



KOLKATA METROPOLITAN DEVELOPMENT AUTHORITY  
OFFICE OF THE SUPERINTENDING ENGINEER (E/M)-I  
6<sup>th</sup> Floor, Unnayan Bhavan, Salt Lake  
Kolkata- 700091

No: 58/ SE (E/M)-I /KMDA/ BPS-North Barrackpore /2W-18/2023-24

Date:- 28/11/2023

**SE (E/M)-I/T-10 of 2023-24**

**ABRIDGED e-Tender NOTICE**

Sealed two part item rate e- Tenders are invited by the under signed from Pump Manufacturers having valid ISO 9001/ISO 14001 Certificate or their authorized agent having successfully completed the work of a Pump House having Pump motor set including electromechanical works related with a potable Surface Water Supply Scheme and having value not less than 40% of the quoted rate for the respective work during last 05(Five) years under any Govt. /Semi Govt. /Statutory or Local Bodies and having financial capabilities not less than 20% of the amount to be tendered, for the works mentioned below:-

Sl. No	Name of Work	Tender No	Estimated Amount	Earnest Money (Rs.)	Cost of Tender Document	Time of Completion
1.	Design, Engineering, Supply, Storage, Installation, Commissioning, Trial Run & Five (05) Years Operation And Maintenance Of Clear Water Booster Pumping Station Of Capacity 280 M <sup>3</sup> / Hour located at Hindu Burial Ground under North Barrackpore Municipality.	<b><u>SE (E/M)-I/T-10 of 2023-24</u></b>	Item Rate ( To be Quoted by the Bidder)	Rs. 3,00,000.00 (Three Lac)  Differential amount 2% of the Quoted amount & the deposited E.M.D. is to be submitted by the successful bidder after issuance of LOI and prior to issuance of work order .	Nil	One Year including the one (01) month Trial Run and excluding sixty (60) month O&M activity.

For details pls. visit [www.wbtenders.gov.in](http://www.wbtenders.gov.in) / <https://kmda.wb.gov.in> on & from 12/12/2023 at 15.00 Hrs. or contact this office of the undersigned for further information.

**Last date & time of bid submission on 05/01/2024 up to 15.00 Hrs.**

The authority reserves the right to reject or accept any or all tenders without assigning any reason.

.....  
Superintending Engineer (E/M)-I, KMDA

**Copy forwarded to:**

1. The Chief Engineer, EM Sector, KMDA
- ✓ 2. The Dy. Secretary, Public Relation Cell, KMDA along with four copies of this NIT for publication in three leading dailies of which **one must be in English (All India Circulation), one must be in Hindi** and for display this NIT in website of KMDA and Govt. of West Bengal.
3. The Director of Finance, KMDA.
4. The Superintending Engineer, (E/M)-II, KMDA.
5. The Executive Engineer , MD-V, E/M, KMDA.
6. The A. C. F. A. / A.O. , EM Sector, KMDA.
7. The P.S. to Chief Executive Officer, KMDA.
8. Notice Board

*JSun*  
28/11/23

SE (E/M)-I, KMDA

**KOLKATA METROPOLITAN DEVELOPMENT AUTHORITY**  
**OFFICE OF THE SUPERINTENDING ENGINEER (E/M)-I**  
**6<sup>th</sup> Floor, Unnayan Bhavan, Salt Lake**  
**Kolkata- 700091**

No: 59/ SE (E/M)-I /KMDA/ BPS-North Barrackpore /2W-18/2023-24

Date:- 28/11/2023

**SE (E/M)-I/T-10 of 2023-24**

**DETAIL e-Tender NOTICE**

Sealed two part item rate e- Tenders are invited by the under signed from Pump Manufacturers having valid ISO 9001/ISO 14001 Certificate or their authorized agent having successfully completed the work of a Pump House having Pump motor set including electromechanical works related with a potable Surface Water Supply Scheme and having value not less than 40% of the quoted rate for the respective work during last 05(Five) years under any Govt. /Semi Govt. /Statutory or Local Bodies and having financial capabilities not less than 20% of the amount to be tendered, for the works mentioned below:-

<b>Sl. No</b>	<b>Name of Work</b>	<b>Tender No</b>	<b>Estimated Amount</b>	<b>Earnest Money (Rs.)</b>	<b>Cost of Tender Document</b>	<b>Time of Completion</b>
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Intending bidders desirous of participating in the tender are to log on to the website <https://kmda.wb.gov.in> (the web portal of the KMDA) and click on to the "e-procurement" link provided. They may also visit the website <https://wbtenders.gov.in> for the tender. The tender can be searched by typing KMDA in the search engine provided in the website.

