



**GOVERNMENT OF WEST BENGAL
IRRIGATION & WATERWAYS DIRECTORATE
OFFICE OF THE EXECUTIVE ENGINEER
MAHANANDA EMBANKMENT DIVISION
GREEN PARK, MALDA**

NOTICE INVITING TENDER

N.I.T No - WBIW/EE/MED/NIT- 01/2020-21,

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

The intending tenderers should apply for tender paper in the office of the **Executive Engineer** Addressing to the **Executive Engineer**, Mahananda Embankment Division, Green Park, Malda.

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

Eligibility for participation

Bona fide contractors/bidders, Registered Co-operative Societies, Consortiums and Partnership Firms registered with the State Government and contractors/bidders of equivalent grade or Class, registered with the Union Government / Military Engineering Services / Indian Railways for execution of civil works are eligible to participate depending on the criteria as laid down below in the subsequent para /clause. Joint venture firms are not eligible to participate in tenders. Net notional amount calculated from Completion Certificate (CC) of a single work during last 5 years issued in favour of the contractor/bidder /agency/firm/consortium for a work of similar nature should be **at least 30 %** of the amount put to tender (Tender Value) for the work. Consortiums and Joint Ventures are not allowed to participate in tenders of value up to Rs. 45.00 lakh.

Participation in more than one serial of work in a tender

Any contractor/bidder may bid for any number of Serials of work in a particular NIT, if more than one work have been published in that NIT, subject to fulfillment of all of the following conditions published in any particular NIT depending on his/her previous work credential and financial capability.

Submission of Tenders

1. Tender documents to be submitted in the tender box in the office of the **Executive Engineer**, Mahananda Embankment Division, Green Park, Malda as per scheduled time & date.
2. a) Separate Tender should be submitted for each Work, as per attached List, in sealed cover inscribing the NIT No., Sl. No. and Name of the work on the envelope and addressing to the Executive Engineer, Mahananda Embankment Division, Green Park, Malda.

b) Submission of Tenders by post or FAX or through Internet is not allowed.

3. The Tender Document and other relevant Particulars (if any) may be seen by the intending Tenderers or by their duly authorized representative during office hours between 11.00 A.M. and 4.00 P.M. on every working day, till the date of issue of tender papers in the office of the Executive Engineer, Mahananda Embankment Division,

Green Park, Malda any tenderer may send his authorized representative to attend interview, bid or any other purpose allowed by tender accepting authority. Such authorization must be submitted in stamped paper in presence of 1st class Judicial Magistrate or Notary Public.

Document to be submitted along with the application of tender paper:-

Sl. No.	Folder name	Details	Remarks if any
A	Certificates	<ol style="list-style-type: none"> 1. Latest Professional Tax Payment Certificate (PTPC) or, PT deposits 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 is ;attest available 4. Valid GSTIN under GST Act & Rules 	
B	Company Details	<ol style="list-style-type: none"> 1. For Proprietorship Firms, Partnership Firms, Registered Companies, Registered Co-operative Societies Valid Trade License/ acknowledgement or Receipt of application for Trade License/ Revalidation OTHER REQUIREMENTS:- 2. For Partnership Firms: Legally valid Partnership Deed, Form-VIII/ Memorandum of Registration of Registrar of Firms 3. For Companies: Incorporation Certificate, Memorandum of Articles of ROC, List of current owners/ Directors/Board Members 4. For State Registered Co-operative Societies: Society Registration certificate from ARCS of the State, Society by-Laws, latest available Auditor's Report of Directorate of Co-operative Audit within proceeding five years as per Societies Act & Rules 	
C	Credential	<ol style="list-style-type: none"> 1. Work Order/ Award of Contract or LOA/LOI duly authenticated by issuing authority. 2. Pre-Qualification (PQ) Work credential of one 100% completed work as desired in the NIT as the Credential Certificate (CC) duly authenticated by competent authority. 	
D	Financial credential	All 100% Payment Certificates of competent authorities during preceding Five FY. IT Return of bidder in thee FY, or Audited Profit & Loss Accounts statement of any three financial years within the zone of preceding five financial years whichever is available.	

