

Government of West Bengal
Irrigation & Waterways Directorate
Office of the Superintending Engineer
Eastern Circle

Postal Address: Jalasampad Bhawan, 8th Floor, Salt Lake, Kolkata-700091
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NOTICE INVITING e-TENDER

e-NIT No. **WBIW/SE/EC/NIT-16(e)/2018-19**

Encrypted electronic bids are hereby invited by the **Superintending Engineer Eastern Circle, 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 price bid would determine the final selection and acceptance of a bidder for award of the Works contract.

Intending contractors/bidders desirous of participating in this e-Tender are required to login to the Government of West Bengal e-Procurement website having URL <https://wbtenders.gov.in> and locate the instant tender by typing **WBIW/SE** 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-Tender by scrolling the "e-Procurement" link.

Contractors/bidders willing to take part in the e-Tender 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, Safes crypt, 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' is 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 sirrigationhelpdesk@gmail.com and dvsc6816@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 wbehelpdesk@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.

Intending contractors/bidders are required to download the e-Tender documents directly from either of the websites stated above. **This is the only mode for submission of a tender.** The interested bidders eligible for the tender 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-tenders 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 22nd October 2018 till 17.00 Hours IST

The applicant bidders/contractors are advised to carefully read all the 'Terms & Conditions' contained in this e-Notice Inviting Tender (e-NIT). 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-Tender should submit bids only if they fulfil 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 Tendering authority for verification purposes.

All information published in the website consisting of this e-NIT and other related documents uploaded by the selected bidder, WB Works Contract Form No.2911(ii) termed as General condition of Contract(GCC) to be read with Special Terms & Conditions of Contract(SCC), Bill of Quantities (BOQ), EMD exemption order, if any, corrigenda and drawings etc. if any, shall form a part of the Agreement /contract document.

A. LIST OF WORKS

e-N.I.T. No. WBIW/SE/EC/NIT-16(e)/2018-19

| Sl.No. | Name of Work/Projector, Procurement except services | Designated Executive Engineer to function as DDO & EIC (in case of more than one is engaged, EIC to be decided by the Tender Accepting Authority) | Amount put to Tender (Tender Value) (Rs.) | Earnest Money Deposit (Rs.) | Time allowed for completion (in English Calendar days) | Source of Fund | Minimum eligibility criteria to match the Prequalification (PQ) works credential in terms of execution of similar previous works contract (*) | 'Physical Milestones' for completion of each work within stipulated time |
|--------|---|---|---|-----------------------------|--|----------------|---|--|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 1. | Dredging in River Muriganga in P.S. Kakdwip & Sagar, District South 24-Parganas. (2 nd tender to the 1 st tender, bearing e-NIT No. WBIW/SE/EC/NIT -10(e)/2018-19 | Executive Engineer, Kakdwip Irrigation Division, Irrigation & Waterways Directorate, South24-Parganas, Kakdwip, PIN: 743347 | 95,24,42,972 | 50,00,000 | <p style="text-align: center;">43days (for Phase-I of Capital Dredging) & 120 days (for Phase II of Capital Dredging) + 4 years, i.e., 1stFebruary 2019 to 7thJanuary 2023 (for Maintenance Dredging during the mandatory Contract period) + 3 years, i.e., 1stFebruary 2023 to 7thJanuary 2026(for Maintenance Dredging during the extended Contract period subject to satisfactory performance by the Contactor)</p> | | <p>Summary of minimum eligibility requirements for technically qualifying for next part of financial bidding of this e-Tender:</p> <p>A. Technical PQ Credential: The bidder must have satisfactorily completed at least 1 (one) work of 'similar in nature' within last five FYs on the date of publication of this NIT of Gross monetary value(<i>Gross monetary value is calculated based on final billed value given in Credential Certificate (CC) multiplied by inflationary factor as per clause 2.71 (a) executed within preceding five FYs</i>)not less than Rs.23.80 crore for bidders other than JV/Consortium and Rs. 47.60 crore for JV/Consortium. Pre-Qualification criteria of 'similar in nature' will be established, if monetary value of the following item derived from the BOQ of the Award of Contract for which the corresponding CC is uploaded by the bidder when multiplied by inflationary factor (at Clause 2.71 (a) and the resultant monetary value is greater than or equal to the monetary value of the item shown below: ging using Cutter Suction Dredgers in tidal stretches of rivers, creeks or coastal regions /alue of the item as per BoQ cited by the Contractor as CC: Rs: 19.05 crore.</p> <p>B. Financial eligibility as PQ Credential in preceding three FY: Average of Gross Annual Turnover of the bidder except for Consortiums and Joint Ventures for any three FYs within immediate preceding five FY on the date of publishing of NIT as stated in clause 7 V should be at least Rupees Rs. 33.33 crores. The above value for Consortiums or Joint Ventures should be at least of Rs. 66.66 crores Bidder's Net worth in any three preceding financial years within the zone of preceding five financial years should be positive (determined from Audited Profit & Loss Accounts and corresponding audited balance sheets stated in Clause 7v c). (Both A. & B stated above should be simultaneously fulfilled as the bare minimum PQ eligibility for considering evaluation of the Technical Bid.</p> <p>C. In order to be declared as the technically qualified the bidder(a) has to secure minimum 85 out 100 marks as per the matrix of technical evaluation(videclause-2.14.2.1) and (b)the technical specifications of dredgers to be deployed for the work in Format-A have to satisfy the criteria stated in Table – 7.0 of the Terms of Reference. However, final selection will be made on the basis of lowest (L1) rate obtained among the Financial Bids of all the technically qualified bidders.</p> | As per Work Programme prepared and uploaded by the Tender Inviting Authority in the form of TableAI as given below has been furnished as a separate sheet attached herewith. |

(*) For Consortium& Joint Venture,additional criteria mentioned under Cl. 1 (Note), 2.4.2B(II)&Cl.2.7V of the General Terms & Conditions in this e-NIT may be referred

A. I. TIMELINES AND PHYSICAL MILESTONE

Physical Milestones' for completion of each work within stipulated time (Refer to Clause 19 of the General Terms & Conditions)

