



Enclosure-I

Government of West Bengal

Irrigation & Waterways Directorate

Office of the Executive Engineer, Kangsabati Canals Division No.-II

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NOTICE INVITING e-QUOTATION

WBIW/EE/KCD2/eNIQ-03/2023-24.

Memo No. 1009

Dated:-07.12.23

Encrypted electronic bids are hereby invited by the Executive Engineer, Kangsabati Canals Division No.-II, Irrigation & Waterways Directorate on behalf of the Governor of the State of West Bengal through a single stage two part e-Procurement System; (Part I: Techno-commercial bid and Part II: Financial bid) for the 'LIST OF WORKS' given in the next page from eligible bonafied contractors/agencies/bidders having specified Pre-Qualification (eligibility) credential for execution of works of similar nature and desired financial capabilities. The Technical bid in Part-I would require the bidder to qualify for the next phase of financial bid: Part-II, in which L1 bid price would determine the final selection and acceptance of a bidder for award of the Procurement of Goods & Works contract.

Intending contractors/bidders desirous of participating in this e-Quotation are required to log into the Government of West Bengal e-Procurement website having URL <https://wbtenders.gov.in> and locate the instant Quotation by typing **WBIW/EE** in the search engine provided therein, or by logging-in using their assigned User ID and password. They may also visit the official website of the Irrigation & Waterways Department, Government of West Bengal www.wbiwd.gov.in to locate the same e-Quotation by scrolling the "e-Procurement" link.

Contractors/bidders willing to take part in the e-Quotation are required to obtain a valid Digital Signature Certificate (DSC) from any of the authorized 'Certifying Authorities' (CA) under Controller of Certifying Authorities (CCA), Department of Electronics & Information Technology (DEIT), Govt. of India. (viz. NIC, n-Code Solution, Safe script, e-Mudhra Consumer Services Ltd, TCS, MTNL, IDRBT) or as notified by the CA /Finance Department, GoWB from time to time. DSC is given as a USB e-Token. After obtaining the Class 2 or Class 3 Digital Signature Certificate (DSC) from any of the above CA, they are required to register the fact of possessing the DSC through the registration system available in the above mentioned websites. A list of such licensed CAs are also available in the CCA website cca.gov.in. **The prospective contractors/bidders may contact the Departmental e-Tendering Help desk located at the 7th Floor of Jalsampad Bhavan at Bidhannagar, Sector-II, Kolkata, through e-mails irrigationhelpdesk@gmail.com and dvsc6816@gmail.com or Telephone No. 033-23346098 and the State Level e-Procurement Help Desk located at the Ground Floor of Jalsampad Bhavan through e-mail wbehlpdesk@gmail.com or Ph:(033)-2334 5161 on any working day between 10.30AM-5.30PM for any query on e-Tendering procedure, obtaining DSC and free of cost training on e-Procurement procedure.**

Intending contractors/bidders are required to download the e-Quotation documents directly from either of the websites stated above. **This is the only mode for submission of a Quotation.** The interested bidders eligible for the Quotation 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-Quotations under State Government have also been explained in the 'Bidders' Manual', available in the Departmental website www.wbiwd.gov.in.

Last date & time of submission of bid electronically, is on 19.12.2023 till 11:00 Hours IST.

The applicant bidders/contractors are advised to carefully read all the 'Terms & Conditions' contained in this e-Notice Inviting Quotation (e-NIQ). He/she should particularly go through the minimum desired Pre-qualification (PQ) works credential & financial eligibility criteria and satisfy himself/herself of all the mandatory eligibility requirements. Bidders desirous of participating in the e-Quotation should submit bids only if they fulfill the minimum PQ eligibility criteria and are in possession of all the required PQ Credential documents "in original" as these may be summoned by the Quotation authority for verification purposes.

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

LIST OF WORKS
WBIW/EE/KCD2/eNIQ-03/2023-24.

Sl. No.	Name of Work//Project/Procurement*	Earnest Money (EMD) (Rs.)	Time Allowed for completion (In English Calendar days)	Source of fund	Minimum eligibility criteria to match the Prequalification (PQ) credential in terms of execution of similar completed previous works contract	Physical Milestones for completion of each work with stipulated time (Refer to Clause 17 of the General Terms & Conditions of e-NIQ)
1	2	4	5	6	7	8
1	4 nos Item for The Work of "Construction of Hill top park at Mukutmanipur Mouza, JL. No-166 Dag No-84 under Mukutmanipur Development Authority."	NA	NA	MDA	<p>Summary of minimum eligibility requirement to Technically qualify for the next stage of financial bid in this Quotation:</p> <p>A. Technical PQ Credential:</p> <p>i. The bidder must have satisfactorily completed at least 1 (one) 'similar nature' work under Government or within last five FYs on the date of publication of this NIQ of Gross monetary value (Gross monetary value is calculated based on final billed value) is multiplied by inflationary factor completed within the preceding five FYs of similar nature, of Gross notional Value be less than 30% of the amount put to Quotation for the work for which the bidder chooses to participate in this NIQ.</p> <p>Over all lowest bidder will be considered as L1</p>	As per Work Programme prepared and uploaded by the Quotation Inviting Authority in the form of Bar Chart

(*) Consortium & Joint Venture are not permitted to bid in this Quotation.

(General Terms & Conditions for Contract: 'Quotation value' above Rs 1.0 Lakh upto Rs 100.00 Lakh)

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

All Bonafide Indian contractors/Agencies/Organizations, Registered Companies/ Firms including Registered Partnership Firms, Proprietorship Firms, Registered Consortiums & valid 'Joint Ventures' and contractors/bidders of equivalent grade or class having Pre-Qualification (PQ) Credential from the Government of West Bengal, Union Government Departments/Other State Government Departments/ Engineering Wings of GoI /IRCON/RVNL/NHPC, Autonomous Project Authority and other similar organizations of GoI and State Governments/PSU and Corporations of Government of India and other States having successfully completed at least one similar nature project and not otherwise debarred are eligible to participate subject to fulfilling the other PQ eligibility criteria laid down in the subsequent paragraph. Consortiums and Joint Ventures are not allowed to participate in Quotations of value upto Rs.100.00 lakh

