

Enclosure-I

(Latest modified e-NIT 'Standard Format' for works of 'Tender Value' (Amount Put to Tender) above ₹5.00 lakh upto ₹ 45.0 lakh)

**Government of West Bengal
Irrigation & Waterways Directorate
Office of the Executive Engineer
Teesta Mechanical Division
Teesta Mechanical Yard
Fulbari, Jalpaiguri W.B. 734015**

NOTICE INVITING TENDER

N.I.T No: 03/TMD of 2017-18

Separate tenders are being invited by the **Executive Engineer, Teesta Mechanical Division, Irrigation & Waterways Directorate** on behalf of the Governor of West Bengal, for the works mentioned in the list given in next page from eligible and resourceful contractors/bidders having sufficient credential and financial capability for execution of works of similar nature.

Last date & time of submission of application is on 04/09/17 till 17:00 hours.

The intending bidder/contractor must read the Terms & Conditions contained in the Notice Inviting Tender (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 tender may submit application for the work only if they fulfill the minimum eligibility criteria and are in possession of all the required documents.

LIST OF WORKS

| Sl. No. | Name of Work/Scheme/Project | Amount put to Tender (Tender Value) (₹) | Earnest Money Deposit (₹) | Time allowed for completion (in days) | Source of fund | Minimum eligibility of the contractor/bidder for participating in the e-tender |
|---------|--|---|---------------------------|---------------------------------------|----------------|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1 | Modification of electrical installation such as electrical wiring, earthing etc. including special repair of LTOH line, its related accessories and underground cable at Haptiagach and Dauk Barrage site. | 4,19,513.00 | 8590.00 | 30 days | 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 NIT |

N.B.- Bidders shall submit copy of valid PAN issued by the IT Deptt., Govt. of India and valid 15-digit Goods and Service Taxpayer Identification Number (GSTIN) under GST Act, 2017

General Terms & Conditions

1. Eligibility for participation

Bona fide contractors/bidders, 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 electrical works are eligible to participate depending on the criteria as laid down below in the subsequent para/clause.

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 NIT depending on his/her previous work credential and financial capability, details of which have been stated later.

3. Application for purchase of tender forms

Intending tenderers have to submit application duly enclosed with self attested copies of the following documents addressed to the Executive Engineer, Teesta Mechanical Division.

- i Application for Tender
 - ii Declaration of not having common interest in the same serial.
 - iii. Professional Tax (PT) deposit challan valid for the current financial year and PAN Card. Application for PAN addressed to the competent authority may also be considered.
 - iv b. Valid Document of GSTIN (Goods and Services Identification Number)
 - v. Latest Income Tax Return receipt.
 - vi. Deed of Consortium/Partnership firm, 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 . 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 and a certified copy of the revised Form No. VIII showing changes in its constituents are required to be submitted.
- vii. **Electrical License of the Firm/ Company**
 - viii. Credential: Work credential issued in favour of the contractor/bidder as detailed under clause 5 below. Bill of Quantities (BOQ) duly authenticated by the competent authority along with work order is to be submitted.

Completion Certificates (CC) for 100% completed works during the current year and within last five financial years will only be accepted as valid credential.

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.

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, WBSIEDCL, WBSSETCL, 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 other than direct Union Government Departments and Ministries outside the State of West Bengal. Also such certificates when issued in all other States other than those directly of State / Union Government Departments 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.

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. At the time of application for the Tender Documents, the intending Tenderers shall have to be represented by his / their authorize supervisor or Engineer, holding Electrical Supervisors Certificates of competency granted by the licensing board, Govt. of West Bengal for the purpose of having credential for electrical works & possessing requisite contractors supervisory license etc.

viii. Others: Any other document found necessary.

Note : Failure of submission of any of the above mentioned documents may render the tender liable rejection.

4. Dropping of Tenders

Tenders should always be submitted in sealed cover with the name of work clearly written on the body of WBF 2911 as well as on the envelope will be dropped in the office of the undersigned.

5. Tender Fee and Earnest Money Deposit (EMD)

i. **Tender Fees**: In case of off-line tenders having tender value below ₹ 5.00 lakh, tender documents are available free of cost and also made available in the Departmental website www.wbiwd.gov.in . Cost of tender documents shall not be charged even during execution of formal tender agreements. However, the contractors/bidders may wherever necessary be charged suitably for asking additional multiple copies of drawings, specifications, Schedule of Rates of the Circle/s (SoR) etc. and such fee may be suitably determined by the Tender Inviting Authority as per norms.

ii. **Earnest Money Deposit (EMD)**: Earnest Money Deposit (EMD) must presently be submitted in the form of Bank Draft (BD) / Bankers Cheque (BC) / Deposit Call Receipt (DCR) of any scheduled Commercial Bank in India approved by RBI & having a branch in West Bengal which is to be drawn in favour of the Executive Engineer, Teesta Mechanical Division, payable at Siliguri
Payment in any other forms viz. NSC, KVP, cheques etc will not be accepted.

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.

