



**Government of West Bengal
Irrigation & Waterways Directorate
Office of the Executive Engineer
Burdwan Irrigation Division
Kanainatsal, Purba Bardhaman.
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NOTICE INVITING e- QUOTATION

e-.N.I.Q. No - WBIW/EE/BDNID/NIQ-01(e)/18-19

Encrypted electronic bids are hereby invited by the Executive Engineer, Burdwan Irrigation Division, Irrigation & Waterways Directorate on behalf of the Governor of the State of West Bengal through a single stage two part e-Procurement System; (Part I: Techno-commercial bid and Part II: Financial bid) for the 'LIST OF WORKS' given in the next page from eligible bonafide contractors/agencies/bidders having specified Pre-Qualification (eligibility) credential

for execution of works of similar nature and desired financial capabilities. The technical bid in Part-I would require the bidder to qualify for the next phase of financial bid: Part-II, in which L1 bid price would determine the final selection and acceptance of a bidder for award of the Procurement of Goods & Works contract.

Intending contractors/bidders desirous of participating in this e-Quotation are required to login to the Government of West Bengal e-Procurement website having URL <https://wbtenders.gov.in> and locate the instant tender/ Quotation by typing **WBIW/EE** in the search engine provided therein, or by logging-in using their assigned User ID and password. They may also visit the official website of the Irrigation & Waterways Department, Government of West Bengal www.wbiwd.gov.in to locate the same e- Quotation by scrolling the "e-Procurement" link.

Contractors/bidders willing to take part in the e- Quotation are required to obtain a 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, GoWB from time to time. DSC is given as a USB e-Token. After obtaining the Class 2 or Class 3 Digital Signature Certificate (DSC) from any of the above CA, they are required to register the fact of possessing the DSC through the registration system available in the above mentioned websites. A list of such 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, through e-mails irrigationhelpdesk@gmail.com and dvcsc6816@gmail.com or Telephone No. 033-23346098 and the State Level e-Procurement Help Desk located at the Ground Floor of Jalasampad Bhavan through e-mail wbehelphdesk@gmail.com or Ph:(033)-2334 5161 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-Procurement procedure.

Intending contractors/bidders are required to download the e- Quotation documents directly from either of the websites stated above. **This is the only mode for submission of a Quotation.** The interested bidders eligible for the Quotation are required to submit their bids through the e-Procurement System using their valid DSC e-Token with assigned PIN using login ID and password. Details of e-filing procedure for participating in e- Quotations under State Government have also been explained in the 'Bidders' Manual', available in the Departmental website www.wbiwd.gov.in.

Last date & time of submission of bid electronically, is on 20.08.2018 till 17:30 Hours IST.

The applicant bidders/contractors are advised to carefully read all the 'Terms & Conditions' contained in this e-Notice Inviting Quotation (e-NIQ). He/she should particularly go through the minimum desired Pre-qualification (PQ) works credential & financial eligibility criteria and satisfy himself/herself of all the mandatory eligibility requirements. Bidders desirous of participating in the e- Quotation should submit bids only if they fulfill the minimum PQ eligibility criteria and are in possession of all the required PQ Credential documents "in original" as these may be summoned by the Quotating authority for verification purposes.

All information published in the website consisting of e-NIQ and other related documents uploaded by the selected bidder, WB Works Contract Form No. 2911(i)/2911(ii), Bill of Quantities (BOQ), EMD exemption order, if any, corrigenda and drawings etc. if any, shall form a part of the Agreement / contract document.

LIST OF WORKS

e-.N.I.Q. No - WBIW/EE/BDNID/NIQ-01(e)18-19

| Sl. No. | Name of Work//Project/Procurement* | Earnest Money (EMD) (Rs.) | Time allowed for completion (In English Calendar days) | Source of fund | Minimum eligibility criteria to match the Prequalification (PQ) credential in terms of execution of similar completed previous works contract | Physical Milestones for completion of each work within stipulated time (Refer to Clause 19 of the General Terms & Conditions of e-NIQ) |
|---------|---|---------------------------|--|----------------------------|---|--|
| 1 | 2 | 4 | 5 | 6 | 7 | 8 |
| 1 | Carry out cross section & long section Survey work @100Mtr interval respectively including detailed cross section survey along the canal upto 15mtr from the country side toe of canal embankment or from edge of the bank (where the Canal is in cutting zone) of the canal and its distributory in Jamalpur and Memary Block in Purba Barddhaman District and DhaneKhali, Polba-Dadpur, Panduah in Hooghly District, including preparation and submission of 2 sets of cross sectional and long sectional drawing(both in excel & Auto CAD) along with level book in excel.(All are in hard & soft Copy.) | 30,000.00 | 15 days | Administrative Expenditure | Bonafied contractors/Bidders having credential of execution of similar nature of work of value Rs. 5.00(Five) Lakhs during the current year and the last 5years from the date of publishing of e-NIQ for a single work. | As per Work Programme prepared and uploaded by the Quotation Inviting Authority in the form of Bar Chart |

(*) Consortium & Joint Venture are not permitted to bid in this e-Quotation.

**Executive Engineer
Burdwan Irrigation Division**

(General Terms & Conditions for Contract: 'Tender value' above Rs 5.0 Lakh up to Rs 45.00 Lakh)

1. Eligibility for participation in e- Quotation under National Comparative Bidding (NCB)

All Bonafide Indian contractors/Agencies/Organizations, Registered Companies/ Firms including Registered Partnership Firms, Proprietorship Firms, Registered Consortiums & valid 'Joint Ventures' and contractors/bidders of equivalent grade or class having Pre-Qualification (PQ) Credential from the Government of West Bengal, Union Government Departments/ Other State Government Departments/ Engineering Wings of GoI /IRCON/RVNL/NHPC, Autonomous Project Authority and other similar organizations of GoI and State Governments/PSU and Corporations of Government of India and other States having successfully completed at least one similar nature project and not otherwise debarred are eligible to participate subject to fulfilling the other PQ eligibility criteria laid down in the subsequent paragraph. Consortiums and Joint Ventures are not allowed to participate in quotations of value up to Rs. 45.00 lakh

2. Participation in more than one serial of work out of list of works published in one e-NIQ.

Any contractor/bidder may bid for any number of Serials of work in a particular e-NIQ, if more than one work have been published in that e-NIQ, subject to fulfillment of all of the following conditions:

- a. There should be full compatibility (matching between the technical PQ credential submitted by the bidder in the form of Credential Certificate (CC) along with other relevant documents as stated under Clause 3.2B III) relating to any work successfully completed by the bidder and technical PQ criteria specified in the e-NIQ for any particular serial of works for which the bidder intends to bid. In other words, technical PQ credential certificate along with relevant documents submitted for any work should at the minimum; satisfy the technical PQ eligibility criteria specified for that work. Normally there should be separate CC along with relevant documents for each of the serial of works, the bidder intends to bid and the serial number relevant to the CC should be clearly written on the body of the CC and also on the other documents stated under **Clause 3.2B III**. However, the bidder will also reserve the right to submit one CC along with relevant documents for bidding in more than one serial of work, provided cumulative technical PQ credential of all such serials should be fulfilled by one single CC. In such case also, serial numbers of the relevant works for which the CC is submitted should be clearly written on the body of the CC by the bidder. Omission of serial numbers on the body of the CC and also on the other documents stated under **Clause 3.2B III**, in case of bidding for more than one serial will lead to rejection of all the bids.
- b. Average of gross annual turnover of the individual bidder/Organization/consortium or Joint Venture for any three financial years within preceding five financial years, as stated under Clause 7V, should not less than the summation of turnover requirements of the relevant individual serial of works for which the bidder intends to bid.

