

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

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(भारत सरकार का उद्यम)

(A Government of India Enterprise)

NHIDCL/Assam/NH-29/Dab-Man/Pkg-/2020/375

Date: 28.07.2020

Subject: Widening/Improvement to 4 (Four) Lane with Paved Shoulder from km 66+000 to km 81+000 (Design Chainage 65+923 to 80+930) of Dokmoka - Loring Thepi Section (Section 3) of NH-29 in the state of Assam under Bharatmala Pariyojna on EPC mode- **reg- Result of Technical evaluation of Bids reg:**

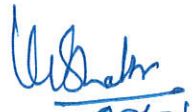
Reference: 2020_NHIDCL_557863_1

Based on the evaluation of bids, the status of Technically Responsiveness of the Participated Bidders is as under:

Sr. No.	Name of the Bidder	'Technically Responsive' with respect to opening of Financial Bids in pursuant to Clause 3.1.9 & 3.2 of RFP
1	M/s BKSONS INFRASTRUCTURE PVT. LTD.	Non Responsive
2	M/s S S BUILDERS	Responsive
3	M/s LEKCON INFRASTRUCTURE PRIVATE LIMITED	Responsive
4	M/s NARENDRA SHARMA	Responsive
5	M/s Skylark Infra Engineering Pvt. Ltd.	Non Responsive
6	M/s JKM INFRA WORKS LLP	Non Responsive
7	M/s Ganpati Builders	Non Responsive
8	M/S R and C INFRAENGINEERS PVT. LTD	Responsive

2. However, opening of the financial bids of the Technically Responsive bidders will be subjected to the condition 2.1.15 (section 2) of RFP.

3. Financial Bids will be open on 31.07.2020 at 11.30Hr.


28/7/2020.
(K. C. Bhatt)

Dy. General Manager (Tech)

National Highways & Infrastructure Development Corporation

Minutes of Meeting of Empowered Technical Bid Evaluation Committee (ETEC) for "Widening/Improvement to 4 (Four) Lane with Paved Shoulder from km 66+000 to km 81+000 (Design Chainage 65+923 to 80+930) of Dokmoka - Loring Thepi Section (Section 3) of NH-29 in the state of Assam under Bharatmala Pariyojna on EPC mode" held at NHIDCL, New Delhi on ~~XX~~ 27.07.2020.

The bids for the subject work were invited on 05.05.2020 and physically received on/before the scheduled bid due date (online or physical submission) 06.07.2020

2. Having opened the technical bids on 07.07.2020, ETBC sought clarification from M/s BKSONS INFRASTRUCTURE PVT. LTD. for submitting online payment which was deposited in wrong bank Account. The same bidder has submitted the document fee in the right account number, receipt of which is attached as **Annexure-I**

3. ETBC met to open the Technical bid on 07.07.2020 at 1500 Hrs. The following bidders have submitted their bids physically or online -

S. No.	Name of Bidders
A. Bids Received on CPP Portal	
1.	M/s BKSONS INFRASTRUCTURE PVT. LTD.
2.	M/s S S BUILDERS
3.	M/s LEKCON INFRASTRUCTURE PRIVATE LIMITED
4.	M/s NARENDRA SHARMA
5.	M/s Skylark Infra Engineering Pvt. Ltd.
6.	M/s JKM INFRA WORKS LLP
7.	M/s Ganpati Builders
8.	M/S R and C INFRAENGINEERS PVT. LTD

4. The technical evaluation of bids submitted by bidders may be carried out through existing mechanism and the Committee observed that as per NHIDCL circular modified RFP & DCA vide Circular no. NHIDCL/Legal/Amendment/RFP-EPC/2020/656 dated 10.06.2020 were circulated which does not require the bidder to upload their proposal on BIMS portal.

5. The Committee in reference to RFP has considered the following Evaluation Criteria for estimated project cost of **Rs 165.57 Crore**.

