

Webel

West Bengal Electronics Industry Development Corporation Ltd. Webel Bhavan, Block-EP,
Sector-V, Salt Lake, Kolkata – 700 091.

NOTICE OF INVITATION TO TENDER, GENERAL RULES AND GUIDANCE OF TENDERERS FOR e-TENDERING

West Bengal Electronics Industry Development Corporation Ltd. (Webel) invites online tenders from firms/contractors of repute in two bid system for the following work :

Notice Inviting e-Tender No. 07/Webel/IDM/ 20-21/35 dt. 07.12.2020.

S. No.	NIT NO.	Name of work & Location	Estimated cost put to tender	Earnest money	Period of Completion	Last date & time of submission of tender and financial bids	Last date & time of submission of Cost of tender Document	Time & date of opening of technical bid
1	2	3	4	5	6	7	8	9
1	07/Webel/IDM/ 20-21/35 dt. 07.12.2020	Selection of agency for required modification alteration of the existing structural glazing work at Monibhandar building, Webel Bhavan	Rs. 7.65 Lakhs	0.5% of the estimate cost put to tender rounded off to the next higher Rs.50	30 days	15.12.2020 at 5:00 PM	16.12.2020 at 1:00 PM	16.12.2020 at 3:00 PM

1. TWO BID SYSTEM

This NIT is of Two Bid Tender, i) Technical & ii) Financial, both to be submitted concurrently in the portal. The Bidders who will be Technically pre-qualified in respect to Technical and Financial eligibility/capability criteria specified in the below mentioned subsequent clauses can only be permitted to participate in the Financial Bidding.

2. TENDER DOCUMENT

- a. In the event of e-Filing intending bidder may download the tender document from the website directly by the help of his Digital Signature Certificate & upload the same with other documents along with necessary Earnest Money. **Cost of Earnest Money Deposit (EMD)** will be prepared in form of Demand Draft issued from any Scheduled Bank in favour of "WBEIDC Ltd", payable at Kolkata and also to be documented through e-filing. Submission of Original EMD will though be as per relevant clause of General terms & Conditions. However, the original Demand Draft against tender fees, should be submitted physically to the Office of Advisor (IDM), WBEIDCL (WEBEL) Module No.-126, Ground floor SDF Building, Sector-V, Salt Lake City, Kolkata-700091, under sealed cover as per schedule. Necessary **cost of tender documents (tender fees)** may be remitted through Demand Draft issued from any Scheduled Bank in favour of "WBEIDC Ltd", payable at Kolkata and also to be documented through e-filing.
- b) Where an individual person holds a digital signature certificate in his own name duly issued to him by the company or the firm of which he happens to be a director or partner, such individual person, either belonging to and appropriate cadre officer of the company or an authorized partner of a firm, having a registered power of attorney empowered by the Board or by the firm, shall invariably upload a copy of Registered power of attorney showing clear authorization in his favour, to upload such tender. The power of attorney shall have to be registered in accordance with the provisions of the Registration Act, 1908.
- c) Both Technical Bid and Financial Bid are to be submitted concurrently duly digitally signed in the website wbtenders.gov.in.
- d) Tender documents may be downloaded from website and submission of Technical Bid and Financial Bid will be done as per Time Schedule stated in Page – 3 of this Tender Document.
- e) The FINANCIAL OFFER of the prospective tenderer/Bidder will be considered only if the TECHNICAL BID of the tenderer is found qualified by the 'Tender Evaluation Committee' of WBEIDC. The decision of the 'Tender Evaluation Committee' will be final and absolute in this respect. The list of Qualified Bidders will be displayed in the website.

