



**KOLKATA METROPOLITAN DEVELOPMENT AUTHORITY
OFFICE OF THE SUPERINTENDING ENGINEER (FAWS)
6th Floor, Unnayan Bhawan , Salt Lake, Kolkata – 700 091.**

No. SE(FAWS)/3T-02/KMDA /W&S/157

Date: 28.11.23

ABRIDGED e-Tender NOTICE

Notice inviting e- Tender are invited by the under signed in two parts viz. Part-I and Part-II from reliable, experienced and resourceful Agencies who have successfully completed similar nature of work (i) of at least 40% of the estimated amount put to tender during 5 (five) years prior to the date of issue of this tender notice or (ii) of 2 (two) similar nature of 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 this tender notice or (iii) 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 any Govt. /Semi Govt. /Statutory or Local Bodies of proven ability having executed similar type of work under Govt./Semi Govt./Statutory or Local Bodies. In case of running works, only those tenderers who will submit the certificate of satisfactory running work from the minimum Level of 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.

Sl. No	Tender No.	Name of Work	Estimated Amount Rs	Earnest Money (Rs.)	Time of Completion
1.	SE(FAWS)/W&S/KMDA/T-02 of 2023-24	Shifting of Cables, Pipes etc. over Ground/Under Ground in connection with the proposed work of “ Widening & Strengthening work of Salkia Chanditala Road (S.H.-15) from 11.00 Kmp to 15.80 kmp with DI Pipelines of Diameters 150mm and 200 mm within Howrah Division PWD.	2,71,47,233.00	5,42,945.00	04 (Four) Months
2.	SE(FAWS)/W&S/KMDA/T-03 of 2023-24	Shifting of Cables, Pipes etc. over Ground/Under Ground in connection with the proposed work of “ Widening & Strengthening work of Howrah-Amta Road (S.H.-15) from 12.50 Kmp to 29.00 kmp with DI Pipelines of Diameters 100mm,150mm and 200 mm within Howrah Division PWD.	1,65,44,870.00	3,30,900.00	04 (Four) Months

Cost of Tender Paper: NIL.

Last date of Bid Submission Online: 03.01.2024

For details & corrigendum if any, please keep visit : www.wbtenders.gov.in,

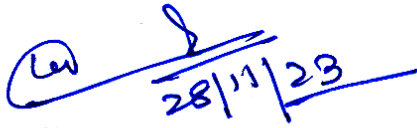
www.kmdaonline.org, or contact this office of the undersigned for further information.

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

**Superintending Engineer (FAWS)
W&S Sector, KMDA**

Copy forwarded to :

- i) The Chief Executive Officer , KMDA
- ii) The D.G. (W&S) Sector , KMDA
- iii) The Chief Engineer, W&S Sector, KMDA
- iv) The Prodhhan Salap-I , Salap-II , Makardah-I ,Chamrail G.P.
- ✓ The Deputy Secretary (PR Cell), KMDA, Unnayan Bhavan, Salt Lake, Kolkata- 700091 with a request to publish in the website and newspaper.
- vi) The Director of Finance, KMDA
- vii) The Superintending Engineer , Nabanna Circle ,PWD
- viii) The Executive Engineer, Howrah Division , PWD
- ix) The Executive Engineer, Division-O&M - IB , (W&S) Sector , KMDA
- x) Notice board.


Superintending Engineer (FAWS)
W&S Sector, KMDA



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OFFICE OF THE SUPERINTENDING ENGINEER (FAWS)
6th Floor, Unnayan Bhawan , Salt Lake, Kolkata – 700 091.**

No. SE(FAWS)/3T-02/KMDA /W&S/157

Date: 28.11.23

Detailed e-Tender NOTICE

Notice inviting e- Tender are invited by the under signed in two parts viz. Part-I and Part-II from reliable, experienced and resourceful Agencies who have successfully completed similar nature of work (i) of at least 40% of the estimated amount put to tender during 5 (five) years prior to the date of issue of this tender notice or (ii) of 2 (two) similar nature of 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 this tender notice or (iii) 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 any Govt. /Semi Govt. /Statutory or Local Bodies of proven ability having executed similar type of work under Govt./Semi Govt./Statutory or Local Bodies. In case of running works, only those tenderers who will submit the certificate of satisfactory running work from the minimum Level of 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.

