

**Government of West Bengal
Irrigation & Waterways Directorate
Office of the Executive Engineer
Investigation & Planning Division (South)
Jalasampad Bhawan (3rd Floor)
Salt Lake City, Kolkata - 700091
Telephone No.(033)2334 1492, E-Mail ID- eeoneipds@gmail.com**

NOTICE INVITING e-Tender\ e-QUOTATION

e-N.I.Q No - WBIW/EE/IPDS/e-NIQ-02/2022-2023

Memo No. 10-15/1274

Date:-24.11.2022

Encrypted electronic bids are hereby invited by the Executive Engineer-I Investigation & Planning Division (South), Irrigation & Waterways on behalf of the Governor of the State of West Bengal through a single stage two part e-Procurement System; (Part I: Techno-commercial bid and Part II: Financial bid) for list of Supply of vehicles on hire basis, **required for official purpose**, as listed in the next page from eligible bonafide contractors/agencies/bidders/suppliers for Supply of vehicles on hire basis-. The technical bid in Part-I would require the bidder to qualify for the next phase of financial bid: Part-II, in which L1 bid price would determine the final selection and acceptance of a bidder for award of the contract to supply vehicles required for official purpose.

Intending contractors/bidders desirous of participating in this e-Quotation are required to login to the Government of West Bengal e-Procurement website having URL <https://wbtenders.gov.in> and locate the instant tender/quotation by typing **WBIW/EE** in the search engine provided therein, or by logging-in using their assigned User ID and password. They may also visit the official website of the Irrigation & Waterways Department, Government of West Bengal www.wbiwd.gov.in to locate the same e-Quotation by scrolling the "e-Procurement" link.

Contractors/bidders willing to take part in the e-Quotation are required to obtain a valid 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, GoWB 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 websites. A list of such licensed CAs' are also available in the CCA website cca.gov.in. The prospective contractors / bidders may contact the Departmental e-Tendering Help desk located at the 7th Floor of Jalasampad Bhawan at Bidhannagar, Sector-II, Kolkata, through e-mails irrigationhelpdesk@gmail.com and dvsc6816@gmail.com or Telephone No. 033-23346098 and the State Level e-Procurement Help Desk located at the Ground Floor of Jalasampad Bhawan through e-mail wbehelpdesk@gmail.com or Ph:(033)-2334 5161 on any working day between 10.30AM-5.30PM for any query on e-Tendering procedure, obtaining DSC and free of cost training on e-Procurement procedure.

Intending contractors/bidders/suppliers are required to download the e-Quotation documents directly from either of the websites stated above. **This is the only mode for submission of the quotation.** The interested bidders eligible for the tender are required to submit their bids through the e-Procurement System using their valid DSC e-Token with assigned PIN using login ID and password. Details of e-filing procedure for participating in the e-Quotation would be according to the procedure under State Government have also been explained in the 'Bidders' Manual', available in the Departmental website www.wbiwd.gov.in.

Last date & time of submission of bid electronically, is on 12.12.2022 up to 12:30 Hrs.IST.

The applicant bidders/contractors/suppliers are advised to carefully read all the 'Terms & Conditions' contained in this e-Notice Inviting Quotation (e-NIQ). He/she should particularly go through the minimum desired Pre-qualification (PQ) works credential & financial eligibility criteria and satisfy himself/herself of all the mandatory eligibility requirements. Bidders desirous of participating in the e-Quotation should submit bids only if they fulfill the minimum PQ eligibility criteria and are in possession of all the required PQ Credential documents "in original" as these may be summoned by the Tendering authority for verification purposes.

All information published in the website consisting of e-NIQ and other related documents uploaded by the selected bidder, WB Works Contract Form No. 2911(i)/2911(ii), Bill of Quantities (BOQ), EMD exemption order, if any, corrigenda and drawings etc. if any, shall form a part of the Agreement / contract document.

LIST OF WORKS

e-N.I.T No- WBIW/EE/IPDS/e-NIQ-02/2022-23 (Serial No. 01 & Serial No. 02)

Sl. No	Name of Work//Project/Procurement*	Earnest Money (EMD) (Rs.)	Time allowed for completion (In English Calendar days)	Source of fund	Minimum Eligibility criteria
1	2	4	5	6	7
1.	Supply of Motor Cab (Diesel Luxury Taxi/Cab permit) on hire basis for use of the Executive Engineer-I, Investigation & Planning Division (south), Irrigation & Waterways Directorate, Jalasampad Bhawan, Salt Lake, Kolkata-91 [2 nd Attempt].	1500.00	12 months	Maintenance fund for vehicle	Please refer to others terms and condition.
2.	Supply of Motor Cab (Diesel Luxury Taxi/Cab permit) on hire basis for use of the Sub-Divisional Officer, Investigation & Planning Sub-Division No.II, Irrigation & Waterways Directorate, Jalasampad Bhawan, Salt Lake, Kolkata-91 [2 nd Attempt].	1500.00	12 months	Maintenance fund for vehicle	Please refer to others terms and condition.

(*) Consortium & Joint Venture are not permitted to bid in this e-quotation.

(General Terms & Conditions for Contract)

1. Eligibility for participation in e-tenders / e-quotations under National Comparative Bidding (NCB)

Interested contractor/bidders/suppliers are eligible to participate in the e-tender / e-quotation subject to fulfilling the other PQ eligibility criteria laid down in the subsequent paragraphs. Consortiums and Joint Ventures are not allowed to participate in the e-quotation.

2. Participation in more than one serial of work out of list of works published in the e-Tender/e-NIQ.

Any contractor/bidder/suppliers may bid for one or both number of Serials of work in the e-tender/e-NIQ subject to fulfillment of all of the following conditions:

- a. There should be full compatibility (matching between the technical PQ credential submitted by the bidders/suppliers in the form of other relevant documents as stated under Clause 3.2B III) relating to any work successfully completed by the bidder and technical PQ criteria specified in the e-tender/e-NIQ for any particular serial of works for which the bidder/supplier intends to bid. In other words, technical PQ credential certificate along with relevant documents submitted for any work should at the minimum; satisfy the technical PQ eligibility criteria specified for that work. Normally there should be separate CC along with relevant documents for each of the serial of works, the bidder intends to bid and the serial number relevant to the CC should be clearly written on the body of the CC and also on the other documents stated under **Clause 3.2B III**. However, the bidder/supplier will also reserve the right to submit one CC along with relevant documents for bidding in more than one serial of work, provided cumulative technical PQ credential of all such serials should be fulfilled by one single CC. In such case also, serial numbers of the relevant works for which the CC is submitted should be clearly written on the body of the CC by the bidder/supplier. Omission of serial numbers on the body of the CC and also on the other documents stated under **Clause 3.2B III**, in case of bidding for more than one serial will lead to rejection of all the bids.
- b. Average of gross annual turnover of the individual bidder/Organization/consortium or Joint Venture for any three financial years within preceding five financial years, as stated under Clause 7V, should not less than the summation of turnover requirements of the relevant individual serial of works for which the bidder intends to bid.

