

National Highways & Infrastructure Development Corporation Ltd.

Construction, Operation and Maintenance of 2-lane Bi-Directional Silkyara Bend -Barkot Tunnel with escape passage including approaches on Dharasu-Yamunotri section between Ch. 25.4 km and Ch. 51.0 km falling along NH-134 (old NH-94) in the State of Uttarakhand” on Engineering, Procurement and Construction (EPC) Mode. -Minutes of 2nd Meeting of Empowered Technical Bid Evaluation Committee (ETEC) held on 18.05.2018.

The RFPs for the subject work were invited with Bid Due Date as 09.04.2018 till 1500 hrs.

2. Having opened the Technical Bids on 10.04.2018 received from the following ten 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, Operation and Maintenance of 2-lane Bi-Directional Silkyara Bend - Barkot Tunnel with escape passage including approaches on Dharasu-Yamunotri section between Ch. 25.4 km and Ch. 51.0 km falling along NH-134 (old NH-94) in the State of Uttarakhand” on Engineering, Procurement and Construction (EPC) Mode.	M/s Patel Engineering Ltd. - M/s ABCI Infrastructures Pvt. Ltd. (JV)	M/s PARY & Co.
	M/s NPCC Limited - M/s ENEZ Insaat Sanayi Ve Ticaret A.S (JV)	
	M/s Tata Projects limited.- M/s CENGIZ Insaat Sanayi Ve Ticaret A.S (JV)	
	M/s ITD Cementation India Limited.	
	M/s Max Infra (I) Limited- M/s SEW Infrastructure Limited(JV)	
	M/s Gammon Engineers and Contractors Pvt. Ltd.	
	M/s Reliance Infrastructure Limited - CAI (JV)	
	M/s Larsen & Toubro Limited.	
	M/s Navayuga Engineering Co. Ltd.	
	M/s IL&FS Transportation Networks Limited.	

3. The Financial Consultant in reference to RFP has considered the following Evaluation Criteria for estimated project cost of Rs. 1119.69 Crore.

S. No.	Particulars	Amount in Rs. Cr.
1.	Estimated Project Cost	1119.69
2.	Minimum Threshold Technical Capacity required (For Category 1, 2, 3 & 4) as per clause 2.2.2.2 (i)	2239.38
3.	Mandatory Experience (major bridges/tunnels/RoBs/Flyovers) (Refer clause 2.2.2.2(iii))	Refer RFP and Corrigendum
4.	Technical Threshold for each Project of category 1 & 2 should be more than (Refer Clause 2.2.2.6 (i) (c) of RFP)	1119.69
5.	Technical Threshold for each Project of category 3 & 4 should be more than equal to (Refer Clause 2.2.2.6 (ii) of RFP)	1119.69
6.	Minimum Financial capacity required as per clause 2.2.2.3	55.98

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7.	Minimum Average Annual Turnover required as per clause 2.2.2.3 (ii)	223.93
8.	Minimum Required Bid Capacity (For each Bidder) as per clause 2.2.2.1	1119.69

4. In the preliminary Evaluation Report dated 27.04.2018, the Financial Consultant recommended to seek clarifications from 9 bidders, out of 10 bidders viz. M/s ABCI Infrastructures Pvt. Ltd. (JV), M/s NPCC Limited - M/s ENZ Insat Sanayi Ve Ticaret A.S (JV), M/s Tata Projects limited- M/s CENGIZ Insat Sanayi Ve Ticaret A.S (JV), M/s ITD Cementation India Limited, M/s Max Infra (I) Limited- M/s SEW Infrastructure Limited(JV), M/s Gammon Engineers and Contractors Pvt. Ltd, M/s Reliance Infrastructure Limited - CAI (JV), M/s Larsen & Toubro Limited and M/s IL&FS Transportation Networks Limited to consolidate the evaluation. Accordingly, the queries were raised with the respective bidders; their replies have since been received and handed over to financial consultant. The financial consultant, M/s PARY & Co. has submitted the Evaluation Report on 17.05.2018 (Annexure-I), in the Evaluation Report, the detail of Technical and Financial Capacity and the Bid Capacity of the 9 bidders, out of 10 bidders as per the report including the final outcome is as under:

(i). M/s Patel Engineering Ltd. - M/s ABCI Infrastructures Pvt. Ltd. (JV)

S.No	Clarification Sought	Reply Received	Remarks of the Financial Consultant	Recommendation by ETEC Committee
1.	In case of Patel Engineering Limited, Value of A is certified by M/s T.P. Ostwal & Associates LLP, Chartered Accountants, whereas as per latest years Audited Annual Reports for the FY 2016-17, M/s Vatsaraj & Co., Chartered Accountants is the Statutory Auditor of the Bidder. Therefore the Bidder is required to clarify through some supporting documents that how M/s T.P. Ostwal & Associates LLP, Chartered Accountants can issue the said certificate in the capacity of Statutory Auditor of the Bidder.	Appointment of M/s. T. P. Ostwal & Associates LLP, Chartered Accountants regarding documents is enclosed.	Bidder along with its replies has AGM dated 30.12.2017, Form No. ADT-1, (information to the Registrar by the company for appointment of auditor), Copy of G. A. R. 7 w.r.t. appointment of M/s T.P. Ostwal & Associates LLP, Chartered Accountants as the Statutory Auditor of the PEL, which fulfils the requirement of clarification sought. Hence the same may be considered.	We may agree with the remarks of Financial Consultant.
2.	In case of the Lead Member, in the Statutory Auditor's certificate it is mentioned that the amount of Receipts for Construction of works are including escalation and extra items. Please clarify through statutory auditor's certificate that the word 'extra items' and how the Applicant can claim the said receipt from extra item as a receipt from construction as per provisions of RFP.	Supporting document are enclosed.	Bidder along with its reply has submitted copy of statutory auditor certificate issued by Vatsaraj & Co., Chartered Accountant in which it has been mentioned that "Extra item are those items which are not covered / anticipated during tender stage. However, during the execution of contract, certain items are required to be executed in context to the main items of the contract and therefore increasing the scope of work by the	We may agree with the remarks of Financial Consultant.


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			<p>client.”</p> <p>In view of the above, reply submitted by the bidder is justified. Hence the same may be considered.</p>	
<p>3.</p>	<p>In case of other member, the first para of Statutory Auditor's certificate it was mentioned that ABCI Infrastructure Pvt. Ltd. was engaged by the client, whereas the project was awarded to APEX-ABCI JV.</p> <p>Further, In the second last para of Statutory Auditor's certificate it was mentioned the total amount received by the JV instead of providing the year wise breakup of payment received by ABCI.</p> <p>Furthermore, Last para of the certificate issued by Statutory Auditor is not as per format provided in the RFP.</p> <p>Please clarify the above through Statutory Auditor's certificate.</p>	<p>In the first Para of the Statutory Auditor's certificate it has been mentioned as ABCI Infrastructure Pvt. Ltd. because ABCI was JV member of APEX-ABCI (JV) Further the fact the project was awarded to APEX-ABCI is mentioned in the last but one Para of the certificate as per format.</p> <p>In the second Last para of the Statutory Auditors' certificate the total amount received is mentioned and the year wise breakup of the payment received by JV has also been mentioned. Further, it is clearly indicative that the year wise Payment received by ABCI is that of the mentioned percentage of the JV.</p> <p>The last para of the certificate issued by Statutory Auditor's certificate has been suitably modified as per notes provided in page no. 56 Clause no. 14 (Certificate regarding Construction) to depict that the work has been executed by ABCI equivalent to 96% in JV (49% executed directly and balance executed on behalf of JV Partner (APEX). Since the work of other member has been executed by ABCI.</p> <p>Therefore to certify the fact the language has been suitably modified by Statutory Auditor.</p> <p>The Certificate for Statutory Auditor is attached herewith to justify the above mentioned facts.</p>	<p>Reply submitted by the bidder is justified. Hence, it may be considered.</p>	<p>We may agree with the remarks of Financial Consultant.</p>

<p>4.</p> <p>Bidder has submitted various supporting documents/certificate(s) in respect of the projects claimed for mandatory experience of tunnel project which is required as per clause 2.2.2(iii) of RFP read along with corrigendum No. 1 and replies to pre bid queries issued along with the RFP.</p> <p>Therefore the Bidder is required to clarify, through the client certificate (i.e. Principal Employer) clearly reflecting the Length of the Tunnel, Finished Cross Sectional area, cost of the Project, nature of tunnel, single tube/twin tube, actual date of completion, etc. that how the bidder is meeting the minimum eligibility criteria as per clause 2.2.2(iii) of RFP read along with corrigendum No. 1 and replies to pre bid queries issued along with the RFP.</p>	<p>Client certificate showing Length of the tunnel, Finished Cross Sectional area, cost of the Project, nature of tunnel, single tube/twin tube, actual date of completion is enclosed along with Annex-1.</p> <p>For detailed, Refer Mandatory Experience Sheet.</p>	<p>We may agree with the remarks of Financial Consultant. Hence, it may be considered.</p> <p>Bidder along with its reply has submitted the Completion Certificate containing the requisite details required as per RFP, which fulfills the requirement of clarification sought. Consultant.</p>
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(ii). M/s NPCC Limited - M/s ENEZ Insaat Sanayi Ve Ticaret A.S (JV).

S.No.	Clarification Required	Reply Received	Remarks of the Financial Consultant
1.	<p>In para 5(c) of Annex-I, both the JV members have mentioned the description of work instead of share of work in the project in percentage terms. Please clarify.</p>	<p>The form Annex-I Details of bidder in the item 5. (c) Doesn't Clearly Mentions the details to be filled thus NPCC (Lead Member) is 51% and EN-EZ Insaat Sanayi Ve Ticaret A.S (JV Member) is 49% (Please find the attached Revised Annex-I for Lead Member and JV)</p>	<p>We may agree with the remarks of Financial Consultant. Hence, it may be considered.</p> <p>Bidder in its reply has mentioned the share of NPCC (Lead Member) is 51% and EN-EZ Insaat Sanayi Ve Ticaret A.S (JV Member) is 49%, which fulfills the requirement of clarification sought. Hence, it may be considered.</p>
2.	<p>The column of Applicant type in Annex-II submitted by Lead Member is left blank instead of mentioning the Lead Member of the JV. Please clarify.</p>	<p>Please find the Attached Revised Annexure-II</p>	<p>We may agree with the remarks of Financial Consultant. Hence, it may be considered.</p> <p>Bidder along with its reply has submitted the Annex-II duly mentioning the requirement of the JV, which fulfills the requirement of clarification sought. Hence, it may be considered.</p>
3.	<p>1. In the column of Bidder type name of Lead member of the JV. Please Clarify.</p>	<p>1. Please find the Attached Revised Annexure-III.</p>	<p>We may agree with the remarks of Financial Consultant. Hence, it may be considered.</p> <p>1. Bidder along with its reply has submitted the Annex-III duly mentioning the Lead Member of the JV, which fulfills the requirement of clarification sought. Hence, it may be considered.</p>



