

Minutes of Meeting

18.07.2023

Sub: Routine Maintenance and Incident Management of Mandla-Chilpi Section of NH-30(old NH-12A) 2 Lane Paved Shoulder section from Km. 85400 to Km 177750 in the state of Madhya Pradesh (on e-tendering mode) - Opening of Financial Bids - Reg.

With the approval of the Competent Authority vide letter dated 01.06.2023, Bids were invited for the cited work vide NIT dated 02.06.2023.

2. In response to the NIT, four bids have been received within the scheduled date i.e., 22.06.2023 (1700hrs). The committee in its meeting dated 10.07.2023 has finalized the technical evaluation of all the bids as under:

S. No	Name of Bidder	Eligible for opening of financial bids	Remarks
(i)	M/s Jogendra Chodhary, Sirohi, Rajasthan	Yes	Technically responsive
(ii)	M/s Ravindra Singh Anand, Jabalpur, Madhya Pradesh	Yes	Technically responsive
(iii)	M/s VMAKS Constructions Pvt. Ltd., Sarita Vihar, New Delhi	Yes	Technically responsive
(iv)	M/s M Waris Construction, Jabalpur, Madhya Pradesh	No	Technically Non-qualified & non-responsive

3. With the approval of Regional Officer, Jabalpur, the result of Technical Evaluation was communicated to all the bidders vide PIU letter dated 12.07.2023 for their comments within 7 days i.e., before 1700hrs on 17.07.2023.

4. M/s M Waris Construction vide letter dated 17.07.2023 has submitted their representation within time. The committee again met on 17.07.2023 (1730hrs) and recommended the following for approval of Competent Authority:

(i) The representation received from M/s. M Waris Construction, is not acceptable and Bidder is not eligible for opening of Financial Bids.

(ii) The Financial Bids of following Three Technically Responsive Bidders may be opened on 18.07.2023 (11.30hrs)

- M/s Jogendra Chodhary
- M/s Ravindra Singh Anand
- M/s VMAKS Constructions Pvt. Ltd

5. With the approval of Regional Officer on note dated 10.07.2023, the Financial Bids of Three Technically Responsive Bidders have been opened on 18.07.2023 (1130hrs).

6. No representative from the bidder has attended PIU-Jabalpur during the time of opening of financial bids of Technically Responsive firms.

7. The committee deliberated the following during the evaluation of financial bids:

7.1 Relevant provisions of RFP (Section-II: ITB) for financial evaluation of bids are as under:

(i) Clause 13.2 of RFP:

"The bidder shall quote bid prices on appropriate format enclosed as part of tender document on e-tender portal of NHAI. Bidders will be required to quote a single percentage above/below

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the overall contract amount. This percentage would be applicable for all the items of work in the contract for working out the rates for each item of work".

(ii) Clause 27 of RFP:

27.1 Financial Bids determined to be substantially responsive will be checked by the Employer for any arithmetic errors. Errors will be corrected by the Employer as follows:

a) where there is a discrepancy between the rates in figures and in words, the rate in words will govern

27.2 The amount stated in the Financial Bid will be corrected by the Employer in accordance with the above procedure for the correction of errors and shall be considered as binding upon the Bidder. If the Bidder does not accept the corrected amount, the Bid will be rejected, and the action stipulated in accordance with Sub-Clause 16.6 will be taken"

(iii) Clause 30 of RFP:

"Subject to Clause 32, the Employer will award the Contract to the Bidder whose Bid has been determined to be substantially responsive to the bidding documents and who has offered the lowest evaluated Bid price".

(iv) Clause 32 of RFP,

32.1 The bidder whose Bid has been accepted will be notified of the award by the Employer prior to expiration of the Bid validity period by courier/ registered letter. This letter (hereinafter and in the Part I General Conditions of Contract called the "Letter of Acceptance") will state the sum that the Employer will pay to the Contractor in consideration of the execution, completion and maintenance of the Works, and of routine maintenance of roads by the Contractor as prescribed by the Contract (hereinafter and in the Contract called the "Contract Price").

32.2 The notification of award will constitute the formation of the Contract, subject only to the furnishing of a performance security in accordance with the provisions of Clause 33.

32.3 The Agreement will incorporate all agreements between the Employer and the successful Bidder. It will be signed by the Employer and the successful Bidder after the performance security is furnished.