3. Submission of bid

3.1 General procedure for submission of e-bid

Bids are to be submitted electronically in the on-line mode through the e-Procurement portal www.wbtenders.gov.in. All documents uploaded by the Tender Inviting Authority forms an integral part of the works contract/Agreement. Contractors/bidders are required to upload the entire tender/quotation documents along with all other relevant PQ credential documents as asked for in the e-tender/e-NIQ, electronically, through the above portal within the stipulated date and time as notified in the e-tender/e-NIQ. Tenders/Quotations are to be submitted in two parts/folders at the same time for each work, one being '*Technical Proposal*' and the other '*Financial Proposal*'. The contractor/bidder should carefully go through all the documents of the e-tender/e-quotation and upload the scanned copies of his/her/their original documents in 'Portable Document Format' (PDF) files in the designated links in the web portal as their '*Technical Bid*'. He/she needs to fill up the financial offer/bid price/ rates in percentage above or below or 'At-Par' in the downloaded BOQ of the work in the designated cell in '**Excel sheet only**', and upload the same in the designated link of the portal as their '*Financial Bid*'. Documents uploaded are virus scanned and required to be digitally signed using their 'Digital Signature Certificates' (DSC). Contractors/bidders should especially take note of all the *Addenda* or *Corrigenda* notices related to the e-Tender/e-quotation and upload all of these documents forming a part of their e-bid as tender/quotation document. Documents digitally signed and uploaded in the e-Tender portal by the contractors/bidders/suppliers containing requisite information & financial bid/rate comprising '**Technical bid**' and '**Financial bid**' are submitted concurrently, which cannot be changed after end date and time fixed for submission of the e-Tender. Extension of last date for e-bid submission or insertion of any of Addendum/Corrigendum, if unavoidable is to be notified as per Finance Department guidelines in the e-Procurement Portal, Departmental website, Newspapers and in Notice boards. Whenever any corrigendum is issued irrespective of the content (date corrigendum or otherwise), due date of submission of bid will be extended by 7 (seven) calendar days to be published before expiry of the last date for original validity period of bid submission. Extension of last date and time for bid submission by issuance of a Corrigendum shall not be treated as 2nd Call or Re-tender.

3.2 Technical Proposal

The Technical Proposal should contain scanned PDF files of all documents in the following standardised formats in two part covers or folders.

Cover No	Cover	Document Type	Descriptions
1	Pre-Qual/Technical	.pdf	NIQ_Corrigendum
		.pdf	Agreement_2911
		.pdf	Forms
			a) Form 1 2 4
			b) Vehicle Registration Certificate,
			c) Tax Clearance Certificate
			d) Fitness Certificate of Vehicle
			e) Commercial Registrartion of Vehicle
			f) Carriage Permit
			g) No_Pullution_Certificate of Vehicle
2	Finance	.xls	BOQ

3.2 A Descriptions of Technical (Pre-Qual) Covers :-

- 'NIQ_Corrigendum' folder** :- e-Notice Inviting Tender is to be downloaded in entirety, digitally signed and uploaded during e-bid submission in **"NIQ_Corrigendum"** folder. **'Corrigenda/Addenda'** if published in connection with the NIQ is to be digitally signed and uploaded in the **'NIQ_Corrigendum'** folder merged with e-NIQ documents during e-bid submission.
- 'Agreement_2911' folder** :- Contract / Agreement in WB Form No. 2911(i) published in the e-Tender is to be downloaded digitally signed and uploaded during e-bid submission in **Agreement_2911** folder.
- 'Forms' folder** :- a) Applications for e-Tender/e-quotation :- vide self declaration format in specimen **Form-1** , Self declaration of bidder/supplier not having common interest as a different bidder/supplier organisation in any other work tendered/quotationed under different serials of this particular e-tender/e-NIQ vide specimen **Form-2**, and self declaration on antecedents and performance of the bidder in specimen **Form-4**.

[All above are to be filled up completely, digitally signed and uploaded during bid submission in **"Forms"** folder. Following documents are also to be provided in **"Forms"** folder]

- 'Vehicle Registration Certificate'** :- Vehicle registration certificate is to be uploaded in **'Forms'** folder.
- 'Tax Clearance Certificate'** :- Up-to-date Tax clearance certificate is to be uploaded in **'Forms'** folder.
- 'Fitness Certificate of Vehicle' folder** :- Valid fitness certificate in respect of vehicle issued by competent authority to be uploaded in **'Forms'** folder.
- 'Commercial Registration of Vehicle' folder** :- Commercial Registration Certificate in respect of vehicle issued by competent authority is to be uploaded in **'Forms'** folder.
- 'Carriage Permit' folder** :- Permit in respect of vehicle issued by competent authority to be uploaded in **'Forms'** folder.
- 'No Pollution Certificate' folder** :- No pollution certificate in respect of vehicle issued by competent authority is to be uploaded in **'Forms'** folder.

3.2A. NOTE

- Contractors/bidders/suppliers are required to keep track in the e-Procurement website www.wbtenders.gov.in for all the Addenda or Corrigenda notices and documents published in connection with a particular e-Tender/e-quotation within the bidding period and upload the same, digitally signed by him/her along with their e- bid. Tenders/quotation submitted without Addendum/Corrigendum are liable to be treated as incomplete and thereby liable for disqualification or rejection.
- Form 1, Form 2, Form 3 (for companies etc.) and Form 4 are taken from bidders by TIA as bidders self declarations' or undertakings. These formats are specimens or samples only, which are to be firstly downloaded by the bidders from the NIT/NIQ in e-Procurement portal, filled up completely and again uploaded with their electronic bids.

3.2 B. My Document [OID* Cover] containing :-

It is desired that PDF files of all other original documents in support of their eligibility and PQ credential shall have to

be submitted under the OID cover folders as detailed below :

My Document Format for uploading in the OID folder:-

Sl. No.	Category	Sub-category	Sub-category description	Remarks if any
I	Certificates	1. certificates.pdf	Valid PAN Card in the name of bidder/supplier/organisation	

* **OID** denotes Other Important Documents.

Note:

- i. It is desirable though not mandatory that all documents stated above in PDF files shall be uploaded by bidders only in specified designated folders. No off-line document will be accepted and considered during tender evaluation stage from bidders before publishing of final selection of L1 by publication of FBE sheet verification by TEC may be undertaken directly from PQ Credential issuing authority.
- ii. Validity of documents submitted by bidder shall be stand determined on the date of publication of tender notice (e-Notice Inviting Tender)

3.2 C(I) Certificate/s : The documents mentioned below under Serial a. are to be uploaded as 'PDF' files in Certificate.pdf1 (*name of the file should be "certificates.pdf"*)

- a. Valid PAN Card of the bidders/suppliers are required.

4. Tender Fee and Earnest Money Deposit (EMD) :-

i. **Tender Fees :-**

Entire set of e-Tender/e-quotation documents are made available free of cost through the State Government e-Procurement portal having URL <https://wbtenders.gov.in> and also available in the e-Procurement link of Departmental website www.wbiwd.gov.in. Cost for tender/quotation documents will not be charged even during execution of a formal tender contract/agreement. However, the contractors/bidders may wherever necessary shall be suitably charged for additional/multiple copies of drawings, specifications, Schedule of Rates, booklet etc. and such fee may be suitably determined by the Tender Inviting Authority as per existing Rules.

ii. **(a) Earnest Money Deposit (EMD) :-**

Bidders are required make payment of Earnest Money (EMD) through the e-Payment banking system, on-line and should read in advance the instructions carefully, particularly those contained in the challan generated in the e-transaction of the portal, if opted for EMD payment through RTGS/NEFT. Only if the bidder/supplier is exempted from payment of EMD by the State Finance Department, the Govt order for such exemption is to be uploaded while opting for EMD exemption category. Any misjudgement and resultant non submission of EMD will lead to summarily rejection of the bid/tender/quotation. **The quantum of Earnest Money Deposit Rs 2000/- (Rupees Two Thousand Only).**

4A. Login by bidder :-

- a. A bidder desirous of taking part in the e-tender/e-quotation floated by the State Government shall login to the e-Procurement portal of the Government of West Bengal www.wbtenders.gov.in using his/her login ID and password by using their valid DSC.
- b. He/she will select the tender /quotation to bid and initiate payment of pre-defined EMD fixed for that tender/quotation 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 bidder's bank accounts in any Bank approved by RBI in India.

