(Enclosure to I&WD No. 344(8)-IB/IW/O/IB-Misc-72/2016-17 dated 03.12.2019) & modified as per Finance Dept. Memo- 30-F(Y) dated05.01.2021


#### Governmentof WestBengal

**Irrigation&WaterwaysDirectorate**

#### Office ofthe Sub-Divisional Officer, Kangsabati Canals Sub-Division No.-XVII

**P.O.-Bishnupur,Dist.-Bankura,email kcsd17bis@gmail.com**

# NOTICE INVITINGe-TENDER

### e-N.I.T.No-WBIW/SDO/KCSD-XVII/e-NIT-05e/2022-23.

**MemoNo.26 Dated-24.01.2023**

Encrypted electronic bids are hereby invited by the **Sub-Divisional Officer, Kangsabati Canals Sub-Division No.-XVII under Kangsabati Canals Division No.-III of Kangsabati Circle-I, Irrigation & Waterways Directorate** on behalf of theGovernor 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 fromeligible bonafide contractors/agencies/bidders having specified Pre-Qualification (eligibility) credential forexecution of works of similar nature and desired financial capabilities. The technical bid in Part-I wouldrequire 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 Procurementof Goods &Works contract.

Intendingcontractors/biddersdesirousofparticipatinginthise-TenderarerequiredtologintotheGovernment of West Bengal e-Procurement website having URL [https://wbtenders.gov.in](https://wbtenders.gov.in/) and locate theinstant tender by typing**WBIW/SDO** in the searchengine provided therein,or by logging-in using theirassignedUserIDandpassword.TheymayalsovisittheofficialwebsiteoftheIrrigation&WaterwaysDepartment, 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 CertifyingAuthorities (CCA), Department of Electronics & Information Technology (DEIT), Govt. of India. (viz. NIC, n-CodeSolution,Safescrypt,e-MudhraConsumerServicesLtd,TCS,MTNL,IDRBT)orasnotifiedbytheCA

/Finance Department, GoWB from time to time. DSC is given as a USB e-Token. After obtaining the Class 2or Class 3 Digital Signature Certificate (DSC) from any of the above CA, they are required to register the factof possessing the DSC through the registration system available in the above mentioned websites. A list ofsuch licensed CAs’ are also available in the CCA website cca.gov.in. The prospective contractors / biddersmay contact the Departmental e-Tendering Help desk located at the 7th Floor of JalasampadBhavan atBidhannagar, Sector-II, Kolkata, through e-mails irrigationhelpdesk@gmail.com and dvcsc6816@gmail.comor Telephone No. 033-23346098 and the State Level e-Procurement Help Desk located at the Ground Floorof JalasampadBhavan through e-mail wbehelpdesk@gmail.com or Ph:(033)-2334 5161 on any working daybetween 10.30AM-5.30PM for any query on e-Tendering procedure, obtaining DSC and free of cost trainingone-Procurement procedure.

Intending contractors/bidders are required to download the e-Tender documents directly from either of thewebsites stated above. **This is the only mode for submission of a tender**. The interested bidders eligiblefor 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-tendersunderState Governmenthavealsobeenexplainedinthe‘Bidders’Manual’,availableintheDepartmentalwebsite[www.wbiwd.gov.in.](http://www.wbiwd.gov.in/)

### Lastdate&time of submission of bid electronically, is on 08.02.2022 till 14:00HoursIST

The applicant bidders/contractors are advised to carefully read all the ‘Terms & Conditions’ contained in thise-NoticeInvitingTender(e-NIT).He/sheshouldparticularlygothroughtheminimumdesiredPre-qualification(PQ)workscredential&financialeligibilitycriteriaandsatisfyhimself/herselfofallthemandatoryeligibilityrequirements.Biddersdesirousofparticipatinginthee-Tendershouldsubmitbidsonlyif they fulfill the minimum PQ eligibility criteria and are in possession of all the required PQ Credentialdocuments “inoriginal”asthesemaybesummonedbytheTendering authorityforverificationpurposes.

All information published in the website consisting of e-NIT and other related documents uploaded by theselected bidder, WB Works Contract Form No. 2911, Bill of Quantities (BOQ), EMD exemption order, if any,corrigendaanddrawings etc.if any,shallformapartoftheAgreement/contract document.

 LISTOFWORKS

### e-N.I.T.No- WBIW/SDO/KCSD-XVII/e-NIT-05e/2022-23.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Sl.****No.** | **NameofWork//Project/Procurement\*** | **EstimatedAmountput****toTender(TenderValue)**(Rs.) | **EarnestMoney(EMD)**(Rs.) | **Timeallowedforcompletion(InEnglishCalendardays)** | **Sourceoffund** | **MinimumeligibilitycriteriatomatchthePrequalification(PQ)credentialintermsofexecutionofsimilarcompletedpreviousworkscontract** | **PhysicalMilestonesforcompletionofeachworkwithin stipulatedtime (RefertoClause17oftheGeneralTerms&Conditionsofe-NIT)** |
| **1** | **2** | **3** | **4** | **5** | **6** | **7** | **8** |
| **1** | “M/R to Dy-5 in between Ch.62.60 to Ch. 223.60 of K.B.C under Joypur Section of K.C.S.D No.-XVII under K.C.Division No.-III,Bishnupur, Dist.- Bankura during 2022-2023.” | **Rs.484382.00** | **Rs.9,688.00** | **15 Days** | **SDS** | Summaryofminimumeligibilityrequirementtotechnicallyqualifyforthenextstageoffinancialbidinthistender:A.**TechnicalPQCredential**:i. The bidder must have satisfactorily completed at least 1 (one)‘**similar nature’ work** under Government Sector within last three FYs on the date of publication of this NIT of Gross monitory value of **Rs.2,42,191.00** (Gross monitory value iscalculatedbasedonfinalbilledvalueistheCredentialCertificate (CC) multiplied by inflationary factor completed within the preceding three FYs of similar in nature, of Grossnotional Value not be less than 50% of the amount put totender of the work for which the bidder chooses to participate in this NIT.**(Brief description of PQ work credential desired with corresponding PQ eligibility amount in Rupees-242,191.00)** | 5days 30%10days 65%15days 100% |
| **2** | “Supply of labour for guarding and operating various cross regulator& Head Regulator Gates during Rabi irrigation in 2022-23 under K.C.Sub-Division No.-XVII, ofK.C.Division No.-III,Bishnupur ,Bankura. | **Rs. 150467.00** | **Rs.3,009.00** | **Up to 15 th March-2023** | **SDS** | -Do-**(Brief description of PQ work credential desired with corresponding PQ eligibility amount in Rupees-75,234.00)** |  |
| **3** | “M/R to canal from ch.19.00 to 55.00 of Dy-20 canal under PeardobaSection of K.C. Sub-Division No.-XVII under K.C. Division No.-III ,Bishnupur ,Dist.-Bankura , during 2022-23 | **Rs.1,49,537.00** | **Rs.2,991.00** | **15 Days** | **SDS** | -Do-**(Brief description of PQ work credential desired with corresponding PQ eligibility amount in Rupees-74769.00)** | 5days 30%10days 65%15days 100% |
| **4** | “ M/R to canal from ch.241.98 to 273.00 of Dy-20 canal and re-construct outlet pipe under Peardoba Section of Kangsabati Canals Sub-Division No-XVII of Kangsabati Canals Division No-III during the year 2022-2023.” | **Rs.4,78,021.00** | **Rs.9,560.00** | **15 Days** | **SDS** | -Do-**(Brief description of PQ work credential desired with corresponding PQ eligibility amount in Rupees-2,39,011.00)** | 5days 30%10days 65%15days 100% |

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#### (\*)Consortium&JointVenturearenotpermittedto bidinthise-tender.

**(\*\*) The bidders are requested to consider the current gst rates while bidding.**

**No subsequent claim in regard of enhanced gst shall be entertained by the department**.

1. **Eligibilityforparticipationine-tenders underNationalComparativeBidding(NCB)**

AllBonafideIndiancontractors/Agencies/Organizations,RegisteredCompanies/FirmsincludingRegisteredPartnership Firms, Proprietorship Firms, Registered Consortiums & valid ‘Joint Ventures’ and contractors/bidders ofequivalent grade or class having Pre-Qualification (PQ) Credential from the Government of West Bengal, UnionGovernment 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 ofGovernment of India and other Stateshavingsuccessfully completed at least one similar nature project and nototherwise debarred are eligible to participatesubject to fulfilling the other PQ eligibility criteria laid down in thesubsequentparagraph.ConsortiumsandJointVenturesarenotallowedtoparticipateintendersofvalueuptoRs.45.00lakh

#### Participationinmorethanoneserialof workout of list of works publishedin 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 beenpublishedinthate-NIT,subjecttofulfillmentofallofthefollowingconditions:

* 1. There should be full compatibility (matching between the technical PQ credential submitted by the bidder in the formof Credential Certificate (CC) along with other relevant documents as stated under Clause 3.2B III) relating to anywork successfully completed by the bidder and technical PQ criteria specified in the e-NIT for any particular serial ofworks for which the bidder intends to bid. In other words, technical PQ credential certificate along with relevantdocuments submitted for any work should at the minimum; satisfy the technical PQ eligibility criteria specified forthat work. Normally there should be separate CC along with relevant documents for each of the serial of works, thebidder intends to bid and the serial number relevant to the CC should be clearly written on the body of the CC andalso on the other documents stated under Clause 3.2B III. However, the bidder will also reserve the right to submitoneCC along with relevant documents for bidding in more than one serial of work, provided cumulativetechnicalPQ credential of all such serials should be fulfilled by one single CC. In such case also, serial numbers of therelevant 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, incaseofbiddingformorethanoneserialwillleadtorejectionof allthebids.
	2. Average of gross annual turnover of the individual bidder/Organization/consortium or Joint Venture for any threefinancial years within preceding five financial years, as stated under Clause 7V, should not less than the summationof turnoverrequirements of therelevantindividualserialofworksforwhichthebidderintendstobid.

#### Submissionof bid

* 1. **Generalprocedureforsubmissionofe-bid**

Bidsaretobesubmittedelectronicallyintheon-linemodethroughthee-Procurementportal[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 credentialdocuments as asked for in the e-NIT, electronically, through the above portal within the stipulated date and time asnotifiedinthee-NIT.Tendersaretobesubmittedintwoparts/foldersatthesametimeforeachwork,onebeing*‘ TechnicalProposal’*and the other ‘*Financial Proposal’****.*** The contractor/bidder should carefully go through all thedocuments of the e-tender and upload the scanned copies of his/her/their original documents in ‘Portable DocumentFormat’ (PDF) files in thedesignated linksin the web portal as their*‘Technical Bid’*. He/she needs to fill up thefinancial offer/bid price/ rates in percentage above or below or ‘At-Par’ in the downloaded BOQ of the work in thedesignated 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 ofthese documentsforming a part of theire-bid astenderdocument. Documents digitallysigned and uploaded in the e-Tender portal by the contractors/bidders containing requisite information & financialbid/rate comprising ‘*Technical bid’* and ‘*Financial bid’* are submitted concurrently, which cannot be changed after enddate and time fixed for submission of the e-Tender. Extension of last date for e-bid submission or insertion of any ofAddendum/Corrigendum, if unavoidable is to be notified as per Finance Department guidelines in the e-ProcurementPortal, Departmental website, Newspapers and in Notice boards. Whenever any corrigendum is issued irrespective ofthecontent(datecorrigendumorotherwise),duedateofsubmissionofbidwillbeextendedby7(seven)calendardays to be published before expiry of the last date for original validity period of bid submission. Extension of last dateandtimeforbidsubmissionbyissuanceof aCorrigendumshallnotbetreatedas2ndCallorRe-tender.

