



**Government of West Bengal
Irrigation & Waterways Directorate
OFFICE OF THE SUB-DIVISIONAL OFFICER
MAHANANDA EMBANKMENT SUB-DIVISION NO.-II
Harishchandrapur, MALDA**

NOTICE INVITING TENDER

N.I.T No – WBIW/01/MESD-II OF 2022-23

Separate tenders are being invited by the **Sub-Divisional Officer, Mahananda Embankment Sub-Division No-II, Irrigation & Waterways Directorate, Harishchandrapur, Malda** on behalf of the Governor of West Bengal, for the work mentioned in the list given below from eligible and resourceful contractors/bidders having sufficient credential and financial capability for execution of works of similar nature.

The intending bidders should apply for tender paper in the office of the **Sub-Divisional Officer** Addressing to the **Sub-Divisional Officer, Mahananda Embankment Sub-Division No.-II, Harishchandrapur, Malda.**

Last date & time for application of tender is on 18/05/2022 till 15.00 Hours.

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

Eligibility for participation

Bona fide contractors/bidders, Registered Co-operative Societies, Consortiums and Partnership Firms registered with the State Government and contractors/bidders of equivalent grade or Class, registered with the Union Government / Military Engineering Services / Indian Railways for execution of civil works are eligible to participate depending on the criteria as laid down below in the subsequent para/clause. Joint venture firms are not eligible to participate in tenders. Net notional amount calculated from Completion Certificate (CC) of a single work during last 5 years issued in favour of the contractor/bidder /agency/firm/consortium for a work of similar nature should be **at least 30 %** of the amount put to tender (Tender Value) for the work. However, for consortiums where CC of individual entities of the consortium are to be considered, sum of work values in the CC of individual entities (one for each entity) for works of similar nature should be at least **90%** of the tender value. The power to decide on the criteria of similarity rests without any prejudice solely with the Tender Accepting Authority.

Note: *In case of consortiums, maximum number of constituents shall be restricted to 5 (five) and each of the constituent must have at least some work credential. Individual constituents of a consortium cannot form another consortium.*

Participation in more than one serial of work in a tender

1. Any contractor/bidder may submit bids for a maximum of 50% of the total number of works (rounded up to next higher integer) published in any particular NIT depending on his/her previous work credential and financial capability.
2. 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) 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**. 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**, in case of bidding for more than one serial will lead to rejection of all the bids.

Submission of Tenders

1. Tender documents to be submitted in the tender box in the office of the **Sub-Divisional Officer**, Mahananda Embankment Sub-Division No-II, Harishchandrapur, Malda as per scheduled time & date.
2. a) Separate Tender should be submitted for each Work, as per attached List, in sealed cover inscribing the NIT No., Sl. No. and Name of the work on the envelope and addressing to the Sub-divisional Officer, Mahananda Embankment Sub-division No I, Bhaluka, Malda.

b) Submission of Tenders by post or FAX or through Internet is not allowed.
3. The Tender Document and other relevant Particulars (if any) may be seen by the intending Tenderers or by their duly authorized representative during office hours between 11.00 A.M. and 5.00 P.M. on every working day, till the date of issue of tender papers in the office of the Sub-divisional Officer, Mahananda Embankment Sub-division No-I, Bhaluka, Malda. Any bidders may send his authorized representative to attend interview, bid or any other purpose allowed by tender accepting authority. Such authorization must be submitted in stamped paper in presence of 1st class Judicial Magistrate or Notary Public.

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

| Sl. No. | Folder name | Details | Remarks if any |
|----------|------------------------|--|----------------|
| A | Certificates | 1. Professional Tax Challan 2. PAN Card 3. Valid GSTIN under GST Act & Rules 4. Latest I.T Return Receipt | |
| B | Company Details | 1. Proprietorship Firms (Trade Licence) 2. Partnership Firms (Partnership Deed, Trade- Licence, Form-VIII or Memorandum of Registration) 3. Limited Companies (Incorporation Certificate, Trade- Licence, Memorandum of Articles) 4. Registered Co-operative Societies (Society Registration Certificate, Trade Licence and By-laws, Documents showing latest office- bearers) 5. Consortiums (Form-VIII) or Memorandum and Undertaking. | |
| C | Credential | 1. BOQ duly authenticated by issuing authority and work order. 2. 100% completion certificate for completed work, or 3. Gross bill of 100% completed work including excess and supplementary items not covered in original BOQ. | |
| D | Financial Info | Payment certificate of 100% completed work issued by competent authority or any other related financial information | |

