



GOVERNMENT OF WEST BENGAL
IRRIGATION & WATERWAYS DIRECTORATE
INVESTIGATION & PLANNING DIVISION (SOUTH)

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NOTICE INVITING e-TENDER

e-N.I.T No - WBIW/EE/IPDS/e-NIT-01/2016-17

Memo No : 985/ 10-15

Date: 28.11.2016

Separate tenders are being invited by the **Executive Engineer-I, Investigation & Planning Division (South), Irrigation & Waterways Directorate** on behalf of the Governor of West Bengal through electronic tender (e-tender) for the works mentioned in the list given in next page from eligible and resourceful contractors/bidders having desired credential and financial capability for execution of works of similar nature.

Intending contractors/bidders desirous of participating in the e-tender are to login to the website www.wbiwd.gov.in (the official website of Irrigation & Waterways Department) and click the “e-procurement” link provided therein. They may also visit the Government of West Bengal designated website of URL <https://wbtenders.gov.in> for the same e-tender. The e-tender can be searched by typing WBIW/EE in the search engine provided in the website/s, by logging-in the designated link of concerned Executive Engineer.

Contractors/bidders willing to take part in the process of e-tender are required to obtain Digital Signature Certificate (DSC) from any of the authorized ‘Certifying Authorities’ (CA) under Controller of Certifying Authorities (CCA), Department of Electronics & Information Technology (DEIT), Govt. of India. (viz. NIC, n-Code Solution, Safescrypt, e-Mudhra Consumer Services Ltd, TCS, MTNL, IDRBT) or as notified by the CA /Finance Department from time to time. DSC is given as a USB e-Token. After obtaining the Class 2 or Class 3 Digital Signature Certificate (DSC) from any of the above CA, they are required to register the fact of possessing the DSC through the registration system available in the above mentioned website/s. A list of such licensed CAs’ is also available in the CCA website cca.gov.in. The prospective contractors / bidders may contact the e-tendering State Level Help desk located at 7th Floor, Jalsampad Bhavan, Bidhannagar, Sector II, Kolkata through e-mail ID: irrigationhelpdesk@gmail.com or ID: dvcsc6816@gmail.com and Telephone No. 033-23346098 on any working day, between 10AM – 5PM for any query on e-tendering, obtaining DSC, training on e-tendering usage, free of cost.

Intending contractors/bidders are required to download the e-tender documents directly from the website/s stated above. Tender is required to be submitted on-line with the help of the e-Tokens provided. **This is the only mode for submission of tender documents.** The interested bidders eligible for the tender may submit their bids through the e-Procurement system using their valid DSC e-Token with assigned PIN and using login ID and password. Details of submission procedure have been explained in the ‘Bidders Manual’ for participating in e-tenders of the State Government, which is available in the Departmental website www.wbiwd.gov.in .

Last date & time of submission of e-bids online is on 08.12.2016 till 17:30 hours.

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

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

LIST OF WORK

e-NIT No - WBIW/EE/IPDS/e-NIT-01/2016-17

Sl. No.	Name of Work	Amount put to Tender (Tender Value) (Rs)	Earnest Money Deposit (Rs)	Time allowed for completion (in days)	Source of fund	Minimum eligibility of the contractor/bidder for participating in the e-tender
1	2	3	4	5	6	7
1	Supply of Autodesk AutoCAD software for the use of the Central Design Office of I&W Directorate at Jalsampad Bhavan, Salt Lake, Kolkata 91.	17,30,160	35,000	45	Core State Plan	Bona fide contractors/bidders having credential of supply of similar software of value 2,10,000 within the last 5 years from the date of publishing of e-NIT

General Terms & Conditions

1. Eligibility for participation

Bona fide contractors/bidders, West Bengal 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 similar works are eligible to participate. Joint Venture Firms are not eligible to participate in tenders.