3. Eligibility criteria for participation in the tender

i) Credential:-

- a) The prospective bidders shall have satisfactorily completed AS A PRIME AGENCY (NOT as member of joint venture or sub-contractor) during the last 5 (five) years prior to the date of issue of this NIT at least one work of similar nature under the authority of State/Central Gov. State/Central Gov. undertaking, Statutory/Autonomous Bodies constituted under the statute of the Central / State Government/Reputed Private Organization and having a magnitude minimum of 40 (Forty) percent (30% in case of 2nd Call, 20% in case of 3rd Call) of the of the Estimated amount put to tender of intended job.

or,

- b) The prospective bidders shall have satisfactorily completed AS A PRIME AGENCY (NOT as a member of joint venture or sub-contractor) during the last 5 (five) years prior to the date of issue of this NIT at least two works of similar nature under the authority of State/Central Gov., State/Central Gov. undertaking, Statutory/Autonomous Bodies constituted under the statute of the Central / State Government/Reputed Private organization and having a magnitude each of minimum value of 30 (Thirty) percent (25% in case of 2nd Call) of the Estimated amount put to tender of intended job.

or,

- c) The prospective bidders should produce credential AS A PRIME AGENCY (NOT as a member of joint venture or sub-contractor) at least one single running work of similar nature which has been completed to the extent of 80% or more (75% in case of 2nd Call, 70% in case of 3rd Call) and value of which is not less than the value of 40%, 30% in case of 2nd Call, 20% in case of 3rd Call) of the estimated amount put to tender of intended job under the authority of State/Central Gov., State/Central Gov. undertaking, Statutory/Autonomous Bodies constituted under the statute of the Central / State Government/Reputed Private Organization. In the credential certificate it should be clearly stated that the work is in progress satisfactorily & also that no penal action has been initiated against the executed agency, [Non Statutory Documents]

N.B.: Estimated amount, Date of completion of project or percentage of physical progress of works for running works, Value of Work done, Salient feature & nature of the work executed is to be mentioned in the Credential Certificate. Payment Certificate will not be treated as Credential. Credential Certificate issued by the Executive Engineer or equivalent or competent authority of State/Central Gov., State/Central Gov. undertaking, Statutory/Autonomous Bodies constituted under the statute of the Central / State Government/Reputed Private Organization will be taken as Credential.

- ii) The prospective bidders will have in their full time engagement sufficient experienced technical personnel for the specific works they are bidding for, (Authenticated documents in respect of qualification and documents of appointment / engagement into the firm will have to be furnished for Technical-Evaluation). [Non Statutory Documents]

- iii) PAN Card, valid Trade License, Professional Tax deposit Challan for the year 2019-2020, GST registration Certificate (GSTIN), Income Tax return for the last 5 years etc. are to be accompanied with the Technical Bid document. [Non Statutory Documents]

- iv) The prospective bidders or any of their constituent partner(s) should not have abandoned more than one work. Not more than one of their contracts should have been rescinded during the last 3 (three) years from the date of publishing of this NIT. Such abandonment or rescission will be considered as disqualification towards eligibility (a declaration in this respect through Affidavit will have to be furnished by the prospective bidders without which the technical bid will be treated as non-responsive. Neither prospective bidder nor any of constituent partner(s) should have been debarred to participate in tender(s) by the Public Works Department during the last 5 (five) years prior to the date of this NIT. Such debarment will be considered as disqualification towards eligibility. (A declaration in this respect has to be furnished by the prospective bidders as per prescribed format without which the Technical Bid shall be treated non-responsive).

- v) The Bidder's Net Worth for the last year calculated on the basis of capital, profit and free reserve available to the firm should be positive.

- vi) In case of Proprietorship or Partnership Firms or Company the Tax Audited Report in 3CD/3CB Form supported with Income Tax return, Payment certificates/TDS certificates etc. are to be furnished along with balance sheet, trading account and profit & loss account and all schedules forming the part of Balance Sheet and Trading Account. Tax Audited report,

Balance Sheet, Trading account and Profit & Loss Account including all schedules forming the part of Balance Sheet and Trading Account should be in favour of applicant. The Audited Report should contain the signature, name, address, contact no./email ID and membership no. of Chartered Accountant clearly. [Non Statutory Documents]

vii) Joint Ventures will not be allowed for works up to 25.00 crores. For work more than 25.00 crores in case of a joint venture, Lead Member of such joint venture will be required to meet 60% of required Bid Capacity and each of the Joint Venture members will be required to meet at least 30% of requirement of BID Capacity. Bid Capacity of all the members in total should be at least 100% of required Bid Capacity.

