

MILITARY ENGINEER SERVICES
NOTICE OF TENDER

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.
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. Contractors whose names are on the MES approved list and within whose financial category the estimated amount would fall and unenlisted contractors may submit tender/bid subject to other criteria mentioned in Appendix A. However in case of term contracts, enlisted contractors of Class SS to E may submit tender. Not more than one tender shall be submitted/uploaded by one contractor/ firm. 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. Two firms shall be deemed to have business dealing if any of the partners/proprietor/director is common among both of them. A breach of this condition will render the tenders/bids of both the parties liable for rejection.
5. The Office of **GE (Utility) Bathinda** will be the Accepting Officer here-in-after referred to as such for the purpose of this contract.
6. Not more than one tender/bid shall be submitted/uploaded by one bidder firm. 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 tender as separate competitors. A breach of this condition will render the tenders/bids of both the parties liable for rejection.
7. The Technical Bid and Financial Bid (Cover-1 and Cover-2) shall be uploaded by the contractor on or before the date & time mentioned in **NIT**. A scanned copy of DD with enlistment details and other documents as specified in Appendix A shall be uploaded as Cover-1 (Technical bid) of the tender on e-tendering portal. DD is refundable in case the contractor is not considered eligible in technical evaluation of Cover 1 resulting in non-opening of Cover1. The applicant contractor shall bear the cost of bank charges for procuring and encashing the DD including revalidation of DDs and shall not have any claim from Government whatsoever on this account.
8. Tender form and conditions of contract and other necessary documents shall be available on website defproc.gov.in for download and shall form part of contract agreement in case the tender/bid is accepted.

NOTICE OF TENDER (CONTD.....)

9. In case of MES enlisted contractor who has not executed the Standing Security Bond and unenlisted contractor, the Cover-I shall be accompanied by Earnest Money for the amount mentioned in Appendix 'A' in the form of deposit at call receipt in favour of **GE (utility) Bathinda** (see Appendix 'A') by a Scheduled Bank or in received treasury Challan the amount being credited to the revenue deposit of the **GE (utility) Bathinda** (see Appendix 'A'). **The GE (utility) Bathinda** will return the Earnest Money, wherever applicable, to all unsuccessful tenderers/bidders by endorsing an authority on the deposit at call receipt for its refund, on receipt of intimation from the Accepting Officer to do that.

10. In case of successful contractor i.e. the lowest contractor having submitted EMD, he shall have the option of converting the EMD instrument into part of the Performance Security to be deposited by him within 28 days from the receipt of intimation of acceptance of tender from Accepting Officer.

11. Sample of materials and stores to be supplied by the contractor will also be available for inspection by the bidder at the office of **GE (utility) Bathinda** during working hours. The bidder is advised to visit the site of work by making prior appointment with **GE (utility) Bathinda**, who is the Executing Agency of the work (see Appendix 'A'). The bidder shall be deemed to have full knowledge of all relevant documents, samples, site etc whether he has inspected them or not.

12. Any bid which proposes any alteration to any of the conditions laid down or proposes any other new condition whatsoever, is liable to be rejected.

13. The uploading of bid by a bidder 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 (as applicable) etc will be issued to him and local conditions and other factors having bearing on the execution of the work.

14. The bidder must be in possession of a copy of the MES Schedule (SSR) (Part-I & Part-II of latest edition) including amendments and errata thereto.

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

16. The Accepting Officer reserves the right to accept a tender submitted by a Public Undertaking/Small & Medium Enterprises (SMEs), giving a price preference/purchase 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 for such tenderer/bidder whose tender/bid is rejected.

17. The **Notice Inviting Tender (NIT)** including Appendix 'A' and Annexures thereto, if any, shall form part of the contract agreement.

Signature of Contractor

For Accepting Officer

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)

1	Name of Work	<u>Repair to existing pipe line at MD accn of South campus under GE (U) Bathinda</u>																						
2	Estimated cost	Rs. 50.00 Lakhs (At Par Market)																						
3	Period of completion	180 days																						
4	Cost of Tender documents	Rs. 500.00 in the shape of DD / Banker cheque from any schedule Bank in favour of Garrison Engineer (Utility) Bathinda and payable at Bathinda .																						
5	Website / portal address	www.defproc.gov.in																						
6	Type of contract	Item Rate contract (IAFW-1779 A) and GCC (IAFW-2249) with Schedule 'A' (BOQ) to be priced by the tenderer.																						
7	Time details:																							
	(a) Bid submission start date	Refer critical dates on the website																						
	(b) Bid submission end date	Refer critical dates on the website																						
	(c) Date of bid opening	Refer critical dates on the website																						
8	Eligibility Criteria																							
	(a) For MES enlisted contractor	Contractor shall be enlisted with MES in Class "D" and above and category a(ii) 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.	<p>(i) Contractor not enlisted with MES should meet the enlistment criteria of 'D' Class and a(ii) 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 and as available in all MES formations as well as MES website (www.mes.gov.in) .</p> <p>(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.</p> <p>(iii) Not suspended / debarred / black listed (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</p> <p>(iv) Details of works completed and under progress in MES be submitted in the following format:-</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th>Ser No.</th> <th>CA No. and Name of work</th> <th>Value of CA</th> <th>Date of commen cement</th> <th>Date of comp letion</th> <th>Extended date of completion</th> </tr> <tr> <th>1</th> <th>2</th> <th>3</th> <th>4</th> <th>5</th> <th>6</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>					Ser No.	CA No. and Name of work	Value of CA	Date of commen cement	Date of comp letion	Extended date of completion	1	2	3	4	5	6						
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	(v) Un-enlisted Contractor who have secured two works in MES should get themselves registrered in the appropriate designated Class with any Resistering Authority, else the firm will not be eligible for participation in the tender unless until the firm is enlisted with the MES.																							

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT) (Contd...)

9	Tender issuing and Accepting Officer	Vipin Chandra Rai, GE (Utility) Bathinda., Phone No. 01642246486. Email Id: ubthda4-mes@nic.in
10	Executing agency	Garrison Engineer (Utility) Bathinda
11	Earnest Money	Rs.1,00,000.00 in favour of GE(U) Bathinda in the form of Deposit at call receipt (FDR not acceptable).

NOTES

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 7 (Seven), applications in respect of MES contractors of 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 contractors one class below (two classes below in case of remote and difficult areas) may also bid for this 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 fulfil the criteria of upgradation to the stipulated eligible class based on the 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 works in hand like details of work 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 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 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 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 aboard / 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 1 for checking eligibility: -
 - (a) Application for tender on Firm's letter head
 - (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.
 - (d) Any other documents 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 on Firm's letter head.
 - (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 and as per Para 1.5 of Section 1 of MES Manual on Contracts 2020.
 - (e) Details of works being executed in MES, if any.
 - (f) Any other documents required as described in this Appendix.

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT) (Contd...)

6. 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.
7. Contractors should ensure that their original physical DDs and Earnst Money Deposit (EMD) instruments (as applicable) reach the office of Accepting Officer within **seven days of bid submission end date** failing which following action shall be taken.
- (a). In case 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).
- (b). In case 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 six months commencing from the date of opening financial Bid (Cover 2).
- (c). In case tenders 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 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.
10. Invitation for e-tender doesnot constitute any gurantee 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 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 to the next higher Engineer Authority (NHEA) viz Headquarters Commander Works Engineer Bathinda Military Station, on **email id bthda3-mes@nic.in** with copy to the Accepting Officer on email id **ubthda4-mes@nic.in** before the scheduled date of opening of Cover 2. NHEA shall decide the matter with in a period of seven working days from the date of receipt of appeal. The decision of the Next Higher Engineer Authority (NHEA) shall be final and binding. The tenderer/bidder shall not be entitled for any compensation whatsoever for rejection of his bid.
11. Un-enlisted Contractor who have secured **two works** in MES should get themselves registered in the appropriate designated Class with any Resistering Authority, else the firm will not be eligible for participation in the tender unless until the firm is enlisted with the MES.
12. In case the BOQ is revised through the corrigendum and the bidder has failed to quote on revised BOQ (ie 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 bonafied. In such cases the lowest tender shall be determined from amongst the valid/ bonafied bids only. Accepting Officer may decide whether to re tender or consider the lowest bonafied 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 the Earnest Money shall be levied. In case of an un enlisted 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.

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT) (Contd...)

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. 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.

Signature of contractor

AGE (Contracts)
For Accepting Officer

File No. 8753/ 04 /E8

Dated: 25 Oct 2023

Garrison Engineers (Utility)
Bathinda Mil Station