

MILITARY ENGINEER SERVICES
NOTICE INVITING TENDER (NIT)

1. A tender is invited for the work as mentioned in Appendix 'A' to this NOTICE INVITING TENDER (NIT).
2. The work is estimated to cost as indicated in aforesaid Appendix 'A'. This estimate, however, is not a guarantee and is merely given as a rough guide and if the work cost more or less, a tenderer/bidder will have no claim on that account. The tender shall be based on as mentioned in aforesaid Appendix 'A'.
3. The work is to be completed within the period as indicated in aforesaid Appendix 'A' in accordance with the phasing, if any, indicated in the tender from the date of handing over site, which will be on or about two weeks after the date of Acceptance of tender.
4. Normally contractors whose names are on the MES approved list for the area in which the work lies, and within whose financial category the estimated amount would fall, may quote for tender/bid but in case of term contracts, contractors of categories 'SS' to 'E' may tender/bid. In case, where the tender amount is in excess of the financial limit of the contractor and the accepting officer decides to accept the tender/bid, in which event the tenderer/bidder would be required to lodge additional security deposit as notified by the Accepting Officer in terms of conditions of contract. Contractors whose names are on the MES approved list of any MES formation and who have deposited Standing Security and have executed Standing Security Bond may also tender/bid without depositing Earnest money along with the tender/bid and if the tender/bid submitted by such tenderer/bidder is accepted, the contractor will be required to lodge with the Controller of defence Accounts concerned the amount of 'Individual Security Deposit' within thirty days of the receipt by him of notification of acceptance of his tender/bid, failing which this sum will be recovered from 1st RAR payment or from the first final bill. In the case of term/running contracts, remaining sum shall be recovered from subsequent bills(s) of the contractor. Not more than one tender/bid shall be submitted/uploaded by one contractor or one firm of contractors. Under no circumstances will a father and his son(s) or other close relations who have business dealing with one another will be allowed to tender/bid for the same contract as separate competitors. A breach of this condition will render the tenders/bid of both parties liable for rejection.
5. The Office of Commander Works Engineers Binnaguri will be the Accepting Officer here-in after referred to as such for the purpose of this contract.
6. The Technical Bid and Financial Bid (cover-1 and cover-2) shall be uploaded by the tenderer/bidder on or before the date & time mentioned in NIT. A scanned copy of DD with enlistment details/documents shall be uploaded as packet 1/cover-1 ('T' bid) of the tender/bid on e-tendering portal. DD is refundable in case T bid is not accepted resulting in non-opening of 'Q' bid. The applicant contractor shall bear the cost of bank charges for procuring and encashing the DD and shall not have any claim from Government whatsoever on this account.
 - 6.1. Tender form and conditions of contract and other necessary documents shall be available on defproc.gov.in/ mes.gov.in site for download and shall form part of contract agreement incase the tender/bid is accepted.
 - 6.2. In case of contractor who has not executed the Standing Security Bond, the Cover-I shall be accompanied with by the Earnest Money of amount as mentioned in Appendix 'A' in the form of deposit at call receipt in favour of concerned GE by Scheduled Bank or receipted treasury challan the amount being credited to the revenue deposit of the concerned GE.
 - 6.3. The successful contractor shall deliver to Accepting officer a performance security IN ANY OF THE FORMS GIVEN BELOW for an amount equivalent to 3% of the contract sum. Work order No 1 shall be placed only after submission of performance security of adequate value by the contractor.
 - (a) A Bank Guarantee in the prescribed form.
 - (b) Government securities, FDR issued by Nationalized/Scheduled Indian bank or any other Government instruments stipulated by the Accepting officer.
 - 6.4. If the performance security is provided by the successful contractor in the form of a Bank Guarantee, it shall be issued by Nationalized/Scheduled Indian bank, but its confirmation shall be done only from Head office of the bank.
 - 6.5. Failure of the successful contractor to comply with the requirements of sub clause 6.4 shall constitute sufficient ground for cancellation of the award of work and forfeit of the Earnest Money. In case of MES enlisted contractor, amount equal to the Earnest Money stipulated in the Notice Inviting tender, shall be notified to the tenderer for depositing the amount through MRO. Issuance of tender to such tenderers shall remain suspended till the aforesaid amount equal to Earnest Money is deposited in the Government Treasury.