- 1.1 This Invitation for Bids is open to all bidders/ distributors specifically authorised by the software developer “Autodesk” to quote on their behalf for this tender as per manufacturers’ authorization form or are channel partner of Autodesk in India.
- 1.2 The bidder should have experience of supplying similar software to any Government, autonomous bodies, educational institutions, public funded research institutions and State/Central Public Sector Undertakings of value Rs 210000/- within the last 5 years from the date of publishing of e-NIT.
- 1.3 The bidder must have a registered office in the state of West Bengal with a valid VAT registration of the Government of West Bengal and shall be equipped with Autodesk certified personnel on their payroll to be able to ensure that the support services towards the software are responsive and adequate and delivered in time.

2. Submission of Tenders

2.1 General procedure for submission of e-tenders

Bids are to be submitted on-line through either of the website/s stated earlier. Contractors/bidders are required to upload the entire set of e-tender documents along with other related documents as asked for in the e-tender notice(e-NIT) circulated through the above website/s within the stipulated due/end date and time.

For e-tender, bids are to be submitted in two folders at a time for each work, one being ‘ **Technical Proposal**’ and the other ‘**Financial Proposal**’. The contractor/bidder shall carefully go through all the documents of the e-tender and prepare to upload the scanned documents in Portable Document Format (PDF) files in the designated link in the web portal as their Technical Bid. He/she needs to fill up the rates of items in percentage in the BOQ downloaded for the work in the designated cell of Excel sheet and upload the same in the designated link in the portal as their Financial Bid. Documents uploaded are virus scanned and digitally signed using the Digital Signature Certificate (DSC). Contractors/bidders should especially take note of all the addenda and corrigenda related to the e-tender and upload all these documents also as a part of their tender document. Documents uploaded by the bidders with all information & rates comprising Technical bid and Financial bid cannot be changed after last/end date for submission of e-tender.

2.2 Technical Proposal

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

A. Technical cover containing:-

- i. Application for e-Tender (vide Form-1) (to be submitted in “**Forms**” folder)
- ii. WB Form No. 2911(i) (to be submitted in “**2911**” folder)
- iii. Notice Inviting e-Tender (e-NIT) (to be submitted in “**NIT**” folder)
- iv. Credential Certificate (to be submitted in “**Forms**” folder)
- v. Declaration of not having common interest in the same serial (vide Form-2 to be submitted in “**Forms**” folder)

- vi. Addenda/Corrigenda: If published; (to be submitted in the '**NIT**' folder merged with e-NIT already uploaded as pdf file)

NOTES: i. Contractors/bidders are to keep track in the website for all the Addenda and Corrigenda published for a particular e-tender and upload all the above digitally signed by him/her along with his / her tender. Tenders submitted without Addendum/Corrigendum are liable to be treated as informal and thereby rejected.

ii. Tender will be summarily rejected if any of the aforesaid items are found missing in their on-line bid submitted.

B. My Document [OID* Cover] containing:

My Document Format for uploading in the OID folder:-

Sl. No.	Folder name	File description	Details	Remarks if any
A	Certificates	certificates.pdf 1 certificates.pdf 2 certificates.pdf 3 certificates.pdf 4	1. Professional Tax Payment Certificate (PTPC) 2. PAN Card 3. Value Added Tax (VAT) Registration Certificate in West Bengal (TIN)/ 4. Latest I.T Return Receipt	
B	Company Details	companydetails.pdf 1 companydetails.pdf 2	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.	
C	Credential of works	Credential pdf 1 Credential pdf 2 Credential pdf 3	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.	
D	Financial credential	Payment certificate .pdf	Payment certificate of 100% completed work issued by competent authority or any other related financial information	

* OID denotes Other Important Documents.

C

- i. Certificate/s: (name of the file should be "**certificates.pdf**") comprising the following:
- Professional Tax Payment Certificate (PTPC) valid for the current financial year/latest applicable as per rules and PAN Card. Application for PAN addressed to the competent authority may also be considered.
 - Value Added Tax (VAT) registration certificate of the state of West Bengal.
 - Latest Income Tax Return receipt.
- ii. Company Details (name of file should be "**companydetails.pdf**") comprising the following:
- Details for Consortiums formed out of Proprietorship Firms &/ Partnership Firms

Deed of Consortiums formed with Partnership Firms etc, 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.

