

**SINGLE STAGE TWO COVER SYSTEM FOR ISSUE OF TENDER ONLINE (E-Tender)****APPENDIX 'A' TO NOTICE INVITING e-TENDER**

01	Name of Work	:	<b>SPECIAL REPAIRS TO ROAD SIDE DRAINS IN UMED VIHAR AT RANGAPAHAR MILITARY STATION.</b>
02	Estimated cost of work	:	Rs.16.00 Lakhs (Rupees sixteen lakhs only) (At Par Market)
03	Period of completion	:	06 Months
04	Cost of tender documents	:	Rs 500.00 in the form of DD/Bankers cheque from any Schedule/Nationalized bank in favour of <b>GE 868 EWS</b> Payable at Rangapahar (Copy shall be uploaded online and original to be submitted offline before due date of opening of cover No 1).
05	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>
06	Type of contract	:	The tender shall be item rate contract based on IAFW-1779(A) & IAFW-2249 with Schedule 'A' (list of items of works) to be priced by the tenderers/bidder electronically in BOQ as per website instruction. The tenderers are required to quote rates against each item of Parts of Schedule 'A'.
07	Information & details		
	(a) Publishing date	:	<b>Refer Critical dates</b>
	(b) Bid submission start date	:	
	(c) Last date of bid submission	:	
	(d) Date of bid opening	:	
08	<b><u>Eligibility Criteria</u></b>		
	<b>(A) <u>For MES enlisted contractors</u></b>	:	All contractors enlisted with MES in <b>Class 'E'</b> and above and <b>Category a (i)</b> subject to the remarks wrt performance in respect of Wks in hand reflected in Workload return (WLR) circulated by competent engineer authority. Refer note below
	<b>(B) <u>For contractors not enlisted with MES</u></b>	:	(a) The firms not enlisted with MES shall meet the enlistment criteria of MES for class & category as given above against <b>clause 8 (A) for MES enlisted contractors</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. 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 and also with publishers like Jain Book Agency and Leading Book Stores and authorized Govt dealers. (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/ notarized copy of valid passport of proprietor/each partner/each Director. (c) Firm should not carry adverse remarks in WLR or any other similar report of any authority.
	<b>(C) <u>For All Contractors</u></b>	:	(a) 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 firms own employees, Director, Project Manager. This shall be subject to certain conditions which will be prescribed in the <b>NOT</b> forming part of the tender documents.  (b) Scanned copy of GST registration letter alongwith registration numbers as applicable to be uploaded in Cover-1 of e-bid system. <b>In absence of the same cover-1 shall be liable for rejection.</b>  (c) <b>For category b (i), b (ii), b (iii) &amp; d (v), it is mandatory to upload their license of concerned category with Cover-1 of e-bid system. In absence of the same cover-1 shall be liable for rejection.</b>
09	<b><u>Tender issuing and Accepting Officer</u></b>	:	<b>HQ 137 Works Engrs, PIN 914137, C/O 99 APO.</b>
10	<b><u>Executing agency</u></b>	:	<b>GE 868 EWS</b>
11	<b><u>Earnest Money</u></b>	:	<b>Rs. 32,000/- in favour of GE 868 EWS payable at Rangapahar</b>

