

**APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)**

1.	Name of work	:	SPL REPAIR TO ROAD AT UNIT AREA, OFFRS MESS AND MT GARAGE OF CERTAIN UNIT AT HISAR MIL STN UNDER GE(W) HISAR
2.	Estimated Cost	:	Rs 38.35 Lakhs
3.	Period of completion	:	<b>180 days</b>
4.	Cost of tender documents	:	Rs 500 /- (Rupees Five Hundred only) in the form of Demand Draft (DD) / Banker's cheque from any Scheduled Bank in favour of GE(W) Hisar and payable at Hisar. ( <b>Note</b> :- 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	:	<a href="http://www.defproc.gov.in">www.defproc.gov.in</a>
6.	Type of tender	:	The tender shall be based on IAFW-2249 and IAFW-1779A with Sch "A" List of items of works to be priced by the tenderers electronically (BoQ)
7.	Timeline Details :		
	(a) Bid submission start date	:	Refer critical dates on the website
	(b) Last date of bid submission	:	Refer critical dates on the website
	(c) Date of bid opening	:	Refer critical dates on the website
8.	Eligibility Criteria :		
	(A) For MES enlisted contractors	:	Contractors enlisted with MES in <b>Class 'D'</b> and above and category ' <b>a(v)</b> ' (Building Works)" 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 ' <b>D</b> ' class & category ' <b>a(v)</b> ' (Building Works)" contractor with regard to satisfactorily completion of requisite value works with Central / State Government / Central/State PSUs/ AW HO/ AFNHB/ CGEWHO / DG MAP, Annual turnover, Bank Solvency, working capital and other requirement given in Para 1.4 and 1.5 of Section 1 of MES Manual of Contracts 2020 as available in all MES formations as well as MES website ( <a href="http://www.mes.gov.in">www.mes.gov.in</a> ).. (ii) Not carrying adverse remarks in Work Load Return (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.
	(C) Technical PQC criteria	:	NA
9.	Tender issuing and Accepting Officer	:	CWE Hisar , Hisar Military Station (Tele : 01662-294874, Email ID – <a href="mailto:cwe.hisar3-mes@gov.com">cwe.hisar3-mes@gov.com</a> )
10.	Executing agency	:	GE (W) Hisar
11.	Earnest Money	:	<b>Rs. 76,800.00</b> in favour of GE (W) Hisar in the form of deposit at call receipt, FDR not acceptable.
11A.	<b>Critical Dates :-</b>		
	(i) Publish Date & Time of Tender	:	02 Sep 2023 at 1800 Hours
	(ii) Documents Download / Sale Start Date & Time	:	02 Sep 2023 at 1800 Hours
	(iii) Bid Submission Start Date & Time (Cover 1 & Cover 2)	:	16 Sep 2023 at 1800 Hours
	(iv) Clarification Start Date & Time	:	NA
	(v) Clarification End Date & Time	:	NA
	(vi) Document Download / Sale End Date & Time	:	23 Sep 2023 at 1800 Hours
	(vii) Bid Submission End Date & Time (Cover 1 & Cover 2)	:	23 Sep 2023 at 1800 Hours
	(viii) Bid Opening Date & Time (Cover 1)	:	25 Sep 2023 at 1100 Hours
	(ix) Bid Opening Date & Time (Cover 2)	:	Will be intimated online after completion of evaluation of technical bid/application (Cover 1).

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1. In case after opening of Cover , 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 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-! 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 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 07 (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. 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 taken foreign citizenship, as director(s) shall be considered subject to security clearance from the concerned authority.
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 Demand Draft / Bankers Cheque towards cost of tender and EMD instrument in case SSD bond is not signed at the time of registration.
  - (d) Copy of GST Registration Number of firm.
  - (e) Scanned copy of Bid securing Declaration as per Annexure „A“
  - (f) Any other documents required 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 Demand Draft / Bankers Cheque towards 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 on Contracts 2020.
  - (e) Details of works being executed in MES, if any.
  - (f) Copy of GST Registration Number of firm.
  - (g) Scanned copy of Bid securing Declaration as per Annexure „A“
  - (h) Any other documents required in this Appendix.
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 Earnest Money Deposit (EMD) instrument (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 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 bidder 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).

**APPENDIX 'A' TO NOTICE INVITING TENDER (NIT) (CONTD.....)**

	(b) In case of tenders from un-enlisted contractors, 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 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 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 1 but the same are not received in physical form within stipulated period, such tenders shall not qualify for opening of finance 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 <b>provided they are not having a separate enlisted firm in MES in their name as Proprietor / Partner / Director.</b>
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 the 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 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 reserve 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 the 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) i.e. HQ CWE Hisar Cantt and also on email id 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 entitle 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 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 of offering voluntary reduction by the lowest tenderer after bid submission end date shall be considered as a willful default. For the default a penalty of an amount equal to 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 the 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 de-faulting tenderer and his related firm if any, shall not be eligible for this tender in second call or subsequent calls.
14.	Tender to related firm 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 firm shall be final and binding.

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15.	The tenderer attention is invited to ensure compliance of the “ <b>EPF &amp; MP Act 1952</b> ” as amended subsequently. Before commencement of work the contractor should produce the Provident fund code No to the GE <b>if applicable.</b>
16.	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.
17.	<b>PERFOMANCE SECURITY</b> : See condition (19 of IAFW-2249) An amount equivalent to 5% of the contract sum shall be deposited by contractor (either enlisted or unenlisted) within 28 dats of receipt of the letter of acceptance in prescribed format as specified in condition 19 of IAFW-2249. On receipt of performance security, thereafter work order will be place, failing which, the contract shall be cancelled and EMD submitted by unenlisted contractor shall be forfeited. In case of enlisted contractor the amount equal to earnest money as mentioned shall be deposited by contractor through MRO in Government treasury issue of tender to such tenderer shall remain suspended till the aforesaid amount equal to earnest money is deposited in government treasury. In case, enlisted contractor fails to deposit the money through MRO with in notified time frame, same shall be recovered from security deposit held with the deptt or any dues held with the Deptt. (For other details the tender be referred).

Signature of Contractor

No. 81603/CWE/HSR-26/2023-24/02/E8

Headquarters  
Commander Works Engineer  
Hisar Military Station  
Hisar-125006DCWE (Contracts)  
For Accepting Officer

Dated : 02 Sep 2023

**Distribution:-****Internal :**

E-2 Section - For info wrt TS No 01 issued by CWE Hisar vide letter No 21000/SR/GE(W)/W-11/23-24/05/E2 dt 23 Aug 2023.

**Notice Board**