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(Corrigendum/Addendums will be published on Website Only.

Cost of Tender Paper: NIL.

Last date of Bid Submission Online: 03.01.2024

For details & corrigendum if any, please keep visit : www.wbtenders.gov.in,

www.kmdaonline.org, or contact this office of the undersigned for further information.

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

2. **Eligibility to participate in the tender**

Having experience and technical acumen in Executing, Construction & Completion of similar nature of work (i) of at least 40% of the estimated amount put to tender during 5 (five) years prior to the date of issue of this tender notice or (ii) of 2 (two) similar nature of 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 this tender notice or (iii) 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 any Govt. /Semi Govt. /Statutory or Local Bodies of proven ability having executed similar type of work under Govt./Semi Govt./Statutory or Local Bodies. In case of running works, only those tenderers who will submit the certificate of satisfactory running work from Minimum Level of the 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.

AND

Having sufficient qualified technical personnel with sound knowledge and experience for a minimum period of 02 years in execution of similar nature of works.

AND

Having annual turnover of at least 20 % of the Estimated Cost put to tender of each tender work or above in any one year of last three Financial years

AND

Having VAT/ST/GST, P. Tax clearance Certificates, GST, PAN Card, P.F, & E.S.I Registration Certificate and supervisory license (all parts) etc.

Note:

a) In case of running works, only those tenderers who will submit the certificate of satisfactory running work from the Minimum Level of 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.

3. **Documents to be produced in support of Credential**

A successful performance and completion certificate supplemented with work order along with payment certificate issued by the competent authority shall have to be furnished in support of credibility in terms with eligibility criteria depicted in this Notice (**Ref: Sl. No. 2 : Eligibility to participate in the tender**). Besides this, following documents shall have to be furnished.

- a. No Joint ventures or consortium will be considered for participating of this tender.
- b. Copies of valid PAN Card, GST, P.F & E.S.I Registration Certificate, IT return for last 3 (Three) years, Professional Tax clearance Certificate, Audited Balance Sheet for Last Three Financial Year 2020-21, 21-22 and 22-23.
- c. Bank solvency Certificate not less than 10% of the amount put to tender from any Scheduled Bank not older than six months from the date of e-NIT.
- d. Valid documents in support of annual Turnover.
- e. List of machines & equipments necessary for field as well as laboratory test for all materials.
- f. List of Technical Personnel employed under the organization in details with names, qualification, experience and address with contact number.
- g. Corresponding address shall be preferably within Kolkata Municipal area together with Fax, Telephone nos., Contract Mobile no. & Email no. of the Tenderer.

All documents in original to be produced in due course of time as & when asked by the Tender Inviting Authority

4. **NOTE :**

The bidders have no adverse report on any account against their organization for execution of any project work during last 7(seven) years or working at present.

5. Date and Time Schedule :-

Sl. No.	Particulars	Date and Time
a)	Date of publishing of N.I.T	08.12.2023
b)	Date of uploading of Tender Documents (online)	11.12.2023 (Evening 05.00 PM)
c)	Documents download/sell start date (Online)	11.12.2023 (Evening 05.30 PM)
d)	Bid submission start date (Online)	11.12.2023 (Evening 06.30 PM)
e)	Date of Pre Bid Meeting with the intending tenderers In the office of the Chief Engineer, (W&S Sector), KMDA , Unnayan Bhavan, Kolkata- 700 091	20.12.2023 at 2:30 P.M
f)	Date of uploading of Pre Bid Query response	26.12.2023 at 4:30 P.M
g)	Documents Download/Sell End date (on line)	03.01.2024 at 4:30 P.M
h)	Bid Submission closing date (On line)	03.01.2024 at 6:30 P.M
i)	Bid opening date for Technical Proposals (Online)	05.01.2024 at 4:30 P.M
j)	Date of uploading list for Technically Qualified Tenderers (online)	To be notified later
k)	Date and Place for opening of Financial Proposal (Online)	To be notified during uploading of Technical Evaluation Sheet of Tenderers

6. Site inspection & general information

Intending Bidders are required to inspect the site of the Project with particular reference to location and infrastructure facilities. They are to make a careful study with regard to availability of materials and their sources and all relevant factors as might affect their rates and prices. They are also acquainted with relevant IS specifications, CPHEEO manuals, Clauses & Sub Clauses of the Bid documents and to have fully acquainted with all details of work front, communications, underground utility services, seasonal weather and its variation, labours, water supply, existing & proposed site levels, position and diversion of transportation and barricading , if required, electricity and any other general information

including topological condition & existing level and level pertaining to and needed for the work to be completed in time properly.

