**MINUTES OF CWC LEVEL-I MEETING HELD ON 10-10-2025 AT 10:30 HRS. AT HVF, AVADI CONFERENCE HALL FOR e-PRICE BID APPROVAL FOR CWC LEVEL-I FOR THE CIVIL WORK – EXPRESSION OF INTEREST (EOI) CUM REQUEST FOR PROPOSAL (RFP) FOR CARRYING OUT MAJOR CAPITAL CIVIL WORKS CASES THROUGH PROJECT MANAGEMENT CONSULTANCY (PMC) SELECTED THROUGH QUALITY-CUM-COST BASED SELECTION (QCBS) METHOD FOR CARRYING OUT THE LISITED CIVIL WORKS AT HVF AND AVNL ESTATE**

## CIVIL ENGINEERING OFFICE

The following Officers were present :-

| | | | |
|---|---|---|---|
| 1) | Shri. V.R. Rambhad | Chief General Manager | Chairman / CWC-I |
| 2) | Shri. Dr. K. Vasu<br>***(Alternate Officer to GM/F&A, HVF)*** | GM/ QA | Member /Finance |
| 3) | Shri. K.Tulasi Rao | GM/ EO & GS | Member/ User |
| 4) | Shri. G.Anandakumar | Dy.GM/IMS&EO | Member/ Secretary |

1. e-Tender Enquiry No. & Date : HVF/TE/CEO/2025-26/QCBS/01, Dt. 14-06-2025.
   Tender ID No. : 2025_AVNL_238404_1

2. Name of Work : EXPRESSION OF INTEREST (EOI) CUM REQUEST FOR PROPOSAL (RFP) FOR CARRYING OUT MAJOR CAPITAL CIVIL WORKS CASES" THRO' PROJECT MANAGEMENT CONSULTANCY (PMC) AGENCY SELECTED THROUGH QUALITY-CUM-COST BASED SELECTION SYSTEM (QCBS) METHOD FOR CARRYING OUT THE LISITED CIVIL WORKS AT HVF AND AVNL ESTATE

3. Authority :- :
   1) CGM Approval-In-Principle Note No.13026/HVF-CW/CEO/2025-26/PMC, dt.24/04/2025.
   2) AVNL CO., Approval vide Let. No.AVNLCO/ENGG Civil/EOI/HVF/PMC/2025-26, dt.15/05/2025.

4. Brief Description of the case :
   Expression of Interest (EoI) cum Request for Proposal (RFP) for PMC (Project Management Consultancy) Agency for carrying out the listed civil works at HVF and AVNL Estate

   **Rs.404.00 Crore**
   (Total value of works projected)

5. This case pertains to "Expression of Interest (EoI) cum Request for Proposal (RFP) for PMC (Project Management Consultancy) through QCBS (Quality-cum-Cost based Selection) method for selecting /finalise the PMC for carrying out the listed Civil works for an amount of Rs.404.00 Crore at HVF and AVNL Estate. AVNL Co., has approved and given AIP for floating EoI/ RFP through QCBS method for selecting the PMC carrying out the listed civil works vide their Letter No.AVNLCO/ENGG/Civil/EOI/HVF/PMC/2025-26, dt.15/05/2025. The listed civil works as follows :-

| ***Sl.No.*** | ***Brief Description of Work*** | ***Rough Cost (In Crore)*** | ***AVNL CO., Fund Availability*** |
|---|---|---|---|
| 1. | Construction of AVNL Corporate Office in AVNL Estate | **Rs.240.00** | **Internal Source Fund** |
| 2. | Creation of Ordnance Development Centre (G+1) with new ODC Workshop at HVF, Avadi | **Rs.35.00** | **CAPEX Fund** |
| 3. | Augmentation of Overhauling Capacity of T-Series Tank from 120 to 150 per annum at HVF, Avadi<br>a) Construction of test tract, Fig of "8"and other related works. | **Rs.94.00** | **CAPEX Fund.**<br>**DPR Approved by AVNL CO.** |
| 4. | Construction of Type-VI, 06 Nos. of 01 Block and Type-V, 12 Nos. of 02 Blocks in AVNL Estate | **Rs.35.00** | **Internal Source Fund** |
| | **Total :-** | **Rs.404.00** | |

**Note :** Heavy Vehicles Factory, A Unit of AVNL, may carryout either all the works mentioned above or Some of the works as per the availability of funds.