3. Submission of bid

3.1 General procedure for submission of e-bid

Bids are to be submitted electronically in the on-line mode through the e-Procurement portal www.wbtenders.gov.in. All documents uploaded by the Quotation Inviting Authority forms an integral part of the works contract/Agreement. Contractors/bidders are required to upload the entire Quotation documents along with all other relevant PQ credential documents as asked for in the e-NIQ, electronically, through the above portal within the stipulated date and time as notified in the e-NIQ. Quotations are to be submitted in two parts/folders at the same time for each work, one being 'Technical Proposal' and the other 'Financial Proposal'. The contractor/bidder should carefully go through all the documents of the e- Quotation and upload the scanned copies of his/her/their original documents in 'Portable Document Format' (PDF) files in the designated links in the web portal as their 'Technical Bid'. He/she needs to fill up the financial offer/bid price/ rates in the downloaded BOQ of the work in the designated cell in '**Excel sheet only**', and upload the same in the designated link of the portal as their 'Financial Bid'. Documents uploaded are virus scanned and required to be digitally signed using their 'Digital Signature Certificates' (DSC). Contractors/bidders should especially take note of all the *Addenda* or *Corrigenda* notices related to the e- Quotation and upload all of these documents forming a part of their e-bid as Quotation document. Documents digitally signed and uploaded in the e- Quotation portal by the contractors/bidders containing requisite information & financial bid/rate comprising 'Technical bid' and 'Financial bid' are submitted concurrently, which cannot be changed after end date and time fixed for submission of the e- Quotation. **Extension of last date for bid submission by insertion of any date Corrigendum is to be made after last date of bid submission has passed, when the no. of bids received is less than four. In that case an extension notice is to be issued before opening of the technical bid. However, such extension may generally be made for at least 5 clear days which would be counted from the date of publication of the corrigendum notice. Extension of bid submission period is to be published in at least one widely circulated daily Newspaper. Except for date corrigendum, all other corrigendum if issued, the Quotation would have to be extended by 7 (seven) calendar days. After opening of the technical bids the date cannot be extended, however re- Quotation may be invited. Extension of dates cannot be treated as 2nd or subsequent call. Extension of last date and time for bid submission by issuance of a Corrigendum shall not be treated as 2nd Call or Re- Quotation.**

3.2 Technical Proposal

The Technical Proposal should contain scanned PDF files of all documents in the following standardised formats in two part covers or folders.

| Cover No | Cover | Document Type | Descriptions |
|----------|--------------------|-----------------|-----------------|
| 1 | Pre-Qual/Technical | .pdf | NIQ_Corrigendum |
| | | .pdf | Agreement_2911 |
| | | .pdf | Forms |
| | | .pdf/jpg/WinRAR | Drawings |
| | | .pdf/jpg | BAR_CHART |
| 2 | Finance | .xls | BOQ |

3.2 A Descriptions of Technical (Pre-Qual) Covers

- i. **'NIQ_Corrigendum folder':** e-Notice Inviting Quotation is to be downloaded in entirety, digitally signed and uploaded during e-bid submission in **"NIQ_Corrigendum"** folder. **'Corrigenda/Addenda'** if published in connection with the NIQ is to be digitally signed and uploaded in the **'NIQ_Corrigendum'** folder merged with e-NIQ documents during e-bid submission.
- ii. **'Agreement_2911' folder:** Contract /Agreement in WB Form No. 2911(i) published in the e- Quotation is to be downloaded digitally signed and uploaded during e-bid submission in **Agreement_2911** folder.
- iii. **'Forms' folder:** Applications for e- Quotation: vide self declaration format in specimen **Form-1** , Self declaration of bidder not having common interest as a different bidder organisation in any other work Quotation under different serials of this particular e-NIQ vide specimen **Form-2**, and self declaration on antecedents and performance of the bidder in specimen **Form-4**.
*All above are to be filled up completely, digitally signed and uploaded during bid submission in **"Forms"** folder.*
- iv. **Drawings folder:** The GAD/Plan/Map published in the e- Quotation by the Quotation Inviting Authority is to be downloaded by the bidder digitally signed and again uploaded during e-bid submission in **"Drawings"** folder
- v. **BAR_CHART folder: BAR CHART/Work Programmes in other Networking Methods** prepared by QIA in pdf file defining the Physical Milestones of the construction period for implementation of the project is to be downloaded by the bidder digitally signed and again uploaded during e-bid submission in **"BAR_CHART"** folder

3.2A.NOTE:

- i. Contractors/bidders are required to keep track in the e-Procurement website www.wbtenders.gov.in for all the Addenda or Corrigenda notices and documents published in connection with a particular e- Quotation within the bidding period and upload the same, digitally signed by him/her along with their e- bid. **Quotations submitted without Addendum/Corrigendum are liable to be treated as incomplete and thereby liable for disqualification or rejection.**
- iii. Form 1, Form 2, Form 3 (for companies etc.) and Form 4 are taken from bidders by QIA as bidders self declarations' or undertakings. These formats are specimens or samples only, which are to be firstly downloaded by the bidders from the NIQ in e-Procurement portal, filled up completely and again uploaded with their electronic bids.

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

It is desired that PDF files of all other original documents in support of their eligibility and PQ credential shall have to be submitted under the OID cover folders as detailed below:

My Document Format for uploading in the OID folder:-

| Sl. No. | Category | Sub-category | Sub-category description | Remarks if any |
|---------|--------------|---|---|-------------------------------------|
| I | Certificates | 1. certificates.pdf 2. GST_registration_certificates.pdf | 1 Latest Professional Tax Payment Certificate (PTPC) or, PT deposit challan for current financial year or Government Order for exemption in other States where ever applicable. | Refer to Clause 3.2C(I) for details |
| | | | 2 Valid PAN Card in the name of bidder/organisation | |
| | | | 3 Income Tax Return of current Assessment year or, IT Return of immediate preceding Assessment year whichever is ;attest available | |
| | | | 4 Valid GSTIN under GST Act & Rules | |

| Sl. No. | Category | Sub-category | Sub-category description | Remarks if any |
|---------|----------------------|--|--|---------------------------------------|
| II | Company Details | <i>companydetails.pdf 1</i> <i>companydetails.pdf 2</i> | 1 For Proprietorship Firms, Partnership Firms, Registered Companies, Registered Co-operative Societies Valid Trade License/ acknowledgement or Receipt of application for Trade License/ Revalidation OTHER REQUIREMENTS:- 2 For Partnership Firms: Legally valid Partnership Deed, Form-VIII/ Memorandum of Registration of Registrar of Firms 3 For Companies: Incorporation Certificate, Memorandum of Articles of ROC, List of current owners/ Directors/Board Members 4 For State Registered Co-operative Societies: Society Registration certificate from ARCS of the State, Society by-Laws, latest available Auditor's Report of Directorate of Co-operative Audit within preceding five years as per Societies Act & Rules | Refer to Clause 3.2C(II) for details |
| III | Credential of works | 1. Credential pdf 1 2. Credential pdf 2 | 1 Work Order/ Award of Contract or LOA/LOI duly authenticated by issuing authority. 2 Pre-Qualification (PQ) Work credential of one 100% completed work as desired in the NIQ as the Credential Certificate (CC) duly authenticated by competent authority. | Refer to Clause 3.2C(III) for details |
| IV | Financial credential | Payment certificate.pdf | All 100% Payment Certificates of competent authorities during preceding Five FY. IT Return of bidder in three FY, or Audited Profit & Loss Accounts statement of any three financial years within the zone of preceding five financial years whichever is available. | Refer to Clause 3.2C(IV) for details |

* OID denotes Other Important Documents.

