

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 the aforesaid Appendix 'A'. This estimate, however, is not a guarantee and is merely given as rough guide and if the work cost more or less, a tenderer/bidder will have no claim on this 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 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 areas 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 in 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 condition of contract. Contractors whose names are on the MES approved list of any MES formations and who have deposited standing security & 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 with Controller of Defence Accounts concerned the amount of 'Individual Security Deposit' within 30 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 Final bill. In the case of term /running contracts, remaining some shall be recovered from subsequent bill(s) of the contractor. Not more than one tender/bid shall be submitted/uploaded by one contractor or one firm of contractors. Under no circumstance will a father and his son (s) or other closed relations, who have business dealing with one another will be allowed to tender/bid for the same contract as separate competitor. A Breach of this condition will render the tender/bid of both parties liable for rejection.
5. The office of **CWE KHUMBATHANG** will be Accepting Officer, here in after refer to as such for the purposes of this contract.
6. The technical Bid and Financial Bid (Cover-I 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 tender/bid 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 the Government whatsoever on this account.
 - 6.1 Tender form and conditions of contract and other necessary documents shall be available on "www.defproc.gov.in" website for download and shall form part of contract agreement in case the tender/bid is accepted.
 - 6.2 In the case of contractor who has not executed the Standing Security bond, the Cover-I shall be accompanied with by Earnest Money of amount as mentioned in aforesaid Appx 'A' in the form of deposit at call receipt in favour GE (mentioned in aforesaid Appx 'A') by a Schedule Bank or in Receipt Treasury Challan, the amount being credited to the revenue deposit of the GE (mentioned in aforesaid Appx 'A').
 - 6.3 A contractor who is not enlisted for the area in which the work lies but whose name is in the MES approved list of any MES formation and who has deposited standing security and executed standing security Bond may bid without depositing earnest money alongwith the tender ; but if the Accepting officer accepts the tender/bid, the contractor will be required to lodge with the Contractor 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 of from the first final bill. In the case of term/running contracts, remaining sum shall be recovered from subsequent bill(s) of the contractor.

NOTICE OF TENDER (Contd.../-)

- 6.4 A contractor who has executed the Standing Security Bond but not corresponding to the appropriate class as mentioned above, shall lodge with the Controller of Defence Accounts concerned Additional Security Deposit as notified by the Accepting Officer within thirty days of the receipt by him of notification of acceptance of his tender/bid, failing which this sum will be recovered from the first RAR payment or from first final bill. In the case of Term/Running contract remaining sum shall be recovered from subsequent bill(s) of the contractors. However, in case where any payment is made to the contractor within thirty days of receipt by him of notification of acceptance of tender/bid, the amount of Additional Security Deposit shall be recovered from such payment.
- 6.5 The GE will return the Earnest Money where applicable to all unsuccessful tenderers/bidder by endorsing an authority on the deposit call receipt for its refund, on production by the tenderers/bidder a certificate of the Accepting Officer, that a bonafide tender /bid was received and all documents were returned.
- 6.6 The GE will either return the Earnest Money to the successful tenderer/bidder by endorsing an authority on the deposit call receipt for its refund on receipt of an appropriate amount of security deposit or will retain the same in part of full on account of security deposit if such a transactions is feasible.
- 6.7 Copies of the drawings and other documents pertaining to the work signed for the purposes of identification by the Accepting Officer or his accredited representatives, samples of materials & stores to be supplied by the contractor will also be available for inspection by the tenderer/bidder at the office of Accepting officer and concern GE during working hours.
7. The tenderers/bidders are advised to visit the site of work by making prior appointment with the GE who is also the executive agency of the work in sufficient time. A tenderers/bidders are deemed to have full knowledge of all relevant documents, samples, site etc. whether he has inspected site or not.
8. Any tender/bid which proposes any alterations to any of the conditions laid down or which proposes any other conditions of any descriptions whatsoever is liable to be rejected.
9. The uploading of bid implies that bidder has read this notice and the conditions of contract & has made himself aware of the scope and specifications of work to be done & the conditions & rate at which stores, tools and plants etc, will be issued to him and local conditions & other factors having bearing on execution of the work.
10. Tenderers/bidders must be in possession of a copy of MES Standard Schedule of Rates 2009(Part I) & 2010 (Part-II) including errata/amendments thereto.
11. Invitation for E- tender does not constitutes any guarantee for consideration 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 interalia, 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 "www.defproc.gov.in" website.. The applicant/contractor if he so desires, may appeal to the next higher Engineer Authority i.e HQ CE LEH ZONE on Email: dydircontleh-2-mes@nic.in with copy to the Accepting Officer on email before the schedule date of opening of finance bid. The decision of the next higher authority (NHEA) shall be final and binding. No applicant/ contractor shall 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 tenders(s)/bids which may be lower, as are admissible under the Govt. Policy. No claim for any compensation or otherwise shall be admissible from such tenderers/bidder whose tender/bid is rejected.
13. Tenderers must be very careful to deliver & upload a bonafide tender, failing which the Accepting Officer may at his absolute discretion, reserve the right of forfeiting a portion of Earnest Money, Security Deposit or Security Bond amount (not exceeding amount of cost of tender) deposited by the tenderer. A bonafide tender must satisfy each & every conditions laid down in this office.
14. Accepting Officer does not bind himself to accept the lowest or any tender/bid or to give any reason for not doing so.

Contd.../-

NOTICE OF TENDER (Contd.../-)**15. Employer Provident Fund and Miscellaneous (EPF & MP) Act 1952 :-**

15.1 In terms of GOI Ministry of labour & employment letter No S-35025/2/2014- SS II dated 15 Jul 2015, all the bidders participating in tendering for the work will ensure that they have "**Provident Fund Code Number**" for their construction workers and same has to be uploaded with Cover-I (Technical Bid) failing which their Technical bid shall be rejected and Financial bid shall not be opened. The Contractors shall also ensure that all agencies engaged should also have provident fund code.

15.2 All the workers deployed by the Contractors or sub contractors should be enrolled as members of provident fund and should be given the universal Account Number (UAN).

15.3 At the time of submitting the final bills of the works, the contractors have to give a certificate on his letter head that all workers employed directly or indirectly by him in the work are registered for EPF and the due contribution have been credited into their account.

16.0 Goods & Service Tax:

16.1 In terms of GOI Ministry of Finance, GST has been leviable on works contracts. The liability of GST rests with the contractor and accordingly rates quoted are deemed to be included this aspect. The contractors are advised to take this fact in mind while quoting tender. Nothing extra whatsoever on this account is admissible.

16.2 It is mandatory for the contractors to upload their GST registration number alongwith the 'T' bid. This will be the one of the criteria for qualifying in 'T' bid. The contractors who do not upload GST registration number, shall be disqualified in 'T' bid evaluation and his finance bid shall not be opened.

16.3 Notwithstanding above, it shall also be mandatory that contractor will intimate their **GST REGISTRATION NUMBER** to GE before payment is released to them **failing which no any payment shall be released on a/c of RAR/Bill**. No any claim whatsoever on this account shall be entertained.

17.0 Subletting of work/contract in any form is not allowed. In this connection Condition No.18 & 53 of IAFW-2249 shall be referred. Delegation of power to execute the work through power of attorney are subletting which is not allowed.

18.0 This notice of tender shall form part of the contract.

SIGNATURE OF CONTRACTOR
DATED : _____

ACCEPTING OFFICER

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)**NIT NO : 80051/CWE/K-17/2018-19/E8**

