

MILITARY ENGINEER SERVICES
NOTICE INVITING TENDER (NIT)

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 it is merely given as rough guide and if the work cost more or less, a tenderer/bidder 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 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, Accepting Officer decides to accept the tender/bid, in which event the tenderer/bidder would be required to lodge performance security deposit as notified by the Accepting Officer in terms of conditions of contract. 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 HQ CWE Hills Jutogh 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/eprocure.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').

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- 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 alongwith the tender.
- 6.4 The GE will return the Earnest Money wherever applicable to all unsuccessful tenderer/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.
- 6.5 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 will also be available for inspection by the tenderer/bidder at the office of Accepting Officer and concerned GE during working hours.
7. The tenderers/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 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 specification of work to be done and of 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 financial 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 financial bid of any applicant/bidder. 'T' bid validation shall be decided by the Accepting Officer based on, interalia, capability of the 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 eprocuremes website. The applicant contractor/bidder if he so desires may appeal to the next higher Engineer authority viz HQ CE Chandigarh Zone on email id cezc2-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

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binding. The contractor/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 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. This **Notice Inviting tender (NIT)** including Appendix 'A' shall form part of the contract.

Signature of Contractor
Dated:

EE (QS & C)
DCWE (Contracts)
For Accepting Officer

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)

1	Name of work	PROVN OF GRID CONNECTED SOLAR POWER PLANT OF CAPACITY 50 KW AT PRITHI MIL STN (AVERIPATTI) UNDER GE 863 EWS
2	Estimated Cost	Rs. 41.00 Lakhs (As per Market)
3	Period of completion	180 days
4	Cost of tender documents	Rs. 500.00 in the shape of DD / Bankers cheque from any schedule Bank in favour of GARRISON ENGINEER 863 EWS payable at Jhakri
5	Website / portal address	www.defproc.gov.in and www.mes.gov.in
6	Type of contract	Item rate contract for works by measurement based on IAFW-1779 A & IAFW-2249
7	Information & Details	
	(a) Bid submission start date	01 June 2021
	(b) Last date of bid submission	08 June 2021
	(c) Date of bid opening	11 June 2021
8	Eligibility criteria	
	(A) For MES enlisted Contractors	(i) The contractor should be enlisted in class 'D' (ii) The contractor should have MoU with Solar Power firms of rating 1A/ 1B/1C/2A/2B/2C given by CRISIL / CARE/ FITCH/ ICRA/ SMERA/ Brick Work Rating India Pvt Ltd and having experience as given at (C) (i) below. (iii) Enlisted contractors who are either having above mentioned solar rating themselves fulfilling the criteria laid down here in below or meeting the criteria laid down for unenlisted contractors shall also be considered eligible.
	(B) For unenlisted contractors	(i) The contractor should meet the enlistment criteria of class 'D' with regard to annual turnover, financial criteria (solvency, working capital) satisfactory completion of similar works and other requirements as per details given in Para 1.4 & 1.5 of section 1 of Manual on Contracts 2020. (ii) Contractor should have MOU with Solar Power firms of Rating 1A/ 1B/1C/2A/2B/2C given by CRISIL / CARE/ FITCH/ ICRA/ SMERA/ Brick Works Rating India Pvt Ltd and having experience as given at (C) (i) below. However, requirement of MoU is exempted for contractors who themselves are having requisite rating by rating agency mentioned here-in -before.

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT) (contd...)