Note:

- i. It is desirable though not mandatory that all documents stated above in PDF files shall be uploaded by bidders only in specified designated folders. No off-line document will be accepted and considered during Quotation evaluation stage from bidders before publishing of final selection of L1 by publication of FBE sheet verification by QEC may be undertaken directly from PQ Credential issuing authority.
- ii. Validity of documents submitted by bidder shall be stand determined on the date of publication of Quotation notice (e-Notice Inviting Quotation)

3.2 C(I) Certificate/s: The documents mentioned below under Serial a, b & c are to be uploaded as 'PDF' files in Certificate.pdf1 (*name of the file should be "certificates.pdf"*)

The document mentioned under Sl. d below is to be uploaded in GST Registration Certificate.pdf2 file

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

3.2C(II) All documents mentioned in tabular format under **Clause 3.2B** and also explained below should be uploaded during electronic bid submission in PDF files with the *name of file should be "companydetails.pdf"*

- i. 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.
- ii. For Companies: Incorporation Certificate, valid Trade License or acknowledgement of issuing authority of receipt of application for Trade License / renewal, 'Memorandum of Articles' registered under the Registrar of Companies (ROC) under the Indian Companies Act, List of owners/ Directors/Board Members are to be uploaded with the e-bid.

iii. For State Registered Co-operative Societies:

- a. Society Registration certificate from ARCS (Assistant Registrar of Co-operative Societies, GoWB) and By-Laws for Cooperative Societies under West Bengal Co-operative Societies Act, 2006 and Rules, 2011 and all amendments.
- b. Latest Auditor's Report of Directorate of Co-operative Audit under Department of Co-operative, Government of West Bengal within preceding five financial years as per Societies Act & Rules.

3.2C(III) Eligibility criteria based on Credential of work/Prequalification Work Credential "*credential.pdf*"

- i. Work Order/Award of Contract or the Letter of Acceptance (LoA) duly authenticated by the competent issuing authority is to be submitted under Technical cover (*name of file should be "credential.pdf 1*).
- ii. Pre-Qualification (PQ) credential of one 100% completed work of Gross Notional Value as desired in the NIQ as the Credential Certificate (CC) duly authenticated by competent authority. (*Name of file should be "credential.pdf 2*).

3.2C (IV) PQ Financial credential: In '*payment certificate.pdf*' folder under OID cover

- a. Disqualification during PQ evaluation of financial capability of bidder shall not be decided during technical bid evaluation by QEC up to work of Rs 45 lakh, as no minimum financial capacity is fixed, except if reveals from documents beyond any doubt of the financial liquidity & bankruptcy of the bidder, determining absolute incapacity to execute the work.
- b. But, i. 'Payment certificate' of works authenticated by appropriate authority for preceding three Financial Years, or, ii. Valid Income Tax Returns for preceding three FY, or, iii. Audited Profit & Loss Accounts statements of three FY, any one of i, ii, or iii as a complete set for three FY within zone of immediate preceding five FY is to be uploaded in '*payment certificate.pdf*' folder under OID cover, else the bidder may be disqualified. Name, address, contact no. and registration no. of auditor Firm is desirable for Profit & Loss accounts statement, if submitted.

Note: a. *If the bidder Company/Firm was set up less than three years ago, audited balance sheets and P/L Accounts for the number of years since inception are to be submitted under Technical cover and the average value would be evaluated only for the period since inception and not three years. Credential Certificate (CC) given as PQ Work Credential may also contain payment certificate and in those cases separate payment certificate is not required.*

- b. *No file in Technical / Pre-Qual cover or OID cover folder is allowed by the system to be kept blank/empty. Where ever the forms and documents are uploaded by the Quotation Inviting Authority, the same is to be downloaded, duly filled up, converted to pdf file, and again uploaded after digital signing, forming a part of Quotation document. These formats are specimens or samples only and deviation from specimen format is not a sufficient ground for rejection of the bid. Relevant blank Forms are to be firstly downloaded by the bidders from the NIQ in e-Procurement portal, filled up completely and again uploaded with their electronic bid. No offline document is acceptable from bidders by QEC during evaluation stage.*

3.3 Financial proposal / bid under Financial cover:-

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

- i. **Bill of Quantities (BOQ):** The contractor/bidder is required to quote the financial offer/bid price or rate as Item rate including all taxes (GST, Cess, etc.) in the space marked for quoting rate in the BOQ of the Quoted work.
- ii. Only the downloaded sheet of the above document in Excel format is required to be uploaded by the contractor/bidder..

4. Quotation Fee and Earnest Money Deposit (EMD)

i. Quotation Fees:

Entire set of e- Quotation documents are made available free of cost through the State Government e-Procurement portal having URL <https://wbtenders.gov.in> and also available in the e-Procurement link of Departmental website www.wbiwd.gov.in. Cost for Quotation documents will not be charged even during execution of a formal tender contract/agreement. However, the contractors/bidders may wherever necessary shall be suitably charged for additional/multiple copies of drawings, specifications, Schedule of Rates booklet etc. and such fee may be suitably determined by the Quotation Inviting Authority as per existing Rules.

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

Bidders are required make payment of Earnest Money (EMD) through the e-Payment banking system, on-line and should read in advance the instructions carefully, particularly those contained in the challan generated in the e-transaction of the portal, if opted for EMD payment through RTGS/NEFT. Only if the bidder is exempted from payment of EMD by the State Finance Department, the Govt order for such exemption is to be uploaded while opting for EMD exemption category. Any misjudgement and resultant non submission of EMD will lead to rejection of the bid. Finance Department has exempted from payment of EMD to State Registered Labour Cooperative Societies, Mackintosh

Burn Limited, Westinghouse Saxby Farmer Limited & Britannia Engineering Limited only. State & Central Govt SSI Units are exempted from EMD for Quotations for procurements and supply of **Goods only** and not works contracts. However, all other PQ credentials are to be fulfilled by each

4A. Login by bidder:

- a. A bidder desirous of taking part in e- Quotation floated by the State Government shall login to the e-Procurement portal of the Government of West Bengal www.wbtenders.gov.in using his/her login ID and password by using their valid DSC.
- b. He/she will select the Quotation to bid and initiate payment of pre-defined EMD fixed for that Quotation 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 bidder's bank accounts in any Bank approved by RBI in India.

4B. EMD payment procedure:

a. Payment by Net Banking out of any listed bank through ICICI Bank Payment Gateway:

- i. On selection of Net Banking as the payment mode, the bidder will be directed to ICICI Bank Payment Gateway (along with a string containing a Unique ID) where he/she will select the Bank through which he/she wants to electronically transact the EMD.
- ii. Bidder will make the payment after entering his Unique ID and password of the bank to process the e-transaction.
- iii. Bidder will receive a confirmation message on registered mobile phone regarding success/failure of the transaction.
- iv. If the transaction is successful, the amount paid by the bidder will get credited in the respective Pooling account of the State Government maintained with the Focal Point Branch of ICICI Bank at R.N Mukherjee Road, Kolkata for collection of EMD against unique codes for identification of the Quotationing 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 designated Bank account.
- iii. Once payment is made, the bank would provide an "**UTR remittance number**" for successful transaction with which the bidder will come back to the e-Procurement portal after expiry of 2 to 3 bank working days to enable the NEFT/RTGS process to complete, in order to verify the payment made and continue with his/her bidding process.
- iv. If verification is successful, the fund get credited to the respective Pooling account of the State Government maintained with the Focal Point Branch of ICICI Bank at R.N Mukherjee Road, Kolkata for collection of EMD.
- v. Hereafter, the bidder will go to e-Procurement portal for final submission of his/her e-bid within pre-assigned last date of submission of e- Quotation.
- vi. If the payment verification is unsuccessful, the amount will be returned automatically by the system to the bidder's bank account.

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

4C. Refund/Settlement Process for EMD:

- i. After decrypting/admitting of all e-bids, the preliminary technical bid evaluation (TBO) summery sheet would be published in the Portal after two working days, and thereafter at least after four working days, the Final technical evaluation (TBE) summery sheet would be published in the Portal with simultaneous electronic processing in the e-Procurement portal by the Quotation inviting authority done so that status of the all bids as qualified or disqualified; based on the Final Bid Evaluation Sheet (FBE) is made available to all bidders along with the details of the unsuccessful bidders to ICICI Bank by the e-Procurement portal through web services.
- ii. On receipt of the information from the e-Procurement portal, the Bank will refund through an automated process the EMD of the bidders disqualified at the technical evaluation to the respective bidders' bank accounts from which they

made the EMD 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 Quotation Inviting Authority.