- 4) a. Intending bidders should apply for tender paper addressing to the **Sub-Divisional Officer**, Mahananda Embankment Sub-Division No-II, Harishchandrapur, Malda in their respective letterhead enclosing self attested copies of the following documents, originals of which and other documents like Register of Partnership (for partnership firm) etc. are to be produced on demand, as well as during interview (if any).

b. Professional Tax (PT) deposit challan valid for the current financial year and PAN Card. Application for PAN addressed to the competent authority may also be considered.

c. GST registration certificate

d. Latest Income Tax Return receipt.

- e. Partnership Deed (for partnership firm) and registration form for the Register of Firms. Deed of Consortium / Partnership firm and documents for their registration in the form of certified copy of 'Form No. VIII,' issued under the Indian Partnership Act, 1932 (Act-IX of 1932) by the Registrar of Firms, West Bengal having their registered office at P-15 India- Exchange Place, Todi-Mansion, 10th Floor, Kolkata 700001.

In case a contractor/bidder is yet to receive Form No. VIII, a "Memorandum" issued from the above office may also be accepted. However, consortiums submitting the Memorandum are also required to submit an undertaking in plain paper along with their application in Forms 1 & 2 and submitted its photocopies, that "Copy of Form No. VIII would be submitted to the Tender Inviting Authority before receiving final payment, in case found to be the lowest bidder L1 and

the work is awarded in its favour. Any change in the constituent of the Consortium/Partnership Firm should also be intimated to the office of the Registrar of Firms, Kolkata prior to submission of application in the e-tender and a certified copy of the revised Form No. VIII showing changes in its constituents are required to be submitted. If the Consortium is yet to receive a certified copy of the revised Form No. VIII, it would be required to submit the aforesaid undertaking on-line along with the application.

- f. Society Registration certificate from ARCS and Bye-Laws for Cooperative Societies.

- g. Trade Licence for Proprietorship Firms/Partnership Firms.

- h. Memorandum of Articles for Limited Companies.

- i. Completion certificate / payment certificate for the similar nature of single work worth at least 50% of the 100% completed work value for which tender paper is desired, executed within last 5(five) years.

- j. CC should clearly show the name, postal address, (contact Tel. No. and FAX or e-mail ID if issued outside the jurisdiction of the State) of the office and designation of the officer/ authority issuing the CC for the work along with the name of work and amount put to tender (Tender Value). Illegible certificates and those having incomplete information may be rejected.

CC of works executed in the Irrigation & Waterways Directorate will be considered. CC of works executed in other Departments of the State Government/ organizations viz. Public Works & Public Works (Roads) Department, Public Health Engineering Department, Sundarban Affair Department and other State Government Departments, Zilla Parishads & Panchayat Samities only within the jurisdiction of the State of West Bengal, WBHIDCO, WBSEDCL, WBSETCL, KMDA, KMW&SA, KMC, Other Municipal Authorities and Bodies, HRBC, Engineering Departments of Union Government and Organizations like Farakka Barrage Project (FBP) Authority, Indian Railways, KoPT and companies owned or managed by the Government of West Bengal, i.e. Mackintosh Burn Ltd., Westinghouse Saxby Farmer Limited & Britannia Engineering Ltd. may also be considered. 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 BDO & Ex-officio Executive Officer and Secretary or equivalent administrative officers respectively. It is desirable to have contact telephone and FAX or e-mail address of the signatory of the CC for all offices outside West Bengal.

Such CC is required to be further countersigned by the immediate superior authority of the issuing authority for all cases other than direct Union Government Departments and Ministries outside the State of West Bengal. Also such certificates when issued in all other States other than those directly of State / Union Government Departments and Indian Railways should contain a declaration that the work has been executed to the satisfaction of the concerned Government Organisation and has been declared 100% complete in all respect by the competent authority in the concerned Organisation.

