

BY ROTATION

2nd Minutes of Meeting of Technical Bid Evaluation held on 23rd December, 2025 under the Chairmanship of Chief Engineer (Highway Zone), PWD Arunachal Pradesh

Name of Work:	Work of slope protection and land-slide mitigation measures on Yupia - Hoj - Potin section, locations at km 26.685, km 28.380 on NH-713A & km 30.600, km 35.495 and km 39.503 on NH-13 in the state of Arunachal Pradesh under NH(O) Annual Plan 2025-26. [Job No. 713A&13/Ar.P./2025-26/098]
Administrative Approval & Technical Sanction	RW/RO/NH-713A/NH13/Slope protection/Ziro Highway Division dated 22.07.2025 Sanctioned cost: -Rs.104.51 Crore
Amount put to tender:	Rs. 80.75 Cr (Excl. GST)
Time and Date of Opening of Technical Bids:	At 11:00 Hrs. on 08.09.2025
List of Firms who participated in the online tender:	1) Maccaferri Infrastructure Pvt. Ltd. 2) PAVAI INFRA GEOTECH 3) Bharat Constructions (India) Pvt. Ltd 4) M/s GRRB ASSOCIATES 5) Pioneer Foundation Engineers Pvt. Ltd. 6) Shree Girrajjee Infra Heights Private Limited 7) M/s B.T. Enterprises
1 st meeting of the Technical Evaluation Committee	10.10.2025
List of firms whose bids were declared Technically Responsive	1) Bharat Constructions (India) Pvt. Ltd

1. The Administrative & Financial approval and Technical Sanction for the instant work has been accorded by Ministry for an amount of Rs.104.51 Crore vide letter dated 22.07.2025.

2. The work was bid out in two cover bid system through e-procurement on 23.07.2025 and the technical bids were opened on 08.09.2025. The Evaluation Committee in the meeting dated. 10.10.2024 finalized the Technical Evaluation of bids. Bidder Bharat Constructions (India) Pvt. Ltd was declared "Technically Responsive" and recommended for opening of Financial bids. The list of Technically Responsive bidders was published on E-procurement and other non-responsive bidders were notified along with the reasons for non-responsiveness as required as per Clause 2.19 and 3.1.9 of the RFP.

3. The following bidders whose bids were declared non-responsive, have submitted their representations regarding the Technical Evaluation:

- 1) Maccaferri Infrastructure Pvt. Ltd.
- 2) PAVAI INFRA GEOTECH
- 3) Pioneer Foundation Engineers Pvt. Ltd.
- 4) Shree Girrajee Infra Heights Private Limited

4. The representations received from the above-mentioned bidders were placed before the Evaluation Committee. Based on the representations received, the Committee re-examined the technical bids of the above-mentioned bidders. The Committee observed the following: -

4.1. Maccaferri Infrastructure Pvt. Ltd.: Bidder has represented that the *"details of work experience are clearly provided in technical bid under the uploaded file "Technical capacity 2025"- specifically in Project Code J and Project L, both of which meet the qualification criteria. Furthermore, an additional file containing the same credentials, titled "Similar work ECR and BRO 85 RCC" has been uploaded, that may kindly referred to."*

In light of representation received, the Committee re-examined the Technical Evaluation.

- As per Clause 2.1.13 and 2.2.2.8(i), last 5 (five) financial years, preceding the bid due date are to be considered. However, bidder has not submitted Audited Annual Reports for the FY 2024-25 and submitted under-taking from Statutory auditor in that regard. In such cases, Evaluation Committee has considered the preceding years for the purpose of calculating the Threshold Technical Capacity from FY 2023-24. Hence, Project J and Project L as mentioned by the bidder do not contribute towards Threshold Technical Capacity as required as per Clause 2.2.2.2 of the RFP. Committee concluded that combined Technical Threshold Capacity of bidder for all projects mentioned in bid, fail to meet the Threshold Technical Capacity as required as per Clause 2.2.2.2 of the RFP.
- Bidder has provided 02(two) nos. works for Similar work. However, these works are not Eligible projects as required as per Clause 2.2.2.2(ii) of the RFP. Accordingly, bidder is Technically Non-responsive as per Clause 2.2.2.2(ii) of the RFP.

The Committee found no merit in the representation and upheld the decision of technical evaluation meeting of the committee held on 10.10.2025 regarding non-responsiveness of the bidder.

4.2 PAVAI INFRA GEOTECH: Bidder has represented that same has executed works of similar nature. Completion certificate along with technical documents (Sr. no. 06 PDF titled Eligibility of Project pages 3 to 19, i.e. BRO Bomdilla, BRO Bomdilla-Charduar-Tawang, KRCL T45P2, CST Lonawala, KRCL Anjikhad bridge) has been uploaded.

In light of representation received, the Committee re-examined the Technical Evaluation of the bidder

- Bidder has submitted 05 (five) nos. projects in support of Similar work. The Committee observed that only works at Sr. no. 1 and 2 i.e. "Slope Stabilization / Restoration Work (Srw) At Km 0.300 And Km 9.200 On Bomdila - Bypass Road Under 91 Rcc / 14 Btrf Of Project Vartak" and "Slope Stabilization / Restoration Work (Srw) At Km 96.000 on Balipara-Charduar-Tawang Under 91 Rcc / 14 Btrf of Project Vartak" satisfy the requirement of Similar items in Eligible projects. However, the completed value of these works (excluding GST) do not satisfy the requirement of Similar value as required as per Clause 2.2.2.2(ii) of the RFP. Hence, the bidder is Technically Non-responsive as per Clause 2.2.2.2(ii) of the RFP.

The Committee found no merit in the representation and upheld the decision of technical evaluation meeting of the committee held on 10.10.2025 regarding non-responsiveness of the bidder.

4.3. Pioneer Foundation Engineers Pvt. Ltd.: Bidder has represented that the 08(eight) nos. projects unequivocally satisfy the Clause 2.2.2.2(ii) of the RFP and demonstrate experience substantially exceeding the RFP criteria. Further, bidder has mentioned that the documents unequivocally satisfy Clause 2.2.2.1 Bid Capacity.

In light of representation received, the Committee re-examined the Technical Evaluation of the bidder

- Bidder has submitted 08 (eight) nos. works in support of similar work. The Committee discussed matter with THDC and it was observed that work mentioned at Sr. No. 02 i.e. "Rock-fall & Slope protection measures along Mumbra-Bypass in Thane district, Maharashtra on EPC Mode" satisfies the requirement of Clause 2.2.2.2(ii) of RFP.
- The Committee observed that the bidder has not disclosed project work of "Improvement Works Including Investigation, Design and Drawing Proof Checked by IIT from Km 125.05 to Km 125.250 and Km 131.950 to Km 132.110 along Sansari-Killar-Thirot-Tandi (S-K-T-T) Road under 94 RCC/38 BRTF Road Sector of Project Deepak in Himachal Pradesh State" wherein the bidder was declared winner of bid (L1 bidder) before the bid due date of this project work. This amounts to Mis-representation as per Clause 4.3(b) of the RFP and the bid is rejected as per Clause 2.6.2 of the RFP.

Hence, the Committee found the bidder as Technically Non-Responsive as per Clause 2.6.2(a) of the RFP.

4.4 Shree Girrajjee Infra Heights Private Limited: The bidder has submitted that the "Insurance Surety Bond issued by M/s Bajaj Alliance General Insurance Company Limited an IRDAI- approved insurer, fully complies with the prescribed format and validity period. The only deviation is a clerical error in the insurer's name and address, which has no bearing on the authenticity, coverage or validity of the bond. The modified Insurance Surety Bond is enclosed"

In light of representation received, the Committee re-examined the Technical Evaluation of the bidder

