

NHIDCL/Civil work/Joram Koloriang (122.6-138)/Ar.Pr./2016

Date: 03/03/2017

To,

M/s RK – KMV (JV)	M/s Sushee Infra & Mining Limited
M/s TK engineering consortium Pvt. Ltd	M/s Progressive Construction Limited

Subject: Construction of two-Lane with paved shoulders of Joram – Koloriang Road (NH-713) on EPC basis from existing Km 122.600 to Km 138.00 [Design Km. 107.363 to Km. 122.363] (Design Length - 14.99 Km) in the state of Arunachal Pradesh under SARDP-NE- Opening of Financial Bids regarding

Sir,

Please refer to your bid dated 21.02.2017 submitted towards subject cited project. The following is the list of technically responsive/ non responsive Bidders whose financial bids shall be opened on **10.03.2017 at 1230 hrs** in NHIDCL HQ, 3rd Floor PTI Building, 4-Parliament Street, New Delhi-110001.

Sl.No	Name of the Bidder / JV	Status of eligibility
1	M/s Sushee Infra & Mining Limited	Eligible
2	M/s TK engineering consortium Pvt. Ltd.	Eligible
3	M/s RK – KMV (JV)	Eligible
4	M/s Progressive Construction Limited	Not Eligible

- In case of any Representation, the same may be made latest by 08.03.2017 (1700 hrs)
- All the Authorized Representatives are requested to attend the opening of Financial Bids at the Scheduled date and Time.

A.K JHA
A.K JHA
DGM (Tech)

Enclosure: Copy of ETEC dated 02-03-2017

National Highways & Infrastructure Development Corporation


Minutes of Meetings of Empowered Technical Bid Evaluation Committee (ETEC) received for "Construction of two-Lane with paved shoulders of Joram – Koloriang Road (NH-713) on EPC basis from existing Km 122.600 to Km 138.00 [Design Km. 107.363 to Km. 122.363] (Design Length – 14.99 Km) in the state of Arunachal Pradesh under SARDP-NE" held at NHIDCL, New Delhi on 02.03.2017

1. The RFPs for the subject work were invited with bid due date as 21.02.2017 till 1100 hrs.
2. Having opened the Technical Bids on 22.02.2017 received from the following applicants in the presence of applicant's representatives who chose to attend the RFP opening, the hard copy of the original documents along with the soft copy (as received from CPP portal) were handed over to the concerned Financial Consultants for carrying out the evaluation of the Technical Bids.

Name Of Work	Name Of bidders	Name of Financial Consultant
Construction of two-Lane with paved shoulders of Joram – Koloriang Road (NH-713) on EPC basis from existing Km 122.600 to Km 138.00 [Design Km. 107.363 to Km. 122.363] (Design Length – 14.99 Km) in the state of Arunachal Pradesh under SARDP-NE	M/s Sushee Infra & Mining Limited	M/s KRA & Co., Chartered Accountant
	M/s Progressive Construction Limited	
	M/s RK – KMV (JV)	
	M/s TK engineering consortium Pvt. Ltd	

3. The Financial Consultant in reference to RFP has considered the following Evaluation Criteria for estimated project cost of **Rs. 132.67 Crore.**

S.No.	Particulars	Amount in Rs. Cr.
1	Estimated Project Cost	Rs. 132.67 Cr.
2	Minimum Threshold Technical Capacity required (For Category 1, 2, 3 & 4) as per clause 2.2.2.2 (i)	Rs. 199.01 Cr.
3	Minimum Threshold Technical Capacity required (For Category 1, 2, 3 & 4) for Lead Member to fulfill as per clause 2.2.2.4 (i)	Rs. 119.41 Cr.
4	Minimum Threshold Technical Capacity required (For Category 1, 2, 3 & 4) for Other Member to fulfill as per clause 2.2.2.4 (i)	Rs. 39.80 Cr.
5	Minimum required amount of COMPLETED Eligible Projects in Category 1 and/or Category 3 from at least one similar work as per clause 2.2.2.2 (ii)	Rs. 33.17 Cr.
6	For a project to qualify as a Eligible Project under Category 1&2 , the Capital Cost of the project should be more than (as per clause 2.2.2.6 (i) (c))	Rs. 13.27 Cr.
7	Minimum required amount of self constructed project by the Bidder for a project to qualify as a Eligible Project under Category 1&2 (as per clause 2.2.2.6 (i) (d))	one half of the Project Cost of eligible projects as defined in clause 2.2.2.6 (i) (d).