| Sl.No | Name of work / item | Physical progress of the whole work | Time allowed (from date of start of work) | Amount to be withheld in case of non-achievement of milestone |
|---------------|--|--|---|--|
| 1. | Mobilization | ----- | 21days (maximum) (Refer Note-1 below) | Clause 2 will be imposed if work is not started within 10 days after the mobilisation period |
| 2. | Capital Dredging (Ph-I) | 5,48,880 cum of dredging | within 43days | There shall be no dredging activity in the Ganga Sagar Mela period (normally from 8 th January to 22 nd January). Interim Defect liability period in regard to Capital Dredging shall be taken as the period from 8 th January to 31 st January every year, during which extensive survey work would be undertaken to ascertain the variation in depth of the channel section dredged up to 7 th January. In case the average depth of any stretch of any channel section of length 500m is found to be less than 15% of the guaranteed depth of 2.5m the same will have to be attained by additional dredging by the contractor at his own cost during 23 rd January to 31 st January and period of maintenance dredging scheduled to start on 1 st February at any year, will commence only after completion of such additional dredging activity. |
| | Year-1 | 40% | within 17 days | |
| | | 80% | within 34 days | |
| | | 100% | within 43 days (not beyond 7 th January 2019) | |
| 3. | Capital Dredging (Ph-II) | 5,75,500cum of dredging | within 120 days | |
| | Year-2 | 40% | within 47 days | |
| | | 80% | within 95 days | |
| | | 100% | within 120 days | |
| | Guaranteed depth of 2.5m below Chart Datum (CD is 2.82m below M.S.L) must be achieved at this stage(Refer Note 2 below) | | | |
| 3. | Maintenance Dredging (4years) | 15,64,000 cum dredging in totality (Guaranteed depth of 2.5m below CD to be maintained at every sub stage shown below) (Refer Note 2 below) | 4 years starting from 1stFebruary 2019 | |
| | Year-2 | 31 st July 2019 | 50% of 3,76,000cum | within 6 months |
| | | 7 th January 2020 | 100% of 3,76,000cum | within 11 months |
| | Year-3 | 31 st July 2020 | 50% of 3,86,000cum | within 18 months |
| | | 7 th January 2021 | 100% of 3,86,000cum | within 23 months |
| | Year-4 | 31 st July 2021 | 50% of 3,96,000cum | within 30 months |
| | | 7 th January 2022 | 100% of 3,96,000cum | within 35 months |
| | Year-5 | 31 st July 2022 | 50% of 4,06,000cum | within 42 months |
| | | 7 th January 2023 | 100% of 4,06,000cum | within 47 months |
| 4. | Maintenance Dredging for Extended period (3years) | 12,78,000 cum dredging in totality (Guaranteed depth of 2.5m below CD to be maintained at every sub stage shown below) (Refer Note 2 below) | 3 years starting from 1st February 2023 | |
| Year-6 | 31 st July 2023 | 50% of 4,16,000cum | within 6 months | |
| | 7 th January 2024 | 100% of 4,16,000cum | within 11 months | |
| Year-7 | 31 st July 2024 | 50% of 4,26,000cum | within 18 months | |
| | 7 th January 2025 | 100% of 4,26,000cum | within 23 months | |
| Year-8 | 31 st July 2025 | 50% of 4,36,000cum | within 30 months | |
| | 7 th January 2026 | 100% of 4,36,000cum | within 35 months | |

Note-1 The agency would be required to mobilize (a) minimum 2 Nos. of Cutter Suction Dredger with spud, winches, ladders, hoisting cylinders etc. (b) Tug boat(commensurate with the number of dredgers) (c) Survey vessel equipped with modern hydrographic survey instruments, e.g. Echo sounder, GPS, Hydrographic Survey software, walkie talkie etc. (d) Working Launch (1No) (f) Pipeline with floaters, flexible joints etc.(g) Marker BUOYS within the prescribed mobilisation period.

Note-2 a) If guaranteed depth of 2.5m below CD is achieved but physical progress (Quantity dredged) milestone is not achieved within the corresponding timeline shown above, no penalty will be imposed, but Payment to Contractor will be made for actual quantity of dredging.
b) When physical progress (Quantity dredged) milestone is achieved and guaranteed depth of 2.5m below CD does not seem achievable, the contractor has to pre-assess the situation and accordingly carryout dredging in such a way to maintain guaranteed depth within timeline corresponding to milestone, and there shall be no additional payment for the extra dredging required to be done to maintain the guaranteed depth.

1.0 GENERAL INSTRUCTIONS

- a) Tender with supporting documents shall be **submitted online** to the Irrigation & Waterways Directorate Office of the Superintending Engineer, Eastern Circle, Jalasampad Bhawan, 8th Floor, Salt Lake, Kolkata-700091
- b) Tender should reach within the specified date and time of submission, after which no application will be accepted. Irrigation & Waterways Directorate will not be responsible in any way for delay.
- c) In case there is an unscheduled Holiday / Bandh / Strike on the prescribed date of pre-bid meeting / last date of submission, the next working date will be treated as the scheduled prescribed day for the same.
- d) Irrigation & Waterways Directorate reserve the right to reject all the tenders or to accept any tender in whole or in part without assigning any reason whatsoever.
- e) Further amendments, if any, would also appear in the same websites.
- f) Bidders are advised to submit their proposal based upon Technical specification, terms and conditions, Scope of Work contained in the Bid documents, General Conditions of Contract, Special Terms & Conditions of Contract and not to stipulate any deviation. Should it, however, become unavoidable, deviations should be suggested during pre-bid meeting notified in this e-NIT under clause 2.24. All intending bidders are encouraged to join the pre-bid meeting. IWD reserves the right to accept or reject the suggested deviations. No deviation from the laid down conditions of the Bid document is firm unless it is notified by IWD.
- g) The Bid Document issued to the Bidder is not transferable. A firm shall submit only one bid in the same bidding process, either individually as a bidder or as a partner in a joint venture. No firm can be a sub-Contractor while submitting a bid individually or as a partner in a joint venture in the same bidding process.
- h) Bid Document shall remain as the property of IWD.
- i) IWD will not be responsible for any costs or expenses incurred by the Bidder in connection with the preparation and submission of his bid or for any other expenses incurred in connection with such bidding.
- j) The work is to be done as described in Bid-document. The Bidders who needs clarifications on any specific issue shall inform the Engineer in writing well in advance of the date of pre-bid discussion.
- k) If the bidders find any discrepancy or omission in the Bid Document or have any doubt as to the meaning or intent of any part thereof, they shall at once inform the Engineer, who may send a written explanation to the queries. No oral interpretations shall be made by any Bidder as to the meaning, if any, of the provisions of the Bid documents. Every request for an interpretation shall be in writing, addressed and forwarded to the Engineer at the following address:
- l) The bidders may please note that IWD will not entertain any correspondence or queries on the status of the offers received against this Bid.
- m) Bidders are also requested not to depute any of their personnel or agents to visit IWD Office for making such inquiries.
- n) Canvassing in any form by the Bidder or by any other agency acting on behalf of the Bidder after submission of the bid will disqualify the said bidder. IWD may reject, accept or prefer any bid without assigning any reason whatsoever.
- o) In case of unscheduled Holiday / Bandh on the date of pre-bid meeting / opening of tenders, the same will be opened on the next working day at the scheduled time.

- p) The Bid and any annotations or accompanying documentation shall be in English language only and in metric system.
- q) The bid document shall be completed in all respect and shall be submitted together with requisite information and appendices. It shall be complete and free from ambiguity, change or inter lineation.
- r) Bidders should indicate at the time of quoting against this bid their full postal and E-mail address & fax number (s).
- s) Scope of work, Dredging Contract Period, Timelines, Measurements & Milestones, Deliverables & Payment schedule, Indication of Position/Role of the required Manpower, Specifications of Dredgers, Supporting Vessels any other Equipments, General Duties & Responsibilities of the Contractor have been stated in the Terms of Reference (ToR), which shall also constitute a part of Contract Agreement.
- t) The General Conditions of Contract (GCC) and Special Terms & Conditions of Contract of IWD shall be applicable wherever relevant.

