

(In lieu of IAFW-2162)(Revised 1960)

MILITARY ENGINEER SERVICES

NOTICE OF E -TENDER

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, as tenderer /bidder shall 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 shall 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, may tender / bid, but in case of term contracts, contractors of categories SS to E may tender / bid. Not more than one tender/bid shall be submitted / uploaded by one contractor or one firm of contractors. Under no circumstances shall 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 shall render the tenders/bids of both the parties liable for rejection.
5. The **Garrison Engineer Utility II Visakhapatnam** shall be the Accepting Officer here in after referred to as such for the 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. 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 defproc.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' in the form of deposit at call receipt in favour of concerned Garrison Engineer (see Appendix 'A') by a scheduled Bank or in receipted treasury Challan the amount being credited to the revenue deposit of the concerned GE Garrison Engineer (see Appendix 'A').
 - 6.3 A contractor 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 along with the tender.
 - 6.4 The Garrison Engineer shall 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.

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6.5 The Garrison Engineer shall 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 performance security.

6.6 **PERFORMANCE SECURITY:** The tenderers shall note that the successful tenderer is required to lodge Performance Security for an amount equal to 5% of the Contract Sum within 28 Days of receipt of Letter of Acceptance in the form of Bank Guarantee in the prescribed format or Government Securities or FDR or any other Government Instruments with the Accepting Officer in terms of Condition – 19 of IAFW – 2249, General Conditions of Contracts. The Performance Security shall be valid till expiry of Defects Liability Period as stipulated here-in-after PLUS Two Months.

6.6 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, sample of materials and stores to be supplied by the contractor shall also be available for inspection by the tenderer/bidder at the office of Accepting Officer and concerned Garrison Engineer during working hours.

7. The tenderers/bidders are advised to visit the site of work by making prior appointment with Assistant Garrison Engineer who is also the Executing Agency of the work. The tenderer/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 purposes any other condition or prescription whatsoever, is liable to be rejected.

9. The uploading of bid implies that bidder has read the 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 shall 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 (see appendix 'A') 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 reserve 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 Appx 'A' to this **NIT**. The applicant contractor/bidder shall be informed regarding non validation of his 'T' bid assigning reasons thereof through the defproc.gov.in website. The applicant contractor/bidder if he so desires may appeal to the next higher Engineer authority viz Commander Works engineer (N) Visakhapatnam on **Email Id: visptm3-mes@nic.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.

NOTICE OF e - TENDER contd...

12. The Accepting Officer reserves the right to accept a tender submitted by a Public 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 tenderer / bidder whose tender/bid is rejected.

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

14 The contractor any class may also bid for this tender. Their Application shall be considered subject to fulfillment of other eligibility criteria given in NIT.

15 (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 bid shall not open.

(ii) Contractors shall ensure that their original DDs and earnest money (as applicable) are received within 5 days of bid submission end date.

(iii) In case of applications/bids from enlisted contractor 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 shall be opened. However non submission of physical copies of cost of tender shall be considered as willful negligence of bidder with ulterior motives and such bidder shall be banned from bidding for a period of 06 months commencing from the date of opening financial 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 shall 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 contractors as well as un-enlisted contractor) where scanned copied 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).

16. Contractors may note that they shall not be loaded beyond their tendering limit as under:-

(i) In case contractor such eligible class for selected for issue of tender : 4 to 5 times the tendering limit.

(ii) In case 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

(iii) In case of un-enlisted contractors: 2 times the upper tendering limit of class for which contractors meets the criteria for enlistment.

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17 Contractors enlisted with MES shall 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) Documents support of EPF code number and EPF registration of firm.

18 Contractors not enlisted with MES will be required to upload necessary documents to proof their eligibility for enlistment in eligible class and 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 MES Part -I Manual of 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 5 years, financial year wise in tabular form giving name of work, Accepting officer's details, viz, Address, Telephone, Fax No, Email ID etc, date of acceptance of tender and actual date of completion. This shall be duly signed by the proprietor / all partners / authorized director of private / 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 for 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) 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.

