



दिल्ली विकास प्राधिकरण  
उप-निदेशक कार्यालय, उद्यान खण्ड - तृतीय  
बी2बी, जनकपुरी, नई दिल्ली-110058



ई-निविदा सूचना संख्या: 05/21-22/HD-III/DDA  
E-TENDER NOTICE NO. 05/21-22/HD-III/DDA

निम्नलिखित कार्यों के लिए उप-निदेशक उद्यान खंड-III, B2B, जनकपुरी, दिल्ली विकास प्राधिकरण की ओर से ई-टेंडरिंग मोड के माध्यम से ऑनलाइन निविदा के लिए 3:00 PM तक केवल योग्य ठेकेदार जो DDA/CPWD/Railways/MES/BSNL, State PWDs या राज्य सरकार के विभाग से उपयुक्त उद्यान श्रेणी से पंजीकृत हो तथा जो उद्यान के कामों को क्रियान्वित करने के लिए आवश्यक योग्यता/अनुभव रखता है, को दो (02) बोली प्रणाली (system) के लिए निम्नलिखित कामों के लिए आमंत्रित किया जाता है:

Online percentage rate tenders are invited Dy. Director (Hort.), Horticulture Division No. III on behalf of Delhi Development Authority (DDA) through E-tendering mode from eligible contractors registered with the DDA/CPWD/Railways/MES/BSNL, State PWDs or the departments of State Governments in appropriate class in Horticulture Category who possess the necessary eligibility criteria/experience for executing the horticulture works, in two bid systems for the following work(s):

Sl. No.	NIT No. & Name of work	Estimated Cost	Last date & Time of Submission of scan copy of EMD, and other Documents on CPP Portal	Date of Pre-bid meeting	Time and Date of Opening Of Technical Bid	Time of opening of Financial Bid
		EMD				
		Time allowed				
1.	10/DD/Hort.-III/DDA/2021-22 Name of work: M/o complete scheme of N/A – II under SWZ. M/o M.P. Green area Mango Orchard at Sayed Nangloi Ph.- I, II & III. Sub-Head: Complete maintenance of the entire garden, lawn, woodland, cleaning & sweeping of garden area etc. for 12 months at site.	₹ 1,23,86,708.00	15.11.2021 at 3:00 PM	08.11.2021 at 3:00 PM	16.11.2021 at 3:30 PM	To be intimated in the due course after opening of technical bids.
Exempted						
12 Months						

(a) Should have satisfactorily completed the works as mentioned below during the last Seven year sending previous day of last date of submission of bids.

Three similar works each costing not less than **40% of estimated cost put to tender (ECPT)**, or two similar works each costing not less than **60% of ECPT** OR one similar work costing not less than **80% of ECPT**

Similar work shall mean works of 'all horticulture activities like plantation, landscaping related to horticulture, grassing and other horticulture related works including maintenance works. The cost of the maintenance work shall be considered as 50% of the value of work done' carried out with DDA, some Central/state departments, Central/State Autonomous bodies/City Development Authority/Municipal Corporation of city formed under any Act by Central/State published in any Central/State Gazette. *Components of work executed other than those included in definition of similar work shall be deducted while calculating cost of similar work. Bidder shall submit abstract of cost of work in support of this.* The value of all above 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 previous day of last date of submission of tenders. Completion certificate of works should be issued by an officer not below the rank of Dy. Director (Hort.) or equivalent for similar works executed.

Qualified similar works may be physically inspected by the DDA officer to ascertain the completion, performance on quality of works for finalizing the Technical bid.

Note(1):-The lowest agency shall conduct the survey in coordination with concerned authorities for availability of sufficient sewage/drainage wastewater within fifteen days after award of work. In case of insufficient wastewater availability, the site of installation shall be changed accordingly & the agency will be bound to install the WWTP of the same capacity on the changed site. The onus of wastewater availability shall lie with the lowest agency & nothing extra shall be paid on this account.

