

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 is merely given as a rough guide and if the work cost more or less, a tenderer / bidder will have no claim on that 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 contractor 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. Contractors whose names are on the MES approved list of any MES formation and who have deposited standing security 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 a tenderer/bidder is accepted, the contractor will be required to lodge with the concerned accepting officer of CA the amount of Performance Security for an amount equivalent to 3% of the contract sum in any of the forms prescribed in sub condition 19.1 of IAFW 2249 within 28 days of receipt of the Letter of Acceptance. Failure of the successful contractor to comply with the requirements of sub-condition 19.1 of IAFW-2249 shall constitute sufficient grounds for cancellation of the award of work and forfeiture of the Earnest Money. In case of MES enlisted contractor, amount equal to the Earnest Money stipulated in the Notice Inviting Tender, shall be notified to the tenderer for depositing the amount through MRO. Issue of tender to such tenderers shall remain suspended till the aforesaid amount equal to the Earnest Money is deposited in Government Treasury. 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 Commander Works Engineers (AF) GWALIOR 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 and time mentioned in NIT. A scanned copy of DD with enlistment details / documents Affidavits/Working Details of Residual Capacity Formula & Integrity Pact 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. Tenderer /Bidder shall submit DD/EMD in original & hard copies of IP, other documents/details/affidavits mentioned in Para 6 above and that in Appendix A to Notice of Tender (NIT) within 5 (Five) days of Bid submission end date.
 - 6.2. Tender form and conditions of contract and other necessary documents shall be available on eprocuremes.gov.in/eprocure.gov.in site for download and shall form part of contract agreement in case the tender/bid is accepted.

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6.3 In case the 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 CCE / GE / GE(I) / AGE (I) (see Appendix 'A' to NIT) by a scheduled Bank or in receipted treasury Challan the amount being credited to the revenue deposit of the concerned CCE / GE / GE(I) / AGE(I) (see Appendix 'A').

6.4 Contractors whose names are borne on the MES approved list of any MES formation and who have deposited 'Standing Security' and have executed 'Standing Security Bond', may also tender without depositing 'Earnest Money'. However, within 28 days of receipt of the letter of Acceptance, the successful contractor shall deliver to the Accepting Officer a Performance Security in favour of Accepting Officer for an amount equivalent to 3% of the contract sum. One tenderer/bidder or one firm of the contractors shall participate in not more than one online submission of tender. 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. Breach of this contract condition will render the tender of both parties liable to rejection..

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6.6 The CCE / GE/ GE(I) / 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.

6.7 The CCE / GE / GE(I) / AGE(I) will either return the Earnest Money to the successful tender / bidder by endorsing an authority on the deposit-at-call Receipt for tit refund on receipt of an appropriate amount of performance Security Deposit or will retain the same in part or full on account of security deposit if such a transition is feasible.

6.8 Copies of the drawings and other document pertaining to the work signed for the purpose of identification by the Accepting Officer or his accredited representatives, 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 / GE(I) /AGE(I) during working hours.

7. The tenderers / bidders are advised to visit the site of work by making prior appointment with GE / GE(I)/ AGE(I) / Project Manager 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 finance bid of any applicant / bidder, even of enlisted contractors of appropriate class, merely by virtue of enclosing DD. Accepting Officer reserves the right to

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reject the 'T' bid and subsequently not open the finance bid of any applicant / bidder. 'T' bid validation shall be decided by the Accepting Officer based on, inter alia, capability of the firm as per criteria given in Appx 'A' to this NIT. The applicant contractor / bidder will be informed regarding non-validation of his 'T' bid assigning reasons thereof through the DEFPROC.GOV.IN website. The applicant contractor / bidder if he so desires may appeal to the next higher Engineer authority i.e. HQ Chief Engineer (AF) Allahabad on email id cezafa2-mes@nic.in with a copy to the Accepting Officer on email id afmrjpr3-mes@nic.in against rejection within 05 days of uploading of 'Technical evaluation summary' before the scheduled date of opening of Financial Bid. The decision of the Next Higher Engineer Authority (NHEA) shall be final and 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

for Accepting Officer

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)

1. Commander Works Engineers (AF) Gwalior on behalf of President of India invites e-tender as per terms and condition laid down in the tender documents uploaded on MES e-procurement portal "www.defproc.gov.in" from eligible enlisted contractors of MES and enlisted/un-enlisted contractors working with other Govt Departments meeting eligibility criteria for the under mentioned work : -