viii) A prospective bidder shall be allowed to participate in the particular Job either in the capacity of individual or as a partner of a firm. If found to have applied severally for a single job, all his applications will be rejected for that job, without assigning any reason thereof.

ix) A bidder can participate in more than one work under this NIT provided the bid capacity permits and the bidder is capable to arrange and deploy separate set of required machineries for multiple works and complete the work in specified time.

x) A partnership firm will have to furnish the partnership deed duly registered or notarized and the company will have to furnish the Article of Association and Memorandum. [Non Statutory Documents] Where an individual person holds a digital certificate in his own name duly issued to him by the company or the firm of which he happens to be a director or partner, such individual person, either belonging to an appropriate cadre officer of the company or an authorized partner of a firm, having a registered power of attorney empowered by the Board or by the firm, shall invariably upload a copy of registered power of attorney showing clear authorization in his favour, to upload such tender. The power of attorney shall have to be registered in accordance with the provisions of the Registration Act.1908.

xi) Partnership Firm, Company Limited Firm, Private Company Limited Firm shall be registered by the respective competent authority from the Registrar of Firms, Society, Non-Trading Corporation, Registrar of Companies etc. & copy of Registration Certificate (with allotment of Registration No.) will have to be submitted, otherwise the Technical Bid will not be considered for qualification & Financial Bid shall not be opened [Non Statutory Documents].

xii) Supervision of civil and electrical components of works will be carried out by concerned wings of the Department under the overall co-ordination of competent authority of Webel.

xiii) The prospective bidder, if awarded, shall establish field testing laboratory equipped with requisite instruments in confirmatory to relevant code of practice & as per specifications of Building works & Electrical works. Bidder shall engage technical staff according to the requirements of works to be executed.

xiv) The selected bidder, during execution of the job may not get a running payment unless the gross amount of running bill would reach 50(fifty) 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.

xv) GST, LEAVY, CESS, ROYALTY:

Constructional Labour Welfare Cess @ 1(one) % of value of the works will be deducted from every Bill of the selected agency. Prevailing GST for commercial project/building, Royalty & all other Statutory levy/ Cess will have to be borne by the contractor. Thus, the rate in the schedule of rates (BOQ) is inclusive of all the taxes including Labour Welfare Cess and GST for commercial project/building.

xvi) PGB & Additional PGB:

Clause nos. 19A & 19B of GCC are to be referred.

4. PRICE ADJUSTMENT/PRICE PREFERENCE

- a. No Adjustment of Price OR Price Escalation of any kind will be allowed. The bidder shall quote their rate accordingly considering that no escalation and/ or price-adjustment will be allowed by the department thereto under any circumstances.
- b. No Mobilization Advance will be allowed
- c. No Price preference will be allowed for the Work under this NIT.

5. TIME SCHEDULE :

The duration mentioned for the project is firm and is to be strictly followed. In this regard, broad schedule of the project is already fixed and desirous bidder to accept the same and after award of contract the same will be binding for completion of the job on time. Contractor need to submit further detailed schedule considering the timeline mentioned in this schedule.

- 6. 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.

Contractors who fulfill the following requirements shall be eligible to apply.

The intending bidders should have satisfactorily completed the works as mentioned below during the last Five years ending last day of the month previous to the one in which the application are invited.

- a. Job credential as elaborated above (NON STATUTORY)
- b. The value of executed works shall be brought to current costing level by enhancing the actual value of work at simple rate of 7% per annum; calculated from the date of completion to last date of receipt of applications for tenders.
- c. Should have had average annual financial turnover as below:

For value put to tender more than 2 crores---- 0.5 (zero point five) times of the estimated cost put to tender rounded off to the next higher Rs 100 during the last three years ending 31st March 2019 (Scanned copy of Audited Balance Sheet to be uploaded) (NON STATUTORY)

For value put to tender equal to or less than 2 crores---- 0.5 (zero point five) times of the estimated cost put to tender rounded off to the next higher Rs 100 during the last three years ending 31st March 2019 (Scanned copy of Audited Balance Sheet to be uploaded) (NON STATUTORY)

