

MILITARY ENGINEER SERVICES
NOTICE OF TENDER (NOT)

1. A tender is invited for (see appendix 'A').
2. The work is estimated to cost (see Appendix 'A'). This estimate, however, is not a guarantee and is merely given as a rough guide and if the work costs more or less, a tenderer will have no claim on that account. The tender shall be based on (see Appendix 'A').
3. The work is to be completed within (see Appendix 'A') in accordance with phasing (if any indicated in the tender) from the date of handing over the site, which will be on or after (see Appendix 'A').
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 but in case of term contracts, contractors of categories SS to E may tender. In case, where the tender amount is in excess of the financial limit of the contractor and the Accepting officer decides to accept the tender, in which event the tenderer would be required to lodge additional security deposit as notified by the accepting officer in term of conditions of contract. 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 without depositing Earnest money along with the tender and if the tender submitted by such a tenderer is accepted, the contractor will be required to lodge with the Controller of Defence Accounts concerned the amount of 'Individual security deposit' within thirty days of the receipt by him of notification of acceptance of his tender, failing which this sum will be recovered from 1st RAR payment or from the first final bill. In the case of term/running contracts, remaining sum shall be recovered from subsequent bill(s) of the contractor. Not more than one tender shall be submitted 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 for the same contract as separate competitors. A breach of this condition will render the tenders of both parties liable for rejection.
5. The Garrison Engineer (I) Coast Guard DHQ No. 1, Opp. Birla Factory, Porbandar – 360575 will be the Accepting Officer here in after referred to as such for purpose of the contract.
6. The Tenders/bids shall be uploaded on the defproc.gov.in site in two packets i.e. the Technical Bid and Financial Bid upto the last date & time of submission of bids indicated in **NOT** therein. Bids shall be opened at time & date mentioned on www.defproc.gov.in.
7. The bidders shall upload documents pertaining to **Cover I i.e. "T" bid** to enable them to qualify for **Cover II i.e. Financial bid. However hard copies of documents must be submitted to The Garrison Engineer (I) Coast Guard DHQ No. 1, Opp. Birla Factory, Porbandar – 360575 so as to reach this office on or before the date mentioned in NOT uploaded on website www.defproc.gov.in.** Cognizance shall be taken of those bidders only who have applied online. A scanned copy of DD with enlistment details and other documents, as applicable, shall be uploaded as packet 1 ('T' bid) of the tender on e-tendering portal. DD is refundable in case T bid is not accepted/admitted resulting in non-opening of 'Q' bid. The applicant contractor shall bear the cost of bank charges for procuring and encashing the DD shall and he/she will not have any claim from Government whatsoever on this account.
8. Tender form and conditions of contract and other necessary documents is available on E-tendering site for download. However General Conditions of Contract IAFW-1779-A and errata and amendments thereto, Schedule of minimum fair wages and MES SSR (Part –I and Part –II) are not uploaded with tender documents. Notwithstanding this, all such documents shall form part of contract agreement in case the tender is accepted. (See Appendix 'A').
- 9.1. In case of contractor who has not executed the Standing Security Bond, the tender/bid shall be accompanied with by Earnest Money amounting to (see appendix 'A') in the form of deposit at call receipt in favour of Garrison Engineer (see appendix 'A') by a scheduled Bank or in receipted treasury Challan the amount being credited to the revenue deposit of the Garrison Engineer (see appendix 'A'). Scanned copy of earnest money shall form part of cover/packet 1 ('T' bid).
- 9.2. A contractor who is not enlisted for the area in which the work lies but whose names is in the MES approved list of any MES formation and who has deposited standing security and executed standing security Bond may tender/bid without depositing earnest money along with the tender; but if the Accepting Officer accepts the tender, the contractor will be required to lodge performance security as specified in Condition 19 of IAFW-2249

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10.1. The Accepting Officer will return the Earnest Money wherever applicable to all unsuccessful tenderers by endorsing an authority on the deposit receipt for its refund, on production by the tenderer a certificate of the Accepting Officer that a bonafide tender (vide condition 13 here in after) was received and all documents were returned.

10.2 The Accepting Officer will either return the Earnest Money to the successful tenderer by endorsing an authority on the deposit Receipt for its refund on receipt of an appropriate amount of **Performance security Deposit** or will retain the same in part or full on account of **Performance security deposit** if such a transaction is feasible.

11. 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 at the office of (see appendix 'A') during working hours.

12. The tenderers are advised to visit site by making prior appointment with GE. The tenderers are deemed to have full knowledge of all relevant documents, samples, site etc., whether he has inspected them or not.

13. Any tenderer 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.

14. The submission of bid by a tenderer implies that he 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.

15. Tenderers must be in possession of a copy of the MES Standard Schedule of Rates (part-I & part-II) including amendments and errata thereto.

