

**Government of West Bengal  
Irrigation & Waterways Directorate  
Office of the Superintending Engineer  
Eastern Circle**

**Postal Address : Jalasampad Bhawan, 8th Floor, Salt Lake, Kolkata-700091**

**Phone & Fax No.: (033) 23341790 E-Mail ID : seeciwd2010@gmail.com**

**NOTICE INVITING e-QUOTATION**

**e-NIQ No. WBIW/SE/EC/NIQ-3(e)/2017-18**

Separate Quotations are hereby invited by the **Superintending Engineer, Eastern Circle, Irrigation & Waterways Directorate** on behalf of the Governor of West Bengal through electronic Quotation, (e-Quotation) under single stage two part e-Procurement System (Part I: Techno-commercial bid and Part II: Financial bid) for the 'LIST OF WORKS' given in next page from eligible Bonafide contractors/agencies/Quotationers having desired Prequalification eligibility credential for execution of works of similar nature and requisite financial capability. The technical bid in Part-I would require the Quotationer to only qualify for the next stage and the Part-II comprising financial bid would determine final selection of Quotationer for execution of the work.

Intending contractors/Quotationers desirous of participating in the e-Quotation are required to login the Government of West Bengal e-Procurement website having URL <https://wbetenders.gov.in> and locate this Quotation by typing **WBIW/SE** 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 Irrigation & Waterways Department, Government of West Bengal [www.wbiwd.gov.in](http://www.wbiwd.gov.in) and locate the same e-Quotation by clicking the "e-Procurement" link.

Contractors/Quotationers willing to take part in this 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 a registration system available in the above mentioned websites. A list of such licensed CAs' is also available in the CCA website [cca.gov.in](http://cca.gov.in). The prospective contractors / Quotationers may contact the Departmental e-Tender Help desk located at the 7th Floor of Jalasampad Bhavan at Bidhannagar, Sector-II, Kolkata, or through designated e-mail addresses of ID:irrigationhelpdesk@gmail.com and dvscsc6816@gmail.com with Telephone No. 033-23346098 and the State Level e-Procurement Help Desk located at the Ground Floor of Jalasampad Bhavan, through wbehelpdesk@gmail.com on any working day between 10AM-5PM for any query on e-Tender procedure, obtaining DSC and free of cost training on e-Tender usage.

Intending contractors/Quotationers are required to download the e-Quotation documents directly from either of the websites stated above. Quotation/bid is required to be submitted on-line with the help of the e-Tokens provided. **This is the only mode of submission of Quotation.** The interested Quotationers eligible for the Quotation may submit their bids through the e-Procurement System using their valid DSC e-Token with assigned PIN and using login ID and password. Details of e-Quotation submission procedure for participating in Quotations of the State Government have also been explained in the 'bidders Manual', which is available in the Departmental website [www.wbiwd.gov.in](http://www.wbiwd.gov.in). Minimum period given to the contractors/Quotationers for submission of e-bids is counted from the date on which the notice inviting Quotation including e-Quotation is actually published in newspaper(s).

**Last date & time of submission of bid electronically, is on 20.12.2017 till 17.00 Hours IST.**

The applicant Quotationers/contractors must read carefully all the 'Terms & Conditions' contained in this e-Notice Inviting Quotation (e-NIQ). He/she should particularly go through the Pre-qualification (PQ) works & financial eligibility criteria, and satisfy himself/herself of all the mandatory requirements. Quotationers desirous of participating in the e-Quotation should submit bids for the work only if they fulfill the minimum PQ eligibility criteria and are in possession of all the required PQ documents in original.

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

## **LIST OF WORKS**

**e-N.I.Q. No. WBIW/SE/EC/NIQ-3(e)/2017-18.**

SI no	Name of Work/Projector, Procure-ment except services	Designated Executive Engineer to function as DDO & EIC (In case of more than one is engaged, EIC to be decided by the Quotation Accepting Authority)	Earnest Money Deposit (Rs)	Time allowed for completion (In English Calendar days)	Source of Fund	Minimum eligibility criteria to match the Prequalification (PQ) works credential in terms of execution of similar previous works contract (*)	'Physical Milestones' for completion of each work within stipulated time (Refer to Clause 19 of the General Terms & Conditions)				
1	2	3	4	5	6	7	8				
01	DECORATION OF EIGHT NOS. SEMI PERMANENT JETTIES AT BENUBAN, LOT NO.8, KACHUBERIA GHAT WITH ITS ADJACENT WALLS AT KACHUBERIA POINTS WITH FLOWERS AND OTHER DECORATIVE MATERIALS AS PER DIRECTION OF THE ENGINEER-IN-CHARGE UNDER KAKDWIP IRRIGATION DIVISION, IN CONNECTION WITH GANGA SAGAR MELA 2018.	Executive Engineer, Kakdwip Irrigation Division, Kakdwip	20,000=00	7 days (from 07.01.2018 to 13.01.2018) (Material procurement and carriage, i.e. Mobilisation period – 2 Days & Execution period – 5 Days)	Ganga Sagar Mela 2018	Bonafide outsider Contractors and Semi Government organization having sufficient experience of executing similar nature of works up to Rs. 5.00 Lakh. during last five years and average annual turnover should be 5.00 Lakh.	As per Work Programme prepared and uploaded by the Quotation Inviting Authority in the form of Bar Chart or other forms.				
							SL. No.	Physical progress of the whole work (in percentage)		Percentage of Time allowed (from date of commencement)	Amount to be withheld in case of non achievement of milestone
							1	7 days (from 07.01.2018 to 13.01.2018) [ Material procurement and carriage, i.e. Mobilisation period – 2 Days & Execution period – 5 Days ]		As per clause-2 of WBF No. 2911(ii)	

(\*) For Consortium & Joint Venture, additional criteria mentioned under Cl. 1 (Note), 4.2B(II) & Cl. 7 V of the General Terms & Conditions in e-NIQ may be referred.

## (General Terms & Conditions of e-Quotation: )

### 1. Eligibility for participation in e-Quotation under National Competitive Bidding (NCB)

Bonafide Indian Organisations/ Firms /Companies/State Registered Co-operative Societies/ valid Consortiums and Joint Venture Firms or Companies having proven pre-qualification PQ) work credentials in execution of engineering construction and procurement projects of similar in nature under Government sector not otherwise blacklisted or debarred on the date of publication of this e-NIQ are eligible to participate subject to fulfilling the PQ eligibility criteria laid down in the subsequent paragraph.

**Note:** In case of Consortium and Joint Venture, the maximum number of constituents shall be restricted up to 3 (Three), and each of the constituent must have at least 20% of desired average annual turnover from business in preceding three financial years within zone of immediate five financial years. Individual constituents of a Consortium or JV cannot form another Consortium or JV to bid in the same e-Quotation.

The Lead Member of a Consortium/Joint Venture is to be declared during bid submission in specimen format Form-4. In case of Consortium and Joint Venture, all constituents are required to furnish together, on-line individual PQ Work credentials and other eligibility documents with their e-bid.

### 2. Participation in more than one serial of work out of list of works in the e-Quotation notice.

Any contractor/Quotationer may bid for a maximum of 50% of the total number of works (Serial of works if a number of works have been Quotationed in the same e-NIQ) rounded up to next higher integer, published in any particular e-NIQ, subject to a maximum of three, depending on his/her PQ work credential and financial capabilities, details of which have been explained later.