7. Tender documents

A full set of tender documents consists of 2 Parts.

These are;

- I) **Part I** containing all documents in relation to the name of the firm applied for and credentials possessed by them along with all documents as depicted in Sl. No. **3**

AND

Section A: Description of the Project.

Section B: NIT/Conditions & requirements for Tendering.

Section C: General conditions of the Contract.

Section D: Special provisions.

Section E: Special Terms and Conditions of The Contract.

Section F: Detailed Specification For Fabrication of Steel Pipes and Specials and Other Allied Works.

Section G: Detailed Specification for Laying, Jointing and Testing of Steel Pipes & Specials.

Section H: List of Special terms & Conditions of Contract.

Annexures A :

- i. Tender Drawings.
- ii. Vendor List.
- iii. List of drawings etc. to be furnished by the successful Bidder

Annexures B :

- i. Bank Solvency Format
- ii. Performance Guarantee Format
- iii. KMDA Form-I
- iv. Undertaking for Non-Deviation Format.
- v. Format IV

II) **Part II** - Schedule of Price & BOQ

- 8. Validity of Bid** A Bid submitted shall remain valid for a period of 120 calendar days from the date set for opening of Bids. Any extension of this validity period if required will be subject to concurrence of the Bidders.
- 9. Withdrawal of Bid** A Bid once submitted shall not be withdrawn within the validity period. If any Bidder/Bidders withdraw his/their Bid(s) within the validity period then Earnest Money as deposited by him/them will be forfeited.
- 10. Acceptance of Tender** Lowest valid rate should normally be accepted. However, the tender accepting authority does not bind him to accept otherwise the lowest Bid and reserves the right to reject any or all of the Bids received without assigning any reason thereof.
- 11. Intimation** The successful Bidder will be notified in writing of the acceptance of his Bid. The Bidder then becomes the “Contractor” and he shall forthwith take steps to execute Formal Contract Agreement in appropriate KMDA Form which may be purchased on cash payment from the office of the Superintending Engineer (FAWS), W&S Sector, KMDA and fulfill all his obligations as required by the Contract.
- After the Bid is provisionally accepted, the Bidder shall submit detail Design, Drawing and working specifications phase wise based on existing site condition & proposed levels at site. If it is found technically correct and acceptable with proper examination by the concerned authority of KMDA, provisional approval of the submitted drawings will be accorded phase wise for execution.
- Eventually, all the parts, Design, Drawings etc. of the successful Bidder shall be taken as a part of the agreement.
- 12. Escalation of Cost** There will be no escalation in cost for materials or labour and the contract price mentioned in the contract stands valid till

completion of the O&M of the contract.

- 13 Execution of Work** The Contractor is liable to execute the whole work as per direction and instruction of the Engineer-in-Charge of the work after due approval of “The Superintending Engineer (FAWS), W&S Sector, KMDA”
- 14 Payment** The payment of RA as well as final bill for any work will be made as per the work done.
- 15 Influence** Any attempt to exercise undue influence in the matter of acceptance of Bid is strictly prohibited and any Bidder who resorts to this will render his Bid liable to rejection.

Following clauses are to be adhering to by the concerned Bidder during the process of Bidding.