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

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

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

3. Submission of bid

3.1 General procedure for submission of e-bid

Bids are to be submitted electronically in the on-line mode through the e-Procurement portal www.wbtenders.gov.in. All documents uploaded by the Quotation Inviting Authority form an integral part of the works contract/Agreement. Contractors /bidders are required to upload the entire Quotation documents along with all other relevant PQ credential documents as asked for in the e-NIQ, electronically, through the above portal within the stipulated date and time as notified in the e-NIQ. Quotations are to be submitted in two parts/folders at the same time for each work, one being 'Technical Proposal' and the other 'Financial Proposal'. The contractor/bidders should carefully go through all the documents of the e-Quotation and upload the scanned copies of his/her/their original documents in 'Portable Document Format' (PDF) files in the designated links in the web portal as their 'Technical Bid'. He/she needs to fill up the financial offer/bid price/rates in percentage above or below or 'At-Par' in the downloaded BOQ of the work in the designated cell in 'Excel sheet only', and upload the same in the designated link of the portal as their 'Financial Bid'. Documents uploaded are virus scanned and required to be digitally signed using their 'Digital Signature Certificates' (DSC). Contractors/bidders should especially take note of all the *Addenda* or *Corrigenda* notices related to the e-Quotation and upload all of these documents forming a part of their e-bid as Quotation document. Documents digitally signed and uploaded in the e-Quotation portal by the contractors/bidders containing requisite information & financial bid/rate comprising 'Technical bid' and 'Financial bid' are submitted concurrently, which cannot be changed after end date and time fixed for submission of the e-Quotation. Extension of last date for e-bid submission or insertion of any of Addendum/Corrigendum, if unavoidable is to be notified as per Finance Department guidelines in the e-Procurement Portal, Departmental website, Newspapers and in Notice boards. Whenever any corrigendum is issued irrespective of the content (date corrigendum or otherwise), due date of submission of bid will be extended by 7 (seven) calendar days to be published before expiry of the last date for original validity period of bid submission. Extension of last date and time for bid submission by issuance of a Corrigendum shall not be treated as 2nd Call or Re-Quotation.

3.2 Technical Proposal

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

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

3.2 A Description of Technical (Pre-Qual) Covers

- i. **'NIQ_Corrigendum' folder:** e-Notice Inviting Quotation is to be downloaded in entirety, digitally signed and uploaded during e-bid submission in **"NIQ_Corrigendum"** folder. **'Corrigenda/Addenda'** if published in connection with the NIQ is to be digitally signed and uploaded in the **'NIQ_Corrigendum'** folder merged with the NIQ documents during e-bid submission.
- ii. **'Agreement_2911' folder:** Contract/Agreement in WB Form No.2911(i) published in the e-Quotation is to be downloaded, digitally signed and uploaded during e-bid submission in **Agreement_2911** folder.
- iii. **'Forms' folder:** Applications for e-Quotation: vide self declaration format in specimen **Form-1**, Self declaration of bidder not having common interest as a different bidder organisation in any other work Quotation under different serials of this particular e-NIQ vide specimen **Form-2** and self declaration on an QECedents and performance of the bidder in specimen **Form-4**. All above are to be filled up completely, digitally signed and uploaded during bid submission in **"Forms"** folder.
- iv. **Drawings folder:** The GAD/Plan/Map published in the e-Quotation by the Quotation Inviting Authority is to be downloaded by the bidder, digitally signed and again uploaded during e-bid submission in **"Drawings"** folder.
- v. **BAR_CHART folder:** **BAR CHART/Work Programmes in other Networking Methods** prepared by TIA in pdf file defining the Physical Milestones of the construction period for implementation of the project is to be downloaded by the bidder, digitally signed and again uploaded during e-bid submission in **"BAR_CHART"** folder.

3.2A.NOTE:

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

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

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

My Document Format for uploading in the OID folder:-

Sl. No.	Category	Sub-category	Sub-category description	Remarks if any
I	Certificates	1. certificates.pdf 2. GST_registration certificates.pdf	1 Latest Professional Tax Payment Certificate (PTPC) or , PT deposit challan for current financial year or Government Order for exemption in other States wherever applicable. 2 Valid PAN Card in the name of bidder/organisation 3 Income Tax Return of current Assessment year or, IT Return of immediate preceding Assessment year which ever is; attest available 4 Valid GSTIN under GST Act & Rules	Refer to Clause 3.2C(I) for details

Sl. No.	Category	Sub-category	Sub-category description	Remarks if any
II	Company Details	<i>companydetails.pdf1</i> <i>companydetails.pdf2</i>	<p>1 For Proprietorship Firms, Partnership Firms, Registered Companies, Registered Co-operative Societies Valid Trade License/ acknowledgement or Receipt of application for Trade License/ Revalidation OTHER REQUIREMENTS:-</p> <p>2 For Partnership Firms: Legally valid Partnership Deed, Form-VIII/Memorandum of Registration of Registrar of Firms</p> <p>3 For Companies: Incorporation Certificate, Memorandum of Articles of ROC, List of current owners/ Directors/ Board Members</p> <p>4 For State Registered Co-operative Societies: Society Registration certificate from ARCS of the State, Society by-Laws, latest available Auditor's Report of Directorate of Co-operative Audit within proceeding five years as per Societies Act & Rules</p>	Refer to Clause 3.2C(II) for details
III	Credential of works	1. Credential.pdf1 2. Credential.pdf2	<p>1 Work Order/Award of Contractor LOA/LOI duly authenticated by issuing authority.</p> <p>2 Pre-Qualification (PQ) Work credential of one 100% completed work as desired in the NIQ as the Credential Certificate (CC) duly authenticated by competent authority.</p>	Refer to Clause 3.2C(III) for details
IV	Financial credential	Payment certificate.pdf	All 100% Payment Certificates of competent authorities during preceding Five FY. IT Return of bidder in three FY, or Audited Profit & Loss Accounts statement of any three financial years within the zone of preceding five financial years whichever is available.	Refer to Clause 3.2C(IV) for details

*OID denotes Other Important Documents.

Note:

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

3.2C(I) Certificate/s:

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

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

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

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

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

iii. For State Registered Co-operative Societies:

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

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

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

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

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

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

b. *No file in Technical / Pre-Qual cover or OID cover folder is allowed by the system to be kept blank/empty. Where ever the forms and documents are uploaded by the Quotation Inviting Authority, the same is to be downloaded, duly filled up, converted to pdf file, and again uploaded after digital signing, forming a part of Quotation document. These formats are specimens or samples only and deviation from specimen format is not a sufficient ground for rejection of the bid. Relevant blank Forms are to be firstly downloaded by the bidders from the NIQ in e-Procurement portal, filled up completely and again uploaded with their electronic bid. No offline document is acceptable from bidders by QEC during evaluation stage.*

3.3 Financial proposal/bid under Financial cover:-

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

- i. **Bill of Quantities (BOQ):** The contractor/bidder is required to quote the financial offer/bid price or rate as percentage above or below the estimated amount put to Quotation or 'at-par' with Quotation value, in the space marked for quoting rate in the BOQ of the Quotation work.
- ii. Only the downloaded sheet of the above document in Excel format is required to be uploaded by the contractor/bidder.
- iii. BOQ without a valid numeric rate at the designated space provided in the BOQ will be disqualified and rejected outright. Contractors/bidders willing to quote "at-par" rate shall need to write "0" in the 'space' provided for rates in the BOQ of the Quotation work.