- iii. Once the financial bid evaluation is electronically processed in the e-Procurement portal, EMD of the technically qualified bidders other than that of the L1 will be refunded, through an automated e-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 Quotation inviting authority.
- iv. 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 of the State through GRIPS where under the security deposit will also be collected in connection with the work.
- v. All refunds will be made mandatorily to the Bank account from which the payment of EMD was initiated.
- vi. If the e- Quotation is cancelled, then the EMD would be reverted to the original bidder's bank account automatically after such cancellation order is processed online by the Quotation Inviting Authority.
- vii. QIA reserves the right to forfeit the EMD electronically in case of breach/violation of Quotation rules as defined under clause 8 & 9.

5. Credential Certificate (CC) as Prequalification Work Credential:

- i. Credential Certificates (CC) for one/single 100% completed work within last five financial years on the date of publication of NIQ will only be accepted as valid PQ credential of work. Incomplete ongoing work shall not be considered for valid PQ Credential. Payment Certificate without containing mandatory details shall not be treated as valid.
- ii. It is desirable that CC should preferably contain the name with designation, postal address of office, contact Telephone No./FAX / e-mail ID of the authority issuing the CC for the work along with name of work, date of completion of the work, gross final billed value of the 100% completed work, certificate of issuing authority indicating successful and satisfactory completion. Illegible certificates, absence of contact details making it time consuming for verification purposes of CC issued by authorities outside the State are liable to be rejected by the Bid Evaluation Committee (QEC).
- iii. Credential Certificates (CC) of successfully completed works in any Department/autonomous authority of the Government of West Bengal will be considered. CC of 100% completed works executed under any other State / Central Government Ministry / Department / Nationalised Financial Institution Organisation / Govt. Undertaking / Govt. Enterprises or Government Institutions or Local Government Bodies (Municipalities, Zilla Parishad & Panchayat Samities within West Bengal, will also be considered as valid PQ Credential. 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 the BDO & Executive Officers or equivalent administrative officers respectively. It is desirable to have telephone and FAX or e-mail addresses of the signatory of the CC for all offices outside West Bengal for verification purposes.

6. Pre Qualification (PQ) eligibility criteria

Prequalification (PQ) eligibility of a contractor/ bidder based on one single 100% completed works contract and financial capacity achieved within the zone of last five financial years will be determined as per Rules stated below:

- 6 I (a). Firstly, the gross value of the work submitted as PQ Credential as per CC of similar in nature completed during the current financial year before date of publishing of e-NIQ or within the preceding five FY will be multiplied by the following factors to take care of the inflationary effects to arrive at the gross notional amount.

| Year | Description | Multiplying factor to arrive at gross notional amount |
|-----------------|--|---|
| Current | The financial year of floating of NIQ | 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- Quotation for a particular work are such that one

happens to have worked as a sub-contractor of the other, and both the contractors/bidders PQ submit work credential of having completed the same job either wholly or partly, then in such case the PQ 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 during technical evaluation of the Quotation. If the PQ Credentials submitted by hitherto contractors/bidders are for different works, then both the PQ Credentials will be considered for determining the eligibility criteria of the individual contractors/bidders.

6 II. Financial proposal of any contractor/bidder will come under consideration only when the Technical PQ criteria mentioned below are satisfied and fulfilled in the Technical Bid Evaluation stage.

Gross notional amount calculated from Credential Certificate (CC) of a single works contract completed within the zone of immediate preceding five financial years on the date of this e-NIQ, issued in favour of the contractor/bidder /Agency/Firm/Registered Co-operative Society for a similar work at least 5.00 Lakhs. The power to decide on the criteria of similarity rests without any prejudice, solely with the Bid Evaluation Committee (QEC).

7. Additional eligibility criteria for participating in more than one serial of work in a e-NIQ

If the same bidder bids separately for on behalf of another Firm or in a different capacity having financial interests in the same work, all the Quotations would be rejected.

8. 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 the Credential Certificates and P/L accounts with audited balance sheets), or any other bid document on demand by the Quotation Evaluation Committee (HQEC/QEC) which were submitted as soft copies in PDF files with their e-bids within a specified time frame, need arising due to any material deviations 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- Quotation process at any stage prior to signing of Contract-Agreement or the issue of LOA or AOC, the Quotation 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- Quotation 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 in the link "List of suspended/debarred contractors".

9. PROCEDURE FOR SUSPENSION AND DEBARMENT OF SUPPLIERS/ CONTRACTORS

A. SCOPE:

The procedures laid down in subsequent paragraphs shall govern the suspension and debarment of suppliers, contractors and bidders ("Contractors" for brevity) involved in Government procurement 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. The concerned Chief Engineer shall publish the suspension and debarment order in the Departmental website with the approval of I&W Department in the designated link within 1 (one) working day of issuance of such order. The QIA shall recommend the case to HQEC/QEC who with opinion of Chief Engineer will place it before DTC/QBEC/DTTC for approval.

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.

A Joint Venture or Consortium which is suspended / debarred or which has suspended / debarred member/s and/or partner/s as well as a person/entity who is a member of suspended / debarred Joint Venture or Consortium shall, likewise, 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.

C. DEFINITION OF TERMS:-

- i. **Bidder:** A person/Contractor/Agency/Company/Society/Corporation participating in the procurement process and/or a Person/Contractor/Agency/Joint Venture/Consortium/ Corporation having an Agreement/ Contract for any procurement with the Department shall be referred as bidder.
- ii. **Bid Evaluation Committees or Quotation Evaluation Committees (HQEC/QEC/QBEC in short):**

- a. Bid / Quotation Evaluation Committee'(QEC) for the bids upto total quoted value of Rs. 45.00 lakh (QEC) invited by the Executive Engineer will be comprising of i) Concerned Executive Engineer as Chairperson and Convener, ii) Assistant Engineer concerned to the work as Member, iii) Another Assistant Engineer from Division as Member or the Junior Engineer posted as the Divisional Estimator.
- b. or, Evaluation Committee constituted by the Department from time to time.
- 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. **Entity:** A person/Contractor/Agency/Joint Venture/Consortium/Corporation participating in the procurement process and/or a Person/Contractor/Agency/Joint Venture/Consortium/Corporation having an agreement/ contract for any procurement with the Department shall be referred as entity.
- ix. **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.
- x. **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.
- xi. **Procuring Entity/Authority:** The officer authorised by the Irrigation & Waterways Department, Government of West Bengal for procurement.
- xii. **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 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.
- iii. Any documented unsolicited attempt by a bidder to unduly influence the outcome of the bidding in his favour.
- iv. All other acts that tend to defeat the purpose of the competitive bidding such as lodging false complaints about any bidder, posting baseless allegation about any officer duly authorised by the Department, restraining any interested bidder to participate in the bidding process etc.
- vi. Refusal to accept an award after issuance of 'Letter of Acceptance' or enter into contract with the Government without justifiable cause.
- vii. Refusal or failure to post the required performance security/earnest money within the prescribed time without justifiable cause.
- viii. Subcontracting of the contract or any part thereof without prior written approval of the procuring entity.
- ix. Failure solely due to fault or negligence of the Contractor, to mobilize and start work within the specified period as mentioned in the 'Letter of Acceptance' / 'Letter of Acceptance cum work Order' / 'Work Order' / 'Notice of Process' / 'Award of Contract' etc. ultimately resulting in rescindment of contract.
- x. Failure to fully and faithfully comply with the contractual obligations without valid cause, or failure to comply with any written lawful instruction of the procuring entity or his representative(s) pursuant to the implementation of the contract, ultimately resulting in rescindment of contract.
- xi. For the procurement of goods, unsatisfactory progress in the delivery of the goods by the manufacturer, supplier or distributor arising from his fault or negligence and / or unsatisfactory or inferior quality of goods, vis a vis as laid down

in the contract.

