

APPENDIX 'A' TO NOTICE INVITING TENDER(NIT)

1.	Name of work	REPAIR TO CERTAIN ROADS AT AF STN CHABUA UNDER GE (AF) CHABUA
2.	Estimated Cost	63.30 Lakhs (At Par Market)
3.	Period of completion	270 Days
4.	Cost of tender documents	Rs. 1000/- in the shape of DD/Bankers cheque from any schedule Bank in favour GE(AF) Chabua and payable at Dibrugarh, Assam (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
6.	Type of contract	The Lump sum tender shall be based on drawing and specifications as per IAFW: 2249 &GCC(IAFW: 2159) with Schedule 'A' (list of items of work) to be priced by contractor/ pre priced by MES. The contractor is required to quote the lump sum amounts for parts of Schedule 'A' and quote rates against items of otherparts of Schedule 'A'
7.	Information & Details	
	(a) Bid submission start date	} Refer critical dates.
	(b) Last date of bid submission	
	(c) Date of bid opening	
8.	<u>ELIGIBILITY CRITERIA</u>	
	(a) For MES enlisted Contractors	All contractors enlisted with MES in Class 'C' and above and category ' a (v) ' subject to satisfactory remarks wrt performance in respect of wks in hand 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 Class ' C ' and above and category ' a(v) ', i.e. related to building works, contractor with regard to satisfactorily 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.
9.	Tender issuing and Accepting Officer	HQ CWE (AF) Jorhat, Rowriah, Assam – 785005
10.	Executing agency	GE(AF) Chabua
11.	Earnest money	Rs. 1,20,000/- in favour of GE(AF) Chabua in the form of Deposit at call receipt, FDR not acceptable.

12	Performance Security	In case, the tender submitted by contractor is accepted, the contractor will be required to lodge ' Performance Security Deposit ' for an amount equivalent to 5% of the Contract Sum/lumpsum in favour of the Accepting Officer in the form of ' Bank Guarantee ' or FDR . Work Order No.01 shall be placed only after submission of Performance Security of adequate value by the Contractor. In case a fixed deposit receipt of any Bank is furnished by the contractor to the Government as part of the Performance Guarantee and the Bank is unable to make payment against the said fixed deposit receipt, the loss caused thereby shall fall on the contractor and the contractor shall forthwith on demand furnish additional security to the Government to make good the deficit. The period of validity of the Bank Guarantee Bond against Performance Security shall be initially valid upto the stipulated date of expiry of Defects Liability Period plus minimum 60 days beyond that. In case final bill not paid during this period, the contractor shall get the validity of Performance Guarantee extended to cover such enlarged time required for payment of final bill.
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1. 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 07 (Seven), applications in respect of contractors one class or two classes (in case of remote and difficult areas to be decided as per list circulated by CE Command/ ADG) 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 (two classes below in case of remote and difficult areas) may also bid for the tender. Such contractors (Contractors of one/ two classes 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 fulfill the criteria of up-gradation to the stipulated eligible class bases 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 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 up-gradation shall also upload the requisite information/ documents in support of up-gradation. 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 an enlisted contractor (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 provided the value of tendered work is less than twice the tendering limit of such contractor. Therefore such contractors may upload the requisite information/ documents in Cover-I.
3. Un-enlisted 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 National staying abroad / Indian national having take 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 of Firm's letterhead.
 - (b) Enlistment letter issued by the Registering Authority duly renewed for 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.
 - (d) GST Registration
 - (e) Any other documents required as described in this Appendix.

5. Contractors not enlisted with MES will be required to upload following documents in Cover I 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.
 - (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 copy 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 I of MES Manual of Contractors 2020.
 - (e) Details of works executed and completed in MES or any other Govt agency in past five years with completion certificate (**only those works completed in last five years as on bid submission end date shall be considered**).
 - (f) GST Registration
 - (g) Any other documents required as described in this Appendix.
6. Tender not accompanied by scanned copies of requisite DD /Bankers Cheque towards cost of 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 05 (five) days of bid submission end date failing which following action shall be taken.
- (a) 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 tender 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 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 opening of Financial bid (Cover 2).
 - (c) In case of tender from enlisted and unenlisted contractors, where scanned copies of instruments of 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 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 in their name as Proprietor/Partner/Director.**
9. After opening of Cover I 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 any claim on the same.
10. Invitation for e-tender does 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 validation shall be decided by the Accepting Officer based on eligibility of the firm as per criteria given in this Appendix. Tender /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 (AF) Shillong Zone** on email id **ceazsz-mes@gov.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 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 unenlisted contractor is already executing work 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.

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 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.

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 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 restored 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 forms shall be final and binding.

SIGNATURE OF CONTRACTOR
DATED: _____

DCWE (CONTRACTS)
FOR ACCEPTING OFFICER

File No : 84005/ /E8

Headquarters
Commander Works Engineer (AF)
Military Engineer Services
Jorhat - 785005