



GOVERNMENT OF WEST BENGAL
OFFICE OF THE EXECUTIVE ENGINEER
CIVIL ENGINEERING DIVISION NO. III ; SUNDARBAN DEVELOPMENT BOARD
Bidhannagar Poura Bhavan, 5th Floor, FD-415/A, Salt Lake, Kolkata – 700106.

NOTICE INVITING e TENDER

e-NIT NO – WBSDB/EE/CED-III/NIT-04(e)/2020-21

Memo No :1962/CED-III/ET-03/2020-21

Dated :19.01.2021

Separate e-tenders are being invited by the **Executive Engineer, Civil Engineering Division No.-III**, Sundarban Development Board on behalf of the Governor of West Bengal for the works mentioned in the list given below, through electronic tendering (e-tendering) from eligible and resourceful contractors/bidders having sufficient credential and financial capability for execution of works of similar nature.

Intending contractors/bidders desirous of participating in the tender are to login to the website <https://wbtenders.gov.in>. The tender can be searched by typing the First Four Letters in the search engine provided in the website.

Contractors/Bidders willing to take part in the process of e-tendering are required to obtain Digital Signature Certificate (DSC) from any authorized Certifying Authority (CA) under CCA, Govt of India. (viz. nCode Solution, Safescrypt, e-Mudhra, TCS, MTNL, IDRBT) or as notified by the Ca / Finance Department from time to time. DSC is given as a USB e-Token. After obtaining the Class 3/Class 2 Digital Signature Certificate (DSC) from the approved CA they are required to register the fact of possessing the Digital Signature Certificates through the registration system available in the website. A list of such licensed CA's is also available in the CCA website cca.gov.in.

Intending contractors/bidders are required to download the e-tender documents directly from the website stated above. Tender is required to be submitted on-line with the help of the e-Tokens provided. **This is the only mode of submission of tender documents.** The interested bidders eligible for the tender may submit their bids through the e-Procurement system using their valid DSC e-Token with assigned PIN and using login ID and password.

Last date & time of submission of e-bids online is on 02.02.2021 till 16.00 hours.

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

All information posted in the website consisting of e-NIT and related documents, WB Form No. 2911(i)/2911(ii), Bill of Quantities (BOQ), EMD exemption order if any of competent authority, corrigenda and drawings etc. if any, shall form a part of the e-Tender Agreement document.

General Terms & Conditions for e-tenders

1. Eligibility for participation :

Bonafide tenderers/bidders, Registered Engineers'/Labour Co-operative Societies, Consortiums and Partnership firms registered with the State Government and contractors/bidders of equivalent grade or class, registered with the Union Government / Military Engineering Services / Indian Railways for execution of civil works are eligible to participate depending on the criteria as laid down below in the subsequent para.

Joint venture firms are not eligible to participate in e-tenders.

Note: *In case of consortiums, maximum number of constituents shall be restricted to 5 (five) and each of the constituent must have at least 10% work credential as well as at least 10% annual turnover from business in preceding 3 years within zone of consideration. Individual constituents of a consortium cannot form another consortium.*

2. Collection of Tender Documents :

Tenders are to be submitted online and intending tenderers are to download the tender documents from the website mentioned earlier, directly with the help of the e-Token provided. This is the only mode of collection of tender documents. Details of submission procedure are given below.

3. Participation in more than one serial of work in an e-tender (Exclusively Roads Works):

In general, any tenderers/bidders can submit for PARAY SAMADHAN PROGRAMME works of the tender published in the e-NIT depending on his/her previous work credential and financial capability, details of which have been stated later.

4. Submission of Tender

5.1 General process of submission

Tenders are to be submitted online through the website stated earlier. All the documents uploaded by the Tender Inviting Authority form an integral part of the contract. Tenderers are required to upload all the tender documents along with the other documents, as asked for in the e-tender, through the above website within the stipulated date and time, as given in the e-tender. Tenders are to be submitted in two folders at a time for each work, one is "Technical Proposal" and the other is "Financial Proposal". The tenderer shall carefully go through all the documents and prepare to upload the scanned documents in Portable Document Format (PDF) files in the designated link in the web portal as Technical Bid. He/she needs to fill up the rates of items/percentage in the BOQ, downloaded for the work, in the designated cell only and upload the same in designated link in the web portal as Financial Bid. The documents uploaded are to be virus scanned and digitally signed using the Digital Signature Certificate (DSC). Tenderers should especially take note of all the addendum/corrigendum related to the e-tender and upload all these documents also as a part of their tender documents.

Documents uploaded by the tenderers/bidders with all information & rates comprising Technical bid and Financial bid cannot be changed after last / end date for submission of e-tender.

5.2 Technical Proposal

The Technical Proposal should contain scanned copies and/or declarations in the following standardised formats in two covers (folders).

All scanned copies should be made from original documents.

A. Technical Cover containing :-

- i. Application for Tender - (Vide Form-1) (to be submitted in "**Forms**" folder)
- ii. Tender Form No. 2911(ii) – Form 2911(ii) published with the e-NIT to be downloaded and then uploaded and digitally signed. (to be submitted in "**2911**" folder)
- iii. Notice Inviting Tender (NIT) – The e-NIT as published is to be downloaded and then uploaded and digitally signed (to be submitted in "**NIT**" folder)
- iv. Tender Fee – NIL
- v. Earnest Money Deposit (EMD) – On-line submission of EMD is mandatory. It is the pre-condition through which bidder can take part in the e-procurement procedure. For online EMD submission, follow the detail guidelines as described later.
- vi. Average annual turnover from contracting business- Scanned copy of Summary statement of average annual turnover from contracting business for a period of last three(3) financial years or during the period since formation of the Firm, if it was set up in less than such three years period. (Vide Form-2 to be submitted in "**Forms**" folder as an additional information)
(Scanned copy of power of attorney by the competent authority is to be submitted, if the power is delegated for signing the bid to persons other than the applicant.)
- vii. Credential Certificate: Scanned copy of 100% physically completed works of similar nature. (to be submitted in "**credential**" folder)
- viii. Declaration of not having common interest in the same serial- (Vide Form-3 to be submitted

- in “Forms” folder)
- ix. Declaration that no penal action had been taken against the bidder’s firm for the last three financial years and also no work left in hand or incomplete, beyond the schedule completion period under **Civil Engineering Division No.-III, Sundarban Development Board, Govt. Of West Bengal - (Vide Form-4** to be submitted in “Forms” folder)
 - x. Drawings if any. (to be submitted in “Drawings” folder)
 - xi. Addenda/Corrigenda: If published. (to be submitted in the ‘NIT’ folder merged with e-NIT already uploaded as pdf file)
 - xii. General Specification of Works (to be submitted in “Specification” folder)
 - xiii. Additional Terms and Conditions (to be submitted in “Additional Terms and Conditions” folder” if any)
 - xiv. **All the documents like Completion Certificate, Self Declaration , Balance Sheet, payment certificate , tools & machineries and manpower list should be Notarised from Govt. Notary.**

NOTES:-

- i. Tenderers/bidders are to keep track in the website for all the addendum and corrigendum published for a particular e-tender and upload all the above digitally signed by him/her along with the tender. **Tenders submitted without addendum/corrigendum are liable to be treated as informal and thereby rejected.**
- ii. Tenders will be summarily rejected if any of the aforesaid item is found to be missing in the on line bid submitted by the tenderers/bidders.