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6.6. All compensation or other sums of money payable by the contractor to the Government under the terms of this contract or under any other contract with Government may be deducted from, or paid by the sale of a sufficient part of the performance security or from the interest arising therefrom or from any sums which may be due or become due to the contractor by the Government on any account whatsoever and in the event of his Performance security being reduced by reason of any such deduction, or sale as aforesaid, the contractor shall within Ten days thereafter make good in cash or securities, endorsed as aforesaid, any sum or sums which may have been deducted from or realized by the sale of his Performance security or any part thereof.

6.7. The GE will return the earnest money wherever applicable to all un-successful tenderers/bidders by endorsing an authority on the deposit-at-call receipt for its refund, on production by the tenderer/bidder a certificate of the Accepting Officer, that a bonafide tender/bid was received and all documents were returned.

6.8. The GE will either return the Earnest Money to the successful tenderer/bidder by endorsing an authority on the deposit-at-call-Receipt for its refund on receipt of an appropriate amount of Security Deposit or will retain the same in part or full on account of security deposit if such transaction is feasible.

6.9. Copies of the drawings and other documents pertaining to the work signed for the purpose of identification by the Accepting Officer or his accredited representatives, samples of materials and stores to be supplied by the contractor will also be available for inspection by the tenderer/bidder in the office of Accepting Officer and concerned GE during working hours.

7. The tenderers/bidders are advised to visit site of work by making prior appointment with GE who is also the Executing Agency of the work (see Appendix 'A'). The tenderers/bidders are deemed to have full knowledge of all relevant documents, samples, site etc., whether they have inspected them or not.

8. Any tender/bid which proposes any alternation to any of the conditions laid down or which proposes any other condition or prescription whatsoever, is liable to be rejected.

9. The uploading of bid implies that bidder has read this notice and the Conditions of Contract and has made himself aware of the scope and specification of work to be done and of the conditions and rates at which stores, tools and plants etc. will be issued to him and local conditions and other factors having bearing on the execution of the work.

10. Tenders/bidders must be in possession of a copy of the MES Standard Schedule of Rates (See appendix 'A') including amendments and errata thereto.

11. Invitation for tender does not constitute any guarantee for validation of 'T' bid and subsequent opening of finance bid of any applicant/bidder, even of enlisted contractors of appropriate class, merely by virtue of enclosing DD. Accepting Officer reserves the right to reject the 'T' bid and not open the finance bid of any applicant/bidder. 'T' bid validation shall be decided by the accepting officer based on, inter alia, capability of the firm as per criteria given in Appx 'A' to his NIT. The applicant contractor/bidder will be informed regarding non-validation of this 'T' bid assigning reasons thereof through the defproc website. The applicant contractor/bidder if he so desires may appeal immediately to the next higher Engineer Authority viz Chief Engineer Siliguri Zone on email id cezs2-mes@nic.in with copy to the Accepting Officer on email before the scheduled date of opening of Finance bid. The decision of the Next Higher Engineer Authority (NHEA) shall be final and binding. The contractor/bidder shall not be entitled for any compensation whatsoever for rejection of his bid.

12. The Accepting Officer reserves the right to accept a tender submitted by a Public Undertaking, giving a price preference over other Tender(s)/bids which may be lower, as are admissible under the Government Policy. No claim for any compensation or otherwise shall be admissible from such tenderer/bidder whose tender/bid is rejected.

13. The Accepting Officer does not bind himself to accept the lowest or any tender/bid or to give any reason for not doing so.

14. It is mandatory to bidders for having provident fund code numbers which are required before placing work order by the concerned GE.

15. Court of the place from where tender has been issued shall alone have jurisdiction to decide any dispute out of or in respect of this tender. After acceptance of tender, Condition 72—Jurisdiction of Courts of IAFW-2249 shall be applicable.

