

{In lieu of IAFW 2162 (Revised 1960)}
MILITARY ENGINEER SERVICE
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 costs 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 the site, which may 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 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 tem of conditions of contract. Contractors whose names are on the MES approved list of any MES Formation and who have deposited sanding 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 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 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 HQ Commander Works Engineers Kota 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 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 www.defproc.gov.in site for download and shall from 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 a 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').

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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 deposited earnest money along with the tender, but if the Accepting Officer accept 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 this 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 subsequently bill (s) of the contractor.

6.4 A contractor who has executed the standing security bond but not corresponding to the appropriate class category 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 first RAR payment or from the first final bill. In the case of term/running contract, 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 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 whereas 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, bidder a certificate of the Accepting Officer that 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 documents pertaining to the work signed for the purpose of identification by the Accepting Officer or his accredited representatives, 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 and 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 alternation to any 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 Scheudle of Rates (see Appendix 'A') including amendments and errata thereto.

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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 '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 NIT. The applicant contractor/bidder will be informed regarding non-validation of his 'T' bid assigning reasons thereof through the defproc website. The applicant contractor/bidder if he so desires may appeal to the next higher Engineer authority viz CE Jaipur Zone on email id cezjpr2-mes@nic.in with copy to the Accepting Officer on email id ktz3-mes@nic.in 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 accepted 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.

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(Signature of Contractor)

DCWE (Contracts)
For Accepting Officer

Dated :

APPENDIX 'A' TO NOTICE OF TENDER

1.	Name of work.	SPECIAL REPAIR TO DRAINS FROM MES COMPLAINTS CELL TO ZORAWAR MARG AT ITARANA CANTT, ALWAR
2.	Estimated Cost.	₹ 21.00 Lakhs
3	Period completion	180 days
4.	Cost of tender	₹ 500.00 in the shape of DD/Bankers cheque from any schedule Bank in favour of GE Alwar & Payable at Alwar
5	Website /portal address	www.defproc.gov.in and www.mes.gov.in
6.	Type of contract	The tender shall be based IAFW-1779-A and IAFW-2249 with Schedule 'A' (list of items of works) to be priced by the tenderers.
7.	Information & Details	
	(a) Published date	31 Oct 2018
	(b) Document Download / sale/Clarification start date	31 Oct 2018
	(c) Clarification End date	10 Nov 2018
	(d) Bid Submission start date (Cover 1 & Cover 2)	19 Nov 2018
	(e) Document Download/sale end date	24 Nov 2018
	(f) Bid Submission end date (Cover 1 & Cover 2)	24 Nov 2018
	(g) Bid Opening date (Cover-1)	26 Nov 2018
	(h) Bid Opening date (Cover-2)	Will be intimated online after completion of evaluation of tech bid/application (cover-1)
8	Eligibility Criteria	
	(A) For MES enlisted contractors	All contractors enlisted with MES in class 'E' and above and category (a) (i) shall be considered qualified provided they do not carry adverse remarks in WLR of competent engineer authority or any other specific constraints. (Please also refer Notes here-in-after)
	(B) For other contractors	(a) As per Eligibility criteria given below. (b) Applicant contractor 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 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 Notice of Tender forming part of the tender documents.
9.	Tender issuing and Accepting Officer	CWE Kota
10.	Executing agency Officer	GE Alwar
11.	Earnest Money	₹ 42,000.00 in favour of GE Alwar

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APPENDIX 'A' TO NOTICE OF TENDER (CONTD...)**NOTES :****(A) ELIGIBILITY CRITERIA FOR MES ENLISTED CONTRACTOR****(i) APPROPRIATE ENLISTED CLASS & CATEGORY****Class 'E' category a (i).**

Note:- Contractors not enlisted in MES may also apply however, they can be considered if they meet eligibility criteria for selection of Contractors in MES for issue of tender.

(ii) MES ENLISTED CONTRACTOR (DOCUMENTS TO BE UPLOADED)

Scanned copy of application letter requesting issue of tender.

Scanned copy of enlistment letter in MES alongwith its enclosures

Scanned copy of Demand Draft/Bankers Cheque toward cost of tender.

Scanned copy of GST registration Number of firm.

Scanned copy of Provident Fund Code Number of firm.

(B) ELIGIBILITY CRITERIA FOR UN-ENLISTED CONTRACTORS (AT PAR WITH MES ENLISTED 'E' CLASS CONTRACTOR)

(i) List of work completed works/in hand during last five years and remaining work to be completed as on date of application duly signed by contractor on an affidavit on non-judicial stamp paper of ₹ 100/- duly notarized on the format given below :-

Ser No	CA No & Name of Work	Name and address of Accepting officer with complete postal address, contact No etc	Period of completion	Date of commencement	Date of completion	Actual date of completion	Present progress	Bal work in hand
(a)	<u>Completed Works</u>							
	(i)							
	(ii)							
(b)	<u>Work in Hand</u>							
	(i)							
	(ii)							

(ii) Scanned copy of average annual turnover of work for last two consecutive financial year i.e 2016-17 & 2017-18 alongwith relevant pages of audited balance sheets in support thereof and certificate that firm is profit making issued by Chartered Accountant shall be uploaded.