B. My Document (OID* Cover) containing :-

My Document Format for uploading in the OID folder:-

Sl. No.	Folder name	File description	Details	Remarks if any
I	Certificates	certificates.pdf	<ol style="list-style-type: none"> 1. Professional Tax Payment Certificate (PTPC) / Latest Professional Tax Deposit challan 2. PAN Card 3. GST / VAT Registration Certificate. 4. Latest Income Tax Return and I.T Dept. Return acknowledgement /Receipt. 	
II	Company Details	companydetails.pdf 1 companydetails.pdf 2	<ol style="list-style-type: none"> 1. Proprietorship Firms (Trade Licence) 2. Partnership Firms (Partnership Deed, Trade- Licence, Form-VIII or Memorandum of Registration) 3. Limited Companies (Incorporation Certificate, Trade-Licence, Memorandum of Articles) 4. Registered Co-operative Societies (Society Registration Certificate, Trade Licence and By-laws, Documents showing latest office-bearers) 	
III	Credential of works	Credential pdf 1 Credential pdf 2	<ol style="list-style-type: none"> 1. BOQ duly authenticated by issuing authority and copy of work order/AOC. 2. 100% completion certificate for physically completed work. 	
IV	Financial credential	Payment certificate .pdf P/L audited balance sheet for year-1.pdf P/L audited balance sheet for year-2.pdf P/L audited balance sheet for year-3.pdf	Profit & Loss account audited balance sheets with annexure containing the appropriate designated Forms 3 CA / 3 CD / 3 CB, as applicable with annual turnover for the last three financial years within the zone of consideration.	

* OID denotes Other Important Documents.

- (I). Certificate/s: (name of the file should be **“certificates.pdf”**) to be uploaded in scanned pdf in certificates.pdf.
- Professional Tax Payment Certificate (PTPC) or Professional Tax deposit challan valid for the current financial year/latest as per rule and the bidders PAN Card;
 - Goods & Service Tax (GST) or Value Added Tax (VAT) Registration.
 - Latest Income Tax Return filed and the Latest Income Tax Return Acknowledgement for last 03 years.
- (II). Company Details: (name of file should be **“companydetails.pdf”**)
- Details of bidder Organisations/State Registered Co-operative Society/ Firms or Companies:-
Valid Deed of Registration in the form of certified copy of ‘Form No. VIII,’ issued under Indian Partnership Act, 1932 (Act-IX of 1932) by the Registrar of Firms.

In case a contractor/bidder is yet to receive Form No. VIII, a “Memorandum” issued by the Registrar of Firms may also be accepted. However, Consortiums submitting the Memorandum are also required to submit an undertaking in plain paper along with their application in Forms 1 & 2 and upload its scanned copies pledging that “Copy of Form No. VIII would be submitted to the Tender Inviting Authority, before acceptance of his/her bid by the competent authority, in case he/she is found lowest. If he/she fails to submit the registration certificate within the stipulated time, his/her bid will not be accepted till the submission of the certificate. In case of inordinate delay in submitting the document his/her bid is liable to be rejected and his/her EMD deposited will stand forfeited to the Government.

Any change in the constitution and constituent of Firm/Company should also be intimated to the office of the Registrar of Firms/ROC, prior to submission of application in the e-tender and a certified copy of the revised Form No. VIII/Memorandum of Articles of ROC showing changes in its constituents are required to be submitted.
For Companies, incorporation Certificate, Trade License, 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 along with the bid. Any other document substantiating name and address with contact of all Company Directors/ Board Members.
 - For State Registered Co-operative Societies and Companies (**“companydetails.pdf”**)
 - 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.
 - Trade Licence.
 - Latest 03 Successive Years Audit Report of Assistant Registrar of Co-operative Societies, GoWB
 - Any other document, showing name with signature of all latest office bearers/ Members.
- (III). Previous experience/credential: Scanned copy of work credential issued in favour of the contractor/bidder as detailed later.
Bill of Quantities (BOQ) along with work order (AOC) duly authenticated by the competent authority in support of credential certificate submitted under Technical cover (name of file should be **“credential.pdf 1”**).
- (IV). Financial Credential:
- Balance Sheet :-**

Audited Balance Sheet including Profit & Loss Accounts of the preceding Successive Years with auditor’s certificate regarding Annual Turnover from contracting business in each 3CA/3CB/3CD as applicable, are to be submitted in support of Form 2. In case of non completion of audit for the year 2019-20, a certificate from auditor of approximate yearly turnover for the year 2019-20 may be uploaded for consideration. However, audited report for the years 2016-17, 2017-18, 2018-19 may also be considered for the cause. Auditor’s certificate must contain his/her Membership or Registration No. of Registered Audit/CA Firm.

Bidders/Contractors/Tenderers whose annual turnover is less than 1 Crore shall need to submit payment certificates of works obtained from clients for the corresponding years if audited balance sheets are unavailable in support of Form 2.
If the company was set up less than three years ago, audited balance sheet for the no of

years since inception are to be submitted.

(V). Others: Any other documents considered necessary by bidder.

Note : Failure of submission of any one of the above mentioned documents in the e-tender will render the tender/bid liable to summary rejection.

5.3 Financial Proposal

The financial proposal should contain the following document in one cover (folder).

- i) Bill of Quantities (BOQ): Tenderers/bidders are required to quote the rate as percentage above or below tender value online through computer in the space marked for quoting rate in the BOQ. (Only downloaded copies of the above documents are to be virus scanned & digitally signed and by the tenderers/bidders).

Note:-

- a. BOQ without a valid numeric rate at the designated space provided in the BOQ will be rejected outright. Tenderers/bidders willing to quote "at-par" rate shall need to write "0" in the 'space' provided for rates in the BOQ.
- b. In cases where BOQ has been changed by the Tender Inviting Authority by way of addendum/corrigendum, tenderers/bidders are required to upload the revised BOQ. If bids are submitted prior to the date of publication /uploading of addendum/corrigendum, the tenderers/bidders is required to resubmit the bids along with the revised BOQ. If the revised BOQ is not found subsequently during financial evaluation, the bid will be rejected.

c. If the rate quote of L1 bidder is found 20% less or even further less than the amount put to tender, an Additional Performance Security (A.P.S.) @ 10% of the tendered amount shall have to be deposited in the form of Bank Guarantee from any Scheduled Bank in favour of Executive Engineer, Civil Engineering Division No.-III, Sundarban Development Board within 10 working days from the date of electronically awarded/treat a 'L1' bidder or AOC issuance of Letter of Acceptance (L.O.A.), which is deemed fit failing which, Earnest Money will be forfeited and other necessary action as per terms & condition of e-N.I.T. may be imposed, as per provision in G.O.No. 4608-F(Y) Dated 18th July, 2018 of Finance Department.

The Bank Guarantee shall have to be valid up to end of the Contract Period and shall be renewed accordingly, if required. The Bank Guarantee shall be returned immediately on successful completion of the works contract. If the bidder fails to complete the work successfully, the Additional Performance Security (A.P.S.) shall be forfeited.

