

Section 3 - Evaluation and Qualification Criteria

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1. Evaluation

1.1 Technical Evaluation

In addition to the criteria listed in ITB 34.1 (a)–(b), other relevant factors are as follows:

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).

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

1.2 Alternative Technical Solutions

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

1.3 Economic Evaluation

In addition to the criteria listed in ITB 39.2 I (a)–(e), other relevant factors are as follows: Adjustments in price that result from the procedures outlined below shall be added, for purposes of comparative evaluation only, to arrive at an "Evaluated Bid Price." Bid prices quoted by Bidders shall remain unaltered.

1.3.1 Quantifiable Deviations and Omissions

Quantifiable Deviations and Omissions from the contractual obligations: the evaluation shall be based on the evaluated cost of fulfilling the contract in compliance with all contractual obligations under this Bidding Document.

Pursuant to ITB 33.3, the cost of all quantifiable nonmaterial nonconformities or omissions from the contractual and commercial conditions 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.

Subject to ITB 18.1 and 18.2, the cost of minor omissions or missing items shall be added to the bid price to allow for bid comparison on an equal basis. The price adjustment shall be based on a reasonable estimate of the cost by the executing agency, engineer, consultant, or bid evaluation committee, taking into consideration the corresponding highest quoted prices from other conforming bids.

1.3.2 Time Schedule

Time to complete the plant and services from the effective date specified in Article 3 of the Contract Agreement for determining the time for completion of pre-commissioning activities is: As per Appendix 8 of Special Conditions of Contract

No credit will be given for earlier completion.

Bids offering a completion date beyond the maximum designated period shall be rejected.

1.3.3 Operating and Maintenance (O&M) Costs for 10 Years

“Since the operating and maintenance (O&M) costs of the facilities being procured form a major part of the life cycle cost of the facilities, these costs will be evaluated according to the principles given hereafter, including the cost of spare parts for the initial period of operation stated below and based on prices furnished by each Bidder in Price Schedule Nos. 1 and 2, as well as on past experience of the Employer or other employers similarly placed. Such costs shall be added to the bid price for evaluation. The price of recommended spare parts quoted in Price Schedule No. 6 shall not be considered for evaluation.”

The O&M cost factors for calculating the life cycle cost are as follows:

- (a) Cost of land occupied by the Plant and facility (on the area basis of boundary by the compound wall in Bidder's proposed layout) at a rate of: INR 33.15 per sqm.
- (b) Number of years for life cycle cost shall be: 10 years after successful Commissioning and Operational Acceptance (including Defect Liability Period).
- (c) Operating and Maintenance costs covering Lifecycle of the Plant and Facility including but not limited to the cost of manpower, consumables and spare parts quoted by the bidder in Price Schedule. A rate of 10 percentages to be used to discount to present value all annual operation and maintenance future costs.

Sl. No.	Description	Cost of consumables	Man Power	Spare parts repair & renewals	Total (3+4+5)
1	1 st year				
2	2 nd year				
3	3 rd year				
4	4 th year				
5	5 th year				
6	6 th year				
7	7 th year				
8	8 th year				
9	9 th year				
10	10 th year				

- (d) Cost of electricity calculated at a rate of INR 6.35 per KWH multiplied by the KWH guaranteed by the Bidder in its bid Section 4 (Bidding Forms).
- (e) A rate of 10 percentage to be used to discount to present value all annual future costs calculated under (d) for the period specified in (b).
- (f) The total life cycle cost shall be calculated as Capex + Opex calculated as the sum of items a, c and e above.

1.3.4 Functional Guarantees of the Facilities

The requirements stated in the Specification for functional guarantees required in the Specification are:

Sl. No	Functional Guarantee	Minimum and/ or Maximum Requirement*
1	Plant Output	21.85 MLD Minimum
2	Qualitative parameters of final treated effluent leaving the plant	
a	BOD	30 mg/l or less
b	COD	50 mg/l or less
c	TSS	100 mg/l or less
d	Fecal coliforms (MPN/100 ml)	Less than 1000
e	PH	6.5 to 9.0
3	Oil and grease	Less than or equal to 5 mg/l
4	Total Nitrogen	10 mg/l or less
5	Ammonia Nitrogen	5 mg/l or less

Functional Guarantee should also include the applicable peak factor (2.25) under which the STP should be capable of handling effluent peak loads.

1.3.5 Work, Services, Facilities, etc., to be provided by the Project Manager

Subject to the provisions in Appendix 4 - Scope of work and supply by Project Manager, of the Contract Agreement in Section 9 of the Bidding Document, the Project Manager will not provide work, services, chemicals and other facilities. However the power cost will be borne by the Project Manager for Operation and Maintenance Period.

1.3.6 Specific Additional Criteria

The following additional criteria will be used in the evaluation:

- The Prices of Recommended spare parts quoted by the bidder in Price Schedule No. 7 Recommended Spare Parts, shall not be considered for evaluation and comparison of the Bid.
- Deviations from the Financial Terms as specified in General Conditions read with Special Conditions of Contract Sub-Clause 11, Sub-Clause 12, Sub-Clause 13 and Sub-Clause 14 shall result in rejection of bid.
- Subject to Sub-clause 1.3.1 of Section 3 (Evaluation and Qualification Criteria), the Bids offering part or incomplete scope of work shall be liable to be rejected.
- Bids proposing the offer based on the Waste Stabilization Pond shall not be accepted.

1.3.7 Domestic Preference

A margin of preference will not be granted.

