

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)

1	Name of work	<u>PROVISION OF SOLAR PHOTO VOLTAIC POWER PLANT AT AFS HAKIMPET</u>	
2	Estimated Cost	Rs.691.50 Lakh (At Par Market)	
3	Period of completion	365 days (Phase I), 730 days (Phase II)	
4	Cost of tender documents	Rs.3000/- in the shape of DD / Bankers cheque from any Scheduled Bank in favour of GE (AF) Hakimpet and payable at Hakimpet . (Note: In case of retendering, the contractor who had quoted in the previous call is not required to submit the cost of tender.)	
5	Website"/portal address	www.defproc.gov.in and www.mes.gov.in	
6.	Type of contract	The tender shall be based on IAFW-2249 and IAFW-2159 with Schedule 'A' list of items of works to be priced by the tenderers electronically (BOQ).	
7.	Timeline Details :		
	(a) Bid submission start date	24 Dec 2021	
	(b) Bid submission end date	31 Dec 2021	
	(c) Date of bid opening	01 Jan 2022	
8	Eligibility Criteria and Technical PQC criteria		
	A) For MES enlisted contractors	(i)	All contractors enlisted with MES in Class "A" and above shall be considered eligible.
		(ii)	They should not have adverse remarks in Work Load Report of Competent Engineer Authority.
		(iii)	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 Ratings India Pvt Ltd and having experience as given in 8 (C)(i) here-in-after.
		(iv)	Enlisted contractors who are either having above mentioned solar rating themselves fulfilling the criteria laid down here-in-after or meeting the criteria laid down for un-enlisted contractors shall also be considered eligible.
		(v)	Average Annual financial turnover during the last 3 years, ending 31 st March 2021 should be Rs. 208 lakhs
			Contd.,

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(B) For Un-enlisted contractors	(i)	Contractor not enlisted with MES should meet the enlistment criteria of 'A' Class contractor with regard to satisfactorily completion of requisite value works with Central/State Government/ Central/ State PSUs/ A WHO/ AFNHB/ CGEWHO / DGMAP, annual turnover, bank solvency, working capital and other requirements given in Para 1.4 & 1.5 of Section 1 of MES Manual of Contracts 2020 (Attached as Annexure) and Appx 1.3 as available in all MES formations as well as MES website (www.mes.gov.in).
	(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 Work Ratings India Pvt Ltd and having experience as given in 8(C)(i) here-in-after. However, requirement of MoU is exempted for contractors who themselves are having requisite rating by rating agency mentioned here-in-before.
	(iii)	Not carrying adverse remarks in Work Load Report (WLR) or any other similar report circulated by any competent authority, if already working in MES.
	(iv)	No recovery outstanding in Government Department.
	(v)	Meeting Engineering establishment criteria of Class "A" contractor of MES is not required.
	(vi)	They shall submit a copy of Police Verification from the Police Authority of the area where the registered office of the firm is located / Notarized copy of the valid Passport of Proprietor/each Partner/each Director.
	(vii)	Not suspended/debarred/blacklisted (either permanently or temporarily) from participating in any bid or for business dealings by any Central/State Government Department or any Central/State Government PSU or any Autonomous Body under Central/State Government or any Local Body as on the bid submission end date.
	(viii)	Average Annual financial turnover during the last 3 years, ending 31 st March 2021 should be Rs. 208 lakhs
(C) For All Contractors	(i)	Experience of having successfully completed Solar Power Plants in Government Department / PSU during last seven years ending last day of the month previous to the one in which applications are invited should be any of the following :-

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		(a) One work of capacity \geq 80% of capacity of plant specified in NIT.
		OR
		(b) Two works of capacity \geq 50% of capacity of plant specified in NIT.
		OR
		(c) Three works of capacity \geq 40% of capacity of plant specified in NIT.
		(ii) 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 of proprietor / partner / Director, Project Manager as per contract conditions.
		(iii) In a tender, the Solar power firm can either bid as direct participant / bidder or as a bidder having MOU with MES enlisted / un-enlisted contractor, but cannot bid simultaneously for the same tender as direct participant / bidder or also as a bidder having MOU with MES enlisted / un-enlisted contractor
		(iv) In case any violation of Condition at 8 (C)(iii) above is noticed, bids submitted directly by Solar power firm will be treated as invalid.
		(v) MOU between only one Solar Power firm and one MES enlisted / un-enlisted contractor, bidding for the same tender will be permitted.
9	Tender issuing Officer	Name : Shri Sheeba Jacob, Offg Dy Dir (C) Contact Detail (Phone no. & Email Id) Phone No. 080-23574027 Email Id : sheebaj297-cgo@gov.in
	Accepting Officer	CE (AF) BANGALORE Address : No. 2 , DC Area, MES Road, Yeshwanthpur Post Bangalore -560 022
10	Executing agency	GE (AF) Hakimpet.
11	Earnest Money	Rs. 6,70,750/- in favour of GE(AF) Hakimpet in the form of Deposit at call receipt, FDR not acceptable.

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 **one** class below the eligible class shall 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 works in hand is more than FIVE TIMES their present tendering limit.**

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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 (solvency/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 work 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 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 (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-1.

3. Unenlisted contractors shall be considered provided they meet 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 the 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 ID /Bankers Cheque toward cost of tender and EMD instrument in case SSD bond is not signed at the time of registration.
- (d) Any other document required as described in this Appendix.

- (e) **MOU with Solar power firm with approval letter.**
or
Solar power firm approval letter in the name of firm.

- (f) **Details of similar nature of works executed during last seven years as detailed in 8 (C)(i) here-in-before**

5. Contractors not enlisted with MES will be required to upload the 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.
- (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 1 of **MES Manual on Contracts 2020**.
- (e) Details of works being executed in MES,if any.
- (f) Any other document required as described in this Appendix.

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- (g) Details of **similar nature of works executed during last seven years as detailed in 8 (C)(i) here-in-before**, 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 / authorised 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.
- (h) **MOU with Solar power firm with approval letter.**
or
Solar power firm approval letter in the name of firm
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 15 (Fifteen) days of bid submission end date failing which the 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.**
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 thereof through tender evaluation report which shall be uploaded on the website. Such tenderer, if desires, may appeal to the Next Higher Engineer Authority (NHEA) i.e CESC Pune 411001 on email id asstdircontceengrpl- mes@nic.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 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.

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.

File No. 801520/AF/ /E8

Dated:

(Sheeba Jacob)
Offg Dy Dir (Contracts)
For Accepting Officer

Signature of Contractor
Dated: