

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 phasing, if any, indicated in the tender from the date of handing over the 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 and within whose financial category the estimated amount would fall and unenlisted contractors may submit tender/bid subject to other criteria mentioned in Appendix 'A'. However, in case of term contracts, enlisted contractors of Class SS to E may submit tender. 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 **Garrison Engineer (AF), Yelahanka** will be the Accepting Officer here in after referred to as such for purpose of the 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 Cover-2. 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 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.
 - 6.2 In Case of contractor who has not executed the Standing Security Bond, the Cover-I 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 **Garrison Engineer (AF), Yelahanka** (see appendix 'A') by a scheduled Bank or in receipted treasury Challan the amount being credited to the revenue deposit of the **Garrison Engineer (AF), Yelahanka** (see appendix 'A').

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6.3 The **Garrison Engineer (AF), Yelahanka** 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 certificate of the Accepting Officer that a bonafide tender/bid was received and all document were returned.

6.4 The **Garrison Engineer (AF), Yelahanka** will either return the Earnest Money to the successful tenderer/bidder by endorsing an authority on the deposit-at-call 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 Performance Security if such a transaction is feasible.

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 **Garrison Engineer (AF), Yelahanka** during working hours. The bidder shall be deemed to have full knowledge of all relevant documents, samples, site etc. whether he has inspected them or not.

8. The tenderers/bidders are advised to visit site of work by making prior appointment with GE 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.

9. 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.

10. 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.

11. Tenderers/bidders must be in possession of a copy of the MES Standard Schedule of Rates (SSR) (Part-I & Part-II of latest edition) including amendments and errata thereto.

12. 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 validation shall be decided by the Accepting Officer based on, interalia, capability of the firm as per criteria give in Appendix 'A' to this NIT. The applicant contractor/ bidder will be informed regarding Non-validation of his "T" bid assigning reasons thereof through the defproc website. The applicant contractor/ bidder if he so desires may appeal to the next higher Engineer authority viz. CWE (AF) South, Bangalore on email id safbang3-mes@nic.in with copy to the Accepting Officer on email id afyelah4-mes@nic.in before the scheduled date of opening of Finance Bid. The decision of Next Higher Engineer Authority (NHEA) shall be final and binding. The contractor/bidder shall not be entitled for any compensation whatsoever for rejection of his tender/bid.

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13. The Accepting Officer reserves the right to accept a tender submitted by a Public Undertaking, giving a price preference over other Tender(s)/bid(s) 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.

14. Accepting Officer does not bind himself to accept the lowest or any tender/bid 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

AGE (CONTRACTS)
FOR ACCEPTING OFFICER

Dated:

APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)

1.	Name of work	COMPREHENSIVE MAINTENANCE/REPAIR OF 1 MW SOLAR PLANT AT AFS YELAHANKA
2.	Estimated Cost	Rs. 25.00 Lakhs (At par market)
3.	Period of completion	180 Days
4.	Cost of tender documents	Rs. 500/- in the form of DD/ Bankers cheque from any Scheduled Bank in favour of GE (AF) Yelahanka and payable at Bangalore . (Note: In case of retendering, the contractor who had quoted in the previous call is not required to submit the cost of tender).
5.	Website/ portal address	https://defproc.gov.in
6.	Type of contract	The tender shall be based on Item Rate Contracts (IAFW 1779A) and General Condition of Contracts (IAFW 2249) with Schedule 'A' list of items of works to be Priced by the Tenderer.
7.	<u>Timeline details:</u> (a) Bid submission start date (b) Bid submission end date (c) Date of bid opening	Refer to critical dates on the website https://defproc.gov.in
8.	<u>Eligibility Criteria:</u> (a) For MES enlisted contractors.	All contractors enlisted with MES in Class 'E' and above and category 'b (i)' subject to satisfactory remarks with respect to 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 'E' Class & 'b (i)' category contractor with regard to satisfactorily completion of requisite value works with Central/ State Government/ Central/ State PSUs/ AWHO/ AFNHB/ CGEWHO/ DGMA, annual turnover, bank solvency, working capital and other requirements given in Para 1.4 & 1.5 of Section-1 of MES Manual of 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 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.