- 16 Persons having authenticated and having registered Power of Attorney may be considered lawfully becoming to be acting on and for behalf of the Bidder.
- 17 Sufficient care has been taken to avoid variance in between the contents of the listed documents in the Bid documents. However, if there is any variance between the contents of different documents, the provision of documents appearing earlier in the list shall prevail over the same provided in the contents coming later.
- 18 **Imposition of any GST/duty/tax/rule etc. owing to change /application in legislations/enactment shall be considered as a part of the contract and to be adhering to by the Bidder/Contractor strictly.**
- 19 In case of any dispute arising from any clauses of similar nature between bid documents and KMDA tender form, the decision of Superintending Engineer,(FAWS) will be final and binding.
- 20 All usual deductions for taxes i.e. GST,PF, IT, and Labour welfare Cess etc. as applicable will be made from the bills from time to time (please refer Cl.57 of section C)
- 21 No conditional/ incomplete Bid shall be entertained.
- 22 **a.** Earnest Money, etc. will be deposited by the bidder electronically: online through his net banking enabled bank account, maintained at any bank or offline through any bank by generating NEFT/RTGS Challan from the e-tendering portal in favour of the

Kolkata Metropolitan Development Authority. Intending Bidder will get the Beneficiary details from e-tender portal with the help of Digital Signature Certificate and may transfer the EMD and cost of tender paper from their respective bank as per the Beneficiary Name and Account No., Amount, Beneficiary Bank Name and IFSC Code and also e-procurement Ref. No. etc. (online Mode).

b.

In case, 2% of the quoted rate is higher than the Earnest Money mentioned above, then the balance amount which is higher than the Earnest Money of the Tender, will have to be submitted at the time of receiving LOI. If EMD submitted online is higher than 2% of quoted value then the difference will be adjusted with the Security Deposit.

Technical Bid & Financial Bid both will be submitted concurrently duly digitally signed in the Website www.wbtenders.gov.in Tender document may be downloaded from website & submission of Technical Bid/Financial Bid as per Tender Schedule.

- 23 The Bidder, at the Bidder's own responsibility and risk is encouraged to visit and examine the site of works and its Surroundings and obtain all information that may be necessary for preparing the Bid and entering into a contract for the work as mentioned in the Notice inviting Tender, the cost of visiting the site shall be at the Bidder's own expense. Traffic management and execution shall be the responsibility of the Agency at his/her/their risk and cost.
- 24 Prospective applicants are advised to note carefully the minimum qualification criteria as mentioned in 'Instructions to Bidders' before bidding.
- 25 During scrutiny, if it is come to the notice to tender inviting authority that the credential or any other papers found incorrect/manufactured/fabricated, that tenderer will not be allowed to participate in the tender and that application will be out rightly rejected without any prejudice.
- 26 Before issuance of the work order, the tender inviting authority may verify the credential & other documents with the original of the lowest bidder if found necessary. **After verification, if it is found that such documents submitted by the lowest bidder is either manufactured or false, in that case, L.O.A. / work order will not be issued in favour of the bidder under any circumstances.**
- 27 The various documents comprising the full set of tender documents are complementary to one another and are to be taken as parts of a complete whole and mutually explanatory. These are subject to the provisions of Clause 5 (2) of the General Conditions of Contract and to the following condition.
- a) If the stipulations in the various tender documents be found to be at variance in any respect, one will override others, only to the extent as those are at variance, in the order of precedence as given in the list below :
- I) Part I

- i) Descriptions of the work – (Vide Section-A)
- ii) NIT/Conditions & requirements for Tendering - (Vide Section-B)
- iii) General conditions of the Contract - (Vide Section-C)
- iv) Special provisions - (Vide Section-D)
- v) Special Terms and Conditions of The Contract - (Vide Section-E)
- vi) Detailed Specification For Fabrication of Steel Pipes and Specials and Other Allied Works - (Vide Section-F)

- vii) Detailed Specification for Laying, Jointing and Testing of Steel Pipes & Specials - (Vide Section-G)

- viii) List of Special terms & Conditions of Contract - (Vide Section-H)

Annexures A :

- i. Tender Drawings.
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Annexures B :

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II. Part II-Schedule of Price & BOQ

28 Contractor shall have to comply with the provisions of (a) the contract labour (Regulation Abolition) Act. 1970(b) Apprentice Act. 1961 and (c) minimum wages Act. 1948 of the notification thereof or any other laws relating thereto and the rules made and order issued there under from time to time.