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. NIC, n Code Solution, Safes crypt, e-Mudhra, TCS, MTNL, IDRBT) DSC is given as a USB e-Token. After obtaining the Class 2 or Class 3 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.

Tenders are to be submitted online and intending bidders are to download the tender documents from the website stated 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 under "General terms and conditions and information".

**Last date of submission of e-tenders i.e. soft copy, for the Tender is 05/01/2024 up to 15.00 Hrs.**

The intending bidder must read the terms and conditions of the NIT carefully. He should particularly go through the eligibility criteria required and satisfy himself of the requirements for eligibility. He should only submit his bid if he considers himself eligible and he is in possession of all the documents required.

All information posted on the website consisting of NIT and related documents, Form No I, BOQ, Corrigendum etc. and Drawings if any, shall form part of the tender document.

**It may please be noted that any further corrigendum/Addendum related with this tender shall be hoisted exclusively in the above web sites only.**

### **General Terms and Conditions and Information**

#### **Eligibility for participation:**

- a) Pump Manufacturers having valid ISO 9001/ISO 14001 Certificate or their authorized agent having successfully completed the work of a complete Pump House, having Pump motor set with allied electromechanical works related with a potable Surface Water Supply Scheme and having value not less than 40% of the quoted rate for the respective work during last 05(Five) years under any Govt. /Semi Govt. /Statutory or Local Bodies shall only be allowed to participate provided that they satisfy either of the following requisite credentials : -
- i) Intending tenderers shall produce credentials of a work as mentioned above of minimum value of 40% of the quoted rate during 05(Five) years prior to the date of issue of the tender notice ; **Or,**
  - ii) Intending tenderers shall produce credentials of 2 (two) work as mentioned above, each of the minimum value of 30% of the quoted rate, during 05(Five) years prior to the date of issue of the tender notice; **Or,**
  - iii) Intending tenderers shall produce credentials of one single running work as mentioned above 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 is 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.

**After opening of the financial bid, if it is found that the submitted credential is not in line with the prerequisite of the tender, then the particular bid will be summarily rejected / cancelled.**

- b) Authorization from Pump Manufacturer indicating the Tender No., if the bidder is not a pump manufacturer.
- c) Credentials with completion certificates, valid GST registration and clearance certificate (If applicable), P.T. Clearance certificate, Income Tax Return for last three (03) financial year with "PAN Card", valid Trade License, P.F. & E.S.I Registration Certificate.
- d) Credit worthiness certificate/Bank Solvency not less than the 20% of the tendered value, issued by any nationalized/ Scheduled Bank **within last six month from the date of NIT.**
- e) Valid Electrical Contractor License and valid Electrical Supervisory License in all the relevant sections, specially covering the L.T. Switch Gear, cable as applicable.
- f) A declaration (as per 'Form – 2') on non-judicial stamp paper in the form of the affidavit before the notary as to correctness/ true and genuine of the copies of all documents submitted and a declaration whether penalty/debarment etc. had been faced or not under any Govt. /Semi Govt. /Autonomous Body /Institution etc. as on the date of submission of bid. A person/entity that is suspended/debarred by a procuring entity

shall not be allowed to participate in any procurement process during the period of suspension/debarment unless the same has been revoked by the respective authority.

**Terms & Conditions:**

**1. Participation in more than one work:**

Any contractor can submit tenders for a maximum of 50% of the total number of works (rounded up to next higher integer) published in any particular NIT, depending on his credential and financial capability, details of which are given later. [T.I.A. is having the discretionary power to overrule this clause depending on the credential and financial capability of the bidder].

