

RFQ (Request for Qualification)

(NATIONAL COMPETITIVE e-BIDDING)

Government of West Bengal
Irrigation & Waterways Directorate
Office of the Superintending Engineer
Metropolitan Drainage Circle,
Jalasampad Bhavan, DF Block, Sector-II, Salt Lake, Kolkata- 700091, West Bengal,
Phone No. 033-2334 3916, Fax No. 033-2334 3960, e-mail: semdciwd@gmail.com

NOTICE INVITING e-RFP or Request For Qualification

e- RFP No.-WBIW/SE/MDC/RFP-01(e)/2017-18

Memo No. IW/1T-5 -148.

Dated- 01.02.2018.

Request for Qualification (e-RFQ) in on-line bidding process is being invited by the **Superintending Engineer, Metropolitan Drainage Circle, Irrigation & Waterways Directorate having office at *Jalasampad Bhavan, 2nd floor, Western Block, Salt Lake, PIN 700091, West Bengal*** on behalf of the Governor of West Bengal through the e-Procurement portal of the State Government for the work mentioned in next page from eligible and bonafide Contractors/Agencies/registered JV or Consortium having desired previous **prequalification (PQ) work** credential and financial capabilities for execution of work of similar nature.

Intending contractors/bidders interested for participating in the e-Request for Proposal (e-RFP) are to login the website www.wbiwd.gov.in (the official website of Irrigation & Waterways Department, Government of West Bengal) and click to search in the Tenders" link provided therein. They may also visit the designated Government of West Bengal e-Procurement website having URL <https://wbtenders.gov.in> for the same e-RFP. The e-RFP can be searched in the "e-Procurement" link provided therein in the search engine provided in the website by logging-in the designated link and typing **WBIW/SE/MDC/RFP** in the search engine. Contractors/Agencies willing to take part in the of e-Request for Proposal (e-RFP) are required to obtain valid 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, Government of West Bengal 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 CA, they are required to register the fact of possessing the DSC through the registration system available in the above mentioned e-Procurement webpage. List of licensed CAs' are also available in the CCA website cca.gov.in The prospective contractors / bidders may contact the Departmental e-Tendering Help Desk located at the 7th Floor of Jalasampad Bhavan at Bidhannagar, Sector-II, Kolkata, or through designated e-mail addresses of ID: irrigationhelpdesk@gmail.com and dvsc6816@gmail.com or by telephone No. 033-23346098 and the State Level e-Procurement Help Desk located at the Ground Floor of Jalasampad Bhavan, Ph:(033)-2334 5161 and through e-mail ID: wbehelphdesk@gmail.com on any working day between 10.30AM-5.30PM for any query on e-tendering procedure, obtaining DSC and free of cost training on e-tendering usage.

Intending contractors/bidders are required to download the e-RFP documents directly from URL <https://wbtenders.gov.in> stated above. The interested bidders eligible for the e-RFP shall submit their bids through the e-Procurement system using their valid DSC e-Token with assigned PIN and using login ID and password. This is the only mode of submission of bid. Detailed procedure on bid 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-RFP is counted from the date on which the notice inviting e-RFQ containing e-RFP-EPC is actually published in the newspaper(s). In case of publication of the e-RFQ notice in more than one newspaper, all the advertisements would appear simultaneously on the same day in all newspapers. Also, uploading of the notice including e-RFP-EPC documents in the State Government e-Procurement portal shall be such the e-RFP documents are 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 on-line bid in this e-RFP is on 28.02.2018.till 18.00 hours (IST).

The interested bidders/contractors must read the 'Terms & Conditions' contained in the Notice Inviting e-RFP (e-RFQ) 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-RFP are eligible to bid for the Project only if they fulfill the minimum eligibility criteria and are in possession of all the required credential and documents **in original**.

All information hosted in the website consisting of e-RFQ , e-RFP, EPC Agreement with Schedules A to Q, Appendix-1 to VII, Forms-1 to 4, Bill of Quantities (BOQ), Scope of Work, Technical Specifications & Standards, Corrigenda if any Drawings, Bidders credential related all details & Work Programme etc. shall form a part of the bid document.

LIST OF WORK

e-RFP No- WBIW/SE/MDC./RFP-01(e)/2017-18

Sl. No.	Name of Work	Designated Executive Engineer with Headquarter	Assessed Estimated Value of work* (Rs)	Bid Security to be Deposited as EMD (Rs)	Total time allowed for completion (In days)	Source of Fund	Financial requirements to match the credential in terms of execution of similar items in previous project (**)	'Physical Milestones' for completion of the Project within stipulated time (Refer to Article 10 of the EPC Agreement)
1	2	3	4	5	6	7	8	9
1	<p>“Development of a State-of the-Art 'Fire Detection & Fighting System' for Jalasampad Bhawan Govt Office Complex comprising 3 (three) Building blocks inclusive of Installation, Commissioning. Trial runs, post commissioning maintenance, repair & replacement, manning of Fire Control Room, performing quarterly mock drills etc for 5 (five) years; located at DF-Block, Sector-II, Bidhannagar, District-North 24-Parganas.”.</p>	<p>Executive Engineer, Metropolitan Drainage Division No. 1, Jalasampad Bhaban, Salt Lake</p>	<p align="center">Not disclosed</p>	<p align="center">Rs. 13.06L (Thirteen Lakh INR)</p>	<p align="center">365 calendar days or (52) Weeks including monsoon</p>	<p align="center">Core State Plan Dept. Budget</p>	<p>Summary of minimum eligibility for technically qualifying in financial bid stage:</p> <p>A. Technical PQ credential:</p> <p>1. The bidder must have successfully 100% completed at least 1 (one) project under any Government Authority consisting of minimum 7 (seven) storied institutional government building comprising Design and Commissioning of Complete Fire Fighting Protection & Detection Systems in a single works contract within last 5 (Five) years viz on or after 2012-13 of gross notional value of Rs 280.00 lakh, however for JV or consortium the value should be Rs.520.00 lakhs.</p> <p>2. The bidder must have ISO Certification & qualified technical personnel having proven credential (document to be uploaded with the bid) in design execution, testing, commissioning of Fire Fighting Protection & Detection System of Multi storied Public utility buildings as per DFES Rules.</p> <p>3. The bidder must have been awarded a maintenance contract of Operation & Maintenance including upkeep of Fire Fighting System of at least two year period, in any institutional government building within preceding five financial years of value Rs. 5.00 Lakh.</p> <p>B. Financial PQ credentials:</p> <p>a) Gross Annual Turnover of the bidder for any FY within preceding five FY should be at least of Rs 325.00 Lakh however for JV or consortium that should be Rs. 585.00 crores.</p> <p>b) Bidder's Net worth in three preceding financial year within zone of preceding five financial years should be positive determined from Audited Profit & Loss Accounts and corresponding audited balance sheets. (Both A & B stated above should be simultaneously fulfilled as minimum eligibility for qualifying in the Technical Bid Evaluation stage, and all claims for eligibility are to be substantiated with legally valid authentic documents during submission of on-line bid itself)</p> <p>C. Additional qualifications desired from bidders:</p> <p>For technically qualifying, the bidder should justify the high evaluation standards desired in the RFP for Technical evaluation by Departmental Quotation-cum-Bid Evaluation Committee guided by the Technical specifications & Standards of the EPC and RFQ with all Forms and Appendices of RFP. Decision of the QBEC on Technical Evaluation of bids received would be final.</p>	<p>Physical Milestones determined to complete the implementation of Project work within the scheduled date of completion have been stated at Appendix-III of RFP and in the work programme in terms of EPC-Agreement. The bidders may propose during Pre-Bid Meetings on 09.02.2018 and 26.02.2018 regarding any improvement /modification of Departmentally framed Work Programme. Modified Work Programme/ keeping the completion period same may be considered by the QBEC. Modification of time of Completion of Project after last date of on line bid submission shall not be allowed.</p>

(*) For Consortium & Joint Venture, additional criteria mentioned under Cl. 1 (Note), 4.2B(II) & Cl. 7V of the General Terms & Conditions in e-NIT may be referred.