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.

- iii. **Credential:** Scanned pdf of work credential issued in favour of the contractor/bidder as detailed later. Bill of Quantities (BOQ) duly authenticated by the competent authority along with work order is to be submitted uploaded under 'OID' cover (name of file should be "**credential.pdf 1**").
- iv. **Certification:** Valid certificate from Autodesk declaring the company to be a channel partner to deal with Autodesk products within the Indian Territory or authorised by "Autodesk" to quote on their behalf for this tender and list of Autodesk certified personnel on pay roll.

Note : Failure of submission of any of the above mentioned documents will render the e-tender liable to summarily rejection.

2.3 Financial proposal / bid under Financial cover:-

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

Bill of Quantities (BOQ): The contractor/bidder is required to quote the rate as percentage above or below tender value on-line in the space marked for quoting rate in the BOQ. (only downloaded copy of the above document in Excel sheet is required to be uploaded by the contractor/bidder)

Notes:

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

3. Tender Fee and Earnest Money Deposit (EMD)

- i. **Tender Fees:** Entire set of e-Tender documents are made available free of cost through the State Government e-tender portal having URL <https://wbtenders.gov.in> and also the Departmental website www.wbiwd.gov.in. Cost of tender document shall not be charged even during execution of formal tender contract/agreements. However, the contractors/bidders may wherever necessary be charged suitably for asking additional multiple copies of drawings, specifications, Schedule of Rates booklet (SoR) etc. and such fee may be suitably determined by the Tender Inviting Authority as per norms.
- ii. **Earnest Money Deposit (EMD):**
Traditional procedure of depositing EMD through off-line instruments like Bank Draft, Pay- order, Bankers Cheque etc. has been completely dispensed with for all e-tenders/e-procurements of the State Government, w.e.f 1st September, 2016. Intending bidders desiring to make payment of earnest money (EMD) on-line, should beforehand read the instructions carefully, particularly in the challan generated by the system of e-tender/e-procurement, if opted for EMD payment through RTGS/NEFT

A. Login by bidder:

- a. A bidder desirous of taking part in a e-tender invited by a State Government shall login to the e-Procurement portal of the Government of West Bengal using his/her login ID and password using valid DSC.
- b. He/she will select the e-tender to bid and initiate payment of pre-defined EMD for that e-tender by selecting from either of the following payments modes:
 - i. Net-Banking (any of the banks listed in the ICICI Bank Payment Gateway) in case of payment through ICICI Bank Payment Gateway;
 - ii. RTGS/NEFT in case of off-line payment through bank accounts in any Bank approved by RBI in India.

B. EMD payment procedure:

- a. Payment by Net Banking (any listed bank) through ICICI Bank Payment Gateway:
 - i. On selection of net banking as the payment mode, the bidder will be directed to ICICI Bank Payment Gateway webpage (along with a string containing a Unique ID) where he/she will select the Bank through which he/she wants to do the EMD on-line transaction.
 - ii. Bidder will make the payment after entering his Unique ID and password of the bank to process the transaction.
 - iii. Bidder will receive a confirmation message regarding success/failure of the transaction.
 - iv. If the transaction is successful, the amount paid by the bidder will get credited in the respective Pooling account of the State Government maintained with the Focal Point Branch of ICICI Bank at R.N Mukherjee Road, Kolkata for collection of EMD against unique codes for identification of the tendering authority.
 - v. If the transaction is failure, the bidder will again try for payment by going back to the first step.
- b. Payment through RTGS/NEFT:
 - i. On selection of RTGS/NEFT as the payment mode, the e-procurement portal will show a pre-filled challan having the details to process RTGS/NEFT transaction.
 - ii. The bidder will print the challan and use the pre-filled information to make RTGS/NEFT payment using his/her own Bank account.
 - iii. Once payment is made, the bank would provide an “**UTR remittance number**” for successful transaction with which the bidder will come back to the e-Procurement portal after expiry of 2 to 3 bank working days to enable the NEFT/RTGS process to complete, in order to verify the payment made and continue with his/her bidding process.
 - iv. If verification is successful, the fund get credited to the respective Pooling account of the State Government maintained with the Focal Point Branch of ICICI Bank at R.N Mukherjee Road, Kolkata for collection of EMD.
 - v. Hereafter, the bidder will go to e-Procurement portal for final e-submission of his/her bid within pre-assigned last date of submission of e-tender.
 - vi. If the payment verification is unsuccessful, the amount will be returned automatically by the system to the bidder’s account.