5. Tender Fee and Earnest Money Deposit (EMD)

Mode of Payment:-

- a. **Tender Fees**:- Entire set of e-Tender document is made available **free of cost** through the State Government e-tender portal having URL <https://wbtenders.gov.in>. Cost for tender documents will be charged during execution of a formal tender agreement. However, the tenderers/bidders may wherever necessary be charged suitably for asking for additional/multiple copies of drawings, specifications, Schedule of Rates of the Circle/s (SoR) etc. and such fee may be suitably determined by the Tender Inviting Authority (TIA) as per norms.
- b. **Earnest Money Deposit (EMD)**:- On line submission of EMD is mandatory. It is the pre-condition through which bidder can take part in e-procurement procedure. Details guidelines of the same have been obtained from Finance Department vide G.O. No. 3975-F(Y) Dated 28th July, 2016.

Procedure to be adopted for deposit of EMD/Bid Security related to e-procurement of the State Government Departments and its subordinate offices, PSUs, Autonomous and Local Bodies, PRIs, etc.:-

Login by bidder:-

- a) A bidder desirous of taking part in a tender invited by a State Government office /PSU/Autonomous Body/ Local Body/ PRIs etc. shall login to the e-procurement portal of the Government of West Bengal <https://wbtenders.gov.in> using his login ID and password by using valid DSC.
- b) He will select the tender to bid and initiate payment of pre-defined EMD / Tender Fees for that tender by selecting from either of the following payments modes:
 - i. Net banking (any of the banks listed in the ICICI Bank Payment gateway) in case of payment through ICICI Bank payment Gateway.
 - ii. RTGS/NEFT in case of offline payment through bank account in any bank approved by RBI.

Payment procedure:-

a) Payment by Net Banking (any listed bank) through ICICI Bank Payment Gateway:-

- i. On selection of net banking as the payment mode, the bidder will be directed to ICICI Bank Payment Gateway webpage (along with a string containing a Unique ID) where he will select the Bank through which he wants to do the transaction.
- ii. Bidder will make the payment after entering his Unique ID and password of the Bank to process the transaction.
- iii. Bidder will receive a confirmation message regarding success/failure of the transaction.
- iv. If the transaction is successful, the amount paid by the bidder will get credited in the respective pooling account of the State Government /PSU/Autonomous Body/Local Body/ PRIs, etc. Maintained with the Focal Point Branch of ICICI at R N Mukherjee Road, Kolkata for collection of EMD/Tender Fees.
- v. If the transaction is failure, the bidder will again try for payment by going back to the first step.

(b) Payment through RTGS/NEFT:-

- i. On selection of RTGS/NEFT as the payment mode, the e-procurement portal will show a pre-filled challan having the details to process RTGS/NEFT transaction.
- ii. The bidder will print the challan and use the pre-filled information to make RTGS/NEFT payment using his bank account.
- iii. Once payment is made, the bidder will come back to the e-procurement portal after expiry of a reasonable time to enable the NEFT/RTGS process to complete, in order to verify the payment made and continue the bidding process.
- iv. If verification is successful, the fund will get credited to the respective Pooling account of the State Government /PSU/ Autonomous Body/Local Body/PRIs, etc. maintained with the Focal Point Branch of ICICI Bank at R N Mukherjee Road, Kolkata for collection of EMD/Tender Fees.
- v. Hereafter, the bidder will go to e-procurement portal for submission of his bid.
- vi. But if the payment verification is unsuccessful, the amount will be returned to the bidder's account.

6. Credential Certificate

- i. Completion Certificates (CC) for 100% completed works during the current year and within last five financial years will only be accepted as valid credential. Certificates issued for partly completed works will not be considered.
- ii. CC should clearly show the name, postal address, (contact Tel. No. and FAX or e-mail ID if issued outside the jurisdiction of the State) of the office and designation of the officer/ authority issuing the CC for the work along with the name of work and amount put to tender (Tender Value). Illegible certificates and those having incomplete information may be rejected.
- iii. Credential Certificates (CC) of previous works successfully completed in the Sundarban affairs Department will be considered. CC of 100% completed works executed under various Departments of the

State Government/ organizations viz. Public Works & Public Works (Roads) Department, Public Health Engineering Department, Irrigation & Waterways Department etc, Zilla Parishads only within the jurisdiction of the State of West Bengal, WBHIDCO, WBSEDCL, WBSETCL, KMDA, KMW&SA, KMC, Other Municipal Authorities and Local Bodies, HRBC, Engineering Departments of Union Government like CPWD and Organizations like Farakka Barrage Project (FBP) Authority, Indian Railways, IRCON, RVNL, KoPT, NHPC, companies owned or managed by the Government of West Bengal, i.e. Mackintosh Burn Ltd., Westinghouse Saxby-Farmer Limited, Britannia Engineering Ltd., Sundarban Infrastructure Development Corporation Ltd.(SIDCL) may also be considered. Such CC are to be issued by an officer/authority not below the rank of Executive Engineer / Divisional Engineer /District Engineer/Project Manager of the State/Union Government Departments/ Organisations; It is desirable to have contact telephone and FAX or e-mail address of the signatory of the CC for all offices outside West Bengal for verification purposes.

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

7. Financial Eligibility Criteria

Financial proposal of any contractor will come under the purview of consideration only if both the criteria 8(a) & 8(b) mentioned below are fulfilled.

a)

- (i) Intending tenderers should produce completion certificate (CC) of single similar nature of completed work of the minimum value of **40%** of the estimated amount put to tender during current and last 5(five) financial years prior to the date of issue of the tender notice.
- (ii) Completion Certificate(s) submitted by the bidder should indicate the gross bill value of the 100% completed work only. Completion certificates should clearly contain the Name, Designation, Address and contact no of the Officer issuing the credential who should be rank of Executive Engineer or above position.

b) Average annual turnover from contracting business as stated in clause 5.2A(vi) & Form-2 should be at least **40% (80% in case of consortiums)** of the amount put to tender of the works in which the contractor intends to participate.

c) The bidder or any of their constituent partners shall neither have abandoned any work nor have any of their contracts been rescinded during the last 5 years. Such abandonment or recession will be considered as disqualification towards eligibility.

d) Tender issuing authority may relax stipulations contained in clauses above in exceptional cases, in the interest of culminating / maturing tender process at the first/subsequent call, subject to satisfaction of that authority on the competency of the bidder(s) for which such relaxation has been made, upon recording reasons of such relaxation.

8. Eligibility criteria for participating in more than one serial of work in concerned e-NIT :

- i. Normally separate completion certificate of fully physically completed works (100%) is to be provided for separate work. However, completion certificate as per clause 7 & 8(a) for any particular works (as the case will be) may be considered as eligible for participation in maximum two number of serials only, provided requisite credential for two such works (to be added arithmetically) satisfies the requirement in all respects out of one such CC.
- ii. Average annual turnover from contracting business should be more than or equal to **40% (80% in case of consortiums)** of aggregate tender value of works in which the contractor intends to participate.
- iii. Both the conditions stated in (i) and (ii) above are to be simultaneously satisfied.

