

## Enclosure-I

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

### GOVERNMENT OF WEST BENGAL

#### IRRIGATION & WATERWAYS DIRECTORATE

#### OFFICE OF THE EXECUTIVE ENGINEER

MAYURAKSHI HEAD QUARTERS DIVISION

SURI \* BIRBHUM

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MENO NO. 892

DATED : 25/10/2021

### **NOTICE INVITING e-TENDER**

#### **e-N.I.T No - WBIW/EE/MHQD/e-NIT-04/2021-22**

Encrypted electronic bids are hereby invited by the Executive Engineer **Mayurakshi Head Quarters Division**, Irrigation & Waterways Directorate on behalf of the Governor of the State of West Bengal through a single stage two part e-Procurement System; (Part I: Techno-commercial bid and Part II: Financial bid) for the 'LIST OF WORKS' given in the next page from eligible bonafide contractors/agencies/bidders having specified Pre-Qualification (eligibility) credential for execution of works of similar nature and desired financial capabilities. The technical bid in Part-I would require the bidder to qualify for the next phase of financial bid: Part-II, in which L1 bid price would determine the final selection and acceptance of a bidder for award of the Procurement of Goods & Works contract.

Intending contractors/bidders desirous of participating in this e-Tender are required to login to the Government of West Bengal e-Procurement website having URL <https://wbtennders.gov.in> and locate the instant tender by typing **WBIW/EE** in the search engine provided therein, or by logging-in using their assigned User ID and password. They may also visit the official website of the Irrigation & Waterways Department, Government of West Bengal [www.wbiwd.gov.in](http://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, Safescrypt, e-Mudhra Consumer Services Ltd, TCS, MTNL, IDRBT) or as notified by the CA /Finance Department, GoWB from time to time. DSC is given as a USB e-Token. After obtaining the Class 2 or Class 3 Digital Signature Certificate (DSC) from any of the above CA, they are required to register the fact of possessing the DSC through the registration system available in the above mentioned websites. A list of such licensed CAs' are also available in the CCA website [cca.gov.in](http://cca.gov.in). The prospective contractors / bidders may contact the Departmental e-Tendering Help desk located at the 7th Floor of Jalasampad Bhavan at Bidhannagar, Sector-II, Kolkata, through e-mails [irrigationhelpdesk@gmail.com](mailto:irrigationhelpdesk@gmail.com) and [dvcsc6816@gmail.com](mailto:dvcsc6816@gmail.com) or Telephone No. 033-23346098 and the State Level e-Procurement Help Desk located at the Ground Floor of Jalasampad Bhavan through e-mail [wbehelpdesk@gmail.com](mailto: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 and free of cost training on e-Procurement procedure.

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](http://www.wbiwd.gov.in).

**Last date & time of submission of bid electronically, is on 19.11.2021 at 15:30 Hrs.**

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 fulfill the minimum PQ eligibility criteria and are in possession of all the required PQ Credential documents "in original" as these may be summoned by the Tendering authority for verification purposes.

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

## LIST OF WORKS

**e-N.I.T No - WBIW/EE/MHQD/e-NIT-04/2021-22**

| Sl. No. | Name of Work//Project/Procurement*   | Estimated Amount put to Tender (Tender Value) (Rs.) | Earnest Money (EMD) (Rs.) | Time allowed for completion (In English Calendar days) | Source of fund | Minimum eligibility criteria to match the Prequalification (PQ) credential in terms of execution of similar completed previous works contract   | Physical Milestones for completion of each work within stipulated time (Refer to Clause 17 of the General Terms & Conditions of e-NIT) |
|---------|--|---|---------------------------|--|----------------|---|--|
| 1       | 2  | 3   | 4                         | 5  | 6              | 7   | 8  |
| 1       | Supply of Unarmed Security Guards of the Premises of Suri Irrigation Colony, Suri Birbhum for a period of one year under Mayurakshi Head Quarter Division during 2021-22.  | Rs.43,36,325.00                                     | Rs.86,727.00              | 365  | NON PLAN       | <p>Summary of minimum eligibility requirement to technically qualify for the next stage of financial bid in this tender:</p> <p><b>A. Technical PQ Credential:</b></p> <p>i. The bidder must have satisfactorily completed at least 1 (one) 'similar nature' work under Government Sector within last five FYs on the date of publication of this NIT of Gross monetary value of <b>Rs.13.01 Lakh</b> (Gross monetary value is calculated based on final billed value is the Credential Certificate (CC) multiplied by inflationary factor completed within the preceding five FYs of similar in nature, of Gross notional Value not be less than 30% of the amount put to tender of the work for which the bidder chooses to participate in this NIT.</p> <p>(Brief description of PQ work credential desired with corresponding PQ eligibility amount in <b>Rs. 13.01 Lakh</b>)</p> | As per Work Programme prepared and uploaded by the Tender Inviting Authority in the form of Bar Chart                                  |
| 2       | Supply of Unarmed Security Guards of the Premises of Tilpara Barrage Section & Godown at Tilpara of Tilpara Barrage Sub-Division, Suri Birbhum for a period of one year under Mayurakshi Head Quarter Division during 2021-22. | Rs.25,27,472.00                                     | Rs.50,549.00              | 365  | NON PLAN       | <p>Summary of minimum eligibility requirement to technically qualify for the next stage of financial bid in this tender:</p> <p><b>A. Technical PQ Credential:</b></p> <p>i. The bidder must have satisfactorily completed at least 1 (one) 'similar nature' work under Government Sector within last five FYs on the date of publication of this NIT of Gross monetary value of <b>Rs.7.59 Lakh</b> (Gross monetary value is calculated based on final billed value is the Credential Certificate (CC) multiplied by inflationary factor completed within the preceding five FYs of similar in nature, of Gross notional Value not be less than 30% of the amount put to tender of the work for which the bidder chooses to participate in this NIT.</p> <p>(Brief description of PQ work credential desired with corresponding PQ eligibility amount in <b>Rs. 7.59 Lakh</b>)</p>   | As per Work Programme prepared and uploaded by the Tender Inviting Authority in the form of Bar Chart                                  |
| 3       | Supply of Unarmed Security Guards of the Premises of Mayureswar Irrigation Sub-Division office, Mayureswar, Birbhum for a period of one year under Mayurakshi Head Quarter Division during 2021-22.                            | Rs.11,66,525.00                                     | Rs.23,331.00              | 365  | NON PLAN       | <p>Summary of minimum eligibility requirement to technically qualify for the next stage of financial bid in this tender:</p> <p><b>A. Technical PQ Credential:</b></p> <p>i. The bidder must have satisfactorily completed at least 1 (one) 'similar nature' work under Government Sector within last five FYs on the date of publication of this NIT of Gross monetary value of <b>Rs.3.50 Lakh</b> (Gross monetary value is calculated</p>  | As per Work Programme prepared and uploaded by the Tender Inviting Authority in the form of Bar Chart                                  |

