

MINUTES OF MEETING NO. 1/2024 OF COMMITTEE-III FOR REVIEW OF EVALUATION OF PART-1 OF TWO-PART PUBLIC TENDER FOR “ENGINEERING, DESIGN, SUPPLY, INSPECTION, TESTING, PACKING, FORWARDING, TRANSPORTATION TO SITE, GUARANTEE, STORAGE, FABRICATION, CIVIL WORKS, ERECTION, EXAMINATION, TESTING, COMMISSIONING, OPERATION AND MAINTENANCE AS PER THE TENDER SPECIFICATION OF NUCLEAR ISLAND MEGA EPC PACKAGE (NIMEP) FOR KAIGA-5&6 PROJECT” (TENDER NO - CMM/FTP/09-30-1-1255) HELD ON 14/02/2024 and 04/03/2024 AT THE DLC ROOM.

The following were present:

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| 1. Shri. V. K. Sharma, Director (Operations) | : Chairman |
| 2. Shri. Jayakrishnan, Director (Technical-LWR) | : Invitee |
| 3. Shri. Thomas Mathew, ED(QA) | : Invitee (on 14/02/24 2 nd half) |
| 4. Shri. Surendra Bhushan Joshi, ED (Projects-PHWR) | : Invitee |
| 5. Shri. M.S. Suresh, ED(C&MM) | : Invitee (on 14/02/24) |
| 6. Shri. A. Roychowdhury, ED (Procurement) | : Member |
| 7. Shri. S.D. Punetha, AD (Procurement) | : Invitee (on 14/02/24) |
| 8. Shri. V. K. Trivedi, GM(C&MM) | : Member Secretary |
| 9. Shri. Dharmendra Kumar, AGM (F&A) | : Member |
| 10. Shri. Alok Sharma, GM (C&MM), FTP | : Invitee (on 14/02/24 1 st half and 04/03/24) |
| 11. Shri. Pankaj Trivedi, AGM (C&MM), FTP | : Invitee (on 14/02/24 1 st half and 04/03/24) |
| 12. Shri. M.M. Korde, ACE(PP&NV) | : Invitee |
| 13. Shri Aakash Shrivastava, ACE Proc (C&IP) | : Invitee (on 04/03/24) |
| 14. Shri. Rohit Kumar Gour, TO/F(Procu(C&IP)) | : Invitee (on 14/02/24) |
| 15. Shri. Madan Laxman Vivarekar, SO/F (Operations) | : Invitee (on 14/02/24 2 nd half) |
| 16. Shri. Mandeep Singh Soodan, SO/D (C&MM) | : Invitee (on 14/02/24) |

Agenda: To review the Part-I Evaluation of Tender No. CMM/FTP/09-30-1-1255 for "Engineering, Design, Supply, Inspection, Testing, Packing, Forwarding, Transportation to Site, Guarantee, Storage, Fabrication, Civil works, Erection, Examination, Testing, Commissioning, Operation and Maintenance as per the tender specification of Nuclear Island Mega EPC Package (NIMEP) for Kaiga-5&6 Project" (Estimated Cost of Indent was Rs. 11,600 Crores including taxes & duties).

PREAMBLE:

The requirement was processed based on Indent No. NPCHQ00000766 dated 22/02/2023. The tender was initially published on 02/05/2023 with original due date for submission of Part-I & Part-II bids as 28/07/2023 and subsequently the due date for submission was extended 5 times upto 04/10/2023. The Part-I bids of the tender was opened on 05/10/2023 and the following 3 (three) bidders have submitted their offer:

- i) M/s Bharat Heavy Electricals Limited (BHEL)
- ii) M/s Larsen and Toubro Limited(L&T)
- iii) M/s Megha Engineering and Infrastructures Limited (MEIL)

The above mentioned bidders have submitted their bids in hybrid mode i.e., Part-1 Bids documents have been submitted in offline mode i.e., outside of CPPP (Central Public Procurement Portal) whereas the Part-II bid was submitted on CPPP.

This was for the first time in NPCIL that QCBS (Quality cum Cost Based Selection) parameters has been introduced in EPC package. Based on approval of CMD vide Letter No. NPCIL/Dir(T)/2023/M/49 Dated: 04.10.2023, following two Task Forces were constituted:

i) Task Force-1 (Convened by Shri. Jayakrishnan , Dir. (Technical-LWR)) : QCBS Marking

- a. For evaluation of bids based on Tender Section A Appendix X2 (Quality cum Cost Based Selection Parameters) and finalization of list of qualified bidders.
- b. Finalization of Technical Score based on QCBS parameters for each bidder.

ii) Task Force-2 (Convened by Shri. Surendra Bhushan Joshi, ED (Projects-PHWR)) : Tender Part-1 Evaluation

For evaluation and shortlisting of the bidders based on the basis of Pre-Qualification Criteria and Part-1 bids submitted except Tender Section A Appendix X2 (QCBS parameters)

Report of Task Force-2 was submitted through Director (Technical) vide Note No. NPCIL/KAIGA-5&6/PRD/2024/01 **Dated:** 10.01.2024, received on 12.01.2024.

