeti Buildcon Pvt. Ltd	Non-Responsive	Responsive as well as Financially and Technically Qualified. However, the Bidder has not submitted a reply to the query sought by the Authority. Thus, the Bidder is considered to be non-responsive.
7.	M/s Velji Ratna Sorathia Infra Pvt. Ltd in JV with M/s. Hillways Construction Co. Pvt. Ltd.	Technically Disqualified	As per Clause 2.2.2.1 of the RFP, "*Bidders who interalia 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).*" which is Rs. 125.68 Cr. (Rupees One Hundred Twenty Five Crore and Sixty Eight Lakh Only). However, M/s. Hillways Construction Co. Pvt. Ltd. as the Other Member of the JV does not meet 20% of the Total Bid Capacity requirement. Thus, the Bidder is considered to be Technically Disqualified.

2. All bidders are requested to submit their responses/representation on the above Technical Evaluation result within 5 days (i.e., Till 17.05.2023 (1800 Hrs)). After which, Authority shall not entertain any correspondence with any Bidder in relation to acceptance or rejection of any BID.

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Rajiv Nayanam

HTO

(Email Id: rajiv.nhipmpl@nhai.org)

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Annexure-A

S. No.	Reference	Observation	Reply by Bidder	Remarks
M/s Baba Construction Private Limited in JV with M/s PRL Projects & Infrastructure Limited				
1.	Appendix V (Joint Bidding Agreement for Joint Venture)	As per the format of the RFP "*THE NATIONAL HIGHWAYS InvIT PROJECT MANAGERS PRIVATE LIMITED Wholly Owned Entity of NHAI, established under the National Highways Authority of India Act 1988, represented by its Chairman and having its principal offices at G-5 & 6, Sector 10, Dwarka, New Delhi-110075 (hereinafter referred to as the "**Authority**" which expression shall, unless repugnant to the context or meaning thereof, include its administrators, successors and assigns) has invited bids (the **Bids**") by its Request for Proposal No. ………… date .... (the "RFP") for **award of contract for Improvement Works of Agra Bypass section** from km. 0.00 to km. 32.800 connecting km. 176.800 of NH-2 to km. 13.030 of NH-3 in the State of Uttar Pradesh (the "**Project**") through an EPC Contract*." However, Joint Bidding Agreement submitted for Joint Venture submitted by the bidder has added *"**rehabilitation and augmentation"*** in between the above underlined. Kindly Clarify	The Bidder has not submitted a reply to the queries sought by the Authority.	
2.	Appendix IA (Letter Comprising of Technical Bid)	**M/s Baba Construction Private Limited** As per the format of the RFP, the date of documentation of Appendix- IA (Letter comprising the Technical Bid) is to be mentioned. However, the Appendix-IA submitted by the bidder during the Technical Bid submission does not mention the same.		

S. No.	Reference	Observation	Reply by Bidder	Remarks
		Kindly Clarify		
3.	Annex-III (Financial Capacity of the Bidder)	**M/s Baba Construction Private Limited** As per point b) under Instructions in Annexure III of the RFP, "*The Bidder shall attach copies of the balance sheets, financial statements and Annual Reports for 5 (five) years preceding the Bid Due Date. The financial statements shall: (a) reflect the financial situation of the Bidder; (b) be audited by a statutory auditor; (c) be complete, including all notes to the financial statements; and (d) correspond to accounting periods already completed and audited (no statements for partial periods shall be requested or accepted).*" However, the Independent Auditor's Report for the F.Y. 2021-22 could not be found in the Technical Bid submitted. Kindly provide us with the exact location where the same is annexed.		
4.	Annexure VI (Information required to evaluate the Bid Capacity under Clause 2.2.2.1)	**M/s PRL Projects & Infrastructure Ltd.** As per the format of Annexure VI of the RFP, the bidder is required to provide the details of all existing commitments & On-going works as on Bid Due date to be completed in next 0.5 Years along with the certification of Authorized Signatory & Statutory Auditor of the Applicant. It has been observed that certification for value of B provided by Statutory Auditors of "*PRL Projects & Infrastructure Ltd.*" is dated 18.02.2023 whereas the bid due date is 21.03.2023. From submission it is not clear, whether all the existing commitments & on-going works		