9. Penalty for suppression/distortion of facts and withdraw of L1 bidder before acceptance of LoA

If any tenderer/bidder fails to produce all the original hard copies of the documents (especially Completion Certificates and Audited Balance Sheets), or any other document on demand by the Tender Inviting Authority within a specified time frame or if any deviation is detected in the hard copies from the corresponding uploaded soft copies or if there is any suppression / distortion / falsification noticed/detected/pointed out at any stage of e-tender process prior to the issue of work order, the Tender Inviting Authority will immediately bring the matter to the notice of the Tender Evaluation Committee who upon recommending suitable punitive actions against the bidder will place the matter before the Chief Engineer, SDB within 15 days of receipt of the complaint from the Tender Inviting Authority and the tenderer /bidder may be suspended from participating in all future tenders on the e-Tender platform of Sundarban Affairs Department (SAD), Govt. of W.B. as per approval of the Chief Engineer, SDB for a maximum period of 3 (Three) years. In addition, his/her EMD will stand forfeited by the Government. The Chief Engineer, SDB then will issue the necessary suspension order in writing with intimation to the defaulting tenderer /bidder and also the Department. Copy of such suspension order should invariably be communicated to the concerned Executive Engineer of the Division with a request to upload the order in the web portal. Besides, the S.A. Department may also take appropriate legal actions including blacklisting of the defaulting contractor/bidder and debarring him/her from participating in any State Govt. tender for a period upto three years and even e-tender cell of the respective division may be advised to block the incumbents DSC in order to debar him/her from participating in any Departmental e-tender during such suspension period. For e- tenders where such suppression / distortion / falsification is detected at an advanced stage of e- tender processing, the Chief Engineer, SDB will be the deciding authority as to what further necessary actions are to be taken regarding the fate of the e-tender.

10. Taxes & duties to be borne by the Contractor/Bidder

All types of taxes, Royalty, Construction Workers' Welfare Cess and similar other statutory levy / cess will have to be borne by the contractor and the rate should be quoted accordingly after consideration of all these charges.

11. Site inspection before submission of tender

Before submitting any tender, the intending tenderers should make themselves acquainted thoroughly with the local conditions prevailing at site by actual inspection of the site and taking into consideration all factors and difficulties likely to be involved in the execution of work in all respect including transportation of materials, communication facilities, climate conditions, nature of soil, availability of local labour and market rate prevailing in the locality etc. and no claim, whatsoever, will be entertained on these account afterwards. In this connection intending tenderers may contact the office of the Executive Engineer, CED-III, SDB, with the work between 11.30 hours to 16.30 hours on any working day prior to date of submission of tenders.

12. Conditional and incomplete tender

Conditional and incomplete tenders are liable to summarily rejected.

13. Opening and evaluation of tender

14.1 Opening of Technical Proposal

- i. Technical proposals will be opened by the Tender Inviting authority or his authorised representative electronically from the website stated earlier, using their Digital Signature Certificate/s.
- ii. Intending tenderers may remain present if they so desire.
- iii. Technical Cover Documents (vide Clause 5.2.A) would be opened/decrypted first and if found in order, Cover (Folder) for OID (vide Clause 5.2.B) will be opened. If there is any deficiency in the Technical Cover Documents, the tender will summarily be rejected.

- iv. Decrypted (transformed into readable formats) documents of the OID Cover will be downloaded, and handed over to the Tender Evaluation Committee.

14.2 Tender Evaluation Committee (TEC)

Committees already constituted for issuance of tender papers vide G.O. No.681/SA/P/4M-57/12 dated 25th September 2012, will continue to function as Tender Evaluation Committee (TEC), for evaluation of Technical Proposals of the tenderers, until further order.

14.3 Uploading of summary list of technically qualified tenderers in the web portal

- i. Pursuant to scrutiny and decision of the Technical Evaluation Committee (TEC), the summary list of eligible tenderers and the serial number of work(s) for which their Financial Proposals will be considered will be uploaded in the web portal.
- ii. While evaluation, the Committee may summon of the tenderers and seek clarification / information or additional documents or original hard copy of any of the documents already submitted and if these cannot be produced within the stipulated timeframe, their proposals will be liable for rejection.

14.4 Provision for appeal and its disposal

- i. Intending tenderers/bidders not satisfied with the decision of the Tender Evaluation Committee (TEC) may prefer an appeal to the Chief Engineer of the Sundarban Development Board in writing (through facsimile / e-mail or speed post) within two working days after the date of uploading of the summary list of the successful tenderers. Copy of such appeal should also be sent to the Tender Inviting Authority.
- ii. The Appellate Authority of the Sundarban Development Board will dispose such appeals by hearing the aggrieved tenderers as well as consulting the Tender Evaluation Committee within next three working days and the tenderer will be communicated accordingly.

14.5 Final publication of summary list of technically qualified tenderers

In case, the Appellate Authority asks the Tender Inviting Authority to consider tender of any of the aggrieved tenderers, who may have preferred appeal, the process of uploading of qualified tenderers will be re-done, through issuing necessary corrigendum. Date of opening of financial bid is to be intimated in the final summary list.

14.6 Opening and evaluation of Financial Proposal

- a. Financial proposals of the tenderers/bidders declared technically eligible by the Tender-Evaluation Committee (TEC) will be opened electronically by the Tender Inviting Authority in the web portal stated above on the pre- notified date and time.
- b. The encrypted copies will be decrypted and the rates will be read out to the tenderers/ bidders remaining present at that time, else they may login their respective e-tender accounts to see the comparative statement (C/S) in the web portal.
- iii. After opening the financial proposal, the preliminary summary result containing inter-alia, name of tenderers/bidders and the rates quoted by them will be uploaded and the result will be made available in the e-tender web portal platform.
- iv. If the Tender Accepting Authority (TAA) is satisfied that the rate obtained is fair and reasonable and there is no scope of further lowering down of rate, he/she may after having the comparative statement test checked by the Divisional Accountant / Divisional Accounts Officer attached to the office of the Executive Engineer, CED-III, SDB instruct the Tender-Inviting Authority to upload the final summary result containing the name of tenderers/bidders and the rates quoted by them against each work after acceptance of the rate by the TAA.
- v. If there is any scope for lowering down of rates in the opinion of the Tender Accepting Authority, in exceptional cases, open off-line bid negotiation with only the L1 bidder to lower down the rate may be held only by the Tender Accepting Authority in presence of Tender Inviting

Authority for reasons to be recorded in writing. Open bids are normally not encouraged from the point of view of confidentiality and transparency.

- vi. If there is no tenderer/bidder or the number of tenderers/ bidders in the 1st e-tender is less than three, the e-tender has to be cancelled. In case of participation of more than three bidders, if the number of technically qualified bidder falls below three, the e-tender is to be cancelled as well and fresh e-tender (i.e. 2nd e-tender) may be invited.
- vii. After holding such bids, final result after acceptance of the rate by the Tender Accepting-Authority would have to be uploaded in the e-tender website.
- viii. The Tender Accepting Authority may ask any of the bidders/contractors to submit analysis of rates to justify the rate quoted by that bidder.
- ix. If the lowest tenderer/bidder backs out there should be re-tendering in a transparent and fair manner. In such a situation the TIA may call for Short Notice e-tender if so justified in the interest of public works and take decision on the basis of L1 in Re-Tender or subsequent e-tender. Penal actions for premature withdrawal by bidder have been stated under clause 10 earlier.
- x. The lowest tender for all works is accepted as a rule. If for any reason the lowest tender 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.

