

**National Highways & Infrastructure Development Corporation**

**Minutes of 3<sup>rd</sup> Meeting of Empowered Technical Bid Evaluation Committee (ETEC) held on 22.05.2017** -Construction of Road, Bridge and Slope Protection Works of Landslide at Bareti (Ex.km 100.300 to Km 101.60 of NH-34) in the State of Uttarakhand on EPC basis-

The RFPs for the subject work were invited with Bid Due Date as 23.03.2017 till 1500 hrs.

2. Having opened the Technical Bids on 24.03.2017 received from the following applicants in the presence of representatives of applicants, who choose to attend the RFPs opening, hard copies of the original documents along with the soft copy (as received from CPP portal) were handed over to the concerned Financial Consultant, **M/s PARY & Co.** for carrying out the evaluation of the Technical Bids:

Name Of Work	Name of Bidder	Name of Financial Consultant
Construction of Road, Bridge and Slope Protection Works of Landslide at Bareti (Ex.km 100.300 to Km 101.60 of NH-34) in the State of Uttarakhand on EPC basis	M/s Subhash Infra engineers Pvt. Ltd.	M/s PARY & Co.
	M/s Doon Infrastructure Pvt. Ltd.	
	M/s Bharat Construction Pvt. Ltd.	
	M/s Saiurja Hydel Projects Pvt. Ltd.	

2. In the second meeting of ETEC held on 13.04.2017, the Committee had decided to seek further clarifications from the bidder, M/s Subhash Infraengineers Pvt. Ltd. for meeting mandatory experience by way of entering into Memorandum of Understanding (MoU) with technology provider M/s Pioneer Foundation Engineers Pvt. Ltd. having executed high strength wire rope panels and rock bolts work and to further established the facts that the said technology provider company was incorporated not less than 5 years ago i.e. not later than FY-2011-12. and clarification from M/s Doon Infrastructure Pvt. Ltd. for meeting the mandatory experience of specialized work.

3. The Committee was informed that the bidders were requested to clarify the facts mentioned in the aforesaid para vide letters dated 19.05.2017, in response bidder M/s Doon Infrastructure Pvt. Ltd. didn't respond. However M/s Subhash Infraengineers Pvt. Ltd. submitted the clarifications vide letter no. SIPL/NHIDCL/2017-18 dated 22.05.2017 stating that their MoU partner M/s Pioneer Foundation Engineers Pvt. Ltd. was registered in year 2004 (in the same of M/s Pioneer Foundation Engineers). Clarification received from M/s Subhash Infraengineers Pvt. Ltd. were handed over to the Financial consultant M/s PARY & Co. for further consolidation of the evaluation process. The Financial Consultant in the reply to NHIDCLs letter dated 19.05.2017 that M/s Subhash Infraengineers Pvt. Ltd. has not qualified for the next stage of evaluation on account of clarification submitted by the bidder vide their letter dated 22.05.2017 and mentioned that the outcome in their previous report dated 13.04.2017 qualifying M/s Subhash Infraengineers Pvt. Ltd. for next stage of evaluation was an error of judgment which was neither deliberate nor intentional.

*[Handwritten signatures and initials in blue ink]*

4. The Committee after deliberating the fact that MoU partner of the bidder in the name of M/s Pioneer Foundation Engineers was registered in Year 2004 as a partnership firm, which was later on incorporated in Year 2013 as M/s Pioneer Foundation Engineers Pvt. Ltd. under Companies Act. 1956. Hence, the status of both the entities was different and cannot be equated with the company incorporated under Companies Act. 1956. Accordingly, the Committee agreed the bid of M/s Subhash Infraengineers Pvt. Ltd. was declared non-responsive for next of bidding.

5. **Recommendations of the ETEC:** The Committee after taking a view point on the clarifications submitted by M/s Subhash Infraengineers Pvt. Ltd. and on the basis of their clarifications concluded that that, out of four bidders who submitted their bids, only one bidder, M/s Bharat Construction Pvt. Ltd. qualified for the next stage of bidding, and this is the first call of inviting bids and only one bidder has qualified for the next stage of bidding the tender should be **re-invited** with the approval of the Competent Authority.

6. The Committee also opined that Financial Consultant, M/s PARY & Co. should also be cautioned for overlooking the difference between company registered under partnership Act and company incorporated under Companies Act. 1956, resulting in erroneous evaluation of bid of M/s Subhash Infraengineers Pvt. Ltd

The Meeting ended with a Vote of Thanks to the Chair.

 ( V.K.Singh) (ED-IV) Chairman	 (Sandeep Gupta) (GM-Tech) Member Secretary	 Y.C.Srivastava GM-Tech) Member	 V.Jaiswal DGM (Tech) Member	 Utaam Chatterjee (DGM-Fin.) Member
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