4B. EMD payment procedure :-

a. Payment by Net Banking out of 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 (along with a string containing a Unique ID) where he/she will select the Bank through which he/she wants to electronically transact the EMD.
- ii. Bidder will make the payment after entering his Unique ID and password of the bank to process the e-transaction.
- iii. Bidder will receive a confirmation message on registered mobile phone 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 designated 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 submission of his/her e-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 bank account.

Note: EMD 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 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/e-quotation 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.

4C. Refund/Settlement Process for EMD :-

- i. After decrypting/admitting of all e-bids, the preliminary technical bid evaluation (TBO) summary sheet would be published in the Portal after two working days, and there after at least after four working days, the Final technical evaluation (TBE) summary sheet would be published in the Portal with simultaneous electronic processing in the e-Procurement portal by the tender inviting authority done so that status of the all bids as qualified or disqualified; based on the Final Bid Evaluation Sheet (FBE) is made available to all bidders 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 EMD on-line 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 will be refunded, through an automated e-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.
- iv. As soon as the L1 bidder is awarded the contract (AOC), the same is processed electronically in the e-Procurement portal for transfer to Government Receipt under Public Accounts of the State through GRIPS where under the security deposit will also be collected in connection with the work.
- v. All refunds will be made mandatorily to the Bank account from which the payment of EMD was initiated.
- vi. If the e-tender/e-quotation is cancelled, then the EMD would be reverted to the original bidder's bank account automatically after such cancellation order is processed online by the Tender Inviting Authority.

- vii. TIA reserves the right to forfeit the EMD electronically in case of breach/violation of tender rules as defined under clause 8 & 9.
7. **Additional eligibility criteria for participating in more than one serial of work in a e-NIT/e-NIQ :-**
If the same bidder bids separately on behalf of another Firm or in a different capacity having financial interests in the same work, all the tenders/quotation would be rejected.
8. **Penalty for suppression/distortion of facts and withdrawal of L1 bidder before acceptance of LOI:-**
If a contractor/bidder/supplier fails to physically produce the originals of documents (especially the Credential Certificates and P/L accounts with audited balance sheets), or any other bid document on demand by the Tender Evaluation Committee (HTEC/TEC) which were submitted as soft copies in PDF files with their e-bids within a specified time frame, need arising due to any material deviations detected in the uploaded soft copies, leading to specific doubts which could not be cleared by enquiry from issuing authority of these documents or if there is any suppression/distortion/falsification noticed/detected/ pointed out at any stage of the e-tender/e-quotation process at any stage prior to signing of Contract-Agreement or the issue of LOA or AOC, the Tender Inviting Authority will immediately bring the matter to the notice of the concerned Chief Engineer and appropriate penal measures as stated in Clause 10 below will be taken. The concerned Chief Engineer then will issue the necessary order in writing with intimation to the defaulting contractor/bidder, other Chief Engineers, Centralized e-Tender Cell and also the Government in the Irrigation & Waterways Department. Copy of the order/starting penal measures should invariably be communicated to the Nodal Officer, e-Governance Cell of the Department with a request for uploading the order in the Departmental website in the link "List of suspended/debarred contractors".
9. **PROCEDURE FOR SUSPENSION AND DEBARMENT OF SUPPLIERS/ CONTRACTORS**
- A. SCOPE:**
The procedures laid down in subsequent paragraphs shall govern the suspension and debarment of suppliers, contractors and bidders/suppliers ("Contractors" for brevity) involved in Government procurement for offenses or violations committed during competitive bidding and contract implementation, or even later for the works under Irrigation & Waterways Department, Government of West Bengal. The concerned Chief Engineer shall publish the suspension and debarment order in the Departmental website with the approval of I&W Department in the designated link within 1 (one) working day of issuance of such order. The TIA shall recommend the case to HTEC/TEC who with opinion of Chief Engineer will place it before DTC/QBEC/DTTC for approval.
- B. PROHIBITION ON SUSPENDED / DEBARRED PERSONS / ENTITIES TO PARTICIPATE IN THE BIDDING OF GOVERNMENT PROJECTS / CONTRACTS OF THE DEPARTMENT**
A person / entity that is suspended / debarred by a procuring entity shall not be allowed to participate in any procurement process under Irrigation & Waterways Department during the period of suspension / debarment unless the same has been revoked by the competent authority.
A Joint Venture or Consortium which is suspended / debarred or which has suspended / debarred member/s and/or partner/s as well as a person/entity who is a member of suspended / debarred Joint Venture or Consortium shall, likewise, not be allowed to participate in any procurement process under Irrigation & Waterways Department during the period of suspension / debarment unless the same has been revoked.
- C. DEFINATION OF TERMS :-**
- i. **Bidder:** A person/Contractor/Agency/Company/Society/Corporation/supplier participating in the procurement process and/or a Person/Contractor/Agency/Joint Venture/Consortium/ Corporation having an Agreement/ Contract for any procurement with the Department shall be referred as bidder.
- ii. **Bid Evaluation Committees or Tender Evaluation Committees (HTEC/TEC/QBEC in short) :-**
a. Bid / Tender Evaluation Committee '(TEC) for the bids up to tender value of Rs. 45.00 lakh (TEC) invited by the Executive Engineer will be comprising of i) Concerned Executive Engineer as Chairperson and Convener, ii) Assistant Engineer concerned to the work as Member, iii) Another Assistant Engineer from Division as Member or the Junior Engineer posted as the Divisional Estimator.
b. or, Evaluation Committee constituted by the Department from time to time.
- iii. **Consolidated Debarment List :-**
A list prepared by the Departmental Debarment Committee/Chief Engineer containing the list of bidders debarred by the Irrigation & Waterways Department, Government of West Bengal. The list would be displayed prominently in the designated link in website of the Department clearly stating the period of suspension/debarment.
- iv. **Contract implementation :-** A process of undertaking a project in accordance with the contract / agreement documents.

v. Debarment :-

An administrative penalty, in addition to the contract/agreement provisions, disqualifying a bidder from participating in any procurement process under Irrigation & Waterways Department, Government of West Bengal for a given period.

vi. Debarred Bidder :-

A Bidder who was disqualified by the competent authority of the Irrigation & Waterways Department, Government of West Bengal.

vii. Department :-

Irrigation & Waterways Department, Government of West Bengal.

viii. Entity :-

A person/Contractor/Supplier/Agency/Joint Venture/Consortium/Corporation participating in the procurement process and/or a Person/Contractor/Agency/Joint Venture/Consortium/Corporation having an agreement/ contract for any procurement with the Department shall be referred as entity.

ix. Offence :-

A violation or breach of the Constitution of India, laws, regulations, laid down procedure, etc under Prevention of Corruption Act, 1988, Code of Criminal Procedure, 1973 u/s 195(1) and Section 197(1), Competition Act, 2007 and IT Act, 2000 as amended.

x. Procurement :-

It is the act of buying goods, services or works from an external source. It is favourable the goods, services or works are appropriate and that they are procured at the best possible cost to meet the needs of the acquirer in terms of quality and quantity, time and location.

xi. Procuring Entity / Authority :-

The officer authorised by the Irrigation & Waterways Department, Government of West Bengal for procurement.

xii. Suspension :-

Temporary disqualification of a bidder from participating in the procurement process of Irrigation & Waterways Department for a period of 6 (six) months when an offence is made against a bidder.