6. 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 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 NIT. However CC for one particular work may be considered as eligibility for participation in maximum two numbers of serials of a NIT, provided requisite credential for two such works (to be added arithmetically) satisfies the requirement in all respects out of one such CC.

7. Penalty for suppression / distortion of facts

If any contractor/bidder fails to produce all the original hard copies of the documents (especially Completion Certificates and audited balance sheets), or any other document on demand by the Tender Inviting Authority within a specified time frame or if any deviation is detected in the original copies from the corresponding photocopies or if there is any suppression / distortion / falsification noticed/detected/pointed out at any stage prior to the issue of work order, the Tender Inviting Authority may take suitable punitive actions against the bidder.

8. Taxes & duties to be borne by the bidder

Income Tax, GST, 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.

9. Site inspection before submission of tender

Before submitting a 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 Mechanical Division in between 11.30 hours to 16.30 hours on any working day, prior to the date of actual submission of bid.

10. Conditional & incomplete tenders

Conditional and incomplete tenders are liable to be summarily rejected.

11. Opening & evaluation of tenders

- i. 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.
- ii. 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.
- iii. 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 tender if so justified in the interest of public works and take decision on the basis of L1 in Re-Tender or subsequent tender.

12. Procedure to be followed for acceptance of tender

- i. Selection of contractor/bidder should be made on the basis of at least three valid tenders, which shall be opened in presence of their willing agents, if present. If the number of tenders received is less than three, tender would be cancelled and invited afresh.
- ii. 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.
- iii. 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 engineer 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.

13. Execution of Formal 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 Agreement' with the Executive Engineer in duplicate in W.B.F No 2911 and other tender documents. During executing the 'Formal Agreement', the successful contractor/bidder will be provided all the tender documents free of cost.

14. 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.

15. Withdrawal of bid

Withdrawal of tender/bid once the bid has been submitted and has been accepted for further processing, is not allowed. EMD will be forfeited by the Government and the bidder/contractor penalised

16. Schedule of dates for Tendering

| | | |
|------|--|---------------------------------|
| i) | Last date and time for application for purchase of Tender form addressed to the Executive Engineer, Teesta Mechanical Division | 04.09.17 upto 17:00 hrs |
| ii) | Last date and time for issue of tender paper at the office of the undersigned | 06.09.17 up to 17:00 hrs |
| iii) | Last date and time for dropping of tender paper at the office of the undersigned | 08.09.17 up to 15:00 hrs |
| iv) | Date of opening of tenders in the office of the undersigned | 08.09.17 at 15:30 hrs |

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 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. Engineer -in-Charge shall not entertain any claim whatsoever from the contractors/bidders regarding payment of compensation on account of idle labour on such grounds including non-possession of land in the working zone.
5. Engineer-in-Charge shall not be held liable by the contractor/bidder for any compensation claim due to machines becoming idle, for any circumstances including untimely rains, other natural calamities, strikes etc.
6. Any duty / tax / royalty etc. whatsoever is imposed by the appropriate Government after issuance of work order / commencement and completion of the work, is to be borne by the contractor/bidder. Original challan of materials, which are procured by the contractor/bidder, may be asked to be submitted for verification by the Engineer-in-Charge.
7. Cess @ 1% of the cost of construction work or otherwise as per relevant order of appropriate Government shall be deducted from the gross value of all works bill. Also, it is instructed to register his/her establishment under the relevant Act with the competent registering authority, i.e. Assistant Labour Commissioner / Dy. Labour Commissioner of the region.
8. No mobilization / secured advance will be allowed unless specified otherwise in the contract.
9. All working tools & plants, scaffolding, construction of vats & platforms arrangement of Labour camps shall have to be arranged by the contractor at his/her own cost.
10. The contractor shall arrange for supply of mazdoors, bamboo, ropes, pegs, flags etc. for taking/ layout for the work and for giving and checking measurements by the Engineer-in-Charge or any other Department officer assigned by him / her for which no extra payment claim will be entertained.