#### TechnicalProposal

TheTechnicalProposalshouldcontainscannedPDFfilesofalldocumentsinthefollowingstandardisedformatsintwopartcoversorfolders.

|  |  |  |  |
| --- | --- | --- | --- |
| **CoverNo** | **Cover** | **DocumentType** | **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 |

#### 3.2ADescriptionsofTechnical(Pre-Qual)Covers

1. **‘NIT**\_Corrigendum**folder’:**e-NoticeInvitingTenderistobedownloadedinentirely,digitallysignedanduploadedduringe-bidsubmissionin**“NIT\_Corrigendum”**folder.**‘Corrigenda/Addenda’**ifpublishedinconnection with the NIT is to be digitally signed and uploaded in the**‘NIT\_Corrigendum’** folder merged with e-NITdocumentsduringe-bidsubmission.
2. **‘Agreement\_2911’ folder:**Contract /Agreementin WB FormNo. 2911published in the e-Tender is to bedownloadeddigitallysignedanduploadedduringe-bidsubmissioninAgreement\_2911 folder**.**
3. **‘Forms’** folder**:** Applications for e-Tender: vide self declaration format in specimen Form-1 ,Self declaration ofbidder not having common interest as a different bidder organisation in any other work tendered under differentserials of thisparticular e-NITvide specimen Form-2,Bidder information Form and selfdeclaration onantecedents andperformance ofthebidderinspecimenForm-4.

Allabovearetobe filledupcompletely,digitally signedanduploadedduringbidsubmissionin**“Forms”**folder.

1. **Drawingsfolder:**TheGAD/Plan/Mappublishedinthee-TenderbytheTenderInvitingAuthorityistobedownloadedby thebidderdigitallysignedandagainuploadedduringe-bidsubmissionin**“Drawings”**folder
2. **BAR\_CHART folder: BAR CHART/Work Programmes in other Networking Methods** prepared by TIA in pdffiledefiningthePhysicalMilestonesoftheconstructionperiodforimplementationoftheprojectistobedownloadedby thebidderdigitallysignedandagain*uploadedduringe-bidsubmissionin****“BAR\_CHART”****folder*

##### 3.2A.NOTE:

1. *Contractors*/*biddersarerequiredtokeeptrackinthee-Procurementwebsite*[*www.wbtenders.gov.in*](http://www.wbtenders.gov.in/)*foralltheAddenda or Corrigenda notices and documents published in connection with a particular e-Tender within the biddingperiodanduploadthesame,digitallysignedbyhim/heralongwiththeire-bid.TenderssubmittedwithoutAddendum/Corrigendumareliabletobetreatedasincompleteandtherebyliablefordisqualificationorrejection.*
2. *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 biddersfromtheNITine-Procurementportal,filledupcompletelyandagainuploadedwiththeirelectronicbids.*

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

*ItisdesiredthatPDFfilesofallotheroriginaldocumentsinsupportoftheireligibilityandPQcredentialshallhavetobesubmittedundertheOIDcoverfoldersas detailedbelow:*

### MyDocumentFormatforuploadingintheOIDfolder:-

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Sl.****No.** | **Category** | **Sub-category** | **Sub-categorydescription** | **Remarks if****any** |
| **I** | **Certificates** | 1. *certificates.pdf*
2. *GST\_registration\_certificates.pdf*
 | 1 | LatestProfessionalTaxPaymentCertificate(PTPC) or, PT depositchallan for current financialyear or Government Order for exemption in otherStateswhereeverapplicable. | Refer toClause3.2C(I) fordetails |
| 2 | Valid PAN Card in the name of bidder/organisation |
| 3 | Income Tax Return of current Assessment year or,IT Return of immediate preceding Assessment yearwhicheveris ;attestavailable |
| 4 | ValidGSTINunderGST Act&Rules |

\*OIDdenotesOtherImportantDocuments.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **II** | **CompanyDetails** | *companydetails.pdf*1*companydetails.pdf*2 | 1 | ForProprietorshipFirms,PartnershipFirms,RegisteredCompanies,RegisteredCo-operativeSocietiesValid Trade License/ acknowledgement or Receipt ofapplicationforTradeLicense/RevalidationOTHERREQUIREMENTS:- | Refer toClause3.2C(II)fordetails |
| 2 | ForPartnershipFirms:Legally valid Partnership Deed, Form-VIII/Memorandumof Registrationof Registrarof Firms |
| 3 | ForCompanies:IncorporationCertificate,MemorandumofArticlesofROC, List of current owners/ Directors/BoardMembers |
| 4 | ForStateRegisteredCo-operativeSocieties:SocietyRegistrationcertificatefromARCSoftheState,Societyby-Laws,latestavailableAuditor’sReportofDirectorateofCo-operativeAuditwithinproceedingfiveyearsasperSocieties Act&Rules |
| **III** | **Credentialofworks** | 1. Credentialpdf1
2. Credentialpdf2
 | 12 | WorkOrder/AwardofContractorLOA/LOIdulyauthenticated byissuingauthority.Pre-Qualification(PQ)Workcredentialofone100%completedworkasdesiredintheNITastheCredentialCertificate(CC)dulyauthenticatedbycompetent authority. | Refer toClause3.2C(III)fordetails |
| **IV** | **Financialcredential** | Paymentcertificate.pdf | All 100% Payment Certificates of competent authoritiesduring preceding Five FY. IT Return of bidder in theeFY ,or Audited Profit & Loss Accounts statement of anythree financial years within the zone of preceding fivefinancialyearswhicheverisavailable. | Refer toClause3.2C(IV)fordetails |

#### Note:

1. *It is desirable though not mandatory that all documents stated above in PDF files shall be uploaded by biddersonlyinspecifieddesignatedfolders.Nooff-linedocumentwillbeacceptedandconsideredduringtenderevaluation stage from bidders before publishing of final selection of L1 by publication of FBE sheet verification byTECmaybeundertakendirectlyfromPQCredentialissuingauthority.*
2. *Validity of documents submitted by bidder shall be stand determined on the date of publication of tender notice(e-NoticeInvitingTender)*
	1. **C(I)** Self attestedCertificate/s:The documents mentioned below under Serial a, b & c are to be uploaded as ‘PDF’ files inCertificate.pdf1 *(nameofthefileshouldbe****“certificates.pdf”****)*

ThedocumentmentionedunderSl.dbelowistobeuploadedinGSTRegistrationCertificate.pdf2file

* + 1. LatestavailableProfessionalTaxPaymentCertificate(PTPC)orthePTpaymentchallan/ Certificate receiptforcurrentfinancialyear/WaiverOrderofcompetentauthorityinotherStatesifapplicable.
		2. ValidPANCardofthebidder/sarerequired;
		3. IncomeTaxReturnofcurrentAssessmentYearor,ITReturnofimmediateprecedingAssessmentyearunderITAct&Rules,whicheverlatestavailablewiththebidder.
		4. Valid15 digit Goods and ServiceTaxpayerIdentificationNumber(GSTIN) Last Return as per GST Act, 2017& Rules of the bidder to be uploaded *in ‘GST registrationcertificatepdf’.*
	1. **C(II)**AlldocumentsmentionedintabularformatunderClause4.2Bandalsoexplainedbelowshouldbeuploadedduringelectronicbidsubmissionin*PDF*fileswiththe*nameoffile shouldbe****“companydetails.pdf”***
		1. For Partnership Firms: Documents of Registration of Partnership Firms in the certified copy of ‘Form No. VIII,’issuedunderIndianPartnershipAct,1932(Act-IXof1932)bytheRegistrarofFirms.IncaseaPartnershipFirmisyettoreceiveFormNo.VIII,a“Memorandum”issuedbytheRegistrarofFirmsmayalsobeaccepted.
		2. For Companies: Incorporation Certificate, valid Trade License or acknowledgement of issuing authority of receiptofapplicationforTradeLicense/renewal,‘MemorandumofArticles’registeredundertheRegistrarofCompanies(ROC)undertheIndianCompaniesAct,Listofowners/Directors/BoardMembersaretobeuploaded withthee-bid.
		3. ForStateRegisteredCo-operativeSocieties:
			1. 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 allamendments.
			2. LatestAuditor’sReportofDirectorateofCo-operativeAuditunderDepartmentofCo-operative,Governmentof WestBengal within preceding five financial years as per SocietiesAct&Rules.

#### C(III)EligibilitycriteriabasedonCredentialofwork/PrequalificationWorkCredential*“credential.pdf”*

* + 1. Work Order/Award of Contract or the Letter of Acceptance (LoA) duly authenticated by the competent issuingauthorityistobesubmittedunderTechnicalcover*(nameoffileshouldbe“credential.pdf1).*
		2. Pre-Qualification (PQ) credential of one 100% completed work of Gross Notional Value as desired in the NIT astheCredentialCertificate(CC)dulyauthenticatedbycompetentauthority.*(Nameoffileshouldbe“credential.pdf2).*
	1. **C(IV)PQFinancialcredential***:*In*‘****paymentcertificate.pdf’***folderunderOID*co*ver
		1. Disqualification during PQ evaluation of financial capability of bidder shall not be decided during technical bidevaluation by TEC up to work of Rs 45 lakh, as no minimum financial capacity is fixed, exceptif reveals fromdocumentsbeyondanydoubtofthefinancialliquidity&bankruptcyofthebidder,determiningabsoluteincapacitytoexecutethework.
		2. i.‘Paymentcertificate’ofworksauthenticated byappropriateauthorityforpreceding three Financial Years, **or**,
			1. ValidIncomeTaxReturnsforprecedingthree FY,or,
			2. 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 OIDcover, else the bidder may be disqualified. Name, address, contact no. and registration no. of auditor Firm is desirablefor Profit &Loss accounts statement,if submitted.

##### Note:

1. *If the bidder Company/Firm was set up less than three years ago, audited balance sheets and P/L Accountsfor the numberof years since inception are to be submitted under Technical cover and the average value would be evaluated only for the periodsinceinceptionandnotthreeyears.CredentialCertificate(CC)givenasPQWorkCredentialmayalsocontainpaymentcertificateandinthosecasesseparatepaymentcertificateisnotrequired.*
2. *No file in Technical / Pre-Qual cover or OID cover folder is allowed by the system to be kept blank/empty. Where ever theformsanddocumentsareuploadedbytheTenderInvitingAuthority,thesameistobedownloaded,dulyfilledup,convertedtopdffile,andagainuploadedafterdigitalsigning,formingapartoftenderdocument.Theseformats arespecimensorsamplesonly and deviation from specimen format is not a sufficient ground for rejection of the bid. Relevant blank Forms are to befirstly downloaded by the bidders from the NIT in e-Procurement portal, filled up completely and again uploaded with theirelectronicbid.NoofflinedocumentisacceptablefrombiddersbyTECduringevaluationstage.*

#### Financialproposal/bidunderFinancialcover:-

Thefinancialbidshouldcontainthefollowingdocumentsinonecoverorfolder.

1. Bill of Quantities (BOQ): The contractor/bidder is required to quote the financial offer/bid price or rate as percentageabove or below the estimated amount put to tender or ‘at-par’ with tender value, in the space marked for quoting rateintheBOQofthetenderedwork.
2. Onlythedownloadedsheetoftheabovedocument in Excel for matis required to be uploaded by the contractor/bidder.
3. BOQ without a valid numeric rate at the designated space provided in the BOQ will be disqualified and rejectedoutright.Contractors/bidderswillingtoquote“at-par”rateshallneedtowrite“0”inthe‘space’providedforratesintheBOQ of the tendered work.