(iii) Past Experience of "similar nature of works" completed in last 5 years.

Three works costing not less than ₹ 7.50 Lakhs

OR

Two works costing not less than ₹ 10.00 Lakhs

One work costing not less than ₹ 20.00 lakh

OR

Average annual turnover for last two consecutive financial Years shall not be less than ₹ 25.00 lakhs

Note : Please upload scanned copy of details of "similar nature of works" executed by the firm financial year wise in tabular form giving name of work, cost, Accepting Officer's details, viz address, telephone, FAX No., email 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 firms, as applicable. It should indicate whether extension was granted or compensation was levied. Attested copy of acceptance letter, copy of work order showing date of commencement & completion and completion certificate shall be enclosed of each work. In case performance report has been given by the client same shall also be submitted/uploaded duly attested. **In addition, contractors shall also furnish affidavit on non judicial stamp paper in the form of hard copy declaring their turnover for last 2 (Two) years**

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APPENDIX 'A' TO NOTICE OF TENDER (CONTD...)

(iv) **Financial Criteria** :- Certificate from the Bankers on requisite specimen to be furnished :-

- (a) Sovent upto ₹ 10.00 Lakhs
OR
Financially sound for engagement up to ₹ 25.00 lakhs.
- (b) Working capital not less than ₹ 5.00 lakhs

Note 1. Performa of solvency certificate and working capital certificate are given below. Please upload above documents issued by Bankers. These certificates shall not be older than 6 months on prescribed date of submission of bid. Signatory shall endorse his rubber seal, indicate his name and personnel code number, bank address particulars like full address, telephone & Fax number.

2. Alternatively Wealth Tax Certificate can also be given, if available.

FORM OF SOLVENCY CERTIFICATE FROM NATIONALIZED/SCHEDULED BANK

This is certified that to the best of our knowledge and information M/s Shri/Smt _____ having proprietor/partners (Name of proprietor/partners) and address _____, a customer of our bank having A/C No _____ are/is respectable and can be considered solvent upto ₹ _____ (Rupees _____)/financially sound for engagement upto ₹ _____ (Rupees _____). This certificate is issued without any guarantee or responsibility on the bank or any of the officers.

Place

Signature

Date

Name, Designation, personal code
No of signatory & Seal of Bank

NOTE : In case of partnership firm, certificate to include names of all partners as recorded with the Bank.

FORM OF WORKING CAPITAL CERTIFICATE FROM NATIONALISED/SCHEDULED BANK

This is Certified that M/s Shri/Smt _____ having proprietor/partners (Name of proprietor/partners) and address has/have been maintaining a saving Bank account/current account/fixed deposit account having A/C Nos. _____ with this branch of Bank since _____ and an amount not less than ₹ _____ (Rupees _____) has available to credit in his /her/their accounts for last three months. The firm is enjoying over draft/credit facility up to limit of ₹ _____. This certificate is issued without any guarantee of responsibility on the bank or any of the officers.

Place

Signature

Date

Name, Designation, personal code
No of signatory & Seal of Bank

NOTE : In case of partnership firm, certificate to include names of all partners as recorded with the Bank.

(v) Minimum reserves/total of movable or immovable property or fixed assets (in case of companies) shall be ₹. 8.00 lakhs (80% of minimum reserve/assets shall be in shape of immovable property). Please upload affidavits for immovable property indicating present market value and containing following endorsement and supported by copies of present valuation report for both immovable and movable property separately from Govt approved valuer.

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(a) that the immovable property is free from mortgage, hypothecation or any other disputes and encumbrances and clearly belongs to the Contractor.

OR

That the immovable property is free from any disputes and encumbrances and clearly belongs to the Contractor. The immovable property has been mortgaged/hypothecated for ₹_____. Market value of immovable property as per valuation report No _____ given by Registered valuer ____ is ₹ _____. Therefore balance market value of property i.e ₹ _____ (Market value minus mortgaged value) is free from any mortgage/hypothecation.

(b) that the said immovable property has not been shown for seeking enlistment of a sister concern in MES.

(c) that the said immovable property will not be sold, transferred, gifted or otherwise disposed off till completion of work.

Note : 1. In case of partnership firm the partner having immovable property in his name, shall also endorse the following in addition to above :-

“Irrespective of my share in partnership firm, my whole property may be utilized by the Government for realizing their dues/recovery, if the firm, fails to deposit the same”

2. Movable assets like Scooter/Car etc should be supported by certified photocopies of updated RC Books, valid current insurance papers etc.

(vi) **Minimum Engineer Establishment**

(a) One graduate Engineer from a Govt recognized institution.

or

(b) One diploma Engineer from Govt recognized institution with minimum experience of 02 years.

(vii) **Minimum T&P/Machinery**

(a) One bag capacity concrete mixer (diesel) : 01 No

(b) Vibrators (Needle and Plate type) : 02 Nos

(c) Steel shuttering with spans, props etc (sqm) : 200 Sqm

(viii) **Constitution of firm** :- Affidavit of Constitution of firm indicating status of firm i.e. whether it is proprietorship or partnership or limited firm.