Contn.(…2…)

6. As per GFR 2017 133(3) and Rule 192 to Rule 194, a PWO or Public Sector Undertakings set up by the Central or State Government to carryout Civil or Electrical works or any other Central/ State Government Organization/ PSU notified by the Ministry of Urban Development (MoUD) for such purposes will only be considered for subject proposal and the same will be mentioned in the Tender Conditions. The EOI cum RFP will be finalized amongst best offer of qualified Firms offering lowest Service Charge as per QCBS Evaluation.

7. A Tender Evaluation Committee (TEC) for the work "Expression of Interest (EoI) Cum Request for proposal (RFP) for carrying out major capital civil works cases through Project Management Consultancy (PMC) selected through QCBS method at HVF and AVNL Estate" was constituted by CGM, HVF vide No.13025/ CEO/2025-26/GENL, dt.18/06/2025. The TEC comprises the following :-

i) Shri R.K. Bal, GM/AVNL CO., - Chairman/ TEC
ii) Shri Shrikrishan Yadav, DGM/F&A, HVF - Member/ TEC, (F&A)
iii) Shri G. Ananda Kumar, DGM/ IMS&EO, HVF - Member/ TEC, HVF
iv) Shri Yogesh Kumar, WM/EFA, - Member/ TEC, EFA
v) Shri P.G. Harish Kumar, JWM/CEO, HVF - Secy./ TEC, HVF

8. The subject work has been tendered under two bid system through CPP Portal and the Technical Bid (e-Eligibililty Bid) was opened on 23-07-2025 and the following 07 (Seven) CPSUs firms have quoted.

1) M/s. Engineering Projects (India) Ltd.,
2) M/s. MECON Ltd.,
3) M/s. NBCC (India) Ltd.,
4) M/s. IRCON International Ltd.,
5) M/s. WAPCOS Ltd.,
6) M/s. National Projects Construction Corporation Ltd.,
7) M/s. Hindustan Steelworks Construction Ltd.,

The Firms from Sl.No.01 to 06 have submitted their EMD and the Firm at Sl.No.(7) M/s. Hindustan Steelworks Construction Ltd., has not submitted the EMD and hence the offer of the Firm was not Technically Evaluated.

9. M/s. IRCON International Ltd., New Delhi, (A Govt. of India Undertaking), vide their letter No.IRCON/CO/BD/AVNL/CHENNAI/06, dt.08/08/2025, has represented that "It has come to our notice that following pair of the participants, M/s. NBCC India Ltd. & M/s. Hindustan Steelworks Construction Ltd., and WAPCOS Ltd. & M/s. National Projects Construction Corporation Ltd., are related entities. A review of publicly available information indicates that M/s. Hindustan Steelworks Construction Ltd., is a subsidiary of M/s. NBCC India Ltd and M/s. National Projects Construction Corporation Ltd., is a subsidiary of M/s. WAPCOS Ltd."

And stated that "While we acknowledge that the tender documents do not explicitly prohibit a parent and its subsidiary from participating, it is a fundamental and widely accepted principle of fair and competitive bidding that related entities should not submit separate bids for the same project. The rationale behind this principle is to prevent the possibility of collusion, information sharing, and bid manipulation, which would grant an unfair advantage and compromise the impartiality of the evaluation process".

Also, stated that "Allowing both entities to bid separately creates a significant conflict of interest and violates the spirit of fair competition that is essential for a transparent tender process" and requested to review the proposal of above mentioned four bidders.

10. In regard to M/s. IRCON International Ltd., Representation dt.08/08/2025, M/s. NBCC (India) Ltd., M/s. Hindustan Steelworks Construction Ltd, M/s. WAPCOS Ltd. and M/s. NPCC Ltd., were requested for clarification /documents to substantiate participation of the subsidiary companies in the same tender vide HVF e-mail dated 11/08/2025.

