

BHARAT SANCHAR NIGAM LIMITED
(A GOVERNMENT OF INDIA ENTERPRISE)

O/o Executive Engineer (Civil), BSNL Civil Division, Shimla

NOTICE INVITING e-TENDER

NIT No. – EE/BSNL/CD/SML/DB / Year 2023-2024/17

dated- 19.08.2023

1. **Item rate e-tenders** are invited by the Executive Engineer (C), BSNL Civil Division, Shimla (HP), on behalf of the “**HP State Govt.**”, from approved and eligible contractors of BSNL and non – BSNL registered contractors registered with other public works organizations like CPWD, State PWD (B&R), D.O.P., M.E.S. & Railways (in the appropriate class for tendering limit of equal to or more than the estimated cost) for the work of:

“Construction of State Forensic Laboratory Building at Junga, Distt. Shimla (HP) [SH: Miscellaneous Civil Works]”

The enlistment of the contractors should be valid on the last date of submission of bids. In case the last date of submission of bid is extended, the enlistment of contractor should be valid on the original date of submission of bids.

- 1.1 The work is estimated to cost **Rs. 11422941.00 [Rupees One Crore Fourteen Lakh Twenty Two Thousand Nine Hundred Forty One Only.**
- 1.2 The intending Tenderers have to upload the self attested scanned copy of their valid enlistment document with the appropriate authority and copies of certificates, testimonials and satisfactory completion certificates of works, from the department concerned, obtained from an officer not below the rank of Executive Engineer, in charge of work. **He / they shall submit attested copies of GST registration Certificate issued by concerned Department of Govt. of HP / Govt. of India , on acceptance of tender along with Performance Guarantee.** In the event of failure on the part of contractor (whose tender is accepted) to furnish the documents pertaining to GST registration Certificate along with Performance Guarantee within stipulated period, the earnest money will be forfeited and tender cancelled. The original financial payment instrument against EMD & TC (when payment is not made through online/e payment mode) shall be submitted offline in O/o EE (Civil) **before or within 5 days the period of bid submission end date**, failing which the tender bid (if already opened on the basis of scanned documents uploaded in 1st electronic envelope/technical bid) shall be rejected .
- 1.2.1 **Eligibility criteria regarding Work Experience:**
- 1.2.1.1 For BSNL enlisted contractors for BUILDING WORKS in Appropriate class: - Same as in 1.2.2.2
- 1.2.2.2 **BSNL Registered, Specialized agencies, Non – BSNL registered contractor in appropriate class (CPWD, State PWD (B&R), D.O.P., M.E.S. & Railways) -----**
- The applicant should have completed works as per details below during the last seven years ending last day of the month previous to the one in which the tenders are invited.
- a) Three similar completed works each costing not less than **Rs.4570000/-**
- b) Two similar completed works each costing not less than **Rs.5712000/-**
- c) One similar completed works each costing not less than **Rs.9139000/-**
- Similar work means **“Building Civil Work”**. The value of executed works shall be brought to current costing level by enhancing the actual value of executed work at simple rate of 7% per annum; calculated from the date of completion to last date of receipt of applications for tenders and shall be rounded off to the nearest hundred rupees. . Above works should have been carried out in Central / State Government/ Central or State Public sector Undertakings.
- The experience certificate given by an officer not below the rank of Executive Engineer shall indicate clearly the nature of the work, agreement no. and satisfactory completion of the work along with actual value of work done and actual date of completion and shall be issued by authorized signatory/ authority and shall be in original / attested. The work experience certificate shall be considered as invalid, if extension of time (EOT) is granted with levy of compensation or not decided on the last date of submission of bids.
- 1.2.3 The contractor shall have to fully abide by the relevant provisions of the Employee’s Provident Fund Act 1952, ESIC (wherever applicable) and Rules of The Employees provident Funds Act / Scheme 1961 (as applicable) framed therein from time to time and they have to obtain and produce EPF registration within one month of award of work.
- 1.3 The agency should fulfill the criteria of **clause 14** of BSNL form W-6 & should furnish a **Certificate regarding near relatives as per Annexure I.**
- 1.4 The agency/agencies, which are Blacklisted/Debarred/Ceased for Financial Transactions by BSNL and/or any Central/state Govt.

Department/PSU are not eligible for tendering.

2. Agreement shall be drawn with the successful bidders on prescribed Form No. BSNL W 8 and General Conditions of Contract with up to date correction slips 1 to 6 which are available as a BSNL Publication and also on BSNL website www.civil.bsnl.co.in, & www.hp.bsnl.co.in/hpc. Bidders shall quote his rates as per various terms and conditions of the said form which will form part of the agreement.
3. The time allowed for carrying out the work, will be **2 (Two) months** from 15th day after the date of issue of letter of award of work or from the first day of handing over of the site whichever is later, in accordance with phasing, if any, indicated in the Tender Document.
4. The site for the work shall be made available at the time of execution.
5. The bid document consisting of plans, Specifications, the schedule of quantities of various types of items to be executed and the set of terms and conditions of the contract to be complied with and other necessary documents including General Conditions of Contract Form including correction slips can be seen from website <http://www.tenderwizard.com/BSNL> & www.hp.bsnl.co.in/hpc.
 - (i) The last date of submission of bids online, will be **28.08.2023 by 18:00 Hrs.**
 - (ii) The date of submission of offline documents i.e. EMD, tender fee, (After submission of online bid) will be **Before or within 5 Days of bid submission.**
 - (iii) The date of opening of e-tenders will be **30.08.2023 at 11:00 Hrs.**

6. After submission of the bid the contractor can re-submit revised bid any number of times but before last time and date of submission of bid as notified.

While submitting the revised bid, contractor can revise the rate of one or more items any numbers of times (he need not re-enter rate of all the items) but before last date and time of submission of bid as notified.

7. Interested contractors who wish to participate in the tender had to make following payments and submission as under:

- 7.1 (i) **Cost of Bid Document – Non refundable** in form of Demand Draft / pay orders amounting to **Rs. 1180.00** drawn in favour of **Accounts Officer [EF], O/o CGMT, BSNL HP Telecom Circle, Shimla [HP]**.

(ii) **Earnest Money of Rs 228459.00** as Banker's cheque /deposit at Call receipt of a scheduled bank/ fixed deposit receipt of a scheduled bank /Demand draft of a scheduled bank issued in favour of **Accounts Officer [EF], O/o CGMT, BSNL HP Telecom Circle, Shimla [HP]**. When amount of earnest money is more than Rs. 5 lakhs, part of the earnest money is acceptable in the form of bank guarantee also. In such case, minimum 50% of earnest money (but not less than 5 lakhs) or Rs. 25 lakhs, whichever is less, will have to be deposited in the shape prescribed above. For balance amount of earnest money, bank guarantee will also be acceptable.

(iii) **e-tender Processing Fee-** An amount of **Rs. (An Amount of as Displayed online while submitting the e-tender) (non refundable), as processing fee to "ITI Limited", (Non refundable)** as processing fee to "ITI Limited" shall be paid through e-payment mode only through the website www.tenderwizard.com/BSNL.

Note: Money due to contractor in any other work or earnest money of the previous call of the same work shall not be adjusted towards earnest money. The Cost of tender, EMD, Processing fee should be submitted through separate instruments.

The scanned copy of above documents (demand Draft/Pay order or Banker's cheque/FDR/deposit at call receipt or bank guarantee) is to be uploaded to the e-Tendering web site within the period of online bid submission. The eligibility documents i.e. original EMD & Tender Cost [When payment is not payment through online / e-payment mode] should be submitted in the wax / adhesive tape sealed envelope, to the office of **Executive Engineer(C), BSNL Civil Division, Shimla (HP)** within the period mentioned in this NIT.

The intending bidder has to fill all the details such as Banker's name, Demand draft/Fixed Deposit Receipt / Pay order/ Banker's cheque/ Bank Guarantee number, amount and the date in the e-tendering website.