**Submission of Tenders**

**3.1 General process of submission**

Tenders are to be submitted online through the website stated. 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 tender, through the above website within the stipulated date and time as given in the 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 the documents and prepare the required documents and upload the scanned documents in Portable Document Format (PDF) to the portal in the designated locations of Technical Bid. He 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 location of Financial Bid. The documents uploaded are virus scanned and digitally signed using the Digital Signature Certificate (DSC). Tenderers should specifically take note of all the addendum / corrigendum related to the tender and upload the latest documents as part of the tender.

**3.2 Technical Proposal**

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

**A. Technical File (Statutory Cover) containing:**

- i. Application for Tender (Vide Form-1) (to be submitted in 'Forms' folder)
- ii. Tender Form No. I (to be submitted in 'Form No 1 folder)
- iii. Notice Inviting Tender (NIT) (to be submitted in 'NIT' folder)
- iv. Tender Cost: Nil.
- v. Earnest Money Deposit (EMD) – Earnest Money is to be deposited online.

- Name of Beneficiary – K.M. D.A.

**If the value of the 2% of the Quoted amount is higher than the deposited Earnest Money, then the differential amount 2% of the Quoted amount & the deposited E.M.D. is to be submitted by the successful bidder after issuance of LOI and prior to issuance of Work Order .**

Drawings if any (to be submitted in 'Drawings' folder)

**Note: Tenders will be summarily rejected if any item in the statutory cover is not uploaded.**

**B. My Document (Non-Statutory Cover) containing Certificates:**

i. Pump Manufacturers having valid ISO 9001/ISO 14001 Certificate or their authorized agent having successfully completed the work of a complete Pump House, having Pump motor set with allied electromechanical works related with a potable Surface Water Supply Scheme and having value not less than 40% of the quoted rate for the respective work during last 05(Five) years under any Govt. /Semi Govt. /Statutory or Local Bodies shall only be allowed to participate provided that they satisfy the following requisite credentials :-

Intending tenderers shall produce credentials of a work as mentioned above of minimum value of 40% of the quoted rate during 05(Five) years prior to the date of issue of the tender notice ;

**Or as stated in Eligibility for Participation, Clause a)- (ii) & (iii)**

a) Authorization from Pump Manufacturer indicating the Tender No., if the bidder is not a pump manufacturer.

b) Valid Electrical Contractor License and valid Electrical Supervisory License in all the relevant sections, specially covering the L.T. Switch Gear, Cable as applicable.

c) Valid GST registration and clearance certificate (If applicable), P.T. Clearance certificate, Income Tax Return for last three (03) financial year with "PAN Card", valid Trade License, Valid P.F. & E.S.I Registration Certificate.

d) Bank solvency / Credit worthiness certificate not less than 20% of the tendered value from any Bank, issued within **last six month from the date of NIT.**

e) Submission of Design Calculation and Technical offer for selection of Pump-Motors, Pump-Characteristic Curves (H-Q ,  $\eta$ -Q , P-Q), G.A. drawing of the offered pump and Motor. All the documents of the pump shall have to be authenticated by the authorized signatory of the Pump Manufacturer.

f) A declaration (**as per 'Form – 2'**) on non-judicial stamp paper in the form of the affidavit before the notary as to correctness/ true and genuine of the copies of all documents submitted and a declaration whether penalty/debarment etc. had been faced or not under any Govt. /Semi Govt. /Autonomous Body /Institution etc. as on the date of submission of bid. A person/entity that is suspended/debarred by a procuring entity shall not be allowed to participate in any procurement process during the period of suspension/debarment unless the same has been revoked by the respective authority.

**ii. Company Details**

1. Registered Deed for Partnership Firm from Registrar of Assurances having office at Todi Mansion, Kolkata. Mere application for registration will not be considered. However in cases where the applicant is yet to receive registration certificate from Todi Mansion, the application is to submit an affidavit in non judicial stamp paper along with the application pledging that *"the registration certificate of the firm would be submitted to the Tender Inviting Authority before making agreement with the Tender Accepting Authority in case he*

*is found lowest*". In case of in-ordinate delay in submitting the document his bid is liable to be rejected and his EMD deposited will stand forfeited to Government. Any change in the constituents of the consortium / partnership firm should also be registered from the Office at Todi Mansion, Kolkata, prior to the date of application of tender otherwise his application will be rejected.