Contn.(...3...)

In response to our e-mail dt.11/08/2025,**M/s.NBCC (India) Ltd.,** has clarified that M/s. Hindustan Steelworks Construction Limited, a 51% owned subsidiary of NBCC(India) Ltd., submitted their bid online, however they did not pursue the bid further and EMD which is mandatory requirement as per the tender conditions, was also not submitted by HSCL vide their e-Mail dated 11/08/2025.

**M/s. Hindustan Steelworks Construction Ltd.,** has not responded to our e-mail dt.11/08/2025.

**M/s. WAPCOS Ltd.,** has clarified that :-

a) "M/s. WAPCOS Ltd., is a 100% owned Government of India Undertaking PSU under Min. of Jal Shakti, WAPCOS Ltd, has acquired Shares of M/s. NPCC Ltd, but both companies are two separate and distinct legal entities, each registered under applicable laws in India, having distinct registration numbers, PAN and GSTIN. Both companies maintains independent financial resources, bank accounts, audited financial statements, and turnover records with its own management, operations and financial structures and have separate Board.

b) Both PSUs has independently also participated in the similar tender floated in AVNL, Ambernath which were also accepted by the client and were eligible for opening of financial Bids (Copy enclosed). On the same ground, many other PSUs that are strategic shareholders in other PSUs like NBCC & HSCC participates in similar tenders and has been accepted by the clients. (Copy of Recent AIIMS Rishiskesh evaluation is enclosed for reference).

c) The Tender Document never explicitly mentioned such conditions of barring the major shareholder of legally separate entities from participating in the Bid. Further, it is clarified that No merger till date has been concluded between WAPCOS & NPCC.

In this context, M/s. WAPCOS Ltd, deny all the claims of Complainant as both PSUs being two separate and distinct legal entities and are fully eligible and have participated in the tender accordingly.

**M/s. National Projects Construction Corporation Ltd.,** has clarified that :-

a) M/s. NPCC Ltd., & M/s. WAPCOS Ltd., are two separate and distinct legal entities, with our own management, operations and financial structures.

b) M/s. NPCC Ltd., & M/s. WAPCOS Ltd., are defined as separate individualities, however, WAPCOS Ltd., purchased the majority of shares of M/s. NPCC. The Board of Directors in both organization is also different.

c) The proposed merger/ purchase of shares is still sub judice in the Delhi High Court.

d) M/s. NPCC Ltd., & M/s. WAPCOS Ltd., have separate Board of Directors & different area of working. WAPCOS Ltd., is mainly focused for consultancy projects, whereas the majority of turnover comes from consultancy fees and around 30% of turnover from construction projects. Whereas M/s. NPCC Ltd., is founded for Construction projects only, all the turnover derives from constructon works. Balance sheets of both organizations are also separate.

e) During the Question Hour in the LOK Sabha on 25-03-2021, similar questions were asked wherein the reply is very clear from the Ministry of Jal Shakti, "Shares of NPCC have been acquire by WAPCOS Ltd., Both are separate entities" (Lok Sabha Q&A copy enclosed and also available in digital record).

f) Since the merger/ acquirement is not concluded till date therefore the pay scale and perquisites in both organizations are different, even the age of retirement of the employees.

Contn.(...4...)

g) It is pertinent to mention that the article of association and memorandum of association of both companies are different.

h) M/s. NPCC Ltd., confirms that both companies are eligible to participate in the subject tender. NPCC Ltd., & WAPCOS Ltd., participated as different entities. (Tender Summary copy enclosed).

11. On reply furnished by the above firms, it is observed that all the 06 (Six) firms are eligible to participate in the subject tender except M/s.Hindustan Steelworks Construction Ltd., who has not submitted the EMD.