4A. Login by bidder:

- a. A bidder desirous of taking part in e-Quotation floated by the State Government shall login to the e-Procurement portal of the Government of West Bengal www.wbQuotations.gov.in using his/her login ID and password by using their valid DSC.

4. (CC) as Prequalification Work Credential:

- i. Credential Certificates (CC) for one/single 100% completed work within last five financial years on the date of publication of NIQ will only be accepted as valid PQ credential of work. Incomplete ongoing work shall not be considered for valid PQ Credential. Payment Certificate without containing mandatory details shall not be treated as valid.
- ii. It is desirable that CC should preferably contain the name with designation, postal address of office, contact Telephone No./FAX / e-mail ID of the authority issuing the CC for the work along with name of work, amount put to Quotation, date of completion of the work, gross final billed value of the 100% completed work, certificate of issuing authority indicating success

successful and satisfactory completion. Illegible certificates, absence of contact details making it time-consuming for verification purposes of CC issued by authorities outside the State are liable to be rejected by the Bid Evaluation Committee (QEC).

- iii. Credential Certificates (CC) of successfully completed works in any Department/autonomous authority of the Government of West Bengal will be considered. CC of 100% completed works executed under any other State / Central Government Ministry/Department/Nationalised Financial Institution Organisation/Govt.Undertaking/Govt.Enterprises or Government Institutions or Local Government Bodies (Municipalities, Zilla Parishad & Panchayat Samities

within West Bengal, will also be considered as valid PQ Credential. Such CC are to be issued by an officer/authority not below the rank of Executive Engineer / Divisional Engineer / District Engineer / Project Manager of the State / Union Government Departments / Organisations; authorised signatories of CC for Panchayat Samities and Municipalities shall be the BDO & Executive Officers or equivalent administrative officers respectively. It is desirable to have telephone and FAX or e-mail addresses of the signatory of the CC for all offices outside West Bengal for verification purposes.

5. Pre Qualification (PQ) eligibility criteria

Prequalification (PQ) eligibility of a contractor/ bidder based on one single 100% completed works contract and financial capacity achieved within the zone of last five financial years will be determined as per Rules stated below:

- 6 I (a). Firstly, the gross value of the work submitted as PQ Credential as per CC of similar in nature completed during the current financial year before date of publishing of e-NIQ or within the preceding five FY will be multiplied by the following factor to take care of the inflationary effects to arrive at the gross notional amount.

Year	Description	Multiplying factor to arrive at gross notional amount
Current	The financial year of floating of NIQ	1.00
1 st	1 year preceding the current financial year	1.08
2 nd	2 years preceding the current financial year	1.16
3 rd	3 years preceding the current financial year	1.26
4 th	4 years preceding the current financial year	1.36
5 th	5 years preceding the current financial year	1.47

Note: For cases where two contractors/bidders are participating in a e-Quotation for a particular work are such that one happens to have worked as a sub-contractor of the other, and both the contractors/bidders PQ submit work credential of having completed the same job either wholly or partly, then in such case the PQ credential of the principal contractor will be considered while that of the sub-contractor will not be taken into consideration for determining the eligibility criteria of the contractor/bidder during Technical evaluation of the Quotation. If the PQ Credentials submitted by hitherto contractors/bidders are for different works, then both the PQ Credentials will be considered for determining the eligibility criteria of the individual contractors/bidders.

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

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

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

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

7. Penalty for suppression/distortion of facts and withdrawal of L1 bidder before acceptance of LOI

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

8. PROCEDURE FOR SUSPENSION AND DEBARMENT OF SUPPLIERS/CONTRACTORS

A. SCOPE:

The procedures laid down in subsequent paragraphs shall govern the suspension and debarment of suppliers, contractors and bidders ("Contractors" for brevity) involved in Government procurement for offenses or violations committed during competitive bidding and contract implementation, or even later for the works under Irrigation & Waterways Department, Government of West Bengal. The concerned Chief Engineer shall publish the suspension and debarment order in the Departmental website with the approval of I&W Department in the designated link within 1(one) working day of issuance of such order. The TIA shall recommend the case to HQEC/QEC who with opinion of Chief Engineer will place it before DTC/QBEC/D'TTC for approval.

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

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

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

C. DEFINITION OF TERMS:-

- i. Bidder:** A person/Contractor/Agency/Company/Society/Corporation participating in the procurement process and/or a Person/Contractor/Agency/Joint Venture/Consortium/Corporation having an Agreement/Contract for any procurement with the Department shall be referred as bidder.
- ii. Bid Evaluation Committee or Quotation Evaluation Committees (HQEC/QEC/QBEC in short):**
 - a. Bid / Quotation Evaluation Committee (QEC) for the bids upto Quotation value of Rs. 45.00 lakh (QEC) invited by the Executive Engineer will be comprising of i) Concerned Executive Engineer as Chairperson and Convener, ii) Assistant Engineer concerned to the work as Member, iii) Another Assistant Engineer from Division as Member or the Junior Engineer posted as the Divisional Estimator.
 - b. or, Evaluation Committee constituted by the Department from time to time.
- iii. Consolidated Debarment List:** A list prepared by the Departmental Debarment Committee/Chief Engineer containing the list of bidders debarred by the Irrigation & Waterways Department, Government of West Bengal. The list would be displayed prominently in the designated link in website of the Department clearly stating the period of suspension/debarment.
- iv. Contract implementation:** A process of undertaking a project in accordance with the contract/Agreement documents.
- v. Debarment:** An administrative penalty, in addition to the contract/Agreement provisions, disqualifying a bidder from participating in any procurement process under Irrigation & Waterways Department, Government of West Bengal for a given period.
- vi. Debarred Bidder:** A Bidder who was disqualified by the competent authority of the Irrigation & Waterways Department, Government of West Bengal.
- vii. Department:** Irrigation & Waterways Department, Government of West Bengal
- viii. Entity:** A person/Contractor/Agency/Joint Venture/Consortium/Corporation participating in the procurement process and/or a Person/Contractor/Agency/Joint Venture/Consortium/Corporation having an agreement/contract for any procurement with the Department shall be referred as entity.
- ix. Offence:** A violation or breach of the Constitution of India, laws, regulations, laid down procedure, etc under Prevention of Corruption Act, 1988, Code of Criminal Procedure, 1973 u/s 195(1) and Section 197(1), Competition Act, 2007 and IT Act, 2000 as amended.
- x. Procurement:** It is the act of buying goods, services or works from an external source. It is favourable the goods, services or works are appropriate and that they are procured at the best possible cost to meet the needs of the acquirer in terms of quality and quantity, time and location.
- xi. Procuring Entity/Authority:** The officer authorised by the Irrigation & Waterways Department, Government of West Bengal for procurement.
- xii. Suspension:** Temporary disqualification of a bidder from participating in the procurement process of Irrigation & Waterways Department for a period of 6(six) months when an offence is made against a bidder.

