

## MAHARASHTRA ENERGY DEVELOPMENT AGENCY (MEDA), CHANDRAPUR

Design, Fabrication, Supply, Installation, Testing, Commissioning and Operation & Maintenance for a period of 5 years, of total 7 Pumps of Capacity 1 Hp One No., 2 Hp Four Nos. and 3 Hp Two Nos. with Storage Tank, Mounting Structure, Distribution System, Civil Work and Fencing In 7 Habitations / Villages of Jiwati and Korpana Taluka District Chandrapur in the State of Maharashtra.

### 5. Cost of Bidding

The bidder shall bear all costs associated with the preparation and submission of bid and MEDA will in no case be responsible or liable for these costs, regardless of the conduct or outcome of the bidding process.

### 6. Language of Bid

All documents, drawings, instructions, design data, calculations, operation, maintenance and safety manuals, reports, labels and any other data shall be in English Language. The contract agreement and all correspondence between the MEDA and the bidder shall be in English language. Supporting documents and printed literature furnished by the bidder if provided in another language it shall be accompanied by an accurate translation of the relevant passages in the English language duly authenticated and certified by the bidder (exception for bidders from Maharashtra). Supporting materials, which are not translated into English, may not be considered. For the purpose of interpretation and evaluation of the Application, the English language translation shall prevail.

### 7. Documents Comprising the Bid

The Bid prepared by the Bidder shall be uploaded in 'Two parts Viz. Technical and Financial bids comprising the following components. Bids shall electronically submit online in the E-tender platform and the documents shall be scanned and submitted.

#### Part I - Technical Proposal:

Bidder shall submit relevant certificates to fulfil the eligibility criteria prescribed in the tender document along with following documents/information.

- Bidder's Information Sheet
- Annual Turnover
- Self Certification of No Barr/non failure/blacklisted
- Installation and Performance Credentials
- Experience for installation and commissioning of SPV Pump.
- Experience/set-up of after sales service
- Product technical specifications
- Standards maintained for various components to be used in the project
- Safety consideration for system protection

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- Warranty certification of equipments/ components

The Bidder is expected to verify all instructions, forms, terms and specifications in the Tender Document. Failure to furnish all information required in the tender document will be at the Bidder's risk and may result in rejection of the bid.

### **Part II - Financial bid**

Financial Bid shall contain:

- The bidder should quote the price as against total tender estimate as shown in the tender document.
- The price quoted in the bid will be inclusive of all taxes, duties, insurance and all incidental charges for successful design, supply, installation, commissioning along with comprehensive maintenance for five years of SPV Pumps and relevant material and equipment's required for completion of project.
- Prices shall be quoted in Indian Rupees only.
- In no circumstances, escalation in the prices will be entertained.
- Financial Bid uploaded with an adjustable price quotation will be treated as non responsive and will be rejected.
- Any Bid not in accordance with above clauses of this Section will be rejected.

### **EARNEST MONEY DEPOSIT (EMD), SECURITY DEPOSIT (SD) & FORFEITING OF EMD:**

#### **A) EARNEST MONEY DEPOSIT:**

The Earnest Money Deposit for this project of **Rs.39,577/-** should be paid online through respective portal. **No exemption certificates from any acceptable under any circumstances. Tender without Earnest Money Deposit will be out rightly rejected.** No interest shall be payable on the amount of Earnest Money. It shall be retained by MEDA. EMD shall be returned to unsuccessful Bidders after acceptance of work order by successful Bidder and EMD of successful Bidder shall be returned after submission of security deposit.

#### **B) FORFEITING OF EMD:**

The EMD paid or submitted by the Bidder shall be forfeited if:

1. The Bidder withdraws his tender before finalization of work order.
2. The Bidder does not accept work order.

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3. The Bidder violates any of the terms and conditions of the tender.
4. The Bidder fails to deposit requisite Security deposit.
5. The Bidder fails / refuses to execute the contract, in this case MEDA shall have full right to claim damages thereof in addition to the forfeiture of EMD.

