

MINUTES OF MEETING OF EVALUATION COMMITTEE HELD ON ~~09.01.2025~~ FOR EVALUATION OF PROPOSALS FOR CONSULTANCY SERVICES FOR PREPARATION OF DETAILED PROJECT REPORT FOR CONSTRUCTION OF (i) BYPASS OF TOWN KOT ISE KHAN (NH-703B) STARTING FROM KM 8.500 AND END AT KM 12.00 (II) BYPASS OF TOWN BHIKWIND (NH-703B) STARTING FROM KM 72.800 AND END AT KM 76.300 (III) BYPASS OF TOWN BAGHA PURANA ON NH-254 FROM KM 19.05 TO KM 26.15 IV) BYPASS OF TOWN JALALABAD (NH-754) FROM KM 72.00 OF NH-754 TO SH-20 IN THE STATE OF PUNJAB.

Tender documents were published on CPPP and Infracon Portals with Tender ID 2024_MoRTH_824718_1 on 05.09.2024 with Bid due date as 04.10.2024.

2. The Bids were opened by the committee on 07.10.2024 and it was noted that 03(Three) applicant bidders submitted their bids on CPPP portal and 02(Two) applicant bidders have submitted on Infracon portal within stipulated date & time:

Sr. No.	Name of Firm submitted bid on Infracon portal	Name of firm submitted bid on CPPP portal
1.	M/s Almondz Global Infra Consultant Limited in JV with Ekam Venture In Association with T & TS Engineering Consultancy India Pvt Ltd	M/s Almondz Global Infra Consultant Limited in JV with Ekam Venture In Association with T & TS Engineering Consultancy India Pvt Ltd
2.	M/s Mangalam Infra and Engineering Limited in JV with Artefact Projects Limited in Association with Shree Mahamai	M/s Mangalam Infra and Engineering Limited in JV with Artefact Projects Limited in Association with Shree Mahamai
3.	Not submitted	M/s Bhardwaj & Associates Engineering Consultants

3. It was appraised to committee that the following points have been considered during evaluation of Technical bids;

3.1 Relevant experience of firms and key personnel have been evaluated on the basis of criteria mentioned in Appendix V.

3.2 Information provided by the firm and key Personnel on INFRACON portal has been considered for evaluation.

4. Deliberations by the Evaluation Committee:

- 4.1 Committee observed that all the firms are found to be eligible as per eligibility criteria except the following;

Sr. No.	Firm Name	Remarks
1	M/s Bhardwaj & Associates Engineering Consultants	Non-responsive/Not eligible as the bidder has not submitted the bid on Infracon Portal.
2	M/s Almondz Global Infra Consultant Limited in JV with Ekam Venture In Association with T & TS Engineering Consultancy India Pvt Ltd	Not eligible as the bidder has been debarred by the NHAI till 14.02.2025 vide letter dated 06.11.2024 (copy enclosed)

- 4.2 Member Secretary informed that the bids have been invited second time. During first call, none of the participated bidders was found responsive. The tender was cancelled and re-invited.

Committee deliberated that now three bidders have participated in the bidding process, however, two bidders are found not eligible due to reasons mentioned in above table. Further, MoRT&H has also issued a circular dated 28.08.2024 regarding encouragement to accept the single bid if the rates quoted by the bidder are reasonable to the market rate. The committee therefore decided to evaluate the Technical proposal of the eligible firm along with CVs of all key personnel based on available information/details on INFRACON portal, which is enclosed at Annexure-I. Member Secretary also informed that mandatory training certificate for all key personnel is found enclosed with the proposals of the firm. Further, these certificates are also found uploaded on Infracon portal.

4.3 The Summary of the technical evaluation is tabulated below;

Sl. No.	Name of Agency	Technical score(out of 100)	Score of Team Leader (Out of 100)
1	M/s Mangalam Infra and Engineering Limited in JV with Artefact Projects Limited in Association with Shree Mahamai	92.28	86.00

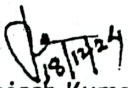
4.3 As per the clause 5.2 of LOI, a proposal securing 80 points shall be declared pass in the evaluation. The technical proposal should score at least 80 points out of 100 to be considered for financial evaluation. The CV of the proposed Team Leader should score at least 80 % marks otherwise the entire proposal shall be considered to have failed in the evaluation of Technical Proposals and shall not be considered for opening of Financial Proposals. Since the technical score both the firms & score of Team Leader proposed are more than 80, these are found technically eligible as per RFP.

a. In view of the above, the Evaluation Committee recommends the following;

5.1 To host the result of technical evaluation on the E-tender portal to give an opportunity to the bidders to respond within 7 days in case they have any objection as stipulated in clause 12.3 of Data Sheet of RFP.

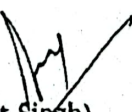
5.2 To inform the aforementioned technically non-responsive/non-eligible firms and to give an opportunity to them to respond with 7 days in case they have any objection.

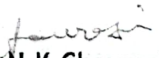
5. The meeting concluded with vote of thanks to and from the chair.


(Shri Rajesh Kumar)
D.A.O. I, NH Div.,
Ferozepur


(Shri Mandeep Singh)
EE, NH Div. PWD B&R Br.,
Ferozepur


(Shri Ankit Kumar)
EE, RO-MoRT&H,
Chandigarh


(Shri Inderjeet Singh)
SE, NH Circle, Ferozepur


(Shri N.K. Chaurasia)
Regional Officer, MoRT&H,
Chandigarh



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय)

National Highways Authority of India

(Ministry of Road Transport and Highways)

जी-5 एवं 6, सेक्टर-10, द्वारका, नई दिल्ली-110075

G-5 & 6, Sector-10, Dwarka, New Delhi-110075

दूरभाष / Phone : 91-11-25074100/25074200

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DEBARMENT NOTICE

NHAI/CG/2022/Durg-Raipur-Aurang (Pkg-B)/AE/_140

Dated: 06.11.2024

To,

The Authorized Representative

M/s Bloom Companies LLC in JV with

M/s Almondz Global Infra-Consultant Limited

E-7/697, Arera Colony, Behind Central Bank,

Bhopal, Madhya Pradesh - 462016

E-mail: info@bloom-india.com

Sub: Consultancy Services for Authority's Engineer for Supervision of Construction of 6-lane Durg - Raipur - Arang Bypass section of NH-53 from Design Ch. 44+500 (Vill. Parsada) to Design Ch. 92+230 (Vill. Paragaon) in the state of Chhattisgarh on EPC Mode under Bharatmala (Package-B): **Issuance of 'Debarment Notice' - reg.**

- Ref:**
- Consultancy Agreement dated 01.05.2023
 - EPC Agreement dated 25.04.2023.
 - Authority's Letter No. NHAI/CG/2022/Durg-Raipur-Aurang (Pkg B)/AE/E-40 dated. 12.07.2024
 - Consultant's Letter No. Bloom/HO/AE-CS/1099/Durg-Arang P 2/2024/3751 dated 26.07.2024

Dear Sir,

This is with reference to the Consultancy Agreement signed between the National Highways Authority of India ("NHAI" or "Authority") and M/s Bloom Companies LLC in JV with M/s Almondz Global Infra-Consultant Limited ("**Consultant**" or "**Authority's Engineer**") rendering the services of the Authority's Engineer services for the subject Project on 01.05.2023 ("**Consultancy Agreement**") (cited at under ref. (i) above).

2. It is submitted that while providing the services as the Authority's Engineer for the Project, the Consultant has been negligent towards its duties and responsibilities provided under the scope of works/terms of reference of the Consultant Agreement. In this regard, the Authority issued a Show Cause Notice to the Consultant vide its letter dated 12.07.2024 (cited at under ref. (iii) above) seeking explanation from it regarding its failure to fulfil the obligations in terms of the Terms of Reference ("ToR") and Clauses 2.8, 2.9.1 (d) & (g), 3.1.1, 3.1.3 & 3.2.1 of General Conditions of Contract ("GCC") of the Consultancy Agreement. The Consultant was afforded with an opportunity of personal hearing on 23.08.2024. Pursuant thereto, the Consultant vide its letter dated 26.07.2024 (cited at under ref. (iv) above) also responded to the Show Cause Notice in

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writing. Upon examination of the representation of the Consultant and considering the explanation offered by it during the personal hearing, the Authority is of the view that the contentions of the Consultant is not tenable for the following reasons:

2.1 Wrong payments of Rs. 66,02,14,139/-

(i) With regard to the incorrect payments for an amount of Rs. 66,02,14,139/-, the Consultant in its representation has attempted to misrepresent the facts by incorrectly contending that the SPS certification was done as per the directions of the Project Director, which is false and misleading in as much as the Consultant in support of its claim failed to provide any justification and evidence with respect to the same. This evinces that the Authority's Engineer had worked out payments as per their own methodology and the TL recommended the payments accordingly.

2.1.1 Highway Works -

(i) The Consultant in its representation failed to explain as to why the methodology of payments adopted for soil bund and C&G, embankment core, subgrade and finishing work by the Consultant was neither submitted to PIU nor the same got approved from the Authority. It is worth reiterating that the break-up of subgrade payments was not permitted in the relaxation of Schedule-H given in NHAI Circular no. 18.46/2022 dated 22/06/2020 and Circular No. 18.86/23 dated 12/05/2023 ("Circulars").

2.1.2 Culverts -

(i) The Consultant in its representation failed to address that the methodology adopted by Authority's Engineer for calculation of payment percentage for under construction culverts was not permitted under relaxation of Schedule-H given in Circulars. It is worth highlighting that the Authority's Engineer failed to submit the methodology to PIU during SPS recommendation and the same was never got approved by the Authority.

