

Section 3 - Evaluation and Qualification Criteria

- Without Pre-qualification -

This Section contains all the criteria that the Employer shall use to evaluate bids and qualify Bidders. In accordance with ITB 32 and ITB 36, no other methods, criteria and factors shall be used. The Bidder shall provide all the information requested in the forms included in Section 4 (Bidding Forms Technical).

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1. Evaluation

In addition to the criteria listed in ITB 36.2 (a) – (f), the following criteria shall apply:

1.1 Adequacy of Technical Proposal

Evaluation of the Bidder's Technical Proposal will include an assessment of the Bidder's technical capacity to mobilize key equipment and personnel for the contract consistent with its proposal regarding work methods, scheduling, and material sourcing in sufficient detail and fully in accordance with the ITB clause 32 and requirements stipulated in Section 6 (Employer's Requirements).

1.2 Completion Time

An alternative Completion Time, if permitted under ITB 13.2, will be evaluated as follows: **Not applicable**

1.3 Technical Alternatives

Technical alternatives, if permitted under ITB 13.4, will be evaluated as follows: **Not applicable**

1.4 Domestic Preference

If a margin of preference is provided under ITB 35.1, the procedure shall apply:

1.4.1 In comparing domestic bids with foreign bids, a margin of preference will be granted to eligible domestic contractors, as defined below, in accordance with the following provisions.

(a) For application of domestic preference, all responsive bids will first be classified into the following two categories:

- (i) Category I: Bids offered by domestic contractors and joint ventures eligible for the preference in accordance with the criteria set forth in Sub-Clause 1.4.2 below; and
- (ii) Category II: Bids offered by other contractors.

The Employer will review each bid to confirm the appropriateness of, or to modify as necessary, the category to which the bid was assigned by the bidder in preparing it.

(b) The lowest evaluated bid of each category will then be determined by comparing all evaluated bids in each category among themselves.

(c) Such lowest evaluated bids will next be compared with each other and if, as a result of this comparison, a bid from Category I is found to be the lowest, it will be selected for the award of contract.

(d) If, however, as a result of the comparison under (c) above, the lowest bid is found to be from Category II, it will be further compared with the lowest evaluated bid from category I. For the purpose of this further comparison only an upward adjustment will be made to the lowest evaluated bid price of Category II by adding an amount equal to seven and one-half per cent (7 ½ %) of the bid price. If, after such comparison, the Category I bid is determined to be the lowest, it will be selected for the award of contract; if not, the lowest evaluated bid from Category II will be selected.

1.4.2 Domestic contractors and joint ventures between a domestic contractor(s) and its foreign partner(s) shall meet the following minimum criteria for eligibility of the Domestic reference Scheme:

- (a) Domestic contractor(s):
 - (i) firms are registered in [**India**];
 - (ii) firms have majority ownership by nationals of [**India**]; and
 - (iii) firms will not subcontract to foreign contractors more than fifty per cent (50%) of the total value of their work.
- (b) A joint venture between a domestic contractor(s) and its foreign partner(s) will be eligible for the preference only if:
 - (i) the domestic partner(s) are individually eligible for the preference according to the criteria stated above;
 - (ii) the domestic partner(s) would not qualify for the Works on technical or financial grounds without the foreign participation; and
 - (iii) the domestic partner(s) will, under the arrangements proposed, carry out at least fifty per cent (50%) of the Works measured in terms of value.

1.4.3 Bidders applying for the preference shall provide all evidence, including details of ownership, necessary to prove that they are qualified for the preference according to the criteria set forth in paragraph 1.4.2 above.

1.4.4 If the Contract is awarded to a bidder who has received the preference pursuant to the foregoing provisions, such contractor shall not subcontract to foreign contractors more than fifty per cent (50%) of the total value of their work.