D GROUNDS FOR SUSPENSION AND DEBARMENT

- i. Submission of eligibility requirements containing false information or falsified documents.
- ii. Submission of Bid that contains false information or falsified documents, or the concealment of such information in the Bids in order to influence the outcome of eligibility screening or any other stage of the bidding process.
- iii. Unauthorised use of one's name/digital signature certified for purpose of bidding process.
- iv. Any documented unsolicited attempt by a bidder to unduly influence the outcome of the bidding in his favour.
- v. All other acts that tend to defeat the purpose of the competitive bidding such as lodging false complaints about any bidder, posting baseless allegation about any officer duly authorised by the Department, restraining any interested bidder to participate in the bidding process etc.
- vi. Refusal to accept an award after issuance of 'Letter of Acceptance' or enter into contract with the Government without justifiable cause.
- vii. Refusal or failure to post the required performance security/earnest money within the prescribed time without justifiable cause.
- viii. Subcontracting of the contractor or any part thereof without prior written approval of the procuring entity.
- ix. Failure solely due to fault or negligence of the Contractor, to mobilize and start work within the specified period as mentioned in the 'Letter of Acceptance' / 'Letter of Acceptance cum work Order' / 'Work Order' / 'Notice of Process' / 'Award of Contract' etc. ultimately resulting in rescindment of contract.
- x. Failure to fully and faithfully comply with the contractual obligations without valid cause, or failure to comply with any written lawful instruction of the procuring entity or his representative(s) pursuant to the implementation of the contract, ultimately resulting in rescindment of contract.
- xi. For the procurement of goods, unsatisfactory progress in the delivery of the goods by the manufacturer, supplier or distributor arising from his fault or negligence and / or unsatisfactory or inferior quality of goods, vis a vis as laid down in the contract.
- xii. Refusal or failure to upload a self-declaration in specimen format of Form-4 to the effect of any previous debarment imposed by I&WD, any other Department of State Government and or Central Government.
- xiii. Willful or deliberate abandonment or non-performance in a project or contract by the contractor / suppliers resulting to substantial breach thereof without lawful and/or just cause(s).
- xiv. Non-submission of authentic Bank Guarantee of required amount by the selected bidder in a Quotation for Procurement of Goods & Works, if the bid price is below 20% of the Quotation value within the period as prescribed in the e-NIQ, 7 working days from date of issue of LOA which may be extended upto maximum 14 working days.

E. CATEGORY OF OFFENSE:

- a. First degree of offense: Clause 9D(i) up to (vii), (xii) & (xiv) is to be considered as first degree of offense.
- b. Any of the offence under Clause (viii) to (xi) & (xiii) shall lead to termination of contract and its determinations in accordance with Clause (ii) & Clause (iii) of Agreement Form No. WB-2911 and simultaneous debarment for a period of 2 years
- c. Second degree of offense: Any one of the offenses as mentioned under Clause 9D (i) to (xiv), committed by a particular bidder/contractor/supplier on more than one occasion would be considered as second degree of offense. Period of debarment will be 2 times the corresponding period penalty applicable for 1st degree offence in addition to other penal provisions contained in 1st degree offence.

F. Procedure and Rules of Debarment :

Debarment procedure and rules are published as Departmental Notification to be read in conjunction with the Corrigenda issued from time to time, as may be seen in the Notification link of the Departmental website biwd.gov.in

G. PENALTY FOR OFFENSE:

- a. For committing 1st degree offense any of the cases referred under Clause 9 D (i) to (v), forfeiture of earnest money and debarment for a period of six months, if the offense is detected during technical evaluation. If the offence is detected after award of the contract and if the offender happens to be the agency selected for work, and such selection is made due to oversight, forthwith termination of the contract and determination of contract value in accordance with clause 3(ix) (c) of West Bengal Form No. 2911, and simultaneous debarment for a period of six months. Further, in case the offense is detected after completion of work and payment of final bill the Work credential earned would be declared as 'null and void', so that the same cannot be used in future as PQ credential for securing other works contracts in the Irrigation & Waterways Department, together with debarment for a period of six months.

- b. For committing 1st degree offense in any of the cases referred under Clause 9 D (vi), (vii), (xiii) to (xv), forfeiture of earnest money and debarment for a period of one year. For committing offenses under Clause 9 D (xv), debarment period shall be for one calendar year preferably from the date on which the due date for submission of BG had expired (i.e 8th or 15th working day from date of receipt of LOA /LOI) by the concerned Chief Engineer to be notified in the Departmental website.
- c. For committing 1st degree offense in any of the other cases under Clause 9 D (viii) to (xii), termination of contract and its determination in accordance with Clauses 2&3 of West Bengal Form No.2911, including debarment for a period of two years.
- d. For committing 2nd degree offenses under above all categories, period of debarment will be twice the corresponding period for 1st degree offenses, in addition to other penal provisions for 1st degree offense.

