

MILITARY ENGINEER SERVICES**NOTICE INVITING E-TENDERS**

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 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 after two weeks after submission of amount of performance security deposit by the tenderer.**
4. Contractors whose names are on the MES approved list and within whose financial category the estimated amount would fall and un-enlisted contractors may submit tender/bid subject to other eligibility 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/bid shall be submitted/uploaded by one contractor/firm. Under no circumstances, will a father and his son(s) or their close relations who have business dealing with one another be allowed to tender/bid for the same contract as separate competitor. 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 parties liable for rejection.
5. The Office of Chief Engineer Jaipur Zone, Power house road, Bani Park Jaipur-302006 will be the Accepting Officer herein 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 competitor. 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/tenderer/bidder on or before the date & time mentioned in NIT or as amended subsequently. A scanned copy of DD with enlistment details and other documents as specified in Appendix 'A' shall be uploaded as Cover-1 ('T' bid) of the tender/bid 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-2. 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 defproc.gov.in web site for download and shall form part of contract agreement in case the tender/bid is accepted.
9. In Case of MES enlisted contractor who has not executed the Standing Security Bond or **declared as un-enlisted by the enlisting authority**, and un-enlisted contractor, the Cover-1 shall be accompanied with Earnest Money for the amount as mentioned in Appendix 'A' in the form of deposit at call receipt issued in favour of concerned GE (see Appendix 'A') by a Scheduled Bank or in receipted treasury Challan the amount being credited to the revenue deposit of the concerned GE (see Appendix 'A').

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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 deposit to be deposited by him within 28 days from the receipt of intimation of acceptance intimation of acceptance of tender from Accepting Officer.

11. Sample of **local 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 **concerned** GE/GE (I)/ AGE (I)/ CCE/Project manager, who is the Executing agency of the work. (See Appx-“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 tender/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 bidder implies that bidder has read this notice and conditions of contract and **has** made himself aware of the scope and specifications of the 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 Tenderers/bidders must be in possession of a copy of the MES Schedule (SSR) (Part-I and 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 his right to accept a tender submitted by a Public Undertaking/Small and Medium Enterprises (SMEs), giving a price preference/purchase preference over other Tenderer(s)/bid(s) 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. This **Notice Inviting Tender (NIT)** including Appendix ‘A’ and annexure there to, if any, shall form part of the contract agreement.

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)

1	Name of work	PROVN OF 0.5 MW SOLAR POWER PROJECT AT ITARANA CANTT ALWAR MIL STN
2	Estimated Cost	Rs 380.00 lakh (At Par Market)
3	Period of completion	2190 days 365 days for Phase-I 1825 days for Phase-II
4	Cost of tender documents	Rs 2000.00 in the form of DD/ Bankers cheque from any schedule Bank in favour of GE Alwar and payable at Alwar . (Note : In case of retendering the contractor who had quoted in the previous call is not reqd 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-1779A and GCC (IAFW-2249) and specification with schedule 'A' (list of items of work) to be priced by contractor. The contractor is required to quote the rates against Schedule 'A' items of work (BOQ) electronically.
7	Timeline Details:	
	(a) Bid submission start date	Refer critical dates on the website www.defproc.gov.in
	(b) Bid submission end date	
	(c) Date of bid opening	
8	Eligibility Criteria	
	(a) For MES enlisted contractors	(i) Contractors shall be enlisted with MES in Class ' A ' and above 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) The 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 experience as specified here-in-after at Para 8 (c). (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

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)

(b) For contractors not enlisted with MES	<p>(i) Contractor not enlisted with MES should meet the enlistment criteria of Class 'A' & above contractor with annual turnover, bank solvency, working capital and other requirements given in Para 1.4 & 1.5 of Section 1 of MES Manual of Contracts 2020 as available in all MES formations as well as MES website (www.mes.gov.in).</p> <p>(ii) 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 experience as specified here-in-after at Para 8 (c). However requirement of MoU is exempted for contractors who themselves are having requisite rating by rating agency mentioned here-in-before.</p> <p>(iii) Not carrying adverse remarks in Work Load Report (WLR) or any other similar report circulated by any competent authority, if already working in MES.</p> <p>(iv) 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.</p>
(c) Pre Qualification Criteria (PQC) for all contractors (MES enlisted contractors, Contractors not enlisted with MES&)	<p>(i) Experience of having successfully completed 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 any of the following :-</p> <p style="padding-left: 40px;">One work of capacity \geq 80% of capacity of plant specified in NIT i.e 0.80 MW</p> <p style="text-align: center;">Or</p> <p style="padding-left: 40px;">Two works of capacity \geq 50% of capacity of plant specified in NIT i.e 0.50 MW.</p> <p style="text-align: center;">Or</p> <p style="padding-left: 40px;">Three works of capacity \geq 40% of capacity of plant specified in NIT i.e 0.40 MW.</p>
(d) For all contractors (MES enlisted contractors, Contractors not enlisted with MES)	<p>(i) 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 firms' own employees, Project Manager as per contract conditions. This shall be subject to certain condition what will be prescribed in the NOT forming part of the tender documents.</p> <p>(ii) In a tender, the eligible solar power firms can either bid as direct participant/ bidder or under MoU with MES enlisted /unenlisted contractors, but can not bid simultaneously for the same tender as direct participant/ bidder as 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 any violation of condition at (a) and (b) above is noticed, all such bids shall be treated as invalid.</p>

Signature of Contractor

for Accepting officer

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

9	Tender issuing and Accepting Officer	Name :- Brig Simerjeet Singh, VSM, Chief Engineer Phone No :- 0141-2202517 Address :- Military Engineer Services, HQ Chief Engineer Jaipur Zone, Power house road, Bani Park Jaipur-302006 Email Id : dircontcezjpr2-mes@nic.in
10	Executing agency	GE Alwar
11	Earnest Money	Rs 4,55,000.00 in favour of GE Alwar in the form of deposit at call receipt, FDR not acceptable.