Payment to the agency will be made after observation of the output of the plant for a period of one month. If output observed is less than the designed output, then payment will be made proportionately after appropriate recovery. In case of non-availability of raw water, the tender shall liable to be terminated without assigning any further reason.

- (b) Should have had Average Annual Financial Turnover of **50% of ECPT** on **horticulture** works during the last three years ending **31st March 2021**. (Scanned copy of Certificate from CA to be uploaded) In case of bidders who are not able to provide turnover for financial year ending 31<sup>st</sup> March, 2020, they can provide turnover based for 3 consecutive financial years ending 31st March, 2019
- (c) Should not have incurred any loss (profit after tax should be positive) in more than two years during the last five years ending **31st March 2021**. In case of bidders who are not able to provide audited balance sheet for last financial year ending 31st March 2021, they can provide turnover based upon audited balance sheet for 5 consecutive financial years ending 31st March 2020.
- (d) Should have a Solvency of **40% of ECPT** not older than 6(six) months preceding the date of submission of bids (Scanned copy of original solvency to be uploaded) Contractors who fulfil following requirement shall be eligible to apply. (Joint ventures are not accepted)

**NOTE:** For terms and conditions, eligibility criteria, the manner in which Earnest Money, cost of tender etc. are to be deposited through RTGS mode and other information/instructions, please visit DDA's website <https://eprocure.gov.in/eprocure/appor> [www.dda.org.in](http://www.dda.org.in). For any assistance on e-tendering please contact concerned DD or M/s N.I.C. on email [cppp-nic@nic.in](mailto:cppp-nic@nic.in) or 24 x 7 helpline number 180030702232.

**Important terms & conditions for tenderers.** (Tenderers are required to go through the same before participating in the tender.)

1. 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.
2. The unique transaction reference on RTGS against EMD shall be placed online at specified location for Tender for Electronic Time and Attendance Recording System. First cover containing "Technical Bid" as well as "reference of EMD".
3. The technical Bids shall be opened online at **3:30 PM on date 16.11.2021** in the presence of a committee or their representatives by authorized bid openers. Price Bids of only those tenderers shall be opened whose technical bids qualify, at a time and place of which notice will be given. The

Tenderer technically qualified will be at liberty to be present either in person or through an authorized representative at the time of opening of the Price Bids with the Bid Acknowledgement Receipt or they can view the bid opening event online at their remote end.

4. The tenderer should furnish **exempted** as Earnest Money in the form of RTGS/NEFT. No interest shall be payable on the earnest money. Earnest money shall be deposited through RTGS/NEFT in the account of Sr.AO/CAU/Dwarka having account No.01321110000036 with HDFC Bank Manglapuri (IFSC Code HDFC 0000132), New Delhi. The unique transaction reference of RTGS / NEFT shall have to be uploaded by the tenderer in the e-tendering system by the prescribed date. **The Dy. Director (Hort.) Hort. Div No.3, /DDA** will get tender cost/earnest money verified from CAU based on the unique transaction reference number against each RTGS/NEFT payment before the tenders are opened. A part of earnest money is acceptable in the form of bank guarantee also. Earnest Money up to Rs. 20.00 lacs will have to be deposited through RTGS/NEFT mode. If the amount of E.M is more than Rs. 20.00 lacs then the amount of E.M. beyond Rs. 20.00 lacs can be deposited in the form of Bank Guarantee also. Such Bank guarantee is to be scanned and uploaded to the e-tendering website within the period of tender submission.

**Note:-** The bidder will use one UTR for one work only. In case, it is found that he has used one UTR number for different tenders, all the tenders submitted by him will be rejected and he will be debarred from further tendering in DDA in future.”

5. All intending bidders are required to get registered with CRB/DDA by depositing e-tendering annual charges as detailed below.

