

PMILITARY ENGINEER SERVICES
NOTICE INVITING TENDER (NIT) (IAFW-2162)

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 costs more or less a tenderer/ bidder will have no claim on that account. The tender shall be based on, as mentioned in the aforesaid Appendix 'A'.
3. The work is to be completed within the period as indicated in the aforesaid Appendix 'A' in accordance with the phasing if any, indicated in the tender from the date of handing over of the site, which will be on or about two weeks after the date of acceptance of the 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 tender/ bid but in case of term contracts, contractors of categories 'SS' to 'E' may tender/bid. Contractor's whose names are on the MES approved list of any MES formations 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 a tenderer/ bidder is accepted, the contractor will be required to lodge **on receipt of the letter of Acceptance, Performance Security in any of the forms given before for an amount equivalent to 5%**. 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 be allowed to tender/ bid for the same contract as separate competitors. A breach of this condition will render the tenders/ bids of both the parties liable for rejection.
5. The Office of Commander Works Engineers (Navy), Chennai-600 009 will be the Accepting Officer hereinafter referred to as such for the purpose of the 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 eprocuremes.gov.in site for download and shall form part of contract agreement in case the tender/ bid is accepted.
 - 6.2 In case of contractor who has not executed the "Standing Security Bond" the Cover-1 shall be accompanied with by Earnest Money" of amount as mentioned in Appendix 'A' in the form of deposit at call receipt in favour of AGE(I) by a Scheduled Bank or in receipted treasury challan, the amount being credited to the revenue deposit of the AGE(I). (See Appendix 'A')

NOTICE INVITING TENDER (NIT) (CONTD)

6.3 Refer condition 19 of IAFW -2249

6.4 AGE(I) will return the Earnest Money wherever applicable to all unsuccessful un-enlisted tenderers / bidders by endorsing an authority on the deposit-at-call receipt for its refund.

6.5 The AGE(I) 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 Performance Security or will retain the same in part or full on account of Performance Security if such a transaction is feasible.

6.6 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, sample of materials and stores to be supplied by the contractor will also be available for inspection by the tenderer/ bidder at the office of Accepting Officer and Concerned AGE(I) as mentioned in the aforesaid Appendix 'A' during office working hours.

7. The tenderers/ bidders are advised to visit the site of work by making prior appointment with AGE(I) 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 alterations 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 specifications of the 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 bearing on the execution of the work.

10. Tenderers/ bidders must be in possession of copy of MES Standard Schedule of Rates -2009 (Parts I) & 2020 (Part II) including errata/amendments thereto.

11. Invitation for e-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 evaluation shall be decided by the Accepting Officer based on inter alia, capability of the firm as per criteria given in Appx 'A' to this NIT. The applicant contractor/ bidder will be informed regarding non-validation of his 'T' bid assigning reasons thereof through the eprocuremes website. The applicant contractor/ bidder if he so desires may appeal to the next higher Engineer authority 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 his 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.

NOTICE OF E-TENDER (CONTD)

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. This **Notice Inviting Tender (NIT)** including Appendix 'A' shall form part of the contract.
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Signature of Contractor
Date:

ACWE (Contracts)
for Accepting Officer

Case File No : **82563/E8**
File No : 87140/NIT/ 72 /E8
Dated : 05 Sep 2023

Commander Works Engineers (Navy),
INS Adyar Old Building,
Fort St George,
Rajaji Salai, Chennai - 600 009.