- xii. Refusal or failure to upload a self-declaration in specimen format of Form-4 to the effect of any previous debarment imposed by I&WD, any other Department of State Government and or Central Government.
- xiii. Wilful or deliberate abandonment or non-performance in a project or contract by the contractor / suppliers resulting to substantial breach thereof without lawful and / or just cause(s).

E. CATEGORY OF OFFENSE:

- a. First degree of offense: Clause 9 D (i) up to (vii), (xii) & (xiv) is to be considered as first degree of offense.
- b. Any of the offence under Clause (viii) to (xi) & (xiii) shall lead to termination of contract and its determinations in accordance with Clause (ii) & Clause (iii) of Agreement Form No. WB-2911 and simultaneous debarment for a period of 2 years
- c. Second degree of offense: Any one of the offenses as mentioned under Clause 9D (i) to (xiv), committed by a particular bidder/contractor/supplier on more than one occasion would be considered as second degree of offense. Period of debarment will be 2 times the corresponding period penalty applicable for 1st degree offence in addition to other penal provisions contained in 1st degree offence.

F. Procedure and Rules of Debarment :

Debarment procedure and rules are published as Departmental Notification to be read in conjunction with the Corrigenda issued from time to time , as may be seen in the Notification link of the Departmental website wbiwd.gov.in

G. PENALTY FOR OFFENSE:

- a. For committing 1st degree offense any of the cases referred under Clause 9 D (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 the contract and determination of contract value in accordance with clause 3(ix) (c) of West Bengal Form No. 2911(i)/(ii), and simultaneous debarment for a period of six months. Further, in case the offense is detected after completion of work and payment of final bill the Work credential earned would be declared as 'null and void', so that the same cannot be used in future as PQ credential for securing other works contracts in the Irrigation & Waterways Department, together with debarment for a period of six months.
- b. For committing 1st degree offense in any of the cases referred under Clause 9 D (vi), (vii),(xiii) to (xv), forfeiture of earnest money and debarment for a period of one year. For committing offenses under Clause 9D (xv), debarment period shall be for one calendar year preferably from the date on which the due date for submission of BG had expired (i.e 8th or 15th working day from date of receipt of LOA /LOI) by the concerned Chief Engineer to be notified in the Departmental website.
- c. For committing 1st degree offense in any of the other cases under Clause 9 D (viii) to (xii), termination of contract and its determination in accordance with Clauses 2 & 3 of West Bengal Form No. 2911(i)/(ii), including debarment for a period of two years.
- d. For committing 2nd degree offenses under above 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.

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

In view of introduction of GST with effect from 01.7.2017, all the bidders intending to participate in this e- Quotation should offer their financial bids inclusive of GST applicable for entire composite works/Procurement of goods & services, labour intensive component contained in the BOQ. Income Tax, Royalty, GST (CGST, SGST, IGST), Construction Workers' Welfare Cess, Labour Insurances EPF 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, and no separate payment towards any of the statutory taxes rents or levies shall be made by the work implementing authority.

11. Site inspection prior to submission of Quotation

Before submitting a e- Quotation, 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 factors and difficulties to be involved during 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 designated Assistant Engineer/Executive Engineer, Burdwan Irrigation Division between 11.30 hours to 16.30 hours on any working day, prior to the date of last date for submission of bid in the e- Quotation.

12. Conditional and incomplete Quotation

Conditional and incomplete Quotations are liable to be summary rejected. No off-line document will be entertained until completion of e- Quotation process by way of acceptance of L1 bid by the competent Quotation Accepting Authority/Government.

13. Opening & evaluation of Quotation

13.1 Opening of a Technical Proposal

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

- i. Technical proposal will be opened by the Quotation Inviting Authority or his/her authorised representative/s electronically in the official website using their authorised valid Digital Signature Certificate/s (DSC).
- ii. Intending contractors/bidders may remain present if they so desire.
- iii. Technical cover documents (vide Clause 3.2.A) will be opened /decrypted first and if found in order, Cover (Folder) for OID (vide Clause 3.2.B) will be opened/ decrypted. If there is any material deficiency in either of the Technical cover documents, the e-bid is liable to be disqualified & rejected.
- iv. Decrypted (transformed into readable format) documents of the Pre-Qual Technical cover and the OID (Other Important Document) Cover will be decrypted/downloaded by the QIA and handed over to the Technical Bid Evaluation Committee (QEC).

13.2 Process of Technical Evaluation in a Quotation

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 QEC 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 Quotation Evaluation Committee (QEC) 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 QEC, he/she may appeal to the concerned Chief Engineer within 24 hours of receipt of communication from the QEC. 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 QIA shall while uploading the final TBE summary sheet accept or reject electronically the admitted bids based on the advice of QEC 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 QIA or QAA 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.

13.3 Uploading the list of technically qualified contractors/bidders

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

13.4 Opening and Evaluation of Financial Proposal/bid

- i. Financial proposals of the bidders/contractors declared technically qualified by the Bid/Quotation Evaluation Committee (QEC) will be opened electronically by the Quotation Inviting Authority 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- Quotation accounts to see the (CS) comparative statement in the web portal.
- iii. After opening the financial proposal, the preliminary summary result containing inter alia the names of contractors/bidders and the rates quoted by them will be uploaded and the result will be made available in the e-Quotation platform.
- iv. If the Quotation Accepting Authority (QAA) is satisfied that the rate obtained is fair and reasonable and there is no scope of further lowering down of rate, he/she may after having the comparative statement test checked by the Divisional Accountant / Divisional Accounts Officer attached to his office and after their acceptance upload the financial bid evaluation summary sheet or result containing the name of contractors/bidders and the rates quoted by them against each work.

- v. If there is no contractor/bidder or the number of contractors / bidders in the 1st Quotation is less than four, the e-Quotation has to be cancelled. In case of participation of more than four bidders, if the number of technically qualified bidder falls below four, the Quotation/e-NIQ is to be cancelled as well and fresh e- Quotation vis-a-vis 2nd call e- Quotation or even 3rd call e- Quotation may be invited by suitably lowering of minimum eligibility PQ criteria (work & financial) for bidders with wide publicity of Re- Quotation notices through electronic and print media.
- vi. Final result after acceptance of the rate by the Quotation Accepting Authority, if within the delegated power of acceptance would have to be uploaded in the e-Procurement platform. Otherwise, the matter may be referred to the Government Appointed DTC and the appropriate Government for decision.
- vii. The Quotation Accepting Authority may ask the L1 bidder/contractor to submit analysis of rates to justify the rate quoted by that bidder after declaration of financial bid evaluation result.
- viii. If the lowest (L1) bidder/contractor backs out there should be Re- Quotationing in a transparent manner. In such a situation the QIA may call for re-Quotation with bid submission time period should normally be 14 days for value above Rs. 10.00 lakh, and 7 days for value exceeding Rs. 1.00 lakh but up to Rs. 10.00 lakh.

13.5 Quotation Accepting Authority (QAA) : Additional Project Director-III, DPMU-I, WBMIFMP,
Irrigation & Waterways Dte, Kanainatsal, Purba Bardhaman.

