

Memo no. 53/ENGG/SWC/2023-24

Date: 28.04.2023

**NOTICE INVITING ELECTRONIC TENDER No. 01 OF 2023-24 OF THE
SUPERINTENDING ENGINEER, WEST BENGAL STATE WAREHOUSING CORPORATION**

Through Pre-qualification

The SUPERINTENDING ENGINEER, *West Bengal State Warehousing Corporation*, invites e-Tender for the work Detailed in the table below. (Submission of Bid through **online**).

List of schemes:-

Sl . No.	Name of the work	Estimated Amount (Rs.)	Earnest Money (Rs.)	Period of Completion	Name of the Concerned Office	Eligibility of Contractor
1	THE CIVIL WORKS OF REGIONAL QUALITY CONTROL LABORATORY (RQCL) AT SILIGURI KHADYA BHABAN IN THE DISTRICT OF DARJEELING.	5,34,077.00 (INR Five Lakh Thirty Four Thousand Seventy Seven Only)	2.00% of Estimated amount i.e. 10,682.00	30 (Thirty) Days from the date of commencement	West Bengal State Warehousing Corporation	Open contractors (through Pre-qualification)Bonafied

1. In the event of e-filing, intending bidder shall download the tender documents consisting of this N.I.T., Instruction to Bidders (Section–A) , different Forms & Affidavit (Section-B), Special Terms & Conditions (Section-C), Specification of Work (Section-D), Schedule of Works (BOQ), W.B Form No.2911(ii) and Addenda & Corrigenda (if any) from the website <https://etender.wb.nic.indirectly> with the help of Digital Signature Certificate. Both Technical Bid and Financial Bid are to be submitted concurrently duly digitally signed in the website <https://etender.wb.nic.in>

2.

Only online submission of EMD (Earnest Money Deposit)

Through net banking (any of the banks listed in the ICICI bank payment Gateway) In case of payment through ICICI bank payment Gateway, ICICI bank NEFT/RTGS will also be valid as per Memorandum No.3975-F(Y) dated-28/07/2016 of Finance Department, Govt. of WB

Bid/Financial Bid as per Tender time schedule stated in Sl. No. 11.

The documents submitted by the bidders should be properly indexed & self-attested with seal.

3. The FINANCIAL OFFER of the prospective tenderer will be considered only if the TECHNICAL BID of the tenderer is found qualified by the ‘Bid Evaluation Committee(BEC)’ formed by Food & Supplies Department Government of West Bengal.

4. The decision of the ‘Bid Evaluation Committee’ will be final and absolute in this respect. The list of Qualified Bidders will be displayed in the website.

5. Eligibility criteria for participation in tender:

i) (a) The intending tenderers shall have credentials of a similar nature of completed work of the minimum value of **40% (Forty percent)** of the estimated amount put to tender during 5(five) years prior to the date of issue of the tender notice.

OR

(b) The intending tenderers shall have credentials of 2(two) similar nature of completed works, each of the minimum value of **30% (Thirty percent)** of the estimated amount put to tender during 5(five) years prior to the date of issue of the tender notice.

(c) The intending tenderers shall have credentials of one single running work of similar nature which has been completed to the extent of **80% (Eighty percent)** or more and value of which is not less than the desired value at (i.e.) above.