- 4) a. Intending Tenderer should apply for tender paper addressing to the **Executive Engineer, Mahananda Embankment Division, Green Park, Malda** in their respective letterhead enclosing self attested copies of the following documents, originals of which and other documents like Register of Partnership (for partnership farm) etc. are to be produced on demand, as well as during interview (if any).
- b. 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.
- c. Valid 15 digit Goods and Service Tax payer Identification Number (GSTIN) as per GST Act, 2017 & Rules of the bidder.
- d. 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.
- e. 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
- f. 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 submitted.

For State Registered Co-operative Societies:

- g. 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.
- h. 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.
- i. Work Order/Award of Contract or the Letter of Acceptance (LoA) duly authenticated by the competent issuing authority is to be submitted.
- j. Pre-Qualification (PQ) credential of one 100% completed work of Gross Notional Value as desired in the NIT as the Credential Certificate (CC) duly authenticated by competent authority.
- k. 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.

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

- i. Credential Certificates (CC) for one/single 100% completed work within last five financial years on the date of publication of 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.
- 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, absence of contact details making it time consuming for verification purposes of CC issued by authorities outside the State are liable to be rejected by the Bid Evaluation Committee (TEC).
- iii. Credential Certificates (CC) of successfully completed works in any Department/autonomous authority of the Government of West Bengal will be considered. CC of 100% completed works executed under any other State / Central Government Ministry / Department / Nationalised Financial Institution Organisation / Govt. Undertaking / Govt. Enterprises or Government Institutions or Local Government Bodies (Municipalities, Zilla Parishad & Panchayat Samities within West Bengal, will also be considered as valid PQ Credential. Such CC are to be issued by an officer/authority not below the rank of Executive Engineer / Divisional Engineer / District Engineer/Project Manager of the State/Union Government Departments/ Organisations; authorised signatories of CC for Panchayat Samities and Municipalities shall be the BDO & Executive Officers or equivalent administrative officers respectively. It is desirable to have telephone and FAX or e-mail addresses of the signatory of the CC for all offices outside West Bengal for verification purposes.

6. Pre Qualification (PQ) eligibility criteria

- i. 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:

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

7. i) Suspension including debarment of Bidders / Agencies will be applicable as per Memorandum No-03-W/2017-18, dated-18.05.2017 of the Secretary, Irrigation & Waterways Department, Govt. of West Bengal.
- ii) Intending Tenderers having not satisfied with the decision of the Tender Paper Issuing Authority may prefer an appeal to the next superior Officer. Necessary communication regarding his appeal to the Appellate Authority must be brought to the notice of such authority within two days after the date of issue of Tender Paper and copy of such communication should also be submitted to the Tender Paper issuing authority within the same period failing which no such Appeal will be entertained.
- iii) Tender documents are available free of cost and also made available in the Departmental website www.wbiwd.gov.in. Cost of tender documents shall not be charged even during execution of formal tender agreements. However, the contractors/bidders may wherever necessary be charged suitably for asking additional multiple copies of drawings, specifications, Schedule of Rates of the Circle/s (SOR) etc. and such fee may be suitably determined by the Tender Inviting Authority as per norms.
- iv) No Tender Paper will be supplied by Post.
- v) No Tender Paper will be issued after expiry of date & time mentioned in the notice.
8. Cost towards Earnest Money Deposit (EMD), for each work as noted in the List of Works, in the form other than those mentioned below, will not be accepted. Earnest Money Deposit (EMD) must presently be submitted in the form of Bank Draft (BD) / Bankers Cheque (BC) / Deposit Call Receipt (DCR) of any scheduled Commercial Bank in India approved by RBI & having a branch in West Bengal which is to be drawn in favour of the Executive Engineer, Mahananda Embankment Division, payable at Malda. Payment in any other forms viz. NSC, KVP, cheques etc will not be accepted. Quoting bid price in financial bid stage below 20% of the estimated amount put to tender (Tender Value) is no desirable, as it leads to a doubt regarding the intension of the bidder to deliver good quality work on due time. Additional Performance Security as Bank Guarantee shall be obtained in Specimen Form-6 from any RBI approved Indian Bank located in West Bengal only, as per Memorandum No. – 09-W/2017- 18 Dated 20th July, 2017 of Secretary to the Govt. of West Bengal, Irrigation & Waterways Department, Govt. of West Bengal. Finance Department has exempted from payment of EMD to State Registered Labour Cooperative Societies, Mackintosh Burn Limited, Westinghouse Saxby Farmer Limited & Britannia Engineering Limited only. State & Central Govt SSI Units are exempted from EMD for tenders for procurements and supply of **Goods only** and not works contracts. However, all other PQ credentials are to be fulfilled by each.