### 3. Submission of bid

#### 3.1 General procedure for submission of e-bid

Bids are to be submitted electronically only through on-line bid submission in the e-Procurement portal [www.wbtenders.gov.in](http://www.wbtenders.gov.in) as stated earlier. All documents uploaded in the e-Quotation by the Quotation Inviting Authority forms an integral part of the works contract/Agreement. Contractors/Quotationers are required to upload the entire set of Quotation documents along with all other relevant PQ documents as asked for in the e-NIQ, electronically through the above portal, within the stipulated date and time as notified in the e-NIQ. 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/Quotationer should carefully go through all the documents of the e-Quotation and prepare to upload the scanned copies of original documents in a 'Portable Document Format' (PDF) files in the designated link in the web portal as their ' *Technical Bid*'. He/she needs to fill up the rates of items/percentage above or below or 'At-par' in the BOQ downloaded for the work in the designated cell in ' **Excel sheet only**', and upload the same in the designated link in the portal as their ' *Financial Bid*'. Documents uploaded are virus scanned and digitally signed using the 'Digital Signature Certificates' (DSC). Contractors/Quotationers should especially take note of all the *Addenda* and *Corrigenda* notices related to the e-Quotation and upload all of these documents also forming a part of their bid as Quotation document. Documents uploaded by the contractors/Quotationers with all information & financial bid/rate comprising ' *Technical bid*' and ' *Financial bid*' cannot be changed after last/end date and time for submission of e-Quotation.

#### 3.2 Technical Proposal

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

##### 3.2 A Technical (Pre-Qual) Cover

- i. **Applications for e-Quotation:** vide Self Declaration in specimen *Form-1* which is *to be uploaded during bid submission in "Forms" folder*.
- ii. **Affidavits or undertakings of Quotationers in 'Forms' folder:** Self declaration of Quotationer not having common interest in any other work Quotationed under different serials of this particular e-NIQ vide *Specimen Form-2*, Power of Attorney to sign contract/Agreement on behalf of a Firm, Company, JV, Consortium except for Proprietorship Firms vide *specimen Form-3*, declaration as an affidavit in Non Judicial Stamp paper of Lead Member of a Consortium/Joint Venture in *Specimen Form-4*, self declaration on antecedents and performance of the Quotationer in specimen *Form-5*.
- iii. **Notice Inviting e-Quotation** (e-NIQ) is *to be uploaded during e-bid submission in "NIQ" folder*.
- iv. **Addenda/Corrigenda:** If published in connection with the NIQ is *to be uploaded in the 'NIQ' folder merged with e-NIQ documents during e-bid submission*.

v. **Agreement format:** In WB Form No. 2911(i)/2911(ii)/EPC published in the e-Quotation are *to be uploaded during e-bid submission in “2911” folder.*

vi. **Drawings:** The GAD/Plan/Map published in the e-Quotation by the Quotation Inviting Authority is to be downloaded by the Quotationer and again *uploaded during e-bid submission in “Drawings” folder)*

**3.2A.NOTE:** i. Contractors/Quotationers are required to keep track in the e-Procurement website [www.wbetenders.gov.in](http://www.wbetenders.gov.in) for all the Addenda or Corrigenda notices and documents published in connection with a particular e-Quotation within the bid period and upload the same, digitally signed by him/her along with their e- bid. Quotations submitted without Addendum/Corrigendum are liable to be treated as incomplete and thereby may be liable for disqualification or rejection.

ii. Form 1, Form 2, Form 3 and Form 5 are taken from Quotationers by TIA as self declarations' or undertakings and PDF of affidavit in specimen Form 4 for Consortiums/JV and BG in specimen PDF files of all other original documents in support of their eligibility and PQ work credential shall have to be mandatorily submitted under the OID cover folders as detailed below:

### 3.2 B. My Document [OID\* Cover]:

#### My Document Format for uploading in OID folder:-

Sl. No.	Folder Name	File Description	Details	Remarks if any
I	Certificates	<i>certificates.pdf</i>	1. Latest Professional Tax Payment Certificate (PTPC) or, PT payment challan for current financial year or Government Order for exemption in other States, where applicable. 2. Valid PAN Card in the name of Quotationer/organisation 3. Valid GSTIN applicable under GST Acts & Rules. 4. Income Tax Return under IT Act of immediate preceding financial year.	Refer to Clause 4.2B(I) at next page for details
II	Company Details	<i>companydetail s.pdf 1</i> <i>companydetail s.pdf 2</i>	1. For Proprietorship Firms, Partnership Firms, Registered Company, Registered Co-operative Society, valid Joint Venture or Consortiums (ValidTradeLicense/ acknowledgement/ Receipt of application for Trade License/ Revalidation applicable under the Rules) OTHER REQUIREMENTS:- 2. For Partnership Firms (Legally valid Partnership Deed, Form-VIII/ Memorandum of Registration of Registrar of Firms, as applicable) 3. For Companies (Incorporation Certificate, Memorandum of Articles of ROC, List of current owners/ Directors/Board Members ) 4. For State Registered Co-operative Societies: (Society Registration certificate from ARCS of the State, Society by-laws, latest available Auditor's Report of Directorate of Co-operative Audit within proceeding five years as per Societies Act & Rules)	Refer to Clause 4.2B(II) at next page for details
II Continued..			5. For legally constituted Consortiums/ Joint Venture of Firms/ Companies: (Registered MoU or Agreement, for Consortium /JV, Registration under	

			ACRS/ROC, in addition to satisfying requirements stated earlier for individual constituent Firms/Companies forming the Consortium/JV)	
III	Credential of work	Credential pdf 1 Credential pdf 2	1. BOQ/SoR and Work Order/ Award of Contract duly authenticated by issuing authority. 2. Pre-Qualification Work credential of one 100% completed work as desired in the NIQ as the Completion Certificate (CC) duly authenticated by appropriate competent authority.	Refer to Clause 4.2B(III) at next page for details
IV	Financial credential	P/L and audited Balance sheet for year -1.pdf1 P/L and audited Balance sheet for year-2.pdf2 P/L and audited Balance sheet for year-3.pdf3.	Profit & Loss accounts and audited balance sheets along with relevant annexure containing the designated Forms 3CA/ 3CB/3CD, as applicable, under IT Act, having Average Annual Turn Over above Rs 1.0 crore, else only Audited Profit & Loss Accounts for last three years within the zone of preceding five financial years from date of publication of e-NIQ is required	Refer to Clause 4.2B(IV) at next page for details
V	Declarations	Declaration.pdf	Work programme prepared by TIA in the form of Bar Chart etc defining the Physical Milestones within the construction period for implementation of the project as per e-NIQ & contract/agreement.	Refer to Clause 3.2B(V) below for details

\* OID denotes Other Important Documents.

#### Notes:

- It is desirable that all documents stated above in PDF files shall be uploaded by Quotationers during on-line bid submission, only in specified, designated folders.
- Validity of documents submitted by Quotationer shall be determined on the date of publication of Quotation (e-Notice Inviting Quotation)

#### 3.2 B(I) Certificate/s: (name of the file should be “certificates.pdf”)

The following are to be uploaded in scanned PDF files in this folder.

- Professional Tax Payment Certificate (PTPC) or the PT payment challan/ receipt for current financial year/Waiver Order of competent authority in other States as applicable.
- Valid PAN Card of the Quotationer/s are required;
- Valid 15 digit Goods and Service Tax payer Identification Number (GSTIN) as per GST Act, 2017 & Rules.
- Latest authenticated Income Tax Return for current financial year or immediate preceding financial year of Quotationer.

#### 3.2B(II) Company Details: (name of file should be “companydetails.pdf”)

- Documents mentioned in tabular format under Clause 4B, as applicable.
- Details required for Consortiums or Joint Ventures formed by Organisations/ Firms or Companies: Agreement/Memorandum of Understanding, and deed of Consortium formed out of Proprietorship and /Partnership Firms, and documents of Registration of Partnership Firms in the certified copy of 'Form No. VIII,' issued under Indian Partnership Act, 1932 (Act-IX of 1932) by the Registrar of Firms. In case a Partnership Firm is yet to receive Form No. VIII, a “Memorandum” issued by the Registrar of Firms may also be accepted. Any change in the constitution of the Consortium or any of its constituent Firms should also be intimated to the office of the Registrar of Firms prior to submission of the bid and a certified copy of the revised Form No. VIII, showing changes in its constituents are required to be submitted with the e-bid. Also, the lead member of the Consortium/JV should be clearly declared in the ‘Forms’ folder in specimen Form-3.