6. The prospective bidders shall have in their full time engagement experienced technical personnel the minimum being **One Civil Engineering Diploma holder with minimum three years of experience for the works values upto Rs.2.00 Crore and above** (Authenticated documents in respect of qualification and currency of engagement shall be furnished for Technical Evaluation.)**[Non-statutory documents]**
7. Current/latest Income Tax Acknowledgement Receipt, P.T. Deposit Challan for the current year, PAN Card, Professional Tax Clearance Certificate (if available) / Professional Tax (Deposit Challan) / valid Trade License / Voter I.D/ Valid 15-digit goods and service taxpayer identification number (GSTIN) under GST Act,2017(vide memo no 4374-F(Y), dated: 13/07/2017 of Finance Dept. Audit Branch. Current GST Challan, Card for self-identification, Income Tax Acknowledgement Receipt for last assessment year with the Technical Bid Documents. **[Non-statutory documents]**.
8. The prospective bidders should own or arrange through lease hold agreement, the required plant and machineries. Conclusive proof of ownership in favour of owner or leaser of plant and machineries in working condition shall have to be submitted. **(Details as mentioned in SI No. 27 and Section–B, Form–IV)** the required plant and machineries of prescribed specifications as shown in format. If the machineries have been engaged in other works then name of client along -with his contact no. & e–mail address should be furnished in the declaration by the intended tender and the present location (working place) should also be given with tentative date of release of plant and machineries. (Ref. Form–IV, Section-B) **[Non-statutory documents]****(Clause No. 6 not required)**
9. Registered Partnership Deed for Partnership Firm is to be submitted. The company shall furnish the Article of Association and Memorandum.**Where an individual person holds a digital certificate in his own name duly issued to him against the company or the firm of which he happens to be a director or partner, such individual person shall, while uploading any tender for and on behalf of such company or firm, invariably upload a copy of registered power of attorney showing clear authorization in his favour, by the rest of directors of such company or the partners of such firm, to upload such tender.****[Non-statutory documents]**
10. Registered Unemployed Engineers' Co-operative Societies / Labour Co-operative Societies are required to furnish valid Bye Law, Current Audit Report, and Current N.O.C. from A.R.C.S. and Minutes of last A.G.M. The Engineers Co-operative also has to submit documents of the society consists at least 10 (ten) members out of which at least 60% should hold degree or diploma in any branch in Engineering as per Memo. No. 44-A/4M-11/2002 dt. 09.01.2004 of Deputy Secretary-III, P.W.D. **[Non Statutory Documents]**
11. Joint Ventures (JV) will not be allowed.
12. A prospective bidder shall be allowed to participate in a particular job either in the capacity of individual or as a partner of a firm. If found to have applied severally in a single job,all his applications will be rejected for that job, without assigning any reason thereof.
13. Joint Ventures will not be allowed except for electrical component of work. For electrical component of work the experience of Electrical contractor will be considered. But for calculation of Bid Capacity and Credential such value will not be considered by adding up with the Value of civil works done in case of Joint Venture.

14. Mismatch in Name

All documents uploaded by the Bidder, in support of his eligibility/credential for Pre-qualification to participate in this Tender should be same and identical & with Digital signature certificate (DSC). Minor mismatch like "M/S", "Kr/Kumar", "Co-Op/Co-Operative" etc has to be legalised/authenticated by the Bidder by uploading of proper Affidavit (duly Notarized) in this regard.