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

Gross notional amount calculated from Credential Certificate (CC) of a single works contract completed within the zone of immediate preceding five financial years on the date of this NIT, issued in favour of the contractor/bidder /Agency/Firm/Registered Co-operative Society for a similar work defined in the tender **should be at least 30%** of the amount put to tender for the work it is bidding. The power to decide on the criteria of similarity rests without any prejudice, solely with the Bid Evaluation Committee (TEC).

- 10) Earnest money as noted in the list of works will have to be deposited by the contractors.
- i) The Tenderer should quote the rate both in figures & in words on the basis of percentage above/ below /at par the scheduled of rates attached with the tender form and also in the space provided in the Tender Form.
- ii) Any tender containing over writing is liable to be rejected.
- iii) All corrections are to be attested under the dated signature of the Tenderer.
- 11) When a Tenderer signs his tender in an Indian language, the total amount Tendered should also be written in the same language. In the case of illiterate Tenderer, The Rates Tendered should be attested by a Witness.
- 12) The Tenderer who will sign on behalf of a Company or a Firm, must produce the registered documents in support of his competency to enter into an Agreement on behalf of the Company or the Firm under the Indian Partnership Act, failing which the Tender will not be considered and the deposited Earnest Money will be forfeited.
- 13) Any letter or other instrument submitted separately in modification of the sealed Tender will not be entertained.
- 14) Conditional Tender, which does not full fill any of the above conditions, and is incomplete in any respect, is liable to summarily rejection.
- 15) GST, Royalty, Building & Construction Workers Cess and all other statutory Levy/Cess etc. will have to be borne by the Contractor (he will have to produce necessary documentary evidence of his having done so at the time of receiving the final payment for the work).
- 16) As per memorandum No-11-W/2017-18, dated-01.08.2017, Secretary to the Government of West Bengal, Irrigation & Waterways Department Tender Evaluation Committee (TEC) is responsible for issuing tender paper. Lowest valid rate should normally be accepted. The **Executive Engineer, Mahananda Embankment Division, Green Park, Malda**, is the accepting authority of Tender and The Tender Accepting Authority does not bind himself to accept the lowest Tender and reserves the right to reject any or all of the Tenders received, without assigning any reason whatsoever and also reserves the right to distribute the work amongst more than one Tenderers on technical feasibility.
- 17) The Tenderer will have to, if so desired by the Tender Accepting Authority, submit his analysis of rate to justify the rate quoted by him.
- 18) The Tenders will be opened, as specified in the List of works in the Chamber of **the Executive Engineer, Mahananda Embankment Division, Green Park, Malda** in presence of the participating Tenderers or their duly Authorized Representative who may be present at the time of Opening and who may also put their signature in the Tender Opening Register.
- 19) The successful Tenderer will have to execute the formal agreement in duplicate which will have to be obtained from the office of the Executive Engineer, Mahananda Embankment Division, Green Park, Malda, failing which the Earnest Money shall forthwith stand forfeited in the favour of the Government and the communication of acceptance of the tender/ Formal work order shall automatically stand cancelled.
- 20) The successful Tenderer will have to abide by the provisions for the West Bengal Contract Labour (Regulation and Abolition) Rules, 1972 and such other Acts as may be applicable, as will be in force from time to time.
- 21) In the following cases a Tender may be declared informal and unacceptable.
 - a) Correction, alterations, additions etc. if not attested by the Tenderer.
 - b) Earnest Money in the form of D.C.R. / Demand Draft etc which are short deposited and / or not deposited in the favour of **the Executive Engineer, Mahananda Embankment Division**.
 - c) If the Tender From is not properly filled in respect of the general Description of the work, Estimated Cost, Rate of deduction of Security Deposit etc. in page -3 and other pages as are required to be filled in.