#### TenderFeeandEarnestMoneyDeposit(EMD)

##### TenderFees:

Entire setofe-Tenderdocumentsare made available free ofcost through theState Government e-Procurementportal having URL [https://wbtenders.gov.in](https://wbtenders.gov.in/) and also available in the e-Procurement link of Departmental website[www.wbiwd.gov.in.](http://www.wbiwd.gov.in/)Costfortenderdocumentswillnotbechargedevenduringexecutionofaformaltendercontract/agreement.However,thecontractors/biddersmaywherevernecessaryshallbesuitablychargedforadditional/multiple copies of drawings, specifications; Schedule of Rates booklet etc. and such fee may be suitablydeterminedbytheTenderInvitingAuthorityasper existing Rules.

##### (a)EarnestMoneyDeposit(EMD):

Bidders are required make payment of Earnest Money (EMD) through the e-Payment banking system, on-line andshould read in advance the instructions carefully, particularly those contained in the challan generated in the e-transactionoftheportal,ifoptedforEMDpaymentthroughRTGS/NEFT.Onlyifthebidderisexemptedfrompaymentof EMD by the State Finance Department, the Govt order for such exemption is to be uploaded while opting for EMDexemption category. Any misjudgement and resultant non submission of EMD will lead to summarily rejection of thebid/\tender. **The quantum of Earnest Money Deposit has been revised as 2 % of the amount put to tender orRs.10Lakh,whicheverislowerforamount put to tenderupto valueofRs.25crore**.

#### AdditionalPerformanceBankGuarantee:

“Additional Performance Security” has been made mandatory which shall be obtained only from the successfulL1bidder, if the accepted bid price is below 20% of tender BOQ or below by more than 20% of the tender BOQ. ThisAdditional Performance Security shall be equal to 10% of the tendered amount i.e. 10% of the L1 bid price. The saidBank Guarantee (BG) shall have to be valid up till the end of the contract/Agreement period including extended timeperiod till 100% physical completion of work in all respects and shall be renewed within validity period accordingly ifrequired. 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 percontract. Ifthe bidder fails to complete the work successfully, this Additional Performance Security shall be forfeited at any timeduringthependencyofthe contractperiod afterservingpropernoticetothecontractor/bidderagency.

Necessary provisions regarding deduction of security deposit from progressive bills of the contractor in respect of thetendered work shall be governed as per relevant clauses of the tender contract/Agreement which will in no way beaffected/alteredduetothis AdditionalPerformanceSecurity.

As per Dept. Memo no.- 306-IB/IW-14011(34)/1/2018-JS(IW),dated: 06.08.2018, the entire Security Deposit or thePerformance Security may be released after physical and financial completion of the project but before expiry of thesecurity period or defect liability period against receipt of equivalent amount of bank guarantee of approved bank ofRBI whichshouldremainvalidtilltheexpiryofthedefectliabilityperiod.

#### Performancesecurity:

Deduction will be made such that the total Performance Security comes to **3 % of the tendered amount** i.e. EarnestMoneyalreadydeposited(&deemedtohavebeenconvertedas apartofPerformanceSecurity)+balanceamounttobe deducted from the RA Bills to make total performance security 3% of the tendered amount. Finance departmentmemorandumno-201-F(Y)dated18.01.2021istobefollowedinrespectofperformancesecurityuntilfurtherorder.

#### 4A. Loginbybidder:

1. A bidder desirous of taking part in e-tender floated by the State Government shall login to the e-Procurement portal oftheGovernmentofWestBengal[www.wbtenders.gov.in](http://www.wbtenders.gov.in/)usinghis/herloginIDandpasswordbyusingtheirvalidDSC.
2. He/shewillselectthetendertobidandinitiatepaymentofpre-definedEMDfixedforthattenderbyselectingfromeitherofthefollowingpaymentsmodes:
	1. Net-Banking(anyofthebankslistedinthe ICICIBankPaymentGateway)incaseofpaymentthrough ICICIBankPaymentGateway;
	2. RTGS/NEFTincaseofoff-linepaymentthroughbidder’sbankaccountsinanyBankapprovedbyRBIinIndia.

#### 4B. EMDpaymentprocedure:

* 1. **PaymentbyNetBankingoutofanylistedbankthroughICICIBankPaymentGateway:**
		1. On selectionofNet Banking as the paymentmode, the bidderwill bedirected to ICICI BankPaymentGateway(along with a string containing a Unique ID) where he/she will select the Bank through which he/she wants toelectronicallytransacttheEMD.
		2. Bidder willmakethepaymentafterenteringhisUnique IDandpasswordof thebanktoprocessthee-transaction.
		3. Bidder willreceiveaconfirmationmessageonregisteredmobilephoneregardingsuccess/failureofthetransaction.
		4. If the transaction is successful, the amount paid by the bidderwill get credited in the respective Pooling account ofthe State Government maintained with the Focal Point Branch of ICICI Bank at R.N Mukherjee Road, Kolkata forcollection ofEMD againstuniquecodesforidentificationofthetenderingauthority.
		5. Ifthetransaction isfailure,thebidderwill again tryforpayment bygoingbacktothefirststep.
	2. **PaymentthroughRTGS/NEFT:**
		1. OnselectionofRTGS/NEFTasthepaymentmode,thee-procurementportalwillshow apre-filledchallanhavingthedetailstoprocess RTGS/NEFTtransaction.
		2. Thebidderwillprintthechallanandusethepre-filledinformationtomakeRTGS/NEFTpaymentusinghis/herowndesignated Bankaccount.
		3. Oncepaymentismade,thebankwouldprovidean“**UTRremittancenumber**”forsuccessfultransactionwithwhichthebidderwillcomebacktothee-Procurementportalafterexpiryof2to3bankworkingdaystoenablethe

NEFT/RTGSprocesstocomplete,in orderto verifythepaymentmadeandcontinuewith his/herbiddingprocess.

* + 1. Ifverification issuccessful,thefundgetcreditedtotherespectivePoolingaccountoftheStateGovernmentmaintained withtheFocalPoint Branch of ICICI BankatR.N MukherjeeRoad, Kolkataforcollection of EMD.
		2. Hereafter, thebidderwillgoto e-Procurementportalforfinalsubmission ofhis/her e-bidwithinpre-assignedlast dateof submissionofe-tender.
		3. Ifthepaymentverificationisunsuccessful,theamountwillbereturnedautomaticallybythesystemtothebidder’sbankaccount.

**Note**: *EMD made through RTGS/NEFT would require additional 2 to 3 bank working days after date of transaction in the bank beforethe 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 iscompleted within last date of on-line submission of his/her tender. However, Net-banking transaction through ICICI bankpaymentGatewaywould beon realtime basis.*

**4C. Refund/SettlementProcessfor EMD:**

1. After decrypting/admitting of all e-bids, the preliminary technical bid evaluation (TBO) summery sheet would be published in the Portal after two working days, and thereafter at least after four working days, the Final technicalevaluation (TBE) summery sheet would be published in the Portal with simultaneous electronic processing in the e-Procurement portal by the tender inviting authority done so that statusof 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 theunsuccessfulbidderstoICICIBankbythee-Procurementportalthroughwebservices.
2. On receipt of the information from the e-Procurement portal, the Bank will refund through an automated process theEMD of the bidders disqualified at the technical evaluation to the respective bidders’ bank accounts from which theymade the EMD on-line transaction. Such refund will take place within T+2 Bank working days where T will mean thedateon which informationonrejectionof bidisuploadedtothe e-ProcurementportalbytheTenderInviting Authority.
3. Once the financial bid evaluation is electronically processed in the e-Procurement portal, EMD of the technicallyqualifiedbiddersotherthanthatoftheL1willberefunded,throughanautomatede-process,totherespectivebidders’ bank accounts from which they made the payment transaction. Such refund will take place within T+2 Bankworking days where T will mean the date on which information on rejection of financial bid is uploaded to the e-Procurementportalbythetenderinvitingauthority.
4. As soon as the L1 bidder is awarded the contract (AOC), the same is processed electronically in the e-Procurementportal for transfer to Government Receipt under Public Accounts ofthe Statethrough GRIPSwhere under thesecuritydepositwillalsobecollected inconnectionwiththework.
5. AllrefundswillbemademandatorilytotheBankaccountfromwhichthepaymentof EMDwasinitiated.
6. If the e-tender is cancelled, then the EMD would be reverted to the original bidder’s bank account automatically aftersuchcancellationorderis processedonlinebytheTenderInvitingAuthority.
7. TIA reserves the right to forfeit the EMD electronically in case of breach/violation of tender rules as defined underclause8&9.

#### Credential Certificate(CC)asPrequalificationWork Credential:

1. Credential Certificates (CC) for one/single 100% completed work within last three 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 asvalid.
2. It isdesirable that CC should preferably contain the name with designation, postal addressofoffice, contactTelephone No./FAX / e-mail ID of the authority issuing the CC for the work along with name of work, amount put totender, date of completion of the work, gross final billed value of the 100% completed work, certificate of issuingauthority indicating successful and satisfactory completion. Illegible certificates, absence of contact details making ittimeconsumingforverificationpurposesofCCissuedbyauthoritiesoutsidetheStateareliabletoberejectedbytheBidEvaluationCommittee(TEC).
3. CredentialCertificates(CC)ofsuccessfullycompletedworksinanyDepartment/autonomousauthorityoftheGovernment of West Bengal will be considered. CC of 100% completed works executed under any other State /CentralGovernmentMinistry/Department/NationalisedFinancialInstitutionOrganisation/Govt.Undertaking/

Govt.EnterprisesorGovernmentInstitutionsorLocalGovernmentBodies(Municipalities,ZillaParishad&PanchayatSamitieswithinWestBengal,willalsobeconsideredasvalidPQCredential.SuchCCaretobeissuedby an officer/authority not below the rank of Executive Engineer / Divisional Engineer /District Engineer/ProjectManager of the State/Union Government Departments/ Organisations; authorised signatories of CC for PanchayatSamitiesandMunicipalitiesshallbetheBDO&ExecutiveOfficersorequivalentadministrativeofficersrespectively.It is desirable to have telephone and FAX or e-mail addresses of the signatory of the CC for all offices outside WestBengalforverificationpurposes.

#### PreQualification(PQ)eligibilitycriteria

Prequalification (PQ) eligibility of a contractor/ bidder based on one single 100% completed works contract andfinancialcapacityachievedwithin thezoneof last three financial years will be determined as per Rules stated below:

1. **I.**Firstly, the gross value of the work submitted as PQ Credential as per CC of similar in nature completed during thecurrent financial year before date of publishing of e-NIT or within the preceding five FY will be multiplied by thefollowingfactorsto takecareofthe inflationaryeffectstoarriveatthegrossnotionalamount.

|  |  |  |
| --- | --- | --- |
| **Year** | **Description** | **Multiplyingfactortoarriveatgrossnotionalamount** |
| Current | ThefinancialyearoffloatingofNIT | 1.00 |
| 1st | 1yearprecedingthecurrentfinancialyear | 1.08 |
| 2nd | 2 years precedingthecurrentfinancial year | 1.16 |
| 3rd | 3years precedingthecurrentfinancial year | 1.26 |
| 4th | 4years precedingthecurrentfinancial year | 1.36 |
| 5th | 5years precedingthecurrentfinancial year | 1.47 |

**Note:** *For cases where twocontractors/bidders are participating in a e-Tender for a particular workare such that one happens tohave worked as a sub-contractor of the other, and both thecontractors/biddersPQ submit work credential of having completedthesamejobeitherwhollyorpartly,theninsuchcasethePQcredentialoftheprincipalcontractorwillbeconsideredwhilethatof the sub-contractor will not be taken into consideration for determining the eligibility criteria of the contractor/bidder duringtechnicalevaluationofthetender.IfthePQCredentialssubmittedbyhithertocontractors/biddersarefordifferentworks,thenboth thePQCredentialswillbe consideredfor determiningtheeligibilitycriteriaof theindividualcontractors/bidders*.

