

**Government of West Bengal
Irrigation & Waterways Directorate
Office of the Executive Engineer
Teesta Canal Head Quarters Division
Karnajora, Uttar Dinajpur, PIN-733130.
Email:- ee-teecnlhqdrn@wbiwd.gov.in**

Memo No. 205

Dated:- 28.04.17

NOTICE INVITING e-TENDER

e-N.I.T No - WBIW/EE/TCHQD/e-NIT-1(e) /2017-18

Separate tenders are being invited by the **Executive Engineer Teesta Canal Head Quarters Division, Irrigation & Waterways Directorate** on behalf of the Governor of West Bengal through electronic tender (e-tender) for the works mentioned in the list given in next page from eligible and resourceful contractors/bidders having desired credential and financial capability for execution of works of similar nature.

Intending contractors/bidders desirous of participating in the e-tender are to login to the website www.wbiwd.gov.in (the official website of Irrigation & Waterways Department) and click the “e-procurement” link provided therein. They may also visit the Government of West Bengal designated website of URL <https://wbtenders.gov.in> for the same e-tender. The e-tender can be searched by typing WBIW/EE in the search engine provided in the website/s, by logging-in the designated link of concerned Executive Engineer.

Contractors/bidders willing to take part in the process of e-tender are required to obtain Digital Signature Certificate (DSC) from any of the authorized ‘Certifying Authorities’ (CA) under Controller of Certifying Authorities (CCA), Department of Electronics & Information Technology (DEIT), Govt. of India. (viz. NIC, n-Code Solution, Safescrypt, e-Mudhra Consumer Services Ltd, TCS, MTNL, IDRBT) or as notified by the CA /Finance Department from time to time. DSC is given as a USB e-Token. After obtaining the Class 2 or Class 3 Digital Signature Certificate (DSC) from any of the above CA, they are required to register the fact of possessing the DSC through the registration system available in the above mentioned website/s. A list of such licensed CAs’ is also available in the CCA website cca.gov.in. The prospective contractors / bidders may contact the e-tendering State Level Help desk located at 7th Floor, Jalasampad Bhavan, Bidhannagar, Sector II, Kolkata through e-mail ID: irrigationhelpdesk@gmail.com or ID: dvesc6816@gmail.com and Telephone No. 033-23346098 on any working day, between 10AM – 5PM for any query on e-tendering, obtaining DSC, training on e-tendering usage, free of cost.

Intending contractors/bidders are required to download the e-tender documents directly from the website/s stated above. Tender is required to be submitted on-line with the help of the e-Tokens provided. **This is the only mode for submission of tender documents.** The interested bidders eligible for the tender may submit their bids through the e-Procurement system using their valid DSC e-Token with assigned PIN and using login ID and password. Details of submission procedure have been explained in the ‘Bidders Manual’ for participating in e-tenders of the State Government, which is available in the Departmental website www.wbiwd.gov.in. Minimum period of time to be given to the contractors/bidders for submission of e-tenders is counted from the date on which the notice inviting tender including e-tender is actually published in the newspaper(s). In case of publication of the e-NIT in more than one newspaper, all the advertisements should appear simultaneously on the same day in all newspapers. Also, uploading of the notice including e-tender documents in the State Government e-tender portal shall be such the e-tender documents are to be visible in the website <https://wbtenders.gov.in> as soon as the brief referral advertisement appears in the newspaper(s).

Last date & time of submission of e-bids online is on 19.05.17 till 17.30 hours.

The intending bidders/contractors must read the ‘Terms & Conditions’ contained in the e-Notice Inviting Tender (e-NIT) carefully. He/she should particularly go through the eligibility criteria, and satisfy himself/herself of the mandatory requirements. Contractors/bidders desirous of participating in the e-tender may submit e-bids for the work only if they fulfill the minimum eligibility criteria and are in possession of all the required documents in original.

All information posted in the website consisting of e-NIT and related documents, WB Form No. 2911(i), Bill of Quantities (BOQ), EMD exemption order if any of competent authority, corrigenda and drawings etc. if any, shall form a part of the e-tender document.

LIST OF WORKS**e-NIT No..... WBIW/EE/TCHQD/e-NIT-1(e)/2017-18**

Sl. No.	Name of Work/Scheme/Project	Amount put to Tender (Tender Value) (Rs)	Earnest Money Deposit (Rs)	Time allowed for completion (in days)	Source of fund	Minimum eligibility of the contractor/bidder for participating in the e-tender	Physical Milestones for completion of each work within stipulated time (Refer to Clause 17 of the General Terms & Conditions)
1	2	3	4	5	6	7	8
1	Round the Clock Guarding of the Teesta Pally at Karnajora, P.S. Raiganj, Uttar Dinajpur(including the Resource Godowns within Resources Premises at Karnajora).....	4488677.00	89774.00	365	Non-Plan	Bona fide contractors/bidders having credential of execution of similar nature of work of value 30% of the amount put to tender (tender value) within the last 5 years on the date of publishing of e-NIT	
2	Round the Clock Guarding of the Teesta Pally at Dalkhola,P.S.- Karandighi, Uttar Dinajpur.	1701795.00	34036.00	365	Non-Plan	-Do-	
3	Round the Clock Guarding of the Pauty Stackyard at Pauty,P.S.- Karandighi, Uttar Dinajpur.....	801141.00	16023.00	365	Non-Plan	-Do-	

(*) For Consortiums, criteria are to be followed as per Clause 1 & 6 (ii) in General Terms & Conditions for e-tenders up to tender value Rs 45.00 lakh.

**(General Terms & Conditions for e-tenders having 'Tender value' above
Rs 5.0 Lakh up to Rs 45.00 Lakh)**

1. Eligibility for participation

Bonafide, financially capable Govt. Registered Security Agencies having valid documents detailed below are eligible to participate depending on the criteria as laid down below in the subsequent para/clause.

- i. Licence issued from Joint Secretary, Home Department, Govt. Of West Bengal to engage in the business of Private Security Agency in accordance to the West Bengal Private Security Agencies (Regulation) Rules 2007, valid upto the date of opening of the Tenders.
- ii. Certificate of registration[under W.B.Shops and establishment Act-1963 & Contract labour (Regulation & Abolition) Act-1970]
- iii. EPF & ESIC Registration Certificates
- iv. PAN of Income Tax Department
- v. Service Tax, P.Tax Registration Certificates valid upto the date of opening of tender.
- vi. Minimum 3(three) years experience of similar type of job in Govt./Semi Govt. /Autonomous Bodies in West Bengal.

Bona fide contractors/bidders, West Bengal Registered Co-operative Societies, Consortiums and Partnership Firms registered with the State Government and contractors/bidders of equivalent grade or Class registered with the Union Government / Military Engineering Services / Indian Railways for execution of civil /M&E works are eligible to participate depending on the criteria as laid down in the subsequent para/clause. Joint Venture Firms are not eligible to participate in tenders.

Note: *In case of consortiums, maximum number of constituents shall be restricted to 5 (five) and each of the constituent must have at least some work credential. Individual constituents of a Consortium cannot form another Consortium.*

2. Participation in more than one serial of work in a tender

Any contractor/bidder may submit bids for a maximum of 50% of the total number of works (rounded up to next higher integer) published in any particular e-NIT depending on his/her previous work credential and financial capability, details of which have been stated later.

3. Submission of Tenders

3.1 General procedure for submission of e-tenders

Bids are to be submitted on-line through either of the website/s stated earlier. Contractors/bidders are required to upload the entire set of e-tender documents along with other related documents as asked for in the e-tender notice(e-NIT) circulated through the above website/s within the stipulated due/end date and time.

For e-tender value above Rs. 5.00 lakh, bids are to be submitted in two folders at a time for each work, one being ' Technical Proposal' and the other 'Financial Proposal'. The contractor/bidder shall carefully go through all the documents of the e-tender and prepare to upload the scanned documents in Portable Document Format (PDF) files in the designated link in the web portal as their Technical Bid. He/she needs to fill up the rates of items in percentage in the BOQ downloaded for the work in the designated cell of Excel sheet and upload the same in the designated link in the portal as their Financial Bid. Documents uploaded are virus scanned and digitally signed using the Digital Signature Certificate (DSC). Contractors/bidders should especially take note of all the addenda and corrigenda related to the e-tender and upload all these documents also as a part of their tender document. Documents uploaded by the bidders with all information & rates comprising Technical bid and Financial bid cannot be changed after last/end date for submission of e-tender.

