

By Circulation

MINUTES OF MEETING OF TENDER EVALUATION COMMITTEE HELD ON 19.08.2024 FOR CONSIDERATION OF TECHNICAL BID FOR THE WORK OF "STRENGTHENING OF NH-154 (NEW NH-6) BETWEEN KM 105.00 TO KM 119.00 INCLUDING BRIDGE REPAIR IN THE STATE OF MIZORAM."

The work under consideration was sanctioned by the Ministry amounting to ₹ 27.53 crore vide No. RW/GHT/MZ/NH-154/105-119 (C.No.234821) Dated 14th March 2024. The estimated civil construction cost of work is ₹ 27.53 crore. The work is proposed under EPC mode as per Ministry's laid down procedures.

2. As per Ministry's Circular No.RW/NH-24035/4/2008-P&M/PIC Vol.II dated 23.02.2018 for the works with sanction cost more than ₹ 5.00 to ₹ 100.00 crore, tender may be invited by the State PWD using requisite bidding document and procedure as per Ministry's extant guidelines. The composition of the Technical Evaluation Committee is as under:

Sl. No.	Composition of the Committee	Role
1	Chief Engineer, PWD, Highway, Mizoram, Aizawl	Chairman
2	Representative of Regional Officer, Ministry of Road Transport & Highways, Guwahati.	Member
3	Superintending Engineer, PWD, National Highway Circle-I, Aizawl, Mizoram	Member
4	Finance & Account Officer, Chief Engineer, PWD, Highway Office, Mizoram, Aizawl	Member
5	Executive Engineer, PWD, National Highway Division-III, Aizawl, Mizoram	Member Secretary

3. The bids for the above mentioned work amounting to ₹ 21.86 crore (amount put to tender) was invited by Chief Engineer, PWD, Highway, Mizoram, Aizawl vide Bid No. 3/RFP/EPC/CE-HW/2024-25 Dt.10.06.2024 and Pre-bid meeting was held at Chief Engineer, PWD, Highway, Mizoram, Aizawl on 21.06.2024, but no bidder attended the Pre-Bid Meeting. The bids were opened on 10.07.2024. A total of 2(two) bids were received online from the following bidders:

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Sl. No.	Name of the Bidder
1	NIDHI CREATIVE INFRASTRUCTURE PVT. LTD., Ambicapatty, Silchar-788001, Assam
2	TANOR ENGINEERING, Itanagar-791111, Arunachal Pradesh

4. The documents required to be submitted physically as per Cl. 2.11.2 of the RFP are also submitted by the bidders mentioned at Para 3 above in a sealed envelope.

5. Based on the documents placed before the Evaluation Committee, the Committee examined the technical bid of the 2(two) bidders. A detailed evaluation sheet is enclosed herewith.

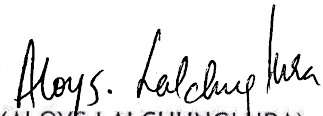
6. The committee has found out that the bidder viz. M/s Tanor Engineering has not submitted the details of bidders as per Appendix-IA annex-I of the RFP. Further as per cl 2.2.2.8 (ii) of the RFP *"In case the annual accounts for the latest financial year are not audited and therefore the Bidder cannot make it available, the Bidder shall give an undertaking to this effect and the statutory auditor shall certify the same. In such a case, the Bidder shall provide the Audited Annual Reports for 5 (five) years preceding the year for which the Audited Annual Report is not being provided"*. However, it is found that Tanor Engineering has not submitted the undertaking as per the above-mentioned clause certified by Statutory auditor. Accordingly, the committee opined that the bidder may be considered non-responsive.

7. Further, in case of Tanor Engineering it is observed that for the work of 2-lane Road of Potin-Pangin section of Nh-13 from km 163.50 to km 206.66(package-5) in the state of Arunachal Pradesh under Arunachal Pradesh package of roads and Highways of SARDP-NE, the bidder has submitted that the work was executed by them under subcontract with M/s Joint Stock Company. Tanor Engineering has executed an agreement in September 2020. However, Chief Engineer (Highway Zone), PWD, AP, Itanagar has approved the same on 23.11.2023. As per the clause 4.2(ii) of the standard EPC contract agreement *"In the event any sub-contract for Works, or the aggregate of such sub-contracts with any Sub-contractor, exceeds 5% (five percent) of the Contract Price, the Contractor shall communicate the name and particulars, including the relevant experience of the Sub-contractor, to the Authority prior to entering into any such sub-contract. The Authority shall examine the particulars of the Sub- contractor from the national security and public interest perspective and may require the Contractor, no later than 15 (fifteen) business days from the date of receiving the communication from the Contractor, not to proceed with the sub-contract, and the Contractor shall comply therewith"*. Therefore, the approval of sub contract is not in accordance with the standard EPC contract agreement.

