

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 aforesaid Appendix 'A'. This estimate, however, is not a guarantee and is merely given as a rough guide and if the work cost more or less, a tenderer/bidder will have no claim on that account. The tender shall be based on as mentioned in aforesaid Appendix 'A'.
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. 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. 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 term of conditions of contract. Contractors whose names are on the MES approved list of any MES Formation 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 with the Controller 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 or from the first final bill. In the case of term/running contracts, remaining sum 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 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 contractor as separate competitors. A breach of this condition will render the tenders/bids of both the parties liable for rejection.
5. The Office of **CWE (Hills) Pithoragarh** will be the Accepting Officer here in after referred to as such for 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 /eprocure.gov.in site for download and shall form part of contract agreement in case the tender/bid is accepted.

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- 6.2. In 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 Appendix 'A' in the form of deposit at call receipt in favour of concerned GE (see Appendix 'A') by a scheduled Bank or in receipted treasury Challan the amount being credited to the revenue deposit of the concerned GE (see Appendix '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 Controller 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 or from the first final bill. In the case of term/running contracts, remaining sum shall be recovered from subsequent bill(s) of the contractor.
- 6.4. A contractor who has executed standing security Bond but not corresponding to the appropriate class as mentioned above, shall lodge with the Accepting Officer, Additional Security Deposit as notified by the Accepting Officer within thirty days of the receipt of his notification of acceptance of his tender/bid, failing which this sum will be recovered from the first RAR payment or from the first final bill. In the case of term/running contracts, remaining sum shall be recovered from subsequent bill(s) of the contractor. However, in case where any payment is made to the contractor within thirty days of the 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 wherever applicable to all unsuccessful tenderers/bidders by endorsing an authority on the deposit-at-call receipt for its refund, on production by the tenderer, 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-at-call Receipt for its refund on receipt of an appropriate amount of Security Deposit or will retain the same in part or full on account of security deposit if such a transaction is feasible.
- 6.7. Copies of the drawings and other document pertaining to the work signed for the purpose of identification by the Accepting Officer or his accredited representative, 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 GE during working hours.
7. The tenderers/bidders are advised to visit the site of work by making prior appointment with GE 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 alteration to any of the conditions laid down or which proposes any other condition or prescription whatsoever, is liable to be rejected.

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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 specification of 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 having bearing on the execution of the work.
10. Tenderers/bidders must be in possession of a copy of the MES Standard Schedule of Rates (see appendix 'A') including amendments and errata 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 validation 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 viz HQ CE Bareilly Zone, Bareilly on email id cezb2-mes@nic.in 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 the 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.
13. 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.

Signature of contractor
Dated : 29 Nov 2018

For Accepting Officer

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Notes :-

- (a) 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 fulfillment of other eligibility criteria given in NIT when number of applicants of eligible class qualifying for the tender are less than 7 (seven).
- (b) In case number of eligible class contractors satisfying the eligibility criteria give in NIT are 7 or more than 7, application of one class below the eligible class shall not be considered except those who have previously completed similar works satisfactorily and are meeting the criteria of upgradation 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 with reference to works experience and financial soundness in cover 1 of tender (T bid).
- (c) (i) Applications / 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. (The number of days to be mentioned shall be as decided by the Accepting officers, but it shall be less than 5 days).
- (iii) In case of applications /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, their finance bids 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 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 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 finance bid (cover 2).
- (v) In case of applications/bids (enlisted contractor as well as un-enlisted contractors) 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).
- (d) Contractors may note that they shall not be loaded beyond their tendering limit as under:-
- (aa) In case contractors of eligible class are selected for issues of tender: 4 to 5 times the tendering limit.
- (bb) In case of one class (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.
- (cc) In case of unlisted contractors: 2 times the upper tendering limit of class for which contractor meets the criteria for enlistment.

