

MILITARY ENGINEER SERVICES
NOTICE OF TENDER

1. A tender is invited for the work as mentioned in **Appendix 'A'** to this **NOTICE OF INVITING TENDER (NIT)**.
2. The work is estimated to cost as indicated in aforesaid **Appendix 'A'** to NIT. This estimated cost, 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'** to NIT in accordance with the phasing, if any, indicated in the tender from the date of handing over of 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 alongwith 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 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 AGE (I) AGARTALA 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 cover-2. 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 eprocuremes.gov.in /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-I shall be accompanied with by Earnest Money of amount as mentioned in **Appendix 'A'** to NIT in the form of Deposit at Call Receipt in favour of **AGE (I) Agartala** by a scheduled Bank or in receipted treasury Challan the amount being credited to the revenue deposit of the concerned **AGE(I) AGARTALA**
 - 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 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 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 the Standing Security Bond but not for appropriate category as mentioned above, shall lodge with the Accepting Officer an Additional Security Deposit as notified by the Accepting Officer within thirty days of the receipt of his notification of acceptance the tender/bid, , failing which the sum will be recovered from 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 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 concerned GE/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.

6.6 The concerned GE/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 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, samples 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/AGE(I) during working hours.

7. The tenderers/bidders are advised to visit the site of work by making prior appointment with GE/AGE(I) who is also the Executing Agency of the work. 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 (Part-I and Part-II) including amendments and errata thereto.

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 **Appendix 'A'** to this NIT. The applicant contractor/bidder will be informed regarding non-validation of his 'T' bid assigning reasons thereof through the www.defproc.gov.in website. The applicant contractor/bidder if he so desires may appeal to the Next Higher Engineer Authority (NHEA) i.e HQ 137 Works Engineers on email id hq137we@gmail.com & dimal373-mes@nic.in with a copy to AGE (I) Agartala (Accepting Officer) on email ID : ageagartala2012@gmail.com within 7 days from the date of rejection of their 'T' 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 his right to accept a tender submitted by a Public Sector 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 tenderers/bidder whose tender/bid is rejected.

13. The Accepting Officer does not bind himself to accept the lowest or any tender/bid or to give reasons for not doing so.

14. Schedule 'A' has not been pre-priced by MES and therefore tenders are required to work out their own rate for each item of Schedule 'A' based on description of items of Schedule 'A', drawings, Particular Specifications & Special Conditions etc and quote the same in rate columns both in figures and words in the BOQ as per the procedure given in the website "eprocuremes.gov.in".
15. Method of measurement for all items listed in Schedule 'A' shall be as given in MES SSR unless specifically stated otherwise here-in-after for any items of work.
16. Contractors whose names are borne on the MES approved list of any other MES formations and who have deposited Standing Security and have executed Standing Security Bond may also tender without depositing Earnest Money alongwith the tenders and if the Accepting Officer proposes to accept the tender, such tenderer would be required to deposit "Security Deposit" as notified by the Accepting Office, before acceptance of tender. Not more than one tender shall be submitted by one contractor or one firm of contractor.
17. Under no circumstances will a father and his son(s) or other close relations who have business dealings with one another, be allowed to tender for the same contract as separate competitors. A breach of this condition will render the tenders of both parties liable for rejection.
18. The AGE (I) Agartala will be the "Accepting Officer" here-in-after referred to as such for the purpose of this contract.
19. The tenderers shall be deemed to have full knowledge of all relevant documents, samples, site etc., whether he has inspected them or not.
20. Tenderers must be very careful to submit a bonafide tender. A bonafide tender must satisfy each and every condition laid down in this notice. Refer the help for contractors in "eprocuremes.gov.in".
21. In the event of lowest tenderer revoking his offer or revising his rates upward (which will be treated as revocation of offer), after opening of tenders, the earnest money deposited by him shall be forfeited. In case of MES enlisted contractors, the amount equal to the earnest money stipulated in the notice of tender, shall be notified to the tenderer for depositing the amount through MRO, failing which the amount shall be recovered from payment due to such contractor or shall be adjusted from his Standing Security Deposit. In addition, such tenderer and his related firm shall not be issued the tender in 2nd call or subsequent calls. Issue of further tenders to such tenderer shall also remain suspended till the aforesaid Earnest money is deposited in the Govt Treasury.
22. Tenderer shall have Provident Fund Code Number as applicable and that he shall also ensure compliance of the EPF & MP Act 1952 by the subcontractor, if any engaged by him in this work. He shall produce the Provident Fund Code Number Registration Certificate to AGE(I) as and when asked by AGE(I).
23. It is mandatory for the tenderers to upload their Goods & Services Tax Registration number along with the "T" bid. This will be one of the criteria for qualifying in "T" bid. **Tenderers who does not upload Goods & Services Tax Registration number shall be disqualified in the "T" bid evaluation and his Financial bid shall not be opened.**
24. MES **enlisted Tenderer** will have to submit the original DD to the tender issuing authority within 7 days from bid submission end date. Failure of **non submission of hard copy of DD** tantamount to willful negligence with ulterior motive and therefore the **tenderer will be barred to tender during the period of 6 months commencing from the date of opening of financial bid.**

25. 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 within 7 days from bid submission end date, the financial bid of the un-enlisted bidder 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.**

26. In case the BOQ is revised by the Department and the bidder has failed to quote in revised BOQ (i.e he has quoted in previous 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 by the lowest amount amongst the valid/bonafide bids only. Accepting Officer may decide whether to retender or otherwise. The remark of 'non bonafide finance bid' against such bidder and copy of this CST shall be uploaded along with Finance Bid Opening Summary.

