



Government of West Bengal  
Irrigation & Waterways Directorate  
Office of the  
Executive Engineer, Mahananda Barrage Division.  
**Teesta Administrative Building, Tinbatti, Siliguri.**

**NOTICE INVITING TENDER**  
**Notice Inviting Tender No:- 07/EE/MBD of 2016-17**

Separate tenders are being invited by the Executive Engineer, Mahananda Barrage Division, Irrigation & Waterways Directorate on behalf of the Governor of West Bengal for the works mentioned in the list given from eligible and resourceful contractors/bidders having sufficient credential and financial capability for execution of works of similar nature.

The intending tenderers should apply for tender paper in the office of the Executive Engineer addressing to the Executive Engineer, Mahananda Barrage Division, Tinbatti, Siliguri.

**Last date & time for application of tender is on 28.10.2016 till 17.00 hours.**

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

**Eligibility for participation**

Bona fide contractors/bidders, Registered Co-operative Societies, Consortiums and Partnership Firms registered with the State Government and contractors/bidders of equivalent grade or Class, registered with the Union Government / Military Engineering Services / Indian Railways for execution of civil works are eligible to participate depending on the criteria as laid down below in the subsequent para/clause. Joint venture firms are not eligible to participate in e-tenders.

Note: In case of consortiums, maximum number of constituents shall be restricted to 5 (five) and each of the constituent must have at least some work credential. Individual constituents of a consortium cannot form another consortium.

**Participation in more than one serial of work in a tender**

Any contractor/bidder may apply 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/her previous work credential and financial capability, details of which have been stated later.

- 1) Tender documents to be submitted in the tender box in the office of the Executive Engineer, Mahananda Barrage Division, Tinbatti, Siliguri as per scheduled time and & date of original NIT.
- 2) a) Separate Tender should be submitted for each Work, as per attached List, in sealed cover inscribing the NIT No., Sl. No. and Name of the Work on the envelope and addressing to the Executive Engineer, Mahananda Barrage Division, Tinbatti, Siliguri.  
b) Submission of Tenders by Post or FAX or through Internet is not allowed.
- 3) The Tender Document and other relevant Particulars (if any) may be seen by the intending Tenderers or by their duly authorized representative during office hours between 11.00 A.M. And 4.00 P.M. on every working day, till the date of issue of tender papers in the office of the Executive Engineer, Mahananda Barrage Division, Tinbatti, Siliguri. Any tenderer may send his authorized representative to attend interview, bid or any other purpose allowed by tender accepting authority. Such

authorization must be submitted in stamped paper in presence of 1<sup>st</sup> class Judicial Magistrate or Notary Public.

#### 4. Documents to be submitted along with the application of tender paper

Sl. No.	Folder name	Details	Remarks if any
<b>A</b>	<b>Certificates</b>	1. Professional Tax Payment Certificate(PTPC) 2. PAN Card 3. Value Added Tax (VAT) Registration Certificate 4. Latest I.T Return Receipt	
<b>B</b>	<b>Company Details</b>	1. Proprietorship Firms (Trade Licence) 2. Partnership Firms (Partnership Deed, Trade- Licence, Form-VIII or Memorandum of Registration) 3. Limited Companies (Incorporation Certificate, Trade- Licence, Memorandum of Articles) 4. Registered Co-operative Societies (Society Registration Certificate, Trade Licence and By-laws, Documents showing latest office- bearers) 5. Consortiums (Form-VIII) or Memorandum and Undertaking.	
<b>C</b>	<b>Credential</b>	1. BOQ duly authenticated by issuing authority and work order. 2. 100% completion certificate for completed work, or 3. Gross bill of 100% completed work including excess and supplementary items not covered in original BOQ.	
<b>D</b>	<b>Financial Info</b>	Payment certificate of 100% completed work issued by competent authority or any other related financial information	

4) a) Intending Tenderers should apply for Tender Papers addressing to the Executive Engineer, Mahananda Barrage Division, Tinbatti, Siliguri in their respective Letter Heads enclosing **self-attested copies** of the following documents, **originals of which are to be produced at the time of Application of Tender Paper**, as well as during interview (if any).