General Terms & Conditions for the e-RFP

1. Eligibility for participation

All Bonafide contractors/Agencies/Organizations, viz Registered Companies/ Firms and Registered Partnership Firms, Proprietorship Firms, Registered Consortiums & valid 'Joint Venture Firms' and contractors/bidders of equivalent grade or class having previous credential with the State Government of West Bengal, Union Government Departments/ Other State Government Departments/ Engineering Wings of GoI, Autonomous Govt. Project Authority and other similar organizations of GoI and State Governments/PSU and Corporations of Government of India and other States of successful 100% completion of similar project are eligible to participate depending on the criteria as laid down in the subsequent Para.

2. Participation in bid process in e-RFP

Only registered Consortiums and Joint Venture Firms having valid original documents to form Consortiums and Joint Venture Firms are eligible. In cases of both Consortiums and Joint Ventures, maximum number of constituents shall be restricted to 3 (three) and one of the constituents must have previous 100% CC credential of "Designing execution, testing, commissioning of Fire Fighting Protection & Detection System of Multistoried Public use buildings as per DFES Rules of at least Gross notional value of Rs280.0Lakh and another constituent awarded a Maintenance contract of operation & maintenance including upkeep of Fire Fighting system for a period at least two full year, in any Govt Sector of value Rs5.0 Lakh awarded within preceding 5 (Five) financial years i.e. not before 2012-13. Individual Constituents of a Consortium/JV cannot form another Consortium/JV. Only single bid submission per entity/bidder is permitted.

A 'Pre-Bid' meetings will be held at **Jalasampad Bhavan, Salt Lake (Bidhannagar), Sector-II, Kolkata, Pin 700091** (The Head Quarters of Irrigation & Waterways Department, GoWB) at the Ground Floor, Conference Hall to be chaired by the Superintending Engineer, *Metropolitan Drainage Circle*, Irrigation & Waterways Directorate. The first pre-bid meeting shall be held on **09.02.2018** from 12.00 noon till 2.00 PM and the second pre-bid meeting is scheduled to be held on **26.02.2018** at the same place and venue, in order to acclimatize the prospective contractors/bidders through an interactive open session, replying to their queries, and clear doubts in connection with the work/s, if any.

3. Submission of electronic bid (Comprising both Technical and Financial offer)

3.1 General procedure for submission of e-RFP

Bids are to be submitted on-line through the website/s as stated earlier. **All the documents uploaded in the e-RFQ and e-RFP by the Superintending Engineer, Metropolitan Drainage Circle, Irrigation & Waterways Directorate forms an integral part of the EPC contract/ agreement. Contractors/bidders are required to upload the entire set of bid documents along with other related documents as asked for in the e-RFP through the above website/s within the stipulated date and time as given in the e-RFQ notice.** Bids are to be submitted in two folders at a time for the e-RFP, one being 'Technical Proposal' and the other 'Financial Proposal'. The contractor/bidder shall carefully go through all the documents of the e-RFP 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 quote his / her offered rates of items/amounts in Rupees in the BOQ downloaded for the work in the designated cell of Excel sheet only and upload the same again 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-RFP and upload all of these documents also as a part of their bid document.

Documents & data finally submitted on-line by the bidders comprising his/her/their Technical bid (under Technical/Pre Qual. Cover) together with Financial bid (in Financial Cover) cannot be changed or withdrawn after last/end date & time of electronic bid submission in the e-RFP. The Departmental Quotation-cum-Bid Evaluation Committee shall scrutinize all documents submitted by the bidders and apply their jurisprudence during technical evaluation of all the bids. The decision of the QBEC shall be binding in connection with this RFP.

3.2 Technical Proposals in Two No. of Covers

Technical Proposal should contain scanned PDF files in the following standardized formats in two covers (folders) marked below as A and B.

A. **Technical Cover Files description:-**

- (I) **e-Notice of RFP (RFQ):** to be downloaded digitally signed and uploaded in pdf format and submitted in "e-NOTICE" folder.
- ii. **Addenda/Corrigenda:** If published; (to be downloaded, digitally signed and uploaded in pdf format and submitted in 'e-NOTICE' folder merged with e-RFQ already uploaded as pdf file at (a) above.
- (II) **RFP and EPC Agreement with all Schedules A to Q:** (to be downloaded, digitally signed and uploaded in pdf format in "EPC_RFP_AGREEMENT" folder)
- (III) **Project specific detailed Scope of Work:** to be downloaded, digitally signed and uploaded in pdf format in "SCOPE_OF_WORK" folder.

(IV) **Project specific detailed Technical Specifications and Standards** to be downloaded, digitally signed and uploaded in pdf format in **“TECHNICAL_SPECIFICATIONS_AND_STANDARDS”** folder.

(V) **Project specific detailed Forms and Appendix**: Form-1 to 4 and Appendix I to VIII to be downloaded, digitally signed and uploaded in pdf format in **“FORMS_AND_APPENDIX”** folder.

(VI) **Project specific Drawings in the RFP**: Drawings of RFP and further drawings desired for this project from bidders (to be digitally signed and uploaded in pdf format in **“DRAWINGS”** folder).

(VII) **Project specific Work programme**: **Workprogramme** in the form of BAR CHART/CPM Networking method whichever prepared by TIA defining the Physical Milestones within the construction period for implementation of the project as per e-RFQ&EPC contract/agreement is to be downloaded by the bidder and again uploaded during e-bid submission in pdf file under **“WORK_PROGRAMME”** folder

NOTE: i. Contractors/bidders are to keep track in the stated website for all Addenda and Corrigenda published for the e-RFP and upload all the above, digitally signed by him/her along with his/her complete bid. e-bids submitted without addendum/corrigendum are liable to be treated as informal and thereby rejected.

ii. e-bid will be summarily rejected if any of the aforesaid items (both Technical cover, Credentials and Financial proposed in BOQ) are found to be missing in the on-line e-bid submitted and cannot be incorporated at the latest stage. Drawings and Work Programme in Bar Chart are to be downloaded, digitally signed by the bidder and again uploaded in pdf files under the Technical Pre-qual Cover as stated earlier.

3.2 B. My Document [OID* Cover] containing:

Note: Maximum permissible size of total OID document in pdf (from Sl. A to G) is 25 MB.