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8	For a project to qualify as a Eligible Project under Category 3&4 , the receipt / payments of the project should be more than (as per clause 2.2.2.6 (ii))	Rs. 13.27 Cr.
9	Minimum Financial capacity required as per clause 2.2.2.3	Rs. 6.63 Cr.
10	Minimum Financial Capacity required for Lead Member to fulfill as per clause 2.2.2.4 (i)	Rs. 3.98 Cr.
11	Minimum Financial Capacity required for Other Member to fulfill as per clause 2.2.2.4 (i)	Rs. 1.33 Cr.
12	Minimum Average Annual Turnover required as per clause 2.2.2.3 (ii)	Rs. 26.53 Cr.
13	Minimum Average Annual Turnover required (For Lead Member) as per clause 2.2.2.4 (i)	Rs. 15.92 Cr.
14	Minimum Average Annual Turnover required (For Other Member) as per clause 2.2.2.4 (i)	Rs. 5.31 Cr.
15	Minimum Required Bid Capacity (For each Bidder) as per clause 2.2.2.1	Rs. 132.67 Cr.
16	Minimum Required Bid Capacity (For Lead Member) as per clause 2.2.2.4 (i)	Rs. 79.60 Cr.
17	Minimum Required Bid Capacity (For Other Member) as per clause 2.2.2.4 (i)	Rs. 26.53Cr.

4. In the preliminary evaluation, there were certain information/clarification were required by the financial consultant to consolidate the evaluation. Accordingly, the queries were raised with the respective bidders; their reply has since been received and handed over to financial consultant. The financial consultant, M/s KRA & Co. has submitted the Evaluation report (**Annexure-A**). In the Evaluation report, the detail of Technical and Financial Capacity and the Bid Capacity of the four bidders as per the report including the final outcome is as under:

1. M/s. Sushee Infra & Mining Limited		
Observation Noted	Clarification sought	Remarks by the consultant
The DSC certificate is in the name of VEERA VENKATA SATYA KONDALRAYA CHOWDARY DASARA and Authorized Signatory as per POA is DVVSK CHOWDHARY	The Statutory Auditor certificates has been submitted by the bidder for projects claimed under category 3 or Category 4 related to Project Codes A to E. However, such certificates are not exactly as per the required format of para 14 of Annex-IV to Appendix-1A as the words "It is certified that Bidder received payments from its Clients for Construction Works executed by them or work executed and certified by the Engineer-in-charge/Independent Engineer/Authority's Engineer" are not as per required format	Reply to the clarifications mentioned above at point no. 2 received from the Bidder and the Bidder is considered as Eligible for next stage
2. M/s. Progressive Constructions Limited		
The DSC certificate is in the name of Mr. POTLAPALLI RAMAKRISHNA and Authorized Signatory as per POA is Mr. POTLAPALLI RAMAKRISHNA.	<p>1. The bidder has informed on page no. 32 of the submitted bid that the work pertaining to NH-31C in Assam under Phase-II programme of NHDP Package EW-11 (AS-12) was terminated by NHAI on 14.03.2016.</p> <p>2. The Statement given by Statutory Auditor of</p>	Reply to the clarifications mentioned above at point no. 2, to 8 received from the Bidder and the Bidder is considered as conditionally Eligible for next stage. The conditions are discussed in

	<p><i>bidder for certifying Value of B submitted on page 327 do not certify the words “anticipated value of work to be completed in the period of construction of the project for which bid is invited” which are required as per Format of Annex-VI to Appendix-1A.</i></p> <p>3. <i>The bidder has claimed project code A under category 1, however the equity shareholding certified by the Statutory Auditor for the eligible project is only up to commissioning of the project.</i></p> <p>4. <i>The Statutory Auditor certificates has been submitted by the bidder for projects claimed under category 3 or Category 4 related to Project Codes B to L. However, such certificates are not exactly as per the required format of para 14 of Annex-IV to Appendix-1A as the words “It is certified that Bidder received payments from its Clients for Construction Works executed by them or work executed and certified by the Engineer-in-charge/Independent Engineer/Authority’s Engineer” are missing.</i></p> <p><i>Further, in most of the certificates. The word “achieve turnover” has been used which is not mentioned in the required format.</i></p> <p>5. <i>The bidder claims for Project code b that the work has been substantially completed, however, no supporting documents has been submitted which established that more than 90% of the Value of work has been completed.</i></p> <p>6. <i>In the Bank Guarantee submitted by the bidder, point no. 14 and 15 as per format given under Appendix – II (Bank Guarantee for Bid Security) has not been included.</i></p> <p>7. <i>As per the details mentioned in Annex IV and Statutory Auditor Certificate, project code c and d are either allotted to M/s. Progressive Constructions Limited alone or M/s. Modern Road makers under category 1.</i></p> <p>Kindly clarify the following:</p> <p>○ <i>Whether the concerned projects are original allotted to M/s. Modern Road makers which fall under Category 1.</i></p> <p><i>Whether the concerned projects are original allotted to M/s. Modern Road makers as a EPC contractor which falls under Category 3 and further given to M/s. Progressive Constructions Limited for execution</i></p>	para No. 8 of the report.
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3. M/s. TK Engineering Consortium Private Limited

The DSC certificate is in the name of Mr. TECHI TARA and Authorized Signatory as per POA is Mr.. TECHI TARA	<p>1. The Value of A considered by the bidder is based on other operating revenues as shown under the Head “Revenue from Operations” in the balance sheet related to the respective previous five years. However, as per clause 2.2.2.1 of RFP Value of A should be</p>	<p>Reply to the clarifications mentioned above at point no. 2, 3 and 4 received from the Bidder and the Bidder is</p>
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	<p>from civil engineering works in respect of EPC projects (turnkey projects / item rate contract / construction works).</p> <p>2. <i>The Statement given by Statutory Auditor of bidder for certifying Value of B submitted on page 190 do not certify the words “anticipated value of work to be completed in the period of construction of the project for which bid is invited” which are required as per Format of Annex-VI to Appendix-1A.</i></p> <p>3. The Statutory Auditor certificates has been submitted by the bidder for projects claimed under category 3 or Category 4 related to Project Codes A to I. However, such certificates are not exactly as per the required format of para 14 of Annex-IV to Appendix-1A as the words “<i>It is certified that Bidder received payments from its Clients for Construction Works executed by them or work executed and certified by the Engineer-in-charge/Independent Engineer/Authority’s Engineer</i>” are not as per required format.</p>	considered as Eligible for next stage
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4. Joint Venture of M/s. RK Infracorp Private Limited and M/s. KMV Projects Limited

<p>The DSC certificate is in the name of REDDEPPAGARI MADHAVI and Authorized Signatory as per POA is REDDEPPAGARI MADHAVI</p>	<p>1. In case of Lead Member, the POA has been executed by R. Sriyanka reddy in favour of Smt. R Madhvi. However, the board resolution related to pwer of executor i.e R. Sriyanka Reddy to execute POA has not been provided..</p> <p><i>The Statement given by Statutory Auditor of bidder for certifying Value of B submitted on page 696 for Lead Member and 764 for other member do not certify the words “anticipated value of work to be completed in the period of construction of the project for which bid is invited” which are required as per Format of Annex-VI to Appendix-1A.</i></p>	<p>Reply to the clarifications mentioned above at point no. 2 and 3 received from the Bidder and the Bidder is considered as Eligible for next stage</p>
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5. The detail of Technical and Financial Capacity and the Bid Capacity of the four bidders as per the report is as under:





SN	Bidders	Satisfying minimum Criteria of TTC (Rs. 199.01 cr) for category 1,2,3 &4 required as per Clause 2.2.2.2 (i) (For LM – 119.41 & For OM – 39.80) 1	Satisfying minimum criteria of Completed Eligible Projects (Rs. 33.17 cr) in Category 1 and/or Category 3 from at least one similar work as per Clause 2.2.2.2 (ii) 1	Satisfying minimum criteria (Rs. 6.63 cr) required for Financial Capacity (For LM – 3.98 & For OM – 1.33)	Satisfying minimum criteria (Rs. 26.53 cr) required for Average Annual Turnover (For LM – 15.92 & For OM – 5.31)	Satisfying minimum criteria (Rs. 132.67 cr) required for Bid Capacity (For LM – 79.60 & For OM – 26.53)
1	M/s. Sushee Infra & Mining Limited	Y (1291.764)	Y (88.00)	Y (271.28)	Y (641.85)	Y (2018.74)
2	M/s. Progressive Constructions Limited*	Y (534.47) ²	Y (310.49)	Y (50.76)	Y (430.18)	Y (884.16)
3	M/s. TK Engineering Consortium Private Limited	Y(1221.29) ²	Y (236.51)	Y (129.38)	Y (402.49)	Y (3601.29)
4	M/s. RK Infracorp Private Limited (Lead Member)	Y (321.56) ³	Y (200.35)	Y (64.80)	Y (227.86)	Y(986.83)
	M/s. KMV Projects Limited (Other Member)	Y (275.09)		Y (180.77)	Y (567.28)	Y(5030.02)
	Total	Y (596.65)	N.A	Y (245.57)	Y (795.14)	Y (6016.85)

1. As all the bidders are meeting criteria under clause 2.2.2.2 (i) and 2.2.2.2 (ii) of RFP, therefore, no updation has been given on Experience Score and on project cost of eligible project.

2. In the worst scenario by not considering the projects of sub contract as certificates of original authority are not uploaded / provided by the bidder in the support of sub contract.

3. In case of Lead Member out of 7 projects (i.e, "a" to "g"), 4 projects has been considered to evaluate the minimum technical criteria under Clause 2.2.2.2 as the bidder meets the minimum criteria.

* The bidder has not fulfilled the condition as mentioned under clause 2.1.19 of RFP document, therefore, the bidder is considered as conditionally eligible subject to acceptance of the bid by the Authority as per clause 2.1.19.3 of RFP. Please refer point no. 1 and 7 at page no. 13 and 16.

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6. The Financial Consultant has considered M/s Progressive Constructions Limited as conditionally eligible subject to Authority discretion on the following issues.

(i) Point no. 14 and 15 of Bank Guarantee Format for Bid Security has also not been incorporated in the Bank Guarantee submitted by the bidder.


(ii) The bidder has not fulfilled the condition as mentioned under clause 2.1.19 of RFP document.

7. The Committee in reference to para 6(i), is of the view that in accordance with the Ministry circular dated 16.1.2017 and 17.01.2017, it does not have any materialistic effect on the bid. Further, in reference to para 8(ii) i.e regarding termination order by NHAI, the committee has taken a considered view that the contractors bid in accordance with the clause 2.1.19 of RFP "The Bidder including individual or any of its Joint Venture Member should, in the last 2 (two) years, have neither failed to perform for the works of Expressways, National Highways, ISC & EI works, as evidenced by imposition of a penalty by an arbitral or judicial authority or a judicial pronouncement or arbitration award against the Bidder including individual or any of its Joint Venture Member, as the case may be. nor has been expelled or terminated by Ministry of Road Transport & Highways or its implementing agencies for breach by such Bidder including individual or any of its Joint Venture Member." is non-responsive as the project i.e "Rehabilitation and up-gradation of Doimukh-Harmuti road from Harmuti Junction (0/00 km) to Khula camp (14/370 km) and Doimukh (0/000 km) to Bagh Tinali (3/100 km) two lane carriageway in the State of Assam and Arunachal Pradesh on EPC basis" has been terminated on 14.03.2016 by the NHAI on account of breach of the contract, which is within the period of 2 years as mentioned in clause 2.1.19 of the RFP. Therefore, the bid of M/s Progressive Constructions is considered non responsive.

8. **Recommendation of the Empowered Technical bid Evaluation Committee (ETEC):** The committee is of the view that out of the four bidders only three bidders are fulfilling the eligibility criteria prescribed in the RFP, therefore the financial bids of the following three bidders be opened with the approval of the Competent Authority.

1	M/s. Sushee Infra & Mining Limited
2	M/s. T.K. Engineering consortium Private Limited
3	M/s. RK Infracorp Private Limited and M/s. KMV Projects Limited

Meeting ended with vote of thanks to chair.


(V.K. Rajawat)
(ED-I)
Chairman


(Y.C. Srivastava)
(GM-Tech)
Member
Secretary


Adil Singh
(GM-Tech)
Member


A.K. Jha
DGM (Tech)
Member


Sunil Gupta
(Manager-Fin.)
Member