- 7.2 **MODE OF SUBMISSION:-**

a) The copy of Earnest money, cost of Tender & E-tendering processing fee receipt, Copy of Enlistment Order, copy of GST registration, Near relative certificate (annexure I), copy of EPF, ESIC OR an undertaking as per Annexure II, copy of undertaking regarding submission of physical bid documents as per Annexure III, copy of work experience & Power of Attorney, if applicable shall be scanned & uploaded to the e-tendering website within the period of tender submission.

b) The original EMD & Tender Cost [When payment is not payment through online / e-payment mode] shall be submitted in the **wax / adhesive tape sealed envelope**, to the office of **Executive Engineer(C), BSNL Civil Division, Shimla (HP)**, before or within 5 days the period of bid submission end date. Failing which the tender bid (if already opened on the basis of scanned

documents uploaded in 1st electronic envelope i.e. technical envelope) shall be rejected. The envelope shall be superscripted with name of work, name of tenderer, date and time of opening of bids.

Online bid submitted by intending bidders shall be opened on the basis of scanned documents uploaded in 1st electronic envelope i.e. technical envelope only of those bidders, whose Earnest Money Deposit, Cost of Bid Document and other documents uploaded in the electronic envelope i.e. technical envelope are found in order.

The financial bid submitted shall be opened at **11:00 Hrs on 30.08.2023.**

The bid submitted shall become invalid and cost of bid & e-Tender processing fee shall not be refunded if:

- i) The bidder is found ineligible.
- ii) The bidder does not upload all the documents as stipulated in the bid document.
- iii) If any discrepancy is noticed between the details/ documents as uploaded at the time of submission of bid and hard copies as submitted physically in the office of tender opening authority.
- iv) The bidder does not submit documents in physical form as specified in the bid document before specified date and time.

Note: In case the eligibility credentials are not found genuine at any stage i.e. before award of work or during execution of the work or after completion of the work, the contractor will be debarred from tendering in BSNL for three years including any other action under the contract or existing law.

8. The description of the work is as follows: -
“Construction of State Forensic Laboratory Building at Junga, Distt. Shimla (HP) [SH: Miscellaneous Civil Works]”
9. Copies of other drawings and documents pertaining to the work will be open for inspection by the tenderers at the office of the Executive Engineer (Civil) BSNL Civil Division, **Shimla (HP)**.
10. Tenderers are advised to inspect and examine the site and its surroundings and satisfy themselves before submitting their tenders as to the nature of the ground and sub-soil (so far as is practicable), the form and nature of the site, the means of access to the site, the accommodation they may require and in general, shall themselves obtain all necessary information as to risks, contingencies and other circumstances which may influence or affect their tender. A tenderer shall be deemed to have full knowledge of the site whether he inspects it or not and no extra charges consequent on any misunderstanding or otherwise shall be allowed. The tenderer shall be responsible for arranging and maintaining at his own cost all materials, tools & plants, water, electricity, access, facilities for workers and all other services required for executing the work unless otherwise specifically provided for in the contract documents. Submission of tender by a tenderer implies that he has read this notice and all other contract documents and has made himself aware of the scope and specifications of the work to be done and of conditions and rates at which stores, tools and plant, etc. will be issued to him by the BSNL and local conditions and other factors having a bearing on the execution of the work.
11. The competent authority on behalf of the BSNL does not bind itself to accept the lowest or any other bid and reserves to itself the authority to reject any or all the bids received without assigning any reason. All bids in which any of the prescribed condition is not fulfilled or any condition including that of conditional rebate is put forth by the bidder shall be summarily rejected.
12. Canvassing whether directly or indirectly, in connection with bids is strictly prohibited and the bids submitted by the contractors who resort to canvassing will be liable to rejection.
13. The competent authority on behalf of BSNL reserves to himself the right of accepting the whole or any part of the bid and the bidder shall be bound to perform the same at the rate quoted.
14. The company or firm or any other person shall not be permitted to tender for works in BSNL Civil Zone, in which his near relative(s) (directly recruited or on deputation in BSNL is/are posted in any capacity either non-executive or executive employee. Near relative (s) for this purpose is/are defined as:
 - i) Member of Hindu Undivided family (HUF).
 - ii) They are Husband and Wife.
 - iii) The one is related to other in the manner as father, mother, son(s) & Son's wife (daughter-in-law), Daughter(s), Daughter's husband (son-in-law), brother(s), brother's wife, sister(s), sister's husband (brother-in-law).

