

Tender No. EC12C24013

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NAME OF WORK: - Construction of 02 Nos. of open sheds and 20 Nos. of pipe racks at MM store ONGC, Mehsana Asset.

1.0 SUBJECT: Evaluation of Bids after First Clarification from the bidders for the work “Construction of 02 Nos. of open sheds and 20 Nos. of pipe racks at MM store ONGC, Mehsana Asset”.

2.0 BACK GROUND OF THE CASE:-

1.	Subject	Construction of 02 Nos. of open sheds and 20 Nos. of pipe racks at MM store ONGC, Mehsana Asset.
2.	AA & ES	Accorded for ₹ 3,15,29,446.00 on 04.07.2024
3.	PR No.	2090062037
4.	e-Tender No.	EC12C24013
5.	Date of NIT and Website	NIT – 17/07/2024, Website – 17/07/2024
6.	Date of TBO	08/08/2024
7.	Bid Validity	06/11/2024
8.	Tender Value	₹. 3,07,47,722/-
9.	Indenter	MM Section
10.	Type of tender	Open Tender (National Competitive Bidding)
11.	Type of Bidding	Two Bid System through C-PPP mode.
12.	CPA	L-III Level as per clause 24.1 (a) of BDP

3.0 OBSERVATIONS:-

3.1 As per approval of CPA vide noting dated 17/08/2024, the bids of the following bidders were techno commercially acceptable.

Bid	Name of bidder
4/13	M/s Shivam Construction Co.
12/13	M/s Himanshu J. Gupta
13/13	M/s Sarjan Infratech

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3.2 As per approval of CPA vide noting dated 17.08.2024, the clarifications were sought from the following 10 bidders through <https://etender.gov.in> website, and requested to submit the replies latest by 22.08.2024:

Bid	Name of bidder
1/13	M/s Shree Sai Construction Co.
2/13	M/s Shivam Construction
3/13	M/s GPC Infrastructure
5/13	M/s Aadarsh Infraspce Pvt. Ltd.
6/13	M/s Mepabhai Madan & Co
7/13	M/s Grid Engineers
8/13	M/s Radhika Construction
9/13	M/s Clear Secured Services Pvt. Ltd.
10/13	M/s Gayatri Construction Co.
11/13	M/s Mehul Constriction

3.2 Out of the 10 bidders at para 3.2 above, One Bidder (1/13) M/s Shree Sai Construction Co. has not submitted the Deficient Documents and all other bidders have submitted their replies before the due date i.e. 22.08.2024 through <https://etender.gov.in> website.

3.3 The Bidder (1/13) M/s Shree Sai Construction Co. neither attend the PBC held on 20.08.2024 nor submitted any documents. Thus it appears that the bidder does not have requisite documents to qualify in the bid. Since, the said bidder has not submitted even a single document during 1st round clarification, thus it is not prudent to enter second round of clarification declaring present situation as exceptional circumstance. As per IMMM para 13.4.4, in cases where post bid conference is held, normally second round of clarification shall not be required.

3.4 Further, since the deficient documents were asked from 10 bidders, out of them nine bidders have submitted requisite documents and based on deliberations hereunder, aggregate 10 bidders are TA-CA out of 13 bidders, thus it is not prudent to enter into second round of clarifications.

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3.5 Comparative statement after receipt of deficient documents was prepared and duly vetted by finance officer on **28.08.2024**

4.0 Deliberations:

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

4.2 Technical Criteria:

(1/13) M/s Shree Sai Construction Co.:-

Technical Clarification Sought	Bidders Response	Evaluation
The Following Deficient/missing documents to be sought– 1. Invoice copy/Final Bill with abstract and measurement sheet for works “Civil works at Integrated Oil & Gas facility to be placed in Single well pad at Jaya Field in Cambay OALP Block.” 2. Bidder may also be asked to submit any other work experience if they have, to qualify as per BEC. (Work order should be older than 08/08/2021)	Required Document not submitted by the bidder	- The bid of the bidder is Technically Not Acceptable based on available documents as per the Technical comments duly endorsed by the Technical member on 29.08.2024

(2/13) M/s Shivam Construction:-

Technical Clarification Sought	Bidders Response	Evaluation
The Following Deficient/missing documents to be sought– <i>1. Invoice Copy with list of Items executed for the works experience submitted i.e. “Construction (4 Nos. station) and</i>	Required Document submitted by the bidder	- The bid of the bidder is Technically Acceptable based on available documents as per the Technical comments duly endorsed by the Technical member on 29.08.2024

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<i>Electrical works (7 Nos. Station) of sectionalizing valves station in Salaya – Viramgam & Viramgam – Chakshu section”. <u>With detailed bifurcation of Civil works and Electrical works</u></i>		
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(6/13) M/s Mepabhai Madan & Co.:-

