

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

**(For Works costing less than Rs 50 Crore and Specialist E/M works costing less than Rs. 5 Crore)**

**Tender Id 2023\_MES\_609542\_1**

1.	Name of the Work	<b>REPAIR TO VIEW CUTTER, PROTECTIVE WORK, WALKING PATH AND CERTAIN MISC WORK AT SECTOR 'A' UNDER AGE B/R II OF GE 865 EWS</b>
2.	Estimated Cost	Rs 49.50 Lakhs (At Par Market)
3.	Period of Completion	09 (Nine) Months
4.	Cost of Tender Documents	Rs 500.00 in the form of DD/Bankers cheque from any schedule Bank in favour of GE 865 EWS and payable at Leh (Note: In case of retendering, the contractor who had quoted in the previous call is not reqd to submit the cost of tender.)
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 based on <b>IAFW 2249</b> and <b>IAFW-1779A</b> with Schedule 'A' (List of Items of Works) to be priced by contractor. The contractor are required to quote their rates against items of Schedule of Works (BOQ) electronically.
7.	Timeline details:- (a) Bid submission start Date (b) Bid submission End Date (c) Date of Bid opening	} Refer critical dates on the website.
8	Eligibility criteria	
	(a) For MES Enlisted contractors	
	(b) For contractors not enlisted with MES	
	(c) Technical PQC criteria	<i>In case of Solar Power Works and Runway/Pavements, Technical PQC criteria as stipulated in Manual of Contract and as per policy letters issued by E-in-C's Branch from time to time shall be included suitably.</i>
9	Tender issuing and Accepting Officer	GE, O/o GE 865 EWS, Pin-913 865 C/o 56 APO Email Id: <a href="mailto:ngw8654-mes@nic.in">ngw8654-mes@nic.in</a> , Phone No:01982-260760
10	Executing Agency	Garrison Engineer 865 Engr Works Sec, C/o 56 APO
11	Earnest money	<b>Rs 99,000.00</b> in favour of Garrison Engineer 865 EWS in the form of deposit at call receipt. FDR not acceptable.

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**NOTES:-**

1. In case after opening of Cover 1, 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 and two classes (in case of remote and difficult areas to be decided as per list circulated by CE Command/ADG) below the eligible class shall also be considered subject to fulfilment of other eligibility criteria given in the NIT. Therefore MES contractor's one class below (two classes below in case of remote and difficult area) may also bid for this tender. Such contractors (Contractors of one/two classes below the eligible class) 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-1 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 7(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 nationals staying abroad / Indian national having taken foreign citizenship, as director(s) shall be considered subject to security clearance from the concerned authorities.
4. Contractors enlisted with MES will upload following documents in Cover1 for checking eligibility:-
  - (a) Application for tender on Firm's letterhead
  - (b) Enlistment letter issued by the Registering Authority duly renewed for the cycle period in vogue
  - (c) Scanned copy of DD /Bankers Cheque toward cost of tender and EMD instrument in case SSD bond is not signed at the time of registration.
  - (d) Any other document required as described 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 letterhead.
  - (b) Scanned copy of DD/ Bankers cheque toward 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 above as per Para 8 (b) above as per Para 1.5 of Section 1 of MES Manual on Contracts 2020.
  - (v) Details of works being executed in MES, if any.
  - (vi) Any other document required as described 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.

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7. Contractors should ensure that their original physical DDs and Earnest Money Deposit (EMD) instruments (as applicable) reach the office of Accepting Officer within 07 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 wilful negligence of the tenderer 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).
- (b) In case of tenders from un-enlisted contractor, 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 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 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 financial 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 provided they are not having a separate enlisted firm in MES in their name as Proprietor/Partner/Director.**
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 7 days from 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 reserves 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 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 NHEA viz HQ 138 Works Engrs on email id [dcwecontnr1383-mes@nic.in](mailto:dcwecontnr1383-mes@nic.in) 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 entitled for any compensation whatsoever for rejection of his bid.
11. In case an unenlisted 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 a 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 wilful negligence by the bidder and his quotation shall be considered non-bonafide. In such cases the lowest tender shall be determined amongst the valid/bonafide bids only. Accepting Officer may decide whether to re-tender or consider the lowest bonafide tender for acceptance.

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13. Revoking the offer or revising the rates upward or offering voluntary reduction by the lowest tenderer after opening of Cover 2 shall be considered as a wilful default. For this 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 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 defaulting tenderer and his related firm if any, shall not be eligible for this tender in second call or subsequent calls.

14. Tender to related firms 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 firms shall be final and binding.

15. INTEGRITY PACT(to be included as per value of work).

16. **TENDER COMMITTEE**: Technical and Financial Evaluation of Bids shall be done through tender committee as per SOP for implementation of IFA system in MES circulated by CGDA, Delhi Cantt vide their U.O NO IFA/03/IFA Setup MES/PR/2023/ dated 31 Mar 2023.

(Balour Singh)  
Lt  
Offg AGE (Contracts)  
For Garrison Engineer

Case No:CA No: 8820/865/EWS(NIT-78)/2023-24/**02**/E8

Garrison Engineer  
865 Engineer Works Section  
PIN-913865  
C/o 56 APO

Dated: 12 Jul 2023