



Government of West Bengal
OFFICE OF THE EXECUTIVE ENGINEER
CIVIL ENGINEERING DIVISION No.-II
SUNDARBAN DEVELOPMENT BOARD
SUNDARBAN AFFAIRS DEPARTMENT
Mayukh (4th Floor) Salt Lake City, Kolkata 700091

NOTICE INVITING TENDER

NIT No: -WBSDB/EE/CED-II/NIT-01(e)/2021-22

Memo No. - 1448 /CED II/2021

Dated: 29.07.2021

Separate tenders are invited by the **Executive Engineer, Civil Engineering Division No.-II**, 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 having sufficient credential and financial capability for execution of works of similar nature.

1. General Guidance for e-tendering :

Intending tenderers/bidders desirous of participating in the tender are to log on 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.

2. Registration of Contractors :

Tenderers 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. N Code Solution, Safescrypt, e-Mudhra, TCS, MTNL, IDRBT) 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.

3. 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 the 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.*

4. Collection of Tender Documents :

Tenders are to be submitted online and intending tenderers are to download the tender documents from the website given in clause 1 above, 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.

5. Participation of any Work :

Any tenderer can submit tenders for a **maximum of 1(One) work** published in any particular NIT either individually as a tenderer or company depending on his credential and financial capability, details of which are given later. **No tenderer can be a sub contractor while submitting a bid individually or as a partner of a firm/Cooperative Societies etc. in the same bidding process.**

6. Submission of Tender

6.1 General process of submission

Tenders are to be submitted online through the website stated in Clause 1. 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) to the portal 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 and upload the same in designated link in the web portal as Financial Bid. The documents uploaded are virus scanned and digitally signed using the Digital Signature Certificate (DSC). Tenderers should especially take note of all the addendum/corrigendum related to the tender and upload the latest documents as 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.

6.2 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. Signature on forms is essential. (It should not be in form of pasted image.)

A. Technical File (Statutory Cover) containing (Essential)

- 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 NIT to be downloaded and then uploaded and digitally signed. (to be submitted in "2911" folder)
Form No. 2911 duly filled up at the time of formal agreement as per G.O. No. 5696-F(Y) Dated 1st October, 2019 of Finance Department.
- iii. Notice Inviting Tender (NIT) – The NIT as published is to be downloaded and then uploaded and digitally signed (to be submitted in "NIT" folder)
- iv. Certificates - As per table under below A & B.
- 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.
- vi. Average annual turnover from contracting business (Vide Form -2) - Scanned copy of Summary statement of average annual turnover from contracting business for a period of **last three (3) financial years of zone of consideration** of the NIT or during the period since formation of the Firm, if it was setup in less than such 3- year period. **(Company formation proof should be submitted)**. The turnover should be authenticated by submitting the Balance Sheet (Form-3 CD Statement) / Payment Certificate or others necessary documents . (to be submitted in "Forms" folder).**(See below table D)** *(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 credential certificate (from original, not from photocopy) of **100% completed works having similar nature of items**. (to be submitted in "credential" folder) (As per table under below C).
- viii. **A General Declaration Form (Vide Form-3)** - This should be Submitted on **Company Letter Head**(to be submitted in "Forms" folder).
- ix. **Work in Hand (Vide Form No. – 4)** - The ongoing works under this division have to be mentioned here with their status. (to be submitted in "Forms" folder).
- x. **Addenda/Corrigenda**: If published. (to be submitted in the 'NIT' folder merged with e-NIT already uploaded as pdf file)
- xi. **General Specification of Works** (to be submitted in "Specification" folder)
- xii. **Additional Terms and Conditions** (to be submitted in "Additional Terms and Conditions" folder if any)

B : My Document(Non-Statutory Cover) :

- i) **Manpower** : a) **Technical Person** : The bidder will have to mention here the qualified technical employees at site as per requirement (**see clause 59 of 2911(ii) and point 20 of special terms and condition**)and have to provide proof of his appointment letter.
- ii) **ESI and PF Certificate** : Bidder has to provide ESI and PF Certificate with list of enrolled employees and its up to date payment status.
- iii) **Tools and Plants (Vide Form no. 5)** : (to be submitted in "Forms" folder)
- iv) All Others Important Documents