S. No.	Reference	Observation	Reply by Bidder	Remarks
		as on Bid due Date (including the date of signing of certificate by auditor to 18.02.2023) are considered or not. Also, the stamp and signature of the Statutory Auditor is not found in the certification for value of B. Kindly Clarify		
		M/s Baba Construction Private Limited As per the format of Annexure VI of the RFP, the bidder is required to provide the details of all existing commitments & On-going works as on Bid Due date to be completed in next 0.5 Years along with the certification of Authorized Signatory & Statutory Auditor of the Applicant. It has been observed that certification for value of B provided by Statutory Auditors of "*Baba Construction Private Limited.*" is dated 11.03.2023 whereas the bid due date is 21.03.2023. From submission it is not clear, whether all the existing commitments & on-going works as on Bid due Date (including the date of signing of certificate by auditor to 11.03.2023) are considered or not. Kindly Clarify		
5.	Local Supplier	As per Clause 1.10 of the RFP, *"A Bidder is required to submit, along with its Technical Bid, a self-certification that the item offered meets the local content requirement for 'Class-I Local Supplier'/ 'Class-II Local Supplier', as the case may be.*". However, the bidder has not mentioned the location and whether he meets for Class-		

S. No.	Reference	Observation	Reply by Bidder	Remarks
		I Local Supplier'/ 'Class-II Local Supplier in the given certificate. Kindly Clarify		
6.	Annexure VI (Information required to evaluate the Bid Capacity under Clause 2.2.2.1)	**M/s Baba Construction Private Limited** As per the Clause 2.2.2.1 Note 1, bidder has to submit "*The Statement showing the value of all existing commitments, works for which Appointed Date/ Commencement Date has been declared and ongoing works as well as the stipulated period of completion remaining for each of the works listed should be countersigned by the Client or its Engineer-in-charge not below the rank of Executive Engineer or equivalent in respect of EPC Projects or Concessionaire / Authorised Signatory of SPV in respect of BOT Projects and verified by Statutory Auditor*". However, the supporting documents to verify the milestones of "**Construction of leftout portion of Agra Inner Ring Road**" and "**Construction of Four Lane Highway from Gazipur-Ballia UP- Bihar state border**" are not found in the submitted Technical Bid. Kindly provide us with the exact location where the same is annexed or clarify by providing supporting documents from Statutory Auditor and the Client.		

S. No.	Reference	Observation	Reply by Bidder	Remarks
M/s Sarvodya Infracon Private Limited				
1.	Appendix II (Bank Guarantee for Bid Security)	As per the format of Appendix II of the RFP, the bidder has to verify the Bank Guarantee from the two authorized person. However, the same cannot be found in the submitted Bank Guarantee by the bidder. Kindly Clarify	The amended Bank Guarantee from the Bank duly signed by the Two authorized parsons is attached herewith.	The reply submitted by the Bidder is found in order. Hence, the same may be considered for evaluation.
2.	Annexure VI (Information required to evaluate the Bid Capacity under Clause 2.2.2.1)	As per the format of Annexure VI of the RFP, the bidder is required to provide the details of all existing commitments & On-going works as on Bid Due date to be completed in next 0.5 Years along with the certification of Authorized Signatory & Statutory Auditor of the Applicant. It has been observed that certification for value of B provided by Statutory Auditors of "*Sarvodya Infracon Pvt. Ltd*." is dated 11.03.2023 whereas the bid due date is 21.03.2023. From submission it is not clear, whether all the existing commitments & on-going works as on Bid due Date (including the date of signing of certificate by auditor to 11.03.2023) are considered or not. Kindly Clarify	The original due date of bid submission was 13-03-2023 which was extended to 21-03-2023. The certificate was prepared before the original date on 11-03-2023. All the existing commitments were considered and there is no change in commitments & ongoing works between 11-03-2023 to 21-03-2023. Therefore the certificate dated 11-03-2023 may please be considered as of 21-03-2023.	The reply submitted by the Bidder is found in order. Hence, the same may be considered for evaluation.
3.	Local Supplier	As per Clause 1.10 of the RFP, *"A Bidder is required to submit, along with its Technical Bid, a self-certification that the item offered meets the local content requirement for 'Class-I Local Supplier'/ 'Class-II Local Supplier', as the case may be.*". However, the bidder has not mentioned the location and whether he meets for Class-	It is hereby certified that we shall procure all major material as well as services (i.e., Bitumen, Steel, Cement, Bajri/Grit, Design & Drawing consultancy, Sub-contractors etc.) from manufacturer/ service provider located within India, which constitutes more than 50% supplies	The reply submitted by bidder is found in order. Hence, the same may be considered for evaluation.