[Signature]

8. Based on the above technical evaluation and detailed deliberation of the Committee, the following one bidder is found to be technically qualified. Since only one bidder has been technically responsive, BEC opines to cancel the tender and retender the work.

i. NIDHI CREATIVE INFRASTRUCTURE PVT. LTD., Ambicapatty, Silchar-788001, Assam


(ALOYS LALCHUNGLURA)

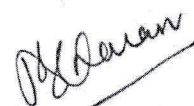
Member &
Finance and Accounts Officer,
O/o the Chief Engineer, PWD, Highway
Mizoram, Aizawl



(R. LALDUHTHLANGA)
Member Secretary &
Executive Engineer, PWD.
National Highways Division-III,
Thingdawl, Mizoram



(ROBIN LALRINAWMA)
Member &
Superintending Engineer, PWD.
National Highways Circle-I,
Mizoram, Aizawl



(PS CHARAN)
Member & Representative of
Regional Officer, Guwahati
MoRT&H



(H. ZORAMLIANA)
Chairman &
Chief Engineer, PWD, Highway,
Mizoram Aizawl

TABLE FOR EVALUATION OF SUBSTANSIVE RESPONSIVENESS OF TECHNICAL BIDS

Name of Work : Strengthening of NH-154 (new NH-6) between km 105.00 to km 119.00 including Bridge Repair in the State of Mizoram.

Sanctioned Amount : Rs. 27.53 crore Last date of submission of bid: 09.07.2024 (12:00 IST)

Bid Value : Rs. 21,85,98,149.00 Date of opening of Technical Bid: 10.07.2024 (12:00 IST)

Time of completion: 335 days

Sl.No	Requirement	Qualifying Criteria	Ref. of RFP	Nidhi Creative Infrastructure Pvt. Ltd.	Tanor Engineering
1	I. Eligibility requirement of bidder		2.2		
	A. Whether letter comprising the technical bid submitted as per format Appendix - IA.		Appendix - IA	Submitted (Pg 61-63)	Submitted (Pg 107-109)
	B. Details of Bidder		Appendix - IA, Annex-I	Submitted (Pg 30-33)	Submitted (Pg 5-8)
	i) Country of incorporation			India	India
	ii) Address of the Corporate Headquarters and its branch office(s) if any			<u>Registered Office:</u> 805A, 8th floor, diamond Herotage, 16 Strand road, Kolkata-700001 (West Bengal) <u>Administrative Office:</u> 4th Floor Kuntila Apartment, Opp Adharchand School, Ambicapatty, Silchar-788004, Assam <u>Branch Office:</u> 409, Ganeshalaya Apartment, Jharudih, Dhanbad - 826001, Jharkand	<u>Corporate Office:-</u> P-SECTOR, ITANAGAR, Post Office & Police Station - ITANAGAR, Dist:- PAPUM PARE ARUNACHAL PRADESH :- 791111
	iii) Date of incorporation and /Commencement of Business.			25.07.2008	12.12.2011
	iv) Details of individual(s) who will serve as the point of contact/ communication for the authority.			Pratik Ghoda, Director, 4th Floor Kuntila Apartment, Opp Adharchand School, Ambicapatty, Silchar-788004, Assam	Mr. DILING TATAK PROPRETOR Ms TANOR ENGINEERING. P-SECTOR, ITANAGAR, Post Office & Police Station - ITANAGAR, Dist:- PAPUM PARE ARUNACHAL PRADESH:- 79111 +91897495481 tanorengineering65@gmail.com
	v) Particulars of the Authorised signatory of the Bidder i.e a) Name b) Designation c) Address d) Phone Number e) Fax Number/ Email f) Class III Digital Signature Certificate ID number			Pratik Ghoda, Director, 4th Floor Kuntila Apartment, Opp Adharchand School, Ambicapatty, Silchar-788004, Assam. Tel. 9435070019 email: nidhi.cipl@yahoo.in Class III DSC ID No. - 016EF3CB	Mr. DILING TATAK PROPRETOR Ms TANOR ENGINEERING. P-SECTOR, ITANAGAR, Post Office & Police Station - ITANAGAR, Dist:- PAPUM PARE ARUNACHAL PRADESH:- 79111 +91897495481 tanorengineering65@gmail.com Class III DSC ID No. - 3D EC 15 17 D5
	vi) Has the Bidder/ constituent of the Joint Venture been barred by the Ministry of Road Transport & Highways or its implementing agencies for the works of Expressways, National Highways, ISC and EI works, from participating in bidding.			No	No
	vii) Categories of Non-Performer :				
	a) Fails to set up institutional mechanism and procedure as per contract.			NIL	NIL
	b) Fails to mobilize key construction equipment within a period of 4 months from the Appointed Date;			NIL	NIL

