

MILITARY ENGINEER SERVICES
NOTICE OF TENDER (NOT)

1. A tender is invited for the work as given in Appendix 'A'.
2. The work is estimated to cost (see Appendix 'A'). This estimate, however, is not a guarantee and is merely given as a rough guide and if the work costs more or less, a tenderer will have no claim on that account. The tender shall be based on (see Appendix 'A').
3. The work is to be completed within (see 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 after (see Appendix 'A').
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 but in case of term contracts, contractors of categories SS to E may tender. 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, in which event the tenderer 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 without depositing Earnest money along with the tender and if the tender submitted by such a tenderer 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, 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 shall be submitted 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 for the same contract as separate competitors. A breach of this condition will render the tenders of both parties liable for rejection.
5. The Garrison Engineer Guwahati will be Accepting Officer here in after referred to as such for purpose of the contract.
6. The Tenders/bids shall be uploaded on the "<https://defproc.gov.in>" site in two packets i.e. the Technical Bid and Financial Bid upto the last date & time of submission of bids indicated in **NOT** therein. Bids shall be opened at time & date mentioned on <https://defproc.gov.in>
7. A scanned copy of DD with enlistment details/documents shall be uploaded as packet 1 ('T' bid) of the tender 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. The applicant/contractor will be informed regarding non issue of tender with assigning reasons through e-mail. The applicant / contractor, if he so desires may appeal to the next higher Engineer authority through e-mail with copy to the Accepting officer. The decision of the next higher Engineer authority shall be final. No applicant / contractor shall be entitled for any compensation whatsoever for rejection of his application.
8. 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 is accepted. (See Appendix 'A').
- 9.1 In case of contractor who has not executed the Standing Security Bond, the Cover-I shall be accompanied with by Earnest Money Deposit amounting to (see appendix 'A') in the form of deposit at call receipt in favour of Garrison Engineer (see appendix 'A') by a scheduled Bank or in receipted treasury Challan the amount being credited to the revenue deposit of the Garrison Engineer (see appendix 'A').
- 9.2 A contractor who is not enlisted for the area in which the work lies but whose names 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; but if the Accepting officer accepts the tender, 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, 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.

(Signature of contractor)

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NOTICE OF TENDER (Contd/...)

9.3 A contractor who has executed standing security Bond but not for the appropriate category as mentioned above, shall lodge with the Accepting Officer, Additional security Deposit as notified by the Accepting Officer within thirty days of the receipt of his notification of acceptance of his tender, 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 thirty days of the receipt by him of notification of acceptance of tender, the amount of additional security deposit shall be recovered from such payment.

10.1 The GE will return the Earnest Money Deposit wherever applicable to all unsuccessful tenderers by endorsing an authority on the deposit receipt for its refund, on production by the tenderer a certificate of the Accepting Officer that a bonafied tender was received and all document were returned.

10.2 The GE will either return the Earnest Money Deposit to the successful tenderer by endorsing an authority on the deposit 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.

11. Copies of the drawings and other documents pertaining to the work (signed for the purpose of identification by the Accepting Officer or his accredited representative), samples of materials and stores to be supplied by the contractor will be open for inspection by the tenderer at the office of GE during working hours.

12. The tenderers are advised to visit site of work by making prior appointment with GE who is also the Executing Agency of the work (see appendix 'A'). The tenderers are deemed to have full knowledge of all relevant documents, samples, site etc., whether he has inspected them or not.

13. Any tender which proposes any alteration to any of the conditions laid down or which proposes any other condition or prescription, whatsoever is liable to be projected.

14. The submission of bid by a tenderer implies that he 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.

15. Tenderer must be in possession of a copy of the MES Standard Schedule of Rates (see Appendix 'A') including errata and amendments thereto.