##### 6II.Financialproposalofanycontractor/bidderwillcomeunderconsiderationonlywhentheTechnicalPQcriteriamentionedbelowaresatisfiedandfulfilledintheTechnicalBidEvaluationstage.

Gross notional amount calculated from Credential Certificate (CC) of a single works contract completed within thezoneofimmediateprecedingfivefinancialyearsonthedateofthise-NIT,issuedinfavourofthecontractor/bidder

/Agency/Firm/Registered Co-operative Society for a similar work defined in the tender should be **at least 50%**of theamount put to tender for the work it is bidding. The power to decide on the criteria of similarity rests without anyprejudice,solelywiththeBidEvaluationCommittee(TEC).

#### Additional eligibilitycriteriaforparticipatinginmorethan oneserialofworkinae-NIT

If the same bidder bids separately for on behalf of another Firm or in a different capacity having financial interests inthesamework,allthetenderswouldberejected.

#### Penaltyforsuppression/distortion of factsand withdrawal of L1bidderbeforeacceptance ofLOI

If a contractor/bidder failsto physically produce the originalsofdocuments(especially the Credential Certificatesand P/L accounts with audited balance sheets), or any other bid document on demand by the Tender EvaluationCommittee (HTEC/TEC) which were submitted as soft copies in PDF files with their e-bids within a specified timeframe, need arising due to any material deviations detected in the uploaded soft copies, leading to specific doubtswhichcouldnotbeclearedbyenquiryfromissuingauthorityofthesedocumentsorifthereisanysuppression/distortion/falsification noticed/detected/ pointed out at any stage of the e-tender process at any stageprior to signing of Contract-Agreement or the issue of LOA or AOC, the Tender Inviting Authority will immediatelybring the matter to the notice of the concerned Chief Engineer and appropriate penal measures as stated in Clause10belowwillbetaken.TheconcernedChiefEngineerthenwillissuethenecessaryorderinwritingwithintimationtothedefaultingcontractor/bidder,otherChiefEngineers,Centralizede-TenderCellandalsotheGovernmentintheIrrigation&WaterwaysDepartment.Copyoftheorder/startingpenalmeasuresshouldinvariablybecommunicated to the Nodal Officer, e-Governance Cell of the Department with a request for uploading the order intheDepartmentalwebsiteinthelink“Listofsuspended/debarredcontractors”.

1. ***PROCEDUREFOR SUSPENSIONANDDEBARMENTOF SUPPLIERS/CONTRACTORS***

#### SCOPE:

Theprocedureslaiddowninsubsequentparagraphsshallgovernthesuspensionanddebarmentosuppliers

contractorsand bidders(“Contractors”for brevity)involvedinGovernment procurement for offenses or violations committed duringcompetitive biddingand contract implementation,or even laterfortheworksunderIrrigation&WaterwaysDepartment,GovernmentofWestBengal.TheconcernedChiefEngineershallpublishthesuspensionanddebarmentorderintheDepartmentalwebsitewiththeapprovalofI&WDepartmentinthedesignatedlinkwithin1(one) working day of issuance of such order. The TIA shall recommend the case to HTEC/TEC who with opinion ofChief EngineerwillplaceitbeforeDTC/QBEC/DTTCforapproval.

#### PROHIBITION ON SUSPENDED / DEBARRED PERSONS / ENTITIES TO PARTICIPATE IN THE BIDDING OFGOVERNMENTPROJECTS/CONTRACTSOF THEDEPARTMENT

A person / entity that is suspended / debarred by a procuring entity shall not be allowed to participate in anyprocurement process under Irrigation & Waterways Department during the period of suspension / debarment unlessthesamehas beenrevokedbythecompetentauthority.

A Joint Venture or Consortium which is suspended / debarred or which has suspended / debarred member/s and/orpartner/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 duringtheperiodofsuspension/debarmentunless thesamehas beenrevoked.

#### DEFINITIONOFTERMS:-

* + 1. **Bidder:**Aperson/Contractor/Agency/Company/Society/Corporationparticipatingintheprocurementprocessand/oraPerson/Contractor/Agency/JointVenture/Consortium/CorporationhavinganAgreement/ContractforanyprocurementwiththeDepartmentshallbereferredasbidder.

#### BidEvaluationCommitteesorTenderEvaluationCommittees(HTEC/TEC/QBECinshort):

* + - 1. ‘Bid/TenderEvaluationCommittee’(TEC)forthebidsuptotendervalueofRs.100.00lakh(TEC)invitedbytheExecutive Engineerwillbecomprisingof
				1. ConcernedExecutiveEngineerasChairperson andConvener,
				2. AssistantEngineer concernedtotheworkasMember,
				3. AnotherAssistantEngineerfromDivisionasMemberor,theJuniorEngineerpostedastheDivisionalEstimator.
			2. or,EvaluationCommitteeconstitutedbytheDepartmentfromtimetotime.
		1. **ConsolidatedDebarmentList:**AlistpreparedbytheDepartmentalDebarmentCommittee/ChiefEngineercontaining the list of bidders debarred by the Irrigation & Waterways Department, Government of West Bengal. Thelist would be displayed prominently in the designated link in website of the Department clearly stating the period ofsuspension/debarment.
		2. **Contractimplementation:**Aprocessofundertakingaprojectinaccordancewiththecontract/Agreementdocuments.
		3. **Debarment:** An administrative penalty, in addition to the contract/Agreement provisions, disqualifying a bidder fromparticipatinginanyprocurementprocessunderIrrigation&WaterwaysDepartment,GovernmentofWestBengalforagivenperiod.
		4. **DebarredBidder:**ABidderwhowasdisqualifiedbythecompetentauthorityoftheIrrigation&WaterwaysDepartment,GovernmentofWestBengal.
		5. **Department:**Irrigation&WaterwaysDepartment,GovernmentofWestBengal
		6. **Entity:** A person/Contractor/Agency/Joint Venture/Consortium/Corporation participating in the procurement processand /or a Person/Contractor/Agency/Joint Venture/Consortium/Corporation having an agreement/ contract for anyprocurementwiththeDepartmentshallbereferredasentity.
		7. **Offence:**Aviolationor breach oftheConstitution ofIndia,laws, regulations, laiddown procedure, etc underPrevention of Corruption Act, 1988, Code of Criminal Procedure, 1973 u/s 195(1) and Section 197(1), CompetitionAct,2007andITAct,2000as amended.
		8. **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 theacquirerinterms ofqualityandquantity,timeand location.
		9. **Procuring Entity/Authority:** The officer authorised by the Irrigation & Waterways Department, Government of WestBengalforprocurement.
		10. **Suspension:**TemporarydisqualificationofabidderfromparticipatingintheprocurementprocessofIrrigation&WaterwaysDepartmentforaperiodof 6(six)monthswhenan offenceismadeagainstabidder.

#### D GROUNDSFORSUSPENSION ANDDEBARMENT

1. Submissionofeligibilityrequirementscontainingfalse informationorfalsifieddocuments.
2. SubmissionofBidsthatcontainfalseinformationorfalsifieddocuments,ortheconcealmentofsuchinformationinthe Bidsin ordertoinfluencethe outcomeof eligibilityscreening oranyotherstageof thebiddingprocess.
3. Unauthoriseduseofone’sname/digitalsignaturecertifiedforpurposeofbiddingprocess.
4. Anydocumented unsolicitedattemptbyabiddertoundulyinfluencetheoutcomeof thebidding in hisfavour.
5. All other acts that tend to defeat the purpose of the competitive bidding such as lodging false complaints about anybidder, posting baseless allegation about any officer duly authorised by the Department, restraining any interestedbiddertoparticipateinthebiddingprocessetc.
6. Refusal to accept an award after issuance of‘Letter of Acceptance’ orenterinto contractwiththe Governmentwithoutjustifiablecause.
7. Refusal orfailuretoposttherequiredperformancesecurity/earnestmoney withintheprescribedtimewithoutjustifiable cause.
8. Subcontractingofthecontractoranypartthereofwithoutprior writtenapprovalofthe procuringentity.
9. Failure solely due to fault or negligence of the Contractor, to mobilize and start work within the specified period asmentionedinthe‘LetterofAcceptance’/‘LetterofAcceptancecumworkOrder’/‘WorkOrder’/‘NoticeofProcess’

/‘AwardofContract’etc.ultimatelyresultinginrescindmentofcontract.

1. Failure to fully and faithfully comply with the contractual obligations without valid cause, or failure to comply with anywrittenlawfulinstructionofthe procuringentity orhisrepresentative(s)pursuant to theimplementation ofthecontract,ultimatelyresultinginrescindmentofcontract.
2. For the procurement of goods, unsatisfactory progress in the delivery of the goods by the manufacturer, supplier ordistributor arising from his fault or negligence and / or unsatisfactory or inferior quality of goods, vis a via as laid downinthecontract.
3. Refusal or failure to upload a self-declaration in specimen format of Form-4 to the effect of any previous debarmentimposedbyI&WD,anyotherDepartmentofStateGovernmentandorCentralGovernment.
4. Wilful or deliberate abandonment or non-performance in a project or contract by the contractor / suppliers resulting tosubstantialbreachthereofwithoutlawfuland/or justcause(s).
5. The Additional Performance Security shall have to be submitted by the selected L1 bidder after issuance of Letter ofAcceptance / Letter of Invitation (LoA/LoI) within next 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 WestBengal, as per specimen format Form-6. Else, its/their Earnest Money Deposit (EMD) will be forfeited without anyprejudice bytheTender invitingauthority.

#### CATEGORYOFOFFENSE:

* 1. Firstdegreeofoffense:Clause9D(i)up to(vii),(xii) & (xiv)istobe considered asfirstdegreeof offense.
	2. Any of the offence under Clause (viii) to (xi) & (xiii) shall lead to termination of contract and its determinations inaccordance with Clause (ii) & Clause (iii) of Agreement Form No. WB-2911 and simultaneous debarment for a periodof 2years.
	3. Second degree of offense: Any one of the offenses as mentioned under Clause 9D (i) to (xiv), committed by aparticular bidder/contractor/supplier on more than one occasion would be considered as second degree of offense.Period of debarment will be 2 times the corresponding period penalty applicable for 1st degree offence in addition tootherpenal provisions containedin1stdegreeoffence.

#### PROCEDUREANDRULESOFDEBARMENT:

Debarment procedure and rules are published as Departmental Notification to be read in conjunction with theCorrigendaissuedfromtimetotime,asmaybeseenintheNotificationlinkoftheDepartmentalwebsitewbiwd.gov.in

#### PENALTYFOROFFENSE:

* 1. For committing 1st degree offense any of the cases referred under Clause 9 E (i) to (v), forfeiture of earnest moneyand debarment for a period of six months, if the offense is detected during technical evaluation. If the offence isdetected after award of the contract and if the offender happens to be the agency selected for work, and suchselection is made due to oversight, forthwith termination of the contract and determination of contract value inaccordance with clause 3(ix) (c) of West Bengal Form No. 2911, and simultaneous debarment for a period of sixmonths. Further, in case the offense is detected after completion of work and payment of final bill the Work credentialearned would be declared as ‘null and void’, so that the same cannot be used in future as PQ credential for securingother workscontractsintheIrrigation&WaterwaysDepartment,together withdebarmentforaperiodof sixmonths.
	2. For committing 1st degree offense in any of the cases referred under Clause 9 E (vi), (vii),(xiii) to (xv), forfeiture ofearnest money and debarment for a period of one year. For committing offenses under Clause 9E (xv), debarmentperiod shall be for one calendar year preferably fromthe date on which the due date for submission of BG hadexpired (i.e 8th or 15thworking day from date of receipt of LOA /LOI) by the Departmental Debarment Committee to benotifiedintheDepartmental website.
	3. For committing 1st degree offense in any of the other cases under Clause 9 E (viii) to (xii), termination of contract andits determination in accordance with Clauses 2 & 3 of West Bengal Form No. 2911, including debarment for a periodof twoyears.
	4. For committing 2nd degree offenses under above all categories, period of debarment will be twice the correspondingperiodfor1stdegreeoffenses,inadditiontootherpenalprovisions for1stdegreeoffense.

