

GOVERNMENT OF WEST BENGAL
OFFICE OF THE DEPUTY DIRECTOR, CENTRAL DIVISION
DIRECTORATE OF BRICK PRODUCTION
HOUSING DEPARTMENT
MECHANISED BRICK FACTORY, PALTA
P.O. BARRACKPORE, KOLKATA – 120
PHONE NO. : – (033) 25920398 EMAIL ID : ddcddb@gmail.com

Memo No. 78/G-79

Date: 28.01.2015

NOTICE INVITING TENDER Ref. No. 11 of DDCD of 2014 – 2015 OF THE DEPUTY DIRECTOR, CENTRAL DIVISION, DIRECTORATE OF BRICK PRODUCTION invites tender for the following works:

Sl No.	Name of Work	Estimated Amount (Rs.)	Earnest Money (Rs.)	Cost of Tender Documents *** (Rs.)	Time Period of completion	Eligibility of Bidders to submit tender	Name under which the work to be executed
1.	"Renovation work in Silt Shed by raising existing height of the shed at P.M.B.F during the year 2014-15."	537488	10,750	1005	45 days	Bonafide agencies having credentials showing satisfactory completion of a single work of similar nature on or after 01.04.2010 of value not less than 40% of the Estimated Cost of the work applied for.	Assistant Director (Civil), Palta M.B.F., Palta.

*** N.B. : Intending tenderers shall not have to pay cost of tender documents for participation, Only successful bidder shall have to pay price of technical & financial bid document of all copies during formal agreement.

- In the event of e-filling, intending bidder may download the tender documents from the website: <https://etender.wb.nic.in> directly with the help of Digital Signature Certificate & necessary cost of earnest money may be remitted through demand draft/pay order issued from any nationalised bank/ scheduled bank guaranteed by R.B.I in favour of Deputy Director, Central Division, Dte. of Brick Production and also to be documented through e-filling. As per G.O. No. 1592 – F(Y) dated. 20.03.2014 of the Finance Deptt. of Govt. of West Bengal, in case of e – tendering, EMD/Bid security will have to be submitted as soft copy (scanned copies of the originals) alongwith the tender for instruments (bank draft / pay order, etc.) and in case of deposit of money it should compulsorily be deposited on – line by the bidders. The L1 bidder will submit the hard copy of the documents to the tender inviting authority with his acceptance letter of the LOI within specified time as mentioned in the letter of acceptance. Failure to submit the hard copy with the acceptance letter within the time period prescribed for the purpose may be construed as an attempt to disturb the tendering process and dealt with accordingly legally including blacklisting of the bidder.
- Both **Technical bid and Financial Bid** are to be submitted concurrently duly signed digitally in the website <https://etender.wb.nic.in>.
- The **FINANCIAL OFFER** of the prospective tenderers will be considered only if the tender qualifies in the Technical Bid. The decision of the Deputy Director, Central Division, Dte. of Brick Production will be final and binding on all concerned and no challenge against such decision will be entertained. The list of Qualified Bidders will be displayed in the website on the scheduled date and time.
- Where there is a discrepancy between the unit rate & the line item total resulting from multiplying the unit rate by the quantity, the unit rate quoted shall govern.
- Running payment for work may be made to the executing agency as per availability of fund. Provisions in Clause(s) 7, 8 & 9 contained in W.B. Form No.2911 (ii) so far as they relate to quantum and frequency of payment are to be treated as superseded.

6. **Bids shall remain valid** for a period of 120 (One hundred twenty) days after the dead line date for Financial Bid Submission, which may be extended suitably if the successful bidder agrees.