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

(vi) Documents in support of EPF code number and EPF registration of firm.

19. This **Notice Inviting Tender (NIT)** including Appendix 'A' shall form part of the contract.

SIGNATURE OF CONTRACTOR
DATED:

AGE (CONTRACTS)
FOR ACCEPTING OFFICER

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)		
1	Name of work	: REPAIR / MAINTENANCE OF SWIMMING POOL, STP AND FIRE FIGHTING AND CONNECTED MISC WORK AT NAVAL BASE AREA UNDER AOR OF (GE U-II) VISAKHAPATNAM
2	Estimated Cost	: Rs. 48.00 lakhs (At per Market)
3	Period of Completion	: 06 (Six) Months
4	Cost of tender documents	: Rs. 500.00 in the form of DD/Banker's cheque from any Scheduled bank in favour of GE (U-II) Visakhapatnam payable at Visakhapatnam. (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 IAFW1779A and GCC (IAFW-2249) with Schedule 'A' (list of items of work) to be priced by contractor. The contractor is required to quote rates against items of schedule 'A'.
7	Timeline details	
	(a) Bid Submission start date	:
	(b) Bid submission end date	: Refer critical dates on the website
	(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(ii)' 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	: (i) Contractor not enlisted with MES should meet the enlistment criteria of 'D' Class & 'a(ii)' category contractor 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) attached as Annexure to this tender documents. Para 1.4 & 1.5 of Section 1 of MES Manual of Contracts 2020 is enclosed as Appx 'A'. (ii) Not carrying adverse remarks in Work Load Return (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.

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)								
			(iv) Details of work completed and under progress in MES be submitted in the following format:-					
			Srl No	CA No & Name of work	Value of CA	Date of Commencement	Date of Completion	Extended date of Completion
			(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 participating in the tender unless until the firm is enlisted with the MES.					
9	Tender Issuing and Accepting Officer	:	Name: Lt Col Anand Tripathi Address: Garrison Engineer (U-II) Military Engineer Services 104 Area Industrial Estate Post Visakhapatnam – 530 007 Contact Details:0891-2717151 E-mail: u2viz4-mes@nic.in					
10	Executing Agency	:	GE (U-II) Visakhapatnam					
11	Earnest money.	:	Rs 96,000/- in favour of GE (U-II) Visakhapatnam payable at Visakhapatnam 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 fulfilment 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 up gradation 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 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 I, 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 on Contracts. Therefore such contractors shall upload the requisite information/documents in the Cover-I.

3. Un-enlisted 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 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) 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.
 - (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 contract 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 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 I 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 un-enlisted 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 in their name as Proprietor/Partner/Director.**

9. After opening of Cover I 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.

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 the Appendix. Tenderer/bidder will be informed evaluation report which shall be uploaded on the website. Such tenderer, if desires may appeal to visptm3-mes@nic.in with copy to the accepting office 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 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.

12. In case of 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-bonafied. In such cases the lowest tender shall be determined from amongst the valid/bonafied bids only. Accepting officer may decide whether to re-tender or consider the lowest bonafied 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 willful 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 the 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. Uploading of copy of Provident Fund code Number in addition to other documents required shall be mandatory for Technical Evaluation. Tenderer not in possession of this number will be disqualified in Technical Evaluation and his financial bid/ BOQ will not be opened.

16. Uploading of copy of GST registration Number.

17. Court of the place where tender has been issued/uploaded 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.

**SIGNATURE OF CONTRACTOR
DATED:**

**AGE (CONTRACTS)
FOR ACCEPTING OFFICER**

8950/ 03 /E8

Dated: 30 Oct 2023

Garrison Engineer (Utility-II),
104 Area,
Industrial Estate Post,
Visakhapatnam-530007
(☎): 0891-2717191
✉ : u2viz4-mes@nic.in