### C) SECURITY DEPOSIT:

1. The Bidder shall furnish security deposit at 3% of the total contract value on the same day on which work order is issued by way of demand draft of nationalized bank in favour of Maharashtra Energy Development Agency, Chandrapur.
2. **\*Additional Security Deposit (SD) clause:-**
  - If bidder quotes within the limit of -20% to +10% of the tender estimated cost, the Security Deposit (SD) of 3% of contract value is to be deposited.
  - If bidder quotes below 20%, then bidder has to submit Security Deposit (SD) as mandatory 3% + additional percent with respect to percentage below 20% of the total contract value. For ex. If Bidder quotes -24% then bidder has to submit 3% mandatory + 4% additional = 7% of the total contract value as security deposit (SD).
3. Failure to comply with the terms of security deposit shall result into cancellation of work order without any further reference to the Bidder and the EMD shall be forfeited.
4. The security deposit shall be liable to be forfeited wholly or partly at the sole discretion of the MEDA, if the Bidder either fails to execute the work of above projects or fails to fulfil the contractual obligations or fails to settle in full his dues to the MEDA.
5. In case of premature termination of the contract, the security deposit will be forfeited and the MEDA will be at liberty to recover the losses suffered by it & if additional cost is to be paid, the same shall be recovered from the Bidder.
6. The MEDA is empowered to recover from the security deposit for any sum due and for any other sum that may be fixed by the MEDA as being the amount or loss or losses or damages suffered by it due to delay in performance and / or non-performance and / or partial performance of any of

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the conditions of the contract and / or non-performance of guarantee obligations.

7. The security deposit shall be released to the Bidder only after contract is completed to the satisfaction of the MEDA.

### 8. PRICE VARIATION:

Under any circumstances & for any reasons, escalation in the contract value will not be considered by MEDA.

### 9. JURISDICTION:

In case of any dispute, in the documentation and during implementation, commissioning, completion and CMC period, all the matter will be resolve under Chandrapur Jurisdiction only.

### 10. TIME FRAME:

- The time frame for the completion of work is **60 Days** from the date of issue of work order.

### 11. Period of Validity of Bid

- Bids shall remain valid for 180 days after the date of opening of Technical Bid. A Bid valid for a shorter period shall be rejected by MEDA as non-responsive.
- In exceptional circumstances, MEDA may solicit the Bidder's consent to extend the period of validity. The request and the responses thereto shall be made in writing. The EMD provided shall also be suitably extended. A Bidder granting the request will not be required nor permitted to modify its bid.

### 12. Mode of submission of bids

- The Bids shall be submitted electronically in the e-tender platform only.
- Bids sent by any other mode like in person, post, Telex or Fax or e-mail will be rejected.
- MEDA may at its discretion ask Bidder to submit the hard copy of any of the document submitted on e-tender platform.

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### 13. Deadline for Submission of Bids

- Bids must be uploaded by the bidder through e-tender process not later than the time and date specified in the invitation for Bids.
- The MEDA may, at the discretion, extend this deadline for submission of bids by issuing an addendum, in which case all rights and obligations of MEDA and Bidders previously subject to the deadline will thereafter be subject to the deadline as extended.

### 14. Clarification of Bids

During evaluation of Bids, MEDA may, at its discretion, ask the Bidder for a clarification of its bid. The request for clarification and the response shall be in writing and no change in prices or substances of the Bid shall be sought, offered or permitted.

### 15. Preliminary Examination

- The MEDA will examine the Bids to determine whether they are complete, whether any computational errors have been made, whether required sureties have been furnished, whether the documents have been properly signed, and whether the bids are generally in order.
- Arithmetical errors will be rectified on the following basis. If there is a discrepancy between the unit price and the total price that is obtained by multiplying the unit price and quantity, the unit price shall prevail and the total price shall be corrected. If there is a discrepancy between words and figures, the lower of the two will prevail. If the Bidder does not accept the correction of errors, its bid will be rejected.
- The Bidder is required to carefully examine the Technical Specification, terms and Conditions of Contract, and other details relating to supplies as given in the Bid Document.
- The Bidder shall be deemed to have examined the bid document including the agreement/ contract to have obtained information on all matters whatsoever that might affect to execute the project activity and to have satisfied himself as to the adequacy of his bid. The bidder shall be deemed to have known the scope, nature and magnitude of the supplies and the requirements of material and labour involved etc. and as to all supplies he has to complete in accordance with the Bid document.