Note: EMD payment made through RTGS/NEFT would require additional 2 to 3 bank working days after date of transaction in the bank before the procedure is completed for enabling the bidder to continue with the bidding process in the on-line e-tender final bid submission. Thus, the bidder is to take precaution in case of RTGS/NEFT transfers so that the entire process of submission of e-tender is completed within last date of on-line submission of his/her tender. However, Net-banking transaction through ICICI bank payment Gateway would be on real time basis.

C. Refund/Settlement Process for EMD:

- i. After opening of his/her bids and technical evaluation of the same by the Tender Inviting Authority through electronic processing in the e-Procurement portal of the State Government,

the tender inviting authority will declare the status of the bid as successful or unsuccessful which will be made available along with the details of the unsuccessful bidders to ICICI Bank by the e-Procurement portal through web services.

- ii. On receipt of the information from the e-Procurement portal, the Bank will refund through an automated process the EMD of the bidders disqualified at the technical evaluation to the respective bidders' bank accounts from which they made the on-line EMD transaction. Such refund will take place within T+2 Bank working days where T will mean the date on which information on rejection of bid is uploaded to the e-Procurement portal by the Tender Inviting Authority.
- iii. Once the financial bid evaluation is electronically processed in the e-Procurement portal, EMD of the technically qualified bidders other than that of the L1 and L2 bidders will be refunded, through an automated process, to the respective bidders' bank accounts from which they made the payment transaction. Such refund will take place within T+2 Bank working days where T will mean the date on which information on rejection of financial bid is uploaded to the e-Procurement portal by the tender inviting authority. However, the L2 bidder should not be rejected till the LOI process is successful.
- iv. If the L1 bidder accepts the LOI and the same is processed electronically in the e-Procurement portal, EMD of the L2 bidder will be refunded through an automated process, to his/her bank account from which he/she had made the payment transaction. Such refund will take place within T+2 Bank working days where T will mean the date on which information on Award of Contract (AOC) to the L1 bidder is uploaded to the e-Procurement portal by the Tender Inviting Authority.
- v. As soon as the L1 bidder is awarded the contract (AOC), the same is processed electronically in the e-Procurement portal for transfer credit to Government Receipt under Public Accounts through GRIPS where under the security deposit to be collected would also be deposited in connection with the work.
- vi. All refunds will be made mandatorily to the Bank account from which the payment of EMD and Tender Fees (if any) were initiated.
- vii. If the e-tender is cancelled, then the EMD would be reverted to the original bidders account automatically after such cancellation order is affected online by the Tender Inviting Authority.

