

MILITARY ENGINEER SERVICES
NOTICE OF TENDER (NOT)

1. A tender is invited for the work as mentioned in Appendix 'A'.
2. The work is estimated to cost as indicated in 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 as mentioned in Appendix 'A'.
3. The work is to be completed within the period as indicated in Appendix 'A' in accordance with the phasing, if any, indicated in the tender from the date of handing over of site, which will be on or after two weeks after (see Appx.'A')
4. Normally contractor 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. Contractors whose names are on the MES approved list of any MES formation and who have deposited standing security and have executed standing security bond may also tender/bid without depositing Earnest money along with the tender/bid and if the tender/bid submitted by such a tenderer/bidder is accepted, the contractor will be required to submit to the accepting officer the amount of Performance Security for an amount equivalent to 5% of the contract sum in any of the forms prescribed in condition 19.1 of IAFW 2249 within 28 days of receipt of the letter of Acceptance. Work order No.1 will be issued by GE after receipt of performance security. Failure of the successful contractor to comply with the requirements of condition 19.1 of IAFW-2249 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 Tender, shall be notified to the tenderer 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.
5. 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 circumstances with a father and his son(s) or other close relation 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.
6. The Office of HQ Commander Works Engineer Jhansi will be the Accepting Officer here in after referred to as such for purpose of the contract.
7. The Technical Bid and Financial Bid (Cover-1 and Cover-2) shall be uploaded on the '<https://defproc.gov.in>' site in two packets i.e. the technical bid & financial bid upto the last date of submission of bid indicated. Bid shall be opened at the time & date mentioned on '<https://defproc.gov.in>'.
8. A scanned copy of DD with enlistment details / documents as mentioned in Appx 'A' shall be uploaded as Packet 1 (T bid) of the tender on '<https://defproc.gov.in>' portal. DD is refundable in case T bid is not accepted resulting in non-opening of 'Q' bid. The applicant contractor shall bear the cost of bank charges for procuring and en-cashing the DD and shall not have any claim from Government whatsoever on this account. The applicant / contractor if he so desire may appeal to the next higher engineering authority through e mail with copy to the Accepting Officer. The decision of the next higher engineer authority shall be final. No applicant / contractor shall be entitled for any compensation whatsoever for rejection of his application.
9. Tender form and conditions of contract and other necessary documents shall be available on '<https://defproc.gov.in>' site for download and shall form part of contract agreement in case the tender/bid is accepted.

NOTICE INVITING TENDER (NIT) (CONTD/-)

- 9.1 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')
- 9.2 The GE will return the Earnest Money wherever applicable to all unsuccessful tenderers/bidders by endorsing an authority on the deposit receipt for its refund, on production by the tenderer/bidder a certificate of the Accepting Officer that a bonafide tender/bid was received and the lowest bid for the tender has been accepted.
- 9.3 The GE will either return the Earnest Money to the successful tenderer/ bidder by endorsing an authority on the deposit receipt for its refund on receipt of an appropriate amount of Performance security or utilize the same for recovery of penalty for non-submission of Performance security.
10. 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 concerned GE during working hours.
11. 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.
12. 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.
13. The uploading of bid implies that bidder has read this notice and all 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.
14. Tenderers/bidders must be in possession of a copy of the MES Standard Schedule of Rates (see appendix 'A') including amendments and errata thereto.
15. 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 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, remarks in WLR, capability of the firm as per criteria given in Appx 'A' to this NIT. For un-enlisted contractor the final selection shall be based on these factors, as well as the documents mentioned in Notes of Appx 'A'. The applicant contractor/bidder will be informed regarding non-validation of his 'T' bid assigning reasons thereof through the <https://defproc.gov.in> website. The applicant contractor/bidder if he so desires may appeal to the next higher Engineer authority viz. Chief Engineer Bhopal Zone on email id cezbhp2-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. No appeal / representation shall be entertained in respect of applications received offline. The decision of the NHEA shall be final & binding. The contractor/bidder shall not be entitled for any compensation whatsoever for rejection of his application.
16. The Accepting Officer reserves the right to accept a tender submitted by a Public Undertaking, giving 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.
17. Accepting Officer does not bind himself to accept the lowest or any tender/bid or to give any reason for not doing so.
18. This **Notice Inviting Tender (NIT)** including GE Appendix 'A' shall form part of the contract.