	<p>2. In the Statutory Auditor's certificate submitted by the Lead Member, Methodology adopted for calculating the net worth of the preceding financial year is not specified, which is required as per clause 2.2.2.9 (ii) of the RFP. Please Clarify.</p> <p>3. From the available documents Average Annual Turnover claimed by the Other Member is not clearly visible. Therefore the other member of the JV is required to provide the legible copy of Annex-III.</p> <p>4. Methodology used by the Statutory Auditor of the Other Member of Joint Venture is not as per clause 2.2.2.9 (ii) of the RFP. Please Clarify.</p> <p>5. The other member of the JV has not provided the detail of Bankers which is required as per instruction no. 6 to the format of Annex-III as prescribed in the RFP. Please Clarify.</p> <p>6. The other member of the JV has claimed the net worth as on 31.12.2016 instead of 31.12.2017. Please clarify.</p>	<p>2. Please Find the attachment Regarding Methodology adopted for calculating New Worth, along with Copy of Audited Balance Sheet.</p> <p>3. Please Find attached legible copy, Annex III Financial Capacity RS Crore and Financial Capacity USD</p> <p>4. Methodology for Net Worth Calculation is attached herewith.</p> <p>5. Please find attached Copy of Bank Details.</p> <p>6. The Financial reports for 2017 has not been prepared yet due to technical reasons Please find attached Commitment Letter</p>	<p>2. Document submitted by the bidder w.r.t. Methodology adopted for calculating Net Worth has not been certified by the Statutory Auditor. However, we have calculated the Net worth (as per methodology mentioned in the RFP) from the audited Financial Statements for the financial year 2016-17.</p> <p>3. Bidder along with its reply has submitted the legible copy of the Annex-III, which fulfils the requirement of clarification sought. Hence, it may be considered.</p> <p>4. Bidder along with its reply has submitted the Statutory Auditor certificate duly mentioning the Methodology used by the Statutory Auditor, which fulfils the requirement of clarification sought. Hence, it may be considered.</p> <p>5. Bidder along with its reply has submitted the Bank details, which fulfils the requirement of clarification sought. Hence, it may be considered.</p> <p>6. Bidder along with its reply has submitted a copy of undertaking duly certified by its Statutory Auditor in which it is mentioned that Financial Year 2017 has not been finalized and audited, which fulfils the requirement of clarification sought. Hence, it may be considered.</p>	
<p>4.</p>	<p>1. Bidder has not submitted the legible copy of certificate regarding construction work in support of details of eligible project. Therefore, please provide the clearly visible certificate for each of the projects claimed (i.e. a to d) under Annex-II (i.e. Technical Capacity of the Bidder) duly certified by the Statutory Auditor.</p> <p>2. In case of Other Member, namely EN EZ, in the statutory auditor's certificate figures have been certified in USD instead of Turkish Lira as shown in the Audited Financial Statements. Further, the conversion rate from Turkish Lira to USD are also not given in the said certificate. Please clarify the same through</p>	<p>1. Please Find the Attached Legible Copy of Projects Completed (a to d) Claimed Under technical Capacity- (Please Find Attachment as Annexure-IV Revised) Both for Lead Member and Joint Venture.</p> <p>2. Please Find the Attachment work done Certificate for Eligible projects having Figures both in Turkish Lira and USD Along with Exchange Rate.</p>	<p>1. Bidder along with its reply has submitted the legible copy of the projects claimed (i.e. a to d) under Annex-II, which fulfils the requirement of clarification sought. Hence, it may be considered.</p> <p>2. Reply submitted by the Bidder is justified. Hence, it may be considered.</p>	<p>We may agree with the remarks of Financial Consultant.</p>

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<p>We may agree with the remarks of Financial Consultant.</p>	<p>1. Bidder has not enclosed any evidence/proof that how the said project covered under Category 3 of i.e. Highway Sector as per clause 2.2.2.5(!!!!) of RFP. Therefore, based on the conservative approach the same project has been considered under category 4.</p>	<p>1. Under Clause 2.2.2.5 (!!!!), (IV) Project in Highway sector shall constitute the following for the purpose of consideration under category 1 or 3 as applicable, if:(i) Widening / reconstruction / up-gradation works on NH / SH or on any category of road taken up under CRF, ISC/ EI, SARDP, LWE.</p> <p>The road work Mentioned under Project Code "a" experience heavy snow during winter and the road is also prone to severe damage by avalanche during the winter. Chumar is an area of strategic importance and hold importance in case of Hostilities and Emergencies.</p> <p>Phobrang-Chartse Pt 433 road construction claimed that entire road falls in the cold desert wildlife sanctuary and is of strategic importance, being the link to the international border with China.</p> <p>From the above it is submitted that both the roads run along the border and connect countries. When roads under Inter State Connectivity (ISC) are considered under Highway Sector, roads connecting other countries are superior and deemed to be considered under Highway Sector. Hence, we request you to consider the project under Highway Sector.</p> <p>2. The work construction of 2 Roads namely (i) Karzok - Chumar (70km) and (ii) Phobrang- Chartse - Point 433 (73.80 km) were taken under single MOA/Contract in Ladakh, J&K along INDO-CHINA BORDER for ITBP (Indo - Tibetan Border Police). Please find enclosed a copy of Memorandum of Understanding dated 2309-2009 towards proof that both the roads were awarded under single contract.</p>	<p>1. For project code 'a', statutory auditor's certificate.</p> <p>Bidder has claimed "Construction ITBP, Road at Leh- Ladakh of J&K Karzok to chunar (Package-1) & Phobrang to charst (Package-11)" under category 3 instead of category 4. Please clarify through some supporting documents that how this project is covered under Category 3 i.e. Highway Sector as per clause 2.2.2.5(!!!!) of RFP.</p> <p>The road work Mentioned under Project Code "a" experience heavy snow during winter and the road is also prone to severe damage by avalanche during the winter. Chumar is an area of strategic importance and hold importance in case of Hostilities and Emergencies.</p> <p>Phobrang-Chartse Pt 433 road construction claimed that entire road falls in the cold desert wildlife sanctuary and is of strategic importance, being the link to the international border with China.</p> <p>From the above it is submitted that both the roads run along the border and connect countries. When roads under Inter State Connectivity (ISC) are considered under Highway Sector, roads connecting other countries are superior and deemed to be considered under Highway Sector. Hence, we request you to consider the project under Highway Sector.</p> <p>2. The work construction of 2 Roads namely (i) Karzok - Chumar (70km) and (ii) Phobrang- Chartse - Point 433 (73.80 km) were taken under single MOA/Contract in Ladakh, J&K along INDO-CHINA BORDER for ITBP (Indo - Tibetan Border Police). Please find enclosed a copy of Memorandum of Understanding dated 2309-2009 towards proof that both the roads were awarded under single contract.</p> <p>2. Furthermore, from the available work done certificate for project code a and b (package 1 & 11) it seems that the project is awarded to NPCC Ltd. as 2 project instead of 1 project. Therefore, please clarify how the bidder claimed the said 2 projects as single project. Therefore Please clarify through some supporting documents such as LOAs/Client certificates etc.</p>
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	<p>3. For project code 'b', Bidder has claimed the project "Residential quarter, with allied services and development work pertaining to Assam Rifles all over the North Eastern States" under category 4. Please clarify how the said project covered under any category as per clause 2.2.2.5 of RFP through some supporting documents.</p>	<p>3. As per Clause 2.2.2.5 (iii) core Sector will include Real Estate development. As the said work with project code "b" Encompasses Construction of Building works such as Roads, Boundary wall etc. Accordingly, it may be Considered Under Category 4 (Attached herewith is work done Certificate for Said work)</p>	<p>3. Bidder along with its reply has submitted the client certificate duly highlighted the word 'Road, compound walls and allied services and development work', which fulfils the requirement of clarification sought. Hence, it may be considered under Real Estate development project.</p>	
<p>6.</p>	<p>Annex-V i.e. Statement of Legal Capacity is signed by Mr. Manohar Kumar instead of Mr. Raman Prakash Gupta, Authorised Signatory, which is required as per format of Annex-V as prescribed in the RFP. Please clarify.</p>	<p>Sh. Manohar Kumar holding the post of director (Engg.) with the additional Charge of CMD of NPCC Ltd. The Board has authorized Sh. Manohar Kumar for issuing Power of Attorney in favor of the officers of the NPCC Ltd. As such the Power of Attorney issued by Sh. Manohar Kumar D€ in Favour of Sh. Raman Prakash Gupta is Wholly lawful and proper.</p>	<p>Since, Mr. Manohar Kumar is the CMD of the Company and also authorised vide Board Resolution dated 17.08.2017 already submitted in the Bid to execute the documents, hence, it may be considered.</p>	<p>We may agree with the remarks of Financial Consultant.</p>
<p>7.</p>	<p>1. NPCC limited has not submitted the legible copy of "To calculate the value of 'A' in support of Information required to evaluate the BID Capacity under clause 2.2.2.1. Therefore, bidder is provide the clearly visible copy of the same duly certified by the Statutory Auditor's and Authorized Signatory of the Bidder which is required as per format of Annex-VI of RFP.</p> <p>2. NPCC Ltd. has not submitted the certified copy of "To calculate the value of 'B'" by the Statutory Auditor's and Authorized Signatory of the Bidder which is required as per format of Annex-VI of RFP. Please Clarify.</p>	<p>1. We are hereby submitting the supporting Documents for Calculating the Value of 'A' as per Annex-VI (Find Enclosed Copy of Annexure-VI)</p> <p>2. We are hereby submitting the supporting Documents for Calculating the Value of 'B' as per Annex-VI (Find Enclosed Copy of Annexure-VI)</p>	<p>1. Bidder along with its reply has submitted the legible copy of "To calculate the value of 'A' in support of Information required to evaluate the BID Capacity, which fulfils the requirement of clarification sought. Hence, it may be considered.</p> <p>2. Bidder along with its reply has submitted the certified copy of "To calculate the value of 'B'" by the Statutory Auditor's and Authorized Signatory of the Bidder, which fulfils the requirement of clarification sought. Hence, it may be considered. However, in the last para of the statement showing the value of "B" submitted by the Bidder, after the words 'EPC projects' the words "or Concessionaire/ Authorised Signatory of the SPV in respect of BOT Projects. No awarded/ongoing works has been left in the aforesaid statement which has been awarded to NPCC Limited as on Bid Due Date of this RFP", which is required as per format of certificate as prescribed in the RFP. Further the date and place is not mentioned in the said statement.</p> <p>In view of the above, the Bidder</p>	<p>We may agree with the remarks of Financial Consultant.</p>

11.	The Bidder has not submitted the Auditor's Report	1. We are hereby submitting the Auditor report along with	1 & 2. Bidder along with its reply has submitted Audited Financial	We may agree with the remarks
10.	MOA & AOA has not been submitted by the NPCC Limited. Please Clarify.	We are hereby submitting the MOA & AOA. (Please find the enclosure)	Bidder along with its reply has submitted the copy of MOA & AOA, which fulfills the requirement of clarification sought. Hence, it may be considered.	We may agree with the remarks of Financial Consultant.
9.	In clause no. 6, Bidder has not mentioned the share of the work in the Project (in percentage terms), which is required as per format of Appendix-V as prescribed in the RFP. Please clarify.	We are hereby submitting Annexure-I.	Bidder along with its reply has mentioned the share of JV member has been mentioned, which fulfills the requirement of clarification sought. Hence, it may be considered.	We may agree with the remarks of Financial Consultant.
8.	1. The POA submitted by the Lead Member for Power of Attorney for signing of BID is executed on the Stamp Paper wherein Description of Document has been mentioned as Article 4 Affidavit instead of Power of Attorney. Please clarify how the POA can be executed by the Lead Member on the said Stamp Paper.	1. As per Article-7, POA has to be drawn on the Rs. 100/- Stamp. Whereas the affidavit under article - 4 is to be drawn only on Rs. 10/- Stamp. As POA has been drawn on Rs. 100/- Stamp which Doesn't constitute any violation under the Indian Stamp Act 1899 read for State of Delhi.	2. So far, the execution of Board Resolution by a Foreign Company in favor of a person in India whereas the said person is Authorized to act on their behalf, there is no application of stamp duty in the Indian Stamp act 1899 read with Stamp duty Act of State Delhi. The Board Resolution are not covered in the Stamp Duty act in the States. Hence it is concluded that if POA Executed in India on Rs. 100/- stamp Duty, same Shall be valid, even if the Board resolution for authorization was issued in a foreign Company.	2. The POA submitted by Other Member has been executed overseas, however, proof of payment of stamp duty in India has not been submitted along with the bid, which is required as per section 18 of Indian Stamp Act, 1899. Please clarify.
	3. In the statutory auditor's certificate certifying the value of A figures have been certified in Rupees instead of Turkish Lira as shown in the Audited Financial Statements. Further, the conversion rate from Turkish Lira to USD are also not given in the said certificate. Please clarify the same through statutory auditor's certificate.	3. Please Find the attached Copy of Annexure-VI, along with Exchange rates.	3. Bidder along with its reply has submitted the statutory auditor's certificate certifying the value of A figures in Turkish Lira, which fulfills the requirement of clarification sought. Hence, it may be considered.	
	1. Reply submitted by the bidder seems justified. Further, Pursuant to circular dated 16.01.2017 issued by MORTH in which it is mentioned that Minor deficiency (i.e. do not affect the basic character of POA) in Power of Attorney may be acceptable. Since, the amount of stamp duty paid is appropriate as per applicable laws, hence, it does not have any adverse impact. Therefore, it may be considered.	2. Reply submitted by the bidder is not justified.	Therefore, the bidder may be declared conditionally qualified subject to submission of proof of payment of stamp duty in India on the POA submitted by the Other Member of the Bidder before opening of Financial Bid.	We may agree with the remarks of Financial Consultant.

	<p>forming the part of Annual Report for FY 2012-13 to FY 2016-17, which is required as per Clause 2.2.2.8 (i) of RFP. Please clarify.</p> <p>2. Bidder has not submitted the Legible copy of Audited Annual Reports for the last 5 (five) Financial Years (2012-13 to 2016-17) which is required as per clause 2.2.2.8 (i) and as per instruction no. 1 to Annex-III of the RFP. Therefore the Bidder is required to furnish the same.</p> <p>3. The Other member of the JV has not submitted the Audited Annual Reports for the year ending on 31.12.2017. Please clarify.</p> <p>4. Further, Bidder has not submitted an undertaking duly certified by its Statutory Auditor, if the annual accounts for the year ending as on 31.12.2017 are not audited, stating that the annual accounts for the latest year ending on 31.12.2017 are not audited and therefore it could not make it available, which is required as per clause 2.2.2.8 (ii) of RFP. Please clarify.</p>	<p>Annual report. (Please find the Enclosure)</p> <p>2. We are hereby submitting the Auditor report along with Annual report. (Please find the Enclosure)</p> <p>3. The financial reports for 2017 has not been prepared yet due to technical reasons. (Refer to item 3.6 of this document). Please find attachment Commitment letter</p> <p>4. The financial reports for 2017 has not been prepared yet due to technical reasons. (Refer to item 3.6 of this document). Please find attachment Commitment letter</p>	<p>Statement for the FY 2012-13 to 2016-17, which fulfils the requirement of clarification sought. Hence, it may be considered.</p> <p>3 & 4. Bidder along with its reply has submitted a copy of undertaking duly certified by its Statutory Auditor in which it is mentioned that Financial Year 2017 has not been finalized and audited, which fulfils the requirement of clarification sought. Hence, it may be considered.</p>	<p>of Financial Consultant.</p>
<p>12.</p>	<p>Bidder has submitted various supporting documents/certificate(s) in respect of the projects claimed for mandatory experience of tunnel project which is required as per clause 2.2.2.2(iii) of RFP read along with corrigendum No. I and replies to pre bid queries issued along with the RFP.</p> <p>Therefore the Bidder is required to clarify, through the client certificate (i.e. Principal Employer) clearly reflecting the Length of the Tunnel, Finished Cross Sectional area, cost of the Project, nature of tunnel, single tube/twin tube, actual date of completion, etc. that how the bidder is meeting the minimum eligibility criteria as per clause 2.2.2.2(iii) of RFP read along with corrigendum No. I and replies to pre bid queries issued along with the RFP.</p>	<p>Please see attached DOC 12 Mandatory Experience Information</p>	<p>Bidder along with its reply has submitted the Completion Certificates, which fulfils the requirement of clarification sought. Hence, it may be considered.</p> <p>For detailed, Refer Mandatory Experience Sheet.</p>	<p>We may agree with the remarks of Financial Consultant.</p>

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			Further, Bidder is required to provide the information in the format as prescribed in the table attached herewith as Annex-1 along with the Completion Certificates duly highlighting each and every details.
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(iii) M/s Tata Projects limited.- M/s CENGIZ Insaat Sanayi Ve Ticaret A.S (JV).

S.No.	Clarification Required	Reply Received	Remarks of the Financial Consultant	Recommendation by ETEC Committee
1.	In point no. 6, the Other Member is mentioned 'Not Applicable' instead of mentioning either 'Nil', 'No' or providing the requisite detail. Please Clarify.	The response of 'Not Applicable' was intended to mean that there has been no failure to perform for works of Expressways, National Highways, Railways, Hydro, ISC & EI works as evidenced by imposition of a penalty by an arbitral authority or a judicial pronouncement or arbitration award against Cengiz Insaat Sanayi ve Ticaret A.S, the other Member. Neither has Cengiz been expelled, terminated by MoRTH or its implementing agencies for breach. Further, there are currently no ongoing litigation, debarment or blacklisting against Cengiz. The same has been further clarified through our declaration of No Debarment on page 853 and Statement for No Material Non Performance /Pending Litigation on page 854 of the submitted Tender. Further, revised Appendix- IA- Annex I is enclosed for your kind perusal.	Bidder in its reply has confirmed that "Not Applicable" was intended to mean that there has been no failure to perform for works of Expressways, National Highways, Railways, Hydro, ISC & EI works as evidenced by imposition of a penalty by an arbitral authority or a judicial pronouncement or arbitration award against Cengiz Insaat Sanayi ve Ticaret A.S, the other Member. Neither has Cengiz been expelled, terminated by MoRTH or its implementing agencies for breach. Further, there are currently no ongoing litigation, debarment or blacklisting against Cengiz. The same has been further clarified through our declaration of No Debarment on page 853 and Statement for No Material Non Performance /Pending Litigation on page 854 of the submitted Tender. Further, revised Appendix- IA- Annex I is enclosed for your kind perusal.	We may agree with the remarks of Financial Consultant.
2.	1. Tata Projects Limited has submitted the resolution passed by the Committee of Board in favour of executors to execute the POA, however, Board Resolution passed for the constitution and power delegation to the said Committee has not submitted. Therefore the Bidder is requested to clarify through Board Resolution how the said "Committee of Board" is authorized to issue such	1. Please refer to page 33 of Projects Limited, the Lead Member is contained.	1. Tata Projects Limited has submitted along with its reply an Extract of Minutes of Meeting of the BOD held on 13.05.2015 for Constitution of Committee for issue of Power of Attorney, which fulfils the	We may agree with the remarks of Financial Consultant.

	<p>resolution.</p> <p>2. The Other Member has not submitted any proof of payment of stamp duty in India, which is required as per Section 18 of Indian Stamp Act, 1899. Therefore the Bidder is required to clarify the same.</p>	<p>2. As per the Indian Stamp Act, 1899, stamp duty on foreign Power of Attorney has to be paid within 90 days and the same has been paid and receipt for the same is enclosed herewith as Annexure 1.</p>	<p>requirement of clarification sought. Hence, it may be considered.</p> <p>2. Bidder has submitted e-secured Bank & Treasury Receipt having consideration of Rs. 1000 against the POA executed overseas by the Cengiz Insaat Sanayi ve Ticaret A S as a proof of payment of stamp duty in India, which fulfils the requirement of clarification sought. Hence, it may be considered.</p>	
<p>3.</p>	<p>In case of Other Member, the statutory auditor's certificate figures have been certified in EURO instead of Turkey's currency. Further, the conversion rate from Turkish to EURO not mentioned in the certificate submitted. Please clarify the same through statutory auditor's certificate.</p>	<p>The Statutory Auditor's certificate figures have been certified in EURO and not in Turkish Lira as the contract currencies in both the projects were EURO. An interim bill certified by IGA Airport Joint Venture showing EURO as the contract currency is enclosed on page 805 of the submitted Tender and a certificate issued by the Client for the Disu Dam & HEPP Project showing EURO as the contract currency is enclosed herewith as Annexure- 2.</p> <p>A certificate to this effect from our Statutory Auditor is also enclosed herewith as Annexure-3.</p>	<p>Bidder along with its reply has submitted the statutory auditor certificate along with client certificate from that it is mentioned that contract currencies in both the projects were in EURO, hence there is no need of conversion rate from Turkish lira to EURO. Hence, it may be considered.</p>	<p>We may agree with the remarks of Financial Consultant.</p>
<p>4.</p>	<p>1. The other member has claimed the net worth as on 31.12.2016 instead of 31.12.2017. Please clarify.</p> <p>2. Further, Bidder has not submitted the Standalone Financial Statements for the Financial Year 2017 to 2013, which is required as per Instructions No. 1 of Annex-III and Clause no. 2.1.17 of RFP. Therefore, Bidder is required to clarify the same.</p>	<p>1. Cengiz Insaat Sanayi ve Ticaret (Other Member) has claimed the net worth as on 31.12.2016 as the Audited Financial Statements for the year ending 31.12.2017 is not ready yet.</p> <p>2. Cengiz Insaat Sanayi ve Ticaret (Other Member) has submitted Standalone Financial Statements for the Financial Year 2016 to 2012 instead of Financial Years 2017 to 2013 because the Audited Financial Statement for the year ending 31.12.2017 is not ready yet.</p>	<p>Bidder along with its reply has submitted a copy of undertaking duly certified by its Statutory Auditor in which it is mentioned that Financial Statement of Cengiz for the period between 1st January 2017 to 31st December 2017 has not been audited yet, which fulfils the requirement of clarification sought. Hence, it may be considered.</p>	<p>We may agree with the remarks of Financial Consultant.</p>
<p>5.</p>	<p>In case of the other member, has claimed the value of civil engineering works undertaken by the bidder during the last 5 years i.e. 2012 to 2016 instead of 2013 to 2017. Please clarify the same.</p>	<p>Cengiz Insaat Sanayi ve Ticaret (Other Member) has claimed value of civil engineering works undertaken between 2012 to 2016 instead of 2013 to 2017 because the audited financial statement</p>	<p>Reply submitted by the bidder is justified. Hence, it may be considered.</p>	<p>We may agree with the remarks of Financial Consultant.</p>

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<p>As per latest year audited annual reports submitted by the Tata Projects Limited, M/s Deloitte Haskins & Sells is the Statutory Auditor, whereas the certificates w.r.t. Technical Capacity, Financial Capacity and as well as Bid Capacity were issued by Price Waterhouse & Co Chartered Accountants LLP. Please clarify through some supporting documents that how M/s Price Waterhouse & Co Chartered Accountants LLP can issue these certificates in the capacity of Statutory Auditor of Tata Projects Limited.</p>	<p>7.</p>	<p>As per latest year audited annual reports submitted by the Tata Projects Limited, M/s Deloitte Haskins & Sells is the Statutory Auditor, whereas the certificates w.r.t. Technical Capacity, Financial Capacity and as well as Bid Capacity were issued by Price Waterhouse & Co Chartered Accountants LLP. Please clarify through some supporting documents that how M/s Price Waterhouse & Co Chartered Accountants LLP can issue these certificates in the capacity of Statutory Auditor of Tata Projects Limited.</p>	<p>7.</p>
<p>1. The other member of Bidder has not submitted the Audited Annual Reports for the year ending 31.12.2017, which is required as per clause 2.1.17 of RFP. Please clarify.</p> <p>2. Further, Bidder has not submitted an undertaking duly certified by its Statutory Auditor, if the annual accounts for the year ending as on 31.12.2017 are not audited, stating that the annual accounts for the latest year ending on 31.12.2017 are not audited and therefore it could not make it available, which is required as per clause 2.2.2.8 (ii) of RFP. Please clarify.</p> <p>3. The Other member of the Bidder has submitted the Consolidated Financial Statements for the Financial Year 2016 to 2012 instead of submitting the Unconsolidated (i.e. Standalone) Financial Statements. Therefore the Bidder is requested to clarify the same.</p>	<p>6.</p>	<p>1. Gengiz Insaat Sanayi ve Ticaret (Other Member) has not submitted Audited Annual Report for year ending 31.12.2017 because the same is not ready yet.</p> <p>2. An undertaking by Gengiz Insaat Sanayi ve Ticaret (Other Member) stating that the annual accounts for the year ending 31.12.2017 are not audited and the same duly certified by its Statutory Auditor is enclosed herewith as Annexure 4.</p> <p>3. The financial statements by Gengiz Insaat Sanayi ve Ticaret (Other Member) comprise only revenues of the company from foreign projects and joint ventures and only from construction projects. A detailed letter explaining the same from our auditor is enclosed as Annexure 5 herewith.</p>	<p>6.</p>
<p>1. & 2. Bidder along with its reply has submitted a copy of its undertaking duly certified by its Statutory Auditor in which it is mentioned that Financial Statement of Gengiz for the period between 1st January 2017 to 31st December 2017 has not been audited yet, which fulfills the requirement of clarification sought. Hence, it may be considered.</p> <p>3. Bidder along with its reply has submitted the statutory auditor certificate in which it is inter-alia mentioned that accompanying financial statements for the last 5 years only of the financial statements of Gengiz Insaat Sanayi ve Ticaret A.S and its joint ventures related with construction works, Gengiz Insaat Sanayi ve Ticaret A.S. has no consolidated subsidiaries.", which implies that the financial statements submitted by the Gengiz does not consolidated any of its subsidiaries financials, which fulfills the requirement of clarification sought. Hence, it may be considered.</p>	<p>We may agree with the remarks of Financial Consultant.</p>	<p>Bidder along with its reply has submitted an Extract of Minutes of General Meeting of Tata Projects Limited held on 23.06.2017 for the appointment of M/s Price Waterhouse & Co., Chartered Accountants LLP as the Statutory Auditor of Tata Projects Limited and also submitted the Appointment Letter.</p>	<p>We may agree with the remarks of Financial Consultant.</p>