S. No.	Reference	Observation	Reply by Bidder	Remarks
		I Local Supplier'/ 'Class-II Local Supplier in the given certificate. Kindly Clarify	made from "Local Content", which enable us to be eligible as "Class-I Local Supplier". It is also hereby certified that value addition shall be made at the work site of the abovementioned work. A fresh self certificate is attached herewith.	
M/s SKS Infra Projects Pvt. Ltd.				
1.	Appendix II (Bank Guarantee for Bid Security)	As per Point 9 of Appendix II of the RFP, "*We undertake to make the payment on receipt of your notice of claim on us addressed to* ***[name of Bank along with branch address]*** *and delivered at our above branch which shall be deemed to have been duly authorised to receive the said notice of claim*." However, the same is not mentioned in the Bank Guarantee submitted by the bidder during the Technical bid submission. Kindly Clarify	Amendment of Bid Security Bank Guarantee is attached.	The reply submitted by bidder is found in order. Hence, the same may be considered for evaluation.
2.	Bidder's Information Management System	As per the RFP, the Bidder is required to submit a Bidder's Information Management System (BIMS) certificate. However, the same is not found in the Technical bid submitted by the bidder. Kindly provide us with the exact location where the same is annexed.	It is to clarify that we submitted our Technical & Financial bid as on 12-Mar-2023 12:46 PM, i.e., one day before the last date of bid submission until a corrigendum of date was floated by the Authority as on 13-Mar-2023 03:51 PM. It is matter of record that till 13-Mar-2023 there were no options to upload the Bid on BIMS portal for which we have formally	The reply submitted by bidder is found in order. Hence, the same may be considered for evaluation.

S. No.	Reference	Observation	Reply by Bidder	Remarks
			informed the competent Authority through email and attached the same with our Technical Bid. Since the date was extended long after closing of tender time, we were unfortunately not aware about the updation of tender on BIMS Portal, therefore the certificate of BIMS couldn't be uploaded with technical bid. We believe that the worthy Competent Authority will consider the clarification made in view of the circumstances we faced.	
3.	Annex-III (Financial Capacity of the Bidder)	As per the instruction given in Annex III of the RFP "*The Bidder shall attach copies of the balance sheets, financial statements and **Annual Reports** for 5 (five) years preceding the Bid Due Date. The financial statements shall: (a) reflect the financial situation of the Bidder; (b) be audited by a statutory auditor; (c) be complete, including all notes to the financial statements; and (d) correspond to accounting periods already completed and audited (no statements for partial periods shall be requested or accepted).*" However Independent Auditor's Report for the F.Y. 2019-20 submitted by the bidder in the Technical Bid is incomplete. Also, the Annexures to the Independent Auditor's Report for the F.Y. 2018-19 is not found in the Technical bid submitted by the Bidder.	Self-attested copies of Complete Annual Reports for FY 2018-19, 2019-20 and 2021-22 are attached.	The reply submitted by the Bidder is found in order. Hence, the same may be considered for evaluation.

S. No.	Reference	Observation	Reply by Bidder	Remarks
		Kindly provide us with the exact location where the same is annexed. As per the instruction given in Annex III of the RFP "*The Bidder shall attach copies of the balance sheets, financial statements and Annual Reports for 5 (five) years preceding the Bid Due Date. The financial statements shall: (a) reflect the financial situation of the Bidder; (b) be audited by a statutory auditor; (c)* ***be complete, including all notes to the financial statements;*** *and (d) correspond to accounting periods already completed and audited (no statements for partial periods shall be requested or accepted).*" However, the notes to accounts for F.Y 2021-22 cannot be found in the Technical bid submitted by the bidder. Kindly provide us with the exact location where the same is annexed.		
4.	Annexure VI (Information required to evaluate the Bid Capacity under Clause 2.2.2.1)	As per the format of Annexure VI of the RFP, the bidder is required to provide the details of all existing commitments & On-going works as on Bid Due date to be completed in next 0.5 Years along with the certification of Authorized Signatory & Statutory Auditor of the Applicant. It has been observed that certification for value of B provided by Statutory Auditors of "*SKS Infra Projects Pvt. Ltd.*." is dated 11.03.2023 whereas the bid due date is 21.03.2023. From submission it is not clear, whether all the existing commitments & on-going works as on	An undertaking clarifying the observation regarding Statement of ongoing works is attached.	The reply submitted by the Bidder is found in order. Hence, the same may be considered for evaluation.

S. No.	Reference	Observation	Reply by Bidder	Remarks
		Bid due Date (including the date of signing of certificate by auditor to 11.03.2023) are considered or not. Kindly Clarify.		
M/s P S Constructions				
1.	Bidder's Information Management System	As per the RFP, the Bidder is required to submit a Bidder's Information Management System (BIMS) certificate. However, the same is not found in the Technical bid submitted by the bidder. Kindly provide us with the exact location where the same is annexed.	The Bidder has not submitted a reply to the queries sought by the Authority.	
2.	Annexure VI (Information required to evaluate the Bid Capacity under Clause 2.2.2.1)	As per the format of Annexure VI of the RFP, the bidder is required to provide the details of all existing commitments & On-going works as on Bid Due date to be completed in next 0.5 Years along with the certification of Authorized Signatory & Statutory Auditor of the Applicant. It has been observed that certification for value of B provided by Statutory Auditors of "*PS Construction.*" is dated 11.03.2023 whereas the bid due date is 21.03.2023. From submission it is not clear, whether all the existing commitments & on-going works as on Bid		

S. No.	Reference	Observation	Reply by Bidder	Remarks
		due Date (including the date of signing of certificate by auditor to 11.03.2023) are considered or not. Kindly Clarify		
3.	Annex IV (Details of Eligible Projects)	As per clause 2.2.2.2 (ii) of the RFP, "*Provided that at least one similar work of 20% of Estimated Project Cost Rs. 25.14 Crore (Rupees Twenty Five Crore and Fourteen Lakh Only) shall have been completed from the Eligible Projects in Category 1 and/or Category 3 specified in Clause 2.2.2.5. For this purpose, a project shall be considered to be completed, if more than 90% of the value of work has been completed and such completed value of work is equal to or more than 20% of the estimated project cost.*" However, no such projects are found in the submitted bid which is covered under category 1 and/or Category 3 and completed in last Five Financial Year preceding the Bid Due Date. Kindly clarify through supporting documents if any claimed project meets the above eligibility criteria as specified in Clause 2.2.2.2 (ii) of RFP.		
M/s Kaluwala Construction Private Limited				
1.	Bidder's Information	As per the RFP, the Bidder is required to submit a Bidder's Information Management System (BIMS) certificate.	The Bidder has not submitted a reply to the queries sought by the Authority.	The Bidder has submitted a Self-Certification stating that M/s Kaluwala Construction Private

S. No.	Reference	Observation	Reply by Bidder	Remarks
	Management System	However, the same is not found in the Technical bid submitted by the bidder. Kindly provide us with the exact location where the same is annexed.		Limited does not have sufficient Bid Capacity required as per Clause 2.2.2.1 of the RFP. Hence, based on the self-certification, the Bidder may be considered to be Technically Disqualified.
2.	Appendix II (Bank Guarantee for Bid Security)	As per point 15 of Appendix II of the RFP, "*The guarantor/bank hereby confirms that it is on the SFMS (Structural Finance Messaging System) platform & shall invariably send an advice of this Bank Guarantee to the designated bank of NHIPMPL, details of which is as under"*. However, the respective point along with the Authority's Bank details are not found in the respective Bank Guarantee submitted by the Bidder. Kindly Clarify		
3.	Annexure VI (Information required to evaluate the Bid Capacity under Clause 2.2.2.1)	As per the format of Annexure VI of the RFP, the bidder is required to provide the details of all existing commitments & On-going works as on Bid Due date to be completed in next 0.5 Years along with the certification of Authorized Signatory & Statutory Auditor of the Applicant. It has been observed that certification for value of B provided by Statutory Auditors of "*Kaluwala Construction Company.*" is dated 11.03.2023 whereas the bid due date is 21.03.2023. From submission it is not clear, whether all the existing commitments & on-going works as on Bid due Date (including the date of signing of certificate by auditor to 11.03.2023) are considered or not.		

