

evaluation of Bidder C. Similarly, Bidder F ranks number 3 in Mumbai and deserves to be evaluated afresh.

**Evaluation of Bidder D**

36. Bidder D has lost out even though its Airport Operator has received very high marks. One of the main reasons for this outcome is that the Indian sponsor is a shell company which cannot be given any marks in evaluation. Legal opinion has been sought on this account. Thereafter, explanation of the Bidder should also be sought before disqualifying him. Seeking a clarification would be consistent with the RFP and would also enhance transparency.

**Evaluation of Bidder A**

37. During the course of discussion in the IMG meeting held on December 12, 2005, it was indicated by the consultants that Bidder A had no Airport Operator in its consortium, as TAV was only a Terminal Operator. This raises the issue of lack of due diligence by the Consultants in admitting this Bidder at the pre-qualification stage. The Consultants have been asked to clarify this inconsistency, as pre-qualification was based on their advice.

**Evaluation of Bidder B**

38. At several places, it appears that the evaluation of Bidder B has been more than generous. As pointed out above, it has been given 90% marks for property development even though it has cited no cases of property development. When viewed in the context of the aforesaid conflict of interest, it seems necessary to undertake a fresh evaluation of Bidder B.

**Conclusion**

39. In sum, the above analysis suggests a bias in favour of Bidder E. This impression is reinforced when viewed in juxtaposition of the conflict of interest arising from Bidder E being one of the largest customers of ABN Amro (the manager consultant). A similar bias could be alleged in favour of Bidder B, who is also one of the largest customers of ABN Amro. Further, the legal consultants are also said to be working for one of the successful bidders. This compounds the concerns relating to conflict of interest.

40. Besides conflict of interest, the bid evaluation process is also flawed owing to the absence of a mandate for evaluation by the consultants. In addition,