#### Taxes&dutiestobebornebytheContractor/bidder

In view ofintroduction of GSTwith effect from 01.7.2017, all the biddersintending to participate in thise-tendershould 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),ConstructionWorkers'WelfareCess,LabourInsurancesEPFandsimilarotherstatutorylevy/cesswillhavetobebornebythecontractor/bidderandhis/herquotedrateshouldbequotedaccordinglyafterconsidering all these charges, and no separate payment towards any of the statutory taxes rents or levies shall bemadebytheworkimplementingauthority.

#### Siteinspectionpriorto submissionoftender

Beforesubmittingae-tender,theintendingcontractor/biddershould makethemselvesacquaintedthoroughlywiththelocalconditionsprevailingatsiteofimplementationoftheworkby undertaking fieldinspectionsandtakingintoconsiderationallprobable factorsanddifficultiestobeinvolvedduringexecutionoftheworkasperspecificationinallrespectsincludingtransportationofmaterials,communicationfacilities,climateconditions,natureofsoil,availabilityoflocallabourersandmarketratesprevailinginthelocalityetc.andnoclaimwhatsoeverwillbeentertainedonthoseaccountsafterwards.Thecontractor/biddermay alsocontacttheofficeofthedesignatedAssistantEngineer/Sub-Divisional Officer, KC Sub-Division No.-XVII**,Bishnupur** inbetween11.30hoursto16.30hoursonanyworkingday,priortothedateoflastdateforsubmissionofbidinthee-tender.

#### Conditionalandincompletetender

Conditional and incomplete tenders are liable to be summary rejected. No off-line document will be entertained untilcompletionofe-TenderprocessbywayofacceptanceofL1bidbythecompetentTenderAcceptingAuthority/Government.

#### Opening&evaluationoftender

* 1. **Openingof aTechnical Proposal**

All works above tender value of Rs 5.00 lakh for which e-tendering is mandatory shall be awarded through opentenders without reservation for any particular class of contractors/bidders. Notices for open off-line tenders for eachtendervaluebelowRs 5.00 lakhshallincludesuchclausesasisnotified bytheDepartmentfromtimetotime.

Fore-tendersbidsaretobeinvitedintwopartsunder atwo-bidelectronicsystem.

* + 1. Technical proposal will be opened by theTender Inviting Authority or his/her authorised representative/selectronicallyintheofficialwebsiteusingtheirauthorisedvalidDigitalSignatureCertificate/s(DSC).
		2. Intendingcontractors/biddersmayremainpresentiftheysodesire.
		3. Technical cover documents(videClause3.2.A)willbe opened /decryptedfirstandiffoundinorder,Cover(Folder)forOID(videClause3.2.B)willbeopened/ decrypted.If there is any material deficiency in either ofthe Technicalcoverdocuments,thee-bid isliabletobedisqualified & rejected.
		4. Decrypted(transformed into readable format) documents of the Pre-Qual Technical cover and the OID (OtherImportant Document) Cover will be decrypted/downloaded by the TIA and handed over to the Technical BidEvaluationCommittee(TEC).

#### ProcessofTechnicalEvaluationinatender

Within 24 hours of uploading the TBO summery sheet containing Preliminary Technical Qualification result, any oftheaggrieved 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 ofother bidders, onthe grounds of submission of false/ forged / manipulated / inappropriate credentials, modalities prescribed in theDepartmental Notification shall be followed. In case, the review only seeks the eligibility of theapplicant 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 ChiefEngineer within 24 hours of receipt of communication from the TEC. The concerned Chief Engineer will dispose suchcomplaints jointly, in associated with at least another available Chief Engineer within next 2 working days. There after final Technical EvaluationSheet(TBE)ofthetechnicallyqualifiedbidderswouldbeuploaded,afterincorporating

modifications if required. The TIA shall while uploading the final TBE summery sheetaccept or reject electronicallythe admitted bids based on the advice of TEC as per TBE summery sheet. Thus at this stage the rejected bidders willget back their EMD. e-mail communication in official e-mail address of TIA or TAA shall be treated as a valid mode ofcommunication. The minimum time period from date of TBO summery sheet uploading and TBE summery sheetuploading shall be 4 working days or more. Power is delegated to TEC to verify the authenticity of bid documents byphysically summoning the applicant bidder on the basis of specific doubts which could not be cleared, which shall beexercised in exceptional cases, offline verification before issue of LOA needs to be avoided. Only when all othermethods of undertaking verification have been exhausted, and there is ample reason to believe that fairness of thetechnical bid evaluation of the tender cannot be ensured without such action. Prima-facie, if there is not enoughreason to doubt the authenticity of the bid documents, physical summon of the bidder shall be avoided, as afterdetermination of L1 bid in financial bidding and before issuance of LOA, all the on-line documents would be verifiedwith the originals by the Accounts & estimating branches of the designated Executive Engineer, and reported to theTenderAcceptingAuthoritypriortotheissuanceofLOA.

#### Uploadingthelistoftechnicallyqualifiedcontractors/bidders

* + 1. Pursuant to decision arrived after a Technical Bid Evaluation and review, the final list of eligible contractors/biddershaving successfully qualified in the Technical Evaluationstage for a particular serial of workwhose financialproposalwillbethus considered, is uploadedonthe webportal/s.
		2. Whileevaluating,theTECmay,iftheysodesire,summonthecontractors/biddersandseekfurtherclarification/informationorseek verifications of originalhardcopy of any of/all the documents already submittedon-line,andifthesecannotbeproducedwithinstipulatedtimeframe, theirbidswillbeliablefor rejection.

#### OpeningandEvaluationofFinancialProposal/bid

* + 1. 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 aboveon the pre-notifieddateandtime.
		2. The encrypted copies will be decrypted and the rates will be read out to the contractors/ bidders remaining present atthat time, else they may login their respective e-tender accounts to see the (CS) comparative statement in the webportal.
		3. Afteropeningthefinancialproposal,thepreliminarysummaryresultcontaininginteraliathenamesofcontractors/bidders and the rates quoted by them will be uploaded and the result will be made available in the e-tender platform.
		4. If the Tender Accepting Authority (TAA) issatisfiedthattherateobtainedisfairandreasonableand there is noscope of further lowering down of rate, he/she may after having thecomparative statementtest checked by theDivisional Accountant / Divisional Accounts Officer attached to his office and after their acceptance upload thefinancial bid evaluation summary sheet or result containing the name of contractors/bidders and the rates quoted bythemagainsteachwork.
		5. Ifthere is any scope for lowering down ofrate in the opinion of the Tender Accepting Authority being abnormallyhigh, i. e above 10% of the amount put to tender (Tender value), the e-NIT shall be cancelled and invited afresh 2ndor3rdre-tender.**No posttendernegotiationsarepermitted.**
		6. Ifthere is any scope for lowering down ofrate in the opinion of the Tender Accepting Authority being abnormallyhigh above 10% of the amount put to tender i.e Tender value, the e-NIT shall be cancelled and invited afresh. Noposttendernegotiationis permitted.
		7. If there is no contractor/bidder or the number of contractors / bidders in the 1st tender is less than three, the e-tenderhas to be cancelled. In case of participation of more than three bidders, if the number of technically qualified bidderfalls below three,thetender/e-NITis to be cancelledas welland fresh e-tender vis-a-vis 2nd calle-Tender oreven 3rdcall e-Tender may be invited by suitably lowering of minimum eligibility PQ criteria (work & financial) for bidders withwide publicityofRe-tendernotices throughelectronicandprintmedia.
		8. Finalresultafter acceptance ofthe rate by the Tender Accepting Authority,if within the delegated power ofacceptance would have to be uploaded in the e-Procurement platform. Otherwise, the matter may be referred to theGovernmentAppointedDTCandthe appropriateGovernmentfordecision.
		9. The Tender Accepting Authority may ask the L1 bidder/contractor to submit analysis of rates to justify the ratequotedbythatbidderafterdeclarationoffinancial bid evaluationresult.
		10. If the lowest (L1) bidder/contractor backs out there should be Re-tendering in a transparent manner. In such asituation the TIA may call for re-tender with bid submission time period should normally be 14 days for value aboveRs.10.00lakh,and7daysforvalueexceedingRs.1.00lakhbutuptoRs.10.00lakh.

#### TenderAccepting Authority(TAA)

Authority to which the power has been delegated to accept tenders as per latest Finance Department Notification willfunction as the Tender Accepting Authority (TAA) for evaluation of technical and financial proposals of works havingtendervaluewithinhis/her rangeofacceptance.

Asperpresentdelegation,TAAfordifferenttenderswithintherangeaboveRs**0.10LakhuptoRs100.00Lakh**

wouldbeasfollows:

* + 1. For e-Tenders of value up **to Rs 100.00 lakh** (above Rs 5.00 lakh and up to Rs 100.00 lakh): Executive EngineerBankuraIrrigationDivision,I&WDirectorate.
		2. For tenders of value up **to Rs 5.0 Lakh** relating to works only is to be tendered in a single bid system in off-linemode to be accepted by Assistant Engineer, Bankura Irrigation Division, I&W Directorate. [Off-line single bidsystemManual Tenders]onthe basisoftechnicallysanctionedcosts.

#### Proceduretobe followedforfinalacceptanceoftender&AwardofContract

* + 1. The lowest (L1) financial bid for all works tenders is accepted as a rule. If for any reason the lowest (L1) bid is notaccepted, reference is to be made to the appropriateGovernment for orders asto which of thecontractor /bidderthe workshouldbeawarded.
		2. Maximum 5% excess beyond the ‘Tender Value’ (Amount put to Tender) may be accepted as per delegated powerto the Executive Engineer up to **Rs 100.00 lakh**, and at least three valid bids have been received in the financial bidstage, provided tender value after abatement is within the administratively approved cost. Maximum 5 % excessbeyond the ‘Tender Value’ (Amount put to Tender) may be accepted above tenders of value **above Rs 5.00 lakh**upto 5% above amount put to tender and also 5% excess over administratively approved amount, proposal forrevisedadministrativeapproval/ExpendituresanctionwouldhavetobesubmittedtotheGovernment,butacceptance of tenderandissueofworkordermaynot bekeptpendingforwantof revisedapproval.
		3. Above 5% and up to 10% of the Tender Value can be recommended to the Government for acceptance by theDepartmental Tender Committee (DTC) subject to the conditions that valid technically qualified bids should not beless than three and L1 bid is accepted and tendered amount is within the administratively approved cost. In case ofexcess over administratively approved amount, revised administrative approval would have to submitted to theGovernment but acceptance of tender, and issue of work order may not be kept pending for want of RevisedAdministrative Approval/RevisedFinancialsanction.
		4. If the response to an e-Tender is less than three, then Tender should be invited afresh.Such Re-Tender noticeshall be published in widely circulated dailies as per guidelines and also through e-Tender web portals. Prior toinvitation 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 ascertainwhether (i) it was too much restrictive, say, specifications and qualifications were fixed at higher standards thanrequired, (ii) advertisements in the widely circulated Newspapers were properly published and (iii) other relatedproceduralmatterswereobservedinits entirety.
		5. If the number of valid bids received even in re-tender is less than three, it should be referred by the TIA to the DTCand even the appropriate Government along with the recommendation of the DTC for decision, in accordance withFinanceDepartmentMemorandumandotherrelevantordersinvogueatthetimeofpublication ofthee-tender.
		6. For acceptance of L1 bid after 2nd / 3rd re-tenders is still above 10% of the Tender Value (Amount put to tender),uponspecificrecommendationoftheDTCasmentionedatclause13.4,withthatoftheDepartmentshallhavetobesenttotheFinanceDepartmentfordecision.
		7. Allabovetenderrulesappliesfor alltypesof worksandprocurementsi.ePlan, NonPlan,deposit workstenders.

