Rules of Enlistment of Civil/Electrical Maintenance Contractors in NITTTR, Bhopal, 2011

1.0	**Title** These rules shall be called the "Rules of Enlistment of Contractors in NITTTER, Bhopal, 2011" and shall come into force with effect from the **1st day of Sept2011**
4.0	**Applicability** . NITTTR, BHOPAL enlists contractors who intend to work with the department. It is done to have a ready list of suitable and competent contractors for NITTTR, BHOPAL works so as to minimize requirement of verification of credentials of contractors at the time of individual tenders. At the same time only those contractors are allowed to continue in the list that remain active in NITTTR, BHOPAL and perform well. Any Indian Individual, Sole Proprietorship Firm, Partnership Firm, Public Limited Company or a Private Limited Company may apply for enlistment as a contractor in NITTTR, BHOPAL under these Rules provided the eligibility criteria and other conditions are satisfied The enlisted contractors have to abide by all the rules made herein and as amended from time to time during the currency of their enlistment.
4.1	No individual, or a firm having such individual as one of the partners, who is a dismissed government servant; or removed from the approved list of contractors; or demoted to lower class; or having business banned/ suspended by any government department in the past; or convicted by a court of law shall be entitled for enlistment.
4.2	No Engineer or any other official employed in Engineering or Administrative duties in the Engineering Department of the Government of India is allowed to work in the NITTTR, BHOPAL either as contractor or as employee of a contractor for a period of two years after his retirement from Government service unless he has obtained prior permission of Government of India to do so. Even after enlistment, if either the contractor or any of his employees is found to be a person who had not obtained the prior permission of Government of India as aforesaid, the name of the contractor shall be removed from the list of enlisted contractors.
4.3	A contractor is permitted to have enlistment in more than one category and under more than one enlistment authority but not in more than one class of the same category in NITTTR, BHOPAL.
4.4	A contractor is not permitted to have enlistment in more than one name.
4.5	A partner of a firm or a Director of a company enlisted as a contractor cannot be a partner/director in any other enlisted firm/company in NITTTR, BHOPAL.
4.6	A contractor will not be enlisted if it was enlisted in any category or class earlier but had remained inactive in NITTTR, BHOPAL during its previous enlistment period.
5.	**Scope** - The enlistment of a contractor in NITTTR, BHOPAL shall only entitle him to be considered for issue of tender papers subject to the conditions laid down in each individual Notice Inviting Tenders. It shall not confer any right on him either to be necessarily issued the tender papers or for award of work.
6.1	**Enlistment Procedure** - The contractor shall have to submit the application in a prescribed form (Annexure – I) to the enlistment authority, complete with all documents as per Annexure-II.
6.2	Incomplete applications and applications not accompanied with necessary documents are liable to be rejected.

