

MILITARY ENGINEER SERVICES
NOTICE OF TENDER (IAFW-2162)
APPLICABLE FOR LUMP SUM/MEASUREMENT CONTRACTS

1. A tender is invited for the work as mentioned in Appendix 'A' to this NOTICE INVITING TENDER (NIT) in SINGLE STAGE TWO COVER SYSTEM.
2. The work is estimated to cost as indicated in aforesaid Appendix 'A'. This estimate however, is not a guarantee and it is merely given as rough guide and if the work costs more or less, the tenderer will have no claim on this account. The tender shall be based as mentioned in aforesaid Appendix 'A'.
3. The work is to be completed within the period as indicated in aforesaid NIT/Sch 'A' Notes in accordance with the phasing, if any, indicated in the tender from the date of handing over site, which will be as per Work Order No 1 placed after successful submission of Performance Security as per Condition 19 of IAFW 2249 and as admissible.
4. Normally Contractors whose names are on the MES approved list and within whose financial category the estimated amount would fall, may tender/bid but in case of term contracts, contractors of categories 'E' to 'SS' may tender/bid. 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. Two firms shall be deemed to have business dealing if any of the partners/proprietor/director is common among both of them. A breach of this condition will render the tenders/bids of both the parties liable for rejection. A breach of this contract condition will render the tenders/bids of both parties liable to rejection.
5. The **HQ CWE(AF) TUGHLAKABAD, AF STN TUGHLAKABAD, NEW DELHI-80** will be the Accepting Officer, hereinafter referred to as such for the purpose of this contract.
6. The Technical Bid and Financial Bid (Cover-1 and Cover-2) shall be uploaded by the contractor on or before the date & time mentioned in NIT. A scanned copy of DD with enlistment details and other documents as specified in Appendix A shall be uploaded as Cover-1 (Technical bid) of the tender on e-tendering portal. DD is refundable in case the contractor is not considered eligible in technical evaluation of Cover 1 resulting in non opening of Cover1. The applicant contractor shall bear the cost of bank charges for procuring and encashing the DD including revalidation of DDs and shall not have any claim from Government whatsoever on this account.
 - 6.1. Tender forms and conditions of contract and other necessary documents shall be available on www.defproc.gov.in website for download and shall form part of contract agreement in case the tender/bid is accepted.
 - 6.2. In case of MES enlisted contractor who has not executed the Standing Security Bond and unenlisted contractor, the Cover-I shall be accompanied by Earnest Money for the amount mentioned in Appendix 'A' in the form of deposit at call receipt in favour of concerned CCE/GE/GE (I)/AGE (I) (see Appendix 'A') by a Scheduled Bank or in received treasury Challan the amount being credited to the revenue deposit of the concerned CCE/GE/GE(I)/AGE(I) (see Appendix 'A'). The CCE/GE/GE (I)/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 receipt of intimation from the Accepting Officer to do that.
 - 6.3. In case of successful contractor i.e the lowest contractor having submitted EMD, he shall have the option of converting the EMD instrument into part of the Performance Security @ 05% of accepted amount to be deposited by him within 28 days from the receipt of intimation of acceptance of tender from Accepting Officer,
 - 6.4 Sample of materials and stores to be supplied by the contractor will also be available for inspection by the bidder at the office of concerned GE/GE (I)/AGE (I)/Project Manager during working hours. The bidder is advised to visit the site of work by making prior appointment with GE/GE (I)/AGE (I)/CCE/Project Manager, who is the Executing Agency of the work (see Appendix 'A'). The bidder shall be deemed to have full knowledge of all relevant documents, samples, site etc whether he has inspected them or not.
 - 6.5 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.

6.6 The tenderers/bidders are advised to visit the site of work by making prior appointment with GE/ GE (I) / AGE(I) who is also the Executing Agency of the work (see NIT). The tenderers/bidders are deemed to have full knowledge of all relevant documents, samples, site etc., whether they have inspected them or not.

6.7 Any tender/bid 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.

6.8 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 having bearing on the execution of the work.

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

6.11 The Accepting Officer reserves the right to accept a tender submitted by a Public Undertaking/Small & Medium Enterprises (SMEs), giving a price preference/purchase 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 for such tenderer/bidder whose tender/bid is rejected.

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

6.13 Not more than one tender/bid shall be submitted/uploaded by one bidder firm. Under no circumstances will a father and his son(s) or other close relations who have business dealing with one another be allowed to tender/bid for the same tender as separate competitors. A breach of this condition will render the tenders/bids of both the parties liable for rejection.

7. This Notice Inviting Tender (NIT) including Appendix 'A' and annexure there to, if any shall form part of the contract.