1.4.5 A joint venture which is awarded the Contract as a result of the application of the above domestic preference provisions, shall furnish the Employer, together with the Performance Security, a "Domestic Preference Security" to guarantee that the profit and loss distribution and work-sharing arrangements with which the joint venture satisfied the criteria of Sub-Clause 1.4.2 (b) above will not be modified throughout the execution of the Contract. The domestic performance security shall be in the form of an unconditional on-demand bank guarantee or standby letter of credit acceptable to the Employer, for an amount in a convertible currency equivalent to the difference between the joint venture's bid price and the bid price of the lowest foreign bid. The domestic preference security shall be issued either (a) by a bank located in the country of the Employer, or (b) directly by a foreign bank acceptable to the Employer. The domestic preference security shall be valid until the Contractor has substantially completed the Works and a Taking-Over Certificate has been issued by the Engineer in accordance with the provisions of GCC 10 and such security shall be returned to the Contractor together with the Taking-Over Certificate.

1.5 Quantifiable missing or nonconfirming items

The evaluated cost of quantifiable missing items are determined as follows:

The cost of quantifiable missing items, if not covered under clause 14.2 of section 1, would be added to the Bid Price to allow for Bid comparison on an equal basis. The price adjustment would be based on an estimate of the cost of missing item by the bid evaluation committee, taking into consideration the highest quoted prices from other conforming Bids. Bids offered for part scope of work shall be rejected.

Bids not confirming to the bid document requirement in terms of specifications, payment terms and contract conditions shall be held non responsive.

2. Qualification

2.1 Eligibility

Criteria	Compliance Requirements				Documents
Requirement	Single Entity	Joint Venture			Submission Requirements
		All Partners Combined	Each Partner	One Partner	

2.1.1 Nationality

Nationality in accordance with ITB Sub-Clause 4.2.	must meet requirement	existing or intended JV must meet requirement	must meet requirement	not applicable	Forms ELI - 1; ELI - 2 with attachments
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2.1.2 Conflict of Interest

No conflicts of interest in accordance with ITB Sub-Clause 4.3.	must meet requirement	existing or intended JV must meet requirement	must meet requirement	not applicable	Application Submission Sheet
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2.1.3 ADB Eligibility

Not having been declared ineligible by ADB, as described in ITB Sub-Clause 4.4.	must meet requirement	existing or intended JV must meet requirement	must meet requirement	not applicable	Application Submission Sheet
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2.1.4 Government-owned Entity

Bidder required to meet conditions of ITB Sub-Clause 4.5.	must meet requirement	must meet requirement	must meet requirement	not applicable	Forms ELI - 1; ELI - 2 with attachments
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2.2 Pending Litigation

Criteria	Compliance Requirements			Documents	
Requirement	Single Entity	Joint Venture			Submission Requirements
		All Partners Combined	Each Partner	One Partner	

2.2.1 Pending Litigation

All pending litigation shall be treated as resolved against the Bidder and so shall in total not represent more than Fifty (50) percent of the Bidder's net worth.	must meet requirement by itself or as partner to past or existing JV	not applicable	must meet requirement by itself or as partner to past or existing JV	not applicable	Form LIT – 1
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2.3 Financial Situation

Criteria	Compliance Requirements			Documents	
Requirement	Single Entity	Joint Venture			Submission Requirements
		All Partners Combined	Each Partner	One Partner	

2.3.1 Historical Financial Performance

Submission of audited balance sheets or, if not required by the law of the Bidder's country, other financial statements acceptable to the Employer, for the last Three years to demonstrate the current soundness of the Bidders financial position and its prospective long-term profitability.	must meet requirement	not applicable	must meet requirement	not applicable	Form FIN - 1 with attachments
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2.3.2 Average Annual Construction Turnover

Minimum average annual construction turnover equal to INR 750 million calculated as total certified payments received for contracts in progress or completed, within the last three years.	must meet requirement	must meet requirement	must meet 25% of the requirement	must meet 40% of the requirement	Form FIN - 2
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2.3.3 Financial Resources