The Commercial evaluation report was submitted by C&MM group through ED(C&MM) vide Note No. Nil **Dated:** 05.12.2023, received on 05.12.2023. A revised commercial evaluation report No. Nil **Dated:** 27/02/2024 was submitted on 28/02/2024.

Report of Task Force-1 was submitted through Director (Technical-LWR) vide Note No. Nil **Dated:** 08.02.2024, received on 08.02.2024 and revised report was submitted vide Note No. Nil **Dated:** 15.02.2024, received on 16.02.2024.

SCOPE OF WORK:

It was informed to the Committee that the scope of NIMEP Package basically consisted of the following Different Modules and Sub Modules:

Module no.	Module Name	Sub Module no.	Sub Module Name
M1	Civil Module	S1	Main Plant Civil
		S2	NDCT
		S3	IDCT
		S4	Misc. Civil Works
M2	Reactor Module	S1	Reactor Components
		S2	Cranes, Hoists and Feeder Header Insulation Cabinets

		S3	Site Erection and Installation
		S4	Fuel Handling System Components
M3	Nuclear and Mechanical System Module	S1	Primary Piping (PP)
		S2	Nuclear Ventilation (NV)
		S3	Common Services (CS)
		S4	Plant Water Systems (PWS)
		S5	Chilled Water Plant for Reactor Building High Enthalpy Area Cooling
M4	Electrical Module	S1	Main Plant Electrical System
		S2	Switchyard
		S3	Power Transformers and Shunt Reactors
		S4	Diesel Generators
M5	Control & Instrumentation Module	S1	Control Centre Instrumentation (CCI)
		S2	Field Instrumentation (FI)
M6	Lab, Workshop & Other O&M Facilities Module	S1	Lab, Workshop & Other O&M Facilities

1.0 **EVALUATION OF PART-I BIDS:**

As per Tender Section-E Notes & Evaluation Criteria, firstly, the technical & commercial bid (Part-I) will be evaluated with respect to the Qualification Requirements (QR) of the tender provided in Appendix X1 of ITT, Section-A. Then the Part-I bids meeting the QR shall only be evaluated as per the Quality cum Cost Based Selection (QCBS) parameters defined in Appendix -X2 of ITT, Section-A of the tender document and accordingly marks will be awarded for each bidder.

As per the Letter No. NPCIL/Dir (T)/2023/M/49 Dated: 04.10.2023, both the above-mentioned task force have to submit the respective report to "Committee III for review of Part-I Evaluation of two-part tender" as per Office Order No. NPCIL/CMD/COMM/07/2023 dated 21/04/2023. The Committee have since been re-notified vide Office Order No.- NPCIL/CMD/COMM/06/2024 dated 13/03/2024.

During the meeting, it was agreed in Committee that since Part-1 Evaluation consisted of three different evaluations viz. Technical and QR Evaluation, Commercial Evaluation and QCBS Evaluation, each evaluation will be taken up sequentially one after the other

Part-1 QR & Technical Evaluation Report was presented to the Committee by Shri. Rohit Kumar Gour, TO/F (Procu(C&IP)), Shri. A. Shrivastava, ACE(C&IP) -Member Secretary of Task Force-2 along with other Task Force-1 members and ED(Projects-PHWR) on behalf of Task Force-2. The Commercial Evaluation Report was presented to the Committee by Shri. Pankaj Trivedi, AGM (C&MM), FTP, along with GM(C&MM), FTP. The QCBS Evaluation Report was presented to the Committee by Shri. M.M. Korde, ACE



(PP&NV) along with other Task Force-1 members and Director (T-LWR) on behalf of Task Force-1.

1.1 BIDDER-WISE EVALUATION:

1.1.1 Offer of M/s Bharat Heavy Electricals Limited (BHEL):

Technical, QR and Part-1 Evaluation:

The Committee was informed that Part-I offer of M/s **BHEL** is found to be acceptable technically and financially and qualified in Part-1 Technical and Financial Evaluation as M/s BHEL is meeting all the QR [Appendix-X1 of the ITT, Section-A of Tender Document] & Technical Specification Requirement of Tender as brought out in the Technical Evaluation Report and as presented during the meeting.