|   |   |                 |              |     |          |   |   |
|---|---|-----------------|--------------|-----|----------|---|---|
|   |   |                 |              |     |          | <p>based on final billed value is the Credential Certificate (CC) multiplied by inflationary factor completed within the preceding five FYs of similar in nature, of Gross notional Value not be less than 30% of the amount put to tender of the work for which the bidder chooses to participate in this NIT.</p> <p>(Brief description of PQ work credential desired with corresponding PQ eligibility amount in <b>Rs. 3.50 Lakh</b>)</p>   |   |
| 4 | Supply of Unarmed Security Guards of the Premises of Sainthia (I) Sub-Division Office, Sainthia, Labpur Mini Barrage, Labpur, Labpour (I) Section Office, Labpur & Ahamedpur Section Office, Ahamedpur, Birbhum for a period of one year under Mayurakshi Head Quarter Division during 2021-22. | Rs.40,29,958.00 | Rs.80,599.00 | 365 | NON PLAN | <p>Summary of minimum eligibility requirement to technically qualify for the next stage of financial bid in this tender:</p> <p><b>A. Technical PQ Credential:</b></p> <p>i. The bidder must have satisfactorily completed at least 1 (one) 'similar nature' work under Government Sector within last five FYs on the date of publication of this NIT of Gross monetary value of <b>Rs.12.09 Lakh</b> (Gross monetary value is calculated based on final billed value is the Credential Certificate (CC) multiplied by inflationary factor completed within the preceding five FYs of similar in nature, of Gross notional Value not be less than 30% of the amount put to tender of the work for which the bidder chooses to participate in this NIT.</p> <p>(Brief description of PQ work credential desired with corresponding PQ eligibility amount in <b>Rs. 12.09 Lakh</b>)</p> | As per Work Programme prepared and uploaded by the Tender Inviting Authority in the form of Bar Chart |
| 5 | Supply of Unarmed Security Guards of the Premises of Massanjore Dam, Mayurakshi Garden & Mayurakshi Bhaban, Massanjore, Dumka, Jharkhand, for a period of one year under Mayurakshi Head Quarter Division during 2021-22.   | Rs.40,82,839.00 | Rs.81,657.00 | 365 | NON PLAN | <p>Summary of minimum eligibility requirement to technically qualify for the next stage of financial bid in this tender:</p> <p><b>A. Technical PQ Credential:</b></p> <p>i. The bidder must have satisfactorily completed at least 1 (one) 'similar nature' work under Government Sector within last five FYs on the date of publication of this NIT of Gross monetary value of <b>Rs.12.25 Lakh</b> (Gross monetary value is calculated based on final billed value is the Credential Certificate (CC) multiplied by inflationary factor completed within the preceding five FYs of similar in nature, of Gross notional Value not be less than 30% of the amount put to tender of the work for which the bidder chooses to participate in this NIT.</p> <p>(Brief description of PQ work credential desired with corresponding PQ eligibility amount in <b>Rs. 12.25 Lakh</b>)</p> | As per Work Programme prepared and uploaded by the Tender Inviting Authority in the form of Bar Chart |

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

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

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

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

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

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

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

**3. Submission of bid**

**3.1 General procedure for submission of e-bid**

Bids are to be submitted electronically in the on-line mode through the e-Procurement portal [www.wbtenders.gov.in](http://www.wbtenders.gov.in). All documents uploaded by the Tender Inviting Authority forms an integral part of the works contract/Agreement. 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 fill up the financial offer/bid price/ rates in percentage above or below or 'At-Par' in the downloaded BOQ of the work in the designated cell in '**Excel sheet only**', and upload the same in the designated link of the portal as their '*Financial Bid*'. Documents uploaded are virus scanned and required to be digitally signed using their 'Digital Signature Certificates' (DSC). Contractors/bidders should especially take note of all the *Addenda* or *Corrigenda* notices related to the e-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 to be published before expiry of the last date for original validity period of bid submission. Extension of last date and time for bid submission by issuance of a Corrigendum shall not be treated as 2nd Call or Re-tender.

**3.2 Technical Proposal**

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

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

### 3.2 A Descriptions of Technical (Pre-Qual) Covers

- i. **'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' folder:** Contract /Agreement in WB Form No. 2911(i) published in the e-Tender is to be downloaded digitally signed and uploaded during e-bid submission in Agreement\_2911 folder.
- 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, and self declaration on antecedents and performance of the bidder in specimen Form-4.  
All above are to be filled up completely, digitally signed and uploaded during bid submission in "Forms" folder.
- iv. **Drawings folder:** The GAD/Plan/Map published in the e-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. **BAR\_CHART folder:** BAR CHART/Work Programmes in other Networking Methods prepared by TIA in pdf file defining the Physical Milestones of the construction period for implementation of the project is to be downloaded by the bidder digitally signed and again uploaded during e-bid submission in "BAR\_CHART" folder

#### 3.2A.NOTE:

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

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

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

#### My Document Format for uploading in the OID folder:-

| Sl. No. | Category     | Sub-category  | Sub-category description  | Remarks if any                      |
|---------|--------------|---|---|-------------------------------------|
| I       | Certificates | 1. certificates.pdf<br>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.<br><br>2 Valid PAN Card in the name of bidder/organisation<br><br>3 Income Tax Return of current Assessment year or, IT Return of immediate preceding Assessment year whichever is ;atleast available<br><br>4 Valid GSTIN under GST Act & Rules. | Refer to Clause 3.2C(I) for details |

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

\* OID denotes Other Important Documents.

**Note:**

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

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

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

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

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

- i. For Partnership Firms: Documents of Registration of Partnership Firms in the certified copy of 'Form No. VIII,' issued under Indian Partnership Act, 1932 (Act-IX of 1932) by the Registrar of Firms. In case a Partnership Firm is yet to receive Form No. VIII, a "Memorandum" issued by the Registrar of Firms may also be accepted.
- ii. For Companies: Incorporation Certificate, valid Trade License or acknowledgement of issuing authority of receipt of application for Trade License / renewal, 'Memorandum of Articles' registered under the Registrar of Companies (ROC) under the Indian Companies Act, List of owners/ Directors/Board Members are to be uploaded with the e-bid.
- iii. For State Registered Co-operative Societies:

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

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

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

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

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

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

- b. No file in Technical / Pre-Qual cover or OID cover folder is allowed by the system to be kept blank/empty. Where ever the forms and documents are uploaded by the 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. 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. No offline document is acceptable from bidders by TEC during evaluation stage.

**3.3 Financial proposal / bid under Financial cover:-**

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

- i. **Bill of Quantities (BOQ):** The contractor/bidder is required to quote the financial offer/bid price or rate as percentage above or below the estimated amount put to tender or 'at-par' with tender value, in the space marked for quoting rate in the BOQ of the tendered work.
- 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 provided in the BOQ will be disqualified and rejected outright. Contractors/bidders willing to quote "at-par" rate shall need to write "0" in the 'space' provided for rates in the BOQ of the tendered work.

**4. 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](http://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 rejection of the bid. Finance Department has exempted from payment of EMD to State Registered Labour Cooperative Societies, Mackintosh Burn Limited, Westinghouse Saxby Farmer Limited & Britannia Engineering Limited only. State & Central Govt SSI Units are exempted from EMD for tenders for procurements and supply of



**Goods only and not works contracts. However, all other PQ credentials are to be fulfilled by each**

**(b) Additional Performance Bank Guarantee:**

“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.

**4A. 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](http://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.

