

MILITARY ENGINEER SERVICES
NOTICE INVITING 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, 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. 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/bid, in which event the tenderer/bidder 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/bid without depositing Earnest money along with the tender/bid and if the tender/bid submitted by such a tenderer/bidder 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/bid, 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/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.
5. The Office of Chief Engineer (AF) WAC Palam 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 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 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').
 - 6.3 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 bid without depositing earnest money along with the tender; but if the Accepting officer accepts the tender/bid, the contractor will be required to

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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/bid, failing which this sum will be recovered from 1st RAR payment or from the first final bill. In this case of terms/running contracts, remaining sum shall be recovered from subsequent bill(s) of the contractor.

6.4 A Contractor who has executed standing security Bond but not corresponding to the appropriate class 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/bid, failing which this sum will be recovered from the first RAR payment or from the first final bill. In 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/bid, the amount of additional security deposit shall be recovered from such payment.

6.5 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/bid was received and all documents were returned.

6.6 The GE will either return the Earnest Money to the successful tender/bidder by endorsing an authority on the deposit-at-call 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.

6.7 Copies of the drawings and other documents pertaining to the work signed for the purpose of identifications by the Accepting Officer or his accredited representative, sample of materials and stores to be supplied by the contractor will also be available for inspection by the tender/bidder at the office of Accepting Officer and concerned GE during working hours.

7. The tender/bidders are advised to visit the site of work by making prior appointment with GE who is also the Executing Agency of the work (see appendix 'A'). The tenders/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 proposes any other condition or prescription whatsoever, is liable to be rejected.

9. 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 works to be done and to 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.

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 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 Appx 'A' to this NIT. The applicant contractor/bidder will be informed regarding non-validation of his 'T' bid assigning reasons thereof through the www.defproc.gov.in. The applicant contractor/bidder if he so desires may appeal to the next higher Engineer authority viz Chief Engineer Western Command on email id ceengrcl-mes@nic.in with copy to the Accepting Officer

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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 contractors/bidder shall not be entitled for any compensation whatsoever for rejection of his bid.

12. The Accepting Officer reserves the right to accept a tender submitted by a Public Undertaking, giving a 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 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. This Notice Inviting Tender (NIT) including Appendix 'A' shall form part of the contract.

(Signature of the Contractor)
Dated: _____


Add Asst Director (Contracts)
For Accepting Officer



APPENDIX 'A' TO NOTICE INVITING e – TENDER

NIT NO: CA NO: CE WAC/HAL/T-09/2018-2019

1	Name of work	:	CERTAIN INFRASTRUCTUE REQUIREMENTS AT AF STATION HALWARA.
2	Estimated Cost of Work	:	Rs 477.74.00 Lakhs
3	Period of completion	:	18 (Eighteen) months
4	Cost of tender documents	:	Rs.2000/- in the shape of DD / Bankers cheque from any Scheduled bank in favour of GE (AF) Halwara (Copy shall be uploaded online and original to be submitted offline before due date of opening of cover No 1) payable at Halwara.
5	Website/Portal Address		www.defproc.gov.in and www.mes.gov.in
6	Type of Contract		The tender shall be based on drawings and specifications (IAFW-2159) and GCC (IAFW-2249) with BOQ/schedule 'A' (list of item of work) to be priced by the tenderer. The tenderers are required to quote rate against items of parts of BOQ/schedule 'A'
7	Information & Details		
	(a) Bid Submission start date	:	Refer critical dates shown below
	(b) Last date of bid submission	:	
	(c) Date of bid opening	:	

