

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 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 as mentioned in 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 of site, which will be on or after two weeks after the date of Acceptance of tender.
4. Contractors whose names are on the MES approved list and within whose financial category the estimated amount would fall and unenlisted contractors may submit tender/bid subject to other criteria mentioned in Appendix A. However in case of term contracts, enlisted contractors of class SS to E may submit tender/bid. Not more than one tender shall be submitted/uploaded by one contractor/firm. Under no circumstances will a father and his son(s) or other close relations who have business circumstances with 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. Two firms shall be deemed to have business dealing if any of the partner/proprietor/director is common among both of them. A breach of this condition will render the tenders/bids of both the parties liable for rejection.
- 5 The Office of HQ Chief Engineer Bhopal Zone, Bhopal 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 contractor on or before the date & time mentioned in NIT. A scanned copy of DD with enlistment details and other documents as specified in Appendix A shall be uploaded as Cover-1 (Technical bid) of the tender on e-tendering portal. DD is refundable in case the contractor is not considered eligible in technical evaluation of Cover-1 resulting in non-opening of Cover-II. The applicant contractor shall bear the cost of bank charges for procuring and encashing the DD including revalidation of DDs and shall not have any claim from Government whatsoever on this account.
7. Tender form and conditions of contract and other necessary documents shall be available on website '<https://defproc.gov.in>' for download and shall form part of contract agreement in case the tender/bid is accepted.
8. In Case of MES enlisted contractor who has not executed the Standing Security Bond and unenlisted contractor, the Cover-I shall be accompanied by Earnest Money for the amount mentioned in Appendix 'A' in the form of deposit at call receipt in favour of concerned GE/AGE (I) (see Appendix 'A') by a scheduled Bank or in receipted treasury Challan the amount being credited to the revenue deposit of the concerned GE/AGE (I) (see Appendix 'A'). The 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 it's refund, on receipt of intimation from the Accepting Officer to do that.
9. In case of successful contractor i.e. the lowest contractor having submitted EMD, he shall have the option of converting the EMD instrument into part of the Performance Security to be deposited by him within 28 days from the receipt of intimation of acceptance of tender from Accepting Officer.
10. Sample of materials and stores to be supplied by the contractor will also be available for inspection by the bidder at the office of concerned GE//AGE(I) during working hours. The bidder is advised to visit the site of work by making prior appointment with GE/AGE(I), who is the Executing

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Agency of the work (see Appendix 'A'). The bidder shall be deemed to have full knowledge of all relevant documents, samples, site etc whether he has inspected them or not.

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11. Any bid which proposes any alteration to any of the conditions laid down or which proposes any other new condition whatsoever, is liable to be rejected.

12. The uploading of bid by a bidder 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 (as applicable), etc will be issued to him and local conditions and other factors having bearing on the execution of the work.

13. The bidder must be in possession of a copy of the MES Standard Schedule (SSR) (Part-I & Part-II of latest edition) including amendments and errata thereto.

14. Accepting Officer does not bind himself to accept the lowest or any tender/bid or to give any reason for not doing so.

15. The Accepting Officer reserves the right to accept a tender submitted by a Public Undertaking/Small & Medium Enterprises (SMEs), 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.

16. This Notice Inviting Tender (NIT) including Appendix 'A' and Annexures thereto, if any, shall form part of the contract agreement.

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)

| | | |
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| 1 | Name of work | PROVN OF 10KW SOLAR GENERATION EQUIPMENTS AT OTM ACCN FOR MED REGT GWALIOR UNDER GE GWALIOR |
| 2 | Estimated Cost | Rs 83.82 Lakh (At Par market) |
| 3 | Period of completion | 06 (Six) Months |
| 4 | Cost of tender documents | Rs. 1000/- in the form of DD/Bankers cheque from any Scheduled bank in favour of Garrison Engineer Gwalior and payable at Gwalior. (Note:-In case of retendering, the contractor who has quoted in previous call is not required to submit the cost of tender) |
| 5 | Website/portal address | https://defproc.gov.in |
| 6 | Type of Contract | The tender shall be based on specifications, IAFW-1779-A and General Condition of Contracts (IAFW-2249) with Schedule 'A' / BOQ (list of items of work). The bidders are required to quote their rates against each item of Schedule 'A' (BOQ). |
| 7 | Timeline Details: | |
| | (a) Bid submission start date | } Refer critical dates on the website. |
| | (b) Bid submission end date | |
| | (c) Date/time for opening of Bid | |
| 8 | Eligibility Criteria | |
| | (A) For MES enlisted Contractors | (i) Contractor should be enlisted with MES in Class "C". (ii) 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. (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 criteria as given at (C) (i) below. |
| | (B) For Contractors not enlisted with MES | (i) Contractor should meet the enlistment criteria of MES ' C ' class contractor with regard to satisfactorily completion of requisite value works with Central/State Government/ Central/State PSUs/ AWHO/ 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 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/black listed (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. (iv) 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 criteria 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. |