29 **Where an individual person holds a digital certificate in his own name duly issued to him against the company or the firm of which he happens to be a director or partner, such individual person shall, while uploading any tender for and on behalf of such company or firm, invariably upload a copy of registered power of attorney showing clear authorization in his favour, by the rest of the directors of such company or the partners of such firm, to upload such tender. The power of attorney shall have to be registered in accordance with the provisions of the Registration Act, 1908.**

30.

a) 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 as per the West Bengal Govt Memo no. 724-W(C)/1M-953/19 dated 19.12.2019 and Memo no. 547-W(C)/1M-387/15

dated 16.11.2015.

- b) 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.

INSTRUCTION TO TENDERERS/BIDDERS

1. General guidance for e-tendering

Instructions/ Guidelines for tenderers for electronic submission of the tenders have been annexed for assisting them to participate in e-tendering.

2. Registration of Tenderer

Any tenderer willing to take part in the process of e-tendering will have to be enrolled and registered with the Government e-procurement system, through logging on to **www.wbtenders.gov.in** The tenderer is to click on the link for e-tendering site as given on the web portal.

3. 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. Earnest Money Deposit (EMD)– Scanned copy of remittance details of Bank instruments towards EMD as prescribed in the NIT, in favour of **“Kolkata Metropolitan Development Authority”** (to be submitted in 'EMD' folder) should be uploaded with the statutory cover.
- v. 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

i. **Certificates:**

- 1) Professional Tax (PT), submission Challan and PAN Card details. Application for such addressed to the competent authority may also be considered.
- 2) GST registration certificate. (Non production of the document will result in GST deduction as per prevailing rules).
- 3) **Bank Solvency Certificate from any Scheduled Bank not older than six months from the date of e-NIT should be minimum of 10% of Estimated Cost put to tender of each tender work.**

ii. **Company Details:**

No Joint ventures or consortium will be considered for participating of this tender. **All credentials shall solely be in the name of applicant firm.**

1. Trade License for Applicant Firms.
2. Memorandum of Articles for Limited Companies

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 / Organisations 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.

iv. **Balance Sheet:**

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

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

Note: Contractors are to keep track of all the Addendum / Corrigendum/Pre-Bid replies 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: Failure of submission of any one of the above mentioned documents will render the tender liable to rejection.

vii. The bidder should not have record of poor performance or they should not have been blacklisted by any employer during the last 7(seven) 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 Format IV **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.

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

- (i) Bill of Quantities (BOQ): The contractor is to quote the rate 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 contractor*).

4. Submission of original copies of documents of Earnest Money Deposit

Mode of Payment:

- a. Earnest Money will be deposited by the bidder electronically: online through his net banking enabled bank account, maintained at any bank or offline through any bank by generating NEFT/RTGS Challan from the e-tendering portal in favour of the **Kolkata Metropolitan Development Authority**. Intending Bidder will get the Beneficiary details from e-tender portal with the help of Digital Signature Certificate and may transfer the EMD from their respective bank as per the Beneficiary Name and Account No., Amount, Beneficiary Bank Name and IFSC Code and also e-procurement Ref. No. (on line Mode).
- b. **Time of submission:** The scanned copies of remittance details towards EMD should be uploaded electronically latest by last submission date of tender.

5. Completion Certificate:

- i. Completion Certificate for fully completed works during last 5(five) financial years will only be accepted.
- ii. Completion Certificate of work executed in KMW&SA, KMDA will be considered. Completion Certificate of works executed in other Departments of State Government or organizations, like Public Works & Public Works (Roads) Department, Irrigation & Waterways Department, Public Health Engineering Department, 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 (KMDA), Kolkata Municipal Corporation (KMC), Other Municipalities, Hooghly River Bridge Commissioner (HRBC), Engineering Departments of Central Government and Organisations like Farakka Barrage Project (FBP) Authority, Railways, Kolkata Port Trust (KoPT), 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.

5.1 Eligibility Criteria: **As mentioned earlier in this chapter vide clause no:2 in page B2.**

5.2 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 in 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.

5.3 Taxes & duties to be borne by the Contractor:

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

5.4 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 like 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, concerned with the work between 11.30 hours to 17.30 hours on any working day prior to date of submission of tenders.

5.5 Conditional and incomplete tender

Conditional and incomplete tenders are liable to summary rejection.