Sl. No.	Category	Sub-category	Sub-category description	Remarks if any
I	Certificates	1. certificates.pdf 2. GST registration certificate.pdf	1. Professional Tax Payment Certificate (PTPC) Valid PAN Card Latest I.T Return Receipt 2. GST Registration Certificate (GSTIN)	Details under Clause 3.2C(I)
II	Company Details	companydetails.pdf 1 companydetails.pdf 2	1. Proprietorship Firms (Trade License) 2. Partnership Firms (Partnership Deed, Trade License, Form-VIII (optional) or Memorandum of Registration) 3. Companies (Incorporation Certificate, Trade License, Memorandum of Articles of ROC, List of owners/ Directors/Board Members) 4. Consortiums and Joint Venture (JV). Trade License, Certified copy of Form-VIII, Deed of Consortium/JV.	Details under Clause 3.2C(II)
III	Credential	Credential pdf 1 Credential pdf 2	1. Work Order/AOC/LOA and corresponding SoR/BOQ authenticated by issuing authority of the 100% completed works contract given as PQ credential. 2. Completion Certificate of the above completed work given as PQ credential containing Complete Fire Fighting Protection & Detection Systems contract of value desired in the RFQ, or, 3. AOC of a maintenance contract awarded by any Govt. Authority awarding contract for operation & maintenance including upkeep of Fire Fighting system for at least two year period, in any Multistoried building awarded within preceding 5 FY given as additional PQ credential.	Details referred at Clause 3.2C(III)
IV	Declarations	Declaration.pdf 1 Declaration.pdf 2	i. If the Departmental Work programme is proposed to be Modified by bidder within Construction period of 365 days, the same to be uploaded here, else the original Work Programme again	Details referred at Clause 3.2C(IV)

			uploaded.	
			ii. Certificates on Warranty related services, licenses & calibration services. Manufacturers' certificates of equipments and spares.	
V	Financial Information	P/L Audited Balance-sheet for year -1.pdf P/L Audited Balance-sheet for year -2.pdf P/L Audited Balance-sheet for year- 3.pdf	Profit & Loss account audited by Licensed Firm balance sheets with annexure containing the appropriate designated Forms 3CA/3CB/3CD, as applicable for preceding any three financial years within zone of five financial years.	Details under Clause 3.2C(V)
VI	Equipments	Machinery.pdf.1 Machinery.pdf.2	List of major machineries and equipments owned and hired to be deployed for the project, (Authenticated copies of Invoice/Challans/ Waybills are desirable). (vide Appendix-VI)	Details under Clause 3.2C(VI)
VII	Manpower	Technical-Personnel on PayRoll.pdf1 Technical-Personnel on Contract.pdf2	i. Technical manpower for implementation of the project on pay role of the bidder/ company having ISO 9001:2008 or equivalent certificate, of Fire Fighting & Detection System ii. For extended warranty period defect liability of 5 years, iii. Qualification Certificate of Training experts, security, organizational setup and (vide Appendix-V)	Details under Clause 3.2C(VII)

* OID denotes Other Important Documents.

Notes:

- i. It is desirable that all documents stated above shall be uploaded by bidders in PDF files during on-line bid submission in designated folders.
- ii. Validity of documents submitted by bidder shall be determined on the date of publication of e-RFP/RFQ (e-Notice)

3.2C(I) Certificates: (name of the file should be "certificates.pdf" and "GST registration certificate pdf")

The following are to be uploaded in scanned PDF files in this folder.

- a. Professional Tax Payment Certificate (PTPC) or the PT payment challan/ receipt for current financial year/Waiver Order of competent authority in other States, as applicable.
- b. Valid PAN Card of the bidder/s are required;
- c. Income Tax Return of current financial Assessment year or, IT Return of immediate preceding financial Assessment year under IT Act & Rules, whichever is latest based on the date of publication of NIT.
- d. Valid 15 digit Goods and Service Tax payer Identification Number (GSTIN) as per GST Act, 2017 & Rules to be uploaded in 'GST registration certificate pdf'.

3.2C(II) Company Details: (name of file should be "companydetails.pdf")

- i. All documents mentioned in tabular format under Clause 3.2B, as applicable.
- ii. For Partnership Firms, documents of Registration of Partnership Firms in the certified copy of 'Form No. VIII,' issued under Indian Partnership Act, 1932 (Act-IX of 1932) by the Registrar of Firms. In case a Partnership Firm is yet to receive Form No. VIII, a "Memorandum" issued by the Registrar of Firms may also be accepted
- iii. Details for Consortiums/Joint Ventures formed out of Proprietorship Firms / Partnership Firms
Deed of Consortiums formed with Partnership Firm etc, and documents of 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.
Any change in the constituent of the Consortium/Partnership Firm/Joint Venture Company should also be intimated to the office of the Registrar of Firms prior to submission of application in the e-RFP 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 bid.

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

- iv. Registered Companies ("companydetails.pdf")

- a. Trade License for Proprietorship Firms/Partnership Firms/Companies.
- b. 'Memorandum of Articles', for Companies registered by the Registrar of Companies (ROC) under Indian Companies Act 1956.
- c. Any other document, showing name with signature of all latest Owners/Directors/Board Members.

3.2C(III) Credential:

- i. Bill of Quantities (BOQ) along with Work Order/LOA, duly authenticated by the competent authority as **Completion Certificate (CC)** is to be submitted under OID cover in the Credential folder, *name of file should be "credential.pdf 1"*
- ii. **AOC of a maintenance contract awarded by any Govt. Authority awarding contract for operation & maintenance including upkeep of Fire Fighting system for at least two year period, in any Multistoried building of awarded within preceding 5 FY of value at least Rs 5.0 lakh.**
- iii. Scanned copy of previous work (PQ) credential within last 5 (Five) financial years issued in favour of the contractor/bidder as detailed under clause 6 of RFQ (e-Notice).

3.2C(IV) Declarations

- i) **Modified Work programme** in the form of **BAR CHART** prepared by TIA in pdf file defining the Physical Milestones within the construction period for implementation of the project as per e-RFQ & contract/agreement is to be downloaded by the bidder and again *uploaded during e-bid submission in "Declaration pdf1"*
- ii) **Certificate of warranty service:** Certificates on Warranty related services, licenses, Design, Installation and commissioning & calibration services. Manufacturers' certificates of equipments and spares in the Declarations pdf2

3.2C(V) Financial Credentials:

- i) **Balance Sheet:** Audited Balance Sheets including Profit & Loss Accounts of the preceding three financial years with licensed auditor's certificate regarding Annual Turnover from business in Forms 3CA/3CB/3CD as applicable in a financial year. The audited Balance Sheet shall contain Annexure Form 3CA/3CB/3CD as applicable u/s 44AB of IT Act 1961. **Auditor's certificate must contain his/her Membership No./ Registration No. of Registered Audit Firm/CA Firm with valid licenses.**

Above balance sheets determining the average of Annual Turn Over of the bidder for any three financial years out of immediate preceding 5 (five) financial years containing Profit & Loss Accounts of the preceding three financial years within zone and certified by licensed company to be submitted under OID cover in the 'Financial Info' folder referred at Clause 3.2B(V)

- ii) 'Net financial worth' of the bidder should be positive in the three financial years for which the Annual Turn Over have been uploaded, for qualifying in technical bid. It would inter alia mean that the total assets of a financial year minus Gross total liabilities as per Audited Balance Sheet should be of positive value.

Note: The QBEC would verify the documents from the source of issue and fully satisfy them before technically qualifying the bidder for going ahead with the next stage of financial bid opening in the e-RFP.

If the company was set up less than three years ago, audited balance sheet for the number of years since inception is to be submitted.

3.2C(VI) Machinery: Major Machinery both owned and to be hired for the project is to be furnished as per **Appendix VI** under separate 'FORMS AND APPENDIX' folder under Technical cover.

3.2C(VII) Manpower: Technical Manpower details both under Pay Roll and to be hired for the project is to be furnished as per **Appendix-V** under separate 'FORMS AND APPENDIX' folder under Technical cover.

Note: Failure to submit of any of the above mentioned documents in the e-RFP may render the bid liable to summarily rejection.

4. Financial proposal / bid under Financial cover:-

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

- 4.1 Bill of Quantities (BOQ):** The contractor/bidder is required to quote the rate in Rupees (INR) both in numeric as well as in words in English against each item of the on-line BOQ in the space marked for quoting offered bid in the BOQ. **However the L1 bid (Lowest bid price) would be determined only on the basis of overall bid price in respect of the total BOQ of the RFP and not on the rates of individual items or subcomponent works of BOQ.**

NOTE:

- i. *BOQ without a valid offered bid prices in INR (Rupees) at the designated space provided in the BOQ will be rejected.*
- ii. *In cases where BOQ has been changed by the Superintending Engineer, Metropolitan Drainage Circle,*

Irrigation & Waterways Directorate by way of on-line issuance/uploading of Addendum/ Corrigendum, contractors/bidders are required to upload the revised offer. If bids are submitted prior to the date of publication /uploading of addendum/corrigendum, the contractor/bidder is required to resubmit the bid on-line along with the BOQ.