7. A. Important Information

DATE AND TIME SCHEDULE

Sl No.	Particulars	Date & Time
1	Date of uploading of N.I.T. Documents (Online) (Publishing Date)	28.01.2015
2	Documents download start date (Online)	29.01.2015 from 11.00A.M.
3	Documents download end date (Online)	12.02.2015 upto 2.00 P.M.
4	Technical & financial bid proposal submission start date (Online)	29.01.2015 from 11.00 A.M.
5	Technical & financial bid proposal Submission end date (Online)	12.02.2015 upto 2.00 P.M
6	Bid opening date for Technical evaluation (Online)	12.02.2015 from 3.00 P.M
7	Last date of uploading list for Technically Qualified Bidder(Online)	TO BE NOTIFIED LATER
8	Date & Place for opening of Financial Proposal (Online)	TO BE NOTIFIED LATER

7. B. Location of Critical Event

Bid Opening	⇒	PRANJALI, 3/2 St. GEORGES GATE ROAD, HASTINGS, KOLKATA-22.
-------------	---	--

8. **Earnest Money:** The amount of Earnest Money is to be submitted in the shape of Bank Draft / Pay Order of any nationalised bank/schedule bank guaranteed by R.B.I. drawn in favour of the “Deputy Director, Central Division, Dte. of Brick Production” against the work. At the time of uploading the tender / quotation, the intending tenderer / quotationers should upload a scanned copy of such Demand Draft / Pay order alongwith his / her tender / quotation. Demands drafts for earnest money should be purchased on or after the “date of uploading of NIT documents (online) (publishing date)”. Drafts purchased before this date will not be accepted, except in case of 2nd and subsequent calls, in which cases drafts purchased for the same work during earlier calls will also be accepted provided the said draft(s) remain(s) valid for at least 30 days after the technical & financial bid proposal submission end date of this NIT.

All tenderers / bidders will have to deposit the instruments of E.M.D. physically as stipulated in this NIT, (05.02.2015 before 2.00P.M) for technical evaluation. This E.M.D. should be submitted to the above office in the sealed cover.

9. The Bidder, at his own responsibility and risk is encouraged to visit and examine the site of works and its surroundings and obtain all information that may be necessary for preparing the Bid and entering into a contract for the work as mentioned in the Notice Inviting Tender, before submitting offer with full satisfaction. The cost of visiting the site shall be at his own expense.

10. The intending Bidders should clearly understand that whatever may be the outcome of the present invitation of Bids, no cost of Bidding shall be reimbursable by the Department. The Deputy Director, Central Division, Dte. of Brick Production reserves the right to reject any or all the application(s) for purchasing Bid Documents and/or to accept or reject any or all the offer(s) without assigning any reason whatsoever and is not liable for any cost that might have been incurred by any Tenderer at the stage of Bidding.

11. **Refund of EMD:** The Earnest Money of all the unsuccessful Tenderers deposited in favour of the Deputy Director, Central Division, Dte. of Brick Production along with the Tenders will be refunded by the said Deputy Director on receipt of application from Tenderers on the basis of P.W.D. accounts Branch notification no. 451-A/ PW/O/10C-35/10 dated 26/07/2011 of the Secretary to the Govt. of West Bengal.

12. The intending tenderers are required to quote the rate **online only. No offline tender will be entertained.**

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

14. During the scrutiny, if it comes to the notice to the tender inviting authority that the credential(s) and/or any other Paper (s) has/have been of any bidder found incorrect/ manufactured/ fabricated, that bidder will not be allowed to participate in the tender and that application will be outright. The Deputy Director, Central Division, Dte. of Brick Production reserves to right to cancel the N.I.T. due to unavoidable circumstances and no claim in this respect will be entertained.

15. In case of any objection regarding prequalifying an Agency that should be lodged to the Deputy Director within 1 day from the date of publication of the list of qualified agencies and beyond that time schedule no objection will be entertained.

16. Before issuance of the **WORK ORDER**, the tender inviting authority may verify the credential(s) and/or other document(s) of the lowest tenderer, if found necessary. After verification, if it is found that the document(s) submitted by the lowest tenderer is/are either manufactured or false, the work order will not be issued in favour of the said Tenderer.