3.2 Technical Proposal

Technical Proposal should contain scanned copies of documents and/or declarations in the following standardised format in two covers (folders).

A. Technical cover containing:-

- i. Application for e-Tender (*vide Form-1*) (to be submitted in "**Forms**" folder)

- ii. WB Form No. 2911(i) (to be submitted in **"2911" folder**)
- iii. Notice Inviting e-Tender (e-NIT) (to be submitted in **"NIT" folder**)
- iv. Credential Certificate (to be submitted in **"Forms" folder**)
- v. Declaration of not having common interest in the same serial (vide Form-4 to be submitted in **"Forms" folder**)
- vi. Drawings, if any. (To be submitted in **"Drawings" folder**)
- vii. Addenda/Corrigenda: If published; (to be submitted in the **'NIT' folder merged** with e-NIT already uploaded as pdf file)

NOTES: i. Contractors/bidders are to keep track in the website for all the Addenda and Corrigenda published for a particular e-tender and upload all the above digitally signed by him/her along with his / her tender. Tenders submitted without Addendum/Corrigendum are liable to be treated as informal and thereby rejected.

ii. Tender will be summarily rejected if any of the aforesaid items are found missing in their on-line bid submitted.

B. My Document [OID* Cover] containing:

My Document Format for uploading in the OID folder:-

Sl. No.	Folder name	File description	Details	Remarks if any
A	Certificates	certificates.pdf 1 certificates.pdf 2 certificates.pdf 3 certificates.pdf 4	<ol style="list-style-type: none"> 1. Professional Tax Payment Certificate (PTPC) 2. PAN Card 3. Value Added Tax (VAT) Registration Certificate in West Bengal (TIN)/CST Registration for outside State 4. Latest I.T Return Receipt 5. EPF & ESIC Registration Certificate 6. Service Tax Registration Certificate. 7. Licence for Private Security Agency issued by the Joint Secretary, Home (Political) Department, Govt. Of West Bengal. 8. Certificate of registration[under W.B. Shops and Establishment Act-1963] 9. Certificate of registration[under Contract Labour (Regulation & Abolition) Act-1970] 	
B	Company Details	companydetails.pdf 1 companydetails.pdf 2	<ol style="list-style-type: none"> 1. Proprietorship Firms (Trade Licence) 2. Partnership Firms (Partnership Deed, Trade-Licence, Form-VIII or Memorandum of Registration) 3. Limited Companies (Incorporation Certificate, Trade-Licence, Memorandum of Articles) 4. Registered Co-operative Societies (Society Registration Certificate, Trade Licence and By-laws, Documents showing latest office-bearers) 	

			5. Consortiums (Form-VIII) or Memorandum and Undertaking.	
C	Credential of works	Credential pdf 1 Credential pdf 2 Credential pdf 3	1. BOQ duly authenticated by issuing authority and work order. 2. 100% completion certificate for completed work, or 3. Gross bill of 100% completed work including excess and supplementary items not covered in original BOQ.	
D	Financial credential	Payment certificate .pdf	Payment certificate of 100% completed work issued by competent authority or any other related financial information	

* OID denotes Other Important Documents.

C. i. Certificate/s: (name of the file should be "**certificates.pdf**") comprising the following:

- a. Professional Tax Payment Certificate (PTPC) valid for the current financial year/latest applicable as per rules and PAN Card. Application for PAN addressed to the competent authority may also be considered.
- b. Value Added Tax (VAT)/CST registration certificate.
- c. Latest Income Tax Return receipt.
- d. Employees' Provident Fund (EPF) & Employees' State Insurance Corporation (ESIC) Registration Certificates.
- e. Service Tax Registration Certificate.
- f. Licence for Private Security Agency issued by the Joint Secretary, Home (Political) Department, Govt. Of West Bengal.
- g. Certificate of registration [under W.B. Shops and Establishment Act-1963]
- h. Certificate of registration [under Contract Labour (Regulation & Abolition) Act-1970]
- i. Audited Balance Sheet of last year

ii. Company Details (name of file should be "**companydetails.pdf**") comprising the following:

A. Details for Consortiums formed out of Proprietorship Firms &/ Partnership Firms

Deed of Consortiums formed with Partnership Firms etc, and documents for their registration in the form of certified copy of 'Form No. VIII,' issued under the Indian Partnership Act, 1932 (Act-IX of 1932) by the Registrar of Firms, West Bengal having their registered office at P-15 India- Exchange Place, Todi-Mansion, 10th Floor, Kolkata 700001.

In case a contractor/bidder is yet to receive Form No. VIII, a "Memorandum" issued from the above office may also be accepted. However, consortiums submitting the Memorandum are also required to submit an undertaking in plain paper along with their application in Forms 1 & 2 and upload its scanned copies in pdf pledging that "Copy of Form No. VIII would be submitted to the Tender Inviting Authority before receiving final payment, in case found to be the lowest bidder L1 and the work is awarded in its favour. Any change in the constituent of the Consortium/Partnership Firm should also be intimated to the office of the Registrar of Firms, Kolkata prior to submission of application in the e-tender and a certified copy of the revised Form No. VIII showing changes in its constituents are required to be submitted. If the Consortium is yet to receive a certified copy of the revised Form No. VIII, it would be required to submit the aforesaid undertaking on-line along with the application.

Note: An affidavit regarding authorized user of DSC for Consortium and a declaration regarding such authorization for Limited companies is required to be uploaded on-line along with the tender. Scanned copies in pdf of competent authority are to be submitted, if the power is delegated for signing of bid/s to persons other than the applicant contractor/bidder.

B. State Registered Co-operative Societies and Companies (name of file "**companydetails.pdf**")

- a. Society Registration certificate in the State from ARCS (Assistant Registrar of Co-operative Societies, GoWB) and Bye-Laws for Cooperative Societies under West Bengal Co-operative Societies Act, 2006 and Rules, 2011.

- b. Trade Licence for Proprietorship Firms/Partnership Firms/Companies.
 - c. 'Memorandum of Articles' for Companies registered by the ROC under Indian Companies Act.
 - d. Any other documents showing names and signatures of latest elected office bearers/Directors/ Board Members.
- iii. **Credential:** Scanned pdf of work credential issued in favour of the contractor/bidder as detailed under clause 5 later. Bill of Quantities (BOQ) duly authenticated by the competent authority along with work order is to be submitted uploaded under 'OID' cover (*name of file should be "credential.pdf 1"*). In case of execution of supplementary/substitute supplementary having value more than 30% of the BOQ, final gross value of bill (without contractual rate) including such supplementary/substitute supplementary may be considered in lieu of the original BOQ and scanned and authenticated copy of the Bill shall be uploaded in the '**credential.pdf 2**'.
- iv. **Others:** Any other document found necessary.

Note : Failure of submission of any of the above mentioned documents will render the e-tender liable to summarily rejection.

3.3 Financial proposal / bid under Financial cover:-

The consolidated monthly charges payable to Private Security Agencies has two parts :-

- (i.) **Security Charges** Payable to the Security Agencies will include the Minimum Wages of the security personnel alongwith their employer's contribution to EPF @ 13.61%, ESI or for Non –ESI areas medical insurance @ 4.75% & Bonus @ 8.33% as per Govt. norms. It will be revised automatically based on the Minimum wages declared by the State Labour Department time to time.

[Ref: Memo No. 3687-F(Y) dated 02.05.12 and 3790-F(Y) dated 21.07.14.of the Finance Department, (Audit Branch), Govt. Of West Bengal.]

- (ii.) **Service Charge (quoted in percentage)** which is to be determined on the basis of L1 bid and would remain fixed for the period of the service contract.

The financial bid should contain the following documents in one cover (folder).