Sl.No	Requirement	Qualifying Criteria	Ref. of RFP	Nidhi Creative Infrastructure Pvt. Ltd.	Tanor Engineering
	c) Fails to complete or has missed any milestone and progress not commensurate with contiguous unencumbered project length /ROW available even after lapse of 6 months from respective project milestone/Schedule Completion date, unless Extension of Time has been granted due to Authority's Default or Force Majeure;			NIL	NIL
	d) Fails to achieve progress commensurate with funds released from Escrow Account (Equity + Debt + Grant) in BOT or HAM project and variation is more than 25% in the last 365 days;			NIL	NIL
	e) Fails to achieve the target progress or complete the project as per schedule agreed at the time of sanctioning of funds under One Time Funds Infusion (OTFI) or relaxations to contract conditions to improve cash flow solely on account of Concessionaire's/ contractor's failure/default;			NIL	NIL
	f) Fails to complete rectification (excluding minor rectifications) as per time given in nonconformity reports (NCR) in design/completed works/maintenance or reported in Inspection Reports issued by Quality Inspectors deployed by the Authority or Officers of the Authority			NIL	NIL
	g) Fails to complete minor rectification exceeding 3 instances in a project as per time given in nonconformity reports (NCR) in design/completed works/maintenance.			NIL	NIL
	h) Fails to fulfill its obligations to maintain a highway in a satisfactory condition in spite of two rectification notices issued in this regard;			NIL	NIL
	i) Damages/penalties recommended by Independent/Authority's Engineer during O&M Period and remedial works are still not taken up;			NIL	NIL
	j) Fails to complete Punch list items even after lapse of time for completion of such items excluding delays attributable to the Authority;			NIL	NIL
	k) Occurrence of minor failure of structures/ highway due to construction defect wherein no casualties are reported (casualties include injuries to human being / animals);			NIL	NIL
	l) Occurrence of major failure of structures/highway due to construction defect wherein no casualties are reported (casualties include injuries to human being / animals);			NIL	NA
	m) Occurrence of major failure of structures/ highway due to construction defect leading to loss of human lives besides loss of reputation etc. of the authority.			NIL	NA

