

MILITARY ENGINEER SERVICES
NOTICE INVITING TENDER

1. A tender is invited for the works 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. If the work costs more or less, the tenderer will have no claim on this account. The tender shall be based on as mentioned in aforesaid Appendix -'A'.
3. The work is to be completed as per 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 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 in category 'SS' to 'E' may tender/bid. In case where the tender amount is in excess of the financial category 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 terms of conditions of contract.
Contractors whose names are on the MES approved list of any MES formation and who have deposited standing security deposit 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 tenderer/bidder is accepted, the contractor will be required to lodge with the Controller of Defence Account 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 case of term/running contracts, remaining sum shall be recovered from the 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/bids of both parties liable to rejection.
5. The Chief Engineer (A/F) WAC Palam will be the Accepting Officer here-in-after referred to as such for the purpose of this contract.
- 5.3. Submission of the tender/ bid by the tenderer/ bidder does not constitute any guarantee for his eligibility for financial parts of the tender/ bid, even of enlisted contractors of appropriate class. The tenderer/ bidder shall not become automatically entitled for his eligibility for financial parts of the tender/ bid by virtue of enclosing copy of demand draft along with the tender/ bid. The Accepting officer shall reserve the right to deny eligibility of any tenderer/ bidder for financial part of the tender/ bid. Firms to be considered eligible for the financial parts of the tender/ bid will be decided by the Accepting officer based interalia on past track record, financial position and experience of similar works executed by the tenderer/ bidder and eligibility criteria as mentioned in the tender/ bid. The Accepting officer shall consider tenders/ bids received up to date of submission/ uploading or extended date of submission/ uploading of the tenders/ bids. The tenderer/ bidder, if so desires, may appeal to the next higher engineer authority [Chief Engineer, Western Command, Chandigarh] with copy to the Accepting officer prior to the date of opening of Cover-2 of the tender/ bid. The decision of the next higher engineer authority shall be final and binding. No tenderer/ bidder shall be entitled for any compensation whatsoever on rejection of his financial bid.

NOTICE INVITING TENDER (Contd/...)

6. The Technical Bid and Financial Bid (Cover -1 & Cover-2) shall be uploaded by tenderer/bidder on or before the date & time mentioned in NIT. A Scanned copy of DD with enlistment details/documents shall be uploaded as packet1/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 eprocuremes.gov.in/eprocure.gov.in for download and shall form part of contract agreement in case tender/bid is accepted.
- 6.2 In case of a contractor who has not executed the Standing Security Bond, 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 concerned CCE/GE/GE(I)/AGE(I) (See Appendix A) by a scheduled bank or in receipted treasury Challan the amount being deposited to the revenue deposit of the concerned CCE/GE/GE(I)/AGE(I) (See Appx 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 lodge with the Controller of Defence Accounts concerned, Individual Security Deposit within thirty days of the receipt by him of notification of acceptance of his tender, failing which this sum shall be recovered from the 1st RAR payment or from the first final bill. In the case of Term/ Running Contracts, remaining sum shall be recovered from the 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 the notification of acceptance of his tender/bid, failing which this sum shall be recovered from the 1st RAR payment or from the first final bill. In the case of Term/ Running Contracts, remaining sum shall be recovered from the subsequent bill(s) of the contractor. However, in cases, 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 payments.
- 6.5 The CCE/GE(I)/GE/AGE(I) 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 CCE/GE(I)/GE/AGE(I) will either 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 security deposit or will retain the same in part or full on account of security deposit if such transaction is feasible.
- 6.7 Copies of the drawings and the other documents 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 will also be available for the inspection by tenderer/bidder at the office of Accepting Officer and concerned GE(I)/GE/AGE(I) during working hours.

NOTICE INVITING TENDER (Contd/...)

7. The tenderers/bidders are advised to visit site of work by making prior appointment with GE/GE(I)/AGE(I)/CCE/ Project Manager who is also the Executing Agency of the work (see Appendix A). Tenderers/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 specifications of work to be done and of the conditions and the 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. The tenderers/bidders must be in possession of MES standard schedule of rates (see Appendix A') including amendments and errata thereto.
11. Invitation of 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. The Accepting officer reserves the right to reject the 'T' Bid and not open finance bid of any applicant/bidder. T Bid validation shall be decided by the Accepting officer based on, inter alia, capability of their firm as per criteria given in Appendix 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 website. The applicant contractor/bidder if he so desires may appeal to the next higher engineer authority viz {Chief Engineer, Western Command, Chandigarh} on email id 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 shall be final and binding. The contractor tenderer/ bidder shall not be entitled for any compensation whatsoever on rejection of his bid.
12. The Accepting Officer reserves his 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. The 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 CONTRACTOR)
DATE : _____

**AAD (CONTRACTS)
FOR ACCEPTING OFFICER**

APPENDIX 'A' TO NOTICE INVITING e – TENDER

1	Name of work	:	PROVN OF AIRCONDITIONING FOR WSA's AND STORAGE BUILDING AT AF STN HALWARA
2	Estimated Cost of Work	:	Rs 120.29 Lakhs
3	Period of completion	:	08 (Eight) Months
4	Cost of tender documents	:	Rs 1000/- 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
6	Type of Contract		Item rate based on IAFW 1779-A. Rates to be quoted by the tenderers.
7	Information & Details		
	(a) Bid Submission start date (b) Last date of bid submission (c) Date of bid opening	:	Refer critical dates shown below
<p>Note : -</p> <p>(i) The applicant contractor shall note that the demand draft/Banker's cheque shall be in favour of 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)</p> <p>(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).</p> <p>(iii) No applicant/contractor shall be entitled for any compensation whatsoever for rejection of his application/non opening of cover No 2 (price bid).</p>			
8	Eligibility Criteria (a) For MES enlisted contractors Class in MES, Category of enlistment	:	(a) All contractors enlisted with MES in class 'B' and above and category (c) (i) subject to the remarks w.r.t performance in respect of Works in hand reflected in work load return (WLR) circulated by competent engineer authority.