S.No.	Class of Contractor	Amount to be paid
1	Class-I.	Rs.20, 000.00 + GST as applicable
2	Class-II.	Rs.16, 000.00 + GST as applicable
3	Class-III.	Rs.14, 000.00 + GST as applicable
4	Class-IV.	Rs.10, 000.00 + GST as applicable
5	Class-V	Rs.6, 000.00 + GST as applicable

The e-tendering fees for contractors/consultants who are not registered with DDA, the fees structure for one year will be as under— (vide letter no. F4. (8)/72/Misc./Secy./CRB/2017/284 dated 06-06-2017 issued by Secretary (CRB) DDA

Sr. No.	Cost of Work	E-tendering fees
1.	up to Rs.15.00 Lacs	Rs.6000/- + GST as applicable
2.	Above Rs.15.00 Lacs to 20.00 Crores	Rs. 20,000/-+ GST as applicable
3.	Above Rs.20.00 Crores	Rs. 50,000/-+ GST as applicable

The fee for the CRB registration is to be deposited in the account of CRB/DDA and not in the account of Sr. AO/DDA. The account details of CRB/DDA is as under:

**PAO/EW/DDA, Central Bank of India, Vikas Minar, New Delhi; A/C No.: 1075843312; IFSC Code: CBIN0281467.**

6. Before submission a tender, the tenderer will be deemed to have satisfied himself by actual inspection of the site and locality of the work, that all condition liable to be encountered during the execution of the works are taken into account and that the rates he enters in the tender forms are adequate and all-inclusive to accord with the all the provision of the standard/ General Condition/Clause of contract of /bid document for the completion of works to the entire satisfaction of the Officers.
7. Tenderer will examine the various provisions of the central goods and services tax Act, 2017( CGST) /integrated goods and service Tax Act, ( IGST)/Union Territory goods and services tax act (UTGST)/respectively states goods and service tax act 2017(SGST) also as notified by Central/State

Govt. and as amended from time to time and applicable taxes before bidding. Tendered will ensure that full benefit of input tax credit (ITC) likely to be availed by them is duly considered while quoting rates.

8. The successful tenderer who is liable to be registered under CGST/IGST /UTGST/ SGST Act. Shall submit GSTIN along with the other details required under CGST/IGST /UTGST/ SGST Act. To DDA immediately after the award of work without which no payment shall be released to the contractor. The contractor shall be responsible for deposition of applicable GST to the concerned authority.
9. Every tendered/bidder is required to be register compulsory himself under CGST/IGST/ UTGST/SGST Act.
10. TDS under the provision GST law shall be deducted from the bills and or/payment.
11. Provision of GST Act. 2017 shall have the superseding effect over the all earlier taxes like VAT/WCT/Service Tax/etc. as contemplated in the Act. Accordingly the terms VAT/WCT/Service Tax/etc. appearing anywhere in the bid document may be read as the applicable tax under the GST Act. 2017.
12. Implementation of Goods and service tax (GST) in DDA will be as per the F & E circular No.11/2017 issued by Chief Accounts Officers on dated 20.07.2017.
13. **Pre-Bid meeting** shall be held in the chamber of **Director (Hort.) NW, DDA, 15<sup>th</sup> Floor, Vikas Minar, New Delhi** at 3.00 P.M on **08.11.2021** to clear the doubt of intending tenderers, if any. Prospective bidders can participate in the **Pre-Bid meeting** through **video conference (VC) mode** also. For meeting ID of VC, request can be sent upto 4:00 PM at least two days prior to the pre-bid meeting at: email ID: [ddahortdiv3@gmail.com](mailto:ddahortdiv3@gmail.com)
14. The e-Tenders are invited under TWO e-ENVELOPE/Bid system on <https://eprocure.gov.in/eprocure/app> , the 1ST (first) ENVELOPE will be named as TECHNICAL BID & will contain documents of bidder's satisfying the eligibility conditions and 2nd (SECOND) ENVELOPE will be named as Financial Bid ENVELOPE containing TENDER DOCUMENT and WORK SCHEDULE for quoting the percentage. The bidder shall submit both the covers simultaneously. The TECHNICAL BID (1st e-ENVELOPE) will be evaluated first and thereafter FINANCIAL BID (2nd eENVELOPE) of eligible bidders shall only be opened. The time and date of opening of financial bid of contractors qualifying the eligibility/technical bid shall be communicated to them later. These envelopes shall contain one set of the following documents: -

#### **Technical Bid e-envelope**

The tenderers are required to furnish following documents in technical bid:-

(i) Scanned copy of enlistment order in appropriate class.