1.	Name of work	<i>PROVISION OF ROOF TOP SOLAR PANEL AT OFFICERS' MESS AT AF STATION GWALIOR</i>
2.	Estimated cost	Rs.16.60 Lakh (At par Market)
3.	Period of Completion	180 Days
4.	Cost of tender documents	Rs. 500.00 in the shape of DD/Bankers Cheque from any Scheduled Bank in favour of Garrison Engineer (AF) Adm Area Gwalior and payable at Gwalior. (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
6.	Type of Contract	The tender shall be based on IAFW-1779 A (Revised 1955) and General Conditions of the Contracts (GCC), with schedule "A" (List of items of work) to be priced by tenderer. The tenderers is required to quote rates against items of other parts in Schedule 'A' {BOQ/Price bid}.
7.	Time line details:	
	(a) Bid Submission start date	Refer critical dates on the website.
	(b) Bid submission end date	
	(c) Date of bid opening	
8.	Eligibility criteria	
	(A) For MES enlisted contractors	(a) Contractors shall be enlisted with MES in Class 'E' and above & category "b(ii)"subject to satisfactory remarks wrt performance in respect of works in hand as reflected in Work Load Return (WLR) or any other report circulated by competent engineer authority. (b) Contractor shall have MoU with solar power firms of rating 1A/1B/1C/2A/2B/2C given by CRISIL/CARE/FITCH/ICRA/SMERA/ brickwork Ratings India Pvt Ltd and having experience as given at para 8(c) below.

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

	(B) For contractors not enlisted with M.E.S	(i) Contractor not enlisted with MES should meet the enlistment criteria of 'E' class and category 'b(ii)' contractor with regard to satisfactorily completion of requisite value works with Central/ State Government/Central/State PSUs/AWHO/AFNHB/ CGEWO/ DGMAP, annual turnover, bank solvency, working capital and other requirements given in Para 1.4 & 1.5 of Section 1 of MES Manual on Contracts – 2020 as available in all MES formations as well as MES website(www.mes.gov.in). (ii) Not carrying adverse remarks in Work Load Report (WLR) or any other similar report circulated by any competent authority, if already working in MES.. (iii) Not suspended/ debarred/blacklisted(either permanent or temporarily) from participating in any bid or for business dealing 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.
	<u>C) For All Contractors</u>	(i) The contractor/solar power firm 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:- (a) One work of capacity $\geq 80\%$ of capacity of plant i.e 80% of 15 KWP = 12.0 KWP. OR (b) Two works of capacity $\geq 50\%$ of capacity of plant i.e 50% of 15 KWP = 7.5 KWP. OR (c) Three works of capacity $\geq 40\%$ of capacity of plant i.e 40% of 15 KWP = 6.0 KWP. (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.
9.	Tender issuing and Accepting Officer	Commander Works Engineers (AF), Gwalior Phone No.: 0751-2470816 & Email Id: afmrjpr3-mes
10	Executing agency	Garrison Engineer(AF) Adm Area Gwalior
11	Earnest Money	Rs. 33,200.00 in favour of Garrison Engineer (AF) Adm Area Gwalior payable at Gwalior

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT) Contd.....**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 below the eligible class shall also be considered subject to fulfillment of other eligibility criteria given in the NT. Therefore MES contractors one class below may also bid for this tender. However 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 fulfil the criteria of upgradation to the stipulated eligible class based on past experience of completed works (individual work experience and/or avg 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 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 fulfil 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 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) Applications for tender in Firm's letter head.
- (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 Earnest Money Deposit(EMD) instrument in case SSD bond is not signed at the time of registration.
- (d) Any other documents required as described in this Appendix.

5. Contractor not enlisted with MES will be required to upload following documents in Cover-1 for checking eligibility:-

- (a) Applications for tender in 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.

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

- (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.
6. Tender not accompanied by scanned copies of requisite DD/Bankers Cheque towards cost of tender and earnest money (as applicable) in Cover I 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 05(Five) days of bid submission end date failing which following action shall be taken:-
- (a) In case of tenders from enlisted contractors of MES, where scanned copies of requisite DD/Bankers Cheque towards cost of tender has 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 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).
 - (b) In case of tenders from un-enlisted contractors, 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 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).
 - (c) In case of tenders from enlisted and un-enlisted contractor, 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 finance 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 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.

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

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) i.e. **HQ Chief Engineer (AF) Allahabad on email id: cezafa2-mes@nic.in with a copy to the Accepting Officer on email id : afmrjpr3-mes@nic.in** 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 (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 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.
15. 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."

Signature of contractor

for Accepting Officer

85014 / 06 /E8

Dated: 07 Mar 2022

HQ Commander Works Engineers (AF)

Gwalior (MP)

Gwalior - 20

Tele: 0751-2479104