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

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

10. Site inspection prior to submission of Quotation

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

11. Conditional and incomplete Quotation

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

12. Opening & evaluation of Quotation

13.1 Opening of a Technical Proposal

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

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

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

13.2 Process of Technical Evaluation in a Quotation

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

13.3 Uploading the list of Technically qualified contractors/bidders

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

13.4 Opening and Evaluation of Financial Proposal/bid

- i. Financial proposals of the bidders/contractors declared Technically qualified by the Bid/Quotation Evaluation Committee (QEC) will be opened electronically by the Quotation Inviting Authority in the web portal stated above on the pre-notified date and time.
- ii. The encrypted copies will be decrypted and the rates will be read out to the contractors/ bidders remaining present at that time, else they may login their respective e-Quotation accounts to see the (CS) comparative statement in the web portal.
- iii. After opening the financial proposal, the preliminary summary result containing inter alia the names of contractors/bidders and the rates quoted by them will be uploaded and the result will be made available in the e-Quotation platform.
- iv. If the Quotation Accepting Authority (QAA) is satisfied that the rate obtained is fair and reasonable and there is no scope for further lowering down of rate, he/she may after having the comparative statement tested checked by the Divisional Accountant / Divisional Accounts Officer attached to his office and after their acceptance upload the financial bid evaluation summary sheet or result containing the name of contractors/bidders and the rates quoted by them against each work.
- v. **If there is any scope for lowering down of rate in the opinion of the Quotation Accepting Authority being abnormally high, i.e. above 10% of the amount put to Quotation (Quotation value), the e-NIQ shall be cancelled and invited afresh 2nd or 3rd re-Quotation. Nopost Quotation negotiations are permitted.**
- vi. If there is any scope for lowering down of rate in the opinion of the Quotation Accepting Authority being abnormally high above 10% of the amount put to Quotation i.e. Quotation value, the e-NIQ shall be cancelled and invited afresh. Nopost Quotation negotiation is permitted.
- vii. If there is no contractor/bidder or the number of contractors / bidders in the 1st Quotation is less than three, the e-Quotation has to be cancelled. In case of participation of more than three bidders, if the number of Technically qualified bidder falls below three, the Quotation/e-NIQ is to be cancelled as well and fresh e-Quotation vis-a-vis 2nd called-Quotation or even 3rd call e-Quotation may be invited by suitably lowering of minimum eligibility PQ criteria (work & financial) for bidders with wide publicity of Re-Quotation notices through electronic and print media.
- viii. Final result after acceptance of the rate by the Quotation Accepting Authority, if within the delegated power of acceptance would have to be uploaded in the e-Procurement platform. Otherwise, the matter may be referred to the Government Appointed DTC and the appropriate Government for decision.
- ix. The Quotation Accepting Authority may ask the L1 bidder/contractor to submit analysis of rates to justify the rate quoted by that bidder after declaration of financial bid evaluation result.
- x. If the lowest (L1) bidder/contractor backs out there should be Re-Quotation in a transparent manner. In such a situation the TIA may call for re-Quotation with bid submission time period should normally be 14 days for value above Rs.10.00 lakh, and 7 days for value exceeding Rs. 1.00 lakh but up to Rs.10.00 lakh.

13.5 Quotation Accepting Authority (QAA)

Authority to which the power has been delegated to accept Quotations as per latest Finance Department Notification will function as the Quotation Accepting Authority (QAA) for evaluation of Technical and financial proposals of works having Quotation value within his/her range of acceptance.

As per present delegation, QAA for different Quotations within the range above Rs 1 Lakh upto Rs 100.00 Lakh would be as follows:

- i. For e-Quotations of value up to Rs 100.0 lakh (above Rs 5.00 lakh and up to Rs 100.0 lakh): **Superintending - Engineer, Kangsabati Circle-I, I&WD Directorate.**
- ii. For off-line Quotations of value from Rs 3.0 Lakh up to Rs 5.0 Lakh is to be Quotation in a single bid system in off-line mode to be accepted by **Superintending - Engineer, Kangsabati Circle-I, I&WD Directorate.** [off-line single bid Quotations]
- iii. For Quotations of value up to Rs 1.0 Lakh relating to works only, is to be Quotation in a single bid system in off-line mode to be accepted by **Superintending - Engineer, Kangsabati Circle-I, I&WD Directorate.** [Off-line single bid system Manual Quotations] on the basis of Technically sanctioned costs.

13.6 Procedure to be followed for final acceptance of Quotation & Award of Contract

- i. The lowest (L1) financial bid for all works Quotations is accepted as a rule. If for any reason the lowest (L1) bid is not accepted, reference is to be made to the appropriate Government for orders as to which of the contractor /bidder the work should be awarded.
- ii. Maximum 5% excess beyond the 'Quotation Value' (Amount put to Quotation) may be accepted as per delegated power to the Executive Engineer up to Rs 45.00 lakh, and at least three valid bids have been received in the financial bid stage, provided Quotation value after abatement is within the administratively approved cost. Maximum 5 % excess beyond the 'Quotation Value' (Amount put to Quotation) may be accepted above Quotations of value below Rs 3.00 lakh upto 5% above amount put to Quotation and also 5% excess over administratively approved amount, proposal for revised administrative approval/Expenditure sanction would have to be submitted to the Government, but acceptance of Quotation and issue of work order may not be kept pending for want of revised approval.
- iii. Above 5% and upto 10% of the Quotation Value can be recommended to the Government for acceptance by the Departmental Quotation Committee (DTC) subject to the conditions that valid Technically qualified bids should not be less than three and L1 bid is accepted and Quotation amount is within the administratively approved cost. In case of excess over administratively approved amount, revised administrative approval would have to be submitted to the Government for acceptance of Quotation, and issue of work order may not be kept pending for want of Revised Administrative Approval/Revised Financial sanction.
- iv. If the response to an e-Quotation is less than three, then Quotation should be invited afresh. Such Re-Quotation notice shall be published in widely circulated dailies as per guidelines and also through e-Quotation web portals. Prior to invitation of Re-Quotation / fresh e-Quotation, the eligibility criteria and other terms & conditions as contained in the first 'Notice Inviting Quotation' (e-NIQ) shall have to be reviewed/relaxed by the Quotation Inviting Authority, to ascertain whether (i) it was too much restrictive, say, specifications and qualifications were fixed at higher standards than required, (ii) advertisements in the widely circulated Newspapers were properly published and (iii) other related procedural matters were observed in its entirety.
- v. If the number of valid bids received even in re-Quotation is less than three, it should be referred by the TIA to the DTC and even the appropriate Government along with the recommendation of the DTC for decision, in accordance with Finance Department Memorandum and other relevant orders in vogue at the time of publication of the Quotation.
- vi. For acceptance of L1 bid after 2nd / 3rd re-Quotations is still above 10% of the Quotation Value (Amount put to Quotation), upon specific recommendation of the DTC as mentioned at clause 13.4, with that of the Department shall have to be sent to the Finance Department for decision.
- vii. All above Quotation rules apply for all types of works and procurements i.e. Plan, Non Plan, deposit works Quotations.

13. General guidelines for acceptance of e-Quotation

Lowest valid rate should normally be accepted in accordance with the procedure stated in clause 13.4. The Quotation Accepting Authority reserves the right to distribute the work amongst more than one contractor/bidder with same L1 rate.

14. Signing of formal Quotation contract/agreement after acceptance of e-Quotation

The contractor/bidder, whose bid is approved for acceptance, shall within 15 days of the receipt of Letter of Invitation (LOI) or Letter of Acceptance (LOA) in his / her favour, will have to execute a 'Formal Agreement' with the Engineer-in-Charge in quadruplicate in W.B.F. 2911 and all other contract documents, entire set of which may be obtained free of cost from the office of the designated **Executive Engineer, Kangsabati Canals Division No.-II** in-charge of the work Quotation.

If the selected L1 bidder fails to turn up even after 30 days after the initial 15 days from the date of uploading of the AOC in the e-Procurement portal or the despatch date of official communication for signing of the Contract/Agreement, the selected bidder is liable for penal actions which shall comprise blacklisting, debarring from future participation in Government Quotations, immediate forfeiture of the Earnest Money deposited in the

Quotation, other penal actions as stipulated under clause 9 & 10 of the e-NIQ, the Departmental Notification and also contained in contract W.B Form No.2911(i)/2911(ii)/Agreement.