#### Generalguidelines foracceptanceofe-Tender

Lowest valid rate should normally be accepted in accordance with the procedure stated in clause 13.4. The TenderAccepting Authority reserves the right to distribute the work amongst more than one contractor/bidder with same L1rate.

#### Signingofformaltendercontract/agreementafteracceptanceofe-tender

Thecontractor/bidder,whosebidisapprovedfor acceptance,shallwithin15daysof thereceiptofLetterofInvitation(LOI)orLetterofAcceptance(LOA) inhis /herfavour,willhavetoexecutea‘FormalAgreement’withtheEngineer-in-Chargeinquadruplicatein W .B.F.2911 and all other contract documents,entire set of whichmay beobtained freeofcostfromtheofficeofthedesignated Sub-Divisional Officer, Kangsabati Canals Sub-Division No.-XVII**,Bishnupur** in-charge of the work

tendered.

IftheselectedL1bidderfailstoturnupevenafter30daysaftertheinitial15daysfromthedateofuploadingoftheAOCinthee-ProcurementportalorthedespatchdateofofficialcommunicationforsigningoftheContract/Agreement, theselectedbidderisliable for penal actionswhich shall compriseblacklisting,debarringfromfutureparticipationinGovernmenttenders,immediateforfeitureoftheEarnestMoney depositedinthetender, other penal actions as stipulated under clause 9 & 10 of the e-NIT, the Departmental Notification and alsocontainedincontractW.BFormNo.2911Agreement.

#### Paymentagainstbillsraisedbythecontractor

PeriodicTaxinvoice/billscontainingbiddersGSTIN&otherdetailsneedstobesubmittedbythesupplier/contractor/Agency/bidder to the DDO for raising claims for receiving payments of work executed under thiscontract /upon achieving physical Milestones clearly showing separately the Tax charged in accordance with theprovisions of the GST Act, 2017. Thepayment ofRunning Account aswell as final bill for any workbased onprogress and performance will be made according to availability of fund and no claim due to delay in payment will beentertained.

1. **Nocost escalation**inanyformisincludedintheTenderContractAgreement.

#### Bidvalidity

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

#### DefinitionofPhysicalMilestones:

The time allowedfor carrying outthe work as entered in the tender shall be strictly observed by thecontractor,and which shall be reckonedfrom the date on which the order to commence work is given to the contractor. Theworkshallthroughoutthestipulatedperiodofthecontractbeproceededwithallduediligence.Timebeingdeemed to be the essence of contract on the part of the contractor; the contractor shall be bound in all cases, toachievethe‘Milestones’asspecifiedbytheEngineer-in-ChargewiththeAOC,definingpertainingtothework.The contractorwithin 15 daysofreceipt ofLetterofAcceptance shall submit a workprogramme commensuratewith period of construction in the form of a Bar Chart work programme, stating the timeline of such differentMilestones. In the event of the contractor failing to comply with any of the conditions related to achieving the‘Milestones’withinthespecifiedtimeperiodprescribedforsuch‘Milestone’plusonemonth,he/sheshallbeliabletopay compensation.

Ifthecontractorfailstocommenceand/ormaintainrequiredprogressoverthetotaltimeallotte dforitsfullcompletion and failsto complete the workand clearthe site on orbefore the end ofcontract period orextendeddateofcompletion,he/sheshall,withoutprejudicetoany otherrightsorremedy availableunderthelawonaccountofsuchbreach,payasagreedcompensationtotheimplementingDepartment.Thiswillalsoapplytoitemsorgroupofitemsforwhichaseparateperiodofcompletionhasbeenspecified.

#### WithdrawalofbidinaTender

Withdrawal of e-Tender once the bid has been submitted online and after passing of end date for submission andhas been accepted for further processing, is not allowed. EMD will be forfeited by the Government and the L1bidder/contractorpenalisedintermsofclause8referredearlierwouldbeapplicable.

#### Criticaldatesofthise-Tender

|  |  |  |  |
| --- | --- | --- | --- |
| **Sl.****No.** | **Activity** | **Date&Time** | **Remarks** |
| **1.** | **Publishing Date** |  **20.01.2023 at 17:30Hrs.** | **To be made available with the e-NIT in the website** |
| **2.** | **Document Download startdate** | **20.01.2023 at 17:30Hrs.** |
| **3.** | **Bid submission start date** | **20.01.2023 at 17:30Hrs.** |
| **4.** | **Document Download end date** | **08.02.2023 at 14.00Hrs.** |
| **5.** | **Bid submission end date** | **08.02.2023 at 17.30Hrs.** |
| **6.** | **Technical Bid opening date with** | **09.02.2023 at 13.00Hrs.** |
| **Preliminary result (TBOSheet)** |
| **7.** | **Uploading of the list of Technically qualified finalist of bidders(TBESheet)** | **To be decided by AE/SDO with at least 4 (Four) clearworking days after Technical Bid uploading date in order to enable registering of grievance and decision of Appellate authority,if any).** |  |
| **8.** | **Financial Bid opening date (FBOSheet)** | **To be suitablydecidedby TIA** | **To be notified to all bidders through e-mail&SMS****through auto-generationin** |
| **9.** | **Uploading of CS(ComparativeStatement) and uploading of Final FBESheet** | **To be suitably decided by AE/SDO(TAA)** |
| **10.** |  | **-do-** |
| **Uploading of the Letter of** | **thesystem.** |
| **Invitation/Acceptance LOI/LAO** |  |
| **11.** | **Uploading of Award of Contract** | **-do-** |  |
| **(AOC) (Work Order)** |  |

TIA:e-Tender Inviting Authority (AssistantEngineer) TAA:e-Tender Accepting Authority (AssistantEngineer)

### SpecialTerms&Conditionsofthecontract

1. The Executive Engineer of the concerned Division shall be the Engineer-in-Charge in respect of the works contractand all correspondence concerning rates, claims, change in specifications and/or design and similar importantmatters will be valid only if accepted/recommended by the Engineer-in-Charge. If any correspondence of abovetender is made with Officers other than the Engineer-in-charge for speedy execution of works, the same will not bevalid unless copies are sent to the Engineer-in-Charge and also approved by him/her. Instructions given by theSub-Divisional Officer/Assistant Engineer and the Junior Engineer/Section Officer (SO) on behalf of the Engineer-in-Charge shall also be valid (who have been authorized to carry out the work on behalf of the Engineer-in-Charge)regardingspecification,supervision,approvalofmaterialsandworkmanship.Incaseofdisputerelatingtospecifications and work, the decision of Engineer-in-Charge shall be final and binding. The Engineer-in-Charge willhowever take all decisions relating to works contract only after recommendation/ advice of the Tender AcceptingAuthority. If there is more than the Executive Engineer assigned for the tender, the Chief Engineer would designatethe Engineer-in-Chargeforthework.
2. The tender accepting authority reserves the right to reject any or all tenders without assigning sufficient justificationthereof to the bidder/contractor. No additional or excess work or additional items of work beyond the tenderedamount would be generally allowed. All excess, supplementary or substitute supplementary items of work, ifunavoidable are to be accepted by the Tender Accepting Authority only if the total value of work on completion iswithin the tendered amount. The exiting contract would be terminated after achieving work up to tendered cost(grossvalue) and balanceworkwould be taken upafresh after fresh sanctionandnew tender, exceptin theinterest of public services,inrare& specialcasesunderspecificapprovalof theGovernment.
3. The Contractor/bidder shall have to comply with the provisions of (a) Contract Labour (Regulation & Abolition)Rules, 1970 including its revisions (b) Minimum Wages Act 1948 and the modification thereof or any other lawsrelating theretoaswill beinforcefromtimetotime.
4. Engineer-in-Charge shall not entertain any claim whatsoever from the contractor for payment of compensation onaccount of idle labour on such grounds including non-possession of encumbrance free land. Escalation of cost dueto inflationary effects or any other reason is not permitted during construction period or extended time period ofcontract.
5. Engineer-in-Charge shall not be held liable for any compensation due to machines &equipments becoming idle oranycircumstances includinguntimelyrains,othernaturalcalamities,strikes etc.
6. All statutory taxes, viz. GST / labour welfare cess, labour insurance etc or revision of taxation rates even after AOCor commencement and before final completion of the work are to be borne by the contractor/bidder. Original taxinvoice/challan or bill of those materials, which are procured by the bidder, may be asked to be submitted forverification ifrequired.
7. Labour Welfare Cess @ 1% of the cost of construction works shall be deducted from the Gross value of all worksbills.Alsoitisinstructedtocompulsorily registerhis/herestablishmentundertheAct,underthecompetentregisteringauthority,i.e.AssistantLabourCommissioner/Dy.LabourCommissioneroftheregionfordisbursingPF and ESI benefits of workers. The bidder should be mandatorily be registered online with Employees ProvidentFund Organisation (EPFO) in the on-line system and posses EPF code and all current documents. Penalties andcomplaints due to non compliance of on-line EPF registration and default is the full responsibility of the bidder evenif theTIAis bydefaultthePrincipalemployer.
8. Adjustmentoforiginalbidprices/escalationcost/mobilizationadvance/securedadvanceshallnotbepermittedfor any reason whatsoever due to cost and time over run unless specified otherwise in the contract or the e-NoticeInvitingTender.
9. GST, Cess, License fees, Royalty for construction materials, forest product etc, Toll Tax, Income Tax, FerryCharges and other Statutory Government Taxes as applicable during project implementation are to be paid by thecontractor/bidder.Theratesofsupplyandfinishedworkitemsareinclusiveofthesetaxesandlevy.Taxinvoice/bills needs to be submitted by the supplier/bidder for raising claims under the contract after attaining ofphysicalmilestonesshowingseparatelythetaxchargedin accordancewiththeprovisionsofGSTAct,2017.
10. All working tools & plants, scaffolding, construction of vats & platforms and arrangement ofLabour Camps willhave to be arranged by the contractor at his/her own cost. The contractor shall clear the site of work and restore alldamages made due to the Labour camp, erection of yards and godowns, stores etc within 30 days of completion ofwork.
11. Thecontractorshallsupplymazdoors,bamboos,ropes,pegs,flagsT&P,Machineriesandequipmentsetc.for

layingoutthe workandfortakingandcheckingmeasurementsforwhichnoextra payment willbe made.

