

MILITARY ENGINEER SERVICES
NOTICE OF E -TENDER (IAFW-2162)

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.

5. 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.

6. 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.

7. The office of GE(I)(CG) Bhubaneswar will be the Accepting Officer here in after referred to as such for purpose of the contract.

7.2.1. 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 tender without depositing 'Earnest Money' along with the tender. However, the tenderer who does not have any enlistment with MES, shall submit EMD in requisite form alongwith the DD and application alongwith other documents required before the due date & time of opening of bid (cover-1) failing which their tender shall be considered as non bonafide and shall not be considered for financial opening.

8. 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.

8.1 Tender form and conditions of contract and other necessary documents shall be available on defproc.gov.in site for download and shall form part of contract agreement in case the tender / bid is accepted.

8.2 In case of contractor who has not executed the Standing Security Bond, the Cover -1 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').

NOTICE OF E - TENDER (IAFW-2162)(CONTD...)

8.3 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 /was received and all documents were returned.

8.4 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, samples of material and stores to be supplied by the contractor will also be available for inspection by the tenderer / bidder at the office of GE (I)(CG) Bhubaneswar during working hours.

8. The tenderers / bidders are advised to visit the site of work by making prior appointment with GE 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.

9. 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.

10. 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.

11. Tenderers /bidders must be in possession of a copy of the MES standard Schedule of Rates including amendments are errata thereto.

12. Original & hard copy of Application mentioning name of work & DD alongwith (EMD and other documents in compliance to enlistment criteria mentioned in the tender documents in case of un-enlisted firm) for the tender forms must be submitted offline to the GE (I)(CG) Bhubaneswar, so as to reach this office within 05 days from last date of closing date of bid submission. The tenderers are therefore advised to ensure timely submission of these documents keeping in view the following :-

- (a) (i) In case of MES enlisted tenderers, if original DD is not received within period stated above, subject to satisfying other prequalifying criteria, the financial bid shall be opened. The amount of the tender shall be recovered from any amount due to the MES enlisted contractor. Failure of non submission of hard copy of DD tantamount to willful negligence with ulterior motive and therefore the tendered shall be barred to tender during the period of 6 months commencing from the date of opening of financial bid.
- (ii) In case of un-enlisted tenderers, if original DD is not received within 05 days from last date of submission of bid, the cover No 1 (Tech Bid) shall not be validated for opening of financial bid. Name of such contractor alongwith complete address shall be circulated for not opening of bid for the period of 06 months commencing from the date of opening of financial bid.
- (b) The tenderers who have failed to submit original DD pertaining to EMD (whether un-enlisted or enlisted who has lodged standing security deposit) by stipulated date, shall be ineligible for opening of financial bid.
- (c) The tenderers are also required to upload copy of GST Regn No & EPF No, Copy of Registration alongwith DD & Application. The tenderer who does not have this number shall be disqualified in Tech Bid evaluation and his financial bid shall not be opened.

13. Complete status of bids cover 1 & 2 and its opening etc will be updated on website immediately of the happening of the event or change in status. Submission of documents under cover 1 & price bid under cover 2 does not guarantee the acceptance thereof. The price bid of all bidders (enlisted or unenlisted) shall be opened subject to the condition that the bidder qualifies laid down eligibility criteria and conditions of the tender. The applicant/contractor whose technical bid is rejected, if he so desires, may appeal to the next higher Engineer Authority HQ CE (CG) Visakhapatnam on email id cgviz2-mes@gov.in with copy to the Accepting Officer within 07 (seven) days from the rejection. The decision of the next higher authority shall be final. No applicant/contractor/bidder shall be entitled for any compensation whatsoever for non consideration/opening of cover-1 and opening of cover-2.

NOTICE OF E - TENDER (IAFW-2162)(CONTD...)

14. Tenderers must be very careful to upload a bonafide tender, and its related documents failing which the Accepting Officer may at his absolute discretion, reserve the right of forfeiting a portion of Earnest Money, Security Deposit or Security Bond amount (not exceeding amount of cost of tender) deposited by the tenderer. A bonafide tender must satisfy each & every condition laid down in this tender.

15. Contractor quoted rates shall be deemed to include amendments/ corrigendum's to tender documents published till last date & time of closing of bid submission. Contractor shall regularly check the corrigendum's published to keep them upto date.

16. Contractor shall quote his rate on the latest BOQ published online with reference to the tender. Bids quoted on previous BOQ shall be summarily rejected and not considered as Bonafide and suitable necessary action may be initiated against the contractor.

17. The Accepting Officer reserves the right to accept a tender submitted by a public sector undertaking giving a purchase preference over other tenders(s) which may be lowest, as are admissible under the Govt policy. No claim for any compensation or otherwise shall be admissible from such tenderers whose price bid (cover No 2) may be rejected on account of said policy.

18. The GE (I)(CG) Bhubaneswar will upload status of tender on the date and time indicated in the aforesaid Appendix 'A'.

19. The Accepting Officer does not bind himself to accept the lowest tender or any tender or to give any reason thereof.

20. Subletting of work is not permitted.

21. This Notice of tender including Appendix 'A' shall form part of the contract.

22. The office of GE (I) (CG) Bhubaneswar will be Accepting Officer, here in after refer to as such for the purposes of this contract.

23. Scanned copy of DD with tender/bid enlistment details/documents shall be uploaded as packet 1/cover-1 ('T'bid) of the tender/bid one-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 the Government whatsoever on this account.

24. Tender form and conditions of contract and other necessary document shall be available on www.defproc.gov.in website for download and shall form part of contract agreement in case the tender/bid is accepted.

25. The uploading of bid implies that bidder has read this notice and the conditions of contract & has made himself aware of the scope and specifications of work to be done & the conditions & rate at which stores, tools and plants etc, will be issued to him and local conditions & other factors having bearing on execution of the work.

26. Tenderers/bidders must be in possession of a copy of MES Standard Schedule of (see appendix 'A') including amendments and errata thereto.

27. 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.eprocuremes.gov.in website. The applicant contractor/bidder if he so desires may appeal to the next higher Engineer authority viz **HQ CE (CG) Visakhapatnam** on email id cgviz2-mes@gov.in 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.

SIGNATURE OF CONTRACTOR
Dated:

AGE (CONTRACTS)
FOR ACCEPTING OFFICER

APPENDIX 'A' NOTICE INVITING TENDER (NIT)

1.	Name of Work	REPAIR/RESURFACING OF ROADS AND ROAD FURNITURE AT DOMESTIC AND TECHNICAL AREA OF ARC CHARBATIA UNDER GE (I) (CG) BHUBANESWAR															
2.	Estimated Cost	Rs 28.05 lakhs (At Par Market)															
3.	Period of Completion	180 days															
4.	Cost of tender documents	Rs 500.00 in the form of DD/Bankers cheque from any Schedule Bank in favour of GE (I) (CG) Bhubaneswar and payable at Bhubaneswar. (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-2159)/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																
	(c) Date of bid opening																
8.	Eligibility Criteria :-																
	(a) For MES enlisted contractors	Contractor shall be enlisted with MES in Class "D" 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.															
	(b) For contractors not enlisted with MES	<p>(i) Contractor not enlisted with MES should meet the enlistment criteria of "D" Class & "a(v)" category contractor with regard to satisfactory 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 on Contracts 2020 as available in all MES formations as well as MES website (www.mes.gov.in).</p> <p>(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.</p> <p>(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.</p> <p>(iv) Details of works completed and under progress in MES be submitted in the following format :-</p> <table border="1" data-bbox="690 1350 1433 1461"> <thead> <tr> <th>Sl No</th> <th>CA No and Name of work</th> <th>Value of CA</th> <th>Date of commencement</th> <th>Date of completion</th> <th>Extn date of completion</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> <p>(v) Un enlisted contractor who have secured two works in MES should get themselves registered in the appropriate designated class with any Registering Authority, else the firm will not be eligible for participation in the tender unless until the firm is enlisted with the MES</p>				Sl No	CA No and Name of work	Value of CA	Date of commencement	Date of completion	Extn date of completion						
Sl No	CA No and Name of work	Value of CA	Date of commencement	Date of completion	Extn date of completion												
	(c) Technical PQC criteria	NA															

APPENDIX 'A' NOTICE INVITING TENDER (NIT) (Contd...)