15. Payment against bills raised by the contractor

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

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

16. No cost escalation in any form is included in the Quotation Contract Agreement.

17. Bid validity

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

18. Definition of Physical Milestones:

The time allowed for carrying out the work as entered in the Quotation shall be strictly observed by the contractor, and which shall be reckoned from the date on which the order to commence work is given to the contractor. The work shall throughout the stipulated period of the contract be proceeded with all due diligence. Time being deemed to be the essence of contract on the part of the contractor; the contractor shall be bound in all cases, to achieve the 'Milestones' as specified by the Engineer-in-

Charge with the AOC, defining pertaining to the work. The contractor within 15 days of receipt of Letter of Acceptance shall submit a work programme commensurate with period of construction in the form of a Bar Chart work programme, stating the timeline of such different Milestones. In the event of the contractor failing to comply with any of the conditions related to achieving the 'Milestones' within the specified time period prescribed for such 'Milestone' plus one month, he/she shall be liable to pay compensation.

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

19. Withdrawal of bid in a Quotation

Withdrawal of e-Quotation once the bid has been submitted online and after passing of end date for submission and has been accepted for further processing, is not allowed. EMD will be forfeited by the Government and the L1 bidder/contractor penalised in terms of clause 8 referred earlier would be applicable.

20. Critical dates of this Quotation

Sl. No.	Activity	Date & Time	Remarks
1.	Publishing Date	08.12.2023 at 11:00Hrs	To be made available with the e-NIQ in the website
2.	Document Download start date	08.12.2023 at 11:00Hrs	
3.	Bid submission start date	08.12.2023 at 11:00Hrs	
4.	Document Download end date	19.12.2023 at 11:00Hrs	
5.	Bid submission end date	19.12.2023 at 11:00Hrs	
6.	Technical Bid opening date with preliminary result (TBOSheet)	20.12.2023 at 11:00Hrs	To be notified to all bidders through e-mail & SMS throughout auto-generation in the system.
7.	Uploading of the list of Technically qualified final list of bidders (TBESheet)	To be decided by EE with at least 4 (Four) clear working 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 suitably decided by TIA	
9.	Uploading of CS (Comparative Statement) and uploading of Final FBESheet	To be suitably decided by EE (QAA)	
10.	Uploading of the Letter of Invitation/Acceptance LOI/LAO	-do-	
11.	Uploading of Award of Contract (AOC) (Work Order)	-do-	

TIA: e-Quotation Inviting Authority (Executive Engineer) QAA: e-Quotation Accepting Authority (Executive Engineer)

Special Terms & Conditions of the contract

1. The Executive Engineer of the concerned Division shall be the Engineer-in-Charge in respect of the works contract and all correspondence concerning rates, claims, change in specifications and/or design and similar important matters will be valid only if accepted/recommended by the Engineer-in-Charge. If any correspondence of above Quotation is made with Officers other than the Engineer-in-charge for speedy execution of works, the same will not be valid unless copies are sent to the Engineer-in-Charge and also approved by him/her. Instructions given by the Sub-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) regarding specification, supervision, approval of materials and workmanship. In case of dispute relating to specifications and work, the decision of Engineer-in-Charge shall be final and binding. The Engineer-in-Charge will however take all decisions relating to works contract only after recommendation/ advice of the Quotation Accepting Authority. If there is more than the Executive Engineer assigned for the Quotation, the Chief Engineer would designate the Engineer-in-Charge for the work.
2. Acceptance of the Quotation including the right to distribute the work between two or amongst more than two bidders with same L1 rates will rest with the Quotation Accepting Authority without assigning reason thereof to any of the bidders. The Quotation accepting authority reserves the right to reject any or all Quotations without assigning sufficient justification thereof to the bidder/contractor. No additional or excess work or additional items of work beyond the Quotation amount would be generally allowed. All excess, supplementary or substitute supplementary items of work, if unavoidable are to be accepted by the Quotation Accepting Authority only if the total value of work on completion is within the Quotation amount. The existing contract would be terminated after achieving work up to Quotation cost (gross value) and balance work would be taken up afresh after fresh sanction and new Quotation, except in the interest of public services, in rare & special cases under specific approval of the Government.
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 laws relating thereto as will be in force from time to time.
4. Engineer-in-Charge shall not entertain any claim whatsoever from the contractor for payment of compensation on account of idle labour on such grounds including non-possession of encumbrance free land. Escalation of cost due to inflationary effects or any other reason is not permitted during construction period or extended time period of contract.
5. Engineer-in-Charge shall not be held liable for any compensation due to machines & equipments becoming idle or any circumstances including untimely rains, other natural calamities, strikes etc.
6. All statutory taxes, viz. GST / labour welfare cess, labour insurance etc or revision of taxation rates even after AOC or commencement and before final completion of the work are to be borne by the contractor/bidder. Original tax invoice/challan or bill of those materials, which are procured by the bidder, may be asked to be submitted for verification if required.
7. Labour Welfare Cess @ 1% of the cost of construction works shall be deducted from the Gross value of all works bills. Also it is instructed to compulsorily register his/her establishment under the Act, under the competent registering authority, i.e. Assistant Labour Commissioner / Dy. Labour Commissioner of the region for disbursing PF and ESI benefits of workers. The bidder should be mandatorily be registered online with Employees Provident Fund Organisation (EPFO) in the on-line system and possess EPF code and all current documents. Penalties and complaints due to non compliance of on-line EPF registration and default is the full responsibility of the bidder even if the QIA is by default the Principal employer.
8. Adjustment of original bid prices/escalation cost/ mobilization advance / secured advance shall not be permitted for any reason whatsoever due to cost and time over run unless specified otherwise in the contract or the e-Notice Inviting Quotation.
9. GST, Cess, License fees, Royalty for construction materials, forest product etc, Toll Tax, Income Tax, Ferry Charges and other Statutory Government Taxes as applicable during project implementation are to be paid by the contractor/bidder. The rates of supply and finished work items are inclusive of these taxes and levy. Tax invoice/bills needs to be submitted by the supplier/bidder for raising claims under the contract after attaining of physical milestones showing separately the tax charged in accordance with the provisions of GST Act, 2017.
10. All working tools & plants, scaffolding, construction of vats & platforms and arrangement of Labour Camps will have to be arranged by the contractor at his/her own cost. The contractor shall clear the site of work and restore all damages made due to the Labour camp, erection of yards and godowns, stores etc within 30 days of completion of work.
11. The contractor shall supply mazdoors, bamboos, ropes, pegs, flags T&P, Machineries and equipments etc. for laying out the work and for taking and checking measurements for which no extra payment will be made.
12. The contractor/bidder should see the site of works and Quotation documents, drawings etc. before submitting Quotation and satisfy himself/herself regarding the condition and nature of works and ascertain difficulties that might be encountered in executing the work, carrying materials to the site of work, availability of drinking water and other human requirements & security etc. Work on river banks may be interrupted due to a number of unforeseen reasons e.g. sudden rise in water levels, inundation during flood, inaccessibility of working site for carriage of materials. Engineer-in-Charge may order the contractor to suspend work that may be subjected to damage by climate conditions. No claim will be entertained on this account. There may be variation in alignment, height of embankment or depth of cutting, location of revetment, structures etc. due to change of topography, river condition and local requirements etc. between the

preparation and execution of the scheme for which the Quotation rate and contract will not stand invalid. The contractor will not be entitled to any claim or extra rate on any of these accounts.

