

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)

Commander Works Engineer Mhow (MP) 453 441 of behalf of President of India invites e-tender as per terms and condition laid down in the tender documents uploaded on Defence e-procurement portal "www.defproc.gov.in" from eligible enlisted contractors of MES and enlisted/un-enlisted contractors working with other Govt Departments meeting eligibility criteria for the under mentioned work. This is an e-tender as such manual offered bids for this tender will not be accepted under any circumstances, only electronic offer bids shall be accepted. For detailed instructions, please refer to website www.defproc.gov.in. A condensed version of Notice of Tender to be read with Main Notice of Tender (IAFW-2160 Revised 1960) is submitted below :-

1.	Name of Work	REPAIR/MAINT OF 05 MW SOLAR PLANT AND MISC ITEMS UNDER GE (MCTE) MHOW
2.	Estimated Cost	Rs. 25.00 Lakh (As Par Market)
3.	Period of completion	06 Months (Six Months)
4.	Cost of tender documents	Rs. 500/- in the form of DD/Bankers cheque from any Scheduled/Nationalized bank in favour of GE (MCTE) Mhow (MP) payable at Mhow..
5.	Website/portal address	www.defproc.gov.in (Defence e-Procurement Portal)
6.	Type of contract -	The tender shall be based on IAFW- 2249 & IAFW-1779-A
7.	Information & Details	
	(a) Bid submission start date	Refer critical dates on website "www.defproc.gov.in"
	(b) Bid submission end date	
	(c) Date of bid opening	
8.	Eligibility criteria: -	
	(A) For MES enlisted Contractor	<p>Scanned documents to be up loaded along with application indicating valid email ID:-</p> <p>(a) All contractors enlisted with MES in Class 'E' and above and category b (ii) subject to the remarks wrt performance in respect of works in hand reflected in Workload return (WLR) circulated by competent engineer authority. Refer Note - below</p> <p>(b) Application for bid in Firm's letter head</p> <p>(c) Demand Draft towards cost of tender to be uploaded.</p> <p>(d) Enlistment letter along with its enclosures</p> <p>(e) Copy of GST Registration number obtained from concerned department shall be uploaded while submitting the tender documents, if the contractor not in possession of this number shall be disqualified in 'T' Bid evaluation and his Financial Bid shall not be opened.</p>
	(B) For other Contractors	<p>Scanned documents to be up loaded along with application indicating valid email ID:-</p> <p>(i) Documents meeting enlistment criteria of MES for Class 'E' and Category b (ii) with regards to satisfactory completion of requisite value of similar works with Central/State Govt/Central/ State PSUs/AWHO/AFNHB/CGEWHO/DGMAP, annual turnover, solvency, working capital, fixed assets, engineer establishment etc. (Affidavit in original and attested copies of supporting documents to be furnished with applications) (Enlistment criteria are available in all MES offices and MES website)</p> <p>(ii) No recovery outstanding in any Govt. Dept and Not suspended/debarred/blacklisted (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. (for which Affidavit to be submitted).</p> <p>(iii) Copy of police verification (within last one year) from police authorities of the area where the registered office is located. For proprietor/each partner/each director, valid passport duly notarized shall also be acceptable in lieu of police verification.</p> <p>(iv) Demand Draft towards cost of tender to be uploaded.</p> <p>(v)) EMD of requisite value along with Technical bid i.e. Cover-1.</p> <p>(vi) Copy of GST Registration number obtained from concerned department shall be uploaded while submitting the tender documents, if the contractor not in possession of this number shall be disqualified in 'T' Bid evaluation and his Financial Bid shall not be opened.</p> <p>(vii) As per details given Instructions for completion of tender documents to be complied with by the tenderers.</p> <p>(vii) As per details given Instructions for completion of tender documents to be complied with by the tenderers.</p>
		<p>(viii) As per enlistment criteria given in Para 1.4 and 1.5 of Section of 1 Part-I of MES Manual on Contracts-2020 incl amendments as available in all MES Formations as well as MES website. (ix) Contractors with adverse remark in quarterly Work Load Return circulated by competent authority will not be considered as eligible bidders and Price Bid submitted by such bidders will not be opened.</p> <p>(ix) Contractors with adverse remark in quarterly Work Load Return circulated by competent authority will not be considered as eligible bidders and Price Bid submitted by such bidders will not be opened.</p>