Format for uploading in folder:-

Sl.No	Folder Name	File Description	Details	Remarks, if any
A	Certificates	certificates.pdf1	1. Professional Tax Challan with Certificate for current financial year (Scanned from original) 2. Valid PAN Card issued by IT Deptt. , Govt. of India. Valid 15-digit Good and Services Taxpayer Identification Number (GSSTIN) under GST Act,2017 3. Latest I T Return Receipt	GST Payment status should be uploaded
B	Company Details	companydetails.pdf1 companydetails.pdf2	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	
C	Credential	Credential pdf 1 Credential pdf 2	1. BOQ duly authenticated by issuing authority (not below the rank of Executive Engineer or equivalent) and copy of workorder/AOC. 2. 100% Work Completion Certificates of physically completed work 3. Gross Amount with excess and supplementary items not covered in original BOQ should be authenticated by appropriate authority.	See Eligibility Criteria 8a
D	Financial Info	1.P/L Audited Balance- sheet for year -1.pdf 2.P/L Audited Balance- sheet for year -2.pdf 3. P/L Audited Balance- sheet for year-3.pdf	Profit & Loss account audited balance sheets with annexure, containing Form3CB with annual Turn Over for last three years within zone of consideration. If annual turnover < 1 Crore, payment certificates obtained from clients and IT submission certificates for the corresponding years if audited balance sheets are unavailable.	See Form - 2
E	Equipment	Laboratory Machinery	Laboratory & Machineries to be maintained by the tenderers/bidders under purview of contract.	See Form -5

Notes:

- i. Documents has to be submitted in the respective folder only. Any type of mismatch will be treated as non-submission of the requisite documents and will render the tender liable to summarily rejection.
- ii. Failure of submission of any one of the above-mentioned documents may render the tender liable to rejection.
- iii. Tenderers/bidders are to keep track in the website for all the addenda and corrigenda published for a particular e-tender and upload all the above physically and then digitally signed by him/her along with the tender. Tenders submitted without addendum/corrigendum and physically signed are liable to be treated as informal and thereby rejected.
- iv. **Tenders will be summarily rejected if any item in the statutory cover is missing.**

6.3 Financial Proposal

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

- i) **Bill of Quantities (BOQ):** Tenderers/bidders is to quote the rate (percentage above or below) online through computer in the space marked for quoting rate in the BOQ. *(Only downloaded copies of the above documents are to be uploaded, virus scanned and digitally signed 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.

6.3 Submission of Additional Performance Security (APS).

In tenders for Government works, bids are sometimes received at a much lower rate than the Estimated Amount put to tender. In such cases, to ensure the quality and proper execute of the work in public interest, the Governor is pleased to decide that Additional Performance Security @ 10% of the tendered amount shall be obtained from the successful bidder if the accepted bid value is 80% or less of the Estimate put to tender.

The Additional Performance Security shall be submitted in the form of Bank Guarantee from any Scheduled Bank before issuance of the Work Order. If the bidder fails to submit the Additional Performance Security within seven working days from the date of issuance of Letter of Acceptance, his Earnest Money will be forfeited and other necessary actions as per NIT like blacklisting of the contractor, etc, may be taken. 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 success completion of the Contract. If the bidder fails to complete the work successfully, the Additional Performance Security shall be forfeited at any time during the pendency of the contract period after serving proper notice to the contractor. Necessary provisions regarding deduction of security deposit from the progressive bills of the contractor as per relevant clauses of the contract shall in no way be altered/affected by provision of this Additional Performance Security. (vide no. 4608-F(Y) dated 18th July, 2018, Finance Department, **Government of West Bengal**).

7. Submission of original copies of documents of Tender Cost and Earnest Money Deposit

- i. **Mode of Payment:-**
 - a. **Tender Fees:-** Entire set of e-Tender document is made available **free of any 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 G.O. No. 3975-F(Y) Dated 28th July, 2016.**

NOTE: Earnest Money Deposit (EMD) is Exempted for Labour Co-Operative Society Limited. Details guidelines of the same have been obtained from Finance Department vide G.O. No.6718-F(Y) Dated 08.09.2015. Tenderer must have to upload the valid registration certificate issued by the Assistant Registrar of Co-Operative Society(ARCS), audit report for the FY 2013-14 & 2014-15, failing which such facilities of exemption shall not be entertained and the bid shall be summarily rejected.(to be submitted in "Form" folder as additional information)

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.
- 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.

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.

8. 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) Bonafide resourceful outside bidders having **ESI, PF etc. as per rule of office of the Labour Commissioner, Govt. of W.B.** shall have **satisfactorily completed as a prime agency** during the last 5 (five) years prior to the date of issue of this Notice at least one/Two/running work of similar nature under the authority of State/Central Gov., State/Central Gov. Undertaking /Statutory Bodies constituted under the statute of the Central / State Government.

I) For first Call of NIT:

- i) Intending tenderers should produce credentials of a similar nature of completed work 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; or,
- ii) Intending tenderers should produce credentials of 2(two) similar nature of completed work, each of the minimum value of 30% of the estimated amount put to tender during 5(five) years prior to the date of issue of the tender notice; or,
- iii) Intending tenderers should produce credentials of one single running work of similar nature which has been completed to the extent of 80% or more and value of which is not less than the desired value at (i) above;

In case of running works, only those tenderers who will submit the certificate of satisfactory running work from the concerned Executive Engineer, or equivalent competent authority will be eligible for the tender. In the required certificate it should be clearly stated that the work is in progress satisfactorily and also that no penal action has been initiated against the executed agency, i.e., the tenderer.