Sr. No.	Particulars	Amount in Rs. Cr.
1	Estimated Project Cost	165.57
2	Minimum Threshold Technical Capacity required (For Category 1, 2, 3 & 4) as per clause 2.2.2.2 (i)	82.79
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)	49.671

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Sr. No.	Particulars	Amount in Rs. 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)	16.56
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)	24.84
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))	16.56
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).
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))	16.56
9	Minimum Financial capacity required as per clause 2.2.2.3	8.28
10	Minimum Financial Capacity required for Lead Member to fulfill as per clause 2.2.2.4 (i)	4.97
11	Minimum Financial Capacity required for Other Member to fulfill as per clause 2.2.2.4 (i)	1.66
12	Minimum Average Annual Turnover required as per clause 2.2.2.3 (ii)	33.11
13	Minimum Average Annual Turnover required (For Lead Member) as per clause 2.2.2.4 (i)	19.87
14	Minimum Average Annual Turnover required (For Other Member) as per clause 2.2.2.4 (i)	6.62
15	Minimum Required Bid Capacity (For each Bidder) as per clause 2.2.2.1	82.79
16	Minimum Required Bid Capacity (For Lead Member) as per clause 2.2.2.4 (i)	49.674
17	Minimum Required Bid Capacity (For Other Member) as per clause 2.2.2.4 (i)	16.558

6. The details of Technical Capacity, Financial Capacity and the Bid Capacity of the 8(Eight) bidders as per the report are as under:

Summary of Technical Evaluation					
Sr. No.	Bidder Name	Minimum threshold capacity (Clause 2.2.2.2 (i))= Rs. 82.79 Cr.	Minimum threshold technical capability from category 1 & 3 in a single complete projects (Clause- 2.2.2.2-(ii) = Rs.24.84 Cr.	Lead Member share (at least 60 % of total threshold technical capacity) i.e. Rs. 49.67 Cr.	Other Member Share (at least 20% of total threshold capacity) i.e. Rs. 16.56 Cr.
1.	M/s BKSONS INFRASTRUCTURE PVT. LTD.	102.74	32.36(C)	N/A	N/A
2.	M/s S S BUILDERS	212.13	67.15(A)	N/A	N/A
3.	M/s LEKCON INFRASTRUCTURE PRIVATE LIMITED	278	95.05(1c)	N/A	N/A
4.	M/s NARENDRA SHARMA	123.76	38.82(c)	N/A	N/A
5.	M/s Skylark Infra Engineering Pvt. Ltd.	64.05	Nil	N/A	N/A
6.	M/s JKM INFRA WORKS LLP	165.24	105.87(B)	N/A	N/A

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Summary of Technical Evaluation					
Sr. No.	Bidder Name	Minimum threshold capacity (Clause 2.2.2.2 (i)= Rs. 82.79 Cr.	Minimum threshold technical capability from category 1 & 3 in a single complete projects (Clause- 2.2.2.2-(ii) = Rs.24.84 Cr.	Lead Member share (at least 60 % of total threshold technical capacity) i.e. Rs. 49.67 Cr.	Other Member Share (at least 20% of total threshold capacity) i.e. Rs. 16.56 Cr.
7.	M/s Ganpati Builders	41.44	Nil	N/A	N/A
8.	M/S R and C INFRAENGINEERS PVT. LTD	403.42	59.10 (E)	N/A	N/A

Sr. No.	Bidder Name	Role Details	Equity Holding	Minimum Net Worth (8.28 Crores)	Average Annual Turnover (33.11 Crores)	Bid Capacity (Rs. 82.79 Crore)	Whether meeting the Financial Threshold Requirement
1	M/s BKSONS INFRASTRUCTURE PVT. LTD.	SE	100%	31.50	24.48	43.0	N
2	M/s S S BUILDERS	SE	100%	14.58	74.76	458.28	Y
3	M/s LEKCON	SE	100%	83.29	135.56	504.82	Y
4	M/s NARENDRA SHARMA	SE	100%	9.87	84.18	625.33	Y
5	M/s Skylark Infra	SE	100%	92.14	37.57	269.90	Y
6	M/s JKM INFRA WORKS LLP	SE	100%	38.10	107.3	647.54	Y
7	M/s Ganpati Builders	SE	100%	5.22	30.74	224.75	N
8	M/S R and C INFRAENGINEERS PVT.	SE	100%	28.48	136.32	857.85	Y