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Sl.No	Requirement	Qualifying Criteria	Ref. of RFP	Nidhi Creative Infrastructure Pvt. Ltd.	Tanor Engineering
	n) Fails to make premium payments excluding the current installment in one or more projects;			NIL	NA
	o) Fails to achieve financial closure in two or more projects within the given or extended period (which shall not be more than six months in any case);			NIL	NA
	p) Fails to submit the Performance Security within the permissible time period in more than one project;			NIL	NA
	q) Rated as an unsatisfactory performing entity / non-performing entity by an independent thirdparty agency and so notified on the website of the Authority;			NIL	NA
	r) Failed to perform for the works of Expressways, National Highways, ISC & EI works in the last 2(two) years, as evidenced by imposition of a penalty by an arbitral or judicial authority or a judicial pronouncement or arbitral award against the Bidder, including individual or any of its Joint Venture Member, as the case may be.			NIL	NA
	s) Expelled from the contract or the contract terminated by the Ministry of Road Transport & Highways or its implementing agencies for breach by such Bidder, including individual or any of its Joint Venture Member; Provided that any such decision of expulsion or termination of contract leading to debarring of the Bidder from further participation in bids for the prescribed period should have been ordered after affording an opportunity of hearing to such party.			NIL	NA
	t) Fails to start the works or causes delay in maintenance repair/overlay of the project.			NIL	NA
	C. PAN & GST Registration No.			PAN No. -AAMCS1784N GST No. - 15AAMCS1784N1ZP (Pg. 36-37)	PAN No. - AVFPT6405Q GST No. -12AVFPT6405Q2Z4 (Pg 117-119)
	D. Bidder Single entity/JV		2.2.1(a)	Single	Single
	E. Have any conflict of interest		2.2.1(c)	Not noticed	-
2	II. Test of responsiveness		3.1.6		
	i) Whether Technical Bid is received online as per format at Appendix-IA including Annex-I, IV, V and VI.			Furnished (Pg 30-33,69-95,399,97-99)	Furnished (Pg 5-8, 14, 47, 52, 58, 59-67, 99)
	ii) Documents listed at clause 2.11.2 are received physically & properly i.e		2.11.2 & 2.11.3		
	a) Original Power of Attorney for signing the Bid as per format at Appendix-III.			Furnished (In physical & Pg. 4-5)	Furnished (In physical & Pg 1-3)
	b) if applicable, Original Power of Attorney for lead member of JV as per format at Appendix-IV.			NA	NA
	c) if applicable, Original Joint Bidding agreement for JV as per format at Appendix-V.			NA	NA
	d) BID Security of Rs. 21,90,000/- in the form of Bank Guarantee in the format at Appendix-II from a Scheduled Bank (to be submitted physically as well); <i>Fixed Deposit Receipt is accepted as per Ministry Circular No. NH-35014/20/2020-H Dt. 12.08.2022</i>			e-BG No. 065BG01241870002 furnished valid upto 05.03.2025 (Pg 7-19)	T.D.R receipt No. T22/MTDI 0147833 furnished valid upto 05.07.2025 (In physical) <i>Confirmation received from Indian Bank, Aizawl Branch on 26.07.2024</i>

Sl.No	Requirement	Qualifying Criteria	Ref. of RFP	Nidhi Creative Infrastructure Pvt. Ltd.	Tanor Engineering
	e) Online payment towards Cost of Tender Document of ₹ 10,000.00 (Rupees ten thousand only) in Authority's designated bank account and also upload online payment receipt of the same			Furnished (Separately & Pg 20)	Furnished (Separately)
	f) Deleted ;				
	g) Complaine of MoRT&H OM dated 22.02.2016 & its subsequent amendments and Integrity Pact (IP).			Furnished (Pg 29, 21-25)	Furnished (In physical & Pg 104)
	h) An undertaking from the person having PoA that they agree and abide by the Bid Documents uploaded by MoRT&H and amendments uploaded, if any			Furnished (Pg 26)	Furnished (Pg 4)
	i) Self certification by the Bidder that its Bid meets the Local Content requirement for 'Class-I Local Supplier'/ 'Class-II Local Supplier', as the case may be			Furnished (In physical & Pg. 27)	Furnished (Separately & Pg 143)
	j) Certificate from the Statutory Auditor or Cost Auditor of the company (in case of Companies) or from practicing Cost Accountant or practicing Chartered Accountant (in respect of Suppliers other than companies) giving the percentage of Local Content upon Construction of the Project, in case of procurement for a value in excess of Rs. 10 Crore			Furnished (In physical & Pg. 28)	Furnished (Pg 142)
	iii) Completeness of Technical Bid		3.1.6.1 (f)	Complete in all respect.	-
	iv) Is Technical Bid contain any condition / qualification.		3.1.6.1 (g)	Not noticed	-
3	III. Qualification requirements of Bidders.		2.2.2		
	A) Assessed available Bid capacity=(A*N*2.5 - B + C)	Rs.21.85 Crore		Rs. 55.784 Crore (Pg 96-162)	Rs. 262.329Crore (Pg 59-63)
	i) Whether information required to calculate the value of A signed by authorised signatory.		Appendix-1A (Annex-VI)	Furnished (Pg 97)	Furnished (Pg 59)
	ii) Whether information required to calculate the value of B signed by authorised signatory.		Appendix-1A (Annex-VI)	Furnished (Pg 98-99)	Furnished (Pg 61-62)
	iii) Whether information required to calculate the value of C signed by authorised signatory.		Appendix-1A (Annex-VI)	Furnished (Pg 97)	Furnished (Pg 60)
	B) Technical Capacity				
	(i) Minimum Threshold Technical Capacity required (for Category 1,2,3 & 4)	Rs. 16.395 Crore	2.2.2.2 (i), 2.2.2.5(i) & Appendix-1A (Annex-II&IV)	Rs. 138.08 Crore (Pg 69-95)	Rs. 190.27 Crore (Pg 14-57)
	(ii) Minimum required amount of completed eligible projects in category 1 and/or Category 3 from atleast one similar work as per clause 2.2.2.2 (ii)	Rs.4.372 Crore	2.2.2.2 (ii)	Project Code : E Rs. 21.42 Crore STRENGTHENING OF EXISTING PAVEMENT FROM KM 35 TO KM 80.00 ON NH-6 (KEIFANG TO KAWLKULH) IN THE STATE OF MIZORAM ON EPC MODE , JOB NO. 006/MZ/201/8-19-116 (Pg 81-83)	
	(iv) Submission in support of Technical Capacity.		2.2.2.7		
	(a) Details of Eligible Experience for the Last 5(five) Financial years immediate preceeding the Bid due date.		2.2.2.7 (i) Appendix-1A Annex-IV	Furnished (Pg 69-95)	Furnished (Pg 14-57)