- k. Declaration by the applicants to the effect that there is no other applications for tender paper for work in this N.I.T. in which he/she/ they has/ have common interest. Failure to produce any of the above document may be considered good and sufficient reason for non- issuance of Tender Paper.

1. Normally separate Completion Certificates (CC) of 100% completed works is required to be submitted for participating in separate works under a particular NIT. However CC for one particular work may be considered as eligibility for participation in maximum two numbers of serials of a NIT, provided requisite credential for two such works (to be added arithmetically) satisfies the requirement in all respects out of one such CC. m. Monetary value (Amount put to tender without considering contractual rate) of the 100% completed work or gross final bill value (excluding contractual rate) including supplementary/substitute supplementary, as the case may be, thus submitted will be further multiplied by the following factors to take care of the inflationary effect to arrive at the net notional amount.

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

5. i) Any suppression or misrepresentation of Fact will automatically debar the applicant from participating in any Tender under the Division for at least 3 (three) years from date of Detection in addition to such other penal action as the Government may deem proper.

ii) Intending bidders having not satisfied with the decision of the Tender Paper Issuing Authority may prefer an appeal to the next superior Officer. Necessary communication regarding his appeal to the Appellate Authority must be brought to the notice of such authority within two days after the date of issue of Tender Paper and copy of such communication should also be submitted to the Tender Paper issuing authority within the same period failing which no such Appeal will be entertained.

iii) In case of off-line tenders having tender value below 5.00 lakh, tender documents are available free of cost and also made available in the Departmental website www.wbiwd.gov.in . Cost of tender documents shall not be charged even during execution of formal tender agreements. However, the contractors/bidders may wherever necessary be charged suitably for asking additional multiple copies of drawings, specifications, Schedule of Rates of the Circle/s (SOR) etc. and such fee may be suitably determined by the Tender Inviting Authority as per norms.

iv) No Tender Paper will be supplied by Post.

v) No Tender Paper will be issued after expiry of date & time mentioned in the notice.

6) Cost towards Earnest Money Deposit (EMD), for each work as noted in the List of Works, in the form other than those mentioned below, will not be accepted. Earnest Money Deposit (EMD) must presently be submitted in the form of Bank Draft (BD) / Bankers Cheque (BC) / Deposit Call Receipt (DCR) of any scheduled Commercial Bank in India approved by RBI & having a branch in West Bengal which is to be drawn in favour of the Executive Engineer, Mahananda Embankment Division, payable at Malda. Payment in any other forms viz. NSC, KVP, cheques etc will not be accepted. 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.

a) 7) Earnest money as noted in the list of works will have to be deposited by the contractors. Earnest Money in the form of D.C.R. / Demand Draft should be deposited in the favour of **the Executive Engineer , Mahananda Embankment Division, Green Park, Malda.**