(ii) Scanned copy of Earnest Money deposit declaration as attached with this document on Pg. 12 has to be furnished under the tenderers' own letter head.

(iii) Scanned copy of UTR of annual e-tender registration fee with CRB, in the account: PAO/EW/DDA, Central Bank of India, Vikas Minar, New Delhi; A/C No.: 1075843312; IFSC Code: CBIN0281467.

- (iv) **Scanned copy of Letter of Transmittal (it is mandatory to be given on Company Letter Head).**
- (v) Scanned copy of Statement of average annual financial turnover of **50% of ECPT** during last 3 years ending 31st March **2021 or 2020 as the case may be** duly audited by Chartered Accountant as per Form-A.
- (vi) Scanned copy of Bank solvency **40% of ECPT** issued by the scheduled bank on its letter head as per Form-B. It should not be older than 6 months from date of submission of bids. **OR** Net Worth certificate of minimum 10% of estimated cost put to tender issued by certified chartered accountant as per Form-B1.
- (vii) Scanned copy of profit and loss statement. The bidder should not have incurred any loss in more than 2 years during last 5 years ending 31st March **2021 or 2020 as the case may be**, duly certified by Chartered Accountant.
- (viii) Scanned copy of work experience should be submitted in the name of bidder /agency as per Form-C&D.
- (ix) Scanned copy of Structure of Organization as per Form-E.
- (x) Affidavit as per provisions of 1.2.3 of NIT/CPWD-6 on non-judicial stamp paper of appropriate denomination.
- (xi) Scanned copy of Certificate of Registration for GST 'or' Undertaking: If the bidder has not obtained GST registration in Delhi, then in such case the bidder shall upload following undertaking with the bid document : "If the work is awarded to me, I/We shall obtain GST registration Certificate of the state, in which work is to be taken up, within one month from date of receipt of award letter or before release of any payment by DDA, whichever is earlier, failing which, I/we shall be responsible for any delay in payments which will be due towards me / us on a/c of the work executed and / or for any action taken by DDA or GST department in this regard. "
- (xii) Undertaking for site inspection "Intending bidders must upload undertaking that they have inspected and examined the site and its surrounding before submitting their bids. They will propose the best tapping point of raw sewage/wastewater for functioning of the WWTP or tap the raw sewage at the location directed by the Officer in Charge without any extra cost"
- (xiii) Any other document mentioned in the NIT.

**Any tender found lacking with respect to the necessary information and /or documents and/or Earnest Money/ e-Tender annual fee with the Technical bid will not be considered.**

**Price Bid (Financial Bid) e-envelope**

- (i) Schedule of price bid in the form of BoQ\_XXXXX.xls
- (ii) Complete Tender document as downloaded from the website in pdf. format

**Annexure-I**

**Performa for Earnest Money Deposit Declaration**

Whereas, I/We ..... (Name of agency) .....

Have submitted bids for ..... (Name of work) .....

I /We hereby submit following declaration in lieu of submitting Earnest Money Deposit.

1. If after the opening of tender, I/We withdraw or modify my/our bid during the period of validity of tender (including extended validity of tender) specified in the tender documents.

**OR**

2. If, after the award of work, I/we fail to sign the contract, or to submit performance guarantee before the deadline in the tender documents.

I/We shall be suspended for one year and shall not be eligible to bid for CPWD/DDA tenders from date of issue of suspension order.