D GROUNDS FOR SUSPENSION AND DEBARMENT

- i. Submission of eligibility requirements containing false information or falsified documents.
- ii. Submission of Bids that contain false information or falsified documents, or the concealment of such information in the Bids in order to influence the outcome of eligibility screening or any other stage of the bidding process.
- iii. Unauthorised use of one's name/digital signature certified for purpose of bidding process.
- i. Any documented unsolicited attempt by a bidder to unduly influence the outcome of the bidding in his favour.
- ii. All other acts that tend to defeat the purpose of the competitive bidding such as lodging false complaints about any bidder, posting baseless allegation about any officer duly authorised by the Department, restraining any interested bidder to participate in the bidding process etc.
- vi. Refusal to accept an award after issuance of 'Letter of Acceptance' or enter into contract with the Government without justifiable cause.
- vii. Refusal or failure to post the required performance security/earnest money within the prescribed time without justifiable cause.
- viii. Subcontracting of the contract or any part thereof without prior written approval of the procuring entity.
- ix. Failure solely due to fault or negligence of the Contractor, to mobilize and start work within the specified period as mentioned in the 'Letter of Acceptance' / 'Letter of Acceptance cum work Order' / 'Work Order' / 'Notice of Process' / 'Award of Contract' etc. ultimately resulting in rescindment of contract.
- x. Failure to fully and faithfully comply with the contractual obligations without valid cause, or failure to comply with any written lawful instruction of the procuring entity or his representative(s) pursuant to the implementation of the contract, ultimately resulting in rescindment of contract.
- xi. For the procurement of goods, unsatisfactory progress in the delivery of the goods by the manufacturer, supplier or distributor arising from his fault or negligence and / or unsatisfactory or inferior quality of goods, vis a vis as laid down in the contract.
- xii. Refusal or failure to upload a self-declaration in specimen format of Form-4 to the effect of any previous debarment imposed by I&WD, any other Department of State Government and or Central Government.

- xiii. Wilful or deliberate abandonment or non-performance in a project or contract by the contractor / suppliers resulting to substantial breach thereof without lawful and / or just cause(s)..

E. Category of Offence

- a. First degree of offence: Clause 9 D (i) up to (vii), (xii) & (xiv) is to be considered as first degree of offence.
- b. Any of the offence under Clause (viii) to (xi) & (xiii) shall lead to termination of contract and its determinations in accordance with Clause (ii) & Clause (iii) of Agreement Form No. WB-2911 and simultaneous debarment for a period of 2 years
- c. Second degree of offence: Any one of the offences as mentioned under Clause 9D (i) to (xiv), committed by a particular bidder/contractor/supplier on more than one occasion would be considered as second degree of offence. Period of debarment will be 2 times the corresponding period penalty applicable for 1st degree offence in addition to other penal provisions contained in 1st degree offence.

F. Procedure and Rules of Debarment

Debarment procedure and rules are published as Departmental Notification to be read in conjunction with the Corrigenda issued from time to time , as may be seen in the Notification link of the Departmental website wbiwd.gov.in

G. Penalty for Offence

- a. For committing 1st degree offence any of the cases referred under Clause 9 D (i) to (v), forfeiture of earnest money and debarment for a period of six months, if the offence is detected during technical evaluation. If the offence is detected after award of the contract and if the offender happens to be the agency selected for work, and such selection is made due to oversight, forthwith termination of the contract and determination of contract value in accordance with clause 3(ix) (c) of West Bengal Form No. 2911(i)/(ii), and simultaneous debarment for a period of six months. Further, in case the offence is detected after completion of work and payment of final bill the Work credential earned would be declared as 'null and void', so that the same cannot be used in future as PQ credential for securing other works contracts in the Irrigation & Waterways Department, together with debarment for a period of six months.
- b. For committing 1st degree offence in any of the cases referred under Clause 9 D (vi), (vii),(xiii) to (xv), forfeiture of earnest money and debarment for a period of one year. For committing offences under Clause 9D (xv), debarment period shall be for one calendar year preferably from the date on which the due date for submission of BG had expired (i.e. 8th or 15th working day from date of receipt of LOA /LOI) by the concerned Chief Engineer to be notified in the Departmental website.
- c. For committing 1st degree offence in any of the other cases under Clause 9 D (viii) to (xii), termination of contract and its determination in accordance with Clauses 2 & 3 of West Bengal Form No. 2911(i)/(ii), including debarment for a period of two years.
- d. For committing 2nd degree offences under above all categories, period of debarment will be twice the corresponding period for 1st degree offences, in addition to other penal provisions for 1st degree offence.

12. Conditional and incomplete tender/quotation

Conditional and incomplete tenders/quotation are liable to be summarily rejected. No off-line document will be entertained until completion of e-Tender/e-quotation process by way of acceptance of L1 bid by the competent Tender Accepting Authority/Government.

13. Opening & evaluation of tender/quotation

13.1 Opening of a Technical Proposal

All works above tender/quotation value of Rs 1.00 lakh for which e-tendering/e-quotationing is mandatory shall be awarded through open tenders without reservation for any particular class of contractors/bidders. Notices for open off-line tenders for each tender value below Rs 1.00 lakh shall include such clauses as is notified by the Department from time to time.

For e-tenders/e-quotations bids are to be invited in two parts under a two-bid electronic system.

- i. Technical proposal will be opened by the Tender Inviting Authority or his/her authorised representative/s electronically in the official website using their authorised valid Digital Signature Certificate/s (DSC).
- ii. Intending contractors/bidders may remain present if they so desire.
- iii. Technical cover documents (vide Clause 3.2.A) will be opened /decrypted first and if found in order, Cover

(Folder) for OID (vide Clause 3.2.B) will be opened/ decrypted. If there is any material deficiency in either of the Technical cover documents, the e-bid is liable to be disqualified & rejected.

- iv. Decrypted (transformed into readable format) documents of the Pre-Qual Technical cover and the OID (Other Important Document) Cover will be decrypted/downloaded by the TIA and handed over to the Technical Bid Evaluation Committee (TEC).