- i) The bidders should quote the rate both in figures & in words on the basis of percentage above/ below /at par the scheduled of rates attached with the tender form and also in the space provided in the Tender Form.
 - ii) Any tender containing over writing is liable to be rejected.
 - iii) All corrections are to be attested under the dated signature of the bidder.
- 8) When a bidder signs his tender in an Indian language, the total amount Tendered should also be written in the same language. In the case of illiterate bidder, The Rates Tendered should be attested by a Witness.
- 9) The bidder who will sign on behalf of a Company or a Firm, must produce the registered documents in support of his competency to enter into an Agreement on behalf of the Company or the Firm under the Indian Partnership Act, failing which the Tender will not be considered and the deposited Earnest Money will be forfeited.
- 10) Any letter or other instrument submitted separately in modification of the sealed Tender will not be entertained.
- 11) The bidders should submit a statement (if desired) at the time of submission of his tender showing the technical staff to be maintained for the work, with their technical qualifications, failing which the Tender may be liable to rejection.
- 12) Conditional Tender, which does not full fill any of the above conditions, and is incomplete in any respect, is liable to summarily rejection.
- 13) GST, Royalty, Building & Construction Workers Cess and all other statutory Levy/Cess etc. will have to be borne by the Contractor (he will have to produce necessary documentary evidence of his having done so at the time of receiving the final payment for the work). It may further be noted that if VAT Registration Certificate along with last return is produce before receiving payment 3% deduction as per present Government Order or as may be notified by the Finance Department from time to time will be made otherwise such deduction shall be 5% as per present norms, or as may be prescribed by the Finance Department.
- 14) As per memorandum no-11-W/2017-18, dated-01.08.17, secretary to the Government of West Bengal, Irrigation & waterways Department Tender evaluation Committee (TEC) is responsible for issuing tender paper. Lowest valid rate should normally be accepted. The **Sub-Divisional Officer, Mahananda Embankment Sub-Division No-II**, Harishchandrapur, Malda, is the accepting authority of Tender and The Tender Accepting Authority dose not bind himself to accept the lowest Tender and reserves the right to reject any or all of the Tenders received, without assigning any reason whatsoever and also reserves the right to distribute the work amongst more than one bidder on technical feasibility.
- 15) The bidders will have to, if so desired by the Tender Accepting Authority, submit his analysis of rate to justify the rate quoted by him.
- 16) The Tenders will be opened, as specified in the List of works in the Chamber of the **Sub-Divisional Officer, Mahananda Embankment Sub-Division No-II**, Harishchandrapur, Malda in presence of the participating bidders or their duly Authorized Representative who may be present at the time of Opening and who may also put their signature in the Tender Opening Register.
- 17) The successful bidder will have to execute the formal agreement in duplicate which will have to be obtained from the office of the Sub Divisional Officer, Mahananda Embankment Sub Division No-II, Harishchandrapur, failing which the Earnest Money shall forthwith stand forfeited in the favour of the Government and the communication of acceptance of the tender/ Formal work order shall automatically stand cancelled.
- 18) If any bidder withdraws his Tender before its acceptance or refuses / fails to convert it into a Contract within a reasonable time, without giving any satisfactory explanation for such withdrawal / refusal / failure, he shall be disqualified for submitting any Tender in this Division / Circle for a minimum period of one year and his case will be referred to the Government for order as to what further action will be taken against him.
- 19) The successful bidder will have to abide by the provisions for the West Bengal Contract Labour (Regulation and Abolition) Rules, 1972 and such other Acts as may be applicable, as will be in force from time to time.
- 20) Hire charge for Tools & Plants machinery, if issued departmentally, will be recovered from Contractor at such rates as will be fixed by the Engineer-in-Charge. The period of Hire Charges of all Tools & Plants machinery issued from the Govt. Godown will be counted from the date of their issuance from the god down and up to the Date of return into the same godown

and the Hire Charges will be recovered from Contractors accordingly. All Tools & Plants Machinery issued to the Contractor must be returned in good condition. In the case of any damage, the cost of repair of such damage or replacement will be recovered from Contractor.

21) In the following cases a Tender may be declared informal and unacceptable.

- b) Correction, alterations, additions etc. if not attested by the bidder.
- c) Earnest Money in the form of D.C.R. / Demand Draft etc which are short deposited and / or not deposited in the favour of **Executive Engineer, Mahananda Embankment Division**.
- d) If the Tender form is not properly filled in respect of the general Description of the work, Estimated Cost, Rate of deduction of Security Deposit etc. in page -2 and other pages as are required to be filled in.
- e) If the specified pages of the Tender Document are not signed by the Tenderer.
- f) If the Tender is not submitted in a Cover properly sealed and name of the work is not indicated on the cover with N.I.T No.

22) For the refund of the Earnest Money of the unsuccessful bidders(s), he / they is / are to apply for the same to the **Executive Engineer, Mahananda Embankment Division**, Green Park, Malda, giving the reference to the work, N.I.T. No., Date of Tender, amount and mode of Earnest Money deposited – all in a complete form. The Earnest Money of All bidders other than the 1st bidder in each case, may be refunded after acceptance of rate in the comparative statement, as early as possible.

23) To verify the Competence Capacity and Financial Stability of the intending bidder(s) the Issuing Authority may demand production of any necessary Document(s) as it may deem necessary.

24) The payment of R/A as well as Final Bill for any work will be made according to the availability of specific Fund and no claim whatsoever for delayed payment will be entertained.

