

(APPENDIX 'A' TO NOTICE INVITING TENDER CONTD...)

9	निविदा जारी व स्वीकार करने वाला अधिकारी / Tender issuing and Accepting Officer	Chief Engineer Shillong Zone, Military Engineer Services, SE Falls, Shillong, Meghalaya-793011 Tele :72-6733(Mil)/0364-2534846 Fax :0364-2537640 E-Mail: ceshiz-ec-army@nic.in
10.	निष्पादन एजेंसी / Executing Agency	GE JORHAT
11.	अग्रिम राशि / Earnest Money	₹ 6,28,000.00 in favour of GE JORHAT payable at JORHAT

नोट /Notes:-

- Contractor enlisted **upto two class below** the **eligible class** may also bid for this tender. Their application shall be considered subject to fulfillment of other eligibility criteria given in NIT when number of applicants of **eligible class** qualifying for the tender are less than 7 (seven).
- In case number of **eligible class** contractors satisfying the eligibility criteria given 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 up-gradation 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 **one class below** the eligible class may upload necessary documents w.r.t. works experience and financial soundness in **Cover 1 of tender (T bid)**.
- 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 bids will not be opened.
- Contractors should ensure that their original DD's and earnest money (as applicable) are received **within 05 (five) days** of bid submission end date.
- 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 period of six months, commencing from the date of opening of finance bid (Cover 2).
- 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 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).
- 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)**.
- Un-enlisted contractors** may note that they shall not be loaded 2 times the upper tendering limit of class for which contractor meets the criteria for enlistment.
- In case any deficiency is noticed, in the documents required to be uploaded by the 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 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.
- In the technical bid, a scanned copy of Power of Attorney in favour of the person uploading the bid using his/her DSC shall be uploaded. In case the digital signatory himself is the sole proprietor, scanned copy of affidavit on stamp paper of appropriate value to this effect stating that he has authority to bind the firm in all matters pertaining to contract including the Arbitration Clause, shall be attached in 'pdf' form. In case of partnership concern or a limited company, digital signatory of the bid/tender shall ensure that he is competent to bind the contractor (through partnership deed, general power of attorney or Memorandum and Articles of Association of the Company) in all the matters pertaining to the contracts with Union of India including arbitration clause. A scanned copy of the documents confirming of such authority shall be attached with the tender/bid in 'pdf' form, if not submitted earlier. The person uploading the bid on behalf of another partner(s) or on behalf of a firm or company using his DSC shall upload with the tender/bid a scanned copy (in 'pdf' form) of Power of Attorney duly executed in his