27. Tenders will be received by the **AGE (I) Agartala** on the date and time indicated in the aforesaid Appendix 'A' to NIT.

28. This notice of tender shall form part of the Contract.

(Signature of the Contractor)

Dated :

AGE(I)AGARTALA
ACCEPTING OFFICER

APPENDIX 'A' TO NOTICE OF TENDER (NIT)
(For works costing less than Rs.50 Crore and Specialist E/M works
costing less than Rs.5 Crore)

1	Name of Work	<u>REPAIR OF RCC SUMP SEDIMENTATION TANK AND PUMP HOUSES BUILDING IN MES INSTALLATIONS AT MIL STN AGARTALA</u> <u>TENDER ID - 2023_MES_602921_1</u>
2	Estimated Cost	Rs. 9.00 lakhs (At par Market)
3	Period of completion	180 days.
4	Cost of tender documents	Rs.500/- in the form of DD/Bankers cheque from any Scheduled Bank in favour of AGE (I) Agartala payable at at Agartala (Copy shall be uploaded online and original to be submitted offline before due date of opening of cover No 1) (Note: In case of retendering, the contractor who had quoted in the previous call is not required to submit the cost of tender)
5	Website/Portal address	www.defproc.gov.in
6	Type of contract	The tender shall be based on drawing and specifications (IAFW-2259/IAFW 1779A and GCC (IAFW-2249) with Schedule 'A' (list of items of work) to be priced by contractor/pre-priced by MES.
7	Timeline details	
	(a) Bid submission start date	Refer critical dates on the website
	(b) Bid submission end date	
	(d) Date of bid opening	
8.	Eligibility Criteria	
	(a) For MES enlisted contractors	Contractor shall be enlisted with MES in Class 'E' and above and category a (i) subject to satisfactory remarks wrt performance in respect of works in hand as reflected in Work Load return (WLR) or any other report circulated by competent authority.
	(b) For contractors not enlisted with MES	(i) Contractor not enlisted with MES should meet the enlistment criteria of 'E' Class & a (i) category contractor with regard to satisfactorily completion of requisite value works with Central/State Government/Central/State PSUs/AWHO/AFNHB/CGEWHO/DGMAP, annual turnover, ban solvency, working capital and other requirements given in Para 1.4 & 1.5 <u>enclosed as annexure to NIT.</u> (ii) Not carrying adverse remarks in Work Load Report (WLR) or any other similar report circulated by any competent authority, if already working in MES. (iii) Not suspended/debarred/blacklisted (either permanently or temporarily) from participating in any bidder for business dealings beyond Central/State Government Department or any Central/State Government PSU or any Autonomous Body under Central/State Government or any Local Body as on the bid submission end date.
9.	Tender issuing and Accepting Officer	Mr. N Sivakumar, AE(Civ) ageagartala2012@gmail.com 0381-240020
10.	Executing agency	AGE (I) Agartala
11.	Earnest Money	Rs. 18,000/- in favour of AGE (I) Agartala in the form of Deposit at call receipt, FDR not acceptable. All bidders shall be exempted from submission of EMD subject to submission of signed "Bid Securing Declaration" in Cover-1 as rendered in Annexure-I

NOTES

1. In case after opening in 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 contractor of 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 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 works in hand like details of works in hand showing names or work, names of Accepting Officers, Contracts 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 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 provided the value of tendered work is less than twice the tendering limit of such contractor. Therefore such contractors may upload the requisite information/documents in the Cover 1.

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 Cover1 for checking eligibility:-

- (i) Application for tender on Firm's letterhead.
- (ii) Enlistment letter issued by the Registering Authority duly renewed for the cycle period in vogue.
- (iii) 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.
- (iv) 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.

- (i) Application for tender on Firm's letterhead.
- (ii) Scanned copy of DD/ Bankers cheque toward cost of tender and Earnest Money Deposit (EMD) instrument.
- (iii) Copy of Police verification report 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.

- (iv) All documents required for enlistment in MES for the class mentioned above as per Para 1.5 of Section 1 of MES Manual on Contracts 2020.
- (v) Details of works being executed in MES as per Annexure 1 to Appendix 1.6.
- (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.

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. (*The number of days to be mentioned shall be as decided by the Accepting Officers, but it shall not be less than **5 days**) 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 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 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.

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 137 Works Engrs** on email id hq137we@gmail.com & dima1373-mes@nic.in with copy to the Accepting Officer on email id ageagartala2012@gmail.com before the scheduled date of opening of Cover 2. 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 two works in MES, he shall not be considered eligible for the subject tender. For this purpose, details of the works being executed by such a contractor shall be checked from the WLR report.

12. In case the BOQ is revised through the corrigendum and the bidder has failed to quote on revised BOQ (ie 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 amongst the valid/bonafide bids only. Accepting Officer may decide whether to re-tender or consider the lowest bonafide tender for acceptance.

13. Revoking the offer or revising the rates upward and 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 unenlisted tenderer, Earnest Money deposited by him shall be forfeited. In case of MES enlisted tenderer, 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 afore mentioned 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. 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 only. After acceptance of tender, Condition -72 Jurisdiction of Courts of IAFW-2249 shall be applicable.

(Signature of Contractor)

Dated

8420/ 02 /E8

Military Engineer Services

AGE (I) Agartala

PIN – 901184

C/o 99 APO

Dated: 14 Jun 2023

AGE (I) AGARTALA

Accepting officer

Distribution:-

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|-----------------------------|--|-------------------------|
| 1. HQ CESZ Shillong
Zone | 2. HQ CWE 137 Wks Engrs
PIN-914137
C/o 99APO | 3. AO, AGE (I) Agartala |
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