

APPENDIX 'A' TO NOTICE INVITING TENDER [NIT] Contd..../-

8. Contractor will not be allowed to execute the work by subletting or through power of attorney to third party/another firm on his behalf. However a contractor can execute the work through power of attorney to sons/daughter/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 opt 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 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 reports which shall be uploaded on the website. Such tenderer, if desires, may appeal to the next higher Engineer Authority (NHEA) viz. HQ CWE Ambala Cantt on email ID of CWE Ambala Cantt i.e. ambcz3-mes@nic.in 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.

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 wilful negligence by the bidder and his quotation shall be considered non-bonafide. In such case 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 wilful default. For this default a penalty of an amount equal to Earnest Money shall be levied. In case of an unenlisted tenderer the earnest money deposited by him shall be forfeited. In case 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 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. **Jurisdiction of Court:** 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.

Signature of contractor

File No 8125/50/03/E8

Garrison Engineer (Utility)
Ambala Cantt


(S K Choudhary, IDSE)
EE
GE [U] Ambala
Accepting Officer

Dated: 19 AUG 2025

Distribution:-

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7. CIDC Web, Construction Industries Development Council, 801, (8th Floor) Hemkunt Chamber, 89, Nehru Palace, New Delhi-110019
8. Tender information services, B/4/224, Safdar Jang Enclave, New Delhi - 110029
9. MEO Ambala Cantt
10. The Post Master, GPO Ambala Cantt
11. State Bank of India, The Mall, Ambala Cantt
12. The Hony Secretary (C/o Sh Chander Shekhar Kapil) MES Builders Association (Regd.), Ambala Branch, 27, New Model Colony, Ambala City-134003.
13. The Secretary, MES Builders Association of India (Regd), Chandigarh Branch, 706, Sector 8-D, Chandigarh
14. The Secretary, MES Builders Association of India (Regd), Delhi Branch, 807, Sahyog 58, Nehru Place, New Delhi-19
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