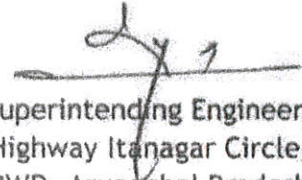
- As per Clause 2.20 of the RFP, the bidder has to submit Bid Security in the form of Insurance Surety Bond, E-BG, DD, Banker's Cheque. Bidder Shree Girrajee Heights Private Limited has submitted Insurance Surety bond as Bid Security. The bond is in the letter-head and digital signature of Bajaj Alliance company whereas the assurance in the surety bond has been given by New India Assurance Company. Accordingly, the Evaluation Company has considered this Surety bond as in-valid and bid has been considered Technically Dis-qualified as per clause 2.20.2 and 3.1.6 of the RFP. The Committee sought legal opinion from its counsel in light of judgements of Hon'ble Supreme Court and Hon'ble High Court, on whether the Surety bond submitted in the Bid can be considered as Valid and whether the modified surety bond submitted by the bidder can be considered by the Evaluation Committee.
- The legal counsel submitted that Bid security is an essential and mandatory requisite of the bidding process. RFP expressly requires that a Technical Bid will be treated as responsive only if it is accompanied by Bid Security strictly in accordance with Clauses 1.2.4, 2.20 and 3.1.6 of the RFP. In the instant matter, the Legal Counsel has opined that "such a contradiction between the letterhead and the operative contents of the bond created inherent ambiguity regarding the identity of the actual insurer under writing the obligation. For a Bid security in the form of an insurance surety bond, the identity of the issuing surety is essential. A discrepancy of this nature is not clerical; it goes to the root of the enforceability of this instrument and directly impacts the Authority's ability of hold the surety liable. This renders the Bid security defective and, in a way, non-complaint to Clauses 1.2.4, 2.20 and 3.1.6 of the RFP. Legal counsel added that Evaluation Committee rightly exercised its discretion to treat the Surety bond as invalid at the outset. Seeking verification, would not have cured that defect nor rendered the Surety bond enforceable. The Committee's decision to treat the Surety Bond as invalid at the threshold is thus reasonable, and within its discretionary domain. Legal counsel further mentioned that under Clause 3.1.6.2 RFP expressly prohibits any request for alteration, modification, substitution or withdrawal of the bid. Accordingly, Bidder's attempt to later furnish a so-called "corrected" surety bond on 01.11.2025 is barred by the RFP. Legal counsel has referred to below mentioned judicial precedents to re-inforce the above legal opinion
 - Prakash Asphaltings and Toll Highways (India) Limited v's Mandeepa Enterprises And Others, INSC 1110, date of judgement 12-09-2025
 - Jagdish Mandal Vs State of Orissa (2007) 14 SCC517
 - The Principal Chief Conservator of Forest & Ors , V/s Suresh Mathew & Ors.- SC- Civil Appeal Nos(s) @ SLP @ Nos. 12353-12355/2021, decided 25.04.2025, 2025 INSC 569

The Committee found no merit in the representation and upheld the decision of technical evaluation meeting of the committee held on 10.10.2025 regarding non-responsiveness of the bidder.

5. In view of the above clarification and in accordance with the directions of the Hon'ble Court, the Committee found no merit in the representations and upheld the decision of the Technical Evaluation Committee meeting held on 10.10.2025 regarding the non-responsiveness of the bidders, which had already been uploaded on the Ministry Portal.

Considering the above decision of the Committee, the Chairman approved the opening of the Financial Bids, as the project has already been excessively delayed and any further deferment in opening the Financial Bids may increase the quantum of damage to the road and result in loss of the effective working period, which is fast passing off.


Executive Engineer
Ziro Highway Division,
PWD, Arunachal Pradesh
(Member Secretary)


Superintending Engineer,
Highway Itanagar Circle,
PWD, Arunachal Pradesh
(Member)

Comments/Vigns are at Annexure - 2


Regional Officer, Itanagar
Ministry of Road Transport & Highways
(Member)

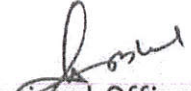

Sr. Finance & Accounts Officer
Highway Zone,
PWD, Arunachal Pradesh
(Member)


Chief Engineer
Highway Zone,
PWD, Arunachal Pradesh
(Chairman)

Comments of the Regional Officer, M/o RT&H in the 2nd meeting of Technical Evaluation Committee held on 23rd December, 2025 for the “Work of slope protection and land-slide mitigation measures on Yupia - Hoj - Potin section, locations at km 26.685, km 28.380 on NH-713A & km 30.600, km 35.495 and km 39.503 on NH-13 in the state of Arunachal Pradesh under NH(O) Annual Plan 2025-26. [Job No. 713A&13/Ar.P./2025-26/098]”

Regional Officer observed that since a single bidder has been declared Technically Responsive, it will be appropriate to annul the current Bidding process and invite fresh BIDs as per Clause 1.2.7 of the RFP. However, other members of the Committee observed that, since there was delay in the finalization of the bids, deteriorating road conditions and availability of working season, the financial bid for the single responsive bidder may be opened, which was accepted by the chairman of the committee.

Regional Officer pointed out that after opening of the single financial bid, the Lowest bidder may be declared as the “selected bidder” by PWD only if the conditions prescribed in Para 4 of the Ministry’s letter no. E-file No.RW/NH-33044/25/2024-S&P(P&M) (Computer No.240989) dt. 28.08.2024 are satisfied. Further, in compliance to the Hon’ble High Court Delhi order dated 03/12/2025 in reference to W.P.(C) 18125/2025, Non-responsive bidder may be intimated immediately and appropriate time may be given for response before opening of Financial bids.


Regional Officer,
M/o RT&H
(Member)