- i. P.A.N., V.A.T Registration & P. Tax valid at least up to the date of opening of the Tenders. Application for such clearance addressed to the competent authority, subject to production of authenticated receipt, may also be considered.
- ii. Completion Certificates/Payment Certificate (s) for the single similar nature of single work worth at least 30% of the value of the Work for which Tender Paper is desired, executed within last 5 (five) years (to be determined from the actual year of completion, considering last financial year as Year-1).
- iii. Declaration by the Applicant to the effect that there is no other applications for Tender Paper for work in this N.I.T. in which he / she / they has / have common interest. Failure to produce any of the above Documents may be considered good and sufficient reason for non-issuance of Tender Paper.
- iv. Eligibility certificates issued by the ARCS for Engineer's Co-operative and Labour Co-operatives.
- v. Partnership Deed(for Partnership Firms) and registration from the Register of Firms. Deed of Consortium/Partnership firm, and documents for their registration in the form of certified copy of 'Form No. VIII,' issued under the Indian Partnership Act, 1932 (Act-IX of 1932) by the Registrar of Firms, West Bengal having their registered office at P-15 India- Exchange Place, Todi-Mansion, 10th Floor, Kolkata 700001.
- vi. In case a contractor/bidder is yet to receive Form No. VIII, a "Memorandum" issued from the

above office may also be accepted. However, consortiums submitting the Memorandum are also required to submit an undertaking in plain paper along with their application in Forms 1 & 2 and upload its scanned copies in pdf pledging that “Copy of Form No. VIII would be submitted to the Tender Inviting Authority before receiving final payment, in case found to be the lowest bidder L1 and the work is awarded in its favour. Any change in the constituent of the Consortium/Partnership Firm should also be intimated to the office of the Registrar of Firms, Kolkata prior to submission of application in the e-tender and a certified copy of the revised Form No. VIII showing changes in its constituents are required to be submitted. If the Consortium is yet to receive a certified copy of the revised Form No. VIII, it would be required to submit the aforesaid undertaking on-line along with the application.

- vii. Any contractors can apply for tender papers 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 credentials and financial capability.

b) (i) Completion Certificates (CC) for 100% completed works during the current year and within last five financial years will only be accepted as valid credential.

- ii. CC should clearly show the name, postal address, (contact Tel. No. and FAX or e-mail ID if issued outside the jurisdiction of the State) of the office and designation of the officer/ authority issuing the CC for the work along with the name of work and amount put to tender (Tender Value). Illegible certificates and those having incomplete information may be rejected.
- iii. CC of works executed in the Irrigation & Waterways Directorate will be considered. CC of works executed in other Departments of the State Government/ organizations viz. Public Works & Public Works (Roads) Department, Public Health Engineering Department, Sundarban Affair Department and other State Government Departments, Zilla Parishads & Panchayat Samities only within the jurisdiction of the State of West Bengal, WBHIDCO, WBSEDCL, WBSETCL, KMDA, KMW&SA, KMC, Other Municipal Authorities and Bodies, HRBC, Engineering Departments of Union Government and Organizations like Farakka Barrage Project (FBP) Authority, Indian Railways, KoPT and companies owned or managed by the Government of West Bengal, i.e. Mackintosh Burn Ltd., Westinghouse Saxby Farmer Limited & Britannia Engineering Ltd. may also be considered. Such CC are to be issued by an officer/authority not below the rank of Executive Engineer / Divisional Engineer / District Engineer/Project Manager of the State/Union Government Departments/ Organisations; authorised signatories of CC for Panchayat Samities and Municipalities shall be BDO & Ex-officio Executive Officer and Secretary or equivalent administrative officers respectively. It is desirable to have contact telephone and FAX or e-mail address of the signatory of the CC for all offices outside West Bengal.

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

#### **iv. Guidelines for ascertaining similarity in nature of works**

- A. Following major items having weightage of 25% or more in terms of monetary value in respect of amount put to tender for a work are to be identified and monetary value of each of the major item is to be calculated for any particular work listed in the e-NIT by summing up the associated items of the BOQ coming up under any of the major items as described below:
  - a. Earthwork (Type A): Earthwork in dry excavation in irrigation canals / drainage channels or in making of embankments on river / sea front / drainage channels / irrigation canals from borrow pit earth or transported earth, by manual / mechanical means including leads, lifts, and disposal / transportation etc.
  - b. Earthwork (Type B): Earthwork is wet excavation in flowing channels/rivers/reservoirs by

barge/pontoon mounted excavators including all leads & lifts and disposal/transportation etc.

