

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 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 about two weeks after the date of Acceptance of tender.
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 Office of HQ Chief Engineer (A&N) Zone, Brichgunj, Junglighat Post Port Blair - 744 103 will be the Accepting Officer here in after referred to as such for purpose of the contract.
 - 5.1 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.
6. The Technical Bid and Financial Bid (**Cover-1 and Cover-2**) shall be uploaded by the tenderer/bidder on or before the date & time mentioned in NIT. A scanned copy of DD with enlistment details/documents shall be uploaded as packet 1/cover-1 (T-Bid) of the tender/bid on e-tendering portal. DD is refundable in case T Bid is not accepted resulting in Non-opening of bid. The applicant contractor shall bear the cost of bank charges for Procuring and encasing the DD and shall not have any claim from Government whatsoever on this account.
 - 6.1. Tender form and conditions of contract and other necessary documents shall be available on www.defproc.gov.in/mes.gov.in site for download and shall form part of contract agreement in case the tender/bid is accepted.
 - 6.2. In Case of contractor who has not executed the Standing Security Bond, the Cover-1 shall be accompanied with by Earnest Money of amount as mentioned in Appendix 'A' in the form of deposit at call receipt in favour of concerned CE/GE/AGE(I) (see Appendix 'A') by a scheduled Bank or in receipted treasury Challan the amount being credited to the revenue deposit of the concerned CE/GE/AGE(I) (see Appendix 'A')

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6.3. A contractor who is not enlisted for the area in which the work lies but whose name is in the MES approved list of any MES formation and who has deposited standing security and executed standing security Bond may bid without depositing earnest money along with the tender; but if the Accepting officer accepts the tender/bid, 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/bid, 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.

6.4 A contractor who has executed standing security Bond but not for the appropriate category as mentioned above, shall lodge with the Accepting Officer, Additional security Deposit as notified by the Accepting Officer within thirty days of the receipt of his notification of acceptance of his tender, failing which this sum will be recovered from the first 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. However, in case where any payment is made to the contractor within thirty days of the receipt by him of notification of acceptance of tender, the amount of additional security deposit shall be recovered from such payment.

6.5 The HQ Chief Engineer (A&N) Zone will return the Earnest Money whatever applicable to all unsuccessful tenderers/bidders by endorsing an authority on the deposit-at-call receipt for its refund. On production by the tenderer, bidder a certificate of the Accepting Officer that a bonafide tender/bid was received and all documents were returned.

6.6 The CE/GE 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 security Deposit or will retain the same in part or full on account of security deposit if such a transaction is feasible.

6.7 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.

7. The tenderers are advised to visit site by making prior appointment with GE who is also the Executing Agency of the work (see appendix 'A'). The tenderers are deemed to have full knowledge of all relevant documents, samples, site etc., whether he has inspected them or not.

8. 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.

9. 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.

10. Tenderers must be in possession of a copy of the MES Standard Schedule of Rates (see appendix 'A') including amendments and errata thereto.

11. 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.

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12. 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 viz CE Southern Command on email id *dydrcontceengrpl-mes@nic.in* with copy to the Accepting Officer on email id. 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.

13. 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.

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

15. This notice inviting tender (**NIT**) including Appendix 'A' shall form part of the contract.

Signature of contractor

AAD (Contracts)
For Accepting Officer

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)

1	Name of work	<u>COMPLETION OF INCOMPLETE WORK FOR PROVISION OF SOLAR PHOTO VOLTAIC (SPV) POWER PLANT OF 01 MWP AT BRICHGUNJ PORTBLAIR</u> (Tender Id: 2023_MES_ 593135_1)
2	Estimated Cost	Rs. 1000.00 Lakh (At Par Market rate)
3	Period of completion	For Phase I - 400 days, For Phase-II 55 Months after completion of Phase-I.
4	Cost of tender documents	Rs 3000.00 in the shape of DD/Bankers cheque from any schedule Bank in favour of GE Brichgunj, Port Blair and payable at Port Blair.
5	Website/portal address	www.defproc.gov.in and www.mes.gov.in
6	Type of contract	The tender shall be based on drawings and specifications (IAFW-2159) and GCC (IAFW-2249) with Schedule 'A' (list of items of work) to be priced by tenderer. The tenderers are required to quote their lump sum amounts for pre-priced parts of Schedule 'A' and quote rates against items of other parts of Schedule 'A'.
7	Information & Details :	
	(a) Bid submission start date	02 Jun 2023 at 1100 hrs or as mentioned on web site
	(b) Bid submission end date	12 Jun 2023 at 1800 hrs or as mentioned on web site.
	(c) Date/time for opening of 'T' Bid	19 Jun 2023 at 1100 hrs or as mentioned on web site.
8	Eligibility Criteria	
	(A) For MES enlisted contractors	(i) The contractor should be enlisted in class 'S' (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 given at (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 Un enlisted Contractors	(i) The contractor should meet the enlistment criteria of Class 'S' 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/ICRA/SMERA/Brick Work Ratings India Pvt Ltd and having experience as given at (c) (i) below. However requirement of MoU is exempted for contractors who themselves are having requisite rating by rating agency mentioned here-in-
	(C) For all Contractors	(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 :- (aa) One work of capacity not less than 80% of capacity specified in the NIT Or (ab) Two works of capacity not less than 50% of capacity specified in the NIT Or (ac) Three works of capacity not less than 40% of capacity specified in the NIT