17. If any discrepancy arises between two similar clauses on different notification(s), the clause as stated in later notification will supersede the former one in the following sequence:-

i) Form No. 2911(ii)

ii) NIT

18. Printed Schedule of Rates applicable for execution of the work : Current P.W.D.'s Schedule of Rates of North 24 Pgs Buildings Works, S & P Works. Full description of all items will be followed as per this schedule.

19. With whom the acceptance of the tenders vest : Deputy Director, Central Division.

Intending tenderers are required to submit online photocopies of requisite credentials,, valid partnership deed (in case of partnership firm), current Professional Tax Deposit Challan / Professional Tax Clearance Certificate, PAN Card, Trade License from the respective Municipality, Panchayat etc. (in case of S & P Contractors only),[Non statutory documents].

Earnest Money in the form of eligible instruments as per rule duly pledged in favour of the **Deputy Director, Central Division, Dte. of Brick Production** or in the shape of **Demand Draft / Pay Order payable to the Deputy Director, Central Division, Dte. of Brick Production**, must be deposited by all participating bidders. *VIII th Issue of NSC cannot be pledged as Earnest Money as per postal rule.* Unpledged instruments will not be entertained. In case of partnership firm(s), the pledged instrument(s) must reflect the name(s) of the firm as well as the name(s) and address(es) of the partner / partners who is/are authorized to pledge the same as per valid partnership deed(s).

Every contractor will have to submit, photocopies of documents of **credentials** showing satisfactory completion of a single work of similar nature commencing on or after 01.04.2010 of value not less than **40%** of the Estimated Cost of the work applied for.

If the dates fall on holidays or on days of bandh or natural calamity, or any technical fault, the dates defer to next working days. All tenderers are requested to be present online during opening of tenders positively. If considered necessary, instant online bid may be conducted immediately after opening of tenders to lower down rates and in no case his/their absence will stand against holding the same. In case of inadvertent typographical mistake found in the specific price schedule of rates, the same will be treated to be so corrected as to conform with the prevailing relevant schedule of rates and / or technically sanctioned estimate.

The intending tenderer is required to quote the rate in figures as well as in words as percentage above / below than or at par with the relevant price schedule of rates. Conditional / incomplete tender will not be entertained. The accepting authority reserves the right to reject any or all the tenders without assigning any reason whatsoever and he will not be bound to accept either the lowest tender or any of the tenders. Issuance of work order as well as payment will depend on availability of fund and no claim whatsoever will be entertained for delay in Issuance of work order as well as payment, if any or for non-issuance of work order. Intending tenderers may consider these criteria while quoting their rates. Work may be restricted suitably as per discretion of the tender accepting authority depending on availability of fund or other reasons and no claim whatsoever will be entertained for such restriction. Intending tenders may consider these criteria while quoting their rates. If any tenderer withdraws his offer before acceptance or refuse within a reasonable time without giving any satisfactory explanation for such withdrawals, he shall be disqualified for submitting tender to this Division (or Sub Division under this Division) for minimum period of 1(one) year.

Deduction of Tax shall be as below as per provision of section 40 of the W.B. VAT Act, 2003 with effect from 01.08.2006:

- i. 3% (Three Percent) when the contractor is registered under the VAT Act and such registration is valid on the date of making such payment (for which the valid VAT Registration Certificate is to be produced by the contractor along with a declaration from the contractor that his certificate of registration is valid to the best of his knowledge and that he will intimate the contractee i.e. Deputy Director, in case of any notice issued by Commercial Taxes Authority regarding the cancellation of his certificate of registration).
- ii. 5% (Five Percent), in all other cases.

Cess @ 1% (One Percent) of the cost of construction works will be deducted from the bills of the contractors on all contracts awarded on or after 01.11.2006 in purchasing with G.O. No. 599A/4M-28/06 dated 27.09.2006. Successful Tenderers will be required to obtain valid Registration Certificate & Labour License from respective Regional Labour Offices where construction work by them are proposed to be carried out as per Clauses u/s 7 of West Bengal Building & other Construction Works' Act, 1996 and u/s 12 of Contract Labour Act. Power of Attorney holders are not allowed to sign Tender Documents unless otherwise approved by Government. Clause-25 of the conditions of contract of the West Bengal Form No. 2911/2911(ii) may be treated to be omitted and there is no provision for arbitration for resolution of disputes that may arise out of the contracts to be entered into by the Department with the contractors for the purpose of

carrying out execution of public works as per G.O No. 558/SPW dated 13-12-2011 of P.W.D. Successful tenderer will have to produce original all documents in original for verification prior to issuance of Work Order.

Successful tenderers will be required to observe the following conditions strictly:

- a) Employees' Provident Fund and Miscellaneous Provisions Act, 1952 and Employees State Insurance Act, 1948 should be strictly adhered to wherever such Acts become applicable.
- b) Minimum wages to the workers shall be paid according to the rates notified and/or revised by the State Government from time to time under the Minimum Wages Act, 1948 in respect of scheduled employments, within the specified time as per law. Payment of bonus, wherever applicable, has to be made.
- c) Adequate safety and welfare measures must be provided as per the provisions of the Building and other Construction Workers' (Regulation of Employment & Conditions of Service) Act, 1996 read with West Bengal Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 2004.
- d) All liabilities arising out of engagement of workers are duly met before submission of bills for payment. If there is any violation of any or all the relevant above criteria during execution of the job, it will render the concerned agencies ineligible for the work then and there or at any subsequent stage as may be found convenient. Intending bidders are required to produce original documents, scanned copies of which have been uploaded by them, for verification by this office as and when asked for.

Clause 17 of CONDITIONS OF CONTRACT of the Printed Tender Form shall be substituted by the following:-

"Clause 17" – If the contractor or his workmen or servants or authorized representatives shall break, deface, injure, or destroy any part of building, in which they may be working, or any building, road, road-curbs, fence, enclosure, water pipes, cables, drains, electric or telephone posts or wires, trees, grass or grassland or cultivated ground contiguous to the premises, on which the work or any part of it is being executed, or if any damage shall happen to the work from any cause whatsoever or any imperfections become apparent in it at any time whether during its execution or within a period of **three years** after issuance of certificate of its completion by the Engineer-in-Charge, the contractor shall make the same good at his own expense, or in default, the Engineer-in-Charge may cause the same to be made good by other workmen and deduct the expense (of which the certificate of the Engineer-in-Charge shall be final) from any sums, whether under this contract or otherwise, that may be then, or at any time thereafter become due to contractor by the Government or from his security deposit, or the proceeds of sale thereof, or of a sufficient portion thereof and if the cost, in the opinion of the Engineer-in-Charge (which opinion shall be final and conclusive against the contractor), of making such damage or imperfections good shall exceed the amount of such security deposit and/or such sums, it shall be lawful, for the Government to recover the excess cost from the contractor in accordance with the procedure prescribed by any law for the time being in force.

The security deposit of the contractor shall not be refunded before the expiry of **Three years** after the issuance of the certificate, final or otherwise, of completion of work by the Engineer-in-Charge.

Provided that the work shall not be deemed to have been completed unless the **"Final Bill"** in respect thereof shall have been passed and certified for payment by the Engineer-in-Charge.

Provided further that the Engineer-in Charge shall pass the **"Final Bill"** and certify thereon, within a period of **forty five days** with effect from the date of submission thereof by the contractor, the amount payable to the contractor under this contract and shall also issue a separate certificate of completion of work to the contractor within the said period of **forty five days**. The certificate of Engineer-in Charge whether in respect of the amount payable to the contractor against the **"Final Bill"** or in respect of completion of work shall be final and conclusive against the contractor. However, the security deposit of the contractor held with the Government under the provision of **Clause 1** hereof shall be refundable to the contractor in the manner provided hereunder:-

- (i) **30%** of the security deposit shall be refunded to the contractor on expiry of one year after the issuance of certificate of completion of work;
- (ii) Further **30%** of the security deposit shall be refunded to the contractor on expiry of **two years**;
- (iii) The balance **40%** of the security deposit shall be refunded to the contractor on expiry of **three years**.