15. The successful bidder shall establish field testing laboratory equipped with requisite instruments in conformity with relevant code of practice and technical staff according to the requirements of works to be executed.
16. The executing agency (successful bidder) may not get a running payment unless the gross amount of running bill will be 1 (one) lakh or 30% of the tendered amount whichever is less. Provisions in Clause(s) 7, 8, & 9 contained in W.B. Form No. 2911 (ii) so far as they relate to quantum and frequencies of payment are to be treated as superseded.
17. **Constructional Labour Welfare Cess @ 1(one) % of cost of construction will be deducted from every Bill of the selected agency, CGST, SGST, Royalty & all other Statutory levy/ Cess will have to be borne by the contractor & the rate in the schedule of rates inclusive of all the taxes & cess stated above.**
18. **No Adjustment of Price OR Price Escalation of any kind will be allowed. Adjustment of Price (increase or decrease) Vide Notification No.23-CRC/2M-61/2008, Dated:13.03.2009 & Notification No.38-CRC/2M-61/2008 Dated 20.04.2009 shall not be applicable. Since B.O.Q. for the work/works under this N.I.T. is based up on the schedule of rates of Public Works Department for Building works (Volume-I) and S&P Works (Volume-II) w.e.f. 01.07.2014 with up to date Addenda & Corrigendum the bidders shall quote their rate (percentage above/below/at per) accordingly considering that no escalation and/or price adjustment will be allowed by the department thereto under any circumstances.**
19. **WBGST and CGST rates will be applicable while making payment to the contractor in accordance with the No. 5050-F(Y) Dated: 16.08.2017 of Audit Branch Finance Department, Govt. of West Bengal. The taxable value of the work will also be determining as per this govt. order or any other govt. Orders in vogue or as will be issued by the govt. from time to time in this regard in future . The work may be modified as per govt. order keeping the total value as tendered as a maximum.**
20. **I) Mobilisation Advance and Secured Advance will not be allowed.
II) Price Preference: - will not be allowed**
21. Agencies shall have to arrange required land for installation of Plant & Machineries, (specified for each awarded work, storing of materials, labour shed, laboratory etc. at their own cost and responsibility nearest to the work site.
22. **Bids shall remain valid for a period not less than 120 days (One Hundred Twenty) from the last date of submission of Financial Bid / Sealed Bid / Open Bid. If the bidder withdraws the bid during the period of bid validity the earnest money as deposited will be forfeited forthwith without assigning any reason thereof.**
23. All materials required for the proposed scheme including bitumen (all grade), bitumen emulsion, cement & steel shall be of specified grade & approved brand in conformity with relevant code of practice (latest revision) & manufacture accordingly & shall be procured & supplied by the agency at

their own cost including all taxes. Authenticated evidence for purchase of bitumen, bitumen emulsion, cement and steel are to be submitted along with challan and test certificate. In the event of further testing opted by the Engineer-in-Charge, then such testing from any Government laboratory.

Approved Testing Laboratory shall have to be conducted by the agency at their own cost. Necessary arrangement shall also have to be kept at site laboratory/laboratory at plant for testing quality of the bitumen supplied for work. Only (VG 30), (VG 40), (VG 10), grade paving bitumen of I.O.C.L/B.P.C.L./H.P.C.L. will be permitted as straight run Bitumen.

24. Steel material procure and supply by the contractor shall be of TOR Steel rod/HYSD/TMT Bar of Fe 415, Fe 550/550D. (The grade to be decided by the E.I.C as per instruction reflects on the approved drawing of this department or as stipulated in the department schedule of rates).

25. Date & Time Schedule:-

Sl. No.	Particulars	Date & Time
1	Date of uploading of NIT Tender Documents (online)	28/04/2023 at 18:55 hrs
2	Start date & time to download “Tender documents” (online)	29/04/2023 at 18:55 hrs
3	Start date of submission of Technical & Financial Proposals (online)	02/05/2023 at 11:00 hrs
4	Last date of submission of Technical & Financial Proposals (online)	08/05/2023 at 12:00 hrs
5	Date of opening of Technical Proposals (online)	10/05/2023 at 12:00 hrs
6	Date of uploading of list of technically qualified bidders (online)	Will be notified later.

26. (a) There shall be no provision of Arbitration. Hence Cl. 25 of 2911 (ii) is omitted vide notification no. 558/SPW dt. 13.12.11 of Secretary, to the Govt. of West Bengal

Clause 25 of 2911 (ii) is modified vide notification no. 8182-F(Y) dt.26.09.2012 of Finance Department, Govt. of West Bengal, as follows.

Except where otherwise provided in the contract all question and disputes relating to the meaning of specification, designs, drawings and instructions herein before mentioned and as to the quality of workmanship or materials used on the work or as to any other question, claim, right, matter or thing whatsoever, in any way arising out of relating to the contracts designs, drawings, specifications, estimate, instruction, orders or these conditions or otherwise concerning the works, or the executions or failure to execute the same, whether arising during the progress of the work, or after the completion or abandonment thereof shall be dealt with as mentioned hereinafter.