25) Normally Tender Paper for not more than one work in any one NIT will be issued to an applicant who may indicate the Sl. Nos. of the work in the order of priority. However, depending on response to various serials in the NIT Tender Paper Issuing Authority may Issue Tender Paper for any serial even though it may not be preferred by the applicant.

Sd/
Sub-Divisional Officer,
Mahananda Embankment Sub-Division-II.
Harishchandrapur, Malda

Time Schedule of Tender procedure:-

| | | | |
|------|---|------------|-------------------|
| i) | Last Date & Time for application | 18.05.2022 | Upto 15.00 Hours |
| ii) | Last Date & Time for issue of Tender paper. | 19.05.2022 | Upto 15.00 Hours |
| iii) | Date & Time of dropping of Tender box at the dropping centers. | 24.05.2022 | Upto 15.00 Hours |
| iv) | Date & Time of opening of Tender in the office of the undersigned | 24.05.2022 | after 15.30 Hours |

LIST OF WORKS**N.I.T No - WBIW/02/MESD-I OF 2021-22**

| Sl. No. | Name of Work/Scheme/Project | Amount put to Tender (Tender Value) (Rs.) | Earnest Money Deposit (Rs.) | Time allowed for completion (in days) | Source of fund | Minimum eligibility of the contractor/bidder for participating in the tender |
|---------|---|---|-----------------------------|---------------------------------------|----------------|--|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1. | Repairing of pot holes over Mahananda Embankment (Barsoi Branch) in between ch-2.00k.m and ch 4.50 K.m in Block-Harishchandrapur- I, P.S-Harishchandrapur, Dist- Malda. | Rs.290351.00 | Rs.5807.00 | 10 | | Bona fide contractors/bidders having credential of execution of similar nature of work of value 30% of the amount put to tender within the last 5 years on the date of publishing of NIT |
| 2 | Repairing of pot holes over Mahananda Embankment (Barsoi Branch) in between ch-42.00k.m and ch 43.0 K.m in Block- Ratua- II, P.S-Pukhuria, Dist- Malda | Rs.167736.00 | Rs.3355.00 | 10 | | Bona fide contractors/bidders having credential of execution of similar nature of work of value 30% of the amount put to tender within the last 5 years on the date of publishing of NIT |
| 3 | Supply of fine sand and polythene bags for flood preparedness to the Mahananda right Embankment (Barsoi Branch) in between ch-42.00k.m to ch 45.0 K.m in Block-Ratua -II, P.S- Pukhuria, Dist- Malda | Rs.278800.00 | Rs.5576.00 | 10 | | Bona fide contractors/bidders having credential of execution of similar nature of work of value 30% of the amount put to tender within the last 5 years on the date of publishing of NIT |
| 4 | Labour charges including cost of carriage for flood preparedness work to the Mahananda right Embankment (Barsoi Branch) in between ch-40.00k.m to ch 48.0 K.m in Block-Ratua-II, P.S- Pukhuria, Dist- Malda | Rs.210967.00 | Rs.4219.00 | 90 | | Bona fide contractors/bidders having credential of execution of similar nature of work of value 30% of the amount put to tender within the last 5 years on the date of publishing of NIT |
| 5 | Repairing of pot holes over Mahananda Embankment (Barsoi Branch) in between ch-33.00k.m and ch 35.00 K.m in Block- Chanchal II P.S- Chanchal, Dist- Malda | Rs.290656.00 | Rs.5813.00 | 10 | | Bona fide contractors/bidders having credential of execution of similar nature of work of value 30% of the amount put to tender within the last 5 years on the date of publishing of NIT |