Bill of Quantities (BOQ): The contractor/bidder is required to quote the rate of **Service Charge as percentage** above or below tender value on-line in the space marked for quoting rate in the BOQ. (*only downloaded copy of the above document in Excel sheet is required to be uploaded by the contractor/bidder*)

N.B.1:

The basic rates in the BOQ includes besides the minimum wages of the security guards w.e.f. 01.01.17 ,as notified by the Labour Department, Govt. Of West Bengal, the employers' contribution of EPF ,ESI and Bonus @ 13.61%, 4.75% and 8.33% respectively and contractor's profit @ 10%.

These basic rates will be modified as per the minimum wages notifications of the Labour Department issued from time to time, in accordance with the Memo No. 3687-F(Y) dated 02.05.12 and 3790-F(Y) dated 21.07.14.of the Finance Department, (Audit Branch), Govt. Of West Bengal.

N.B.2:

The bidders should bear in mind that as per Memo No. 378-IB dated 06.02.17 of I & W Department the **tendered amount is not to be exceeded** in any case.

Notes:

- a. *BOQ without a valid numeric rate at the designated space provided in the BOQ will be rejected outright. Contractors/bidders willing to quote "at-par" rate shall need to write "0" in the 'space' provided for rates in the BOQ.*
- b. *In cases where BOQ has been changed by the Tender Inviting Authority by way of addendum/corrigendum, contractors/bidders are required to upload the revised BOQ. If bids are*

submitted prior to the date of publication /uploading of addendum/corrigendum, the contractor/bidder is to resubmit the bids along with the revised BOQ. If the revised BOQ is not found subsequently during financial evaluation, the bid will be rejected.

4. Tender Fee and Earnest Money Deposit (EMD)

*i. **Tender Fees:** Entire set of e-Tender documents are made available free of cost through the State Government e-tender portal having URL <https://wbtenders.gov.in> and also the Departmental website www.wbiwd.gov.in. In case of off-line tenders having tender value below ₹ 5.00 lakh, tender documents are available free of cost in the office of the Tender Inviting Authority viz. AE/EE and also made available in the Departmental website www.wbiwd.gov.in. Cost of tender document shall not be charged even during execution of formal tender contract/agreements. However, the contractors/bidders may wherever necessary be charged suitably for asking additional multiple copies of drawings, specifications, Schedule of Rates booklet (SoR) etc. and such fee may be suitably determined by the Tender Inviting Authority as per norms.*

*ii. **Earnest Money Deposit (EMD):***

Traditional procedure of depositing EMD through off-line instruments like Bank Draft, Pay- order, Bankers Cheque etc. has been completely dispensed with for all e-tenders/e-procurements of the State Government, w.e.f 1st September, 2016. Intending bidders desiring to make payment of earnest money (EMD) on-line, should beforehand read the instructions carefully, particularly in the challan generated by the system of e-tender/e-procurement, if opted for EMD payment through RTGS/NEFT

A. Login by bidder:

- a. A bidder desirous of taking part in a e-tender invited by a State Government shall login to the e-Procurement portal of the Government of West Bengal using his/her login ID and password using valid DSC.
- b. He/she will select the e-tender to bid and initiate payment of pre-defined EMD for that e-tender by selecting from either of the following payments modes:
 - i. Net-Banking (any of the banks listed in the ICICI Bank Payment Gateway) in case of payment through ICICI Bank Payment Gateway;
 - ii. RTGS/NEFT in case of off-line payment through bank accounts in any Bank approved by RBI in India.

B. EMD payment procedure:

a. Payment by Net Banking (any listed bank) through ICICI Bank Payment Gateway:

- i. On selection of net banking as the payment mode, the bidder will be directed to ICICI Bank Payment Gateway webpage (along with a string containing a Unique ID) where he/she will select the Bank through which he/she wants to do the EMD on-line transaction.
- ii. Bidder will make the payment after entering his Unique ID and password of the bank to process the transaction.
- iii. Bidder will receive a confirmation message regarding success/failure of the transaction.
- iv. If the transaction is successful, the amount paid by the bidder will get credited in the respective Pooling account of the State Government maintained with the Focal Point Branch of ICICI Bank at R.N Mukherjee Road, Kolkata for collection of EMD against unique codes for identification of the tendering authority.
- v. If the transaction is failure, the bidder will again try for payment by going back to the first step.

b. Payment through RTGS/NEFT:

- i. On selection of RTGS/NEFT as the payment mode, the e-procurement portal will show a pre-filled challan having the details to process RTGS/NEFT transaction.
- ii. The bidder will print the challan and use the pre-filled information to make RTGS/NEFT payment using his/her own Bank account.
- iii. Once payment is made, the bank would provide an “**UTR remittance number**” for successful transaction with which the bidder will come back to the e-Procurement portal after expiry of 2 to 3 bank working days to enable the NEFT/RTGS process to complete, in order to verify the payment made and continue with his/her bidding process.
- iv. If verification is successful, the fund get credited to the respective Pooling account of the State Government maintained with the Focal Point Branch of ICICI Bank at R.N Mukherjee Road, Kolkata for collection of EMD.

- v. Hereafter, the bidder will go to e-Procurement portal for final e-submission of his/her bid within pre-assigned last date of submission of e-tender.
- vi. If the payment verification is unsuccessful, the amount will be returned automatically by the system to the bidder's account.

Note: EMD payment made through RTGS/NEFT would require additional 2 to 3 bank working days after date of transaction in the bank before the procedure is completed for enabling the bidder to continue with the bidding process in the on-line e-tender final bid submission. Thus, the bidder is to take precaution in case of RTGS/NEFT transfers so that the entire process of submission of e-tender is completed within last date of on-line submission of his/her tender. However, Net-banking transaction through ICICI bank payment Gateway would be on real time basis.

C. Refund/Settlement Process for EMD:

- i. After opening of his/her bids and technical evaluation of the same by the Tender Inviting Authority through electronic processing in the e-Procurement portal of the State Government, the tender inviting authority will declare the status of the bid as successful or unsuccessful which will be made available along with the details of the unsuccessful bidders to ICICI Bank by the e-Procurement portal through web services.
- ii. On receipt of the information from the e-Procurement portal, the Bank will refund through an automated process the EMD of the bidders disqualified at the technical evaluation to the respective bidders' bank accounts from which they made the on-line EMD transaction. Such refund will take place within T+2 Bank working days where T will mean the date on which information on rejection of bid is uploaded to the e-Procurement portal by the Tender Inviting Authority.
- iii. Once the financial bid evaluation is electronically processed in the e-Procurement portal, EMD of the technically qualified bidders other than that of the L1 and L2 bidders will be refunded, through an automated process, to the respective bidders' bank accounts from which they made the payment transaction. Such refund will take place within T+2 Bank working days where T will mean the date on which information on rejection of financial bid is uploaded to the e-Procurement portal by the tender inviting authority. However, the L2 bidder should not be rejected till the LOI process is successful.
- iv. If the L1 bidder accepts the LOI and the same is processed electronically in the e-Procurement portal, EMD of the L2 bidder will be refunded through an automated process, to his/her bank account from which he/she had made the payment transaction. Such refund will take place within T+2 Bank working days where T will mean the date on which information on Award of Contract (AOC) to the L1 bidder is uploaded to the e-Procurement portal by the Tender Inviting Authority.
- v. As soon as the L1 bidder is awarded the contract (AOC), the same is processed electronically in the e-Procurement portal for transfer credit to Government Receipt under Public Accounts through GRIPS where under the security deposit to be collected would also be deposited in connection with the work.
- vi. All refunds will be made mandatorily to the Bank account from which the payment of EMD and Tender Fees (if any) were initiated.
- vii. If the e-tender is cancelled, then the EMD would be reverted to the original bidders account automatically after such cancellation order is affected online by the Tender Inviting Authority.