1. The contractor/bidder should see the site of works and tender documents, drawings etc. before submitting tenderand satisfy himself/herself regarding the condition and nature of works and ascertain difficulties that might beencountered in executing the work, carrying materials to the site of work, availability of drinking water and otherhuman requirements & security etc. Work on river banks may be interrupted due to a number of unforeseenreasons e.g. sudden rise in water levels, inundation during flood, inaccessibility of working site for carriage ofmaterials. Engineer-in Charge may order the contractor to suspend work that may be subjected to damage byclimate conditions. No claim will be entertained on this account. There may be variation in alignment, height ofembankment or depth of cutting, location of revetment, structures etc. due to change of topography, river conditionand local requirements etc. between the preparation and execution of the scheme for which the tendered rate andcontractwillnotstand invalid.Thecontractorwillnotbeentitledtoanyclaimorextrarate onanyof theseaccounts.
2. A machinepage numberedSite Orderbook(withtriplicate copy)will haveto be maintained atsiteby thecontractor and the same has got to be issued from the Engineer-in-Charge before commencement of work.Instructions given by inspecting officers not below the rank of Assistant Engineer will be recorded in this book andthecontractormustnotedowntheactiontobetakenbyhiminthis connection asquicklyas possible.
3. The contractor shall be bound to comply with all the Central & State Pollution Control Acts & Rules during entireconstruction period.
4. Allpossibleprecautionsshouldbetakenforthesafetyofthepeopleandworkforcedeployedatworksiteaspersafetyruleinforce.ContractorwillremainresponsibleforhislabourinrespectofhisliabilitiesundertheWorkmen’sCompensationActetc.Hemustdealwithsuchcasesaspromptlyaspossible.Properroadsignsasper P.W.D. practice will have to be erected by the contractor at his own cost while operating public thoroughfares.Also,displayboardscontainingbriefdescriptionandnameofprojectwithcompletiontargetdatesshallbeerectedataprominentlocationattheworksitebythecontractorforpublicawareness.Insuranceofworkersandmaterialsistheresponsibilityofthebidderduringentireconstructionperiod.
5. Thecontractorwillhavetomaintainqualifiedtechnicalemployeesand/orApprenticesatsiteasperprevailingApprenticeActorasstipulated inthecontract.Nocompensation forestablishmentcharge willbeentertained.
6. The contractor will have to accept the work programme as per modifications and priority of work fixed by theEngineer-in-Chargesothatmostvulnerablereachand/orvulnerablestretchiscompletedbeforeimpendingmonsoon or rise in river floodwater level or commencement of canal irrigation water release or for other suitablereasons.
7. Quantities of different items of work mentioned in the departmental tender schedule/BOQ or in work order are onlytentative. In actual work, these may vary considerably. Payment will be made on the basis of works actuallycompleted in different items as per specifications and codes, and no additional claim will be entertained forreduction of quantities in some items or for omission of some items. For execution of any additional item orsupplementary works within the tendered value with the total completion value remaining within the acceptedtendered cost, approval of the Tender Accepting Authority/Government in the Irrigation & Waterways Departmentwouldberequired.
8. In order to cope with the present system of e-pradan billing, departmental supply of construction materials isdiscouraged.However,Departmentalmaterialsmaybeissuedtothecontractor/biddertotheextentofrequirements as assessedandfollowingaccountsprocedureinthe Treasury systemofbill paymentandininstalmentsas decidedbytheEngineer-in-Charge. Issueof materials maybe ofthreecategories.
	1. Materialsissueddirectlytotheworkandsubjecttorecovery.
	2. Materialsissuedfrom departmentalgodownandsubjecttorecovery.
	3. Materials issuedfreeofcost.

Decision oftheEngineer-in-Chargeshouldbefinaland bindinginthisregard. Healsostandssolelyresponsible forreconciliation ofaccounts,ifmaterials areissuedtothecontractor.

1. Any materialsbroughttosite by thecontractorsubject to approval oftheEngineer-in-Charge. The rejectedmaterials must be removed by the contractor from the site at his own cost within 48 hours of issue of the order tothat effect. The rates in the schedule are inclusive of cost and carriage of all materials toworksite. The materialswill have to be supplied in phase with due intimation to the Sub-Divisional Officer/Assistant Engineer concerned inconformity with the progress of the work. For special type of materials, i.e. Geo Synthetic Bags, HDPE Bags, GeoTextile Filter, Geo jute Filter etc. if any, relevant Data Sheet containing the name of the Manufacturers, Test Reportetc. will also be submitted in each occasion. Engineer-in-Charge may conduct independent test on the samplesdrawnrandomlybeforeaccordingapprovalforusingthematerialsatsite.InthisregarddecisionofEngineer-in-

Chargeshallbefinalandbinding.

1. For materials under category 19(a),(b)&(c), the contractor will act as the custodian thereof. The materials will haveto be carried from the nearest Departmental go-down to worksite by the contractor at his own cost. The contractorshall remain responsible for the proper storage and safety of the materials. Suitable Go-down/ Store shall have tobe made by the contractor at his/her own cost. Penalty charges shall be levied at higher rate for loss, wastage,misuse. Surplus materials of the departmental if any, shall have to be returned to the issuing Go-down or store atthe contractor’s cost within the time frame as fixed by Engineer-in-Charge, otherwise, the cost at penal rate will berecovered from the bill. Indent for departmental materials shall be submitted by the contractor to the AE/S.D.O. atleast 7 days in advance of actual requirement. No claim will be entertained for non-issuance of such materials intime but reasonable extension of time will be granted. All materials, whatever be the category thereof, shall beproperlystoredbythecontractorinsuitablegodownsnearthesiteofworkathisowncost&undernocircumstances whatsoever shall any material be removed from the site of work without prior written permission oftheEngineer-in-Charge. Thecontractorshallbe responsibleforanydamage, wastageorlossof suchmaterials.
2. The contractor shall also have to satisfy the Engineer-in-Charge regarding the proper utilization of materials whichhavebeenissueddepartmentally.
3. Value of the material, under category (a) & (b) of clause 19, will be recovered from the bills of the contractor in oneorsuccessiveinstallments asmaybedecidedbytheEngineer-in-Charge.
4. 24.Requisite quantity of cement as may be required for the workwill be supplied from the nearest Departmentalgo down if stock permits. The issue rate of cement is shown in the Schedule of materials attached. Any excessconsumption of cement by more than 5% over the final consumption statement drawn up as per consumption ratespecified intheSchedule willberecovered atapenal rateshowninschedule.
5. 25. Reinforcement steel rods/MS sheet piles/bitumen will be issued if stock permits, from the nearest departmentalgo-downwheresuchmaterialisavailableinmarketablelength/quantities.Whileissuingthesame,foranyparticular work the quantity actually required as per approved drawing shall only be issued. While executing thework, it will be responsibility of the Contractor/bidder as well as the Engineer-in-Charge to get this quantity properlyutilized in the work. Cut pieces, if any will not be taken back by the Department. Recovery for the total quantum ofsteel issued will be made at the issue rate shown in the Schedule below. In case of misuse over +10%, deductionwill be made at a penal rate shown in the Schedule below. This whole principle shall apply in case of other M.Smaterialslikesheetpiles andstructuralsteelmembers as well.
6. The work is to be executed strictly as per specification attached with e-NIT and shall confirm relevant IndianStandard Codal provisions and good industry practice. In the absence of any such provision in some items, thetending authorityreserves therighttoadoptsuitableInternational Code/specifications/standards.
7. All queries and disputes arising out of the works contract during construction phase are to be brought to the noticeoftheChairmanof the‘DepartmentDisputeRedressalCommittee’inwritingfordecisionwithin15days.
8. SCHEDULEOFRECOVERYRATESOFDEPARTMENTALLYSUPPLIEDCONSTRUCTIONMATERIALS

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Sl.No** | **Nameofmaterials** | **Issue****rate(in`)** | **Unit** | **Penaltyrecoveryrateforlossor****misuseorwastage(ifotherwisenotmentionedspecificallyintheSoR)** | **Placeofdelivery** |
| 01 |  |  |  |  |  |
| 02 |  |  |  | NODEPARTMENTALSUPPLYOFCONSTRUCTIONMATERIAL |  |
| 03 |  |  |  |  |  |

(DigitalSignatureverified)

 Sd/-

 **The Sub-Divisional Officer**

####  Kangsabati Canals Sub-Division No.-IX,

####  Bishnupur, Bankura.

# FORM1

(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 declarationofthebidder)

## APPLICATIONFORe-TENDER

**To,**

**The Sub-Divisional Officer**

#### Kangsabati Canals Sub-Division No.-XVII,Bishnupur, Bankura,

**Irrigation&Waterways Directorate**.

**e-TenderNo:-** WBIW/SDO/KCSD-XVII/e-NIT-05e/2022-23

#### Serial No. of Works applied for:-SL.Amountputto e-Tender:Rs.

DearSir,

Having examined the Technical cover, OID cover & all other e-NIT documents, I/we hereby would like to state thatI/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 involving thee-Tender and Serial no of work stated above. I/Weacknowledgethatthemakingofourbidshallberegardedasanunconditional and absolute acceptance of the terms & conditions of the e-NIT.I/We also agree to remedy the defectsafter/during execution of the above work in conformity with the conditions of contract, specifications, drawings, bill ofquantitiesandaddenda/corrigenda.

Datedthis dayof 202

FullnameofBidder/Contractor: NameinfullofSignatory/s\*:

Inthecapacity\*of: Dulyauthorizedtosignbid

for&onbehalfof(NameofFirm): (InblockCapitallettersortyped)

Officeaddresswithseal:.....................................................................................................................

Telephoneno(s)(office): MobileNo:

FaxNo:

EmailID:

\*Incaseof JointVenture& ConsortiumtheLeadMembertosubmitthisformat.

(DIGITALSIGNATUREOFBIDDER)

# 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 selfdeclarationofthe bidder)

**Ref:-e-NITNo.** WBIW/SDO/KCSD-XVII/e-NIT-05e/2022-23 **e-Tender ID No……………….**

#### WorkSl. No.-

**To,**

**The Sub-Divisional Officer**

#### Kangsabati Canals Sub-Division No.-XVII,Bishnupur, Bankura,

**Irrigation&Waterways Directorate**

I/We,Sri/Smt. ,the authorized signatory on behalf of

......................................................................................doherebyaffirmthatI/We/anyofthememberof..........................................................biddingagainste-NITNo...................................................Sl.No do

nothaveanycommoninteresteitherasapartnerinanypartnershipfirm/consortium/JointVentureorasProprietor/PrincipalShareHolderofanyother Firm/Companyinthesameserialfor thework I/wewant toparticipate.

Datedthis dayof 202

FullnameofBidder/Contractor: AuthorisedSignatory:

Inthecapacityof: Dulyauthorizedtosignbid

for&onbehalfof(NameofFirm): (InblockCapitallettersortyped)

Officeaddresswithseal:...........................................................................

Telephoneno(s)(office): MobileNo:

FaxNo:

EmailID:

\*Incaseof JointVenture &ConsortiumtheLeadMembertosubmitthisformat.

(DIGITALSIGNATUREOF BIDDER)

# FORM–3

## PowerofAttorneyforsigningofContract/TenderAgreement\*

(May be submitted if the bidder is a Company, Autonomous Body, Undertaking, Corporation, and NGO, in plain paper or otherwise in any legallyacceptableformat whichshall betreated astheselfdeclaration ofthebidder)

Knowallmenbythesepresents,I/We, (nameofthefirmandaddressoftheregisteredoffice)

doherebyirrevocablyconstitute,nominate,appoint and authoriseMr./Ms(Name).........................son/daughterof

………………………………………. andpresentlyresidingat… ,

whoispresentlyemployedwithus/theLeadMemberofourConsortium/JointVentureandholdingthepositionof

………………………….., as our true and lawful attorney (hereinafter referred to as the “Attorney”) to do in our name andon our behalf, all such acts, deeds and things as are necessary or required in connection with or incidental to submissionof our bid for the \*\*\*\*\* Project proposed or being developed by the Governor of the State of West Bengal represented bytheSuperintendingEngineer,.................................Circle,Irrigation& WaterwaysDirectorate,Governmentof WestBengal,including but not limited to signing and submission of all applications, bids and other documents and writings,participate in bidders’ and other conferences and providing information / responses to the Authority, representing us in allmatters before the Authority, signing and execution of all contracts including the Agreement and undertakings consequentto acceptance of our bid, and generally dealing with the ‘Authority’ in all matters in connection with orrelatingtoorarisingoutofourbidforthesaidProjectand/oruponaward thereof to us and/or till the entering into of theAgreement withtheAuthority;

AND we hereby agree to ratify and confirm and do hereby ratify and confirm all acts, deeds and things done or caused tobe done by our said Attorney pursuant to and in exercise of the powers conferred by this Power of Attorney and that allacts, deeds and things done by our said Attorney in exercise of the powers hereby conferred shall and shall always bedeemedtohavebeendonebyus.

