

NOTING

Sub: Request for approval for Re-Tendering

Ref: (i) AoN No. 2601/BM/Contracts/2023-24 Dtd. 16.11.2023

(ii) AVNL Approval vide Letter No. AVNLCO/ENGG/Civil/ADP/MTPF(ND2310)/2023-24 Dtd. 15.02.2024

(iii) Admin Approval No. 0503/14/2023-24/EO/MPF Dtd. 16.02.2024

(iv) Tender ID No. 2024_AVNL_186953_1 Dtd. 17.02.2024

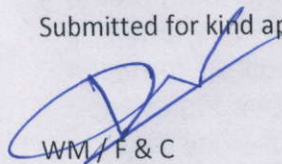
(v) CWC-I for Tech Evaluation Dtd. 25.05.2024 & CWC-I for Price Bid Evaluation Dtd. 19.07.2024

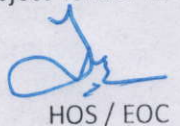
(vi) MPF Email to Firm Dtd. 25.07.2024

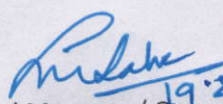
(vii) L-1 Firm M/s Krishna Const. Co. Letter No. 010307/MTPF/2024 DTd. 12.08.2024.

1. With reference to (i) above, the work for "Repairs to roof & allied repairs to MTPF AVNL Qtr. No. E-25, E-26, E-27 & Gymnasium B. No. 29 for creation of Recreational Area" was approved by the Competent Authority. Further the case was forwarded to AVNLCO & approval for the same was received vide letter cited u/ref (ii).
2. The case was processed further for Admin approval followed by Tender action and Tech Evaluation & Price Bid Evaluation was carried out by CWC-I as mentioned u/ref (v).
3. MTPF vide email Dtd. 25.07.2024, requested L-1 Firm M/s Krishna Const. Co., Latur to extend the offer validity for placing of work order on Firm. However it is observed that the L-1 Firm vide Letter cited u/ref (vii) stated that "with regret we would like to inform that we are not able to extend the bid validity. As we had already quoted a very competitive quote & due to further delay & rate changes, the cost have gone up". The L-1 Firm further requested to release the EMD & to release the Firm from bidding process.
4. It is noted that as per SOP for Civil Works in AVNL 2021, issue regarding revoking of offer by L-1 firm is not mentioned. However, as per Para 2.11 of SOP it is mentioned that 'MES Contract Manual to be referred for issues not mentioned in SOP'.
5. It is observed that as per condition 3.19.1 (c) of MES Manual on Contracts 2020, it is mentioned that 'Re-invitation of tenders shall be resorted when the lowest tender is revoked' Further as per condition 3.16.8, it is mentioned that 'revoking of offer shall be considered as willful default & for this earnest money deposited shall be forfeited. No other disciplinary action shall be taken. Next lowest offer shall not be considered for acceptance. Instead retendering shall be resorted to in a transparent & fair manner & the defaulting tenderer and his related firm if any shall not be eligible for the tender in second call or subsequent calls'.
6. In subject case it is noted that L-1 Firm has shown its inability for extending the offer validity. Hence it is proposed to re-tender the case in transparent & fair manner and to release the EMD to the L-1 Firm as per its request. However, as per provision of Para 3.16.8 of MES Manual on Contracts, the L-1 Firm M/s Krishna Construction Co. Latur shall be intimated that Firm shall not be considered as eligible for the subject tender in second call or subsequent calls.

Submitted for kind approval of Chief General Manager.

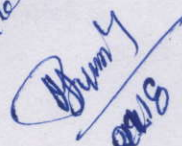

WM / F & C


HOS / EOC


General Manager / Operations

Chief General Manager

*Retender as L-1
Firm's incapability
to take signed copy*


21/8