For Companies, incorporation Certificate, valid Trade License or acknowledgement of issuing authority of

receipt of application for Trade License / renewal, 'Memorandum of Articles' registered under the Registrar of Companies (ROC) under the Indian Companies Act, List of owners/ Directors/Board Members are to be uploaded with the e-bid. For Consortiums/Joint Ventures formed by individual Companies, Memorandum of Understanding/Agreement of Consortium or JV. In a Joint Venture all documents are to be mandatorily signed by all constituents of that JV. The lead member of the Consortium/Joint Venture of Companies should be clearly declared in a registered Non Judicial Stamp paper of appropriate value during submission of e-bid in specimen Form-4 inside '**Forms**' folder.

**Note:** *Self declarations in specimen Form-3 regarding authorized user of DSC and signing of bills and contract if selected and in Form-4 regarding such authorization for Consortium/Joint Venture is required to be submitted with the e-bid. Power of Attorney of competent owners/first promoters is to be submitted, if the power is delegated for signing of Agreements/s to persons on behalf of the Quotationer/s.*

iii. For State Registered Co-operative Societies

- a. Society Registration certificate from ARCS (Assistant Registrar of Co-operative Societies, GoWB) and By-Laws for Cooperative Societies under West Bengal Co-operative Societies Act, 2006 and Rules, 2011 and all amendments.
- b. Latest Auditor's Report of Directorate of Co-operative Audit under Department of Co-operative, Government of West Bengal within preceding five financial years as per Societies Act & Rules.

**3.2B(III) Credential of work/Prequalification experience "credential.pdf"**

- i. Bill of Quantities (BOQ) along with Work Order/Award of Contract; duly authenticated by the competent authority is to be submitted under Technical cover (*name of file should be "credential.pdf 1"*).
- ii. Pre-Qualification work credential (100% CC) issued in favour of the contractor/Quotationer as contained under clause 6 of e-NIQ (*name of file should be "credential.pdf 2"*).

**3.2B(IV) Financial credential explanation:**

- a. Profit & Loss Accounts and Audited Balance Sheets of the preceding three financial years with licensed auditor's certificate regarding Annual Turnover from business with relevant Annexure in IT Form 3CA/3CB/3CD as applicable for the Quotationer, having Annual Turnover above Rs 1.0 crore in each financial year which is to be evaluated by the Bid Evaluation Committee as an average or arithmetic mean over the said three financial years. Auditor's certificate should preferably contain his/her Membership / Registration no. of Registered Audit/CA Firm and contact details for verification purposes.

As per IT Act for all type of Firms having Annual Turnover from business less than Rs. 1.00 crore, Profit & Loss accounts and audit balance sheets only is required certified by a Licensed CA Firm/Audit Firm.

**Note:** *a. If the Quotationer Company/Firm was set up less than three years ago, audited balance sheets and P/L Accounts for the number of years since inception are to be submitted under Technical cover and the average value would be evaluated only for the period since inception and not three years.*

- b. Any additional document considered necessary by the Quotationer related to 4.2B (IV).

**3.2B(V) Declarations:** Work Programme published with the e-Quotation by the TIA in the form of a Bar Chart etc defining the Physical Milestones within Construction period for implementation of the project as per contract in '**declarations.pdf**' folder.

**Note:** *No file in Technical (Pre-Qual) cover or OID cover folder is allowed to be kept blank/empty. Where ever the forms and documents are uploaded by the Quotation Inviting Authority, the same is to be downloaded, duly filled up converted to pdf file and again uploaded after digital signing forming a part of Quotation document. Any other documents sought from the Quotationers are to be converted to pdf, digitally signed and uploaded along with their bid.*

**4. Financial proposal / bid under Financial cover:-**

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

- i. **Bill of Quantities (BOQ):** The contractor/Quotationer is required to quote the rate as percentage above or below the estimated amount put to Quotation or 'at-par' with Quotation value, on-line, in the space marked for quoting rate in the BOQ.
- ii. Only the downloaded sheet of the above document in excel format is required to be uploaded by the contractor/Quotationer.
- iii. BOQ without a valid numeric rate at the designated space provided in the BOQ will be disqualified and rejected outright. Contractors/Quotationers willing to quote "at-par" rate shall need to write "0" in the 'space' provided for rates in the BOQ.

## **5. Quotation Fee and Earnest Money Deposit (EMD)**

### **i. Quotation Fees:**

Entire set of e-Quotation documents are made available free of cost through the State Government e-Procurement portal having URL <https://wbetenders.gov.in> and also in the e-Procurement link of Departmental website [www.wbiwd.gov.in](http://www.wbiwd.gov.in). Cost for Quotation document will not be charged even during execution of a formal Quotation contract-agreement. However, the contractors/Quotationers 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 Quotation Inviting Authority as per existing Rules.

### **ii. Earnest Money Deposit (EMD):**

Intending Quotationers desiring to make payment of Earnest Money (EMD) has to do the same through e-Payment banking system, on-line and should beforehand read 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.

## **5A. Login by Quotationer:**

- a. A Quotationer desirous of taking part in e-Quotation floated by the State Government shall login to the e-Procurement portal of the Government of West Bengal [www.wbetenders.gov.in](http://www.wbetenders.gov.in) using his/her login ID and password by using their valid DSC.
- b. He/she will select the Quotation to bid and initiate payment of pre-defined EMD fixed for that 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 Quotationers bank accounts in any Bank approved by RBI in India.

## **5B. 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 Quotationer 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. Quotationer will make the payment after entering his Unique ID and password of the bank to process the e-transaction.
  - iii. Quotationer 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 Quotationer 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 Quotating authority.
  - v. If the transaction is failure, the Quotationer 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 Quotationer 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 Quotationer 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 Quotationer will go to e-Procurement portal for final submission of his/her e-bid within pre-assigned last date of submission of e-Quotation.
  - vi. If the payment verification is unsuccessful, the amount will be returned automatically by the system to the Quotationer'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 Quotationer to continue with the bidding process in the on-line final bid submission. Thus, the Quotationer is to take precaution in case of RTGS/NEFT transfers, so that the entire process of submission of e-Quotation is completed within last date

of on-line submission of his/her Quotation. However, Net-banking transaction through ICICI bank payment Gateway would be on real time basis.

**5C. 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 thereafter 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 Quotation 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 Quotationers along with the details of the unsuccessful Quotationers 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 Quotationers disqualified at the technical evaluation to the respective Quotationers' 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 Quotation Inviting Authority.
- iii. Once the financial bid evaluation is electronically processed in the e-Procurement portal, EMD of the technically qualified Quotationers other than that of the L1 will be refunded, through an automated e-process, to the respective Quotationers' 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 Quotation inviting authority.
- iv. As soon as the L1 Quotationer 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-Quotation is cancelled, then the EMD would be reverted to the original Quotationer's bank account automatically after such cancellation order is processed online by the Quotation Inviting Authority.
- vii. TIA reserves the right to forfeit the EMD electronically in case of breach/violation of Quotation rules as defined under clause 9 & 10.

**6. Completion Certificate as Prequalification (PQ) Work Credentials:**

- i. Completion Certificates (CC) for 100% completed works (Gross 100% final billed value) within last five financial years will only be accepted as valid PQ credential of work. Incomplete ongoing work shall not be considered for valid PQ work Credential. Payment Certificate without containing other mandatory details as required in standard Completion Certificate formats of the PQ work credential shall not be treated as valid CC.
- ii. CC should preferably contain the name, postal address, contact Telephone No. and FAX and e-mail ID, of the office and designation of the officer/ authority issuing the CC for the work along with the name of work and amount put to Quotation (Quotation Value). Illegible certificates if issued, incomplete contact details making it time consuming for verification purposes of CC outside the jurisdiction of the State and those having incomplete information may be rejected.
- iii. Completion Certificates (CC) of previous works successfully completed in the Irrigation & Waterways Directorate will be considered. CC of 100% completed works executed in any other State / Central Government Ministry / Department / Organisation / Govt. Undertaking / Govt. Enterprises or Nationalised Institutions or Local Government Bodies (Municipalities, Zilla Parishad & Panchayat Samities within West Bengal, will also be considered as valid PQ work credential. Such CC are to be issued by an officer/authority not below the rank of Executive Engineer / Divisional Engineer / District Engineer/Project Manager of the State/Union Government Departments/ Organisations; authorised signatories of CC for Panchayat Samities and Municipalities shall be the BDO & Executive Officers or equivalent administrative officers respectively. It is desirable to have telephone and FAX or e-mail addresses of the signatory of the CC for all offices outside West Bengal for verification purposes.