- c. Brickwork /Boulder Masonry Work: Brickwork/boulder masonry work and cement plaster, excluding brick block pitching and similar works.
  - d. Concrete work (other than for Buildings & Roads): RCC, PCC of all grades with reinforcement steels of concrete in hydraulic structures (i.e. structures on or across rivers / streams or jhora/ sea fronts/ drainage channels / irrigation canals excluding C.C block pitching / lining works) including Formwork and staging etc complete.
  - e. Structural Steel works: All types of structural steel works including M.S Sheet piles supply, fabrication, erection / installation etc. complete.
  - f. Protection work (Type A): C.C blocks / Cement concrete lining/toe walls/boulders of all kind, dry brick pitching / brick block pitching/boulder pitching/loose boulder apron/crated boulder dumping/brick bat dumping for sausage or aprons or under water scour depth filling by boulders / brick bats in geo-bags / nylon crated bags/laying of inverted filters below pitching (conventional or geo-jute or geo-synthetics) including supply, carriage and laying at site etc complete.
  - g. Protection work (Type B): Protection work with bullah and bamboo, porcupine cages / groynes or spurs and marginal embankments or levees, pitching by geo bags or polythene bags or crated polythene bags, including supply, carriage, placing / driving in position at site.
  - h. Road work (Type A): All items related to construction / renovation /improvement of bituminous roads/rigid & concrete pavements etc.
  - i. Road work (Type B): All types of fair weather roads involving use of boulder/brick bats/jhama bats/river bed materials/moorum etc.
  - j. Building works: All items related to brickwork, cement concrete work including reinforcement steel, scaffolding staging and shuttering, plastering, painting and flooring of buildings etc.
- C. If value of summation of those items contained in the BOQ or gross completed bill value of the CC (excluding contractual rate), related to at least one of the major items stated in the financial requirements at column 8 of the list of works is equal to or exceeds the amount of any one of financial requirements specified at column 8, the CC of that work may be considered as similar nature of work subject to fulfillment of the following conditions:
- a. After summation, the value may further be multiplied by the factors stated in the table under clause 7 (ii) to take care of the inflationary factors.
  - b. Whenever credential of individual entities of a Consortium is considered, multiplying factor of 0.30 stated in Clause 7 (iv) (B) should be considered as 0.90 of combined values of the BOQ, or gross combined final values of each of CC of the individual entities satisfy the requirement stated in Clause 7 (iv) C(a) above.

Eligibility criteria for participating in more than one tender in a NIT Normally separate Completion Certificate (CC) of 100 % completed works is to be provided for participation in separate works in a particular NIT. However CC for one particular work may be considered as eligible for participation in maximum 2 nos of SI, provided required credential for two such works (to be arithmetically added for identical major works) satisfies the requirements in all respect for one such completion certificate.

Monetary value (Amount put to tender without considering contractual rate) of the 100% completed work or gross final bill value (excluding contractual rate) including supplementary/substitute supplementary, as the case may be, thus submitted will be further multiplied by the following factors to take care of the inflationary effect to arrive at the net notional amount.

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

- (iv) Any suppression or misrepresentation of Fact will automatically debar the applicant from participating in any Tender under the Division for at least 3 (three) years from date of Detection in addition to such other penal action as the Government may deem proper.
- c) Intending Tenderers having not satisfied with the decision of the Tender Paper Issuing Authority may prefer an appeal to the next superior Officer. Necessary communication regarding his appeal to the Appellate Authority must be brought to the notice of such authority within two days after the date of issue of Tender Paper and copy of such communication should also be submitted to the Tender Paper issuing authority within the same period failing which no such Appeal will be entertained.
- a) Tender documents are available free of cost and NIT also made available in the Departmental website [www.wbiwd.gov.in](http://www.wbiwd.gov.in). Cost of tender documents shall not be charged even during execution of formal tender agreements. However, the contractors/bidders may wherever necessary be charged suitably for asking additional multiple copies of drawings, specifications, Schedule of Rates of the Circle/s (SoR) etc. and such fee may be suitably determined by the Tender Inviting Authority as per norms.
- b) No Tender Paper will be supplied by Post.
- c) No Tender Paper will be issued after expiry of date & time mentioned in the notice.
- 5) Before submitting any Tender, the Intending Tenderers should make themselves acquainted thoroughly with the local conditions prevailing, by actual inspection of the site and take into consideration all factors and difficulties likely to be involved in the execution of work in all respects including transportation of materials, communication facilities, climate conditions, nature of soil, availability of local Labours and Rates prevailing in the locality etc. as no claim whatsoever will be entertained on these accounts afterwards. In this connection tenderers may contact the office of the undersigned upto **01.08.2016** between **11.00 A.M.** and **4.00 P.M.** on any working day.

Cost towards Earnest Money Deposit (EMD), for each work as noted in the List of Works, in the form other than those mentioned below, will not be accepted. Earnest Money Deposit (EMD) must presently be submitted in the form of Bank Draft (BD) / Bankers Cheque (BC) / Deposit Call Receipt (DCR) of any scheduled Commercial Bank in India approved by RBI & having a branch in West Bengal which is to be drawn in favour of the Executive Engineer, Mahananda Barrage Division, payable at Siliguri. [Labour Co-operative Societies are exempted from deposition of Earnest Money (Vide Order No No.03(W)/ 2015-16 Dated, 18th November, 2015 of Secretary, I&WD)]

Payment in any other forms viz. NSC, KVP, cheques etc will not be accepted.

- 1) Earnest money as noted in the list of works will have to be deposited by the contractors.
  - a. The Tenderer should quote the rate both in figures & in words on the basis of percentage above / below /at par the scheduled of rates attached with the tender form and also in the space provided in the Tender Form.
  - b. Any tender containing over writing is liable to be rejected.
  - c. All corrections are to be attested under the dated signature of the Tenderer.
- 2) When a Tenderer signs his tender in an Indian language, the total amount Tendered should also be written in the same language. In the case of illiterate Tenderer, The Rates Tendered should be attested by a Witness.

- 3) The Tenderer who will sign on behalf of a Company or a Firm, must produce the registered documents in support of his competency to enter into an Agreement on behalf of the Company or the Firm under the Indian Partnership Act, failing which the Tender will not be considered and the deposited Earnest Money will be forfeited.
- 4) Any letter or other instrument submitted separately in modification of the sealed Tender will not be entertained.
- 5) The Tenderer should submit a statement (if desired) at the time of submission of his tender showing the technical staff to be maintained for the work, with their technical qualifications, failing which the Tender may be liable to rejection.
- 6) Conditional Tender, which does not full fill any of the above conditions, and is incomplete in any respect, is liable to summarily rejection.
- 7) VAT, Royalty, Building & Construction Workers Cess and all other statutory Levy/Cess etc. will have to be borne by the Contractor (he will have to produce necessary documentary evidence of his having done so at the time of receiving the final payment for the work).

It may further be noted that if VAT Registration Certificate along with last return is produce before receiving payment 3% deduction as per present Government Order or as may be notified by the Finance Department from time to time will be made otherwise such deduction shall be 5% as per present norms, or as may be prescribed by the Finance Department.

- 8) Lowest valid rate should normally be accepted. The **Executive Engineer, Mahananda Barrage Division**, Tinbatti, Siliguri, is the accepting authority of Tender and The Tender Accepting Authority dose not bind himself to accept the lowest Tender and reserves the right to reject any or all of the Tenders received, without assigning any reason whatsoever and also reserves the right to distribute the work amongst more than one Tenderers on technical feasibility.
- 9) The Tenderer will have to, if so desired by the Tender Accepting Authority, submit his analysis of rate to justify the rate quoted by him.
- 10) The Tenders will be opened, as specified in the List of works in the Chamber of the Executive Engineer, Mahananda Barrage Division, Tinbatti, Siliguri in presence of the participating Tenderers or their duly Authorized Representative who may be present at the time of Opening and who may also put their signature in the Tender Opening Register.
- 11) The successful Tenderer will have to execute the formal agreement in duplicate which will have to be obtained from the office of the Executive Engineer, Mahananda Barrage Division, Tinbatti, Siliguri, failing which the Earnest Money shall forthwith stand forfeited in the favour of the Government and the communication of acceptance of the tender/ Formal work order shall automatically stand cancelled.
- 12) If any Tenderer withdraws his Tender before its acceptance or refuses / fails to convert it into a Contract within a reasonable time, without giving any satisfactory explanation for such withdrawal / refusal / failure, he shall be disqualified for submitting any Tender in this Division / Circle for a minimum period of one year and his case will be referred to the Government for order as to what further action will be taken against him.
- 13) The successful Tenderer will have to abide by the provisions for the West Bengal Contract Labour (Regulation and Abolition) Rules, 1972 and such other Acts as may be applicable, as will be in force from time to time.
- 14) Materials such as cement, etc. have to be procured directly by the contactors as contractor supply [ vide MOM held on 27.04.2015 at Teesta Sech Bhawan chaired by CE, TBP.]. Any other materials not listed therein, if supplied by the department, the issue rate for such materials will be fixed by the Engineer-in-charge.
- 15) Hire charge for Tools & Plants machinery, if issued departmentally, will be recovered from Contractor at such rates as will be fixed by the Engineer-in-Charge. The period of Hire Charges of all Tools & Plants machinery issued from the Govt. Godown will be counted from the date of their issuance from the godown and up to the Date of return into the same godown and the Hire Charges will be recovered from Contractors accordingly. All Tools & Plants Machinery issued to the

Contractor must be returned in good condition. In the case of any damage, the cost of repair of such damage or replacement will be recovered from Contractor.