- d. Should not have incurred any loss in more than two years during the last five years ending 31st March 2019 (NON STATUTORY)
- e. The intending bidders should submit copy of valid trade license, PF registration, GST, PAN, ESI along with others described above. (NON STATUTORY)

7. Date & Time Schedule

Sl. No.	Particulars	Date & Time
1	Date of uploading of N.I.T. & other Documents (online) (Publishing Date)	08.12.2020 3:00 PM
2	Documents download/sale start date (Online)	08.12.2020 3:30 PM
5	Bid submission start date (On line)	09.12.2020 10:00 AM
6	Last Date of submission of Tender Fee(Offline)	16.12.2020 at 1:00 PM
7	Bid Submission closing (On line)	15.12.2020 at 5:00 PM
8	Bid opening date for Technical Proposals (Online)	16.12.2020 at 3:00 PM
9	Date of uploading list for Technically Qualified Bidder (online)	16.12.2020 at 3:00 PM
10	Date of uploading the final list of Technically Qualified Bidder (online) after disposal of appeals, if any.	17.12.2020 at 3:00 PM
11	Date for opening of Financial Proposal (Online)	18.12.2020 at 3:00 PM

8. FINANCIAL PROPOSAL

Price Bid as per format provided in the relevant section to be submitted in a separate envelope as mentioned in the tender document. Insertion of Price bid in Techno-Commercial proposal will summarily cancel the bid.

Amendment of Invitation

At any time 3 days prior to the deadline for submission of proposals, WBEIDC reserves the right to add / modify / delete any portion of this document by issuance of a Corrigendum, which would be published on the website and will also be made available to all the Bidders who have been issued the tender document. The Corrigendum shall be binding on all bidders and will form part of the bid documents (Techno Commercial as well as Price Bid).

9. The tender 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 can be seen and downloaded from relevant website.
10. Earnest Money in the form of Demand Draft or Pay order or Banker's Cheque drawn in favour of "WBEIDC Ltd" payable at Kolkata, shall be scanned and uploaded to the e-tendering website within the period of tender submission. The original should be deposited in the office of WEBEL, by the selected bidder only as per relevant clause.

Interested firms who wish to participate in the tender has also to make following payments in the form of Demand Draft or Pay Order or Banker's Cheque of any Schedule Bank and to be scanned and uploaded to the e-tendering website within the period of tender submission :

i) Cost of Tender Document – Rs. 500/- (Rupees Five Hundred only) drawn in favour of "WBEIDC Ltd", payable at Kolkata.

Demand Draft or Pay order or Banker's Cheque of any Schedule Bank against Cost of Tender Document shall be placed in single sealed envelope superscripted as Cost of Tender Document" with name of work and due date of opening of the bid also mentioned thereon.

Online tender documents submitted by intending bidders shall be opened only of those bidders, whose Cost of Tender Document, placed in the envelope, is found in order.

11. The Technical bid shall be opened first on due date and time as mentioned above. The time and date of opening of financial bid of the tenderers qualifying the technical bid shall be communicated to them at a later date.
12. The contractors should quote the rate in figures as well as in words. The amount for each item should be worked out and the requisite totals given.
13. The several documents forming the contract are to be taken mutually explanatory of one another, detailed drawing followed in presence to small scale drawing and figured dimensions in preference to scale and special conditions in preference to General conditions. In the case of discrepancy between the Schedule of Quantities, the Specifications and/or drawings, the following order of preference shall be observed :

