

Tender No. EC12C24012
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NAME OF WORK: - “Construction of Sub Fire Station at Baliyasan village, Mehsana Asset”

SUBJECT: Evaluation of Bids after First Clarification

1.0 BACK GROUND OF THE CASE:-

1.	Subject	“Construction of Sub Fire Station at Baliyasan village, Mehsana Asset”
2.	AA & ES	Sanction for ₹. 7,70, 03,255.00 on 22.04.2024
3.	PR No.	2090061409
4.	e-Tender No.	EC12C24012
5.	Date of NIT and Website	NIT – 11/07/2024, Website – 11/07/2024
6.	Date of TBO	05/08/2024
7.	Bid Validity	03/11/2024
8.	Tender Value	₹. 7,43,57,363/-
9.	Indenter	Fire Section
10.	Type of tender	Open Tender (National Competitive Bidding)
11.	Type of Bidding	Two Bid System through C-PPP mode.
12.	CPA	L- II - Level as per clause 24.1 a) of BDP

2.0OBJERVATIONS:-

2.1 As per approval of CPA vide noting dated 25/09/2024, the bids of the following bidders were techno commercially acceptable.

Bid	Name of bidder
3/12	M/s Shivam Construction Co.
7/12	M/s Build well Engineers
9/12	M/s Live Enterprise
10/12	M/s Sarjan Infratech

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2.2 As per approval of CPA vide noting dated 25.09.2024, the clarifications were sought from the following 08 bidders on 26.09.2024 through <https://etender.gov.in> website, and requested to submit the replies latest by 03.10.2024:

Bid	Name of bidder
1/12	M/s Epicon Infrastructure
2/12	M/s Mohan Mutha Pvt. Ltd.
4/12	M/s Balaji Steel Industries
5/12	M/s Rajshree Infracon Pvt. Ltd.
6/12	M/s Kamla Electrical & Engineers Co
8/12	M/s Shree Sadguru Construction Co.
11/12	M/s Gayatri Construction Co.
12/12	M/s Saras Infrastructure

2.3 The Post Bid Conference (PBC) was kept on 01.10.2024 in order to clear the Bidders' doubts, if any, regarding the Clarifications sought. But No bidder attended the same.

2.4 Out of the 08 bidders at para 2.2 above two bidders (4/12) M/s Balaji Steel Industries and (8/12) M/s Shree Sadguru Construction Co. has not submitted their replies before the due date i.e. 03.10.2024 through <https://etender.gov.in> website.

2.5 Since, the deficient documents were asked from eight bidders, out of them six has submitted requisite documents and based on deliberations hereunder, four bidders are also getting techno-commercially qualified, resulting to in aggregate eight bidders TA-CA, thus it is not prudent to enter to second round of clarifications.

2.6 Comparative statement after receiving deficient document prepared and duly vetted by finance officer on 17.10.2024

3.0 **Deliberations:**

3.1 The bidder wise deliberations as per BEC based on the documents received during clarifications are given below:

3.2 **Technical Criteria:**

(4/12) M/s Balaji Steel Industries :-

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Clarification Sought	Bidders Response	Evaluation
The bidder needs to submit NOA, completion certificate, to evaluate the eligibility & experience criteria as per BEC clause B.2.1(a)-I(i) and B.2.1(a)-I(ii)	Bidder did not submit the requisite documents.	- The bid of the bidder is Technically Not Acceptable as per the Technical comments duly endorsed by the Technical member on 10.10.2024

(5/12) M/s Rajshree Infracon Pvt. Ltd. :-

Clarification Sought	Bidders Response	Evaluation
Clarification whether executed value in completion certificate includes GST or not from completion certificate issuing authority (i.e. TATA chemicals limited) for the work “Construction of DAV School Phase - I” & Construction of DAV School Phase – II OR Other documents i.e work order and completion certificate of similar nature of work as per BEC clause 2.1(a)-I(ii)	Bidder submitted the requisite documents.	- The bid of the bidder is Technically Acceptable as per the Technical comments duly endorsed by the Technical member on 10.10.2024

(6/12) M/s Kamla Electrical & Engineering Co. :-

Clarification Sought	Bidders Response	Evaluation
Bidder has submitted undertaking for sole proprietorship dated 03.06.2021 and GST registration certificate valid from 03.06.2021 but the experience certificates submitted by the bidder was awarded prior to 03.06.2021. Hence, experience certificate i.e NOA and completion certificate after 03.06.2021 may be submitted as per BEC clause 2.1(a)-I	the bidder has submitted experience documents for 02 works which were awarded after 03.06.2021 based on which the bidder not meeting Technical BEC criteria	Legal opinion sought whether the experience documents of the bidder Which were prior to 03.06.2021 can be considered for evaluation or not. In reply legal opines that “ <i>experience of a sole proprietorship firm under erstwhile sole proprietor “K.S. Sodhi” shall not become experience of his son Rahul Kuldeep Sodhi, who had started a new Sole Proprietorship with the same name as was</i>