16. Invitation for applications for issue of tender does not constitute any guarantee for validation of 'T' bid for downloading tender to applicant even to enlisted contractors of appropriate class and to applicants by virtue of enclosing DD and the Accepting Officer reserves the right to deny tender (not validating the 'T' bid) to any applicant. 'T' bid validation shall be decided by the Accepting Officer based on remark in WLR, class of enlistment, category of enlistment for enlisted contractors. For un-enlisted contractors, the final selection shall be based on these factors as well as the documents mentioned in note (c) and (d) of Appx "A" to **NOT**. The Accepting Officer shall consider bids uploaded up to the date & time fixed for the same. The applicant/contractor will be informed regarding non-validation of 'T' bid assigning reasons therefor. The applicant/contractor if he so desires may appeal to the next higher Engineer authority i.e. **CWE Shillong** on email shlgsez3-mes@nic.in with copy to the Accepting Officer on email id. The decision of next higher engineer authority shall be final and binding. No appeal/representation shall be entertained in respect of applications received offline. The decision of the next higher authority shall be final and binding. No applicant/contractor shall be entitled for any compensation whatsoever for rejection of his application.

17. The Accepting Officer reserves his right to accept a tender submitted by a public undertaking, giving a price preference over other tender(s) which may be lower, as are admissible under the Govt. policy. No claim for any compensation or otherwise shall be admissible from such tenderers whose tenders is rejected.

18. The Accepting Officer does not bind himself to accept the lowest of any other tender or to give any reasons for not doing so.

19. This notice of tender shall form part of the contract.

(Signature of contractor)

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APPENDIX 'A' TO NOTICE OF TENDER

1	Para 1, Name of work	SPECIAL REPAIR TO BLDG NO T-10 AND CERTAIN REVENUE WORKS UNDER GE GUWAHATI
2	Para 2, Estimated Cost	Rs. 17.80 Lakh (at par market)
3	Para 3, Period of completion	06 Months
4	(i) Para 6, Cost of tender	Rs. 500/- in the shape of DD/Bankers cheque From any scheduled Bank in favour of GE Guwahati and payable at Guwahati.
	(ii) Para 6, Date of receipt of Application	As per information on https://defproc.gov.in
5	Website/Portal address	https://defproc.gov.in and www.mes.gov.in
6	Para 2, type of contract	The tender shall be based on specifications, IAFW- 1779 - A and GCC (IAFW-2249) with Schedule 'A' (list of items of work). The tenderers are required to quote their rates against each item of Schedule 'A'
7	Information & details :	
	(a) Para 7.1, date of publishing of tender	17 Oct 2018
	(b) Para 7.3, Earnest Money Deposit (EMD)	Rs 35600.00 in the shape of Call Deposit Receipt from any scheduled Bank. BGB not acceptable.
	(c) Para 9, Bid submission start date/Bid submission end date/Date of bid opening.	Refer Critical dates.
(d) Para 3, date of handing over of site	Within 15 days from the date of acceptance	
8	Eligibility Criteria	
	(A) For MES enlisted contractors	All contractors enlisted with MES in class 'E' & above and category "a(i)" subject to the remarks wrt performance in respect of works in hand reflected in workload return (WLR) circulated by competent engineer authority. Also refer Notes below.
	(B) For other contractors not enlisted with MES.	(a) The firms not enlisted with MES shall meet the enlistment criteria of class 'E' & category "a(i)" 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. (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/notarised copy of valid passport of proprietor/each partner/each Director. (c) Firms should not carry adverse remarks in WLR or any other similar report of any authority. (d) Also refer Notes below.
(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/spouse of proprietor/Partner/Director and firms, s own employees, Director, Project Manager. This shall be subject to certain conditions which will be prescribed in NOT forming part of the tender documents.	
9	Para 7.8 & 8 Executing agency (and Tender issuing and Accepting Officer)	GE Guwahati
10	Para 12 Possession of documents by contractor & SSR to be followed	MES Standard Schedule of Rates 2009 specifications (Part-I) and 2010 (Rates) (Part-II)