16) In the following cases a Tender may be declared informal and unacceptable.

- a) Correction, alterations, additions etc. if not attested by the Tenderer.
- b) Earnest Money in the form of D.C.R. / Demand Draft etc which are short deposited and / or not deposited in the favour of **the Executive Engineer, Mahananda Barrage Division.**
- c) If the Tender Form is not properly filled in respect of the general Description of the work, Estimated Cost, Rate of deduction of Security Deposit etc. in page -2 and other pages as are required to be filled in.
- d) If the specified pages of the Tender Document are not signed by the Tenderer.
- e) If the Tender is not submitted in a Cover properly sealed and name of the work is not indicated on the cover with N.I.T No.

17) For the refund of the Earnest Money of the unsuccessful Tenderer(s), he / they is / are to apply for the same to the Executive Engineer, Mahananda Barrage Division, Siliguri, giving the reference to the work, N.I.T. No., Date of Tender, amount and mode of Earnest Money deposited – all in a complete form. The Earnest Money of All Tenderer other than the 1<sup>st</sup> Tenderers in each case, maybe refunded after acceptance of rate in the comparative statement, as early as possible.

18) To verify the Competence Capacity and Financial Stability of the intending Tenderer(s) the Issuing Authority may demand production of any necessary Document(s) as it may deem necessary.

19) The payment of any work will be made according to the availability of specific Fund and no claim whatsoever for delayed payment will be entertained.

20) Normally Tender Paper for not more than one work in any one NIT will be issued to an applicant who may indicate the Sl. Nos. of the work in the order of priority. However, depending on response to various serials in the NIT Tender Paper Issuing Authority may Issue Tender Paper for any serial even though it may not be preferred by the applicant.

## **28. Time Schedule of Tender procedure:-**

i)	Last Date & Time for application for issue of Tender Form	28.10.2016	upto 17.00.hrs.
ii)	Last Date & Time for issue of Tender paper.	04.11.2016	upto17.00.hrs.
iii)	Date & Time of dropping of Tender box at the dropping centers.	08.11.2016	at 15.00 .hrs.
iv)	Date & Time of opening of Tender in the office of the undersigned	08.11.2016	at 15.30 .hrs.

Sd/- B.K.Roy  
**Executive Engineer**  
**Mahananda Barrage Division.**

**NIT NO:- 07/EE/MBD of 2016-17****LIST OF WORKS:**

Sl. No	Name of work	Amount put to Tender	Earnest money (2% of the estimated cost put to tender)	Source of Funding	Time allowed for completion of the work	Minimum eligibility of the Contractor for participating in the tender.	Physical Milestones for completion of each work within stipulated time (Refer to Clause 17 of the General Terms & Conditions)
1	2	3	4	5	6	7	8
1.	Post-Monsoon restoration by filling up of scour holes with sausage crate at D/s. flexible apron in front of Spill way portion (beyond concrete floor) of Mahananda Barrage in P.S. Bhaktinagar, Dist. Jalpaiguri.	<b>Rs. 4,34,689.00</b>	<b>Rs. 8,694.00</b>	<b>Non Plan</b>	<b>10 Days</b>	Bona fide contractors/bidders having credential of execution of similar nature of work of value 30% of the amount put to tender (tender value) within the last 5 years on the date of publishing of e-NIT	1) Procurement of materials – 3 days 2) Execution of work - 7days
2.	Post-Monsoon restoration by filling up of scour holes with sausage crate at D/s. flexible apron in front of Under sluice portion (beyond concrete floor) of Mahananda Barrage in P.S. Phansidewa, Dist. Darjeeling.	<b>Rs. 4,36,405.00</b>	<b>Rs. 8,728.00</b>	<b>Non Plan</b>	<b>10 Days</b>	<b>--Do--</b>	1) Procurement of materials – 3 days 2) Execution of work - 7days
3.	Restoration of damaged portion of Right side Giude Bundh (slope protection at Down Stream) of Mahananda Barrage by sausage crate in P.S. Phansidewa, Dist. Darjeeling	<b>Rs. 4,82,743.00</b>	<b>Rs. 9,655.00</b>	<b>Non Plan</b>	<b>10 Days</b>	<b>--Do--</b>	1) Procurement of materials – 3 days 2) Execution of work - 7days
4.	Minor repairing and painting of Cart Bridge(Ch. 1.470 km) & Foot Bridge (ch. 2.100 km) and placing identification sign board under MBSD-I in P.S. Phansidewa, Dist. Darjeeling.	<b>Rs. 2,81,742.00</b>	<b>Rs. 5,635.00</b>	<b>Non Plan</b>	<b>30 Days</b>	<b>--Do--</b>	1) Procurement of materials – 3 days 2) Concrete and allied works - 24 days 3) Painting & allied works – 3 days