6.3	All verification, submission of reports etc are to be pursued by the applicant. Any delay on account of delay in verification, submissions of reports etc will not entitle applicant for <u>any type of</u> enlistment
6.4	The enlistment authority shall have the right to independently verify the details furnished by the contractor and to get works done by the contractor inspected and/or to get such other reports as may be considered necessary.
6.5	If the enlistment authority finds the contractor suitable for enlistment, it shall issue the enlistment order and, otherwise, send a letter of rejection of the application to the contractor. The decision of the enlistment authority shall be final and binding on the contractor.
6.6	The enlisting authority reserves right to limit number of contractors to be enlisted in any class or category on All India/Regional/State/Location basis or any other manner decided by the department.
6.7	Enlistment of contractors in the department may be closed at any point of time. While closing the enlistment, the department may have a reserved list of eligible contractors from the pending applications. Out of this, contractors may be enlisted depending on requirement in a particular area or for the country as a whole.
7.	The enlistment shall be valid for a period of four years. The enlistment can, however, be revalidated in accordance with rules in this regard. Each revalidation shall be for a period of three years from the date of expiry of the previous enlistment/revalidation. The enlistment shall be open to review by the enlistment authority and liable to termination, suspension or any other such action at anytime if considered necessary by the enlistment authority, after issue of show cause notice
8.	**Categories & Classes** - The enlistment shall be done in the categories and classes mentioned in Table – 1
9.	**Jurisdiction and Tendering Limits** The jurisdiction in which contractors enlisted in various categories and classes shall be permitted to tender and the tendering limit upto which they shall be eligible to tender shall be as given in Table-1.
9.1	The contractor shall be governed by the provisions existing at a particular point of time irrespective of when he was enlisted.
10.	Authorities for Enlistment - Enlistment in different categories and classes shall be done by different authorities. These are identified in Table I.
11.	**Eligibility Criteria** - The contractors shall have to satisfy the minimum eligibility criteria specified in Table – I, before they can be considered for enlistment. All contractors are expected to keep abreast with enlistment/revalidation rules modified from time to time.
11.1	The criterion for experience, in case of enlistment, shall be the completion of requisite number of works, as the case may be, of prescribed nature and magnitude executed on independent contract basis or as a builder, during the last five years. The works should have been executed in the same name and style in which the enlistment is sought. Enlistment of an individual in corresponding category may also be done based on his Technical Qualification in lieu of experience of completion of works in last 5 years but other eligibility criteria remaining the same.
11.2	The financial soundness shall be judged on the basis of the Banker's certificate or the working capital certificate, as the case may be, issued by the Bankers of the contractor on the format prescribed in Annexure-V. Such certificate shall be issued by a scheduled bank and shall be submitted, in original, in a bank sealed cover, addressed to the enlistment authority.
11.3	The criteria for enlistment/revalidation shall be as applicable on date of enlistment/revalidation. Applicant may be intimated when his application and

verification is complete. The application may be decided within 90 days of such completion.

12.0 **Processing fee** – The contractor shall have to pay a non-refundable processing fee by crossed Demand Draft drawn in favour of the authority authorized by enlisting authority. For various categories and classes of enlistment, the fee is prescribed in Table – I. This fee is to be submitted alongwith application form to the enlisting authority

13.0 **Income Tax clearance :** Deleted

14.0 **Electrical License** - The contractors of Electrical category shall have to produce valid electrical license from the competent authority in the name of the contractor. They shall keep valid license throughout the period of enlistment by getting it renewed at suitable intervals and submit an attested copy of the same to the enlistment authority after each renewal. In event of any discontinuity in validity of electrical license of the contractor, its enlistment and authority to work with NITTTR, BHOPAL will also automatically cease to be valid. For applying for tenders for a work in any state they shall have to possess electrical license of appropriate voltage issued by any State Govt. under Clause 45 of compilation of rule of Indian Electricity Rules 1956 or as amended from time to time**.** .

15.0 **Change in Constitution of Firm -**The contractor/firm shall not modify the existing partnership or enter into any fresh partnership without the prior approval of the enlistment authority. Such proposal, if any, shall be submitted in advance giving full details of the intended partnership/sole proprietorship along with the draft partnership deed/affidavit and documents as per Annexure-VI. Any change in status of the contractor as an 'Individual' or in constitution of the firm without prior approval of the enlistment authority will render the contractor/firm liable to be removed from the approved list of contractors.

15.1 If a firm is converted in two or more firms by any action of its partners, the new firm(s) or any separated partner(s) in his(their) individual/joint capacity shall have to apply for the enlistment afresh on the basis of work experience gained as a separate entity.

15.2 If new partners are taken in the firm, each new partner shall have to satisfy the eligibility conditions mentioned in Rule 4.0

15.3 If the number of original partners of a firm reduces to less than half due to any reason including death of partner(s), the enlistment of the firm shall be withdrawn. Original partners means constituents at the time of Enlistment and those who have remained as constituent for more than 5 years.