13.2 Process of Technical Evaluation in a tender/quotation

Within 24 hours of uploading the TBO summary sheet containing Preliminary Technical Qualification result, any of the aggrieved bidder, may seek clarification / redressal / review from the TEC on the list of bidders, in writing/through e-mail with supporting facts / figures / documents. If such clarification /review relates to eligibility of other bidders, on the grounds of submission of false/ forged / manipulated / inappropriate credentials, modalities prescribed in the Departmental Notification shall be followed. In case, the review only seeks the eligibility of the applicant himself, views of the Tender Evaluation Committee (TEC) would be communicated in writing to that bidder within next two (2) working days. If the bidder is not satisfied with the clarification of the TEC, he/she may appeal to the concerned Chief Engineer within 24 hours of receipt of communication from the TEC. The concerned Chief Engineer will dispose such complaints jointly, in associated with at least another available Chief Engineer within next 2 working days. Thereafter final Technical Evaluation Sheet (TBE) of the technically qualified bidders would be uploaded, after incorporating modifications if required. The TIA shall while uploading the final TBE summary sheet accept or reject electronically the admitted bids based on the advice of TEC as per TBE summary sheet. Thus at this stage the rejected bidders will get back their EMD. e-mail communication in official e-mail address of TIA or TAA shall be treated as a valid mode of communication. The minimum time period from date of TBO summary sheet uploading and TBE summary sheet uploading shall be 4 working days or more.

Power is delegated to TEC to verify the authenticity of bid documents by physically summoning the applicant bidder on the basis of specific doubts which could not be cleared, which shall be exercised in exceptional cases, offline verification before issue of LOA needs to be avoided. Only when all other methods of undertaking verification have been exhausted, and there is ample reason to believe that fairness of the technical bid evaluation of the tender cannot be ensured without such action. Prima-facie, if there is not enough reason to doubt the authenticity of the bid documents, physical summon of the bidder shall be avoided, as after determination of L1 bid in financial bidding and before issuance of LOA, all the on-line documents would be verified with the originals by the Accounts & estimating branches of the designated Executive Engineer, and reported to the Tender Accepting Authority prior to the issuance of LOA.

13.3 Uploading the list of technically qualified contractors/bidders/suppliers

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

13.4 Opening and Evaluation of Financial Proposal/bid

- i. Financial proposals of the bidders/contractors declared technically qualified by the Bid/Tender Evaluation Committee (TEC) will be opened electronically by the Tender Inviting Authority in the web portal stated above on the pre-notified date and time.
- ii. The encrypted copies will be decrypted and the rates will be read out to the contractors/ bidders remaining present at that time, else they may login their respective e-tender accounts to see the (CS) comparative statement in the web portal.
- iii. After opening the financial proposal, the preliminary summary result containing inter alia the names of contractors/bidders and the rates quoted by them will be uploaded and the result will be made available in the e-tender platform.
- iv. If the Tender Accepting Authority (TAA) is satisfied that the rate obtained is fair and reasonable and there is no scope of further lowering down of rate, he/she may after having the comparative statement test checked by the Divisional Accountant / Divisional Accounts Officer attached to his office and after their acceptance upload the financial bid evaluation summary sheet or result containing the name of contractors/bidders and the rates quoted by them against each work.
- v. If there is any scope for lowering down of rate in the opinion of the Tender Accepting Authority being abnormally high, i. e above 10% of the amount put to tender (Tender value), the e-tender shall be cancelled and invited afresh 2nd or 3rd re-tender. **No post tender negotiations are permitted.**

- vi. If there is any scope for lowering down of rate in the opinion of the Tender Accepting Authority being abnormally high above 10% of the amount put to tender i.e. Tender value, the e-tender shall be cancelled and invited afresh. No post tender negotiation is permitted.
- vii. If there is no contractor/bidder/supplier or the number of contractors / bidders in the 1st tender/ quotation is less than three/four, the e-tender/e-quotation has to be cancelled. In case of participation of more than three/four bidders, if the number of technically qualified bidder falls below three/ four, the tender/e-NIQ (irrespective to the case of tender/NIQ) is to be cancelled as well and fresh e-tender/e-NIQ vis-a-vis 2nd call e-Tender/e-NIQ or even 3rd call e-Tender/e-NIQ may be invited by suitably lowering of minimum eligibility PQ criteria (work & financial) for bidders with wide publicity of re-tender/re-quotation notices through electronic and print media.
- viii. Final result after acceptance of the rate by the Tender Accepting Authority, if within the delegated power of acceptance would have to be uploaded in the e-Procurement platform. Otherwise, the matter may be referred to the Government Appointed DTC and the appropriate Government for decision.
- ix. The Tender Accepting Authority may ask the L1 bidder/contractor/supplier to submit analysis of rates to justify the rate quoted by that bidder after declaration of financial bid evaluation result.
- x. If the lowest (L1) bidder/contractor backs out there should be re-tendering/re-quotationing in a transparent manner. In such a situation the TIA may call for re-tender/re-quotation with bid submission time period should normally be 14 days for value above Rs. 10.00 lakh, and 7 days for value exceeding Rs. 1.00 lakh but up to Rs. 10.00 lakh. of 7days.

13.5 Quotation Accepting Authority (TAA)

Superintending Engineer, Investigation & Planning Circle – I, Irrigation & Waterways Directorate, Jalsampad Bhawan, Salt Lake, City, Kolkata – 91.

* Superintending Engineer, Investigation & Planning Irrigation Circle – I, Irrigation & Waterways Directorate reserves all the right to accept or reject one or all the tenders/quotation without assigning any reason.

13.6 Procedure to be followed for final acceptance of tender & Award of Contract

- i. The lowest (L1) financial bid for all works tenders / quotation is accepted as a rule. If for any reason the lowest (L1) bid 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.
- ii. Maximum 5% excess beyond the 'Tender Value' (Amount put to Tender) may be accepted as per delegated power to the Executive Engineer up to Rs 45.00 lakh, and at least three valid bids have been received in the financial bid stage, provided tender value after abatement is within the administratively approved cost. Maximum 5 % excess beyond the 'Tender Value' (Amount put to Tender) may be accepted above tenders of value below Rs 3.00 lakh upto 5% above amount put to tender and also 5% excess over administratively approved amount, proposal for revised administrative approval/Expenditure sanction 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 approval.
- iii. Above 5% and up to 10% of the Tender Value can be recommended to the Government for acceptance by the Departmental Tender Committee (DTC) subject to the conditions that valid technically qualified bids should not be less than three and L1 bid 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.
- iv. If the response to an e-Tender/ e-quotation is less than three / four, then Tender/quotation should be invited afresh. Such re-Tender/re-quotation 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 // re-quotation/fresh e-quotation, the eligibility criteria and other terms & conditions as contained in the first 'Notice Inviting e-Tender/ e-quotation' (e-NIQ) shall have to be reviewed/relaxed 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.
- v. If the number of valid bids received even in re-tender/re-quotation is less than three/ four, it should be referred by the TIA to the DTC and even the appropriate Government along with the recommendation of the DTC for decision, in accordance with Finance Department Memorandum and other relevant orders in vogue at the time of publication of the e-tender/-e-quotation.
- vi. For acceptance of L1 bid after 2nd / 3rd re-tenders is still above 10% of the Tender Value (Amount put to tender), upon specific recommendation of the DTC as mentioned at clause 13.4, with that of the Department shall have to be sent to the Finance Department for decision.
- vii. All above tender rules applies for all types of works and procurements i.e Plan, Non Plan, deposit works tenders.

14. General guidelines for acceptance of e-Quotation

Lowest valid rate should normally be accepted in accordance with the procedure stated in clause 13.4.

15. Signing of formal tender contract/agreement after acceptance of e-quotation/e-Quotation

The contractor/bidder/supplier, whose bid is approved for acceptance, shall within 15 days of the receipt of Letter of Invitation (LOI) or Letter of Acceptance (LOA) in his / her favour, will have to execute a 'Formal Agreement' with the Engineer-in-Charge in quadruplicate/triplicate in W.B.F. 2911(i) / 2911(ii) and all other contract documents, entire set of which may be obtained free of cost from the office of the Executive Engineer-I, Investigation & Planning Division(South), in-charge of the work tendered/quotationed for.