- d) If the specified pages of the Tender Document are not signed by the Tenderer.
 - e) If the Tender is not submitted in a Cover properly sealed and name of the work is not indicated on the cover with N.I.T No.
- 22) For the refund of the Earnest Money of the unsuccessful Tenderer(s), he / they is / are to apply for the same to the **Executive Engineer, Mahananda Embankment Division, Green Park, Malda**, giving the reference to the work, N.I.T. No., Date of Tender, amount and mode of Earnest Money deposited – all in a complete form. The Earnest Money of All Tenderer other than the 1st Tenderers in each case may be refunded after acceptance of rate in the comparative statement, as early as possible.
- 23) To verify the Competence Capacity and Financial Stability of the intending Tenderer(s) the Issuing Authority may demand production of any necessary Document(s) as it may deem necessary.
- 24) The payment of R/A as well as Final Bill for any work will be made according to the availability of specific Fund and no claim whatsoever for delayed payment will be entertained.
- 25) Depending on response to various serials in the NIT Tender Paper Issuing Authority may Issue Tender Paper for any serial even though it may not be preferred by the applicant.

**Executive Engineer,
Mahananda Embankment Sub-Division.
Green Park, Malda**

Time Schedule of Tender procedure:-

i)	Last Date & Time for application for Tender Form	22.05.2020	Upto 15.00 Hours
ii)	Last Date & Time for issue of Tender paper.	28.05.2020	Upto 17.00 Hours
iii)	Date & Time of dropping of Tender Paper	01.06.2020	Upto 15.00 Hours
iv)	Date & Time of opening of Tender in the office of the undersigned	01.06.2020	After 15.30 Hours

LIST OF WORKS**N.I.T No - WBIW/EE/MED/NIT- 01/2020-21,**

Sl. No.	Name of Work/Scheme/Project	Amount put to Tender (Tender Value) (Rs.)	Earnest Money Deposit (Rs.)	Time allowed for completion (in days)	Source of fund	Minimum eligibility of the contractor/bidder for participating in the tender
1	2	3	4	5	6	7
1	Repair of damaged toe protection work on the left bank of river Fulahar at Khidirpur in Block-Harishchandrapur-II, P.S.-Harishchandrapur, Dist.-Malda	Rs.473793.00	Rs.9476.0	15(Fifteen) Days	NON-PLAN	Bona fide contractors / bidders having sufficient credential of execution of similar nature of work of value 30% of the amount put to tender (tender value) within the last 5 years on the date of publishing of NIT
2	Construction of boulder protection work on slope of R/S of left Fulahar Embankment near Ch.-4.630 Km for length of 40.00 metre in Block-Harishchandrapur-II, P.S.-Harishchandrapur, Dist.-Malda	Rs.494123.00	Rs.9882.0	15(Fifteen) Days	NON-PLAN	-Do-
3	Emergent repairing of slide portion (Country Side) to the Left Fulahar Embankment from Ch.-5.565 Km to 5.70 Km in Block-Harishchandrapur-II, P.S.-Harishchandrapur, Dist.-Malda	Rs. 476137.00	Rs.9523.0	15(Fifteen) Days	NON-PLAN	-Do-
4	Improvement of Inspection Path (Bituminous Road) over Left Fulahar Embankment from Ch.-18.20 Km to 18.50 Km in Block-Harishchandrapur-II, P.S.-Harishchandrapur, Dist.-Malda (Total Length-300m)	Rs.476341.00	Rs.9527.0	15(Fifteen) Days	NON-PLAN	-Do-
5	Emergent repairing of Rain cuts & Ghoges to the left Fulahar Embankment from Ch.-0.00 Km to 4.00 Km in Block-Harishchandrapur-II, P.S.-Harishchandrapur, Dist.-Malda	Rs.480410.00	Rs.9608.0	15(Fifteen) Days	NON-PLAN	-Do-