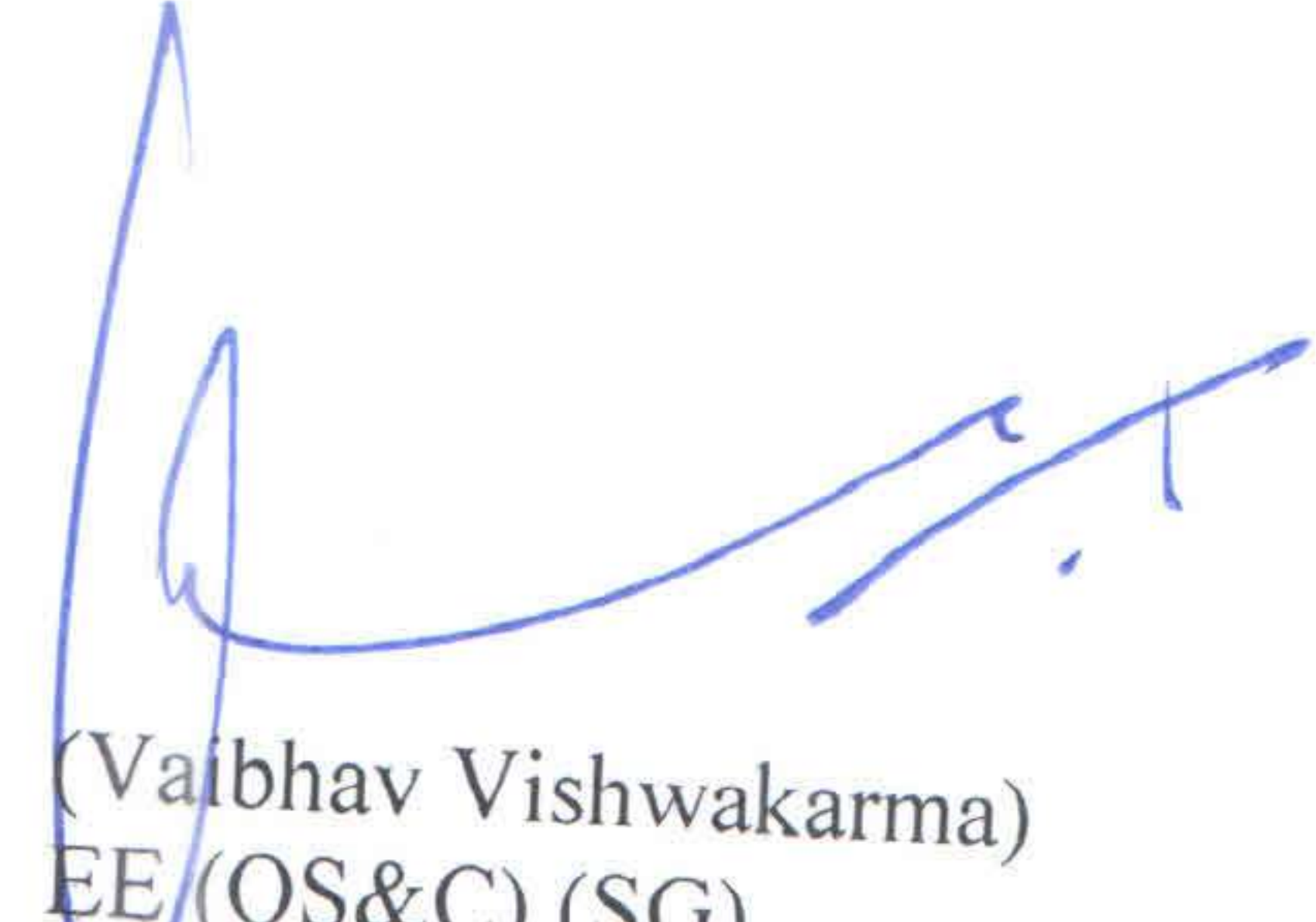
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- favour by such other or all of the Partner(s) or in accordance with constitution of the company in case of company, stating that he has authority to bind such other person of the firm or the company, as the case may be, in all matters pertaining to the contract including Arbitration Clause.
11. Even in case of Firms or Companies which have already given Power of Attorney to an individual authorizing him to sign tender in pursuance of which bids are being uploaded by such person as a routine, fresh Power of Attorney duly executed in his favour stating specifically that the said person has authority to bind such partners of the Firm, or the Company as the case may be, including the condition relating to Arbitration Clause, should be uploaded in 'pdf' form along with the tender/bid; unless such authority has already been given to him by the Firm or the Company. It shall be ensured that power of attorney shall be executed in accordance with the constitution of the company as laid down in its Memorandum & Articles of Association.
 12. The bidder/ tenderer shall also ensure compliance the **EPF & MP Act 1952** by the sub-contractor, if any engaged by the contractor for the subject work.
 13. **Contractors enlisted with MES** will upload following documents for checking eligibility:-
 - (a) Application for bid in Firm's letter head
 - (b) Enlistment letter
 - (c) Scanned copy of DD of cost of tender
 - (d) Memorandum of Understanding (MoU)
 - (e) Details of **similar nature of works executed during last seven years as detailed in 8C(i) here-in-before.**
 - (f) Works experience and financial soundness and other necessary documents as applicable as per Para 2 of Notes above for contractors **one class below the eligible class.**
 - (g) Scanned copy of **GST registration letter** along with registration number as applicable to be uploaded in cover -1 of e-bid system. **In absence of this Cover-1 shall be liable for rejection.**
 - (h) Scanned copy of **Integrity Pact (IP)** duly signed on each pages shall be uploaded in cover -1 of e-bid system. **In absence of this, Cover-1 shall be liable for rejection.**
 14. **Contractors not enlisted with MES {Un-enlisted / Joint Venture (JV)}** 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 of MES manual on contracts 2007 (reprint 2012). Following documents shall also be uploaded amongst others.
 - (a) Application for tender on tenderer's letter head.
 - (b) Details of **similar nature of works executed during last seven years as detailed in 8C(i) here-in-before or any works in MES or DG MAP or any Govt./State Services or Public sector (Govt undertaking)**, 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.
 - (c) Memorandum of Understanding (MoU) as per Para 8(B)(ii) here-in-before
 - (d) Solvency certificate and working Capital Certificate issued by scheduled bank.
 - (e) Annual turnover certificate for last 2 Years issued by Chartered Accountant along with relevant pages of audited balance sheets in support thereof.
 - (f) 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.
 - (g) Scanned copy of **GST registration letter** along with registration number as applicable to be uploaded in cover -1 of e-bid system. **In absence of this Cover-1 shall be liable for rejection.**
 - (h) Scanned copy of **Integrity Pact (IP)** duly signed on each pages shall be uploaded in cover -1 of e-bid system. **In absence of this, Cover-1 shall be liable for rejection.**
 - (i) Scanned copy of DD of cost of tender and earnest money.
 - (j) **Joint Venture (JV) firm** shall upload Joint Venture Agreement duly affidavit on non judicial stamp of appropriate value in cover -1 of e-bid system. **In absence of this Cover-1**

