

APPENDIX 'A' TO NOTICE INVITING e- TENDER NIT NO. 21/CEDZ/2022-2023 (Tender ID : 2022_MES_531089_1)		
1.	Name of work	PROVN OF SOLAR PANEL FOR GENERATION OF ELECTRICITY AT DIPAC
2.	Estimated Cost of Work	Rs 237.00 lakh (At par market)
3.	Period of Completion	6 Months (Phase - I) - Main Project 60 Months (Phase - II) - Operation & Maintenance
4	Cost of tender documents	Rs. 2000 in the form of DD/Banker's cheque from any Scheduled/ Nationalized bank in favour of GE (U) Electric Supply, Delhi Cantt payable at Delhi(Copy shall be uploaded online and original to be submitted offline within 5 five days of date of opening of Technical bid). However DD/ Banker's Cheque shall be returned to the applicants whose cover No. 2 is not opened. Please note that cover No. 2 (price bid) will be opened only in respect of qualified and eligible contract who fulfill the eligibility criteria according to their technical bid submitted in cover No. 1 (application/technical bid).
5.	Website/portal address	http://defproc.gov.in .
6.	Type of contract	The tender shall be item rate based on IAFW-1779A with list of works to be quoted by the contractor
7.	<u>Information & Details</u>	Refer critical dates shown on website
	(a) Bid submission start date	
	(b) Last date of bid submission	
	(c) Date of bid opening	
8.	<u>Eligibility Criteria</u>	
	(A) For MES Enlisted Contractors	(i) Contractor shall be enlisted with MES in Class ' B ' & above and category ' b(i) ' 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. (ii) 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).(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 unenlisted contractors shall also be considered eligible
	(B) For contractors not enlisted with MES	The firms not enlisted with MES shall meet the following criteria:- (i) Contractor not enlisted with MES shall meet the enlistment criteria of ' B ' class MES contractors & category ' b(i) ' contractor with regard to satisfactorily completion of requisite value of works with Central/State Government/Central/State PSUS/ AWHO/ AFNHB/ CGEWHO/ DGMP, Annual turnover, bank solvency, working capital and other requirement given in Para 1.4 & 1.5 of Section I of MES Manual of Contracts 2020 as available in all MES formations as well as MES website (www.mes.gov.in) (ii) 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).(i) below. (iii) Not Carry adverse remarks in Work Load Report (WLR) or any other similar report circulated by any competent authority, If already working in MES. (iv) Not suspended/ debarred/ blacklisted (either permanently 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.

	(C) For all contractors	<p>(i) The contractor/solar power firm should have the experience of having successfully completed & commissioned <u>Solar Power Plants</u> in Government Department/ PSU during last 07 (seven) years ending last day of the month previous to the month of bid submission start date one should be either of the following:-</p> <p>(a) Three works of capacity not less than 193 KWP. (i.e. 40% of plant capacity)</p> <p>OR,</p> <p>(b) Two works of capacity not less than 242 KWP. (i.e. 50% of plant capacity)</p> <p>OR,</p> <p>(c) One work of capacity not less than 386 KWP. (i.e. 80% of plant capacity)</p> <p>(ii) The eligible solar power firms can either bid as direct participant/bidder or under MOU with MES enlisted/unenlisted contractors, but cannot bid simultaneously for the same tender as direct participant/bidder and also under MOU with MES enlisted/unenlisted contractors.</p> <p>(iii) MOU will be permitted between one eligible solar power firm and one MES enlisted/unenlisted contractor, bidding for the same tender.</p> <p>(iv) In case of any violation of condition mentioned above, all such bids shall be treated as invalid and shall be rejected. No claim whatsoever in this regard shall be entertained.</p>
9.	Tender issuing and Accepting Officer	HQ Chief Engineer Delhi Zone and CE Delhi Zone
10.	Name of concerned CWE	CWE (U), Delhi Cantt
11.	Executing Agency	GE (U) Electric Supply, Delhi Cantt
12.	Earnest Money	Rs. 3, 12, 000.00 (Rs. Three lakh twelve thousand only) in the form of FDR/approved securities from any Scheduled/ Nationalized bank in favour of GE (U) Electric Supply, Delhi Cantt. MES registered contract are exempted from submission of EMD (copy to be uploaded online and original to be submitted offline within 5 five days of bid submission end date).

Notes:-

1. In case after opening of Cover-I, the number of MES enlisted contractors of eligible class as well as eligible un-enlisted contractors, if any, fulfilling the other eligibility criteria given in NIT is less than 07 (Seven), applications in respect of contractors one class 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 may also bid for this tender. Such contractors 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 average annual turnover, as applicable) and financial soundness (solvency/financial soundness and working capital), the ceiling of present residual work will not apply and they will be considered for issue of tender. Such bidders shall upload in their Cover-1 bid details related to residual work in hand like details of 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 the concerned formations in case bids of such contractors are considered for evaluation.
2. In case after opening of Cover-I, 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 of Contracts. Therefore such contractors shall upload the requisite information/documents in Cover-I.

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 aboard/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 for checking eligibility:-

- (i) Scanned copy of Application for bid in Firm's letter head
- (ii) Scanned copy of Enlistment letter
- (iii) Scanned copy of DD of cost of tender
- (iv) Scanned copy of GST
- (v) Scanned copy of EPF
- (vi) Scanned copy of Integrity pact
- (vii) MOU with eligible Solar Power Firm having requisite expertise.

5. Contractors not enlisted with MES will be required to upload necessary documents to prove their eligibility for enlistment in eligible class & category of work, including Affidavit for no recovery outstanding. List of documents required for enlistment in MES has been given in para 1.5 of section 1 of Part I of MES Manual on Contracts 2020. Following documents shall also be uploaded amongst others:

- (i) Details of three highest valued similar nature of works executed during last five years. financial year-wise in tabular form giving name of work, Accepting Officer's details, viz Address, Telephone, Fax No, E-mail ID etc, date of acceptance of tender and actual date of completion. This shall be duly signed by proprietor/ all partners/ authorised Director of Pvt/ Public Ltd, as applicable. It should indicate whether extension was granted or compensation was levied. Attested copy of acceptance letter and completion certificate shall be enclosed of each work. In case performance report has been given by the client same shall also be submitted duly attested
- (ii) Solvency certificate and working Capital Certificate issued by scheduled bank.
- (iii) Annual turnover certificate for last 2 years issued by Chartered Accountant along with relevant pages of audited balance sheets in support thereof.
- (iv) In addition, the un-enlisted contractors shall also furnish affidavit on non Judicial stamp paper in the form of hard copy declaring their turnover for last 2 (Two) years.
- (v) Scanned copy of DD of cost of tender and earnest money.
- (vi) Scanned copy of GST
- (vii) Scanned copy of EPF
- (viii) Scanned copy of Integrity pact
- (ix) MOU with eligible Solar Power Firm having requisite expertise.

6. Tenders 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 DDs and earnest money (EMD) instrument (as applicable) are received within 05 days of bid submission end date 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 has been uploaded in Cover-I but physical copies are not received within the stipulated period, their finance bids (cover-2) will be opened. However non-submission of physical copies of cost of tender shall be considered as wilful 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 has been uploaded 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 contractor as well as unenlisted contractor where scanned copies of requisite 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).

(d) 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 names as Proprietor/Partner/Director.

9. After opening of cover-I 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 07 (seven) days from date of communication failing which financial bid (cover-2) shall not be opened and contractor shall not have any claim on the same.

10. Invitation of 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 i.e. **Chief Engineer Western Command** on email dydrcontceengrcl-mes@gov.in with copy to the Accepting Officer on email cedz2-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 NHEA shall be final and binding. The tenderer/bidder shall not be entitled to 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-I 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 wheter 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 tender 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 tenderer. In such situation, the next lowest offer shall not be considered for acceptance, instead, retendering shall be restored 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. Tenderer 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. **Integrity Agreement/Pact:-**

The Integrity Pact (IP) is an integral part of contract and both parties are bound by its provisions. Scanned copy of IP duly signed on each page by the bidder(s) shall be uploaded as part of technical bid (Cover I) and original IP duly signed on each page shall be forwarded by post along with demand draft. Bidders who do not upload scanned copy of IP duly signed, shall be intimated of the same alongwith intimation of other such deficient documents, through option of 'Short Fall Documents' (in e-tendering portal) before 'T' Bid evaluation. Any bidder who fails to forward the copy of IP duly signed even after communication, shall be disqualified in the Technical Bid (Cover-I)'.

83034/04/E8

Headquarters
Chief Engineer
Delhi Zone

AD (Contracts)
for Accepting Officer

Dated: 17 Jun 2022