**4B. EMD payment procedure:**

- a. Payment by Net Banking out of any listed bank through ICICI Bank Payment Gateway:
  - i. On selection of Net Banking as the payment mode, the bidder will be directed to ICICI Bank Payment Gateway (along with a string containing a Unique ID) where he/she will select the Bank through which he/she wants to electronically transact the EMD.
  - ii. Bidder will make the payment after entering his Unique ID and password of the bank to process the e-transaction.
  - iii. Bidder will receive a confirmation message on registered mobile phone regarding success/failure of the transaction.
  - iv. If the transaction is successful, the amount paid by the bidder will get credited in the respective Pooling account of the State Government maintained with the Focal Point Branch of ICICI Bank at R.N Mukherjee Road, Kolkata for collection of EMD against unique codes for identification of the 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.

**4C. 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 where under the security deposit will also be collected in connection with the work.
- v. All refunds will be made mandatorily to the Bank account from which the payment of EMD was initiated.
- vi. If the e-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 8 & 9.

**5. Technical Criteria should have:-**

1. Employee's Provident fund, ESIC, P. Tax, GST Registration Certificates with photocopies and code nos.
2. Proof of Establishment & Enlistment with local Government authorities.

**3. Photocopy of valid PSARA License is mandatory.**

4. Copy of Pan Card and last three years I.T Return.
5. Facility for training & grooming of Security and housekeeping Personnel, documentary evidence should provide under same Directorship in case of Private limited/Limited Company.
6. In Addition to the Point no. 8 among fifteen years Experience Company should have minimum six running contracts of providing integrated facility Management Services including Security, Housekeeping, Electrician, Plumber, Receptionist, Waste management, Pest control, Lift operation, Water Distribution management services in west Bengal.
7. Should be enlisted with Central labour Department, for evidence contractor have to submit a valid labour license at least one contract shown in point no. 9.
8. Valid 9001:2015, 14001:2015 (Environment Management System), OHSAS 18001:2007 (Occupational Health & Safety Management System) and SA 8000 Certificate (Social Accountability System) for specially security services, Manpower supply, integrated facility Management Services.

9. Agency has to submit last six months challan of PF, ESIC, GST, and Professional Tax

**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.
- 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.

**7. 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:

- 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            | Description                                  | Multiplying factor to arrive at gross notional amount |
|-----------------|--|---|
| Current         | The financial year of floating of NIT        | 1.00  |
| 1 <sup>st</sup> | 1 year preceding the current financial year  | 1.08  |
| 2 <sup>nd</sup> | 2 years preceding the current financial year | 1.16  |
| 3 <sup>rd</sup> | 3 years preceding the current financial year | 1.26  |
| 4 <sup>th</sup> | 4 years preceding the current financial year | 1.36  |
| 5 <sup>th</sup> | 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 PQ submit work credential of having completed the same job either wholly or partly, then in such case the PQ credential of the principal contractor will be considered while that of the sub-contractor will not be taken into consideration for determining the eligibility criteria of the contractor/bidder during technical evaluation of the 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.

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

Gross notional amount calculated from Credential Certificate (CC) of a single works contract completed within the zone of immediate preceding five financial years on the date of this e-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).

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

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

**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 Tender Evaluation Committee (HTEC/TEC) which were submitted as soft copies in PDF files with their e-bids within a specified time frame, need arising due to any material deviations detected in the uploaded soft copies, leading to specific doubts which could not be cleared by enquiry from issuing authority of these documents or if there is any suppression/distortion/falsification noticed/detected/pointed out at any stage of the e-tender process at any stage prior to signing of Contract-Agreement or the issue of LOA or AOC, the Tender Inviting Authority will immediately bring the matter to the notice of the concerned Chief Engineer and appropriate penal measures as stated in Clause 10 below will be taken. The concerned Chief Engineer then will issue the necessary order in writing with intimation to the defaulting contractor/bidder, other Chief Engineers, Centralized e-Tender Cell and also the Government in the Irrigation & Waterways Department. Copy of the order/starting penal measures should invariably be communicated to the Nodal Officer, e-Governance Cell of the Department with a request for uploading the order in the Departmental website in the link "List of suspended/debarred contractors".

**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 with the approval of I&W Department in the designated link within 1 (one) working day of issuance of such order. The TIA shall recommend the case to HTEC/TEC who with opinion of Chief Engineer will place it before DTC/QBEC/DTTC for approval.

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

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

A Joint Venture or Consortium which is suspended / debarred or which has suspended / debarred member/s and/or partner/s as well as a person/entity who is a member of suspended / debarred Joint Venture or Consortium shall, likewise, not be allowed to participate in any procurement process under Irrigation & Waterways Department during the period of suspension / debarment unless the same has been revoked.

**C. DEFINITION OF TERMS:-**

- i. Bidder:** A person/Contractor/Agency/Company/Society/Corporation participating in the procurement process and/or a Person/Contractor/Agency/Joint Venture/Consortium/ Corporation having an Agreement/ Contract for any procurement with the Department shall be referred as bidder.
- ii. Bid Evaluation Committees or Tender Evaluation Committees (HTEC/TEC/QBEC in short):**
  - a. Bid / Tender Evaluation Committee'(TEC) for the bids upto tender value of Rs. 45.00 lakh (TEC) invited by the Executive Engineer will be comprising of i) Concerned Executive Engineer as Chairperson and Convener, ii) Assistant Engineer concerned to the work as Member, iii) Another Assistant Engineer from Division as Member or the Junior Engineer posted as the Divisional Estimator.
  - b. or, Evaluation Committee constituted by the Department from time to time.
- iii. Consolidated Debarment List:** A list prepared by the Departmental Debarment Committee/Chief Engineer containing the list of bidders debarred by the Irrigation & Waterways Department, Government of West Bengal. The list would be displayed prominently in the designated link in website of the Department clearly stating the period of suspension/debarment.
- iv. Contract implementation:** A process of undertaking a project in accordance with the contract /Agreement documents.
- v. Debarment:** An administrative penalty, in addition to the contract/Agreement provisions, disqualifying a bidder from participating in any procurement process under Irrigation & Waterways Department, Government of West Bengal for a given period.
- vi. Debarred Bidder:** A Bidder who was disqualified by the competent authority of the Irrigation & Waterways Department, Government of West Bengal.
- vii. Department:** Irrigation & Waterways Department, Government of West Bengal
- viii. Entity:** A person/Contractor/Agency/Joint Venture/Consortium/Corporation participating in the procurement process and/or a

Person/Contractor/Agency/Joint Venture/Consortium/Corporation having an agreement/ contract for any procurement with the Department shall be referred as entity.

- ix. **Offence:** A violation or breach of the Constitution of India, laws, regulations, laid down procedure, etc under Prevention of Corruption Act, 1988, Code of Criminal Procedure, 1973 u/s 195(1) and Section 197(1), Competition Act, 2007 and IT Act, 2000 as amended.
- x. **Procurement:** It is the act of buying goods, services or works from an external source. It is favourable the goods, services or works are appropriate and that they are procured at the best possible cost to meet the needs of the acquirer in terms of quality and quantity, time and location.
- xi. **Procuring Entity/Authority:** The officer authorised by the Irrigation & Waterways Department, Government of West Bengal for procurement.
- xii. **Suspension:** Temporary disqualification of a bidder from participating in the procurement process of Irrigation & Waterways Department for a period of 6 (six) months when an offence is made against a bidder.