- iii. Only downloaded “BOQ” from e-RFP in excel sheet is to be uploaded by the contractor/bidder during on-line e-bid submission incomplete financial bid would be rejected.

5. Bid Security Deposit also identified as EMD

- i. **RFP document Fees:** Entire set of e-RFP documents are made available free of cost through the State Government e-procurement portal having URL <https://wbtenders.gov.in> and also the ‘The Departmental website www.wbiwd.gov.in. No cost for e-RFP document shall be charged even during signing of the formal contract / agreement. However, the contractors/bidders may wherever necessary be charged suitably for asking for additional/multiple copies of maps, specifications, Schedule of Rates booklet (SoR), drawings etc. and such fee may be suitably determined by the **Superintending Engineer, Metropolitan Drainage Circle, Irrigation & Waterways Directorate**, as per prevailing norms.

ii. Bid Security or Earnest Money Deposit (EMD):

Payment of ‘BID SECURITY’ is compulsory for being considered as eligible and valid bid. Intending bidders desiring to make payment of Earnest Money (‘BID SECURITY’) have to transact in the on-line system of e-Procurement Portal of Government of West Bengal <https://wbtenders.gov.in> and should beforehand read the instructions carefully, particularly in the challan generated in the system of e-procurement, if opted for ‘BID SECURITY’ payment through RTGS/NEFT.

A. Login by bidder:

- a. A bidder desirous of taking part in an e-RFP shall login to the e-Procurement portal of the Government of West Bengal using his/her login ID and password by a valid DSC.
- b. He/she will select the e-tender /RFP to bid and initiate payment of pre-defined ‘BID SECURITY’ for that e-RFP 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. Bid Security or EMD payment procedure:

a. Payment by Net Banking (any of the listed banks) 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 web Bid page (along with a string containing a Unique ID) where he/she will select the Bank through which he/she wants to do the on-line ‘BID SECURITY’ transaction.
- ii. Bidders will make the payment after entering his/her Unique ID and password of the bank to process the e-transaction.
- iii. Bidders 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 Bid Security(EMD) against unique codes for identification of the e-RFP Inviting 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 ‘BID SECURITY’.
- 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-RFP.
- vi. If the payment verification is unsuccessful, the amount will be returned automatically by the system to the bidder’s bank account.

Note: Bid Security or EMD payment made through RTGS/NEFT would require additional 2 to 3 bank working days after date of physical transaction in the bank before the procedure is completed for enabling the bidder to continue with the bidding process in the on-line e-RFP 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-RFP is completed within last date of on-line submission of his/her e-bid. However, Net-banking transaction through ICICI bank by their Net Banking payment Gateway would be on real time basis.

C. Refund/Settlement Process for Bid Security or EMD:

- i. After opening of his/her bids and technical evaluation of the same by the Authority through electronic processing in the e-Procurement portal of the State Government, the e-bid 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 'BID SECURITY' of the bidders disqualified at the technical evaluation to the respective bidders' bank accounts from which they made the 'BID SECURITY' on-line 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 e-bid Inviting Authority.
- iii. Once the financial bid evaluation is electronically processed in the e-Procurement portal, 'BID SECURITY' 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 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, 'BID SECURITY' 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 E-bid 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 to Government Receipt under Public Accounts through GRIPS (Government Receipt Portal System) where under the security deposit will also be collected in connection with the work.
- vi. All refunds will be made mandatorily to the Bank account from which the payment of 'Bid Security'(EMD) and Bid Fees (if any) were initiated.
- vii. If the e-RFP is cancelled, then the 'Bid Security' would be reverted to the original bidders account automatically after such cancellation order is affected online by the e-Request for Proposal (e-RFP) Inviting Authority.
- viii. Once the Bid Security (EMD) of L1 bid gets transferred to the GRIPS of the State Government, the **Superintending Engineer, Metropolitan Drainage Circle, Irrigation & Waterways Directorate, Salt Lake**, using his/her e-token and valid DSC shall enter the GRIPS portal to identify the 'Bid Security' credited against the particular e-RFP by taking out a hard copy of the credit confirmation containing the GRN No. and forward to the Treasury concerned, the designated Executive Engineer for future raising of refund back after completion of defect liability period (Security Period).

6. Completion Certificates as PQ work Credential

- i. Completion Certificates (CC) for 100% successfully completed works during the current year and within last five financial years from 2012-13 onwards only will only be accepted as valid PQ work 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 bid value/Tender value. Illegible certificates and those having incomplete information is liable to be rejected.
- iii. CC of works executed directly under any Department of Government of West Bengal will be considered as valid credential. CC of works executed under Union Government Ministries, Departments, other State Government Departments, PPP Authorities having more than 50% holdings of Government having JV with Union or State Government, State & Union Govt. Corporations, Engineering Units of Government of India and State, Port Trust, Autonomous Government Authorities, Public Sector Undertakings (PSU) owned or managed by Government of India or other State Governments may also be considered. **Outside India CC is invalid for this RFP.**

All above CC are required to be issued by an officer/authorized engineer not below the rank of Executive Engineer/Divisional Engineer/District Engineer/Project Manager of the State/Union Government/ Authority/ Organization, authorized signatories of CC for PSU, other State Government Organizations. **It is desirable that CC would contain contacts of issuing authority in the form of telephone and FAX or e-mail, postal address of the signatory of the CC for all offices outside the State of West Bengal, for verification purpose.** Such CC is desired (not mandatory) to be further countersigned by the immediate superior authority of the issuing authority for all cases outside the State of West Bengal other than those executed directly under Union & State Government Departments. Also, such certificate when issued in other States other than those directly by

Union/State Government Departments/Ministries, should contain a declaration that the work has been executed to the satisfaction of the concerned Organization/PSU/Company and has been declared 100% complete in all respect by the competent authority in the concerned Organization/PSU/Company.

- iv. Monetary value of work value without considering contractual rate of the work executed or its final gross completion value excluding contractual rate, will be further multiplied by the following factors to take care of the inflationary effect to arrive at the Gross national amount as detailed below.

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

Note: For cases where two contractors/bidders are participating in a e-RFP for the 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-RFP. 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.

7. Eligibility criteria based on Experience and Technical Capacity of bidder

The Bidder will have to substantiate that they have capacity to design procedure, supply, install & commission and complete Fire Fighting Protection & Detection System for Multistoried Govt building as desired in the technical specification & standards in the RFP, competent technically and financially in procurement, providing Manufacturer's Guarantee and Warranty of all replaced spares & equipments in Electrical and mechanical works of the system as per NBC & DEFS guidelines, having desired technical & other permanent work force and machineries of best category and not just minimum required for the work with no uncertainty of hiring and all such parameters for the purpose of technically qualifying in e-bid, and the Bidder will have to submit authentic genuine legible certificates/documents in English or Hindi only as under:

- i. They should have previous successful experience in supply, commissioning, operation, maintenance, emergency repair, security arrangement of automation equipments for major projects of similar technical parameters offered by them.
- ii. The bidder must have experience in **Development of a state-of the-art 'Fire Detection & Fighting System' for Govt Office Complex inclusive of Installation, Commissioning. Trial runs, post commissioning maintenance**
- iii. The Fire Fighting system commissioned by him/her is desired (not mandatory) to have been in satisfactory operation for at least 1 (one) full year, post commissioning in at least one location.
- iv. Firm should also have all required statutory licenses and certificates/manufacturer's authorization guarantee and warranty. All duties, Taxes, Rents, License fees, permit fees, other statutory taxes shall have to be borne by the Contractor which should be inclusive in bid price.
- v. The bidder must have all necessary testing facilities at their works for carrying out such routine and acceptance tests as prescribed in the relevant Indian Standards/BIS/DIN/ANSI or DectY Standard Books/IEC/IEEE specifications, and preferably IP65 protection markings. Documentary evidence of such facilities must be submitted.
- vi. The supplied equipments must have been fully type tested as per relevant BIS and/or any other specified national international standards and matching the desired Project Specifications under Technical Cover executed during last 5 financial years from date of bid opening. Scanned PDF of such type test reports/certificates must be submitted with the online bid.
- vii.