2. Trade License for Proprietorship Firms.
3. **Memorandum and Articles of Association for Limited Companies**
4. Society Registration and Bye-Laws for Cooperative Societies.

iii. **Credential:**

Credential Certificate issued by an officer not below the rank of Executive Engineer / Divisional Engineer / District Engineer / Project Manager of the other State / Central Government Departments / Organizations to be submitted in '*Credential*' folder. The scanned copy of the Certificate should be uploaded with the non statutory cover and the hard copy **should preferably be submitted** along with the non statutory documents (If applicable).

iv. **Balance Sheet:**

Audited Balance Sheets of last three financial years with auditor's certificate regarding annual turnover from contracting business in each year.

*(If the company was set up less than three years ago, audited balance sheet for the no of years since inception is to be submitted)*

v. **Addenda / Corrigendum: if published.**

**Note:** Contractors are to keep track of all the Addendum / Corrigendum issued with a particular tender and upload the same digitally signed along with the NIT Tenders submitted without the Addendum / Corrigendum will be informal and liable to be rejected.

vi. **Others: Any other documents found necessary**

**Note: Tenders will be summarily rejected if any item {From Sl No (i) to (iv)} in the non statutory cover is not uploaded.**

- vii) a) The bidder should not have record of poor performance or they should not have been blacklisted by any employer during the last five years prior to the date of the NIT. Such abandonment or punishment will be considered as disqualification towards eligibility. A declaration in this respect through affidavit has to be furnished by the prospective bidders as per **F o r m – 2** attached with this N.I.T. **without which the Technical Bid shall be treated as non responsive.** The scanned copy of the affidavit should be uploaded with the non statutory cover and the hard copy should **preferably be submitted**

along with the non statutory documents by the successful bidder after issuance of LOI (If applicable) . A person/entity that is suspended/debarred by a procuring entity shall not be allowed to participate in any procurement process during the period of suspension/debarment unless the same has been revoked by the respective authority .

- b) If the Suspension/Debarment Order is issued prior to the date of issue of “Letter of Acceptance”, “Letter of Acceptance cum work order”, “work order”, Notice to Proceed”, “Award of Contract”, etc for any bid, the suspended/debarred bidder shall not be qualified for award for the said bid and such procurement process will be dealt with as per existing norms by simply excluding the erring bidder.
- c) If the suspension / Debarment Order is issued after award of a Government project/ contract to the debarred bidder, the awarded project/contract shall not be prejudiced by the said order provided that the said offense (s) committed by the debarred bidder is not connected with the awarded project/contract.

**Note: However, if the suspension /debarment has been revoked by the respective authority as on the date of bid submission, the bidder will be allowed to participate.**

### **3.2.1 Financial Proposal**

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

Bill of Quantities (BOQ): The contractor is to quote the rate online 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 contractor*) or as a percentage below, at par or above the scheduled rate as the case may be.

### **3.2.2. Submission of original copies of documents of Tender Cost (If applicable) and Earnest Money Deposit.**

- a) **Mode of Payment:** EMD must be submitted in the form as mentioned in Clause 3.2 A, v.
- b) **Place of submission:** As mentioned in Clause 3.2 A, v.
- c) **Time of submission: At least 48 Hrs prior to the time of closing of submission. If the bidder fails to submit the EMD as mentioned in Clause 3.2 A)- (v) in due date and time, his tender will not be opened and his bid will stand rejected.**

### **3.2.3. Completion Certificate:**

- i. Completion Certificates for fully completed works during the last five financial years will only be accepted. Certificates issued for partly completed works if valued more than estimated cost of this tender will also be considered.
- ii. Completion Certificate of work executed in KMDA will be considered. Completion Certificate of works executed in other Departments of State Government or organizations, like Public Works



Department (PWD), Irrigation & Waterways Department, Public Health Engineering Department (PHED), Sundarban Affairs 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), Other Municipalities, Hooghly River Bridge Commissioner (HRBC), Engineering Departments of Central Government and Organizations like Farakka Barrage Project (FBP) Authority, Railways, Kolkata Port Trust (KoPT), 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.

