

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

01	Name of Work	:	SPL REPAIR TO ROAD CERTAIN PLACES AT LEIMAKHONG MIL STN.
02	Estimated cost of work	:	Rs. 72.05 Lakhs (Rupees seventy two lakh five thousand only) (At par market)
03	Period of completion	:	04 months
04	Cost of tender documents	:	Rs 1000.00 in the form of DD/Bankers cheque from any Schedule bank in favour of GE 869 EWS payable at Leimakhong . (Note: In case of retendering the contractor who had quoted in the previous call is not required to submit the cost of tender).
05	Website/Portal address	:	www.defproc.gov.in and www.mes.gov.in
06	Type of contract	:	The tender shall be item Rate Contract based on IAFW-1779(A) & IAFW-2249 with schedule 'A' (list of item of works) to be priced by the tenderers/bidder electronically in BOQ as per web site instruction. The tenderers are required to quote rates against each items of Parts of Schedule 'A'
07	Timeline details		
	(a) Bid submission start date	:	Refer Critical dates on the website.
	(b) Bid submission end date	:	
	(c) Date of bid opening	:	
08	<u>Eligibility Criteria</u>		
	<u>(A) For MES enlisted contractors</u>	:	Contractors shall be enlisted with MES in Class 'C' and above and Category a(v) 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 engineer authority.
	<u>(B) For contractors not enlisted with MES</u>	:	(i) Contractor not enlisted with MES should meet the enlistment criteria of MES for class & category as given above against Clause 8(A) for MES enlisted contractors with regard to satisfactorily completion of requisite value works with Central/State Government/ Central/ State PSUs/ AWHO/ AFNHB/ CGEWHO/ DGMAP, annual turnover, bank solvency, working capital and other requirements given in Para 1.4 & 1.5 of Section 1 of MES Manual of Contracts 2020 as available in all MES formations as well as MES website (www.mes.gov.in). (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 bid or for business dealings by any 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.
09	<u>Tender issuing and Accepting Officer</u>	:	Name : Col NK Chaudhary, Commander Address : HQ 137 Works Engrs, PIN 914137, C/O 99 APO. Contact Details : 03862-295681, Mail id : dima1373-mes@nic.in
10	<u>Executing agency</u>	:	GE 868 EWS
11	<u>Earnest Money</u>	:	Rs. 1,33,100/- in the form of Deposit at call receipt (FDR not acceptable) from any scheduled/nationalized bank in favour of GE 869 EWS payable at Leimakhong . MES enlisted contractors are exempted from submission of EMD.

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12	Performance Security	<p>An amount equivalent to 5% of the contract sum shall be deposited by contractor (either enlisted or un-enlisted within 28 days of receipt of the letter of acceptance in prescribed form as specified in condition 19 of IAFW-2249. On receipt of performance security, thereafter work order will be placed, failing which, the contract shall be cancelled and following action shall be initiated.</p> <p>(a) For un-enlisted contractors:- Forfeiture of Earnest Money Deposit and the firm shall be barred from participating in the tender for the subject work either in his/her individual capacity or as a partner of any other Company/Firm during re-tender.</p> <p>(b) In case of enlisted contractor the amount equal to earnest money as mentioned under Para 11 above shall be deposited by contractor through MRO in Government treasury. Issue of tender to such tenderer shall remain suspended till the aforesaid amount equal to earnest money is deposited in government treasury. In case, enlisted Contractor fails to deposit the money through MRO within notified time frame, same shall be recovered from security deposit held with the deptt or any dues held with the Deptt. Further the firm shall be barred from participating in the tender for the subject work either in his/her individual capacity or as a partner of any other Company/Firm during re-tender.</p>
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Notes:-

1.	In case after opening of Cover 1, 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 MES 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 their present residual work in hand is more than FIVE TIMES their present tendering limit. However in case contractors 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 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 of work, names of Accepting Officers, Contract amounts, date 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 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 turnovers 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.	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.	Employee's Provident Funds and Miscellaneous Provisions (EPF & MP) Act 1952-Reg. Contractors are required to produce Provident Fund Code Number immediately after acceptance of bid but in any case before the commencement of work i.e. Before releasing the works order by GE/AGE(I). 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 as amended till bid submission end date by the sub contractor if any engaged for said work.
5.	Performance Security : Please refer condition 19 of IAFW-2249 (GCC) as amended under amendment No 47 to IAFW-2249 (GCC). The Performance Security shall be in favour of Accepting Officer. Work Order No. 01 shall be placed only after submission of Performance Security of adequate value by the contractor.
6.	Contractors enlisted with MES will upload following documents in Cover 1 for checking eligibility :- (a) Application for tender on Firm's letter head. (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) Scanned copy of GST registration certificate.
7.	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 letter head. (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 1 of MES Manual on Contracts 2020. (e) Details of works being executed in MES, if any.
8.	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.
9.	Contractors should ensure that their original physical DDs and Earnest Money Deposit (EMD) instruments (as applicable) reach the office of Accepting Officers 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 willful negligence of the tenderer with ulterior motives and such tenderer shall be banned from bidding for a period for six months commencing from the date of opening of finance bid (cover 2).

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

	<p>(b) In case of tenders from unenlisted contractors, where scanned copies of requisite DD/Banker Cheque towards cost of tender have been uploaded 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 alongwith complete address shall be circulated for not opening of their bids for period of six months commencing from the date of opening of finance bid (cover 2).</p> <p>(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).</p>
10.	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.
11.	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 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.
12.	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 'A' to NIT. 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 www.defproc.gov.in . Such tenderer, if desires, may appeal to the next higher Engineer Authority i.e. HQ Chief Engineer Shillong Zone on email id ceshiz-ec-army@nic.in with copy to the Accepting Officer on email id dima1373-mes@nic.in 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.
13.	In case of un-enlisted 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.
14.	In case of 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.
15.	Revoking the offer or revising his rates upward or offering voluntary reduction by the lowest tender after opening of Cover 2 shall considered as a willful default. For this default a penalty of an amount equal of 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 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.
16.	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.
17.	(i) For submission of e-tender bidders are requested to get themselves registered with www.defproc.gov.in . website alongwith class -II/III Digital Signature Certificate (DSC) issued by authorized CA under IT Act 2003. (ii) For complete details refer our website www.defproc.gov.in 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
18.	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.
19.	Before quoting the tender, Contractor can visit the site with prior permission of GE/AGE(I) concerned to acquaint himself about the site conditions and nature of work to be executed. The Contractor shall also study the tender documents carefully and any discrepancy / clarification / suggestion on tender documents required shall be brought to the notice of Accepting Officer and got clarified before bid submission start date.

Signature of contractor

8875/12/E8

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

for Accepting Officer

Dated: 18 Dec 2023