(Signature of contractor)

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APPENDIX 'A' TO NOTICE OF TENDER (CONTD...)**Notes:-**

- (a) Contractors one class below may also bid for this tender. Their application shall be considered subject to fulfilment to other eligibility criteria given in NIT when number applicant of eligible class qualifying for the tender are less than 7 (seven).
- (b) In case number of eligible class contractor satisfying the eligibility criteria given in NIT are 7 or more than 7, application of one class below the eligible shall not be considered except those who have previously completed similar work satisfactorily and are meeting the criteria of upgradation in respect of past experience and/or average annual turn over 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 document with reference to works experience and financial soundness in cover 1 of tender (T bid).
- (c) (i) 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.
- (ii) Contractors should ensured that their original DDs and earnest money (as applicable) are received within a period of 05 days of bid submission end date.
- (iii) 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, their finance bids will be opened. However non-submission of physical copies of cost of tender shall be considered as wilful negligence of the bidder with ulterior motives and such bidder shall be banned from bidding for a period of six months commencing from the date of opening of finance bid (cover 2).
- (iv) 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 by the stipulated date, finance bids 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 (cover 2).
- (v) In case of applications/bids (enlisted contractor as well as unenlisted contractor) where scanned copies of requisite Earnest money (as applicable) were uploaded but the same are not received in physical form within stipulated time, such bids shall not qualify for opening of finance bid (cover 2).
- (d) Contractors may note that they shall not be loaded beyond their tendering limit as under:-
- (aa) In case contractors of eligible class are selected for issue of tender: 4 to 5 times the tendering limit.
- (bb) 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
- (cc) In case of unenlisted contractors: 2 times the upper tendering limit of class for which contractor meets the criteria for enlistment.
- (e) In case any deficiency is noticed, in the documents required to be uploaded by the tenderers 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 contractors shall not have any claim on the same.
- (f) Contractors enlisted with MES will upload following documents for checking eligibility:-
- (i) Application for bid in Firm's letter head
 - (ii) Enlistment letter
 - (iii) Scanned copy of DD of cost of tender
 - (iv) Scanned copy of GST No allotted by Govt.

(Signature of contractor)

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(g) Contractors not enlisted with MES 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 MES Manual on Contracts 2007 (reprint 2012). Following documents shall also be uploaded amongst others.

(i) 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/authorised 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.

(ii) Solvency certificate and working Capital Certificate issued by scheduled bank.

(iii) Annual turnover certificate for last 2 years issued by Chartered Accountant along with relevant pages of audited balance sheets in support thereof.

(iv) Affidavits for possession of movable & immovable properties by proprietor/partner owning the immovable properties along with 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 the company.

(v) 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.

(vi) Scanned copy of DD of cost of tender and earnest money.

(vii) Scanned copy of GST No allotted by Govt.

(h) In case of rejection of technical/prequalification bid, contractor may appeal to next higher Engineer authority i.e. CWE Shillong on email shlgsez3-mes@nic.in against rejection, whose decision shall be final and binding. However contractor/bidder shall not be entitled to any compensation whatsoever for rejection of technical/prequalification bid.

(j) The tenderer attention is invited to ensure compliance of the "EPF and MP Act 1952". Before commencement of work, the contractor should produce the provident fund code number to the GE, if **applicable**.

(k) **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. After acceptance of tender, condition 72 – Jurisdiction of courts of IAFW-2249 shall be applicable.

(l) The Accepting Officer reserves his right to accept a tender submitted by a public sector undertaking, giving a purchase preference over other tender(s) to the extent admissible under Govt policy. No claim for any compensation or otherwise on this account shall be admissible from such a tenderer whose tenders may be rejected on account of said policy.

Signature of contractor

(R S Tiwari)
AGE (Contracts)
For Accepting Officer

File No 8842/A/ /E8 dt 17 Oct 2018
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