12. The Tender Evaluation Committee (TEC) has evaluated the 06 (Six) CPSU's Firm and the Evaluation Score (Maximum marks 100) is as follows :-

| *Sl.No.* | *Firm Name* | *Total Technical Score Out of 100 Marks* |
|---|---|---|
| 1 | M/s. Engineering Projects (India) Ltd., | **76.0** |
| 2 | M/s. MECON Ltd., | **76.0** |
| 3. | M/s. NBCC (India) Ltd., | **93.0** |
| 4. | M/s. IRCON International Ltd., | **75.5** |
| 5. | M/s. WAPCOS Ltd., | **75.5** |
| 6. | M/s. National Projects Construction Corporation Ltd., | **76.0** |

Also, the Tender Evaluation Committee (TEC) nominated by CGM/HVF has submitted the Tender Evaluation Committee Report alongwith Technical Evaluation of the Bidders [03 (Three) Pages in Originals] duly signed by the TEC in originals and the same has been endorsed by CGM/HVF vide their Report No.13025/CEO/2025-26/GENL, dated 18/08/2025

13. **DECISION OF CWC LEVEL-I HELD ON 22-08-2025 :-**

(a) CWC-I deliberated the case and observed that the following 06 (Six) PSUs Firms have fulfilled the eligible conditions of the tender and the Technical Evaluation of the firms have been Evaluated by the Tender Evaluation Committee (TEC) and the Report with Technical Score has been submitted by the TEC. Hence, CWC-I approved opening of the e-Price Bids of the following 06 (Six) PSUs Firms vis.,

1 M/s. Engineering Projects (India) Ltd.,
2 M/s. MECON Ltd.,
3. M/s. NBCC (India) Ltd.,
4. M/s. IRCON International Ltd.,
5. M/s. WAPCOS Ltd.,
6. M/s. National Projects Construction Corporation Ltd.,

(b) CWC-I decided that the offer of M/s. Hindustan Steelworks Construction Ltd., is not acceptable, as the firm has not submitted the EMD as per terms and conditions of the tender.

14. e-Price Bid Opened on:- 28-08-2025.

15. Details of e-Price Bid received are given below:-

| *Sl.No.* | *Firm Name* | *Percentage Quoted for PMC* |
|---|---|---|
| 1 | M/s. Engineering Projects (India) Ltd., | **2.50** |
| 2 | M/s. MECON Ltd., | **2.72** |
| 3. | M/s. NBCC (India) Ltd., | **3.60** |
| 4. | M/s. IRCON International Ltd., | **3.15** |
| 5. | M/s. WAPCOS Ltd., | **2.34** |
| 6. | M/s. National Projects Construction Corporation Ltd., | **2.59** |

Contn.(...5...)

16. As per the Tender Conditions, the Evaluation of Financial Bid shall be as follows :-

**Opening and Evaluation of Financial Bid**

The Financial Bids will be opened only of those bidders who secure 60% marks and above in Technical bid (Stage-I). The cost indicated in the Financial Bid shall be deemed as final and reflecting the total cost of services and should be stated in **% (Percentage)** only. The financial bid is excluding GST under the Applicable Law of the land.

## Award of contract:

Selection of Bidder for Award of Work: The final selection of the tenderer for slection as PMC will be based on the scores secured by it in the Technical bid (Stage- I) and the price quoted by it in the financial bid (Stage-II) as detailed below:

i) 80% weightage will be considered for **Technical Score (TS)** obtained in the Technical bid (stage-I).

ii) 20% weightage will be considered for the price quoted by the bidder in the financial bid, this will be termed as **Financial Score (FS).**Financial score of the proposals will be determined using the following formula: FS = 100 x (FL/F) Where,

"FS" is the financial score of an applicant,

"FL" is the lowest Financial Proposal among all and

"F" is the financial proposal of the particular applicant.

iii) For the purpose of calculation of **Composite Score (S)** for each bidder, the weightage shall be 80% for the Technical Score (Stage - II) (TS) and 20% for Financial Score (FS) of the respective applicants. The Composite Score shall be calculated using the following formula : **S = TS x 0.80 + FS x 0.20.**

Tenderers will be ranked accordingly to their **Composite Scores** and will be listed in the order of merit as H 1, H 2 and H 3 and so on. The top scorer H 1 would be eligible for award of work.

iv) Even though a bidder may satisfy the above requirements, the bidder would be liable to disqualification if he has:

a) Made misleading or false representation or deliberately suppressing the information in the forms, statements and enclosures required in the pre- qualification document.

b) Record of poor performance such as abandoning work, not properly completing the contract, or financial failures / weaknesses etc.