Bids of Bidders quoting as authorized representative of an equipment manufacturer, meeting the above requirements in full, can also be considered provided:

The manufacturer furnishes authorization in the prescribed format assuring full guarantee and warranty obligations as per Agreement, and

The Bidder, as authorized representative of their manufacturer has supplied, installed and commissioned satisfactorily at least one similar system in the last five financial years from the date of bid opening.

- viii. The bidders shall guarantee that adequate specialized maintenance capability and expertise will be made available.
- ix. The Bidders shall provide evidence to the satisfaction of the Authority to the effect of having in house or externally engaged expert sets to:
 - a. Conduct the Operations, Security Maintenance & Repair and provide trained man power.
 - b. Develop the conversion the special category works.
- x. The Bidders shall provide the CVs of the experts, field operators and the list of Machinery & equipments and Technical Manpower. The CV of these personnel should demonstrate the successful operation of at least one such assignment.
- xi. The Bidder shall furnish documentary evidence to demonstrate that the Goods it offers meet the following Authority requirement in general and also the Authority requirements specified in detail in Technical Specifications of this bidding document. In case the Bidder is not the manufacturer or producer of the goods it offers to supply and has submitted the bid in accordance with the Specifications desired, the bid shall include the above information about the manufacturer whose equipments are being offered.
- xii. The Bidder should furnish the information on all past supplies and satisfactory performance for Clause 7C above, in Performa under Appendix 1 to VII and specifications offered against desired standards..
- xiii. All the Bids submitted shall also include the following information along with formats under Appendices I to VIII
- xiv. Copies of original documents defining the constitution or legal status place of registration and principle place of business of the Company or Firm or Partnership etc.
- xv. The Bidder should furnish a brief write up backed with adequate data explaining his available capacity and experience (both technical and commercial) for the manufacture and supply of the manufacturer and supply of the required systems and equipment within the specified time of completion after meeting all their current commitments.
- xvi. The Bidder should clearly confirm that all the facilities exist in his factory for inspection and testing and these will be made available to the Authority or his representative for inspection. The Authority shall decide and propose necessary tests as it may deem fit for the purpose of evaluation.
- xvii. Details of Service Centers and information on service support facilities that would be provided after the warranty/extended warranty period.

8. Eligibility criteria for participating in the e-RFP

Average of Annual Turnover of three financial years within the zone of preceding 5 (Five) FY only would be considered

Average Annual Turnover of the bidder except for Consortium or JV for a particular FY within preceding five FY as stated in clause 3.2C(V) should be at least **Rs325.00 lakh**

However for Consortiums and JV, where Annual Turnover of individual entities of the Consortiums or JV are to be considered, the sum of the Average Annual Turnover adding up those of individual entities including the lead member should be at least **Rs385.00 lakh** and individual entities each not less than **Rs 100.00 lakh**

9. Financial proposal of any contractor/bidder will come under consideration only when both the criteria mentioned below are satisfied and fulfilled (viz. Notional value over CC and Average Annual Turn Over)

a. Gross notional amount calculated from the Completion Certificate (CC)/AOC of a single work under any Govt. organization within India completed within last 5(Five) financial years issued in favour of the contractor/bidder/agency/Firm/Company, Registered Consortium, Registered Joint Venture Companies (JV) should be at least **Rs280.00 Lakh (Rupees Two hundred eighty Lakh only), and that the credential should comprise Design Commissioning of Fire Fighting Complete System in a Seven storied Govt Building for a single contract at least value Rs280.00 Lakh and simultaneously Maintenance contract for two years of value **Rs5.00 lakh** awarded for a single contract.**

b. However, for Consortiums and JV where CC of individual entities of the Consortium/JV are to be considered and shall sum/add up, the sum total of net notional amounts calculated from the Completion Certificate (CC) of separate single works CC each within last 5(Five) financial years of individual entities in the Consortium or JV (maximum one CC credential for each entity and maximum three entities permitted to form JV/Consortiums), the aggregate Gross notional value relating to any Fire Fighting System Project under any Govt. organization within India should be at least Gross notional value **Rs5 20.0 Lakh, containing at least one Fire Fighting Protection & Detection System in a 7 storied Govt Building & awarded **Rs5.00 Lakh** value in another Govt sector Maintenance works contract for two year period.**

And,

- c. **Average of Annual Turnover of any three financial years within zone of preceding five FY** out of business as stated in clause 3.2B(V) under Clause 4.2C(V) for the contractor/bidder/agency/Firm /Company except for Consortiums and JV, who intends to participate in RFP should be at least Rs325.0Lakh. However, for Consortiums & Joint Ventures where Average Annual Turnover of individual entities is to be considered, sum of Average Annual Turnovers in preceding three FY from construction business of such Consortiums or JV who intends to bid (Maximum three individual entities permitted) summation should be at least Rs585 Lakh, with the lead member entity having minimum Average Annual Turn Over of Rs100 Lakh within the zone of preceding five FY (supported 3CA/3CB/3CD as applicable by Licensed Auditor with Registration No.).

General Note:-

- a. Additional qualifications desired from bidders:
For technically qualifying, the bidder should justify the high evaluation standards desired in the RFP for "Development of a State-of the-Art 'Fire Detection & Fighting System' for Jalasampad Bhawan Govt Office Complex comprising 3 (three) Building blocks inclusive of Installation, Commissioning. Trial runs, post commissioning maintenance, repair & replacement, manning of Fire Control Room, performing quarterly mock drills etc for 5 (five) years; located at DF-Block, Sector-II, Bidhannagar, District-North 24-Parganas." to satisfy the Departmental Quotation-cum-Bid Evaluation Committee guided by the Technical specifications & Standards of the EPC and RFQ with all Forms and Appendices of RFP. Decision of the QBEC on Technical Evaluation of bids received would be final.
- b. In case authenticated copy of item wise gross completed work value is not uploaded for any reason whatsoever, eligibility for similar nature of work will be judged on the basis of items of works in the BOQ of the AOC of the completed work.

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

If a contractor/bidder fails to physically produce the originals of documents (especially Bank Guarantee, 100% Completion Certificates and P/L accounts with audited balance sheets), or any other bid document on demanded by the Tender Evaluation Authority which were submitted as soft copies in PDF files with their e-bid, within a specified time frame, need arising due to any material deviation detected in the uploaded soft copies, leading to specific doubts which could not be cleared by enquiry from issuing authority of these documents or if there is any suppression/distortion/falsification noticed/detected/ pointed out at any stage of the e-tender process at any stage prior to signing of Contract-Agreement or the issue of LOA or AOC, the Tender Inviting Authority will immediately bring the matter to the notice of the concerned Chief Engineer and appropriate penal measures as stated in clause 10 below will be taken. The concerned Chief Engineer then will issue the necessary order in writing with intimation to the defaulting contractor/bidder, other Chief Engineers, Centralized e-Tender Cell and also the Government in the Irrigation & Waterways Department. Copy of the order/starting penal measures should invariably be communicated to the Nodal Officer, e-Governance Cell of the Department with a request for uploading the order in the Departmental website under the link "List of suspended/debarred contractors".