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- Bidder is advised to submit the bid on the basis of conditions stipulated in the Bid Document.
- Bidder's standard terms and conditions if any will not be considered. The cancellation / alteration / amendment / modification in Bid documents shall not be accepted by MEDA.
- Bid not submitted as per the instructions to bidders is liable to be rejected. Bid shall confirm in all respects with requirements and conditions referred in this bid document.

### 16. Acceptance or Rejection of Bids

- MEDA reserves the right to accept or reject any bid or all the bids and to annul the bidding process and reject all bids at any time prior to award of contract, without thereby incurring any liability or any obligation to inform the affected bidder or bidders of the grounds for the said action.
- Any Bid with incomplete information is liable for rejection.
- For each category of pre-qualification criteria, the documentary evidence is to be produced duly attested by the authorized representative of the bidder and serially numbered. If the documentary proof is not submitted for any/all criteria the Bid is liable for rejection.

If any information given by the bidder is found to be false/ fictitious, the Bidder will be debarred for 3 years from participating in any other tenders of MEDA and will be black listed.

### 17. Criteria for Bids evaluation

#### Step 1: Test of Responsiveness

- Prior to evaluation of Bids, MEDA shall determine whether each Bid is responsive to the requirements of the tender document. A Bid shall be considered responsive only if all documents as outlined in the tender document for two stage bid process are submitted as per the pre-defined format.
- The MEDA reserves the right to reject any Bid which is non-responsive and no request for alteration, modification, substitution or withdrawal shall be entertained by the MEDA in respect of such Bid.

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### Step 2: Bid Evaluation

Bid evaluation will be carried out considering the information furnished by Bidders as per the Tender documents. Based on technical/ qualifying criteria preferred bidders will be short listed.

### Technical Evaluation

- Only Technical Proposals conforming to minimum eligibility criteria and found to be responsive will be taken up for detailed technical evaluation. A technical/ tender committee shall evaluate the Bids submitted by bidders for a detailed scrutiny. During evaluation of Bids, MEDA, may, at its discretion, ask the bidders for clarification of their Proposals.

### Financial Evaluation

The price bids of the eligible bidders will then be evaluated in the manner provided below;

- At the outset, the price bids of all the Bidders who are technically qualified in technical evaluation shall be opened in the presence of the Bidders Representatives.
- The bidder's names, the Bid Prices, total amount of each bid and other details as MEDA may consider appropriate, will be announced and recorded by MEDA at the opening. The bidder's authorized representatives will be required to sign this record.
- Bidder that has quoted the lowest price (inclusive of all the taxes/duties) without breach any technical specification as per terms and condition shall be declared as the preferred Bidder.
- The work orders shall be issued to the successful bidder who ever qualifies in the complete process as mentioned above.

### 18. Award Criteria and Award of Contract

MEDA will award the contract to the successful bidder whose bids has been determined to be substantially responsive and has been determined as the lowest evaluated bid as per the criteria mentioned above, provided further that the bidder is determined to be qualified to perform the contract satisfactorily.

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### 19. Corrupt or Fraudulent Practices

MEDA requires that Bidders shall observe the highest standard of ethics during the execution of contracts. In pursuance of this policy, MEDA Defines, for the purposes of this provision, the terms set forth as follows:

- “corrupt practice” means the offering, giving, receiving or soliciting of anything of value to influence the action of a public official in the procurement process or in contract execution; and
- “fraudulent practice” means a misrepresentation of facts in order to influence a procurement process or the execution of a contract to the detriment of the Government, and includes collusive practice among Bidders (prior to or after tender submission) designed to establish tender prices at artificial non-competitive levels and to deprive the Government of the benefits of free and open competition;
  - will reject a proposal for award if it determines that the Bidder recommended for award has engaged in corrupt or fraudulent practices in competing for the contract in question;
  - will declare a firm ineligible for a period of 3 years, if it at any time it determines that the firm has engaged in corrupt or fraudulent practices in competing for awarded work at Government financed contract, or in executing, a contract.

