

Section-III

Evaluation and Qualification Criteria

Section 3 - Evaluation and Qualification Criteria

- Without Prequalification -

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).

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1. Evaluation

In addition to the criteria listed in ITB 36.2 (a) – (e) 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 requirements stipulated in Section 6 (Employer's Requirements).

Non-compliance with equipment and personnel requirements described in Section 6 (Employer's Requirements) shall not normally be a ground for bid rejection and such non-compliance will be subject to clarification during bid evaluation and rectification prior to contract award.

1.2 Multiple Contracts

Pursuant to Sub-Clause 36.4 of the Instructions to Bidders, if Works are grouped in multiple contracts, evaluation will be as follows: Not Applicable.

1.3 Completion Time

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

1.4 Technical Alternatives

Technical alternatives , if permitted under ITB 13.4, will be evaluated as follows: Not Applicable.

1.5 Quantifiable Nonconformities, Errors and Omissions

The evaluated cost of quantifiable nonconformities, errors and/or omissions are determined as follows:

Pursuant to ITB 31.3, the cost of all quantifiable nonmaterial nonconformities or omissions shall be evaluated. The Employer will make its own assessment of the cost of any nonmaterial nonconformities and omissions for the purpose of ensuring fair comparison of bids.

For this purpose, the Employer shall base its assessment on the highest price quoted for the same item(s) or component(s) by the other responsive bidders. If prices of such item(s) or component(s) are not available in the received bids, the Employer will base its assessment on the rates estimated by the Employer. However, if the bidder is awarded the contract, pursuant to the provision in Sub-Clause 14.2 of ITB, these item(s) or component(s) will not be paid for by the Employer during execution and shall be considered deemed covered by the rates for other items and prices of the Bill of Quantities.

1.6 Domestic Preference

If a margin of preference shall apply under ITB 35.1, the procedure will be as follows: Not applicable.

2. Qualification

Unless specifically indicated otherwise, it is the legal entity or entities comprising the Bidder, and not the Bidder's parent companies, subsidiaries or affiliates, that must satisfy the qualification criteria described below.

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	must meet requirement	must meet requirement	not applicable	Forms ELI - 1; ELI - 2 with attachments
2.1.2 Conflict of Interest					
No conflicts of interest in accordance with ITB Sub-Clause 4.3.	must meet requirement	must meet requirement	must meet requirement	not applicable	Letter of Technical Bid
2.1.3 ADB Eligibility					
Not having been declared ineligible by ADB, as described in ITB Sub-Clause 4.4.	must meet requirement	must meet requirement	must meet requirement	not applicable	Letter of Technical Bid
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
2.1.5 United Nations Eligibility					
Not having been excluded by an act of compliance with UN Security Council resolution in accordance with ITB Sub-Clause 4.7.	must meet requirement	must meet requirement	must meet requirement	not applicable	Letter of Technical Bid

2.2 Pending Litigation

Pending Litigation criterion [shall/shall not] apply.

2.2.1 Pending Litigation and Arbitration

Criteria	Compliance Requirements			Documents	
Requirement	Single Entity	Joint Venture			Submission Requirements
		All Partners Combined	Each Partner	One Partner	
All pending litigation and arbitration, if any, shall be treated as resolved against the Bidder and so shall in total not represent more than 50% (fifty percent) of the Bidder's net worth calculated as the difference between total assets and total liabilities should be positive.	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

2.3 Financial Requirements

2.3.1 Historical Financial Performance

Criteria	Compliance Requirements				Documents
Requirement	Single Entity	Joint Venture			Submission Requirements
		All Partners Combined	Each Partner	One Partner	
Submission of audited financial statements or, if not required by the law of the Bidder's country, other financial statements acceptable to the Employer, for the last three (3) years to demonstrate the current soundness of the Bidder's financial position. As a minimum, the Bidder's net worth for the last year calculated as the difference between total assets and total liabilities should be positive.	must meet requirement	not applicable	must meet requirement	not applicable	Form FIN - 1 with attachments

2.3.2 Average Annual Construction Turnover

Criteria	Compliance Requirements				Documents
Requirement	Single Entity	Joint Venture			Submission Requirements
		All Partners Combined	Each Partner	One Partner	
Minimum average annual construction turnover of INR. 175 million calculated as total certified payments received for contracts in progress or completed, within the last three (3) years.	must meet requirement	must meet requirement	must meet 25% of the requirement	must meet 50% of the requirement	Form FIN - 2

2.3.3 Financial Resources Requirement

Criteria	Compliance Requirements			Documents	
Requirement	Single Entity	Joint Venture			Submission Requirements
		All Partners Combined	Each Partner	One Partner	
Using Forms FIN – 3 and FIN - 4 in Section 4 (Bidding Forms), the Bidder must demonstrate access to, or availability of, liquid assets, ¹ lines of credit, or other financial resources (other than any contractual advance payments) to meet the Bidder's financial resources requirement indicated in Form FIN-4.	must meet requirement	must meet requirement	must meet 25% of the requirement	must meet 50% of the requirement	Form FIN – 3 & FIN – 4

¹ *Liquid Assets mean cash and cash equivalents, short-term financial instruments, short term available-for-sale-securities, marketable securities, trade receivables, short-term financing receivables and other assets that can be converted into cash within ONE YEAR.*

2.4 Construction Experience

2.4.1 Contracts of Similar Size and Nature

Criteria	Compliance Requirements			Documents	
Requirement	Single Entity	Joint Venture			Submission Requirements
		All Partners Combined	Each Partner	One Partner	
<p>Participation in at least one contract that has been successfully or substantially completed within the last five (5) years and that is similar to the proposed works, where the value of the Bidder's participation exceeds INR140 million. A certificate from the department or client about successful / substantial completion of the above mentioned contract to be enclosed along with the bid document.</p> <p>The similarity of the Bidder's participation shall be based on the physical size, nature of works, complexity, methods, technology or other characteristics as described in Section 6, Employer's Requirements.</p>	must meet requirement	not applicable	not applicable	must meet requirement	Form EXP - 1

2.4.2 Construction Experience in Key Activities

(May be complied by Specialist Subcontractors. Employer shall require evidence of subcontracting agreement from the Bidder. Specialist Subcontractor is a specialist enterprise engaged for highly specialized processes which cannot be provided by the main Contractor.)

Criteria	Compliance Requirements			Documents	
Requirement	Single Entity	Joint Venture			Submission Requirements
		All Partners Combined	Each Partner	One Partner	
For the above or other contracts executed during the period stipulated in 2.4.1 above, a minimum construction experience in the following key activities:	must meet requirements	must meet requirements	not applicable	not applicable	Form EXP - 2
i) Earthwork excavation of quantity not less than 36,600 cum.					
ii) Shall have at least executed one RCC retaining wall of minimum 6.0m height or a RCC framed structure of minimum 9.0m using mechanized equipment and tubular scaffolding and sturdy shuttering					

Note:

- 1- For the purpose of requirements stipulated under 2.4.1 the following price enhancement factors would apply to assess the cost of works at present level.

Price enhancement factors

Period of completion of works calculated from the deadline for Bid submission	multiplying factor
Up to and including One year	1.0
More than One year up to and including Two year	1.05
More than Two year up to and including three year	1.10
More than Three year up to and including Four year	1.16
More than Four year up to and including Five year	1.22

- 2- In case the financial figure and the value of completed works are in foreign currency, for the purpose of requirements stipulated under 2.4.1 above, the foreign currency will be converted as per ITB 34: Conversion to single currency.