**Note:**

- 1) No Postal documents i.e. NSC, KVP etc. will be entertained as earnest money.
- 2) Payment will be made only after proper utilization of materials at working site and according to availability of specific fund.
- 3) If the quoted rates are not found reasonable for the works of this NIT a bid may be held amongst the participating tenderers on the date of opening tender just after opening or other day as deemed fit. The participants should present positively on that day to participate in the bid if so arises.

Sd/- B.K.Roy  
Executive Engineer  
Mahananda Barrage Division.



### **Additional Terms & Conditions**

1. Executive Engineer of the concerned Division is the Engineer-in-Charge in respect of the contract and all correspondences concerning rates, claims, change in specifications and/or design and similar important matters will be valid only if accepted/recommended by the Engineer-in-Charge. If any correspondence of above tender is made with officers other than the Engineer-in-charge for speedy execution of work, the same will not be valid unless copies are sent to the Engineer-in-Charge and approved by him. Instructions given by the Sub-Divisional Officer/Assistant Engineer and the Section Officer/Junior Engineer on behalf of the Engineer-in-Charge shall also be valid (who have been authorised to carry out the work on behalf of the Engineer-in-Charge) regarding specification, supervision, approval of materials and workmanship. In case of any dispute, the decision of Engineer-in-Charge shall be final and binding.
2. Acceptance of the tender including the right to distribute the total work between two or amongst more than two contractors/bidders will rest with the Engineer-in-Charge without assigning reason to the contractors/bidders thereof. The Executive Engineer as the accepting authority reserves the right to reject any or all tenders without assigning any reason thereof.
3. The contractors/bidders shall have to comply with the provisions of (a) Contract labour (Regulation & Abolition) Rules, 1970 and its revision (b) Minimum Wages Act 1948 and its amendments, or the modifications thereof or any other laws relating thereto enforced by the appropriate Government from time to time.
4. Engineer -in-Charge shall not entertain any claim whatsoever from the contractors/bidders regarding payment of compensation on account of idle labour on such grounds including non-possession of land in the working zone.
5. Engineer-in-Charge shall not be held liable by the contractor/bidder for any compensation claim due to machines becoming idle, for any circumstances including untimely rains, other natural calamities, strikes etc.
6. Any duty / tax / royalty etc. whatsoever is imposed by the appropriate Government after issuance of work order / commencement and completion of the work, is to be borne by the contractor/bidder. Original challan of materials, which are procured by the contractor/bidder, may be asked to be submitted for verification by the Engineer-in-Charge.
7. Cess @ 1% of the cost of construction work or otherwise as per relevant order of appropriate Government shall be deducted from the gross value of all works bill. Also, it is instructed to register his/her establishment under the relevant Act with the competent registering authority, i.e. Assistant Labour Commissioner / Dy. Labour Commissioner of the region.
8. No mobilization / secured advance will be allowed unless specified otherwise in the contract.
9. VAT/Sales Tax, Cess, Royalty of sand, stone chips, stone metal/ gravels, boulders, forest products, Toll Tax, Income Tax, Ferry Charges and other Local Taxes if any, are to be paid by the contractor/ bidder. No extra payment will be made as re-imburement or compensation for the above. The rates of supply of finished work items are inclusive of these taxes and charges.
10. All working tools & plants, scaffolding, construction of vats & platforms arrangement of Labour camps shall have to be arranged by the contractor at his/her own cost.
11. The contractor shall arrange for supply of mazdoors, bamboo, ropes, pegs, flags etc. for taking/ layout for the work and for giving and checking measurements by the Engineer-in-Charge or any other Department officer assigned by him / her for which no extra payment claim will be entertained.
12. The contractor should thoroughly scrutinize the site of work and relevant tender documents, drawings etc. before submitting the e-tender and satisfy himself/herself regarding the

conditions and nature of works and ascertain the difficulties that might be encountered during execution of the work, carrying of materials to the site of work, availability of drinking water and other human requirements including safety and security etc. Works on river banks may be interrupted due to various unforeseen reasons e.g. sudden rise in water level, inundation of site caused by flood, inaccessibility of working site for carriage and transportation of materials. Engineer-in Charge may instruct the contractor to suspend work that may be subjected to damage due to extremely adverse weather/climatic conditions and no claim will be entertained on this account. There may be variations in alignment, height of embankment or depth of cutting, location of revetment, structures etc. due to change of topography, river conditions and local requirements etc. from the approved work estimate during actual execution of the scheme. For all such modifications or alterations, the tendered rate and contract will remain valid. The contractor will not be entitled to any additional financial claims or extra rates on any of these accounts.