Superintending Engineer
Eastern Circle
Jalasampad Bhawan, 8th Floor,
Salt Lake, Kolkata-700091
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Email :seeciwd2010@gmail.com

2.0 GUIDELINES/ CRITERIA TO BE FOLLOWED FOR ELIGIBILITY, PROPOSAL SUBMISSION & EVALUATION

2.1 Eligibility for participation in e-tender under National Competitive 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 in the Government of West Bengal, Union Government Departments/ Other State Government Departments/ Engineering Wings of Gol /Kolkata Port Trust , other Port Trusts under Ministry of Shipping, Gol, Inland Waterways Authority of India, Autonomous Project Authority and other similar organizations of Gol and State Governments/PSU and Corporations of Government of India and other States having successfully completed at least one similar in nature project and not otherwise debarred are eligible to participate, subject to fulfilling other PQ eligibility criteria laid down in the subsequent paragraph. Such Indian entities successfully undertaken dredging work in Private Ports under direct contract with such Port Authorities within the Geographical boundary of India or in abroad directly under any Government Department/ Institution are also eligible to participate.

Note:In case of a Consortium or Joint Venture, the maximum number of constituents shall be restricted up to 3 (Three), all should be bonafide Indian entities as stated above and each of the constituents must have at least 20% of tender value as their individual average of annual turnovers from business in any three financial years within the zone of last five financial years and also fulfilling other PQ criteria. Individual constituents of a Consortium or JV cannot form another Consortium or JV to bid in the same work of the e-NIT. Where ever a JV/Consortium has submitted a tender, any of its constituents shall not separately bid for the same work in the e-NIT, or shall have no stake involving another bidder participating in the same work.

2.2 Participation in more than one serial of work out of list of works published in the one e-NIT.

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2.3 Pre-bid Meeting:

'Pre-Bid' meeting would be held in the office chamber of the Tender Inviting Authority (TIA) preferably on Day7 or 8 from the date of publication of e-NIT, which has been notified in the date schedule of e-NIT (clause 2.24) in order to acclimatize the prospective contractors/bidders through an interactive open session, replying to their queries, and clear doubts in connection with the tendered work/s, if any. The minutes of this pre-bid meeting containing clarifications if any, would be uploaded by the TIA within 2 (two) working days in the designated tender folder in e-Procurement portal.

2.4 Submission of bid

2.4.1 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 Tender Inviting Authority forms an integral part of the works contract. Contractors/bidders are required to upload the entire tender documents along with all other relevant PQ Credential documents as asked for in the e-NIT, electronically, through the above portal within the stipulated date and time as notified in the e-NIT. Tenders 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-tender 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 offer the financial bid by quoting in the downloaded BOQ of the work in the designated cell " BASIC RATE in Figures to be entered by the Bidder" 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-Tender and upload all of these documents forming a part of their e-bid as tender document. Documents digitally signed and uploaded in the e-Tender 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-Tender. Extension of last date for e-bid submission or insertion of any of Addendum/Corrigendum, if unavoidable is to be notified as per Finance Department guidelines in the e-Procurement Portal, Departmental website, Newspapers and in Notice boards. Whenever any corrigendum is issued irrespective of the content (date corrigendum or otherwise), due date of submission of bid will be extended by 7 (seven) calendar days provided such corrigendum is issued before opening of technical bids. Extension of last date and time for bid submission by issuance of a Corrigendum shall not be treated as 2nd Call or Re-tender.

2.4.2 Technical Proposal

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

| <u>Cover No</u> | <u>Cover</u> | <u>Document Type</u> | <u>Descriptions</u> |
|-----------------|--------------------|----------------------|---|
| 1 | Pre-Qual/Technical | .pdf | e-NIT including Corrigendum & Timeline and Physical Milestone |
| | | .pdf | Agreement_2911(ii) (Considered as GCC together with Special Terms & Conditions of Contract (SCC)) |
| | | .pdf | Forms |
| | | .pdf/jpg/WinRAR | Drawings |
| | | .pdf/jpg | Terms of Reference |
| | | .pdf | Format |
| 2 | Finance | .xls | BOQ |

2.4.2 A Descriptions of Technical (Pre-Qual) Covers

i. '**NIT_ Corrigendum folder**': e-Notice Inviting Tender is *to be downloaded in entirety, digitally signed and uploaded during e-bid submission in "NIT_ Corrigendum" folder.* '**Corrigenda/Addenda**' if published in connection with the NIT is to be digitally signed and uploaded in the '**NIT_ Corrigendum**' folder merged with e-NIT documents during e-bid submission.

ii. '**Agreement_2911 (ii) folder**': Contract /Agreement in WB Form No. 2911(ii) Considered as GCC together with Special Terms & Conditions of Contract (SCC) published in the e-Tender is *to be downloaded digitally signed and uploaded during e-bid submission in Agreement_2911(ii) folder, together with SCC*

iii. '**Forms**' folder: Applications for e-Tender: 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 tendered under different serials of this particular e-NIT *vide specimen Form-2*,

Power of Attorney to sign contract/Agreement on behalf of a Registered Company, Government Undertakings, autonomous organisations, *vide specimen Form-3*, and self declaration on antecedents and performance of the bidder in specimen Form-4. In case of consortiums and Joint Ventures, Power of Attorney of lead member to be submitted in Non-Judicial Stamp Paper in accordance with the provision of Registration Act, 1908 in Form-5.

All above forms 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-Tender by the Tender Inviting Authority is to be downloaded by the bidder, digitally signed and again *uploaded during e-bid submission in "Drawings" folder*

v. '**Time line and Physical Milestone folder**': Timeline and Physical Milestone prepared by TIA in *pdf* file defining the Physical Milestones of the contract period for implementation of the project as detailed in **Table AI :Timeline and Physical Milestone** is to be downloaded by the bidder digitally

signed and again uploaded during e-bid submission in “Timeline and Physical Milestone” folder

vi. **Terms of Reference folder**

vii. **Format folder: Format – A** (for submitting technical specification of the Cutter Suction Dredger, to be uploaded after filling up and signed digitally).

Format – B (for submitting Curriculum Vitae of key personnel, also to be uploaded after filling up and signed digitally).

2.4.2 A.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 other documents published in connection with a particular e-Tender and upload the same, digitally signed along with their e-bids. Tenders submitted without Addendum/Corrigendum may be liable for disqualification or rejection.
- ii. Form 1, Form 2, Form 4 are mandatory for all bidders. Form-1, Form-2, Form-3 (not applicable for proprietorship and partnership Firms and applicable for Companies/Corporation/Undertakings/autonomous bodies/ consortiums and JVs), Form 4 and Form-5 (only applicable for JV/Consortium) are taken from bidders by TIA as bidders self declarations’ or undertakings. 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 NIT in e-Procurement portal, filled up completely and again uploaded with their electronic bid.