Commercial Evaluation:

Committee was informed that Part-I offer of M/s **BHEL** is found to be acceptable with respect to commercial terms and conditions of the tender as brought out in the Commercial Evaluation Report and as presented during the meeting, subject to acceptance of Competent Authority the below mentioned (under clause no. 2.2 a and b of this MoM) two acceptable deviations to tender conditions (due to anomaly in nomenclature from NPCIL's side).

QCBS Evaluation:

The Committee was informed that Part-I offer of M/s **BHEL** is found to be acceptable and qualified in QCBS Evaluation as M/s BHEL is meeting the QCBS [Appendix-X2 of the ITT, Section-A of Tender Document] minimum marks requirement of more than or equal to 50 marks as brought out in the QCBS Evaluation Report and as presented during the meeting.

In view of above, Part-I offer of M/s **Bharat Heavy Electricals Limited** is found to be techno-commercially and as per QCBS requirements acceptable subject to acceptance of Competent Authority (CA), the below mentioned (under clause no. 2.2 a and b of this MoM) two acceptable deviations to tender conditions (due to anomaly in nomenclature from NPCIL's side).

1.1.2 Offer of M/s Larsen and Toubro Limited (L&T):

Technical, QR and Part-1 Evaluation except QCBS & Commercial Evaluation:

The Committee was informed that, part-I offer of M/s L&T is found to be acceptable technically and financially and qualified in Part-1 Technical and Financial Evaluation as M/s L&T is meeting all the QR [Appendix-X1 of the ITT, Section-A of Tender Document] & Technical Specification Requirement of Tender as brought out in the Technical Evaluation Report and as presented during the meeting.

Commercial Evaluation:

Committee was informed that Part-I offer of M/s **L&T** is found to be acceptable with respect to commercial terms and conditions of the tender as brought out in the Commercial Evaluation Report and as presented during the meeting, subject to acceptance of Competent



Authority the below mentioned (under clause no. 2.2 a and b of this MoM) two acceptable deviations to tender conditions (due to anomaly in nomenclature from NPCIL's side).

QCBS Evaluation:

The Committee was informed that Part-I offer of **M/s L&T** is found to be acceptable and qualified in QCBS Evaluation as M/s L&T is meeting the QCBS [Appendix-X2 of the ITT, Section-A of Tender Document] minimum marks requirement of more than or equal to 50 marks as brought out in the QCBS Evaluation Report and as presented during the meeting.

In view of above, Part-I offer of **M/s Larsen and Toubro Limited** is found to be techno-commercially and as per QCBS requirements acceptable subject to acceptance of CA, the below mentioned (under clause no. 2.2 a and b of this MoM) two acceptable deviations to tender conditions (due to anomaly in nomenclature from NPCIL's side).

1.1.3 Offer of M/s Megha Engineering and Infrastructures Limited (MEIL):

Technical, QR and Part-1 Evaluation except QCBS & Commercial Evaluation:

The Committee was informed that, part-I offer of **M/s MEIL** is found to be acceptable technically and financially and qualified in Part-1 Evaluation except QCBS and Commercial as MEIL is meeting all the QR [Appendix-X1 of the ITT, Section-A of Tender Document] & Technical Specification Requirement of Tender as brought out in the Technical Evaluation Report and as presented during the meeting.

Commercial Evaluation:

Committee was informed that Part-I offer of **M/s MEIL** is found to be acceptable with respect to commercial terms and conditions of the tender as brought out in the Commercial Evaluation Report and as presented during the meeting, subject to acceptance of Competent Authority the below mentioned (under clause no. 2.2 a and b of this MoM) two acceptable deviations to tender conditions (due to anomaly in nomenclature from NPCIL's side).

QCBS Evaluation:

The Committee was informed that Part-I offer of **M/s MEIL** is found to be acceptable and qualified in QCBS Evaluation as M/s MEIL is meeting the QCBS [Appendix-X2 of the ITT, Section-A of Tender Document] minimum marks requirement of more than or equal to 50 marks as brought out in the QCBS Evaluation Report and as presented during the meeting.

In view of above, Part-I offer of **M/s Megha Engineering and Infrastructures Limited** is found to be techno-commercially and as per QCBS requirements acceptable subject to acceptance of CA, the below mentioned (under clause no. 2.2 a and b of this MoM) two acceptable deviations to tender conditions (due to anomaly in nomenclature from NPCIL's side).



