

**APPENDIX 'A' TO NOTICE INVITING E-TENDER
(MILITARY ENGINEER SERVICES)**

1.	Name of work	PROVN OF 50 KW SOLAR PLANT AT NCSR UNDER GE (UTILITIES) UDHAMPUR.
2.	Estimated cost of work	₹ 70.46 Lakhs (At Par Market)
3.	Period of Completion	180 Days
4.	Cost of tender documents	Rs. 1000/- in the shape of DD/Bankers cheque from any Scheduled Bank in favour of Garrison Engineer (Utilities) Udhampur and payable at Udhampur . (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 based on drawings and specifications IAFW-1779A and GCC (IAFW-2249) with Schedule 'A' (list of items of work) to be priced by contractor.
7.	Information & Details :-	
	(a) Bid submission start date	} Refer critical dates on the website.
	(b) Bid submission end date	
	(c) Date of Bid opening	
8.	Eligibility Criteria:-	
	(a) For MES Enlisted contractors	(i) Contractor of Class 'C' shall be considered eligible. (ii) Firm should have MoU with solar power firms of rating 1A/1B/1C/2A/2B/2C given by CRISIL/CARE/FITCH /ICRA/ SMERA/Brick Work Rating India Pvt Ltd and having experience as given at para 8 (c) here-in-after. (iii) They should not have any adverse remark in work load return of competent engineer authority. (iv) 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 contractors not enlisted with MES	(i) Contractor not enlisted with MES shall meet the enlistment criteria Class 'C' contractor with regard to satisfactory 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 Part I of MES Manual on Contracts-2020 as available in all MES formation as well as MES website.(www.mes.gov.in) (ii) Not carrying adverse remarks in Work Load return (WLR) or any other report circulated by competent authority, if already working in MES. (iii) Not suspended/ debarred/ blacklisted (either permanently or temporarily) from participating in any bid or for business dealings by any Central/ State Government or any Central/ State Government PSUs 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 firm of rating 1A/1B/1C/2A/2B/2C given by CRISIL/CARE /FITCH/ICRA/ SMERA/Brick Work Rating India Pvt Ltd and having experience as given at para 8 (c) here-in-after. 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	<p>(i) Experience of having successfully completed Solar Power Plants in Government Department/PSU's 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 style="text-align: center;">One work of capacity \geq 80% of capacity of plant specified in NIT (i.e one work of capacity \geq 40 KW) Or Two works of capacity \geq 50% of capacity of plant specified in NIT (i.e two works of capacity \geq 25 KW each) Or Three works of capacity \geq 40% of capacity of plant specified in NIT (i.e three works of capacity \geq 20 KW each)</p> <p>(ii) The bidding by contractors/ firms will be governed by the following:-</p> <p>(a) The eligible solar power firm can either bid as direct participant/ bidder or under MoU with MES enlisted/ un-enlisted contractor, but cannot bid simultaneously for the same tender as direct participant/ bidder as also under MoU with enlisted/ un-enlisted contractor.</p> <p>(b) MoU will be permitted between only 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 8 (C) (ii)- (a) & (b) above is noticed, all such bids shall be treated as invalid.</p>
9.	Tender issuing and Accepting Officer	Col Sachin Sharma, Military Engineer Services, Commander Works Engineer, Udhampur, PO - Garhi, Udhampur-182121 (Ph No: 01992-242181, Email Id: umpr3-mes@nic.in)
10.	Executing agency	GE (Utilities) Udhampur
11.	Earnest Money	Rs 80,700.00 in the form of DDI Bankers cheque from any Scheduled bank in favour of GE (Utilities) Udhampur , FDR not acceptable.

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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 is less than 7
(Seven) , applications 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 fulfilment 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 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 fulfil 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 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.
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 7 (Seven) or more, applications of only those one class below the qualified 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. 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.
 - (i) Solar power firms bidding for the work under MOU with other firm shall not enter into multiple MOU with more than one firm. In case of multiple MOU by the same firm, bids from all the firms shall be summarily rejected in Technical Evaluation and their Cover-2 shall not be opened under any circumstances.
 - (ii) In case of a MOU, documents related to financial capabilities shall be of lead partner of the MOU only. Non compliance of this condition shall result into rejection of bid in Technical Evaluation and their Cover-2 shall not be opened under any circumstances.
4. Contractors enlisted with MES will upload the following documents in Cover I 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 check towards cost of tender and EMD instrument in Case SSD bond is not signed at the time of registration.
 - (d) MoU with solar power firms
 - (e) 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.
 - (a) Application for tender on Firm's letterhead.
 - (b) Scanned copy of DD / Bankers cheque towards cost of tender and Earnest Money Deposit (EMD) instrument.

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- (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 1.5 of Section I of MES Manual on Contracts 2020.
- (e) Details of works being executed in MES, if any.
- (f) MoU with solar power firms.
- (g) Any other document required as described in this Appendix.
6. Tenders not accompanied by scanned copies of requisite DD / Bankers check towards cost of tender and earnest money (as applicable) in Cover I shall not be considered for validation of 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 other documents mentioned at Para 4 and Para 5 above 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 contractor of MES, where scanned copies or requisite DD/Bankers check towards cost of tender have been uploaded in Cover I 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 un-enlisted contractor, where scanned copies of requisite DD/ Bankers check 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, 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 (cover 2).
8. 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 name as Proprietor Partner / Director.**
9. 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 HQ CE Udampur Zone Udampur on email id e8u2-mes@nic.in with copy to the Accepting Officer on email umpr3dcwecont-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 the NHEA shall be final and binding The tenderer/ bidder shall not be entitled for any compensation whatsoever for rejection of his bid.
10. 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 /

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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 shall be opened and contractor shall not have any claim on the same.

11. In case an un-enlisted contractor is already executing works in MES, he will 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.
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 lender 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 of 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 stipulate 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.
15. 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.
16. **Critical Dates :**

<u>Ser No</u>	<u>Description</u>	<u>Date</u>	<u>Time</u>	<u>Remarks</u>
(i)	Publishing date & time	01 Mar 2023	1800 Hrs	
(ii)	Documents Download date & time	Start : 01 Mar 2023	1800 Hrs	
(iii)	Bid Submission date & time	Start : 21 Mar 2023 End : 27 Mar 2023	1200 Hrs 1800 Hrs	
(iv)	Opening of (Cover 1)	01 Apr 2023	1200 Hrs	
(v)	Opening of (Cover2)	To be intimated later on after Evaluating		

Signature of Contractor

Dated : _____

8465/U(U)-94/03/E8
Headquarters
Commander Works Engineer
Udhampur
Dated: 01 Mar 2023

(Rajeshwar Prasad)
EE (QS&C)
DCWE (Contracts)
for CWE