2.4.2 B. My Document[OID* Cover]:

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 OID folder:-

| Sl.No. | Category | Sub-category | Sub-category description | Remarks |
|--------|----------------------|---|---|--|
| 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. 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 latest available. 4. Valid GSTIN under GST Act & Rules | Refer to Clause 2.4.2C(I) for details |
| II | CompayDetails | companydetails.pdf1 companydetails.pdf 2 | 1. For Proprietorship Firms, Partnership Firms, Registered Companies, Registered Co-operative Societies, valid Joint Venture or Consortiums 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 proceeding five years as per Societies Act & Rules | Refer to Clause 2.4.2C(II) for details |

| | | | | |
|-----|------------------------------|--|--|--|
| | | | 5. For legally constituted Consortiums/ Joint Venture of Firms/ Companies: Registered MoU or Agreement for Consortium /JV, Registration under ACRS/ROC in addition to satisfying requirements stated earlier for individual constituent Firms/Companies forming the Consortium/JV | |
| III | Credential of work | Credential pdf 1 Credential pdf 2 Experience of key personnel pdf 3 | 1. BOQ/SoR and Work Order/ Award of Contract of LOA/LOI duly authenticated by issuing authority. 2. Pre-Qualification (PQ) Work credential of one 100% completed work as desired in the NIT as the Credential Certificate (CC) duly authenticated by competent authority. 3. CVs of key personnel as per attached format (Format for CV) along with Experience Certificate as stated in 2.14 | Refer to Clause 2.4.2C(I) and 2.14.2 for details |
| IV | Financial Information | 1. P/L and audited Balance sheet for year -1.pdf2 2. P/L and audited Balance sheet for year-2.pdf3 3. P/L and audited Balance sheet for year-3.pdf4. | 1-3 Profit & Loss accounts and audited balance sheets along with relevant annexures containing the designated Forms 3CA/ 3CB/3CD, as applicable under IT Act, in the name of the bidder for any three financial years within the zone of preceding five financial years from date of publication of e-NIT | Refer to Clause 2.4.2C(IV) for details |

* OID denotes Other Important Documents.

Note:

- i. It is desirable but 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 tender evaluation stage from bidders before publishing result of final selection of L1 by publication of FBE sheet. Verification of authenticity of bid documents during bid evaluation by the Departmental Bid Evaluation Committee DBEC may be done from bidders or directly from PQ Credential issuing authority. The DBEC may also seek clarification from the bidder for clearance of doubt if any.
- ii. Validity of documents submitted by bidder shall stand determined on the date of publication of tender notice (e-Notice Inviting Tender)

2.4.2C(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.pdf 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. **Non submission of PTPC for bidders having establishment in states other than West Bengal shall not be a ground of rejection of the bid**
- 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'.*

2.4.2C(II) All documents mentioned in tabular format under Clause 2.4.2B and also detailed below should be uploaded during electronic bid submission in PDF files with the *name of file should be "companydetails.pdf1/2"*

- 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.

iv. For Consortiums or Joint Ventures formed by Organisations/ Firms or Companies:

Registered Agreement/Memorandum of Understanding, and deed of Consortium formed out of Proprietorship and /Partnership Firms, and 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.

For Consortiums/Joint Ventures formed by individual Companies, Memorandum of Understanding/ Agreement of Consortium or JV. In a Joint Venture all documents are to be mandatorily signed by all constituents of that JV. The lead member of the Consortium/Joint Venture of Companies should be clearly declared in a registered Non Judicial Stamp paper of appropriate value during submission of e-bid in specimen Form-4 inside '**Forms**' folder.

Any change in the constitution of the Consortium or any of its constituent Firms should also be intimated to the office of the Registrar of Firms prior to submission of the bid and a certified copy of the revised Form No. VIII, showing changes in its constituents are required to be submitted with the e-bid. Also, the lead member of the Consortium/JV should be clearly declared in the '**Forms**' folder in specimen Form-5.

Self declarations in specimen Form-3 regarding authorized user of DSC and signing of bills and works contract if selected and in Form-5 regarding such authorization for Consortium/Joint Venture is required to be submitted with the e-bid. Power of Attorney of competent owners/first promoters is to be submitted ,if the power is delegated for signing of Agreements/stoppers on behalf of the bidder/s.

2.4.2C(III) Eligibility criteria based on Credential of work/Prequalification Work Credential "credential.pdf"

i. Bill of Quantities (BOQ) relevant to satisfy the criteria of similar nature (vide clause 2.7(III)) along with Work Order/Award of Contract; 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 NIT as the Credential Certificate (CC) relevant to satisfy the Minimum PQ eligibility criteria (Vide clause 2.7I(b) duly authenticated by competent authority. (*Name of file should be "credential.pdf 2*).

iii. Submission of further credentials, if made by the bidder should have name in the same chronological order as stated above, e.g., credential .pdf.3, credential .pdf.4 ... etc.

2.4.2C(IV) Financial credential explanation:

a. Profit & Loss Accounts and Audited Balance Sheets of any three financial years within zone of preceding five financial years, duly authenticated by licensed auditor regarding Annual Turnover from business containing relevant Annexure of IT Form 3CA/3CB/3CD as applicable for the bidder, having Annual Turnover above Rs 1.0 crore in each financial year. It is to be evaluated by the Tender Evaluation Committee as average or arithmetic mean over the said three financial years, to be uploaded in Profit & Loss & Balance Sheet.pdf. Auditor's certificate should preferably contain his/her

Membership / Registration no. of Registered Audit/CA Firm and contact details for verification

purposes.

As per IT Act for all type of Firms having Annual Turnover from business less than Rs. 1.00 crore, Profit & Loss accounts and audit balance sheets only is required, which is required to be certified by a Licensed CA Firm/Audit Firm.

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.*

b. Any additional document considered necessary by the bidder related to 2.4.2B (IV).

c. *No file in Technical / Pre-Qual cover or OID cover folder is allowed to be kept blank/empty. Where ever the Forms, Formats and documents are uploaded by the Tender 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 tender document. No offline document is acceptable during evaluation stage. However such documents may be sought by DBEC for verification purpose and also for removal of doubts.*

2.4.3 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 their offered rates against the individual items of work in the tender BOQ to be put in the blank spaces against the items under the column "BASIC RATE in figures, to be entered by the Bidder".

ii. Only the downloaded sheet of the above document in Excel format is required to be uploaded by the contractor/bidder.

iii. BOQ without a valid numeric rate at the designated space will be disqualified and rejected outright.

2.5. Tender Fee and Earnest Money Deposit (EMD)

i. Tender Fees:

Entire set of e-Tender documents are made available free of cost through the State Government e-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 tender 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 Tender 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 summarily rejection of the bid / tender.

(b) Additional Performance Security (APS) in the form of Bank Guarantee (BG)

"Additional Performance Security (APS) in the form of Bank Guarantee (BG)" has been made mandatory which shall be obtained only from the successful L1 bidder, if the accepted bid price is 80% or less of the estimate put to tender. This APS in the form of BG shall be equal to 10% of the **tendered amount** i.e. the L1 bid price. The APS in the form of BG shall have to be submitted by the selected L1 bidder after issuance of Letter of Acceptance (LoA) within 7(seven) working days and before issuance of Award of Contract (AoC) in the form of "Bank Guarantee" of any Scheduled Bank approved by RBI, payable at Kolkata or other parts of West Bengal, as per specimen format Form-6.

If the bidder fails to submit the said value of BG as Additional Performance Security within the 7(seven) working days, the Earnest Money Deposit (EMD) will be forfeited without any prejudice by the Tender inviting authority and the defaulting bidder also debarred from further participation in all future I&WD tenders for a period of one year for committing the offence on the first occasion and for a period of two years for recurrence of the same offence.