14.7 Procedures to be followed when one/two technically qualified tenderers participated in any tender.

- a. If there is no bidder or the number of technically qualified bidder in the 1st call is less than three (3), the tender will be cancelled.
- b. Fresh tender in the form of 2nd call may be invited immediately after relaxation of the credential criteria to the extent if deemed necessary by the Tender Inviting Authority and advertisement will be circulated in newspapers.
- c. **Even if, after taking appropriate steps, if the number of technically qualified bidder in the 2nd call is less than three (3), the tender may be accepted as per conditions laid down in memorandum circulated by Finance Department, Govt. of West Bengal vide memo no. 925-F(Y) dated 14.02.17.**

14. Bid Validity :

The Bid will be valid for **120 days** from the date of opening of the financial proposal. However, extension of bid validity may be suitably considered by the TIA, if required, subject to written confirmation of the tenderers/bidders to that effect.

15. Acceptance of e-Tender

Lowest valid rate should normally be accepted. However, the Tender Accepting Authority does not bind himself/herself to do so and reserves the right to reject any or all the tenders, for valid reasons and also reserves the right to distribute the work amongst more than one tenderer.

16. Tender Acceptance Authority (TAA)

As per latest delegation of power, Tender Accepting Authority for different tenders is as below:

- i. **For tenders up to Rs. 100.00 lakh plus 5%***: Executive Engineer, CED-III, SDB.
- ii. **For tenders above Rs. 100.00 lakh and up to Rs. 250.00 lakh plus 5%***: Superintending Engineer, SDPC, SDB.
- iii. **For tenders above Rs. 250.00 lakh and up to Rs. 500.00 lakh**: Chief Engineer, SDB
- iv. **For tenders above Rs. 500.00 lakh and up to any limit**: Chief Engineer, SDB with approval of Government Appointed Departmental Tender Committee (DTC).

*** Procedure to be followed in terms of Departmental Notification No. 082/FS/SA/P/4M-81/12 Dated 14-08-2012.**

17. Execution of Formal tender/Agreement after acceptance of e-tender

The tenderer/bidder, whose tender is approved for acceptance shall within 15 days from the receipt or uploading of Letter of Acceptance (LoA) to the web portal will have to execute 'Formal Agreement' with the Tender Accepting Authority (TAA) in triplicate/quadruplicate copies of W.B.F. No. 2911(ii) which may be purchased on payment of requisite tender fees from the office of the Executive Engineer concerned with the work.

18. Refund of EMD of all unsuccessful bidder(s):-

Details guidelines of the same have been obtained from Finance Department vide G.O. No. 3975-F(Y) Dated 28th July, 2016.

Refund / Settlement Process:-

- i) After opening of the bids and technical evaluation of the same by the tender inviting authority through electronic processing in the e-procurement portal of the State Government, the tender inviting authority will declare the status of the bids as successful or unsuccessful which will be made available, along with the details of the unsuccessful bidders, to ICICI Bank by the e-procurement portal through web services.
- ii) On receipt of the information from the e-procurement portal, the Bank will refund, through an automated process, the EMD of the bidders disqualified at the technical evaluation to the respective bidders bank account from which they made the payment transaction. Such refund will take place within T+2 Bank Working Days where T will mean the date on which information on rejection of bid is uploaded to the e-procurement portal by the tender inviting authority.
- iii) Once the financial bid evaluation is electronically processed in the e-procurement portal, EMD of the technically qualified bidders other than that of the L1 and L2 bidders will be refunded, through an automated process, to the respective bidders' bank account from which they made the payment transaction. Such refund will take place within T+2 Bank Working Days where T will mean the date on which information on rejection of financial bid is uploaded to the e-procurement portal by the tender inviting authority. However, **the L2 bidder should not be rejected till the LOI process is successful.**
- iv) If the bidder accept the LOI and the same is processed electronically in the e-procurement portal EMD of the L2 bidder will be refunded through an automated process, to his bank account from which he made the payment transaction. Such refund will take place within T+2 Bank Working Days where T will mean the date on which information on Award of Contract (AOC) to the L1 bidder is uploaded to the e-procurement portal by the tender inviting authority.
- v) As soon as the L1 bidder is awarded the contract (AOC) and the same is processed electronically in the e-procurement portal -
 - a) EMD of the L1 bidder for tenders of State Government offices will automatically get transferred from the pooling account to the State Government deposit head "8443-00-103-001-07" through GRIPS along with the bank particulars of the L1 bidder.
 - b) EMD of the L1 bidder for tenders of the State PSUs/ Autonomous Bodies/Local Bodies/ PRIs etc. will automatically get transferred from the polling account to their respective linked bank account along with the bank particulars of the L1 bidders.

In both the above cases, such transfer will take place within T+1 Bank Working Days where T will mean the date on which the Award of Contract (AOC) is issued.

- vi) The Bank will share the details of the GRN No. Generated on successful entry in GRIPS with the e-procurement portal for updation.
- vii) Once the EMD of the L1 bidder is transferred in the manner mentioned above, Tender fees, if any, deposited by the bidders will be transferred electronically from the polling account to the Government revenue receipt head "0070-60-800-013-27" through GRIPS for Government tenders and to the respective linked bank accounts for State PSU/Autonomous Body/ Local Body/ PRIs, etc. tenders.

viii) All refunds will be made mandatorily to the Bank A/c from which the payments of EMD & Tender Fees (if any) were initiated.

19. Payment against bills raised by the contractor

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.

20. Withdrawal of Tender

Withdrawal of e-Tender once the bid has been submitted online and after passing of end date for submission and has been accepted for further processing, is not allowed. EMD will be forfeited by the Government and the tenderers/bidders penalised in terms of Clause 10 referred earlier would be applicable.

21. Schedule of Dates for e-Tendering (e_NIT NO : WBSDB/EE/CED-III/NIT-04(e)/2020-21).

Sl. no	Activity	Date & Time
1.	<i>Publishing Date/Uploading in Website:</i> https://wbtenders.gov.in/nicgep/app & www.sundarbanaffairs.in	20.01.2021 at 16.55 Hrs
2.	<i>Document Download start date</i>	20.01.2021 at 16.55 Hrs
3.	<i>Pre. Bid Meeting date</i>	28.01.2021 at 13.00 Hrs
4.	<i>Bid submission start date (It should be after pre. Bid Meeting)</i>	29.01.2021 at 11.00 Hrs
5.	<i>Bid submission end date</i>	02.02.2021 at 16.00 Hrs
6.	<i>Technical Bid opening date</i>	04.02.2021 at 16.00 Hrs
7.	<i>Uploading of Technical Bid Evaluation sheet</i>	To be notified later
8.	<i>Financial Bid opening date</i>	To be notified later
9.	<i>Uploading of Financial Bid Evaluation sheet</i>	To be notified later

*TIA: - e-Tender Inviting Authority

*TAA: - e-Tender Accepting Authority

Sd/-
Executive Engineer
Civil Engineering Division-III
Sundarban Development Board

Encl.:-

- 1) Form – 1 , Application for Tender
- 2) Form – 2 , Yearly Turn over certificate
- 3) Form – 3 , Declaration against Common Interest
- 4) Form – 4, Declaration against Penal action and incomplete work(s).

