MILITARY ENGINEER SERVICES NOTICE OF 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. 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 the 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 the tender.
- 4. Normally contractors whose names are borne 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/bid but in case of term contracts, contractors of class 'S' to 'E/D' may tender/bid. 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/bid without depositing Earnest money along with the tender/bid. 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.
- 4.1 On acceptance of tender within 28 days of receipt of the Letter of Acceptance, the successful Contactor shall deliver to the Accepting Officer a Performance Security in the form of FDR / BGB for an amount equivalent to 5% of the Contract Sum. (See amended Condition 19 of GCC (IAFW-2249). If the performance security is provided by the successful Contractor in the form of a Bank Guarantee, the same shall be from Nationalized / Scheduled Indian Bank.
- 4.2 Failure of the successful Contractor to comply with the above requirement shall constitute sufficient grounds for cancellation of the award of work and forfeiture of the Earnest Money. In case of MES Enlisted contractor, amount equal to the Earnest Money stipulated in the Notice Inviting Tender, shall be notified to the tenderer for depositing the amount through MRO. Issue of tender to such tenderers shall remain suspended till the aforesaid amount equal to the Earnest Money is deposited in Government Treasury. Not more than one tender/bid shall be submitted/uploaded 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/bid for the same contract as separate competitors. A breach of this condition will render the tenders/bids of both the parties liable for rejection.
- 5. The Office of AGE (I) (CG) Vizag will be the Accepting Officer here in after referred to as such for purpose of contract.
- 6. The Technical Bid and Financial Bid (Cover-1 and Cover-2) shall be uploaded by the tenderer/bidder on or before the date and 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 'Financial' bid. The applicant contractor shall bear the cost of bank charges for procuring and encashing the DD and shall not have any claim form Government whatsoever on this account.
- 6.1 Tender form and conditions of contract and other necessary documents shall be available on **defproc.gov.in** site for download and shall form part of contract agreement in case the tender / bid is accepted.
- In case of contractor who has not executed 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 GE(I) / AGE(I) (see Appendix 'A') by a scheduled Bank or receipted treasury Challan the amount being credited to the revenue deposit of the concerned GE(I) / AGE(I) (see Appendix 'A').
- 6.3 Contractor having not executed standing security bond and standing security deposit in any MES formation shall upload scanned copy of EARNEST MONEY DEPOSIT (EMD) mentioned in Notice of Tender and shall ensure receipt of hard copy of EMD in AGE(I) (CG) VIZAG before date & time fixed for this purpose. In case of failure to abide by any of these two requirements, the Finance bid will not be opened.

- 6.4 Within 28 days of receipt of the letter of Acceptance, the successful contractor shall deliver to the Accepting Officer a Performance Security in any of the forms given below for an amount equivalent to 5% of the contract sum.
 - (a) A Bank Guarantee in the prescribed form.
 - (b) Govt Securities, FDR or any other Government Instruments stipulated by the Accepting Officer.
- 6.5 The 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 its refund, on production by the tenderer/ bidder a certification of the Accepting Officer that a bonafide tender/ bid was received and all documents were returned.
- The AGE(I) will either return the Earnest Money to the successful tenderer/bidder by endorsing an authority on the depositat-call Receipt for its refund on receipt of an appropriate amount of Performance Security or will retain the same in part or full on account of **Performance Security** 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/bidder at the office of Accepting Officer and concerned GE/GE (I)/AGE (I) during working hours.
- 6.8 <u>DEFECT LIABILITY PERIOD</u>: The defect liability period for subject work is 12 Calendar Months after Certified date of Completion of the work as per amendment No. 49 issued to condition 46 of IAFW 2249 General Conditions of Contracts.
- 7. The tenderers/bidders are advised to visit site or work by making prior appointment with the GE/GE(I)/AGE(I)/CCE/Project Manager who is also the Executing Agency of the work (see appendix 'A'). The tenderers/bidders are deemed to have full knowledge of all relevant documents, samples, site etc, whether they have inspected them or not.
- 8. The uploading of bid 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, tools and plants etc will be issued to him and local conditions and other factors bearing on the execution of the work.
- 9. Tenderers/bidders must be in possession of a copy of the MES Standard Schedule of Rates (see appendix-A) including amendments / errata thereto.
- Invitation for e-tender does not constitute any guarantee for validation of 'T' bid and subsequent opening of finance bid of any applicant/bidder, even of enlisted contractors of appropriate class, merely by virtue of enclosing DD. Accepting Officer reserves the right to reject the 'T' bid and not open the finance bid of any applicant/bidder. 'T' bid evaluation shall be decided by the Accepting Officer based on, inter alia, capability of the firm as per criteria given in Appx 'A' to this **NIT**. The applicant contractor / bidder will be informed regarding non-validation of his 'T' bid assigning reasons thereof though the www.defproc.gov.in The applicant contractor/bidder if he so desires may appeal to the next higher Engineering authority viz. HQ Chief Engineer (CG) Visakhapatnam <a href="mailto:onemail
- 11. The Accepting Officer reserves the right to accept a tender submitted by a Public Undertaking, giving a price 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 from such tenderer/bidder whose tender/bid is rejected.
- 12. Accepting Officer does not bind himself to accept the lowest or any tender/bid or to give any reason for not doing so.
- 13. This Notice Inviting Tender (NIT) including Appendix 'A' shall form part of the contract.

	JE (QS&C) FOR ACCEPTING OFFICER
(SIGNATURE OF CONTRACTOR)	
DATE:	

MILITARY ENGINEER SERVICES

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)

1.	Name of Work	PROVISION OF GRID INTERACTIVE SOLAR POWER SYSTEM AT KAKINADA UNDER AGE(I)(CG) VIZAG	ICGS		
2.	Estimated Cost	Rs. 43.35 Lakh (At par Market)			
3.	Period of completion	180 (One hundred Eighty) days			
4.	Cost of tender documents	Rs. 500/- in the shape of DD/Bankers cheque from any Schedule Bank in favour of 'AGE(I) (CG) Vizag' payable at Visakhapatnam.			
5.	Website/ Portal address	www.defproc.gov.in			
6.	Type of contract	The tender shall be based on item rates and specifications, IAFW-1779A & IAFW-2249 and Schedule 'A' (List of items) rates to be quoted by the tenderer.			
7.	Timeline details: (a) Bid submission start date (b) Bid submission end date (c) Date of Bid opening	Please refer critical dates on the website.			
8.	Eligibility Criteria				
	(a) For MES enlisted contractors	Contractor shall be enlisted with MES in Class 'D' and above and Category 'b (ii)' 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.			
	(b) For contractors not enlisted with MES	(i) Contractor not enlisted with MES should meet the enlistment criteria of 'D' Class and 'b (ii)' category contractor with regard to satisfactorily 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 MES Manual on Contracts 2020 as available in all MES Formations as well as MES website (www.mes.gov.in). (ii) Not carrying adverse remarks in Work Load Report (WLR) or any other similar report circulated by any competent authority; if already working in MES. (iii) 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. (iv) Details of works completed and under progress in MES be submitted in the following format:			
		SI No Name of work Value of CA Commence ment Date of Completion Extended date of Completion	fion d get		
9.	Tender issuing and Accepting Officer	AGE (I) (CG) Vizag, Military Engineer Services, CGWO Building, C/o Fleet Mail Office, Visakhapatnam, PIN-530011 Email Id: ageicgvizag4-mes@gov.in			
10.	Executing Agency	AGE (I) (CG) Vizag			
11.	Earnest Money for DGNP Visakhapatnam enlisted contractors and contractor enlisted from except DGNP Visakhapatnam	Bank, in favour of 'AGE (I) (CG) VIZAG' payable at Visakhapatnam (copy			

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)

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 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 of their present tendering limit. Such bidders shall upload in their Cover-1 bid as details related to residual work in hand: -
 - (a) Details of works in hand showing names of work,
 - (b) Names of Accepting Officers,
 - (c) Contract amount,
 - (d) Date of commencement and completion (stipulated)
 - (e) Progress of works as on bid submission date.

Their 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 eligibility 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 up-gradation 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.
- 4. 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) Any other document required as described in this Appendix and Annexure I to 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/ banker's 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) Any other document required as described in this Appendix and Annexure I to Appendix.

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)

- 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) instrument (as applicable) reach the office of Accepting Officer within 05 days of bid submission end date failing which the following action shall be taken: -
 - (a) In case of tender from 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 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 tender from un-enlisted contractor, 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 will not be opened. Name of such contractor(s) 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 instrument 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. 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 tenders as per NIT, a communication in the form of E-mail/Whatsapp/SMS/Speed Post etc., shall be sent to the contractor to rectify the deficiency within a period of 7 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 for e-tender does not constitute any guarantee for validation of 'T' bid and subsequent opening of finance bid of any applicant/bidder, even of enlisted contractors of appropriate class, merely by virtue of enclosing DD. Accepting Officer reserves the right to reject the 'T' bid and not open the finance bid of any applicant/bidder. 'T' bid evaluation shall be decided by the Accepting Officer based on, inter alia, capability of the firm as per criteria given in Appx 'A' to this **NIT**. The applicant contractor / bidder will be informed regarding non-validation of his 'T' bid assigning reasons thereof though the www.defproc.gov.in The applicant contractor/bidder if he so desires may appeal to the next higher Engineering authority viz HQ Chief Engineer (CG) Visakhapatnam on email id "cgviz2-mes@gov.in" with copy to the Accepting Officer on email before the scheduled date of opening of Finance Bid. The decision of the Next Higher Engineering Authority (NHEA) shall be final and binding. The contractor / 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 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 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.

CA NO. AGE [I] [CG] / VIZ / TOKEN / 08 OF 2023-2024

SERIAL PAGE NO. 11

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)

- 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 Standing Security Bond, an amount equal to 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 further works shall remain suspended till the aforesaid amount is deposited in the Government Treasury. No other disciplinary/ administrative action shall be taken against such tenderer. In such a situation, the next lowest offer shall be considered for acceptance. Instead, retendering shall be resorted to in a transparent 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. All bidders are requested to upload the certificate attached as Appendix 'A' duly signed. Hard copy of the same is also to be submitted with the application & cost of tender duly signed which will be part of tender documents.

