

Minutes of Meeting for Technical Evaluation of the bids received for Consultancy services for Authority's Engineer for supervision of "Construction of 6 lane H.L./Extra-dosed Cable Bridge on river Ganga parallel to western side (180 meter upstream) of Digha- Sonapur Rail-cum-Road Bridge at Patna on Ganga River on NH-139W in the state of Bihar on EPC Mode.

A meeting was held on 10.02.2025 at 16:00 Hrs. in the Chamber of CE (East Zone) for technical evaluation of the bids received for Consultancy services for Authority's Engineer for supervision of "Construction of 6 lane H.L./Extra-dosed Cable Bridge on river Ganga parallel to western side (180 meter upstream) of Digha- Sonapur Rail-cum-Road Bridge at Patna on Ganga River on NH-139W in the state of Bihar on EPC Mode". This is the 2nd call of bids for instant consultancy work having bid due date as 29.11.2024. Earlier, Bid for the instant consultancy work was invited on 11.01.2024 and financial bid for single technically qualified bidder was opened. However, the bidding process was annulled and the bids were re-invited on 28.10.2024. Single qualified bidder in annulled bid has filed a court case and as per the court proceeding, financial bid of instant bidding process can't be opened without court permission.

2. Chairman, CE (East Zone) welcomed all the committee members in the meeting. Subsequently, Chairman requested Member Secretary to present the draft evaluation as per the RFP. Member Secretary apprised the committee as follow:

2.1 The Member Secretary informed the committee that information regarding blacklisting/ Debarment of the two firms that participated in the instant tender was sought from NHAI/NHIDCL/NHML/ All Ros of MoRTH by the previous Evaluation Committee, which is available on record on the relevant file.

2.2 As per the information available on record.

- **M/s SA Infrastructure Consultants Pvt. Ltd.** has been debarred for a period of one year vide NHAI letter No. 19001/1/RO-W-UP/Consultancy Tender/E-261612/25123 dated 04.12.2024.
- **M/s TPF Gentisa Eurustudios S.L.** which is a sister firm/ allied firm of **M/s TPF Engineering Pvt Ltd** has been debarred by NHAI vide order No. DC/53/DraftTermination/NewAE/efile-201323 dated 05.06.2023 for a period of two years.

2.3 Further, the previous committee decided that necessary clarifications may be obtained from the bidder M/s SA Infrastructure Consultants Pvt. Ltd. in JV with M/s TPF Engineering Pvt Ltd in association with M/s Upham International Corporation. In this regard, following information was furnished by the bidder:

- The bidder has informed vide its letters dated 23.12.2024 and 02.01.2025 that the debarment order against them was challenged before the Hon'ble High Court of Delhi in the matter titled "SA Infrastructure Consultants Pvt. Ltd. vs National Highway



- 2 -

Authority of India, W.P.(C) 17403/2024. By order dated 17.12.2024, the Hon'ble High Court of Delhi granted a stay on the operation of the Debarment order.

- Regarding M/s TPF Gentisa Eurostudios S.L, the bidder has mentioned vide their letter dated 23.12.2024 that the said firm is a distinct legal entity and operates independently, while it has few common shareholders with M/s TPF Engineering Pvt Ltd., these associations do not establish it as a "allied firm" under the applicable tender guidelines. Further, the Hon'ble Supreme Court of India order dated 27.11.2024 in the matter titled "TPF Engineering Pvt. Ltd. vs National Highway Logistics Management Ltd" has held that M/s TPF Engineering Pvt. Ltd. is not blacklisted.

2.4 The committee examined the response submitted by the bidders and deliberated the following:

- M/s TPF Gentisa Eurustudios S.L. which is a sister firm/ allied firm of M/s TPF Engineering Pvt Ltd has been debarred by NHAI vide order No. DC/53/DraftTermination/NewAE/efile-201323 dated 05.06.2023 for a period of two years.
- Hon'ble High Court of Delhi in W.P.(C) 8619/2023 dated 03.11.2023 in TPF Engineering Pvt. Ltd. vs National Highway Logistics Management Ltd held that M/s TPF Gentisa Eurustudios S.L. and M/s TPF Engineering Pvt. Ltd. are allied firms.
- Para-9 of Ministry's circular No. RW/NH-33044/76/2021-S&R dated 07.10.2021 ammended vide letter dated 04.01.2022 says:-

"9.1 Upon declaration of non-performer, the AE/IE/CSC/PMC will not be able to participate in any bid for National Highways projects with MoRTH or its executing agencies till such time the debarment persists or the AE/IE/CSC/PMC is removed from the list of non-performers. In bidding for a particular project, bids from only such firms should be considered for placement of contract, which are neither debarred on the date of opening of tender nor debarred on the date of issue of Letter of Acceptance (LoA). Contracts concluded before the issue of the debarment/declaration as non-performer order shall, not be affected by the debarment order(s) issued subsequently.