**Signature of the contractor(s)**

**(E – TENDERING MODE)**

1. Online tenders are invited by Dy. Director (Hort.) Horticulture Division No. 3, B2B, Janakpuri, Delhi-58, on behalf of Delhi Development Authority (DDA) through E-tendering mode from eligible contractors registered with the CPWD/Railways/MES/BSNL, State PWDs or the departments of State Governments in appropriate class in Horticulture Category who possess the necessary eligibility criteria/experience for executing the horticulture works, in two bid system for the work above said works

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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 ₹ 1,23,86,708.00 (Rs. One Crore Twenty Three Lakh Eighty Six Thousand Seven Hundred Eight only) this estimate, however, is given merely as a rough guide.
- 1.2 Contractors who fulfil the following requirements shall be eligible to apply. (Joint ventures are not accepted).
  - 1.2.1 Should have satisfactorily completed during the last Seven years ending previous day of last date of submission of bids, *three* similar works each costing not less than **40% of ECPT**, OR *two* similar works each costing not less than **60% of ECPT** OR *one* similar work costing not less than 80% of ECPT.
  - 1.2.2 Similar work shall mean works of ‘**all horticulture activities like plantation, landscaping related to horticulture, grassing and other horticulture related works including maintenance works** . **The cost of the maintenance work shall be considered as 50% of the value of work done.**” carried out with DDA, some Central/state departments, Central/State Autonomous bodies/City Development Authority/ Municipal Corporation of city formed under any Act by Central/State published in any Central/State Gazette. *Components of work executed other than those included in definition of similar work shall be deducted while calculating cost of similar work.* Bidder shall submit abstract of cost of work in support of this. The value of all above 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 previous day of last date of submission of tenders. Completion certificate of works should be issued by an officer not below the rank of Dy. Director (Hort.) for similar works executed. Qualified similar works may be physically inspected by the DDA Officer to ascertain the completion, performance on quality of works for finalizing the Technical bid.  
**Note:-**The lowest agency shall conduct the survey in coordination with concerned authorities for availability of sufficient sewage/drainage wastewater within fifteen days after award of work. In case of insufficient wastewater availability, the site of installation shall be changed accordingly & the agency will be bound to install the WWTP of the same capacity on the changed site. The onus of wastewater availability shall lie with the lowest agency & nothing extra shall be paid on this account. Payment to the agency will be made after observation of the output of the plant for a period of one month. If output observed is less than the designed output, then payment will be made proportionately after appropriate recovery. In case of non-availability of raw water, the tender shall liable to be terminated without assigning any further reason.
  - 1.2.3 To become eligible for bid, the firms/ contractors shall have to furnish affidavit as under:-  
*I/We undertake and confirm that eligible similar works(s) has/have not been got executed through another contractor on back to back basis. Further that, if such a violation comes to the notice of*



Department, then I/we shall be debarred for bidding in DDA in future forever. Also, if such a violation comes to the notice of Department before date of start of work, the Officer-in-Charge shall be free to forfeit the entire amount of Earnest Money Deposit/Performance Guarantee. (Scanned copy to be uploaded at the time of submission of bid).

