

Minutes of Meeting of Empowered Technical Bid Evaluation Committee (ETEC)

Date: 05.07.2018 at NHIDCL (HQ).

Time: 4:00 PM

Name of work: Restoration of road by way of clearance of consolidated slips, surface boulders, side drain, culverts including construction of Retaining wall and Breast walls and fixing of Traffic sign board & kilometer Stones on Khellani-Hambal-Goha-Dranga (Km 0.000 to Km 29.800) in the state of Jammu and Kashmir.

It was noted by the Committee that ETEC in its earlier meeting dated 01.06.2018 had recommended that the clarifications, as suggested by the financial consultant, be sought from the bidders.

2. The Committee was apprised that the bidders submitted their respective replies to the clarifications which were forwarded to the financial consultant for examination and for final evaluation report. The financial consultant Raj Har Gopal & Co. submitted their report dated 05.07.2018 after taking into consideration the replies submitted by the bidders (Annexure-I).

3. The Committee noted the following in respect of each bidder vis-a-vis clarifications given and examined by the financial consultant:

(i) **M/s Cube Construction Engineering:** As per clarification required under sl. no 7, the bidder was required to have completed as a prime contractor (or as a nominated sub-contractor) similar works during last 5 years atleast one contract of Highways (road/bridge works)/airport runway having the value of contract as Rs. 210.00 Lakhs. The similar works constitutes construction/ maintenance of bituminous road works on National Highway/State Highways /Major District road. The bidder in his reply vide email dated 07.06.2018 has admitted that he does not the requisite experience and that he has executed road works under PMGSY Scheme only. As per the report of the financial consultant the bidder does not qualify in terms of clause 4.4 A (b) of RFP and is ineligible for the next stage of bidding process.

(ii) **M/s Harish Gupta:** ETEC noted that there were two major issues pertaining to "Similar work" and "Format of Bank Guarantee" in respect of the bid submitted by Ms/. Harish Gupta. The 1st one pertains to the execution/completion of similar work which constitutes construction/maintenance of bituminous road works on National Highways/State Highways/Major District road of having atleast intermediate length of 5.50 mtr with shoulder width of 1.00 mtr. The Bidder in his reply has submitted that the Bani-Basoli-Bhadarwah road has been executed under BRO and is defence road having shoulder width of 1.00 mtr and of intermediate lane width configuration of 7.00 mtr. The lane width has not been mentioned in the accompanying experience certificate/completion certificate. There is a discrepancy in the submission of the bidder as to the width of intermediate lane being 7.00 mtr whereas the intermediate lane width is taken as 5.50 mtr as per IRC Standards. The eligibility of the claimed project of Basoli-Bani-Bhadarwah road has not been clarified by the bidder.

Further, the Bank Guarantee towards Bid Security submitted by the bidder has been transmitted through the SFMS gateway and the same has been confirmed by the Syndicate Bank vide its letter no. 9062/NHIDCL/BG/2018 dated 24.05.2018. The



Committee is of the view, that though the Bank Guarantee submitted towards Bid Security, is not as per the format, this minor deviation is of no material consequence and can be accepted.

(iii) **M/s Jai Buildcon Pvt. Ltd:** The Committee noted that M/s Jai Buildcon Pvt. Ltd is clearly eligible for the next stage.

(iv) **M/s Payare Lal Sharma:** It was noted that financial consultant in his report has mentioned that in the Bid submitted by the Bidder, documents were submitted with different names i.e. Payaray Lal Sharma, Parya Lal Contractor, Payare Lal Contractor, Sharma Construction. Clarification was sought from the Bidder for the same. In its reply, Bidder has assured that Payare Lal Sharma, Pararay Lal Sharma, Pyare Lal Sharma, M/s Sharma Construction are single entity and they are not separate entities and has also submitted an Affidavit stating that all the entities mentioned above are single entity and has also submitted the required documents with Bidder's name.