16. The successful bidder whose bid is accepted by the Accepting Officer shall submit following certificate without fail, alongwith performance guarantee to avail the benefit of reduced performance security:-

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**CERTIFICATE FOR AVAILING BENEFIT OF REDUCED PERFORMANCE SECURITY
BY LOWEST BIDDER**

1. I/We, M/s _____ intends to avail the benefit in accordance with Dte of Contract Management, E-in-C's branch, New Delhi letter No. 66546/P-2/64/E8 dt. 31 Dec 2021 and MOD, DMA(Wks-II) letter No. 66546/P-2/ES/211/2020/DMA(Wks-II) dt. 16 Feb 2021.
2. I/We, M/s _____ hereby certify that there are no outstanding recoveries against our firm and no arbitration/court proceedings are contemplated in the subject contract and I/We, M/s _____ do not intend to abandon the work after entertaining the relief. I/We, M/s _____ also certify that I am willing to submit additional performance security deposit to the department if so desired by the department in case of any clarification/amendment /any other change is made to above mentioned policy on a later date.

Signature of Contractor

17 If 'One Class Below' enlisted contractor/ bidder is interested to participate in this tender, then he/ she/ they shall be required to upload details of ongoing works in different MES formations duly signed on his letter pad in the technical cover as per following table: -

Table No.1

Ser No	CA No & Name of work	Name & Address of Accepting Officer	Contract Amount	Date of commencement	Date of completion	Progress as on bid submission end date	Amount of balance works in hand

18. The Notice Inviting Tender (NIT) including Appendix 'A' shall form part of the contract.

(SIGNATURE OF CONTRACTOR)

DATE: _____

DCWE(CONTRACT)

FOR ACCEPTING OFFICER

APPENDIX 'A' TO NOTICE INVITING E-TENDER

1	Name of Work	REPAIR TO ROAD AT CERTAIN LOCATION OF MD ACCN AND OTM ACCN IN NORTH ZONE AT BINNAGURI MIL STN UNDER GE NORTH BINNAGURI																		
2	Estimated cost	Rs. 60.00 Lakhs (At Par Market)																		
3	Period of completion	90 (Ninety) Days																		
4	Cost of tender documents	₹ 1000.00 in the form of DD/Bankers Cheque from any Schedule Bank in favour of GE(North) Binnaguri and payable at Binnaguri . (Note: In case of retendering, the contractor who has quoted in the previous call is not required to submit the cost of tender)																		
5	Website/portal address	www.defproc.gov.in and www.mes.gov.in																		
6	Type of contract	The contract shall be item rate contract based on IAFW-1779A to be quoted by the tenderer and GCC (IAFW-2249)																		
7	Timeline details:	Refer critical dates on the website.																		
	(a) Bid submission start date																			
	(b) Bid submission end date																			
	(c) Date of bid opening																			
8	Eligibility Criteria	<p>(a) For MES enlisted Contractors. Contractor shall be enlisted with MES in Class 'C' and above and category 'a(v)' subject to satisfactory remarks w.r.t. performance in respect of works in hand as reflected in Work Load Return (WLR) or any other report circulated by competent engineer authority.</p> <p>(b) For contractors not enlisted with MES. (i) Contractor not enlisted with MES should meet the enlistment criteria of 'C' class & 'a(v)' category, contractor with regard to satisfactory completion of requisite value works with Central/ State Government/ Central/ State PSUs/ AWHO/ AFNHB/ CGEWHO/ DGMAP, annual turnover, bank solvency, working capital and other requirements given in Para 1.4 & 1.5 of Section 1 of MES Manual of Contracts 2020 as available in all MES formations as well as MES website (www.mes.gov.in). (ii) Not carrying adverse remarks in Work Load Report (WLR) or any other similar report circulated by any competent authority, if already working in MES. (iii) Not suspended/ debarred/ blacklisted (either permanently or temporarily) from participating in any bid or for business dealings by any Central/ State Government Department or any Central/ State Government PSU or any Autonomous Body under Central/ State Government or any Local Body as on the bid submission end date. (iv) Details of works completed and under progress in MES be submitted in following Format.</p> <table border="1" data-bbox="598 1438 1359 1646"> <thead> <tr> <th>Ser No</th> <th>CA No & Name of work</th> <th>Name & Address of Accepting Officer</th> <th>Contract Amount</th> <th>Date of commencement</th> <th>Date of completion</th> <th>Extended Date of Completion</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> <p>(v) UN-enlisted contractors who have secured two works in MES should get themselves registered in the appropriate designated Class with any Registering Authority, else the firm will not be eligible for participation in the tender unless until the firm is enlisted with the MES.</p>					Ser No	CA No & Name of work	Name & Address of Accepting Officer	Contract Amount	Date of commencement	Date of completion	Extended Date of Completion							
Ser No	CA No & Name of work	Name & Address of Accepting Officer	Contract Amount	Date of commencement	Date of completion	Extended Date of Completion														
9	Tender issuing and Accepting Officer	Name: HQ CWE Binnaguri, Address: Binnaguri Cantonment, PO- Binnaguri Cantt, Dist –Jalpaiguri, West Bengal, Pin -735232 Contact Details: Phone No. - 03563-259601 e-Mail ID – bina3-mes@gov.in																		
10	Executing agency	Garrison Engineer (North) Binnaguri																		
11	Earnest Money	₹ 1,15,000.00 in favour of Garrison Engineer (North) Binnaguri in the form of Deposit at call receipt, FDR not acceptable.																		