	(C) For All Contractors	(i) The contractor should have experience of having successfully completed & commissioned solar power plants in government department / PSU during last seven years ending last day of month previous to the month of bid submission start date, should be either of the following:- (aa) One work of capacity not less than 80% of capacity specified in NIT. or (ab) Two works of capacity not less than 50% of capacity specified in NIT or (ac) Three works of capacity not less than 40 % of capacity specified in the NIT	
9	Tender issuing and Accepting Officer	CWE Shimla Hills Jutogh	
10	Executing agency	GE 863 EWS	
11	Earnest Money	Rs. 82020/- in favour of Garrison Engineer 863 EWS payable at Jhakri	
12	Contact details of tender inviting authority and officials of contract section	Shri Rajiv Garg, IDSE CE (NFU) Commander Works Engineer Telephone No. 0177-2920128 Email Id : hlsshm3-mes@nic.in	Shri S P Singh EE(QS&C) DCWE (Contracts) Telephone No. 0177-2920152 Email Id : hlsshm3-mes@nic.in

NOTES: -

1. After opening of Cover 1, if 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 less than 7(Seven), applications in respect of contractors 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 contractors one class below (two classes below in case of remote and difficult areas) may also bid for this tender. However contractors of one/two classes below the eligible class shall not be considered in case their present residual work in hand is more than twice their present tendering limit. Such bidders shall upload in their Cover-1 bid 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. 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 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

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

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. Unenlisted 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 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.
- (d) Bid Securing Declaration
- (e) Uploading of GST Regn Number.
- (f) Scanned Copy of EPFO No.
- (g) Format for joint bidding agreement for joint venture as per Appendix 'E' here-in-after, if applicable.
- (h) 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 I of MES Manual on Contracts 2020.
- (e) Details of works being executed in MES, if any.

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

- (f) Bid Securing Declaration
 - (g) Uploading of GST Regn Number.
 - (h) Scanned Copy of EPFO No.
 - (j) Format for joint bidding agreement for joint venture as per Appendix 'E' here-in-after, if applicable.
 - (k) 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 07 (Seven) 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 unenlisted 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.**

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

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 tenders 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 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 CE CZ, Chandigarh** on email cezc2-mes@nic.in with copy to the Accepting Officer on e-mail 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 tender/bidder shall not be entitled for any compensation whatsoever for rejection of his bid.

11. In case an unenlisted 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 the 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-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 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 this tender in second call or subsequent calls.

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

14. Tender to related firms shall not be issued simultaneously. Firms shall be termed as related if Proprietor/one or more Partners/Directions are common. Decision of Accepting Officer on issue/deny the tender to any one of the related firms shall be final and binding.

15. **Joint Venture** : Being Solar Power Work two firms may bid for the tender based on Joint Venture agreement between them. Joint venture shall not comprise more than two firms (called parties of JV). The format of agreement is at Appendix 'E'. The JV shall be considered as unenlisted contractor. The JV shall submit Earnest Money deposit and Performance Security as per instructions, if contract is awarded.

(S P Singh)
EE (QS&C)
DCWE (Contracts)
For Accepting officer

Signature of Contractor
Dated:

No. 8421/EWS-04/ 02/E8, Dated : 07 May 2021

**HQ Commander Works Engineer,
Shimla Hills, Jutogh-171008**

DISTRIBUTIONS :-

1. MES Builders Association of India, 807 Sahyog, 58 Nehru Place, New Delhi-19
2. MES Builders Association of India, Chandimandir Branch : 462, Sector 8, Panchkula-134109
3. HQ CE Chandigarh Zone, Chandigarh
4. All CsWE under CE CHD Zone_____
5. GE Kasauli/GE 863 EWS/GE Jutogh
6. Notice Board
7. Office copy

BID SECURING DECLARATION

All bidders shall be required to sign the bid securing declaration as below:-

I/We hereby understand and accept that if I/We withdraw or modify our bids during the period of validity, or if I/We are awarded the contracts and on being called upon to submit the performance security/ security deposit, fail to submit the performance security/ security deposit before the deadline defined in the request for bid documents/ Notice Inviting Tender, I/ We shall be debarred from the exemption of submitting bid security/ earnest money deposit for a period of 6 months, from the date I/ We are declared disqualified from exemption from submission of Earnest money deposit/ security deposit, for all tenders issued by MES during this period.

DCWE(Contracts)

(Signature of Contractor)