The said Bank Guarantee (BG) shall have to remain valid up till the end of the mandatory Contract Agreement period (including extended time period if the contract period is extended on the basis of mutual agreement) till 100% physical completion of work in all respects and shall be renewed within validity period accordingly if required. The said BG shall remain in custody of the DDO & Executive Engineer in-charge of the work, which shall be returned to the bidder/contractor after successful physical completion of the work as per contract. If the bidder fails to complete the work successfully, this APS shall be forfeited at any time during the pendency of the contract period after serving suitable notice to the contractor/bidder agency. Necessary provisions regarding deduction of security deposit from progressive bills of the contractor in respect of the tendered work shall be governed as per relevant clauses of the tender contract/Agreement which will in no way be affected / altered due to this APS.

2.5A Login by bidder:

- a. A bidder desirous of taking part in e-tender 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 tender to bid and initiate payment of pre-defined EMD fixed for that tender by selecting from either of the following payments modes:
 - i. Net-Banking (any of the banks listed in the ICICI Bank Payment Gateway) in case of payment through ICICI Bank Payment Gateway;
 - ii. RTGS/NEFT in case of off-line payment through bidder's bank accounts in any Bank approved by RBI in India.

2.5B. 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 tendering authority.
 - v. If the transaction is failure, the bidder will again try for payment by going back to the first step.

b. Payment through RTGS/NEFT:

- i. On selection of RTGS/NEFT as the payment mode, the e-procurement portal will show a pre-filled challan having the details to process RTGS/NEFT transaction.
- ii. The bidder will print the challan and use the pre-filled information to make RTGS/NEFT payment using his/her own 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-tender.

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-tender is completed within last date of on-line submission of his/her tender. However, Net-banking transaction through ICICI bank payment Gateway would be on real time basis. At present Finance Department, GoWB has exempted

2.5C. Refund/Settlement Process for EMD:

i. After decrypting/admitting of all e-bids, the preliminary technical bid evaluation (TBO) summary sheet would be published in the Portal after two working days, and thereafter at least after four working days, the Final technical evaluation (TBE) summary sheet would be published in the Portal with simultaneous electronic processing in the e-Procurement portal by the tender 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 Tender Inviting Authority.

iii. Once the financial bid evaluation is electronically processed in the e-Procurement portal, EMD of the technically qualified bidders other than that of the L1 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 tender 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 as a part of total security deposit where under the balance 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-tender 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 Tender Inviting Authority.

vii. TIA reserves the right to forfeit the EMD electronically in case of breach/violation of tender rules as defined under clause 2.9 & 2.10.

2.6. 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 NIT 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 CC.

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, amount put to tender, 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, incomplete contact details making it time consuming for verification purposes of CC issued by authorities outside the State are liable to be rejected by the

Departmental Bid Evaluation Committee (DBEC).

- ii. 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 Institutions Organisation /Corporation/ Govt. Undertaking / Govt. Enterprises / Port Trusts under Ministry of shipping, GOI / Inland Waterways Authority of India /, or Government Institutions or Local Government Bodies(Municipalities, Zilla Parishad), will also be considered as valid PQ Credential. Such CC are to be issued by an officer/authority not below the equivalent rank of Executive Engineer / Divisional Engineer /District Engineer/Project Manager of the State/Union Government Departments/ Organizations; authorized signatories of CC for Municipalities shall be Executive Officers / Financial 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. Credential Certificates of Indian entities of successfully completed works in abroad directly under any Government institutions will be considered. Further to above, credential earned by the bidders by executing dredging work in private ports under direct contract with such Port authorities within geographical boundary of India will also be considered.

2.7. Minimum 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:

2.7 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-NIT 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 of Completion | Description | Multiplying factor to arrive at gross notional amount |
|--------------------|--|---|
| Current | The financial year of floating of e-NIT | 1.00 |
| 1 st | 1year preceding the current financial year | 1.08 |
| 2 nd | 2years 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-Tender for a particular work are such that one happens to have worked as a sub-contractor of the other, and both the contractors/bidders submit PQ 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 tender. 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.

2.7 I (b). Gross notional amount calculated from the Credential Certificate (CC) uploaded as the PQ Credential of a single similar work stated in 7(I) (a) above and completed within immediate five preceding financial years on the date of e-NIT, **should be at least 30% of the amount put to tender, which should be Rs. 28.57 crore as mentioned in the 'List of Works'**. However, for Consortium/JV where CC of individual entities of the Consortium/JV are to be considered, sum of

gross notional value of work in respect of the CC of individual entities for works of similar in nature (one for each entity), aggregate should be at least **60%** of the amount put to tender, i.e., **Rs. 57.14 crore**.

2.7 II Guidelines for ascertaining works of similar in nature

2.7 II. Following major item(s) having weightage of 25% or more in terms of monetary values in respect of amount put to tender for a work is to be identified and the total monetary value of all such major items is to be calculated by the Tender Inviting Authority as described below:

a. Dredging Work: Dredging using Cutter Suction Dredger(CSD) in tidal stretch of rivers, creeks, estuaries or coastal region.

2.7 III. The total Monetary value of varieties 'of major item' contained in the 'BOQ' of this e-tender is to be multiplied by a factor 0.25 to arrive at the minimum required Technical PQ Credential in terms of execution of similar items and clearly stated in absolute terms as amount in rupees in column 8 of 'List of Works'.

2.7 IV. If value of summation of the items directly related to dredging, contained in the BOQ of the AOC submitted by the bidder as its PQ Work Credential matches with the major item stated in the minimum PQ Credential at column 8 of the 'List of Works' in the e-tender and is equal to or exceeds the amount of any one of the PQ financial eligibility criteria specified at column 8, bidders PQ Credential may be considered as similar in work subject to fulfilment of the following conditions:

a. After summation, the value may further be multiplied by the factors stated in the table under clause 7 (I) to take care of the inflationary factors.

b. Whenever PQ Credential of individual entities of a Consortium/Joint Venture is considered, multiplying factor of 0.25 stated in Clause 7 III should be considered as **0.50** of combined values of the BOQ.

Note:

i. Eligibility for similar nature of work will be judged on the basis of items of works in the BOQ/SoR of that particular serial of work in the e-tender, mentioned in absolute terms in rupees, and the corresponding Major items with that of the AOC with BOQ uploaded by the bidder as PQ work Credential in support of the CC.

2.7 V. Minimum eligibility criteria based on average annual financial turnover of the bidder:

a. Apart from satisfying eligibility criteria based on PQ Credential stated in Clause 7 I to IV, the Annual financial Turnover requirements stated below must also be satisfied to declare a bidder qualified for a particular work in financial bid stage.

b. **Average of Annual turnover from business of any three FY with the zone of immediate preceding five FY as stated in clause 4.2 B(IV) should be at least 40% of the amount put to tender of work i.e., Rs.38.10 crore.** However, for Consortium/JV, such Average Annual Turnover should be at least **80%** of the amount of tender, i.e., Rs.76.20 crore and each entity should have **20%** of required Average Annual Turn Over, (i.e., Rs 15.22 crore) for three financial years within the financial 5 years. Documents sought under Technical & OID cover folders are mandatory for all the entities of the Consortium/JV.

c. **'Net financial worth' of the bidder should be positive in the three financial years for which the Annual turn over documents referred under 7Vb. 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.**

2.7 VI. Technical & financial PQ criteria stated herein above, are the bare minimum requirement. **Bidders would be declared technically qualified on conditions of (a) fulfilment of these minimum criteria and securing 85 out of 100 marks as per the matrix of technical evaluations, stated in para 2.14.2, (b) adequacy of the capacity of the dredger to be deployed by the bidder for the work, to be evaluated on the basis of information furnished by the bidder in the format for technical specification of Cutter Suction Dredger (Format A), which should be commensurate with the requirement of achieving the physical milestone within the prescribed timelines and also the criteria stated in Table-7 in Paragraph 8.0 of the "Terms of Reference".**

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

-Deleted-

2.9. 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 Departmental Bid Evaluation Committee (DBEC) which were submitted as soft copies in PDF files with their e-bids within a specified time frame, need of which 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-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 2.10 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 in the link "List of suspended/debarred contractors".

2.10. 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 in the designated link with the prior approval of the Department within 1 (one) working day of issuance of such order. The TIA shall recommend the case with opinion of Chief Engineer to place it before DBEC 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/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 bidder

ii. Bid Evaluation Committees or Tender Evaluation Committees:

a. Amount put to tender above Rs. 45.0 Lakh upto Rs 200.00 Lakh

-Deleted-

b. Amount put to tender above Rs 200.00 lakh.

Departmental Bid Evaluation Committee (DBEC) for the instant project will be comprising of i) Chief Engineer (South) as Chairperson, ii) Superintending Engineer (Eastern Circle) as convener, iii) Chief Engineer (D&R) as member, iv) Financial advisor, I&W Department as Member, v) Joint Secretary (Work), I&W Department as Member and vi) one representative from the consultant WAPCOS Ltd. as invitee-Member.

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.Additional definitions:

xiii.Contract: means and includes the General and Special Terms &Conditions of Contract, Specifications, Drawings, priced Bill of Quantities, the Tender/Offer, the Contract Agreement, if separately entered into and the Schedule of Rates and Price, if any, adopted by the IWD at their discretion.

xiv.Contractors: means the person or persons, Firm or Company whose tender/offer has been accepted by the Trustees and includes the Contractor's representatives heirs, successor and assigns, if any permitted by the Board/Chairman.

xv.Engineer in Charge: means Executive Engineer has invited the tender on its behalf or other official as may be appointed from time to time by the employer, with written notification to the Contractor, to act as Engineer for the purpose of the contract, in place of the "Engineer" so designated.

xvi.Engineers Representative: means any subordinate Engineer or Assistant to the Engineer or any other official appointed from time to time by the Engineer to perform the duties.

xvii.Expected risks: are riot in so far as it is uninsurable, war, Exected Risks invasion, act of foreign enemies, hostilities (whether war be declared or not) Civil War, rebellion, revolution, insurrection or military or usurped power or use or occupation by the Trustees or any portion of the works in respect of which are herein collectively referred to as the excepted risks).

xviii.Extra Works: means those works required by the Engineer for completion of the Contract which were not specifically and separately included in the schedule of items of works (i.e., Bill of Quantities) of the tender. "Excess Works" means the required quantities of work in excess of the provision made against any item of the Bill of Quantities.

xix.Site: means the land and places in the river through which the works are to be executed or carried out.

xx.Specification: means i.e. relevant and appropriate Bureau of Indian Standard's Specifications(latest revisions) for materials and workmanship unless stated otherwise in the Tender.

xxi.Temporary Works: means all temporary works of every kind required in or about the execution, completion or maintenance of the works.

xxii.Work: means the Work to be executed in accordance with the Contract and includes authorised "Extra Works" and "Excess Works" and Temporary Works.

D GROUNDS FOR SUSPENSION AND DEBARMENT

i. Submission of eligibility requirements containing false information or falsified documents. on response to the clarification/ document sought by the TIA, within the stipulated time frame, without valid reason may be construed as a ground for suspension and debarment

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.

i. Any documented unsolicited attempt by a bidder to unduly influence the outcome of the bidding in his favour.

ii. 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).

xiv. Non-submission of authentic Bank Guarantee of required amount by the selected bidder in a tender for Procurement of Goods & Works, if the bid price is below 20% of the tender value within the period as prescribed in the e-NIT, 7 working days from date of issue of LOA which may be extended up to maximum 14 working days.

E. CATEGORY OF OFFENSE:

a. First degree of offense: Clause 2.10 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 2 & Clause 3 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 10D (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. Debarment procedure and rules with guiding principles are published as Departmental Notification to be read in conjunction with corrigenda issued thereto from time to time available in the Notification link of Departmental website wbiwd.gov.in.

G. PENALTY FOR OFFENSE:

a. For committing 1st degree offense any of the cases referred under Clause 2.10 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(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 10D (vi), (vii),(xiii) to (xv), forfeiture of earnest money and debarment for a period of one year. For committing offenses under Clause 10D (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/15th working day from date of receipt of LOA /LOI) by the Departmental Debarment Committee to be notified in the Departmental website.

c. For committing 1st degree offense in any of the other cases under Clause 10 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.

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

All taxes, duties & cess which may not be limited to income tax, GST, royalty, construction welfare cess & labour insurances, EPF etc are to be borne by the contractor. Rates of items contained in the tender BoQ are inclusive of all the taxes, duties & cess stated above which are enforced on the date of publication of this e-NIT. It is reiterated that there shall not be any change in the contract price throughout the contract period. In case of variation of rates of taxes, duties, cess etc during dredging period, no extra claim on these accounts shall be allowed.

2.12.Siteinspection prior to submission of tender

Before submitting a bid, the intending contractor/bidder should make themselves acquainted thoroughly with the local conditions prevailing at site of implementation of the work by undertaking field inspections and taking into consideration all probable likely factors and difficulties to be involved 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. In this connection intending contractors/bidders are advised to attend the 'Pre-Bid' meeting with the Tender Inviting Authority on the prefixed date to get his/her doubts cleared if he/she desires. He/ She may also contact the office of the designated **Executive Engineer, Kakdwip Irrigation Division, Irrigation & Waterways Directorate** in between **11.30 hours to**

16.30 hours on any working day, prior to the date of actual submission of e-bid in the e-tender.

2.13. Conditional and incomplete tender

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

2.14. Opening and evaluation of tender

2.14.1 Opening of a Technical Proposal

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

ii. Intending contractors/bidders may remain present if they so desire.

iii. Technical cover documents (vide Clause 2.4.2.A) will be opened /decrypted first and if found in order, Cover (Folder) for OID(vide Clause 2.4.2.B) will be opened/decrypted. If there is any deficiency in either of the Technical cover documents, the bidder may be summarily disqualified and 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 and handed over the decrypted bid documents in soft and hard copies to the designated Departmental Bid Evaluation Committee (DBEC).

v. Procedure to be followed for opening of a '*Financial bid*' is explained later under clause 2.14.5 of e-NIT

2.14.2 Evaluation of Technical proposal by the Bid / Tender Evaluation Committee

The Departmental Bid Evaluation Committee (DBEC), composition of which has already been stated in clause 2.10.2(ii) will evaluate the technical proposals in accordance with the procedures laid down below in 2.14.2.1

Technical Proposal of all the bidders will be evaluated on the basis of the following matrix, by the member of DBEC and only those bidder securing 85 or more out of the total marks will be declared as technically qualified, subject to provision of the Note 2 below.