Sl. No.	Name of Work/Scheme/Project	Amount put to Tender (Tender Value) (Rs.)	Earnest Money Deposit (Rs.)	Time allowed for completion (in days)	Source of fund	Minimum eligibility of the contractor/bidder for participating in the tender
6	Maintenance of inspection path over Mahananda Embankment (Barsoi Branch) for a length of 220.00 m at Khanpur in Block-Chanchal-II, P.S.-Chanchal, Dist.-Malda	Rs.462199.00	Rs.9244.0	15(Fifteen) Days	NON-PLAN	-Do-
7	Repairing of rain cuts over Mahananda Embankment (Barsoi Branch) in between Ch.-35.00 Km and Ch.-36.50 Km in Block-Chanchal-II, P.S.-Chanchal, Dist.-Malda	Rs.475729.00	Rs.9515.0	15(Fifteen) Days	NON-PLAN	-Do-
8	Repairing of raincuts over Mahananda Embankment (Barsoi Branch) in between Ch.-42.00 Km and Ch.-44.00 Km in Block-Ratua-I, P.S.-Pukhuria, Dist.-Malda	Rs.458604.00	Rs.9172.0	15(Fifteen) Days	NON-PLAN	-Do-
9	Repairing of rain cuts and pot holes over Mahananda Embankment (Barsoi Branch) in between Ch.-10.20 Km and Ch.-11.80 Km in Block-Chanchal-I, P.S.-Chanchal, Dist.-Malda	Rs.459419.00	Rs.9188.0	15(Fifteen) Days	NON-PLAN	-Do-
10	Maintenance of Sluice 2-vented at Mallichpara in Block-Chanchal-I and sluice 4-vented at Gourhanddangra in Block-Chanchal-II, P.S.-Chanchal, Dist.-Malda	Rs.381300.00	Rs.7626.0	15(Fifteen) Days	NON-PLAN	-Do-
11	Repairing of rain cuts over Mahananda Embankment (Barsoi Branch) in between at Ch.-33.20 Km and Ch.-34.50 Km in Block-Chanchal-II, P.S.-Chanchal, Dist.-Malda	Rs.468674.00	Rs.9373.0	15(Fifteen) Days	NON-PLAN	-Do-
12	Repairing of rain cuts and pot holes over Mahananda Embankment (Barsoi Branch) in between Ch.-17.00 Km and Ch.-18.50 Km in Block-Chanchal-I, P.S.-Chanchal, Dist.-Malda	Rs.459512.00	Rs.9190.0	15(Fifteen) Days	NON-PLAN	-Do-

Sl. No.	Name of Work/Scheme/Project	Amount put to Tender (Tender Value) (Rs.)	Earnest Money Deposit (Rs.)	Time allowed for completion (in days)	Source of fund	Minimum eligibility of the contractor/bidder for participating in the tender
13	Improvement of Sambalpur Circuit Embankment in between Ch.-13.30 to Ch.-13.90 Km at Maharajpur G.P. in Block-Ratua-II, P.S.-Pukhuria, Dist.-Malda	Rs.464408.00	Rs.9288.0	15(Fifteen) Days	NON-PLAN	-Do-
14	Repairing and maintenance of Sambalpur Circuit Embankment in between Ch.-12.0 to Ch.-12.60 Km in Block-Ratua-II, P.S.-Pukhuria, Dist.-Malda	Rs.461263.00	Rs.9225.0	15(Fifteen) Days	NON-PLAN	-Do-
15	Repairing and maintenance of Sambalpur Circuit Embankment in between Ch.-12.70 to Ch.-13.20 Km in Block-Ratua-II, P.S.-Pukhuria, Dist.-Malda	Rs.441413.00	Rs.8828.0	15(Fifteen) Days	NON-PLAN	-Do-
16	Maintainance and repair works on Kalapahar Embankment from Ch.0.00 km to 2.00 km including repairing of Kalapahar Sluice and repair of Lykol Sluice at Ch.-0.05 Km of Lykol Embankment in Block:-Ratua-II, P.S.:-Pukhuria, Dist.:-Malda	Rs.407664.00	Rs.8153.0	15(Fifteen) Days	NON-PLAN	-Do-

(*)Consortium & Joint Venture are not permitted to bid in this off line tender.