2.0 DELIBERATIONS OF THE COMMITTEE

2.1 Technical, QR Part-1 Evaluation:

The Committee asked about methodology adopted for evaluation of QR related submissions and technical submissions. Task Force-2 informed to the Committee that QR evaluation of the offers has been carried out based on the documents submitted by bidders against Qualifying Requirement as per Appendix-X1 of the ITT, Technical Specifications and Technical Bid clarifications furnished by the bidders. It was informed that no QR related queries were required to be asked from M/s MEIL as they have submitted bid with all the required supporting documents, however clarifications were sought from other two bidders. Further, it was informed that for verification of QR related submissions of M/s MEIL, the Task Force-2 visited Hyderabad & Tuticorin. It was also brought to the notice of Committee that no visit was made to M/s BHEL and M/s L&T for verification of QR related submissions since NPCIL already have earlier experience with them as EPC package contractors and also, NPCIL is already aware of their activities, facilities, technical and financial capabilities. Against a query of the Committee regarding verification of submitted documents as per tender requirement, Task Force-2 informed to the Committee that all the QR related documents have been verified as per tender requirement.

The Committee asked regarding various deviations to technical requirements recorded in Annexure-B of the Task Force-2 report. It was informed to the Committee that "No Deviation Certificate" which is required as per tender conditions has been submitted by all the Bidders. Task Force-2 further informed to Committee that Bidders have submitted deviations to Technical Specifications requirements, which stands automatically withdrawn due to submission of "No Deviation Certificate" by Bidders. But nevertheless, bidders were informed and were asked to acknowledge that the bid for the tender was to be submitted on "Nil Deviation Basis" and the bidder has to meet all the requirements given in the Technical Specification & Tender document and only the deviations which were accepted during pre-bid stage are considered as part of Tender/Technical Specification. Task Force-2 also informed that all the bidders have acknowledged and accepted the Nil Deviation as communicated through letter No – CMM/FTP/1255 dated 10/11/2023.

The Committee enquired about the completed value of works submitted by the bidders against clause 1.2 and 1.3 of the QR as the certificate submitted by M/s BHEL does not contain completed value. Task Force-2 informed to the Committee that clause no. 1.2. and 1.3 of QR refers to "Order Value" and not the "Completed Value" of works and hence the order value is considered for evaluation.

The Committee asked about submission of details of 4 Nos of Level-III qualified personal submitted by M/s BHEL and then their subsequent submission in this regard. Task Force-2 informed to the Committee that against clause no. 1.4, 5) of the QR, M/s BHEL had initially submitted list of 12 personal against requirement of 5 nos. of QA/QC/Inspection Personnel of Level-III NDT Certification. However, on scrutiny during evaluation, it was

found that names were repeating due to submission of multiple Level-III Certification in different field against one personnel therefore, effectively BHEL had submitted list of only 4 personnel with Level-III Certification along with the bid. Clarification was sought from M/s BHEL regarding repetition of names against which M/s BHEL had submitted revised list of 9 personnel having Level-III Certification including earlier submitted list of 4 personnel. The Committee asked to verify whether the names of new personal appear in the employee list submitted by M/s BHEL. During the meeting on 04/03/2024, it was informed by Task Force-2 to the Committee that the task force-2 deliberated on the submissions of M/s BHEL and further obtained clarifications from them. After receiving clarifications, the Task Force-2 concluded that the documents submitted by M/s BHEL is meeting the QR requirement regarding 5 nos. of personnel with Level-III NDT Certification as all the five personals with Level-III NDT Certification are on the rolls of M/s BHEL.

It was informed to the Committee by Task Force-2 that all the three bidders fulfill all the financial strength parameters specified in the qualifying requirements (clause 2 of the Appendix-X1 of the ITT), as brought out in Technical Evaluation Report of the Task Force-2.

The Committee enquired about consolidated as well as standalone financial statements submitted by M/s L&T and status of the same for other bidders. It was informed to the Committee by task force-2 that clarifications were sought only from L&T since their Financial Credentials Statement certified by CA mentioned it as based on "consolidated statement". Further During the meeting of the Committee on 04/03/2024 wherein the members of task force-2 were also present, the Financial Credentials Statement of other two bidders i.e. M/s BHEL & M/s MEIL were test checked from their annual accounts available in public domain/attached with tender documents and same were found to be based on standalone Financial Statement and thus it was construed that all the bidders were evaluated based on standalone financial statements.

The Committee asked about the place of local value addition as per MII certification requirement in case of M/s BHEL as they have not mentioned the same in the certificate submitted by them. During the meeting on 04/03/2024, it was informed by Task Force-2 that a clarification was sought from M/s BHEL in this regard and they have now submitted a fresh certificate mentioning that place of local value addition will be "Pan India". The same is acceptable and accordingly M/s BHEL qualifies as Class-1 local supplier as per MII.

It was also informed to the Committee by Task Force-2 that all the three bidders fulfill all the QR & Technical Specification Requirement of Tender and found qualified in Part-1 Evaluation (except QCBS and Commercial, which is evaluated by other teams).