#### **D GROUNDS FOR SUSPENSION AND DEBARMENT**

- i. Submission of eligibility requirements containing false information or falsified documents.
- ii. Submission of Bids that contain false information or falsified documents, or the concealment of such information in the Bids in order to influence the outcome of eligibility screening or any other stage of the bidding process.
- iii. Unauthorised use of one's name/digital signature certified for purpose of bidding process.
- iv. Any documented unsolicited attempt by a bidder to unduly influence the outcome of the bidding in his favour.
- v. 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 upto maximum 14 working days.

#### **E. CATEGORY OF OFFENSE:**

- a. First degree of offense: Clause 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 (ii) & Clause (iii) of Agreement Form No. WB-2911 and simultaneous debarment for a period of 2 years
- c. Second degree of offense: Any one of the offenses as mentioned under Clause 10 D (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 1<sup>st</sup> degree offence in addition to other penal provisions contained in 1<sup>st</sup> degree offence.

#### **F. Procedure and Rules of Debarment :**

Debarment procedure and rules are published as Departmental Notification to be read in conjunction with the Corrigenda issued

from time to time , as may be seen in the Notification link of the Departmental website wbiwd.gov.in

**G. PENALTY FOR OFFENSE:**

- a. For committing 1<sup>st</sup> degree offense any of the cases referred under Clause 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(i)/ (ii), and simultaneous debarment for a period of six months. Further, in case the offense is detected after completion of work and payment of final bill the Work credential earned would be declared as 'null and void', so that the same cannot be used in future as PQ credential for securing other works contracts in the Irrigation & Waterways Department, together with debarment for a period of six months.
- b. For committing 1<sup>st</sup> degree offense in any of the cases referred under Clause 10 D (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 8<sup>th</sup> or 15<sup>th</sup> working day from date of receipt of LOA /LOI) by the concerned Chief Engineer to be notified in the Departmental website.
- c. For committing 1<sup>st</sup> 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 2<sup>nd</sup> degree offenses under above all categories, period of debarment will be twice the corresponding period for 1<sup>st</sup> degree offenses, in addition to other penal provisions for 1<sup>st</sup> degree offense.

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

In view of introduction of GST with effect from 01.7.2017, all the bidders intending to participate in this e-tender should offer their financial bids inclusive of GST applicable for entire composite works/Procurement of goods & services, labour intensive component contained in the BOQ. Income Tax, Royalty, GST (CGST, SGST, IGST), Construction Workers' Welfare Cess, Labour Insurances EPF and similar other statutory levy / cess will have to be borne by the contractor/bidder and his/her quoted rate should be quoted accordingly after considering all these charges, and no separate payment towards any of the statutory taxes rents or levies shall be made by the work implementing authority.

**12. Site inspection prior to submission of tender**

Before submitting a e-tender, the intending contractor/bidder should make themselves acquainted thoroughly with the local conditions prevailing at site of implementation of the work by undertaking field inspections and taking into consideration all probable factors and difficulties to be involved during execution of the work as per specification in all respects including transportation of materials, communication facilities, climate conditions, nature of soil, availability of local labourers and market rates prevailing in the locality etc. and no claim whatsoever will be entertained on those accounts afterwards. The contractor/bidder may also contact the office of the designated Assistant Engineer/Executive Engineer Mayurakshi Head Quarters Division in between 11.30 hours to 16.30 hours on any working day, prior to the date of last date for submission of bid in the e-tender.

**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.

**14. Opening & evaluation of tender**

**14.1 Opening of a Technical Proposal**

All works above tender value of Rs 5.00 lakh for which e-tendering is mandatory shall be awarded through open tenders without reservation for any particular class of contractors/bidders. Notices for open off-line tenders for each tender value below Rs 5.00 lakh shall include such clauses as is notified by the Department from time to time.

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

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

#### 14.2 Process of Technical Evaluation in a tender

Within 24 hours of uploading the TBO summery sheet containing Preliminary Technical Qualification result, any of the aggrieved bidder, may seek clarification / redressal / review from the TEC on the list of bidders, in writing/through e-mail with supporting facts / figures / documents. If such clarification /review relates to eligibility of other bidders, on the grounds of submission of false/ forged / manipulated / inappropriate credentials, modalities prescribed in the Departmental Notification shall be followed. In case, the review only seeks the eligibility of the applicant himself, views of the Tender Evaluation Committee (TEC) 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 TEC, he/she may appeal to the concerned Chief Engineer within 24 hours of receipt of communication from the TEC. The concerned Chief Engineer will dispose such complaints jointly, in associated with at least another available Chief Engineer within next 2 working days. Thereafter final Technical Evaluation Sheet (TBE) of the technically qualified bidders would be uploaded, after incorporating modifications if required. The TIA shall while uploading the final TBE summery sheet accept or reject electronically the admitted bids based on the advice of TEC as per TBE summery sheet. Thus at this stage the rejected bidders will get back their EMD. e-mail communication in official e-mail address of TIA or TAA shall be treated as a valid mode of communication. The minimum time period from date of TBO summery sheet uploading and TBE summery sheet uploading shall be 4 working days or more.

#### 14.3 Uploading the list of technically qualified contractors/bidders

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

#### 14.4 Opening and Evaluation of Financial Proposal/bid

- i. Financial proposals of the bidders/contractors declared technically qualified by the Bid/Tender Evaluation Committee (TEC) 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 platform.
- iv. If the Tender Accepting Authority (TAA) is satisfied that the rate obtained is fair and reasonable and there is no scope of further lowering down of rate, he/she may after having the comparative statement test checked by the Divisional Accountant / Divisional Accounts Officer attached to his office and after their acceptance upload the financial bid evaluation summary sheet or result containing the name of contractors/bidders and the rates quoted by them against each work.
- v. If there is any scope for lowering down of rate in the opinion of the Tender Accepting Authority being abnormally high, i.e above 10% of the amount put to tender (Tender value), the e-NIT shall be cancelled and invited afresh 2<sup>nd</sup> or 3<sup>rd</sup> re-tender. **No post tender negotiations are permitted.**
- vi. If there is any scope for lowering down of rate in the opinion of the Tender Accepting Authority being abnormally high above 10% of the amount put to tender i.e Tender value, the e-NIT shall be cancelled and invited afresh. No post tender negotiation is permitted.
- vii. If there is no contractor/bidder or the number of contractors / bidders in the 1<sup>st</sup> 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 2<sup>nd</sup> call e-Tender or even 3<sup>rd</sup> 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.
- viii. 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.
- ix. 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.

If the lowest (L1) bidder/contractor backs out there should be Re-tendering in a transparent manner. In such a situation the TIA may call for re-tender with bid submission time period should normally be 14 days for value above Rs. 10.00 lakh, and 7 days for value exceeding Rs. 1.00 lakh but up to Rs. 10.00 lakh.

#### 14.5 Tender Accepting Authority (TAA)

Authority to which the power has been delegated to accept tenders as per latest Finance Department Notification will function as

the Tender Accepting Authority (TAA) for evaluation of technical and financial proposals of works having tender value within his/her range of acceptance.

As per present delegation, TAA for different tenders within the range above Rs 0.10 Lakh upto Rs 45.00 Lakh would be as follows:

- i. For e-Tenders of value up to Rs 45.0 lakh (above Rs 5.00 lakh and up to Rs 45.0 lakh): Executive- Engineer Mayurakshi Head Quarters Division, I&W Directorate.
- ii. For off-line tenders of value from Rs 3.0 Lakh up to Rs 5.0 Lakh is to be tendered in a single bid system in off-line mode to be accepted by Executive Engineer Mayurakshi Head Quarters Division, I&W Directorate. [off-line single bid Tenders]
- iii. For tenders of value up to Rs 3.0 Lakh relating to works only, is to be tendered in a single bid system in off-line mode to be accepted by Assistant Engineer Mayurakshi Head Quarters Division , I&W Directorate. [off-line single bid system Manual Tenders] on the basis of technically sanctioned costs.

#### **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. 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 as per delegated power to the Executive Engineer up to Rs 45.00 lakh, and at least three valid bids have been received in the financial bid stage, provided tender value after abatement is within the administratively approved cost. Maximum 5 % excess beyond the 'Tender Value' (Amount put to Tender) may be accepted above tenders of value below Rs 3.00 lakh upto 5% above amount put to tender and also 5% excess over administratively approved amount, proposal for revised administrative approval/Expenditure sanction 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 approval.
- iii. Above 5% and up to 10% of the Tender Value can be recommended to the Government for acceptance by the Departmental Tender Committee (DTC) 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 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 even the appropriate Government along with the recommendation of the DTC for decision, in accordance with Finance Department Memorandum and other relevant orders in vogue at the time of publication of the e-tender.
- vi. For acceptance of L1 bid after 2<sup>nd</sup> / 3<sup>rd</sup> re-tenders is still above 10% of the Tender Value (Amount put to tender), upon specific recommendation of the DTC as mentioned at clause 13.4, with that of the Department shall have to be sent to the Finance Department for decision.
- vii. All above tender rules applies for all types of works and procurements i.e Plan, Non Plan, deposit works tenders.

#### **15. General guidelines for acceptance of e-Tender**

Lowest valid rate should normally be accepted in accordance with the procedure stated in clause 14.4. The Tender Accepting Authority reserves the right to distribute the work amongst more than one contractor/bidder with same L1 rate.

#### **16. 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 receipt of Letter of Invitation (LOI) or Letter of Acceptance (LOA) in his / her favour, will have to execute a 'Formal Agreement' with the Engineer-in-Charge in quadruplicate in W.B.F. 2911(i)/2911(ii) and all other contract documents, entire set of which may be obtained free of cost from the office of the designated Executive Engineer, Mayurakshi Head Quarters Division in-charge of the work tendered.

If the selected L1 bidder fails to turn up even after 30 days after the initial 15 days from the date of uploading of the AOC in the e-Procurement portal or the despatch date of official communication for signing of the Contract/Agreement, the selected bidder is liable for penal actions which shall comprise blacklisting, debarring from future participation in Government tenders, immediate forfeiture of the Earnest Money deposited in the tender, other penal actions as stipulated under clause 9 & 10 of the e-NIT, the Departmental Notification and also contained in contract W.B Form No. 2911(i)/ 2911(ii)/ Agreement.



**17. Payment against bills raised by the contractor**

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

The payment of Running Account as well as final bill for any work based on progress and performance will be made according to availability of fund and no claim due to delay in payment will be entertained.

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

**19. Bid validity**

The Bid will be normally valid for **120 days** from the date of opening of the financial proposal. However, extension of bid validity may be suitably considered by the Tender Inviting Authority, if required, subject to written confirmation of the contractor/bidder (s) to that effect.

**20. 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 by the Engineer-in-Charge with the AOC, defining pertaining to the work. 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 work programme, stating the timeline of such different Milestones. In the event of the contractor failing to comply with any of the conditions related to achieving the 'Milestones' within the specified time period prescribed for such 'Milestone' plus one month, he/she shall be liable to pay compensation.

If the contractor fails to commence and/or maintain required progress over the total time allotted for its full completion and fails to complete the work and clear the site on or before the end of contract period or extended date of completion, he/she shall, without prejudice to any other rights or remedy available under the law on account of such breach, pay as agreed compensation to the implementing Department. This will also apply to items or group of items for which a separate period of completion has been specified.

**21. 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 penalised in terms of clause 8 referred earlier would be applicable.

**22. Critical dates of this e-Tender**

| Sl. No. | Activity   | Date & Time             | Remarks   |
|---------|--|-------------------------|---|
| 1.      | Publishing Date  | 29.10.2021 at 11.00 Hrs | To be made available with the e-NIT in the website  |
| 2.      | Document Download start date   | 29.10.2021 at 11.00 Hrs |   |
| 3.      | Bid submission start date  | 29.10.2021 at 11.00 Hrs |   |
| 4.      | Document Download end date   | 19.11.2021 at 15:30 Hrs |   |
| 5.      | Bid submission end date  | 19.11.2021 at 15:30 Hrs |   |
| 6.      | Technical Bid opening date with preliminary result (TBO Sheet)                   | 22/11/2021 at 10:30 Hrs |   |
| 7.      | Uploading of the list of Technically qualified final list of bidders (TBE Sheet) | To be notified later    | To be notified to all bidders through e-mail & SMS through auto-generation in the system. |
| 8.      | Financial Bid opening date (FBO Sheet)   | To be notified later    |   |
| 9.      | Uploading of CS (Comparative Statement) and uploading of Final FBE Sheet         | To be notified later    |   |
| 10.     | Uploading of the Letter of Invitation / Acceptance LOI/LAO                       | -do-                    |   |
| 11.     | Uploading of Award of Contract (AOC) (Work Order)                                | -do-                    |   |

TIA: e-Tender Inviting Authority (Assistant Engineer/Executive Engineer)

TAA: e-Tender Accepting Authority (Executive Engineer)