**7. Pre Qualification (PQ) eligibility criteria**

Eligibility criteria for prequalification (PQ) of a contractor/ Quotationer based on his/her credential of 100% completed work and financial capacity in the zone will be determined as per Rules stated below:

- 7 I (a). Firstly, gross bill value of the work as per CC of single works contract of similar nature completed during the current year and preceding five FY will be multiplied by the following factors to take care of the inflationary



effects to arrive at the gross notional amount.

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

**Note:** For cases where two contractors/Quotationers are participating in a e-Quotation for a particular work are such that one happens to have worked as a sub-contractor of the other, and both the contractors/Quotationers submit work credential of having completed the same job either wholly or partly, then in such case the credential of the principal contractor will be considered while that of the sub-contractor will not be taken into consideration for determining the eligibility criteria of the contractor/Quotationer during evaluation of the Quotation. If the PQ work credentials submitted by hitherto contractors/Quotationers are for different works, then both the PQ work credentials will be considered for determining the eligibility criteria of the individual contractors/Quotationers.

**7 I (b).** Gross notional amount calculated from the CC of a single similar work stated in 7(I) (a) above and completed within immediate five preceding financial years on the date of e-NIQ, **should be at least 30% of the amount put to Quotation i.e Quotation Value**. However, for Consortium/JV where CC of individual entities of the Consortium/JV are to be considered, sum of gross notional work value in respect of the CC of individual entities for works of similar nature (one for each entity) aggregate should be at least **60%** of the amount put to Quotation for which the bid is invited.

**7 II.** Eligibility criteria based on average annual financial turnover of the Quotationer

- a. **Average of Annual turnover from business within any three FY with the zone of immediate preceding five FY as stated in clause 3.2 B(IV) should be at least 30% of the amount put to Quotation of work in which the Quotationer intends to participate.** However, for Consortium/JV, such Average Annual Turnover should be at least 90% of the amount of Quotation in which the Consortium /JV intends to participate and each entity to have 20% of required Average Annual Turn Over for immediate three preceding financial year. Documents sought under Technical & OID cover folders are mandatory for all the entities of the Consortium/JV.
- b. **‘Net financial worth’ of the Quotationer should be positive in the three financial years for which the Annual turn over documents referred under 7Vb. have been uploaded, for qualifying in technical bid. It would inter alia mean that the total assets of a financial year minus Gross total liabilities as per Audited Balance Sheet should be of positive value.**

**8. Eligibility criteria for participating in more than one serial of work in an e-NIQ**

Normally, separate BOQ and Completion Certificate (CC) of 100% completed different works are to be provided by a Quotationer as PQ work credential for participation in separate works in a particular e-NIQ. However, BOQ and CC for one particular work may be considered eligible for participation in maximum two numbers of serials of work in the same e-NIQ, provided requisite PQ work credential vis-a-vis PQ work credential (both work as well as financial capacity of Major items and Turn over etc) desired in column 8 of the ‘List of Works’ for two works being bid by the same Quotationer is to be arithmetically added and satisfies the requirement in all respect from one such CC submitted in both the serials from the point of view of ascertaining similarity in nature of work.

**Example:**

- a. Suppose, major items of two works in any particular Quotation is ‘earthwork’, the financial requirement of earthwork required for both the serials are arithmetically added and the combined amount is less than or equal to the amount of earthwork contained in the CC of one work, the Quotationer will be eligible for both the works.
- b. Suppose that major item of two works in any particular e-Quotation are ‘earthwork’ and ‘concrete

work', the financial requirement for the two major items of 'Earthwork' and 'Concrete work' contained in the BOQ of the two serials are less than or equal to the amount of the corresponding items contained in the CC as PQ work credential determined by the BOQ of the AoC of bid, the Quotationer becomes eligible for both the works.

- c. However, one BOQ and Completion Certificate (CC) will be considered for a maximum of two serials of work in an e-Quotation.

**9. Penalty for suppression / distortion of facts and withdrawal of L1 Quotationer before acceptance of LOI**

If a contractor/Quotationer fails to physically produce the originals of documents (especially 100% Completion Certificates and P/L accounts with audited balance sheets), or any other bid document on demanded by the Tender Evaluation Committee (HTEC/TEC) which were submitted as soft copies in PDF files with their e-bid, within a specified time frame, need arising due to any material deviation 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-Quotation process at any stage prior to signing of Contract-Agreement or the issue of LOA or AOC, the Quotation Inviting Authority will immediately bring the matter to the notice of the concerned Chief Engineer and the contractor/Quotationer may be suspended/debarred from participating in all future Quotations on the e-Quotation platform of I&WD as per approval of the Suspension Committee/ Debarment Committee for a maximum period up to 3 (Three) years. In addition, his/her EMD of the Quotation will stand forfeited by the Government. The concerned Chief Engineer then will issue the necessary suspension order in writing with intimation to the defaulting contractor/Quotationer, other Chief Engineers, Centralized e-Quotation Cell and also the Government in the Irrigation & Waterways Department. Copy of suspension order/Departmental debarment order 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 under the link "List of suspended/debarred contractors". Penal measures in regard to various offenses shall be guided in terms of the Departmental Notifications/Orders and these rules would be considered a part of the Quotation document.

**10. PROCEDURE FOR SUSPENSION AND DEBARMENT OF SUPPLIERS/ CONTRACTORS**

**A. SCOPE:**

The procedures laid down in subsequent paragraphs shall govern the suspension/debarment of suppliers, contractors and Quotationers ("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.

**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. DEFINITION OF TERMS:-**

- i. **Quotationer:** A person/Contractor/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 Quotationer.
- ii. **Bid Evaluation Committee or Quotation Evaluation Committee (HTEC/TEC/QBEC in short):**
  - a. 'Bid/Quotation Evaluation Committee' (TEC) for the bids invited by the Superintending Engineer upto Rs. 200.00 lakh value will be comprising of i) Concerned Superintending Engineer as Chairperson and Convener, ii) Concerned Executive Engineer as Member, iii) T.A to Superintending Engineer of concerned Circle or any other Executive Engineer of the Circle as Member,
  - b. Bid/Quotation Evaluation Committee' for the bids above Rs. 200.00 lakh (HTEC) value invited by the Superintending Engineer will be comprising of i) Concerned Superintending Engineer as Chairperson and

- Convener, ii) Another Superintending Engineer within the zone as per High Value Quotation Evaluation Committee order as Member, iii) Concerned Executive Engineer as Member, iv) T.A to Superintending Engineer of concerned Circle or any other Executive Engineer of the Circle as Member,
- c. or, the QBEC or any other 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 Quotationers 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 Quotationer from participating in any procurement process under Irrigation & Waterways Department, Government of West Bengal for a given period.

**vi. Debarred Quotationer:** A Quotationer 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. Debarment Committee (Committee competent for issuing Debarment Order):**

The "Debarment Committee" will be comprising of the (i) The Secretary, Irrigation & Waterways Department as Chairperson and Convener, (ii) The Chief Engineer (South), Irrigation & Waterways Directorate as Member and (iii) The Director of Personnel & Ex-officio Chief Engineer, Irrigation & Waterways Directorate as Member, (iv) The Financial Advisor, Irrigation & Waterways Department as Member, (v) For mechanical and electrical works, the Superintending Engineer, Mechanical & Electrical Circle for works of North Bengal, the Superintending Engineer, North Bengal Mechanical & Electrical Circle as Members.

The Debarment Committee is authorised to decide to place alleged Quotationers under debarment.

**ix. Entity:** A person/Contractor/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.

**x. 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.

**xi. 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.

**xii. Procuring Entity/Authority:** The officer authorised by the Irrigation & Waterways Department, Government of West Bengal for procurement.