1.4 Multiple Contracts

-Not Applicable -

2. Qualification

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 Subclause 4.2.	must meet requirement	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 Subclause 4.3.	must meet requirement	must meet requirement	must meet requirement	not applicable	Letter of Technical Bid
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2.1.3 ADB Eligibility

Not having been declared ineligible by ADB, as described in ITB Subclause 4.4.	must meet requirement	must meet requirement	must meet requirement	not applicable	Letter of Technical Bid
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2.1.4 Government-Owned Enterprise

Bidder required to meet conditions of ITB Subclause 4.5.	must meet requirement	must meet requirement	must meet requirement	not applicable	Forms ELI - 1; ELI - 2 with attachments
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2.1.5 United Nations Eligibility

Not having been excluded by an act of compliance with a United Nations Security Council resolution in accordance with ITB Subclause 4.7.	must meet requirement	must meet requirement	must meet requirement	not applicable	Letter of Technical Bid
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2.2 Pending Litigation and Arbitration

Pending litigation and arbitration criterion shall 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 percent of the Bidder's net worth calculated as the difference between total assets and total liabilities.	must meet requirement by itself or as partner to past or existing Joint Venture	not applicable	must meet requirement by itself or as partner to past or existing Joint Venture	not applicable	Form LIT - 1

2.3 Financial Situation

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 5 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 Turnover (only Civil Construction Activity)

Criteria	Compliance Requirements				Documents
Requirement	Single Entity	Joint Venture			Submission Requirements
		All Partners Combined	Each Partner	One Partner	
Minimum average annual turnover of INR 20.25 Crore calculated as total certified payments received for contracts in progress or completed, within the last 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

If the bid evaluation process and decision for the award of contract takes more than one (1) year from the date of bid submission, Bidders may be asked to resubmit their current contract commitments and latest information on financial resources supported by latest information on financial resources supported by latest audited accounts or audited financial statements or if not required by the law of the bidders country, other financial statements acceptable to the Employer, and the Bidders financial capacity will be reassessed on this basis.

Criteria	Compliance Requirements				Documents
Requirement	Single Entity	Joint Venture			Submission Requirements
		All Partners Combined	Each Partner	One Partner	
For Single Entities: The Bidder must demonstrate that its financial resources defined in FIN - 3, less its financial obligations for its current contract commitments defined in FIN - 4, meet or exceed the total requirement for the Subject Contract of INR 3.38 Crore	must meet requirement	not applicable	not applicable	not applicable	Form FIN – 3 and Form FIN - 4
For Joint Ventures: (1) One partner must demonstrate that its financial resources defined in FIN - 3, less its financial obligations for its own current contract commitments defined in FIN - 4, meet or exceed its required share of 50% of the total requirement for the Subject Contract. AND	not applicable	not applicable	not applicable	must meet requirement	Form FIN – 3 and Form FIN - 4
(2) Each partner must demonstrate that its financial resources defined in FIN - 3, less its financial obligations for its own current contract commitments defined in FIN - 4, meet or exceed its required share of 25% from the total requirement for the Subject Contract. AND	not applicable	not applicable	must meet requirement	not applicable	Form FIN – 3 and Form FIN - 4
(3) The joint venture must demonstrate that the combined financial resources of all partners defined in FIN - 3, less all the partners' total financial obligations for the current contract commitments defined in FIN - 4, meet or exceed the total requirement for the Subject Contract of INR 3.38 Crore	not applicable	must meet requirement	not applicable	not applicable	Form FIN – 3 and Form FIN - 4

2.4 Bidder's 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	
Participation in at least one contract for Sewage Treatment Plant other than waste stabilization pond that has been successfully or substantially completed within the last 5 years, where the value of the Bidder's participation exceeds INR 13.50 Crore . 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.	must meet 100% of the requirement	not applicable	must meet not less than 50% of the requirement	must meet 100% of the requirement	Form EXP - 1

2.4.2 Experience in Key Activities

(Must be complied with by the Bidder. In case of a Joint Venture Bidder, at least one of the partners must have experience in the key activity. If the activity can be subcontracted, the requirement must be specified in criterion 2.5 of Section 3.)

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, "The bidder must demonstrate the experience in the following key activities in a single contract or in different contracts within the last 5 years:	must meet requirements	not applicable	not applicable	must meet requirements	Form EXP - 2
a. Design of sewage treatment plant of any capacity of the same technology proposed by the bidder.					

b.	Construction, testing, trial run and commissioning of sewage treatment plant of capacity not less than 10 MLD of the same technology proposed by the Bidder.					
c.	Completed O&M of a Sewage Treatment Plant other than WSP of any capacity of the same technology proposed by the bidder for a minimum period of 1 year					

2.5 Subcontractors

Subcontractors or Manufacturers for the following major items of plant and services must meet the following minimum criteria, herein listed for that item. Failure to comply with this requirement will result in rejection of the subcontractor but not the Bidder.

Item No.	Description of Item	Minimum Criteria to be met	Documents Submission Requirements
1	Each of the Subcontractors or Manufacturers proposed by the bidder in its bid for any major part of execution of works or supply of equipment or providing services related to the scope of works covered in the contract.	Experience of having completed at least one contract of size and complexity similar to the proposed subcontract within the last five (5) years .	Form EXP-3

In the case of a Bidder who offers to supply and install major items of plant under the contract, which the Bidder did not manufacture or otherwise produce, the Bidder shall provide the Manufacturer's authorization, using the form provided in Section 4 (Bidding Forms), showing that the Bidder has been duly authorized by the Manufacturer or producer of the related plant and equipment or component to supply and install that item in the Employer's country. Failure to submit the Manufacturer's authorization at the first instance is considered a minor, nonmaterial omission and shall be subject to clarification. However, failure of the Bidder to submit the omitted authorization shall lead to rejection of the Subcontractor or Manufacturer of the item under evaluation in accordance with ITB 35.4.