Minutes of Meeting of Empowered Technical Evaluation Committee (ETEC) for evaluating Technical Bids for "Rehabilitation and up-gradation of Jarwa Area of NH-223 (New NH-4) from Km 59.400 to Km 107.000 and Km 138.30 to Km 155.00 in the UT of Andaman & Nicobar Islands" held at NHIDCL on 25.01.2018, New Delhi" (2nd Meeting of ETEC)

The RFPs for the subject work were invited with Bid Due Date as **09.01.2018** till **15:00 hrs.** In all, Six bids were received from the following bidders:

Sr. No.	Name of Applicant	
1.	M/s Jandu Construction Company	
2.	M/s Vasishta Construction Pvt. Ltd.	
3.	M/s SPL Infrastructure Private Limited	
4.	M/s RPP Infra Projects Limited	
5.	M/s Baba Projects Pvt Ltd.	
6.	M/s R K Jain Infra Projects Pvt. Ltd.	

- 2. During the first ETEC meeting held on 18.01.2018, ETEC decided to seek clarifications from all the above mentioned bidders (6 bidders) on or before 23.01.2018 upto 1800 hrs.
- 3. Accordingly, letter seeking Clarifications were sent to all the 6 (six) bidders vide letters dated 18.01.2018. In response to which all the 6 (six) bidders have submitted their clarifications within the stipulated time and the same were forwarded to the Financial Consultant M/s. KRA & Co. Queries wise reply of all the bidders with Consultant recommendation is detailed below in tabular form:

1/6. M/s Jandu Construction Company, Partnership Firm

Sr. No	Clarification sought by NHIDCL vide letter dated 18.01.2018	Reply	Consultant Reply	Recomm endation of ETEC
1.	In 12 th line of the submitted Bid security by the bidder, the word "seal" is written instead of "common seal" which is required as per format of bid security. **Kindly provide an amendment for the same.**	In this regard, it is intimated that we have submit the query to the bank as per provided by you in above said letter reference number i.e, "Seal" written instead of "Common Seal". But the bank has been clarified that we have unable to written the word "Common Seal" in Bank Guarantee and "Common Seal" is not affixed on Bank Guarantee, so the word "common" has been removed. The Bank Copy received by us through email is enclosed.	The bidder has provided the conversation on e-mail by the bank personnel stating that, "Since common seal is not affixed in the Bank Guarantee, the word "Common" has been removed" The same could be accepted.	ETEC agreed with the recommen dation of Consultant

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2/6. Vasishta Construction Pvt. Ltd, Company:

Sr. No	Clarification sought by NHIDCL vide letter dated 18.01.2018	Reply	Consultant Reply	Recommen dation of ETEC
1.	Clause 4.2 (h) of ITB The bidder has provided an undertaking for the investment of minimum cash up to 25%, however the same is not notarized as per the required format of Undertaking. Kindly Clarify	Submitting herewith the undertaking duly Notarized as per the Requirement.	Since the notarized undertaking has now been submitted therefore provisions of clause 4.2 (h) of ITB has been complied.	ettec agreed with the recommendati on of Consultant.
2.	4.2 (g) of ITB The Bank certificate for access to line of credit has been submitted by the bidder. However, the same is not exactly as per required format as the language in the Bank certificate is modified from the format of bank Certificate. Kindly clarify and provide the correct Bank Certificate exactly verbatim with the format of Bank Certificate.	Enclosed is the Corrected Bank Certificate as per the Format.	Since the corrected bank certificate has now been submitted therefore provisions of clause 4.2 (g) of ITB has been complied.	
3.	12.2 (c) of Section 2 A ITB The Bidder is required to submit Power of Attorney of the signatory (whose digital signature certificate is used during etender submission) of the bidder to commit the bid. However, in the submitted bid, the Digital Signature holder is M.K. Chaitanya and the POA is in favour of PR Jeevan. Kindly Clarify	We have Submitted the Board Resolution authorizing P R Jeevan along with the Power Of Attorney to use the Digital Signature on Behalf of Mr. M. K. Chatanya- Director. We are submitting herewith Power of Attorney of Mr. M.K Chaitanaya Who is the Director and Holder of Digital Signature.	It has been replied by the Bidder that Since the Authorised Signatory is P R Jeevan therefore the DSC of Mr. M K Chaitanya is used by P R Jeevan for submitting the Bid online. The bidder has now provided the POA authorizing M K Chaitanya also as Authorized Signatory, therefore provisions of clause 12.2 (c) has been complied.	
4.	Clause 4.4 A b) of ITB and amendment No. 2 The Bidder has claimed Completed Works details and Completion Certificate at page no. 197 and 198 of the technical bid in pdf file. However, as per the certificate the work has been done in JV. Kindly provide a supporting certificate from which the share of the bidder in such JV is mentioned.	The Joint Venture has Sublet the work to Lead Partner M/s. Vasishta Constructions Pvt. Ltd, Hyderabad. The Client has Also recognized the same as per the Certificate issued on 31.07.2017. We have highlighted the Same for Your Reference. However, The JV Share is 60%-40%.	The required information has been provided therefore reply to be considered as satisfactory.	
5.	Clause 1.4 (b) (i) of Section III and clause 4.6 of ITB As per the clause, supporting certificate by Employer for existing commitments and ongoing works in original or certified copy is required to be submitted; however the bidder has not submit the same. Kindly clarify and provide the completion value certificate of the ongoing works.	We are Submitting herewith details of work Done duly certified From CA.	Since the details of ongoing works has now been provided by Statutory Auditor therefore the same has been considered.	