#### **3.2.4 Penalty for suppression / distortion of facts**

If any tenderer fails to produce the original hard copies of the documents (especially Completion Certificates and audited balance sheets), or any other documents on demand of the Tender Evaluation Committee within a specified time frame or if any deviation is the hard copies from the uploaded soft copies or if there is any suppression, the Tender Evaluation Committee upon suggesting suitable punitive measures will bring the matter to the notice of the Chief Engineer concerned immediately and the tenderer may be suspended from participating in the tenders on e-Tender platform of any division or circle of KMDA as per approval of the concerned Chief Engineer for a maximum period 3 (three) years. In addition, his Earnest Money Deposit will stand forfeited to KMDA. The Chief Engineer concerned will issue the necessary orders under intimation to the other Chief Engineers, e-Tendering Cell and also the Department, copy of such order should also invariably to be communicated to the Nodal Officer, e-Governance of this Department with a request to upload the same in the Departmental website.

#### **3.2.5 Taxes & duties to be borne by the Contractor**

Income Tax, GST, Royalty, Construction Workers' Welfare Cess and similar other all statutory levy / to be borne by the contractor and the rate should be quoted accordingly after consideration of all these charges, Service Tax, if applicable .

#### **3.2.6 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 after award of the contract. In this connection intending tenderers may contact the office of the undersigned between 11.30 hours to 16.30 hours on any working day prior to date of submission of tenders with prior appointment.

### **3.2.7 Conditional and incomplete tender**

Conditional and incomplete tenders are liable to be summarily rejected.

## **4.0 Opening and evaluation of tender**

### **4.1 Opening of Technical Proposal**

- a) Technical proposals will be opened by the Tender inviting authority or his authorized representative electronically from the website stated above, using their Digital Signature Certificate.
- b) Technical proposals for those tenders whose valid document towards deposition of EMD have been received will only be opened. **Proposals corresponding to which EMD has not been received will not be opened and will stand rejected.**
- c) Cover (Folder) for Statutory Documents (vide Clause 3.2A) will be opened first and if found in order, Cover (Folder) for Non-statutory Documents (vide Clause 3.2.B) will be opened. If there is any deficiency in the Statutory or Non Statutory Documents, the tender will summarily be rejected.
- d) The non-statutory documents in hard copy should preferably be submitted along with EMD and Tender Cost.
- e) Decrypted (transformed into readable formats) documents of the Statutory & Non-statutory Cover will be evaluated to finalize eligible tenderers.

### **3.3 Tender Evaluation Committee (TEC)**

Committee will be constituted by the concerned Chief Engineer, if required for high value tenders. This will function as Tender Evaluation Committee (TEC), for evaluation of Technical Proposals of the tenders. Otherwise prevailing system will be effective for evaluating tenders.

### **3.4 Uploading of summary list of technically qualified tenderers (1<sup>st</sup> round)**

Pursuant to scrutiny and decision of the Technical Evaluation Committee (TEC) if formed for high value tenders, the summary list of eligible tenderers for a particular serial of work (whose Financial Proposals will be considered) will be uploaded in the web portals.

i) While evaluation, the Committee may summon 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.

### **3.5 Opening and evaluation of Financial Proposal**

- i. Financial proposals of the tenderers declared technically eligible by the Tender Evaluation Committee will be opened electronically by the Tender Inviting Authority from the web portal stated above on the prescribed date.

- ii. The encrypted copies will be decrypted and the rates will be read out to the bidders remaining present at that time.
- iii. After opening of the financial proposal the preliminary summary result containing inter-alia, name of contractors and the rates quoted by them will be uploaded
- iv. If the Tender Accepting Authority is satisfied that the rate obtained is fair and reasonable and there is no scope of further lowering down of rate, he may after having the comparative statement checked, upload the final summary result containing the name of bidders and the rates quoted by them against each work after acceptance of the rate.
- v. The Tender Accepting Authority may ask any of the tenderers to submit analysis to justify the rate quoted by that tenderer.