Explanation :

The word 'work' means and includes road work, bridge work, building work, sanitary and plumbing work, electrical work and/or any other work contemplated within the scope and ambit of this contract. The work may be of original or special repair in nature or a combination thereof, or of original or special repair in nature in combination with the work(s) of repair and/or maintenance in nature;

Provided that in respect of the work of repair or maintenance in nature or a combination thereof, the words **three years**

wherever appearing in this Clause shall be deemed to be **one year** and in which case the security deposit of the contractor held with the Government under the provision of **Clause 1** hereof shall be refundable to the contractor on expiry of **one year** after the issuance of certificate of completion of work by the Engineer-in-Charge.

The following paragraph shall be added to the **Interpretation Clause** of **CONDITIONS OF CONTRACT:-**

“The word ‘Government’ means the Government of the State of West Bengal of the concerned Department.” Sale price of bid documents is dispensed with for e-tender / e-bid.

In case of re-tender no bid security / EMD is required for the bidders who responded to the first tender but did not get back the EMD deposited with the first bid.

(1) **As per G.O. No. 03 – CRC/2M – 06/2010 dt. 03.02.2014 of PWD**, in case of second call of NITs, every contractor will have to produce requisite credentials valuing minimum 30% of the estimated amount put to tender in a single work in any Govt. Department on or after 01.04.2009.

(2) **As per G.O. No. 03 – CRC/2M – 06/2010 dt. 03.02.2014 of PWD**, in case of third & subsequent calls of NITs, every contractor will have to produce requisite credentials valuing minimum 20% of the estimated amount put to tender in a single work in any Govt. Department on or after 01.04.2009.

As per memo no. 6607/CE/PWD dated 18.02.2014 of PWD, any intending bidder who has failed to execute more than one works contract under any Directorate of Public Works Department of Govt. of West Bengal and was terminated by any sub rule under clause 3 of Tender Form No. 2911 or terminated under any clause of Standard Bidding Document by the Engineer – in – Charge / Employer during last 3 (three) years will not be eligible to participate in any bid under any Directorate under this Department for another 2 (two) years from the date of imposition of last termination notice by the Engineer – in – Charge / Employer.

SPECIAL TERMS & CONDITION

1. Daily work of the factory shall not be hampered in any way during execution of the work.
2. Final Bill / R.A. Bill to be submitted through The Works Manager, Mechanised Brick Factory, Palta for payment.

INSTRUCTION TO BIDDERS

SECTION – A

1. *General guidance for e-Tendering*

Instructions/ Guidelines for tenders for electronic submission of the tenders online have been annexed for assisting the Contractors to participate in e-Tendering.

1. *Registration of Contractor*

Any contractor willing to take part in the process of e-Tendering will have to be enrolled & registered with the Government e-Procurement system, through logging on to <https://etender.wb.nic.in> (the web portal of public works department). The contractor is to click on the link for e-Tendering site as given on the web portal.

2. *Digital Signature certificate (DSC)*

Each contractor is required to obtain a class-II or Class-III Digital Signature Certificate (DSC) for submission of tenders, from the approved service provider of the National Information's Centre (NIC) on payment of requisite amount details are available at the Web Site stated in Clause-2 of Guideline to Bidder DSC is given as a USB e- Token.

3. The contractor can search & download NIT & Tender Documents electronically from computer once he logs on to the Website mentioned in Clause 2 using the Digital Signature Certificate. This is the only mode of collection of Tender Documents.