II) For 2nd Call of NIT:

- i) Intending tenderers should produce credentials of a similar nature of completed work of the minimum value of **30%** of the estimated amount put to tender during 5(five) years prior to the date of issue of the tender notice; or,
- ii) Intending tenderers should produce credentials of 2(two) similar nature of completed work, each of the minimum value of 20% of the estimated amount put to tender during 5(five) years prior to the date of issue of the tender notice; or,
- iii) Intending tenderers should produce credentials of one single running work of similar nature which has been completed to the extent of 80% or more and value of which is not less than the desired value at (i) above;

In case of running works, only those tenderers who will submit the certificate of satisfactory running work from the concerned Executive Engineer, or equivalent competent authority will be eligible for the tender. In the required certificate it should be clearly stated that the work is in progress satisfactorily and also that no penal action has been initiated against the executed agency, i.e., the tenderer.

III) For 3rd Call of NIT:

- i) Intending tenderers should produce credentials of a similar nature of completed work of the minimum value of **20%** of the estimated amount put to tender during 5(five) years prior to the date of issue of the tender notice; or,
- ii) Intending tenderers should produce credentials of 2(two) similar nature of completed work, each of the minimum value of 20% of the estimated amount put to tender during 5(five) years prior to the date of issue of the tender notice; or,
- iii) Intending tenderers should produce credentials of one single running work of similar nature which has been completed to the extent of 80% or more and value of which is

not less than the desired value at (i) above;

In case of running works, only those tenderers who will submit the certificate of satisfactory running work from the concerned Executive Engineer, or equivalent competent authority will be eligible for the tender. In the required certificate it should be clearly stated that the work is in progress satisfactorily and also that no penal action has been initiated against the executed agency, i.e., the tenderer.

Notes:

- Completion Certificate(s) submitted by the bidder should indicate the gross bill value of the completed work only. Completion certificates should clearly contain the Name, Designation, Address and contact no of the Officer issuing the credential and should be issued by the Competent Authority or not below the rank of Executive Engineer.
- **Payment Certificate will not be treated as credential.**
- 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.
- Tender issuing authority may relax stipulations contained in clauses above in exceptional cases, in the interest of culminating / maturing tender process at the first 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.

b) Average Annual Turn-Over :

I) For first Call of NIT: Average annual turnover from contracting business as stated in clause 6.2A(vi) & Form-2 should be at least **50% (70% in case of consortiums)** of the amount put to tender of the works in which the contractor intends to participate.

II) For 2nd Call of NIT: Average annual turnover from contracting business as stated in clause 6.2A(vi) & Form-2 should be at least **40% (60% in case of consortiums)** of the amount put to tender of the works in which the contractor intends to participate.

III) For 3rd Call of NIT: Average annual turnover from contracting business as stated in clause 6.2A(vi) & Form-2 should be at least **30% (50% in case of consortiums)** of the amount put to tender of the works in which the contractor intends to participate.

8.1 Completion Certificate

- i. Completion Certificates for fully (100%) completed works during the current financial year and last five financial years, will only be accepted. **Certificates issued for partly completed works will not be considered.**
- ii. Completion Certificate of work executed in other Departments of State Government or organizations, like Public Works & Public Works (Roads) Department, Public Health Engineers Department, Irrigation & Waterways Department and various other State Government Departments, Zilla Parishads, West Bengal Housing Infrastructure Development Corporation Limited (WBHIDCO), West Bengal State Electricity Distribution Company Limited (WBSEDCL), Kolkata Metropolitan Development Authority (KMDA), Kolkata Metropolitan Water Sanitation Authority (KMW&SA), Kolkata Municipal Corporation (KMC), Hooghly River Bridge Commissioner (HRBC); Engineering Departments of Central Government and Organization, like Railways, CPWD; and companies owned or managed by the State Government, i.e. Mackintosh Burn Ltd., Westinghouse Saxby Farmer Limited & Britannia Engineering Ltd. may also be considered. Such Completion Certificates are to be issued by an officer not below the rank of Executive Engineer / Divisional Engineer / District Engineer / Project Manager of the other State / Central Government Departments / Organisations. Such certificates are further to be countersigned by immediate superior authority of the Issuing Authority for all cases other than direct State / Central Government Departments and Railways.

8.2 Eligibility Criteria for Participating in more than one Serial of a Tender.

i. Completion Certificate of fully physically completed works (100%) is to be provided. (vide 8.a & 8.1(i)).

- ii. Average annual turnover from contracting business should be more than or equal to
 - a) 50% (70% in case of consortiums) [for 1st call]
 - b) 40% (60% in case of consortiums) [for 2nd call] &
 - c) 30% (50% in case of consortiums) [for 3rd call]of aggregate turn over required for the works in which the contractor intends to participate.
- iii. Both the conditions stated in (i) and (ii) above are to be simultaneously satisfied.
- iv. Tenderer can be participated in maximum 1(One) nos. serial of the list of works of the said NIT.