### **3.6 Procedures to be followed when one / two technically tenderers participated in any tender**

- a. Financial bid of technically qualified single / two tenderers will not be opened immediately.
- b. 2<sup>nd</sup> call may be invited immediately after technical evaluation and uploading the list of the technically qualified bidder(s) of the 1<sup>st</sup> call after relaxation of the credential criteria to the extent deemed necessary by the Tender Inviting Authority and advertisement to the wholly circulated newspapers.
- c. If such bidder(s) technically qualified in the 1<sup>st</sup> call intend(s) to change their rates quoted to the 1<sup>st</sup> Call, they need to participate in the 2<sup>nd</sup> call and submit fresh fee towards tender cost. However fresh EMD need not be submitted and EMD submitted earlier will be considered. In case of non submission of fresh tender fee in the 2<sup>nd</sup> call, the rates quoted in the 1<sup>st</sup> call would remain valid while the bid submitted in the 2<sup>nd</sup> call will be rejected.
- d. If such bidder(s) technically qualified in the 1<sup>st</sup> call does not participate in the 2<sup>nd</sup> call then the rate of 1<sup>st</sup> call would be deemed to remain valid in the 2<sup>nd</sup> call also.
- e. After selection of technically qualified tenderers for 2<sup>nd</sup> call (in case new tenderer other than the existing tenderer of the 1<sup>st</sup> call), financial bid of both 1<sup>st</sup> and 2<sup>nd</sup> call would be opened.
- f. Financial evaluation for acceptance would be made in a combined way considering both 1<sup>st</sup> and 2<sup>nd</sup> call following usual procedures.
- g. However, as stated in clause 6.7(c), in case tender(s) 1<sup>st</sup> call submit(s) fresh tender in 2<sup>nd</sup> call, rates of 2<sup>nd</sup> call would be considered in the process of evaluations.
- h. In case there is no fresh participation in the 2<sup>nd</sup> call, financial bid of the technically qualified tender(s) of the 1<sup>st</sup> call would be opened even if there is only one tender in the 1<sup>st</sup> call and would be considered in the process of evaluation for acceptance following usual procedure.

4 **Bid Validity:** The Bid will be valid for **120 days** from the date of opening of the financial bid

### **5 Acceptance of Tender**

6 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.

### **6.1 Execution of Formal tender after acceptance of tender**

The tenderers, whose tender is approved for acceptance, shall within 10 working days of the receipt of Letter of Acceptance (LOA) to him, will have to execute 'Formal Agreement' with the Tender Accepting Authority in six copies of KMDA Form No. I which may be purchased on cash payment from the office of the Executive Engineer concerned with the work.

6.2 The NIT shall form a part of the contract agreement. On acceptance of the bid, the successful bidder shall have to sign the contract consisting of NIT, instruction to bidders, special terms and conditions, specification, BOQ, Drawing, Rate quoted, LOA and Tender Form I.

**7 Return of Earnest Money of the unsuccessful tenderer (s):**

For return of the Earnest Money of the unsuccessful tender(s), he/she/they is/are to apply for the same to The Tender Inviting Authority, giving the reference to the work, NIT No., date of tender, amount and mode of Earnest Money deposited – all in a complete form. The Earnest Money of all tenders other than the lowest tenderer in each case may be refunded from the portal itself, after acceptance of the L1 rate in comparative statement and issuance of LOI.

**8 Payment:**

The payment of RA as well as final bill for any work will be made according to the availability of fund and no claim regarding delay in payment will be entertained.

**8.0 Security Deposit:**

Security Deposit towards Security amounting to 10 % (Ten Percent) of the work value shall be deducted from the R/A Bill as per prevailing order. No interest will be paid on Security Deposit. Two (02) % Earnest Money would be converted to Security Deposit in case of the successful bidder. That means eight percent (8%) is deductible from billed amount and 02 % already with the department as initial EMD shall together form 10% security deposit.

If during the tendering or contract period of the work, the statutory norms for the rate of Security Deposit money is being changed by any Govt. orders /circulars, then the rate of revised Security Deposit will be applicable in this tender.

The contractor shall stand guarantee the works upto total contract period i.e, upto completion of 05 (five) years comprehensive mandatory operation and Maintenance period from the date of successful completion of one month Trial Run of the total installation. During this period any defects brought to the notice of the contractor by the department shall be replaced / repaired / mend good as the case may be at free of cost.