Phone no: 044 2567654
Email ID: nchni3-mes@nic.in

MILITARY ENGINEER SERVICES
APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)

1	Name of work	<u>ADDITION & ALTERATION TO BUILDING NO. XXXIII/10 UNDER AGE(I) NAVY CHENNAI</u>
2	Estimated Cost	₹ 39.00 Lakhs (At Par Market)
3	Period of Completion	06 (Six) months
4	Cost of tender documents	Rs 500.00 in the shape of DD/ Banker's cheque from any schedule Bank in favour of Asst Garrison Engineer (I) (Navy) Chennai and payable at Chennai. (Note:- In case of retendering, the contractor who had 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 tender shall be based on Specifications IAFW-2249 (General Conditions of Contracts), IAFW-1779(A) (Revised 1955) and Schedule 'A' (List of items) rates to be quoted by the tenderer electronically (BOQ).
7	Timeline details	
	(a) Bid submission start date	Refer critical dates on the website.
	(b) Bid submission end date	
	(c) Date of bid opening	
8	Eligibility Criteria	
	(a) For MES enlisted Contractors.	Contractor shall be enlisted with MES in Class 'D' and above and category 'a(i)' subject to satisfactory remarks wrt performance in respect of works in hand as reflected in Work Load return (WLR) or any other report circulated by competent engineer authority.
	(b) For contractors not enlisted with MES	(i) Contractor not enlisted with MES should meet the enlistment criteria of 'D' & "a(i)" category contractor with regard to satisfactorily completion of requisite value works with Central/State Government Central/ State PSUs/ AWHO/ AFNHB/ CGEWHO I 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.

NOTES :

1. 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 less than 7(Seven), applications in respect of MES contractors **one class** below the eligible class shall also be considered subject to fulfillment of other eligibility criteria given in the NIT. Therefore MES contractors' **one class** below may also bid for this tender. Such contractors 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 fulfill the criteria of upgradation to the stipulated eligible class based on past experience of completed works (individual work experience and/or average 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 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 fulfill 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 from concerned formations in case bids of such contractors are considered for evaluation.
2. 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 (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-1.
3. Unenlisted contractor shall be considered provided, he 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.
4. Contractors enlisted with MES will upload following documents in Cover I for checking Eligibility:-
 - (a) Application for tender on Firms 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 incase SSD bond is not signed at the time of registration.
 - (d) Any other document required as described in this Appendix
5. Contractors not enlisted with MES will be required to upload following documents in Cover 1 for checking eligibility.
 - (a) Application for tender Firm's letter head.
 - (b) Scanned copy of DD/Banker cheque toward cost of tender and Earnest Money Deposit (EMD) instrument.

- (c) 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 of valid passport of Proprietor/ each Partner/each Director
- (d) All documents required for enlistment in MES for the class mentioned in Para 8(b) above as per Para 1.5 of Section of MES Manual on Contracts 2020.
- (e) Details of works being executed in MES, if any.
- (f) Any other document required as described in this Appendix.

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

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

(a) In case of tenders from an enlisted contractor of MIES, 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).

(b) In case of tenders from unenlisted contractor, where scanned copies of requisite DI/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).

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

8. 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 their name as Proprietor/Partner/Director.**

9. After opening of Cover / and during its technical evaluation, in case any deficiency is in the documents required to be uploaded by the tenderers as per NIT, a communication in 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 II) -shall not be opened and contractor shall not have any claim on the same.

10. Invitation for e-tender does not constitute any guarantee for validation of Technical bid and 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 validation 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 thereof through tender valuation report which shall be uploaded on the website. Such tenderer, if desires, may appeal to next higher Engineer Authority (NHEA) viz HQ CE(Navy) Vizag Zone email id dircontceznv2-mes@nic.in with copy to 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 entitled for any compensation whatsoever for rejection of his bid.

11. 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 all be checked/verified by the Accepting Officer.

12. In case the 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 all 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.

13. 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 willful 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 afore-mentioned 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.

14. 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.

15. Contractor shall ensure compliance of the EPF and MP Act 1952, in case the work is awarded to him.

16. In case of rejection of technical / prequalification bid, contractor may appeal to next higher Engineer Authority i.e HQ CE(Navy) Vizag Zone on email id against rejection, whose decision shall be final and binding. However contractor / bidder shall not be entitled to any compensation whatsoever for rejection of technical / prequalification bid.

17. 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 of Jurisdiction of Courts of IAFW-2249 (1989 Print) shall be applicable.

Signature of Contractor
Dated:

ACWE (Contracts)
for Accepting Officer