- 1.2.4 Should have had Average Annual Financial Turnover of **50% of ECPT** on **horticulture** works during the last three years ending 31st March **2021** (Scanned copy of Certificate from CA to be uploaded). In case of bidders who are not able to provide turnover for financial year ending 31<sup>st</sup> March, 2021, they can provide turnover based for 3 consecutive financial years ending 31st March, 2020.
- 1.2.5 Should not have incurred any loss (profit after tax should be positive) in more than *two years* during the last *five years* ending 31st March **2021**. In case of bidders who are not able to provide audited balance sheet for last financial year ending 31st March, 2021, they can provide turnover based upon audited balance sheet for 5 consecutive financial years ending 31st March, 2020. Information to be provided as per Form-A.
- 1.2.6 Should have a Solvency of **40% of ECPT** (Scanned copy of original solvency to be uploaded) It should not be older than 6 months from date of submission of bids as per Form-B **OR** Net Worth certificate of minimum 10% of estimated cost put to tender issued by certified chartered accountant as per Form-B1.
- 1.2.7 Certificate of Registration for GST. 'or' Undertaking: If the bidder has not obtained GST registration in Delhi, then in such case the bidder shall upload following undertaking with the bid document :  
*"If the work is awarded to me, I/We shall obtain GST registration Certificate of the state, in which work is to be taken up, within one month from date of receipt of award letter or before release of any payment by DDA, whichever is earlier, failing which, I/we shall be responsible for any delay in payments which will be due towards me / us on a/c of the work executed and / or for any action taken by DDA or GST department in this regard."*
2. For eligibility criteria, mode of payment of Earnest money and other details regarding online submission of the tender visit the website [www.eprocure.gov.in/eprocure/app](http://www.eprocure.gov.in/eprocure/app) or [www.dda.org.in](http://www.dda.org.in). For any assistance on e-tendering please contact concerned DD or M/s NIC on email [cpppnic@nic.in](mailto:cpppnic@nic.in) or 24X7 helpline number 1800-3070-2232
3. The contractors who are not registered on the mentioned website are required to get them registered beforehand. The intending bidder must have Class-II digital signature to submit the bid.
4. Agreement shall be drawn with successful tenderer on prescribed form attached. Tenderer shall quote his rates as per various terms and conditions of the said form which will form part of the agreement.
5. The time allowed for carrying out the work will be **12 Months** from the date of start as defined in Schedule F or from the first date of handing over the site, whichever is later, in accordance with the phasing, if any, indicated in the tender documents.
6. The site for the work is available.
7. The tender document consisting of specifications, schedule of quantities and the set of terms and conditions of the contract to be complied with, eligibility criteria and other necessary documents including standard general conditions of contract form can be seen from website <https://eprocure.gov.in/eprocure/app>.
8. Earnest Money of **exempted** to be deposited through separate transactions) shall be deposited through RTGS / NEFT in the account of Sr.AO/CAU/Dwarka having account No.01321110000036 with HDFC Bank Manglapuri (IFSC Code HDFC 0000132), New Delhi.
9. The unique transaction reference of RTGS/NEFT shall have to be uploaded by the tenderer in the e-tendering system by the prescribed date. **The Dy. Director (Hort.), Hort. Div. No.3** will get tender cost/earnest money verified from CAU based on the unique transaction reference number against each RTGS/NEFT payment before the tenders are opened.



A part of earnest money is acceptable in the form of bank guarantee also. Earnest money up to 20.00Lacs will have to be deposited through RTGS/NEFT mode. If the amount is more than 20.00 Lacs then the amount of EM beyond ₹20.00 Lacs can be deposited in the form of Bank guarantee also. Such Bank guarantee is to be scanned and uploaded to the e-tendering website within the period of tender submission:

10. Copy of Enlistment Order and other documents as specified in the press notice shall be scanned and uploaded to the e-tendering website within the period of tender submission. Online tender documents submitted by intending bidders shall be opened only of those bidders, who's Earnest Money Deposit, Document and other documents uploaded are found in order.

**The bid submitted shall be opened at 11:00A.M. on \_\_\_\_\_ (to be filled by DD)**

11. The contractor, whose tender is accepted, will be required to furnish performance guarantee of 3 % (Three percent) of the tendered amount within the period specified in Schedule F. This guarantee shall be in the form of cash (in case guarantee amount is less than ₹10,000/-) or Deposit at call receipt of any scheduled bank/Banker's cheque of any scheduled bank/Demand draft of any scheduled bank/Pay order of any scheduled bank (in case guarantee amount is less than ₹1,00,000) or Government securities or fixed Deposit Receipts or Guarantee Bonds of any Scheduled bank or the State Bank of India in accordance with the prescribed form. In case the contractor fails to deposit the said performance guarantee within the period as indicated in Schedule \*F', including the extended period if any, the Earnest Money deposited by the contractor shall be forfeited automatically without any notice to the contractor. The earnest money deposited along with bid shall be returned after receiving the aforesaid performance guarantee. The contractor whose bid is accepted will also be required to furnish either copy of applicable licenses/registrations or proof of applying for obtaining labour licenses, registration with EPFO, ESIC and BOCW Welfare Board and Programme Chart (Time and Progress) within the period specified in Schedule-F. Lowest Bidder/tenderer shall have Provident Fund Code Number, if applicable and shall also ensure compliance of EPF & MP Act, 1952 by the Sub Contractors, if any engaged by the contractor for the said work.