If the selected L1 bidder fails to turn up even after 30 days after the initial 15 days from the date of uploading of the AOC in the e-Procurement portal or the despatch date of official communication for signing of the Contract/Agreement, the selected bidder is liable for penal actions which shall comprise blacklisting, debarring from future participation in Government tenders/quotation, immediate forfeiture of the Earnest Money deposited in the tender/for the e-NIQ, other penal actions as stipulated under clause 9 & 10 of the e-NIQ, the Departmental Notification and also contained in contract W.B Form No. 2911(i) / 2911(ii) / Agreement.

16. Payment against bills raised by the contractor

Periodic Tax invoice/bills containing bidders GSTIN & other details needs to be submitted by the supplier/contractor/Agency/bidder to the DDO for raising claims for receiving payments of work executed under this contract /upon achieving physical Milestones clearly showing separately the Tax charged in accordance with the provisions of the GST Act, 2017.

The payment of bill will be made according to availability of fund and no claim due to delay in payment will be entertained. Bill for each month should be prepared & submitted accordingly for which payment will be made according to fund and no claim due to delay in payment will be entertained.

17. No cost escalation in any form is included in the Tender Contract Agreement.

18. Bid validity

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

20. Withdrawal of bid in a Tender / quotation

Withdrawal of e-Tender/ the e-quotation 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 L1 bidder/contractor penalised in terms of clause 8 referred earlier would be applicable.**

21. Critical dates of this e-Tender/e-Quotation

Sl. No.	Activity	Date & Time	Remarks
1.	Publishing Date	28.11.2022 at 09:00 Hrs	To be made available with the e-NIQ in the website
2.	Document Download start date	28.11.2022 at 12:00 Hrs	
3.	Bid submission start date	28.11.2022 at 12:00 Hrs	
4.	Document Download end date	12.12.2022 up to 12:30 Hrs.	
5.	Bid submission end date	12.12.2022 up to 12:30 Hrs.	
6.	Technical Bid opening date with preliminary result (TBO Sheet)	12.12.2022 at 14:00 Hrs.	
7.	Uploading of the list of Technically qualified final list of bidders (TBE Sheet)	To be decided by EE with at least 4 (Four) clear working days after Technical Bid uploading date in order to enable registering of grievance and decision of Appellate authority, if any).	To be notified to all bidders through e-mail & SMS through auto-generation in the system.
8.	Financial Bid opening date (FBO Sheet)	To be suitably decided by TIA	
9.	Uploading of CS (Comparative Statement) and uploading of Final FBE Sheet	To be suitably decided by EE(TAA)	
10.	Uploading of the Letter of Invitation / Acceptance LOI/LAO	-do-	
11.	Uploading of Award of Contract (AOC) (Work Order)	-do-	

TIA : e-Tender/e-Quotation Inviting Authority (Assistant Engineer/Executive Engineer)

TAA : e-Tender/e-Quotation Accepting Authority (Executive Engineer)

OTHER TERMS AND CONDITIONS

1. The vehicle must be in good working condition. The supplier of the vehicle should be either the owner or have proper authorization from the owner to supply the vehicle. Quotation papers will be issued to the intending bidders pertaining to uploading of required documents as mentioned earlier in Sl. No.3.2a of "General Terms & condition Section" production of following documents:-
 - Valid Certificate of Registration from appropriate authority.
 - Valid Tax clearance certificate from tax officer of M.V. Department.
 - Valid Contract carriage permit of Luxury taxi issued By the Competent authority.
 - Valid Auto emission testing certificate.
 - Valid Certificate of Insurance of passenger carrying commercial vehicle.
 - PAN Card.
2. **The vehicle will be hired on daily basis.** The rate of hire charges should be quoted on daily basis both in figures and words. Rates, to be quoted, should not exceed the rates mentioned in the existing G.O. of transport department, Govt. of West Bengal. The cost of hire charge will be paid monthly on production of bill by the supplier. Deduction of Sales tax, income tax, cess etc. shall be made as per rule.
3. The cost of maintenance and repair of the vehicles is to be borne by the supplier. The cost of any urgent repair of the vehicle done by the department at outstation during on duty inspection works will be recovered from supplier's bill.
4. The department will not normally supply any diesel and Mobil. All fuel/oil, lubricant used for running the vehicle is to be borne by the supplier of the vehicle. In that case he will be paid the cost of fuel (Diesel) at consumption rate as mentioned below, the quality rounded to nearest full liter. Consumption of diesel will be allowed by the department as per actual consumption basis subject of the condition that the minimum run per liter of fuel will be as per limit prescribed below.
5. Type of Vehicles : Motor Cab (Diesel) or equivalent
6. Minimum permissible run per litre of fuel : Diesel: 12(Twelve) Km/ liter
Mobil: 1 liter for 500 km. run.
- [N.B. If any supplier can offer more economic fuel mileage than prescribed that may also be indicated].
7. The Cost of pay and allowances of the driver of the vehicles should be borne by the owner of the vehicle.
8. Responsibility of guarding of the vehicles from any loss, theft, etc. will rest upon the supplier. The Department will also not hold responsibility for any damage caused to the car due to any accident or for any court case of compensation arising out of the vehicle and its driver or for any taxes/ or charges that may be levied by the State/Central govt.
9. The service of the vehicle may be terminated in case of unsatisfactory service, or if the condition of the vehicle is found not satisfactory and for failure on the part of the supplier to fulfill any other requirement in connection with proper running of the vehicle. In such cases the service will be terminated by giving 3(three) days notice without any financial implication.
10. **Garage distance allowed maximum (5 Km. up & 5 Km. Down) total 10 km. or the actual distance which ever is less for each day of journey.**
11. **Normal duty hour will be 10 hour per day.**
12. Normally the driver along with vehicle will report for duty at any time on specific date and place as will be instructed beforehand by the officer on duty.
13. **Cost of overtime allowance in case of duties beyond normal duty hours will be allowed at the rate of Rs.20/-(twenty) per Hour. In case of journey outside Kolkata overtime allowance will only be allowed for time in excess of 10(ten) hours when the vehicles will be running.**
14. If in case of any accident or breakdown, the vehicle fails to report for duty then a message has to be sent by the supplier forthwith and an alternative vehicle in replacement shall have to be arranged by the supplier for reporting to duty place. The driver/supplier of the vehicle will be responsible for maintaining log book in the same manner as done by the driver of the Govt. Vehicles and recorded journeys should be properly approved by the officer who performs the journey for Govt. work.

15. The supplier of the vehicle should supply 2(two) machine numbered log books (printed) for recording journeys.
16. Vehicle will not usually be used on Sundays and holidays if not specially requisitioned. For any day when the supplier will fail to supply the vehicle on requisition, for whatever reasons, penalty @ two times of daily hire charges may be imposed on the supplier for such failure to supply the vehicle.
17. **Halting charges as extra over the usually hiring rate @ Rs.80/- (Rupees eighty) only per night halt will be payable to the supplier of the hired vehicles in the case of outstation journeys with halt.**
18. Servicing of the vehicle should be done by supplier at his own cost with prior intimation so that duty may be adjusted.
19. The supplier must quote telephone number for communication of message of the garage attending calls.
20. The supplier should quote rate on the basis of above terms and conditions. No new terms and conditions will be entertained from the supplier.
21. In case of violation of the above terms and condition the quotation will be liable to be rejected.
22. If the supplier wants to terminate the contact he has to give prior one month notice.