S. No.	Reference	Observation	Reply by Bidder	Remarks
		Kindly Clarify.		
M/s Preeti Buildcon Pvt. Ltd.				
1.	Annex-III (Financial Capacity of Bidder)	As per the format of Annexure III of the RFP , the Bidder has to mention the name & address of their respective Bankers:" However, the same is not found in Annexure III submitted by the Bidder during the Technical Bid submission. Kindly Clarify	The Bidder has not submitted a reply to the queries sought by the Authority.	
2.	Annexure VI (Information required to evaluate the Bid Capacity under Clause 2.2.2.1)	As per the format of Annexure VI of the RFP, the bidder is required to provide the details of all existing commitments & On-going works as on Bid Due date to be completed in next 0.5 Years along with the certification of Authorized Signatory & Statutory Auditor of the Applicant. It has been observed that certification for value of B provided by Statutory Auditors of "*Preeti Buildcon Pvt. Ltd.*." is dated 11.03.2023 whereas the bid due date is 21.03.2023. From submission it is not clear, whether all the existing commitments & on-going works as on Bid due Date (including the date of signing of certificate by auditor to 11.03.2023) are considered or not. Kindly Clarify		

S. No.	Reference	Observation	Reply by Bidder	Remarks
3.	Financial Statements	As per the instruction given in Annex III of the RFP "*The Bidder shall attach copies of the balance sheets, financial statements and Annual Reports for 5 (five) years preceding the Bid Due Date. The financial statements shall: (a) reflect the financial situation of the Bidder; (b) be audited by a statutory auditor; (c) be complete, including all notes to the financial statements; and (d) correspond to accounting periods already completed and audited (no statements for partial periods shall be requested or accepted).*" However, the Bidder has submitted Consolidated Financial Statements for the F.Y. 2020-21. Kindly provide us with the Standalone Financial Statements for the F.Y. 2020-21.		
4.	Appendix- II (Bank Guarantee for Bid Security)	The Bank Guarantee No. 0181IGP231006788 dated 11.03.2023 for an amount of Rs. 1.26 Cr. could not be verified by the Authority. Kindly Clarify		
M/s Velji Ratna Sorathia Infra Pvt. Ltd. in JV with M/s Hillways Construction Co. Pvt. Ltd.				
1.	Annex III (Financial Capacity of the Bidder)	**M/s Hillways Construction Co. Pvt. Ltd.** As per the clause of 2.2.2.9 (ii) of the RFP "*Certificate(s) from its statutory auditors specifying the net worth of the Bidder, as at the close of the preceding financial year, and also specifying that the methodology adopted for calculating such net worth conforms to the provisions of this Clause 2.2.2.9 (ii)*". However, the respective Statutory Auditor certificate submitted by the Bidder certifies the Net worth for the Financial Year 2020-21.	Statutory Auditor certificate certifying the Net Worth for the FY 2021-22 is being attached.	The reply submitted by the Bidder is found in order. Hence, the same may be considered for evaluation.

S. No.	Reference	Observation	Reply by Bidder	Remarks
		Kindly provide us with a Statutory Auditor certificate certifying the Net Worth for the F.Y. 2021-22.		
2.	Annex IV (Details of Eligible Projects)	**M/s Hillways Construction Co. Pvt. Ltd.** As per the format of Annex IV and Point 14 of the Annex IV in the RFP "*If the Bidder is claiming experience under Category 3 & 4 , as per Clauses 2.2.2.5 and 2.2.2.6(ii) of the RFP, it should provide a certificate from its Statutory Auditor/client/ Engineer-in charge/ Independent Engineer/Authority's Engineer in the format* ". However, the same format cannot be found in the technical bid.	Statutory Auditor's certificate in the required format has already attached on each page of Annex-IV, below the table contained year wise payment received. Same has been enclosed herewith.	The reply submitted by the Bidder is found in order. Hence, the same may be considered for evaluation.
3.	Annexure VI (Information required to evaluate the Bid Capacity under Clause 2.2.2.1)	**M/s Hillways Construction Co. Pvt. Ltd.** As per Clause 2.2.2.1 of the RFP, "*Bidders who interalia 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).*". However, the Bidder does not meet the requirement of Bid Capacity as per Clause 2.2.2.1 of the RFP. Kindly clarify by providing the basis of the Bid Capacity calculation along with necessary supporting documents indicating the necessary milestones of the on-going works.	Hillways Construction Co. Pvt. Ltd. Having 20% Joint venture in this tender. Total cost of this project is Rs. 125.68 Cr. As per Clause 2.2.2.1 of the RFP M/s HCCPL required bid capacity 20% of Rs. 125.68 which is Rs. 25.136 submitted bid capacity is Rs. 37.13 which is more than requirement.	M/s Hillways Construction Co. Pvt. Ltd. does not meet the minimum qualification criteria of Bid Capacity as per Clause 2.2.2.1 of the RFP. Hence, the Bidder may be considered to be Technically Disqualified.