6. Opening and evaluation of tender

6.1 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) **The scanned copies of remittance details towards EMD should be uploaded electronically latest by last submission date of tender.**

c) Intending tenderers may remain present at the time of opening if they so desire.

- d) Cover (Folder) for Statutory Documents will be opened first and if found in order, Cover (Folder) for Non-statutory Documents will be opened. If there is any deficiency in the Statutory Documents, the tender will summarily be rejected.
- e) The non-statutory documents in hard copy should be submitted if found necessary.
- f) Decrypted (transformed into readable formats) documents of the Non-statutory Cover will be evaluated to finalize eligible tenderers.

6.2 Tender Evaluation Committee (TEC)

Committee will be constituted by the concerned Chief Engineer, if required for issuance of tender papers 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.

6.3 Uploading so summary list of technically qualified tenderers (1st round)

- i. 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.
- ii. 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.

6.4 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 contractors 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 contractors 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.

6.5 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. 2nd call may be invited immediately after technical evaluation and uploading the list of the technically qualified bidder(s) of the 1st 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 1st call intend(s) to change their rates quoted to the 1st Call, they need to participate in the 2nd 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 2nd call, the rates quoted in the 1st call would remain valid while the bid submitted in the 2nd call will be rejected.
- d. If such bidder(s) technically qualified in the 1st call does not participate in the 2nd call then the rate of 1st call would be deemed to remain valid in the 2nd call also.

- e. After selection of technically qualified tenderers for 2nd call (in case new tenderer other than the existing tenderer of the 1st call), financial bid of both 1st and 2nd call would be opened.
- f. Financial evaluation for acceptance would be made in a combined way considering both 1st and 2nd call following usual procedures.
- g. However, as stated in clause 6.7(c), in case tender(s) 1st call submit(s) fresh tender in 2nd call, rates of 2nd call would be considered in the process of evaluations.
- h. In case there is no fresh participation in the 2nd call, financial bid of the technically qualified tender(s) of the 1st call would be opened even if there is only one tender in the 1st call and would be considered in the process of evaluation for acceptance following usual procedure.

7. Acceptance of 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.

7.1 Execution of Formal tender after acceptance of tender

The tenderers, whose tender is approved for acceptance, shall within 15 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 Superintending Engineer(FAWS) concerned with the work.

7.2 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.

8. Return of Earnest Money of the unsuccessful tenderer(s)

For return of the Earnest Money of the unsuccessful tenderer(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 tenderers other than the lowest Tenderer in each case may be refunded without any interest to the unsuccessful Tenderers after award of contract to the successful Tenderer. The EMD of successful Tenderer will be converted as Retention money and shall be released after security period as mentioned in section C.

9. Payment

The payment of RA as well as final bill for any work will be made as per the progress of the work.

10. A. Security Deposit:

- i) The Earnest money deposited by the lowest bidder (hereinafter shall be called the contractor) shall be converted into security deposit.
- ii) Earnest Money@ 2% of the estimated amount put to tender would be converted to Security Deposit in case of the successful bidder. Security Deposit amounting @8 % of the work value shall be deducted from the R/A Bill, so that total security deposit remain as 10 % of the whole work value. No interest will be paid on Security Deposit. However, the order of Finance Department, Govt.of W.B, relevant at the time deduction of security deposit from the R/A Bill, shall be followed in this regard.

iii) After completion of the work, the Contractor may opt for refund of the Security Deposit by replacing equal amount of Bank Guarantee of scheduled Bank valid up to 3 months beyond the defect liability period.

iv) For this work with **05 (Five) years Defect Liability Period:**

The Security Deposit shall be Refunded to the Contractor on Prorata Basis @ 30% after the end of 04 (Four) years successful completion of Defect Liability Periods. And rest of 70 % of the Security Deposit will be refunded after successful completion of 05 (Five) years defect liability period as per the Memo no.5784-PW/L&A/2M-175/2017 of PWD , Dated 12.09.2023.