APPENDIX 'A' TO NOTICE OF E TENDER INVITING APPLICATION (NIT)

1	Name of Work	REPAIR/REPLACEMENT AND MAINT OF AIR CONDITIONERS, REFGN, AC PLANT MACHINERY, DEEP FREEZER, WALK IN COOLER AND THEIR CONNECTED WORK UNDER AGE E/M AT GE JHANSI
2	Estimated cost	Rs 40.00 Lakh
3	Period of Completion	270 days
4	Cost of tender documents	Rs 500/- in the form of DD/Banker's cheque from any scheduled /nationalized bank in favour of GE JHANSI payable at Jhansi.
5	Website/ portal address	www.defproc.gov.in
6.	Type of Contract	The contract shall be item rate contract based on IAFW-1779A to be quoted by the tenderer and GCC (IAFW-2249) BOQ format attached. The tender shall be based on BOQ and specification (IAFW-1779A) and General Conditions of Contracts (IAFW-2249) with BOQ (list of items of work) to be priced by the tenderer. The tenderers are required to quote their item wise rates of BOQ items.
7.	Information & Details :	Refer critical dates
	(a) Bid submission start date	
	(b) Last date of bid submission	
	(c) Date of bid opening	
8.	Eligibility Criteria	
	(a) For MES enlisted Contractor	Contractor shall be enlisted with MES in Class 'D' and above and Category 'c (i)' subject to satisfactory remarks w.r.t. performance in respect of works hand as reflected in Work Load return (WLR) or any other report circulated by competent engineer authority.
	(b) For Contractors not enlisted with MES	<p>(i) Contractor not enlisted with MES should meet the enlistment criteria of 'D' class and category 'c (i)' contractor with regards 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 on Contracts - 2020 in E-in-C's Branch letter No 66546/Manual/29/E8 dated 19 May 2021 (Seven Pages) as available in all MES formations as well as MES website (www.mes.gov.in).</p> <p>(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.</p> <p>(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.</p> <p>(iv) Details of works completed and under progress in MES be submitted in the following format:-</p>

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		Srl No. CA No. & Name of Work Value of CA Date of Commencement Date of Completion Extended date of Completion			
		(v) 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.			
9	Tender issuing and Accepting officer	Commander Works Engineer Jhansi, Contact Person: Lt Col Rakesh Ghare, DCWE (Contracts), Tele- 0510-2470723, Fax No.0510-2471020,			
10.	Executing agency	GE JHANSI			
11.	Earnest Money	Rs 80,000/- in favour of GE JHANSI in the form of deposit at call receipt, FDR not acceptable.			

NOTES:

- 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 07 (Seven), applications in respect of contractors 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 contractors one class below (two classes below in case of remote and difficult areas) may also bid for this tender. However, contractors one/two classes below the eligible class shall not be Considered in case their present residual work in hand is more than twice their present tendering limit. Such bidders shall upload in their Cover-I 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.
- 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 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 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-1.
- 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.
- Contractors enlisted with MES will upload following documents in Cover 1 for checking eligibility: -
 - Application for tender on Firm's letterhead.
 - Enlistment letter issued by the Registering Authority duly renewed for the cycle period in vogue.
 - Scanned copy of ITD /Bankers Cheque toward cost of" tender and EMS instrument in case SSD bond is not signed at the time of registration.
 - Any other document required as described in this Appendix.

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5. Contractors not enlisted with MISS 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 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 1 of MES Manual on Contracts 2020.
- (e) Details of works being executed in MES, if any.
- (f) Any other document required as described in this Appendix.

6. Tenders not accompanied by scanned copies of requisite DD/Bankers Cheque towards 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 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).

(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 work.

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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 next higher Engineer Authority (NHEA) viz. Chief Engineer Bhopal Zone on email id cezbhp2-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 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 twice the rendering 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-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 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 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.

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. **Important Instructions:**

15.1 Applications/bids not accompanied by scanned copies of requisite DD/Bankers Cheque towards cost of tender and earnest money deposit (as applicable) shall not be considered for validation of 'T' bid and their finance bids will not be opened.

15.2 Tenderers/bidders to note that they should ensure that their original DDs and earnest money deposit (as applicable) are received within 07 (Seven) days of bid submission end date. Non-submission of physical copies of cost of tender and earnest money deposit (as applicable) shall be considered as willful negligence of the bidder with ulterior motives and such bids are liable to be rejected and bidder shall be banned from bidding in MES for a period of six months commencing from the date of opening of finance bid.

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16. **SITE VISIT AND VERIFICATION OF INFORMATION**

16.1 Bidders are encouraged to submit their respective bids after visiting the Project site and ascertaining for themselves the site conditions, soil condition, location, surroundings, climate, availability of power, water & other utilities for construction, access to site, handling and storage of materials, weather data, applicable laws and regulations, and any other matter considered relevant by them by carrying out necessary survey/investigation. Bidders are advised to visit the site and familiarise themselves with the Project within the stipulated time of submission of the Bid. No extension of time shall to be considered for submission of Bids on this account.

17. The tenderer attention is invited to ensure compliance of the "EPF & MP Act 1952" before commencement of work, the contractor should produce the provident fund code number to the GE, if applicable.

18. Any change/ modification in the tender enquiry will be intimated through above mentioned website only. Bidders are therefore requested to visit our website regularly to keep themselves updated.

19. **Jurisdiction of court** : - Bhopal 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)

(Rakesh Ghare)
Lt Col
DCWE (Contracts)
For Accepting Officer

File No: 81894/02/E8

Dated: 11 Jul 2024

Headquarter
Commander Works Engineer
Military Engineer Services
Rani Laxmi Bai Marg
Jhansi Cantt- 284001