APPENDIX 'A' TO NOTICE INVITING e-TENDER (CONTD.....)NOTES:

12. In case after opening of Cover 1, the number of MES enlisted contractors of eligible class as well as eligible un-enlisted contractors, if any, fulfilling the other eligibility criteria given in NIT is less than 7 (Seven), applications in respect of MES contractors of one class below the eligible class shall also be considered subject to fulfillment of other eligibility criteria given in the NIT. Therefore, MES contractor's one class below may also bid for this tender. Such contractors (contractors of one class below the eligible class) shall not be considered in case / their present residual work in hand is more than FIVE TIMES their present tendering limit. However, in case such contractors fulfil the criteria /of upgradation to the stipulated eligible class based on past experience of completed works (individual work experience and/or average annual turnover, as applicable) and financial soundness (solvency/financial soundness and working capital), the ceiling of present residual work will not apply and they will be considered for issue of tender. Such bidders shall upload in their Cover-1 bid details related to residual work in hand like details of works in hand showing names of work, names of Accepting Officers, Contract amounts, dates of commencement and completion (stipulated) and progress as on bid submission date. Such contractors, if claim to fulfil the criteria of upgradation shall also upload the requisite information/documents in support of upgradation. These details shall be verified by the tender issuing authority i.e. **CWE Binnaguri** from concerned formations in case bids of such contractors are considered for evaluation.

13. In case after opening of Cover 1, the number of MES enlisted contractors of eligible class as well as un-enlisted contractors, if any, fulfilling the other eligibility criteria given in NIT, are 7 (Seven) or more, applications of only those one class below the eligible class bidders shall be considered, who have previously completed similar works satisfactorily and are meeting the criteria of upgradation in respect of past experience of completed works (individual work experience and/or average annual turnover as applicable) and financial soundness (solvency/financial soundness and working capital) as per details given in Manual on Contracts. Therefore, such contractors shall upload the requisite information/documents in the Cover-I.

14. Un-enlisted contractor shall be considered provided their firm meets the criteria. Foreign firms shall not be eligible for this tender. However Indian Firms having foreign national /Indian nationals staying abroad / Indian national having taken foreign citizenship, as director(s) shall be considered subject to security clearance from the concerned authorities.

15. Contractors enlisted with MES will upload following documents in Cover 1 for checking eligibility:

- (a) Application for tender on Firm's letterhead
- (b) Enlistment letter issued by the Registering Authority duly renewed for the cycle period in vogue.
- (c) Scanned copy of DD /Bankers Cheque toward cost of tender and EMD instrument in case SSD bond is not signed at the time of registration (as applicable).
- (d) Scanned copy of Provident Fund Code Number letter
- (e) Scanned copy of GST Registration Certificate
- (d) Any other document required as described in this Appendix and Table No. 1.

16. Contractors not enlisted with MES will be required to upload following documents in Cover 1 for checking eligibility:

- (a) Application for tender on Firm's letterhead
- (b) Scanned copy of DD / Bankers cheque toward cost of tender and Earnest Money Deposit (EMD) instrument (as applicable).
- (c) Scanned copy of Provident Fund Code Number
- (d) Scanned copy of GST Registration Certificate
- (e) Copy of Police Verification Report/Police Clearance Certificate / Character Certificate from the Police Authority of the area where the registered office of the firm is located / notarized copy of valid passport of Proprietor / Each Partner / Each Director.
- (f) All documents required for enlistment in MES for the class mentioned in Para 8(b) above as per Para 1.5 of section 1 of MES Manual on Contracts 2020.
- (g) Details of works being executed in MES, if any.
- (h) Any other document required as described in this Appendix.

17. Tenders not accompanied by scanned copies of requisite DD / Bankers Cheque towards cost of tender and earnest money (as applicable) in Cover 1 shall not be considered for validation of 'T' bid and their Financial Bids will not be opened.

18. Contractors should ensure that their original physical DDs and Earnest Money Deposit (EMD) instruments (as applicable) reach the office of Accepting Officer within **07 days** of bid submission end date failing which following action shall be taken:

APPENDIX 'A' TO NOTICE INVITING e-TENDER (CONTD.....)

(i) In case of tenders from an enlisted contractor of MES, where scanned copies of requisite DD/ Bankers Cheque towards cost of tender have been uploaded in Cover 1 but physical copies are not received within the stipulated period, their financial bids (Cover 2) will be opened. However non-submission of physical copies of cost of tender shall be considered as willful negligence of the tenderer with ulterior motives and such tenderer shall be banned from bidding for a period of six months commencing from the date of opening of Financial Bid (Cover 2).

(j) In case of tenders from unenlisted contractor, where scanned copies of requisite DD / Bankers Cheque towards cost of tender have been uploaded in Cover 1 but physical copies are not received within the stipulated period, their financial bids (Cover 2) will not be opened. Name of such contractors along with complete address shall be circulated for not opening of their bids for a period of six months commencing from the date of opening of Financial bid (Cover 2).

(k) In case of tenders from enlisted and unenlisted contractors, where scanned copies of instruments for Earnest Money Deposit (as applicable) have been uploaded in Cover 1 but the same are not received in physical form within stipulated period, such tenders shall not qualify for opening or financial bid (Cover 2).

19. Contractor will not be allowed to execute the work by subletting or through power of attorney to a third party / another firm on his behalf. However, a contractor can execute the work through power of attorney to sons / daughters / spouse of Proprietor / Partner / Director and firm's own employees, director, project manager **provided they are not having a separate enlisted firm in MES in their name as Proprietor / Partner / Director.**

20. After opening of Cover 1 and during its technical evaluation, in case any deficiency is noticed in the documents required to be uploaded by the tenderers as per NIT, a communication in the form of e-mail / SMS / Speed Post etc shall be sent to the contractor to rectify the deficiency within a period of seven days from date of communication failing which their financial bid (Cover 2) shall not be opened and contractor shall not have any claim on the same.

21. Invitation for e-tender docs not constitute any guarantee for validation of Technical bid and subsequent opening of financial bid of any applicant/ bidder merely by virtue of enclosing DD. Accepting Officer reserves the right to reject the Technical bid and not to open the financial bid of any applicant/ bidder. Technical bid evaluation shall be decided by the Accepting Officer based on eligibility of the firm as per criteria given in this Appendix. Tenderer/ bidder will be informed regarding non-validation of his Technical bid assigning reasons therefore through tender evaluation report which shall be uploaded on the website. Such tenderer, if desires, may appeal to the Next Higher Engineer Authority (NHEA) viz HQ CE Siliguri Zone, Siliguri on email id cezs2-mes@nic.in with copy of the Accepting Officer on email before the scheduled date of opening of Cover 2. NHEA shall decide the matter within a period of seven working days from the date of receipt of appeal. The decision of the NHEA shall be final and binding. The tenderer/ bidder shall not be enlisted for any compensation whatsoever for rejection of his bid.

22. In case an un-enlisted contractor is already executing works in MES, he shall not be considered eligible for the subject tender if the total value of such works is more than twice the tendering limit of the MES class of contractor for which it is eligible. For this purpose, details of the works being executed by such a contractor shall be uploaded in the Cover 1 of the bid and shall be checked/ verified by the Accepting Officer.