Technical Clarification Sought	Bidders Response	Evaluation
The Following Deficient/missing documents to be sought– 1. Bidder may also be asked to submit any other work experience if they have, to qualify as per BEC B. 2.1(a)-I (ii) (i. e. 40 %, 50% & 80% of Estimated cost put to Tender.)	Required Document submitted by the bidder	- The bid of the bidder is Technically Acceptable based on available documents as per the Technical comments duly endorsed by the Technical member on 29.08.2024

(7/13) M/s Radhika Construction:-

Technical Clarification Sought	Bidders Response	Evaluation
The Following Deficient/missing documents to be sought– 1. Bidder may also be asked to submit any other work experience if they have, to qualify as per BEC B. 2.1(a)-I (ii) (i. e. 40 %, 50% & 80% of Estimated cost put to Tender.)	Required Document submitted by the bidder	- The bid of the bidder is Technically Acceptable based on available documents as per the Technical comments duly endorsed by the Technical member on 29.08.2024

(9/13) M/s Clear Secured Service Pvt. Ltd.:-

Technical Clarification Sought	Bidders Response	Evaluation
The Following Deficient/missing documents to be sought– 1. Invoice copy/Final Bill with abstract and measurement sheet for works (a) Civil / modification & electrification works of various retail stores for period Jan'21 to July'23 (b) Civil works project for our various sites including office building, warehouses and small outlets with effect from 1st April 2018 (c) Provide Civil & Electrical works for 1st April 2019 2. Detailed Bifurcation with work orders of above works i. e. either above mentioned works are New Construction or Repair and Maintenance.	All the relevant documents related to clarification sought are not submitted	- The bid of the bidder is Technically Not Acceptable based on available documents as per the Technical comments duly endorsed by the Technical member on 29.08.2024

(11/13) M/s Mehul Construction:-

Technical Clarification Sought	Bidders Response	Evaluation
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The Following Deficient/missing documents to be sought– 1. Bidder may also be asked to submit any other work experience if they have, to qualify as per BEC B. 2.1(a)-I (i) (i. e. Similar work means(*))- :“Any civil work which involves construction of building or shed”).	All the relevant documents related to clarification sought are not submitted	- The bid of the bidder is Technically Not Acceptable based on available documents as per the Technical comments duly endorsed by the Technical member on 29.08.2024
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4.3 Commercial Criteria:

(1/13) M/s Shree Sai Construction Co.:-

Commercial Clarification Sought	Bidders Response	Evaluation
(i) BEC Matrix to be submitted (ii) POA to be submitted. (iii) Bidders to comply 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) (iv) EMD credit not appearing in account of Bidder (EMD Proof or receipt or slip)	Required Document not submitted by the bidder	As per CS vetted by finance officer on 28.08.2024, the bidder is not meeting all the requirements of Commercial BEC. - In view of the above, the bid of (1/13) M/s Shree Sai Construction Co. is Commercially Not Acceptable based on available documents

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(3/13) M/s GPC Infrastructure:-

Commercial Clarification Sought	Bidders Response	Evaluation
(i) EMD credit not appearing in account of Bidder (EMD Proof or receipt or slip)	Required Document submitted by the bidder	As per CS vetted by finance officer on 28.08.2024 , the bidder is not meeting all the requirements of Commercial BEC. - In view of the above, the bid of (3/13) M/s GPC Infrastructure is Commercially Acceptable based on available documents

(5/13) M/s Aadarsh Infraspac Pvt. Ltd.:-

Commercial Clarification Sought	Bidders Response	Evaluation
(i) MOA and Board Resolution. (ii) EMD credit not appearing in account of Bidder (EMD Proof or receipt or slip)	Required Document submitted by the bidder	As per CS vetted by finance officer on 28.08.2024 , the bidder is not meeting all the requirements of Commercial BEC. - In view of the above, the bid of (5/13) M/s Aadarsh Infraspac Pvt. Ltd. is Commercially Acceptable based on available documents

(6/13) M/s Mepabhai Madan & Co.:-

Commercial Clarification Sought	Bidders Response	Evaluation
(i) Partnership Deed	Required Document submitted by the bidder	As per CS vetted by finance officer on 28.08.2024 , the bidder is not meeting all the requirements of Commercial BEC.

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		- In view of the above, the bid of (6/13) M/s Mepabhai Madan & Co. is Commercially Acceptable based on available documents
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(7/13) M/s Grid Engineers:-

Commercial Clarification Sought	Bidders Response	Evaluation
(i) BEC Matrix. (ii) Undertaking to provide all the necessary compliances/ Invoice/ documents required under GST legislation for enabling ONGC to avail Input tax (GST) credit. (iii) 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. (iv) 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) (v) Bidder Response Sheet (vi) EMD credit not appearing in account of Bidder (EMD Proof or receipt or slip)	Required Document submitted by the bidder	As per CS vetted by finance officer on 28.08.2024 , the bidder is not meeting all the requirements of Commercial BEC. - In view of the above, the bid of (7/13) M/s Grid Engineers is Commercially Acceptable based on available documents