With respect to registration certificate, Bidder has requested to consider registration of Sharma Construction as Bidder because Payare Lal is the only proprietor of Sharma Construction. Financial consultant has recommended that as the Bidder has submitted an Affidavit stating that all the entities mentioned above are single entity, the same may be considered acceptable subject to approval of Authority.

2. ETEC further noted that the minimum eligibility/qualification criteria as per RFP are as under:

S.No.	Particulars	Amount in Rs. Crore
1	Time for completion 9 months	
2	Estimated Cost	5.25
3	Minimum Criteria for Average Annual Turnover (For each Applicant)	2.10
4	Eligibility criteria as completed work of similar nature during last 5 years (One similar Completed work not less than the amount equal to 40% of the value of contract)	2.10
5	Minimum Required Bid Capacity (For each Applicant) as per clause 4.6 of Section 2 Instructions to Bidders (ITB)	5.25

3. The following was observed by the ETEC regarding the qualification of each bidder whose bids were technically responsive:

Description	M/s Cube Construction Engineering	M/s Jai Buildcon Pvt. Ltd., Company	M/s Harish Gupta	M/s Payare Lal Sharma
Average Annual Financial Turnover of Rs 2.10 Crore	---	25.26 Cr.	19.54 Cr.	9.97
One similar work completed of amount equal to Rs 2.10 Crore	---	Yes	No	Yes
Assessed Bid Capacity Required : >Rs 5.25 Crore		46.28 cr.	22.75 Cr.	6.00 cr.
Evidence of availability of key equipments	---	Yes	Yes	Yes
Power of Attorney	---	Submitted	Letter of Authority is given	N/A
Availability of Bank credit	---	Submitted	Submitted	Submitted
Bid Security	BG submitted Confirmed through SFMS	DD submitted	BG submitted Confirmed through SFMS	DD Submitted

4. The committee noted that M/s Harish Gupta has failed to clarify that he has requisite experience in similar works in terms of provision of RFP and the bid as such cannot be considered for the next stage. Regarding the bid of M/s Payare Lal Sharma, based on the affidavit being the single entity can be considered for the next stage. The committee observed that the following two bidders meet all eligibility requirements in terms of Average Annual Financial Turnover, One completed work of value Rs 2.10 Crore and having required Bid Capacity. The detail of the completed works for the two bidders is as under:


Name of Bidder	Project Name	Tender Amount (Rs.) Cr.
M/s Jai Buildcon Pvt. Ltd., Company	(i) Periodic Renewal work in Length of 16 km of Sarangpur-Dewas Section from km. 483.000 to 566.450 of NH-3 in the state of Madhya Pradesh	9.06
	(ii) Restoration of road by way of clearances of consolidated slip, surface boulders, side drain, culverts including reconstruction of damaged edge wall and R/walls on Batote Kishtwar NH-244 from Division -Ramban km. 0.000 to km. 25.000 in the state of J& K	16.54
M/s Payare Lal Sharma	Construction of Major District Road from Singhpora to Singhpora Tunnel point by way of earthwork walling, Carriageway and WBM in 3.500 kms length with formation width = 8 mtr., carriageway = 5.50 mtr. and shoulder = 1.25mtr.	3.85


5. ETEC agreed with the recommendations of the Financial Consultant in respect of the clarifications received as per **Annexure-II**, fulfilment of the minimum eligibility criteria by the each bidder as per para 4 above. The committee after due deliberations recommended the financial opening of the following two firms after uploading the result for 7 days with the approval of Competent Authority:

(i) **M/s Jai Buildcon Pvt. Ltd., Company**

(ii) **M/s Payare Lal Sharma**

The meeting ended with vote of thanks to the chair.


Pradeep Sharma, GM (T)
(Member Secretary)


Adil Singh, GM (Tech.)
(Member)


Uttam Chatterjee, DGM(Fin.)
(Member)


Sanjeev Malik, ED-III
(Convenor)