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shall be liable for rejection. The provisions of Joint Venture (JV) including format for JV agreement has been specified in Annexure – II of Appendix 'A' to NIT

15. **Performance Security** : Please refer condition 19 of IAFW-2249 (As amended under amendment No 47 to IAFW- 2249).
16. All disputes arising out of or in respect of this tender before acceptance shall be decided by Court of appropriate jurisdiction at **Shillong** only. After acceptance of tender, Condition 72 (Jurisdiction of Courts) of IAFW – 2249 shall be applicable.
17. In case of rejection of technical/prequalification bid, contractor may appeal to Next Higher Engineer authority i.e. HQ CE Eastern Command on email cengrkl-mes@nic.in or itdgcontcengrkl-mes@nic.in 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.


(Vaibhav Vishwakarma)
EE/(QS&C) (SG)
Offg Dir (Contracts)
For Accepting Officer

89649/JOR/ 10 /E-8 दिनांक/Dated 19 Jun 2020

मुख्यालय मुख्य अभियन्ता
HQ Chief Engineer
शिलांग आंचल
Shillong Zone
एस. ई. फाल्स
Spread Eagle Falls
शिलांग-७६३०११
Shillong-793011

CA NO: CESZ/JOR/13 OF 2020-2021

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Annexure – I to
Appendix 'A' to NIT

INTEGRITY PACT

Tele :72-6733(Mil)/0364-2534846
Fax :0364-2537640
E-Mail: ceshiz-ec-army@nic.in

मुख्यालय मुख्य अभियन्ता
HQ Chief Engineer
शिलाँग आंचल
Shillong Zone
एस. ई. फाल्स
Spread Eagle Falls
शिलाँग-७६३०११
Shillong-793011

89649/JOR/ 49 /E8

19 Jun 2020

To

**SUB : TENDER ID NO. 2020_MES_1 FOR THE WORK PROVN OF 1 MW
SOLAR POWER PLANT ALONGWITH ALLIED INFRA AT JORHAT
UNDER GE JORHAT (CA NO : CESZ/JOR/13 OF 2020-2021)**

Dear Sir(s),

1. It is hereby declared that MES is committed to follow the principle of transparency, equity and competitiveness in public procurement.
2. The subject Notice Inviting Tender (NIT) is an invitation to offer made on the condition that the Bidder will sign the Integrity Pact, which is an integral part of tender / bid documents, failing which the tenderer / bidder will stand disqualified from the tendering process and the bid of the bidder would be summarily rejected.
3. This declaration shall form part and parcel of the Integrity Pact and signing of the same shall be deemed as acceptance and signing of the Integrity Pact on behalf of the MES.

Yours faithfully,


Chief Engineer / Designated Officer
(Nominated by Chief Engineer)

INTEGRITY PACT

To,

मुख्यालय मुख्य अभियन्ता
HQ Chief Engineer
शिलॉंग आंचल
Shillong Zone
एस. ई. फाल्स
Spread Eagle Falls
शिलॉंग-७६३०११

**SUB : TENDER ID NO. 2020_MES_ _1 FOR THE WORK PROVN OF 1 MW
SOLAR POWER PLANT ALONGWITH ALLIED INFRA AT JORHAT
UNDER GE JORHAT (CA NO : CESZ/JOR/13 OF 2020-2021)**

Dear Sir,

1. I/We acknowledge that MES is committed to follow the Principles thereof as enumerated in the Integrity Pact enclosed with the tender/bid document.
2. I/We agree that the Notice Inviting Tender (NIT) is an invitation to offer made on the condition that I/We will sign the Integrity Pact, which is an integral part of tender documents, failing which I/We will stand disqualified from the tendering process. I/We acknowledge that **THE MAKING OF THE BID SHALL BE REGARDED AS AN UNCONDITIONAL AND ABSOLUTE ACCEPTANCE** of the conditions of the NIT.
3. I/We confirm acceptance and compliance with the Integrity Pact in letter and sprit and further agree that execution of the said Integrity Pact shall be separate and distinct from the main contract, which will come into existence when tender/bid is finally accepted by MES. I/We acknowledge and accept the validity of the Integrity Pact, which shall be in line with Para 15 of the enclosed Integrity Pact.
4. I/We acknowledge that in the event of my/our failure to sign and accept the Integrity Pact, while submitting the tender/bid, MES shall have unqualified, absolute and unfettered right to disqualify the tenderer/bidder and reject the tender/bid in accordance with terms and conditions of the tender/bid.

Yours faithfully

(Duly authorized signatory of the Bidder)