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

- (e) In case any deficiency is noticed, in the documents required to be uploaded by the tenderers as per NIT, after opening of cover 1 (T 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 7 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.
- (f) Contractors enlisted with MES will upload following documents for checking eligibility:-
 (i) Application for bid in firm's letter head
 (ii) Enlistment letter
 (iii) Scanned copy of DD of cost of tender.
- (g) Contractors not enlisted with MES will be required to upload necessary documents to prove their eligibility for enlistment in eligible class & category of work, including Affidavit for no recovery outstanding. List of documents required for enlistment in MES has been given in para 1.5 of section 1 of MES Manual on Contracts 2007 (reprint 2012). Following documents shall also be uploaded amongst others:-
 (i) details of three highest valued similar nature 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.
 (ii) Solvency certificate and working capital certificate issued by scheduled Bank.
 (iii) Annual turnover certificate for last 2 years issued by Chartered Accountant alongwith relevant pages of audited balance sheets in support thereof.
 (iv) Affidavits for possession of movable & immovable properties by proprietor/partner owning the immovable property along with valuation certificate from registered value in support of movable & immovable properties. In case of limited company, the immovable property is required to be in the name of the company.
 (v) In addition, the un-enlisted contractors shall also furnished affidavit on non-judicial stamp paper in the form of hard copy declaring their turnover for last 2 (TWO) years.
 (vi) Scanned copy of DD of cost of tender and earnest money.
- (h) "Court of the place from where tender has been issued shall alone have jurisdiction to decide any dispute out of this tender". After acceptance of tender condition 72 jurisdiction of courts of IAFW-2249 shall be applicable.
- (j) For enlisted and un-enlisted firms scan copy of registration documents of EPF and GST Registration No is mandatory to upload while quoting tenders.
- (k) In case of rejection of technical / prequalification bid, contractor may appeal to next higher Engineering authority HQ CE Bareilly Zone, Bareilly on E-Mail cezb2-mes@nic.in against rejection, whose decision shall be final and binding. However, contractor / bidder shall not be enlisted to any compensation whatsoever for rejection of technical / prequalification bid.

Signature of Contractor

For Accepting Officer

File No. 89654/ /E8

Dated 29 Nov 2018

Headquarters
 Commander Works Engineer (H)
 Military Engineer Services
 Pithoragarh
 Pin - 900336
 C/o 56 APO

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)

1	Name of work	REPAIR TO CERTAIN ROADS AND ROAD FURNITURE AT JOSHIMATH, TAPOVAN AND MANA UNDER GE 871 EWS
2	Estimated cost	Rs 5.23 Lakh
3	Period of completion	120 Days
4	Cost of tender documents	Rs. 500/- in the shape of DD/Bankers cheque from any schedule Bank in favour of GE 871 EWS and payable at Joshimath
5	Website/portal address	www.eprocuremes.gov.in and www.mes.gov.in
6	Type of contract	The tender shall be based on IAFW-1779-A and GCC (IAFW-2249) with schedule 'A' (List of items of work) Rate of each item of Sch 'A' to be quoted by tenderer.
7	Information & Details:	
	Bid submission start date	On or after 15 Dec 2018
	Last date of bid submission	On or after 21 Dec 2018
	Date of bid opening	On or after 22 Dec 2018
8	Eligible Criteria	
	(A) For MES enlisted contractors	All contractors enlisted with MES in Class 'E' and above and category a (i) subject to the remarks wrt performance in respect of Wks in hand reflected in work load returns (WLR) circulated by competent engineer at authority. Refer Note- below.
	(B) For contractors not enlisted with MES	(a) The firms not enlisted with MES shall meet the enlistment criteria of 'E' class MES contractors & category a (i) i.e. with regard to having satisfactorily 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 and 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 form police authority of the area where the registered office of the firm is located/notarised copy of valid passport of proprietor/each Director. (c) Firm 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.
9	Tender issuing and Accepting Officer	CWE (Hills) Pithoragarh
10	Executing agency	GE 871 EWS
11	Earnest Money	Rs. 10460/- in favour of GE 871EWS