4. Credential Certificate

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

5. Eligibility criteria

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

6. Penalty for suppression / distortion of facts and withdrawal of L1 bidder before acceptance of LOI

If any contractor/bidder fails to produce all the original hard copies of the documents (especially Completion Certificates), or any other document on demand by the Tender Inviting Authority within a specified time frame or if any deviation is detected in the hard copies from the corresponding uploaded soft copies or if there is any suppression / distortion / falsification noticed/detected/pointed out at any stage of e-tender process prior to the issue of work order, the Tender Inviting Authority will immediately bring the matter to the notice of the Executive Engineer who upon recommending suitable punitive actions against the bidder will place the matter before the concerned Chief Engineer within 15 days of receipt of the complaint from the Tender Inviting Authority and the contractor/bidder may be suspended from participating in all future tenders on the e-Tender platform of I&WD as per approval of the Chief Engineer for a maximum period of 3 (Three) years. In addition, his/her EMD will stand forfeited by the Government. The concerned Chief Engineer then will issue the necessary suspension order in writing with intimation to the defaulting contractor/bidder, other Chief Engineers, Central e-Tendering Cell and also the Department. Copy of such suspension order should invariably be communicated to the Nodal Officer, e-Governance Cell of the Department with a request to upload the order in the Departmental website. Besides, the Irrigation & Waterways Department may also take appropriate legal actions including blacklisting of the defaulting contractor/bidder and debarring him/her from participating in any State Govt. tender for a period up to three years. For e-tenders where such suppression / distortion / falsification is detected at an advanced stage of e-tender processing, the concerned Chief Engineer will be the deciding authority as to what further necessary actions are to be taken regarding the fate of the e-tender.

7. Taxes & duties to be borne by the bidder

Income Tax, VAT, Sales Tax, Royalty, Construction Workers' Welfare Cess and similar other statutory levy / Cess will have to be borne by the contractor/bidder and his/her quoted rate should be quoted accordingly after considering all these charges.

8. Conditional & incomplete tenders

Conditional and incomplete tenders are liable to be summarily rejected.

9. Opening & evaluation of tenders

9.1 Opening of a Technical Proposal

- i. Technical proposal will be opened by the Tender Inviting Authority or his/her authorised representative/s electronically in the official website stated earlier, using their authorised Digital Signature Certificate/s (DSC).
- ii. Intending contractors/bidders may remain present if they so desire.
- iii. Technical cover documents (vide Clause 2.2.A) will be opened /decrypted first and if found in order, Cover (Folder) for OID (vide Clause 2.2.B) will be opened/ decrypted. If there is any deficiency in either of the Technical cover documents, the e-tender will summarily be rejected.
- iv. Decrypted (transformed into readable format) documents of the OID (Other Important Document) Cover will be decrypted/downloaded and handed over to the Executive Engineer (TAA).

9.2 Uploading the list of technically qualified contractors/bidders

- i. Pursuant to scrutiny and decision of the Executive Engineer, after a Technical Bid opening, the list of eligible contractors/bidders having successfully qualified in the Technical Evaluation for a particular serial of work whose financial proposal will be thus considered, is uploaded on the web portal/s.
- ii. While evaluating all the bids, the Executive Engineer may summon the contractors/bidders and seek clarifications / information or seek additional documents or original hard copy of any of the/all the documents already submitted on-line for verifications and if these cannot be produced within a reasonably stipulated timeframe, their bids will be liable for rejection.

9.3 Opening and evaluation of Financial Proposal

- i. Financial proposals of the contractors/bidders declared technically eligible by the Executive Engineer will be opened electronically by the Tender Inviting Authority from the web portal stated above on the prescribed date and time.
- ii. Intending contractors/bidders may remain present if they so desire.
- iii. The encrypted copies will be decrypted and the rates will be read out to the contractors/bidders remaining present at that time.
- iv. After opening of Financial Proposal, preliminary summary result containing inter- alia the name of contractors/bidders and the respective financial rates quoted by them will be uploaded in the website portal.
- v. If the Executive Engineer (TAA) 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 test checked by the Divisional Accountant/Divisional Accounts Officer attached to his/her office upload the final summary result containing the name of contractors/bidders and the respective rates quoted by them against each work after acceptance of the rate.
- vi. If there is any scope for lowering down of rate in the opinion of the Executive Engineer / TAA, as L1 bid is abnormally high much above 10% of the Tender Value, all the bidders qualified in technical bid will be notified through system generated e-mail and mobile phone sms to attend e-sealed bid tender-cum-auction on a predetermined date and time to be held in the office of the Tender Accepting Authority. Open off-line bids are normally not encouraged from the point of view of confidentiality and transparency. However, in exceptional cases with recommendation and advice of the Government approved Tender Committee, open off-line bid negotiations with **only the L1 bidder** to lower down the e-sealed bid tender cum auction rate may be held by the Tender Accepting Authority in presence of Tender Inviting Authority for reasons to be recorded in writing.
- vii. If there is no contractor/bidder or the number of contractors/bidders in the 1st Tender is less than three, the tender has to be cancelled. In case of participation of more than three bidders, technical evaluation is to be done and if the number of technically qualified bidders is less than three (3), the tender also has to be cancelled as well and fresh e-tender (i.e 2nd e-tender or 3rd e-tender may have to be invited with lowering of eligibility criteria).
- viii. After holding such e-sealed bid tender cum auction, final result after acceptance of the rate by the Tender Accepting Authority if within the delegated power for acceptance would have to be uploaded in the e-tender website. Otherwise the tender is to be cancelled and invited afresh.
- ix. The Executive Engineer/TAA may ask any of the contractors/bidders to submit rate analysis to reasonably justify the quoted rate by that contractor/bidder.
- x. If the lowest bidder/contractor backs out there should be re-tendering in a transparent and fair manner. In such a situation the TIA may call for Short Notice e-tender with time period as per Government order for re-tenders, if so necessitated in the interest of public works and take decision on the basis of L1 in the Re-Tender or subsequent e-tender. Penal actions for premature withdrawal by bidder have been stated under clause 8 earlier.