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

**D Suspension Committee (Committee competent for issuing Suspension Order):**

"Suspension Committee" will be comprising of i) Concerned Chief Engineer of the jurisdiction of work involved as Chairperson and Convener, ii) SE attached to the Chief Engineer as Member and iii) Concerned Superintending Engineer of the respective Circles as Member.

For River Research Institute & Dam Safety Organisations, the concerned Chief Engineer, Irrigation & Waterways Directorate will act as Chairperson and the Directors as Member cum Convenor of the Suspension Committee as stated above.

## **E GROUNDS FOR SUSPENSION AND DEBARMENT**

- Submission of eligibility requirements containing false information or falsified documents.
- 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.
- Unauthorised use of one's name/digital signature certified for purpose of bidding process.

- iv. Any documented unsolicited attempt by a Quotationer to unduly influence the outcome of the bidding in his favour.
- v. Refusal or failure to post a self-declaration to the effect of any previous debarment imposed by any other Department of State Government and / or Central Government.
- vi. All other acts that tend to defeat the purpose of the competitive bidding such as lodging false complain about any Quotationer, lodging false complain about any officer duly authorised by the Department, restraining any interested Quotationer to participate in the bidding process etc.
- vii. Assignment and subcontracting of the contract or any part thereof without prior written approval of the procuring entity.
- viii. Whenever adverse reports related to adverse performance, misbehaviour, direct or indirect involvement in threatening, making false complaints etc damaging the reputation of the Department or any other type complaint considered fit by the competent authority of the Department are received from more than one officer or at more than one occasion from individual officer.
- ix. Refusal or failure to post the required performance security/earnest money within the prescribed time without justifiable cause.
- x. Failure in deployment of technical personnel, engineers and / or work supervisor having requisite license/supervisor certificate of competency as specified in the contract.
- xi. Refusal to accept an award after issuance of 'Letter of Acceptance' or enter into contract with the Government without justifiable cause.
- xii. Failure of the contractor, due solely to his fault or negligence, to mobilize and start work or performance within the specified period as mentioned in the 'Letter of Acceptance', 'Letter of Acceptance cum work Order', 'Work Order', 'Notice of Proceed', 'Award of Contract' etc.
- xiii. Failure by the contractor to fully and faithfully comply with its contractual obligations without valid cause, or failure by the contractor to comply with any written lawful instruction of the procuring entity or his representative(s) pursuant to the implementation of the contract.
- xiv. For the procurement of consultancy service/contracts, poor performance by the consultant of his services arising from his fault or negligence. Any of the following acts by the consultant shall be construed as poor performance:
  - a. Non deployment of competent technical personnel, competent engineers and / or work supervisors;
  - b. Non deployment of committed equipment, facilities, support staff and manpower; and
  - c. Defective design resulting in substantial corrective works in design and / or construction;
  - d. Failure to deliver critical outputs due to consultant's fault or negligence; and
  - e. Specifying materials which are inappropriate and substandard or way above acceptable standards leading to high procurement cost,
  - f. Allowing defective workmanship or works by the contractor being supervised by the consultant.
- xv. 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.
- xvi. Wilful or deliberate abandonment or non-performance of the project or contract by the contractor resulting to substantial breach thereof without lawful and / or just cause.

**F. CATEGORY OF OFFENSE:**

- a. First degree of offense: SI No. 10E(i). to (xvi) are to be considered as first degree of offense.
- b. Second degree of offense: Any one of the offenses as mentioned under Clause 10E (i) to (xvi), committed by a particular Quotationer/contractor/supplier on more than one occasion would be considered as second degree of offense.

In addition to the penalty of suspension /debarment, the bid security/earnest money placed by the concerned Quotationer or prospective Quotationer shall also be forfeited.
- c. Debarment procedure and rules with guiding principles are published as Departmental Notification available in wbiwd.gov.in in the Notification link.

**G. PENALTY FOR OFFENSE:**

- a. For committing 1<sup>st</sup> degree of offense: Disqualifying a Quotationer from participating in any procurement process under Irrigation & Waterways Department, Government of West Bengal up to 2 years.
- b. For committing 2<sup>nd</sup> Degree of offense: Disqualifying a Quotationer from participating in any procurement process under the Irrigation & Waterways Department, Government of West Bengal for a period of 3 (three) years.

## **11. Taxes & duties to be borne by the Contractor/Quotationer**

In view of introduction of GST with effect from 01.7.2017, all the Quotationers intending to participate in this e-Quotation should offer their financial bids inclusive of GST applicable for entire composite works/Procurement of goods & services, labour intensive component contained in the BOQ. Income Tax, Royalty, GST (CGST, SGST, IGST), Construction Workers' Welfare Cess, Labour Insurances and similar other statutory levy / cess will have to be borne by the contractor/Quotationer and his/her quoted rate should be quoted accordingly after considering all these charges, and no separate payment towards any of the statutory taxes shall be made by the implementing authority.

## **12. Site inspection prior to submission of Quotation**

Before submitting a bid, the intending contractor/Quotationer should make themselves acquainted thoroughly with the local conditions prevailing at site of implementation of the work by undertaking field inspections and taking into consideration all probable likely factors and difficulties to be involved during execution of the work as per specification in all respects including transportation of materials, communication facilities, climate conditions, nature of soil, availability of local labourers and market rates prevailing in the locality etc. and no claim whatsoever will be entertained on those accounts afterwards. In this connection intending contractors/Quotationers are advised to attend the 'Pre-Bid' meeting with the Quotation Inviting Authority on the prefixed date to get his/her doubts cleared if he/she desires. He/She may also contact the office of the designated Executive Engineer, **Kakdwip Irrigation Division** in between 11.30 hours to 16.30 hours on any working day, prior to the date of actual submission of e-bid in the e-Quotation.

## **13. Conditional and incomplete Quotation**

Conditional and incomplete Quotations are liable to be summary rejected. No off-line document will be entertained until completion of e-Quotation process by acceptance of L1 bid by the competent Accepting Authority.

## **14. Opening and evaluation of Quotation**

### **14.1 Opening of a Technical Proposal**

- i. Technical proposal will be opened by the Quotation Inviting Authority or his/her authorised representative/s electronically in the official website stated earlier, using their authorised valid Digital Signature Certificate/s (DSC).
- ii. Intending contractors/Quotationers 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 deficiency in either of the Technical cover documents, the Quotationer may be summarily disqualified and 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 and handed over the decrypted bid documents in soft and hard copies to the designated Quotation Evaluation Committee.
- v. Procedure to be followed for opening of a '*Financial bid*' is explained later under clause 14.5 of e-NIQ

### **14.2 Quotation Evaluation Committee**

Committees constituted from time to time by the Government in the Irrigation & Waterways Department for evaluation of Technical proposals of the contractors/Quotationers for e-Quotations will function as Quotation Evaluation Committee (HTEC/TEC/QBEC etc).

### **14.3 Uploading of list of technically qualified contractors / Quotationers in the web portal/s**

- i. After electronically decrypting on the designated date and time the e-bids received, all the bids will be admitted for downloading of documents without verification by the TIA and placed before the HTEC/TEC for evaluation. The Quotationers shall receive an automated message through e-mail/text message that their bids have been decrypted. The TEC shall within a minimum of 2(Two) working day scrutinise the bids and Technical Bid opening Summary sheet (TBO) shall be uploaded by TIA pursuant to preliminary scrutiny and decision of the Quotation Evaluation Committee (HTEC/TEC) with reasons for preliminary rejection, and preliminary list of eligible Quotationers/ contractors for a particular serial of work whose Technical proposal have been considered for uploading in the web portal/s by the HTEC/TEC.
- ii. While evaluating, the HTEC/TEC may, if they so desire, summon the contractors/Quotationers 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.

