

**Minutes after receipt of clarification/deficient documents for the work “Civil works for shifting of loading bay from Madanam EPT to new location at old DSA including pipeline laying works at Madanam area, Mayiladuthurai district”**

**Background:**

After techno-commercial evaluation of the bids received, based on the approved technical comments and vetted commercial CS, the following recommendations were made on 05.09.2024

To obtain clarification from sole bidder (1/1) SRI SIVA SAKTHI CONSTRUCTION as detailed below:

- a. **Clause A.1:** A fresh certificate in bidders official letter head by stating the bidder has accepted all the terms and conditions of ONGC tender documents for tender no.VC1CC24016 / not made any deviations from the same.
- b. **Clause B.1.2 (i):** A fresh BEC matrix by choosing his compliance against the eligibility for participation of bid.
- c. **Clause B.2.4 (g):** A fresh Integrity pact mentioning full name of work and by signing all the pages along with witness signature.
- d. **Clause B.2.4 (i):** A fresh undertaking in bidders official letter head that their company / partners or associates where not issued banning orders by ONGC / blacklisted by any Central Govt/ State Govt./State PSU / Central PSU department mentioning date of letter and as per stipulated format.
- e. **Clause B.2.4 (j):** A fresh undertaking in bidders official letter head that all the documents / certificates / information towards fulfillment of tender / contract conditions submitted by them are genuine mentioning date of letter.
- f. **Clause B.2.4 (k):** A fresh undertaking in bidders official letter head that to provide all the necessary compliances/invoice / documents for enabling ONGC to avail input tax (GST) credit benefits in his official letter head mentioning date of letter.

CPA approved the above recommendation on 06.09.2024 and accordingly, clarification has been sought from bidders on 09.09.2024 with deadline for submission on 16.09.2024. **(Refer Annexure-18)**

**OBSERVATION & DELIBERATION:**

The undersigned examined the bids received in this tender subsequent to the receipt of clarification/deficient documents:

Bidder (1/1) SRI SIVA SAKTHI CONSTRUCTION has submitted his response in e-portal. **(Copy attached in Annexure-18)**. Undersigned have gone through the deficiency / clarification reply submitted by bidders and deliberated as follows.

**Bidder (1/1) SRI SIVA SAKTHI CONSTRUCTION:**

**Deficiency for Clause A.1:** A fresh certificate in bidders official letter head by stating the bidder has accepted all the terms and conditions of ONGC tender documents for tender no.VC1CC24016 / not made any deviations from the same.

**Bidder Response:** Bidder has uploaded the necessary undertaking dt. 11.09.2024 mentioning correct tender no in e-portal site.

**Deficiency for Clause B.1.2 (i):** A fresh BEC matrix by choosing his compliance against the eligibility for participation of bid.

**Bidder Response:** Bidder has uploaded the necessary BEC matrix by choosing confirmed for this clause.

**Deficiency for Clause B.2.4 (g):** A fresh Integrity pact mentioning full name of work and by signing all the pages along with witness signature.

**Bidder Response:** Bidder has uploaded a fresh Integrity pact mentioning correct name of work by signing all the pages along with witness signature.

**Deficiency for Clause B.2.4 (i):** A fresh undertaking in bidders official letter head that their company / partners or associates where not issued banning orders by ONGC / blacklisted by any Central Govt/ State Govt./State PSU / Central PSU department mentioning date of letter and as per stipulated format.

**Bidder Response:** Bidder has uploaded the necessary undertaking dt. 11.09.2024 in e-portal site.

**Deficiency for Clause B.2.4 (j):** A fresh undertaking in bidders official letter head that all the documents / certificates / information towards fulfillment of tender / contract conditions submitted by them are genuine mentioning date of letter.

**Bidder Response:** Bidder has uploaded the necessary undertaking dt. 11.09.2024 in e-portal site.

**Deficiency for Clause B.2.4 (k):** A fresh undertaking in bidders official letter head that to provide all the necessary compliances/invoice / documents for enabling ONGC to avail input tax (GST) credit benefits in his official letter head mentioning date of letter.

**Bidder Response:** Bidder has uploaded the necessary undertaking dt. 11.09.2024 in e-portal site.

**Recommendation:** Bidder is qualifying the clause A.1, B.1.2 (i), B.2.4 (g), B.2.4 (i), B.2.4 (j) and B.2.4 (k) of BEC with the above clarification/deficient document. The bidder is qualifying all other clauses of BEC as per deliberation dated 05.09.2024.

Therefore, the bid of **(1/1) SRI SIVA SAKTHI CONSTRUCTION is techno-commercially qualified.**

Bid validity expires on 17.11.2024.

Sanction exists for Rs.2,13,35,699.00 vide PR no: 2090060998

CPA: L-III

*As per IMMM 14.1.8, placement of order when one offer is received or Techno Commercial evaluation ends up with only one TACA offer (at the overall tender level as a whole) If after inviting Open/Limited tenders, only one offer is received against the tender or Techno Commercial evaluation ends up with only one TACA offer , the order may be placed on the bidder provided following conditions are satisfied:*

- i) The procurement was satisfactorily advertised and sufficient time was given for submission of bids.*
- ii) The qualification criteria were not unduly restrictive; and*
- iii) Prices are reasonable in comparison to market values or if the requirement is urgent.*

*The urgency of the requirement would be certified and approved, as per provisions under para 14.1.7(iv).*

*However in such cases Competent Purchase Authority shall be as prescribed in BDP for nomination cases under item No. 24.1(c), (d),(e) or (h) depending upon nature of procurement. In case of price not being reasonable, negotiations or retender may be considered as justifiable .*

Hence in the instant case committee for procurment evaluation after opening of price bid to be re-constituted with L2 officer from tender processing group and I/C Finance with CPA at L1 level.

**RECOMMENDATIONS:**

To techno-commercially qualify and to open the price bid of sole bidder **(1/1) SRI SIVA SAKTHI CONSTRUCTION** as per deliberation above.

Submitted for approval of CPA i.e. L-III