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Clarification Sought	Bidders Response	Evaluation
		<i>of his late father</i> ". Based on the legal opinion the bid of the bidder is Technically Not Acceptable

(8/12) M/s Shree Sadguru Construction Co.:-

Clarification Sought	Bidders Response	Evaluation
Bidder has submitted work order dated 17.01.2022 for the work “Construction of 16 classrooms at various Location in Ahmedabad district” However, the corresponding completion certificate is submitted for “Construction of 22 classrooms at various Location in Ahmedabad district”. Bidder to clarify / submit relevant documents.	Bidder did not submit the requisite documents.	- The bid of the bidder is Technically Not Acceptable as per available documents as per the Technical comments duly endorsed by the Technical member on 10.10.2024

(11/12) M/s Gayatri Construction Co.:-

Clarification Sought	Bidders Response	Evaluation
Out of 3 experience certificates submitted by the bidder, only two works meets the similar works definition as per BEC i.e Construction of buildings and one is meeting BEC clause 2.1(a)-I-(ii) Hence, bidder to submit other documents i.e. work order and completion certificate to meet BEC clause 2.1(a)-I-(ii)	Bidder submitted the requisite documents.	- The bid of the bidder is Technically Acceptable as per the Technical comments duly endorsed by the Technical member on 10.10.2024

(12/12) M/s Saras Infrastructure:-

Clarification Sought	Bidders Response	Evaluation
Work order for the work “Civil Construction work of College Building (College academic centre) 13-km Meerut road Ghaziabad(UP)” OR	Documents not submitted in accordance with the clarification sought	- The bid of the bidder is Technically Not Acceptable as per the Technical comments duly endorsed by the Technical member on 10.10.2024

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Clarification Sought	Bidders Response	Evaluation
Other documents i.e work order and completion certificate of similar nature of work as per BEC clause 2.1(a)-I(ii)		

3.3 Commercial Criteria:

(1/12) M/s Epicon Infrastructure:-

Query Sought	Reply by the bidder	Remarks
The Following Deficient/missing documents to be submitted by bidder : a) Memorandum of Association and Articles of Association	Bidder submitted the requisite documents.	As per CS vetted by finance officer on 16.10.2024, the bidder is meeting all the requirements of Commercial BEC. - In view of the above, the bid of the bidder is Commercially Acceptable

(2/12) M/s Mohan Mutha Pvt. Ltd.:-

Query Sought	Reply by the bidder	Remarks
The Following Deficient/missing documents to be submitted by bidder : a) BEC Matrix b) Memorandum of Association and Articles of Association	Bidder submitted the requisite documents.	As per CS vetted by finance officer on 16.10.2024, the bidder is meeting all the requirements of Commercial BEC. - In view of the above, the bid of the bidder is Commercially Acceptable

(4/12) M/s Balaji Steel Industries:-

Query Sought	Reply by the bidder	Remarks
The Following Deficient/missing documents to be submitted by bidder : a) Details of bank from which EMD has paid. b) BEC Matrix c) Affidavit of Proprietorship Firm. d) Acceptance of General Conditions of Contract at Annexure II, Special Conditions of Contract at Annexure III and Instruction to Bidders at Annexure I (Company letterhead as per Bid Document Annexure – I, Appendix - 15) e) Acceptance that they comply with the provisions with regard to “Guidelines for eligibility of a ‘Bidder from a Country which shares a land border With India’ ” as detailed at Annexure-I “Instructions to Bidders”. Bidder should also submit the requisite certificate as mentioned. (Company letterhead as per Bid Document Annexure – I, Appendix - 17) f) Registration certificate under GST Legislation of India. g) Undertaking to provide all the necessary compliances/ Invoice/ documents required under GST legislation for enabling ONGC to avail Input tax (GST) credit. (Not applicable for the bidder who are under composition levy). (As per Bid Document Annexure – IV) h) Declaration that neither the bidders themselves, nor any of its allied concerns, partners or associates or directors or proprietors involved in any capacity, are currently serving any banning orders issued by ONGC debarring them from carrying on business dealings with ONGC. (As per Bid Document Annexure – IV) i) Undertaking on the company’s letter head and duly signed by the signatory of the bid that all the documents/ certificates/ information submitted by them against the tender are genuine. (Company letterhead, (As per Bid Document Annexure – IV) j) Bidder Response Sheet (As per Bid Document Annexure – III)	Bidder did not submit the request Document	As per CS vetted by finance officer on 16.10.2024, the bidder is not meeting all the requirements of Commercial BEC. - In view of the above, the bid of the bidder is Commercially Not Acceptable

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k) Public Procurement (Preference to Make in India) Order 2017” (MII) read with Ministry of Petroleum & Natural Gas notification applicable in this tender as per Clause No. 29.2 of Instruction to Bidders (relevant clause no. to be inserted by Work Centre) and submit requisite information/ documents. (Company letterhead as per Bid Document Annexure – I, Appendix - 16)		
l) The bidder needs to submit NOA, completion certificate, to evaluate the eligibility & experience criteria as per BEC clause B.2.1(a)-I(i) and B.2.1(a)-I(ii)		