Payment will be made as per availability of fund under NON-PLAN of 2020-21

**Executive Engineer,
Mahananda Embankment Division.
Green Park, Malda**

Additional Terms & Conditions

1. Executive Engineer of the concerned Division is the Engineer-in-Charge in respect of the contract and all correspondences concerning rates, claims, change in specifications and/or design and similar important matters will be valid only if accepted/recommended by the Engineer-in-Charge. If any correspondence of above tender is made with officers other than the Engineer-in-charge for speedy execution of work, the same will not be valid unless copies are sent to the Engineer-in-Charge and approved by him. Instructions given by the Executive Engineer/Assistant Engineer and the Section Officer/Junior Engineer on behalf of the Engineer-in-Charge shall also be valid (who have been authorized to carry out the work on behalf of the Engineer-in-Charge) regarding specification, supervision, approval of materials and workmanship. In case of any dispute, the decision of Engineer-in-Charge shall be final and binding.
2. Acceptance of the tender including the right to distribute the total work between two or amongst more than two contractors/bidders will rest with the Engineer-in-Charge without assigning reason to the contractors/bidders thereof. The Executive Engineer as the accepting authority reserves the right to reject any or all tenders without assigning any reason thereof.
3. The contractors/bidders shall have to comply with the provisions of (a) Contract labour (Regulation & Abolition) Rules, 1970 and its revision (b) Minimum Wages Act 1948 and its amendments, or the modifications thereof or any other laws relating thereto enforced by the appropriate Government from time to time.
4. Engineer -in-Charge shall not entertain any claim whatsoever from the contractors/bidders regarding payment of compensation on account of idle labour on such grounds including non-possession of land in the working zone.
5. Engineer-in-Charge shall not be held liable by the contractor/bidder for any compensation claim due to machines becoming idle, for any circumstances including untimely rains, other natural calamities, strikes etc.
6. Any duty / tax / royalty etc. whatsoever is imposed by the appropriate Government after issuance of work order / commencement and completion of the work, is to be borne by the contractor/bidder. Original challan of materials, which are procured by the contractor/bidder, may be asked to be submitted for verification by the Engineer-in-Charge.
7. Cess @ 1% of the cost of construction work or otherwise as per relevant order of appropriate Government shall be deducted from the gross value of all works bill. Also, it is instructed to register his/her establishment under the relevant Act with the competent registering authority, i.e. Assistant Labour Commissioner / Dy. Labour Commissioner of the region.
8. No mobilization / secured advance will be allowed unless specified otherwise in the contract.
9. GST, Cess, Royalty of sand, stone chips, stone metal/ gravels, boulders, forest products, Toll Tax, Income Tax, Ferry Charges and other Local Taxes if any, are to be paid by the contractor/ bidder. No extra payment will be made as re-imbursement or compensation for the above. The rates of supply of finished work items are inclusive of these taxes and charges.
10. All working tools & plants, scaffolding, construction of vats & platforms arrangement of Labour camps shall have to be arranged by the contractor at his/her own cost.
11. The contractor shall arrange for supply of mazdoors, bamboo, ropes, pegs, flags etc. for taking/ layout for the work and for giving and checking measurements by the Engineer-in-Charge or any other Department officer assigned by him / her for which no extra payment claim will be entertained.