16. Tenderer must be very careful to upload a bonafide tender failing which the Accepting Officer, at his absolute discretion, reserves the right of forfeiting a portion of earnest money, security deposit or security bond amount (Not exceeding the cost of tender documents) (see Appendix "A") deposited by tenderer. A bonafide tender must satisfy each and every condition laid down in this notice.

17. Invitation for applications for issue of tender does not constitute any guarantee for validation of 'T' bid for downloading tender/opening of finance bid to applicant even to enlisted contractors of appropriate class and to applicants merely by virtue of enclosing DD and the Accepting Officer reserves the right to deny tender (not validating the 'T' bid) to any applicant. 'T' bid validation shall be decided by the Accepting Officer based on, eligibility criteria as stipulated in Appendix 'A' to NOT. The Accepting Officer shall consider bids uploaded up to the date and time fixed for the same. No cognizance will be given to any application or request received in any form other than uploaded bids. The applicant/contractor will be informed regarding non-validation of 'T' bid assigning reasons therefore. The applicant/contractor if he so desires may appeal to the next higher Engineer authority with copy to the Accepting Officer. The decision of next higher engineer authority shall be final and binding. No appeal/representation shall be entertained in respect of applications received after the due date of receipt of applications/ extended date of receipt of applications. The decision of the next higher authority shall be final and binding. No applicant/contractor shall be entitled for any compensation whatsoever for rejection of his application.

18. The Accepting Officer reserves the right to accept a tender submitted by a Public Sector Undertaking, giving a purchase preference over other tender(s) which may be lower, as are admissible under the Government Policy. No claim for any compensation or otherwise shall be admissible from such tenderers whose tenders is rejected.

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

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20. This notice of tender (NOT) including Appendix 'A' shall form part of the contract.

21. PERFORMANCE SECURITY

21.1 The successful contractor shall deliver to the accepting officer a performance security in any of the prescribed form i.e BGB/FDR etc form Nationalized/ Scheduled Indian banks within 28 days of receipt of the letter of acceptance for an amount equivalent to 3% of the contract sum.. The performance deposit shall be refunded to the contractor by the GE after the expiration of defects liability period of 24 calendar months from the physical completion and handing over assets by the contractor provided always that the contractor shall be first have been paid the final bill & have rendered a no demand certificate on IAFW-451.

21.2 If the performance security is provided by the successful contractor in the form of a Bank Guarantee, it shall be issued by Nationalized/Scheduled Indian Bank but its confirmation shall be done only from the head Office of the Bank.

21.3 Failure of the successful contractor to comply with the requirement of sub-clause 22.1 shall constitute sufficient grounds for cancellation of the award of work and forfeiture of the Earnest Money. In case of MES enlisted contractors, an amount equal to 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.

21.3 All compensation or other sums of money payable by the contractor to be Govt under the terms of this contract or under any other contract with Govt may be deducted form, or paid by the sale of a sufficient part of the performance security or from the interest arising there form or form any sums which may be due or become due to the contractor by the Govt on any account whatsoever and in the event of his performance security being reduced by reason of any such deduction, or sale as aforesaid, the contractor shall within ten days thereafter make good in cash or securities, endorsed as aforesaid, any sum or sums which may have been deducted form or realized by the sale of his performance security or any part thereof. Govt shall not be responsible for any loss of securities or any depreciation in the value of securities while in their charge nor for loss of interest thereon.

21.4 In the event of contract being cancelled, under condition 52, 53 & 54 of General Conditions of Contract, the performance security shall be forfeited in full and shall be credited into consolidated fund of India.

22. **Defects liability period:** Defects liability period for the subject work shall be 24 (Twenty Four) calendar months after the work have been handed over by the contractor duly completed to the Government.

Signature of Contractor

(ManojKumar)
AE (Civ)
Offg AGE (Contracts)
for Accepting Officer

APPENDIX 'A' TO NOTICE OF TENDER (E – TENDER)

