

MILITARY ENGINEER SERVICES
NOTICE OF TENDER (NOT)

1. A tender is invited for work as mentioned in Appendix 'A' to 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 phasing, if any, indicated in the tender from the date of handing over the site, which will be on or about two weeks after the date of Acceptance of tender.
4. Contractors whose names are on the MES approved list and within whose financial category the estimated amount would fall and unenlisted contractors may submit tender/bid subject to other criteria mentioned in Appendix A. However, in case of term contracts, enlisted contractors of Class SS to E may submit tender. Not more than one tender shall be submitted/uploaded by one contractor/ firm. 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. Two firms shall be deemed to have business dealing if any of the partners/proprietor/director is common among both of them. A breach of this condition will render the tenders/bids of both the parties liable for rejection.
5. The Office of **GE GUWAHATI** 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 & Cover-2) shall be uploaded by the tenderer/bidder on or before the date & time mentioned in **NIT**. A scanned copy of DD towards cost of tender with enlistment details/documents as specified in Appendix 'A' shall be uploaded as Cover-1 (Technical bid) of the tender/bid on e-tendering portal. DD is refundable in case the contractor is not considered eligible in technical evaluation of Cover -1 resulting in non opening of Cover 1. The applicant contractor shall bear the cost of bank charges for procuring and encashing the DD Including revalidation of DDs 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 <https://defproc.gov.in> site for download and shall form part of contract agreement in case the tender/bid is accepted.
 - 6.2. **PERFORMANCE SECURITY**
 - (a) **Within 28 days of receipt of the letter of Acceptance, the successful contractor shall deliver to the Accepting officer a performance security in any of the forms given below for an amount equivalent to 5% of the Contract Sum.**
 - (i) A Bank Guarantee in the prescribed form.
 - (ii) Government Securities, FDR or any other Government instruments stipulated by the Accepting officer.
 - (b) If the performance security is provided by the successful contractor in the form of a bank Gurantee, it shall be issued by Nationalized/Scheduled Indian Bank but its confirmation shall be done only from the Head Office of the Bank.
 - (c) Failure of the successful contractor to comply with the requirements of clause 6.2(a) shall constitute sufficient grounds for cancellation of the award of work. An amount shall be notified to the tenderer for depositing the amount through MRO. Issue of tender to such tenderers shall remain suspended till the aforesaid amount is deposited in Government Treasury.

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NOTICE INVITING TENDER (CONTD...)

7. **EARNEST MONEY DEPOSIT (EMD)**: In case of MES enlisted contractor who has not executed the "Standing Security Bond" and unenlisted contractors, 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 GE Guwahati by a Scheduled Bank or in receipt treasury challan, The amount being credited to the revenue deposit of the GE (See Appendix 'A'). EMD exemption is allowed only in case of tenderers who are on the MES approval list of any MES formation and deposited .
8. In case of successful contractor i.e., the lowest contractor having submitted EMD, he shall have the option of converting the EMD instrument into part of the Performance Security to be deposited by him within 28 days from the receipt of intimation of acceptance of tender from Accepting Officer.
9. Sample of materials and stores to be supplied by the contractor will also be available for inspection by the tenderer/bidder at the office of concerned GE during working hours.
10. The tenderers/bidders 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/bidders are deemed to have full knowledge of all relevant documents, samples, site etc., whether they have inspected them or not.
11. 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.
12. 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.
13. Tenderers/bidders must be in possession of a copy of the MES Schedule (SSR)(Part-I & Part-II) including amendments and errata thereto.
14. The Accepting Officer reserves the right to accept a tender submitted by a Public Undertaking/Small & Medium Enterprises (SMEs), giving a price preference/purchase 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 for such tenderer/bidder whose tender/bid is rejected.
15. Accepting Officer does not bind himself to accept the lowest or any tender/bid or to give any reason for not doing so.
16. This **Notice Inviting Tender (NIT)** including Appendix 'A' shall form part of the Contract.

(Signature of contractor)

AGE(Contracts)

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)