5. Credential Certificate

- i. Completion Certificates (CC) for 100% completed works during the current year and within last five financial years will only be accepted as valid credential.
- ii. CC should clearly show the name, postal address, (contact Tel. No. and FAX or e-mail ID if issued outside the jurisdiction of the State) of the office and designation of the officer/ authority issuing the CC for the work along with the name of work and amount put to tender (Tender Value). Illegible certificates and those having incomplete information may be rejected.
- iii. CC of works executed in the Irrigation & Waterways Directorate will be considered. CC of works executed in other Departments of the State Government/ organizations viz. Public Works & Public Works (Roads) Department, Public Health Engineering Department, Sundarban Affair Department and other State Government Departments, Zilla Parishads & Panchayat Samities only within the jurisdiction of the State of West Bengal, WBHIDCO, WBSEDCL, WBSETCL, KMDA, KMW&SA, KMC, Other Municipal Authorities and Bodies, HRBC, Engineering Departments of Union Government and Organizations like Farakka Barrage Project (FBP) Authority, Indian Railways,

KoPT and companies owned or managed by the Government of West Bengal, i.e. Mackintosh Burn Ltd., Westinghouse Saxby Farmer Limited & Britannia Engineering Ltd. may also be considered. Such CC are to be issued by an officer/authority not below the rank of Executive Engineer / Divisional Engineer / District Engineer/Project Manager of the State/Union Government Departments/ Organisations; authorised signatories of CC for Panchayat Samities and Municipalities shall be BDO & Ex-officio Executive Officer and Secretary or equivalent administrative officers respectively. It is desirable to have contact telephone and FAX or e-mail address of the signatory of the CC for all offices outside West Bengal.

Such CC is required to be further countersigned by the immediate superior authority of the issuing authority for all cases outside the State of West Bengal other than if executed direct Union Government Departments /Ministries. Also such certificates when issued in all other States other than those directly of State / Union Government Departments/Ministries and Indian Railways should contain a declaration that the work has been executed to the satisfaction of the concerned Government Organisation and has been declared 100% complete in all respect by the competent authority in the concerned Organisation.

6. Eligibility criteria

- i. Monetary value (Amount put to tender without considering contractual rate) of the 100% completed work or gross final bill value (excluding contractual rate) including supplementary/substitute supplementary, as the case may be, thus submitted will be further multiplied by the following factors to take care of the inflationary effect to arrive at the net notional amount.

Year	Description	Multiplying factor to arrive at net notional amount
Current	-	1.00
1st	1 year preceding the current financial year	1.08
2nd	2 years preceding the current financial year	1.16
3rd	3 years preceding the current financial year	1.26
4th	4 years preceding the current financial year	1.36
5th	5 years preceding the current financial year	1.47

Note: For cases where two contractors/bidders are participating in a e-tender for a particular work are such that one happens to have worked as a sub-contractor of the other, and both the contractors/bidders submit work credential of having completed the same job either wholly or partly, then in such case the credential of the principal contractor will be considered while that of the sub-contractor will not be taken into consideration for determining the eligibility criteria of the contractor/bidder towards the e-tender. If the credentials submitted by hitherto contractors/bidders are for different works, then both the work credentials will be considered towards determining the eligibility criteria of the individual contractors/bidders.

- ii. ***Financial proposal of any contractor/bidder will come under consideration only when the criteria mentioned below are satisfied and fulfilled.***

Net notional amount calculated from Completion Certificate (CC) of a single work during last 5 years issued in favour of the contractor/bidder /agency/firm/consortium for a work of similar nature should be **at least 30%** of the amount put to tender (Tender Value) for the work. However, for consortiums where CC of individual entities of the consortium are to be considered, sum of work values in the CC of individual entities (one for each entity) for works of similar nature should be at least **90%** of the tender value. The power to decide on the criteria of similarity rests without any prejudice solely with the Tender Accepting Authority.

7. Eligibility criteria for participating in more than one tender in a e-NIT

- i. Submission of e-tenders by one single contractor/bidder in excess of 50% of the number of works in any particular e-NIT will not be considered.
- ii. Normally separate Completion Certificates (CC) of 100% completed works is required to be submitted for participating in separate works under a particular e-NIT. However CC for one particular work may be considered as eligibility for participation in maximum two numbers of

serials of a e-NIT, provided requisite credential for two such works (to be added arithmetically) satisfies the requirement in all respects out of one such CC.

8. Penalty for suppression / distortion of facts and withdrawal of L1 bidder before acceptance of LOI

If any contractor/bidder fails to produce all the original hard copies of the documents (especially Completion Certificates), or any other document on demand by the Tender Inviting Authority within a specified time frame or if any deviation is detected in the hard copies from the corresponding uploaded soft copies or if there is any suppression / distortion / falsification noticed/detected/pointed out at any stage of e-tender process prior to the issue of work order, the Tender Inviting Authority will immediately bring the matter to the notice of the Executive Engineer who upon recommending suitable punitive actions against the bidder will place the matter before the concerned Chief Engineer within 15 days of receipt of the complaint from the Tender Inviting Authority and the contractor/bidder may be suspended from participating in all future tenders on the e-Tender platform of I&WD as per approval of the Chief Engineer for a maximum period of 3 (Three) years. In addition, his/her EMD will stand forfeited by the Government. The concerned Chief Engineer then will issue the necessary suspension order in writing with intimation to the defaulting contractor/bidder, other Chief Engineers, Central e-Tendering Cell and also the Department. Copy of such suspension order should invariably be communicated to the Nodal Officer, e-Governance Cell of the Department with a request to upload the order in the Departmental website. Besides, the Irrigation & Waterways Department may also take appropriate legal actions including blacklisting of the defaulting contractor/bidder and debarring him/her from participating in any State Govt. tender for a period up to three years. For e-tenders where such suppression / distortion / falsification is detected at an advanced stage of e-tender processing, the concerned Chief Engineer will be the deciding authority as to what further necessary actions are to be taken regarding the fate of the e-tender.

9. Taxes & duties to be borne by the bidder

Income Tax, VAT, Sales Tax, Royalty, Construction Workers' Welfare Cess and similar other statutory levy / Cess will have to be borne by the contractor/bidder and his/her quoted rate should be quoted accordingly after considering all these charges. Only Service tax, as applicable, if eligible, would be reimbursed as per rules on production of necessary documents.

10. Site inspection prior to submission of tender

Before submitting a e-tender, the intending contractor/bidder should make themselves acquainted thoroughly with the local conditions prevailing at site of implementation of the work by undertaking field inspections and taking into consideration all probable likely factors and difficulties to be involved in execution of the work as per specification in all respects including transportation of materials, communication facilities, climate conditions, nature of soil, availability of local labourers and market rates prevailing in the locality etc. and no claim whatsoever will be entertained on those accounts afterwards. The contractor/bidder may also contact the office of the Executive Engineer Teesta Canal Head Quarters Division in between 11.30 hours to 16.30 hours on any working day, prior to the date of actual submission of bid of e-tender.

11. Conditional & incomplete tenders

Conditional and incomplete tenders are liable to be summarily rejected.

12. Opening & evaluation of tenders

12.1 Opening of a Technical Proposal

All works above tender value of Rs 5.00 lakh for which e-tendering is mandatory shall be awarded through open tenders without reservation for any particular class of contractors/bidders. Notices for open off-line tenders for each tender value below Rs 5.00 lakh shall include such clauses as is notified by the Department from time to time.

For e-tenders bids are to be invited in two parts under a two-bid system.

- i. Technical proposal will be opened by the Tender Inviting Authority or his/her authorised representative/s electronically in the official website stated earlier, using their authorised Digital Signature Certificate/s (DSC).

- ii. Intending contractors/bidders may remain present if they so desire.
- iii. Technical cover documents (vide Clause 3.2.A) will be opened /decrypted first and if found in order, Cover (Folder) for OID (vide Clause 3.2.B) will be opened/ decrypted. If there is any deficiency in either of the Technical cover documents, the e-tender will summarily be rejected.
- iv. Decrypted (transformed into readable format) documents of the OID (Other Important Document) Cover will be decrypted/downloaded and handed over to the Executive Engineer (TAA).