10.B. Defect Liability :

- a. The contract will have the Defect liability for a period of 5 (Five) Years from the date of successful completion of the work.
- b. Prospective Bidder shall have to execute the work in such manner so that appropriate service level of the work under improvement is to be maintained during progress of the work and during Defect Liability Period from the date of successful completion of the work up to the entire satisfaction of the Engineer in Charge. If any defect / damage is detected during this period as mentioned above the contractor shall make the same good at his own expense to the satisfaction of the of the Engineer in Charge or in default the Engineer in Charge may cause the same to be made good by other agency and deduct the cost (of which the certificate of the Engineer in Charge shall be final) from his security deposit or any sums that may be then, or at any time thereafter become due to the contractor. Security Deposit shall become payable only after expiry of the Defect Liability Period on prorata basis (mentioned above) after making necessary deduction if applicable.

If the accepted bid value is 80% or less of the estimate put to tender, the additional Performance security @ 10% of the Tendered Amount shall be submitted by the contractor 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 N.I.T like black listing 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 successful completion of the contract. If the bidder fails to complete the work successfully the additional performance security shall be forfeited at any time.

11. 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 S.E.(FAWS), W&S, KMDA, Block-A, 6th Floor, Unnayan Bhawan, Sector-2, Salt Lake, Kolkata- 700091.

12. REJECTION OF BID

The Employer (tender accepting authority) reserves the right to accept or reject any Bid and to cancel the Bidding processes and reject all Bids at any time prior to the award of Contract without thereby incurring any liability to the affected Tenderer or Tenderers or any obligation to inform the affected Tenderer or Tenderers of the ground for Employer's (tender accepting authority) action.

The Tenderer who's Bid has been accepted will be notified by the Tender Inviting and Accepting Authority through acceptance letter/ Letter of Acceptance.

13. COPIES OF AGREEMENT

The successful Tenderer will have to submit 6 (six) sets (Excluding the original copy submitted at the time of tendering) of the Contract Document within 15 (fifteen) days from the date of receipt of the letter of Acceptance of Tender. Failure to do so within the specified time will constitute a breach of Contract rendering the Contract liable to termination with forfeiture of Security Deposit to the extent of the amount of Earnest Money with the Tender.

The above documents will have to be purchased from the office of the concerned Superintending Engineer(FAWS) against Rs. 500/-. All the copies must be signed on every page by the contractor and submitted to the Executive Engineer concerned within the specified time.

14 Undertaking for non- deviation through Notary Certificate in Non-Judicial Stamp paper

An undertaking for non-deviation through Notary Certificate in Non-Judicial Stamp paper of Rs. 10/- in the prescribed format of "Undertaking for non-deviation" mentioning:

1. That our offer 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.
2. That 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.
3. That the above statements will have no financial implications on the price bid (Volume-II).
"This has to be certified by the Respective Tenderer."

15. If any of the above mention day which are (stipulated at Sl. No 5) observes holiday / abnormality for reason whatsoever, the respective following working day shall be reckonable for the purpose.

16. Cost of Tender Document (Non refundable) : NIL.

17. No mobilization advance & price escalation if any form will be allowed.


18. Original documents may be verified by the tendering authority at its discretion.

19. There shall be not any adverse report, on any count whatsoever, against the agency where they have worked for the last 7(seven) years.

20. 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. applicable or as would be applicable from time to time during the time period of contract.

- 21.** The Executive Engineer of the Division concerned will be the Engineer-in-Charge 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. 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 Technical Assistant 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.
- 22.** 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.
- 23.** There shall be no provision for arbitration.
- 24.** 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.
- 25.** 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.
- 26.** 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.
- 27.** 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 bidder. Original challans of those materials, which are procured by the bidder, may be asked to be submitted for verification.
- 28.** 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.
- 29.** VAT / Sales Tax/ 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.
- 30.** All working tools and plants, scaffolding, construction of vats & platforms will have to be arranged by the contractor at his own cost.
- 31.** The contractor shall supply mazdoors, bamboos, ropes, pegs, flags etc. for laying out the pipe work and for taking and checking measurements for which no extra payment will be made.
- 32.** 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.
- 33.** 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.