8.3 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 softcopies 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 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 debaring him/her from participating in any State Govt. tender for a period up to 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 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.

8.4 Taxes & duties to be borne by the Contractor

Income Tax, VAT, Sales Tax, 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.

8.5 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-II, SDB, with the work between 11.30 hours to 16.30 hours on any working day prior to date of submission of tenders.

8.6 Conditional and incomplete tender

Conditional and incomplete tenders are liable to summary rejected.

9. Opening and evaluation of tender

9.1 Opening of Technical Proposal

- i. Technical proposals will be opened by the Tender Inviting authority or his authorised representative electronically from the website stated in Clause 1, using their Digital Signature Certificate.
- ii. Intending tenderers may remain present if they so desire.
- iii. Cover (Folder) for Statutory Documents (vide **Clause 6.2A**) would be opened first and if found in order, Cover (Folder) for Non-statutory Documents (vide **Clause 6.2B**) will be opened. If there is any deficiency in the Statutory Documents, the tender will summarily be rejected.
- iv. Decrypted (transformed into readable formats) documents of the Non-statutory Cover will be downloaded, and handed over to the Tender Evaluation Committee.

9.2 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.

9.3 Process of Technical Evaluation in a tender

After threadware evaluation & scrutiny of the bid documents by Technical Evaluation Committee (TEC), the TBO summary sheet containing Preliminary Technical Qualification Sheet will be uploaded.

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 time frame, their proposals will be liable for rejection. The technical committee also has right to withdraw any essential provisions from any bid to get that bid mature.

Within two working days of uploading this TBO summary sheet, any of the aggrieved bidder, may seek clarification / redressal / review from the TEC on the list of bidders, in writing/through e-mail with supporting facts / figures / documents. These clarification / review may be related to eligibility of other bidders, on the grounds of submission of false/ forged / manipulated / inappropriate credentials, or review on the eligibility of the applicant himself. Views of the Tender Evaluation Committee (TEC) would be communicated in writing to that bidder within next two (2) working days.

9.4 Provision for appeal and its disposal

- a) 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.
- b) 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 two working days and the tenderer will be communicated accordingly.

9.5 Final publication of summary list of technically qualified tenderers in the web portal

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 portals.

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.

9.6 Opening and evaluation of Financial Proposal

- i. 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.
- ii. 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 log in the irrespective 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-II, 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, all the bidders will be notified through the web site to attend sealed bid on predetermined date and time to be held in the office of the Tender Accepting Authority. Open bids are normally not encouraged from the point of view of confidentiality and transparency. However, in exceptional cases, open bid negotiations with only the L1 bidder vide G.O. no. 925-F(Y) dt. 14th February, 2017 to lower down the sealed bid rate may be held only by the Tender Accepting Authority in presence of Tender Inviting Authority for reasons to be recorded in writing may be required.
- vi. If there is no tenderer/bidder or the number of tenderers/bidders in the 1st e-tender/ 1st call 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, thee-tender is to be cancelled as well and fresh e-tender (i.e 2nd e-tender/2nd call) maybe invited.
- vii. After holding such bids, final result after acceptance of the rate by the Tender Accepting-Authority would have to be up loaded in the e-tender web site.
- 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.
- x. 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 8.3** earlier.

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

- i. Selection of tenderer/bidder should be made on the basis of at least three valid tenders, which shall be opened in presence of their willing agents. If the number of tenders received is less than three, tender would be cancelled and invited afresh.
- ii. In case of invitation of e-tenders under two-bid system, if the number of tenderer/bidders qualified in the technical bid is less than three, tender would be invited afresh.
- iii. 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 tenderer/bidder the work should be awarded.
- iv. Maximum 5% excess beyond 'Tender Value'(Amount put to Tender) may be accepted by the Tender Accepting Authority if at least three valid tenders have been received subject to the overall power of tender acceptance delegated to each level of engineer officers as mentioned in the Finance Department Notification issued from time to time, provided tender value after abatement is within the administratively approved cost. In case of excess over administratively approved amount, proposal for revised administrative approval would have to be submitted to the Government, but acceptance of tender and issue of work order may be kept pending for want of revised administrative approval.
- v. Above 5%and up to10% of the Tender Value can be recommended for acceptance by the Government appointed Departmental Tender Committee(DTC) subject to the conditions that valid tenders should not be less than three and L1is accepted and tendered 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 but acceptance of tender, and issue of work order may be kept pending for want of Revised Administrative Approval.
- vi. For acceptance of tenders above 10% of the Tender Value (Amount put to tender),upon specific recommendation of the DTC as mentioned at clause9.7(v) above, with that of the Department shall have to be sent to the Finance Department.
- vii. If the response to an e-Tender is less than three, then Tender should be invited afresh. Such Re-Tender notice shall be published in widely circulated dailies as per guidelines and also through e-Tender web portals. Prior to invitation of Re-Tender / fresh e-Tender, the eligibility criteria and other terms & conditions as contained in the first 'Notice Inviting e-Tender' (e-NIT) shall have to be reviewed by the Tender Inviting Authority, to ascertain whether (i) it was too much restrictive, say, specifications and qualifications were fixed at high standards than required, (ii) advertisements in the widely circulated Newspapers were properly published and (iii) other related procedural matters were observed in its entirety.
- viii. Even if, after taking appropriate steps in regard to relaxation of criteria to the extent as decided by the Tender Accepting Authority and also wider publicity of 2nd tender / 2nd call in widely circulated dailies and through web-site, the response to the Re-Tender is still less than three, this procedure enumerated vide G.O. no. 925-F(Y) dt. 14.02.2017 will be in force.
- ix. For acceptance of Single bid when the no. Of qualified bidders during 2nd call is less than 3 the following procedure will be followed.