16.0 **Change in Address -** While applying for enlistment, the contractor should mention address of his Registered office as well as Head Office, if different. All documents i.e. , Bankers' Certificate, Electrical license etc. should bear one of the above addresses, otherwise the same shall not be accepted

16.1 The contractor shall intimate the change, if any, in any of the above addresses, in advance or maximum within one month of such change alongwith acknowledgement of noting down of such change in address from the Bank, Income Tax , Sales Tax authorities etc. Failure to do so may result in removal of his name from the approved list of contractors

17.0 Near Relatives Working in NITTTR, BHOPAL -Contractors whose near relatives are Divisional Accountant or Engineering Officers between the grades of Superintending Engineer and Junior Engineer (both inclusive) in the Central Public Works Department will not be allowed to tender for works if the circle responsible for award and execution of contract is the one where the near relative is working. For this purpose a near relative shall mean wife, husband, parents, grand parents, children, grand children, brothers, sisters, uncles, aunts, cousins and their

corresponding in-laws.

18.0 **Review of Approved List of Contractors -**The contractor shall be required to secure works of appropriate magnitude in NITTTR, BHOPAL during the revalidation/enlistment period. Contractors shall be liable to be weeded out for non-observance of enlistment rules. For this purpose the enlistment authority shall have the power to periodically review the approved list of contractors.

19.0 **Revalidation of enlistment -** The validity of initial enlistment of the contractor shall be as given in Para 7.0. It shall, however, be revalidated on merits, if desired by the contractor. Only the contractor who has secured at least two works of appropriate magnitude (as applicable for enlistment in relevant class) in NITTTR, BHOPAL, during the period of enlistment or last revalidation period of enlistment as the case may be and at least one of them must have been completed 100%, shall be considered for revalidation. If second work is not completed by more than 50%,the department will select one non NITTTR, BHOPAL work out of the list furnished by the applicant for inspection and consideration of revalidation..

The work completed/secured as an associate contractor of the main contractor, to whom a composite contract was/has been awarded, shall also qualify for consideration of revalidation

19.1 Application for Revalidation –as per cpwd rules

20.0 **Contractor's obligations -** The contractor should fulfill all his obligations under these rules in time and manner as specified, failing which he shall be liable for the action as mentioned therein. Some of the obligations are summarized below:-

a) Prior approval shall be obtained from the enlisting authority before changing the constitution of the firm/company..

b) Intimation of change of address should be given in advance or within one month alongwith acknowledgement from Banker, Income Tax and Sales Tax authorities**.**

c) He shall continue to possess, throughout the period of enlistment/revalidation, a valid electrical licence of appropriate voltage issued by appropriate authority.

d) He should secure works of specified magnitude during the period of enlistment/revalidation as provided in Para 19.0 above

e) He shall abide by these rules.

f) He should not indulge in unethical practices and maintain good conduct

g) He shall execute the works awarded to him strictly as per the terms and conditions of the contract and specifications.

21.0 **Disciplinary Actions** The contractor shall have to abide by all the rules of enlistment and also by the terms and conditions of the contract and the Notice Inviting Tenders/Quotations. He shall have to execute the works as per contract on time and with good quality. The enlisting authority shall have the right to demote a contractor to a lower class, suspend business with him for any period, debar him or remove his name from the approved list of contractors indefinitely or for a period as decided by enlisting authority after issue of show cause notice. Decision of the enlisting authority shall be final and binding on the contractor. The following actions of the contractor shall, in general, make him liable to disciplinary actions

22. **Demotion to a lower class -**The contractor shall be liable to demotion to a lower class, by the enlisting authority, if he:

a)fails to execute a contract or executes it unsatisfactorily or is proved to be responsible for constructional defects; or

b) no longer has adequate equipment, technical personnel or financial resources; or

c) is litigious by nature; or

d) violates any important condition of contract; or

e) or his staff misconducts or misbehaves with NITTTR, BHOPAL officials or.

f) buys tender forms but fails to submit his offer on maximum of two occasions per calendar year or

e) is responsible for a conduct which may justify his demotion to a lower class. or

g) any other reason which in view of enlisting authority is adequate for his demotion to a lower class.