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

	(b) For Other contractors	<p>(a) The firms not listed with MES shall meet enlistment criteria of 'B' class MES contractors and category (c)(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 may be seen in para 1.4 and 1.5 of 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) Firm should not carry adverse remarks in WLR/or any other similar report of any authority.</p>
	(c) For all contractors	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.
9	Tender Issuing and Accepting Officer	HQ CE (AF) WAC Palam
10	Executing Agency	GE (AF) HALWARA
11	Earnest Money	Rs 1,95,290.00 in form of DD/ Banker's cheque from any Scheduled/Nationalized bank in favour of GE (AF) HALWARA

CRITICAL DATES

Para 7 & 8	Publishing date and time of tender documents	:	08 Jan 2019 up to 1800 hrs
	Starting date & time of tender documents downloading	:	08 Jan 2019 up to 1830 hrs
	Clarification start date & time	:	12 Jan 2019 up to 1100 hrs
	Clarification end date & time	:	22 Jan 2019 up to 1700 hrs
	Starting date and time of bid submission(Cover No 1 & 2)	:	30 Jan 2019 up to 1800 hrs

Contd...

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

	Bid documents download end date & time	:	04 Feb 2019 up to 1800 hrs
	Closing date and time of bid submission(Cover No 1 & 2)	:	04 Feb 2019 up to 1800 hrs
	Date and time of bid opening (Cover No 1)	:	05 Feb 2019 up to 1600 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) Contractor one class below may also bid for this tender. Their application shall be considered subjected to fulfillment of other eligibility criteria given in NIT when number of applicants of eligible class qualifying for the tender are less than 07(seven).
- (b) In case number of eligible class contractors satisfying the eligibility criteria give in NIT are 7 or more than 7, application of one class below the eligible class shall not be considered except those who have previously completed similar works satisfactorily and are meeting the criteria of upgradation in respect of past experience and/or average annual turnover 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 on class below the eligible class may upload necessary documents wrt works experience and financial soundness in cover 1 of tender (T bid)
- (c) (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.
- (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, their 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 (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 contractor alongwith 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 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 (cover 2).
- (vi) Contractor shall upload copy of Goods and Service Tax (GST) no of their company. In case of failure to submit GST no, the firm shall be disqualified in technical bid evaluation.
- (vii) In case tenderers upload quotation in pre-revised BOQ, the same shall be considered as a willful negligence by the bidder and their quotation shall be considered Non-bonafide.

Contd...

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

- (viii) Before releasing the Work Order after Acceptance of tender, Contractor shall ensure that they have Provident Fund Code number, if applicable and shall also ensure compliance of EPF & MP Act, 1952
- (d) Contractors may note they shall not be loaded beyond their tendering limit as under:-
- (i) In case contractors of eligible class are selected for issues of tender : 4 to 5 times the tendering limit
 - (ii) In case of one class contractors are selected for issue of tender: 6 to 7 times.
 - (iii) In case of un-enlisted contractors: 2 time 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 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 contractor shall not have any claim on the same.
- (f) 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)
 - (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 5 days of the last date & time of opening of 'T'bid.
 - (v) GST Enrolment Letter
 - (vi) EPF Enrolment Letter
- (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:

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

- (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) 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/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.
- (iii) 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
- (iv) Solvency certificate and working capital certificate issued by scheduled bank.
- (v) Scanned copy of DD toward cost of tender and earnest money.
- (vi) Documents in support of residual capacity which shall include:
(aa) Annual turnover certificate for last 2 years issued by chartered Accountant along with relevant pages of audited balance sheets in supports thereof.
(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 2 (two) 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 5 days of the last date & time of opening of 'T'bid.
- (h) 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.

APPENDIX 'A' TO NOTICE INVITING e - TENDER (Condt.../*)

- (i) 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

83286/HAL/ /E8

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

AAD (CONTRACTS)
FOR ACCEPTING OFFICER

Dated : Jan 2019

Annex 'I' (contd...)

FORM OF SOLVENCY CERTIFICATE FROM NATIONALISED/SCHEDULED BANK

This is certified that to the best of our knowledge and information M/s / Shri / Smt _____ having address _____, a customer of our bank are/ is respectable and can be considered solvent up to Rs _____ (Rupees _____)/ Financially sound for any engagement up to Rs _____ (Rupees _____). This certificate is issued without any guarantee or responsibility on the bank or any of the officers.

(Signature)

Name, Designation and Personal Code No of
Signatory & Seal of bank with bank address and Code no.

Note: In case of partnership firm, certificate to include names of all partners as recorded with the bank

**FORM OF WORKING CAPITAL CERTIFICATE FROM
NATIONALISED/ SCHEDULED BANK**

This is certified that M/s / Shri / Smt _____ having address _____ have/has been maintaining a saving bank account/ current account/ fixed deposit account with this branch of bank since _____ and the firm is having working capital of approximately Rs _____ and/ or the firm is enjoying overdraft/ credit facilities up to limit of Rs _____. This certificate is issued without any guarantee or responsibility on the bank of any or the officers.

(Signature)

Name, Designation and Personal Code No of
Signatory & Seal of bank with bank address and Code no

DETAILS OF WORKS EXECUTED DURING LAST 05 YEARS

Ser No	CA No and Name of Work	Address of Accepting Officer	Amount of CA	Final amount of Work	Date of Completion	Extension granted if any	Remarks
1	2	3	4	5	6	7	8

Contd...