Sr. No.	Name of the Bidder	No. of Projects held with NHIDCL	Whether meeting the criteria of max 2 no. project or Rs 500.Cr Clause 2.1.15 of the RFP
1	M/s BKSONS INFRASTRUCTURE PVT. LTD.	1	Y
2	M/s S S BUILDERS	0	Y
3	M/s Lekcon Infrastructure Pvt. Ltd.	0	Y
4	M/s NARENDRA SHARMA	0	Y
5	M/s Skylark Infra Engineering Pvt. Ltd.	0	Y
6	M/s JKM INFRA WORKS LLP	2	N
7	M/s Ganpati Builders	0	Y
8	M/S R and C Infraengineers Pvt. Ltd	0	Y

07. Observations of the committee:

The Committee observed that the bidders if sl. No. 1,2,3,5,6,7 and 8 have submitted the financial capacity such as turnover and Net worth of FY 2018-19, FY 2017-18, FY 2016-17, FY 2015-16 & FY 2014-15. Accordingly, the Committee evaluated the financial capacity of the Bidders based on the credentials provided for the FY 2015-16 to 2018-19 for such bidders who have not submitted the Audited Financial account of 2019-20.

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During the evaluation the committee observed that, following bidders have failed to meet the required criteria. The name of the bidders and reasons of failing have been provided below:

S.No.	Name of Bidders failing criteria	Remarks
1	M/s BKSONS INFRASTRUCTURE PVT. LTD.	<p>The bidder has claimed turnover by combined turnover of the bidder and its director based on the judicial pronouncement and earlier decision in this regard. The committee proposed to seek legal opinion on the above mentioned matter, the legal division clarify that "whether a company is a separate legal entity from its directors" the following Section of Companies Act 2013 are discussed:</p> <p>"Section 366, the word "company" includes any partnership firm, limited liability partnership, cooperative society, society or any other business entity formed under any other law for the time being in force which applies for registration under this Part.</p> <p>Section 9. Effect of registration: From the date of incorporation mention in the certificate of incorporation, such subscribers to the memorandum and all other person. As may, from time to time, become members of the company, shall be a body corporate by the name contained in the memorandum, capable of exercising all the functions of an incorporated company under this Act and having perpetual succession 1 *** with power to acquired, hold and dispose of property, both movable and immovable, tangible, to contract and to sue and be sued, by the said name."</p> <p>In view of the above committee considered turnover of M/s B K Sons Infrastructure Pvt. Ltd. Only.</p> <p>Bidder has failed to achieve Annual Average turnover. The turnover of M/s B K Sons Infrastructure Pvt. Ltd. evaluated excluding the turnover of the firm M/s Bhagya Kalita being a separate entity, works out to as Rs. 24.48 Cr. which is less than required minimum Av. Annual Turnover of Rs. 33.11cr. Since the audited financial turnover for the year 2019-20 has not been furnished and the same has considered as Nil w.r.t. Appendix XI of RFP.</p> <p>Bidder has Failed to achieve Bid Capaacity.The Bid capacity for M/s B K Sons Infrastructure Pvt. Ltd. evaluated excluding the turnover of the firm M/s Bhagya Kalita being a separate entity, works out to as Rs. 43.0 Cr. which is less than required minimum Bid Capacity of Rs. 82.79 cr.</p> <p>The certificate of statutory Auditor gives turnover of B K</p>

[Handwritten signatures]