2.14.2.1 Technical Evaluation Criteria

| Sl. No. | Evaluation Criteria and sub-criteria | Minimum Marks to be secured for qualifying | Maximum Marks | Marks Actually secured by bidders | Remarks |
|----------------|---|---|----------------------|--|----------------|
| 1. | Average Turnover from business (best 3 out of last 5 years) | 35 | 40 | | (Refer Note 1) |
| 2. | Numbers of similar assignments (having value of Rs 28.57 crore or more) completed during last 5 years | | | | |

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
|--|--|--|--|--|--|

| Sl. No. | Evaluation Criteria and sub-criteria | Minimum Marks to be secured for qualifying | Maximum Marks | Marks Actually secured by bidders | Remarks |
|---------|---|--|---------------|-----------------------------------|---------|
| 2. | a. Upto 1 such assignment b. Additional Marking for more than 1 assignment | 40 0 | 40 5 | | |
| 3. | Experience of Key personal a. Dredge Master b. Manager c. Hydrographic Surveyors | 5 3 2 | 8 4 3 | | |
| | Total | 85 | 100 | | |

Note 1: Marking against this criteria would be assigned as per following methodology

| Average Turnover | Marking Individual Bidder/company | Marking JV Company |
|-----------------------------------|-----------------------------------|--------------------|
| Below Rs 38.10cores | 0 | 0 |
| Rs 38.10 cores to Rs 76.20 cores | 35 | 0 |
| Rs 76.20 cores to Rs 152.40 cores | 40 | 35 |
| Above Rs 152.40 crores | 40 | 40 |

Note 2: Total minimum qualifying marks will be 85 out of 100, any bidder securing total marks, shall simultaneously secure the minimum qualifying marks put for the against individual Criteria/Sub-Criteria, failing which he/she will be declared as Technically disqualified.

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

i. After electronically decrypting on the designated date and time the e-bids received, all the bids will be admitted for downloading of documents without verification by the TIA and placed before the DBEC for evaluation. The bidders shall receive an automated message through e-mail/text message that their bids have been decrypted. The DBEC shall within a minimum of 2(Two) working

day scrutinise the bids and Technical Bid opening Summary sheet (TBO) shall be uploaded by TIA pursuant to preliminary scrutiny and decision of the Departmental Bid Evaluation Committee(DBEC) with reasons for preliminary rejection, and preliminary list of eligible bidders/

contractors for the work whose Technical proposal have been considered for uploading in the web portal/s by the DBEC.

- ii. While evaluating, the DBEC 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 time frame without valid reasons, their bids will be summarily rejected, earnest money forfeited and provision of Clause 2.10.D9i) may apply.

2.14.4 Process of redressal of Grievance

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 DBEC on the list of bidders, in writing/through e-mail to the TIA 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 DBEC 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 DBEC, he/she may appeal to the Secretary of the Department within 24 hours of receipt of communication from the DBEC. The Secretary of the Department will dispose such complaints 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 DBEC 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 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.

2.14.5 Opening and Evaluation of Financial Proposal/bid

- i. Financial proposals of the bidders/contractors declared technically qualified by the Departmental Bid Evaluation Committee (DBEC) will be opened electronically by the Tender 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-tender 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-tender web platform.
- iv. Rate quoted by the technically qualified agencies will be placed to the DBEC for consideration, and the Tender Acceptance Authority (TAA), after being satisfied on reasonableness of the rate upon having recommendation of the DBEC, and after test checking of the comparative statement with the Divisional Accountant / Divisional Accounts Officer attached to the office of the concerned Executive Engineer, instruct the Tender Inviting Authority to upload the financial bid evaluation summary as result containing the name of contractors/bidders and the rates quoted by them against the work.
- v. There shall be no post tender negotiation and in case rates quoted appear to be too on the higher side, tender is to be invited afresh, as per recommendation of DBEC.
- vi. If there is no contractor/bidder or the number of contractors / bidders in the 1st tender is less than three, the e-tender has to be cancelled. In case of participation of more than three bidders, if the number of technically qualified bidder falls below three, the tender/e-NIT is to be cancelled as well and fresh e-tender vis-a-vis 2nd call e-Tender or even 3rd call e-Tender may be invited by suitably lowering of minimum eligibility PQ criteria (work & financial) for bidders with wide publicity of Re-tender notices through electronic and print media.
- vii. Final result after acceptance of the rate by the Tender 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.

- viii. The Tender 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.
- ix. If the lowest (L1) bidder/contractor backs out there should be Re-tendering in a transparent and fair manner.

2.14.6 Procedure to be followed for final acceptance of tender & Award of Contract

- i. The lowest (L1) financial bid for all works tenders is accepted as a rule. Total bid price calculated by summing up the amounts for individual items shall be the only basis of consideration and not the individual rates. 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. Maximum 5 % excess beyond the 'Tender Value' (Amount put to Tender) may be accepted above tenders of value beyond Rs2.00 crore with the recommendation of DBEC may be accepted by the TAA i.e, the Chief Engineer, if at least three valid bids have been received in the financial bid stage. In case of 5% excess over administratively approved amount, proposal for revised administrative approval would have to be submitted to the Government, but acceptance of tender and issue of work order may not be kept pending for want of revised administrative approval.
- iii. Above 5% and up to 10% of the Tender Value can be recommended to the Government for acceptance by the Departmental Bid Evaluation Committee (DBEC) subject to the conditions that valid technically qualified bids should not be less than three and L1 bid is accepted and tendered amount is within the administratively approved cost. In case of excess over administratively approved amount, revised administrative approval would have to be submitted to the Government but acceptance of tender, and issue of work order may not be kept pending for want of Revised Administrative Approval/ Revised Financial sanction.
- iv. If the response to an e-Tender is less than three, then Tender should be invited afresh. Such Re-Tender notice shall be published in widely circulated dailies as per guidelines and also through e-Tender web portals. Prior to invitation of Re-Tender / fresh e-Tender, the eligibility criteria and other terms & conditions as contained in the first 'Notice Inviting e-Tender' (e-NIT) shall have to be reviewed/relaxed by the Tender Inviting Authority, to ascertain whether (i) it was too much restrictive, say, specifications and qualifications were fixed at higher standards than required, (ii) advertisements in the widely circulated Newspapers were properly published and (iii) other related procedural matters were observed in its entirety.
- v. If the number of valid bids received even in re-tender is less than three, it should be referred by the TIA to the DTC and the appropriate Government along with the recommendation of the DBEC for decision, in accordance with Finance Department Memorandum and other relevant orders in vogue at the time of publication of the tender.
- vi. For acceptance of L1 bid after 2nd / 3rd re-tenders is still above 10% of the Tender Value (Amount put to tender), such rate, upon specific recommendation of the DBEC as mentioned at clause 14.5 (v), with that of the Department shall have to be sent to the Finance Department for decision.
- vii. For the purpose of instant work, the DBEC will function the role of Government appointed Department Tender Committee

2.15. General guidelines for acceptance of e-Tender

Lowest valid rate should normally be accepted in accordance with the procedure laid down in clause 2.14.6. The Tender Accepting Authority reserves the right to distribute the work amongst more than one contractor/bidder with same L1 rate or even cancel the tender and invite fresh re-tender.