13. A machine page numbered Site Order book (with triplicate copy) will have to be maintained at site by the contractor and the same has 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 and the contractor must note down the action to be taken by him in this connection as quickly as possible.
14. The contractor shall be bound to comply with all the Central & State Pollution Control Acts & Rules during entire reconstruction period.
15. All possible precautions should be taken for the safety of the people and work force deployed at worksite as per safety rule in force. Contractor will remain responsible for his labour in respect of his liabilities under the Workmen's Compensation Act etc. He must deal with such cases as promptly as possible. Proper road signs as per P.W.D. practice will have to be erected by the contractor at his own cost while operating public thoroughfares. Also, display boards containing brief description and name of project with completion target dates shall be erected at a prominent location at the work site by the contractor for public awareness. Insurance of workers and materials is the responsibility of the bidder during entire reconstruction period.
16. The contractor will have to maintain qualified Technical employees and/or Apprentices at site as per prevailing Apprentice Act as stipulated in the contract. No compensation for establishment charge will be entertained.
17. The contractor will have to accept the work programme as per modifications and priority of work fixed by the Engineer-in-Charge so that most vulnerable reach and/or vulnerable stretch is completed before impending monsoon or rise in river flood water level or commencement of canal irrigation water release or for other suitable reasons.
18. Quantities of different items of work mentioned in the departmental Quotation schedule/BOQ or in work order are only tentative. In actual work, these may vary considerably. Payment will be made on the basis of works actually completed in different items as per specifications and codes, and no additional claim will be entertained for reduction of quantities in some items or for omission of some items. For execution of any additional item or supplementary works within the Quotation value with the total completion value remaining within the accepted Quotation cost, approval of the Quotation Accepting Authority/Government in the Irrigation & Waterways Department would be required.
19. In order to cope with the present system of e-pradan billing, departmental supply of construction materials is discouraged. However, Departmental materials may be issued to the contractor/ bidder to the extent of requirements as assessed and following accounts procedure in the Treasury system of bill payment and in instalments as decided by the Engineer-in-Charge. Issue of materials may be of three categories.
 - a) Materials issued directly to the work and subject to recovery.
 - b) Materials issued from departmental go-down and subject to recovery.
 - c) Materials issued free of cost.Decision of the Engineer-in-Charge should be final and binding in this regard. He alone stands solely responsible for reconciliation of accounts, if materials are issued to the contractor.
20. Any materials brought to site by the contractor subject to approval of the Engineer-in-Charge. The rejected materials must be removed by the contractor from the site at his own cost within 48 hours of issue of the order to that effect. The rates in the schedule are inclusive of cost and carriage of all materials to worksite. The materials will have to be supplied in phase with due intimation to the Sub-Divisional Officer/Assistant Engineer concerned in conformity with the progress of the work. For special type of materials, i.e. Geo Synthetic Bags, HDPE Bags, Geo Textile Filter, Geo jute Filter etc. if any, relevant Data Sheet containing the name of the Manufacturers, Test Report etc. will also be submitted in each occasion. Engineer-in-Charge may conduct independent test on the samples drawn randomly before according approval for using the materials at site. In this regard decision of Engineer-in-Charge shall be final and binding.
21. For materials under category 19(a), (b) & (c), the contractor will act as the custodian thereof. The materials will have to be carried from the nearest Departmental go-down to worksite by the contractor at his own cost. The contractor shall remain responsible for the proper storage and safety of the materials. Suitable Go-down/ Store shall have to be 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 at the contractor's cost within the timeframe as fixed by Engineer-in-Charge, otherwise, the cost at penal rate will be recovered from the bill. Indent for departmental materials shall be submitted by the contractor to the AE/S.D.O. at least 7 days in advance of actual requirement. No claim will be entertained for non-issuance of such materials in time but reasonable extension of time will be granted. All materials, whatever be the category thereof, shall be properly stored by the contractor in suitable go-downs near the site of work at his own cost & under no circumstances whatsoever shall any material be removed from the site of work without prior written permission of the Engineer-in-Charge. The contractor shall be responsible for any damage, wastage or loss of such materials.
22. The contractor shall also have to satisfy the Engineer-in-Charge regarding the proper utilization of materials which have been issued departmentally.
23. Value of the material, under category (a) & (b) of clause 19, will be recovered from the bills of the contractor in one or successive instalments as may be decided by the Engineer-in-Charge.

24. Requisite quantity of cement as may be required for the work will be supplied from the nearest Departmental godown if stock permits. The issue rate of cement is shown in the Schedule of materials attached. Any excess consumption of cement by more than 5% over the final consumption statement drawn up as per consumption rates specified in the Schedule will be covered at a penal rate shown in schedule.
25. Reinforcement steel rods/MS sheet piles/bitumen will be issued if stock permits, from the nearest departmental godown where such material is available in marketable length/quantities. While issuing the same, for any particular work the quantity actually required as per approved drawing shall only be issued. While executing the work, it will be responsibility of the Contractor/bidder as well as the Engineer-in-Charge to get this quantity properly utilized in the work. Cut pieces, if any will not be taken back by the Department. Recovery for the total quantum of steel issued will be made at the issue rates shown in the Schedule below. In case of misuse over +10%, deduction will be made at a penal rate shown in the Schedule below. This whole principle shall apply in case of other M.S. materials like sheet piles and structural steel members as well.
26. The work is to be executed strictly as per specification attached with e-NIQ and shall confirm relevant Indian Standard Code provisions and good industry practice. In the absence of any such provision in some items, the tendering authority reserves the right to adopt suitable International Code/specifications/standards.
27. All queries and disputes arising out of the works contract during construction phase are to be brought to the notice of the Chairman of the 'Department Dispute Redressal Committee' in writing for decision within 15 days.
28. SCHEDULE OF RECOVERY RATES OF DEPARTMENTALLY SUPPLIED CONSTRUCTION MATERIALS

Sl. No	Name of materials	Issue rate (in `)	UNIQU	Penalty recovery rate of or loss or misuse or wastage (if otherwise not mentioned specifically in the SoR)	Place of delivery
01	Cement		MT	2(Two) times issue rate	Departmental Godown
02	Reinforcement steel rods, structural steel members, M.S sheet piles		MT	2(Two) times issue rate	-do-
03	Bitumen		MT	2(Two) times issue rate	-do-

(Digital Signature verified)

(Sd/)
Executive Engineer
Kangsabati Canals Division No.-II
Irrigation & Waterways Directorate

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 declaration of the bidder)

APPLICATION FOR e-QUOTATION

To,
The Executive Engineer

..... Division, I&W

Directorate e-N.I.Q.No:-

Serial No. of Works applied for:-

e-Quotation ID No:- 2023_IWD_

Amount put to e-Quotation: Rs.