12. The contractor should thoroughly scrutinize the site of work and relevant tender documents, drawings etc. before submitting the off line tender and satisfy himself/herself regarding the conditions and nature of works and ascertain the difficulties that might be encountered during execution of the work, carrying of materials to the site of work, availability of drinking water and other human requirements including safety and security etc. Works on river banks may be interrupted due to various unforeseen reasons e.g. sudden rise in water level, inundation of site caused by flood, inaccessibility of working site for carriage and transportation of materials. Engineer-in Charge may instruct the contractor to suspend work that may be subjected to damage due to extremely adverse weather/climatic conditions and no claim will be entertained on this account. There may be variations in alignment, height of embankment or depth of cutting, location of revetment, structures etc. due to change of topography, river conditions and local requirements etc. from the approved work estimate during actual execution of the scheme. For all such modifications or alterations, the tendered rate and contract will remain valid. The contractor will not be entitled to any additional financial claims or extra rates on any of these accounts.
13. A machine page numbered Site Order book (with triplicate copy of every page) will have to be maintained at site by the contractor and the same has to be issued by the Engineer-in-Charge before commencement of work at site. Instructions issued by the inspecting engineer officers not below the rank of Assistant Engineer will be recorded in this site order book and the contractor must note down and comply the same at the earliest.
14. The work will have to be completed within the time period as mentioned in the NIT. A suitable work programme based on time period allowed for completion of work as per tender is required to be submitted by the contractor within 7(seven) days from the date of receipt of work order which should satisfy the time limit assigned for completion. Contractor should inform in writing the name of his authorized representative/s who are to remain present at site daily during work execution to receive instructions relating to the work, sign measurement book & bills and other Govt. papers etc on the basis of Power of Attorney conferred within 7 (seven) days from the date of receipt of work order, if not done earlier.
15. No compensation is payable for idle labour, contractor's establishment charges or on accounting of reasons such as variations in price indices/escalation cost etc.
16. All sort of precautions should be taken for the safety of the work force deployed by the contractor and also others at worksite as per safety rules as is enforced by appropriate authority. The contractor will remain liable towards payment of compensation in accordance with the Workman's' Compensation Act etc for the labourers engaged and should deal to settle such cases promptly. Proper road signs as per P.W.D. practice will have to be erected by the contractor at his own cost while operating on or near public thoroughfares.
17. The contractor will have to maintain technically qualified employees and/or apprentices at site as per prevailing Apprentice Act or as stipulated in the contract.
18. The contractor will have to accept the work programme as per modification and priority of work as fixed by the Engineer-in-Charge so that most vulnerable reach and/or critical items are completed before the due date for arrival of monsoon or rise of water level or for any other suitable reason/s.
19. Quantity of various items of work mentioned in the tender schedule or in work order is only tentative. During actual execution, these tendered items may vary, even substantially. Payment will be made on the basis of quantum of work actually done in different items and as per specification and no claim will be entertained for reduction of quantities in some items or due to omission of some tendered items. For execution of quantitative excess in any item beyond 10% or supplementary works, approval of the Superintending Engineer / Chief Engineer Government in the Irrigation & Waterways Department would be required depending on who ever is the Tender Accepting Authority and financial involvement thereof, before making any excess and /or supplementary item work payment but in all cases the final value of the works will not exceed tendered amount of the works as per I&WD Notification circulated vide memo.no.-378(7)-IB/IW/O/IA/11C(T)-01/2004(pt) dt. 06/02/2017

20. Any construction materials brought to work site by the contractor must be approved by the Engineer-in-Charge. Materials rejected must be removed by the contractor from work site at his own cost within 24 hrs of issue of the order to that effect. The rates in the schedule are inclusive of cost and carriage of all materials to worksite. The materials will have to be supplied in phases with due intimation to the Executive Engineer/Assistant Engineer concerned, in conformity with the progress of the work. For special type of materials, i.e. Geo-Synthetic Bags, HDPE Bags, Geo- Textile Filters, Geo-jute Filters etc. if any, relevant data sheets containing the name of the manufacturers, test report etc. are also to be submitted on each occasion. Engineer-in-Charge may conduct independent tests of all construction materials on the samples drawn randomly before accordance of approval for using these materials for the work. In this regard decision of Engineer-in-Charge is final and binding.
21. For materials under category 20 (a), (b) & (c), the contractor will act as the custodian thereof. The construction materials will have to be carried from the departmental godown to the worksite by the contractor at his own cost. The contractor shall remain responsible for proper storage & safety of the materials. Suitable godowns / Stores shall have to be made by the contractor at his/her own cost. Penalty charges shall be levied at higher rates for loss, wastage, misuse. Surplus departmentally issued materials if any, shall have to be returned in the godown or store maintained by the Engineer-in-charge at the contractor's cost within the time frame as fixed by Engineer-in-Charge. Otherwise, the cost at penal rates will be recovered from the bill. Indent for departmental materials shall be submitted by the contractor to the S.D.O/AE at least 7 days in advance of actual requirement. No claim will be entertained for non-issuance of such materials on time, but reasonable extension of time will be granted. All materials, whatever be its category thereof, shall be properly stored by the contractor in suitably maintained godowns near the site of work at his own cost & under no circumstances whatsoever shall any material be removed from the site of work without prior written permission of the Engineer-in-Charge. The contractor shall be responsible for any damage or loss of such materials.
22. The contractor shall also have to satisfy the Engineer-in-Charge regarding proper utilization of materials which have been issued departmentally.
23. Additional Performance Security" has been made mandatory which shall be obtained only from the successful L1 bidder, if the accepted bid price is below by more than 20% of the amount put to tender. This Additional Performance Security shall be equal to 10% of the **tendered amount** i.e. the L1 bid price.