9.4 Tender Accepting Authority (TAA)

Authority to which the power has been delegated to accept tenders as per latest Departmental Notification will function as the Tender Accepting Authority (TAA) for evaluation of technical and financial proposals of works having tender value within his/her range of acceptance. As per present delegation, TAA for this tender is ***Executive Engineer - I, Investigation & Planning Division (South), I&W Directorate.***

9.5 Procedure to be followed for acceptance of tender

- i. Selection of contractor/bidder should be made on the basis of at least three valid e-tenders, which shall be opened preferably in presence of their willing agents, if present. If the number of e-tenders received is less than three, e-tender would be cancelled and invited afresh.
- ii. In case of invitation of e-tenders under two-bid system, if the number of contractors /bidders qualified in the technical bid is less than three, e-tender would be invited afresh.

- iii. The lowest tender for all works is accepted as a rule. If for any reason the lowest tender is not accepted, reference is to be made to the appropriate Government for orders as to which of the contractor /bidder the work should be awarded.
- iv. Maximum 5 % excess beyond 'Tender Value' (Amount put to Tender) may be accepted by the Executive Engineer if at least three valid tenders have been received subject to the overall power of tender acceptance delegated to each level of Technical officers as mentioned in the Department Notification issued from time to time, provided tender value after abatement is within the administratively approved cost. In case of excess over administratively approved amount, proposal for revised administrative approval would have to be submitted to the Government, but acceptance of tender and issue of work order may not be kept pending for want of revised administrative approval.
- v. Above 5% and up to 10% of the Tender Value can be recommended for acceptance by the Government appointed Departmental Tender Committee (DTC) subject to the conditions that valid tenders should not be less than three and L1 is accepted and tendered amount is within the administratively approved cost. In case of excess over administratively approved amount, revised administrative approval would have to be submitted to the Government but acceptance of tender, and issue of work order may not be kept pending for want of revised administrative approval/revised financial sanction for Non-Plan works.
- vi. For acceptance of e-tenders above 10% of the Tender Value (Amount put to tender), upon specific recommendation of the DTC as mentioned at clause 12.5 (v) above, with that of the Department shall have to be sent to the Finance Department.
- vii. If the response to an e-Tender is less than three, then Tender should be invited afresh. Such Re-Tender notice shall be published in widely circulated dailies as per guidelines and also through e-Tender web portals. Prior to invitation of Re-Tender / fresh e-Tender, the eligibility criteria and other terms & conditions as contained in the first 'Notice Inviting e-Tender' (e-NIT) shall have to be reviewed by the Tender Inviting Authority, to ascertain whether (i) it was too much restrictive, say, specifications and qualifications were fixed at higher standards than required, (ii) advertisements in the widely circulated Newspapers were properly published and (iii) other related procedural matters were observed in its entirety.
- viii. Even if, after taking appropriate steps in regard to relaxation of criteria to the extent as decided by the Executive Engineer and also wider publicity of 2nd tender in widely circulated dailies and through web-site, the response to the Re-Tender is still less than three, that tender may be accepted. In terms of Delegation of Financial Power Notification of the Department bearing No. 05-(W)/2015-16 dated 20.11.2015, provided the rates do not exceed the schedule rates (SoR) beyond 5% in case of works estimate and the tendered value is within administratively approved cost/sanctioned cost. The same procedure is to be followed for obtaining revised administrative approval/revised financial sanction, stated at clause 12.5 (iv) above, would also be applicable here. Otherwise such cases should be referred to the appropriate Government with the recommendation of the DTC for decision.