13.6 Procedure to be followed for final acceptance of Quotation & Award of Contract

- i. The lowest (L1) financial bid for all Quotation is accepted as a rule. If for any reason the lowest (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.
- ii. If the response to an e- Quotation is less than four, then Quotation should be invited afresh. Such Re- Quotation notice shall be published in widely circulated dailies as per guidelines and also through e-Tender web portals. Prior to invitation of Re- Quotation / fresh e- Quotation, the eligibility criteria and other terms & conditions as contained in the first 'Notice Inviting e- Quotation' (e-NIQ) shall have to be reviewed/relaxed by the Quotation Inviting Authority, to ascertain whether (i) it was too much restrictive, say, specifications and qualifications were fixed at higher standards than required, (ii) advertisements in the widely circulated Newspapers were properly published and (iii) other related procedural matters were observed in its entirety.
- iii. If the number of valid bids received even in re- Quotation is less than four, it should be referred by the QIA to the DTC and even the appropriate Government along with the recommendation of the DTC for decision, in accordance with Finance Department Memorandum and other relevant orders in vogue at the time of publication of the e-Quotation.
- iv. All above Quotation rules applies for all types of works and procurements i.e Plan, Non Plan, deposit works Quotations.

14. General guidelines for acceptance of e-Quotation

Lowest valid rate should normally be accepted in accordance with the procedure stated in clause 13.4. The Quotation Accepting Authority reserves the right to distribute the work amongst more than one contractor/bidder with same L1 rate.

15. Signing of formal tender contract/agreement after acceptance of e-Quotation

The contractor/bidder, whose bid is approved for acceptance, shall within 7 days of the receipt of Letter of Invitation (LOI) or Letter of Acceptance (LOA) in his / her favour, will have to execute a 'Formal Agreement' with the Engineer-in-Charge in quadruplicate in W.B.F. 2911(i)/2911(ii) and all other contract documents, entire set of which may be obtained free of cost from the office of the designated Executive Engineer, Burdwan irrigation Division in-charge of the work Quotation.

If the selected L1 bidder fails to turn up even after 15 days after the initial 7 days from the date of uploading of the AOC in the e-Procurement portal or the despatch date of official communication for signing of the Contract/Agreement, the selected bidder is liable for penal actions which shall comprise blacklisting, debarring from future participation in Government Quotations, immediate forfeiture of the Earnest Money deposited in the Quotation, other penal actions as stipulated under clause 9 & 10 of the e-NIQ, the Departmental Notification and also contained in contract W.B Form No. 2911(i)/ 2911(ii)/ Agreement.

16. Payment against bills raised by the contractor

Periodic Tax invoice/bills containing bidders GSTIN & other details needs to be submitted by the supplier/contractor/Agency/bidder to the DDO for raising claims for receiving payments of work executed under this contract /upon achieving physical Milestones clearly showing separately the Tax charged in accordance with the provisions of the GST Act, 2017.

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.

17. No cost escalation in any form is included in the Tender Contract Agreement.

18. 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 Quotation Inviting Authority, if required, subject to written confirmation of the contractor/bidder (s) to that effect.

19. Definition of Physical Milestones:

The time allowed for carrying out the work as entered in the Quotation shall be strictly observed by the contractor, and which shall be reckoned from the date on which the order to commence work is given to the contractor. The work shall throughout the stipulated period of the contract be proceeded with all due diligence. Time being deemed to be the essence of contract on the part of the contractor; the contractor shall be bound in all cases, to achieve the 'Milestones' as specified by the Engineer-in-Charge with the AOC, defining pertaining to the work. The contractor within 7 days of receipt of Letter of Acceptance shall submit a work programme commensurate with period of construction in the form of a Bar Chart work programme, stating the timeline of such different Milestones. 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 over the total time allotted for its full completion and fails to complete the work and clear the site on or before the end of contract period or extended date of completion, he/she shall, without prejudice to any other rights or remedy available under the law on account of such breach, pay as agreed compensation to the implementing Department. This will also apply to items or group of items for which a separate period of completion has been specified.

20. Withdrawal of bid in a Quotation

Withdrawal of e- Quotation once the bid has been submitted online and after passing of end date for submission and has been accepted for further processing, is not allowed. EMD will be forfeited by the Government and the L1 bidder/contractor penalised in terms of clause 8 referred earlier would be applicable.

21. Critical dates of this e- Quotation

| Sl. No. | Activity | Date & Time | Remarks |
|---------|--|---|---|
| 1. | Publishing Date | 07.08.2018 at 10.00 Hrs. | To be made available with the e-NIQ in the website |
| 2. | Document Download start date | 07.08.2018 at 10.30 Hrs. | |
| 3. | Bid submission start date | 07.08.2018 at 11.00 Hrs. | |
| 4. | Document Download end date | 20.08.2018 at 17.30 Hrs. | |
| 5. | Bid submission end date | 20.08.2018 at 17.30 Hrs. | |
| 6. | Technical Bid opening date with preliminary result (TBO Sheet) | 23.08.2018 at 12.00 Hrs. | |
| 7. | Uploading of the list of Technically qualified final list of bidders (TBE Sheet) | To be decided by EE with at least 4 (Four) clear working days after Technical Bid uploading date in order to enable registering of grievance and decision of Appellate authority, if any). | To be notified to all bidders through e-mail & SMS through auto-generation in the system. |
| 8. | Financial Bid opening date (FBO Sheet) | To be suitably decided by QIA | |
| 9. | Uploading of CS (Comparative Statement) and uploading of Final FBE Sheet | To be suitably decided by EE(QAA) | |
| 10. | Uploading of the Letter of Invitation / Acceptance LOI/LAO | -do- | |
| 11. | Uploading of Award of Contract (AOC) (Work Order) | -do- | |

QIA: e- Quotation Inviting Authority (Assistant Engineer/Executive Engineer)

QAA: e- Quotation Accepting Authority (Additional Project Director-III, DPMU-I, WBMIFMP)

Special Terms & Conditions of the contract

1. The Executive Engineer of the concerned Division shall be the Engineer-in-Charge in respect of the works contract and all correspondence 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 Quotation is

made with Officers other than the Engineer-in-charge for speedy execution of works, the same will not be valid unless copies are sent to the Engineer-in-Charge and also approved by him/her. Instructions given by the Sub-Divisional Officer/Assistant Engineer and the Junior Engineer/Section Officer (SO) on behalf of the Engineer-in-Charge shall also be valid (who have been authorized to carry out the work on behalf of the Engineer-in-Charge) regarding specification, supervision, approval of materials and workmanship. In case of dispute relating to specifications and work, the decision of Engineer-in-Charge shall be final and binding. The Engineer-in-Charge will however take all decisions relating to works contract only after recommendation/ advice of the Quotation r Accepting Authority. If there is more than the Executive Engineer assigned for the Quotation, the Chief Engineer would designate the Engineer-in-Charge for the work.