Notes :-

- (i) The applicant contractor shall note that the demand draft/Banker's cheque shall be in favour of **GE (AF) Halwara**. Cost of tender documents shall be non-refundable. However DD/ Banker's cheque shall be returned to the applicants whose cover No: 2 is not opened. Please note that cover No 2 (price bid) will be opened only in respect of qualified and eligible contractors who fulfills the eligibility / criteria according to their tech bid submitted in cover No 1.(applications/ technical bid)
- (ii) Uploading of bid does not constitute any guarantee for opening of price bid of tenderer. Opening of price-bid (cover No 2) of tender will be decided by the Accepting Officer based on interalia, past track record, financial position, experience of similar works executed by the applicant/contractor etc. The Accepting Officer shall receive applications (cover No 1 & price bid cover No 2) upto the last date & time of bid submission/extended date of bid submission as applicable and as mentioned below. The firm/contractor should be profit making, to ascertain this they have to upload TDS certificate of last three years. The applicant/contractor will be informed regarding non opening of cover 2 (price bid).
- (iii) No applicant/contractor shall be entitled for any compensation whatsoever for rejection of his application/non opening of cover No 2 (price bid).

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

8	<p>Eligibility Criteria</p> <p>(a) For MES enlisted contractors Class in MES, Category of enlistment :</p>	<p>They should satisfy the following criteria</p> <p>(a) Residual Capacity as in Para 8(c) (a) below</p> <p>(b) They should have enlistment in class 'A' and category (a) (i)</p> <p>(c) They should not carry adverse remarks in WLR of competent engineer authority.</p>
	(b) For Other contractors	<p>(a) The firms not listed with MES shall meet enlistment criteria of 'A' class and 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. Enlistment criteria may be seen in para 1.4 os section I of Part I of MES Manual of Contracts-2007 (Reprint-2012) as available in all MES formations</p> <p>(b) These firms shall also submit copy of police verification from police authorities of the area where the registered office of the firm is located/notarized copy of valid Passport of proprietor/each partner/each director.</p> <p>(c) They should not carry any adverse remarks in WLR/or any other similar report of any authority.</p>
	(c) For all contractors	<p>(a) Contractors 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 of proprietor/partner/director and firm's own employees, Director, Project Manager. This shall be subject to certain conditions which will be prescribed in the NOT forming part of tender documents</p>
9	Tender Issuing and Accepting Officer	HQ CE (AF) WAC Palam
10	Executing Agency	CWE (AF) Halwara & GE (AF) Halwara
11	Earnest Money	Rs 553000.00 in form of DD/ Banker's cheque from any Scheduled/Nationalized bank in favour of GE (AF) Halwara

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

CRITICAL DATES			
Publishing date and time of tender documents	:		27 Dec 2018 at 1800 hrs
Starting date & time of tender documents downloading	:		27 Dec 2018 at 1800 hrs
Clarification start date & time	:		27 Dec 2018 at 1800 hrs
Clarification end date & time	:		10 Jan 2019 at 1500 hrs
Starting date and time of bid submission(Cover No1& 2)	:		18 Jan 2019 at 1800 hrs
Bid documents download end date & time	:		23 Jan 2019 at 1800 hrs
Closing date and time of bid submission(Cover No 1 & 2)	:		23 Jan 2019 at 1800 hrs
Date and time of bid opening (Cover No 1)	:		24 Jan 2019 at 1500 hrs
Date and time of bid opening (Cover No 2)	:		Will be intimated online after completion of evaluation of tech bid/application (cover No 1)

Notes:-

(a) The contractor enlisted up to **one class below the eligible class** may also apply/bid. Application/bids from one class below eligible applicants may be considered in the event of inadequate responses/bids(**less than seven**) from the applicants of eligible class. Applications from **two classes below eligible** class contractors may also be considered in the event of inadequate response from the applicants of eligible class and one class below eligible class taken together (**less than seven**) provided their past performance has been satisfactory in the opinion of Accepting officer.

(b) Two class below eligible class applicants will only be considered with the prior approval of Next Engineer Authority in the event of inadequate response brought out in Note (a) above and their past performance is satisfactory.

(c) The contractors enlisted in one/two class below eligible class shall submit the documents such as details of three highest value similar nature works executed during last 03 years, solvency and working capital certificates, annual turnover certificate for last five years, affidavit for possession of movable and immovable properties in the manner prescribed for unenlisted contractors hereinafter in support of their capability to execute the subject work.