INWITNESS WHEREOF WE, ………………………….., THE ABOVENAMEDPRINCIPALSHAVEEXECUTEDTHISPOWER

OFATTORNEYONTHIS………………………DAYOF…………………….., 20.…..For…………………………….

(Signature Name date designation and address of the bidder/(s) & Contact No. & e-mail ID)Witnesses:(FullNamewithpermanentaddressesandcontactnos.)

1.

2.

Signed&accepted

Notarized

*Notes:*

1. *The mode of execution of the Power of Attorney should be in accordance with the procedure,ifany,laiddownbytheapplicablelawin India and thecharterdocumentsof the executants and when it is so required, the sameshouldbeunder commonsealaffixedinaccordancewiththerequiredprocedure.*
2. *Whereverrequired,theBiddershouldsubmitforverificationtheextractofthecharterdocumentsanddocuments such as a board or shareholders’ resolution/ power of attorney in favour of the person executing thisPowerofAttorneyfor thedelegation ofpowerhereunderonbehalf oftheBidder.*
3. *ForaPowerofAttorneyexecutedandissuedoverseas,thedocumentwillalso have to be legalized by theIndian Embassy and notarized in the jurisdiction where the Power of Attorney is being issued. However, the Power ofAttorney provided by Bidders from countries that have signed the Hague Legislation Convention, 1961 are notrequiredto belegalized bytheIndianEmbassyifitcarriesaconforming Apostlecertificate.*
* ***Thisisonlyaspecimenformatandthebiddermaysubmitanyotherlegallyvalidformatbybidderorganisationexcept ProprietorshipFirms.***

# 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 selfdeclarationofthe bidder)

**Ref:-e-NITNo.** WBIW/SDO/KCSD-XVII/e-NIT-05e/2022-23 **e-TenderIDNo……………….**

#### WorkSl.No.-

**To,**

**The Sub-Divisional Officer**

#### Kangsabati Canals Sub-Division No.-XVII,Bishnupur, Bankura,

**Irrigation&Waterways Directorate**

I/We, Sri/Smt. ,the authorized signatory on behalfof. ..................................................................................... doherebyaffirmthatI/We/anyofthememberof..........................................................biddingagainste- NITNo...................................................Sl.No.......................

are not black listed or debarred from participation in State Government procurements and tenders in the Irrigation &WaterwaysDirectorate, Government of West Bengal, otherDepartmentsoftheStateGovernmentandGovernment ofIndiaonthedateofpublicationofthisNoticeInvitingTender(NIT).

Ifatalateststagethissubmissionisfoundincorrect,thebiddercompanyalongwithallitscontingentmembers/owners/partners wouldbeliableto penalactionsasdecided bytheGovernmentundertherules.

Datedthis dayof 202

FullnameofBidder/Contractor: AuthorisedSignatory:

Inthecapacityof: Dulyauthorizedtosignbid

for&onbehalfof(NameofFirm): (InblockCapitallettersortyped)

Officeaddresswithseal:...........................................................................

Telephoneno(s)(office): MobileNo:

FaxNo:

EmailID:

(DIGITALSIGNATUREOFBIDDER)

# FORM-6\*

### SPECIMENFORMATFORTHEBANKGUARNATEEFORADDITIOANALPERFORMANCESECURITYDEPOSIT

(\*To be submitted only **if the bid price quoted by the bidder is below 20% of the estimated cost put to tender,** non submission of PDF of BG within15 working days after issuance of LOA/LOI will lead to rejection of selected bidder. Similar standard format issued by RBI approved Bank pledging BankGuaranteeofthe required valueand period infavour ofEngineer-in-Charge isacceptable)

**To,**

**The Sub-Divisional Officer**

#### Kangsabati Canals Sub-Division No.-XVII,Bishnupur, Bankura,

**Irrigation&Waterways Directorate**

WHEREAS (name and address of Contractor) (hereafter called “the Contractor”) hasundertaken,inpursuanceofContractNo: dated toexecute (name of Contrac tandbriefdescription ofWorks)(hereinaftercalled“the Contractor”).

AND WHEREAS it has been stipulated by you in the said Contract that the Contractor shall furnish you with aBankGuaranteebyaScheduledcommercialbankforthesumspecifiedthereinfor‘**ADDITIONALPERFORMANCESECURITYDEPOSIT**’forcompliancewithhisobligationinaccordancewiththeContract:

ANDWHEREASwe (Indicatethenameofthebankandbranch)haveagreedtogivetheContractorsuch aBankGuarantee:

NOWTHEREFOREwe ; (Indicatethename ofbankandbranch)herebyaffirmthatwearetheGuarantorandresponsibletoyouonbehalfoftheContractor,uptoatotalof Rs.(amountofguarantee) (inwords).Weundertaketopayyou,uponyourfirstwrittendemandandwithoutcavilorargument,asumwithinthelimitsof (amountofguarantee)asaforesaidwithout your needing toprove orto showgrounds orreasonsforyour demandforthesum specifiedtherein.

We (Indicate the name of the bank and branch) hereby waive the necessity of yourdemandingthesaid debtfromthecontractorbeforepresentinguswith thedemand.

We (Indicate the name of the bank and branch) further agree to pay to you any money sodemandednotwithstandingany disputeordisputesraisedby thecontractor(s)inany suitorproceedingpending beforeanycourtorTribunalrelatingthereto,ourliabilityunder thispresentabsoluteandunequivocal.

The payment/so made by us under this bond shall be a valid discharge of our liability for payment there underandthecontractor(s)shallhave no claimagainstusformakingsuchpayment.

We (Indicate the name of the bank and branch) further agree that no change or addition toor other modification of the terms of the Contract or of the works to be performed there under or of any of thecontract documents which may be made between you and the contractor shall in any way release us from anyliabilityunder thisguarantee,and weherebywaivenoticeofanysuchchange,additionormodification.

We (Indicate the name of the bank and branch) lastly undertake not to revoke this guaranteeexceptwith the previousconsentofyou in writing.

This guarantee shall be valid upto ----------------------------. It come into force with immediate effect and shallremain in force and valid for a period upto the time of completionof the work under the stated contract plusclaimperiodofsixmonthsfortheBankGuarantee.Notwithstanding,anythingmentionedabove,ourliability

against thisguaranteeisrestricted toRs (Rs. )andunlessaclaiminwritingislodgedwithuswithinthevalidityperiod,i.eupto………………………….ofthisguaranteeallourliabilitiesunderthisguaranteeshall ceasetoexist.

Signedandsealedthis day of 20 at

### SIGNED,SEALED AND DELIVERED

For and on behalf of the BANK by:(Signature)

(Name)(Designation)(Code Number)(Address)

### NOTES:

* 1. The bank guarantee should contain the name, designation and code number of the officer(s) signing theguarantee

The address, telephone number and other details of the Head Office of the Bank as well as of issuingBranch (within West Bengal/AT PAR ANYWHERE IN INDIA only to be accepted) should be mentionedonthecovering letterofissuing Branch.

**FORM-7**

**‘BAR CHART’**

**Tentative work programmefor the work:**

**Name of Work- M/R to Dy-5 in between Ch.62.60 to Ch. 223.60 of K.B.C under Joypur Section of K.C.S.D No.-XVII under K.C.Division No.-III, Bishnupur, Dist.- Bankura during 2022-2023**

**e-N.I.T No - WBIW/SDO/KCSD-XVII/e-NIT-05e/2022-23, Work Sl. No. 01 Total work period: 15 (fifteen) days**

**~~Months/Weeks~~/Day**

|  |  |  |
| --- | --- | --- |
|  | **Days** |  |
| **0 5 10 15**  |
| **ACTIVITY** | **Jungle cutting**  |  |
|  | **Earth work in excavation in canal bed** |  |  |

**Sd/-**

**Sectional Officer**

**Joypur Section**

**Kangsabati Canals Sub-Division No.-XVII**

**Sd/-**

**A.E./ Sub-Divisional Officer**

**Kangsabati Canals Sub-Division No.-XVII**

**BishnupurBankura**

**FORM-7**

**‘BAR CHART’**

**Tentative work programmefor the work:**

**Name of Work- “Supply of labour for guarding and operating various cross regulator & Head Regulator Gates during Rabi irrigation in 2022-23 under K.C.Sub-Division No.-XVII, of K.C.Division No.-III,Bishnupur ,Bankura.**

**e-N.I.T No - WBIW/SDO/KCSD-XVII/e-NIT-05e/2022-23, Work Sl. No. 02 Total work period: upto 15 march 2023**

**~~Months/Weeks~~/Day**

|  |  |  |
| --- | --- | --- |
|  | **Phase** |  |
| **1 st phase** | **2 nd phase** |  **3 rd phase** |
| **ACTIVITY** | **123 nos** | **123 nos** | **123 nos** |

**Sd/-**

**A.E./ Sub-Divisional Officer**

**Kangsabati Canals Sub-Division No.-XVII**

**BishnupurBankura**

**FORM-7**

**‘BAR CHART’**

**Tentative work programmefor the work:**

**Name of Work- M/R to canal from ch.19.00 to 55.00 of Dy-20 canal under Peardoba Section of K.C. Sub-Division No.-XVII under K.C. Division No.-III ,Bishnupur ,Dist.-Bankura , during 2022-23**

**e-N.I.T No - WBIW/SDO/KCSD-XVII/e-NIT-05e/2022-23, Work Sl. No. 03 Total work period: 15 (fifteen) days**

**~~Months/Weeks~~/Day**

|  |  |  |
| --- | --- | --- |
|  | **Days** |  |
| **0 5 10 15**  |
| **ACTIVITY** | **Cutting and clearing jungle** |  |  |
|  | **Earth work in excavation in canal bed** |  |  |
|  | **.** | **Ordinary cement concrete** |  |

**Sd/-**

**Sectional Officer**

**Peardoba Section**

**Kangsabati Canals Sub-Division No.-XVII**

**Sd/-**

**A.E./ Sub-Divisional Officer**

**Kangsabati Canals Sub-Division No.-XVII**

**BishnupurBankura**

**FORM-7**

**‘BAR CHART’**

**Tentative work programmefor the work:**

**Name of Work- M/R to canal from ch.241.98 to 273.00 of Dy-20 canal and re-construct outlet pipe under Peardoba Section of Kangsabati Canals Sub-Division No-XVII of Kangsabati Canals Division No-III during the year 2022-2023**

**e-N.I.T No - WBIW/SDO/KCSD-XVII/e-NIT-05e/2022-23, Work Sl. No. 04 Total work period: 15 (fifteen) days**

**~~Months/Weeks~~/Day**

|  |  |  |
| --- | --- | --- |
|  | **Days** |  |
| **0 5 10 15**  |
| **ACTIVITY** | **Cutting and clearing jungle** |  |  |  |
|  | **Bamboo piling and polythene bag** |  |  |  |
|  | **. Earth work in excavation in canal bed** | **Spun pipe fitting** |  |

**Sd/-**

**Sectional Officer**

**Peardoba Section**

**Kangsabati Canals Sub-Division No.-XVII**

**Sd/-**

**A.E./ Sub-Divisional Officer**

**Kangsabati Canals Sub-Division No.-XVII**

**BishnupurBankura**