(8/13) M/s Radhika Construction:-

Commercial Clarification Sought	Bidders Response	Evaluation
(i) Affidavit of Proprietorship Firm (ii) Acceptance of General Conditions of Contract at Annexure II, Special Conditions of Contract at Annexure III and Instruction to Bidders at Annexure I as well as the instructions (Company letter head) (iii) 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 letter head) (iv) A copy of valid registration certificate under GST Legislation of India. (v) Undertaking to provide all the necessary compliances/ Invoice/ documents required under GST legislation for enabling ONGC to avail Input tax (GST) credit. (vi) Declaration that neither the bidders themselves, nor any of its allied concerns,	Required Document submitted by the bidder	As per CS vetted by finance officer on 28.08.2024, the bidder is not meeting all the requirements of Commercial BEC. - In view of the above, the bid of (8/13) M/s Radhika Construction is Commercially Acceptable based on available documents

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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. (vii) 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 letter head) (viii) 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 letter head)		
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(9/13) M/s Clear Secured Services Pvt. Ltd.:-

Commercial Clarification Sought	Bidders Response	Evaluation
(i) POA and Board Resolution of Company Act (ii) 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	Required Document submitted by the bidder	As per CS vetted by finance officer on 28.08.2024, the bidder is not meeting all the requirements of Commercial BEC. - In view of the above, the bid of (9/13) M/s Clear Secured Services Pvt. Ltd. is Commercially

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requisite information/ documents. (Company letter head)		Acceptable based on available documents
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(10/13) M/s Gayatri Construction Co.:-

Commercial Clarification Sought	Bidders Response	Evaluation
(i) EMD credit not appearing in account of Bidder (EMD Proof or receipt or slip)	Required Document submitted by the bidder	As per CS vetted by finance officer on 28.08.2024 , the bidder is not meeting all the requirements of Commercial BEC. - In view of the above, the bid of (10/13) M/s Gayatri Construction Co. is Commercially Acceptable based on available documents

4.4 Final consolidated Status Summary of bids after 1st round clarification**Final Status Summary of bids**

Bid	Name of bidder	Technical Criteria	Commercial Criteria	Final bid Status
1/13	M/s Shree Sai Construction Co.	Technically not Acceptable	Commercially not Acceptable	Rejected
2/13	M/s Shivam Construction	Technically Acceptable	Commercially Acceptable	Techno Commercially Acceptable
3/13	M/s GPC Infrastructure	Technically Acceptable	Commercially Acceptable	Techno Commercially Acceptable
4/13	M/s Shivam Construction Co.	Technically Acceptable	Commercially Acceptable	Techno Commercially Acceptable
5/13	M/s Aadarsh Infraspac Pvt. Ltd.	Technically Acceptable	Commercially Acceptable	Techno Commercially Acceptable

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6/13	M/s Mepabhai Madan & Co	Technically Acceptable	Commercially Acceptable	Techno Commercially Acceptable
7/13	M/s Grid Engineers	Technically Acceptable	Commercially Acceptable	Techno Commercially Acceptable
8/13	M/s Radhika Construction	Technically Acceptable	Commercially Acceptable	Techno Commercially Acceptable
9/13	M/s Clear Secured Services Pvt. Ltd.	Technically not Acceptable	Commercially Acceptable	Rejected
10/13	M/s Gayatri Construction Co.	Technically Acceptable	Commercially Acceptable	Techno Commercially Acceptable
11/13	M/s Mehul Constriction	Technically not Acceptable	Commercially Acceptable	Rejected
12/13	M/s Himanshu J. Gupta	Technically Acceptable	Commercially Acceptable	Techno Commercially Acceptable
13/13	M/s Sarjan Infratech	Technically Acceptable	Commercially Acceptable	Techno Commercially Acceptable

5.0 RECOMMENDATIONS: -

In view of above deliberations, it is recommended

- (i) To accept the bids of the following bidders techno commercially.

Bid	Name of bidder
2/13	M/s Shivam Construction
3/13	M/s GPC Infrastructure
5/13	M/s Aadarsh Infraspac Pvt. Ltd.
6/13	M/s Mepabhai Madan & Co.
7/13	M/s Grid Engineers
8/13	M/s Radhika Construction
10/13	M/s Gayatri Construction Co

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Thus in total, Ten bidders are techno-commercially qualified whose Price bids can be opened.

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

2/13	M/s Shivam Construction
3/13	M/s GPC Infrastructure
4/13	M/s Shivam Construction Co.
5/13	M/s Aadarsh Infraspaces Pvt. Ltd.
6/13	M/s Mepabhai Madan & Co
7/13	M/s Grid Engineers
8/13	M/s Radhika Construction
10/13	M/s Gayatri Construction Co.
12/13	M/s Himanshu J. Gupta
13/13	M/s Sarjan Infratech

(iii) To reject the following bidders due to insufficient documents and release the EMD.

1/13	M/s Shree Sai Construction Co.
9/13	M/s Clear Secured Services Pvt. Ltd.
11/13	M/s Mehul Construction

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:

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

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