NOTES :

1. In case after opening of Cover 1, 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 are less than 7 (Seven), application in respect of MES contractors of 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 contractors one class below (two classes below in case of remote and difficult areas) may also bid for this tenders. Such contractors (contractors of 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 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 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.
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 legibility 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 upgrading 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. 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.

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

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

- (a) Application for tender on 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 EMD instrument in case SSD bond is not signed at the time of registration.
- (d) Any other document required as described in this Appendix.
- (e) 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 except who themselves are having requisite rating by rating agency
- (f) * List of successfully completed Solar power plant work in Govt department/PSU in during last seven years by the Firm, Works showing value of CA, completed value of work in a self-explanatory 'tabular' form as mentioned below. This shall be submitted duly signed by proprietor/any partners/authorized Director of Pvt/ Public Ltd as applicable.

Ser No	Name of work	CA No	Value of work	Date of Acceptance	Date of commencement	Date of completion	Actual date of completion	Capacity of solar power plant completed	Acceptance office detail
1	2	3	4	5	6	7	8	9	10

* The firm shall submit documentary evidence in support.

(g) Hard copy of these documents will be submitted within 06 days of bid submission end date.

5. Contractors not enlisted with MES shall be required to upload following documents in Cover-I for checking eligibility.

- (a) Application for tender on Firm's letter head
- (b) Scanned copy of DD/Bankers cheque toward cost of tender and EMD instrument.
- (c) Copy of Police Verification Report/Police Clearance Certificate/Character Certificate form 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) Any other document required as described in this Appendix.
- (g) 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 except who themselves are having requisite rating by rating agency

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

(h) *List of successfully completed Solar power plant work in Govt department/PSU in during last seven years by the the firm). Works showing value of CA, completed value of work in a self-explanatory 'tabular' form as mentioned below. This shall be submitted duly signed by Proprietor/any partners/authorized 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.

Ser No	Name of work	CA No	Value of work	Date of Acceptance	Date of commencement	Date of completion	Actual date of completion	Capacity of solar power plant completed	Acceptance office detail
1	2	3	4	5	6	7	8	9	10

* The firm shall submit documentary evidence in support.

(j) Hard copy of these documents will be submitted within 06 days of bid submission end date.

(k) In addition to above documents, JV firms shall also upload the Joint Venture agreement in the prescribed format as attached at Annexure-II of Appendix 'A' to NIT on stamp paper of appropriate value duly signed & witnessed.

6. 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.
7. Contractors should ensure that their original physical DDs and Earnest Money Deposit (EMD) instruments (as applicable) and ink signed copy of Integrity Pact(refer para 15 here-in-after) reach the office of Accepting officer within 07(Seven) 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 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 un-enlisted contractor, where scanned copies of requisite DD/Bankers Cheque towards cost of tenders 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, 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).

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

8. Contractors 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/daughter/spouse of Proprietor/Partner/Director and firms 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 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
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) Viz **Chief Engineer SWC Jaipur** on email id **sswceengrijl-mes@nic.in** (Fax No:- **01412249365** /01412249112 / 01412249483) 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 07 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 un-enlisted contractor is already executing works in MES, he shall not be considered eligible for the subject tender if the total value such works is more than five times 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 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 Govt 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.

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

15. **PERFORMANCE SECURITY** :- See condition (19 of IAFW - 2249). An amount equivalent to 5% of the contract sum shall be deposited by contractor (either enlisted or unenlisted) within 28 days of receipt of the letter of acceptance in prescribed format as specified in condition 19 of IAFW-2249 on receipt of performance security, thereafter work order will be placed, failing which, the contract shall be cancelled and EMD submitted by unenlisted contractor shall be forfeited. In case of enlisted contractor the amount equal to earnest money as mentioned under para 11 above shall be deposited by contractor through MRO in Government treasury. Issue of tender to such tenderer shall remain suspended till the aforesaid amount equal to earnest money is deposited in government treasury. In case, enlisted Contractor fails to deposit the money through MRO with in notified time frame, same shall be recovered from security deposit held with the deptt or any dues held with the Deptt.(For other details the tender be referred) . The relaxation in amount of performance security deposit from 5 % to 3 %, can be availed by the lowest bidder in terms of GOI MOD letter No. 66546/P- 2/E8/211/2020/DMA(Wks-II) dated 16th Feb 2021 and E-in-C's branch New delhi letter No. 66546/P- 2/E8/64/E8 dated 31 Dec 2021 , by submitting the undertaking in terms of Para 2.2 (c) & (d) of referred letter dated 16 Feb 2021. In case if contractor abandons the work or invokes the arbitration clause or any other recoveries are found outstanding from the contractor subsequently during the progress of the work, the difference of 2 % shall be recovered from any other amount due from the contractor.

(Signature of Contractor)

Sdxxxxxxxxx...

(M L Meena)

EE (QS&C)

DD (Contracts)

For Accepting Officer

Dated 30 Nov 2022

File No 80857/C/08/E8
HQ Chief Engineer Jaipur Zone
Power House Road Bani Park,
Jaipur-302006