#### 14.4 Process of Technical Evaluation during Quotation

Within 24 hours of uploading the TBO summary sheet containing Preliminary Technical Qualification result, any of the aggrieved Quotationer, may seek clarification / redressal / review from the TEC on the list of Quotationers, in writing/through e-mail with supporting facts / figures / documents. If such clarification /review relates to eligibility of other Quotationers, 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 Quotation Evaluation Committee (HTEC/TEC) would be communicated in writing to that Quotationer within next two (2) working days. If the Quotationer 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 Quotationers 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 HTEC/TEC as per TBE summary sheet. Thus at this stage the rejected Quotationers 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.

#### 14.5 Opening and Evaluation of Financial Proposal/bid

- i. Financial proposals of the Quotationers/contractors declared technically qualified by the Quotation Evaluation Committee (HTEC/TEC) will be opened electronically by the Quotation 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/ Quotationers remaining present at that time, else they may login their respective e-Quotation 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/Quotationers and the rates quoted by them will be uploaded and the result will be made available in the e-Quotation web platform.
- iv. If the Quotation 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 the office of the concerned Executive Engineer and after their acceptance by the Quotation Acceptance Authority (TAA) instruct the Quotation Inviting Authority to upload the financial bid evaluation summary as result containing the name of contractors/Quotationers 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 Quotation Accepting Authority being abnormally high above 10% of the amount put to Quotation i.e Quotation value, the e-NIQ shall be cancelled and invited afresh. No post Quotation negotiation is permitted. Only in a **very rare and exceptional case**, with prior recommendation and advice of Government appointed Quotation Committee bid negotiations with **only the L1 Quotationer** to lower down the L1 rate obtained in re-Quotation, through sealed bid/ e-Quotation cum reverse auction may be conducted by the Quotation Inviting Authority in presence of Quotation Accepting Authority for reasons to be recorded in writing.
- vi. If there is no contractor/Quotationer or the number of contractors / Quotationers in the 1<sup>st</sup> Quotation is less than three, the e-Quotation has to be cancelled. In case of participation of more than three Quotationers, if the number of technically qualified Quotationer falls below three, the Quotation/e-NIQ is to be cancelled as well and fresh e-Quotation vis-a-vis 2<sup>nd</sup> call e-Quotation or even 3<sup>rd</sup> call e-Quotation may be invited by suitably lowering of minimum eligibility PQ criteria (work & financial) for Quotationers with wide publicity of Re-Quotation notices through electronic and print media.
- vii. Final result after acceptance of the rate by the Quotation 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.
- viii. If the lowest (L1) Quotationer/contractor backs out there should be Re-Quotationing in a transparent and fair manner.

#### **14.6 Procedure to be followed for final acceptance of Quotation & Award of Contract**

- i. The lowest (L1) financial bid for all works Quotations is accepted as a rule. If for any reason the lowest (L1) Quotation is not accepted, reference is to be made to the appropriate Government for orders as to which of the contractor /Quotationer the work should be awarded.
- ii. If the response to an e-Quotation is less than three, then Quotation should be invited afresh. Such Re-Quotation notice shall be published in widely circulated dailies as per guidelines and also through e-Quotation web portals. Prior to invitation of Re-Quotation / fresh e-Quotation, the eligibility criteria and other terms & conditions as contained in the first 'Notice Inviting e-Quotation' (e-NIQ) shall have to be reviewed/relaxed by the Quotation 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.
- iii. If the number of valid bids received even in re-Quotation is less than three, it should be referred by the TIA to the DTC and 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 Quotation.

#### **15. General guidelines for acceptance of e-Quotation**

Lowest valid rate should normally be accepted in accordance with the procedure laid down in clause 14.6. The Quotation Accepting Authority reserves the right to distribute the work amongst more than one contractor/Quotationer with same L1 rate or even cancel the Quotation and invite fresh re-Quotation.

#### **16. Quotation Accepting Authority\***

As per delegation of power for Quotation acceptance, competent accepting authorities for different values of Quotations is stated below, provided at least three valid bids are received in the financial bidding stage of the Quotation/Re-Quotation:

- i. For Quotations up to Rs 200.00 lakh plus : *Superintending Engineer of the Circle, Irrigation & Waterways Directorate*
- ii. For Quotations above Rs 200.00 lakh\*: *Concerned Chief Engineer, I&W Directorate.*

\* Procedure to be followed in terms of Finance Department Notifications on delegation of powers for acceptance applicable at the time of bid acceptance.

#### **17. Signing of formal Quotation contract/agreement after acceptance of e-Quotation**

The contractor/Quotationer, 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 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 designated Executive Engineer, Kakdwip Irrigation Division in-charge of the work Quotationed.

If the selected L1 Quotationer 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 Quotationer is liable for penal actions which shall comprise blacklisting, debarring from future participation in Government Quotations, immediate forfeiture of the Earnest Money deposited in the Quotation, 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.

#### **18. Payment against bills raised by the contractor**

Periodic Tax invoice/bills containing Quotationers GSTIN & other details needs to be submitted by the supplier/contractor 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 Running Account as well as final bill for any work based on progress and performance will be made according to availability of fund and no claim due to delay in payment will be entertained.

#### **19. No cost escalation in any form is included in the Quotation Contract Agreement.**

#### **20. 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 Quotation Inviting Authority, if required, subject to written confirmation of the contractor/Quotationer (s) to that effect.

**21. Definitions of Physical Milestones:**

The time allowed for carrying out the work as entered in the Quotation shall be strictly observed by the contractor, and which shall be reckoned from the date on which the order to commence work is given to the contractor. The work shall throughout the stipulated period of the contract be proceeded with all due diligence. Time being deemed to be the essence of contract on the part of the contractor; the contractor shall be bound in all cases, to achieve the 'Milestones' as specified in this NIQ into various 'Identifiable and quantifiable construction related stages' pertaining to the work. For all works the contractor within 15 days of receipt of Letter of Acceptance shall submit a work programme commensurate with period of construction in the form of a Bar Chart of uploaded work programme, stating the timeline of such different Milestones. In the event of the contractor failing to comply with any of the conditions related to achieving the 'Milestones' within the specified time period prescribed for such 'Milestone' plus one month, he/she shall be liable to pay compensation.

If the contractor fails to commence and/or maintain required progress over the total time allotted for its full completion and fails to complete the work and clear the site on or before the end of contract period or extended date of completion, he/she shall, without prejudice to any other rights or remedy available under the law on account of such breach, pay as agreed compensation to the implementing Department. This will also apply to items or group of items for which a separate period of completion has been specified. The Quotationer is required to digitally sign and upload the work programme in the form of Bar Chart or otherwise in the '**Declaration**' folder during bid submission for all works Quotations.

**22. Withdrawal of bid in a Quotation**

Withdrawal of 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 Quotationer/contractor penalised in terms of clause 9 referred earlier would be applicable.

**23. Schedule of important dates of this e-Quotation**

Sl. No	Activity	Date & Time	Remarks
1.	e-Quotation Publishing Date in Newspaper	07.12.2017 at 17.00 Hrs	To be made available with the e-NIQ in the website
2.	Document Download start date	07.12.2017 at 17.00 Hrs	
3.	Pre-bid Meeting to be held at the office of Quotation Inviting Authority	N.A.	
4.	Bid submission start date	07.12.2017 at 17.30 Hrs	
5.	Document Download end date & bid submission end date	20.12.2017 at 17.00 Hrs	
6.	Bid submission end date	20.12.2017 at 17.00 Hrs	
7.	Technical Bid opening date	21.12.2017 after 11.00 Hrs	
8.	Technical Bid opening Summary sheet (TBO) containing Preliminary Technical Bid Evaluation Summary uploading date	To be suitably decided by TIA	
8.	Uploading of final summary sheet of Technically qualified Quotationers or Technical Bid Evaluation Sheet (TBE)	To be suitably decided by TIA	
9.	Financial Bid opening date	To be suitably decided by TIA	To be notified to concerned Quotationer/s through e-mail & SMS through auto-generation in the system.
10.	Uploading of Financial Bid evaluation sheet (FBE)	-do-	
11.	Uploading of the Letter of Invitation / Acceptance (LOI/LAO)	-do-	
12.	Uploading of Award of Contract (AOC) (Work Order)	-do-	

\*TIA: e-Quotation Inviting Authority

\*TAA: e-Quotation Accepting Authority

**24.** Extension of last date for e-bid submission or any other Addendum/Corrigendum, if unavoidable is to be notified as per Finance Department guidelines, in the e-Procurement Portal, Departmental website and in Notice boards at least 24 hours before the original validity period of bid submission. Extension of last bid submission date by issuance of a Corrigendum shall not be treated as 2nd or subsequent call of Re-Quotation.