Dear Sir,

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

Dated this _____ day of _____ 201

Full name of Bidder/Contractor: _____

Name in full of Signatory/s*: _____

In the capacity* of:

Duly authorized to sign bid

for & on behalf of (Name of Firm): _____

(In block Capital letters or typed)

Office address with seal:

Telephone no(s) (office): _____

Mobile No: _____

Fax No: _____

Email ID: _____

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

FORM - 2

Declaration against Common Interest

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

Ref:-e-NIQ No:-

e-Quotation ID No:-

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

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

I/We, Sri/Smt.

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

Dated this _____ day of _____ 201_____

Full name of Bidder/Contractor: _____

Authorised Signatory: _____

In the capacity of: _____

Duly authorized to sign bid

for & on behalf of (Name of Firm): _____

(In block Capital letters or typed)

Office address with seal: _____

Telephone no(s) (office): _____

Mobile No: _____

Fax No: _____

Email ID: _____

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

(DIGITAL SIGNATURE OF BIDDER)

FORM-3

Power of Attorney for signing of Contract/Quotation Agreement*

(May be submitted if the bidder is a Company, Autonomous Body, Undertaking, Corporation, and NGO, in plain paper or otherwise in any legally acceptable format which shall be treated as the self-declaration of the bidder)

Know all men by these presents, I/We,
(name of the firm and address of the registered office) do hereby irrevocably constitute, nominate, appoint and authorise Mr./Ms..... son/daughter of..... and presently residing at....., who is presently employed with us/ the Lead Member of our Firm/Consortium/Joint Venture and holding the position of, as our true and lawful attorney (hereinafter referred to as the "Attorney") to do in our name and on our behalf, all such acts, deeds and things as are necessary or required in connection with or incidental to submission of our bid for the applied work/Project proposed or being developed by the Governor of the State of West Bengal represented by the **Executive Engineer, Kangsabati Canals Division No.-II**, Irrigation & Waterways Directorate, Government of West Bengal, 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 all matters before the Authority, signing and execution of all contracts including the Agreement and undertakings consequent to acceptance of our bid, and generally dealing with the "Authority" in all matters in connection with or relating to or arising out of our bid for the said Project and/or upon award thereof to us and/or till the entering into of the Agreement with the Authority;

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

IN WITNESS WHEREOF WE, THE ABOVENAMED PRINCIPALS HAVE EXECUTED THIS POWER OF ATTORNEY ON THIS..... DAY OF, 20..... For.....

(Signature Name dated designation and address of the bidder/(s) & Contact No. & e-mail ID) Witnesses: (Full Name with permanent addresses and contact nos.)

- 1.
- 2.

Signed & accepted

Notarized

Notes:

- 1 The mode of execution of the Power of Attorney should be in accordance with the procedure, if any, laid down by the applicable law in India and the charter documents of the executants and when it is so required, the same should be under common seal affixed in accordance with the required procedure.
 - 2 Wherever required, the Bidders should submit for verification the extract of the charter documents and documents such as a board or shareholders' resolution/ power of attorney in favour of the person executing this Power of Attorney for the delegation of power hereunder on behalf of the Bidder.
 - 3 For a Power of Attorney executed and issued overseas, the document will also have to be legalized by the Indian Embassy and notarized in the jurisdiction where the Power of Attorney is being issued. However, the Power of Attorney provided by Bidders from countries that have signed the Hague Legislation Convention, 1961 are not required to be legalized by the Indian Embassy if it carries a conforming Apostolic certificate.
- Bidder may submit any other legally valid format by bidder organisation except Proprietorship Firms.

FORM -4

Declaration on Antecedents and performance

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

Ref:-e-NIQ No:-

e-Quotation ID No:-

Work Sl.No.....

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

I/We, Sri/Smt. _____, the authorized signatory on behalf of _____ do hereby affirm that I/We/any of the member of _____ bidding again ste-NIQ No.....Sl.No..... are not blacklisted

suspended or debarred from participation in State Government procurements and Quotations in the Irrigation & Waterways Directorate, Government of West Bengal, other Departments of the State Government and Government of India on the date of publication of this Notice Inviting Quotation (NIQ).

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

Dated this _____ day of _____ 201

Full name of Bidder/Contractor: _____

Authorised Signatory:

In the capacity of: _____

Duly authorized to sign bid
for & on behalf of (Name of Firm): _____

(In block Capital letters or typed)

Office address with seal:.....

Telephone no(s) (office): _____

Mobile No: _____

Fax No: _____

Email ID: _____

(DIGITAL SIGNATURE OF BIDDER)

Memo No. 1009

Dated:-07.12.23

Copy forwarded to:-

Copy forwarded to:

1. The Sabhadhipati, Bankura Zilla Parishad.
2. The Chief Engineer-South West, I. & W. Dte ,Khasjungle, Abash, Medinipur, Paschim Medinipur.
3. The District Magistrate, Bankura.
4. Sub-Divisional Officer, Khatra, Bankura.
5. The Superintending Engineer, Kangsabati Circle-I, Kenduadihi, Bankura.
6. The Executive Engineer, Bankura Irrigation Division, Bankura
7. The Executive Engineer, Kangsabati Canals Division No.III, Bishnupur.
8. The Karmadhakshya, Krishi-o-Sech, Bankura Zilla Parishad, Bankura.
9. The Director of Information & Cultural Affairs, Department of Information & Culture, 3rd Floor, Nabanna, Howrah.
10. The District Information & Cultural Officer, Bankura
11. Sub-Divisional Officer, K.L.B. Sub-Division-II, I&WD, Mukutmanipur.
12. Sub-Divisional Officer, K.C. Sub-Division-V, I&WD, Khatra.
13. Sub-Divisional Officer, K.C. Sub-Division-VIII, I&WD, Raipur.
14. Sub-Divisional Officer, K.C. Sub-Division-III, I&WD, Khatra.
15. The Divisional Accounts Officer of Kangsabati Canals Division No.II, Khatra.
16. Notice Board of the Kangsabati Canals Division No-II, Khatra.

(DIGITAL SIGNATURE OF TIA ISSUFFICIENT)

(Sd/)
Executive Engineer
Kangsabati Canals Division No.-II,
Irrigation & Waterways Directorate