32.4 Upon furnishing by the successful Bidder of the Performance Security, the Employer will promptly notify the other Bidders that their Bids have been unsuccessful.

(v) Clause 33 of RFP:

"Within 10 (Ten) days after receipt of the Letter of Acceptance, the successful Bidder shall deliver to the Employer a Performance Security of Three (3%) of the Contract Price, valid for the period of 28 days after the expiry of defect liability period of 06 months plus additional security for unbalanced Bids in accordance with Clause 28.3 of ITB and sign the contract. The validity shall Account for additional 3 months' time to account for BG verification, signing the contract and start date".

8. The committee examined the Financial Bids of all three Technically Responsive Bidders and the percentage (above/below) quoted by all bidders and the Bid price are as under:

Sl. No.	Name of the Bidder	Estimate cost	Percentage Quoted	Above/ Below	Quoted Amount (Rs.)	Rank of Bidder
(i)	M/s Jogendra Chodhary, Sirohi, Rajasthan	Rs.5,08,39,647/-	23.47%	Below	3,89,07,582.00	L-2
(ii)	M/s Ravindra Singh Anand, Jabalpur, Madhya Pradesh		18.26%	Below	4,15,56,327.00	L-3
(iii)	M/s VMAKS Constructions Pvt. Ltd., Sanita Vihar, New Delhi		33.33%	Below	3,38,94,793.00	L-1

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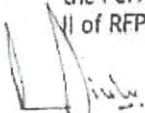
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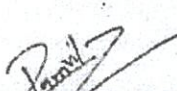
9. M/s VMAKS Constructions Pvt. Ltd., Sarita Vihar, New Delhi has offered to execute the subject work for an amount of Rs. 3,38,94,793/- (Three Crore Thirty Eight Lakhs Ninety Four Thousand and Seven Hundred Ninety Three Rupees only) which is 33.33% below the estimated cost of Rs.5,08,39,647/- indicated in the NIT and stands as L1.

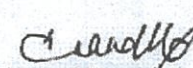
10. As per policy circular no. 11.42/2022 dated 13.09.2022, additional performance security is to be realized in case quote of bidder is less than 20% of the estimated project cost. Since, the Bid Price quoted by the L1 Bidder is lower than 20% of the estimated cost of the work put to tender, then the Additional Performance Security shall be calculated @20% of the difference in the (i) estimated cost (mentioned in the RFP)-20% of the estimated project cost and (ii) the Bid Price quoted by the L1 Bidder. Maximum limit of Additional Performance Security shall be limited to 3% of the Bid Price quoted by the selected Bidder. Hence, on calculation, the additional performance security comes out to be Rs. 13,55,385/-. However, the Additional Performance Security is to be limited upto 3% of the price quoted by the L1 Bidder, which comes out to be Rs. 10,16,844/-.

11. The Committee after detailed deliberations, recommends the following for the approval of the Regional Officer:

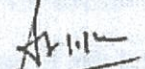
- i) To issue LOA "Letter of Acceptance" to M/s VMAKS Constructions Pvt. Ltd., Sarita Vihar, New Delhi in compliance to Clause 32 of Section-II of RFP, at a quoted price of Rs. 3,38,94,793/- (Three Crore Thirty Eight Lakhs Ninety Four Thousand and Seven Hundred Ninety Three Rupees only) which is 33.33% below the estimated cost after obtaining the original documents from M/s VMAKS Constructions Pvt. Ltd.
- ii) To obtain Performance Security for an amount of Rs. 10,16,844/- (3% of the Contract Price) from M/s. VMAKS Constructions Pvt. Ltd., Sarita Vihar, New Delhi within 10 days from the date of issuance of LOA as per Clause 33 of Section-II of RFP.
- iii) To obtain additional performance security for an amount of Rs. 10,16,844/- from M/s. VMAKS Constructions Pvt. Ltd., Sarita Vihar, New Delhi.
- iv) Entering in to Agreement with M/s. VMAKS Constructions Pvt. Ltd., Sarita Vihar, New Delhi after furnishing of performance security as per Clause 32 of Section-II of RFP.
- v) To notify other bidders that their Bids have been unsuccessful, upon furnishing the Performance Security by the successful Bidder as per Clause 32.4 of Section-II of RFP.


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