		<p><u>Notes:-</u></p> <p>(a) 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>(b) MoU will be permitted between one eligible solar power firm and one MES enlisted / unenlisted 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	Chief Engineer (A&N) Zone, Brichgunj Military Stn, Junglighat Post, Port Blair
10	Executing agency	Garrison Engineer Brichgunj, Port Blair
11	Earnest Money	Rs 8,25,000.00 in favour of GE Brichgunj, Port Blair.

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 fulfillment 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. 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 FIVE TIMES their present tendering limit. Such bidders shall upload in their Cover-I 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 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-I bid details related to residual work in hand like details of work 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 concerned formation in case bids of such contractors are considered for evaluation.

3. Unenlisted contractors shall be considered provided he meets the criteria. Foreign firms shall not be eligible for this tender. However Indian Firms having foreign national/ Indian national 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.

- (a) Applications for tender on Firm's letterhead.
- (b) Enlistment letter issued by the Registering 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.
5. Contracted not enlisted with MES will be required to upload following documents in Cover I for checking eligibility.
- (a) Applications for tender on Firm's letterhead.
- (b) Scanned copy of DD/Bankers Cheque toward cost of tender and Earnest Money Deposit (EMD).
- (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) Scanned copy of GST Registration Certificate
- (g) Any other document required as described in this Appendix.
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 physical DDS and Earnest Money Deposit (EMD) instruments (as applicable) reach this office of Accepting Officer within 5 days of bid submission end date (* The number of days to be mentioned shall be as decided by the Accepting Officer, 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 has 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 an enlisted contractors, where scanned copies of requisite DD/Bankers Cheque towards cost of tender has 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 alongwith 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 enlisted contractors, where scanned copies of instrument for Earnest Monet 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. 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 reserve the right to reject the Technical bid and not 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 Chief Engineer Southern Command Pune on email id dydrcontcengrpl-mes@gov.in with copy to the Accepting Officer on email before the schedules 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. 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-1 of the bid and shall be checked/verified by the Accepting Officer.

12. In case of 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 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 considering 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. **GST REGISTRATION NUMBER:** The contractor shall be in possession of GST Registration Number. It is mandatory for the contractors to upload their GST Registration Number along with the 'T' Bid. This will be one of the criteria for qualifying in 'T' Bid. Contractor, who does not upload GST Registration Number, shall be disqualified in the 'T' Bid evaluation and his Finance Bid i.e Cover-2 shall not be opened.

16. Tenderer shall note that Court of the place from where tender has been published 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.

17. **INTEGRITY PACT**: As per details given under Integrity Pact.

Signature of contractor

AAD (Contracts)
For Accepting Officer

801116/A/R&C/ 02 /E8

04 May 2023

Address of Accepting Officer

Chief Engineer
HQ (A&N) Zone
Brichgunj
Port Blair – 744 103

Contact Details of the Concerned Officer

Chief Engineer
HQ (A&N) Zone
Brichgunj
Port Blair – 744 103

Distribution:

- | | |
|---|--|
| (a) HQ CE Eastern Command, Kolkata | (s) GE South, Diglipur |
| (b) HQ CE Western Command, Chandimandir | (t) GE (P) North |
| l HQ CE Central Command, Lucknow | (u) GE Brichgunj, Port Blair |
| (d) HQ CE Northern Command, c/o 56 APO | (v) GE Minniebay, Port Blair |
| l HQ CE South Western Command, Jaipur | (w) GE Haddo, Port Blair |
| (f) ADG Chennai | (x) MES Builders Association of India,
Andaman & Nicobar Branch,
c/o Kakolil Trade Agencies,
Kripananda Colony,
School Lines, Port Blair |
| (g) CE Chennai Zone | |
| (h) CE Pune Zone | |
| (j) CE Bhopal Zone | (y) MES Builders Association of India (Regd)
807-08, Sahyog 58, Nehru Place,
New Delhi – 110 019 |
| l GE (I) 866 EWS, Carnicobar | |
| (k) CE (AF) Bangalore | |
| (l) CE (Navy) Kochi | (z) MES Builders Association of India
Plot No : Chandragiri Colony,
Trimulgherry, Secunderabad – 500 015 |
| (m) CE (AF) Ahmedabad | |
| (n) CE (AF) Nagpur | (aa) GE (I) Campbell bay |
| (o) CE (Fy) Secunderabad | |
| (p) CWE Port Blair | (ab) GE (P) Central |
| (q) MES Builders Association of India
Southern Region, c/o Shri K Kumar, 25,
Millers Road, Kilpauk, Chennai – 600 010 | (ac) CWE No.2 Port Blair |