11. PROCEDURE FOR SUSPENSION AND DEBARMENT OF SUPPLIERS/ CONTRACTORS

A. SCOPE:

The procedures laid down in subsequent paragraphs shall govern the suspension/debarment of contractors and bidders ("Contractors" for brevity) involved in Government works contracts for offenses or violations committed during competitive bidding and contract implementation, or even later for the works under Irrigation & Waterways Department, Government of West Bengal.

B. PROHIBITION ON SUSPENDED / DEBARRED PERSONS / ENTITIES TO PARTICIPATE IN THE BIDDING OF GOVERNMENT PROJECTS / CONTRACTS OF THE DEPARTMENT

A person / entity that is suspended / debarred by a procuring entity shall not be allowed to participate in any procurement process under Irrigation & Waterways Department during the period of suspension / debarment unless the same has been revoked by the competent authority.

C. DEFINITION OF TERMS:-

- i. **Bidder:** A person/Contractor/Agency/Company/Corporation participating in the procurement process and/or a Person/Contractor/Agency/Company/ Corporation having an Agreement/ Contract for any procurement with the Department shall be referred as bidder.
- ii. **Departmental Quotation-cum-Bid Evaluation Committee (QBEC):**

A separate Departmental Quotation-cum-Bid Evaluation Committee, composition of which has been detailed at clause 15.2 has been constituted by the Department for the purpose of evaluation of proposals.

- iii. **Consolidated Debarment List:** A list prepared by the Departmental Debarment Committee/Chief Engineer containing the list of bidders debarred by the Irrigation & Waterways Department, Government of West Bengal. The list would be displayed prominently in the designated link in website of the Department clearly stating the period of suspension/debarment.
- iv. **Contract implementation:** A process of undertaking a project in accordance with the contract /Agreement documents.
- v. **Debarment:** An administrative penalty, in addition to the contract/Agreement provisions, disqualifying a bidder from participating in any procurement process under Irrigation & Waterways Department, Government of West Bengal for a given period.
- vi. **Debarred Bidder:** A Bidder who was disqualified by the competent authority of the Irrigation & Waterways Department, Government of West Bengal.
- vii. **Department:** Irrigation & Waterways Department, Government of West Bengal
- viii. **Debarment Committee (Committee competent for issuing Debarment Order):**
The “Debarment Committee” will comprise the (i) The Secretary, Irrigation & Waterways Department as Chairperson and Convener, (ii) The Chief Engineer (South), Irrigation & Waterways Directorate as Member and (iii) The Director of Personnel & Ex-officio Chief Engineer, Irrigation & Waterways Directorate as Member, (iv) The Financial Advisor, Irrigation & Waterways Department as Member, (v) For mechanical and electrical works, the Superintending Engineer, Mechanical & Electrical Circle for works as Members.
The Debarment Committee is authorised to decide to place alleged bidders under debarment.
- ix. **Entity:** A person/Contractor/Agency/Company/Corporation participating in the procurement process and/or a Person/Contractor/Agency/Company/Corporation having an agreement/ contract for any procurement with the Department shall be referred as entity.
- x. **Offence:** A violation or breach of the Constitution of India, laws, regulations, laid down procedure, etc under Prevention of Corruption Act, 1988, Code of Criminal Procedure, 1973 u/s 195(1) and Section 197(1), Competition Act, 2007 and IT Act, 2000 as amended.
- xi. **Procurement:** It is the act of buying goods, services or works from an external source. It is favourable the goods, services or works are appropriate and that they are procured at the best possible cost to meet the needs of the acquirer in terms of quality and quantity, time and location.
- xii. **Procuring Entity/Authority:** The officer authorised by the Irrigation & Waterways Department, Government of West Bengal for procurement.
- xiii. **Suspension:** Temporary disqualification of a bidder from participating in the procurement process of Irrigation & Waterways Department for a period of 6 (six) months when an offence is made against a bidder.
- D Suspension Committee (Committee competent for issuing Suspension Order):**
In the instant RFP, Departmental Chief Engineer shall also perform the function of Suspension Authority. on the basis of recommendations of QBEC stated at Clause 11.

E GROUNDS FOR SUSPENSION AND DEBARMENT

- i. Submission of eligibility requirements containing false information or falsified documents.
- ii. Submission of Bids that contain false information or falsified documents, or the concealment of such information in the Bids in order to influence the outcome of eligibility screening or any other stage of the bidding process.
- iii. Unauthorised use of one’s name/digital signature certified for purpose of bidding process.
- iv. Any documented unsolicited attempt by a bidder to unduly influence the outcome of the bidding in his favour.
- v. Refusal or failure to post a self-declaration to the effect of any previous debarment imposed by any other Department of State Government and / or Central Government.
- vi. All other acts that tend to defeat the purpose of the competitive bidding such as lodging false complain about any bidder, lodging false complain about any officer duly authorised by the Department.
- vii. Assignment and subcontracting of the contract or any part thereof without prior written approval of the procuring entity.
- viii. Whenever adverse reports related to adverse performance, misbehaviour, direct or indirect involvement in threatening, making false complaints etc damaging the reputation of the Department or any other type complaint considered fit by the competent authority of the Department are received from more than one officer or at more than one occasion from individual officer.
- ix. Refusal or failure to post the required earnest money within the prescribed time without justifiable cause.
- x. Failure in deployment of technical personnel, engineers and / or work supervisor having requisite license/supervisor certificate of competency as specified in the contract.
- xi. Refusal to accept an award after issuance of ‘Letter of Acceptance’ or enter into contract with the Government without justifiable cause.
- xii. Failure of the contractor, due solely to his fault or negligence, to mobilize and start work or performance within the specified period as mentioned in the ‘Letter of Acceptance’, ‘Letter of Acceptance cum work Order’, ‘Work Order’, ‘Notice of Proceed’, ‘Award of Contract’ etc.
- xiii. Failure by the contractor to fully and faithfully comply with its contractual obligations without valid cause, or failure by the contractor to comply with any written lawful instruction of the procuring entity or his representative(s) pursuant to the implementation of the contract.

F. CATEGORY OF OFFENSE:

- a. First degree of offense: Clause 11E(i) up to (xiii) are to be considered as first degree of offense.
- b. Second degree of offense: Any one of the offenses as mentioned under Clause 11E (i) to (xiii), committed by a particular bidder/contractor/supplier on more than one occasion would be considered as second degree of offense.

G. PENALTY FOR OFFENSE:

- a. For committing 1st degree offense any of the cases referred to under Clause 11E(i) to (v), forfeiture of earnest money and debarment for a period of six months, if the offense is detected during technical evaluation. If the offence is detected after award of the contract and if the offender happens to be the agency selected for work, and such selection is made due to oversight, forthwith termination of contract and determination of contract value in accordance with clause under EPC Agreement and debarment for a period of six months. Further, in case the offense is detected after completion of work and payment of final bill the credential earned would be declared as 'null and void', so that this cannot be used in future to secure other works in the Irrigation & Waterways Department, to gather with debarment for a period of six months.
- b. For committing 1st degree offense in any of the cases referred under Cl.11E(ix) & (xi) & (xiii), forfeiture of earnest money and debarment for a period of one year.
- c. For committing 1st degree offense in any of the remaining other cases, termination of contract and its determination in accordance with clauses under EPC Agreement.
- d. For committing 2nd degree offenses under all categories, period of debarment will be twice the corresponding period for 1st degree offenses, in addition to other penal provisions for 1st degree offense.