12.2 Uploading the list of technically qualified contractors/bidders

- i. Pursuant to scrutiny and decision of the Executive Engineer , after a Technical Bid opening, the list of eligible contractors/bidders having successfully qualified in the Technical Evaluation for a particular serial of work whose financial proposal will be thus considered, is uploaded on the web portal/s.
- ii. While evaluating all the bids, the Executive Engineer may summon the contractors/bidders and seek clarifications / information or seek additional documents or original hard copy of any of the/all the documents already submitted on-line for verifications and if these cannot be produced within a reasonably stipulated timeframe, their bids will be liable for rejection.

12.3 Opening and evaluation of Financial Proposal

- i. Financial proposals of the contractors/bidders declared technically eligible by the Executive Engineer will be opened electronically by the Tender Inviting Authority from the web portal stated above on the prescribed date and time.
- ii. Intending contractors/bidders may remain present if they so desire.
- iii. The encrypted copies will be decrypted and the rates will be read out to the contractors/bidders remaining present at that time.
- iv. After opening of Financial Proposal, preliminary summary result containing inter- alia the name of contractors/bidders and the respective financial rates quoted by them will be uploaded in the website portal.
- v. If the Executive Engineer (TAA) is satisfied that the rate obtained is fair and reasonable and there is no scope of further lowering down of rate, he may after having the comparative statement test checked by the Divisional Accountant/Divisional Accounts Officer attached to his/her office upload the final summary result containing the name of contractors/bidders and the respective rates quoted by them against each work after acceptance of the rate.
- vi. If there is any scope for lowering down of rate in the opinion of the Executive Engineer / TAA, as L1 bid is abnormally high much above 10% of the Tender Value, all the bidders qualified in technical bid will be notified through system generated e-mail and mobile phone sms to attend e-sealed bid tender-cum-auction on a predetermined date and time to be held in the office of the Tender Accepting Authority. Open off-line bids are normally not encouraged from the point of view of confidentiality and transparency. However, in exceptional cases with recommendation and advice of the Government approved Tender Committee, open off-line bid negotiations with **only the L1 bidder** to lower down the e-sealed bid tender cum auction rate may be held by the Tender Accepting Authority in presence of Tender Inviting Authority for reasons to be recorded in writing.
- vii. If there is no contractor/bidder or the number of contractors/bidders in the 1st Tender is less than three, the tender has to be cancelled. In case of participation of more than three bidders, technical evaluation is to be done and if the number of technically qualified bidders is less than three (3), the tender also has to be cancelled as well and fresh e-tender (i.e 2nd e-tender or 3rd e-tender may have to be invited with lowering of eligibility criteria).
- viii. After holding such e-sealed bid tender cum auction, final result after acceptance of the rate by the Tender Accepting Authority if within the delegated power for acceptance would have to be uploaded in the e-tender website. Otherwise the tender is to be cancelled and invited afresh.
- ix. The Executive Engineer/TAA may ask any of the contractors/bidders to submit rate analysis to reasonably justify the quoted rate by that contractor/bidder.
- x. If the lowest bidder/contractor backs out there should be re-tendering in a transparent and fair manner. In such a situation the TIA may call for Short Notice e-tender with time period as per Government order for re-tenders, if so necessitated in the interest of public works and take decision on the basis of L1 in the Re-Tender or subsequent e-tender. Penal actions for premature withdrawal

by bidder have been stated under clause 8 earlier.

12.4 Tender Accepting Authority (TAA)

Authority to which the power has been delegated to accept tenders as per latest Departmental Notification will function as the Tender Accepting Authority (TAA) for evaluation of technical and financial proposals of works having tender value within his/her range of acceptance. As per present delegation, TAA for different tenders within the range above Rs 0.10 Lakh upto Rs 45.00 Lakh would be as follows:

- i. For e-Tenders of value up to Rs 45.0 lakh (above Rs 5.00 lakh and up to Rs 45.0 lakh): Executive-Engineer Teesta Canal Head Quarters Division, I&W Directorate.
- ii. For off-line tenders of value from Rs 3.0 Lakh up to Rs 5.0 Lakh is to be tendered in a single bid system in off-line mode to be accepted by Executive Engineer Teesta Canal Head Quarters Division, I&W Directorate. [off-line single bid Tenders]
- iii. For tenders of value up to Rs 3.0 Lakh relating to works only, is to be tendered in a single bid system in off-line mode to be accepted by Assistant Engineer Division, I&W Directorate. [off-line single bid system Manual Tenders]

12.5 Procedure to be followed for acceptance of tender

- i. Selection of contractor/bidder should be made on the basis of at least three valid e-tenders, which shall be opened preferably in presence of their willing agents, if present. If the number of e-tenders received is less than three, e-tender would be cancelled and invited afresh.
- ii. In case of invitation of e-tenders under two-bid system, if the number of contractors /bidders qualified in the technical bid is less than three, e-tender would be invited afresh.
- iii. The lowest tender for all works is accepted as a rule. If for any reason the lowest tender is not accepted, reference is to be made to the appropriate Government for orders as to which of the contractor /bidder the work should be awarded.
- iv. Maximum 5 % excess beyond 'Tender Value' (Amount put to Tender) may be accepted by the Executive Engineer if at least three valid tenders have been received subject to the overall power of tender acceptance delegated to each level of Technical officers as mentioned in the Department Notification issued from time to time, provided tender value after abatement is within the administratively approved cost. In case of excess over administratively approved amount, proposal for revised administrative approval would have to be submitted to the Government, but acceptance of tender and issue of work order may not be kept pending for want of revised administrative approval.
- v. Above 5% and up to 10% of the Tender Value can be recommended for acceptance by the Government appointed Departmental Tender Committee (DTC) subject to the conditions that valid tenders should not be less than three and L1 is accepted and tendered amount is within the administratively approved cost. In case of excess over administratively approved amount, revised administrative approval would have to be submitted to the Government but acceptance of tender, and issue of work order may not be kept pending for want of revised administrative approval/revised financial sanction for Non-Plan works.
- vi. For acceptance of e-tenders above 10% of the Tender Value (Amount put to tender), upon specific recommendation of the DTC as mentioned at clause 12.5 (v) above, with that of the Department shall have to be sent to the Finance Department.
- vii. If the response to an e-Tender is less than three, then Tender should be invited afresh. Such Re-Tender notice shall be published in widely circulated dailies as per guidelines and also through e-Tender web portals. Prior to invitation of Re-Tender / fresh e-Tender, the eligibility criteria and other terms & conditions as contained in the first 'Notice Inviting e-Tender' (e-NIT) shall have to be reviewed by the Tender Inviting Authority, to ascertain whether (i) it was too much restrictive, say, specifications and qualifications were fixed at higher standards than required, (ii) advertisements in the widely circulated Newspapers were properly published and (iii) other related procedural matters were observed in its entirety.
- viii. Even if, after taking appropriate steps in regard to relaxation of criteria to the extent as decided by the Executive Engineer and also wider publicity of 2nd tender in widely circulated dailies and through web-site, the response to the Re-Tender is still less than three, that tender may be accepted. In terms of Delegation of Financial Power Notification of the Department bearing No. 05-(W)/2015-16 dated

20.11.2015, provided the rates do not exceed the schedule rates (SoR) beyond 5% in case of works estimate and the tendered value is within administratively approved cost/sanctioned cost. The same procedure is to be followed for obtaining revised administrative approval/revised financial sanction, stated at clause 12.5 (iv) above, would also be applicable here. Otherwise such cases should be referred to the appropriate Government with the recommendation of the DTC for decision.

13. Acceptance of e-Tender

Lowest valid rate should normally be accepted in accordance with the procedure stated in clause 12.5 above. The Tender Accepting Authority reserves the right to distribute the work amongst more than one contractor/bidder with same rate.

14. Execution of Formal Contract agreement after acceptance of Tender

The contractor/bidder, whose bid is approved for acceptance shall within 15 days of issuance of Letter of Invitation (LOI) to him/her, needs to execute a 'Formal Tender Contract/Agreement' with the Executive Engineer in quadruplicate in W.B.F No. 2911(i) and other tender documents. During executing the 'Formal Contract/Agreement', the successful contractor/bidder will be provided all the tender documents free of cost.

An amount of 8% of the amount put to tender will have to be deposited during execution of the formal agreement so as to make 10% of the Amount put to tender as Security Deposit. The Security Deposit will be refunded on successful completion of the contract period.

