

# राष्ट्रीय राजमार्ग एवं अवसंरचना विकास निगम लिमिटेड

सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार  
तीसरी मंजिल, पीटीआई बिल्डिंग, 4-संसद मार्ग, नई दिल्ली-110001

**National Highways & Infrastructure Development Corporation Limited**

Ministry of Road Transport & Highways, Govt. of India

3rd Floor, PTI Building, 4-Parliament Street, New Delhi-110001, +91 11 23461600, www.nhidcl.com

(भारत सरकार का उद्यम)



**BHARATMALA**  
ROAD TO PROSPERITY



CIN: U45400DL2014GOI269062

(A Government of India Enterprise)

NHIDCL/JK/NH1/Zojila/AE/2020 *11010*

15.12.2020

To,

<b>M/s ICT in JV with AIAPL</b> Email: <a href="mailto:business@ictonline.com">business@ictonline.com</a>	<b>M/s Ircon Infrastructure &amp; Services Ltd in JV with Segmental in association with NM Engg. Consultancy</b> Email: <a href="mailto:info@irconisl.com">info@irconisl.com</a>	<b>M/s RITES Ltd. in association with Space Engineering Consortium</b> Email: <a href="mailto:info@rites.com">info@rites.com</a>
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**Subject:** Consultancy Services as Authority's Engineer for Supervision of Construction of (i) Connecting road from Z-Morh Tunnel to Zojila Tunnel and (ii) 14.150 km long bi-directional tunnel across Zojila Pass on Sonamarg-Kargil section of NH-01 on EPC mode in the Union Territories of Jammu & Kashmir and Ladakh - *Rescheduling of Financial Opening -reg.*


**Ref:** Your Bid dated 27.11.2020.

Sir,

Please refer to your proposal for the project cited above. In this regard the result after first and second stage evaluation is as under:

Sr. no.	Name of the Firm	Technical Score	Status of Eligibility
(i)	M/s ICT in JV with AIAPL	91.99	Eligible
(ii)	M/s Ircon Infrastructure & Services Ltd in JV with Segmental in association with NM Engg. Consultancy	84.64	Eligible
(iii)	M/s RITES Ltd. in association with Space Engineering Consortium	76.74	Eligible

2. The Financial bids of the eligible bidders shall be opened on 15.12.2020 at 06:00 PM.

  
(B. Shivprasad)  
General Manager (Tech.)

Encl: Minutes of Meeting dated 14.12.2020

**National Highways & Infrastructure Development Corporation Ltd.**

2<sup>nd</sup> Minutes of Meeting of Technical Bid Evaluation Committee (TEC) dated 14.12.2020 for “Consultancy Services for Authority’s Engineer for Supervision of Construction of (i) Connecting road from Z-Morh Tunnel and (ii) 114.150 km long bi-directional tunnel across Zojila pass on Sonamarg-Kargil section NH-01 on EPC mode in the Union Territories of Jammu & Kashmir and Ladakh.

Date: 14.12.2020

Time: 1100 Hrs

The following three firms submitted their bids for the subject project by due date and time:

- (i) M/s ICT in JV with AIAPL
- (ii) M/s IRCON Infrastructure & Services Ltd in JV with Segmental in association with NM Engineering Consultancy
- (iii) M/s RITES Ltd. In association with Space Engineering Consortium

2. After Technical Evaluation of both the stages following firms have been qualified for the opening financial bid:

- (i) M/s ICT in JV with AIAPL
- (ii) M/s IRCON Infrastructure & Services Ltd in JV with Segmental in association with NM Engineering Consultancy
- (iii) M/s RITES Ltd. In association with Space Engineering Consortium

3. All the bidders have submitted their representation in response to the final technical scores communicated vide Minutes of Meeting dated 04.12.2020. The submissions of the bidders have been examined by the Committee and replies by technical evaluation committee are as below:

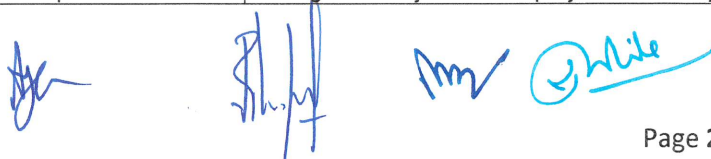
Sr. no.	Representation of the bidder	TEC Reply
<b>M/s ICT in JV with AIAPL</b>		
1.	<b>Experience in Mobile Bridge Inspection Unit or better technology for bridge inspection.</b> We would like to state that we have submitted 11 projects in the technical proposal out of which 9 projects clearly states that Consultant have experience of MBIU projects. Projects submitted along with technical proposal are mentioned below for your ready reference. Thus it is requested that 2.5 marks may please be allocated to the bidder against the above stated criteria instead of 2 marks.	The request of the bidder has been examined and there is no increase in marks awarded.
2.	The Evaluation Committee had deducted marks for Mr. Andreas Beil, Tunnel Design Engineer against S. No. 2 b (ii).	The request has been examine and there is no increase in marks of Mr. Andreas Beil, Tunnel Design Engineer.

**M/s IRCON Infrastructure & Services Ltd in JV with Segmental in association with NM Engineering Consultancy**

1.	<p><b>Relevant experience for the assignment-Supervision:</b></p> <p>Though the project on page no. 103 - 104 of submitted bid has been considered for design experience, the same has not been considered for supervision. Request you to kindly consider the same. (Copy of experience certificate attached for your reference). We would like to mention that M/S IRCON International Limited has completed Feasibility study, Preliminary Design, Detailed Design Consultancy, Project Supervision &amp; Project Execution on USBRL project in Union Territory of J&amp;K.</p> <p>Hence, the firm scores maximum marks of 9.5 marks instead of awarded 9 marks. (increase of 0.5 mark)</p>	As per requirement only those projects for which RFP invited in last 10 years are considered under this head. As the project agreement was signed on 05.01.2004, the project does not qualify for consideration. Hence, the request of bidder for increase in marks is not considered.
2.	<p><b>Experience in DPR preparation/Feasibility Report :</b></p> <p>Detailed Project Report for preparation of Four Lanning of Kiratpur-Ner Chowk Section of NH-21 from Km 73.200 to Km 186.500 in the State of Punjab / Himachal Pradesh to be executed as BOT (Toll) on DBFOT pattern under NHDP-III.</p> <p>Project. Length: 6.66 KM Tunnel - (Page no. 153 - 154) –Not Considered</p> <p>The work executed as part of Detailed Project Report under Additional work for the aforesaid project have not been considered under Package -I (Brown field alignment)-30.66 km and Package -II (Green field Alignment)-47.753 km:</p> <p>Detailed Physical Survey for executed and balance works.</p> <p>Evaluation and Quantification of executed quantities and balance quantities.</p> <p>Preparation of Rate analysis.</p> <p>Preparation of Schedules.</p> <p>Preparation of bid documents.</p> <p>Preparation of Utility shifting details</p>	The role of M/s Segmental in the work requested to be considered is of Independent Engineer, as also mentioned in the certificate dated 17.09.2020 submitted by the bidder and hence, cannot be considered as DPR work.

**M/s RITES Limited in association with Space Engineering Consortium**

1.	<p><b>Deduction of "5" Marks in ongoing Jobs:</b></p> <p>We are surprised that 5 marks are deducted for in hand projects. Kindly note that all these jobs were awarded by NHIDCL (H.O) only though they are not available on Infracon portal. List attached as Annexure-1 (a).</p> <p>It is requested that all the above projects may be considered and full marks (5) may be allotted to us on this score.</p>	As per the provision of RFP "In hand DPR/AE/IE/Consultancy Services of highway/bridge /tunnel projects for NHIDCL (presently under progress) as Sole/JV partner/ Associate Consultant" are only to be considered. The project of Bus port does not come under this category and hence, not considered.
2.	<p><b>Evaluation of Team Leader Cum Senior Tunnel Expert:</b></p> <p>i. Reference 2 (c) Experience in project preparation /design of Major tunnel project apart from those</p>	i. The projects mentioned at sr. no. 8 & 13 of INFRACON are of supervision work whereas as per RFP experience in project preparation /design of Major tunnel projects are required.