  

2.2 Commercial Evaluation:

Shri. Pankaj Trivedi, AGM (C&MM), informed that subsequent to the opening of Part-1 bid, it was found that the offer of the bidders were having certain deviations vis-à-vis our Tender Conditions with respect to commercial conditions. AGM (C&MM) further mentioned that the bidders were then persuaded to withdraw the deviations with respect to the commercial terms and conditions of the Tender except below mentioned acceptable deviations to tender condition (due to anomaly in nomenclature from NPCIL's side). AGM (C&MM) added that subsequently all the bidders have accepted the commercial terms and conditions of the tender.

As per revised Commercial evaluation report, it is mentioned that during further review, it is noted that separate Indices for "Plastic Products" and "Other Rubber Products" published by the Economic Advisor of India are available and hence the same does not constitute a deviation to tender conditions, as was brought out in the original evaluation report.

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Regarding acceptable deviations to tender conditions, AGM (C&MM), informed that while scrutinizing the data submitted by the bidders regarding price adjustment it was found that there were acceptable deviations from the tender conditions submitted by all bidders which are listed as under:

- a. For M-1-S2, S3 & S4, all the bidders have submitted index for "All Commodities", whereas, as per tender it is to be index for "All Other Materials (Q)". It was informed to the Committee that as per discussion in Task Force-2, "All Commodities" was found acceptable due to absence of any indices for "All Other Materials (Q)" under indices issued by Office of Economic Advisor and this being an anomaly in nomenclature from NPCIL's side at tender stage.
- b. For Electrical Package Module - 4 Sub Module S-3, "Ferrous Metals" index as published by IEEMA was allowed as per tender, however only "Steel" index is being published by IEEMA. The Indenting group vide email dated: 03.11.2023 have found the index issued by IEEMA for "Steel: (IS) – Plates 10 mm thick" as acceptable instead of "Ferrous Metals", due to non-availability of IEEMA index for "Ferrous Metals" and this being an anomaly in nomenclature from NPCIL's side at tender stage. Confirmation from all the bidders have been obtained for "Steel: (IS) – Plates 10 mm thick" as the applicable index instead of "Ferrous Metals" published by IEEMA for Electrical Package S-3.

It was opined by ED(C&MM) also that since this amounts to acceptable deviation from tender conditions, which are accepted by all the bidders, due to anomaly in nomenclature from NPCIL's side at tender stage, such deviations need to be concurred in Finance before approval of Competent Authority as per AA-3 vii) of Part-II, HQI 2007 (R5).

AGM (C&MM) also informed that all the bidders have accepted base index for labor portion of Civil Work as notified by Central Government for Kaiga 5&6 Project Site coming under Area-C as per Notification dated: 19.01.2017. He also informed that all the



bidders have accepted Diesel Prices at the nearest Diesel Pump of Kaiga 5&6 as P.O.L index.

AGM (C&MM) finally informed that all the three bidders are found to be acceptable commercially, subject to acceptance of above deviations.

2.3 QCBS Evaluation:

The Committee asked about methodology followed for QCBS evaluation. Shri. M. M. Korde ACE (PP&NV) presented a general overview of the NIMEP Package and QCBS evaluation methodology.

The Committee observed that the Task Force-1 report does not conclude about the qualification of bidders against QCBS criteria. Further it also does not contain the technical score of the bidders. Task Force-1 informed to the Committee that they will incorporate these aspects and submit a revised report to the Committee.

Task Force-1 informed to the Committee that as per Notes & Evaluation Criteria of Tender Section-E, the bids meeting QR requirements only shall be evaluated based on Appendix-X2 of the ITT, Section A of the tender (Quality cum Cost Based Selection Parameters). Therefore, since all the three bidders were qualified by Task Force-2, all the three bidders were evaluated by Task Force-1 for QCBS Parameters.

Task Force-1 informed to the Committee that QCBS evaluation of the offers meeting QR and Technical Requirements has been carried out based on the documents submitted by bidders against QCBS Requirement as per Appendix-X2 of the ITT, Section-A, clarifications furnished by the bidders and based on the visit to Bidders' premises. It was informed to the Committee that teams visited works/premises of all the three bidders for their assessment.

The Committee inquired regarding consideration of new documents viz. new POs etc submitted by Bidders as part of clarifications in case of QCBS Evaluation. Task Force-1 informed that since the bidders have claimed QCBS marks (as part of self-evaluation along with bid) against QCBS parameters, clarification were asked wherever required regarding the claims by giving equal opportunity to all the bidders. The documents submitted by all bidders in response to clarification against the claims already submitted at the time of bid submission were accepted as shortfall documents by Task Force-1.