9	Tender issuing and Accepting Officer	Name : GE (I)(CG) Bhubaneswar Address : GE (I) (CG) Bhubaneswar , Plot No. 190/702, Kokila Residency, 2 nd Floor, Anant Vihar, Post : Pokhariput , Bhubaneswar-751 020 (Odisha) Contact Detail of concerned officer : 0674-2352201, e-mail : ncgbhu4-mes@gov.in
10	Executing agency	GE (I)(CG) Bhubaneswar
11.	Earnest Money	Rs 56100/- in favour of GE (I)(CG) Bhubaneswar in the form of Deposit at call receipt, FDR not acceptable.

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 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 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-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 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 turnover as applicable) and financial soundness (solvency/financial soundness and working capital) as per details given in Manual of 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. **Contractors enlisted with MES** will upload following documents in Cover 1 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.

APPENDIX 'A' NOTICE INVITING TENDER (NIT) (Contd...)

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 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.
- (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 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 05* days of bid submission end date (*The number of days to be mentioned shall be as decided by the Accepting Officers, but is 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 bid (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 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 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 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.

APPENDIX 'A' NOTICE INVITING TENDER (NIT) (Contd...)

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 HQ Chief Engineer (CG) Visakhapatnam on email id cgviz2-mes@gov.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 from 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 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 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.

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. **JOINT VENTURE** (to be included as per value/type of work)

APPENDIX 'A' NOTICE INVITING TENDER (NIT) (Contd...)

17. **Performance Security Deposit:** Within 28 days of receipt of the letter of Acceptance, the successful contractor shall deliver to the Accepting Officer a Performance Security in the form of Bank Guarantee (Issued by Nationalised /Scheduled Bank as per Appx 2.1 to Manual of Contract 2007 with modifications with respect to Performance Security in place of Security Deposit), Govt Security, FDR for an amount equivalent to 5% of the contract sum except the bidder who not fulfil the criteria appended in para 9.1. Non compliance of this provision shall constitute sufficient grounds for cancellation of awarded contract and forfeiture of Earnest Money. SSD deposited by Registered contractor shall serve the propose of exemption of Earnest money. If the Performance Security is not deposited by the Registered contractor, the contract shall be cancelled and contractor shall deposit the amount equal to Earnest Money through MRO and issue of tender shall remain suspended to such contractor till the aforesaid amount is deposited in Govt Treasury.

5% of contract sum as Performance Security shall be submitted by the contractor whose contracts under dispute, wherein arbitration/ Court proceedings have already been started or are contemplated and outstanding recoveries against the contract are due and the contractor intend to abandon the work after entertaining the relief.

18. **Defect Liability Period:** In terms of Condition 46 of IAFW-2249 (As amended vide amendment No 48), the Defect Liability Period in respect of this tender shall be TWELVE (12) months.

19. **Refund of Performance Security:** The Performance Security Deposit mentioned above (As amended vide Amendment No 45 to Condition 68 of IAFW-2249) shall be refunded to contractor after expiration of Defect Liability Period mention above. Recovery if outstanding against the contractor shall be effected from the Performance Security as stipulated under Condition 67 of IAFW-2249 (as amended).

SIGNATURE OF CONTRACTOR
Dated:

AGE (CONTRACTS)
FOR ACCEPTING OFFICER

File No. 8449/BBSR/ 04 /E8
Dated : 25 Jan 2024

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