As per FD Memo No. 9754-F(Y) dated 03.12.2012, if the response to Tender (including e-Tender) is less than three (3), then Tender is invited afresh in terms of note 1 below rule 47(8) of West Bengal Financial Rules as amended by this department Notification no. 5400-F(Y) dt 25.06.2012. The Tender Notice and Re-Tender notice, if any, is required to be published in widely circulated dailies and also through e-Tender portal in case of e-Tender/e-Auction. Prior to invitation of Tender/Auction the eligibility criteria and other terms & conditions are required to be prepared carefully by the Tender Inviting Authority. However, in case of 2nd call, if any, the eligibility criteria and other terms & condition as contained in the first 'Notice Inviting Tender' are required to be reviewed by the Tender Inviting Authority to ascertain whether-

- i. It was too much restrictive, say, specifications and qualifications were fixed at higher standard than required,
- ii. Advertisements in the widely circulated Newspapers were properly published and

iii. Other related procedural matters were observed in its entirety.

However, it has been observed that in many cases the above provisions and procedures of reviewing the eligibility criteria and wide publication of the NIT for tender / 2nd call are not being properly observed by the Tender Inviting Authority and the departments.

Also, in some cases, extending the time for submission of bids after the expiry of normal time is regarded as equivalent to re-tender or fresh tender.

Under such circumstances, in partial modification of this Department Memorandum No. 9754-F(Y) dated 03.12.2012 and the related orders issued in this regard, the following provisions regarding extension of last date of submission of bids and acceptance of bids when the nos. Of qualified bidders during re-tender is less than three (3) are to be followed:

I. Extension of date :

- a. Tender process shall be initiated well in advance keeping in mind that there may be a situation for extension of last dates and / or re-tender.
- b. Last date of submission may be extended if the notice of extension is issued within the life of the tender period.
- c. After expiry of the Tender period date cannot be extended, however re-tender may be invited.
- d. Extension of date cannot be treated as 2nd or subsequent Call.

II. If the number of qualified bidders during tender / re-tender/re-Auction is less than 3:-

The Tender Inviting Authority (TIA) shall take a decision based on following situations –

A. If the estimate is less than 5 lakhs :

Case 1 : if the no. Of qualified bidder is 1 during retender, the Departmental Head Secretary may accept the tender in consultation with the FA of the Department.

Case 2: If the no. Of qualified bidder is 2 during retender, the Tender Inviting Authority may accept the tender on recommendation of the Tender Committee.

B. If the estimate is equal to or more than 5 lakhs but not more than One Crore:

Case 1: If the no. Of qualified bidder is one during retender :

- i. If the Bid is within 2% above the Estimate, the Departmental Head / Secretary may accept the tender in consultation with the FA of the Department on recommendation of the Departmental Tender Committee.
- ii. If the bid is beyond 2% above the Estimate, the Departmental Head / Secretary, consultation with the FA of the Departmental will refer the file to the finance Department.

Case 2 : If the no. Of qualified bidder is two during retender :

- i. If the bid is within 2% above the Estimate, the Tender Inviting Authority may accept the tender on recommendation of the Tender Committee.
- ii. If the Bid is more than 2% but less than 5% above the Estimate, the Departmental Head / Secretary may accept the tender in consultation with the FA of the Department on recommendation of the Departmental Tender Committee.
- iii. If the Bid is more than 5% above the Estimate, the Departmental Head / Secretary in consultation with the FA of the Department will refer the file to the Finance Department for approval.

C. If the estimate is more than one crore :

The Departmental Head / Secretary, in consultation with the FA of the Department and Departmental Tender Committee will refer the file to the Finance Department.

However, in all such cases at A, B and C above, the following procedure is to be observed :

1) In case the tender is to be accepted by the Head of the Administrative Department Secretary, the TIA will forward the case along with the duly filled up Form (Annexure –I) and necessary documents to the Head of the Administrative Department. The Head of the Administrative Department, in consultation with the FA of the Department on recommendation from the Departmental Tender Committee, will take the decision and accord approval at his level.

2) If the case is to be referred to Finance Department through the Head of the Administrative Department / Secretary, the TIA will forward the case along with the duly filled up format (Annexure-I) and necessary documents to the Head of the Administrative Department. The Head of the Administrative Department, if consultation with the FA of the Department on recommendation from the Departmental Tender Committee, will forward the file to the Finance Department along with necessary justifications.

3) All the administrative Departments may constitute a Departmental Tender Committee if not already done, for doing the above noted work.

10. Acceptance of e-Tender

Lowest valid rate should normally be accepted. However, the Tender Accepting Authority does not bind himself to do so and reserves the right to reject any or all the tenders, for valid reasons. But no work can be distributed amongst more than one tenderer.

11.1 Tender Acceptance Authority (TAA)

As per latest delegation of power vide memo no. 30-F(Y) dated 5th January, 2021, Tender Accepting Authority for different tenders is as below:

- i. **For tenders up to Rs. 1.00 crore plus 5% excess of tender value:** Executive Engineer, CED-II, SDB.
- ii. **For tenders up to Rs. 2.50 crore plus 5% excess of tender value:** Superintending Engineer, SDPC, SDB.
- iii. **For tenders above Rs. 2.50 crore and up to Rs. 5.00 crore:** Chief Engineer, SDB
- iv) **Above 5.00 corore and up to any limit:** Chief Engineer, SDB with approval of Government Appointed Tender Acceptance Committee.

***Procedure to be followed in terms of Finance Departmental Notification No. 30(FY) Dated 05-01-2021.**

11.2 Execution of Formal tender after acceptance of tender

The tenderer/bidders, whose tender is approved for acceptance shall within 15 days from the up loading 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 requisite of tender fees payment from the office of the Executive Engineer, CED-II, SDB. Failure to do so, attract penal measure against tenderer / bidder vide cl. 8.3 stated *ibid*.

11.3 Refund of EMD of all unsuccessful bidder(s):-

Details guidelines of the same have been obtained from **Finance Department 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 payment of EMD & Tender Fees (if any) were initiated.

11.4 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.**

12 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.

13 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 **Clause7(i)b** and **clause 8.3** referred earlier would be applicable.

14 Schedule of Dates for e-Tendering

Sl. No.	Activity	Date & Time	Remarks
1.	<i>e-tender Publishing Date& Time</i>	29.07.2021 18.00hrs.	To be made available with the e-NIT in the website.
2.	<i>Document Download start date & time</i>	29.07.2021 18.30hrs.	
3.	<i>Bid submission start date & time</i>	30.07.2021 11.00hrs.	
4.	<i>Bid submission end date & time</i>	12.08.2021 18.00hrs.	
5.	<i>Technical Bid opening date</i>	16.08.2021 11.00hrs.	
6.	<i>Uploading of Technical Bid Evaluation sheet</i>	To be decided by TIA	
7	<i>Financial Bid opening date</i>	-do-	To be notified to all tenderers/bidders through e-mail & SMS through auto-generation in the system.
8	<i>Uploading of Financial Bid evaluation sheet</i>	To be decided by TIA	
9	<i>Uploading of Letter of Acceptance (LoA)</i>	-do-	
10	<i>Uploading of Award of Contract (AoC), Work Order</i>	-do-	

Important Notes:- On line submission of EMD is mandatory.

***TIA:- e-Tender Inviting Authority**

***TAA:- e-Tender Accepting Authority**

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).
- 5) Form – 5 , Declaration of tools and Plants.
- 6) List of Works=

sd/- R. Ranjan
Executive Engineer
Civil Engineering Division-II,
Sundarban Development Board

Memo No1448 /CED II/2021

Dated: 29.07.2021

Copy with enclosure forwarded for in formation and necessary action for wide publication to the :-

01	Chief Engineer , Sundarban Development Board
02	Member Secretary & Project Director , Sundarban Development Board
03	Superintending Engineer , Sundarban Development Project Circle, Sundarban Development Board
04	Joint Secretary , Sundarban Affairs Department, Mayukh, Gr. Floor, Salt Lake City, Kolkata- 700091 with the request to upload this NIT in the Departmental website www.sundarbanaffairs.in (Sent to the e-mail : sundarbanaffairs@gmail.com)
05/08	Executive Engineer , CED - I/ CED - III/ CED - IV/SIDD , Sundarban Development Board
09	Notice Board

sd/- R. Ranjan
Executive Engineer
Civil Engineering Division-II,
Sundarban Development Board

FORM-1

APPLICATION FOR TENDER

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

NIT No:-

Serial No of Work applied for :-

Amount put to tender : Rs

Dear Sir,

Having examined the Statutory, Non statutory & 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 _____ 202_____

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: _____

E mail ID: _____

Note : Submission of Mobile No. and E-mail id is mandatory, otherwise bid may be rejected.