23. **Suspension of business** The enlistment authority may suspend business with a contractor for indefinite period or for a period as decided by enlisting authority, pending full enquiry into the allegations,if the enlistment authority is prima facie of the view that the contractor is guilty of an offence in relation to business dealings which, when established would result in his removal/banning business and it is not considered desirable to entrust new works or continue business with the contractor.

24 Removal from the approved list The name of the contractor may be removed from the approved list of contractors, by the enlisting authority, if he:

A) has, on more than one occasion, failed to execute a contract or has executed it unsatisfactorily; or

B) is proved to be responsible for constructional defects in two or more works; or

C) persistently violates any important conditions of the contract; or

D) fails to abide by the conditions of enlistment; or

E) is found to have given false particulars at the time of enlistment; or

F) has indulged in any type of forgery or falsification of records; or

G) changes constitution of the firm or Individual without prior approval of the enlistment authority; or

H) changes permanent address / business address without intimation to the enlistment authority; or

I) is declared or is in the process of being declared bankrupt, insolvent, wound up, dissolved or partitioned; or

J) persistently violates the labour regulations and rules, or

K) is involved in complaints of serious nature received from other departments which prima facie appear to be true.

L) Default in settlement of tax dues like income tax, Contract tax, sales tax, octroi, duties etc.

M) has already been demoted for other reason(s). or

N) Ceases to fulfil eligibility criteria based on which enlistment/revalidation was done. Or

O) is considered not required to be in list of NITTTR, BHOPAL for any other reason considered fit by enlistment authority.

ANNEXURE- I

NATIONAL INSTITUTE OF TECHNICAL TEACHERS TRAINING AND RESEARCH , BHOPAL

APPLICATION FOR ENLISTMENT AS CONTRACTOR

Supporting Documents be annexed with the application form.(Applications found deficient in any respect are liable to be rejected without further correspondence)

CLASS		**Category**	

1. Name of applicant ……
2. Nationality Indian ☐ Other ☐
3. Address i)Regd office……

   ii) Head Office……

   (Attach separate paper for addresses of other offices)

4. Telephone Number☐☐☐☐☐☐☐☐☐☐☐ Fax No. ☐☐☐☐☐☐☐☐☐☐☐☐

E-mail address

5. Constitution: Individual ☐ Sole Proprietorship Concern ☐

   Partnership Firm ☐ Public Ltd. Company ☐ Private Ltd. Company ☐

6. If partnership firm, names of the partners/ If Company, name of directors

1…… 2……

3…… 4……

5…….. 6……..

7. Is the individual/sole proprietor/any partner/director of company:

   (a) Dismissed Government Servant Yes ☐ No ☐

   (b) Removed from approved list of contractors Yes ☐ No ☐

   (c) Demoted to a lower class of contractors Yes ☐ No ☐

   (d) Having business banned/suspended by any government in the past Yes ☐ No ☐

   (e) Convicted by a court of law Yes ☐ No ☐

   (f) Retired engineer/official from engineering deptt. of Govt. of India within last Two years Yes ☐ No ☐

   (g) Director or partner of any other Company/firm enlisted with NITTTR, BHOPAL or any other department Yes ☐ No ☐

(h) Member of Parliament or any State Legislative Assembly Yes ☐ No ☐

If answer to any of the above is 'Yes', furnish details on a separate sheet

8. (a) Name of person holding power of attorney

……

(b) Nationality Indian ☐ Other ☐

(c) Liabilities

9. Name of Bankers with full address

……

10. Place of business ……

11. Full time technical staff in applicant's employment Nos.

(a) Graduate engineers with minimum 10 years' experience ☐

(b) Graduate engineers with minimum 5 years' experience [excluding (a) above] ☐

(c) Diploma engineers with minimum' experience 5 years ☐

☐

(d) Furniture/Furnishing Designers

(e) Graduate or Post Graduate in Agricultural Sciences ☐

12. Does the applicant have sufficient T&P, Machinery, Equipment and workshop as per requirements mentioned in the Enlistment Rules for the class & category applied for Yes ☐ No ☐

[Attach details on separate sheet]