**APPENDIX 'A' TO NOTICE INVITING e-TENDER (Contd.....)****Notes:-**

1.	Contractor two class below may also bid for this tender. Their application shall be considered subject to fulfillment of other eligibility criteria give in NIT when number of applicants of eligible class qualifying for the tender are less than 7 (seven).
2.	In case number of eligible class contractors satisfying the eligibility criteria given 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 pas 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 wrt works experience and financial soundness in cover 1 of tender (T bid).
3.	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.
4.	Contractors should ensure that their original DDs and earnest money (as applicable ) are received within 05 (five) days of bid submission end date.
5.	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. <b>However non-submission of physical copies of cost of tender shall be considered as willful negligence of the bidder with ulterior motives and such bidders shall be banned from bidding for a period for six months commencing from the date of opening of finance bid (cover 2).</b>
6.	In case of applications/bids from unenlisted contractors, where scanned copies of requisite DD/Banker Cheque towards cost of tender has been uploaded but physical copies are not received by the stipulated date, <b>finance bids will not be opened.</b> Name of such contractors alongwith complete address shall be circulated for not opening of their bids for period of six months commencing form the date of opening of finance bid (cover 2).
7.	In case of applications/bids (enlisted contractor as well as unenlisted contractor) where scanned copies of requisite Earnest money (as applicable) has been uploaded but the same are not received in physical form within stipulated date, such bids shall not qualify for opening of finance bid (cover 2).
8.	In the technical bid, a scanned copy of Power of Attorney in favour of the person uploading the bid using his/her DSC shall be uploaded. In case the digital signatory himself is the sole proprietor, scanned copy of affidavit on stamp paper of appropriate value to this effect stating that he has authority to bind the firm in all matters pertaining to contract including the Arbitration Clause, shall be attached in 'pdf' form. In case of partnership concern or a limited company, digital signatory of the bid/tender shall ensure that he is competent to bind the contractor (through partnership deed, general power of attorney or Memorandum and Articles of Association of the Company) in all the matters pertaining to the contracts with Union of India including arbitration clause. A scanned copy of the documents confirming of such authority shall be attached with the tender/bid in 'pdf' form, if not submitted earlier. The person uploading the bid on behalf of another partner (s) or on behalf of a firm or company using his DSC shall upload with the tender/bid a scanned copy (in 'pdf' form) of Power of Attorney duly executed in his favour by such other or all of the Partner (s) or in accordance with constitution of the company in case of company, stating that he has authority to bind such other person of the firm or the company, as the case may be, in all matters pertaining to the contract including Arbitration Clause.
9.	Even in case of firms or companies which have given Power of Attorney to an individual authorizing him to sign tender in pursuance of which bids are being uploaded by such person as a routine, fresh Power of Attorney duly executed in his favour stating specifically that the said person has authority to bind such partners of the firm, or the company as the case may be, including the condition relating to Arbitration Clause, should be uploaded in 'pdf' form along with the tender/bid, unless such authority has already been given to him by the firm or the company. It shall be ensured that power of attorney shall be executed in accordance with the constitution of the company as laid down in its Memorandum & Articles of Association.
10.	Contractors may note that they shall not be loaded beyond their tendering limit as under:- (a) In case contractors of eligible class are selected for issues of tender : 4 to 5 times the tendering limit. (b) 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. (c) In case of unenlisted contractors : 2 times the upper tendering limit of class for which contractor meets the criteria for enlistment.
11.	In case any deficiency is noticed, in the documents required to be uploaded by the tenders 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.
12.	<b>Employee's Provident Funds and Miscellaneous Provisions (EPF &amp; MP) Act 1952-Reg.</b> Contractors are required to produce Provident Fund Code Number immediately after acceptance of bid but in any case before the commencement of work ie. Before releasing the works order by GE. Further work shall commence on ground only after submission of Provident Fund Code Number and no claims whatsoever shall be entertained due to delay in commencement of work on this account. The contractor shall ensure compliance of EPF and MP Act 1952 by the sub contractor if any engaged for said work.
13.	Contractors enlisted with MES will upload following documents for checking eligibility :- (a) Application for bid in Firm's letter head (b) Enlistment letter (c) Scanned copy of DD of cost of tender (d) Scanned copy of GST registration letter along with registration number as applicable to be uploaded in cover-1 of e-bid system. <b>In absence of this Cover-1 shall be liable for rejection.</b>
14.	<b>Contractors not enlisted with MES</b> 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 on Contracts 2007 (Reprint 2012). Following documents shall also be uploaded amongst others.

**APPENDIX 'A' TO NOTICE INVITING e-TENDER (Contd.....)**

	(a) Application for tender on tenderer's letter head
	(b) 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/ 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.
	(c) Solvency certificate and working Capital Certificate issued by scheduled bank.
	(d) Annual turnover certificate for last 2 years issued by Chartered Accountant alongwith relevant pages of audited balance sheets in support thereof.
	(e) Affidavits for possession of movable & immovable properties by proprietor/partner owning the immovable property alongwith 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 company.
	(f) It should also indicate that immovable property is free from mortgages, hypothecation or any other disputes and encumbrances and clearly belongs to your firm and it should indicate the immovable property will not be sold, transferred, gifted or otherwise disposed off without prior intimation to this office.
	(g) Movable assets like Scooter/Car etc or NSCs/fixed deposits etc should be supported by certified photocopies of updated RC books, valid current Insurance papers, NSCs/fixed deposits.
	(h) Immovable/movable property (minimum reserve) shall be exclusively in the name of contractor and not in the name of family members/relatives/others. In case of limited companies immovable/movable property (considered for minimum reserve) shall be exclusively in the name of company and should be reflected in the Balance Sheet of the Company.
	(j) 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.
	(k) Scanned copy of GST registration letter alongwith registration number as applicable to be uploaded in cover-I or e-bid system. In absence of the Cover-I shall be liable for rejection.
	(l) Scanned copy of DD of cost tender and earnest money.
15.	In case of rejection of technical/prequalification bid, contractor may appeal to next higher Engineer authority i.e <b>HQ Chief Engineer Shillong Zone</b> on email <b>ceshiz-ec-army@nic.in</b> against rejection, whose decision shall be final and binding. However contractor /bidders shall not be entitled to any compensation whatsoever for rejection of technical/prequalification bid.
16.	(i) For submission of e-tender bidders are requested to get themselves registered with defproc.gov.in.websitealongwith class -II/III Digital Signature Certificate (DSC) issued by authorized CA under IT Act 2003. (ii) For complete details refer our website <a href="http://www.defproc.gov.in">www.defproc.gov.in</a> at CPP portal. (iii) Any change/modification in the tender enquiry will be intimated through above mentioned website only. Bidders are therefore requested to visit our website regularly to keep themselves updated. (iv) Full notice of tender IAFW-2162 & enlistment criteria are available in all offices of MES and also on MES website.
17.	All disputes arising out of or in respect of this tender before acceptance, court of the place shall be Dimapur (Nagaland) jurisdiction only. After acceptance of subject tender, Condition 72 (Jurisdiction of Courts) of IAFW-2249 shall be applicable.

**Signature of contractor**

8304/E8

Headquarter  
137 Works Engineers  
PIN - 914 137  
C/O 99 APO

Dated : 24 Nov 2018

Sd /- xxxxx  
(K Vikato Yeptho)  
AE (QS&C)  
ACWE (C)  
for CWE