- i) Description of Schedule of Quantities.
 - ii) Particular Specification and Special Conditions, if any.
 - iii) Drawings.
 - iv) Technical Specifications
 - v) Indian Standard Specification of B.I.S.
14. Canvassing in connection with tenders is strictly prohibited and the tenders submitted by the contractors who resort to canvassing will be liable to rejection.
 15. All rates shall be quoted on the proper form of the tender alone.
 16. An item rate tender containing percentage below/above will be summarily rejected. However, where a tenderer voluntarily offers a rebate on total price as quoted within a stipulated period in Cover-I, this may be considered.
 17. On acceptance of the tender, the name of the accredited representative(s) of the contractor who would be responsible for taking instructions from the Owner shall be communicated to the Owner.
 18. The WEBEL does not bind it-self to accept the lowest or any tender and reserves to itself the right of accepting the whole or any part of the tender and the tenderer shall be bound to perform the same at the rate quoted.
 19. GST, Cess for welfare of construction labour, GST on material or labour or on finished works payable to any statutory authority, all incidental expenditure incurred on any work in respect of this contract shall be payable by the contractor and the WEBEL will not entertain any claim whatsoever in this respect i.e. all rates should be inclusive of relevant tax and outgoings as mentioned above.
 20. The contractor shall give a list of his relatives working with the WEBEL along with their designations and addresses.
 21. The tender for works shall remain open for acceptance for a period of 120 days from the date of opening of tenders. If any tenderer withdraws his tender before the said period, then the WEBEL shall be at liberty to forfeit Earnest Money paid along with the tender.
 22. It will be obligatory on the part of the tenderer to tender and sign the tender documents for all the component parts and that, after the work is awarded, he will have to enter into an agreement for each component with the competent authority in the WEBEL.
 23. The award of contract will be made in writing to the successful tenderer/s by West Bengal Electronics Industry Development Corporation Ltd.
 24. List of documents to be scanned and uploaded within the period of tender submission :-
 - a) Demand Draft/Pay Order or Banker's Cheque of any Schedule Bank against EMD.
 - b) Demand Draft/Pay Order or Banker's Cheque of any Schedule Bank towards cost of Tender Document.
 - c) Certificates of Work Experience.
 - d) Article of agreement of the firm, Certificate of incorporation, Partnership Deed as applicable.
 - e) Audited Balance Sheet.

- f) PAN, PF Registration, ESI
- g) Certificate of Registration for GST and acknowledgement of up to date filled return if required.

The Managing Director
WEBEL
WEBEL Bhawan
Block-EP & GP, Sector-V
Salt Lake City, Kolkata 700 091.

SECTION – A INSTRUCTION TO BIDDERS

General guidance for e Tendering :

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

i) **Registration of Bidder :**

Any Bidder 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 wbtenders.gov.in (the web portal of Public Works Department) the Bidder is to click on the link for e-Tendering site as given on the web portal.

ii) **Digital Signature Certificate (DSC) :**

Each Bidder 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 Informatics Centre (NIC) on payment of requisite amount. Details are available at the Web Site stated in Clause A.1.

above. DSC is given as a USB e-Token.

iii) The Bidder can search & download NIT & Tender Document(s) electronically from computer once he logs on to the website mentioned in Clause A.1. using the Digital Signature Certificate. This is the only mode of collection of Tender Documents.

iv) **Submission of Tenders :**

Tenders are to be submitted through online to the website stated in Clause A.(i). 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).

Technical Proposal :

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

a) Statutory Cover Containing the following documents :

1. Technical Document

- ◆ Demand Drafts towards cost of tender documents issued from any scheduled bank in favour of “WBEIDC Ltd”, payable at Kolkata .
- ◆ Scanned copy of Demand Drafts towards Earnest Money(EMD) issued from any scheduled bank in favour of “WBEIDC Ltd”, payable at Kolkata .

2. Tender Document

- ◆ NIT, TECHNICAL_SPECIFICATION&GENERAL_TERMS_AND_CONDITION to be Uploaded Digitally Signed (Do not fill the details)

b) Non-statutory cover containing the following documents :

- i) PAN, ESI, PF registration, GST Registration
- 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) Audited Balance Sheet & Profit & Loss A/c. for the last 3 (three) years.

N B : Failure of submission of any of the above mentioned documents as stated in Sl. No. A.5.(a). and Sl. No. A.5.(b). will render the tenderer liable to be rejected for both statutory & non statutory cover

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

Click the check boxes beside the necessary documents in the My Document list and then click the tab “ Submit Non Statutory Documents’ to send the selected documents to Non-Statutory folder.

Next Click the tab “ Click to Encrypt and upload” and then click the “Technical” Folder to upload the Technical Documents.