| | | | | | | |
|----|---|--------------|------------|----|--|--|
| 6 | Labour charges including cost of carriage for flood preparedness work over Mahananda Embankment (Barsoi Branch) in between ch-0.0k.m to ch 20.0 K.m in Block-Harishchandrapur-I and Chanchal-I, P.S-Harishchandrapur, and Chanchal Dist- Malda. | Rs189707.00 | Rs.3794.00 | 90 | | Bona fide contractors/bidders having credential of execution of similar nature of work of value 30% of the amount put to tender within the last 5 years on the date of publishing of NIT |
| 7 | Labour charges including cost of carriage for flood preparedness work over Mahananda Embankment (Barsoi Branch) in between ch-20.0k.m to ch 40.0 K.m in Block-Chanchal- I & II, P.S-Chanchal, Dist-Malda | Rs 213202.00 | Rs.4264.00 | 90 | | Bona fide contractors/bidders having credential of execution of similar nature of work of value 30% of the amount put to tender within the last 5 years on the date of publishing of NIT |
| 8 | Supply of polythene bags and fine sand for flood preparedness over Mahananda Embankment (Barsoi Branch) at Ashapur rest shed under MESD-II , Harishchandrapur, Dist-Malda | Rs 481944.00 | Rs.9639.00 | 10 | | Bona fide contractors/bidders having credential of execution of similar nature of work of value 30% of the amount put to tender within the last 5 years on the date of publishing of NIT |
| 9 | Maintenance & Repairing of bank protection work on the right bank of river Mahananda at Kobia for a length of 30.0mtr. in Block-Chanchal- I,P.S- Chanchal, Dist - Malda | Rs 483308.00 | Rs.9666.00 | 15 | | Bona fide contractors/bidders having credential of execution of similar nature of work of value 30% of the amount put to tender within the last 5 years on the date of publishing of NIT |
| 10 | Maintenance & Repairing of bank protection work on the right bank of river Mahananda at Islampur for a length of 35.0mtr. in Block-Chanchal- I,P.S- Chanchal, Dist - Malda | Rs 481702.00 | Rs.9634.00 | 15 | | Bona fide contractors/bidders having credential of execution of similar nature of work of value 30% of the amount put to tender within the last 5 years on the date of publishing of NIT |
| 11 | Maintenance & Repairing of bank protection work on the right bank of river Mahananda at Srikrishnapur for a length of 25.0 mtr. in Block-Chanchal- I, P.S- Chanchal, Dist - Malda | Rs 392806.00 | Rs.7856.00 | 15 | | Bona fide contractors/bidders having credential of execution of similar nature of work of value 30% of the amount put to tender within the last 5 years on the date of publishing of NIT |

(* For Consortiums, criteria are to be followed as per Clause in General Terms & Conditions for tenders up to tender value Rs 45.00 lakh.

- 1) Payment will be made as per availability of fund.
- 2) No additional item or supplementary items will be entertained without prior written permission of the tender accepting authority. No payment on account of price escalation will be made under any circumstances. No mobilization advance will be made.

Sd/
Sub-Divisional Officer,
Mahananda Embankment Sub-Division No.-II.
Harishchandrapur, Malda

Additional Terms & Conditions

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

11. The contractor shall arrange for supply of mazdoors, bamboo, ropes, pegs, flags etc. for taking/ layout for the work and for giving and checking measurements by the Engineer-in-Charge or any other Department officer assigned by him / her for which no extra payment claim will be entertained.
12. The contractor should thoroughly scrutinize the site of work and relevant tender documents, drawings etc. before submitting the e-tender and satisfy himself/herself regarding the conditions and nature of works and ascertain the difficulties that might be encountered during execution of the work, carrying of materials to the site of work, availability of drinking water and other human requirements including safety and security etc. Works on river banks may be interrupted due to various unforeseen reasons e.g. sudden rise in water level, inundation of site caused by flood, inaccessibility of working site for carriage and transportation of materials. Engineer-in Charge may instruct the contractor to suspend work that may be subjected to damage due to extremely adverse weather/climatic conditions and no claim will be entertained on this account. There may be variations in alignment, height of embankment or depth of cutting, location of revetment, structures etc. due to change of topography, river conditions and local requirements etc. from the approved work estimate during actual execution of the scheme. For all such modifications or alterations, the tendered rate and contract will remain valid. The contractor will not be entitled to any additional financial claims or extra rates on any of these accounts.
13. A machine page numbered Site Order book (with triplicate copy of every page) will have to be maintained at site by the contractor and the same has to be issued by the Engineer-in-Charge before commencement of work at site. Instructions issued by the inspecting engineer officers not below the rank of Assistant Engineer will be recorded in this site order book and the contractor must note down and comply the same at the earliest.
14. The work will have to be completed within the time period as mentioned in the NIT/e-NIT. A suitable work programmed based on time period allowed for completion of work as per tender is required to be submitted by the contractor within 7(seven) days from the date of receipt of work order which should satisfy the time limit assigned for completion. Contractor should inform in writing the name of his authorized representative/s who are to remain present at site daily during work execution to receive instructions relating to the work, sign measurement book & bills and other Govt. papers etc on the basis of Power of Attorney conferred within 7 (seven) days from the date of receipt of work order, if not done earlier.
15. No compensation is payable for idle labour, contractor's establishment charges or on accounting of reasons such as variations in price indices/escalation cost etc.
16. All sort of precautions should be taken for the safety of the work force deployed by the contractor and also others at worksite as per safety rules as is enforced by appropriate authority. The contractor will remain liable towards payment of compensation in accordance with the Workman's Compensation Act etc for the laborers engaged and should deal to settle such cases promptly. Proper road signs as per P.W.D. practice will have to be erected by the contractor at his own cost while operating on or near public thoroughfares.
17. The contractor will have to maintain technically qualified employees and/or apprentices at site as per prevailing Apprentice Act or as stipulated in the contract.
18. The contractor will have to accept the work programmed as per modification and priority of work as fixed by the Engineer-in-Charge so that most vulnerable reach and/or critical