If the contractor considers any work demanded of him to be outside the requirements of the contract, or disputes any drawings, record or decision given in writing by the Engineer-in-Charge on any matter in connection with or arising out of the contract or carrying out of the work, to be unacceptable, he shall promptly within 15 days request the Chairman of the Dispute Redressal Committee in writing for written instruction or decision. Thereupon, the Dispute Redressal Committee shall give its written instructions or decision within a period of three months from the date of receipt of the contractor's letter.

(b) CI No. 01 of 2911 (ii) stands modified are as follows:-

The person whose tender may be accepted (hereafter called the Contractor) shall (A) [(within one day for a contract of Rs.1000/- or less, two days for of Rs.2000/- or less and so on up to a limit of 10 days of the receipt by him, of the notification of the acceptance of his tender) deposit with the subdivisional officer / divisional officer in cash or Govt's security endorses so the sub divisional officer / divisional officer (if deposited for more than 12 months) a sum sufficient with the amount of the earnest money deposited by him, with his tender to make up the full security deposit specified in the tender] or (B) permit Govt. at the time of making any payment to him for work done under the contract to deduct such sum as will (with the earnest money deposited by him) amount to percent all moneys so payable such deduction to be hold by Govt. by way of security deposit provided always that in the event of the contractor depositing a lump sum by way of security deposit as contemplated at (a) above than and in such case if the sum so deposited shall not amount to 10% of the total estimated cost of the work is shallbe lawful for the Govt. at the time of making any payment to the contractor for the work done under the contract to make up the full percentage **of 10% by deducting** a sufficient sum from every such payment as last aforesaid all compensation or all other sum of money payable by the Contractor to the Govt. under the terms of his contract may be deducted from or paid by the sale of a sufficient part of his security deposit orfrom the interest arising there from or from any sums which may be due or may became due to the contractor by Govt. on any account whatever and in the event of his security deposit being reduced by reason of any such deduction or sale as aforesaid the contract shall within ten days thereafter make good in case or Govt. securities endorsed as aforesaid any sum or sums which may have been deducted from or raised by sale of his security deposit or any part thereof.

27. a) Permanent Fixed Security Deposit will not be allowed as Earnest Money as per G.O.

b) The rate laid down in the relevant BOQ are inclusive of GST and labour welfare cess.

28. The intending Bidders shall have their own responsibility and risk to visit and examine the site of works and its Surroundings and obtain all information that may be necessary for preparing the Bid and entering into a contract for the work as mentioned in the Notice inviting Tender, the cost of visiting the site shall be at the Bidder's own expense.

29. The intending Bidders shall clearly understand that whatever may be the outcome of the present invitationof Bids. The SUPERINTENDING ENGINEER, on behalf of West Bengal State Warehousing Corporation, reserves the right to reject or accept any application without assigning any reason whatsoever at any stage of bidding.

30. Prospective applicants are advised to note carefully the minimum qualification criteria as mentioned in Instructions to Bidders before bidding.

31. **Prospective bidders shall have to execute the work in such a manner so that appropriateservice level of the project/work under improvement is to be maintained during progress of work and a period of 1(one) year from the date of successful completion of the work to the entire satisfaction of Engineer-in-Charge. If any defect/ damage is found during the period as mentioned above the contractor shall make the same good at his own expense to the specification at par with instant project work, or in default, the Engineer-in-charge may cause the same to be made good by other agency and deduct the expense (of which the certificate the Engineer-in-charge shall be final) from any sums that may be then, or at any time thereafter become due to contract or from his security deposit, or the proceeds of the sale thereof, or of sufficient portion thereof. Refund of Security Deposit will only be made on successful completion of work.**

In case of repair works a period of 1(one) year from the date of successful completion of the work to the entire satisfaction of Engineer-in-Charge will be considered as defect liability period. Entire security deposit will be released on expiry of this period.

32. In case of Ascertaining Authority at any stage of tender process or execution of work necessary registered irrevocable power of attorney is to be produced.

33. All intending bidders are requested to be present in the chamber of the SUPERINTENDING ENGINEER, West Bengal State Warehousing Corporation during opening of the Tender, to observe the tender opening procedure.