The tender is for 1 (one) year but can be extended on satisfactory performance and on concurrence of both sides.

15. Payment against bills raised by the contractor

The payment of Running Account as well as final bill for any work based on progress and performance will be made according to availability of fund and no claim due to delay in payment will be entertained.

16. Bid Validity

The Bid will be normally valid for **120 days** from the date of opening of the financial proposal. However, extension of bid validity may be suitably considered by the TIA, if required, subject to written confirmation of the contractor/bidder (s) to that effect.

17. Definition of Physical Milestones:

The time allowed for carrying out the work as entered in the tender shall be strictly observed by the contractor, and which shall be reckoned from the date on which the order to commence work is given to the contractor. The work shall throughout the stipulated period of the contract be proceeded with all due diligence. Time being deemed to be the essence of contract on the part of the contractor; the contractor shall be bound in all cases, to achieve the 'Milestones' as specified in this NIT into various 'Identifiable and quantifiable construction related stages' pertaining to the work. In the event of the contractor failing to comply with any of the conditions related to achieving the 'Milestones' within the specified time period prescribed for such 'Milestone' plus one month, he/she shall be liable to pay compensation.

If the contractor fails to commence and/or maintain required progress viz. Milestones defined in the e-Notice Inviting Tender over the total time allotted for its full completion and fails to complete the work and clear the site on or before the end of contract period or extended date of completion, he/she shall, without prejudice to any other rights or remedy available under the law on account of such breach, pay as agreed compensation to the implementing Department. This will also apply to items or group of items for which a separate period of completion has been specified.

18. Withdrawal of Tender

Withdrawal of tender/bid once the bid has been submitted online and after passing of end date for submission and has been accepted for further processing, is not allowed. EMD will be forfeited by the Government and the bidder/contractor penalised in terms of Clause 4(ii) and clause 8 referred earlier would be applicable.

19. Schedule of dates for e-Tendering

Sl. No.	Activity	Date & Time	Remarks
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1.	Publishing Date	28.04.17 at 17.30 Hrs	To be made available with the e-NIT in the website
2.	Document Download start date	28.04.17 at 18.00 Hrs	
3.	Bid submission start date	28.04.17 at 18.30 Hrs	
4.	Document Download end date	19.05.17 at 18.00 Hrs	
5.	Bid submission end date	19.05.17 at 17.30 Hrs	
6.	Technical Bid opening date	22.05.17 at 12.00 Hrs	
7.	Uploading of the list of Technically qualified bidders	To be decided by EE.	To be notified to all bidders through e-mail & SMS through auto-generation in the system.
8.	Financial Bid opening date	-do-	
9.	Uploading of CS (Comparative Statement) and uploading of Final FBE	To be decided by EE(TAA)	
10.	Uploading of the Letter of Invitation / Acceptance LOI/LAO	-do-	
11.	Uploading of Award of Contract (AOC) (Work Order)	-do-	

TIA: e-Tender Inviting Authority (Assistant Engineer/Executive Engineer)

TAA: e-Tender Accepting Authority (Executive Engineer)

Additional Terms & Conditions

1. Executive Engineer of the concerned Division is the Engineer-in-Charge in respect of the contract and all correspondences concerning rates, claims, change in specifications and/or design and similar important matters will be valid only if accepted/recommended by the Engineer-in-Charge. If any correspondence of above tender is made with officers other than the Engineer-in-charge for speedy execution of work, the same will not be valid unless copies are sent to the Engineer-in-Charge and approved by him. Instructions given by the Sub-Divisional Officer/Assistant Engineer and the Section Officer/Junior Engineer on behalf of the Engineer-in-Charge shall also be valid (who have been authorised to carry out the work on behalf of the Engineer-in-Charge) regarding specification, supervision, approval of materials and workmanship. In case of any dispute, the decision of Engineer-in-Charge shall be final and binding.
2. Acceptance of the e-tender including the right to distribute the total work between two or amongst more than two contractors/bidders will rest with the Engineer-in-Charge without assigning reason to the contractors/bidders thereof. The Executive Engineer as the accepting authority reserves the right to reject any or all tenders without assigning any reason thereof.
3. The contractors/bidders shall have to comply with the provisions of (a) Contract labour (Regulation & Abolition) Rules, 1970 and its revision (b) Minimum Wages Act 1948 and its amendments, or the modifications thereof or any other laws relating thereto enforced by the appropriate Government from time to time.
4. Imposition of any duty / tax / royalty etc after work order / commencement and before final completion of the work is to be borne by the contractor/bidder. Original challan of those materials, which are procured by the bidder, may be asked to be submitted for verification if required. However, service tax if eligible would be reimbursed to the contractor/bidder as per rules.
5. Cess @ 1% of the cost of construction works shall be deducted from the Gross value of all works Bill in terms of Finance Department order. Also it is instructed to compulsorily register his/her establishment under the Act, under the competent registering authority, i.e. Assistant Labour Commissioner / Dy. Labour Commissioner of the region for disbursing PF and ESI benefits of workers.
6. No mobilization / secured advance will be allowed unless specified otherwise in the contract.
12. The contractor should thoroughly scrutinise the site of work and relevant tender documents, drawings etc. before submitting the e-tender and satisfy himself/herself regarding the conditions and nature of works and ascertain the difficulties that might be encountered during execution of the work, carrying of materials to the site of work, availability of drinking water and other human requirements including safety and security etc.
13. A machine page numbered Site Order book (with triplicate copy of every page) will have to be maintained at site by the contractor and the same has to be issued by the Engineer-in-Charge before commencement of work at site. Instructions issued by the inspecting engineer officers not below the rank of Assistant Engineer will be recorded in this site order book and the contractor must note down and comply the same at the earliest.
16. All sort of precautions should be taken for the safety of the work force deployed by the contractor and also others at worksite as per safety rules as is enforced by appropriate authority. The contractor will remain liable towards payment of compensation in accordance with the Workman's' Compensation Act etc for the labourers engaged and should deal to settle such cases promptly. Proper road signs as per P.W.D. practice will have to be erected by the contractor at his own cost while operating on or near public thoroughfares.
17. The contractor will have to maintain technically qualified employees and/or apprentices at site as per prevailing Apprentice Act or as stipulated in the contract.
18. The contractor will have to accept the work programme as per modification and priority of work as fixed by the Engineer-in-Charge so that most vulnerable reach and/or critical items are completed before the due date for arrival of monsoon or rise of water level or for any other suitable reason/s.

19. Quantity of various items of work mentioned in the tender schedule or in work order is only tentative. During actual execution, these tendered items may vary, even substantially. Payment will be made on the basis of quantum of work actually done in different items and as per specification and no claim will be entertained for reduction of quantities in some items or due to omission of some tendered items.
27. All quarries and disputes arising out of the works tender contract is to be brought to the notice of Chairman of the Departmental Dispute Redressal Committee in writing for decision within 15 days.