Memo No : 1962/CED-III/ET-04/2020-21

Dated : 19.01.2021

Copy with enclosure forwarded for information and necessary action for wide publication to :

1.	The Joint Secretary, Sundarban Affairs Department, Mayukh, Gr. Floor, Salt Lake City, Kolkata – 700091 with the request to upload this NIT in the Department website : www.sundarbanaffairs.in (sent to the e_mail : sundarbanaffairs@gmail.com)
2.	The Member Secretary & Project Director, Sundarban Development Board.
3.	The Chief Engineer, Sundarban Development Board.
4.	The Superintending Engineer, Sundarban Development Project Circle. Sundarban Development Board.
5.	The A & G, 3 rd MSO Building, 5 th Floor, CGO Complex, DF Block, Salt Lake , kol-700064.
6.	The Executive Engineer, CED – I/CED-II/CED-IV Sundarban Development Board.
7.	Sub-Divisional Officer, Nazat Sub-Division / Minakhan Sub-Division.
8.	Sr. Divisional Account Officer, CED-III, Sundarban Development Board.
9.	Divisional Estimator, CED-III, Sundarban Development Board.
10.	Website: www.sundarbanaffairswb.in
11.	Notice Board.
12.	Tender guard file.
13.	District Information & Cultural office, with request for necessary advertisement in daily newspaper (on Bengali) as per Govt. Norms (enclosed herewith the advertisement matter)

**Executive Engineer
Civil Engineering Division-III
Sundarban Development Board**

Memo No : 1962/CED-III/ET-04/2020-21

Dated : 19.01.2021

Copy with enclosure forwarded for information and necessary action for wide publication to :

1.	The D.M., North 24-Parganas Zilla Parishad.
2.	The Savadhipati, North 24-Parganas Zilla Parishad.
3.	Website: https://wb.tenders.gov.in/nicgep/app

**Executive Engineer
Civil Engineering Division-III
Sundarban Development Board**

FORM-1

PRE-QUALIFICATION APPLICATION FOR TENDER

To
The Executive Engineer
Civil Engineering Division No.-III
Sundarban Development Board

NIT No:-
Serial No of Work applied for :-
Amount put to tender : RS......

Dear Sir,

Having examined the Technical Cover, OID Cover & other e-NIT documents, I/we hereby like to state that I/we wilfully accept all your conditions and offer to execute the works as per NIT no and Serial no stated above. We also agree to remedy the defects after/during execution of the above work in conformity with the conditions of contract, specifications, drawings, bill of quantities and addenda.

Dated this _____ day of _____ 201____
Full name of applicant: _____
Signature: _____
In the capacity of: _____
Duly authorized to sign bids
For & on behalf of (Name of Firm): _____
(In block capitals or typed)

Office address:

Telephone no(s) (office): _____
Mobile No: _____
Fax No: _____
E mail ID: _____
GST Registration No. (Mandate) _____
PAN (Mandate) _____
Beneficiaries Name, Bank Name with IFSC Code & A/c No. (Mandate) _____
Details of Technical Staff available _____

Enclo. e-Filling

- 1. Statutory Documents.**
- 2. Non Statutory Documents**

**Signature of applicant including title
and capacity in which application is made.**

Date:

FORM-2

Certificate regarding Summary Statement of Yearly Turnover from Contractual Business

This is to certify that the following statement is the summary of the audited Balance Sheet arrived from contractual business in favour of

..... for the last three consecutive years or for such period since inception of the Firm, if it was set in less than such three year's period.

Sl. No	Financial		Remarks <i>(as per audited accounts report)</i>
	Year (last 3years)	Turnover rounded up to Rs. in lakh (two digit after decimal)	
1.			
2.			
3.			
Total			

Average Annual Turnover (In Lakh of Rupees):

Note:

1. Year preceding the current financial year is to be considered as Year-1.
2. Average turnover is to be expressed in lakh of rupees, rounded up to two digits after decimal.
3. Average turnover for 3 years is to be obtained by dividing the total turnover by 3.0. If the Firm was set up in less than 3 year's period, consider the turnover for the period from inception to the Year-1. It may be either 1.0 or 2.0. Average turnover is to be obtained by dividing the total turnover by 1.0 or 2.0, as the case may be.
4. In case, the firm was set up in less than 3 year's period, mention the year of inception in the 'Remarks' column.

Date:

.....
Signature of bidder

FORM-3

Declaration against Common Interest

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

..... do hereby affirm that

I/We/any of the member of

..... bidding against NIT No.....

Sl. No do not have any common interest either as a partner on any partnership firm / joint venture as a Proprietor / Owner of any other firm in the same serial for the work I / We want to participate.

Date:

.....
Signature of bidder

FORM-4
DECLARATION BY THE TENDERER

IN RESPECT OF GENERAL CONDITION OF CONTRACT

[Affidavit to be affirmed on a Non Judicial Stamp Paper of Rs. 10/- (Rupees ten only) and to be enclosed with the Tender Documents which is required to be mentioned in the forwarding letter of the Tenderer.]

I, _____, son of _____ aged about _____ years by occupation _____ do hereby solemnly affirm and say as follows:

- 1) That I am the _____ (designation) of _____ (Name of Tenderer) and I am duly authorized and competent to affirm on behalf of the said Tenderer.
- 2) That my / our authorized and competent personnel including myself have inspected all the sites of work covered under **Electronic Tender No. ___ of EE/PD of 2018-19 (Sl. No. ___) vide circulated Memo No. - ___/PD, dated - / /2018 of Executive Engineer, Purulia Division, PHE Dte., Government of West Bengal** and have made ourselves fully acquainted with the site conditions and local conditions in or around the site of work. We have also carefully gone through the Notice Inviting Tender and Tender Documents and **W.B.F. 2911 (ii)** mentioned therein. Tender of the above named Tenderer is offered upon due consideration of all factors and if the same is accepted, I, on behalf of the aforesaid Tenderer, being duly authorized, promise to abide by all the covenants, conditions and stipulation of the contract document and to carry out, complete design, construction, supply, erection, commissioning, performance guarantee test and operation and maintenance of the work to the satisfaction of the EIC of the work and abide by his instruction as may be given by him from time to time to that effect. I also undertake to abide by the provisions of law including of Contract Labour (Regulation & Abolition) Act, 1970, Apprentice Act, 1961, West Bengal Sales Tax Act. Income Tax as would be applicable to the Tenderer upon entering into formal contract / agreement with the Government of West Bengal.
- 3) That I declare that no relevant information as required to be furnished by the Tenderer, has been suppressed in the Tender Documents.
- 4) That I declare that we will not claim any compensation in any manner whatsoever in the event of becoming unsuccessful Tenderer.
- 5) That I declare that Public Health Engineering Directorate / Department, Govt. of West Bengal shall not be held responsible for making payment against any anticipated profit and / or compensation for any losses, whatsoever for the works as stated in this Tender Document and we shall not claim any payment for such purpose in the event of becoming successful Tenderer.
- 6) That the statement made in paragraph No. 1 to 5 are true to the best of my knowledge and belief.
- 7) Having no penal measures taken by any authority/ client on any account against the organization / firm for any project of similar nature or any other project executed during the last 5 (Five) years

Solemnly affirmed by the

Said _____

Deponent before me

FORM-5

WORKING EXPERIENCE DETAILS

1. Name of Applicant:

2. List of similar type of work completed / ongoing:

Name of Employer	Name, location and nature of work	Reference of Work Order (Memo. No. and Date)	Contract Value	Date of Commencement	Present Status (If completed, please mention date of completion)

Note: Copy of Completion Certificate to be attached

Signature of Bidder

LIST OF WORKS

e_NIT NO. – WBSDB/EE/CED-III/NIT-04(e)/2020-21

Memo No : 1962/CED-III/ET-04/2020-21

Dated : 19.01.2021

Tender Accepting Authority : 1) Executive Engineer, Civil Engineering Divn. No. III, Sundarban Development Board.
Bidhannagar Poura Bhavan, 5th Floor, FD – 415/A, Salt Lake, Kolkata – 700106.