10. Acceptance of e-Tender

The Tender Accepting Authority reserves the right to distribute the work amongst more than one contractor/bidder with same rate.

11. Execution of Formal Contract agreement after acceptance of Tender

The contractor/bidder, whose bid is approved for acceptance shall within 15 days of issuance of Letter of Invitation (LOI) to him/her, needs to execute a 'Formal Tender Contract/Agreement' with the Executive Engineer in quadruplicate in W.B.F No. 2911(i) and other tender documents. During executing the 'Formal Contract/Agreement', the successful contractor/bidder will be provided all the tender documents free of cost.

12. Payment against bills raised by the contractor

Release of payment will be made in phases as follows:

Sl no	Event	Payment percentage
01	On supply and satisfactory installation and commissioning of the software	80%
02	On successful completion of training	100%

However it may be noted that payment will be made according to availability of fund and no claim due to delay in payment will be entertained.

Before release of 100% payment the bidder shall have to submit a unconditional Performance Bank Guarantee (PBG) of 10% of the total supply order valid for a period of 90 (ninety) days beyond the date of expiry of Guarantee / Warranty / free upgrade service period. (sample form of PBG given below)

Necessary deductions as per govt norms will be made from the bills.

13. Bid Validity

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

14. Withdrawal of Tender

Withdrawal of tender/bid once the bid has been submitted online and after passing of end date for submission and has been accepted for further processing, is not allowed. EMD will be forfeited by the Government and the bidder/contractor penalised in terms of Clause 4(ii) and clause 8 referred earlier would be applicable.

15. Schedule of dates for e-Tendering

Sl. No.	Activity	Date & Time	Remarks
1.	Publishing Date	28.11.2016 at 17.30 Hrs	To be made available with the e-NIT in the website
2.	Document Download start date	28.11.2016 at 17.30 Hrs	
3.	Bid submission start date	28.11.2016 at 17.30 Hrs	
4.	Document Download end date	08.12.2016 at 17.30 Hrs	
5.	Bid submission end date	08.12.2016 at 17.30 Hrs	
6.	Technical Bid opening date	12.12.2016 at 14.30 Hrs	
7.	Uploading of the list of Technically qualified bidders	To be notified later	To be notified to all bidders through e-mail & SMS through auto-generation in the system.
8.	Financial Bid opening date	-do-	
9.	Uploading of CS (Comparative Statement) and uploading of Final FBE	-do-	
10.	Uploading of the Letter of Invitation / Acceptance LOI/LAO	-do-	
11.	Uploading of Award of Contract (AOC) (Work Order)	-do-	

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.
2. Acceptance of the e-tender 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. Imposition of any duty / tax / royalty etc after work order / commencement and before final completion of the work is to be borne by the contractor/bidder.
4. VAT/Sales Tax, 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-imbursement or compensation for the above. The rates of supply should be inclusive of these taxes and charges.
5. The contractor should thoroughly scrutinise the relevant tender documents 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,
6. The work will have to be completed within the time period as mentioned in the e-NIT.
7. No compensation is payable on account of reasons such as variations in price indices/escalation cost etc.