1.	Name of work	SPECIAL REPAIR TO OFFICEBLDG OF GE GUWAHATI UNDER GE GUWAHATI												
2.	Estimated Cost	₹ 34.99 LAKHS (As par market)												
3.	Period Of Completion	180 (One hundred Eighty) days												
4.	Cost of Tender Documents	₹ 500.00 in the shape of DD/ Bankers Cheque from any Scheduled Bank in favour of GE GUWAHATI and payable at GUWAHATI . (Scanned copy to be uploaded on-line and original to be forwarded off-line so as to reach this HQ before due date.)												
5.	Website /Portal Address	<u>www.defproc.gov.in</u>												
6.	Type of Contract	The tender shall be based on specification and GCC (IAFW-2249) for Measurement contracts (IAFW-1779-A) with Schedule 'A' (List of items of Work) to be priced by the tenderer. The Tenderers are required to quote their rate against items of Schedule 'A'.												
7.	Information & Details													
	(a) Bid Submission start Date	} - Refer critical dates on the website.												
	(b) Last date of Bid Submission													
	(c) Date of Bid Opening													
8.	Eligibility Criteria													
	(a) For MES enlisted Contractors	Contractors shall be enlisted with MES in Class 'D' and Category (a)(i)(Building Works) subject to satisfactory remarks wrt performance in respect of works in hand reflected in Work load return(WLR) or any other report circulated by competent engineer authority.												
	(b) For Other Contractors	<p>(a) Contractor not enlisted with MES should meet the enlistment criteria of Class 'D' and Category (a)(i)(Building Works) 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 requirement given in Section 1 of MES manual of contracts 2020 as available in all MES formations as well as MES website (www.mes.gov.in).</p> <p>(b) Not carrying adverse remarks in Work Load Return (WLR) or any other similar report circulated by any competent authority, if already working in MES.</p> <p>(c) Not suspended/ debarred / blacklisted (either permanently or temporarily) from participating in any bid or business dealings by any Central / State Govt. Department or any Central / State PSU or any Autonomous Body under Central / State Government or any Local Body as on the bid submission end date.</p> <p>(d) Unenlisted contractor shall submit details of works completed and under progress in MES in the following format:-</p> <table border="1" data-bbox="678 1774 1508 1872"> <thead> <tr> <th>Srl No</th> <th>CA No & Name of Work</th> <th>Value of CA</th> <th>Date of Commencement</th> <th>Date of Completion</th> <th>Extended Date of Completion</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> <p>(e) 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>	Srl No	CA No & Name of Work	Value of CA	Date of Commencement	Date of Completion	Extended Date of Completion						
Srl No	CA No & Name of Work	Value of CA	Date of Commencement	Date of Completion	Extended Date of Completion									

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

9.	Tender Issuing and Accepting Officer	GE GUWAHATI
10.	Executing Agency	GE GUWAHATI
11.	Earnest Money	₹ 69,980.00 in favour of GE GUWAHATI in the form of deposit at call receipt (FDR is NOT acceptable)

NOTES:-

1. 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, is less than 7(Seven), applications in respect of MES contractors of one class below the below the eligible class shall also be considered subject to fulfillment of other eligibility criteria given in NIT. Therefore MES contractors one class below may also bid for this tender. Such contractor shall not be consider 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 up gradation to the stipulated eligible class based on past experience of completed works(individual works experience and/or average annual turnover as applicable) and financial soundness (solvency/financial soundness and working capital), the celling of present residual work will not be applied and they will be considered for issue of tender. Such bidders shall upload in their cover I bid, details of residual work in hand like details of works in hand, showing names of accepting Officer, contract amount, Date of Commencement and date of completion (Stipulated) and progress as on bid submission date. Such contractors if claim to fulfill the criteria of up gradation shall also upload the requisite information/documents in support of upgradation. These details shall be verified by the tender issuing authority from concerned formation in case bids of such contractor 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 he 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 Annexure-I. 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 duly signed by proprietor/all partners/all directors of the firm/company as applicable.
 - (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) GST and EPF registration certificate
 - (e) Any other document required as described in this Appendix 'A' to NIT.
5. Contractors unenlisted with MES will be required to upload following documents in Cover 1 for checking eligibility:-
 - (a) Application for tender on Firm's letterhead duly signed by proprietor/all partners/all directors of the firm/company as applicable.
 - (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.

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

- (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 'A' to NIT.
6. Tenders not accompanied by scanned copies of requisite DD/Bankers Cheque towards cost of tender and earnest money (as applicable) in Cover I 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 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 the 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 (Cover2) 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 '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. Such tenderer, if desires, may appeal to the next higher Engineer Authority (NHEA) i.e. CWE Shillong on email shlgsez3-mes@nic.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.

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

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 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/butted 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 he considered as a wilful default. For this default a penalty of an amount equal to Earnest Money shall be levied. In ease of an unenlisted tenderer, firm shall be debarred from exemption of submitting Bid Security / EMD for a period of 06 (Six) months. 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 he 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 he 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 he final and binding.
15. In case the tender submitted is accepted, the contractor will be required to lodge **PERFORMANCE SECURITY DEPOSIT** for an amount equivalent to 5% of the contract sum in favour of the Accepting Officer within 28 (Twenty Eight) days of the receipt by the contractor of notification of acceptance of his tender/bid in the form of BANK GUARANTEE or FDR. Failure of the contractor to comply with the requirements of Performance Security shall constitute sufficient grounds for cancellation of the award of work. In case of MES enlisted contractor, amount equal to the Earnest Money stipulated in the Notice of Tender, shall be notified to the tenderers for depositing the amount through MRO. Issue of tender to such tenderers shall remain suspended till the aforesaid amount equal to the Earnest Money is deposited in Government Treasury.
16. **JURISDICTION OF COURTS**: 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, jurisdiction of court shall be governed as per condition 72 of IAFW-2249.
17. **After acceptance of contract, prior to commencement of Work, Engg-in-Charge shall ensure that the contractor has EPF Registration Code No., if applicable, and keep documentary proof on record. The contractor shall ensure compliance of the EPF & MP Act 1952 as amended till Bid Submission end date.**

**SIGNATURE OF CONTRACTOR
DATE:**

**AGE(CONTRACTS)
FOR GARRISON ENGINEER**

8380/B/05/E8 dt 11 Nov 2023

Garrison Engineer
Military Engineer Services
PO: Satgaon, Dist: Kamrup
Guwahati-781027