11. 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.
12. The work will have to be completed within the time period as mentioned in the NIT. A suitable work programme based on time period allowed for completion of work as per tender is required to be submitted by the contractor within 7(seven) days from the date of receipt of work order which should satisfy the time limit assigned for completion. Contractor should inform in writing the name of his authorized representative/s who are to remain present at site daily during work execution to receive instructions relating to the work, sign measurement book & bills and other Govt. papers etc on the basis of Power of Attorney conferred within 7 (seven) days from the date of receipt of work order, if not done earlier.
13. No compensation is payable for idle labour, contractor's establishment charges or on account of reasons such as variations in price indices/escalation cost etc.
14. 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.
15. 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.
16. 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.
17. 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. For execution of quantitative excess in any item beyond 10% or supplementary works, approval of the Superintending Engineer / Chief Engineer Government in the Irrigation & Waterways Department would be required depending on who ever is the Tender Accepting Authority and financial involvement thereof, before making any excess and /or supplementary item work payment.
18. In order to cope up with the present system of e-billing, supply of departmental materials is not encouraged. However, such materials may be issued to the contractor/agency to the extent of requirement, subject to availability, as assessed and following the Treasury system of accounting procedures and in instalments as may be suitably decided by the Engineer-in-Charge. Issuance of materials may be of three categories.
 - a) Materials issued directly to the work subject to its recovery from bills.
 - b) Materials issued from departmental Godown subject to its recovery from bills.
 - c) Materials issued free of cost.
19. Any construction materials brought to work site by the contractor must be approved by the Engineer-in-Charge. Materials rejected must be removed by the contractor from work site at his own cost within 24 hrs of issue of the order to that effect. The rates in the schedule are inclusive of cost and carriage of all materials to worksite. The materials will have to be supplied in phases with due intimation to the Sub-Divisional Officer/Assistant Engineer concerned, in conformity with the progress of the work. For special type of materials, i.e. Geo Synthetic Bags, HDPE Bags, Geo- Textile Filters, Geo-jute Filters etc. if any, relevant data sheets containing the name of the manufacturers, test report etc. are also to be submitted on each occasion. Engineer-in-Charge may conduct independent tests of all construction materials on the samples drawn randomly before accordance of approval for using these materials for the work. In this regard decision of Engineer-in-Charge is final and binding.
20. For materials under category 20 (a), (b) & (c), the contractor will act as the custodian thereof. The construction materials will have to be carried from the departmental godown to the worksite by the contractor at his own cost. The contractor shall remain responsible for proper storage & safety of the materials. Suitable godowns/ Stores shall have to be made by the contractor at his/her own cost. Penalty charges shall be levied at higher rates for loss, wastage, misuse. Surplus departmentally issued materials if any, shall have to be returned in the godown or store maintained by the Engineer-in-charge at the contractor's cost within the time frame as fixed by Engineer-in-Charge. Otherwise, the cost at penal rates will be recovered from the bill. Indent for departmental materials shall be submitted by the contractor to the S.D.O/AE at least 7 days in advance of actual requirement. No claim will be entertained for non-issuance of such materials on time, but reasonable extension of time will be granted. All

materials, whatever be its category thereof, shall be properly stored by the contractor in suitably maintained godowns near the site of work at his own cost & under no circumstances whatsoever shall any material be removed from the site of work without prior written permission of the Engineer-in-Charge. The contractor shall be responsible for any damage or loss of such materials.

21. The contractor shall also have to satisfy the Engineer-in-Charge regarding proper utilization of materials which have been issued departmentally.
22. Value of the materials, under category (a) & (b) of clause 20, will be recovered from the progressive bills of the contractor in one or successive instalments as may be decided by the Engineer-in-Charge.
23. Requisite quantity of cement as may be required for the work will be supplied from the nearest departmental godown, if stock permits. The issue rate of cement is shown in the Schedule of materials attached with the tender. Excess consumption of cement by more than 5% over the final consumption statement drawn up as per consumption rate specified in the Schedule included in the tender will be recovered at a penal rate shown in schedule.
24. Steel reinforcement rods will be issued if stock permits from the nearest Departmental godown where such material is available in marketable length. While issuing the same, for any particular work, the quantity actually required as per approved drawing shall only be issued. It will be responsibility of the Contractor as well as the Engineer-in-Charge to get this quantity properly utilized in the work. Cut pieces, if any, will not be taken back by the Department. Recovery for the total quantum of steel rods issued will be made at the issue rate shown in the Schedule. In case of use over +10%, deduction will be made at a penal rate shown in the Schedule. This whole principle shall apply in case of other M.S materials like sheet piles and structural steel members as well.
25. 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.

SCHEDULE OF MATERIALS TO BE SUPPLIED DEPARTMENTALLY AND THEIR CORRESPONDING RECOVERY RATES

| Sl. No | Name of material Issued departmentally | Issue rate (in Rs) | Unit | Penal recovery rate for loss / misuse / wastage if not mentioned otherwise in the SoR of the Circle | Place of delivery |
|--------|---|--------------------|------|---|---------------------|
| 01 | Cement | | MT | 2 (Two) times issue rate | Departmental godown |
| 02 | Steel reinforcement rods/structural steel members/M.S piles | | MT | 2 (Two) times issue rate | -do- |

Sd/-
Executive Engineer
Teesta Mechanical Division,
Irrigation & Waterways Directorate

FORM 1 (Modified)

APPLICATION FOR e-TENDER

To
The Executive Engineer
..... **Division**

e-Tender No:- WBIW/EE/Division Code (Maximum 6 characters without space)/ NIT...(e) /2015-16

Serial No of Work applied for :-

Amount put to Tender : Rs
(Tender Value)

Dear Sir,

Having examined the Statutory, Non statutory & 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 – 2

Declaration against Common Interest

(To be typed in company letter pad, scanned and uploaded)

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

FORM – 4

Declaration against Common Interest

Ref:- e-NIT No. e-Tender ID 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. _____ do not have any common interest either as a partner or any Partnership Firm / Consortium as a Proprietor / Owner of any other firm in the same serial for the work I / We want to participate.

Place:

Signature of contractor/bidder
with official seal if any

Date &