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 (from "3CD Statement" as per audited accounts report/Payment Certificate)
	Year	Turnover rounded up to Rs in lakh (two digits after decimal)	
1.			
2.			
3.			
Total			

Average Turnover: **In `.....Lakh** (Rounded up)

Note:

- 1. Year preceding the current financial year is to be considered as Year-1.**
2. Average turn over is to be expressed in lakh of rupees, rounded upto two digits after decimal.
3. Average turn over for 3 years is to be obtained by dividing the total turnover by 3.0. If the Firm was setup 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 turn over is to be obtained by dividing the total turn over by 1.0 or 2.0, as the case may be.
4. In case, the firm was setup in less than 3 year's period, mention the year of inception in the 'Remarks' column.
5. Submission of blank form referred to O.I.D. will be summarily rejected.
6. Balance Sheet/Payment Certificate should be uploaded for authentication.

Date:

.....
Signature of bidder

FORM-3

Declaration of Bidder

(To be typed in Company Letter Pad, Typed and Uploaded)

I / We Sri / Smt. the authorized
signatory on behalf of
..... do hereby
declare/certify that

- I have applied in the Tender in the capacity of individual / as a partner of a firm and I 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.
- Our firm or its constituent firm had **neither been debarred to participate in tender nor any penal action had been taken against my/our firm for the last three financial years by S.A. Department**
- I/We have inspected the site of work and have made myself/ourselves fully acquainted with local conditions in and around the site of work. I /We have carefully gone through the Notice Inviting Tender and other tender documents mentioned therein along with the drawing attached. I/We have also carefully gone through the 'Priced schedule of Probable Items and Quantities'.
- I/We promise to abide by all the stipulations of the contract documents and carry out and complete the work to the satisfaction of the department.
- All the statements made in the attached documents in respect of mode of ownership of machineries are true and correct and required specified machineries for the works under this NIT will be installed at the working site immediately after receive date of LOA / work Order.
- All the statements made in the attached documents are true and correct. If any declaration submitted is found/ascertain to be incorrect/ fabricated /misrepresented/ fraudulent etc. accordingly tender will be liable to be cancelled/terminated immediately in addition to forfeiture of Earnest Money/Security Deposit.

Note: **If the statement found false / fabricated, then the tender of the bidder will be summarily rejected.**

Signed by an authorized officer of the firm

Name of the firm with seal

Date _____

FORM - 4

Work in Hand

I declare the status of works in hand taken from SDB are as follows:

S.N	Name of Work with NIT no. and Division	Work Order date	Status		
			Not-Started	Running (% of Progress)	Completed during current F.Y.
1.					
2.					
3.					
4.					

Note: Bidders who have already received work order for any work/works from this division, but the same have not yet started/slow progress, his technical bid may not be considered.

.....
Date:

Signature of Bidder

LIST OF WORK

NIT No: -WBSDB/EE/CED-II/NIT-01(e)/2021-22

Memo No.:- 1448/CED II /2021

Dated:- 29.07.2021

Sl no	Name of Work	Concerned Executive Engineer with Headquarter	Amount put to Tender (Rs)	Earnest money deposit (Rs)	Time allowed for completion of work DAYS	Source of Fund	Eligibility of Contractor
1	2	3	4	5	6	7	8
01	Construction of Approach Road and its Slope Protection in Connection with RCC Jetty at Achintyanagar Hatisur-Opposite Majher Ghat Left bank of river Sibua at Mouza -Paschim Sripatinagar G.P-Achintyanagar, P.S. & Block-Patharpratima under Kakdwip-II Sub-Division of Civil Engineering Division No-II(Under Plan Head) 3RD CALL	Executive Engineer, Civil Engineering Division No. II, Kolkata	1988865.00	39777	180 days	PLAN	Bonafied resourceful outside contractors having experience of completion of similar type (100% completed work) of work in Govt organisation during the last 5 financial years for a single contract of value not less than 20% of the estimated amount put to tender. Payment certificate will not be treated as credential.
02	Construction of Approach Road and its Slope Protection in Connection with Construction of 1No. R C C pile jetty at Berar Teka ghat left bank of mridangabhanga at G.P-Banashyamnagar, Block-Patharpratima under Kakdwip-II Sub-Division of Civil Engineering Division No-II (Under Plan Head) 3RD CALL	Executive Engineer, Civil Engineering Division No. II, Kolkata	2354303.00	47086	180 days	PLAN	Bonafied resourceful outside contractors having experience of completion of similar type (100% completed work) of work in Govt organisation during the last 5 financial years for a single contract of value not less than 20% of the estimated amount put to tender. Payment certificate will not be treated as credential.