The contractor shall also intimate the names of persons who are working with him in any capacity or are subsequently employed by him and who are near relative to any executive employee/gazetted officer in the BSNL or Department of Telecom or in the Ministry of Communications.

All the intending tenderers will have to give a certificate/ Declaration that none of his/her such near relative (s) as defined above is/are working in the concerned BSNL Civil Zone where he is going to apply for tender/work. The format of the certificate is as under:

"I _____ S/o Shri _____
Resident of _____ hereby certify that none of my relative(s) as defined above is/are employed in concerned BSNL Civil Zone. In case at any stage, it is found that the information given by me is false/incorrect, BSNL shall have the absolute right to take any action as deemed fit without any prior intimation to me."

The certificate in case of Proprietorship Firm shall be given by the proprietor, for Partnership Firm certificate shall be given by all partners and in case of Limited Company, by all Directors of the company. However, Government of India/ Financial Institutions nominees and independent non-official part-time Directors appointed by Govt. of India or the Governor of the State are excluded from the purview of submission of this certificate while submitting tenders by Limited Companies.

Any breach of these conditions by the Company or Firm or any other person, the tender/ work will be cancelled and Earnest Money/ Security Deposit will be forfeited at any stage, whenever it is so noticed. BSNL will not pay any damages to the company or Firm or the concerned person but damages arising on account of such cancellation to be borne by the contractor. The Company or Firm or the person will also be debarred for further participation in the tender in the concerned BSNL Civil Zone. Further, any breach of this condition by the tenderer would also render him liable to be removed from the approved list of contractors of BSNL. If however the contractor is registered in any other Department he shall also be debarred from tendering in BSNL for any breach of this condition.

15. No Engineer of Gazetted rank or other Gazetted officer employed in Engineering or Administrative duties in an Engineering Department of the Government of India including State Government or PSU's (including BSNL) is allowed to work as a contractor for a period of two years after his retirement from Government service, without previous permission of the Government of India or BSNL in writing. This contract is liable to be cancelled if either the contractor or any of his employees is found any time to be such a person who had not obtained the permission of the Government of India /State Government or PSU's as aforesaid before submission of the tender or engagement in the contractor's service.
16. The bid for the works shall remain open for acceptance for a period of **90 days** from the date of opening of Bids. If any bidder withdraws his bid before the said period or issue of letter of acceptance, whichever is earlier, or makes any modifications in the terms and conditions of the bid which are not acceptable to the department, then BSNL shall, without prejudice to any other right or remedy, be at liberty to forfeit 50% of the said earnest money as aforesaid. **Further the bidder shall not be allowed to participate in the re-bidding process of the work.**
17. In case of works having estimated cost below Rs.15,00,000/-, the successful tenderer shall be required to execute an agreement with the Engineer-in-charge in the Proforma annexed to the tender document, within 15 days of the issue of letter of award by the BSNL. In the event of failure on the part of the successful tenderer to sign the agreement, the earnest money will be forfeited and tender cancelled.
In case of works of estimated to cost Rs.15, 00,000/- and above, the successful tenderer shall, upon issue of letter of acceptance of Tender, shall be required to furnish performance guarantee at rate of 5% of the tendered value in the form of irrevocable Bank Guarantee of requisite amount to the Engineer-in-charge in the Proforma annexed to the tender document, within 15 days of the issue of letter of acceptance of Tender by the BSNL. In the event of failure on the part of the successful tenderer to furnish the Bank Guarantee within 15 days, the earnest money will be forfeited and tender cancelled.
18. This Notice Inviting Tender (BSNL W-6) shall form a part of the contract document. In accordance with clause 1 of the contract, the letter of acceptance shall be issued first in favor of the successful tenderer/ contractor. After submission of the performance guarantee, the letter of award shall be issued. The contract shall be deemed to have come into effect on issue of letter of acceptance of the tender. On issue of letter of award, the successful Tenderer/Contractor shall, within 30 days from such date, formally sign the agreement consisting of :-
 - a) The notice inviting tender, all the documents including additional conditions, specifications and drawings, if any, forming part of the tender, and, as issued at the time of invitation of tender and acceptance thereof together with any correspondence leading thereto
 - b) Standard BSNL W8 as on Website www.hp.bsnl.co.in/hpc and www.civil.bsnl.co.in.
 - c) Agreement signed on non-judicial stamp paper as per proforma annexed to the tender document.
19. Payment to the contractors shall be made through e-payment system like ECS/EFT/RTGS as detailed below:-
 - (a) In cities/areas where ECS/EFT/RTGS facility is provided by Banks, the tenderer must have Account in such ECS/EFT/RTGS facility providing Banks and that Bank A/c Number shall be quoted in the tender by the tenderer.
 - (b) The cost of ECS/EFT/RTGS will be borne by BSNL in all cases where the payment to contractor is made in a local Branch i.e. tenderer is having bank account in the same place from where the payment is made by BSNL unit.
 - (c) In case payment is made to outside branch i.e. tenderer is having bank account not in the same place from where the payment is made by BSNL unit, the crediting cost will have to be borne by the tenderer only.
 - (d) The payments to contractors will compulsorily be made through ECS/EFT/RTGS in respect of all contracts where the value of the contract is more than Rs. 10 lakhs.
20. First running account bill shall be paid only after
 - (a) Signing of the Agreement/Contract by both the parties, and
 - (b) Progress chart has been prepared as required under Clause 5 and approved by the competent authority.