Task Force-1 further informed that as a result of above submissions as part of clarifications, the bidders' claimed QCBS marks have not increased rather it remained same or reduced (in case of non-submission of documents to substantiate their claims against clarifications). Task Force-1 informed that equal opportunity was given to all the Bidders to submit documents to substantiate their claims as part of clarification asked to Bidders. It was

informed to Committee that visit was made to all the bidders' premises for verifying QCBS parameter on infrastructure capability and other QCBS parameters.

The Committee asked Task Force-1 regarding consideration of documents received from M/s BHEL after the cutoff date for submission of clarifications. Task Force-1 informed that original cutoff date for submission of clarification was 08/12/2023. Further approval was obtained to request/collect documents during visit to Bidder's premises. Since documents submitted by M/s BHEL were before visit to their premises, the documents were accepted by Task Force-1. The Task Force-1 further informed that all the documents submitted by all the bidders as a part of clarification asked to bidders by NPCIL were considered by Task Force-1 till 04.02.2024 for QCBS Evaluation and no further submission was taken into consideration after this date. It was also informed to the Committee that all the QCBS related documents have been verified as per tender requirement.

To the query of Committee for score below minimum threshold value against a QCBS parameter, Task Force-1 informed to the Committee that "0" (zero) mark (i.e., no pro-rata marking) was considered by Task Force-1 for any QCBS parameter below minimum threshold value against a QCBS parameter and this was common understanding among all the bidders and no query in this regard was raised by any bidder at any stage.

A revised Task Force-1 report was submitted on 15/02/2024 wherein the final marks of all the bidders are mentioned. The revised report also contains the technical score of all the bidders. Task Force-1 informed to the Committee that all the three bidders are meeting overall Technical Marks (S_{TB}) requirement which is to be more than or equal to 50 marks and thus they all qualify for QCBS minimum marks criteria and thus recommended for the opening of their Part-2 bids.

Finalized overall Technical Marks (S_{TB}) obtained by the individual bidders as per original Report submitted by Task Force-1 and as presented to Committee by Task Force-1 is summarized below:

Sr. No.	Bidder Name	Overall Technical Marks (S_{TB})
1.	M/s Bharat Heavy Electricals Limited (BHEL)	84.25
2.	M/s Larsen and Toubro Limited (L&T)	85
3.	M/s Megha Engineering and Infrastructures Limited (MEIL)	73.25

Finalized overall Technical Score obtained by the individual bidders as per Revised Report submitted by Task Force-1 is summarized below:

Sr. No.	Bidder Name	Technical Score
1.	M/s Bharat Heavy Electricals Limited (BHEL)	99.118
2.	M/s Larsen and Toubro Limited (L&T)	100
3.	M/s Megha Engineering and Infrastructures Limited (MEIL)	86.176

2.4 Other deliberations:

It was informed to the Committee that both the Task Force-1 and Task Force-2 have received both anonymous as well as signed communications raising representations/issues regarding Part-1 Evaluation/documents submitted by bidders. The Committee informed that the Member Secretary is in receipt of an eNote No – eNote/NPCIL/2024/3811 dated 22/02/2024 from Task Force-2 stating that during meeting on 14/02/2023, the Committee took reference of letter No – MS-1-23-E-0002/0051 dated 15/01/2024 from M/s BHEL and asked the Task Force-2 to review the PQ report submitted by the Task Force-2 in view of apprehension raised by M/s BHEL. It is however concluded in the eNote that the apprehension brought by M/s BHEL is not affecting the PQR criteria. It was further informed by the Committee that only a generic discussion regarding examining and closure of any complaint/representation anonymous or otherwise took place in the previous meeting and it was decided that these communications should be examined by the Task Force 1 and 2 and a conclusion on such communication should be drawn and communicated to the Committee.

Task Force-1 and Task Force-2 confirmed to the Committee that they have examined all such communications received/brought to their notice till date in their respective Task Forces and found no substance in these communications and informed that no further action is required in this regard.

✶ → In its revised report submitted on 16/02/2024 the Task Force-1 has mentioned a note that M/s L&T and M/s MEIL have requested to declare final awarded marks. M/s MEIL have further requested to declare marks score against each parameter before opening of Part-II Bids. Since such decision is out of the purview of the Committee, the same is being brought to the notice of Part-I evaluation accepting authority.