Suspension and Debarment of Contractor, Supplier and Consultant for Public Works under Public Works Department will strictly enforced as per G.O. No. 547–W(C)/1M–387/15 dt. 16.11.2015 of Joint Secretary to the Govt. of West Bengal, P.W.D. Action in this regard will be taken by as applicable in PWD.

34. No **CONDITIONAL/ INCOMPLETE TENDER** will be accepted under any circumstances.

35. **Requirement of Principal Machineries which must be possessed by the Agency(ownership or through lease hold)** [Non Statutory Document] **(Not Required)**

36. a) In the event of acceptance of lowest tendered rate no multiple lowest rate will be considered by the Department.

b) If required the tender inviting authority invite the post tender bid among the qualified bidders.

37. The SUPERINTENDING ENGINEER West Bengal State Warehousing Corporation. Reserves the right to cancel the N.I.T. due to unavoidable circumstances and no claim in this respect will be entertained.

38. Minor irregularity / deficiency may be ignored at the discretion of the Bid Evaluation Committee & no claim whatsoever against such decision of the Bid Evaluation Committee will be entertained.

39. During scrutiny, if it is come to the notice to tender inviting authority that the credential or any other papers found incorrect/manufactured/fabricated, that tenderer will not be allowed to participate in the tender and that application will be out rightly rejected without any prejudice with forfeiture of earnest money forthwith.

40. In case if there be any objection regarding Prequalifying the Agency that should be lodged to the Chairman Screening Committee within 48 hours from the period of publication of list of qualified Agency in the designated e-mail and this office receiving section. Such objection has to be written /typed in a letter head paper of the company duly signed and stamped by the authorized signatory. And beyond that time schedule no objection will be entertained by the Screening Committee. The designated e-mail id is ce.wbswc@gmail.com .

41. Before issuance of the work order, the tender inviting authority may verify the credential & other documents of the successful tenderer if found necessary. After verification, if it is found that such documents submitted by the successful tenderer is either manufacture or false in that case, work order will not be issued in favour of the tenderer under any circumstances.

42. If the stipulation of the various contract documents be at variance in any respect, one will override the other (if in so far as these are at variance) in the order of precedence as given below.

(1) Financial bid

- (2) Special terms & Condition
- (3) Notice Inviting Tender
- (4) Technical Bid
- (5) Form No. 2911

43. Qualification Criteria

The Tender Inviting & Accepting Authority through a “Bid Evaluation Committee will determine the eligibility of each bidder, the bidders shall have to meet all the minimum criteria regarding:-

- a) **Financial Capacity**
- b) **Technical Capability comprising of personnel & equipment capability**
- c) **Experience**

The eligibility of a bidder will be ascertained on the basis of the attested documents in support of the minimum criteria as mentioned in a, b, c above and the declaration executed through prescribed affidavit in non-judicial stamp paper of appropriate value duly notarized. If any document submitted by a bidder is either manufacture or false, in such cases the eligibility of the bidder/ tenderer will be out rightly rejected at any stage without any prejudice with forfeiture of earnest money forthwith.

44. Agencies failed to complete any work under WBSWC in stipulated time of Tender are debarred from participation in this Bid. Any extension of time as may have been allowed by WBSWC is purely for getting the work done with in the same tender by allowing extension of time as special aid to the contractor for the work. But this will not otherwise make the contractor eligible for this present work.

Contractors not having progressed of ongoing works sufficiently in proportionate time under this corporation will not be allowed in this tender.

45. Agencies failed to complete the works under WBSWC in stipulated time of Tender are debarred from participation in this Bid. Any Bidder having work under WBSWC and failing to make progress proportionately with time elapsed will also not be considered eligible to participate in this work.

46. All declarations should be current.

47. Cost of tender document: The Intending Tenderers shall not have to pay the cost of tender documents for the purpose of participating in e-tendering vide Notification No. 199-CRC/2M-10/2012 dated 21.12.2012 of the Secretary, Public Works Department, Govt. of West Bengal.