21. If a contractor after purchasing the tender does not quote consecutively on three occasions, the contractor may be debarred for further purchase of tenders for a period of Six months.
22. General conditions of works in BHARAT SANCHAR NIGAM LTD and all correction slips are available on website www.hp.bsnl.co.in/hpc as well as in the Divisional/ Sub divisional Office.
23. The Contractor will submit computerized measurement books and bill in duplicate for all running and final bills and nothing extra shall be paid on this account.
24. **Condition for EPF/ESI/GST**
(a) The bidder must comply with the Provisions of EPF & Misc. Provisions Act, 1952 and Employees Provident Fund Scheme 1952, in respect of labourers/employees engaged by the bidder for carrying out works and they have to obtain and produce EPF registration within one month of award of work. **First payment shall be made to the contractor only when he submits his valid/applicable EPF registration.**

b) The claim bill of contractor must accompany the list showing the details of labourers/ employees engaged, duration of their engagement, amount of wages paid to such labours/ employees, & authenticated documents showing amount of EPF contributions (both employer's & employees contribution), paid to the EPF Authorities. Non compliance of above provision will be treated as breach of contract and necessary action against the bidder will be taken.

c) The contractor shall be required to comply the provision of ESIC (wherever applicable), payment of wages act, contractor labour regulation act, payment of bonus act, payment of gratuity act and GST regulations. Non compliance of above provisions will be treated as breach of contract and necessary action against the bidder will be taken.