1.1 If any discrepancy arises between two similar clauses on different notification, the clauses as stated in later notification will supersede former on following sequence :

- a. Tender Form No. 1 of KMDA
- b. General Conditions of Contract - (vide Section C)
- c. Special Provisions - (vide Section D).
- d. Technical Specifications (vide Section E, F, G )
- e. Notice Inviting Tenders; Conditions Requirements for Tendering- (vide Section B)
- f. Description of the project (vide Section – A)
- g. Schedule of Price (vide Volume-II).

**9 Withdrawal of Tender**

If any tender found lowest after opening of the financial bids withdraws his tender before acceptance or refusal within a reasonable time without giving any satisfactory explanation for such withdrawal, he shall be

disqualified for making any tender to the department for a minimum period of one year. All cases in which the Tender Accepting Authority has reason to doubt the bona fide of such withdrawal should be reported to the Chief Engineer concerned in all details for issuance of such disqualification orders by the said Chief Engineer, under intimation to the other Chief Engineers, e-Tendering Cell and also to this Department. Copy of such order should invariably be communicated to the Nodal Officer, e-Governance of this Department with a request to upload the same in the Departmental website.

*For any queries / clarification regarding the uploading of documents and tendering process please contact the Superintending Engineer (E/M)-I, KMDA.*

#### 10 Schedule of Dates for e-Tendering

Sl. No	Activity	Date & Time
1.	Publishing Date	12/12/2023 at 15.00 Hrs
2.	Document Download start date	12/12/2023 at 15.00 Hrs
3.	Bid submission start date	12/12/2023 at 15.00 Hrs
4.	Bid submission end date	05/01/2024 up to 15.00 hrs.
5.	Last date physical submission of Tender Document including cost of Tender, EMD (Mandatory) and Non Statutory Cover (Optional)	Not required
6.	Technical Bid opening date & time	08/01/2024 at 13.00 Hrs
7.	Date & Time for Pre-Bid Meeting	19/12/2023 at 15.00 Hrs
8.	Uploading of preliminary list of Technically qualified bidders.	To be notified later
9.	Uploading of final list of Technically qualified bidders	do
10.	Financial Bid opening date	do
11.	Uploading of Financial Bid evaluation sheet	do

#### 11.0 Undertaking for non- deviation in Non-Judicial Stamp paper

An undertaking for non-deviation in the non-judicial stamp paper of Rs. 50/- in the following prescribed format:

***“Undertaking for non-deviation” as follows:***

It is certified that our office is strictly based on stipulations made in the tender document (Volume-I&II) and as per subsequent clarifications, if any, to be made by KMDA from time to time.

Even then, if there is any deviation in our offer from the tender document (Volume-I&II) and also deviation from the subsequent clarifications to be made by KMDA, it is confirmed that all deviations as mention above are here by withdrawn and stands cancelled.

It is certified that the incorporation of above certificates will have no financial implications on the price bid (Volume-II).

“This has to be certified by the Respective Tenderer.”

- 11.10 **Joint venture and or any consortium is not permitted for the work.**
- 11.20 If any of the above mention day which are (stipulated at Sl. No 11) observes holiday / abnormality for reason whatsoever, the respective following working day shall be reckonable for the purpose .
- 11.30 Cost of Tender Document is nil.
- 12 **No mobilization advance & price escalation in any form will be allowed.**
- 13 Original documents may be verified by the tendering authority at its discretion.
- 14 There shall be not any adverse report, on any count whatsoever, against the agency where they have worked for the last five years.
- 15 **The rate quoted shall be inclusive of all charges, any type of taxes, duties like GST, IT & all the labour related laws and benefits etc. as applicable or as would be applicable from time to time during the time period of contract on the basis of Government Order. The agency has to bear the additional cost (if applicable) towards any upward revision of Tax structure, within the quoted price.**
- 16 Labour Cess @ 1% will be deducted from the bill.
- 17 The Executive Engineer (EM), EBSD, will be the Engineer-in-Charge for the works, in respect of the contract and all correspondence concerning rates, claims, change in specification and/or design and similar important matters will be valid only if made by the Engineer-in-Charge with the approval of T.I.A. 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 Assistant Engineer and the Junior Engineer on behalf of the Engineer-in-Charge shall also be valid (who have been authorized to carry out the work on behalf of the Engineer-in-Charge) regarding specification, supervision, approval of materials and workmanship. In case of dispute, the decision of Engineer-in-Charge shall be final and binding.
- 18 The acceptance of the tender will rest with the Tender Accepting Authority without assigning reason thereof. The accepting authority reserves right to reject any or all tenders without assigning any reason thereof.
- 19 There shall be no provision for arbitration.
- 20 The Bidder 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.
- 21 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.
- 22 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.
- 23 Imposition of any duty / tax / royalty etc. whatsoever of its nature (after work order / Commencement and completion of the work) is to be borne by the successful bidder. Original challans of those materials, which are procured by the bidder, may be asked to be submitted for verification.