(5/12) M/s Rajshree Infracon Pvt. Ltd:-

Query Sought	Reply by the bidder	Remarks
The Following Deficient/missing documents to be submitted by bidder : a) Integrity pact with mentioning of name on first page. b) Legible copy of Memorandum of Association. a) Annexure-B of GST certificate mentioning the name of directors not submitted.	Bidder submitted the requisite documents.	As per CS vetted by finance officer on 16.10.2024, the bidder is meeting all the requirements of Commercial BEC. - In view of the above, the bid of the bidder is Commercially Acceptable

(8/12) M/s Shree Sadguru Construction Co.:-

Query Sought	Reply by the bidder	Remarks
The Following Deficient/missing documents to be submitted by bidder : a) Public Procurement (Preference to Make in India) Order 2017” (MII) read with Ministry of Petroleum & Natural Gas notification applicable in this tender as per Clause No. 29.2 of Instruction to	Bidder did not submit the request Document	As per CS vetted by finance officer on 16.10.2024, the bidder is not meeting all the requirements of Commercial BEC.

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Bidders (relevant clause no. to be inserted by Work Centre) and submit requisite information/ documents. (Company letterhead as per Bid Document Annexure – I, Appendix - 16).		- In view of the above, the bid of the bidder is Commercially Not Acceptable
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3.4 Final consolidated Status Summary of bids after 1st round clarification

Bid	Name of bidder	Technical Criteria	Commercial Criteria	Final bid Status
1/12	M/s Epicon Infrastructure	Technically Acceptable	Commercially Acceptable	Techno Commercially Acceptable
2/12	M/s Mohan Mutha Pvt. Ltd.	Technically Acceptable	Commercially Acceptable	Techno Commercially Acceptable
3/12	M/s Shivam Construction Co.	Technically Acceptable	Commercially Acceptable	Techno Commercially Acceptable
4/12	M/s Balaji Steel Industries	Technically Not Acceptable	Commercially Not Acceptable	Techno Commercially Rejected
5/12	M/s Rajshree Infracon Pvt. Ltd.	Technically Acceptable	Commercially Acceptable	Techno Commercially Acceptable
6/12	M/s Kamla Electrical & Engineers Co	Technically Not Acceptable	Commercially Acceptable	Technically Rejected
7/12	M/s Build well Engineers	Technically Acceptable	Commercially Acceptable	Techno Commercially Acceptable
8/12	M/s Shree Sadguru Construction Co.	Technically Not Acceptable	Commercially Not Acceptable	Techno Commercially Rejected
9/12	M/s Live Enterprise	Technically Acceptable	Commercially Acceptable	Techno Commercially Acceptable
10/12	M/s Sarjan Infratech	Technically Acceptable	Commercially Acceptable	Techno Commercially Acceptable
11/12	M/s Gayatri Construction Co.	Technically Acceptable	Commercially Acceptable	Techno Commercially Acceptable
12/12	M/s Saras Infrastructure	Technically Not Acceptable	Commercially Acceptable	Technically Rejected

4. 0 RECOMMENDATIONS: -

In view of above deliberations, it is recommended

- (i) To accept the bids of the following four bidder techno commercially in addition to already techno-commercially accepted four bids by CPA dated 25.09.2024

1/12	M/s Epicon Infrastructure
2/12	M/s Mohan Mutha Pvt. Ltd.
5/12	M/s Rajshree Infracon Pvt. Ltd.

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11/12	M/s Gayatri Construction Co.
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Thus in total, Eight (08) bidders are techno-commercially qualified whose Price bids can be opened.

(ii) To open the price bids of the following Techno Commercially acceptable bids.

Bid	Name of bidder
1/12	M/s Epicon Infrastructure
2/12	M/s Mohan Mutha Pvt. Ltd.
3/12	M/s Shivam Construction Co.
5/12	M/s Rajshree Infracon Pvt. Ltd.
7/12	M/s Build well Engineers
9/12	M/s Live Enterprise
10/12	M/s Sarjan Infratech
11/12	M/s Gayatri Construction Co.

(iii)To reject the following bids due to insufficient documents and release of EMD

4/12	M/s Balaji Steel Industries
6/12	M/s Kamla Electrical & Engineers Co
8/12	M/s Shree Sadguru Construction Co.
12/12	M/s Saras Infrastructure

As per clause no. 10.1.2.3 of IMMM,

Quote:

"For various stages between opening of Techno-commercial bid and opening of Price Bid, approval of competent authority shall be obtained through vertical note, without routing through concerned Nodal Technical Agency (for cases under CPD)/ concerned Indenting Section (for other cases) or the Finance Department."

Unquote:

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In this case CPA is L-II Level Executive as per clause 24.1 (a) of BDP

Competent Purchase Authority may please approve the recommendations as proposed above.