Sl No.	Category Name	Sub-Category Description	Detail(s)
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A.	Certificate(s)	Certificate(s)	<ul style="list-style-type: none"> – GST,PAN, ESI, PF registration – Professional Tax (Challan) for 2019-20 – Latest IT Receipt. – IT-Saral for Assessment year 2019-20 – Balance Sheet & Profit & Loss A/c. Statement.
B.	Company Detail (s)	Company Details – 1	<ul style="list-style-type: none"> – Proprietorship Firm (Trade License) – Partnership Firm (Partnership Deed, Trade License) – Ltd. Company (Incorporation Certificate, Trade License)
			<ul style="list-style-type: none"> – Society (Society Registration Copy, Trade License) – Power of Attorney.
C.	Credential	<p>Credential – 1</p> <p>Credential – 2</p>	<ul style="list-style-type: none"> – Refer to the eligibility criteria – The value of executed works shall be brought to current costing level by enhancing the actual value of work at simple rate of 7% per annum; calculated from the date of completion to last date of receipt of applications for tenders.
D.	Financial Info	<p>E4. P/L & Balance Sheet</p> <p>E5. P/L & Balance Sheet</p>	<p>P/L & BALANCE SHEET 2017-2018</p> <p>P/L & BALANCE SHEET 2018-2019</p>
		E6. P/L & Balance Sheet	P/L & BALANCE SHEET 2019-2020

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 online through computer in the space Marked for quoting rate in the BOQ.

The FORM OF TENDER as per annexed format is to be filled up under letter-head and uploaded by the Tenderer in cover-II

FORM OF TENDER (To be filled up in letter-head, scanned and uploaded by the Tenderer in cover-II)

The Managing Director
WEBEL
WEBEL Bhawan
Block-EP & GP, Sector-V
Salt Lake City,
Kolkata 700 091

Dear Sir :

Re: Selection of agency for required modification alteration of the existing structural glazing work at Monibhandar building, Webel Bhavan

1. I/We refer to the tender notice issued for the aforementioned work in connection with the above.
2. I/We do hereby offer to perform, provide, execute, complete and maintain the works in conformity with the Working Drawings, Conditions of Contract, Technical Specifications, Schedule of quantities for the sum of Rs..... at the respective rates quoted in the Bill of quantities.
3. I/We have satisfied myself/ourselves as to the site conditions, examined the drawings and all aspects of the tender conditions, subject to above, I/We do hereby agree, should this tender be accepted in whole or in part, to :
 - a) Abide by and fulfil all the terms and provisions of the said conditions annexed hereto.
 - b) Complete the works within 30 days, as per the work programme enclosed with the tender in two or three shifts if considered necessary by the Owner at no extra cost to the Owner.
4. I/We have prepared the earnest money of Rs.....(0.5% of the estimate cost rounded off to the next higher Rs.50) in the form of demand draft/pay order/banker's cheque and uploaded scanned copy of the same, original of which will be submitted on demand. I/We also note that such EMD will not bear any interest and is liable for forfeiture :
 - i) If we withdraw offer within the validity period of acceptance.
Or
 - ii) If the Contract is not executed within 15 days from the date of receipt of the letter of acceptance.
Or
 - iii) If the work is not commenced within 14 days after issue of Letter of Intent/Letter of Acceptance.
5. I/We understand that you are not bound to accept the lowest or any tender you receive.
6. Name of Partners/Directors of our Firm :
 - i)

ii)

iii)

iv)

Yours faithfully,

Signature _____

Name of Partner/Director of the firm authorised to sign or Name of person having power of attorney to sign the contract. (Certified true copy of power of attorney should be attached)

Designation _____

Tel No. _____

Fax No. _____

Mob No. _____

E-mail _____

Signature and address of Witness

a) Signature _____

Name _____

Address _____

b) Signature _____

Name _____

Address _____

**ARTICLES OF AGREEMENT
(ON NON-JUDICIAL STAMP PAPER OF RS.100.00)**

ARTICLES OF AGREEMENT made thisday of, Two thousandbetween West Bengal Electronics Industry Development Corporation Ltd. (WEBEL) having its office at WEBEL Bhavan, Block – EP & GP, Sector – V, Salt Lake, Kolkata 700 091 and any other places (hereinafter referred to as “the OWNER”) which expression shall include its successor or successors and assigns) of the ONE PART through the authorized officer.