The Additional Performance Security shall have to be submitted by the selected L1 bidder after issuance of Letter of Acceptance / Letter of Invitation (LoA/LoI) within 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 / in 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 seven working days, he may pray for extension of BG submission date within the prescribed 7 days period by another seven days with reasons to be recorded in writing (which is 14 working days from date of issuance of LoA). Else, its/their 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 be valid up till the end of the contract/Agreement period including extended time period till 100% physical completion of work in all respects and shall be renewed within validity period accordingly if required. The said Bank Guarantee 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 Additional Performance Security 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 Additional Performance Security.

24. Requisite quantity of cement as may be required for the work will be supplied from the nearest departmental godown, if stock permits. The issue rate of cement is shown in the Schedule of materials attached with the tender. Excess consumption of cement by more than 5% over the final consumption statement drawn up as per consumption rate specified in the Schedule included in the tender will be recovered at a penal rate shown in schedule.
25. Steel reinforcement rods will be issued if stock permits from the nearest Departmental godown where such material is available in marketable length. While issuing the same, for any particular work, the quantity actually required as per approved drawing shall only be issued. It will be responsibility of the Contractor as well as the Engineer-in-Charge to get this quantity properly utilized in the work. Cut pieces, if any, will not be taken back by the Department. Recovery for the total quantum of steel rods issued will be made at the issue rate shown in the Schedule. In case of use over +10%, deduction will be made at a penal rate shown in the Schedule. This whole principle shall apply in case of other M.S materials like sheet piles and structural steel members as well.
26. All quarries and disputes arising out of the works tender contract is to be brought to the notice of Chairman of the Departmental Dispute Redressal Committee in writing for decision within 15 days.

**Executive Engineer,
Mahananda Embankment Division.
Green Park, Malda**

Memo. No.: - 2 6 8 (16)

Dated:-14.05.2020

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

1. The Shabbadipati, Malda Zilla Parishad, Malda.
2. The Superintending Engineer, North Irrigation Circle-I, Green Park, Malda.
3. The District Magistrate, Malda
4. The Executive Engineer, Malda Irrigation Division, Malda.
5. The District Information Officer, Malda with request to wall up the N.I.T. in office notice board for circulation.
6. The Karmadhakshya, KRISI-O-SECH STHAYEE SAMITY, Malda Zilla Parishad, Malda.
7. The Sub-Divisional Officer, Mahananda Embankment Sub-Division No-I, Bhaluka, Malda.
8. The Sub-Divisional Officer, Mahananda Embankment Sub-Division No-II, Harishchandrapur, Malda.
9. The Sub-Divisional Officer, Mahananda Embankment Sub-Division No-III, Green Park, Malda.
10. The Secretary, Malda Builders Association, Sarbomangolapally, Malda.
11. The Secretary, Malda District Engineers Co-operative Society Limited, Malda.
12. The Secretary, Malda Contractors Association, Singatala, Malda.
13. The Divisional Accounts Officer –I, Mahananda Embankment Division, Malda.
14. The Divisional Estimator, Mahananda Embankment Division, Malda.
15. OFFICE NOTICE BOARD.

**Executive Engineer,
Mahananda Embankment Division
Green Park, Malda**