Note. Please also upload attested copy of partnership deed in case of partnership firm. Memorandum of Article of constitution in case of limited firm.

(ix) **Certificate of relative** :- Affidavit that no near relative(s) of the contractor or their employees/agenet is/are working as Gazetted/Commissioned Officer in MES/Corps of Engineer/Ministry of Defence. If his/their near relative(s) is/are working in such capacity, he/they shall furnish details. The contractor shall not be entitled to tender for the works in entire area of CE Zone/project under whose control his/their near relatives are working as Gazetted/Commissioned Officers.

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APPENDIX 'A' TO NOTICE OF TENDER (CONTD...)

- (x) **Certificate of relatives** :- Affidavit that no near relative(s) of the contractor is/are working as Junior Engineer in MES/Corps of Engineer. If his near relative(s) is/are working in such capacity, the contractor shall furnish details. The contractor shall not be entitled to tender for the works in entire area of GE(I)/GE in which his near relative(s) is/are working as Junior Engineer.
- (xi) **Police Verification** :- Copy of police verification certificate from police authority of the area where registered office is located. Alternatively notarized copy of valid passport of proprietor/each partner/each director can be submitted.
- (xii) **Certificate regarding no recovery outstanding in any Govt Department** :- Affidavit to the effect that no recovery of any kind is outstanding in any Government department to be furnished.
- (xiii) **Certificate regarding no Arbitration/Litigation Cases** :- Affidavit to the effect that no Arbitration/litigation cases is outstanding in any Government department to be furnished.
- (xiv) Affidavit by firm/bidder containing details of each employed engineer in firm.
- (xv) Affidavit from engineer side of taking firm/bidder employment duly supported by attested copy of degree/diploma certificate and experience certificate as applicable.
- (xvi) Affidavit containing details of possession and having ownership of T&P mentioned in para B (vii) here-in-above with present value of each T&P alongwith ownership details like make and year of manufacturer, certified copies of updated RC books and valid current insurance papers.
- (xvii) Certified true copies of PAN/TIN of proprietor, partners/firm.
- (xviii) Certified true copies of enlistment letters with various Govt Deptt/PSUs.
- (xix) Copy of last three years Income Tax return filed.
- (xx) **Indemnity Bond** :- Indemnity bond on non judicial stamp paper duly attested by Notary (on format given below) :-

INDEMNITY BOND

This bond of indemnity is executed on this Day by M/s/Shri having registered office at to indemnify the Govt of India of the following :-

- (a) We undertake to pay the Govt of India any damages that may be found to be recoverable on order of our contracts.
- (b) We undertake that in case Govt is put to pay any loss or disadvantage in monetary of contract by the firm which shall indemnify the Govt for each loss or disadvantage.

This bond of indemnity is executed by M/s..... and has signed before me. Whatever stated above is true and correct to the best knowledge and belief.

Signature of Contractor**Notary**

- (xxi) **UN-ENLISTED CONTRACTOR (DOCUMENTS TO BE UPLOADED)**

Contractor not enlisted with MES will be required to upload the following necessary documents to prove their eligibility :-

Scanned copy of application letter requesting issue of tender.

Scanned copy of enlistment letter in any other department alongwith its enclosures

Scanned copy of Demand Draft/Bankers Cheque toward cost of tender.

Scanned copy of Demand Draft/Bankers Cheque towards Earnest Money Deposit.

Scanned copy of GST registration Number of firm.

Scanned copy of Provident Fund Code Number of firm.

Scanned copy of all documents mentioned in para B above.

NOTE – Contractor shall upload copies of all the above documents prior to closing date of bid submission.

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APPENDIX 'A' TO NOTICE OF TENDER (CONTD...)

- (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) Tenderers/bidders to note that they should ensure that their original DDs and earnest money (as applicable) are received within 06 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, 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 period of six months commencing from the date of opening of finance bid.
- (iv) In case of applications/bids from unenlisted 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.
- (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.
- (vi) 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.
- (D) Contractors not enlisted with MES will be required to upload necessary documents to prove their eligibility for enlistment in eligible class & category of work as enumerated here-in-above. Contractors not enlisted with MES shall also refer para 1.5 of section 1 of Part I of MES Manual on Contract 2007 (reprint 2012) to comply the eligibility for enlistment in eligible class & category of work.
- (E) Tenderers/bidders are required to upload their GST Registration number alongwith their T-bid. Non submission/uploading GST Registration number shall disqualify Bid submitted in the T bid evaluation and finance bid submitted by bidder shall not be opened.
- (F) In case of rejection of technical/prequalification bid, contractor may appeal to next higher Engineer authority i.e. CE Jaipur Zone on e-mail cezjpr2-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.

Dated : 31 Oct 2018

(K D Mandal)
EE (QS & C) (SG)
DCWE (Contracts)
For Accepting Officer

Case file No : 81466/ALW/E8

Headquarters
Commander Works Engineer
Military Engineer Services
Dadwara, Kota -324002 (Raj)

Distribution:-**Internal :****E-2 Section - For info wrt Job No. : 42AD/17/SRW 'B'/2018-19/ALW/Q****Notice Board**