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6.	Undertakin (K) and Clause 4.4 B (b) (ii) of ITB The said undertaking is required to be submitted for all key personnel, however, it is submitted only for the Project Manager. Kindly Clarify and submit the same for all key personnel.		document, therefore, the
7.	Clause 4.2 (h) of ITB The bidder has provided an undertaking for the investment of minimum cash up to 25%, however the same is not notarized as per the required format of Undertaking. Kindly Clarify	Submitting herewith the undertaking duly Notarized as per the Requirement.	Since the notarized undertaking has now been submitted therefore provisions of clause 4.2 (h) of ITB has been complied.

3/6. SPL Infrastructure Private Limited, Company:

Sr. No	Clarification sought by NHIDCL vide letter dated 18.01.2018	Reply	Consultant Reply	Recommen dation of ETEC
1.	Clause 4.2 (h) of ITB The bidder has provided an undertaking for the investment of minimum cash up to 25%, however the same is not notarized as per the required format of Undertaking. Kindly Clarify		Since the notarized undertaking has now been submitted therefore provisions of clause 4.2 (h) of ITB has been complied.	etec agreed with the recommendati on of Consultant.

4/6. RPP Infra Projects Limited, Company:

Sr. No	Clarification sought by NHIDCL vide letter dated 18.01.2018	Reply	Consultant Reply	Recommen dation of ETEC
1.	clause 4.2 (f) of Section 2 (A) ITB The Bidder has not submitted complete five years Financial Statements (Audited Annual Reports). Notes to accounts attached with the Financial statements are not found in the submitted bid which is required as per clause 4.2 (f) of Section 2 (A) ITB. Kindly clarify	As per Clause 4.2(f) Of Section 2(A) ITB: Scanned Copy of reports on the Financial Standing of the Bidder, And a Certificate from the chartered Accountant as a Proof of Turnover for the Last five Years; We have attached Audited Balance Sheet, turnover Certificate Vetted by CA, Which Satisfy the above needs, However to your requirements now we have further Attached Annual report 2012-2017 in this mail.	Since the required documents has now been submitted therefore provisions of clause 4.2 (f) of ITB has been complied.	ETEC agreed with the recommendati on of Consultant.
2.	4.4 B (b) (ii) of Appendix to Bid As per requirement of clause 4.4B (b)(ii) of Appendix to Bid (reference at page 24 of RFP document), the bidder should submit the detailed and signed CVs of the Key Technical Personnel's at S. No.1 (Project Manager) signed by the key personnel himself which must be uploaded along with the bid. The detailed CV has not been submitted.	4.4 B (b) (ii) of Appendix to Bid Availability for this work of Personnel with qualification & experience as stated in the Appendix to ITB As per Above clause, We need to produce documentary evidence of Personnels qualification & experience. We had mentioned clearly the personnel qualification by Submitting his Degree Certificate & Mentioned his experience as per the	Since the required documents has now been submitted therefore provisions of clause 4.4 (b) (ii) of Appendix to Bid has been complied.	