- 34.** 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.
- 35.** No compensation for idle labour, establishment charge or on other reasons such as variation of price index etc. will be entertained.
- 36.** All possible precautions should be taken for the safety of the people and work force deployed at worksite as per safety rule in force. Contractor will remain responsible for his labour in respect of his liabilities under the Workmen's Compensation Act etc. He must deal with such cases as promptly as possible. Proper road signs as per P.W.D. practice will have to be made by the contractor at his own costs while operating a republic thoroughfare.
- 37.** The contractor will have to maintain qualified technical employees and/or Apprentices at site as per prevailing Apprentice Act or other Department Rules & Orders circulated from time to time.
- 38.** Contractor shall provide sufficient qualified technical personnel (to be employed under the firm for at least 2 consecutive years) with sound knowledge and experience in execution of similar nature of work.
- 39.** 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.
- 40.** 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.
- 41.** No departmental material will be issued.
- 42.** Steel and Cement of specified brand as per the approval of the Department should be used in work.
- 43.** 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, 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.
- 44.** Quality Control Test Mechanism should be brought to the site by the agency.
- 45.** Use of ready mix concrete of specified brand as per the approval of department will be allowed after approval of concrete design mix reports. Controlled use of fly ash and plasticizer of supplier of RMC as per the approval of department should be restricted so that durability of concrete does not hamper.
- 46.** Insurance Coverage of Materials under the mentioned work is required (if applicable).
- 47.** It may please be noted that any further Corrigendum/Addendum related with this tender shall be hoisted exclusively in the above web sites only.

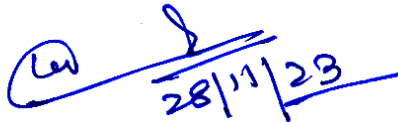

Superintending Engineer (FAWS)
W&S Sector, KMDA

No. SE(FAWS)/3T-02/KMDA/W&S/157

Date: 28.11.23

Copy forwarded to :

- i) The Chief Executive Officer , KMDA
- ii) The D.G. (W&S) Sector , KMDA
- iii) The Chief Engineer, W&S Sector, KMDA
- iv) The Prodhnan Salap-I , Salap-II , Makardah-I , Chamrail G.P.
- v) The Deputy Secretary (PR Cell), KMDA, Unnayan Bhavan, Salt Lake, Kolkata- 700091 with a request to publish in the website and newspaper.
- vi) The Director of Finance, KMDA
- vii) The Superintending Engineer , Nabanna Circle ,PWD
- viii) The Executive Engineer, Howrah Division , PWD
- ix) The Executive Engineer, Division-O&M - IB , (W&S) Sector , KMDA
- x) Notice board.


Superintending Engineer (FAWS)
W&S Sector, KMDA

FORM 1
APPLICATION FOR TENDER

To
The Superintending Engineer
(FAWS), W&S Sector, KMDA

Tender No.
Serial No. of Work applied for :
Amount put to tender:

Dear Sir,

Having examined the Statutory, Non statutory & NIT documents, I/We hereby like to state that I/we willfully accept all your conditions and offer to execute the works as per Tender no and Serial no. stand above. I/We also agree to remedy the defects after/during execution of the above work in conformity with the conditions of contract, specifications, drawings, bill of quantities and addenda.

Dated this _____ day of _____ 201__

Full name of applicant: _____

Signature: _____

In the capacity of : _____

Duly authorized to sign bids

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

(In block capitals or typed)

Office address:

Telephone no(s) (office): _____

Mobile No. _____

Fax No. _____

E-mail ID : _____

Affidavit Format

One Affidavit before Notary will have to be submitted mentioning the correctness of the documents and Declaration of penalty, debarment etc. faced by the declarant under any Govt. / Semi- Govt. / Autonomous body / Institution / local body

Points/Declaration to be furnished in the AFFIDAVIT

- i) I (Name), Son of (Father's Name), residing at (Residential Address) having office at (Business Address) do hereby solemnly affirm and declare as follows :
- ii) Partnership Details:
- iii) Reference NIT No, Sl. No.
- iv) All Documents submitted by me are genuine, authentic, true and valid.
- v) All information furnished are true to the best of my knowledge & behalf. Department has got full right to cancel the same with penal measure, if any, in case any of the statements is proved to be false.
- vi) Neither any penalty or debarment was made against me nor against the firm in any way at any Govt./Autonomous Body/Institution.
- vii) That I am a citizen of India.

All above statements are true to the best of my Knowledge and belief.