

MILITARY ENGINEER SERVICESAPPENDIX 'A' TO NOTICE OF TENDER (NIT) (E-Tenders)

1. Name of work : **CERTAIN MISCELLANEOUS B/R AND E/M REPAIRS TO ADMN BUILDINGS, OFFICERS MESS AND CERTAIN OTM ACCOMMODATION IN NORTH ZONE UNDER GE (NORTH) BINNAGURI**
2. Estimated cost of work : **Rs. 35.00 Lakh (At Market rate).**
3. Period of completion : **270 days**
4. Cost of tender documents : **Rs. 500/- in the shape of DD/Bankers cheque from any schedule Bank in favour of GE (North) Binnaguri and payable at Binnaguri Cantonment.**
5. Website/portal address : **https://defproc.gov.in and www.mes.gov.in**
6. Type of contract : **The tender shall be based on item rate contract (IAFW-2249) with sch 'A' (BOQ) to be priced by the tenderer (IAFW-1779A) and GCC (IAFW-2249).**
7. Information & Details :-
 - (a) Bid published date : **As Per Tender**
 - (b) Bid submission start date : **As Per Tender**
 - (c) Bid submission end date : **As Per Tender**
 - (d) Date of bid opening : **As Per Tender**
8. Eligibility Criteria :-
 - (a) For MES enlisted contractors :
 - (i) All contractors enlisted with MES in **Class 'D'** and above and **Category a (i)** subject to the remarks w.r.t performance in respect of Wks in hand reflected in Workload return (WLR) circulated by competent authority. Refer notes below :-
 - (ii) The firms not enlisted with MES shall meet the enlistment criteria of **'D' Class MES Contractors 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-2020 as available in all MES Formations as well as MES website (www.mes.gov.in).
 - (iii) These firms shall also submit copy of police verification from 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.
 - (iv) Firm should not carry adverse remarks in WLR or any other similar report of any authority.
 - (v) Not suspended/debarred/blacklisted from participating in any bid or for business dealings by any Central/State Government as on the bid submission end date.
 - (b) For contractors not enlisted with MES :
 - (i) 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, Project Manager. This shall be subject to certain conditions which will be prescribed in the NIT forming part of the tender documents.
 - (c) For All Contractors :
 - (i) Defect liability period of this work is 12 calendar months after wk handed over to Government.
9. Defect liability period : **Defect liability period of this work is 12 calendar months after wk handed over to Government.**
10. Tender issuing and Accepting Officer : **GE (North) Binnaguri**
11. Executing agency : **GE (North) Binnaguri**
12. Earnest Money : **Rs. 70,000.00 in favour of GE (North) Binnaguri**
13. Performance security : **An amount equal to 5% of the contract sum in the prescribed form of Bank Guarantee or in the form of Government Securities, FDR issued by Nationalized/ Scheduled Indian Bank of any other Government Institutes stipulated by the Accepting Officer.**
14. Name, Gov mail ID and Phone Number of GE : **Shri Amit Surendra Sakhare, IDSE, EE, nbinasz4-mes@nic.in, 03563259370**

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- 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 below the eligible shall be also be considered subject to fulfillment of other eligibility criteria given in the NIT. Therefore MES contractors one class below may also bid for this tender. Such contractors (contractors of one class 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 (solveny/ 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 i.e. Garrison Engineer (North) Binnaguri 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 (solveny/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-1.
 3. Un-enlisted contractor shall be considered provided their firm 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 (as applicable).
 - (d) Scanned copy of Provident Fund Code Number letter.
 - (e) Scanned copy of GST Registration Certificate.
 - (f) Any other documents required as described in this Appendix and Table No 1.
 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 (as applicable).
 - (c) Scanned copy of Provident Fund Code Number.
 - (d) Scanned copy of GST Registration Certificate.
 - (e) 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.
 - (f) All documents required for enlistment in MES for the class mentioned in Para 8(b) above and as per Para 1.5 of Section 1 of MES Manual on Contract 2020.
 - (g) Details of works being executed in MES, if any.
 - (h) Any other documents 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 in 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 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 un-enlisted 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.

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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 CWE Binnaguri on email binna3_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 enlisted 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-I 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/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 willful default. For this default a penalty of an amount equal to Earnest Money shall be levied. In case of an un-enlisted 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 restored 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. GST Registration Number: The contractor shall be in possession of GST Registration Number. It is mandatory for the contractors to upload their GST Registration Number along with the 'T' Bid. This will be one of the criteria for qualifying in 'T' Bid. Contractor, who does not upload GST Registration Number, shall be disqualified in the 'T' Bid evaluation and his Finance Bid i.e. Cover 2 shall not be opened.
16. Tenderer shall note that Court of the Place from where tender has been published 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.
17. Tenderer to quote the unit rate against each item of BOQ. Bidder shall note that similar items of work catered in different parts/places, the quoted rates must be same.
18. **Requirement of Engineering establishment :** The bidder must have (a) One graduate Engineer from a Government recognized institution with minimum experience of 2 years and (b) One diploma Engineers from Government recognized institution with minimum experience of 4 years, at the time execution/supervision of the work.

Dated : 22 Sep 2023

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 AGE (Contracts)
 for Accepting Officer

VETTED BY



(IFA (MES), Binnaguri)

Dated : 25/11/ 2023