3.0 RECOMMENDATIONS:

Committee after consideration of above submissions, documents presented and confirmations given by Task Force-1, and Task Force-2 and commercial evaluation agrees with the Part-I evaluation (i.e., QR, Technical, Commercial & QCBS Evaluation) of the bids and recommends following for approval of CMD in line with the revised delegation of financial powers as per clause A.7 Part-I, Table-A of HQI-2007 (R-5) and CMD Office Order No. NPCIL/CMD/COMM/06/2024 dated 13/03/2024 after due Financial Concurrence of Director (Finance) of the above mentioned (under clause no. 2.2 a and b of



this MoM) two acceptable deviations to tender conditions (due to anomaly in nomenclature from NPCIL's side) as per AA-3 vii) of Part-II, HQI 2007 (R5):

Part – II Bid of following bidders whose Part-I bids are found to be acceptable techno-commercially and as per QCBS minimum marks criteria, may be opened and to intimate them accordingly:

- i) M/s Bharat Heavy Electricals Limited (BHEL)
- ii) M/s Larsen and Toubro Limited (L&T)
- iii) M/s Megha Engineering and Infrastructures Limited (MEIL)

Minutes compiled by

[Signature]
15/03/2024

(विपिन कुमार त्रिवेदी)/(Vipin Kumar Trivedi)
महाप्रबंधक तथा /General Manager (C&MM) &
सदस्य सचिव, समिति-III/Member Secretary, Committee-III



[Signature]
धर्मेंद्र कुमार, अवरमहाप्रबंधक (वित्त एवं लेखा), सीएमएम – सदस्य
Dharmendra Kumar AGM (F&A),
C&MM – Member, Committee-III

[Signature]
ए. रायचौधरी, अधिशासी निदेशक (प्रापण) – सदस्य
A. Roychoudhary, ED
(Procurement) – Member
Committee-III

[Signature]
एमएस सुरेश, अधिशासी निदेशक (सी&एमएम)
MS Suresh, ED(C&MM)



[Signature]
जयकृष्ण एस., निदेशक (तकनीकी – एलडबल्यूआर) एवं टास्क फोर्स – 1 के संयोजक
Jayakrishnan S, Director (T – LWR) and Convenor Task Force-1

[Signature]
एस. बी. जोशी, अधिशासी निदेशक (परियोजना- पी.एच.डबल्यूआर.) एवं टास्क फोर्स – 2 के संयोजक
S.B. Joshi, ED(Projects-PHWR) and Convenor Task Force-2

[Signature]
विनीत कुमार शर्मा निदेशक (प्रचालन) – अध्यक्ष
Vineet Kumar Sharma, Director (Operations) – Chairman
Committee-III



[Signature]
Shri. Muthukrishnan Sankaranarayanan, Director (Finance)

(For Financial Concurrence of the above mentioned two acceptable deviations to tender conditions due to anomaly in nomenclature from NPCIL's side (under clause no. 2.2 a and b of this MoM).

Concurred with deviations which are proposed to be accepted due to anomaly in nomenclature from NPCIL side as per clauses 2.2(a) & (b)

In view of comments at para 2.4, matter may be referred to IEMs, before approval.

श्री भुवन चंद्र पाठक, अध्यक्ष एवं प्रबंध निदेशक
Shri Bhuwan Chandra Pathak, CMD NPCIL

→ ED(C&MM)

[Signature]
भुवन चंद्र पाठक
BHUWAN CHANDRA PATHAK
अध्यक्ष एवं प्रबंध निदेशक
Chairman & Managing Director

12.06.2024

13

1. There were 5 Complaints received during the Part-1 evaluation of Tender No CMM/FTP/09-30-1-1255 for “Nuclear Island Mega EPC Package (NIMEP)”. Out of which 4 complaints were anonymous category and one complaint was from Shri R K Chokhani, GM (In charge), BHEL. For the 4 complaints falling under anonymous category as per OM F No104/76/2022-AVD.IA dt. 28/9/2022 issued by Ministry of Dept. of Personnel & Public Grievances & Pensions, no action has been initiated. The complaint received from M/s BHEL regarding qualification of M/s MEIL was examined by Taskforce II (Committee for Evaluation of Part-I bid other than QCBS) and it was found that there was no impact on the qualification status of M/s MEIL and the bid evaluation has been done as per stipulated tender conditions. Copy of review report of Taskforce II is placed in the file (Annexure-I).
2. All the 5 complaints received and action taken by NPCIL was reported to IEM in the prescribed complaint reporting format. Copy placed in the file (Annexure-II).
3. The complaints and action taken by NPCIL were discussed in the 36th IEMs meeting held on 7th May 2024. After detailed deliberations IEMs advised NPCIL that since the communication had been received in the BHEL letterhead it should be treated as communication from the organisation and the response to the communication necessarily to be sent to head of the organisation ie, CMD, BHEL. IEMs further stated that in case of no further communication on the subject matter received from M/s BHEL within a reasonable time (a week) and if the tender had been processed as per terms and conditions specified, NPCIL could proceed with further processing of the tender. As advised by IEM, response to the BHEL communication has been sent to CMD, BHEL on 14.05.2024. No further communication on the subject matter has been received from M/s BHEL till date. 36th IEMs meeting M.O.M and communication sent to CMD, BHEL are placed in the file (Annexure-III & IV).