S I N o .	Name of Work	Concerned Executive Engineer with Headquarter	Amount put to tender (Rs.)	Earnest Money Deposit (Rs.)	Time allowed for completion of work	Defect liability Periods	Eligibility of Contractor
1	2	3	4	5	6	7	8
1	Construction of Concrete Road from Sambhu Bera's house to sluicagate at uttar Mamudpur (house of Madhab Das), in G.P.- Hingalgunj, Block:- Hingalgunj under Nazat Sub-Division of Civil Engineering Division No-III, Sundarban Development Board. (Ch 0.00m to 960.00m)= 960.00m. (Core Plan) [PARAY SAMADHAN PROGRAMME-NOP605]-A	Executive Engineer, Civil Engineering Divn No. III, S.D.B. Kolkata.	4847752	96955	45 (forty five) Days	2 years	i) Intending tenderers should preferably produce completion certificate having gross final bill value after charging abatement of single work of similar nature of the minimum value of 40% of the estimated amount put to tender during 5(five) years prior to the date of issue of the tender notice.
2	Construction of Concrete Road from Sambhu Bera's house to sluicagate at Uttar Mamudpur (Near Kunekhali fishery), in G.P.- Hingalgunj, Block:- Hingalgunj, under Nazat Sub-Division of Civil Engineering Division No-III, Sundarban Development Board.(Ch 960.00m to 1130.00m + link Road 510.00m{ in between ch 0m to 960.0m)= 680.00m (Core Plan) [PARAY SAMADHAN PROGRAMME-NOP605]-B	Executive Engineer, Civil Engineering Divn No. III, S.D.B. Kolkata.	2984394	59688	45 (forty five) Days	2 years	i) Intending tenderers should preferably produce completion certificate having gross final bill value after charging abatement of single work of similar nature of the minimum value of 40% of the estimated amount put to tender during 5(five) years prior to the date of issue of the tender notice.
3	Emergent restoration on short term basis of RCC pile jetty on the river Dansa at Purba Bholakhali in G.P.- Sehera Radhanagar , Block-Sandeshkhali-I under Nazat Sub-Division of Civil Engineering Division No-III, Sundarban Development Board. (Core Plan) [PARAY SAMADHAN PROGRAMME-NOP852]	Executive Engineer, Civil Engineering Divn No. III, S.D.B. Kolkata.	4096948	81939	45 (forty five) Days	2 years	i) Intending tenderers should preferably produce completion certificate having gross final bill value after charging abatement of single work of similar nature of the minimum value of 40% of the estimated amount put to tender during 5(five) years prior to the date of issue of the tender notice.
4	Construction of RCC Jetty on the river Dansa near Bouthakurani Sluicagate Ghat in G.P.- Sandeshkhali, Block-Sandeshkhali-II under Nazat Sub-Division of Civil Engineering Division No-III, Sundarban Development Board. (PLAN) [PARAY SAMADHAN PROGRAMME-NOP877]	Executive Engineer, Civil Engineering Divn No. III, S.D.B. Kolkata.	6941701	138834	45 (forty five) Days	2 years	i) Intending tenderers should preferably produce completion certificate having gross final bill value after charging abatement of single work of similar nature of the minimum value of 40% of the estimated amount put to tender during 5(five) years prior to the date of issue of the tender notice.

5	Solar street light fittings from Samsernagar Adibashi area in G.P.- Kalitala Block:- Hingalgunj under Nazat Sub-Division of Civil Engineering Division No-III, Sundarban Development Board. (Core Plan) [PARAY SAMADHAN PROGRAMME-NOP591]	Executive Engineer, Civil Engineering Divn No. III, S.D.B. Kolkata.	6532260	130645	45 (forty five) Days	2 years	i) Intending tenderers should preferably produce completion certificate having gross final bill value after charging abatement of single work of similar nature of the minimum value of 40% of the estimated amount put to tender during 5(five) years prior to the date of issue of the tender notice.
6	Solar Street light fittings from Chaital Panchayat to 4 No Chaital at GP - Chaital , Block - Minakhan under Minakhan Sub-Division of Civil Engineering Division No-III, Sundarban Development Board. (Core Plan) [PARAY SAMADHAN PROGRAMME-NOP674]	Executive Engineer, Civil Engineering Divn No. III, S.D.B. Kolkata.	6210305	124206	45 (forty five) Days	2 years	i) Intending tenderers should preferably produce completion certificate having gross final bill value after charging abatement of single work of similar nature of the minimum value of 40% of the estimated amount put to tender during 5(five) years prior to the date of issue of the tender notice.
7	Solar Street light fittings from Chaital Bus Stand to Nimishi Ray Bari at GP - Chaital , Block - Minakhan under Minakhan Sub-Division of Civil Engineering Division No-III, Sundarban Development Board. (Core Plan) [PARAY SAMADHAN PROGRAMME-NOP675]	Executive Engineer, Civil Engineering Divn No. III, S.D.B. Kolkata.	7783368	155667	45 (forty five) Days	2 years	i) Intending tenderers should preferably produce completion certificate having gross final bill value after charging abatement of single work of similar nature of the minimum value of 40% of the estimated amount put to tender during 5(five) years prior to the date of issue of the tender notice.

Sd/-
Executive Engineer
Civil Engineering Division No.III
Sundarban Development Board

Additional Terms & Conditions.