12. **The description of the work is as follows: Annual job contract for the complete maintenance of park at site.**

Intending 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 document. Submission of a tender by 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 government and local conditions and other factors having a bearing on the execution of the work.

13. The competent authority on behalf of DDA does not bind itself to accept the lowest or any other tender and reserves to itself the authority to reject any or all the tenders received without assigning any reason. All tenders in which any of the prescribed condition is not fulfilled or any condition including that of conditional rebate is put forth by the tenderer shall be summarily rejected.
14. Canvassing whether directly or indirectly, in connection with tenders is strictly prohibited and the tenders submitted by the contractors who resort to canvassing will be liable for rejection.
15. The competent authority on behalf of DDA reserves to himself 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.

16. The contractor shall not be permitted to tender for works in the DDA Circle (Division 07 in case of contractors of Horticulture/Nursery category) responsible for award and execution of contracts in which his near relative is posted as Divisional Accountant or as an officer in any capacity between the grades of **Director (Hort.)** and **SO (both inclusive)**. He 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 relatives of any Gazetted officer in DDA or in the Ministry of Urban Development. Any breach of this condition by the contractor would render him liable to be removed from approved list of contractors of this department.
17. No Officer of gazette rank or other Gazetted officer employed in engineering/horticulture or Administrative duties in the Horticulture department of the **DDA** is allowed to work as a contractor for a period of one year after his retirement from the **DDA** service, without the previous permission of the **DDA** in writing. This contract is liable to be cancelled if either the contractor or any of his employees is found anytime to be such a person who had not obtained the permission of the DDA as aforesaid before submission of the tender or engagement in the contractor's service.
18. The tender for the work shall remain open for acceptance for a period of **Seventy Five (75 days)** from the date of opening of **technical bid**. If any tenderer withdraws his tender the following actions can be taken as per merit.

**Case of withdrawal of offer**

**Action to be taken**

- |       |   |  |
|-------|---|--|
| (i)   | If the tenderer withdraws his tender or make any modification which is not acceptable to the department within 7days after last date of submission of bids.                   | The DDA shall, without prejudice to any other right or remedy, be at liberty to forfeit 50% of the said Earnest money as aforesaid, irrespective of the letter of acceptance for the work is issued or not . Further the tenderer shall not be allowed to participate in the re tendering process of the work.   |
| (ii)  | If the contractor withdraws his offer or make any modification which is not acceptable to the department after expiry of 7 days after the last date of submission of tenders. | The DDA shall, without prejudice to any other right or remedy, be at liberty to forfeit 100% of the said Earnest money as aforesaid, irrespective of the letter of acceptance for the work is issued or not  |
| (iii) | If the contractor withdraws his offer immediately after the award of work and taking over possession of site.   | It is deemed that the contractor has entered into Agreement and action to penalize the contractor, for not completing the work within the stipulated period under Clause-2 & 3 will be taken against the contractor, if he abandons the site after taking over the possession of the site from the Officer-in-charge. For taking action under Clause 2 & 3, the only documentary proof required will be the document showing signature of the contractor or his authorized representative for taking over the possession of site. It is further clarified that action under Clause 2 & 3 of the agreement attracted even though the Contractor fails to sign the agreement on Rs.50/- non-judicial stamp paper but do not start work from the tenth day after date on which the order to commence the work is issued to the contractor. The date of start of the work will be considered as date of taking over the possession of site. In case of tender for supply of material the documentary proof for start of work will be submission of samples for approval to Officer-in-Charge i.e. in case the supply order is given to the contractor and he fails to supply the materials or submit the samples to Officer-in-Charge then the action to be taken against the contractor is only the forfeiture of earnest money and if he submits the samples for supply and there after abandons the work or fails to supply the materials then action under Clause- 2 & 3 is attracted. |