*Example: a. Let's say there are 3 pre-qualified bidders: A, B & C*

*Technical Score of bidders after evaluation of technical criteria: A = 70, B = 80 & C = 90 and let's Say the % PMC charge in the financial proposals of bidders are A = 7%, B = 5% & C = 6%.*

*The financial score is given as per the formula:*
*(Lowest % Consultancy charge against the % Consultancy charge of the bidder) X 100*

*Financial Score of A = (5/7) X 100 = 71.40*
*Financial Score of B= (5/5) X 100 = 100*
*Financial Score of C = (5/6) X 100 = 83.30*

*Final Combined Technical and Financial Score of the Bidders is as per the formula:*

*(Technical Score X 0.80) + (Financial Score X 0.20)*

*Bidder A = (70 X 0.80) + (71.40 X 0.20) = 70.28 - **H3***
*Bidder B = (80 X 0.80) + (100.00 X 0.20) = 84.00 - **H2***
*Bidder C = (90 X 0.80) + (83.30 X 0.20) = 88.66 - **H1***

*Bidders will be ranked accordingly to their **Composite Scores** and will be listed in the order of merit as H1, H2 and H3 and so on. The top scorer **H1** would be eligible for PMC.*
*Even though a bidder may satisfy the above requirements, the bidder would be liable to disqualification if he has:*

*c) Made misleading or false representation or deliberately suppressing the information in the forms, statement and enclosures required in the prequalified document.*

*d) Record of poor performance such as abandoning work, not properly completing the contract, or financial failures/ weaknesses etc.*

Contn.(...6...)

17. The Financial Bid of the Bidders have been evaluated as per the NIT Conditions and the same is appended as below :-

| Sl. No. | Firm Name | Total Technical Score Out of 100 Marks | Technical Score (TS) x 80% | Financial Percentage Quoted | Financial Score | Financial Score (FS) x 20% | Composite Score (CS) | Ranking |
|---|---|---|---|---|---|---|---|---|
| | | (A) | (B) = (A) x 0.80 | (C) | (D) = 100 x (FL/ F) | (E) = (D) x 0.20 | (B) + (E) | |
| 1 | M/s. Engineering Projects (India) Ltd., | 76.0 | 60.80 | **2.50** | **93.60** | **18.72** | **79.52** | H 3 |
| 2 | M/s. MECON Ltd., | 76.0 | 60.80 | **2.72** | **86.03** | **17.21** | **78.01** | H 5 |
| 3. | M/s. NBCC (India) Ltd., | 93.0 | 74.40 | **3.60** | **65.00** | **13.00** | **87.40** | **H 1** |
| 4. | M/s. IRCON International Ltd., | 75.5 | 60.40 | **3.15** | **74.29** | **14.86** | **75.26** | H 6 |
| 5. | M/s. WAPCOS Ltd., | 75.5 | 60.40 | **2.34** | **100.00** | **20.00** | **80.40** | H 2 |
| 6. | M/s. National Projects Construction Corporation Ltd., | 76.0 | 60.80 | **2.59** | **90.35** | **18.07** | **78.87** | H 4 |

Note :- TS = Technical Score (A)
FS = Financial Score (D)
FL = Lowest Financial Proposal Among all. (C)
F = Financial proposal of the Particular applicant. (C )
CS = Composite Score. (F)
H1 to H6 = Highest Composite Score (H1) - (H6) Lowest Compoite Score

18. **OBSERVATIONS :-**

A) It is observed that the Highest Composite Score (H1) is of M/s. NBCC (India) Ltd., New Delhi who has secured 87.40 Out of 100. Hence, the quoted PMC Charges of 3.60% of M/s. NBCC (India) Limited, New Delhi is submitted to CWC Level-I decision for entering into MoU for carrying out the below mentioned civil works through Project Management Consultancy (PMC).

