

**NOTICE OF TENDER**

1. A e-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 tender/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 tender/bid submitted by such a tenderer/bidder is accepted, the contractor will be required to lodge with the Controller of Defence 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 1<sup>st</sup> RAR payment or from the first final bill. In case of term/running contracts, remaining sum shall be recovered from subsequently 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 close relations who have business dealing with one another be allowed to tender/bid for the same contract as separate competitors. A breach of this condition will render the tenders/bids of both the parties liable for rejection.

5. The Office of GE 874 EWS C/O 56 APO 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 tenderer/bidder on or before the date and 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 'A' bid. The applicant contractor shall bear the cost of bank charges for procuring and enashing the DD and shall not have any claim from Government whatsoever on this account.

6.1. Tender form and conditions for contract and other necessary documents shall be available on [defproc.gov.in](http://defproc.gov.in)/[eprocure.gov.in](http://eprocure.gov.in) site for download and shall form part of contract agreement in case the tender/bid is accepted.

6.2. In case of contractor who has not executed the Standing Security Bond, the Cover-1 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 CWE/ GE/ GE (I)/ AGE (I) (see Appendix 'A') by a schedule Bank or in receipted treasury Challan the amount being credited to the revenue deposit of the concerned CWE/ GE/ GE (I)/ AGE (I) (see Appendix 'A').

6.3. A contractor who is 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 1<sup>st</sup> RAR payment or from the first final bill. In the case of term/running contracts, remaining sum shall be recovered from subsequently 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 subsequently 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 CWE/ GE/ GE(I)/ AGE(I) 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.

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6.6 The CWE/GE/GE(I)/AGE(I) 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 an appropriate amount of Security Deposit or will return 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 be also be available for inspection by the tenderer/bidder at the office of Accepting Officer and concerned GE/GE(I)/AGE(I) during working hours.

7. The tenderers/bidders are advised to visit the site of work by making prior appointment with GE/GE(I)/AGE(I)/CWE/ Project Manager 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, 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.

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 subsequently 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 e-procurement website. The applicant contractor/bidder if he so desires may appeal to the next higher Engineer authority viz HQ 133 WE on email ID **hqwe133@gmail.com** 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, given 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

AGE (Contracts)  
for Garrison Engineer

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

1	Name of work	PROVN OF ORS LIVING ACCN AND ALLIED INFRA FOR REKHA-1 AND TOILET, BATHROOM AND ALLIED INFRA AT NC PASS AND FOR AP AT TANGDHAR IN THE AREA OF AGE B/R-II, UNDER GE 874 EWS.
2	Estimated Cost	<b>Rs. 38 Lakhs</b>
3	Period of completion	<b>09 Month</b>
4	Cost of tender documents	<b>Rs. 500</b> in the shape of DD/Bankers cheque from any schedule bank in favour of <b>GE 874 EWS</b> and payable at <b>BARAMULLA</b>
5	Website/portal address	<a href="http://www.defproc.gov.in">www.defproc.gov.in</a> and <a href="http://www.mes.gov.in">www.mes.gov.in</a>
6	Type of contract	The tender shall be item rate contract based on IAFW-2249 & IAFW- 1779A (Revised 1955) with Schedule 'A' list of items of works to be priced by the tenderers electronically (BOQ).
7	Information & Details:-	Ref critical dates
	(a) Bid submission start date	
	(b) Last date of bid submission	
	(c) Date of bid opening	
8	Eligibility Criteria:-	Class ' <b>D</b> ' category <b>a(i)</b>
	(a) For MES enlisted Contractors	All Contractors enlisted with MES in Class ' <b>D</b> ' and above and category <b>a(i)</b> shall be considered qualified provided they do not carry adverse remarks in WLR of Competent Engineer Authority.
	(b) For other Contractors	(a) The firms not enlisted with MES shall meet the enlistment criteria of ' <b>D</b> ' class MES Contractors & Category <b>a(i)</b> 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. Enlistment criteria may be seen in Para 1.4 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/notarised 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	Contractors 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 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	GE 874 EWS C/O 56 APO
10	Executing agency	<b>GE 874 EWS</b>
11	Earnest Money	Rs 76000.00 in favour of <b>GE 874 EWS</b>

**Notes :**

(a) The Contractor enlisted up to one\* class below the eligible class may also apply/bid. Application/bids from one class below eligible class applicants may be considered in the event of inadequate response/bids from the applicants of eligible class.

"Application from two class below eligible class applicants may also be considered in the event of inadequate response from the applicants of eligible class and one class below eligible class and in case of remote/difficult areas as declared by CENC."

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- (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 work is less than twice the tendering limit of such contractors. Contractors one class below the eligible class may upload necessary documents wrt works experiences 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 financial bids will not be opened.  
(ii) Tenderers/bidders to note that they should ensure that their original DDs and earnest money (as applicable) are received within 5 days of bid submission end date.  
(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, financial 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 bid submission end 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 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).
- (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.  
(ab) 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.  
(ac) In case of un-enlisted contractors : 2 times the upper tendering limit of class for which contractor meets the criteria for enlistment.
- (e) In case any deficiency is noticed, in the documents required to be uploaded by the tendered as per NIT, after opening of cover (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 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.  
(iv) The tenderer should be in possession of GST registration number and copy of the same shall be uploaded in Cover-I in PDF form. The tenderers who have applied for FST registration number also be permitted to participate in tender, but copy of application for GST registration is to be uploaded in PDF form by such bidders.
- (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 Part I of MES Manual of Contracts 2007 (Reprint-2012). Following documents shall also be uploaded amongst others:-  
(i) 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/authorised 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 along with relevant pages of audited balance sheets in support thereof.

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- (iv) Affidavits for possession of movable & immovable properties by proprietor/partner owing the immovable property along with valuation certificate from regd 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.
- (v) 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) years.
- (vi) Scanned copy of DD of cost of tender and earnest money.
- (h) In case of rejection of technical/prequalification bid, Contractor may appeal to next higher Engineer authority i.e. HQ 133 WE on email ID **hqwe133@gmail.com** 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.
- (j) 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 of IAFW- 2249 – Jurisdiction of Courts shall be applicable”
- (k) **EPF ACCOUNT NO**
- (i) Under the Jammu and Kashmir Employees Provident Fund Act/Scheme 1961, the contractor shall have a EPF Code No and all labourers employed by him or sub contractor shall be enrolled as member of Provident Fund and should be given Universal Account Number (UAN).
- (ii) Immediately after acceptance of tender, before placing the work order, the Contractor shall submit Provident Fund Code No to the GE.
- (iii) Contractors from outside J&K shall also obtain and submit EPF Code No of state of J&K as per Para (ii) above.
- (iv) A certificate to effect that all working labourers employed for execution of work are registered for EPF and due distribution have been credited into their account, shall be furnished by contractor along with each running advances or final bill.

(l) **CRITICAL DATES:-**

Para 7 of Appx 'A'	Description	Date (On or after)	Time
	Date and time of publishing of tender documents.	08 Dec 2018	1800 hrs
	Document sale start date	08 Dec 2018	1800 hrs
	Document sale end date	29 Dec 2018	1800 hrs
	Seek clarification start date	09 Dec 2018	0900 hrs
	Seek clarification end date	18 Dec 2018	1800 hrs
	Pre Bid meeting date	NA	
	Bid submission start date	22 Dec 2018	1500 hrs
	Bid submission end date	29 Dec 2018	1800 hrs
	Opening of technical Bid (cover 1)	01 Jan 2019	1500 hrs
	Opening of price Bid (Cover 2) of only Eligible technically qualified bidders	To be intimated later on after evaluating the Technical bid	

Signature of Contractor

AGE (Contracts)  
for Garrison Engineer

8103/GE 874/EWS-46/2018-19/ 07 /E8

08 Dec 2018

GE 874 EWS  
PIN-913874  
C/o 56 APO