4. The subject matter was discussed in the 4th IEMs meeting with CMD, NPCIL on 07.06.2024. The action taken on 36th IEMs meetings deliberation & recommendation on the complaints received for the NIMEP package and its present status were apprised to IEMs. Since there was no further communication from M/s BHEL on the subject matter till date (07.06.2024), IEMs informed that they did not have any objection in further processing of the tender.

As the all complaint received during the Part-1 evaluation of the Tender CMM/FTP/09-30-1-1255 for Nuclear Island Mega EPC Package (NIMEP) and action taken by NPCIL has been discussed with IEMs and closed.

Submitted for kind perusal and further processing please.



Director (T)



please see 15/6

M.S. Suresh
13/06/23

M.S.Suresh
Executive Director (C&MM)

Sub: Acceptance of Part-1 evaluation of Nuclear Island Mega EPC
Package (NIMEP) for Kaiga-5&6
Ref: Tender no: CMM/FTP/09-30-1-1255

This proposal is for acceptance of the part-1 evaluation report of the tender invited for Nuclear Island Mega EPC Package (NIMEP) of Kaiga 5&6. Perusing pre pages 1/N to 14/N, and based on other actions taken, the summary proposal is as follows.

1. NIT for the subject tender was issued on 02/05/2023 on public tender basis.
2. Three bids were received on the extended last date of bid submission (04/10/2023) and the part-1 bids were opened on 05/10/2023.
3. The three bidders are (1) M/s. BHEL, (2) M/s. L&T Ltd. and (3) M/s. Mega Engineering and Infrastructure Ltd. (MEIL).
4. This tender has been declared as Quality Oriented Procurement (QOP) by NPCIL Board, in line with the guidelines issued in the manual for procurement of works issued by the Ministry of Finance. Accordingly, Quality-cum-cost-based selection (QCBS) has been adopted for selection of bidder in this package.
5. Two separate task forces were formed for evaluation of Qualifying Requirements (QR) and QCBS parameters respectively.
6. The QR task force has evaluated Part-1 bids of all the three parties and found that all three parties meet the tender Qualification Requirements. The QCBS evaluation taskforce has also completed the evaluation, and markings has been assigned to the respective bidders.
7. During the course of part-1 evaluation, one signed complaint was received from M/s BHEL which focussed on M/s MIEL's qualification status with respect to the QR of the tender.
8. A stand-alone document on "Redressal of complaint received against M/s MIEL from M/s BHEL related to NIMEP for Kaiga 5&6" is placed opposite. The brief is that the complaint of M/s BHEL was examined through multiple independent agencies as below.
 - i. Task force for evaluation of QR
 - ii. Legal Opinion through M/s M.V. Kini Law firm , Mumbai
 - iii. Legal Opinion through Sh Debang Vyas, Additional Solicitor General of India.
 - iv. Independent External Monitors (IEM)'s
9. The report of SI no: 8(i), 8(ii), and 8(iii) above maintains that M/s MIEL is meeting the QR of the tender. In addition, actions were taken as advised by IEM's (ref 13/N -14/N) and there has been no further response from M/s BHEL.
10. To conclude, M/s MIEL is meeting the QR stipulated in the tender.
11. As per the MoM of the "Committee-III for review of evaluation of part-1 of two part public tender" (ref pages 1/N to 12/N), the part-1 of all the three bidders viz

M/s BHEL, M/s L&T Ltd and M/s MEIL are found acceptable and part-II can be opened of these bidders. Concurrence of Dir(F) is available in page 12/N.

With the above in view, it is recommended to accept the part-1 bids of M/s BHEL, M/s L&T Ltd and M/s MEIL. Upon acceptance of the Part-1, along with intimation, the final awarded QCBS marks can also be declared to the bidders and subsequently part-2 can be opened.

As per clause A7, Part-1, Table A of HQI 2007 (R5), CMD is the competent authority to accept evaluation of Part-1.

Submitted please.



CMD, NPCIL



भुवन चंद्र पाठक
BHUVAN CHANDRA PATHAK
अध्यक्ष एवं प्रबंध निदेशक
Chairman & Managing Director

21/06/2024

Director (T)

ED (CRM) : for further ms.

By
21/6

AGM (CRM)

May please do the need full as per the approval

M.L. Jindal
21/06/24

Signature Not Verified

Digitally signed by RAJESH KUMAR
Date: 2024.06.24 13:52:40 IST
Location: eProcurement System for
Central PSUs