2.1.3 Minor Bridges -

(i) The contention of the Consultant regarding methodology been adopted for cost calculation determining on pro-rata basis with respect to linear length of MNB is not supported by relaxation of Scheduled-H permitted under Circulars, hence, cannot be accepted.

2.1.4 RE Walls -

(i) The Consultant failed to justify in its representation as to why the procedure of payment for RE Walls which is not permitted and supported as per the provisions of Schedule-H and Circulars was adopted for calculating the cost.

2.1.5 RCC Boundary Wall -

(i) The Consultant in its representation inadequately addressed the procedure of payment for RCC Boundary Wall which is not permitted and supported as per the provisions of Schedule-H and Circulars was adopted for calculating the cost.

2.1.6 Payment of Electrical Utility and PH Utilities -

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(i) The Consultant in its representation has misrepresented the fact that the payment method adopted for electrical and PH utilities was as per the directions of the PD however, the Consultant did not produce any document/correspondence in support of its claim. This clearly shows the failure on behalf of the Consultant in discharging its duties as per the Consultancy Agreement.

(ii) Along with the above, the Consultant has also submitted in its representation that in case of discrepancy in any previous SPS, recovery can be made in the upcoming SPS and corrections can be made into the amounts already paid following the conditions provided under Schedule-H. However, it is a fact that the Authority's Engineer has neither made any corrections of such discrepancy after SPS-01 or SPS-02 nor submitted any SPS adjusting such excess payment till date.

2.2 Work was in progress without the approval of the drawings –

(i) The Consultant in its representation has stated that the Authority's Engineer had approved majority of drawings as per the requirements of the subject Project accordingly however, during joint visit by PIU with Consultant and Contractor it was pointed out by PIU-Raipur-II vide letter dated 28.03.2024 (cited at under ref. (vi) above) and 09.04.2024 (cited at under ref. (vii) above) that the work of few river bridges and VUP was under progress including pile foundation without proper approval of drawings by the Consultant and without pile testing. The Senior VP of the Consultant vide letter no. 3226 dated 03.05.2024 (cited at under ref. (viii) above) also admitted that pile foundation and other works were allowed at the site by the Consultant which were pending for approval of its design and drawings. In view of the above discrepancy, this practice of Authority's Engineer shows lack of monitoring and supervision at the Project site.

2.3 Deviations in the proposed span of the structure was observed from Schedule B –

Consultant has further misrepresented regarding its duties as prior intimation or consent of the Authority and timely vetting by Irrigation Department and approval for deviations in the proposed span of structure from Schedule B was not obtained and work started without the requisite approval and was noticed by the PIU during the site visit in the end of March 2024. Furthermore, it is also pertinent to mention that the foundation types have also been changed by the Contractor in few structures against the provisions stipulated in the Contract Agreement. Such lackadaisical approach of Authority's Engineer towards discharging its duties have resulted in loss of cost and time of the Authority.

2.4 Invert levels of the culverts were observed below the ground level –

It is stipulated in the representation of the Consultant that the invert level at all culverts is within the limit however, the Consultant failed to demonstrate and certify as to why in several CD/Box structure, invert level was found lower with respect to the ground level.

3. It is evident from the submission under the preceding paras that the Consultant has not discharged its duties in accordance with the provisions of the Consultancy Agreement and is therefore, guilty of wilful dereliction of duties resulting into time and cost implications upon the Authority. In view of the aforesaid, the Authority in accordance with the Clause 3.1.3 of GCC in terms of Sub-Clauses 3(a), (c) and (e) of Clause 1.1 of Appendix N of the Consultancy Agreement



read with NHAI Policy Circular No.16.12/2022 dated 18.01.2022 (NHAI/Policy Guidelines/ Non-Performer & Debarment/2022) in accordance with S. No.3 (a), (c) & (e) of the table given in Para-4.1 declares the Consultant as non-performer and debars the Consultant from participation in the future bids of NHAI for the period of 2 years from the date of release of corresponding SPS payment i.e. 15.02.2024.

4. The instant Notice is being issued without prejudice to Authority's right to claim damages and/or to realize any dues, losses and damages and/or to exercise any other right or remedy on account of Consultant's failure to comply with its obligations under the Consultancy Agreement, which may be available now or in future under the Consultancy Agreement or under the applicable laws or otherwise, as the case may be.

This Notice is issued with the approval of the Competent Authority of NHAI.

Yours faithfully,


6/11/2024
(Kamal Kant Mishra)
General Manager (Tech)-CG

Copy to:

- i. RO Raipur for kind information and necessary action.
- ii. PIU Raipur for kind information and necessary action.

Signature Not Verified

Digitally signed by ANKIT KUMAR
Date: 2025.01.09 12:57:24 IST
Location: eProcure-EPROC

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