| *Sl.No.* | *Brief Description of Work* | *Rough Cost (In Crore)* |
|---|---|---|
| 1. | Construction of AVNL Corporate Office in AVNL Estate | **Rs.240.00** |
| 2. | Creation of Ordnance Development Centre (G+1) with new ODC Workshop at HVF, Avadi | **Rs.35.00** |
| 3. | Augmentation of Overhauling Capacity of T-Series Tank from 120 to 150 per annum at HVF, Avadi<br>2. Construction of test tract, Fig of "8"and other related works. | **Rs.94.00** |
| 4. | Construction of Type-VI, 06 Nos. of 01 Block and Type-V, 12 Nos. of 02 Blocks in AVNL Estate | **Rs.35.00** |
| | **Total :-** | **Rs.404.00** |

**Note :** Heavy Vehicles Factory, A Unit of AVNL, may carryout either all the works mentioned above or Some of the works as per the availability of funds

Contn.(...7...)

B) M/s. National Projects Construction Corporation Ltd., vide their e-mail dated 28/08/2025 at 15:46 Hrs. has requested to AVNL regarding technical score given to them and sought to review the marks allotted to them and also not to open the e-Price bids.

HVF had uploaded the CWC I Minutes dated 22/08/2025 in CPP Portal on 28/08/2025 at 11:54 Hrs. before opening of the e-Price bids which is a regular practice. This CWC-I Minutes with their Technical Score were visible to all bidders. The e-Price bids were scheduled to open in the CPP Portal at 12:30 Hrs. on 28/08/2025. The e-Price bids were opened at 12:45 Hrs. on 28/08/2025. M/s. NBCC (India) Ltd., is H1 Firm with maximum composite score The representation was given by M/s. National Projects Construction Corporation Ltd., stating not to open the e-Price bids at 15:46 Hrs. on 28/08/2025 by when the e-Price bids were actually opened.

The e-mail of M/s. National Projects Construction Corporation Ltd., had legal implications, the matter was forwarded to M/s. AKR and Associates, for legal opinion with approval CGM/HVF vide our letter dated 06/09/2025. M/s. AKR and Associates is a Legal Firm empanelled with AVNL Co. for handling various legal and litigation matters in various Courts/ Tribunals/ Forums/ Authorities, etc.,

M/s. AKR and Associates, after studying the case in detail has given their legal opinion on 21/09/2025 as follows :-

***Query***

1. Whether all due procedures have been followed in the tender evaluation process by the Tender Evaluation Committee?
2. Whether HVF/ AVNL can enter into an MoU with M/s. NBCC (India) Ltd. which is the H1 Firm with maximum composite score is selected for the same purpose by the Tender Evaluation Committee?

***Analysis***

*I have perused the following documents:*

*Notice inviting Tender 14.06.2025,*

*The 2 Corresponding Corrigendum,*

*Minutes of Meeting of the CWC Level-I held on 22.08.2025 the NPCC e-mail dated 28.08.2025 posted at 15:46 Hrs, and the Technical Evaluation of the Bidders.*

*In respect of Query No.1 , the following is considered. As per the explicit language of the NIT, Clause 7.0 provides for Evaluation Criteria and further, Clause 7.2 Provides that the duly constituted Tender Evaluation Committee (TEC) (By CGM/ HVF) shall evaluate the Technical Proposals on the basis of their responsiveness to the Terms of Reference and by applying the evaluation criteria bid shall be evaluated as provided in the Table under 7.2 Containing Criterion and its Evaluation Criteria. Further, in respect of Corrigendum dated 30.06.2025, the Committee is found to have duly followed the evaluation Criteria as provided.*

Contn.(...8...)