- 24 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 concerned.
- 25 No mobilization / secured advance will be allowed unless specified otherwise. Price escalation will not be considered.
- 26 GST, 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.
- 27 All working tools and plants, scaffolding, construction of vats & platforms will have to be arranged by the contractor at his own cost.
- 28 The contractor shall supply mazdoors, bamboos, ropes, pegs, flags, dewatering arrangement etc. for laying out of the work and for taking and checking measurements for which no extra payment will be made.
- 29 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 work, availability of drinking water and other human requirements and security etc. 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. The contractor will not be entitled to any claim or extra rate on any accounts.
- 30 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 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 note down the action taken by him in this connection as quickly as possible.
- 31 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 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.
- 32 No compensation for idle labour, establishment charge or on other reasons such as variation of price index etc. will be entertained.
- 33 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 on republic thoroughfare.
- 34 The contractor will have to maintain qualified technical engineers /employees and/or Apprentices at site as per prevailing Apprentice Act or other Department Rules & Orders circulated from time to time.

35 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.

36 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 of any item beyond 10% or supplementary works, approval of the Superintending Engineer / Chief Engineer would be required depending on whoever be the Tender Accepting Authority, before making payment.


37 All the disputes arising from the provisions of the said agreement come under the jurisdiction of Calcutta High Court or any other competent court as the case may be.

38 If "While issuing Bank Guarantees in favour of KMDA, the issuing applicants must mention receiver's details as ICICI bank, IFSC : ICIC0006950, Branch Salt Lake, Sec-I, in BG text at which SFMS IFIN760 message to be sent by the issuing bank to establish the authenticity of the given BG " .

39 **Suspension and Debarment of Contractor :**

The detailed procedure for taking penal measures of suspension and debarment of suppliers, contractors and consultants delineated in memorandum no.: 547-W(C)/1M-387/15, date: 16.11.15, and its subsequent amendment notified vide memorandum no.: 724-W(C)/1M-953/19, dated: 19.12.2019 of Works Branch, PWD, GoWB shall be followed for debarment and suspension of bidders and agencies selected for executing public works for their false declaration or forgery or falsification of records submitted or failure to execute committed contract or for their failure to perform contractual obligation and thereby resulting delay of execution of public works or execution of faulty works.

40 **After opening of the financial bid, if it is found that the submitted credential is not in line with the pre-requisite of the tender, then the particular bid will be summarily rejected / cancelled.**

  
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SE(E/M)-I, KMDA

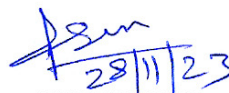
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No: 59/02 (07)/ SE (E/M)-I /KMDA/ BPS-North Barrackpore /2W-18/2023-24 Date:- 28/11/2023

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**Copy forwarded to:**

1. The Chief Engineer, EM Sector, KMDA
- ✓ 2. The Dy. Secretary, Public Relation Cell, KMDA along with four copies of this NIT for publication in three leading dailies of which **one must be in English (All India Circulation), one must be in Hindi** and for display this NIT in website of KMDA and Govt. of West Bengal.
3. The Director of Finance, KMDA.
4. The Superintending Engineer, (E/M)-II, KMDA.
5. The Executive Engineer , MD-V, E/M, KMDA.
6. The A. C. F. A. / A.O. , EM Sector, KMDA.
7. The P.S. to Chief Executive Officer, KMDA.
8. Notice Board

  
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SE (E/M)-I, KMDA