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	<p>NOTE: All above documents in pdf format be uploaded in a single folder will only be acceptable (x) Details of works completed and under progress in MES be submitted in the following format :-</p> <table border="1"> <thead> <tr> <th>Srl No</th> <th>CA No.& Name of work</th> <th>Value o CA</th> <th>Date of commencement</th> <th>Date of completion</th> <th>Extended Date of completion</th> </tr> </thead> </table> <p>(xi) Un-enlisted Contractor Who have secured two works in MES should get themselves registered in the appropriate designated Class with any Registering Authority, else the firm will not be eligible for participation in the tender unless until the firm is enlisted with the MES.</p>	Srl No	CA No.& Name of work	Value o CA	Date of commencement	Date of completion	Extended Date of completion
Srl No	CA No.& Name of work	Value o CA	Date of commencement	Date of completion	Extended Date of completion		
(C) For all contractor	Before release of work order after consideration of contract, the contractor shall produce provident fund code number to accepting officer, In case work is of non applicability; contractor shall request Accepting officer whose decision shall be final and binding.						
(D) For All Contractors	Contractors 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 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. This shall be subject to certain conditions which will be prescribed in the NIT forming part of tender documents.						
9.	Details of Tender issuing Authority, Accepting Officer and contact details CWE Mhow Email- mhwjz3-mes@nic.in Phone No. 07324-298902						
10.	Executing Authority GE (MCTE) Mhow (MP)						
11.	Earnest Money <u>Rs. 50,000/- in favour of GE (MCTE) Mhow (MP).</u>						

Notes: -

- Digital application received without scanned copy of Demand Draft/Banker's Cheque shall not be considered for opening of financial bid. The DD shall be non refundable if the bid admitted for opening of financial bid. DD/Bankers cheque shall be returned to the applicant by the Accepting Officer whose financial bid (cover-2) is not opened. The applicant shall also renew/ or forward fresh DD/Bankers cheque at his own cost on demand by Accepting Officer in case of delay in opening of tender / postponement of tender and he shall not have any claim whatsoever on this account on Govt. Please note that Cover-2 (Financial bid) will only be opened in respect of qualified and eligible contractor who fulfills the eligibility criteria as per Tech bid submitted in Cover-1 (applications/technical bid).
- Contractors should ensure that their original physical DDS and Earnest Money Deposit (EMD) instruments (as applicable) reach the office of Accepting Officer within Seven days of bid submission end date (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.
- 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 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 will ill 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).
- In case of tenders from un-enlisted contractor, where scanned copies of' requisite DD/Bankers Cheque 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 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).
- In case of tenders from enlisted and un-enlisted contractors, where scanned copies of instruments for **Bid Securing declaration** (as applicable) have been uploaded in Cover I but the same are not received in physical form within stipulated period, such tenders shall not qualify for opening of financial bid (Cover 2).
- 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.
- 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 fulfillment of the 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.**

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7. (Contd...) 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 upgradation to the stipulated eligible class based on past experience of completed works (individual work experience and/or average annual turnover, as applicable) and financial soundness (solvency/financial soundness and working capital), the ceiling of present residual work will not apply and they will be considered for issue of tender.** Such bidders shall upload in their Cover-1 bid details of work in hand showing names of work, names of Accepting Officers, Contract amount, 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.

8. 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 NI F, 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- I.

9. 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.

10. 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.

11. 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, after opening of cover 1 (T bid) and during technical evaluation, a communication in the form of e-mail/WhatsApp/SMS/speed post etc. shall be send 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.

12. **Contractor enlisted with MES** will upload following document for checking eligibility: -

- (i) Application for bid in Firm's letter head
- (ii) Enlistment letter issued by the Registering Authority duly renewed for the cycle period in vogue.
- (iii) Scanned copy of DD of cost of tender and **EMD** instruments in case of SSD bond is not signed at the time of registration.
- (v) Scanned copy of GST (Goods and Service Tax) Registration Number of the firm
- (vi) Any other documents required as described in this Appendix.