NO: 8235 / /E8 JE (QS&C)

DATE: MAY 2023 for ACCEPTING OFFICER

SIGNATURE OF CONTRACTOR

Appendix 'A' to the Para 15 of Srl page No 11

I/We hereby understand and accept that if I/We withdraw or modify my/our bids during the period of validity, or if I/We are awarded the contracts and on being called upon to submit the Performance Security/Security Deposit, fail to submit the Performance Security/Security Deposit before the deadline defined in the request for bid documents/Notice Inviting Tender, I/We shall be debarred from exemption of submitting Bid Security/Earnest Money Deposit for a period of 6 (six) months, from the date I/We are declared disqualified from exemption from submission of Earnest Money Deposit/Security Deposit for all tenders issued by MES during this period.

SIGNATURE OF CONTRACTOR

Annexure No. I

ELIGIBILITY CRITERIA FOR UN-ENLISTED CONTRACTORS

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(a) Two works costing not less than Rs. 25.00 Lakhs.

Or

One work costing not less than Rs. 40.00 Lakhs.

And

(b) Average annual turnover for last two consecutive years shall not less than Rs. 50.00 Lakhs.

NOTE: List of works executed by the contractor, copy of work orders, completion certificate, audited balance sheet for last two consecutive years and performance report from the respective department shall be uploaded by the contractor at the time of submission of on-line bid.

2. FINANCIAL SOUNDNESS

(a) Solvent upto Rs 20.00 Lakhs.

Or

Financially sound for engagement upto Rs 50.00 Lakhs.

(b) Working capital not less than Rs 7.50 Lakhs.

NOTE: Solvency and working capital certificate from a scheduled Bank as per format below shall be uploaded by the contractor at the time of submission of on -line bid.

FORM OF SOLVENCY CERTIFICATE FROM NATIONALISED / SCHEDULED BANK

This is certified that to the best of our knowle	dge and in	nformation M/s/Shri/Smt
having address	a cus	stomer of our bank are/is respectable and can be
considered solvent upto Rs.	(Rupees)/
financially sound for any engagement up		
). This certificate is issued without
any guarantee or responsibility on the bank or any o	of the office	ers.
		(Signature)
		Name, No, Seal of Bank
Note: In case of partnership firm, certificate to inclu	ude names	
		•
FORM OF WORKING CAPITAL CERTIFICA	ATE FRO	M NATIONALISED / SCHEDULED BANK
This is certified that M/s./Shri/Smt		having
address		
has/have been maintaining a saving bank account/o	current acc	ount/fixed deposit account with this branch of
bank since and The firm is havi		^
and / or the firm is enjoying overdraft / credit facil	_	• • • • •
issued without any guarantee or responsibility on th		

(Signature) Name, No, Seal of Bank

Annexure 'I' (Contd)

- 3. Copy of police verification certificate (not older than 06 months) of proprietor/Partners/Directors from police authority of the area where registered office is located. Alternatively notarized copy of valid passport of proprietor/partners / each director can be submitted.
- 4. Notarized affidavit from the contractor that there is no Government dues/ recovery outstanding against the firm.
- 5. Notarized affidavit from the contractor that he is not involved in an arbitration/litigation case with Government.
- 6. Notarized affidavit for no near relatives is working as Gazetted/ commissioned Officer in MES/ Ministry of Defence/ Corps of Engineers.
- 7. Notarized affidavit for no near relatives is working as Junior Engineer MES/ Ministry of Defence/ Corps of Engineers.
- 8. Notarized affidavit for deceleration of no sister concern working in MES.
- 9. Notarized affidavit for no foreign national is employed in the firm.
- 10. Income Tax return 2022-2023.
- 11. Notarized affidavit for no MINUS Final bill/bills is pending in MES.
- 12. Photo copy of Voter ID, Aadhar card, GST and PF.
- Notes: (i) All the documents submitted by the contractor shall be signed by him.
 - (ii) Photo Copies of documents shall be attested by the Gazetted Officer/ Notary Public.
 - (iii) All the affidavit shall be given on non-Judicial stamp paper of appropriates value duly signed by the contractor and attested by the Magistrate/ Notary Public.
- 13. The successful bidder may be asked by Accepting Officer for submission of additional documents/ Affidavits as required to be submitted by the Contractor for enlistment in MES as per MES Manual on Contracts, 2020 amended from time to time. Contractors are advised to see the aforesaid details available with any of the MES establishments.
- 14. All the documents submitted by the contractor shall be signed by him. Photocopies of documents shall be attested by the Gazetted Officer / Notary Public. All the affidavits shall be given on non-judicial stamp paper of appropriate value duly signed by the contractor and attested by the Magistrate / Notary Public.

Note: Contractor shall upload copies of all the above documents prior to closing date of submission bid in the cover name as "Scan copy of DD i.e., cost of tender and EMD as applicable".