### **Additional Terms and Conditions**

1. The Executive Engineer of the Division concerned will be the Engineer-in-charge in respect of the contract and all correspondences concerning rates, claims, change in specification and/or design and similar important matter shall be valid only if made by the Engineer-in-charge. If any correspondence of above Tender is made with Officer other than the Engineer-in-charge for speedy execution of works, the same will not be valid unless requests are sent to the Engineer-in-charge and approved by him. The instruction given by the SDO/AE and 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 dispute, the decision of Engineer-in-charge shall be final and binding.
2. The acceptance of the tender including the right of distributes the work between two or amongst more than two bidder will rest with the quotation accepting Authority without assigning reason thereof. The accepting authority reserves right to reject any or all Quotations without assigning any reason thereof.
3. The bidder must have to comply with the provision of (a) the contract labour (Regulation Abolition) Act, 1967, (b) Apprentice Act, 1961 and (c) Minimum wages Act, 1948 of the notification thereof or any other law relating thereto and the rules made and order issued there under from time to time. They must have registration like Shop & Establishment, Service Tax, Pan, EPF, ESIC, Contract Labour, Professional Tax registration to submit and latest challan etc. PF & ESIC last three months challan. Last two years Service Tax Challan.
4. Imposition of any duty/tax/royalty etc. (Except service tax) whatsoever of its nature (after work order/commencement and completion of the work) is to be borne by the bidder. Original challans of those materials, which are procured by the bidder, may be asked to be submitted for verification.
5. Cess @ 1 % of the cost of works shall be deducted from the gross value of the bill in terms of Finance Dept. order No. 853-F dated 01.02.2006, if applicable. Also it is instructed to register his Establishment under the Act, under the competent Authority, i.e. assistant Labour Commissioner/ Dy. Labour Commissioner of the region concerned.
6. No compensation for idle labour, establishment charge or any other reason such as variation Of price index etc. will be entertained.
7. All possible precautions should be taken for the safety of the people and work force deployed at worksite as per safety rule in force. Contractor will remain responsible for his labour in respect of his liabilities under the workman's compensation Act. etc. He must deal with such cases as promptly as possible.
8. Bidders who will resort to canvassing are liable to be rejected.
9. To ensure the payment to the Security Guard & Supervisor with the minimum wages rate including EPF & MP Act 1952 & ESI as per rule, no compromise would be allowed regarding the Payment of minimum wage rate and EPF & ESI.

### **Special Terms and Conditions**

1. Protection of Bolpur, Kirnahar, Salar, Hinglow Sub Division Irrigation Colony, and Mayurakshi Head Quarters Division compound including all properties against theft, pilferage, loss and sabotage round the clock.
2. Any unknown person/new person/vehicle not acquainted with the security guards are not authorized to enter the office buildings/colony, may be allowed through the gates stipulated by the Engineer-in-charge subject to verification with the due details & entry in the register of security personnel to be maintained at the gates by the agency.
3. To check the incoming and outgoing store/site materials and also to allow the movement of such materials through the gates stipulated by the Engineer-in-charge/concerned S.D.O/AE verification of materials against valid /authorized gate pass /challan/documents is to be made by the Agency. Maintenance of the vehicle movements register(s) duly authenticated by the concerned S.D.O/AE or his authorized representative with detail entry at the own cost of the Agency and in case of any requirement the said register(s) is liable to be produced to concerned SDO/AE or his authorized representative.
4. To ensure effective protection within the entire premises as described above, night patrolling is to be performed vigorously, for the entire office building/residential complex.
5. The agency will be entirely responsible for ensuring round the clock manning for guarding at every entry/exit point of the entire premises including roster patrolling thereof as directed by the Engineer-in-charge in special / abnormal cases. Any absence in duty as mentioned is observed/detected by the Engineer-in-charge or his authorized representative, the person assigned will be treated as absent and no excuse / claim will be entertained from the agency in this respect. Frequent unauthorized absence in duty if observed and no measures, if taken by the agency in spite of reminder made in this respect, the agency will be liable for imposition of penalty as deem fit by the Engineer-in-charge and decision by the Engineer-in-charge is final and binding in this respect to avoid repetition of laxity in performance of duty.
6. Disqualification of any guard will debar him to be engaged for duty.
7. Disqualification of a guard, if reported, will be summarily effected, on the following grounds:-
  - i) If any guard is found sleeping in the night shift on duty.
  - ii) If a guard not found in his duty location or found to be engaged in gossiping with outsider during duty hours.
  - iii) If any complained is lodged against a particular guard for immoral/illegal/irresponsible activities.
8. The department reserves the right to ban the engagement of any or all security personnel for any act prejudicial to the interest of the Government.
9. The agency shall be responsible for paying the security guards deployed as per Minimum Wages as prescribed by the Labour Department, Govt. of West Bengal and bonus as per Bonus Act and should not violate the provision as contained in various enactment viz. Contract labour (Regulation & abolition) industrial Dispute Act, Payment of wages Act and all other relevant acts in force.
10. The Department will not compensate for any overtime duty performed and no extra claim will be entertained on the account. The agency must arrange suitable reliever for any guard to be relieved for physical/natural needs.
11. The successful tenderers are liable to maintain personal insurance of the security guards to be deployed.
12. The agency is not permitted to sublet or assign any portion/entire portion/ of the contract to any other person /firm in that case his contract made with the Engineer-in-charge is liable to be cancelled.
13. The contractor is liable to indemnify of the department/residents against losses or damages cost to the departmental/residential properties on account of any involvement by way of reluctant laxity/unauthorized absence/any lapse detrimental to the security aspect of the security.
14. The Department reserves the right to recover the part or whole of any outstanding claim of the department against the contractor from the security money or any outstanding bill.

15. The nos. of security personnel to be required is provisional and may be changed as per requirement of Department with a prior notice of 15 (fifteen) days. Any claim for discarding additional personnel deployed due to actual requirement of department on modified conditions for the overall interest of the department will not entertained.
16. Time of guarding and number of guards in a particular time of guarding may be changed by the competent authority, keeping the total number of guards unchanged in a day.
17. Guards have to sign on an attendance register before joining the duty and at the time of leaving the duty.
18. Minimum number of duties and maximum number of duties in a month will be 25 and 35 respectively by any security personnel.
19. Duty with-out full uniform or any negligence in duty will be treated as absent, and no payment will be allowed for that duty to the concern security personnel.
20. Security personnel, doing night duty, must have to blow whistle in every hours, or as per the direction of the Officer-in-Charge.
21. The security personnel have to reside within two kilometer of place of posting and in case of any untoward incident all personnel must report immediately when called for.
22. The person engaged in night shift, must not continue in next shift.
23. The contractor shall have to make good losses, if any sustained by the Government and /or colony occupants due to lack of guarding and security measures if established after proper enquiry by the competent authority if needed by Engineer-in-charge or competent authority. If the lapses of the agency already recorded and established, question of referring the matter to competent authority will be final and binding.
24. The entire security deposit free off interest will be refunded to the contractor on successful completion of contract period subject to the availability of fund.
- 25) The Engineer-in-charge of the work/DDO may ask to submit the documentary evidences in Support of payment **minimum wages, EPF, bonus** which is statutory obligation of the employer of Security personnel at any time/before making payment of bills.
- 26) The Successful bidder will have to execute the formal agreement in W.B Form no. 2911(ii) within 15 days from the date of acceptance of the rates.
- 27) The analysis of the wages of the Security Guard has been done in accordance with the order issued by ALC, West Bengal for the district considered in Zone A & Zone B. This includes the minimum basic wages per day of the Security Guard and provision for employees' contribution, ESI & Bonus and Labour Cess. Only overhead charge of 8% and contractors' profit 10% are included in arriving final rate per day of the Security Guard. All participating Agencies, during submission of the tender should comply with the minimum wages excluding the Contractors profit (i.e. 10%) otherwise his/her rate will be canceled.**
- 28) A complete set of work order, respective schedule and completion certificate of the same work will be submitted as credential executed within the last five years which will be treated as acceptable credential of the bidder.**

(Digital Signature verified)

(Sd/-)  
Executive Engineer  
Mayurakshi Head Quarters Division  
Irrigation & Waterways Directorate.

**FORM 1**

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

**APPLICATION FOR e-TENDER**

To,  
**The Executive Engineer**  
**Mayurakshi Head Quarters Division, I &W Directorate**

**e- Tender No:- .....**

**Serial No. of Works applied for :- .....**

**Amount put to e-Tender: Rs .....**

Dear Sir,

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 202\_\_\_\_\_

Full name of Bidder / Contractor: \_\_\_\_\_

Name in full of Signatory/s\*: \_\_\_\_\_

In the capacity\* of: \_\_\_\_\_

Duly authorized to sign bid

for & on behalf of (Name of Firm): \_\_\_\_\_

(In block Capital letters or typed)

Office address with seal: .....

Telephone no(s) (office): \_\_\_\_\_

Mobile No: \_\_\_\_\_

Fax No: \_\_\_\_\_

E mail ID: \_\_\_\_\_

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

(DIGITAL SIGNATURE OF BIDDER)

**FORM – 2**

**Declaration against Common Interest**

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

**Ref:- e-NIT No. ....,**

**e-Tender ID No.....**

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

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

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 202\_\_

Full name of Bidder / Contractor: \_\_\_\_\_

Authorised Signatory: \_\_\_\_\_

In the capacity of: \_\_\_\_\_

Duly authorized to sign bid

for & on behalf of (Name of Firm): \_\_\_\_\_

(In block Capital letters or typed)

Office address with seal: .....

Telephone no(s) (office): \_\_\_\_\_

Mobile No: \_\_\_\_\_

Fax No: \_\_\_\_\_

E mail ID: \_\_\_\_\_

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

(DIGITAL SIGNATURE OF BIDDER)

**FORM -4**

**Declaration on antecedents and performance**

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

Ref:- e-NIT No. ....,

e-Tender ID No.....

Work Sl. No.....

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

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

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 202\_\_

Full name of Bidder / Contractor: \_\_\_\_\_

Authorised Signatory: \_\_\_\_\_

In the capacity of: \_\_\_\_\_

Duly authorized to sign bid

for & on behalf of (Name of Firm): \_\_\_\_\_

(In block Capital letters or typed)

Office address with seal: .....

Telephone no(s) (office): \_\_\_\_\_

Mobile No: \_\_\_\_\_

Fax No: \_\_\_\_\_

E mail ID: \_\_\_\_\_

(DIGITAL SIGNATURE OF BIDDER)



**FORM-6\***

**SPECIMEN FORMAT FOR THE BANK GUARANTEE FOR ADDITIONAL PERFORMANCE SECURITY DEPOSIT**

(\*To be submitted only if the bid price quoted by the bidder is below 20% of the estimated cost put to tender, non submission within 7 working days from date of issuance of LOA which may be maximum extended to 14 working days after issuance of LOA/LOI will lead to rejection of selected bidder. Similar standard format issued by RBI approved Bank pledging Bank Guarantee of the required value and period in favour of Engineer-in-Charge is acceptable)

To,

.....(Designation of Engineer-in-Charge)

.....(Office address of Engineer-in-Charge)

.....

WHEREAS (name and address of Contractor) (hereafter called “the Contractor”) has undertaken, in pursuance of Contract No: dated to execute (name of Contract and brief description of Works) (hereinafter called “the Contractor”).

AND WHEREAS it has been stipulated by you in the said Contract that the Contractor shall furnish you with a Bank Guarantee by a Scheduled commercial bank for the sum specified therein for ‘**ADDITIONAL PERFORMANCE SECURITY DEPOSIT**’ for compliance with his obligation in accordance with the Contract:

AND WHEREAS we (Indicate the name of the bank and branch) have agreed to give the Contractor such a Bank Guarantee:

NOW THEREFORE we ; (Indicate the name of bank and branch) hereby affirm that we are the Guarantor and responsible to you on behalf of the Contractor, upto a total of Rs. (amount of guarantee) (in words). We undertake to pay you, upon your first written demand and without cavil or argument, a sum within the limits of (amount of guarantee) as aforesaid without your needing to prove or to show grounds or reasons for your demand for the sum specified therein.

We (Indicate the name of the bank and branch) hereby waive the necessity of your demanding the said debt from the contractor before presenting us with the demand.

We (Indicate the name of the bank and branch) further agree to pay to you any money so demanded notwithstanding any dispute or disputes raised by the contractor(s) in any suit or proceeding pending before any court or Tribunal relating thereto, our liability under this present absolute and unequivocal.

The payment/so made by us under this bond shall be a valid discharge of our liability for payment there under and the contractor(s) shall have no claim against us for making such payment.

We (Indicate the name of the bank and branch) further agree that no change or addition to or other modification of the terms of the Contract or of the works to be performed there under or of any of the contract documents which may be made between you and the contractor shall in any way release us from any liability under this guarantee, and we hereby waive notice of any such change, addition or modification.

We (Indicate the name of the bank and branch) lastly undertake not to revoke this guarantee except with the previous consent of you in writing.

This guarantee shall be valid upto------. It come into force with immediate effect and shall remain in force and valid for a period upto the time of completion of the work under the stated contract plus claim period of six months for the Bank Guarantee. Notwithstanding, anything mentioned above, our liability against this guarantee is

restricted to Rs (Rs. ) and unless a claim in writing is lodged with us within the validity period, i.e upto..... of this guarantee all our liabilities under this guarantee shall cease to exist.

Signed and sealed this day of 20 at

**SIGNED, SEALED AND DELIVERED**

For and on behalf of the BANK by:

(Signature)

(Name)

(Designation)

(Code Number)

(Address)

**NOTES:**

- i. The bank guarantee should contain the name, designation and code number of the officer(s) signing the guarantee The address, telephone number and other details of the Head Office of the Bank as well as of issuing Branch (within West Bengal/AT PAR ANYWHERE IN INDIA only to be accepted) should be mentioned on the covering letter of issuing Branch.

**Memo no. : 892**

**Dated: - 25.10.2021**

**Copy forwarded to –**

1. The Chief Engineer (North), Irrigation & Waterways Directorate, Green Park, Mokdampur, Malda – 732103.
2. The Superintending Engineer; Mayurakshi Canal Circle, Suri, Birbhum.
3. The District Magistrate, Birbhum, Suri, Birbhum.
4. The Sabhadhipati, Birbhum Zilla Parishad, Suri, Birbhum.
5. The Executive Engineer, Mayurakshi South Canals Division, Sriniketan, Birbhum.
6. The Executive Engineer, Mayurakshi North Canal Division, Rampurhat, Birbhum.
7. The District Information & cultural officer, Birbhum, Suri, Birbhum for information & wide circulation.
- 8-11. The Sub Divisional Officer, Sainthia / Mayureswar / Tilpara Barrage / Massanjore Dam Sub Divn.
12. Notice Board, Mayurakshi Head Quarters Division, Birbhum.
13. Accounts Section, Mayurakshi Head Quarters Division, Suri, Birbhum.
14. Cash Section, Mayurakshi Head Quarters Division, Suri, Birbhum.
15. Estimating Branch, Mayurakshi Head Quarters Division, Suri, Birbhum.