Sd/-
Executive Engineer
Teesta Canal Head Quarters Division,
Irrigation & Waterways Directorate
Karnajora, Raiganj, Uttar Dinajpur

Special Terms & Conditions

1. Notwithstanding anything mentioned elsewhere in the contract documents, the service of the security personnel will be for 24 hrs in a day , for all days of the week for the whole of the contract period as per the requirement of the Tender inviting /accepting authority. Work will be done on all days of the week without any break .However provisions of the Minimum Wages Act are to be followed for weekly breaks to the employees.
2. The Selected Agency will have to deposit an additional amount ,so as to make 10% of the tendered amount as security Deposit , during execution of Formal Tender , in accordance with Cl. 1[A] of WBF-2911.
3. All the guarding personnel will have to put on uniform during duty hours. No cost of uniforms or its washing charges will be borne by the deptt. and no charges of the same will be entertained. Rain coat / umbrella or winter liveries should be supplied to the guards by the Agency for which no cost will be borne by the Deptt. The agency will have to provide proper uniform, badges with photograph showing identity of each security guard including providing all requisites for performing security guarding viz. operating torch, battens for guarding, Bell/Gong (for hourly sounding at night from 11.00 pm. Onward) whistle and rain coat, gum boot in the rainy season at his own cost. The agency should provide a chair at each gate. If the agency fails to provide the appropriate requisites as cited, immediate penalty including treating the person as absent as deem fit by the Engineer-in-charge/concern S.D.O., for violation of contract including hindering the proper guarding will be imposed and the same will be recovered from the monthly bill of the agency forthwith. The extent of penalty for this failure as fixed by the Engineer-in-charge is final and binding.
4. The agency shall be responsible for paying the guarding personnel deployed as per minimum wages of the Labour Deptt. Govt. of West Bengal.(as revised from time to time) and should not violate the provisions as contained in various enactments viz. Contract labour (Regulation & Abolition Act) Industrial Dispute Act, payment of wages Act and all other relevant Acts in force.
5. The Department will not compensate for any overtime duties performed and no extra claim will be entertained on the account. The agency must arrange suitable reliever for any guard to be relieved for physical/natural needs.
6. To check the incoming and outgoing store materials and also to allow the movement of such materials through the gates stipulated by the Engineer-in-charge/concern S.D.O., verification of materials against valid/authorized gate pass/challan/documents is to be made by the Agency. Maintenance of vehicle movement register duly authenticated by the concern S.D.O or his authorized representative with detail entry at the own cost of the agency and in case of any

requirement the said register is liable to be produced to the concern S.D.O or his authorized representative.

7. To ensure effective protection within the entire premises as described above, night patrolling is to be performed vigorously, for the entire residential complex/ office Building.
8. The agency will be entirely responsible for ensuring round the clock manning for guarding at every entry/exit point of the entire premise including roster patrolling thereof as directed by the Engineer-in-charge in special/abnormal cases. Any absence in the duty as mentioned if observed/detected by the Engineer-in-charge or his authorized representative, the person assigned will be treated as absent and no excuse/claim will be entertained from the agency in this respect. Frequent unauthorized absences in duty if observed and no measures, if taken by the agency, in spite of reminders made in this respect, the agency will be liable for imposition of penalty as deem fit by the Engineer-in-charge and decision of the Engineer- in-charge is final and binding in this respect to avoid repetition of laxity in performance of duty.
9. The agency will be competent enough to change the duty of any guards if not objected to by the Deptt. officers. The handing over of the charges after duty hours will be made by the agency with intimation to the authorities of the site. The agency will be fully responsible for any damage/loss due to theft by negligence or otherwise. The procedure of guarding and any other instruction by the authorised officials of the Deptt. should be strictly followed by the guards. The guarding personnel will have to be transferred from one site to another after each three months, if desired by the undersigned.
10. Disqualification of a guard, if reported, will be summarily effected, on the following grounds:-
 - i) If any guard is found sleeping in the night shift on duty.
 - ii) If a guard is not found in his duty location or found to be engaged in gossiping with outsiders during duty hours.
 - iii) If any complaint is lodged against a particular guard for immoral/illegal/irresponsible activities.
11. The undersigned or any A.E. in charge reserve the right to instruct the agency for withdrawal of the guard without showing any reason.
12. In case of injury/ death due to accident of the guarding personnel all cost of medical treatment and other compensation should be borne by the agency.
13. All liabilities towards compensations of damages of Govt. properties due to theft and negligence will be borne by the agency.
14. The payment for the service charges of guarding will be made by the undersigned on completion of each month w.e.f. the date of commencement of service.
15. The bill should be submitted in triplicate with attendance sheet to the A.E. concerned for payments. The payment will be made after availability of fund. The Security Agency shall submit proof of deposit of ESI and EPF within 15 (fifteen) days from disbursement of wages in every month. The proof of disbursement of wages sheet to the security personnel shall also have to be submitted before forwarding the payment recommendation. In case of failure the payment of wages for the next month shall be with held. In locations where the ESI scheme is not implemented , the agency will have to submit documents in proof of payments towards insurance policy(s) in lieu of their liability as per Workmen's Compensation Act 1923 (renamed Employees Compensation Act 2010) and for extending medical benefits including death to the Security personnel .
16. In every case in which by virtue of the provisions under sub-section (1) of Section 12, of the Workmen's Compensation Act, 1923, the implementing Department is obliged to pay compensation to a workman employed by the contractor, in execution of the works. The implementing Department will recover from the contractor the amount of compensation so paid; and without prejudice to the rights of the Department under sub- section (2) of section 12, of the said Act, implementing Department shall be at liberty to recover such amount or any part thereof by deducting it from the security deposit or from any sum due by implementing Department to the contractor whether under this contract or otherwise. The implementing Department shall not be bound to contest any claim made against it under

sub-section (1) Section 12, of the said Act, except on the written request of the contractor and upon his/her giving to the implementing Department full security for all costs for which the Department might become liable in consequence of contesting such claims.

17. In every case in which by virtue of the provisions under 'The Contract Labour (Regulation & Abolition) Act 1970', and its amendments and rules, the implementing Department is obliged to pay amount of wages to a workman employed by the contractor in execution of the works, or to incur any expenditure in providing welfare and health amenities required to be provided under the above said Act and the rules framed by Government from time to time for the protection of health and sanitary arrangements for workers employed by contractors, executing Department will recover from the contractor, the amount of wages so paid or the amount of expenditure so uncured; and without prejudice to the rights of the executing Department under sub-section(2) of Section 20, and sub-section (4) of Section 21, of the Contract Labour (Regulation and Abolition) Act, 1970, executing Department shall be at liberty to recover such amount or any part thereof by deducting it form the security deposit or from any sum due by Executing Department to the contractor whether under this contract or otherwise and the executing Department shall not be bound to contest any claim made against it under sub-section (1) of Section 20, sub-section (4) of section 21, of the said Act, except on the written request of the contactor and upon his/her giving to the implementing Department full security for all costs for which the Department might become liable in contesting such claim.
18. The relevant provisions of the Employee Provident Fund & Misc .Provident Fund Act, 1952 Act should strictly be complied with by the Agencies and the provident Fund elements are to be regularly deposited with the P.F. Commissioner's office as per provisions of the Act .The Department would take no responsibility whatsoever in this regard . Provident fund Registration Number and Code No. (Attested copies) Should be furnished with tender bid. P.F element would be released after document of deposition is produced .
19. Provisions of the E.S.I.Act, 1948 where applicable shall have to be complied with ESI contribution is to be regularly deposited with the Regional Director, E. S.I.C. Attested copies of documents of Registration under said Act and Employer's Code no. is to be submitted along with all tender bids. E.S.I. element would be released after document of deposition is produced .In case of non –ESI area, adequate insurance coverage of equivalent amount of premium for extending benefits ,in case of ailments requiring prolong treatment, employment injury including death of the House-Keeping Staff deployed for duty should be available and amount so paid as premium will be reimbursed against production of documents in due course .The Department will not take any responsibility for additional payment and relevant provisions of Minimum Wages Act .1948 shall be strictly adhered to read with the Payment of Wages Act.1936.
20. The contractor shall obtain a valid license under the Contract Labour (Regulation and Abolition) Act, 1970, before the commencement of the work, and continue to have valid licenses until the completion of the work. The contractor shall also abide by the provisions of the Child Labour (Prohibition and Regulation) Act, 1986, Fatal Accident Act, 1855, personal injuries (Compensation Insurance) Act, 1970.
21. The contractor shall also comply with the provisions of the 'Building and Other Construction Workers (Regulation of Employment & Conditions of Service) Act, 1996' and 'The Building and Other Construction Workers Welfare Cess Act, 1996'. Failure to fulfill these requirements shall attract penal provisions of the contract, arising out of the resultant non-implementation of such provisions.
22. No labour/s below the age of eighteen years shall be employed in the work and the contractor shall abide by the provisions of the Child Labour (Prohibition & Regulation) Act, 1986 Employment of female labour/s in works in the neighborhoods of sensitive barracks should be avoided as far as possible.
The contractor shall pay to labours employed by him/her either directly or through sub-contractors, wages not less than fair wages as defined in by the Labour Commissioner of the State Government under 'Minimum Wages Act, 1948', Contractor's Labour Regulations or as per the provisions of the Contract Labour (Regulation and Abolition) Act, 1970, wherever applicable.