	<p>under Infracon 2 (b) (ii). Two project area already at S. No 8 and 13. Refer C.V of Team Leader on Infracon, two projects at S. No 8 &amp; 13 already given in CV. It is requested that 5 marks may be allotted to us.</p> <p>ii. Reference 2 b (ii) – experience as Team Leader on Similar Capacity of project preparation/design of tunnel projects (Road/Rail/Metro) of length 4 km or more. Kindly note that Team Leader was initially involved in Design of projects mentioned. In S. No. 2 b (i). After design stage was over, Team Leader was involved in same projects. Details can be verified from the employees if the project mentioned. It is requested that marks may be allotted on this score as well.</p>	<p>Hence, not considered.</p> <p>ii. Projects are of supervision work and hence not considered.</p>
3.	<p><b>Evaluation of Safety Tunnel Expert:</b> While going through Evaluation sheet. It seems that typographical error has occurred in total marks which is shown as zero. Though 21 marks have been awarded for educational degree but it has not been added in total marks. If it is added while summarizing the given score, the total marks come to 75.25. It is requested to increase the total marks accordingly. Further our tunnel safety expert has desired international exposure also which has not been accounted for. It is requested that marks may be allotted on this score. Refer CV Tunnel Safety Expert on Infracon S. No 2 &amp; 3.</p>	<p>As given at page 103 of the RFP, the key professional must be "Graduate in Engineering from recognized university or equivalent". However, the certificate has been issued from Delhi Institute of Engineering Studies who themselves on their website claims that they are self financed autonomous body and do provide degree as the same can be issued only by the university. Hence, the request of the bidder for awarding marks cannot be considered as the key personnel do not have essential minimum qualification. 21 marks has been wrongly typed and the same has been made zero at the bottom.</p>
4.	<p><b>Evaluation of Resident cum Highway Engineer:</b> It may be noted that the CV of Resident cum Highway Engineer is registered with Infracon since years together and he has already worked as Team Leader for some prestigious National Highway Projects like: NH-75, at S. No 18 and other similar projects which are mentioned from S. No 12 to S. No 20 on Infracon portal. He has done Diploma in Civil engineering and later on Bachelor Degree in Civil Engineering. It is as such requested marks may be allotted on this score also.</p>	<p>The bidder has submitted a certificate issued from Indian Institute of Higher Education, Haryana(India). The institute is not an recognized institute, moreover the degree submitted by bidder has many spelling mistakes as given below: Certifiei(certify), Rooll (Roll) no., counucted(conducted), Colleage(college)The degree submitted is fake and hence, the key personnel proposed do not have essential minimum qualification.</p>
5.	<p><b>Evaluation of Relevant Experience of M/s (ICT in JV with AIA) please refer the credential submitted for Rohtang project. It is observed that JV Agreement clearly specifies the share of partner 1 (D2) 70% and partner 2 (ICT) 30%. Accordingly weightage shall be as follows:</b> Partner -1 (D2) = 70% x 8.8 k (tunnel length as specified by client) = 6.16 km Partner-2 (ICT) = 30% x 8.8 km = 2.64 km In this regard certificate issued by their Chartered Accountant giving them 41% credential of the total work is not as per the terms of the tender and hence not admissible. Credential of a firm can be</p>	<p>The bidder has submitted a certificate from the client dated 03.03.2018 issued by Major Shashi Chauhan, SO-1(Tunnel) for Chief Engineer. The certificate clearly mentions that the work of Supervision has been awarded to JV of D2 Consult International GMBH and ICT Private Limited. NHIDCL also is in position of the entire contract agreement from where the same has also been confirmed. There is no associate consultant in the contract agreement. The bidder has also submitted an agreement among both the JV partners dated 29.06.2011, wherein, it is clearly mentioned that they have agreed to</p>

	<p>judged only on the basis of the client's certificate which in this case is BRO.</p> <p>In view of the above it is clear that the firm ICT is not meeting the basic essential eligibility criteria ref Annexure- 5 and as such this issue needs to be looked into carefully.</p>	<p>appoint a sub-consultant on the project namely PEMS Engineering Consultants Pvt. Ltd. and it was further mentioned in the agreement that both the JV partners shall share the work Sub-letted to M/s PEMS Engineering Consultants Pvt. Ltd. in the ratio of 50:50. In this regard, the bidder has also submitted a certificate from SA. Also, as per the RFP the weightage of minor partner of the JV will be treated as 40% in absence of clear demarcation of JV share in client certificate &amp; in JV agreement. In this case, there is no clear demarcation in the JV agreement. Accordingly, as per the details submitted by the bidder the JV share of M/s ICT comes out to about 41% and as per the RFP it is 40%. Hence, the request of M/s RITES Limited is not found acceptable.</p>
	<p><b>Conflict of Interest &amp; wrong Certificate:</b></p> <p>M/s ICT has submitted the bid in JV with Anandjiwala Infra advisory Pvt Ltd (AIA Pvt Ltd), whereas same J.V partner (AIA) is associated with D.P.R of the Zojilla Project. Approach Project with SMEC International JV with SMEC India, and the project is still ongoing. Your attention is drawn to RFP clause No 3.2.3 (under conflict of interest P-242 of 278) and CVC guidelines vide circular No 08/26/11 dated 24th June, 2011 para la (iv) and 1 (b); copy enclosed as Annexure 6 (A). Since ICT's JV partner M/s AIA has been involved in this very project and hence getting the unfair advantage. Further they have furnished wrong certificate details attached as Annexure-3.</p>	<p>The bidder himself writes in his representation has alleged conflict of interest and wrong certificate submitted by partner of one of the bidder. They have referred clause 3.2.3 of the RFP which states as below:</p> <p>"The Consultants agree that, during the term of this Contract and after its termination, the Consultants and any entity affiliated with the Consultants, as well as any Sub- consultant and or Associates and any entity affiliated with such Sub-consultant and or Associates, shall be disqualified from providing goods works or services (other than the Services and any continuation thereof) for any project resulting from or closely related to the Services". This RFP clause 3.2.3 do not have any restriction on bidding by DPR consultant. Also, the CVC circular para referred by them do not apply in this case and the charges of conflict of interest is not substantiate and hence ruled out.</p> <p>As regard the allegation of wrong certificate that it is to confirm that the same has been issued by NHIDCL, HQ. Also, the bidder has earlier submitted to NHIDCL the Knowledge Transfer Agreement between M/s Anandjiwala Technical Consultancy and M/s Anandjiwala Infra Advisory, based on which other works in NHIDCL has been awarded to them. Hence, there is no substance in the representation of M/s RITES Limited.</p>

4. After due deliberation, TEC observed that there is no change in technical evaluation result and hence, recommend to open the financial bid of all three bidders as mentioned below on 14.12.2020 at 05:00 PM:

- (i) M/s ICT in JV with AIAPL
- (ii) M/s IRCON Infrastructure & Services Ltd in JV with Segmental in association with NM Engineering Consultancy
- (iii) M/s RITES Ltd. In association with Space Engineering Consortium

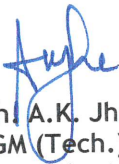
Meeting ended with vote of thanks to the Chair.



Sh. Bhaskar Mallick  
Manager (Fin.)  
(Member)



Sh. B. Shivprasad  
GM (Tech.)  
(Member Secretary)



Sh. A.K. Jha  
GM (Tech.)  
(Member)



Sh. Sanjeev Malik  
Executive Director  
(Convener)