1	Name of work	:	<u>PROVN OF ON GRID SOLAR POWER PLANT AT MARRIED ACCOMMODATION INAZ VILLAGE AT ICGS VERAVAL UNDER GE NAVY PORBANDAR</u>
2	Estimated Cost of Work	:	Rs 43.50 Lakhs (Approx)
3	Period of completion	:	06 (Six) months
4	Cost of tender documents	:	Rs 500/- (Rupees five hundred only) in the shape of DD/Bankers cheque from any schedule Bank in favour of GE (I) Coast Guard Porbandar, and payable at Porbandar. (Copy shall be uploaded online and original to be submitted offline before due date – see critical dates)
5	Website/portal address	:	www.defproc.gov.in
6	Type of Contract	:	The tender shall be Item Rate Contract based on IAFW-1779A with list of work to be quoted by the contractor and GCC (IAFW-2249) with Schedule 'A'.
7	Information & Details		
	(a) Bid submission start date	:	Refer critical dates mentioned at website.
	(b) Bid submission end date	:	Refer critical dates mentioned at website.
	(c) Date of bid opening	:	To be intimated later on/ or after Evaluating the technical bid through defproc.gov.in
8	<u>Eligibility Criteria</u>		
	(A) For MES enlisted contractors		All contractors enlisted with MES in Class 'D' and above and category b(ii) subject to the remarks wrt performance in respect of Wks in hand reflected in Workload return (WLR) circulated by competent engineer authority. Refer Note – below
	(B) For contractors not enlisted with MES		(a) The firms not enlisted with MES shall meet the enlistment criteria of 'D' class MES contractors & category b(ii) i.e. with regard to having satisfactorily completed requisite value works, Annual turnover. Solvency, working capital immovable property/ fixed assets, T&P, Engineering establishment, no recovery outstanding in any Govt. Department, Police verification/ Passport etc. As per enlistment criteria given in Para 1.4 and 1.5 of Section 1 Part - I of MES Manual on Contacts - 2020 as available in all MES Formations. (b) These firms shall also submit copy of Police verification from police authority of the area where the registered office of the firm is located/ notarised copy of valid passport of proprietor/each partner/each Director. (c) Firm should not carry adverse remarks in WLR or any other similar report of any authority.
	(C) For All Contractors		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/spouse of proprietor/ partner/ Director and firm's own employees, Director, Project Manager. This shall be subject to certain conditions which will be prescribed in the NOT forming part of the tender documents.

Contd.....

APPENDIX 'A' TO NOTICE OF TENDER (E – TENDER) (Contd.....)

09	Tender issuing and Accepting Officer	:	The Garrison Engineer (I) Coast Guard, DHQ No. 1, Opp. Birla Factory, Porbandar – 360575 Email: mesporbandar@gmail.com Phone/FAX:- 0286-2244482
10	Executing agency	:	The Garrison Engineer (I) Coast Guard,
11	Earnest Money	:	₹ 87,000/- in favour of Garrison Engineer (I) Coast Guard Porbandar

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 the 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 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 :-

- Application for tender on Firm's letterhead.
- 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.
- 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.

- Application for tender on Firm's letterhead.
- 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.
- Any other document required as described in this Appendix.

6. Tenders not accompanied by scanned copies of requires DD/Bankers Cheque toward 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 05 *days of bid submission end date (* The number of days to be mentioned shall be as decided by the Accepting Officers, but it shall not be less than 5 days) failing which following action shall be taken.

- (a) In case of tenders from an enlisted contractors 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 from within stipulated period, such tenders shall not qualify for opening of financial bid (Cover 2).

8. Contractor will not be allowed to execute 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.

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 this 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 HE CE (CG) Goa on email id cezcgg2-mes@gov.in with copy to the Accepting Officer on email before the schedule 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. I case an unenlisted contractor is already executing works in MES, he shall not be considering 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 deposit 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. 8737/ /E8

Offg AGE (Contracts)
for Accepting Officer

Military Engineer Services
The Garrison Engineer (I) Coast Guard,
DHQ No. 1, Opp. Birla Factory,
Porbandar – 360575

Annexure**ELIGIBILITY CRITERIA FOR UN-ENLISTED CONTRACTORS****1 EXPERIENCE**

- (a) Two works costing not less than Rs 25.00 lakhs.
or
One work costing not less than Rs 40.00 lakhs.
or
(b) Average annual turnover for last two consecutive years shall not be less than Rs 50.00 lakhs.

2. FINANCIAL SOUNDNESS

- (a) Solvent upto Rs 20.00 lakhs.
or
Financially sound for engagement upto Rs 50.00 lakhs.
(b) Working capital not less than Rs 7.50 lakhs.

3. ENGINEERING ESTABLISHMENT

- One graduate Engineer from a Government recognized institution with minimum exp.
or
One diploma Engineer from Government recognized institution with minimum experience of 2 years.

4. LIMIT OF MINIMUM RESERVE / ASSETS (IMMOVABLE AND MOVABLE)

- 8.00 lakhs - 80% of minimum reserve shall be in the form of immovable property.

5. T&P - NA**6. POLICE VERIFICATION**

Copy of Police Verification Certificate from Police Authority of the area where registered office of the firm is located is required to be submitted. Alternatively, notarized copy of valid passport of proprietor/ each partner/ each director can be submitted.

7. CERTIFICATE REGARDING NO RECOVERY OUTSTANDING IN ANY GOVT DEPARTMENT.

Affidavit of Rs 100/- shall be furnished to this effect.

Note:- Contractor is required to upload copies of all the above documents along with tender documents prior to closing date of bid submission.

Offg AGE (Contracts)
for Accepting Officer