items are completed before the due date for arrival of monsoon or rise of water level or for any other suitable reason/s.

19. Quantity of various items of work mentioned in the tender schedule or in work order is only tentative. During actual execution, these tendered items may vary, even substantially. Payment will be made on the basis of quantum of work actually done in different items and as per specification and no claim will be entertained for reduction of quantities in some items or due to omission of some tendered items. For execution of quantitative excess in any item beyond 10% or supplementary works, approval of the Superintending Engineer / Chief Engineer Government in the Irrigation & Waterways Department would be required depending on who ever is the Tender Accepting Authority and financial involvement thereof, before making any excess and /or supplementary item work payment but in all cases the final value of the works will not exceed tendered amount of the works as per I&WD Notification circulated vide memo.no.-378(7)-IB/IW/GO/IA/11C(T)-01/2004(pt) dt. 06/02/2017
20. In order to cope up with the present system of e-billing, supply of departmental materials is not encouraged. However, such materials may be issued to the contractor/agency to the extent of requirement, subject to availability, as assessed and following the Treasury system of accounting procedures and in installments as may be suitably decided by the Engineer-in-Charge. Issuance of materials may be of three categories.
 - a) Materials issued directly to the work subject to its recovery from bills.
 - b) Materials issued from departmental Godown subject to its recovery from bills.
 - c) Materials issued free of cost.
21. Any construction materials brought to work site by the contractor must be approved by the Engineer-in-Charge. Materials rejected must be removed by the contractor from work site at his own cost within 24 hrs of issue of the order to that effect. The rates in the schedule are inclusive of cost and carriage of all materials to worksite. The materials will have to be supplied in phases with due intimation to the Sub-Divisional Officer/Assistant Engineer concerned, in conformity with the progress of the work. For special type of materials, i.e. Geo Synthetic Bags, HDPE Bags, Geo- Textile Filters, Geo-jute Filters etc. if any, relevant data sheets containing the name of the manufacturers, test report etc. are also to be submitted on each occasion. Engineer-in-Charge may conduct independent tests of all construction materials on the samples drawn randomly before accordance of approval for using these materials for the work. In this regard decision of Engineer-in-Charge is final and binding.
22. For materials under category 20 (a), (b) & (c), the contractor will act as the custodian thereof. The construction materials will have to be carried from the departmental godown to the worksite by the contractor at his own cost. The contractor shall remain responsible for proper storage & safety of the materials. Suitable godowns/ Stores shall have to be made by the contractor at his/her own cost. Penalty charges shall be levied at higher rates for loss, wastage, misuse. Surplus departmentally issued materials if any, shall have to be returned in the godown or store maintained by the Engineer-in-charge at the contractor's cost within the time frame as fixed by Engineer-in-Charge. Otherwise, the cost at penal rates will be recovered from the bill. Indent for departmental materials shall be submitted by the contractor to the S.D.O/AE at least 7 days in advance of actual requirement. No claim will be entertained for non-issuance of such materials on time, but reasonable extension of time will be granted. All materials, whatever be its category thereof, shall be properly stored by the contractor in suitably maintained godowns near the site of work at his own cost & under no circumstances whatsoever shall any material be removed from the site of work without prior written permission of the Engineer-in-Charge. The contractor shall be responsible for any damage or loss of such materials.
23. The contractor shall also have to satisfy the Engineer-in-Charge regarding proper utilization of materials which have been issued departmentally.