SPECIAL TERMS AND CONDITIONS

1. The job includes supply and installation of the software at Central Design office at Jalsampad Bhavan, Salt lake, Kolkata 700091.
2. Warranty and 3 year free upgrades (whenever released) from the date of installation. 24 hours turnaround technical support by phone / e-mail / visit. Up gradation of the software and replacement of faulty software media within 24 hours.
3. Training: 4(Four) days training to be provided at Jalsampad Bhavan. The training need to be provided by Autodesk certified persons only and to be conducted in two phases as per programme to be decided later.
4. The bidder must have qualified support engineer(s) to provide the necessary support service.
5. *In the event of unsatisfactory performance of the bidder during the contract period the tender may be terminated by the Executive Engineer-I, I&P Division (South) after giving one months notice.* In such case of termination of the contract security money and Earnest money Deposit (EMD)/PBG submitted by the bidder will stand forfeited to government.
6. Statutory deduction of Taxes will be made at source, in line with the law of the WB Govt.

(Sd/)
Executive Engineer I
Investigation & Planning Division (South),
Irrigation & Waterways Directorate

FORM 1

APPLICATION FOR e-TENDER

To
The Executive Engineer I
Investigation & Planning Division (South),
I&W Directorate

e-Tender No:- - WBIW/EE/IPDS/e-NIT-01/2016-17

Amount put to Tender : 17,30,160/-

Dear Sir,

Having examined the Technical cover, OID cover & all other e-NIT documents, I/we hereby would like to state that I/we wilfully accept all your conditions and offer to execute the works as per e-Tender no stated 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 Bidder / Contractor: _____

Signature: _____

In the capacity of: _____

Duly authorized to sign bids
for & on behalf of (Name of Firm): _____
(In block Capital letters or typed)

Office address with seal if any:

Telephone no(s) (office): _____

Mobile No: _____

Fax No: _____

E mail ID: _____

FORM – 2

Declaration against Common Interest

(To be typed in company/organisation letter head, scanned and uploaded)

Ref:- e-NIT No- WBIW/EE/IPDS/e-NIT-01/2016-17

I/We, Sri/Smt. _____, the authorized
signatory on behalf of do hereby
affirm that I/We/any of the member of
bidding against **e-NIT No- WBIW/EE/IPDS/e-NIT-01/2016-17** do not have any common interest
either as a partner on any partnership firm / consortium as a Proprietor / Owner of any other firm in
the same serial for the work I / we want to participate.

Date:

Signature of contractor/bidder
with official seal if any

SAMPLE FORM OF PBG (to be executed on stamp paper)

Whereas(hereinafter called "the Bidder") has submitted its bid dated(Date of submission of bid) for the supply of **Supply of Autodesk AutoCAD software for the use of the Central Design Office of I&W Directorate at Jalsampad Bhavan, Salt Lake, Kolkata700091** (Hereinafter called "the Bid").

KNOW ALL PEOPLE by these presents that WE (Name of bank) of (Name of country), having our registered office at (Address of bank) (Hereinafter called "the Bank"), are bound unto **Executive Engineer I, Investigation & Planning Division (South), Irrigation & Waterways Directorate, Government of West Bengal** (Hereinafter called "the Purchaser") in the sum of _____ for which payment well and truly to be made to the said Purchaser, the Bank binds itself, its successors, and assigns by these presents.

Sealed with the Common Seal of the said Bank this ____ day of _____ 2016.

THE CONDITIONS of this obligation are:

If the Bidder, having been notified of the acceptance of its bid by the Purchaser during the period of warranty:

- (a) Fails or refuses to provide the necessary software upgrades.
- (b) Fails to provide the necessary support service to the satisfaction of the purchaser.

We undertake to pay the Purchaser up to the above amount upon receipt of its first written demand, without the Purchaser having to substantiate its demand, provided that in its demand the Purchaser will note that the amount claimed by it is due to it, owing to the occurrence of one or both of the two conditions, specifying the occurred condition or conditions.

This guarantee will remain in force up to and including ninety (90) days after the period of the bid validity i.e, upto ____ day of _____ 201____, and any demand in respect thereof should reach the Bank not later than the above date.

.....
(Signature of the Bank)