1.	Name of work	:	Outsourcing services of office staff (Chowkidar) for office of HQ CWE Khumbathang under GE Khumbathang
2.	Estimated Cost of Work	:	Rs 8.00 Lakhs
3.	Period of completion	:	11 (Eleven) months
4.	Cost of tender documents	:	Rs 500/-(Five hundred only) in the form of DD/Bankers cheque from any Scheduled/Nationalised bank in favour of GE KHUMBATHANG and payable at KHUMBATHANG
5.	Website/portal address	:	www.defproc.gov.in and www.mes.gov.in
6.	Type of Contract	:	The tender shall be Item Rate Contract based on IAFW-2249 and IAFW-1779A with list of works to be quoted by the contractor.
7.	Eligibility Criteria	:	
(a)	For MES enlisted contractors	:	All contractors enlisted with MES in Class 'E' & above and Category a(i) subject to the remarks wrt performance in respect of work in hand reflected in workload return (WLR) circulated by competent engineer authority. Refer Note here-in-after.
(b)	For contractors not enlisted with MES	:	(a) The firm not enlisted with MES shall meet the enlistment criteria of 'E' class MES contractors & category a(i) i.e with regard to having satisfactory completed requisite value works, Annual turnover, Solvency, working capital, immovable property/fixed assets, T&P, Engineering establishment, no recovery outstanding in any Govt Department, Police verification/Passport etc. as per enlistment criteria given in Para 1.4 & 1.5 of Section 1 of Part I of MES Manual on Contracts -2007 (Reprint 2012) as available in all MES formations. (b) These firms shall also submit copy of Police verification from 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. (c) They should not carry adverse remarks in WLR/ or any other similar report of any authority.
(c)	For All Contractors	:	Contractor will not be allowed to execute the work by subletting or through power of attorney holder on his behalf to a third party/another firm except sons/daughters/spouse of proprietor/partner/Director and firm's own employees, Director, Project Manager. This shall be subject to certain conditions which will be prescribed in the NOT forming part of the tender documents.
8.	Earnest Money	:	Rs. 16,000.00 (Sixteen thousand only) in form of Deposit Call Receipt or Receipted Treasury Challan from any Scheduled/Nationalized bank in favour of GE KHUMBATHANG
9.	Tender issuing and Accepting Officer	:	HQ CWE KHUMBATHANG
10.	Executive Agency	:	GE KHUMBATHANG
11.	Information & Details	:	Critical dates
(a)	Publish date of tender documents	:	28 Nov 2018
(b)	Start date of tender documents downloading	:	28 Nov 2018
(c)	Clarification start date	:	28 Nov 2018
(d)	Clarification end date	:	10 Dec 2018
(e)	Start date of bid submission (Cover No 1 & 2)	:	13 Dec 2018
(f)	Bid documents download end date	:	20 Dec 2018
(g)	End date of bid submission (Cover No 1 & 2)	:	20 Dec 2018
(h)	Date of Technical bid opening (Cover No 1)	:	21 Dec 2018 or subsequent days
(j)	Date of Financial bid opening (Cover No 2)	:	Will be intimated online after completion of evaluation of technical bid/application (Cover No 1)

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)(Contd.../-)**NOTES :-**

1. Contractor one class below (two class below in case of remote and difficult area) may also bid for this tender. Their application shall be considered subject to fulfilment of other eligibility criteria given in NIT when number of applicants of eligible class qualifying for the tender are less than 7(seven).

2. In case number of eligible class contractors satisfying the eligibility criteria given in NIT are seven or more than seven, application of one class below the eligible class shall not be considered except those who have previously completed similar work satisfactorily and are meeting the criteria of up gradation in respect of past experience and /or average annual turnover as applicable and financial soundness(Solvency/financial soundness and working capital) provided the value of work is less than twice the tendering limit of such contractors. Contractors one class below the eligible class may upload necessary documents wrt works experience and financial soundness in cover 1(Technical bid) of tender.

3. (i) Applicants /bids not accompanied by scanned copies of requisite DD/Bankers Cheque towards cost of tender and earnest money (as applicable) shall not be considered for validation of 'T' bid and their finance bids will not be opened.

(ii) Contractors should ensure that their original DDs and earnest money (as applicable) are received within 05 days of bid submission end date.

(iii) In case of applicants/bids from enlisted contractors of MES, where scanned copies of requisite DD/Bankers Cheque towards cost of tender has been uploaded but physical copies are not received by the stipulated date, finance bids will be opened. However non-submission of physical copies of cost of tender shall be considered as wilful negligence of the bidder with ulterior motives and such bidder shall be banned from bidding for a period of six months commencing from the date of opening of finance bid (Cover-2).