### 20. Conditions for issuing Work Order to lowest bidder:

- If declared L1, as per financial bid evaluation, the bidder has to submit description and physical specification of materials in detail along all schematic diagram of tank structure by structural engineer which will be used in project. Also a letter of undertaking on the letter head of bidder’s company mentioning similar material (with same specification and description) will be used/replicated at all awarded project sites needs to be submitted.
- The bidder has to submit documents related to labour insurance and material insurance made by him, also bidder should submit 1% charge of total contract value by demand draft at MEDA office as regards ‘Labour Welfare Cess’ according to the law.
- An undertaking by the bidder on Rs.100/- stamp paper mentioning his establishment of required service stations near the project sites within



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jurisdiction of concerned district, names of his site engineer/ manager & their contact phone numbers, also contact number & address of local personnel of the company who is responsible for carrying out comprehensive maintenance contract (CMC) of the project for 5 years.

### 21. Terms of Payment:

#### a. Release of 70% of total project cost:

It will be released after supply, installation & successful commissioning of the systems(desired discharge from pump as well distribution tap) duly certified by Bidder, Officer of Division office MEDA, Chandrapur & authorized person of Beneficiary, **along with Submission of following documents and its further submission to MEDA Head Office, Pune by MEDA office, Chandrapur and their subsequent approval.**

- Joint Inspection Report duly signed by beneficiary, Bidder representative, MEDA official.
- Submission of Project Insurance policy documents effective from date of commissioning of the project for period of 05 years covering damage by natural calamities, fire, forceful damage of project, theft, etc.
- System Photograph accompanying MEDA official taken during joint inspection.
- Warranty/Guaranty Certificate of materials used in project.
- Serial Wise Test Reports of Panel comprising I-V curve and detail parameters of each panel.
- Test Report of Controller, SPV pumps.
- Test Certificates of HDPE Pipes, GI steel structure (Strength & coating), ISI mark Double layer tank.
- Comprehensive Maintenance Contract (CMC) document as per clause mentioned in section IV "Technical Specification of SPV Pumps, water storage and Distribution System" for 5 years on the letter head of bidder.
- RFID Reader must be carried at the time of inspection. The report generated from RFID Tag of each panel is to be attached.

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- **Release of 15% of total project cost:**

It shall be released on receipt of Two month successful performance report in prescribed format certified by Gram Panchayat authority and ITDP authority along with an undertaking from GP on letterhead to be submitted regarding proper functioning of system.

- **Release of remaining 15% of total project cost:**

It shall be released on submission of following documents:

- Submission of Performance Bank Guarantee of 15% of total project cost from any Nationalized Bank in favour of Maharashtra Energy Development Agency valid for 5 years.
- Next Two successful performance report in prescribed format certified by Gram Panchayat authority and ITDP authority along with the letter of functioning of system certified by Gram Panchayat authority.

- **Deduction:-**

- i. The TDS at the source will be deducted as per the Govt. rule and regulations.
- ii. MEDA will issue necessary certificates of TDS deduction
- iii. 'C' / 'D' form will not issued by MEDA.
- iv. Note that if bidder does not provide insurance against Labour and Material MEDA will process insurance at "Director of Insurance" and will deduct 1% of contract value against insurance claimed by them and 1% of contract value deduction against "Labour Welfare Cess" from payment towards successful bidder.

## 22. PROJECT TIMELINES:

- The time frame for the completion of work is **60 Days** from the date of issue of work order.

Sr. No.	Description	Timeline
1.	Issuance of Letter of Award	Zero date
2.	Signing of Agreement with MEDA Chandrapur Authority.	Zero date
3.	Installation of Solar pumps	within 40 days after Issuance of Letter of Award
4.	Commissioning and Acceptance of Solar power projects	within 60 days after Issuance of Letter of Award