24. Value of the materials, under category (a) & (b) of clause 20, will be recovered from the progressive bills of the contractor in one or successive instalments as may be decided by the Engineer-in-Charge.
25. Requisite quantity of cement as may be required for the work will be supplied from the nearest departmental godown, if stock permits. The issue rate of cement is shown in the Schedule of materials attached with the tender. Excess consumption of cement by more than 5% over the final consumption statement drawn up as per consumption rate specified in the Schedule included in the tender will be recovered at a penal rate shown in schedule.
26. Steel reinforcement rods will be issued if stock permits from the nearest Departmental godown where such material is available in marketable length. While issuing the same, for any particular work, the quantity actually required as per approved drawing shall only be issued. It will be responsibility of the Contractor as well as the Engineer-in-Charge to get this quantity properly utilized in the work. Cut pieces, if any, will not be taken back by the Department. Recovery for the total quantum of steel rods issued will be made at the issue rate shown in the Schedule. In case of use over +10%, deduction will be made at a penal rate shown in the Schedule. This whole principle shall apply in case of other M.S materials like sheet piles and structural steel members as well.
27. All quarries and disputes arising out of the works tender contract is to be brought to the notice of Chairman of the Departmental Dispute Redressal Committee in writing for decision within 15 days.
28. In pursuance of the Memorandum no. 09-W/2017-18 dated 20th July, 2017 of the Secretary to the Govt. of West Bengal, the Additional Performance security shall be obtained from the successful L1 bidder, if the accepted bid value is below 20% of the estimated amount put to tender. The 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 bidder after issuance of Letter of Acceptance / Letter of Invitation (LOA/LOI) and before Award of Contract(AoC) in the form of 'Bank Guarantee' of any Scheduled Bank, payable at Kolkata or / in West Bengal, as per standard format . If the bidder fails to submit the Additional Performance Security within seven working days from the date of issuance of LoA/LoI, its Earnest Money Deposit (EMD) will be summarily forfeited. The said Bank Guarantee shall have to be valid till the end of the contract-Agreement period including extended time period till 100% physical completion of work in all respect and shall be renewed 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 immediately 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 time during the pendency of the contract period after serving suitable notice to the contractor/bidder agency.
29. Necessary provision regarding deduction of security deposit from progressive bills of the contractor in respect of the tendered work shall be governed as per relevant clause of the tender contract-Agreement which will in no way be affected / altered due to this Additional Performance Security.
30. 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).
31. 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 NIT, 7 working days from date of issue of LOA which may be extended upto maximum 14 working days.

Sd/
Sub-Divisional Officer,
Mahananda Embankment Sub-Division No.-II.
Harishchandrapur, Malda

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

1. The Chief Engineer, (North) Irrigation and Waterways Directorate, Govt. of West Bengal, Green Park, Dist. Malda.
2. The Superintending Engineer, North Irrigation Circle-I, Green Park, Malda.
3. The Executive Engineer, Malda Irrigation Division, Malda.
4. The Executive Engineer, Mahananda Embankment Division, Green Park, Malda. He is also requested to publish the tender in the Departmental website also.
5. The District Information Officer, Malda with request to wall up the N.I.T. in office notice board for circulation.
6. The Sub-Divisional Officer, Mahananda Embankment Sub-Division No-I, Bhaluka, Malda.
7. The Sub-Divisional Officer, Mahananda Embankment Sub-Division No III, Malda,
8. The Account Officer, Mahananda Embankment Division, Green Park, Malda.
9. OFFICE NOTICE BOARD.

Sd/

**Sub-Divisional Officer,
Mahananda Embankment Sub-Division No.-II.
Harishchandrapur, Malda**