**Sd/-**  
**Executive Engineer**  
**Mayurakshi Head Quarters Division**  
**Suri, Birbhum**

Government of West Bengal  
Finance Department  
Audit Branch, Group T,  
File No: 329975

No.201-F(Y)

Date: 18<sup>th</sup> January, 2021

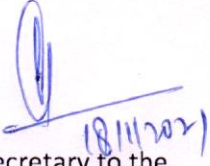
MEMORANDUM

**Sub : Reduced Performance Security @ 3%**

As per existing Rules and provisions, Performance Security/Security Deposit is obtained from the successful bidder at the rate of ten percent of the value of the contract to ensure due performance of the contract.

- II. The Government of India has recently reduced the rate of Performance Security for all existing contracts as well for all tenders/contracts issued/concluded till 31.12.2021 from the existing 5-10% to 3% of the value of the contract on receipt of requests from different quarters for such reduction.
- III. In view of the above, it is decided that the performance security for all existing contracts or the contracts which will be entered into within 31.12.2021 shall be reduced to 3% from the existing 10%. However, the benefit of reduced Performance Security will not be given in the contracts under disputes wherein arbitration or court proceedings have already been started or are contemplated.
- IV. In all contracts where Performance Security will be reduced to 3% in view of above stipulations, the reduced rate of Performance Security shall continue for the entire duration of the contract and there should be no subsequent increase in Performance Security even beyond 31.12.2021. However there shall not be any further deduction of performance security from subsequent R A bills if deducted performance security already reached 3% or more of entire value of contract.
- V. Wherever there is compelling circumstances to ask for Performance Security in excess of 3% as stipulated above, the same should be done only with the approval of the next higher authority to the authority competent to enter into agreement for contract, or the Departmental Secretary. Specific reasons justifying the exception shall be recorded.
- VI. However, Additional Performance Security obtained from the bidders in terms of Memo No. 4608-F(Y) dated 18.07.2018 will remain unchanged.
- VII. **Notwithstanding what has been stated above, for cases where more than 3% performance security has already been obtained/deducted, refund of such excess amount is to be done only after the expiry of the Defect Liability Period under consideration.**

This order will take immediate effect.

  
Principal Secretary to the  
Government of West Bengal

Copy forwarded for information and necessary action to:

1. Principal Accountant General (A&E), West Bengal, Treasury Buildings, 2, Government Place West, Kolkata – 700001.
2. Principal Accountant General (Audit), West Bengal, Treasury Buildings, 2, Government Place West, Kolkata – 700001.
3. Accountant General (Receipt Works & Local Bodies Audit), West Bengal, CGO Complex, 3<sup>rd</sup> MSO Building, 5<sup>th</sup> Floor, Block DF, Sector I, Salt Lake, Kolkata – 700064.
4. Additional Chief Secretary / Principal Secretary / Secretary, \_\_\_\_\_  
\_\_\_\_\_ Department
5. Special Secretary/Additional Secretary/Commissioner/Joint Secretary/Deputy Secretary, Finance Department.
6. Financial Advisor, \_\_\_\_\_ Department.
7. Commissioner, \_\_\_\_\_ Division, \_\_\_\_\_  
\_\_\_\_\_
8. Director, \_\_\_\_\_  
\_\_\_\_\_
9. Director of Treasuries & Accounts, West Bengal, Mitra Building, 8, Lyons Range, 3<sup>rd</sup> Floor, Kolkata – 700001.
10. Pay & Accounts Officer, Kolkata Pay & Accounts Office-I, 81/2/2, Phears Lane, Kolkata – 700012.
11. Pay & Accounts Officer, Kolkata Pay & Accounts Office-II, P-1, Hyde Lane, Kolkata – 700073.
12. Pay & Accounts Officer, Kolkata Pay & Accounts Office-III, IB Market, 1<sup>st</sup> Floor, Block IB, Sector III, Salt Lake, Kolkata – 700106.
13. District Magistrate / District Judge / Superintendent of Police, \_\_\_\_\_
14. Sub-Divisional Officer, \_\_\_\_\_
15. Treasury Officer, \_\_\_\_\_
16. Block Development Officer, \_\_\_\_\_
17. Group \_\_\_\_ / \_\_\_\_\_ Branch, Finance Department.
18. Sri Sumit Mitra, Network Administrator, Finance (Budget) Department. He is requested to upload copy of this order in the website of Finance Department.

  
Deputy Secretary to the  
Government of West Bengal



Government of West Bengal  
Finance Department  
Audit Branch

No. 30 -F(Y)

Date: 5<sup>th</sup> January, 2021

MEMORANDUM

In supersession of this Department Memorandum No. 5458-F(Y) dated 27.06.2012, the delegated powers of the Engineer Officers of various Works Executing Departments of the State Government towards 'Tender Acceptance' and 'Technical Sanction' is enhanced in the following manner.

The Works Executing Departments shall incorporate the following amendments in their respective Departmental Code/Manual/Order.

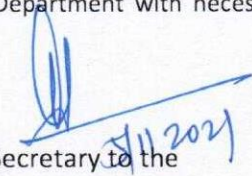
| Designation  | Revised power towards Tender Acceptance  | Revised power towards Technical Sanction | Remarks   |
|--|--|--|---|
| Chief Engineer-                                      |  |  |   |
| i. With approval of Govt. appointed tender committee | i. Full Power**                          | Full Power                               | **The tender committee will recommend to the Chief Engineer to accord sanction for acceptance of the tender or invite re-tender.  |
| ii. Under his own power                              | ii. ₹ 5 crore***                         |  | ***Provided the project has received the administrative approval or the revised administrative approval of the competent authority as and when required under the prescribed rules. |
| Superintending Engineer                              | ₹2.5 crore + 5% excess of tender value** | ₹2.5 crore                               | **Provided sanctioned estimate and budgetary provision is not exceeded because of the excess and the lowest tender is accepted.   |
| Executive Engineer                                   | ₹1 crore + 5% excess of tender value**   | ₹1 crore                                 | **Provided sanctioned estimate and budgetary provision is not exceeded because of the excess and the lowest tender is accepted.   |
| Assistant Engineer                                   | ₹5 lakh + 5% excess of tender value**    | ₹5 lakh*                                 | **Provided sanctioned estimate and budgetary provision is not exceeded because of the excess and the lowest tender is accepted.<br>*With concurrence of Executive Engineer.         |

Note:

**Acceptance of tender at justified rates [Estimated cost prepared by the Works Executing Departments] with allowable variances:**

1) Variation upto 10% may be allowed by the Administrative Departments for peculiar situations and in special circumstances with the recommendation of the Government appointed Tender Committee, provided budgetary provision is not exceeded because of the excess and the lowest tender is accepted. Reasons for doing so shall be placed on record.

2) Tenders above this limit shall not normally be accepted. However, under exceptional circumstances, if the Administrative Department considers the discovered rate as reasonable, they may refer the file to Finance Department with necessary justifications for according concurrence for acceptance.

  
Principal Secretary to the  
Government of West Bengal



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14. Sub-Divisional Officer, \_\_\_\_\_
15. Treasury Officer, \_\_\_\_\_
16. Block Development Officer, \_\_\_\_\_.
17. Sri Sumit Mitra, Network Administrator, Finance (Budget) Department. He is requested to upload copy of this order in the website of Finance Department.



Deputy Secretary to the  
Government of West Bengal