### **Additional Terms & Conditions**

1. The Executive Engineer 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 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 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 Quotation Accepting Authority. If there is more than the Executive Engineer assigned for the Quotation, the Chief Engineer would designate the Engineer-in-Charge for the work.
2. Acceptance of the Quotation including the right to distribute the work between two or amongst more than two Quotationers with same L1 rates will rest with the Quotation Accepting Authority without assigning reason thereof to any of the Quotationers. The Quotation accepting authority reserves the right to reject any or all Quotations without assigning sufficient justification thereof to the Quotationer/contractor. No additional or excess work or additional items of work beyond the Quotationed amount would be generally allowed. All excess, supplementary or substitute supplementary items of work, if unavoidable are to be accepted by the Quotation Accepting Authority only if the total value of work on completion is within the Quotationed amount. The exiting contract would be terminated after achieving work up to Quotationed cost (gross value) and balance work would be taken up afresh after fresh sanction and new Quotation, except in the interest of public services, in rare & special cases under specific approval of the Government.
3. The Contractor/Quotationer 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/Quotationer. Original tax invoice/challan or bill of those materials, which are procured by the Quotationer, 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 Quotationer 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 Quotationer even if the TIA is by default the Principal employer
8. No mobilization / secured advance will be allowed unless specified otherwise in the contract or the e-Notice Inviting Quotation.
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 are to be paid by the contractor/Quotationer. 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/Quotationer 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.
12. The contractor/Quotationer should see the site of works and Quotation documents, drawings etc. before submitting Quotation 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 Quotationed 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.
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 Quotation 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 Quotationed value with the total completion value remaining within the accepted Quotationed cost, approval of the Quotation 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/ Quotationer 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 when 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/Quotationer 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. SCHEDULE OF MATERIALS TO BE SUPPLIED DEPARTMENTALLY AND THEIR RECOVERY RATES

Sl. No.	Name of materials	Issue rate (in `)	UNIQ	Penalty recovery rate for loss or misuse or wastage (if otherwise not mentioned specifically in the SoR)	Place of delivery
01	Cement		MT	2 (Two) times issue rate	Departmental Godown
02	Reinforce-ment steel rods, structural steel members, M.S sheet Piles		MT	2 (Two) times issue rate	-do-
03	Bitumen		MT	2(Two) times issue rate	-do-

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.

Sd/-  
Superintending Engineer  
Eastern Circle  
Irrigation & Waterways Directorate

(DIGITAL SIGNATURE IS SUFFICIENT)

**PREAMBLE TO THE BILL OF QUANTITIES/SCHEDULE OF ITEMS OF WORK**

1. The Prices and rates entered by the Contractor in the Bill of Quantities shall be deemed to cover the complete and finished work, inter-alia, all costs and expenses which may be required for successful completion of the works together with all risks, liabilities, contingencies, insurance, octroi, royalties, taxes and obligations imposed or implied by the Contractor.
2. Where separate items such as mobilization, demobilization, temporary works etc., have not been provided in the Bill of Quantities for works required under the Contract, then the **cost of such works shall be** deemed to have been included in the prices and rates of other items.
3. Without affecting the generality of the foregoing provisions, the Prices and rates entered in the Bill of Quantities by the Contractor shall include inter-alia, all costs and expenses involved in or arising out the followings:-
  - a) The provision, storage, transport, handling, use, distribution and maintenance of all materials, plants, equipment machineries and tools including all costs, charges dues demurrages or other outlays involved in the transportation.
  - b) The provision and maintenance of all his staff and labours and their payments, accommodation, transport, taxes and other requirements.
  - c) The provision, storage, transport, use handling, distribution and maintenance of consumable stores, fuel, water and electricity.
  - d) All First Aid, Welfare and safety requirements.
  - e) Damage caused to the works, plants, materials and consumable stores caused by weather. f) License, fees and other charges for compliance of Government Acts and Rules that are in force and applicable.
4. The Contractor should be held responsible for the safe custody of materials, Machineries etc. at site procured by him or issued to him by the Department, if any.
5. The rates quoted are to allow for providing all fittings and fixtures etc. inclusive of all taxes.

## **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 Quotationer)

### **APPLICATION FOR e-QUOTATION**

To,  
The Superintending Engineer  
Eastern Circle, I&W Directorate

**e- Quotation No:- WBIW/SE/EC/NIQ-3(e)/2017-2018**

**Serial No. of Works applied for :- .....**

**Amount put to e-Quotation: Rs .....**

Dear Sir,

Having examined the Technical cover, OID cover & all other 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 Quotations rules in e-NIQ, terms & conditions, specifications, drawings, bill of quantities and corrigenda/addenda, SoR, and Agreement (WB Form No. 2911(i)/(ii) involving the 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-NIQ. I/We also agree to remedy the defects after/during execution of the above work in conformity with the conditions of contract, specifications, drawings, bill of quantities and addenda/corrigenda.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 201\_\_\_\_

Full name of Quotationer / 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 QUOTATIONER IS SUFFICIENT)

**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 Quotationer)

**Ref:- e-NIQ No. ....,**

**e-Quotation ID No.....**

**List of Works Sl. No.....**

To,  
Superintending Engineer  
Eastern Circle  
Irrigation & Waterways Directorate

I/We, Sri/Smt. \_\_\_\_\_, the authorized signatory on behalf of  
..... do hereby affirm that I/We/any of the member  
of..... bidding against e - NIQ No. .... Sl. No. .... do  
not have any common interest either as a partner in any 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 \_\_\_\_\_ 201\_\_\_\_

Full name of Quotationer / 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: \_\_\_\_\_

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

(DIGITAL SIGNATURE OF QUOTATIONER IS SUFFICIENT)

## **FORM – 3**

### **Power of Attorney for signing of Contract/Quotation Agreement\***

(To be mandatorily submitted in plain paper or otherwise which shall be treated as the self declaration of the Quotationer may furnish in any legally acceptable format except if such delegation is not made by proprietorship Firms)

Know all men by these presents, I/We, ..... (name of the firm and address of the registered office) do hereby irrevocably constitute, nominate, appoint and authorise Mr./Ms (Name).....son/daughter of ..... and presently residing at....., who is presently employed with us/ the Lead Member of our Consortium/Joint Venture and holding the position of ....., as our true and lawful attorney (hereinafter referred to as the "Attorney") to do in our name and on our behalf, all such acts, deeds and things as are necessary or required in connection with or incidental to submission of our bid for the \*\*\*\*\* Project proposed or being developed by the Governor of the State of West Bengal represented by the Superintending Engineer, Eastern Circle, Irrigation & Waterways Directorate, Government of West Bengal, including but not limited to signing and submission of all applications, bids and other documents and writings, participate in Quotationers' and other conferences and providing information / responses to the Authority, representing us in all matters before the Authority, signing and execution of all contracts including the Agreement and undertakings consequent to acceptance of our bid, and generally dealing with the 'Authority' in all matters in connection with or relating to or arising out of our bid for the said Project and/or upon award thereof to us and/or till the entering into of the Agreement with the Authority.

AND we hereby agree to ratify and confirm and do hereby ratify and confirm all acts, deeds and things done or caused to be done by our said Attorney pursuant to and in exercise of the powers conferred by this Power of Attorney and that all acts, deeds and things done by our said Attorney in exercise of the powers hereby conferred shall and shall always be deemed to have been done by us.

IN WITNESS WHEREOF WE, ....., THE ABOVE NAMED PRINCIPAL HAVE EXECUTED THIS POWER OF ATTORNEY ON THIS ..... DAY OF ....., 20.....For.....