Special Terms & Conditions of the contract

1. The Executive Engineer-I of the concerned Division shall be the Engineer-in-Charge in respect of the works contract and all correspondence 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 e-quotation 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 also approved by him/her. Instructions given by the Sub-Divisional Officer/Assistant Engineer and the Junior Engineer/Section Officer (SO) 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 relating to specifications condition of the supplied vehicle etc. and work, the decision of Engineer-in-Charge shall be final and binding. The Engineer-in-Charge will however take all decisions relating to works contract only after recommendation/ advice of the Tender Accepting Authority. If there is more than the Executive Engineer assigned for the tender, the Chief Engineer would designate the Engineer-in-Charge for the work.
2. Acceptance of the tender including the right to distribute the work between two or amongst more than two bidders with same L1 rates will rest with the Tender Accepting Authority without assigning reason thereof to any of the bidders. The tender accepting authority reserves the right to reject any or all tenders/quotation without assigning sufficient justification thereof to the bidder/contractor. No additional or excess work or additional items of work beyond the tendered amount would be generally allowed. All excess, supplementary or substitute supplementary items of work, if unavoidable are to be accepted by the Tender Accepting Authority only if the total value of work on completion is within the tendered amount. The exiting contract would be terminated after achieving work up to tendered cost (gross value) and balance work would be taken up afresh after fresh sanction and new tender, except in the interest of public services, in rare & special cases under specific approval of the Government.
3. The Contractor/bidder shall have to comply with the provisions of (a) Contract Labour (Regulation & Abolition) Rules, 1970 including its revisions (b) Minimum Wages Act 1948 and the modification thereof or any other laws relating thereto as will be in force from time to time.
4. Engineer-in-Charge shall not entertain any claim whatsoever from the contractor for payment of compensation on account of idle labour on such grounds including non-possession of encumbrance free land. Escalation of cost due to inflationary effects or any other reason is not permitted during construction period or extended time period of contract.
5. Engineer-in-Charge shall not be held liable for any compensation due to machines & equipments becoming idle or any circumstances including untimely rains, other natural calamities, strikes etc.
6. All statutory taxes, viz. GST / labour welfare cess, labour insurance etc or revision of taxation rates even after AOC or commencement and before final completion of the work are to be borne by the contractor/bidder. Original tax invoice/challan or bill of those materials, which are procured by the bidder, may be asked to be submitted for verification if required.
7. Labour Welfare Cess @ 1% of the cost of construction works shall be deducted from the Gross value of all works bills. Also it is instructed to compulsorily register his/her establishment under the Act, under the competent registering authority, i.e. Assistant Labour Commissioner / Dy. Labour Commissioner of the region for disbursing PF and ESI benefits of workers. The bidder should be mandatorily be registered online with Employees Provident Fund Organisation (EPFO) in the on-line system and posses EPF code and all current documents. Penalties and complaints due to non compliance of on-line EPF registration and default is the full responsibility of the bidder even if the TIA is by default the Principal employer

8. Adjustment of original bid prices/escalation cost/ mobilization advance / secured advance shall not be permitted for any reason whatsoever due to cost and time over run unless specified otherwise in the contract or the e-Notice Inviting Tender.
9. GST, Cess, License fees, Royalty for construction materials, forest product etc, Toll Tax, Income Tax, Ferry Charges and other Statutory Government Taxes as applicable during project implementation during contract period of supplying of the vehicle are to be paid by the contractor/bidder. The rates of supply and finished work items are inclusive of these taxes and levy. Tax invoice/bills needs to be submitted by the supplier/bidder for raising claims under the contract after attaining of physical milestones showing separately the tax charged in accordance with the provisions of GST Act, 2017.
10. All working tools & plants, scaffolding, construction of vats & platforms and arrangement of Labour Camps will have to be arranged by the contractor at his/her own cost. The contractor shall clear the site of work and restore all damages made due to the Labour camp, erection of yards and godowns, stores etc within 30 days of completion of work.
11. The contractor shall supply mazdoors, bamboos, ropes, pegs, flags T&P, Machineries and equipments etc. for laying out the work and for taking and checking measurements for which no extra payment will be made. The supplier shall provide good conditioned vehicle as per specification along with Driver with valid Driving license.
12. The contractor/bidder should see the site of works and tender documents, drawings etc. before submitting tender and satisfy himself/herself regarding the condition and nature of works and ascertain difficulties that might be encountered in executing the work, carrying materials to the site of work, availability of drinking water and other human requirements & security etc. Work on river banks may be interrupted due to a number of unforeseen reasons e.g. sudden rise in water levels, inundation during flood, inaccessibility of working site for carriage of materials. Engineer-in Charge may order the contractor to suspend work that may be subjected to damage by climate conditions. No claim will be entertained on this account. There may be variation in alignment, height of embankment or depth of cutting, location of revetment, structures etc. due to change of topography, river condition and local requirements etc. between the preparation and execution of the scheme for which the tendered rate and contract will not stand invalid. The contractor will not be entitled to any claim or extra rate on any of these accounts.
13. 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 work. Instructions given by inspecting officers not below the rank of Assistant Engineer will be recorded in this book and the contractor must note down the action to be taken by him in this connection as quickly as possible.
14. The contractor shall be bound to comply with all the Central & State Pollution Control Acts & Rules during entire construction period.
15. 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 erected by the contractor at his own cost while operating public thoroughfares. Also, display boards containing brief description and name of project with completion target dates shall be erected at a prominent location at the work site by the contractor for public awareness. Insurance of workers and materials is the responsibility of the bidder during entire construction period.
16. The contractor will have to maintain qualified technical employees and/or Apprentices at site as per prevailing Apprentice Act or as stipulated in the contract. No compensation for establishment charge will be entertained.
17. The contractor will have to accept the work programme as per modifications and priority of work fixed by the Engineer-in-Charge so that most vulnerable reach and/or vulnerable stretch is completed before impending monsoon or rise in river flood water level or commencement of canal irrigation water release or for other suitable reasons.
18. Quantities of different items of work mentioned in the departmental tender schedule/BOQ or in work order are only tentative. In actual work, these may vary considerably. Payment will be made on the basis of works actually completed in different items as per specifications and codes, and no additional claim will be entertained for reduction of quantities in some items or for omission of some items. For execution of any additional item or supplementary works within the tendered value with the total completion value remaining within the accepted tendered cost, approval of the Tender Accepting Authority/Government in the Irrigation & Waterways Department would be required.
19. In order to cope with the present system of e-pradan billing, departmental supply of construction materials is discouraged. However, Departmental materials may be issued to the contractor/ bidder to the extent of requirements as assessed and following accounts procedure in the Treasury system of bill payment and in instalments as decided by the Engineer-in-Charge. Issue of materials may be of three categories.
 - a) Materials issued directly to the work and subject to recovery.
 - b) Materials issued from departmental go down and subject to recovery.
 - c) Materials issued free of cost.