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| | (C) For all Contractors (Technical PQC criteria) | (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 the month previous to the month of bid submission start date, should be either of the following :- (a) One work of capacity not less than 80% of capacity of plant specified in NIT. Or (b) Two works of capacity not less than 50% of capacity of plant specified in NIT. Or (c) Three works of capacity not less than 40% of capacity of plant specified in NIT. (ii) Solar power firms should have rating 1A/ 1B/ 1C/ 2A/ 2B/ 2C given by CRISIL/ CARE/ FITCH/ ICRA/ SMERA/ Brick Work Ratings India Pvt Ltd. |
| 9 | Tender issuing and Accepting Officer | Chief Engineer Bhopal Zone, Bhopal Contact person: RS Tiwari, AE (QS&C), Addnl Asst Dir (Contracts), Tele- 0755-2646748, Fax No.0755-2646749/53, email-cezbhp2-mes@nic.in |
| 10 | Executing agency | GE Gwalior |
| 11 | Earnest money | Rs 1,51,000/- in favour of Garrison Engineer Gwalior in the form of deposit at call receipt, FDR not acceptable. |

NOTES:

1. (a) In a tender, the eligible solar power firms can either bid as direct participant/bidder or under MOU with MES enlisted/unenlisted contractor, but can not bid simultaneously for the same tender as direct participant/bidder as also under MOU with MES enlisted/unenlisted contractors.

(b) MOU will be permitted between one eligible solar power firm and one MES enlisted/unenlisted contractor, bidding for the same tender.

(c) In case any violation of condition at (a) and (b) above is noticed, all such bids shall be treated as invalid.

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 is less than 07 (Seven), applications in respect of MES 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 fulfillment of other eligibility criteria given in the NIT. Therefore, MES contractor's one class below (two classes below in case of remote and difficult areas) may also bid for this tender. Such contractors (contractors one/two classes 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 fulfill the criteria of up gradation to the stipulated eligible class based on past 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-I bid details related to residual work in hand 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 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.

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3. 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 07 (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.

4. Un-enlisted 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.

5. Contractors enlisted with MES will upload following documents in Cover-1 for checking eligibility:-

- Application for tender on Firm's letter head.
- Enlistment letter issued by the Registering Authority duly renewed for the cycle period in vogue.
- 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.
- MOU with solar power firm on non judicial stamp paper of appropriate value (not less than Rs 100/-) as described in this Appendix.
- Any other document required as described in this Appendix.

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

- Application for tender on Firm's letter head.
- Scanned copy of DD/Bankers cheque toward cost of tender and Earnest Money Deposit (EMD) instrument.
- 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.
- 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.
- Details of works being executed in MES, if any.
- MOU with solar power firm on non judicial stamp paper of appropriate value (not less than Rs 100/-) as described in this Appendix.
- Any other document required as described in this Appendix.

7. 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.

8. Contractors should ensure that their original physical DDs and Earnest Money Deposit (EMD) instruments (as applicable) reach the office of Accepting Officer within 05 days of bid submission end date failing which following action shall be taken:-

- 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).

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- (b) In case of tenders from **un-enlisted** 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 period of six months commencing from the date of opening of Financial bid (Cover 2).
- (c) In case of tenders from **enlisted** and **un-enlisted** 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 (Cover2)

9. Contactor 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 the name as Proprietor/Partner/Director.

10. 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 tender.

11. 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 desired, may appeal to next higher Engineer Authority (NHEA) viz. Chief Engineer Southern Command Pune one mail id dydrcontceengrpl-mes@gov.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.

12. In case an un-enlisted 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.

13. 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.

14. 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 un-enlisted 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.

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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.

15. 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.

16. The tenderer attention is invited to ensure compliance of the “**EPF & MP Act 1952**” before commencement of work, the contractor should produce the provident fund code number to the GE, if applicable.

17 All the tenders / bidders to please note that successful bidder whose bid is finally accepted has to submit Performance Security as per condition 19 of IAFW -2249.

18. Contact person: R S Tiwari, AE(QS&C), Addl Asst Dir(Contracts), Tele-0755-2646748, Fax No.0755-2646749/53, email-cezbhp2_mes@nic.in

19. **Irrespective of whatever shown/indicated elsewhere in tender documents, the Earnest money Deposit (EMD) to all bidders shall be exempted subject to submission of affidavit of bid securing declarations as under on non-judicial stamp paper of Rs. 100/- along with technical bid (Cover-I) :-**

“I/We hereby understand and accept that if I/We withdraw or modify my/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 from exemption of submitting Bid Security/Earnest Money Deposit for a period of 06(Six) months, from the fate I/We are declared disqualified from exemption from submission of Earnest Money Deposit / Security Deposit, for all tenders issued by MES during this period.”

The bidder who fails to submit/Upload the above declaration shall have to submit the earnest money deposit as laid down in tender documents.

20. **Irrespective of whatever shown/indicated elsewhere in tender documents and in IAFW-2249 (General Condition of Contracts) the contractor may deposit performance Security deposit @3% (Three percent) in lieu of 5% of the contract sum subject to submission of affidavit as under on non-judicial stamp paper of Rs.500/- after acceptance of tender:-**

“I/We hereby understand and confirm that my /our firm:-

- Are not under dispute.
- No Arbitration /court proceedings have already been started or are contemplated.
- No outstanding recoveries against my/our firm.
- I/We do not intend to abandon the work after entertaining the relief.”

However, acceptance of reduced Performance Security deposit is at the discretion of Accepting Officer considering the policy guidelines.

The bidder who fails to submit the above affidavit shall have to submit 5% performance security as laid down in tender documents.

800541 / GWL / / E8
Dated: Jan 2022

Headquarters
Chief Engineer Bhopal Zone
Sultania Infantry Lines, Bhopal
Pin – 900236, c/o 56 APO

(R S Tiwari)
AE (QS&C)
AAD (Contracts)
For Accepting Officer

Signature of Contractor

Addl Asst Dir (Contracts)