(iv) In case of applications/bids from un-enlisted contractors, where scanned copies of requisite DD/Bankers Cheque towards cost of tender has been uploaded but physical copies are not received by the stipulated date, finance bids will not be opened. Name of such contractors alongwith complete address shall be circulated for not opening of their bids for a period of six months commencing from the date of opening of finance bid (Cover-2).

(v) In case of applications/bids (enlisted contractor as well as unenlisted contractor) where scanned copies of requisite Earnest money (as applicable) were uploaded but the same are not received in physical form within stipulated time, such bids shall not qualify for opening of finance bid (Cover-2).

4. Contractors may note that they shall not be loaded beyond their tendering limit as under :-

(i) In case contractors of eligible class are selected for issues of tender: 4 to 5 times of tendering limit.

(ii) In case of one class below (two class in case of remote and difficult area as the case may be) contractors are selected for issue of tender : 6 to 7 times.

(iii) In case of un-enlisted contractors: 2 times the upper tendering limit of class for which contractor meets the criteria for enlistment.

5. In case any deficiency is noticed, in the documents required to be uploaded by the tenderers as per NIT, after opening of cover 1 (Technical bid) and during technical evaluation, a communication in the form of e-mail/whatsapp/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 financial bid (cover-2) shall not be opened and contractor shall not have any claim on the same.

6. Contractor enlisted with MES will upload following documents for checking eligibility :-

(i) Application for bid participation in Firm's letter head.

(ii) MES Enlistment letter.

(iii) Scanned copy of Cost of tender.

(iv) Employer Provident Fund letter having Provident Fund Code No issued by EPF Department.

(v) Copy of GST registration Number

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

7. Contractor not enlisted with MES will be required to upload necessary documents to prove their eligibility for enlistment in eligible class & category of work, including affidavits for 'no recovery outstanding'. List of documents required for enlistment in MES has been given in para 1.5 of Section 1 of Part I of MES Manual on Contracts -2007 (Reprint 2012) as available in all MES formations. Following documents shall also be uploaded amongst others:

(i) Application for bid participation in Firm's letter head.

(ii) Scanned copy of Cost of tender & Earnest Money Deposit.

(iii) Employer Provident Fund letter having Provident Fund Code No issued by EPF Department.

(iv) GST registration Number & letter.

(v) Details of three highest valued similar nature of works executed during last five years, financial year-wise in tabular form giving name of work, Accepting Officer's details, viz, Address, Telephone, Fax No, E-mail ID etc, date of acceptance of tender and actual date of completion. This shall be duly signed by proprietor/all partners/authorized Director of Pvt/Public Ltd, as applicable. It should indicate whether extension was granted or compensation was levied. Attested copy of acceptance letter and completion certificate shall be enclosed of each work. In case performance report has been given by the client same shall also be submitted duly attested.

(vi) Solvency certificate and working Capital Certificate issued by scheduled bank.

(vii) Annual turnover certificate for last 2 financial years issued by Chartered Accountant alongwith relevant pages of audited balance sheets in support thereof.

(viii) Affidavit for possession of movable & immovable properties by proprietor/partner owning the immovable property alongwith Valuation Certificate from Registered Valuer in support of movable & immovable properties. In case of Limited Company, the immovable property is required to be in the name of the company.

(ix) In addition, the un-enlisted contractors shall also furnish affidavit on non Judicial stamp paper in the form of hard copy declaring their turnover for last 2 (Two) financial years.

8. In case of rejection of technical/prequalification bid, contractor may appeal to next higher Engineer authority i.e. HQ CE LEH ZONE on email: dydircontleh-2-mes@nic.in 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.

9. **JURISDICTION OF COURT** : 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

Accepting Officer

80051/CWE/K-17/2018-19/03/E8

HQ CWE Khumbathang

Dated : 28 Nov 2018