1. Notwithstanding anything contained in the form in which the contract is executed the following shall constitute terms and conditions of contract and shall be binding on the contractor.
2. The Executive Engineer of the Division concerned will be the Engineer-in-Charge the works in respect of the contract and all correspondences concerning rates, claims, change in specification and/or design and similar important matters will be valid only if made by the Engineer-in-Charge. If any correspondence of above tender is made with Officers other than the Engineer-in-charge for speedy execution of works, the same will not be valid unless copies are sent to the Engineer-in-Charge of the works and approved by him. The instruction given by the Sub- Divisional Officer and the Sub-Assistant Engineer shall also be valid (who have been authorized to carry out the work on behalf of the Engineer-in-Charge of the works) regarding specification, supervision, approval of materials and workmanship. In case of dispute, the decision of Engineer-in-Charge of the works shall be final and binding.
3. The tender will be on the basis of the Schedule of Rates and the contractors are to quote rate in terms of percentage higher or lower or at par which will apply to all the rates in the Tender Schedule irrespective of whether quantities are entered in the schedule or not i.e. all the items and rates as shown in the schedule with the tendered percentage increase or decrease will be applicable to this tender. In analysing the rates for supplementary items, if any, as found necessary, which are not covered by this Schedule of item and rates, the principles as laid down in clause 12 of the tender form in W.B.F. 2911(ii) in which the contract will be executed, shall be followed.
4. The acceptance of the tender including the right to distribute the work between two or amongst more than two tenderers will rest with the competent authority without assigning reason thereof. The accepting authority reserves right to reject any or all tenders without assigning any reason thereof.
5. The Tenderer shall have to comply with the provisions of (a) Contract labour (Regulation & abolition) Rules, 1970 (b) Minimum Wages Act 1948 or the modification thereof or any other laws relating thereto as will be in force from time to time.
6. Department shall not entertain any claim whatsoever from the contractor for payment of compensation on account of idle labour on any ground including non-possession of land.
7. The Government shall not be held liable for any compensation due to machines becoming idle for any circumstances including untimely rains, other natural calamities, strike etc.
8. No Price preference, will be applicable to W.B. Govt. undertaking .
9. Imposition of any duty / tax rules etc whatsoever of its nature (after work order / Commencement and completion of the work) is to be borne by the tenderer. Original challans of those materials, which are procured by the tenderer may be asked to be submitted for verification.
10. CESS @ 1% of the cost of construction works shall be deducted from the Gross value of the Bill in Terms of Finance Department order No. 853-F dated 01.02.2006. Also it is instructed to register his Establishment under the Act, under the competent registering Authority, i.e. Assistant Labour Commissioner / Dy. Labour Commissioner of the region concern.
11. **No mobilization / secured advance bill be allowed.**
12. All types of taxes, Cess, Royalty of sand, stone chips, stone metal gravel, boulders, forest product etc, Toll Tax, Income Tax, Ferry Charges and other Local Taxes if any are to be paid by the contractor. No extra payment will be made for these. The rates of supply and finished work items are inclusive of these.
13. All working tools and plants, scaffolding, construction of vats & platforms will have to be arranged by the contractor at his own cost.
14. The contractor shall supply mazdoors, bamboos, ropes, pegs, flags etc. for laying out the work and for taking and checking measurements for which no extra payment will be made.

15. The contractor should see the site of works and tender documents, drawings etc. before submitting tender and satisfy himself 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 and security etc. Work on river banks may be interrupted due to a number of unforeseen reasons e.g. sudden rise in water level, inundation during flood, inaccessibility of working site for carriage of materials. The Engineer-in Charge works may order the contractor to suspend any 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 other local needs etc. between the preparation and execution of the scheme for which the tendered rate and contract will not be invalidated. The contractor will not be entitled to any claim or extra rate on any of these accounts.
- 15.(a) The necessary payment of bill will be made according to availability of fund.
16. A machine page numbered Site Order book (with triplicate copy) will have to be maintained at site by the contractor and the same has got to be get issued from the Engineer-in-Charge works before commencement of the work. Instructions given by inspecting officers will be recorded in this book and the contractor must note down the action taken by him in this connection as quickly as possible.
17. The work will have to be completed within the time mentioned in the tender notice. A suitable work program is to be submitted by the contractor within 7(seven) days from the date of receipt of work order which should satisfy the time limit of completion. The contractor should inform in writing the name of his authorized representative at site within 10 (seven) days from the date of receipt of work order who will receive instruction of the work, sign measurement book, bills and other Govt. papers etc.
18. The contractor will have to apply as per clause 5 of W.B.F. No. 2911(ii) for extension of time, if the work is not commenced or stopped or delayed due to non-receipt of departmental materials or land or due to injunction or public interference etc. No compensation for idle labour, establishment charge or on other reasons such as variation of price index etc. will be entertained.
19. 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 made by the contractor at his own costs while operating a public thoroughfare.
- 20. The contractor will have to maintain qualified technical employees at site during execution/ works quality monitoring at site as per work order.**
21. The contractor will have to accept the work program and priority of work fixed by the Engineer-in-Charge so that most vulnerable reach and/or vulnerable items be completed before the date needed by the Department due to impending monsoon or rise of water level or for other reasons.
22. The quantities of different items of work mentioned in the tender schedule or in work order are only tentative. In actual work, these may vary considerably. Payment will be made on the basis of works actually done in different items and no claim will be entertained for reduction of quantities in some items or for omission of some items. For execution of quantitative excess in any item **beyond 10%** or supplementary works, approval of Superintending Engineer/ Chief Engineer/ Government in the S.A. Department would be required depending on who so ever be the Tender Accepting Authority, before making such payment.
23. Departmental materials shall be issued to the contractor to the extent of requirements as assessed and in instalments as decided by the Engineer-in-Charge. Issue of Departmental materials may be of three categories.
 - a. Materials which are issued directly to the work: **Any materials brought to site by contractor must be 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 24 hrs. of issue of the order to that effect. The rates in the schedule are inclusive of cost and carriage of all materials to worksite. The materials will have to be supplied in phase with due intimation to the Sub-Divisional Officer concerned in conformity 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 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 is final and binding.

- b. Materials which are issued departmentally : The value of the materials will be recovered from the bills of the contractor in one installment or in successive installments as decided by the Engineer-in- Charge.
 - c. Materials which are issued departmentally at free of cost: For materials under category (a), (b) & (c), the contractor will act as the custodian thereof. The materials will have to be carried from the 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 him at his 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 time frame as fixed by Engineer-in-Charge of works, otherwise, the cost at penal rate will be recovered from the bill. Indent for departmental materials shall be submitted by the contractor to the S.D.O. at least 10 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 of works. The contractor shall be responsible for any damage or loss of such materials.
24. The contractor shall also have to satisfy the Engineer-in-Charge of the works regarding the proper utilization of such materials through material consumption statement or as per direction of EIC of the works.
 25. Any material, under category (b) of clause 23 above which may be found surplus on completion of the work, may at the sole discretion of the Engineer-in-Charge be taken back provided the same be of non-perishable nature and has not been damaged in any way. Surplus materials under category (c) of clause 23 above shall be returned to the Engineer-in-Charge in good condition.
 26. Requisite quantity of cement as may be required for the work will be supplied from the nearest departmental go down if stock permits. The issue rate of cement is shown in the Schedule of materials attached. Any excess consumption of cement by more than $\pm 5\%$ over the final consumption statement drawn up as per consumption rate specified in the Schedule will be recovered at a penal rate shown in schedule.
 27. The contractor will have to maintain a minimum no of machineries at site as per requirement. A list of machineries owned by the bidder and no. of machineries planned to be put into use at the working site stating the source of the machineries should be uploaded along with the tender by the Bidder.
 28. All queries and disputes arising out of the works tender contract is to be brought to the notice of the Chairman of the "Department Dispute Redressal Committee" in writing for decision within 20 days.
 29. The necessary payment will be made according to the availability of fund.
 30. The Bidder should be visit the site or location before submission of tender.
 31. Work order will be issued after getting the Administrative Approval.

Sd/-

**Executive Engineer
Civil Engineering Division-III
Sundarban Development Board**