

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 costs more or less, a tenderer/bidder will have no claim on that account.
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. 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. 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 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 partners/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 CWE (AF) Bamrauli will be the Accepting Officer here-in after Referred to as such for the purpose of this contract.
6. Not more than one tender/bid shall be submitted/uploaded by one bidder firm. 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 tender as separate competitors. A breach of this condition will render the tenders/bids of both the parties liable for rejection.
7. 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 Cover1. 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.
8. Tender form and conditions of contract and other necessary documents shall be available on website defproc.gov.in for download and shall form part of contract agreement in case the tender/bid is accepted.

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9. In case of MES enlisted contractor who has not executed the Standing Security Bond and an enlisted 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 CCE/GE/GE (I)/AGE (I) (see Appendix 'A') by a Scheduled Bank or in received treasury Challan the amount being credited to the revenue deposit of the concerned CCE/GE/GE(I)/AGE(I) (see Appendix 'A'). 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 it's refund, on receipt of intimation from the Accepting Officer to do that.
10. 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.
11. 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/GE (I)/AGE (I)/Project Manager during working hours. The bidder is advised to visit the site of work by making prior appointment with GE/GE (I)/AGE (I)/CCE/Project Manager, who is the Executing 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.
12. Any bid which proposes any alteration to any of the conditions laid down or proposes any other new condition whatsoever, is liable to be rejected.
13. 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.
14. The bidder must be in possession of a copy of the MES Schedule (SSR) (Part-I & Part-II of latest edition) including amendments and errata thereto.
15. Accepting Officer does not bind himself to accept the lowest or any tender/bid or to give any reason for not doing so.
16. The Accepting Officer reserves the right to accept a tender submitted by a Public Undertaking/Small & Medium Enterprises (SMEs), giving a price preference/purchase 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 for such tenderer/bidder whose tender/bid is rejected.
17. The **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)
TENDER ID- 2022_MES_499898_1

1.	Name of Work	PROVISION OF ROOF TOP SOLAR PANEL 100 KWP CAPACITY AT NORTH CAMP (PHASE - I) AT AF STN BAMRAULI
2.	Estimated Cost	Rs. 62.50 Lakhs (At Par Market)
3.	Period of Completion	182 days
4.	Cost of tender documents	Rs 1000.00 in the shape of DD/Bankers cheque from any schedule Bank in favour of GE (AF) Bamrauli and payable at Bamrauli. (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 item rate contract based on drawing on specification (IAFW-1779A) and IAFW-2249 (General Condition of Contracts) with list of items of works to be quoted by the tenderer.
7.	Timeline details : (a) Bid submission start date (b) Bid submission end date (c) Date of bid opening	Refer critical dates on the website.
8.	Eligibility Criteria : (a) For MES enlisted Contractors.	(i) The contractor should be enlisted in class C. (ii) The contractor should have MoU with solar power firms of rating 1A/1B/1C/2A/2B/2C given by CRISIL/CARE/FITCH/CRA/SMERA/Brick Work Ratings India Pvt. Ltd. and having experience as given at PARA 8(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 un-enlisted contractors shall also be considered eligible.
	(b) For Unenlisted Contractors.	(i) The contractor should meet the enlistment criteria of Class C 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/CRA/SMERA/Brick Work Ratings India Pvt. Ltd. and having experience as given at PARA 8 (c) (i) below. However requirements 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	<p>(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 :-</p> <p>(aa) One work of capacity not less than 80% of capacity specified in the NIT.</p> <p style="text-align: center;">or</p> <p>(ab) Two works of capacity not less than 50% of capacity specified in the NIT.</p> <p style="text-align: center;">or</p> <p>(ac) Three works of capacity not less than 40% of capacity specified in the NIT.</p>
	(d) Notes :-	<p>(a) In a tender, the eligible solar power firms can either bid as direct participant/bidder or under MoU with MES enlisted/un-enlisted contractors, but cannot bid simultaneously for the same tender as direct participant/bidder and also under MoU with MES enlisted/un-enlisted contractors.</p> <p>(b) MoU will be permitted between one eligible solar power firm and one MES enlisted/un-enlisted contractor, bidding for the same tender.</p> <p>(c) In case any violation of condition at (a) and (b) above is noticed, all such bids shall be treated as invalid.</p>
9.	Tender issuing and Accepting Officer	CWE (AF) Bamrauli, Allahabad, Pin – 211012, E mail id – afbmrl3-mes@nic.in Phone No – 0532-2580938 DCWE (Contract)
10.	Executing agency	GE (AF) Bamrauli
11.	Earnest Money	Rs 118750.00 inform of call deposit receipt from any scheduled bank in favour of GE (AF) Bamrauli payable at Bamrauli

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)**TENDER ID- 2022_MES_499898_1****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 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. 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 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 of works in hand showing names of work, name 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. Therefore, such contractors shall upload the requisite information/documents in the Cover-1.
2. 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.
3. 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) Provident fund code letter of firm
 - (e) GST registration number of firm
 - (f) Any other document required as described in this Appendix.
4. 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 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) Provident fund code letter of firm
 - (g) GST registration number of firm
 - (h) Any other documents required as described in this Appendix.

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5. Tenders not accompanied by scanned copies of requisite DD/Banker 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.
6. Contactors should ensure that their original physical DDs and Earnest Money Deposit (EMD) instruments (as applicable) reach the office of Accepting Officer within eight 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 tendered 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 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 a 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, while 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).
7. Contractor will not be allowed to execute the work by submitting 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.**
8. 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.
9. Invitation for e-tendering 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 (AF) Allahabad on email id cezafa2-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.

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10. 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.

11. 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.

12. 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 wilful default. For this default a penalty of an amount equal to Earnest Money shall be levied. In case of an un-enlisted tenderer or MES enlisted contractor (as applicable) 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.

13. Tenderer to related firms shall not be issued simultaneousSERy. 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.

14 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.

87180/C/ 02 /E8
Headquarters
Commander Works Engineer (AF)
Bamrauli, Allahabad-211012

Sd x x x
(Sanjay Balodhi)
Lt Col
DCWE (Contracts)
for CWE (AF) Bamrauli

Date: - 19 Jan 2022