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

- (i) Details of three highest valued similar nature of work executed during last five years, financial year-wise in tabular form giving name of work, Accepting Officer's details, viz, Address, Telephone, Fax No., E-mail ID etc. date of acceptance of tender and actual date of completion. This shall be duly signed by proprietor/all partners/ authorised Director of Pvt/Public Ltd, as applicable. It should indicate whether extension was granted or compensation was levied. Attested copy of acceptance letter and completion certificate shall be enclosed of each work. In case performance report has been given by the client same shall also be submitted duly attested.
- (ii) Solvency certificate and working Capital Certificate issued by scheduled bank.
- (iii) Annual turnover certificate for last 2 years issued by Chartered Accountant along with relevant pages of audited balance sheet in support thereof.
- (iv) 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.
- (v) In addition, the un-enlisted contractors shall also furnish affidavit on non-Judicial stamp paper in the form of hard copy declaring their turnover for last 2 (Two) years.
- (vi) Scanned copy of DD of cost of tender and EMD.
- (viii) Scanned copy of GST (Goods and Service Tax) Registration Number of the firm.
- (ix) Application for tender on Firm's letter head.
- (x) Any other document required as described in this Appendix.
- (xi) All documents required for enlistment in MES for the class mentioned in Para 8(b) above as per Para 1 .5 of Section I of MES Manual on Contracts 2020 including amendments

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14. Invitation for e-tender documents 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 CHIEF ENGINEER JABALPUR ZONE on email ID **jabalpurengrs@gmail.com** 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 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.

15. In case an un-enlisted contractor is already executing works in MPS, he shall not be considered eligible for the subject tender if the total value of such works is more than twice the tendering limit of the MES Class of contractor for which it is eligible. For this purpose, details of the works being executed by such a contractor shall be uploaded in the Cover -I of the bid and shall be checked/verified by the Accepting Officer.

16. 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 work is more than twice the tendering limit of the MES class of the contractor for which it is eligible. For this purpose, details of the works being executed by such a contractor shall be uploaded in the cover – I of the bid and shall be checked/verified by the Accepting Officer.

17. 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-bonafied. In such cases the lowest tender shall be determined from amongst the valid/bonafied bids only. Accepting Officer may decide whether to retender or consider the lowest bonafied tender for acceptance.

18. 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 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 work 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.

19. Tender to be related firm shall not be issued simultaneously, Firm 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.

20. **Performance Security** : The successful contractor shall submit performance security in favour of Accepting Officer for an amount equivalent to **5% of contract sum** within 28 days of receipt of the letter of acceptance in the form of Government securities, FDR or any other Government instruments or a bank Guarantee in the prescribed form as stipulated by accepting officer. Work order No 1 shall be placed only after submission of performance security of adequate value by the contractor. Failure of the successful contractor to comply with the requirements shall constitute sufficient grounds for cancellation of the award of work and forfeiture of the Earnest Money. In case of MES enlisted Contractors, the amount equal to the Earnest Money stipulated in the Notice of tender shall be notified to the tenderer/bidder 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. The performance security deposited shall be refunded to the contractor after the expiry of the defects liability period. In case a fixed deposit receipt of any Bank is furnished by the contractor to the Government as part of the Performance Guarantee and the Bank is unable to make payment against the said fixed deposit receipt, the loss caused thereby shall fall on the contractor and the contractor shall forthwith on demand furnish additional security to the Government to make good the deficit.

21. **Defects liability**: Defect liability period of the contract shall be for **Twelve (12) calendar months** after the works have been handed over to Government.

File No. 82789/ /E8

Dated: 2024

Headquarters
Commander Works Engineers
Military Engineer Services
Mhow Cantt , Mhow (MP)-453 441

Signature of Contractor

(Anil Ramteke)
AE (QS&C)
ACWE (Contracts)
for CWE Mhow