2. Acceptance of the Quotation including the right to distribute the work between two or amongst more than two bidders with same L1 rates will rest with the Quotation Accepting Authority without assigning reason thereof to any of the bidders. The Quotation accepting authority reserves the right to reject any or all Quotations without assigning sufficient justification thereof to the bidder/contractor. No additional or excess work or additional items of work beyond the total quoted amount would be generally allowed. All excess, supplementary or substitute supplementary items of work, if unavoidable are to be accepted by the Quotation Accepting Authority only if the total value of work on completion is within the total quoted amount. The exiting contract would be terminated after achieving work up to total quoted cost (gross value) and balance work would be taken up afresh after fresh sanction and new Quotation, except in the interest of public services, in rare & special cases under specific approval of the Government.
3. The Contractor/bidder shall have to comply with the provisions of (a) Contract Labour (Regulation & Abolition) Rules, 1970 including its revisions (b) Minimum Wages Act 1948 and the modification thereof or any other laws relating thereto as will be in force from time to time.
4. Engineer-in-Charge shall not entertain any claim whatsoever from the contractor for payment of compensation on account of idle labour on such grounds including non-possession of encumbrance free land. Escalation of cost due to inflationary effects or any other reason is not permitted during construction period or extended time period of contract.
5. Engineer-in-Charge shall not be held liable for any compensation due to machines & equipments becoming idle or any circumstances including untimely rains, other natural calamities, strikes etc.
6. All statutory taxes, viz. GST / labour welfare cess, labour insurance etc or revision of taxation rates even after AOC or commencement and before final completion of the work are to be borne by the contractor/bidder. Original tax invoice/challan or bill of those materials, which are procured by the bidder, may be asked to be submitted for verification if required.
7. Labour Welfare Cess @ 1% of the cost of construction works shall be deducted from the Gross value of all works bills. Also it is instructed to compulsorily register his/her establishment under the Act, under the competent registering authority, i.e. Assistant Labour Commissioner / Dy. Labour Commissioner of the region for disbursing PF and ESI benefits of workers. The bidder should be mandatorily be registered online with Employees Provident Fund Organisation (EPFO) in the on-line system and posses EPF code and all current documents. Penalties and complaints due to non compliance of on-line EPF registration and default is the full responsibility of the bidder even if the QIA is by default the Principal employer
8. Adjustment of original bid prices/escalation cost/ mobilization advance / secured advance shall not be permitted for any reason whatsoever due to cost and time over run unless specified otherwise in the contract or the e-Notice Inviting Quotation.
9. GST, Cess, License fees, Royalty for construction materials, forest product etc, Toll Tax, Income Tax, Ferry Charges and other Statutory Government Taxes as applicable during project implementation are to be paid by the contractor/bidder. The rates of supply and finished work items are inclusive of these taxes and levy. Tax invoice/bills needs to be submitted by the supplier/bidder for raising claims under the contract after attaining of physical milestones showing separately the tax charged in accordance with the provisions of GST Act, 2017.
10. All working tools & plants, scaffolding, construction of vats & platforms and arrangement of Labour Camps will have to be arranged by the contractor at his/her own cost. The contractor shall clear the site of work and restore all damages made due to the Labour camp, erection of yards and godowns, stores etc within 30 days of completion of work.
11. The contractor shall supply mazdoors, bamboos, ropes, pegs, flags T&P, Machineries and equipments etc. for laying out the work and for taking and checking measurements for which no extra payment will be made.
12. The contractor/bidder should see the site of works and Quotation documents, drawings etc. before submitting Quotation and satisfy himself/herself regarding the condition and nature of works and ascertain difficulties that might be encountered in executing the work, carrying materials to the site of work, availability of drinking water and other human requirements & security etc. Work on river banks may be interrupted due to a number of unforeseen reasons e.g. sudden rise in water levels, inundation during flood, inaccessibility of working site for carriage of materials. Engineer-in Charge may order the contractor to suspend work that may be subjected to damage by climate conditions. No claim will be entertained on this account. There may be variation in alignment, height of embankment or depth of cutting, location of revetment, structures etc. due to change of topography, river condition and local requirements etc. between the preparation and execution of the scheme for which the total quoted rate and contract will not stand invalid. The contractor will not be entitled to any claim or extra rate on any of these accounts.
13. A machine page numbered Site Order book (with triplicate copy) will have to be maintained at site by the contractor and the same has got to be issued from the Engineer-in-Charge before commencement of work. Instructions given by

inspecting officers not below the rank of Assistant Engineer will be recorded in this book and the contractor must note down the action to be taken by him in this connection as quickly as possible.

14. The contractor shall be bound to comply with all the Central & State Pollution Control Acts & Rules during entire construction period.
15. All possible precautions should be taken for the safety of the people and work force deployed at worksite as per safety rule in force. Contractor will remain responsible for his labour in respect of his liabilities under the Workmen's Compensation Act etc. He must deal with such cases as promptly as possible. Proper road signs as per P.W.D. practice will have to be erected by the contractor at his own cost while operating public thoroughfares. Also, display boards containing brief description and name of project with completion target dates shall be erected at a prominent location at the work site by the contractor for public awareness. Insurance of workers and materials is the responsibility of the bidder during entire construction period.
16. The contractor will have to maintain qualified technical employees and/or Apprentices at site as per prevailing Apprentice Act or as stipulated in the contract. No compensation for establishment charge will be entertained.
17. The contractor will have to accept the work programme as per modifications and priority of work fixed by the Engineer-in-Charge so that most vulnerable reach and/or vulnerable stretch is completed before impending monsoon or rise in river flood water level or commencement of canal irrigation water release or for other suitable reasons.
18. Quantities of different items of work mentioned in the departmental tender schedule/BOQ or in work order are only tentative. In actual work, these may vary considerably. Payment will be made on the basis of works actually completed in different items as per specifications and codes, and no additional claim will be entertained for reduction of quantities in some items or for omission of some items. For execution of any additional item or supplementary works within the total quoted value with the total completion value remaining within the accepted total quoted cost, approval of the Quotation Accepting Authority/Government in the Irrigation & Waterways Department would be required.
19. The work is to be executed strictly as per specification attached with e-NIQ and shall confirm relevant Indian Standard Codal provisions and good industry practice. In the absence of any such provision in some items, the tending authority reserves the right to adopt suitable International Code/specifications/standards.
20. All queries and disputes arising out of the works contract during construction phase are to be brought to the notice of the Chairman of the 'Department Dispute Redressal Committee' in writing for decision within 15 days.

(Digital Signature verified)

**Executive Engineer,
Burdwan Irrigation Division,**

Memo. No. 451(16)

Date- 06/08/2018

Copy with enclosure forwarded for information and taking necessary action for wide publication to the:-

| | |
|--------|---|
| 01/02. | Sabhadhipati, Zilla Parishad, Purba Bardhaman & Paschim Bardhaman. |
| 03. | Chief Engineer (West), Irrigation & Waterways Dte, Sadhanpur, Purba Bardhaman. |
| 04 | Chief Engineer & Project Director, WBMIFMP, Irrigation & Waterways Dte, Saltlake, Kolkata |
| 05 | Deputy Secretary (Works), Irrigation & Waterways Dte, Kolkata-91. |
| 06 | Additional Project Director-III, DPMU-I, WBMIFMP, Irrigation & Waterways Dte, Kanainatsal, Purba Bardhaman. |

| | |
|--------|--|
| 07 | Additional Project Director-IV, DPMU-II, WBMIFMP, Irrigation & Waterways Dte, Saltlake, Kolkata. |
| 08 | Superintending Engineer, Damodar Irrigation Circle, Kanainatsal, Purba Bardhaman. |
| 09 | District Magistrate, Court Compound, Purba Bardhaman. |
| 10 | District Magistrate, Asansol, Paschim Bardhaman. |
| 11-14. | Executive Engineer, Damodar Canal Division/ Damodar Head Works Division/Right Bank Irrigation Division /Lower Damodar Irrigation Division. |
| 15 | Deputy Secretary, Vigilance Commission, Kolkata-91 |
| 16 | Office Notice Board, Burdwan Irrigation Division. |
| 17 | Estimating Section, Burdwan Irrigation Division. |
| 16 | Accounts Section, Burdwan Irrigation Division. |

**Executive Engineer
Burdwan Irrigation Division**

Encl.:-

- 1) Form – 1, APPLICATION FOR e-QUOTATION.
- 2) Form- 2, Declaration against Common Interest.
- 3) FORM-4, Declaration on antecedents and performance
- 4) FORM-7, BAR CHART

FORM 1

(To be submitted in plain paper/letter head as per specimen, duly filled up and uploaded with digital signature which shall be treated as the self declaration of the bidder)

APPLICATION FOR e-QUOTATION

To,
The Executive Engineer
..... Division, I&W Directorate

e- Quotation No:- WBIW/EE/BDNID/ NIQ...(e) /201..-1..

Serial No. of Works applied for :-

Dear Sir,

Having examined the Technical PQ cover, OID cover, Corrigendum (*optional) & entire e-NIQ documents, I/we hereby would like to state that I/we wilfully accept all your conditions and offer to execute the work as per the Quotations rules in e-NIQ, terms & conditions, specifications, drawings, bill of quantities and corrigenda/addenda, SoR, and Agreement (WB Form No. 2911(i)/(ii) involving the e- Quotation and Serial no of work stated above. I/We acknowledge that the making of our bid shall be regarded as an unconditional and absolute acceptance of the terms & conditions of the e-NIQ. I/We also agree to remedy the defects during execution and upto end of security period of the above work in conformity with the conditions of contract, specifications, drawings, bill of quantities and addenda/corrigenda.