AND

M/s. _____ having its registered office at _____ (thereinafter referred to as the 'CONTRACTOR') of the OTHER PART. M/s. _____ having its registered office at _____ (hereinafter referred to as 'CONTRACTOR') of the OTHER PART.

WHEREAS the Owner is desirous for Selection of agency for required modification alteration of the existing structural glazing work at Monibhandar building, Webel Bhavan, and for the purpose issued Letter of Intent Vide No _____ dated _____ CONTRACTOR M/s. _____ (hereinafter called the 'Works').

AND WHEREAS the Owner in order to effectively carry out the said Selection of agency for required modification alteration of the existing structural glazing work at Monibhandar building, Webel Bhavan, to prepare plans, drawings and specifications description of work to be executed for construction of the said works of the project and to assist WEBEL in relevant technical matters.

AND WHEREAS, the contractor has deposited “Performance Guarantee” Bond, for Rs. _____ (Rupees _____ only) in the form of Bank Guarantee vide No _____ dated _____ on _____. After due performance or completion of the work in all respect, the “Performance Guarantee” will be returned to the Contractor.

AND WHEREAS the drawings inclusive of the specifications, priced schedule of quantities, conditions of contract and special conditions (hereinafter collectively referred to as the said condition) have been signed by the parties hereto and the contractor has agreed to execute the works upon and subject to the said conditions.

NOW IT IS HEREBY AGREED AS FOLLOWS:

1. In consideration of the payments to be made to the contractor as hereinafter provided the contractor shall upon and subject to the said considerations execute and complete the works shown upon the said drawings etc. and such further detailed drawings as may be furnished to the contractor by the said owner as described in the said specifications and in accordance with the said priced schedule of quantities enclosed with the agreement.
2. The Owner will pay to the Contractor the sum of Rs _____(Rupees _____ only) (hereinafter called the contract sum) or such other sum as shall become payable hereunder at the times and in the manner specified in the said conditions. However, the actual sum will be paid on the actual value of work done in conformity to tender conditions and Bill of Quantities, irrespective of the contract sum.
3. The drawings, agreement and conditions of contract mentioned above shall form the basis of this contract and all disputes to be decided in the manner prescribed in the conditions attached hereto.
4. The said contract comprises Selection of agency for required modification alteration of the existing structural glazing work at Monibhandar building, Webel Bhavan, as per Work Order issued _____ by _____ the _____ Owner _____ vide _____ dated _____ respectively as above mentioned, and all associated works connected therewith within the same site as may be ordered to be done from time to time by the said Owner even though said works may not be shown on the drawings or described in the said specifications or the priced schedule of quantities.
5. Notwithstanding what are stated in the special condition, conditions of contract and herein before stated the Owner reserves the right to alter the drawings and the work and of adding to or omitting any items of works from or of having portions of the same carried out departmentally or otherwise and such alterations or variations shall be carried out without prejudice to this contract all in interest of work.

6. The said conditions shall be read and be treated as forming part of this agreement and the parties hereto will respectively be bound thereby and to abide by and submit themselves to the conditions and stipulations and perform the same on their parts to be respectively observed and preferred.

7. Any dispute arising under this agreement shall be referred to the arbitration to a sole arbitrator appointed with consent of the Owner and the contractor as indicated in the Article of the general conditions. The award of the arbitrator shall be final and binding on both parties.

8. The following document shall also form a part of the Agreement :-
 - a) Contract Document – consisting of N.I.T, Instruction to the Tenderers, Form of Tender, Articles of Agreement, General Conditions of Contract, Technical Specification and Schedule of Quantities.

 - b) LOI No. _____
 _____ dated _____.

 - c) Work Order No. _____
 _____ dated _____.

IN WITNESS WHEREOF, the parties hereto have executed these presents the day and year first hereinabove written.

WITNESS

EXECUTANTS

1. Name :
 Address :

1. OWNER
 (Name)
 Official Seal

2. Name :
 Address :

2. CONTRACTOR
 (Name)
 Official Seal