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	Kindly clarify	1.6 Qualification and Experience of		
		key Personnel Sectioned Uploaded.		
		To your Requirement we further		
		Attached Project Manager Signed		
		Resume in this mail.		
		4.2 (a) of ITB Scanned copies of	Since the MOA & AOA	
		original documents defining the	has now been submitted	
		Constitution or Legal Status, Place of Registration and Principal Place of	therefore provisions of	
		Business ,Scanned copies of Written	clause 4.2 (a) of ITB has	
	4.2 (a) of ITB	power of Attorney of the Signatory of	been complied.	
	The bidder is required to submit Original	the Bid to Commit the Bidder &		
	documents defining the constitution or legal status, place of registration, and	Original copy of Written Power of		
3.	principal place of business like (MOA	Attorney to be Submitted in the		
	and AOA), however no such documents	envelop of Physical form.(Refer clause		
	have been found.	12.2 of ITB). As per above clause, defines clearly		
	Kindly clarify	that we need to send only POA as		
	6	Original and Rest as Scanned		
		Copies.		
		We have attached Sacnned MOA &		
		AOA in this Mail.	Since the corrected	
	The Affidavit submitted by the bidder is not exactly as per format of RFP. The	Type Error Occurred, Find the Corrected Document in this mail.	Since the corrected Affidavit has now been	
	words "required attachments" is written	Corrected Bocament in this mair.	submitted therefore	
	instead of "enclosed attachments" in		provisions of clause 4.4 B	
4.	point 1, and "Department" word used		(a) of ITB has been	
	instead of "NHIDCL" in point 3		complied.	
	Kindly clarify			
	Clause 4.2 (h) of ITB		Since the corrected undertaking has now been	
	The bidder has provided an undertaking for the investment of minimum cash up to		submitted therefore	
_	25%, however in the last the words	Type Error Occurred, Find the	provisions of clause 4.2 (h)	
5.	"towards the working capital" is not	Corrected Document in this mail.	of ITB has been complied.	
	mentioned which is required as per			
	format of Undertaking.			
	Kindly Clarify		Since the corrected POA	
	Power of Attorney The bidder has submitted POA which is		has now been submitted	
	executed on 08.01.2018 and the	Type Error Occurred, Find the	therefore the same has	
6.	notarization of the same has been done on	Corrected Document in this mail.	been accepted.	
	06.01.2018.			
	Kindly clarify		C'and day of the first	
	4.2 (g) of ITB		Since the corrected bank certificate has now been	
	The Bank certificate for access to line of credit has been submitted by the bidder.		submitted therefore	
	However, in the second last line, the		provisions of clause 4.2 (g)	
	words, "working capital limits" is	Time Ferror Occurred Find the	of ITB has been complied.	
7.	written instead of "working capital	Type Error Occurred. Find the Corrected Document in this mail.	•	
	limits" which is required as per format of	Corrected Document in this man.		
	Bank Certificate.			
	Kindly clarify and provide the correct			
	Bank Certificate exactly verbatim with			
	the format of Bank Certificate.			

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5/6. Baba Projects Pvt Ltd, Company:

Sr. No	Clarification sought by NHIDCL vide letter dated 18.01.2018	Rep	oly	Consultant Reply	Recommen dation of ETEC
1.	Clause 4.4 A b) of ITB As per the said clause, at least one contract of road i.e, State Highway, National Highway with similar or Bituminous work specification of at least 40% of the value of contract. (i.e. Rs.20.04 Crore) is required to be completed by the bidder during last five years ending last day of the month previous to the one in which bids are invited. Kindly clarify which project (only from the completed projects claimed in the submitted bid) qualifies the minimum criteria required as per point 4.4 b) of	In Accordance with the following is bei information and due (i) Value of one contract completed by us of State Highway in State of Jharkhand – "Strengthening of Mahagama – Digghi Road(00 to 12.08 Km) under Plan head for the year 2013-2014 during the last 5 Years vide agreement No. – SBD -04 of 2013-14 (Relevant Certificate Attached) (ii) Escalated value of completed Work to the	ing stated for your	The bidder has claimed Project of Mahagama – Digghi Road (00 to 12.08 Km as Eligible Project. The year of start of the Project is 2013-14 (commencement date is 18.05.2013) and year of completion of the project is 2014-15 (Actual completion Date is 30.09.2014). The bidder has wrongly used updation factor of 2013-14 (i.e 1.46) as the work has been completed in the year 2014-15 therefore updation factor of 2014-15 (i.e 1.33) should be used for the calculation. Therefore the calculation will be as under: (Escalate As the Work d value is Related of with last 3 rd	ETEC agreed with the recommendati on of Consultant.
	ITB. The details should be supported by the Completion Certificate by Employer clearly indicating about the type of such road i.e, State Highway, National Highway with similar or Bituminous work specification	level of current financial year (2017-18) as per clause 4.4 A (b) Of I.T.B	Financial Year. 1.46 X 13,83,07,100/ - = Rs. 20,19,28,366/ - Which is more than Required qualifying Value of Rs. 20.04 Crore	complete d Work to the level of current 13,83,07,10 financial year = Rs. (2017-18 18,39,48,44) as per clause 4.4 A (b) Of I.T.B Which is less than Required qualifying Value of Rs. 20.04 Crore	

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6/6. R K Jain Infra Projects Pvt. Ltd, Company:

Sr. No	Clarification sought by NHIDCL vide letter dated 18.01.2018	Reply	Consultant Reply	Recommen dation of ETEC
1.	Clause 4.2 (h) of ITB The bidder has provided an undertaking for the investment of minimum cash up to 25%, however in the last the words "towards the working capital" is not mentioned which is required as per format of Undertaking. Kindly Clarify	New Undertaking Submitted	Since the corrected undertaking has now been submitted therefore provisions of clause 4.2 (h) of ITB has been complied.	ETEC agreed with the recommendati on of Consultant.
2.	Clause 4.4 A b) of ITB As per the said clause, at least one contract of road i.e, State Highway, National Highway with similar or Bituminous work specification of at least 40% of the value of contract. (i.e. Rs.20.04 crore) is required to be completed by the bidder during last five years ending last day of the month previous to the one in which bids are invited. Kindly clarify which project (only from the completed projects claimed in the submitted bid) qualifies the minimum criteria required as per point 4.4 b) of ITB. The details should be supported by the Completion Certificate by Employer clearly indicating about the type of such road i.e, State Highway, National Highway with similar or Bituminous work specification	Project of Up-gradation of Ferozepur Jhirka Biwan road to Maniyabass upto Rajasthan Border km. 0.00 to 3.49 (Road ID 1165) & Punhana to Lahanpur Sri Singalheri, Thenkri, Jamalgarh, Ranota Manota to Dhondal up to Rajasthan Border km. 0.00 to 12.98 (Road ID 1284) is claimed.	The details about State Highway, National Highway is not provided by the bidder. The same is clarified from the concerned PWD for whom the project was done and they clarified that the Project is ODR (Other District Road). Therefore, the project is not considered as eligible project for evaluation.	
3.	4.2 (g) of ITB The Bank certificate for access to line of credit has been submitted by the bidder. However, in the first line, the words, "if the contractor for the work namely" is not written as per the format and in the last the words a condition is added for fullfillment of formalities and T&C for giving credit facility which is not required as per format of Bank Certificate. Kindly clarify and provide the correct Bank Certificate exactly verbatim with	Bank Certificate submitted	Since the corrected Bank certificate has now been submitted therefore provisions of clause 4.2 (g) of ITB has been complied.	
4.	the format of Bank Certificate. 4.4 B (a) of ITB The Affidavit submitted by the bidder is not exactly as per format of RFP: • The words "required attachments" is written instead	Correct Affidavit submitted	Since the corrected Affidavit has now been submitted therefore provisions of clause 4.4 B (a) of ITB has been	

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	of "enclosed attachments" in		complied.	
	point 1.		(28)	
	• The words "Department" used			
	instead of "NHIDCL" in point 3.			
	The words "and within the prescribed time" is not written in			
	point 4			
	• by Department / Project			
	Implementing Agency written			
	instead of NHIDCL in point 4			
	Kindly clarify			
	Appendix to Bid (Page 24 of RFP) and		Since the required	
	point 1.6 of section III		information has now been	
	As per Appendix to Bid (Page 24 of RFP)		submitted therefore	
	and point 1.6 of section III, Bidder is		provisions of point 1.6 of	
_	required to submit qualification and	(150) 15 00 (150) (150) (150) (150)	Section III has been	
5.	experience of Key Personnel along with	Information submitted	complied.	
	detailed and signed CV of Project			
	Manager, however no such information has been submitted by the Bidder.			
	has been submitted by the Bidder.			
	Kindly clarify			
	4.2 (a) of ITB		Since the MOA & AOA	
	The bidder is required to submit scanned	15	has now been submitted	
	copy of Original documents defining the		therefore provisions of	
100	constitution or legal status, place of		clause 4.2 (a) of ITB has	
6.	registration, and principal place of	MOA & AOA submitted	been complied.	
	business like (MOA and AOA), however no such documents have been found.			
	no such documents have been found.			
	Kindly clarify			
	Point 1.4 (a) of Section III		The work performed list	
	As per point 1.4 (a) of Section III, bidder is required to submit work performed list		has been found in the	
	as per the format along with supporting		documents submitted at the time of bid. Therefore	
7.	certificates. The information about the	Submitted	the time of bid. Therefore	
	same has not been found.		considered.	
	Kindly clarify			
			The POA has not been	
			submitted by the bidder	
	Point 1.2 of Section III The Bidder is		which is required as per point 1.2 of Section III.	
	required to submit POA as per point 1.2		However, since the power	
0	of Section III, however the same has not	Dalbara tarah	to sign has also been	
8.	been found in the submitted bid.	Board Resolution has been submitted	received through Board	
			Resolution therefore, the	
	Kindly Clarify		same may be considered	
			as having sufficient	
			power to sign the	
	Clause 1.4 (b) (i) of Section III and also		document.	
9.	Clause 1.4 (b) (i) of Section III and clause 4.6 of ITB	List of ongoing works submitted	Supporting certificates not submitted by bidder	
7.	As per the clause, supporting certificate	List of origonia works submitted	therefore full value of	
	115 per the chause, supporting certificate		monoro ran rando di	

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	by Employer for existing commitments and ongoing works in original or certified copy is required to be submitted; however the bidder has not submit the same. **Kindly clarify and provide the completion value certificate of the ongoing works.**		project has been considered for value of B in calculation of Bid Capacity	
10	Clause 1.4 (b) (i) of Section III and clause 4.6 of ITB The bidder has submitted details under heading existing commitments and ongoing works from page no. 17 to 20, 21 to 24 and 25 to 26 of pdf file. Further, it is not clear whether the contract amount mentioned in the table from 17 to 24 is in lacs or crores. Kindly clarify in which table, the correct details about ongoing works will be taken. Also clarify about the	Same list has been submitted now	The details of denomination has not been provided, therefore the evaluation has been done from the completion certificates submitted by the bidder.	
11	denomination (in Rs lacs or crores) of amount mentioned in the table from 17 to 24. clause 4.2 (f) of Section 2 (A) ITB The Bidder has not submitted complete five years Financial Statements (Audited Annual Reports). Notes to accounts attached with the Financial statements are not found in the submitted bid which	Same document as submitted earlier has been provided	The details of Notes to accounts to Financial statements has not been submitted, therefore the Financial Capacity has been calculated based on	
	is required as per clause 4.2 (f) of Section 2 (A) ITB. Kindly clarify	nas occir provided	the documents available.	
12	4.4 A (a) and 4.6 of ITB As per the said clause, the value of turnover related to civil construction works only is required to be considered. However, the bidder has also included the toll collection receipts for Average Annual Construction Turnover and for calculating Value of A related to Bid Capacity. Kindly clarify	Corrected Bid Capacity subtracting the Toll Collection receipts has been submitted.	The bidder has now submitted the corrected value of A, therefore Bid Capacity has been calculated accordingly.	
13	Undertakin (K) and Clause 4.4 B (b) (ii) of ITB The said undertaking is required to be submitted for all key personnel, however, it is submitted only for Sh. Ramkumar Sharma. Kindly Clarify and submit the same for all key personnel.	Undertaking for all key personnel submitted	Since the required undertaking has now been submitted therefore provisions of clause 4.4 B (b) (ii) of ITB has been complied.	

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4. Committee deliberated in detail upon the clarifications received from all the bidders & upon recommendation of Financial Consultant and observed that bidder M/s Baba Projects Pvt. Ltd. & M/s R K Jain Infra Projects Pvt. Ltd. is not fulfilling the RFP criteria of responsiveness of bid and hence declared non-responsive. ETEC recommended for opening financial bid of 4 (four) following responsive bidders after seeking approval of the Competent Authority.

Sr. No.	Name of Bidder/JV	Responsive status for Financial Opening
1.	M/s Jandu Construction Company	Responsive
2.	M/s Vasishta Construction Pvt. Ltd.	Responsive
3.	M/s SPL Infrastructure Private Limited	Responsive
4.	M/s RPP Infra Projects Limited	Responsive
5.	M/s Baba Projects Pvt Ltd.	Non Responsive
6.	M/s R K Jain Infra Projects Pvt. Ltd.	Non Responsive

The Meeting ended with Vote of Thanks to the chair

V.K Singh

(ED-IV): Chairman

Sandeep Gupta

GM(T): Member Secretary

Adil Singh

GM (T): Member

(Uttam Chatterjee)

DGM (Finance)

Member

Vivekanand Jaiswal

DGM (T): Member