13. A machine page numbered Site Order book (with triplicate copy of every page) will have to be maintained at site by the contractor and the same has to be issued by the Engineer-in-Charge before commencement of work at site. Instructions issued by the inspecting engineer officers not below the rank of Assistant Engineer will be recorded in this site order book and the contractor must note down and comply the same at the earliest.
14. The work will have to be completed within the time period as mentioned in the NIT/e-NIT. A suitable work programme based on time period allowed for completion of work as per tender is required to be submitted by the contractor within 2(Two) days from the date of receipt of work order which should satisfy the time limit assigned for completion. Contractor should inform in writing the name of his authorized representative/s who are to remain present at site daily during work execution to receive instructions relating to the work, sign measurement book & bills and other Govt. papers etc on the basis of Power of Attorney conferred within 2 (two) days from the date of receipt of work order, if not done earlier.
15. No compensation is payable for idle labour, contractor's establishment charges or on account of reasons such as variations in price indices/escalation cost etc.
16. All sort of precautions should be taken for the safety of the work force deployed by the contractor and also others at worksite as per safety rules as is enforced by appropriate authority. The contractor will remain liable towards payment of compensation in accordance with the Workman's' Compensation Act etc for the labourers engaged and should deal to settle such cases promptly. Proper road signs as per P.W.D. practice will have to be erected by the contractor at his own cost while operating on or near public thoroughfares.
17. The contractor will have to maintain technically qualified employees and/or apprentices at site as per prevailing Apprentice Act or as stipulated in the contract.
18. The contractor will have to accept the work programme as per modification and priority of work as fixed by the Engineer-in-Charge so that most vulnerable reach and/or critical items are completed before the due date for arrival of monsoon or rise of water level or for any other suitable reason/s.
19. Quantity of various items of work mentioned in the tender schedule or in work order is only tentative. During actual execution, these tendered items may vary, even substantially. Payment will be made on the basis of quantum of work actually done in different items and as per specification and no claim will be entertained for reduction of quantities in some items or due to omission of some tendered items. For execution of quantitative excess in any item beyond 10% or supplementary works, approval of the Superintending Engineer / Chief Engineer Government in the Irrigation & Waterways Department would be required depending on who ever is the Tender Accepting Authority and financial involvement thereof, before making any excess and /or supplementary item work payment.

20. Materials such as cement, etc. have to be procured directly by the contractors as contractor supply [ vide MOM held on 27.04.2015 at Teesta Sech Bhawan chaired by CE, TBP.]. Any other materials not listed therein, if supplied by the department, the issue rate for such materials will be fixed by the Engineer-in-charge.
21. In order to cope up with the present system of e-billing, supply of departmental materials is not encouraged. However, such materials may be issued to the contractor/agency to the extent of requirement, subject to availability, as assessed and following the Treasury system of accounting procedures and in installments as may be suitably decided by the Engineer-in-Charge. Issuance of materials may be of three categories.
  - a) Materials issued directly to the work subject to its recovery from bills.
  - b) Materials issued from departmental Godown subject to its recovery from bills.
  - c) Materials issued free of cost.
22. Any construction materials brought to work site by the contractor must be approved by the Engineer-in-Charge. Materials rejected must be removed by the contractor from work 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 phases with due intimation to the Sub-Divisional Officer/Assistant Engineer concerned, in conformity with the progress of the work. For special type of materials, i.e. Geo Synthetic Bags, HDPE Bags, Geo- Textile Filters, Geo-jute Filters etc. if any, relevant data sheets containing the name of the manufacturers, test report etc. are also to be submitted on each occasion. Engineer-in-Charge may conduct independent tests of all construction materials on the samples drawn randomly before accordance of approval for using these materials for the work. In this regard decision of Engineer-in-Charge is final and binding.
23. For materials under category 20 (a), (b) & (c), the contractor will act as the custodian thereof. The construction materials will have to be carried from the departmental godown to the worksite by the contractor at his own cost. The contractor shall remain responsible for proper storage & safety of the materials. Suitable godowns/ Stores shall have to be made by the contractor at his/her own cost. Penalty charges shall be levied at higher rates for loss, wastage, misuse. Surplus departmentally issued materials if any, shall have to be returned in the godown or store maintained by the Engineer-in-charge at the contractor's cost within the time frame as fixed by Engineer-in-Charge. Otherwise, the cost at penal rates will be recovered from the bill. Indent for departmental materials shall be submitted by the contractor to the S.D.O/AE at least 7 days in advance of actual requirement. No claim will be entertained for non-issuance of such materials on time, but reasonable extension of time will be granted. All materials, whatever be its category thereof, shall be properly stored by the contractor in suitably maintained godowns near the site of work at his own cost & under no circumstances whatsoever shall any material be removed from the site of work without prior written permission of the Engineer-in-Charge. The contractor shall be responsible for any damage or loss of such materials.
24. The contractor shall also have to satisfy the Engineer-in-Charge regarding proper utilization of materials which have been issued departmentally.
25. Value of the materials, under category (a) & (b) of clause 20, will be recovered from the progressive bills of the contractor in one or successive installments as may be decided by the Engineer-in-Charge.
26. Requisite quantity of cement as may be required for the work will be supplied from the nearest departmental godown, if stock permits. The issue rate of cement is shown in the Schedule of materials attached with the tender. Excess consumption of cement by more than 5% over the final consumption statement drawn up as per consumption rate specified in the Schedule included in the tender will be recovered at a penal rate shown in schedule.
27. Steel reinforcement rods will be issued if stock permits from the nearest Departmental godown where such material is available in marketable length. While issuing the same, for