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APPENDIX 'A' TO NOTICE INVITING TENDER (NIT)

8 (b) Contd..	(iv) Details of works completed and under progress in MES be submitted in the following format: -					
	Sl No.	CA No. & Name of Work	Value of CA	Date of Commencement	Date of completion	Extended Date of Completion
	(v) Un-enlisted Contractors 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.					
	(C) Technical PQC criteria	-NA-				
9.	Tender issuing and Accepting Officer	Garrison Engineer (AF), Military Engineer Services, Yelahanks-560 063 (KA). Phone no.: 080-28478533 E-mail: afyelah4-mes@nic.in				
10.	Executing Agency	GE (AF) Yelahanka				
11.	Earnest Money	Rs. 50,000/- in the shape of Call Deposit Receipt in favour of GE (AF) Yelahanka, from any Nationalized Bank/ Scheduled Bank. <i>Note: MES contractors who have furnished SSD bond is exempted from submission of EMD. FDR/ BGB not acceptable.</i>				

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 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 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 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 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 formations in case bids of such contractors are considered for evaluation.

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2. In case after the 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 07 (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 upgradation 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 the 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 the cost of tender and EMD instrument in case SSD bond is not signed at the time of registration.
- (d) Scanned copy of GST Registration number.
- (e) Scanned copy of Provident Fund Code Number form EPFO.
- (f) Any other document required as described in this Appendix.

5. Contractors not enlisted with MES will be required to upload the following documents in Cover-1 for checking eligibility: -

- (a) Application for tender on Firm's letterhead.
- (b) Scanned copy of DD/ Bankers cheque toward the 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 the 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 and as per Para 1.4 & 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 number.
- (g) Scanned copy of Provident Fund Code Number form EPFO.
- (h) Any other document required as described in this Appendix.

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6. Tenders not accompanied by scanned copies of requisite DD/ Bankers Cheque towards the 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) 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 an enlisted contractor of MES, where scanned copies of requisite DD/ Bankers Cheque towards the cost of the tender have 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 the 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 un-enlisted contractor, where scanned copies of requisite DD/ Bankers Cheque towards the cost of the tender have 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 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 instruments for Earnest Money Deposit (as applicable) have been uploaded in Cover-1 but the same is not received in physical form within the stipulated period, such tenders shall not qualify for the opening of the 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 the 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 the 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 the 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.

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Such tenderer, if desires, may appeal to the next higher Engineer Authority (NHEA) viz CWE (AF) South, Bangalore on email id safbang3-mes@nic.in with a copy to the Accepting Officer on email id afyelah4-mes@nic.in 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 an appeal. The decision of the NHEA shall be final and binding. The tenderer/ bidder shall not be entitled to any compensation whatsoever for rejection of his bid.

11. Un-enlisted Contractors 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.

12. In case the 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 the opening of Cover-2 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 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 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.

13A. Irrespective of whatever is mentioned in condition 19.3 of IAFW 2249 with regard to suspension of tenders on account of non-submission of Performance Security, issue of tenders to such tenderers shall remain suspended for a period of six months from the date of cancellation of contract under condition 19.3 of IAFW 2249 in case of unenlisted Contractors. In case of MES enlisted contractor, issue of tenders shall remain suspended till deposit of EMD or six months from date of cancellation whichever is later.

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. The decision of the Accepting Officer on issue/ deny the tender to any one of the related firms shall be final and binding.

15. 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. 8450/ /E8
Garrison Engineer (AF)
Yelahanka – 560 063 (KA)
Telephone: 080-28478533
Email: afyelah4-mes@nic.in

AGE (Contracts)
for Accepting Officer
Dated: