

MILITARY ENGINEER SERVICES
NOTICE INVITING TENDERS (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 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 the phasing, if any, indicated in the tender from the date of handing over site, which will be after submission of Performance Guarantee.
4. Normally contractors whose names are 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 categories SS to E may tender/bid. In case where the tendered amount is in excess of the financial category whether or not the estimated amount was within the financial category of the contractor, the Accepting Officer reserves the right to accept the tender. Contractors whose names are on the approved list of any MES formation and who have deposited standing security and have executed standing security bond may also tender without depositing earnest money along with the tender. Not more than one tender shall be submitted by one firm of the contractor or by one contractor. 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 case 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 **GE (AF) Bhuj** 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 & Cover-2) shall be uploaded by the tenderer/bidder on or before the date & time mentioned in **NIT**. A scanned copy of DD with enlistment details/documents shall be uploaded as cover-1 ('T bid) of the tender/bid on e-tendering portal. DD is refundable in case Cover-I is not accepted resulting in non-opening of Cover-2. The applicant contractor shall bear the cost of bank charges for procuring and encashing the DD 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 /eprocure.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 concerned GE (see Appendix 'A') by a scheduled Bank or in receipted treasury Challan the amount being credited to the revenue deposit of the concerned GE (see Appendix 'A').
 - 6.3. 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 alongwith the tender. The bidder whose bid is finally accepted shall submit **PERFORMANCE SECURITY** as per condition 19 of IAFW-2249 within the stipulated period failing which action as per provisions given in condition 19 shall be taken.

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6.4 The GE 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 documents were returned.

6.5 The concerned GE will return the Earnest Money to the successful tenderer/bidder by endorsing an authority on the deposit -at-call Receipt for its refund on submission and verification of receipt of performance security.

6.6 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 during working hours.

7. The tenderers/bidders are advised to visit the 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.

8. 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.

9. 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.

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

11. 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, 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 through the defproc website. The applicant contractor/bidder if he so desires may appeal to the next higher Engineer authority viz HQ CWE (AF) Bhuj on email ID afbhj3-mes@nic.in with copy to the Accepting Officer on email before the scheduled date of opening of Finance Bid. The decision of the 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 bid.

12. The Accepting Officer reserves the right to accept a tender submitted by a Public Undertaking, given 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.

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

14. This **Notice Inviting Tender (NIT)** including Appendix 'A' shall form part of the contract.

Signature of contractor

For Accepting Officer

PPENDIX 'A' TO NOTICE INVITING TENDER(NIT)

1	Name or work	REPAIRS TO AREA DRAINS, CULVERTS PATHS, DRAIN COVERS, COMPOUND WALL FENCING, HARD STANDING AND APPROACH PATHS AND MISC ITEMS OF WORKS IN TECH AREA AND KHAVDA AREA AT AF STN BHUJ
2	Estimated Cost	Rs30.00Lakhs (At Par Market)
3	Period of completion	09 (Nine) Months
4	Cost of tender documents	Rs. 500.00 in the form of DD/Bankers cheque from any schedule Bank in favour of GE (AF) Bhuj and payable at Bhuj.(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	www.defproc.gov.in
6	Type of contract	The tender shall be based on (IAFW-1779A) and GCC (IAFW-2249) with Schedule 'A' (list of items of work) to be quoted by tenderer. The tenderer shall calculate his own details and quote his unit rates against respective Schedule 'A' items.
7	Timeline Details:	
	(a) Bid submission start date	Refer critical dates on the website.
	(b) Last date of bid submission	
	(c) Date of bid opening	
8	Eligibility Criteria	
	(a) For MES enlisted contractors	Contractor shall be enlisted with MES in Class 'D' and above and category a(i) 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 a(i) 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 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 /black listed (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)Details of works completed and under progress inn MES be submitted in the following format:-**@ (v) Unlisted contractor who have secured to 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.**@

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		Ser No	CA No and Name of work	Value of CA	Date of commencement	Date of completion	Extended date of completion
9	Tender issuing and Accepting Officer	Garrison Engineer (AF)Bhuj					
10	Executing agency	Garrison Engineer (AF)Bhuj					
11	Earnest Money	Rs60,000.00 (Rupees Sixty Thousand Only) in favour of GE (AF) Bhuj in the form of Deposit at call receipt, FDR not acceptable.					
12	Performance Security	L1 bidder shall deposit Performance Security in favour of Accepting Officer for an amount equivalent to 5% of the lump sum/ contract sum within 28 days of receipt of Acceptance letter in the form of FDR/ Bank Guarantee Bond (BGB) issued by Nationalized/ Indian scheduled Bank in the prescribed form/ Government securities/ Insurance Surety Bonds or any other Government instruments stipulated by the Accepting Officer. Work Order No.1 shall be placed only after submission of Performance Security. Failure of the successful contractor to comply 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 Tenderer, shall be notified to the tenderer for depositing the amount through MRO. Issue of tender to such tenderer shall remain suspended till the aforesaid amount equal to the Earnest Money is deposited in Government Treasury. The period of validity of BGB shall be upto and including date of expiry of defect liability period plus minimum 60 days. In case of extension of time/ extended date of completion, the validity of BGB shall be got extended such to cover enlarged period requirement payment of Final Bill.					

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 or two classes below the eligible class shall also be considered subject to fulfilment of other eligibility criteria given in the NIT. Therefore MES contractors upto two class below may also bid for this tender. However contractors of one/ two classes below the eligible class shall not be considered in case their present residual works in hand is more than five times their present tendering limit. Such bidders shall upload in their Cover- 1 bid 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. 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 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.

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4. Contractors enlisted with MES will upload following documents in Cover 1 for checking eligibility.
- (a) Application for tender on Firm's letter head.
 - (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) Copy of EPF registration.
 - (e) Copy of Goods and Service Tax 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 letter head.
 - (b) Scanned copy of DD/Bankers 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 I of MES Manual on Contracts 2020.
 - (e) Details of works being executed in MES, if any.
 - (f) Copy of EPF registration
 - (g) Copy of Goods and Service Tax Registration.
 - (h) Any other document required as described in this Appx.
6. Tenders not accompanied by scanned copies of requisite DD/Bankers Cheque towards cost or 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 **05 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 cost of 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 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 cost of 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).

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(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 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 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 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) vizHQ CWE (AF) Bhuj on email ID afbhi3-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 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 five times 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 (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 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 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. Decision of Accepting Officer on issue/deny the tender to any one of the related firms shall be final and binding.

15 REQUIREMENT OF ELECTRICAL LICENSE FOR CARRYING OUT ELECTRICAL WORKS:-

(i) The contractor will either obtain a valid Electrical License of required class in his name or engage an agency having valid Electrical License of required class through proper agreement/MOU for execution of all electrical works as well as work under enlistment category (c) including its sub-categories (i) to (vii) and category (d) (v) to the extent Rule 29 under Part III of Central Electricity Authority (Measures Relating to safety and Electric supply) Regulation, 2010 is applicable forming either in full or part of the scope of work of contract awarded. All such works shall be executed by the contractor through such agency only having valid Electrical License of required class. Such Electrical License shall be obtained from the concerned authorities of State Government/Union Territory where the works are to be executed. Any violation of this condition shall be sufficient reason for taking such disciplinary action as deemed fit by the Registering Authority apart from other recourse/remedy available to the Department under the conditions of contract for such lapse.

(ii) Prior to commencement of electrical work/electrical component of works and other works as mentioned above, copy of valid Electrical License in the name of the contractor or copy of agreement with agency having valid Electrical License along with agency's Electrical License shall be submitted by the contractor to GE. In case contractor does not possess valid Electrical License and he intends to get such work executed through agency having valid Electrical License and with whom he has agreement, prior approval of such agency in all contracts shall be got done from GE. Copy of License shall be kept on record by AGE for future reference.

16. Accepting officer has all right to open or reject the bid of the defaulter contractor when it comes to the notice through enlisting authority/police report and alike in the event of any judicial matter it will be dealt in the jurisdiction under **CE (AF) Gandhinagar, Gujarat state**.

17. 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: 8899/V/E8

For Accepting Officer

Dated _____

(_____) Address of Accepting Officer