The contractor shall, notwithstanding the provisions of any contract to the contrary, cause to be paid fair wage to labour indirectly engaged on the work, including any labour engaged by his sub-contractors in connection with the said work, as if the labour had been immediately employed by him/her.

In respect of all labourers directly or indirectly employed in the works for performance of

the contractor's part of the contract, the contractor shall comply with or cause to be complied with the contractor's Labour Regulations made by the State Government/ Government of India, from time to time in regard to payment of wages, wage period, deductions from wages, recovery of wages not paid and deductions made without authority, maintenance of wage books or wage slips, publication of scale of wage and other terms of employment, inspection and submission of periodical returns and all other matter likewise in nature or as per the provisions of the Contract Labour (Regulation and Abolition) Act, 1970, and the inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, Minimum Wages Act, 1948, wherever applicable.

- a) The Engineer-in-Charge concerned shall have the right to deduct from the money due to the contractor any sum required or estimated to be required for making good the loss suffered by a worker or workers by reason of non-fulfillment of the conditions of the contract for the benefit of the workers, non-payment of wages or of deductions made from his/her/their wages which are not justified by their terms of the contract or non-observance of the regulations.
- b) Under the provision of Weekly Holidays Act, 1986, the contractor is bound to allow to the labours, directly or indirectly employed in the work, one day rest for 6 days of continuous work, and pay wages at the same rate as for duty. In the event of default, the Engineer-in-charge shall have the right to deduct the sum or sums not paid on account of wages for weekly holidays to any labour and pay the same to the persons entitled thereto from any money due to the contractor by the Engineer-in-charge concerned.

The contractor shall also comply with the provisions of the 'Employees Liability Act, 2008', Workmen's Compensation Act and 'Maternity Benefits Act' or the amendments thereof or any other law relating thereto, and the rules made there under from time to time.

The Contractor shall indemnify and keep indemnified the implementing Department against payments to be made under and for the observance of the laws aforesaid and PW Contractor's Labour Regulations without prejudice to this right to claim indemnity from his/her sub-contractors.

The laws aforesaid shall be deemed to be a part of this contract and any breach thereof shall be deemed to be a breach of this contract.

Whatever is the minimum wage for the time being, or if the wage payable is higher than minimum wage, such wage shall be paid by the contractor to the workers directly without the intervention of any Dafadar, and that Dafadar shall not be entitled to deduct or recover any amount from the minimum wage payable to the workers as and by way of commission or otherwise.

The contractor shall ensure that no amount by way of commission or otherwise is deducted or recovered by the Dafadar from the wage of workers.

23. In respect of all labours directly or indirectly employed in the work for the performance of the contractor's part of this contract, the contractor shall at his/her own expenses, arrange for the safety provisions as framed from time to time by the competent authority, and shall at his/her own expense provide all facilities in connection therewith. In case the contractor fails to make arrangement, and fail to provide necessary facilities as aforesaid; he/she shall be liable to pay a penalty of Rs.200/- for each default, and in addition the Engineer-in-Charge shall be at liberty to make arrangement and provide facilities as aforesaid and recover the costs incurred in their behalf, from the contractor.
24. Payment would be released on monthly basis against bill in triplicate to be submitted by the Security Agency to the controlling officer. The Controlling officer after due certification towards satisfactory performance will release of payment in due course. No advance payment would be made. Release of payment for second month onward is subject to verification of full payment made to P.F. & E.S.I / Medical Premium and tax, cess where applicable in respect of persons engaged for the previous month. The agency will also give a declaration that the wages to the Security staff has been paid as per the agreement.
25. Disbursement of monthly wages/salary to the Security staff is to be made by the Agency within the 1st week of the month obtaining signature of the employees on the acquaintance roll of wages/salary. Copy of the payment sheet is to be submitted along with subsequent monthly bill.

26. In case of non-payment of wage/salary period, the Tender Accepting Authority will take action in accordance with the relevant provision of prevailing law and may disburse the amount subject to recovery from bills and / or security deposit of the Agency together with a penalty of 5% on the disbursed amount. In case, such a situation arises for more than two months during the contract period, Tender Accepting Authority shall take suitable administrative actions which may extend up to termination of the contract or black listing of enlistment.

Sd/-

Executive Engineer
Teesta Canal Head Quarters Division
Karnajora, Raiganj, Uttar Dinajpur

Memo no:- 205/1(20)

Dated - 28.04.17

Copy forwarded for favour of information and wide circulation by display through his Office Notice Board to the:-

1. Chief Engineer, Teesta Barrage Project, Teesta Sech Bhawan, 2nd mile, Sevoke Road, Siliguri.
2. Superintending Engineer, Teesta Canal Circle, Karnajora, Raiganj, Uttar Dinajpur. **(copy in duplicate)**
3. Superintending Engineer, Teesta Barrage Circle, Teesta Sech Bhawan, 2nd mile, Sevoke Road, Siliguri
4. Superintending Engineer, Mahananda Barrage Circle, Tinbatti more, Siliguri
5. Superintending Engineer, Resources Circle, Tinbatti more, Siliguri.
6. Savadhipati, Uttar Dinajpur Zilla Parishad, Uttar Dinajpur.
7. District Magistrate, Uttar Dinajpur.
8. Executive Engineer, Teesta Monitoring & Evaluation Division, Siliguri
9. Executive Engineer, Teesta Canal Division No.-I, Islampur, U. Dinajpur.
10. Executive Engineer, Teesta Canal Division No.-I I, Islampur
11. Executive Engineer, Teesta Canal Division No. III, Karnajora, Raiganj, U. Dinajpur
12. Executive Engineer, North Dinajpur Irrigation Division, Near FCI More, Raiganj, U. Dinajpur.
13. Executive Engineer, DVC study Cell, Jalasampad Bhawan, 7th Floor Kolkata-700091 with request to upload the NIT in the Departmental website www.wbiwd.gov.in. (by Email to dvcsc6816@gmail.com)
14. District Information & Cultural Officer, Uttar Dinajpur, Karnajora, Uttar Dinajpur.
15. Divisional Accountant of this office.
16. Estimating Branch of this office.
17. Office Notice Board.
- 18-20 Sub-Divisional Officer, Teesta Canal Sub-Division No.V/VIII/XI, Dalkhola/Karnajora.

Sd/-

(S.Pal)

Executive Engineer
Teesta Canal Head Quarters Division
Karnajora, Uttar Dinajpur.

FORM 1 (Modified)

APPLICATION FOR e-TENDER

To
The Executive Engineer
Teesta Canal Head Quarters Division, I&W Directorate
Karnajora, Uttar Dinajpur.

e-Tender No:- WBIW/EE/ TCHQD/e-NIT-1(e)/2017-18

Serial No of Work applied for :-

Amount put to Tender : Rs
(Tender Value)

Dear Sir,

Having examined the Technical cover, OID cover & all other e-NIT documents, I/we hereby would like to state that I/we wilfully accept all your conditions and offer to execute the works as per e-Tender no and Serial no stated above. I/We also agree to remedy the defects after/during execution of the above work in conformity with the conditions of contract, specifications, drawings, bill of quantities and addenda.

Dated this _____ day of _____ 201____

Full name of Bidder / Contractor: _____

Signature: _____

In the capacity of: _____

Duly authorized to sign bids
for & on behalf of (Name of Firm): _____
(In block Capital letters or typed)

Office address with seal if any:

Telephone no(s) (office): _____

Mobile No: _____

Fax No: _____

E mail ID: _____

FORM – 4

Declaration against Common Interest

(To be typed in company/organisation letter head, scanned and uploaded)

Ref:- e-NIT No.,

e-Tender ID No.....

Sl. No.....

I/We, Sri/Smt. _____, the authorized signatory on

behalf of do hereby affirm that

I/We/any of the member of bidding against e - NIT

No. Sl. No. do not have any common

interest either as a partner on any partnership firm / consortium as a Proprietor / Owner of any other

firm in the same serial for the work I / we want to participate.

Date:

Signature of contractor/bidder
with official seal if any