Using Forms FIN – 3 and FIN - 4 in Section 4 (Bidding Forms Technical) the Bidder must demonstrate access to, or availability of, financial resources such as liquid assets, unencumbered real assets, lines of credit, and other financial means, other than any contractual advance payments to meet: (1) the cash-flow requirement, INR 120 million, and (2) the overall cash flow requirements for this contract and its current works commitment equal to INR 1400 million . It will be calculated from the formulae given below Overall cash flow = (7x Working Capital + line of credit – 40% of current contract commitment)	must meet requirement	must meet requirement	must meet 25% of the requirement	must meet 40% of the requirement	Form FIN – 3
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2.4 Experience

Criteria	Compliance Requirements			Documents
Requirement	Single Entity	Joint Venture		
		All Partners Combined	Each Partner	One Partner
				Submission Requirements

2.4.1 General Construction Experience

Experience under construction contracts in the role of contractor, subcontractor, or management contractor for at least the last Five years prior to the bid submission deadline.	must meet requirement	not applicable	must meet requirement	not applicable	Form EXP – 1
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2.4.2 Specific Construction Experience

(a) Contracts of Similar Size and Nature

Participation as contractor, management contractor, or subcontractor, in at least two work contracts within the last seven years, each with a value of at least INR 1200 million that have been successfully or are substantially completed.	must meet requirement	must meet requirement	not applicable	not applicable	Form EXP - 2(a)
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(b) Construction Experience in Key Activities

For the above or other contracts executed during the period stipulated in 2.4.2(a) above, a minimum construction experience in the following key activities:	must meet all requirements	Must meet all requirements	not applicable	not applicable	Form EXP - 2(b)
Should have executed at least one Contract of construction of major bridge/ flyovers/ grade separator/ ROBs employing:					
1. Pre-stressed Girders and					
2. Pile Foundations.					

2.5 Personnel

The Bidder must demonstrate that it has the personnel for the key positions that meet the following requirements:

No.	Position	Total Work Experience [years]	Experience In Similar Work [years]
1	Project Manager -1 no. (BE Civil)	20 years	15 Years
2	Project Engineer- 3 no (B.E.Civil)	10 years	5 years
3	Quality Engineer - 1 no. (B.E. Civil)	10 years	5 years
4	Construction Supervisors -6 nos (min. Diploma in Civil Engg)	10 years	5 Years
5	Safety Engineer/Officer (B.E. Civil)	8 years	5 years
6	Geo-tech Engineer (M. Tech. (Geo-Tech))	10 years	5 years

The Bidder shall provide details of the proposed personnel and their experience records in the relevant Information Forms included in Section 4 using one form for each personnel (Bidding Forms Technical).

2.6 Equipment

The Bidder must demonstrate that it has the key equipment listed hereafter:

No.	Equipment Type and Characteristics	Min. Number Required
1	Excavator cum Loader	Two
2	Tippers/Tractors	Four
3	Concrete Batching Plant (Computerized auto controlled)	One
4	Transit Mixtures	Four
5	Concrete Mixtures	Four
6	Needle Vibrators (mix sizes)	Eight
7	Plate Vibrators	Four
8	Concrete Pumps	Two
9	Concrete Tremie Buckets	Two
10	Generator 100 KVA	One
11	Staging of average 10 meter height and plate shuttering	1000 sq m
12	Cranes heavy duty 35-80 MT capacity	2 Nos
13	Grout Pumps	2 Nos
14	Water tankers	2 Nos
15	Mobile slurry seal equipment	2 Nos
16	Prestressing Jacks with Pumps and accessories	Four
17	Auto level set	Two
18	Theodolite set	Two
19	Electrical Welding set	Two
20	Compressive strength testing machine	One
21	Safety equipment for personnel	As Required
22	Vibratory Road Roller 8-10 MT	2 Nos

The Bidder shall provide further details of proposed items of equipment using the relevant Form in Section 4 (Bidding Forms Technical)