			issued by Tata and acceptance of said Appointment by Price Waterhouse & Co., Chartered Accountants LLP for the Financial Year 2017-18 to 2021-22, which fulfils the requirement of clarification sought. Hence, it may be considered.	
8.	<p>Bidder has submitted various supporting documents/certificate(s) in respect of the projects claimed for mandatory experience of tunnel project which is required as per clause 2.2.2.2(iii) of RFP read along with corrigendum No. 1 and replies to pre bid queries issued along with the RFP.</p> <p>Therefore the Bidder is required to clarify, through the client certificate (i.e. Principal Employer) clearly reflecting the Length of the Tunnel, Finished Cross Sectional area, cost of the Project, nature of tunnel, single tube/twin tube, actual date of completion, etc. that how the bidder is meeting the minimum eligibility criteria as per clause 2.2.2.2(iii) of RFP read along with corrigendum No. 1 and replies to pre bid queries issued along with the RFP.</p> <p>Further, Bidder is required to provide the information in the format as prescribed in the table attached herewith as Annex-I along with the Completion Certificates duly highlighting each and every detail.</p>	<p>Annex 1 is filled and enclosed herewith on page 8 of this Response to queries.</p> <p>Also enclosed therewith as Annexure 6 is the work Completion Certificate for the reference Project along with relevant portions highlighted.</p> <p>Above mentioned completion certificate was also submitted on page 220 to 227 of the Submitted Tender.</p>	<p>Bidder along with its reply has submitted the Completion Certificates wherein the Bidder duly highlighted all the relevant details, which fulfils the requirement of clarification sought. Hence, it may be considered.</p> <p>For detailed, Refer Mandatory Experience Sheet.</p>	<p>We may agree with the remarks of Financial Consultant.</p>

(iv). M/s ITD Cementation India Limited

S.No.	Clarification Required	Reply Received	Remarks of the Financial Consultant	Recommendation by ETEC Committee
1.	Para 13, Bidder has omitted the words, "or against our CEO" before the word "or any of our director". Therefore, Bidder is required to clarify the same.	<p>It was a typo-error.</p> <p>Please find enclosed our modified</p> <p>Appendix-IA (Letter comprising the Technical Bid) under Enclosure 1</p>	<p>Bidder along with its reply clarified that it was a typo error and has submitted the revised Appendix - IA duly mentioning the words "or against our CEO" in Para 13, which implies that the Bidder is agree and abide by the format of Appendix-IA as prescribed in the RFP. Hence, it may be considered.</p>	<p>We may agree with the remarks of Financial Consultant.</p>
2.	In the Column of Applicant type, the Bidder has mentioned the type of applicant, whether single or consortium, for each project claimed instead of mentioning the Applicant type for the tendered project. Please clarify.	<p>WE have corrected the Annex-II (Technical Capacity of the Applicant) and enclosed under Enclosure 2</p>	<p>Bidder along with its reply has submitted the revised Annex-II duly mentioning the Applicant Type, which fulfils the requirement of clarification sought. Hence, it may be considered.</p>	<p>We may agree with the remarks of Financial Consultant.</p>

<p>1. The Independent Auditor's Report on the remarks of Financial Consultant.</p>	<p>1. We have several projects in joint venture. So there we have percentage of works sharing. On that basis, we showed our Net cash Accrual and Net Worth from the Consolidated Financial Statement.</p> <p>2. Bidder has not submitted a separate statutory auditor's certificate instead M/s P.K. Sen & Associates, Chartered Accountants has signed the Annex-III submitted by the Bidder. Please clarify.</p> <p>3. The Annex-III was signed by M/s P.K. Sen & Associates, Chartered Accountants whereas as per the latest audited financial statements for the financial year 2017 the Statutory Auditor of the Bidder is M/s. Walker Chandio & Co LLP, Chartered Accountants. Therefore, Bidder is required to clarify through documents duly signed by our Statutory Auditor M/s. Walker Chandio & Co. LLP.</p> <p>4. Noted. The modified Annex-III attached under Enclosure 3.</p> <p>5. Please find Statutory Auditor's certificate certifying the methodology adopted for calculating such net worth, which is required as per Instruction Note No. 7 and Clause 2.2.9 (ii) of RFP under Enclosure 3.</p>	<p>1. The Bidder has not submitted the Statutory Auditor's certificate in support of each project claimed, which is required as per Instruction No. 12 to the format of Annex-IV (Details of Eligible Projects) provided in the RFP. Please Clarify.</p> <p>2. Details of Eligible Projects (Annex-IV) were certified by M/s person of Statutory Auditor available to exigency and non availability of authorized Statutory Auditor in support of each project claimed as per Instruction No. 13 to the format of Annex-IV (Details of Eligible Projects) provided in the RFP under Enclosure 4.</p> <p>3. Due to exigency and non availability of authorized Statutory Auditor in support of each project claimed as per Instruction No. 13 to the format of Annex-IV (Details of Eligible Projects) provided in the RFP under Enclosure 4.</p>	<p>1. Please find enclosed our Annex-IV certified by Statutory Auditor in support of each project claimed as per Instruction No. 13 to the format of Annex-IV (Details of Eligible Projects) provided in the RFP. Please Clarify.</p> <p>2. Due to exigency and non availability of authorized Statutory Auditor in support of each project claimed, we have submitted the Annex-IV certified by M/s P.K. Sen & Associates, Chartered Accountants whereas as per the latest audited financial statements signed by our local Chartered Accountants M/s P.K. Sen & Associates. Now we Enclosed documents duly signed by our Statutory Auditor M/s. Walker Chandio & Co. LLP.</p>	<p>4.</p>
<p>1. The Independent Auditor's Report on the remarks of Financial Consultant.</p>	<p>1. The Independent Auditor's Report on the remarks of Financial Consultant.</p> <p>2, 3, 4 & 5. Bidder has submitted along with its reply the revised Annex-III along with Statutory Auditor's certificate certifying the net worth, further, since the same is also verifiable from the Audited Annual Accounts. Hence, it may be considered.</p> <p>3. Due to exigency and non availability of authorized Statutory Auditor on 31.12.2017 from where we can calculate the net worth of the Bidder, hence, it may be considered.</p> <p>4. Noted. The modified Annex-III attached under Enclosure 3.</p> <p>5. Bidder has not submitted the Statutory Auditor's certificate certifying the methodology adopted for calculating such net worth, which is required as per Instruction Note No. 7 and clause 2.2.9(!!!) of RFP. Please clarify.</p>	<p>1. We have several projects in joint venture. So there we have percentage of works sharing. On that basis, we showed our Net cash Accrual and Net Worth from the Consolidated Financial Statement.</p> <p>2. We are re-submitting Anne-III signed by the Statutory Auditor as required under Enclosure 3.</p> <p>3. Due to exigency and non availability of authorized Statutory Auditor on 31.12.2017 from where we can calculate the net worth of the Bidder, hence, it may be considered.</p> <p>4. Noted. The modified Annex-III attached under Enclosure 3.</p> <p>5. Please find Statutory Auditor's certificate certifying the methodology adopted for calculating such net worth, which is required as per Instruction Note No. 7 and Clause 2.2.9 (ii) of RFP under Enclosure 3.</p>	<p>1. Accruals and Net Worth from the Consolidated Financial Statement instead of standalone Financial Statement. Please clarify.</p> <p>2. Bidder has not submitted a separate statutory auditor's certificate instead M/s P.K. Sen & Associates, Chartered Accountants has signed the Annex-III submitted by the Bidder. Please clarify.</p> <p>3. The Annex-III was signed by M/s P.K. Sen & Associates, Chartered Accountants in the capacity of Statutory Auditor.</p> <p>4. The date of signing by Statutory Auditor is not mentioned on Annex-III. Please clarify.</p> <p>5. Bidder has not submitted the Statutory Auditor's certificate certifying the methodology adopted for calculating such net worth, which is required as per Instruction Note No 7 and clause 2.2.9(!!!) of RFP. Please clarify.</p>	<p>3.</p>

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	<p>Chartered Accountants is the Statutory Auditors of the Bidder. If it is not so, then Bidder is required to clarify how the Annex-IV has been issued by M/s P.K. Sen & Associates, Chartered Accountants in the capacity of Statutory Auditor. Please Clarify.</p> <p>3. The date of signing by Statutory Auditor is not mentioned on Annex-IV submitted by the Bidder. Please clarify.</p>	<p>3. Noted. The modified Annex-IV is attached herewith under Enclosure 4</p>		
<p>5.</p>	<p>1. Certificate submitted by the Bidder w.r.t. Information required to evaluate the Bid Capacity i.e. Value of A and B was issued by M/s P.K. Sen & Associates, Chartered Accountants whereas as per the latest audited financial Statements for the financial year 2017 the Statutory Auditor of the Bidder is M/s. Walker Chandiok & Co LLP, Chartered Accountants. Therefore, Bidder is required to clarify through some supporting documents that M/s P.K. Sen & Associates, Chartered Accountants is the Statutory Auditors of the Bidder. If it is not so, then Bidder is required to clarify how the certificates has been issued by M/s P.K. Sen & Associates, Chartered Accountants in the capacity of Statutory Auditor. Please Clarify.</p> <p>2. Bidder has not submitted the Certificate in support of Statement showing the value of all existing commitments and ongoing works as well as the stipulated period of completion remaining for each of the works listed in the statement showing the value of B, the certificates should be countersigned by the Client or its Engineer-in-charge not below the rank of Executive Engineer or equivalent.</p> <p>Therefore, please provide the clearly visible certificates for each of the projects claimed duly highlighting the value of work done claimed by the Bidder and duly signed by the Client or its Engineer-</p>	<p>1. Please find enclosed herewith Value of A and B certified by Statutory Auditor as per the latest audited financial Statements for the financial year 2017 as desired for evaluation of the Bid capacity provided in the RFP under Enclosure 5.</p> <p>2. Please find enclosed the LOA / Certificates of the projects. Listed in the statement showing the Value of B under Enclosure 6.</p>	<p>Bidder along with its reply has submitted the certificates issued by M/s. Walker Chandiok & Co. LLP w.r.t. A and B, therefore, after discussion the same has been considered. However, Bidder has submitted the Statement Showing the Value of "B" is as on 30.09.2017 (Please refer para 2 of Statutory Auditor's certificate), which needs to be provided as on the Bid Due Date i.e. 09.04.2018. Further, the last para of the Annex-VI i.e. "The Statement showing ----- as on Bid Due Date of this RFP" is missing in the statement showing the value of B submitted by the Bidder. In view of the above, the Bidder namely ITD Cementation India Limited may be conditionally qualified subject to submission of the Statement showing the value of "B" as per format duly signed by the Authorised Signatory and Statutory Auditor of the Bidder before opening of Financial Bid.</p> <p>2. Bidder along with its reply has submitted the Certificate in support of Statement showing the value of all existing commitments and ongoing works as well as the stipulated period of completion remaining for each of the works listed in the statement showing the value of B, which fulfils the requirement of clarification sought. Hence, it may be considered.</p>	<p>We may agree with the remarks of Financial Consultant.</p>




			<p>in-charge not below the rank of Executive Engineer or equivalent in respect of EPC Projects or Concessionaire / Authorised Signatory of SPV in respect of BOT Projects mentioned in the statement showing the value of "B".</p>
<p>We may agree with the remarks of Financial Consultant.</p>	<p>Bidder along with its reply has submitted the certified copy of the Resolution passed by the Board of Director dated 29th October 2009 which is further supported by GPA dated 04th January 2010, from the submitted documents it is clear that Mr. Adun Saraban, Managing Director is authorized to execute the POA to any employee, which fulfils the requirement of clarification sought. Hence, it may be considered.</p>	<p>Please find enclosed the Board Resolution etc. under Enclosure 7.</p>	<p>6. Power of Attorney for signing the Bid submitted by the Bidder is in favour of Mr. Rupak Sarkar and Mr. Prauddha Ghosh and the same has been executed by Mr. Adun Saraban, however it is not clear from the available documents that how Mr. Adun Saraban, Managing Director is authorized to execute the POA in favour of Mr. Rupak Sarkar and Mr. Prauddha Ghosh (Authorised Signatory). Please clarify the same through some supporting document such as Board Resolution, etc.</p>
<p>We may agree with the remarks of Financial Consultant.</p>	<p>Bidder along with its reply has submitted the Completion Certificates, which fulfils the requirement of clarification sought. Hence, it may be considered. For detailed, Refer Mandatory Experience Sheet.</p>	<p>Please find enclosed the certificates of our CC 32 project as desired along with Annex-1 certified by Client under Enclosure 8 claimed for mandatory experience of tunnel project which is required as per clause 2.2.2.(iii) of RFP read along with corrigendum No. 1 and replies to pre bid queries issued along with the RFP.</p>	<p>7. Bidder has submitted various supporting documents/certificate(s) in respect of the projects claimed for mandatory experience of tunnel project which is required as per clause 2.2.2.(iii) of RFP read along with corrigendum No. 1 and replies to pre bid queries issued along with the RFP. Therefore the Bidder is required to clarify, through the client certificate (i.e. Principal Employer) Tunnel, Finished Cross Sectional area, cost of the Project, nature of tunnel, single tube/twin tube, actual date of completion, etc. that how the bidder is meeting the minimum eligibility criteria as per clause 2.2.2.(iii) of RFP read along with corrigendum No. 1 and replies to pre bid queries issued along with the RFP. Therefore the Bidder is required to clarify, through the client certificate (i.e. Principal Employer) Tunnel, Finished Cross Sectional area, cost of the Project, nature of tunnel, single tube/twin tube, actual date of completion, etc. that how the bidder is meeting the minimum eligibility criteria as per clause 2.2.2.(iii) of RFP read along with corrigendum No. 1 and replies to pre bid queries issued along with the RFP. Further, Bidder is required to provide the information in the format as prescribed in the table attached herewith as Annex-1 along with the Completion Certificates duly highlighting each and every detail.</p>

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(v). M/s Max Infra (I) Limited- M/s SEW Infrastructure Limited(JV),

S.No.	Clarification Required	Reply Received	Remarks of the Financial Consultant	Recommendation by ETEC Committee
1	<p>1. Statutory Auditor of the Lead Member of Joint Venture namely, Max Infra (I) Limited, as per latest year Audited Annual reports submitted by Lead Member of Joint Venture namely, Max Infra (I) Limited, M/s Ramana Reddy & Associates, Chartered Accountants is the Statutory Auditor, whereas the certificates w.r.t. Technical Capacity, Financial Capacity and as well as Bid Capacity were issued by CSVR & Associates, Chartered Accountants. Therefore the Bidder is required to clarify through some supporting documents that how CSVR & Associates, Chartered Accountants, can issue these certificates in the capacity of Statutory Auditor of Max Infra (I) Limited.</p> <p>2. As per latest year audited annual reports submitted by the Other Member of Joint Venture namely, SEW Infrastructure Limited, M/s P R Datla & Co., Chartered Accountants is the Statutory Auditor, whereas the certificates w.r.t. Technical Capacity, Financial Capacity and as well as Bid Capacity were issued by V. Sasidhar, Chartered Accountants. Please clarify through some supporting documents that how M/s V. Sasidhar, Chartered Accountants can issue these certificates in the capacity of Statutory Auditor of SEW Infrastructure Limited.</p>	<p>Statutory Auditors of M/s Max Infra (I) Limited and M/s SEW Infrastructure Limited are changed due to rotation and the supporting documents of change of auditors are enclosed herewith.</p>	<p>1. Bidder along with its replies has submitted Form No. ADT-1, (information to the Registrar by the company for appointment of auditor), Copy of G. A. R. 7 along with Extracts of Annual General Meeting dated 29.09.2017 & appointment letter issued by Max and acceptance of appointment as Statutory Auditor by CSVR & Associates, which fulfils the requirement of clarification sought. Hence the same may be considered.</p> <p>2. Bidder along with its replies has submitted Form No. ADT-1, (information to the Registrar by the company for appointment of auditor), Copy of G. A. R. 7 along with Extracts of Annual General Meeting dated 29.09.2017 & appointment letter issued by SEW and acceptance of appointment as Statutory Auditor by V. Sasidhar, Chartered Accountants, which fulfils the requirement of clarification sought. Hence the same may be considered</p>	<p>We may agree with the remarks of Financial Consultant.</p>

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Recommendation by ETEC Committee	Remarks of the Financial Consultant	Reply Received	Clarification Sought
We may agree with the remarks of Financial Consultant.	Bidder in its reply has mentioned that "We regret for the typographical error. Kindly consider the date on Annex-V as 09.04.2018 instead of 09.04.2017", which fulfills the requirement of clarification sought. Further, reply submitted by is also justified on the ground that on 09.04.2017, the NIT of the project was not issued for the project. Hence, it may be considered.	We regret for the typographical error. Kindly consider the date on Annex-V as 09.04.2018 instead of 09.04.2017. Revised Annex-V is enclosed for your kind perusal at Attachment - 1.	Annex-V was signed by Mr. Sadasshiv N. Nayak, Vice President-Tendering & Business Development, on 09.04.2017, whereas he has derived the power to sign the same through Appendix-III which is executed on 06.03.2018. Please clarify how Mr. Sadasshiv N. Nayak can sign the Annex-V on 09.04.2017 i.e. before getting the power to sign the same through POA for signing of Bid.
We may agree with the remarks of Financial Consultant.	Bidder along with its reply has submitted the amendment to the Bank guarantee duly rectifying the discrepancy observed, which fulfills the requirement of clarification sought. Hence, it may be considered.	Kindly find enclosed herein the amendment to the Bank Guarantee at Attachment - 2.	Para 9 (2 nd line), Bidder has struck out the name of Bank and the branch address. Therefore, Bidder is required to furnish an amendment to the Bank Guarantee duly mentioning the same.
We may agree with the remarks of Financial Consultant.	Reply submitted by the Bidder is justified. Hence, it may be considered.	The National Company Law Tribunal ("NCLT") heard the Company's petitions for approval of the Scheme on 22nd March, 2017. Thereafter the Company received the copy of the Order only on 31st March, 2017 approving the Scheme with the "Appointed Date" as 1st July, 2016. The said Scheme came into operation only on 31st March 2017 ("Effective date"), after a copy of the Order was filed with the Registrar of Companies, Mumbai.	2. As per Certificate of Incorporation Gammon Engineers and Contractors Pvt. Ltd. was originally incorporated on 17 th December 2014. Therefore, Bidder was required to submit the Audited Annual reports of Gammon Engineers and Contractors Pvt. Ltd. for the FY 2014-15, 2015-16 and 2016-17, whereas the Bidder has submitted the Audited Annual Reports for the financial year 2016-17 only. Please clarify.
We may agree with the remarks of Financial Consultant.	Reply submitted by the Bidder is justified. Hence, it may be considered.	We would like to draw your kind attention to the clause 1.5 and clause 4.2.7 of NCLT Order as :	3. The National Company Law Tribunal ("NCLT") heard the Company's petitions for approval of the Scheme on 22nd March, 2017. Thereafter the Company received the copy of the Order only on 31st March, 2017 approving the Scheme with the "Appointed Date" as 1st July, 2016. The said Scheme came into operation only on 31st March 2017 ("Effective date"), after a copy of the Order was filed with the Registrar of Companies, Mumbai.
		The Work experience qualifications, capabilities, logistics, turnover record and track record with National & International Companies, Central and State Government, Non-government agencies/ bodies, contracts with clients and with vendors including technical	

		<p>parameters, past performance, track record, financials, etc. of the Transferor Company acquired by reason of completion of various projects and works pertaining to Civil EPC Undertaking and certificates of completion issued by the clients of the Transferor Company shall be deemed to be part of and belonging to Gammon Engineers and Contractors Private Limited and shall for all purposes be regarded as the work experience, qualifications, capabilities, logistics, turnover record and track record (including technical) parameters , past performance, track record, financials, etc.) and certificates of completion of Gammon Engineers and Contractors Private Limited Hence as per aforesaid clause, related financials of Gammon India Limited is deemed to be transferred to Gammon Engineers and Contractors Private Limited till the period FY March 2016.</p> <p>In view of above Financial report of the year FY 2014-15, 2015-16 of Gammon India Limited is valid for Gammon Engineers and contractors. There was no transection in the year 2014-15, 2015-16 in GECPL pertaining to Civil EPC Business. As per above, Annual report for the year 2014-15 & 2015-16 does not have any transection on EPC Business.</p> <p>We request you to kindly consider the same as its accepted by NHAI/ MoRTH for all tenders.</p>		
<p>4.</p>	<p>As per Scheme of Arrangement between Gammon India Ltd. and Gammon Engineers and Contractors Private Limited and their respective shareholders and creditors, Effective Date means the last of the dates on which all the conditions and matters referred to in clause 16 of this scheme occur or have been fulfilled or waived in accordance with this scheme. Therefore, bidder is required to clarify through supporting documents that whether all the conditions and matters referred to in clause 16 of the said scheme of arrangement occur or have been fulfilled or waived in accordance with this scheme before the Bid Due Date i.e. 15.01.2018.</p>	<p>We hereby confirm that we have duly complied with all conditions and matters refer to in clause 16 of this scheme.</p> <p>To substantiate above, Please refer Attachment - 3</p>	<p>Bidder along with its reply has confirmed that they have duly complied with all the conditions and matters referred to in clause 16 of the Scheme and also submitted various documents in support of the same, which fulfills the requirement of clarification sought. Hence, it may be considered.</p>	<p>We may agree with the remarks of Financial Consultant.</p>

<p>Recommendation by ETEC Committee</p>	<p>Remarks of the Financial Consultant</p>	<p>Reply Received</p>	<p>S.No</p>
<p>We may agree with the remarks of Financial Consultant.</p>	<p>1. Bidder in its reply has specifying the methodology adopted for calculating the Net Worth. Further, we have calculated the net worth of the other member from the audited financial statement for the year 2017. Hence, it may be considered. 2. Reply submitted by the Bidder is justified. Hence, it may be considered.</p>	<p>1. Net Worth means the aggregate value of paid - up capital and all reserves created out of the profits and securities premium account, after deducting the aggregate value of the accumulated losses, deferred expenditure and miscellaneous expenditure no written off, as per the audited balance sheet, but does not include reserves created out of revaluation of assets, write back of depreciation and amalgamation. 2. The conversion rates from Ukrainian Hryvnia (UAH) to USD for respective years are indicated in the statutory auditor's certificate placed at page no. 1483 of bid submission. 3. Net worth of 2016 was indicated as the audited statements of 2017 were not available. Subsequently they were available and the same is enclosed. Refer Attachment - 1. 4. P&L statement for the year 2012 is separately not readily available. However, the same can be referred to 2013 Statement. Pl. Refer page no. 1644-1646</p>	<p>1. In case of Other Member, Bidder has not specifying the methodology adopted for calculating such net reserves created out of the profits and securities premium account, after deducting the aggregate value of the accumulated losses, deferred expenditure and miscellaneous expenditure no written off, as per the audited balance sheet, but does not include reserves created out of revaluation of assets, write back of depreciation and amalgamation. 2. Further, in the statutory auditor's certificate figures have been certified in USD instead of UAH as shown in the Audited Financial Statements. Further, the conversion rate from UAH to USD are also not given in the said certificate. Please clarify the same through statutory auditor's certificate. 3. The other member of the Bidder has claimed the net worth as on 31.12.2016 instead of 31.12.2017. Please clarify. 4. Bidder has submitted the Consolidated Profit and Loss Statement for the Year ending on 31.12.2013 instead of Standalone. Therefore the Bidder is required to submit the Unconsolidated (Standalone) Profit and Loss Statement for the year ending on 31.12.2013. 5. The Bidder has not submitted the Profit and Loss Statement for the Year ending on 31.12.2012.</p>
<p>5. Bidder is required to submit the Audited Annual Report for the last 5 (five) financial year, preceding</p>	<p>5. Bidder is required to submit the Audited Annual Report for the last 5 (five) financial year, preceding</p>	<p>5. Bidder is required to submit the Audited Annual Report for the last 5 (five) financial year, preceding</p>	<p>5. Bidder is required to submit the Audited Annual Report for the last 5 (five) financial year, preceding</p>

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	Therefore the same is required to be submitted.		the year in which the bid is submitted as mentioned in the RFP. Accordingly with reference to clause 2.2.2.8 (i) and 2.1.17, bidder has submitted the audited annual report for 2013 to 2017 which has been submitted by the Bidder. Hence, it may be considered.	
2.	In case of Other Member, namely CIA, the statutory auditor's certificates issued w.r.t. project codes "a" to "c" figures have been certified in USD instead of the relevant currencies in which the Bidder has received payments. Further, the conversion rate from the relevant currencies to USD are also not given in the said certificates. Please clarify the same through statutory auditor's certificate.	Conversion rate from the relevant currencies to USD are taken from Central bank of Ukraine & Bank of Russia. Statutory auditor's certificate on the same is awaited. Same shall be submitted shortly.	Bidder has mentioned that the Statutory Auditor's certificate on the same shall be submitted shortly. However, since RFP is providing the conversion rate from USD to INR only, therefore as discussed and deliberated since, the figures provided in USD have been considered taking into consideration the conversion rate of 28 days prior to the Bid Due Date and calculate the same.	We may agree with the remarks of Financial Consultant.
3.	In the statutory auditor's certificate certifying the value of A figures have been certified in USD instead of UAH as shown in the Audited Financial Statements. Further, the conversion rate from UAH to USD are also not given in the said certificate. Please clarify the same through statutory auditor's certificate.	Conversion rate from the relevant currencies to USD are taken from Central bank of Ukraine & Bank of Russia. Statutory auditor's certificate on the same is awaited. Same shall be submitted shortly. (On or before 18.05.2018)	Bidder has mentioned that the Statutory Auditor's certificate on the same shall be submitted shortly. However, since RFP is providing the conversion rate from USD to INR only, therefore as discussed and deliberated since, the figures provided in USD have been considered taking into consideration the conversion rate of 28 days prior to the Bid Due Date and calculate the same.	We may agree with the remarks of Financial Consultant.
4.	In point no. 14, name of the Delhi branch is not mentioned instead it was mentioned that Axis Branch at New Delhi. Please provide an amendment to the Bank Guarantee duly mentioning the detail of Delhi Branch in Point no. 14.	Please find attached the amendment letter to Bank Guarantee as Attachment- 2.	Bidder along with its reply has submitted the amendment to the Bank Guarantee duly mentioning the detail of Axis Branch at New Delhi in Point no. 14, which fulfills the requirement of clarification.	We may agree with the remarks of Financial Consultant.

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	sought. Hence, it may be considered.		
We may agree with the remarks of Financial Consultant.	<p>1. Bidder in its reply has last few lines, 'All issues, that may cause.....in written form' in the POA dated 20.02.2018. Further, Bidder in its reply has mentioned that the POA 'Interbudmontazh' 01013 Promyslova Str. 1, Kyiv, Ukraine</p> <p>2. Address of executor is - JSC, Please refer attachment-3.</p> <p>3. Stamp Duty Paid Document attached. shall be submitted shortly. Therefore Bidder may be conditionally qualified subject to submission of POA duly as per format as prescribed in the RFP.</p> <p>2. Bidder in its reply has confirmed the address of executor, which fulfills the requirement of clarification sought. Hence, it may be considered.</p> <p>3. Bidder along with its reply has submitted the stamp of paper of denomination Rs. 500/- as proof of payment of stamp duty in India, which fulfills the requirement of clarification sought. Hence, it may be considered.</p>	<p>1. Refer POA being obtained. Due to Apostilling Process (which generally takes 4-5 working days) it is awaited. Same shall be submitted shortly (On or before 18.05.2018)</p> <p>2. Address of executor is - JSC, Str. 1, Kyiv, Ukraine</p> <p>3. Stamp Duty Paid Document attached. Please refer attachment-3.</p>	<p>1. Para 2 (9th line), Bidder has mentioned additionally incorporated the words "All issues, that may cause.....in written form". Therefore, Bidder is required to delete the same.</p> <p>2. In case of other member, Address of the executor is not mentioned.</p> <p>3. The POA submitted by Other Member has been executed overseas, however, proof of payment of stamp duty in India has not been submitted along with the bid, which is required as per section 18 of Indian Stamp Act, 1899. Please clarify.</p>
We may agree with the remarks of Financial Consultant.	<p>1. Bidder in its reply has last few lines, 'All issues, that may cause.....in written form' in the POA dated 20.02.2018. Further, Bidder in its reply has mentioned that the POA shall be submitted shortly. Therefore Bidder may be conditionally qualified subject to submission of POA duly as per format as prescribed in the RFP.</p> <p>2. Inadvertently it was missed out. In the revised POA the same shall be ensured. Due to Apostilling process missed out". Since, non-witnessing of POA does not render the POA</p>	<p>1. Refer POA being obtained. Due to Apostilling Process (which generally takes 4-5 working days) it is awaited. Same shall be submitted shortly (On or before 18.05.2018)</p>	<p>1. Para 5 (7th line), Bidder has mentioned additionally incorporated the words "All issues, that may cause.....in written form". Therefore, Bidder is required to delete the same.</p> <p>2. POA for Lead Member for Joint Venture submitted by the Bidder is not witnessed by two persons. Please Clarify.</p>
		<p>2. Inadvertently it was missed out. In the revised POA the same shall be ensured. Due to Apostilling process missed out". Since, non-witnessing of POA does not render the POA</p>	



	<p>3. The POA submitted by Other Member has been executed overseas, however, proof of payment of stamp duty in India has not been submitted along with the bid, which is required as per section 18 of Indian Stamp Act, 1899. Please clarify.</p> <p>4. POA for Lead Member has been signed on 20.02.2018 by Mr. M. Shivaprakash on behalf of Reliance Infrastructure Limited, whereas he derived thr power to sign the Application/Bid through POA for signing of Bid executed by Reliance Infrastructure Limited on 21.02.2018. Please clarify how Mr. M. Shivaprakash is authorised to execute the POA for Lead Member on 20.02.2018 on behalf of Reliance Infrastructure Limited</p>	<p>submitted shortly (on or before 18.05.2018)</p> <p>3. Stamp Duty Paid Document attached. Please refer attachment-3.</p> <p>4. Supporting document confirming the authority of Mr. Shivaprakash is hereby attached as Attachment - 5.</p>	<p>unenforceable. Hence, it may be considered.</p> <p>3. Bidder along with its reply has submitted the stamp paper of denomination Rs. 500/- as proof of payment of stamp duty in India, which fulfills the requirement of clarification sought. Hence, it may be considered.</p> <p>4. Bidder has submitted the POA dated 13.06.2017 supported by Board Resolution dated 04.06.2016, which authorizes Mr. M. Shivaprakash on behalf of Reliance Infrastructure Limited inter-alia to sign the MOU, JV Agreement and other similar documents, which fulfills the requirement of clarification sought. Hence, it may be considered.</p>	
7.	<p>1. The other member has not submitted the Audited Annual Reports for the year ending on 31.12.2017. Please clarify.</p> <p>2. The Other member of the Bidder has not submitted an undertaking duly certified by the Statutory Auditor, if the annual accounts for the latest year ending on 31.12.2017 are not audited, stating that the annual accounts for the latest year ending on 31.12.2017 are not audited as on the Bid Due Date and therefore the bidder cannot make it available, which is required as per clause 2.2.2.8(ii) of RFP. Please clarify.</p>	<p>Annual Report for 2017 is enclosed. Refer Attachment - 6.</p>	<p>1 & 2. Bidder along with its reply has submitted the Audited Annual Reports for the year ending on 31.12.2017, which fulfills the requirement of clarification sought. Hence, it may be considered.</p>	<p>We may agree with the remarks of Financial Consultant.</p>

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Recommendation by ETEC Committee	Remarks of the Financial Consultant	Reply Received	S.No
<p>We may agree with the remarks of Financial Consultant.</p>	<p>1. Bidder along with its Accountants) certificate duly mentioning all the information prescribed in the RFP for the projects claimed in Annex-II, which fulfils the requirement of clarification sought. Hence, it may be considered.</p> <p>2. Bidder along with its reply has submitted the legible copies of Statutory Auditor's certificate in support of Annex-IV, which fulfils the requirement of clarification sought. Hence, it may be considered.</p>	<p>1. Summary of all the eligible projects as certified by Statutory Auditors is being enclosed herewith as Enclosure - 1, which contains all the details as per the requirement.</p> <p>2. Legible copies of backup of all the copy of consolidated certificate in support of Annex-IV are enclosed herewith as Enclosure - 2.</p>	<p>1. Bidder has not submitted the Statutory Auditor's certificate as per format prescribed in the RFP for the projects claimed in Annex-II. Please clarify</p> <p>Therefore the bidder is required to submit the clearly visible copy of certificate regarding construction works claimed in Annex-II duly certified by the Statutory Auditor as per format as prescribed in the RFP.</p>
<p>We may agree with the remarks of Financial Consultant.</p>	<p>However, the statement showing the value of "A" and "B" submitted by the Bidder was signed by Mr. Somnath S. Iyer, Head - Finance, Accounts and Admin instead of Mr. R. Anbalagan, VP & Head - Special Projects & Metros (i.e. the Authorised Signatory), which is required as per format of value of "A" & "B" as prescribed in the RFP.</p> <p>Further, in the statement showing the value of "B", it was mentioned that the above statement does not include contracts jointly executed with the JV partners, which should be</p>	<p>As on bid submission date, concurrent commitment certificate was submitted based on the availability of the audited Book of Accounts (31.12.2017).</p> <p>Now, current contract commitments up to 31st March 2018 has been audited and the same is enclosed herewith to evaluate the Bid capacity. Further audit for next quarter i.e. April - June is under process and will be completed in July first week as details from 1st April 2018 upto 9th April 2018 is not available but the details are same as on 31st March 2018.</p> <p>Further, "a table containing value of all the existing commitments and on-going works to be completed during the next four years" above the table of "To calculate the value of 'B' is along enclosed along with concurrent certificate as Enclosure - 3.</p> <p>Further, the revised auditor's certificate containing the information required to evaluate the Bid capacity is</p>	<p>2. Bidder has submitted the "Statement of current contract commitments as at 31 December 2017 relating to Construction division" instead of "as on Bid Due Date i.e. 09-03-2017", which is required as per Clause 2.2.1 of RFP and format of Annex-VI of Appendix-IA. Please clarify.</p> <p>Further, Bidder has not mentioned the words "a table containing value of all the existing commitments and on-going works to be completed during the next four years" above the table of "To calculate the value of 'B'. Please clarify the same through statutory auditor certificate.</p> <p>Bidder has mentioned Auditor Certificate Enclosed instead of mentioning the name of the Statutory Auditor's firm and Seal of the audit firm w.r.t. Information required to evaluate the Bid Capacity under clause</p>