9.2 In case, any debarred/ declared non-performer firm submits the bid, the same will be ignored. In case such firm is lowest (L-1), next lowest firm shall be considered as L-1. Bid security submitted by such debarred/ declared non-performer firms shall be returned to them.

9.3 Debarment/declaration as non-performer of a particular firm shall automatically extend to all its allied firms. In case a joint venture/ consortium is debarred, all partners/members shall stand debarred for the entire period."

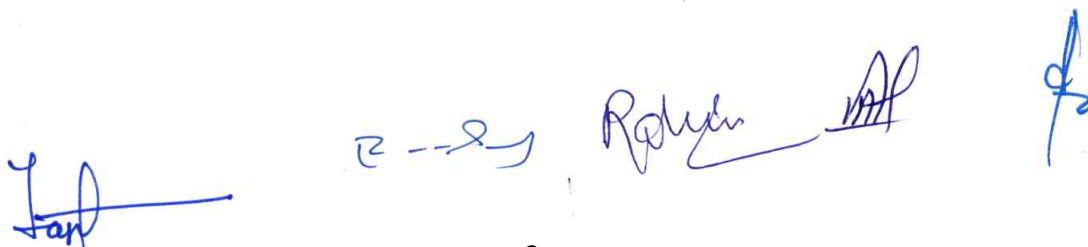
- 3 -

iv. In view of the NHAI debarment orders dated 05.06.2023 and Hon'ble High court of Delhi order dated 03.11.2023 and Ministry's circular dated 07.10.2021 & 04.01.2022, M/s SA Infrastructure Consultants Pvt. Ltd. in JV with M/s TPF Engineering Pvt. Ltd. in association with M/s Upham International Corporation was found not eligible for bidding. Accordingly, the bid of M/s SA Infrastructure Consultants Pvt. Ltd. in JV with M/s TPF Engineering Pvt. Ltd. in association with M/s Upham International Corporation was not evaluated.

3. In view of above, the committee examined the technical bid of M/s HEXA Private Joint Stock Company in JV with M/s Rodic Consultants Pvt. Ltd in association with M/s Casta Engineers Pvt. Ltd. The marks obtained by the firm is placed at Annexure-I. The summary of the technical evaluation recommended by the Committee is as under:

Sl. No	Name of Firm	Relevant experience for the assignment		Experience in use of technology for road inspection/ Testing & Structural Health Monitoring System along with technology for road inspection		Qualifications and competence of the key staff for the assignment		Total		Remarks
		As per EC	Claimed by Bidder	As per EC	Claimed by Bidder	As per EC	Claimed by Bidder	As per EC	Claimed by Bidder	
1	M/s HEXA Private Joint Stock Company in JV with M/s Rodic Consultants Pvt. Ltd in association with M/s Casta Engineers Pvt. Ltd.	38.00	40.00	15.00	20.00	31.44	38.08	<u>84.44</u>	<u>98.08</u>	Shortlisted
2	M/s SA Infrastructure Consultants Pvt. Ltd. in JV with M/s TPF Engineering Pvt Ltd in association with M/s Upham International Corporation	-	40.00	-	20.00	-	35.52	-	95.52	Not shortlisted

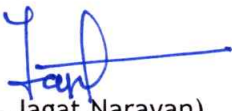
4. The committee was apprised that the appointed date for the construction of the Mega Bridge was declared on 02.05.2024, and the contractor is already working at the site. Currently, the Project Director (PD), PIU Digha, has been designated as the Authority's Engineer. In this context, any further delay in the appointment of the Authority's Engineer is likely to adversely affect the overall progress of the mega bridge project. Hence, the committee has decided to proceed with the technical evaluation.



- 4 -

5. The committee further deliberated that the results of the technical evaluation shall be displayed on the e-procurement portal for 7 (seven) days, and the bidder who has not been shortlisted will also be notified along with all relied upon documents. Financial bid of single shortlisted bidder shall be opened taking into account court proceeding and disposal of objection of non-responsive bidder, if any.

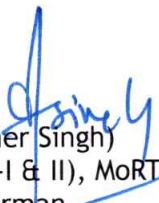
6. Meeting ended with vote of Thanks to the Chair.


(Sh. Jagat Narayan)
SE (Zone, East-II), MoRT&H
Member Secretary


(Sh. Rohin Kumar Gupta)
SE, West Zone, MoRTH
Member


(Sh. Sanjay Kumar)
AFA, IFD MoRTH
Member


(Sh. Akil Ahmed)
SE, S&R Zone, MoRT&H
Member


(Sh. Ajmer Singh)
CE (Zone, East-I & II), MoRT&H
Chairman