*In so far as the Composition of the Tender Evaluation Committee is concerned, it is understood that the constituted by CGM /HVF comprising of 05 (Five) Officers, 01 Senior Officer (Group-A) as Chairman/TEC from AVNL CO., (Headquarters), 01 Officer (Group-A) from as Member/TEC Accounts side, 01 Officer (Group A) from HVF Civil as Member/ TEC, 01 Officer (Group-A) from Sister Factory as Member/TEC and 01 Officer from HVF as Secretary/ TEC, which includes independent members as well. It is further understood that the Senior Most Manager has the Discretion to choose the constitution of the committee and the same is done to ensure that the entire process is not tainted by any form of bias. The decision made by such a committee thus, is a collective decision of all of the Committee members. The appointment of the members to the Committee has been a transparent process. Their ability, skill, knowledge, and integrity is beyond reproach. The outside member adds an element of integrity and demonstrates that there is lack of bias. The decision has been unanimous and there is no dissent or disagreement or any divergent view taken in the meeting of Tender Evaluation Committee.*

*It so far as the disappointment expressed by M/s. National Projects Construction Corporation Ltd for marks allocated in Technical & Presentation, finding it arbitrary, since the presentation given was appreciated and applauded for the project understanding they had prepared, is baseless since a word of encouragement by the committee for the efforts undertaken does not create any binding agreement to allot the highest of marks and is not a comparison to the performance of other participants. While such appreciations may be given to any eligible bidder,the Querist has the discretion in choosing their PMC that best suits their quality requirement and Cost in accordance with the criterion already set.*

*In so far as the timing in which the E-mail Communication was made by M/s. National Projects Construction Corporation Ltd, the Committee has submitted its report and the same has been approved by the Competent Authority and accordingly the above report has been uploaded in the CPP Portal on 28/08/2025 at 11:54 Hrs. before opening the e-Price bids which is regular practice in other tenders and the e-Price Bids of the above PSU's have been opened on 28/08/2025 at 12:45 Hrs. It is evident that the price bid is now open and within the knowledge of those evaluating and several others involved in the process. However, M/s. National Projects Construction Corporation Ltd., has raised an objection in the Technical Score given by the Tender Evaluation Committee (TEC) in the Technical Presentation physically before Committee, at 15: 46 Hrs after the e-Price bid were opened and all of the Price quoted by the eligible bidders were available to all the participants but not before that. The language of the E- Mail Communication sent by M/s. National Projects Construction Corporation Ltd is framed in such a way as though they were unaware of the E-Price bids that were opened, while a message/ communication was sent to the by M/s. National Projects Construction Corporation Ltd through the NIC (National Informatics Centre) Agency operated portal itself, to ensure utmost transparency.*

*I am thus of the opinion that the Procedure followed by the Tender Evaluation Committee falls well within the lines of principles of fairness. The due processes as laid out in the NIT Document and Corrigendum released have been readily complied with by the Committee.*

*Thus, in so far as Query No.2 is concerned, MoU can be entered into by the Querist and the Bidder with the Highest Composite Score (H1) as decided by the Committee, unless there exist any other valid reasons for not entering into the same.*

## ***CONCLUSION***

*In respect of Query no.1 , I am of the opinion that the Procedure followed by the Querist falls well within the lines of principles of fairness. The due processes as laid out in the NIT Document and Corrigendum released have been readily complied with by the Querist.*

*In respect of Query no. 2, MoU can be entered into by the Querist and the Bidder with the Highest Composite Score (H1) as decided by the Committee, unless there exist any other valid reasons for not entering into the same.*

Contn.(...9...)

In view of the legal opinion received M/s.AKR and Associates, the reply to M/s. NPCC vide our e-mail was forwarded to as follows and copy of the same is enclosed herewith :-

a) The Tender Evaluation Committee (TEC) was constituted by Competent Authority with competent and senior officers.

b) The selection of committee members of TEC was done by competent authority based on their ability, skill, knowledge and integrity.

c) All the decisions taken by Tender Evaluation Committee (TEC) have been unanimous and there is no dissent or disagreement or any divergent views among the committee members.

d) It so far as the disappointment expressed by M/s. National Projects Construction Corporation Ltd for marks allocated in Technical & Presentation, finding it arbitrary, since the presentation given was appreciated and applauded for the project understanding they had prepared, is baseless since a word of encouragement by the committee for the efforts undertaken does not create any binding agreement to allot the highest of marks and is not a comparison to the performance of other participants, while such appreciations may be given to any eligible bidder.

e) Hence, it is opinioned by competent authority that, the procedure followed by the Tender Evaluation Committee (TEC) falls well within the lines of principles of fairness. The due process as laid down in the NIT documents and corrigendum released have been readily compiled with by the committee.