	<p>2.2.2.1 of RFP i.e. Annex-IV. Please clarify.</p>	<p>enclosed herewith as Enclosure - 4.</p>	<p>included in the value of "B" as per provisions of RFP.</p> <p>In view of the above, the Bidder may be conditionally qualified subject to submission of Statement showing the value of "A" and "B" duly signed by the Authorised Signatory and the Statutory Auditor of the Bidder and also containing the ongoing contracts executed with the JV partners in the statement showing the value of "B" before opening of Financial Bid.</p>	
<p>3.</p>	<p>The Bidder has not submitted the Notes to Accounts for Financial Year 2016-17 to 2012-13, which is required as per Instruction No. 1 (c) of Annex-III i.e. Financial Capacity of the Bidder.</p>	<p>Annual Reports for FY 2012-13 to 2016-17 are enclosed herewith as Enclosure - 5.</p>	<p>Bidder along with its reply has submitted the Annual Reports for FY 2012-13 to 2016-17, which fulfils the requirement of clarification sought. Hence, it may be considered.</p>	<p>We may agree with the remarks of Financial Consultant.</p>
<p>4.</p>	<p>Bidder has submitted various supporting documents/certificate(s) in respect of the projects claimed for mandatory experience of tunnel project which is required as per clause 2.2.2.2(iii) of RFP read along with corrigendum No. I and replies to pre bid queries issued along with the RFP.</p> <p>Therefore the Bidder is required to clarify, through the client certificate (i.e. Principal Employer) clearly reflecting the Length of the Tunnel, Finished Cross Sectional area, cost of the Project, nature of tunnel, single tube/twin tube, actual date of completion, etc. that how the bidder is meeting the minimum eligibility criteria as per clause 2.2.2.2(iii) of RFP read along with corrigendum No. I and replies to pre bid queries issued along with the RFP. Further, Bidder is required to provide the information in the format as prescribed in the table attached herewith as Annex-I along with the Completion Certificates duly highlighting each and every detail.</p>	<p>It is general practice that the certificate as issued by various employer's contains very specific information such as Project details, Start & finish date, Value of Contract, Dia. Length and shape of Tunnel. Finer details such as Cross- Sectional area of the tunnel is not available on all the certificates.</p> <p>For substantiating the minimum eligibility criterion as per clause 2.2.2.2 (ii) of RFP, the certificate as issued by CMRL (Enclosed herewith) may kindly be referred to. The certificate contains the details of Cross-section area of the Tunnel.</p> <p>For all other project, we are enclosing herewith GFC drawings, which contains the details of finished diameter and shape of the tunnel. For NHIDCL's ready reference, a table containing the calculation details of cross-sectional area based on the enclosed drawings, finished dia. And shape of the tunnel is also enclosed herewith. This will serve the purpose. Information as sought by NHIDCL in table Annex-I is also enclosed herewith as Enclosure - 6.</p>	<p>Bidder has submitted the details of 5 projects out of which the project namely "330 MW Shrinagar Hydro Electric Project, Uttarakhand", wherein the Bidder has completed the Head Race Tunnel having length of 1.145 km, Cross Sectional Area of 75.391 sqm, having cost of Rs. 433.56 Crore and the same was completed in the M/o March 2015, in this regard a certificate issued by Client was submitted in the Original Bid. Hence, it may be considered.</p> <p>For detailed, Refer Mandatory Experience Sheet.</p>	<p>We may agree with the remarks of Financial Consultant.</p>

Recommendation by ETEC Committee	Remarks of the Financial Consultant	Reply Received	Clarification Sought	S.No
We may agree with the remarks of Financial Consultant.	Bidder has submitted along with its reply a GPA dated 18 th April 2018 in favour of Mr. Mukund Sapre, however, no where in the said GPA it is mentioned that the GPA is effective from 01.04.2018, therefore, from the said GPA, Mr. Mukund Sapre did not derive the power to execute the POA in favour of Mr. Shrikant Kukade, your needful. As per the POA, it is evident that the Mr. Mukund Sapre is authorised to execute the POA in favour of Mr. Shrikant Kukade. In view of the above, the Bidder may be conditionally qualified subject to substantiating through some supporting documents such as Board Resolution, GPA, etc., the authority of Mr. Mukund Sapre to execute the POA in favour of Mr. Shrikant Kukade on 05 th April 2018 before opening of financial bid.	Mr. Mukund Sapre has been appointed as Executive Director by the Board of the Company and accordingly the Board Resolution dated February 2, 2018 has been passed. The Power of Attorney was issued in favour of Mr. Mukund Sapre on April 18, 2018 to the Board Resolution dated February 9, 2018 under the seal and signature of one director and countersigned by Mr. Krishna Ghag, VP & CS. The said Power of Attorney is now attached for your needful. As per the POA, it is evident that the Mr. Mukund Sapre is authorised to execute the POA in favour of Mr. Shrikant Kukade.	As per Board Resolution dated 09.02.2018 submitted by the Bidder, "a POA be issued in favour of Mr. Mukund Sapre, ED in connection with the operations of the Company in terms of the draft placed before the meeting and the same be signed and sealed in the presence of any one director and countersigned by Mr. Krishna Ghag, VP and CS". However, the said POA is not submitted by the Bidder. In the absence of said POA please clarify how Mr. Mukund Sapre is authorised to execute the POA in favour of Mr. Shrikant Kukade.	1.
We may agree with the remarks of Financial Consultant.	Bidder along with its reply has submitted the Statutory auditor (i.e. M/s S R B C & Co. LLP, Chartered Accountant) certificate along with the fulfilment of the requirement of clarification sought. Hence, it may be considered.	1. We refer to Instruction No. 14 under Annex -IV of the RFP document which states as follows: If the Bidder is claiming experience under Category 3 & 4, it should provide a certificate from its statutory auditors/Client/Engineer-in-charge/Independent Engineer/Authority's Engineer in the format below:	1. As per latest year audited annual report of the Bidder, M/s R B C & Co. LLP is the Statutory Auditor of the Bidder, whereas the certificate was issued by Luthra & Luthra. Please clarify how M/s Luthra & Luthra can issue the certificate in the capacity of Statutory Auditor of the Bidder.	2.
		2. We would like to inform you that yearly audit for the Financial Year 2016-17, was carried out by Ms. Deloitte Haskins & Sells and M/s S R B C & Co. LLP jointly as the Statutory	2. The certificate submitted by the Bidder is not as per format as prescribed in the RFP. Please clarify.	





3	As per latest year audited annual report of the Bidder, M/s S R B C & Co. LLP is the Statutory Auditor of the Bidder, whereas the certificate was issued by Gianender & Associates. Please clarify how M/s Gianender & Associates can issue the certificate in the capacity of Statutory Auditor of the Bidder.	Auditor of ITNL. Now, M/s S R B C & Co. LLP is undertaking yearly audit for Financial Year 2017-18. Hence, M/s S R B C & Co. LLP has not done audit of ITNL for financial years 2013-14 to 2016-17 independently. Accordingly, they were not in a position to provide a certificate during the time available for submission of bid.	
4.	As per latest year audited annual report of the Bidder, M/s S R B C & Co. LLP is the Statutory Auditor of the Bidder, whereas the certificate was issued by MKPS & Associates. Please clarify how M/s MKPS & Associates can issue the certificate in the capacity of Statutory Auditor of the Bidder.	3. ITNL has undertaken the construction works through contractual arrangements with its Clients which are Special Purpose Vehicle (SPV) for respective projects. The Statutory Auditors of the Client maintains the books of accounts including details of construction works executed and payments made for the same to ITNL. Hence, a certificate procured from Statutory Auditor of the Client has been provided. The certificate also includes an Annexure in the format provided in the RFP which is signed by the Authorised Signatory of Client itself. In addition to this, we here by submit certificate issued by the respective Clients as per the format provided in the RFP.	
5.	As per latest year audited annual report of the Bidder, M/s S R B C & Co. LLP is the Statutory Auditor of the Bidder, whereas the certificate was issued by D R Mohnot & Co. Please clarify how M/s D R Mohnot & Co. can issue the certificate in the capacity of Statutory Auditor of the Bidder.	4. In case of certificate from M/s. Luthra & Luthra, the Statutory Auditor has provided the certificate as per the requirements of the RFQ document and the guidelines for Chartered Accountant firms provided by Institute of Chartered Accountants of India (ICAI). We state that the Certificate provides all the financial information required as per the RFQ. 5. In view of the above, amongst the specified provisions as per Instruction No. 14 under Annex -IV of the RFP document, the certificates have been provided from the Statutory Auditor of the Client and also by the Client itself, for the respective projects. We believe that all the requisite details have been provided for the evaluation of our AFQ.	

Sanjay

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5. The Financial Consultant has been recommended Technical score, Financial score and assessed available Bid capacity of the all bidders is as under:

Sl. No.	Name of the Bidder	Experience Score Assessed = Rs. 2239.38 (Required = Rs. 55.98 Cr.)	Net Worth Assessed (Required = Rs. 55.98 Cr.)	Whether Bidder meets Mandatory Experience required under clause 2.2.2.(iii) and Corrigendum No. I of RFP	Average Annual Turnover Assessed (Required = 223.93 Cr.) (Rs. In Crore)	Assessed Bid Capacity Available (Required = Rs. 1119.69 Crore) (Rs. In Crore)	Remarks	
1.	M/s Patel Engineering Ltd. - ABCI Infrastructures Pvt. Ltd. (JV)	Patel Engineering Ltd.	4,486.04	2,078.86	Yes	2,965.43	13,990.56	Technically Responsive
		ABCI Infrastructures Pvt. Ltd.	527.71	113.47	Experience Mandatory	398.32	2,377.61	
		Total	5,013.75	2,192.33	Sheet at para 6 below)	3,363.75	16,368.17	
		M/s NPCC - EN-EZ Insaat Sanayi Ve Ticaret A.S JV						
2.	M/s NPCC - EN-EZ Insaat Sanayi Ve Ticaret A.S JV	NPCC Limited	1,588.51	145.95	Yes	1,212.29	6,908.71	(Technically Responsive subject to submission of documents at para 7 below)
		EN-EZ Insaat Sanayi Ve Ticaret A.S	1,592.45	200.63	(Refer Summary of Mandatory Experience Sheet at para 6 below)	189.01	2,592.71	
		Total	3,180.96	346.58		1,401.30	9,501.42	
		M/s Tata Projects Limited - CENGIZ INSAAT SANAYI VE TICARET A.S (JV)						
3.	M/s Tata Projects Limited - CENGIZ INSAAT SANAYI VE TICARET A.S (JV)	Tata Projects Limited	3,801.20	1,026.36	Yes	4,444.20	16,559.57	Technically Responsive
		CENGIZ INSAAT SANAYI VE TICARET A.S	2,728.57	4,523.00	(Refer Summary of Mandatory Experience Sheet at para 6 below)	3,820.22	24,933.37	
		Total	6,529.77	5,549.36		8,264.42	41,492.95	
		M/s Tata Projects Limited - CENGIZ INSAAT SANAYI VE TICARET A.S (JV)						
4.	M/s CEMENTATION India Limited	Tata Projects Limited	3,801.20	1,026.36	Yes	4,444.20	16,559.57	Technically Responsive
		CENGIZ INSAAT SANAYI VE TICARET A.S	2,728.57	4,523.00	(Refer Summary of Mandatory Experience Sheet at para 6 below)	3,820.22	24,933.37	
		Total	6,529.77	5,549.36		8,264.42	41,492.95	
		M/s Tata Projects Limited - CENGIZ INSAAT SANAYI VE TICARET A.S (JV)						