d) **The rates shall be quoted inclusive of all taxes including GST to the extent mentioned in schedule F under clause 37(i) and all other taxes of Central / HP State Government with loading, unloading and transportation etc. The rates shall be firm and final. Nothing extra shall be paid on any account & BSNL shall not entertain any claim in this respect.** The invoices raised by the contractor shall indicate GST as a separate component of the gross bill raised. The payment of GST by BSNL to the contractor shall be governed by the rule of the government made in this regard and applicable to BSNL and further as per the rules framed by BSNL in this regard. BSNL shall claim ITC credit for the GST as per rules of BSNL in vogue.
The contractor shall be solely responsible for timely payment of GST to the concerned department. Any penalty / interest for late submission etc. arising thereupon and as demanded by the concerned department shall be sole responsibility of the contractor and BSNL shall have absolutely no liability what so ever on this account.
25. Tenderers are advised to acquaint themselves regarding Office Infrastructure to be provided under section 5 of "Special Conditions" and quote their rates accordingly. The rates quoted by agency should include charges for Office Infrastructure mentioned therein and nothing extra shall be paid on this account.
26. For e-Tendering, BSNL has engaged e-portal maintained by M/s ITI, New Delhi. The agency intending to participate in tendering process shall have to register with M/s ITI, New Delhi. The ITI helpline nos. are 01723953753, 08261033300 /09625033300 /08261922200.
27. If any terms and conditions under General Rules and Directions is in contravention to terms and conditions as above, the terms and conditions as above shall prevail.
28. If there happens to be holiday on any dates mentioned above, then the transactions will be made on next working day.
29. **For Composite Bids (As applicable in the present bid)**
The Executive Engineer in charge of the major component will call bids for the composite work. The cost of Bid document and earnest money will be fixed with respect to the combined estimated cost put to tender for the composite bid. The bid document will include following three components:
Part A: Information and instruction for bidders for e-Tendering, BSNLW-6, BSNLW -8 (Abridged version) & Standard General Conditions of contract for BSNLW8 with upto date correction slips.
Part B: Proforma of schedule (including schedule A to F for Civil work), General instructions, Proforma for agreement, Form of Performance security, Annexure "P" corrections to BSNLW, GCC – 2006 (Corrected upto CS – 1 to 4 & 6, List of preferred make to be used for this work, specific conditions.
Part C: MOU, Proforma of schedule (including schedule A to F for electrical work, SE/EE in charge of major component shall also be competent authority under clause 2 and clause 5 as mentioned in schedule A to F for major components) Special conditions for electrical work for composite tender, Additional conditions for electrical work, Additional specifications for the work of (EI & FANS), List of preferred make – BSNL Electrical Wing

- 29.1.1 The bidders must associate with himself, agencies of the appropriate class eligible to bid for each of the minor component individually.
- 29.1.2 The eligible bidders shall quote rates for all items of major component as well as for all items of minor components of work.
- 29.1.3 After acceptance of the bid by competent authority, the EE in charge of major component of the work shall issue letter of award on behalf of the Bharat Sanchar Nigam limited. After the work is awarded, the main contractor will have to enter into one agreement with EE in charge of major component and has also to sign two or more copies of agreement depending upon number of EE's in charge of minor component. One such signed set of agreement shall be handed over to EE in charge of minor component. EE of major component will operate Part A of the agreement. EE in charge of minor component (s) shall operate Part B along with Part A of the agreement.
- 29.1.4 Entire work under the scope of composite bid including major and all minor components shall be executed under one agreement.
- 29.1.5 Security Deposit will be worked out separately for each component corresponding to the tendered cost of the respective component of works.
- 29.1.6 The main contractor has to associate agency(s) for minor component(s) conforming to eligibility criteria as defined in the bid document and has to submit detail of such agency(s) to Engineer-in charge of minor component(s) within prescribed time. Name of the agency(s) to be associated shall be approved by Engineer-in-charge of minor component(s).
- 29.1.7 In case the main contractor intends to change any of the above agency/agencies during the operation of the contract, he shall obtain prior approval of Engineer-in- charge of minor component. The new agency/agencies shall also have to satisfy the laid down eligibility criteria. In case Engineer-in-charge is not satisfied with the performance of any agency, he can direct the contractor to change the agency executing such items of work and this shall be binding on the contractor.
- 29.1.8 The main contractor has to enter into agreement with the contractor(s) associated by him for execution of minor components(s). Copy of such agreement shall be submitted to EE in charge of each minor component as well as to EE in charge of major component. In case of change of associate contractor, the main contractor has to enter into agreement with the new contractor associated by him.
- 29.1.9. Running payment for the major component shall be made by EE of major discipline to the main contractor. Running payment for minor components shall be made by the Engineer-in-charge of the discipline of minor component directly to the main contractor.
- 29.1.10 The composite work shall be treated as complete when all the components of the works are complete. The completion certificate of the composite work shall be recorded by Engineer in charge of major component after record of completion certificate of all other components
- 28.1.11 Final bill of whole work shall be finalized and paid by the EE of major component. Engineer(s) in charge of minor component(s) will prepare and pass the final bill for their component of work and pass on the same to the EE of major component for including in the final bill for composite contract

Signature: _____
Name: _____
Executive Engineer (Civil)
BSNL Civil Division
Shimla
For & on behalf of HP State Govt.