12. Taxes & duties to be borne by the Contractor/bidder

GST, License Fees, Permits, Construction Workers' Welfare Cess, Labour Welfare schemes of Govt, Service Tax/Krishi Kalyan Cess, **Inspection charges & fees of Director of Fire under DFES, GoWB**, and similar other all statutory levies/Cess will have to be borne by the contractor/bidder and his/her quoted rate should be quoted accordingly after considering all these charges.

13. Site inspection prior to submission of e-bid

Before submitting a e-RFP, the intending contractor/bidder should make themselves acquainted thoroughly with the local conditions prevailing at site of implementation of the work by undertaking rigorous 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 laborers and market rates prevailing in the locality etc. and no claim whatsoever will be entertained on those accounts afterwards. In this connection intending contractors/bidders are advised to attend the **'Pre-Bid' meetings** with the Authority scheduled to be held at **Jalasampad Bhavan, Salt Lake (Bidhannagar), Sector-II, Kolkata, Pin 700091 (The Head Quarter of I&WD, GoWB) at the Ground Floor, NIC Conference Hall to be chaired by the Superintending Engineer, Metropolitan Drainage Circle, Irrigation & Waterways Directorate, on Day 5 & 21 from the date of publication of e-RFQ (the first pre-bid meeting shall be held on 09.02.2018 from 12.00 noon till 2.00 PM and the second pre-bid meeting is scheduled to be held on 26.02.2018. at the same place and venue in order to acclimatize the prospective contractors/bidders through an interactive open session, replying to their queries, and clear doubts in connection with the work/s, if any.**

14. Conditional and incomplete bids

Conditional and incomplete bids submitted on-line are liable to be summarily rejected.

15. Opening and evaluation of e-bids

15.1 Opening/decrypting of a Technical Proposal

- i. Technical proposal will be decrypted by the **Superintending Engineer, Metropolitan Drainage Circle, Irrigation & Waterways Directorate, Salt Lake** or his/her authorized representative/electronically in the official website stated earlier using their authorized valid Digital Signature Certificate/s (DSC).
- ii. Participating contractors/bidders may remain present if they so desire.
- iii. Technical cover documents vide Clause 3.2A will be opened /decrypted first and if found in order, Cover (Folder) for OID vide Clause 3.2B will be opened/decrypted. If there is any deficiency in either of the Technical cover documents, the offered bid of the bidder 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 'The Departmental Quotation-cum-Bid Evaluation Committee (QBEC).
- v. Procedure to be followed for opening/decrypting of a financial bid is explained later under clause 15.4

15.2 'Quotation-cum-Bid Evaluation Committee' (QBEC)

Committee constituted by the Government in the Irrigation & Waterways Department for evaluation of bids and

entire selection process in the RFP will function as the QBEC. And the Government Appointed Tender Committee as regards to acceptance of final L1 bid price.

15.3 Uploading of list of technically qualified contractors / bidders in the web portal/s

- i. Pursuant to scrutiny and decision of the QBEC, the list of eligible bidders/ contractors for a particular serial of work whose Technical proposal will be considered and uploaded in the web portal/s. Within 24 hours of uploading the TBO summary sheet containing Preliminary Technical Qualification result, any of the aggrieved bidder, may seek clarification / redressal / review from the QBEC on the list of bidders, in writing/through e-mail with supporting facts / figures / documents. If such clarification /review relates to eligibility of other bidders, on the grounds of submission of false/ forged / manipulated / inappropriate credentials, modalities prescribed in the Departmental Notification shall be followed. In case, the review only seeks the eligibility of the applicant himself, views of the Evaluation Committee (QBEC) would be communicated in writing to that bidder within next two (2) working days. If the bidder is not satisfied with the clarification of the QBEC, he/she may appeal to the concerned Chief Engineer within 24 hours of receipt of communication from the QBEC. The concerned Chief Engineer will dispose such complaints jointly, in associated with at least another available Chief Engineer within next 2 working days. Thereafter final Technical Evaluation Sheet (TBE) of the technically qualified bidders would be uploaded, after incorporating modifications if required. The TIA shall while uploading the final TBE summary sheet accept or reject electronically the admitted bids based on the advice of QBEC as per TBE summary sheet. Thus at this stage the rejected bidders will get back their EMD. e-mail communication in official e-mail address of TIA or TAA shall be treated as a valid mode of communication. The minimum time period from date of TBO summary sheet uploading and TBE summary sheet uploading shall be 4 working days or more. **However, this time period may be curtailed if no clarification/review by any of the bidders within 24 hours of uploading the TBO sheet.**
- ii. While evaluating, the QBEC, may, if they so desire summon the contractors/bidders and seek further clarification/information or additional documents or seek verifications of original hard copy of any of/all the documents already submitted on-line and if these cannot be produced within a reasonably stipulated time frame, their bids will be liable for rejection.

15.4 Opening and evaluation of Financial Proposal

- i. Financial proposals of the bidders/contractors declared technically eligible by the QBEC will be opened electronically by the **Superintending Engineer, Metropolitan Drainage Circle, Irrigation & Waterways Directorate** in the web portal stated above on the pre-notified date and time.
- ii. The encrypted copies will be decrypted and the rates will be read out to the contractors/ bidders remaining present at that time, else they may login their respective e-tender accounts to see the (CS) comparative statement in the web portal.
- iii. After opening/decrypting the financial proposal, the preliminary summary result containing inter-alia the names of contractors/bidders and the rates and amount quoted by them will be evaluated and the result will however not be made available in the e-tender web platform. The same would only **be uploaded after obtaining recommendation from Quotation-cum-Bid Evaluation Committee (QBEC) and the Government Appointed Departmental Tender Committee (DTC) and Administrative Approval.**
- iv. If the QBEC and the Government Appointed Tender Committee (DTC) **for South Bengal** of the Irrigation & Waterways Department is satisfied that the L1 bid price obtained is fair and reasonable and there is no scope of further lowering down of rate, after having the comparative statement test checked by the Divisional Accountant / Divisional Accounts Officer of the Office attached to Executive Engineer, Metropolitan Drainage Division No.1, Irrigation & Waterways Directorate, at Jalasampad Bhawan and after going through the recommendations of the QBEC and obtaining recommendation of the Government Appointed Departmental Tender Committee (DTC) instruct the **Superintending Engineer, Metropolitan Drainage Circle, Irrigation & Waterways Directorate** to upload the final summary result containing the name of contractors/bidders and the financial bids offered by them against BOQ in the RFP.
- v. **No post tender negotiations are permitted after opening of financial bid.**
- vi. If there is no contractor/bidder or the number of contractors / bidders in the 1st e-RFP is less than three, the e-RFP has to be cancelled. In case of participation of more than three bidders, if the number of technically qualified bidder falls below three, the e-RFP is to be cancelled as well and fresh e-RFP (i.e 2nd e-RFQ/3rd e-RFQ) may be invited by suitably lowering down the minimum eligibility criteria for all bidders.
- vii. After uploading of Financial bid result upon obtaining recommendation of the QBEC and the Government Appointed Departmental Tender Committee (DTC) as regards to the L1 bid, the financial Comparative Statement of the e-RFP or the FBE sheet so prepared of L1 bid, with Approved Feasibility Report, recommendations and Rate analysis justifications with comments of CE, QBEC, DTC is to be referred to the Government for administrative approval. Letter of Invitation (LOI) and the Award of Contract (AOC) would however not be sent or given to the L1 bidder before receipt of Administrative Approval from the Government in the Irrigation & Waterways Department.
- viii. The QBEC may ask any of the bidders/contractors to submit analysis of rates to justify the rate quoted by the

L1 bidder.