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Sl. No.	Name of the Bidder	Experience Score Assessed (Required = Rs. 2239.38 Crore) (Rs. in Crore)	Net Worth Assessed (Required = Rs. 55.98 Cr.) (Rs. in Crore)	Whether Bidder meets Mandatory Experience required under clause 2.2.2.2(iii) and Corrigendum No. I of RFP	Average Annual Turnover Assessed (Required= 223.93 Cr.) (Rs. In Crore)	Assessed Available Bid Capacity (Required = Rs. 1119.69 Crore) (Rs. in Crore)	Remarks
				Mandatory Experience Sheet at para 6 below)			submission of following documents at para 7 below)
5.	M/s Max Infra (I) Limited- SEW Infrastructure Limited (JV)						
	Max Infra (I) Limited	1,379.57	203.22	Yes	602.54	1,159.97	Technically Responsive
	SEW Infrastructure Limited	1,479.45	704.34	(Refer Summary of Mandatory Experience Sheet at para 6 below)	2,378.19	19,899.57	
	Total	2,859.02	907.59		2,980.73	21,059.54	
6.	M/s Gammon Engineers and Contractors Pvt. Ltd.	6,331.76	81.75	Yes (Refer Summary of Mandatory Experience Sheet at para 6 below)	2,400.36	15,384.50	Technically Responsive
7.	M/s Reliance- CAI (JV)						
	Reliance	12,571.33	14,820.36	Yes	12,213.27	12,027.83	(Technically Responsive subject to submission of following documents at para 7 below)
	CAI	2,019.10	70.73	(Refer Summary of Mandatory Experience Sheet at para 6 below)	112.77	10,446.87	
	Total	14,590.42	14,891.09		12,326.04	22,474.70	
8.	Larsen and Toubro	54,634.80	45,104.57	Yes	57,146.85	7,00,600.50	(Technically Responsive

L. an B. J. S. S. S. S.



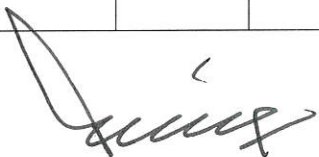
Sl. No.	Name of the Bidder	Experience Score Assessed	(Required = Rs. 2239.38 Crore) in (Rs. Crore)	Net Worth Assessed (Required = Rs. 55.98 Cr.) in (Rs. Crore)	Whether Bidder meets Mandatory Experience required under clause 2.2.2.(iii) and Corrigendum No. I of RFP	Average Annual Turnover Assessed (Required = 223.93 Cr.) (Rs. In Crore)	Available Bid Capacity (Required = Rs. 1119.69 Crore) in (Rs. Crore)	Remarks
9.	Navayuga Engineering Company Limited	8,934.37		2,176.21	Yes	3,389.98	4,646.11	Technically Responsive
10.	IL&FS Transportation Networks Limited	14,430.27		2,795.12	Yes	3,264.29	21,685.43	(Technically Responsive to subject to submission of documents at para 7 below)

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6. The Financial Consultant has ~~been~~ recommended Mandatory Experience required as per Clause 2.2.2.2(iii) of RFP document of the all bidders is as under:

S. No.	Name of the Bidder	Name of the Project	Name of Tunnel (Whether Tunnel is for road/ railway/ metro/ rail/ irrigation/ Hydro-electric project, etc.?)	Whether Single or Twin tube? (including tunnel (s) for road/ railway/ metro/ rail/ irrigation/ Hydro-electric project etc. Note: If the project is twin tube, then whether twin tubes are interconnected at suitable intervals and are part of the same project?	Length of the Tunnel Constructed = 1.133 km (i.e. 25% of 4.531 km)	Finished Cross Sectional area having at least 51.29 sq m	Estimated Project Cost having atleast 279.92 crore (i.e. 1119.69* 25%)	Date of Completion	Name of the Client
					<i>25% length of the tunnel to be constructed in this project</i>	<i>50% of the cross sectional area to be constructed in this project</i>	<i>25% of the Estimated Project Cost</i>		
1.	Patel Engineering Ltd - ABCI Infrastructures Pvt. Ltd. Joint Venutre	Construction of Civil works for HRT from STA. 12900M to STA. 15086.52, Surge Shaft, Pressure Shafts, Valve House, Power House Complex, TRT, Adits And Hydro Mechanical Works (Rampur HEP Package - 2.0)	Hydro-electric project	Single Tunnel	2.213 km	89.59 sqm	557.25	27.03.2014	SJVN Limited, Shimla (H.P)

Lawyer   

<p>Antalya Kemer Highway (approximate section on km 12+300 - 64+000) Earthworks, construction of Engineering Structures, Construction of HBM Pavement Works, Construction of Arch Bridge Crossing and Phaselis Tunnel (Double Tube), and Electrical, Electromechanical and Controlling Systems of the Tunnel</p>	<p>Tata Projects Limited - CENGIZ INSAAT SANAYI VE TICARET A.5 (JV)</p>	<p>Askale Road (Kostere Creek - Gumushane Section) km: 65+200 - 96+000 Section (Completion works) and Gumushane Passage Road km: 0+000 - 11+255 Section Construction Work</p>	<p>Contract CC- 32 (UG- 3): Design and Construction of Tunnel by shield TBM, Palam and I.G.D. Airport underground</p>
<p>Highway Tunnel</p>	<p>NPCC-EN EZ JV</p>	<p>Twin Tube and inter connected</p>	<p>Twin Tube and inter connected</p>
<p>Directorate General of Highways</p>	<p>18.12.20</p>	<p>63.36 sqm</p>	<p>1.305 km</p>
<p>Ministry of Transport, Maritime Affairs and Communications</p>	<p>18.08.20</p>	<p>59.45 sqm</p>	<p>2.540 km</p>
<p>Delhi Metro Rail Corporation Limited</p>	<p>27.08.20</p>	<p>52.862 sqm</p>	<p>3.436 km</p>
<p>741.39</p>	<p>17</p>	<p>27.08.20</p>	<p>17</p>

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		d Stations by cut & cover method between Palam (including) and Shankar Vihar (exculding) on Janakpuri West - Kalindi Kunj Corridor under Delhi MRTS Project of Phase - III							
5	Max Infra (I) Limited-SEW Infrastrcture Limited (JV)	Main Spillway Tunnel	Hydro-electric project	Single Tube	1.156 km	83 SQM (Finished CSA)	822.11	28.02.2017	Teesta Urja Limited
6	Gammon Engineers and Contractor s Pvt. Ltd.	Punatsangchu - I - Hydroelectric Project	Hydro-electric project	Single Tube	2.19863 km	105.468 sqm	399.94	30.06.2015	Punatsangchu-I - Hydroelectric Project Authority
7	Reliance-CIA (JV)	Beskyd Tunnel Construction	Tunnel	Single Tube	1.822 km	120 sqm (area of the tunnel excavation)	824.06	01.11.2016	State Regional Territory Branch Society "Lviv Railway"
8	Larsen and Toubro Limited	330 MW Shrinagar HEP, Uttarakhand	Hydro-electric project	Single Tube	1.145 km	75.391 sqm	433.56	Mar-15	GVK
9	Navayuga Engineering Company Limited	Civil work for 6*200 MW Teesta Stage III Hydro Electric Power Project	Tunnel	Single Tube	1.3427 km	136.38 sqm	701.56	28.02.2017	Teesta Urja Limited
10	IL & FS Transportation Networks Limited	Chenani Nashri Tunnel Project	Tunnel	Single Tube	9 KM	102.25 SQM	2,519.00	08.03.2017	NHAI

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S. No	Name of Bidder's	Status of Eligibility
1.	M/s Patel Engineering Ltd. - M/s ABCI Infrastructures Pvt. Ltd. (JV)	Technically Responsive for next stage of bidding
2.	M/s NPCC Limited - M/s ENZ Insat Sanayi Ve Ticaret A.S (JV)	Technically Responsive for next stage of bidding subject to submission of following documents before opening of Financial Bid: (i) Statement showing the value of "B" duly as per format (also containing the date and place) signed by the Authorised Signatory and the Statutory Auditor of the NPCC Ltd. (ii) Proof of payment of stamp duty in India on the POA submitted by the Other Member of the Bidder.
3.	M/s Tata Projects limited. - M/s CENGIZ Insat Sanayi Ve Ticaret A.S (JV)	Qualified for next stage of bidding
4.	M/s ITD Cementation India Limited.	Technically Responsive for next stage of bidding subject to the submission of the Statement showing the value of "B" as per format duly signed by the Authorised Signatory and Statutory Auditor of the Bidder before opening of Financial Bid.
5	M/s Max Infra (I) Limited - M/s SEW Infrastructure Limited (JV)	Technically Responsive for next stage of bidding
6	M/s Gammon Engineers and Contractors Pvt. Ltd.	Technically Responsive for next stage of bidding
7	M/s Reliance Infrastructure Limited - CAI (JV)	Technically Responsive for next stage of bidding subject to the submission of POA (i.e. Appendix-III and IV) duly deleting the additional words and the same should be as per format as prescribed in the RFP before opening of Financial Bid.
8	M/s Larsen & Toubro Limited.	Technically Responsive for next stage of bidding subject to the submission of the Statement showing the value of "A" and "B" duly signed by the Authorised Signatory and the Statutory Auditor of the Bidder and also containing the ongoing contracts executed with the JV partners in the statement showing the value of "B" before opening of

7. Recommendations of the ETEC: The Committee Technically Responsive M/s Patel Engineering Ltd. - M/s ABCI Infrastructures Pvt. Ltd. (JV), M/s Tata Projects limited. - M/s CENGIZ Insat Sanayi Ve Ticaret A.S (JV), M/s Max Infra (I) Limited - M/s SEW Infrastructure Limited (JV), M/s Gammon Engineers and Contractors Pvt. Ltd. and M/s Navayuga Engineering Co. Ltd. for the next stage of bidding and M/s NPCC Limited - M/s ENZ Insat Sanayi Ve Ticaret A.S (JV), M/s ITD Cementation India Limited, M/s Reliance Infrastructure Limited - CAI (JV), M/s Larsen & Toubro Limited & M/s IL&FS Transportation Networks Limited Technically Responsive for next stage of bidding only after the submission of requisite documents. The status of technical qualification of all 10 bidders as recommended by ETEC is reproduced as under:

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S. No	Name of Bidder's	Status of Eligibility
9	M/s Navayuga Engineering Co. Ltd.	Technically Responsive for next stage of bidding
10	M/s IL&FS Transportation Networks Limited.	Technically Responsive for next stage of bidding subject to substantiating, through some supporting documents such as Board Resolution, GPA, etc., the authority of Mr. Mukund Sapre to execute the POA in favour of Mr. Shrikant Kukade on 05 th April 2018 before opening of Financial Bid.

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


(V.K.Singh)
(ED-IV)
Chairman


(Y.C.Srivastava)
(GM-Tech)
Member
Secretary


(Sandeep Gupta)
(GM-Tech)
Member


(V.Jaiswal)
DGM (Tech)
Member


(Sunil Gupta)
(Manager-Fin.)
Member