(Signature Name date designation and address of the Quotationer/(s) & Contact No. & e-mail ID)

Witnesses: (Full Name with permanent addresses and contact nos.)

- 1.
- 2.

Signed & accepted

Notarized

#### **Notes:**

- ☐ *The mode of execution of the Power of Attorney should be in accordance with the procedure, if any, laid down by the applicable law and the charter documents of the executants and when it is so required, the same should be under common seal affixed in accordance with the required procedure.*
- ☐ *Wherever required, the Quotationer should submit for verification the extract of the charter documents and documents such as a board or shareholders' resolution/ power of attorney in favour of the person executing this Power of Attorney for the delegation of power hereunder on behalf of the Quotationer.*
- ☐ *For a Power of Attorney executed and issued overseas, the document will also have to be legalized by the Indian Embassy and notarized in the jurisdiction where the Power of Attorney is being issued. However, the Power of Attorney provided by Quotationers from countries that have signed the Hague Legislation Convention, 1961 are not required to be legalized by the Indian Embassy if it carries a conforming Apostille certificate.*

- ***This is only a specimen format and the Quotationer may submit any other legally valid format by Quotationer organisation except Proprietorship Firms.***

## **FORM-4\***

### **Power of Attorney for Lead Member of Consortium/Joint Venture**

(To be submitted in Non-Judicial Stamp Paper, which shall be treated as the self declaration of the Quotationer Consortium/Joint Venture as their joint affidavit- Specimen format, Quotationer may furnish in any legally accepted format)

Whereas the Governor of West Bengal represented by ..... having its Head Quarters at .....PIN-.....Phone No....., e-mail ID ..... & Principal office at Jalasampad Bhawan, Salt Lake, Sector-II, Bidhannagar, Kolkata, PIN 700091, in West Bengal ("The Authority") has invited bids from eligible, bonafide, registered companies/registered joint ventures or consortiums, having desired credentials within India for the Project ....., Irrigation & Waterways Department, Government of West Bengal".

AND Whereas, (1).....(2) ..... and (3)..... (collectively the "Consortium"/Joint Venture) being Members of the Consortium/Joint Venture are interested in bidding for the Project in accordance with the terms and conditions of the Quotation and other connected documents in respect of the Project, and

Whereas, it is necessary for the Members of the Consortium/JV to designate one of them as the Lead Member with all necessary power and 'The Authority' to do for and on behalf of the Consortium/Joint Venture, all acts, deeds and things as may be necessary in connection with the Consortium/Joint Venture's bid for the Project and its execution.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

We, ..... having our registered office at ....., M/s....., having our registered office at ....., and M/s....., having our registered office at ....., (hereinafter collectively referred to as the "Principals") do hereby irrevocably designate, nominate, constitute, appoint and authorize M/s ....., having its registered office at ....., being one of the Members of the Consortium/Joint Venture, as the **Lead Member** and true and lawful attorney of the Consortium/Joint Venture (hereinafter referred to as the "Attorney") and hereby irrevocably authorize the Attorney (with power to sub-delegate) to conduct all business for and on behalf of the Consortium/JV and any one of us during the bidding process and, in the event the Consortium/JV is awarded the Contract, during the execution of the Project, and in this regard, to do on our behalf and on behalf of the Consortium/JV, all or any of such acts, deeds or things as are necessary or required or incidental to the submission of its bid for the Project, including but not limited to signing and submission of all applications, bids and other documents and writings, participate in Quotationers' and other conferences, respond to queries, submit information/ documents, sign and execute contracts and undertakings consequent to acceptance of the bid of the Consortium/Joint Venture and generally to represent the Consortium/Joint Venture in all its dealings with the Authority, and/ or any other Government Agency or any person, in all matters in connection with or relating to or arising out of the Consortium/Joint Venture's bid for the Project and/ or upon award thereof till the Agreement is entered into with the Authority.

AND hereby agree to ratify and confirm and do hereby ratify and confirm all acts, deeds and things done or caused to be done by our said Attorney pursuant to and in exercise of the powers conferred by this Power of Attorney and that all acts, deeds and things done by our said Attorney in exercise of the powers hereby conferred shall and shall always be deemed to have been done by us/ Consortium/Joint Venture.

IN WITNESS WHEREOF WE THE PRINCIPALS ABOVE NAMED HAVE EXECUTED THIS POWER OF ATTORNEY ON THIS ..... DAY OF ..... 20....

For .....

(Signature, Name & Title)

For .....

(Signature, Name & Title)

For .....

(Signature, Name & Title)

(Executant/s)

(To be executed by all the Members of the Consortium/Joint Venture)



**Notes:**

- ☐ *The mode of execution of the Power of Attorney should be in accordance with the procedure, if any, laid down by the applicable law and the charter documents of the executants (s) and when it is so required, the same should be under common seal affixed in accordance with the required procedure.*
- ☐ *Wherever required, the Quotationer should submit for verification the extract of the charter documents and documents such as a board or shareholders' resolution/ power of attorney in favour of the person executing this Power of Attorney for the delegation of power hereunder on behalf of the Quotationer.*
- ☐ *For a Power of Attorney executed and issued overseas, the document will also have to be legalized by the Indian Embassy and notarized in the jurisdiction where the Power of Attorney is being issued. However, the Power of Attorney provided by Quotationers from countries that have signed The Hague Legislation Convention, 1961 are not required to be legalized by the Indian Embassy if it carries a conforming Apostile certificate.*

**(\* This is a specimen sample and the Consortium/Joint Venture is at liberty to furnish this affidavit in any legally valid format in India for Works contract)**

## **FORM – 5**

### **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 Quotationer)

**Ref:- e-NIQ No. ....**

**e-Quotation ID No.....**

**List of Work Sl. No.....**

To,  
Superintending Engineer  
Eastern Circle  
Irrigation & Waterways Directorate

I/We, Sri/Smt. \_\_\_\_\_, the authorized signatory on behalf of \_\_\_\_\_ do hereby affirm that I/We/any of the member of..... bidding against e - NIQ No. .... Sl. No. .... are not black listed or debarred from participation in State Government procurements and Quotations 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 Quotation (NIQ).

If at a latest stage this submission is found incorrect, the Quotationer company along with all its contingent members/owners/partners would be liable to penal actions as decided by the Government under the rules.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 201\_\_\_\_

Full name of Quotationer / 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: \_\_\_\_\_

(SIGNATURE OF QUOTATIONER)

**Memo No. 3418 (15)**

**Dated:- 06.12.2017.**

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

1. **Chief Engineer- South , I & W Dte., Govt. of West Bengal**, Jalasampad Bhawan, Salt Lake, Kolkata-700 091.  
(in duplicate)
2. **Savadhipati**, South 24-Parganas Zilla Parishad, Alipore, Kolkata – 700 027
3. **Savadhipati**, North 24 –Parganas Zilla Parishad, Barasat, Kolkata- 700124
4. **District Magistrate**, South 24-Parganas, Alipore, Kolkata-700 027.
5. **District Magistrate**, North 24-Parganas, Barasat, Kolkata -700124
6. **Superintending Engineer**, Metropolitan Drainage Circle, Jalasampad Bhawan, Salt Lake, Kolkata-700 091
7. **Superintending Engineer**, Greater Calcutta Drainage Circle, Jalasampad Bhawan, Salt Lake, Kolkata-700 091
8. **Superintending Engineer**, Western Circle-I Circle, Jalasampad Bhawan, Salt Lake, Kolkata-700 091
9. **Superintending Engineer**, Mechanical & Electrical Circle, Jalasampad Bhawan, Salt Lake, Kolkata-700 091
10. **Superintending Engineer**, Damodar Irrigation Circle, Kanainatsal, Burdwan
11. **Executive Engineer**, Canals Divn./ Joynagar (I) Divn./ Basirhat (I) Divn./ Kakdwip (I) Division.
12. **Notice Board**, Eastern Circle.

**Sd/-  
Superintending Engineer  
Eastern Circle**