03	Construction of B.P. Road from Sunil Parua house to Khirishtala via Geotala at Mouza-Chintamonipur , G.P.-Durbachati, P.S. & Block-Patharpratima under Kakdwp-II Sub-Division of Civil Engineering Division No-II, Sundarban Development Board, Department of Sundarban Affairs". (Ch.0.00 m to 1300.00 m), Length-1300.00 m, (Under Plan Head)	Executive Engineer, Civil Engineering Division No. II, Kolkata	4085986.00	81720	240 days	PLAN	Bonafied resourceful outside contractors having experience of completion of similar type (100% completed work) of work in Govt organisation during the last 5 financial years for a single contract of value not less than 40% of the estimated amount put to tender. Payment certificate will not be treated as credential.
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Note2:- Any further evaluation of the works contract due to change in G.S.T. will not be entertained from this end.

➤ Note: Lowest Bidder shall have to submit the downloaded West Bengal Form No. 2911 duly filled up at the time of formal agreement as per G.O. No. 5696-F(Y) Dated 1st October, 2019 of Finance Department.

(sd/- R Ranjan)
EXECUTIVE ENGINEER
CIVIL ENGINEERING DIVISION No.-II
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 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 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) regarding specification, supervision, approval of materials and workmanship. In case of dispute, the decision of Engineer-in-Charge shall be final and binding.
3. The tender will be on the basis of the Schedule of Rates (SOR) 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 for min W.B.F.2911(ii) in which the contract will be executed, shall be followed.
4. 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, strikes etc.**
8. No Price preference, will be applicable to W.B. Govt. undertaking .
9. Imposition of any duty / tax rule set c 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. VAT/ Sales Tax, 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 countered 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 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 .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.

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 before commencement of the work. Instructions given by inspecting officers will be recorded in this book and the contractor must noted own 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 in form in writing the name of his authorized representative at site within 7(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, natural calamities 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 workforce deployed at work site 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 and/or Apprentices at site as per requirement given below. A list of personnel working under him along with their qualification should be submitted along with the bid. If value of work is more than 1 crore, engineer and Site Supervisor both are required as below. Work Value less than 1 Crore, either any will be applicable.**

Sl no	Designation	Qualification	Min No to be deployed at site
1	Engineer	Graduate Civil Engineer	1Nos
2	Site supervisor	Diploma Civil Engineer	1 Nos

Proof of appointment of technical person must be uploaded along with their monthly salary provided through bank for at least last 6 months..

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. 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, 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 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 instalment or in successive instalments 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, 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 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 or loss of such materials.
24. The contractor shall also have to satisfy the Engineer-in-Charge regarding the proper utilization of such materials.
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 15 days.
29. **It is mandatory to submit Still (both hard and soft copies) & Video photograph before commencement and after completion of the project work to the Engineer-in-charge for final settlement of their claim.**
30. **In tenders for Government works, bids are sometimes received at a much lower rate than the Estimated Amount put to tender. In such cases, to ensure the quality and proper execute of the work in public interest, the Governor is pleased to decide that Additional Performance Security @ 10% of the tendered amount shall be obtained from the successful bidder if the accepted bid value is 80% or less of the Estimate put to tender.**

The Additional Performance Security shall be submitted in the form of Bank Guarantee from any Scheduled Bank before issuance of the Work Order. If the bidder fails to submit the Additional Performance Security within seven working days from the date of issuance of Letter of Acceptance, his Earnest Money will be forfeited and other necessary actions as per NIT like blacklisting of the contractor, etc, may be taken. 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 success completion of the Contract. If the bidder fails to complete the work successfully, the Additional Performance Security shall be

forfeited at any time during the pendency of the contract period after serving proper notice to the contractor. Necessary provisions regarding deduction of security deposit from the progressive bills of the contractor as per relevant clauses of the contract shall in no way be altered/affected by provision of this Additional Performance Security. (vide no. 4608-F(Y) dated 18th July, 2018, Finance Department, Government of West Bengal).

31. No Payment to the bidder will be given in due course, if the bidder failed to submit 'Work Plan' to complete the project in due time as per Work Order within 7(Seven) days from the issue of the same.

32. Work Order will be sent to the L1 Bidders' mail box. Hence submission of mail ID in Form No. 1 is mandatory. Otherwise bid may be rejected .

33. Relevant tests of Concrete road may be done through no-destructive and /or Semi Destructive test either during construction or after the construction even before and / or after release of Final Security Deposit.
In case of mismatch of the quality between the tendered specification and the result achieved, appropriate action as per existing rule permits, will be imposed against the executing agency.

Sd/- R. Ranjan
Executive Engineer
Civil Engineering Division-II,
Sundarban Development Board