S.No.	Name of Bidders failing criteria	Remarks
		Sons Infrastructure Pvt. Ltd in place of M/s Bhagya Kalita and vice versa.
2	M/s Skylark Infra Engineering Pvt. Ltd.	<p>Bidder has failed to achieve the minimum threshold criteria set in the RFP Document according to clause 2.2.2.2 (i). The Technical threshold capacity claimed by bidders is Rs. 64.05Cr whereas; the required Minimum technical Capacity is Rs. 82.79Cr.</p> <p>Further, the Bidder has failed to achieve Minimum threshold technical capability from category 1 & 3 in single completed project set in the RFP Document according to clause 2.2.2.2 (ii). No similar work experience under category 1 and 3 as per clause 2.2.2.2 (ii) could be identified to meet the Minimum technical Capacity is 24.84 Cr.</p>
3	M/s JKM INFRA WORKS LLP	<p>As per Clause 2.1.15 of the RFP, the bidder M/s JKM Infra Works LLP vide Annex-IX of Appendix-IA of the RFP document has provided that following two no. of on-going works are presently with NHIDCL as given below;</p> <p>(i) 2 Laning of Existing Akajan-Likabali road from design Km 12.00 to Km 33.00 in Arunachal Pradesh on EPC mode under Arunachal Pradesh package of SARDP-NE.</p> <p>(ii) Construction of Dibrugarh Bypass/Realignment of NH-37 from Bogibeel junction at Km 581.700 to Km 597.147 on EPC basis in the state of Assam under SARDP-NE.</p>
4	M/s Ganpati Builders	<p>Bidder has failed to achieve the minimum threshold criteria set in the RFP Document according to clause 2.2.2.2 (i). The Technical threshold capacity claimed by bidders is Rs. 41.44Cr whereas the required Minimum technical Capacity is 82.79 Cr.</p> <p>Further, the Bidder has failed to achieve Minimum threshold technical capability from category 1 & 3 in single completed project set in the RFP Document according to clause 2.2.2.2 (ii). No similar work experience under category 1 and 3 as per clause 2.2.2.2 (ii) could be identified to meet the Minimum technical Capacity is 24.84 Cr.</p> <p>Bidder has failed to achieve minimum Net worth set in the RFP Document according to point (i) of clause 2.2.2.3. Works out to as Rs. 5.22 Cr. which is less than required minimum Net worth of Rs. 8.28 cr.</p> <p>Bidder has failed to achieve Annual Average turnover. The turnover of M/s Ganpati Builders, works out to Rs. 30.74 Cr. which is less than required minimum Av. Annual Turnover of Rs. 33.11cr. Since the audited</p>

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S.No.	Name of Bidders failing criteria	Remarks
		financial turnover for the year 2019-20 has been provisionally submitted and considered as Nil w.r.t. Appendix 11 of RFP.

8. Further the committee had sought clarification from following bidders' w.r.t to their submitted documents. The bidders have furnished their comments as below:

S.No.	Name of Bidder	Clarification sought from Bidder	Bidder's Reply	Remarks
1	M/s LEKCON INFRASTRUCTURE PRIVATE LIMITED	Bidder was requested to clarify the Bid Securing declaration, Integrity Pact and undertaking of the person having POA that they agree and abide by the bid documents could not be located Bidder was requested to clarify the mismatch in the year wise Net Worth in Annex -III and Appendix-X and turnover in Annex -III and Appendix-XI given by Statutory Auditor's certificate for calculation of Net Worth and Turnover.	Document provided	Found satisfactory
2	M/s NARENDRA SHARMA	Bidder was requested to clarify the Net Worth and Turnover duly certified by Statutory Auditor's with UDIN No. the bid documents could not be located.	Document provided	Certificate of the Statutory Auditor's not strictly as per the format prescribed in RFP however Two no. of Document has been furnished in support of Annual Average Turnover and net Worth through the Statutory Auditor has certified the Turnover and Net Worth with UDIN but it is not strictly in the format prescribed as Appendix X and XI at RFP

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9. Based on the documents submitted by the bidders and their Evaluation the Empowered Technical Evaluation Committee (ETEC) in its meeting has discussed and deliberated that the following bidders are found to be technically responsive:

Sr. No.	Name of the Bidder	Responsiveness
1	M/s BKSONS INFRASTRUCTURE PVT. LTD.	Non-Responsive
2	M/s S S BUILDERS	Responsive
3	M/s LEKCON Infrastructure Private Limited	Responsive
4	M/s NARENDRA SHARMA	Responsive
5	M/s Skylark Infra Engineering Pvt. Ltd.	Non-Responsive
6	M/s JKM INFRA WORKS LLP	Non-Responsive
7	M/s Ganpati Builders	Non-Responsive
8	M/S R and C INFRAENGINEERS PVT. LTD	Responsive


10. The Empowered Technical Evaluation Committee (ETEC) recommended to open the financial bid of the following 4 technically responsive bidders after the approval of Competent Authority.

Sr. No.	Name of the Bidder	Responsiveness
1	M/s S S BUILDERS	Responsive
2	M/s LEKCON INFRASTRUCTURE PRIVATE LIMITED	Responsive
3	M/s NARENDRA SHARMA	Responsive
4	M/S R and C INFRAENGINEERS PVT. LTD	Responsive


Meeting ended with vote of thanks to chair.


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(ED-V)

Convener


K C Bhatt, 27/7/2020
DGM(T)

Member Secretary/ Presenting
Officer


A. K. Jha
GM (T)

Member


Mahesh Gupta,
Manager
(Finance)
Member

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