(SIGNATURE OF CONTRACTOR)
DATED:

DCWE(Contracts)
FOR ACCEPTING OFFICER

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)

1.	Name of Work	COMPREHENSIVE MAINTENANCE OF 1.7 MW SOLAR POWER PLANT AT AF STN PALAM UNDER GE (AF) GURGAON NO.1
2.	Estimated Cost	Rs. 24.99 Lakhs (At par market)
3.	Period of completion	270 Days
4.	Cost of tender documents	NA
5.	Website/portal address	http://defproc.gov.in and www.mes.gov.in
6.	Type of contract	The tender shall be based on specifications (IAFW-1779A) and GCC (IAFW-2249) with Schedule 'A' (List of item of Work) to be priced by tenderer. The Tenderers are required to quote their rates against items of Schedule 'A'/BOQ
7.	Information and Details:	
	Date of Publishing Bid	Refer critical dates on http://defproc.gov.in and www.mes.gov.in
	Date of Opening Bid (Cover No. 1)	
	Date and time of bid opening (Cover No 2)	
8.	Eligibility Criteria:	
	(A) For MES enlisted contractors	(i) All Contractors enlisted with MES in Class 'E' and above shall be considered eligible. (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 contractors not enlisted with MES	(i) The contractor should meet the enlistment criteria of Class 'E' and above 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-before. (iii) Not carrying adverse remarks in Work Load Return (WLR) or any other similar report circulated by any competent engineer authority, if already working in MES. (iv) 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. (iv) These firms shall also submit copy of police verification from police authority of the area where the registered office of the firm is located/notarised copy of valid passport of proprietor/each partner/each

		Director. (v) Details of works completed and under progress in MES be submitted in the following format: <table><tr><th>Srl no.</th><th>CA No. & Name of Work</th><th>Value of CA (INR)</th><th>Date of Commencement</th><th>Date of Completion</th><th>Extended Date of Completion if any</th></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td></tr></table> (vi) Un-listed 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 tender unless until the firm is enlisted with the MES.	Srl no.	CA No. & Name of Work	Value of CA (INR)	Date of Commencement	Date of Completion	Extended Date of Completion if any						
Srl no.	CA No. & Name of Work	Value of CA (INR)	Date of Commencement	Date of Completion	Extended Date of Completion if any									
	(C) For all Contractors	(i) The contractor should have experience of having successfully completed/commissioned/comprehensive maintenance of 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												
9	Special Notes for MoU	(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. (b) MoU will be permitted between one eligible solar power firm and one MES enlisted / unenlisted contractor, bidding for the same tender. (c) In case any violation of condition at (a) and (b) above is noticed, all such bids shall be treated as invalid.												
10.	Tender issuing and Accepting Officer	CWE(AF) Tughlakabad , AF Stn, Tughlakabad, New Delhi- 110080 Email- acweaftughla3-mes@nic.in												
11.	Executing Agency	<u>GE(AF) Gurgaon No.1</u>												
12.	Earnest Money	Rs. 50,000.00 in form of DD/Banker's cheque from any Schedule/Nationalized bank in favour of <u>GE (AF) Gurgaon No.1</u> payable at Gurgaon												

Notes:-

1. In case after opening of Cover 1, the number of MES enlisted contractors of eligible class as well as eligible un-enlisted contractors, if any, fulfilling the other eligibility criteria given in NIT 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 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.

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

However in case such contractors fulfill the criteria of up-gradation, to the stipulated eligible class based on past experience of completed works (individual work experience and/or average annual turnover, as applicable) and financial soundness (solvency/financial soundness and working capital), the ceiling of present residual work will not apply and they will be considered for issue of tender. Such bidders shall upload in their Cover-1 bid details related to residual work in hand 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 up-gradation shall also upload the requisite information/documents in support of up-gradation. These details shall be verified by the Tender Issuing Authority from concerned formations in case bids of such contractors are considered for evaluation.

2. In case after opening of Cover 1, the number of MES enlisted contractors of eligible class as well as un-enlisted contractors, if any, fulfilling the other 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 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 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 towards cost of tender and EMD instruments in case SSD bond is not signed at the time of registration.
 - (d) Scanned copy of Employees provident fund number.
 - (e) Scanned copy of GST registration number.
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 Bankers cheque 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 of contracts – 2020.
 - (e) Details of works being executed in MES, if any.
 - (f) Scanned copy of EPF registration certificate issued by EPFO.
 - (g) GST Registration Number.
6. Tenders not accompanied by scanned copies of requisite Bankers Cheque towards earnest money (as applicable) in Cover 1 shall not be considered for validation of "T" bid and their Financial Bids will not be opened.

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

7. Contractors should ensure that their original physical Earnest Money Deposit (EMD) instruments (as applicable) reach the office of Accepting Officer within 07 days of bid submission end date failing which following action shall be taken :-

(a) In case of tenders from enlisted and unenlisted 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. 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/SMS/Speed Post etc** shall be sent to the contractor to rectify the deficiency within a period of seven days from date of communication failing which their financial bid (Cover 2) shall not be opened and contractor shall not have any claim on the same.
10. Invitation for e-tender does not constitute any guarantee for validation of Technical bid and subsequent opening of financial bid of any applicant/bidder merely by virtue of enclosing DD. Accepting Officer reserves the right to reject the Technical bid and not to open the financial bid of 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 i.e **HQ CE(AF) Nagpur** on e-mail cezafn2-mes@nic.in and/or dircontcezafn2-mes@gov.in with copy to the Accepting Officer before the scheduled date of opening of Cover 2, NHEA shall decide the matter within a period of seven working day 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 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-render 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 bid submission end date shall be considered as a wilful 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 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.