However, the successful bidder shall have to pay the cost of contract documents @ **Rs. 755.00** (Seven hundred fifty five) only / each at the time of formal agreement. The amount has to be deposited through Demand Draft drawn on any Nationalised bank in favour of “**West Bengal State Warehousing Corporation**” payable at Kolkata.

SUPERINTENDING ENGINEER
West Bengal State Warehousing Corporation

SECTION – A

1. *General guidance for e-Tendering*

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

2. *Registration of Contractor*

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

3. *Digital Signature certificate (DSC)*

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

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

5. *Participation in more than one work*

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

6. *Submission of Tenders.*

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

A. *Technical proposal*

The Technical proposal should contain scanned copies of the following further two covers (folders). A-

1. Statutory Cover Containing

- i. Prequalification Application (Sec-B, Form – I)
- ii. Demand Draft/ bankers Cheque towards earnest money (EMD) as prescribed in the NIT against each of the serial of work in favour of the **WEST BENGAL STATE WAREHOUSING CORPORATION.**
- iii. Financial Statement (Section – B, Form – II).

- iv. Affidavits (Ref:- format shown in —X||& format for general affidavit shown in —Y||.
- v. Tender form No. 2911(ii) & NIT with all agenda & corrigendum (***download & upload the same Digitally Signed, quoting rate will only encrypted in the B.O.Q. under Financial Bid. In case quoting any rate in 2911(ii) the tender liable to summarily rejected.***)
- vi. Special Terms, condition & specification of works.
- vii. Certificate of revolving line of credit by the Bank (if required)

A-2. Non statutory Cover Containing

- i. Document for current year:- Valid Income Tax return / Professional Tax Clearance Certificate / Professional Tax (Deposit Challan) / valid Trade License / Pan Card / VAT Registration Certificate/ Valid 15-digit goods and service taxpayer identification number(GSTIN) under GST Act,2017(vide memo no 4374-F(Y),dated: 13/07/2017 of Finance Dept. Audit Branch. /Voter I.D. Card for self-identification, Income Tax Acknowledgement Receipt for last five assessment year including current assessment year 2016–17 to be accompanied with the Technical Bid Documents. (Not Statutory Documents)
- ii. Registration Certificate under Company Act. (if any).
- iii. Registered Deed of partnership Firm/ Article of Association & Memorandum
- iv. Power of Attorney (For Partnership Firm/ Private Limited Company, if any)
- v. Tax Audited Report in 3 Cd Form along with Balance Sheet & Profit & Loss A/c for the last fiveyears(year just preceding the current Financial Year will be considered as year – I)
- vi. Clearance Certificate for the Current Year issued by the Assistant Register of Co -Op(S) (ARCS) bye laws are to be submitted by the Registered labour Co -Op(S) Engineers'Co.-Opt.(S)

Scanned copy of Original Credential Certificate as stated in 3(i) of NIT.

Note:- Failure of submission of any of the above mentioned documents (as stated in A1 & A2) will render the tender liable to summarily rejected for both statutory & non statutory cover.

B. Bid Evaluation Committee(BEC)

- i. Bid Evaluation Committee constituted under the Order No. T(IV)-02/2016/1068/(14)/SWC Date 05/08/2016 of The Managing Director, WBSWC will function the technical and financial evaluations of the bidder.
- ii. Opening of Technical / Financial proposal :-
Technical proposals will be open by the SUPERINTENDING ENGINEER, West Bengal State Warehousing Corporation.
- iii. Intending tenderers may remain present if they so desire.
- iv. Cover (folder) statutory documents (vide Cl. No. 6.A-1) should be open first & if found in order, cover (Folder) for non-statutory documents (vide Cl. No. – 6.A-2) will be opened. If there is any deficiency in the statutory documents the tender will summarily be rejected.
- v. Decrypted (transformed in to readable formats) documents of the non-statutory cover will be downloaded & handed over to the tender evolution committee.
- vi. Uploading of summary list of technically qualified tenderers

- vii. Pursuant to scrutiny & decision of the screening committee the summary list of eligible tenderer & the serial number of work for which their proposal will be considered will be uploaded in the web portals.
- viii. While evaluation, the committee may summon the tenderer & seek clarification / information or additional documents or original hard copy of any of the documents already submitted & if these are not produced within the stipulated time frame, their proposals will be liable for rejection.