- ix. If the L1 bidder/contractor backs out there should be fresh e-RFP floated on-line once again in a transparent and fair manner. In such a situation the QBEC may opt for Short Notice e-RFP with time periods stipulated for e-RFP, if so necessitated in the interest of public works and take decision on the basis of L1 bid in the 2nd e-RFP or subsequent 3rd e-RFP with 15 days and 10 days minimum bid submission/notice period. Penal action for premature withdrawal by bidder has been stated under clause 11 earlier.

15.5 Procedure to be followed for acceptance of bid for selection of contractor to implement the work.

- i. Selection of contractor/bidder should be made on the basis of at least three valid bids both in technical proposal as well as financial proposal/bid, which shall be opened preferably in presence of their willing agents. If the number of bids received is less than three, e-RFP would be cancelled and invited afresh with relaxed eligibility criteria to be determined by the QBEC.
- ii. If the number of contractors /bidders qualified in the technical bid is less than three, e-RFP would be invited afresh.
- iii. The lowest bid for the work is accepted as a rule. If for any reason the L1 bid 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. L1 bid received in the e-RFP in all cases prior to issuance of LOI /LOA is to be recommended and placed before the Government Appointed Departmental Tender Committee (DTC) subject to the conditions that valid e-bids should not be less than three and L1 is recommended for acceptance. Then a formal administrative approval would be accorded by the Government in the Irrigation & Waterways Department after recommendation of the Government Appointed Departmental Tender Committee (DTC) as mentioned earlier, only after which the Letter of Invitation (LOI)/Award of Contract (AOC) is to be uploaded in the e-Procurement web page and L1 bidder asked to sign Agreement.
- v. If the response to an e-RFP is less than three, then e-RFP should be invited afresh. Such e-RFQ notice shall be published in widely circulated dailies as per guidelines and also through e-RFP e-Tender web portals. Prior to invitation of 2nd or 3rd e-RFP, the eligibility criteria and other terms & conditions as contained in the first 'Notice Inviting e-RFP' (e-RFQ notice) shall have to be reviewed by the Quotation-cum-Bid Evaluation Committee (QBEC), 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.
- vi. Even if, after taking appropriate steps in regard to relaxation of criteria to the extent as decided by the QBEC and also wider publicity of 2nd e-RFP or 3rd subsequent e-RFP in widely circulated dailies and through web-site/s, the response to the subsequent e-RFP is still less than three, that case may be forward by the Quotation-cum-Bid Evaluation Committee (QBEC) with recommendation by the 'The Departmental Tender Committee (DTC) to the Government in the Irrigation & Waterways Departmental for consideration.

16. Determination of Lowest bid and acceptance of Bid.

Bidders are required to quote the financial rates/bids/offers in Lump Sum against each and every item of the e-BOQ as already stated under clause 4.1. It is being clarified that selection of the lowest bidder (L1) would be made on the basis of total bid price against the BOQ as a whole and not on individual items or any subcomponent of the project. L1 bid on an overall basis should normally be accepted as a rule. However, the Accepting Authority does not bind himself/herself to do so and reserves the right to reject any or all the bids without assigning reasons subject to fulfillment of clause 15.5 (iii) and further reserves the right to distribute the work among more than one contractor/bidder.

17. Bid Accepting Authority

Chief Engineer, South, Irrigation & Waterways Directorate is the final bid accepting authority & also the LOI/LOA issuing authority who will however only act on the recommendations of the QBEC, DTC and the Government. But the L1 bid received in the e-RFP would be recommended by the Superintending Engineer to the Chief Engineer who would firstly obtain clearance of the Quotation-cum-Bid Evaluation Committee (QBEC) and then place it before the 'Government Appointed Departmental Tender Committee (DTC) for recommendation. However formal acceptance and issuance of LOI and LOA would only be undertaken by him after obtaining Administrative Approval from the Government.

18. Execution of formal contract/ agreement after acceptance of lowest valid bid

The contractor/bidder, whose bid is approved for acceptance, shall within 15 days of the receipt of Letter of Invitation (LOI) or Letter of Acceptance (LOA) in his / her favour by the Chief Engineer, South, will have to execute a 'Formal Agreement' in the EPC Agreement with the Superintending Engineer, Metropolitan Drainage Circle, having his office at **Jalasampad Bhavan, DF Block, Sector-II, Salt Lake, Kolkata- 700091, West Bengal, Phone no. 033-23343916, Fax No.033-23343960, e-mail ID-semdciwd@gmail.com**, acting on behalf of the State in quadruplicate hard copies containing all e-RFP document, e-RFQ, drawings, credential certificates, eligibility certificates, corrigendum and all other documents. Entire sets may be obtained free of cost from the office of the Executive Engineer, Metropolitan Drainage Division No.1 designated with implementation of the work.

Award of Contract (AOC)/Work order is to be issued by the Engineer-in-charge and also uploaded in the e-Procurement portal.

19. Payment against bills raised by the contractor

The payment of Running Account as well as final bill for any work based on achieving Specific Project Milestones and performance as per Schedules of EPC-Agreement and approved Work Programme in CPM, according to availability of fund and no claim due to delay in payment will be entertained.

20. 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 Chief Engineer (south), if required, subject to written confirmation of the contractor/bidder (s) to that effect.

21. Definition of Physical Milestones:

The time allowed for carrying out the work as entered in the bid 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 'Project Specific Milestones' as specified in this e-RFQ notice into various 'Identifiable and quantifiable construction related stages' pertaining to the work as per Schedules and Work Programme. 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 e-RFQ 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 Authority. This will also apply to items or group of items for which a separate period of completion has been specified.

22. Withdrawal of e-bid

Withdrawal of e-RFP 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. 'BID SECURITY' will be forfeited by the Government and the bidder/contractor penalized in terms of clause 11 referred earlier would be applicable.

23. Extension of last date for e-bid submission or any other Addendum/Corrigendum, if unavoidable is to be notified as per Finance Department guidelines, in the e-Procurement Portal, Departmental website and in Notice boards at least 24 hours before the original validity period of bid submission. Extension of last bid submission date by issuance of a Corrigendum shall not be treated as 2nd or subsequent call of RFP.

24. Schedule of dates of the e-RFP

Sl. No	Activity	Date & Time	Remarks
1.	e-RFP Publishing Date	05.02.2018. from 17.00 hours (IST)	
2.	On-line RFP Document Download start date	05.02.2018. from 17.30 hours (IST)	
3.	Two Pre-bid Meetings to be held at the office of Superintending Engineer, Metropolitan Drainage Circle at Jalasampad Bhavan, Salt Lake office.	At Jalasampad Bhavan, Ground Floor Conference Hall, Ground Floor, Salt Lake from 12 Noon on 09.02.2018. & 26.02.2018.	
4.	e-Bid submission start date	05.02.2018. from 17.30 hours (IST)	
5.	Document Download end date & bid submission end date	28.02.2018. from 17.00 hours (IST)	
6.	e-Bid submission end date	28.02.2018. from 18.00 hours (IST)	
7.	Technical Bid opening date	01.03.2018. at 11.00 hours (IST)	
8.	Uploading of list of Technically qualified bidders	To be decided later by TAA	To be notified to all bidders through e-mail & SMS through auto-generation in the on-
9.	Financial Bid on-line opening date	To be decided later by TAA	
10.	Uploading of Financial Bid evaluation sheet	To be decided later by TAA	
11.	Uploading of the Letter of Invitation / Acceptance (LOI/LOA) and Award of Contract (AOC)	After administrative approval is accorded by appropriate Government	

			line system.
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*TIA: Superintending Engineer, *Metropolitan Drainage Circle*, I & W Directorate, Govt. of West Bengal

*TAA: Chief Engineer, South, Irrigation & Waterways Directorate, Govt. of West Bengal

Sd/- dated

Superintending Engineer
Metropolitan Drainage Circle, Salt Lake
Irrigation & Waterways Directorate