(d) Contractors enlisted with MES will upload following documents (scanned copy in pdf format) for checking eligibility:

(i) Application for the tender on Tenderer's letter head. In this, the contractor should explain with calculation details supported with documentary evidence as to how he is qualifying for this tender in terms of condition given in para 8(a)(a) above. Tenderer/bidder to note that if they do not submit their calculation details and/or supporting documents correctly, than Deptt will make calculation. If the firm does not qualify as a result of Deptt calculation, then bidder will be responsible for the same. This is notwithstanding the fact that Deptt will check the details and calculation also in respect of the contractors who have given the calculations

(ii) Enlistment Letter

(iii) DD toward cost of tender

(iv) Working detail of residual capacity which shall include:

(aa) Copy of turnover certificate from CA for last 5(five) years (FY), notarized copy of relevant pages of balance sheet of those FYs showing the turnover (gross receipts)

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(ab) List of works in hand for contracts with government department & private works, completed value thereof and residual work to be completed during completion period of subject work in a self-explanatory tabular form. This shall be submitted duly signed by proprietor/all partners/authorized director of Pvt/Public Ltd as applicable.

(ac) Affidavit on non-judicial stamp paper of Rs 100 (minimum) in the form of hard copy declaring their turnover for last 5 (five) years and the value of contracts in hand in Government department & private and details of works

completed and residual work to be completed. Hard copy of these documents will be submitted within 05 days of the last date & time of opening of 'T'bid.

(e) Contractors not enlisted with MES will be required to upload the following:

(i) Application for the tender: In this the contractor should explain with calculation details supported with documentary evidence, how he is qualifying for this tender in terms of conditions given in para 8(a)(a) above.

Tenderer/bidder to note that if they do not submit their calculation details and/or supporting documents correctly, than Deptt will make calculation. If the firm does not qualify as a result of Deptt calculation, then bidder will be responsible for the same. This is notwithstanding the fact that Deptt will check the details and calculation also in respect of the contractors who have given the calculations

(ii) Necessary documents to prove their eligibility for enlistment in required 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 of MES Manual on contracts 2007 (Reprint 2012). The work experience shall include 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/authorized 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.

The documents will also include the following amongst others:

(aa) Solvency certificate and working capital certificate issued by scheduled bank.

(ab) Affidavits for possession of movable & immovable properties by proprietor/partner owning the immovable property 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 In case of limited company, the immovable property is required to be in the name of the company

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

(iv) Documents in support of residual capacity which shall include:

(aa) Copy of turnover certificate from CA for last 5(five) years (FY), notarized copy of relevant pages of balance sheet of those FYs showing the turnover (gross receipts)

(ab) List of works in hand for contracts with government department & private works, completed value thereof and residual work to be completed during completion period of subject work in a self-explanatory tabular form. This shall be submitted duly signed by proprietor/all partners/authorized director of Pvt/Public Ltd as applicable.

(ac) Affidavit on non-judicial stamp paper of Rs 100 (minimum) in the form of hard copy declaring their turnover for last 5 (five) years and the value of contracts in hand in Government department & private and details of works completed and residual work to be completed. Hard copy of these documents will be submitted within 05 days of the last date & time of opening of 'T'bid.

f) (i) Applications/bids not accompanied by scanned copies of requisite value 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.

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

(ii) Tenderers/bidders to note that they should ensure that their original DDs and earnest money (as applicable) are received within 10 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, finance bids will be opened. However non-submission of physical copies of cost of tender shall be considered as willful negligence of the bidder with ulterior motives and such bidder shall be banned from bidding for a six months commencing from the date of opening of finance bid.

(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 contractor 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.

(v) In case of applications/bids (enlisted contractor as well as un-enlisted 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.

(g) In case of rejection of technical/prequalification bid, contractor may appeal to next higher Engineer authority i.e. CE WC on email 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.

(h) Court of 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.

83283/HAL / /E8

CE (AF) WAC Palam
Palam, Delhi Cantt-110010

Dated: 2018


AAD (Contracts)
for Accepting Officer