Sl.No	Requirement	Qualifying Criteria	Ref. of RFP	Nidhi Creative Infrastructure Pvt. Ltd.	Tanor Engineering
	(b) Information relating to Technical Capacity as per format at Annex-II of Appendix-IA.		2.2.2.7 (ii)	Furnished (Pg 68)	Furnished (Pg 9)
	(c) Required project specify information and evidence in support of its claim of Technical Capacity, as per format at Annex-IV of Appendix-IA.		2.2.2.7 (iii)	Furnished (Pg 69-95)	Furnished (Pg 14-57)
	(d) Whether project-wise certificate from statutory auditors furnished as per format or not.		Appendix-1A Annex-IV	Furnished (Pg 70, 73,76,79,82,85,88,91,94)	Furnished (Pg 15, 48,53)
	C) Financial Capacity.				
	(i) Minimum Net Worth at the close of the preceding financial year required as per clause 2.2.2.3 (Financial Capacity)	Rs.1.093 Crore	2.2.2.3 Annex-III of Appendix-1A	Rs. 40.71 Crore (Pg 167)	Rs. 82.31 Crore (Pg 10-11, 100,101)
	(ii) Minimum Average Annual Turnover for last 5 years	Rs.3.279 Crore	2.2.2.3 (ii)	Rs. 57.39 Crore (Pg 167)	Rs. 95.75 Crore (Pg 12, 102-103, 145, 146)
	(iii) Whether Audited Annual Reports, balance sheets financial statements for last 5 years accompanied.		2.2.2.8 & Para-1 of Appendix-1A Annex-III	Furnished (Pg 172-398)	Furnished (Pg 148-201)
	(iv) Whether Name and Address of the Bankers to the Bidder provided.		2.2.2.8 & Para-6 of Appendix-1A Annex-III	Furnished (Pg 402)	Furnished (Pg 13)
	(v) Whether Auditors Certificate specifying network and methodology adopted to calculate network provided.		2.2.2.8 & Para-7 of Appendix-1A Annex-III	Furnished (Pg 170-171)	Furnished (Pg 10, 100, 101)
	(vi) Whether statement of legal capacity submitted as per format Appendix-IA (Annex-V)			Furnished (Pg 399)	Furnished (Pg 58)
	REMARKS				1.has not submitted the details of bidders as per Appendix-IA annex-I of the RFP 2.has not submitted the undertaking as per clause 2.2.2.8(ii) certified by Statutory auditor
	Whether technically qualified			Responsive	Non-Responsive


(ALOYS LALCHUNGLURA)

Member &
Finance and Accounts Officer,
Chief Engineer, PWD, Highway Office
Mizoram PWD


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Executive Engineer, PWD.
National Highways Division-III,
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