19. This 'Notice Inviting Tender' shall form part of the contract document. The successful tenderer/contractor on acceptance of his tender by the Accepting Authority, shall, within 7 days from the date of award of the work, sign the contract consisting of :-

- (a) The Notice inviting tender, all the documents including additional conditions, specifications, and drawings, if any, forming the tender as issued at the time of invitation of tender and acceptance thereof together with any correspondence leading thereto.
  - (b) Standard NIT **Form 7** or other Standard DDA Form as mentioned.
20. In case any discrepancy is noticed between the document as uploaded at the time of submission of the bid online and then the bid submitted shall become invalid and the **DDA** shall, without prejudice to any other right or remedy, be at liberty to forfeit 50% of the said earnest money as aforesaid. Further the tenderer shall not be allowed to participate in the retendering process of the work.
21. It may please be carefully noted that no condition, whatsoever, shall be accepted by the department and the contractor is strictly prohibited from giving conditional tender and if any contractor is not prepared to execute the work at the terms and conditions contained in the tender documents, he is requested not to tender for this work. It may be noted that if any contractor chooses to submit conditional tender in spite of clear direction given above, his tender is liable to be summarily rejected and his full Earnest Money shall stand forfeited. He will also be liable for being debarred from tendering in DDA for a period of six months.
22. **(a) Purchase tax, turnover tax or any other tax (Except GST) in respect of the contract shall be payable by the contractor and DDA will not entertain any claim whatsoever in this respect**  
(b) (i) All tendered rates shall be inclusive of all taxes and levies payable under respective statutes. However, pursuant to the Constitution (46<sup>th</sup> Amendment) Act, 1982, if any further tax or levy is imposed by states, after the last stipulated date for the receipt of tender including extensions if any and the contractor thereupon necessarily and properly pays such taxes/levies, the contractor shall be reimbursed the amount so paid, provided such payments, if any, is not, in the opinion of the **Director(Hort.)/NW** ( whose decision shall be final and binding on the contractors) attributable to delay in execution of work within the control of the contractor.(ii) The Contractor must produce certificate of registration of GST under Delhi GST Act 2017 and tax clearance certificate thereof from the concerned department (s).
23. Tenderers may refer Press Tender Notice/detailed tender notice in e-tendering website for any corrigendum/amendments in the tender.
24. DDA will not be responsible for not getting internet connection/power supply while downloading the Electronic bid sheets/documents or while uploading their bids.
25. Cess under the provisions of the buildings and other constructions workers (RE&&CS) Act-1996 and the building and other construction workers welfare cess Act 1996 @ 1% of the constructions/ projects shall be deducted at source from the bill paid to the contractor, DDA shall not bear any liability on account of cess being deducted and reimbursed to GNCTD in pursuance of building and other construction workers welfare cess Act 1996 read with Delhi Building and other construction workers(RE & CS) Rules 2002.

**No. F10 (1) NIT/2021-22/Hort. III/DDA/ 1108**

Copy to:

1. निदेशक (उद्यान खण्ड) उत्तर-पश्चिमी, दि.वि.प्रा.
2. उपनिदेशक उद्यान खण्ड- II, V, VIII, X और द्वारका दि.वि.प्रा.
3. उपनिदेशक कोटि नियंत्रण, दि.वि.प्रा.
4. वरिष्ठ लेखाधिकारी के.ले.ई. द्वारका दि.वि.प्रा.
5. महासचिव उद्यान एसोसिएशन दि.वि.प्रा. B-1/122, अशोक विहार, Ph.- II, I
6. सभी सह. निदेशक उद्यान खण्ड- 3 दि.वि.प्रा.
7. सूचना पट उद्यान खण्ड- 3, दि.वि.प्रा.
8. पोर्टल से संपर्क के लिए वेबसाइट <https://eprocure.gov.in/eprocure/>
9. एन.आई.सी .नई दिल्ली.