C. Financial proposal

- i. The financial proposal should contain the following documents in one cover (folder) i.e. Bill of quantities (BOQ) the contractor is to quote the rate (percentage Above/ Below/ At par) online through computer in the space marked for quoting rate in the BOQ.
 - ii. Only downloaded copies of the above documents are to be uploaded virus scanned & Digitally Signed by the contractor.
7. Financial capacity of a bidder will be judged on the basis of working capital and available bid capacity as per clause no. 03 (iv)

8. Penalty for suppression / distortion of facts

Submission of false document by tenderer is strictly prohibited & if found action may be referred to the appropriate authority for prosecution as per relevant IT Act with forfeiture of earnest money forthwith.

9. Where an individual person holds a digital certificate in his own name duly issued to him against the company or the firm of which he happens to be a director or partner, such individual person shall, while uploading any tender for and on behalf of such company or firm, invariably upload a copy of registered power of attorney showing clear authorization in his favour, by the rest of directors of such company or the partners of such firm, to upload such tender.

The power of attorney shall have to be registered in accordance with the provisions of the Registration Act, 1908

10 REJECTION OF BID

Contractors not having progressed of ongoing works sufficiently in proportionate time under this corporation will not be allowed in this tender.

In respect of tenders participated by any Contractor whose rate stands L1 in respect of any work under this corporation will be taken into consideration in calculation of bid capacity. If the same is not taken into account while calculating “B” of Bid Capacity calculation the bid will be rejected.

The Employer (tender accepting authority) reserves the right to accept or reject any Bid and to cancel the Bidding processes and reject all Bids at any time prior to the award of Contract without thereby incurring any liability to the affected Bidder or Bidders or any obligation to inform the affected Bidder or Bidders of the ground for Employer’s (tender accepting authority) action.

11. AWARD OF CONTRACT

- (i) If bid capacity is found inadequate the department would be at liberty to accept his bid only such number of work for which his capacity would permit. In such case the choice of work awarded would rest with tender accepting authority
- (ii) Revised bid capacity, working capital including plant & machinery will be calculated in accordance with the accounts 3CD Form & Audited balance sheet submitted in the non-statutory documents & work in hand as stated in Sl(i) above should be submitted through affidavit duly notarized before issuance of Letter of Acceptance.
- (iii) Each work will be awarded against specific set of machineries as indicated in [Section_B Form IV](#) of this NIT.
- (iv) **The work may be supervised by third party quality checking and project monitoring agency. The Executive Engineer may transfer the responsibility of checking, measurements, recording and billing to such third party.**

The Bidder who's Bid has been accepted will be notified by the Tender Inviting & Accepting Authority through acceptance letter/ Letter of Acceptance

The Letter of Acceptance will constitute the formation of the Contract.

The Agreement in W.B.F.No.-2911(ii) will incorporate all necessary documents e.g. N.I.T., all addenda-corrigendum, special terms & condition (Section –C), specification of works (Section –D), different filled-up forms (Section –B), B.O.Q. and the same will be constituted between the Tender Accepting Authority and the successful Bidder.

SUPERINTENDING ENGINEER
West Bengal State Warehousing Corporation

Copy forwarded for information and wide circulation through his office NOTICE BOARD.

- 1 The Managing Director, WBSWC.
- 2 The Chief Engineer, WBSWC.
- 3 The Superintending Engineer, WBSWC
- 4 This Office Notice Board

SUPERINTENDING ENGINEER
West Bengal State Warehousing Corporation