any particular work, the quantity actually required as per approved drawing shall only be issued. It will be responsibility of the Contractor as well as the Engineer-in-Charge to get this quantity properly utilized in the work. Cut pieces, if any, will not be taken back by the Department. Recovery for the total quantum of steel rods issued will be made at the issue rate shown in the Schedule. In case of use over +10%, deduction will be made at a penal rate shown in the Schedule. This whole principle shall apply in case of other M.S materials like sheet piles and structural steel members as well.

28. All quarries and disputes arising out of the works tender contract is to be brought to the notice of Chairman of the Departmental Dispute Redressal Committee in writing for decision within 15 days.

Sd/- B.K.Roy  
**Executive Engineer**  
**Mahananda Barrage Division**

## Form – 4

## Declaration against Common Interest

I / We, Sri / Smt. \_\_\_\_\_, the  
authorized signatory on behalf of \_\_\_\_\_ do  
hereby affirm that I/We/any of the member of  
\_\_\_\_\_ bidding against NIT No.  
\_\_\_\_\_ Sl.No.\_\_\_\_\_ do not have any common interest either as a  
partner on any partnership firm / joint venture as a Proprietor / Owner of any other firm in  
the same serial for the work I / We want to participate.

Date :

\_\_\_\_\_  
Signature

Memo no:- 1862/17/3T-2

Dated - 21-10-2016

Copy submitted for favour of kind information and taking necessary action for wide circulation to the:-

01.	Chief Engineer, Teesta Barrage Project, Teesta Sech Bhawan, 2 <sup>nd</sup> Mile Sevoke Road, Siliguri.
02.	Superintending Engr., Mahananda Barrage Circle, Tinbatti. Siliguri w.r.t. his Memo No.1500/1S-1(V), Dated, 21.07.2016.
03.	Superintending Engr., Teesta Barrage Circle, Teesta Sech Bhawan, 2 <sup>nd</sup> Mile Sevoke Rd.Siliguri.
04.	Superintending Engineer, Teesta Canal Circle, Karnajhora, Raigang.
05.	Superintending Engineer, North Bengal Mechanical & Electrical Circle, Tinbattimore, Siliguri.
06	Superintending Engineer North East Irrigation Circle –I, Club Road, Jalpiguri.
07	Superintending Engineer North East Irrigation Circle –II, Club Road, Jalpiguri.
08	Nodal officer of e-Tendering. Irrigation & Waterways Department Jalsampad Bhawan, 7th Floor, Salt Lake City, Kolkata-700091 with the request to upload this NIT in the Departmental website: <b>wbiwd.gov.in (Sent to the e-mail : dvcsc6816@gmail.com /irrigationhelpdesk@gmail.com)</b>
09/15	Executive Engineer, Mahananda Canal Division/Teesta Canal Division.-I, Teesta Canal Division.-II/ Teesta Monitoring &Evaluation Division/ Teesta Resources Division-I/ Siliguri Irrigation Division, Siliguri/ Teesta Barrage Division, Oodlabari, Jalpaiguri
16	Divisional Accounts Officer ,Grade- II of this office.
17.	Notice Board.

Sd/- B.K.Roy  
**Executive Engineer**  
**Mahananda Barrage Division**