2.16. Tender Accepting Authority*

As per delegation of power for tender acceptance, competent accepting authorities for different values of tenders is stated below, provided at least three valid bids are received in the financial bidding stage of the tender/Re-tender:

- i. –Deleted–
- ii. For tenders above Rs 200.00 lakh*: *Concerned Chief Engineer, i.e. Chief Engineer (South), I&W*

Directorate with the recommendation of DBEC, Irrigation & Waterways Department/Finance Department, Govt. of West Bengal depending on the number of bids received and variation of the bid price with the estimated price.

*Procedure to be followed in terms of Finance Department Notifications on delegation of powers for acceptance applicable at the time of bid acceptance.

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

The contractor/bidder, whose bid is approved for acceptance, shall within 15 days of the communication of 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(ii), i.e. GCC together with the SCC and all other documents and the remaining part of the Bid Document entire set of which may be obtained free of cost from the office of the designated Executive Engineer, Kakdwip Irrigation Division in-charge of the work tendered.

If the selected L1 bidder fails to turn up even after 5 days after the initial 15 days from the date of communication of the LoA, by e-mail or otherwise, the selected bidder is liable for penal actions which shall comprise blacklisting, debarring from future participation in Government tenders, immediate forfeiture of the Earnest Money deposited in the tender, other penal actions as stipulated under clause 2.9 & 2.10 of the e-NIT, the Departmental Notification and also contained in contract W.B Form No. 2911(ii)/ Agreement.

2.18. Payment against bills raised by the contractor

Periodic Tax invoice/bills containing bidders GSTIN & other details needs to be submitted by the supplier/contractor 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.

2.19. No cost escalation in any form is included in the Tender Contract Agreement and no cost escalation will be allowed during the entire contract period, including the extended period.

2.20. Bid validity

The Bid will be normally valid for **60 days** from the date of opening of the financial proposal. However, extension of bid validity may be suitably considered by the Tender Inviting Authority, if required, subject to written confirmation of the contractor/bidder (s) to that effect.

2.21. Definition of Physical Milestones:

The time allowed for carrying out the work as entered in the tender shall be strictly observed by the contractor, and which shall be reckoned from the date on which the order to commence work is given to the contractor. The work shall throughout the stipulated period of the contract be proceeded with all due diligence. Time being deemed to be the essence of contract on the part of the contractor; the contractor shall be bound in all cases, to achieve the 'Milestones' as specified in this NIT into various 'Identifiable and quantifiable construction related stages' pertaining to the work. For all works the contractor within 15 days of receipt of Letter of Acceptance shall submit a work programme commensurate with period of construction in the form of a Bar Chart of uploaded work programme, stating the timeline of such different Milestones. In the event of the contractor failing to commence the work within 15 days after expiry of mobilization period or to comply with any of the conditions related to achieving the 'Milestones' within the specified time period prescribed for such 'Milestone', 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. The bidder is required to digitally sign and upload the work programme in the form of Bar Chart or otherwise in the '**Declaration**' folder during bid

submission for all works tenders.

2.22. Withdrawal of bid in a Tender

Withdrawal of e-Tender 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 penalized in terms of clause 9 referred earlier would be applicable.

2.23. Mobilization & Demobilization

a) Mobilization

On placement of Letter of Acceptance (LOA), the dredgers are to be mobilized and commence dredging work within such days from as may be prescribed in LOA but not exceeding 21 days. Failure to mobilize within 10 days after expiry of schedule mobilization period, will attract invocation of clause 2 of 2911(ii)

b) Mobilization Charge

Mobilization advance amounting to 10% of the contract price charges will be released to the Contractor under following terms & conditions, subject to provision of Paragraph 21 of the "Special Terms and Conditions of the Contract (SCC)":

(i) The Contractor shall submit a Bank Guarantee of amount equivalent the mobilization amount, after signing the agreement along with written request for availing advance.

(ii) The mobilization advance will be interest bearing with 10% simple interest per annum.

(iii) Such mobilization advance would be recovered in maximum five instalments with interest commencing from the 2nd R/A bill onwards as stated in 2.23 b) (ii) above (the bill for mobilization advance to be treated as the 1st R/A bill). Bank Guarantee will be released in one Lump, after full recovery of the mobilization advance.

c) Demobilization Charge

The employer will not pay any demobilization charges for removal of dredgers, ancillary crafts etc. including temporary works from site upon completion of the contract period. Demobilization is to be completed within 45 days of completion of the contract period.

2.24 Critical dates of e-Tender.

| Sl. No. | Activity | Date & Time | Remarks |
|---------|---|---|--|
| 1 | e-tender Publishing Date in Newspaper | 06.10.2018 in Newspapers (06.10.2018 at 17.00 Hours in the Web Portal) | To be made available with the e-NIT in the website |
| 2 | Document Download start date | 06.10.2018 from 17.00 Hours. | |
| 3 | Pre-bid Meeting to be held at the office of Tender Inviting Authority | NA | |
| 4 | Bid submission start date | 06.10.2018 from 17.30 Hours. | |
| 5 | Document Download end date & bid submission end date | 22.10.2018 up to 17.00 Hours. | |
| 6 | Bid submission end date | 22.10.2018 up to 17.00 Hours. | |
| 7 | Technical Bid opening date | 22.10.2018 at 17.30 Hours. | |
| 8 | Technical Bid opening | To be suitably decided by TIA | |

| | | | |
|----|---|------|--|
| | Summery sheet (TBO) containing Preliminary Technical Bid Evaluation Summary uploading date | | |
| 9 | Uploading of final summery sheet of Technically qualified bidders or Technical Bid Evaluation Sheet (TBE) | -do- | To be notified to concerned bidder/s through e-mail & SMS through auto-generation in the system. |
| 10 | Financial Bid opening date | -do- | |
| 11 | Uploading of Financial Bid evaluation sheet (FBE) | -do- | |
| 12 | Uploading of the Letter of Invitation / Acceptance (LOI/LAO) | -do- | |
| | | -do- | |

Memo No. 2837

Dated:- 05.10.2018

Copy forwarded for information and wide circulation through the office Notice Board to the:

1. **Chief Engineer- South , I & W Dte., Govt. of West Bengal**, Jalsampad Bhawan, Salt Lake, Kolkata-700 091.
(in duplicate)
2. **Savahipati**, South 24-Parganas Zilla Parishad, Alipore, Kolkata – 700 027
3. **Savahipati**, North 24 –Parganas Zilla Parishad, Barasat, Kolkata- 700124
4. **District Magistrate**, South 24-Parganas, Alipore, Kolkata-700 027.
5. **District Magistrate**, North 24-Parganas, Barasat, Kolkata -700124
6. **Superintending Engineer**, Metropolitan Drainage Circle, Jalsampad Bhawan, Salt Lake, Kolkata-700 091
7. **Superintending Engineer**, Greater Calcutta Drainage Circle, Jalsampad Bhawan, Salt Lake, Kolkata-700 091
8. **Superintending Engineer**, Western Circle-I Circle, Jalsampad Bhawan, Salt Lake, Kolkata-700 091
9. **Superintending Engineer**, Mechanical & Electrical Circle, Jalsampad Bhawan, Salt Lake, Kolkata-700 091
10. **Superintending Engineer**, Damodar Irrigation Circle, Kanainatsal, Burdwan
11. **Executive Engineer**, Canals Divn./ Joynagar (I) Divn./ Basirhat (I) Divn./ Kakdwip (I) Divn.
12. **Notice Board**, Eastern Circle.

Sd/-
Superintending Engineer
Eastern Circle