

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. 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 'Performance Security Deposit' within 28 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 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 Pulgaon** 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 www.defproc.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-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').

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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 depositing earnest money along with 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, Performance Security Deposit as notified by the Accepting Officer within 28 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 28 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 taking 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.
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.

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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 defproc website. The applicant contractor/bidder if he so desires may appeal to the next higher Engineer authority viz **Commander Works Engineers** on email id **cwe.nagpur@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, 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.

Notes : For other details, see Appendix 'A' to the notice of tender.

SIGNATURE OF CONTRACTOR

**AGE (CONTRACTS)
FOR ACCEPTING**

OFFICER

Date 2023

APPENDIX 'A' TO NOTICE INVITING E-TENDER

1.	Name of Work	SPECIAL REPAIR TO BLDG NO T-17 ARJUN LINES IN RA AT CAD PULGAON
2.	Estimated cost	Rs 23.98 Lakhs
3.	Period of Completion	180 days
4.	Cost of tender documents	Rs 500/- in the shape of DD/Bankers cheque from any Scheduled bank in favour of GE Pulgaon and payable at Pulgaon (Scanned copy shall be uploaded online and original to be submitted offline before due date of opening of cover 1)
5.	Website/portal address	www.defproc.gov.in
6.	Type of contract	The tender shall be based on IAFW-2249 (General Conditions of Contracts) & IAFW-1779A (Revised 1955) List of items of work {Schedule 'A' (BOQ/Price Bid)} to be priced by the tenderers.
7.	Information & Details :	
	(a) Bid submission start date	refer critical dates as per website
	(b) Last date of bid submission	
	(c) Date of bid opening	
8.	Eligibility Criteria	
	(A) For MES enlisted contractors	All contractor enlisted with MES in Class 'E' and above & Category a (i) Low Tension Electric Works (upto 1100 Volts) shall be considered qualified provided they do not carry adverse remarks in WLR of competent engineer authority. Note : Contractor to upload the scanned copy of MES enlistment letter.
	(B) For other contractors	(a) The firms not enlisted with MES shall meet the enlistment criteria of 'E' class MES contractors & category a (i) Low Tension Electric Works (upto 1100 Volts) 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/notarized 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	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 or 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 tender documents.
		Note for (A), (B) & (C) above. "Contractor shall also upload copy of provident fund code number and GST registration number alongwith copies of other document as asked. The contractor shall also ensure compliance of the EPF and MP Act, 1952 by the sub-contractors, if any engaged by the contractor for the said work. Please note that Contractor not in possession of GST, EPF registration number shall be disqualified in 'T' bid evaluation and his financial bid shall not be opened"
9.	Tender issuing and Accepting Officer	Garrison Engineer Pulgaon
10.	Executing agency	Garrison Engineer Pulgaon
11.	Earnest Money	Rs 47,960/- in the form of DD/Bankers cheque from any Scheduled bank in favour of GE Pulgaon, MES enlisted contractor's are exempted from submission of EMD (scanned copy to be uploaded online and original to be submitted offline before due date).

APPENDIX 'A' TO NOTICE INVITING E-TENDER**NOTES:**

1. After opening of Cover I, if 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 less than 7(Seven), applications in respect of contractors one class or 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 fulfillment of other eligibility criteria given in the NIT. Therefore, MES contractor's one class below (two classes below in case of remote and difficult areas) may also bid for this tender. Such Contractors (Contractors of One/Two classes below the eligible class) shall not be considered in case present residual work in hand is more than five times their present tendering limit. However in case such contractor fulfill 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-I bid 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 fulfill 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 I, 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-I.
3. Unenlisted 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 Cover I 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 I 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 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) 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 I shall not be considered for validation of 'T' bid and their Financial Bids will not be opened.

NOTES: (Contd)

7 Contractors should ensure that their original physical DDs and Earnest Money Deposit (EMD) instruments (as applicable) reach the office of Accepting Officer within **06 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 I 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 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 unenlisted 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 unenlisted contractors, where scanned copies of instruments for Earnest Money Deposit (as applicable) have been uploaded in Cover I 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 I 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 email/SMS/Speed Post etc shall be sent to the contractor to rectify the deficiency within a period of seven 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 next higher Engineer Authority (NHEA) viz Headquarter CWE Nagpur on email id bhp3-mes@nic.in or dcwecontbhp3-mes@nic.in with copy to the Accepting Officer 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 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.

NOTES: (Contd)

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 willful default. For this default a penalty of an amount equal to Earnest Money shall be levied. In case of an unenlisted 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 work shall remain suspended till the aforementioned amount is deposited in the government treasury. No other disciplinary and 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. The tender shall upload proof of possession of Provident fund code number in addition to other mandatory documents as required. All workers employed directly or indirectly by the contractor shall be enrolled as members of provident fund and should be given the Universal Account Number (UAN).

16. Court of the place from where tender has been published 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. As per E-in-C Policy letter No. 66546/P-1/Renewal/2021-2025/138/E8 dated 22 Feb 2021. The following will be applicable and should be ensured by the contractors (Class D to SS) while submitting their bids:

- (i) The contractors who have applied for renewal by 31 Mar 2021 and their renewal of enlistment has been approved will continue to quote the tender as enlisted contractors.
- (ii) The contractors who have not applied for renewal by 31 Mar 2021 shall be treated as unenlisted contractors.
- (iii) The contractors who have applied for renewal by 31 Mar 2021 and awaiting approval will be permitted to quote till 30th June 2021 as enlisted contractors.
- (iv) The contractors (Class D to SS) will upload the documents/ application for renewal in support as proof of renewal/ applied for renewal by due date.

SIGNATURE OF CONTRACTOR

(Suresh Madhavan)
Lt Col
Garrison Engineer

File No 8040/03/E8

Dated : 08 July 2023

Military Engineer Services

Garrison Engineer, Pulgaon

PIN – 900 420, c/o 56 APO

DISTRIBUTION:

- | | |
|---|---|
| 1. HQ CE Bhopal ZONE Bhopal-462001 | 2. CE (AF) Nagpur |
| 3. CWE Nagpur | 4. GE(I) (AF) Vayusena Nagar, Nagpur-440007 |
| 5. GE Kamptee | 6. GE(I)(P)(FY)Ambajhari-440021 |
| 7. GE(I)(AF) Amla- 460553(MP) | 8. GE(I)(P)(FY) Bhusawal |
| 9. AGE B/R RA Pulgaon | 10. Stn HQ Pulgaon |
| 11. AGE B/R DA Pulgaon | 12. Pulgaon Municipal Committee, Pulgaon |
| 13. AGE E/M Pulgaon | 14. Pulgaon Railway Station, Pulgaon |
| 15. AGE B/R (P) Pulgaon | 16. E-2 Sec (Internal) |
| 17. BSO Pulgaon | 18. Notice Board |
| 19. MES Builders Association of India (Regd), Nagpur Branch, c/o Paragon Enterprises, Bhagwagar Chowk, Hansapuri, Nagpur-440018 | |