f) The Tender Evaluation Committee Report has been uploaded in the CPP Portal on 28/08/2025 at 11:54 hrs. before opening the e-Price bids which is regular practice in other tenders and the e-Price Bids of the all 06 PSU's have been opened on 28/08/2025 at 12:45 hrs. It is evident that the price bid is opened and visible to all the PSU's by 12:45 hrs of 28.08.2025.

g) However, you have raised an objection about the Technical Score given by the Tender Evaluation Committee (TEC) in the Technical Presentation, at 15:46 hrs after the e-Price bid were opened. The language of the E- Mail Communication sent by you is framed in such a way as if you are unaware of the E-Price bids that were opened. You have given email not to open the price bid at 15:46 hrs of 28.08.2025 where as a message/communication after price bid opening were sent to M/s. National Projects Construction Corporation Ltd., through the NIC (National Informatics Centre) Agency, who is operating the portal at 12:45 hrs of 28.08.2025. Hence, your claim not to open the price bid is invalid and cannot be considered.

h) In view of the above, HVF will be processing the case further as per the rules.

C) In meanwhile, it is was noticed that M/s. National Projects Construction Corporation Ltd., has been blacklisted by Jharkhand Police Corporation Limited (JPHCL) for Jharkhand Police Housing Work at Pakur, in Jharkhand. As per our tender clause that "Agencies that are debarred or blacklisted by any Govt. Department are not eligible to participate in the tender". The Firm was requested to clarify / explain the facts vide HVF Letter No.HVF/TE/CEO/2025-26/NPCC(QCBS)/01, dt.30/09/2025.

In response, M/s. National Projects Construction Corporation Ltd., has submitted a letter received from Jharkhand Police Housing Corporation Ltd., dated 07/03/2022 stating that matter has been considered at our Management level and the Debarment & Blacklisting of M/s. NPCC Ltd., is withdrawn with immediate effect.

Contn.(...10...)

19. **PAYMENT** :- Code Head No.920/34

**PAYMENT TERMS & RELEASE OF FUNDS**

| ***Stage*** | ***Sl No.*** | ***Milestone*** | ***% Payment*** | ***Cumulative Percentage Payment*** |
|---|---|---|---|---|
| Stage Stage-1 | vii. | Admin Approval | 10 | 10 |
| Stage Stage-2 | viii. | Award of Tender | 25 | 35 |
| Stage Stage-3 | ix. | On Work completion of 20% (As certified by PMC) | 20 | 55 |
| Stage Stage-4 | x. | On Work completion of 50% (As certified by PMC) | 20 | 75 |
| Stage Stage-5 | xi. | 100% Work completion (As certified by PMC) | 20 | 95 |
| Stage Stage-6 | xii. | On completion of post-construction works and submission of completion drawings, PSMB, B-Voucher etc., | 5 | 100 |

**Note : Total payment released to the PMC at the completion shall be total executed cost of the work + Quoted % age for the work.**

20. **DECISION OF CWC LEVEL-I HELD ON 10-10-2025 :-**

CWC Level-I deliberated the case in detail and observed that the Highest Composite Score (H1) is of M/s. NBCC (India) Ltd., New Delhi who has secured 87.40 Out of 100 among other PSU's. It is observed that H1 Financial quoted percentage is (+)3.60% and observed that quoted percentage is higher side. CWC Level-I decided to refer for downward revision of their quoted percentage.

**(K.TULASI RAO)**
GM/ EO & GS
MEMBER /USER

**(G. ANANDA KUMAR)**
DGM /IMS & EO
MEMBER / SECRETARY

**(Dr. K. VASU)**
GM/ QA
*(Alternate Officer to GM/ F&A, HVF)*
MEMBER / FINANCE

VRRambhad

**(V.R.RAMBHAD)**
CHIEF GENERAL MANAGER
CHAIRMAN/ CWC-I

Signature Not Verified
Digitally signed by GOPALAN ANAND KUMAR
Date: 2025.10.13 16:03:32 IST
Location: eProcurement System for Central PSUs