23. In case of BOQ is revised through the corrigendum and the bidder has failed to quote on revised BOQ (i.e. he has quoted on pre revised BOQ), such bid shall be treated as willful negligence by the bidder and his quotation shall be considered non-bonafide. In such cases the lowest tender shall be determined from amongst the valid/ bonafide bids only. Accepting Officer may decide whether to re-tender or consider the lowest bonafide tender for acceptance.

24. Revoking the offer or revising the rates upward or offering voluntary reduction by the lowest tenderer after opening of Cover 2 shall be considered as a wilful default. For this default a penalty of an amount equal to Earnest Money shall be levied. In case of an unenlisted tenderer, Earnest Money deposited by him shall be forfeited. In case of MES enlisted tenderer having deposited the Standing Security Bond, an amount equal to the earnest money stipulated in the NIT, shall be notified to the tenderer for depositing through MRO and consideration of such tenderer in tender evaluation for future works shall remain suspended till the aforementioned amount is deposited in the Government Treasury. No other disciplinary/ administrative action shall be taken against such tenderers. In such a situation, the next lowest offer shall not be considered for acceptance. Instead, retendering shall be resorted to in a transparent and fair manner and the defaulting tenderer and his related firm if any, shall not be eligible for this tender in second call or subsequent calls.

25. Tender to related firms shall not be issued simultaneously. Firms shall be termed as related if Proprietor/ one or more Partners/ Directors are common. Decision of Accepting Officer on issue/ deny the tender to any one of the related firms shall be final and binding.

26. GST Registration Number: The contractor shall be in possession of GST Registration Number. It is mandatory for the contractors to upload their GST Registration Number along with the 'T' Bid. This will be one of the criteria for qualifying in 'T' Bid. Contractor, who does not upload GST Registration Number, shall be disqualified in the 'T' Bid evaluation and his Finance Bid i.e. Cover 2 shall not be opened.

APPENDIX 'A' TO NOTICE INVITING e-TENDER (CONTD.....)

27. Tenderer shall note that Court of the Place from where tender has been published shall alone have jurisdiction to decide any dispute out of or in respect of this tender. After acceptance of tender, Condition 72 Jurisdiction of Courts of IAFW-2249 shall be applicable.

28. Tenderers to quote the unit rate against each item of BOQ. Bidder shall note that similar items of work catered in different parts/ places, the quoted rates must be same.

29. **Requirement of Engineering establishment:** The bidder must have (a) One graduate Engineer from a Government recognized institution with minimum experience of 2 years and (b) One diploma Engineers from government recognized institution with minimum experience of 4 years, at the time execution/ supervision of the work.

SIGNATURE OF CONTRACTOR

DCWE (CONTRACTS)
FORACCEPTING OFFICER

File No. C/8076/BIN(N)/23-24/ /E8

Dated: May 2023

Copy to:-

- | | | |
|-------------------------|----------------------------------|--|
| 1. HQ CE Siliguri Zone | 2. GE (N) Binnaguri | 3. HQ 136 Wks Engrs |
| 4. HQ CWE (AF) Boarjar | 5. HQ CWE Barrackpore | 6. HQ CWE Bengdubi |
| 7. GE Bengdubi | 8. GE (S) BINNAGURI | 9. GE Gangtok |
| 10. GE Sevoke Road | 11. GE (AF) Bagdogra | 12. GE 876 EWS |
| 13. GE (AF) Hasimara | 14. SBI Binnaguri Bazar | 15. Station Master Binnaguri |
| 16. 585 ESP | 17. Post Master Binnaguri Office | 18. Post Master, Binnaguri Cantt Post Office |
| 19. SBI Binnaguri Cantt | 20. AGR B/R-I Binnaguri | 21. Web Folder |

REGISTERED WITH ACK

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|---|--|---|
| 22. Builders of Association of India (Regd) Siliguri Branch, Sevoke Road, 2 nd floor (Opposite Sonali Bank) Post: Siliguri - 734 401,Dist : Darjeeling (W/B) | 23. MES Builders Association of India (Binnaguri Branch) Post: Binnaguri Dist : Jalpaiguri (W/B) Pin : 735 203 | 24. Builders Association of India, G-1/G-20, 7 th floor, Commerce Centre Mumbai - 400034 |
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