4. *Participation in work*

A prospective bidder shall be allowed to participate in the job either in the capacity of individual or as a partner of a firm. If found to have applied severally in a single job, all his applications will be rejected for that job.

5. *Submission of Tenders*

General process of submission: Tenders are to be submitted through online to the website stated in Cl. 2 in two folders at a time for each work, one in Technical Proposal & the other in Financial Proposal before the prescribed date & time using the Digital Signature Certificate (DSC) The documents are to be uploaded (virus scanned copy) duly Digitally Signed. The documents will get encrypted (transformed into non readable formats).

A. Technical proposal

The **Technical proposal** should contain scanned copies of the following in two covers (folders).

A-1. Statutory Cover file Containing

i) **Bank Draft/Pay order towards earnest money deposit (EMD)** as prescribed in the NIT against each of the serial of work in favour of the Deputy Director, Central Division, Dte. of Brick Production.

ii) **Tender form No. 2911(ii) & NIT** (Properly uploaded and Digitally Signed). The rate will be quoted in the BOQ only. Quoted rate will be encrypted in the B.O.Q. under Financial Bid. In case quoting any rate in 2911(ii) the tender is liable to be summarily rejected.

A-2. Non statutory / Technical Documents

i. Professional Tax Clearance Certificate / Professional Tax (PT) deposit receipt Challan for the financial year 2012-13, PAN Card, VAT.

ii. Registered Deed of partnership Firm

iii. Trade License from the respective Municipality/Panchayat etc. (in case of S & P Contractors only)

Note: - Failure of submission of any of the above mentioned documents will render the tender liable to be rejected for both statutory & non statutory cover.

THE ABOVE STATED NON-STATUTORY/TECHNICAL DOCUMENTS SHOULD BE ARRANGED IN THE FOLLOWING MANNER

Click the check boxes beside the necessary documents in the My Document list and then click the tab "Submit Non Statutory Documents" to send the selected documents to Non-Statutory folder. Next Click the tab "Click to Encrypt and upload" and then click the "Technical" Folder to upload the Technical Documents.

Sl. No.	Category Name	Sub Category Name	Details
A.	CERTIFICATES	CERTIFICATES	1. PAN CARD,VAT 2. P. Tax (Challan) (2012- 13)/P. Tax Clearance Certificate
B.	Company Details	Company Details - I	1. Trade License from respective Municipality / Panchayat etc. (in case of S & P Contractors only).
C.	Credential	Credential	1. Documents of Credentials showing satisfactory completion of a single work of similar nature commencing on or after 01.04.2010 of value not less than 40% of the Estimated Cost of the work applied for.

- i. Opening of Technical proposal: - Technical proposals will be opened by the Deputy Director, Central Division and his authorized representative electronically from the web site stated using their Digital Signature Certificate.
- ii. Intending tenderers may remain present if they so desire.

C. Financial proposal

- i) The financial proposal should contain the following documents in one cover (folder) i.e. Bill of quantities (BOQ). The contractor is to quote the rate (Offering Above / Below / At per) online through Computer only in the space marked for quoting rate in the BOQ.
- ii) Only downloaded copies of the above documents are to be uploaded virus scanned & Digitally Signed by the contractor.

*Deputy Director
Central Division
Directorate of Brick Production
Mechanised Brick Factory, Palta*

Memo. No. 46/G - 79

Date: 14.01.2015

Copy forwarded for information and wide circulation through Notice Board to: -

- 1) The Secretary, Housing Department.
- 2) The Director, Brick Production.
- 3) Chairman, North Barrackpore Municipality.
- 4) The Deputy Director, Akra Division.
- 5) The Works Manager, M.B.F., Palta.
- 6) S.D.O., Barrackpore.
- 7) This office Estimating Branch / Accounts Branch / Head Clerk
- 8) Notice Board of this Division.

*Deputy Director
Central Division
Directorate of Brick Production
Mechanised Brick Factory, Palta*