Dated this _____ day of _____ 201__
Full name of Bidder / Contractor: _____
Name in full of Signatory/s*: _____
In the capacity* of: _____
Duly authorized to sign bid
for & on behalf of (Name of Firm): _____
(In block Capital letters or typed)

Office address with seal:
Telephone no(s) (office): _____
Mobile No: _____
Fax No: _____
E mail ID: _____

*In case of Joint Venture & Consortium the Lead Member to submit this format.

(DIGITAL SIGNATURE OF BIDDER)

FORM – 2

Declaration against Common Interest

(To be submitted in plain paper/letter head as per specimen, duly filled up and uploaded with digital signature, which shall be treated as the self declaration of the bidder)

Ref:- e-NIQ No.,

e-Quotation ID No.....

Sl. No. of work (in the list of work in the e-NIQ)

To,
Executive Engineer
.....Division
Irrigation & Waterways Directorate

I/We, Sri/Smt. _____, the authorized signatory on behalf of
..... do hereby affirm that I/We/any of the member
of..... bidding against e - NIQ No. Sl. No.
do not have any common interest either as a partner in any other partnership firm /consortium/Joint Venture or as
Proprietor / Principal Share Holder of any other Firm/Company in the same serial for the work I / we want to participate.

Dated this _____ day of _____ 201__

Full name of Bidder / Contractor: _____

Authorised Signatory: _____

In the capacity of: _____

Duly authorized to sign bid

for & on behalf of (Name of Firm): _____

(In block Capital letters or typed)

Office address with seal:

Telephone no(s) (office): _____

Mobile No: _____

Fax No: _____

E mail ID: _____

*In case of Joint Venture & Consortium the Lead Member to submit this format.

(DIGITAL SIGNATURE OF BIDDER)

FORM -4

Declaration on antecedents and performance

(To be submitted in plain paper/letter head as per specimen, duly filled up and uploaded with digital signature, which shall be treated as the self declaration of the bidder)

Ref:- e-NIQ No.,

e-Quotation ID No.....

Work Sl. No.....

To,
Executive Engineer
.....Division
Irrigation & Waterways Directorate

I/We, Sri/Smt. _____, the authorized signatory on behalf of _____ do hereby affirm that I/We/any of the member of..... bidding against e - NIQ No. Sl. No. are not black listed suspended or debarred from participation in State Government procurements and tenders in the Irrigation & Waterways Directorate, Government of West Bengal, other Departments of the State Government and Government of India on the date of publication of this Notice Inviting Quotation (NIQ).

If at a later stage this submission (undertaking) is found incorrect, the bidder company along with all its constituent members/owners/partners would be liable to penal actions as decided by the Government under the law.

Dated this _____ day of _____ 201____

Full name of Bidder / Contractor: _____

Authorised Signatory: _____

In the capacity of: _____

Duly authorized to sign bid

for & on behalf of (Name of Firm): _____

(In block Capital letters or typed)

Office address with seal:

Telephone no(s) (office): _____

Mobile No: _____

Fax No: _____

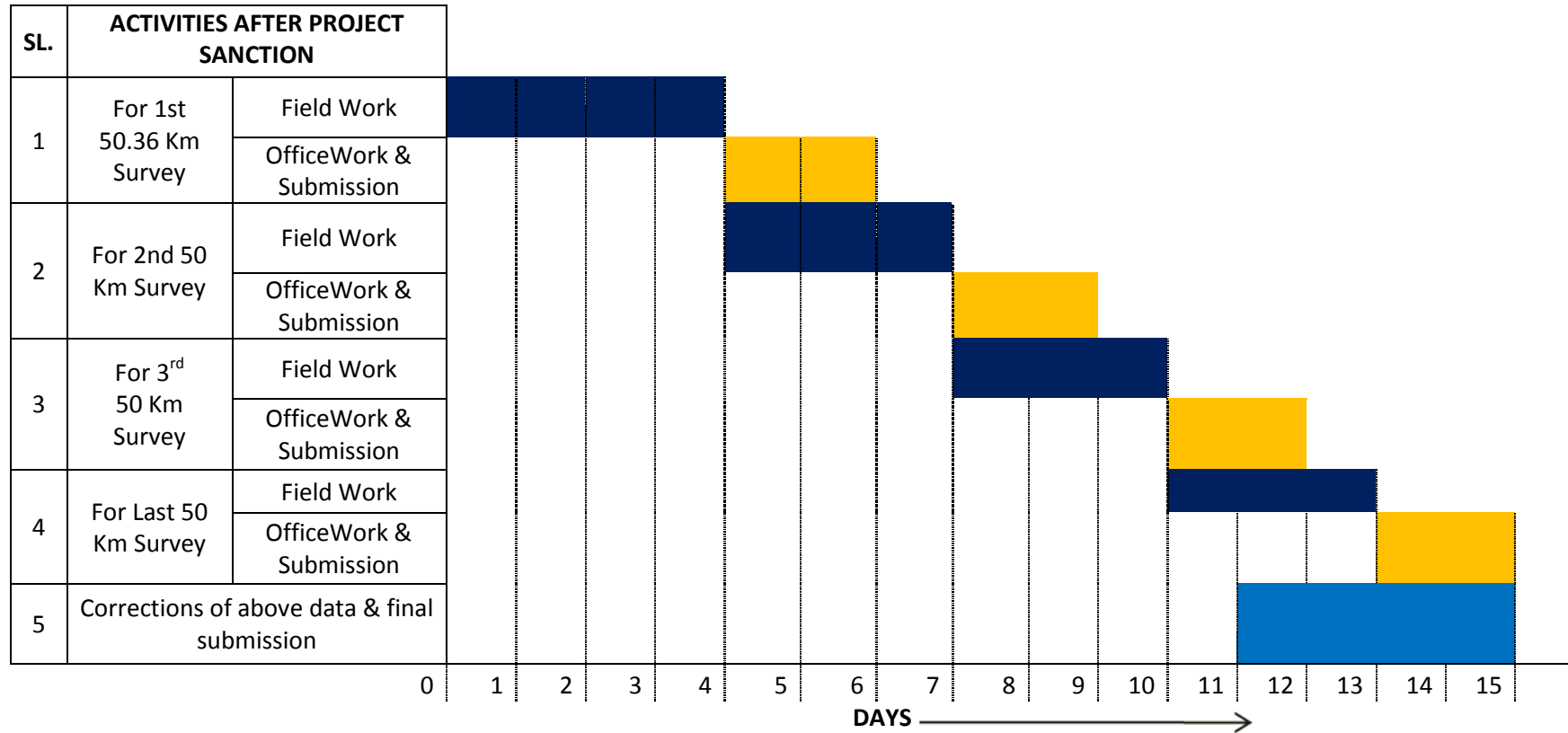
E mail ID: _____

(DIGITAL SIGNATURE OF BIDDER)

FORM-7

BAR CHART FOR SL. NO. 1

Tentative work programme for the work: Carry out cross section & long section Survey work @100Mtr interval respectively including detailed cross section survey along the canal upto 15mtr from the country side toe of canal embankment or from edge of the bank (where the Canal is in cutting zone) of the canal and its distributory in Jamalpur and Memary Block in Purba Barddhaman District and Dhanekhali, Polba-Dadpur, Panduah in Hooghly District, including preparation and submission of 2 sets of cross sectional and long sectional drawing(both in excel & Auto CAD) along with level book in excel.(All are in hard & soft Copy.)



**Executive Engineer
Burdwan Irrigation Division**