Decision of the Engineer-in-Charge should be final and binding in this regard. He also stands solely responsible for reconciliation of accounts, if materials are issued to the contractor.
20. Any materials brought to site by the contractor 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 48 hours 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/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 Filter, Geo jute Filter etc. if any, relevant Data Sheet containing the name of the Manufacturers, Test Report etc. will also be submitted in each occasion. Engineer-in-Charge may conduct independent test on the samples drawn randomly before according approval for using the materials at site. In this regard decision of Engineer-in-Charge shall be final and binding.

21. For materials under category 19(a),(b)&(c), the contractor will act as the custodian thereof. The materials will have to be carried from the nearest Departmental go-down to worksite by the contractor at his own cost. The contractor shall remain responsible for the proper storage and safety of the materials. Suitable Go-down/ Store shall have to be made by the contractor at his/her own cost. Penalty charges shall be levied at higher rate for loss, wastage, misuse. Surplus materials of the departmental if any, shall have to be returned to the issuing Go-down or store at the contractor's cost within the time frame as fixed by Engineer-in-Charge, otherwise, the cost at penal rate will be recovered from the bill. Indent for departmental materials shall be submitted by the contractor to the AE/S.D.O. at least 7 days in advance of actual requirement. No claim will be entertained for non-issuance of such materials in time but reasonable extension of time will be granted. All materials, whatever be the category thereof, shall be properly stored by the contractor in suitable go downs near the site of work at his own cost & under no circumstances whatsoever shall any material be removed from the site of work without prior written permission of the Engineer-in-Charge. The contractor shall be responsible for any damage, wastage or loss of such materials.
22. The contractor shall also have to satisfy the Engineer-in-Charge regarding the proper utilization of materials which have been issued departmentally.
23. Value of the material, under category (a) & (b) of clause 19, will be recovered from the bills of the contractor in one or successive instalments as may be decided by the Engineer-in-Charge.
24. Requisite quantity of cement as may be required for the work will be supplied from the nearest Departmental go down if stock permits. The issue rate of cement is shown in the Schedule of materials attached. Any excess consumption of cement by more than 5% over the final consumption statement drawn up as per consumption rate specified in the Schedule will be recovered at a penal rate shown in schedule.
25. Reinforcement steel rods/MS sheet piles/bitumen will be issued if stock permits, from the nearest departmental go-down where such material is available in marketable length/quantities. While issuing the same, for any particular work the quantity actually required as per approved drawing shall only be issued. While executing the work, it will be responsibility of the Contractor/bidder 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 issued will be made at the issue rate shown in the Schedule below. In case of misuse over +10%, deduction will be made at a penal rate shown in the Schedule below. This whole principle shall apply in case of other M.S materials like sheet piles and structural steel members as well.
26. The work is to be executed strictly as per specification attached with e-NIQ and shall confirm relevant Indian Standard Codal provisions and good industry practice. In the absence of any such provision in some items, the tending authority reserves the right to adopt suitable International Code/specifications/standards.
27. All queries and disputes arising out of the works contract during construction phase are to be brought to the notice of the Chairman of the 'Department Dispute Redressal Committee' in writing for decision within 15 days.

(Digital Signature verified)

(Sd/)

**Executive Engineer-I
Investigation & Planning Division (South)
Irrigation & Waterways Directorate**

FORM -1

(To be submitted in plain paper/letter head as per specimen, duly filled up and uploaded with digital signature which shall be treated as the self declaration of the bidder)

APPLICATION FOR e-Tender/e- Quotation

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

e- NIQ No:- WBIW/EE/IPDS/e-NIQ-02/2022-23

Serial No. applied for:-

Amount put to e-Tender:- Rs

Dear Sir,

Having examined the Technical PQ cover, OID cover, Corrigendum (*optional) & entire e-Tender\ e-NIQ documents, I/we hereby would like to state that I/we wilfully accept all your conditions and offer to execute the work as per the tenders rules in e-NIT\ e-NIQ, terms & conditions, specifications, drawings, bill of quantities and corrigenda/addenda, SoR, and Agreement (WB Form No. 2911(i)/(ii) involving the e-Tender/e-quotation and Serial no of work stated above. I/We acknowledge that the making of our bid shall be regarded as an unconditional and absolute acceptance of the terms & conditions of the e-Tender\ e-NIQ. I/We also agree to remedy the defects during execution and up to end of security period of the above work in conformity with the conditions of contract, specifications, drawings, bill of quantities and addenda/corrigenda.

Dated this _____ day of _____ 202____

Full name of Bidder / Contractor: _____

Name in full of Signatory/s*: _____

In the capacity* of: _____

Duly authorized to sign bid

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

(In block Capital letters or typed)

Office address with seal:

Telephone no(s) (office): _____

Mobile No: _____

Fax No: _____

E mail ID: _____

*In case of Joint Venture & Consortium the Lead Member to submit this format.

(DIGITAL SIGNATURE OF BIDDER)

FORM – 2

Declaration against Common Interest

(To be submitted in plain paper/letter head as per specimen, duly filled up and uploaded with digital signature, which shall be treated as the self declaration of the bidder)

Ref:- e-NIQ No. WBIW/EE/IPDS/e-NIQ-02/2022-23

e-Tender/e-quotation ID No.....

Sl. No. _____

To,
Executive Engineer
Investigation & Planning Division (South)
Irrigation & Waterways Directorate

We, Sri/Smt. _____, the authorized signatory on behalf of
..... do hereby affirm that I/We/any of the member
of..... bidding against e-tender\ e - NIQ No. Sl. No.
..... do not have any common interest either as a partner in any other partnership firm /consortium/Joint
Venture or as Proprietor / Principal Share Holder of any other Firm/Company in the same serial for the work I / we want
to participate.

Dated this _____ day of _____ 202____

Full name of Bidder / Contractor/Supplier : _____

Authorised Signatory : _____

In the capacity of : _____

Duly authorized to sign bid

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

(In block Capital letters or typed)

Office address with seal:

Telephone no(s) (office): _____

Mobile No: _____

Fax No: _____

E mail ID: _____

*In case of Joint Venture & Consortium the Lead Member to submit this format.

(DIGITAL SIGNATURE OF BIDDER)

FORM –4

Declaration on antecedents and performance

(To be submitted in plain paper/letter head as per specimen, duly filled up and uploaded with digital signature, which shall be treated as the self declaration of the bidder)

Ref:- e-NIQ No. WBIW/EE/IPDS/e-NIQ-02/2022-23

e-Tender/e-quotation ID No.....

Work Sl. No.

To,
Executive Engineer
Investigation & Planning Division (South)
Irrigation & Waterways Directorate

We I/We, Sri/Smt. _____, the authorized signatory on behalf of _____ do hereby affirm that I/We/any of the member of _____ bidding against e-tender/e - NIQ No. _____ Sl. No. _____ are not black listed suspended or debarred from participation in State Government procurements and tenders in the Irrigation & Waterways Directorate, Government of West Bengal, other Departments of the State Government and Government of India on the date of publication of this Notice Inviting Tender/ Notice Inviting Quotation. If at a later stage this submission (undertaking) is found incorrect, the bidder company along with all its constituent members/owners/partners would be liable to penal actions as decided by the Government under the law.

Dated this _____ day of _____ 202____

Full name of Bidder / Contractor: _____

Authorised Signatory: _____

In the capacity of: _____

Duly authorized to sign bid

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

(In block Capital letters or typed)

Office address with seal:

Telephone no(s) (office): _____

Mobile No: _____

Fax No: _____

E mail ID: _____

(DIGITAL SIGNATURE OF BIDDER)