13. [For Electrical]

i) Does the applicant possess valid Electrical License Yes ☐ No ☐

ii)Do the permanent electricians employed by contractor posses valid license Yes ☐ No ☐

14. (a) Whether already enlisted with NITTTR, BHOPAL or any other department Yes ☐ No ☐

(b) If yes, give details:

(i) Name of department ……

(ii) Class & category ……

(iii) Enlistment authority & address ……

(iv) Enlistment No. & date ……

(v) Date of validity ☐☐ ☐☐ ☐☐☐☐

(vi) Tendering limit ……

15. Is any person working with the applicant is a near relative of the officer/official of NITTTR, BHOPAL
[See Rule 17 of the Enlistment Rules] If yes, give detail Yes ☐ No ☐

16. Enlistment Processing fee enclosed:-

Draft No.	Date	Amount	Issuing Bank & Branch	Branch drawn upon	In whose favour drawn

17. Details of Works completed, in progress and secured during the last 5 years (to be filled in proforma as given in Annexure –III). This list should include all works whose gross amount of work done is more than the required magnitude for the class in which registration is required.

18. Certificates from clients in original or attested copy as per proforma given in Annexure-IV for all eligible works.

19. Certificates :

(i) I/We (including all partners) certify that I/We have read the Rules of Enlistment of Contractors in NITTTR, BHOPAL as amended upto-date and shall abide by them.

(ii) I/We certify that the information given above is true to the best of our knowledge. I/We also understand that if any of the information is found wrong, I am/ we are liable to be debarred.

(iii) I/We certify that I/We will not get myself/ourselves registered as contractor(s) in the Department under more than one name.

(iv) (a) I certify that I did not retire as an Engineer of Gazetted rank or as any Gazetted Officer employed on Engineering or Administrative duties in any engineering Department of the Government of India during the last two years. I also certify that I have neither such a person under my employment nor shall I employ any such person within two years of his retirement except with the prior permission of the Government**.** (For individuals seeking enlistment in their own name)

(b) We certify that none of the partners/Directors retired as an Engineer of Gazetted rank or as any Gazetted Officer employed on Engineering or Administrative duties in last two years. We also certify that we have neither under our employment any such person nor shall we employ any person within two years of his retirement except with the prior permission of the Government. (For partnership firms and limited companies).

(Strike out whichever is not applicable)
Signature(s) of applicant(s) :

Name	Signature	Address
1.		
2.		

Date :

No. of Documents attached ☐

ANNEXURE-II

Documents attached for enlistment

S.No.	Document	Yes	No
1.	Proof of constitution (Sl.no..5) :		
	a) In case of sole proprietorship/HUF: an affidavit executed before a 1st Class Magistrate that the applicant is the sole proprietor of the firm/Karta of HUF.	☐	☐
	b) In case of partnership firm: (Submit attested copies)		
	i) Partnership deed attested by Notary Public	☐	☐
	ii) Form "A" or equivalent form issued by Registrar of Firms	☐	☐
	iii) Form "B" or equivalent form issued by Registrar of Firms	☐	☐
	iv) Form "C" or equivalent form issued by Registrar of Firms	☐	☐
	c) In case of Private/Public Ltd Co. Article of Association duly attested by Notary Public.	☐	☐
2.	Power of attorney, if any (Sl.no..8), attested by Notary	☐	☐
3.	Public Bankers' certificate from scheduled bank in the Performa given in Annexure-V. The certificate should be on the bank's letter-head and in sealed cover and shall be addressed to the concerned Enlistment Authority (Sl.no..9)	☐	☐
4.	Technical Staff: (Sl.no..11)		
	i)List of full time technical staff/Designers with qualification and experience of each	☐	☐
	(ii) Attested copies of the degrees/diplomas of the technical staff/Designers.	☐	☐
	(iii) Declaration from the technical staff/Designers that they are employed with the applicant.	☐	☐
	(iv)Documents like PF subscription ,Copy of Income Tax return with, IT form16 etc conclusively proving employment	☐	☐
5	of technical staff with applicant (Onus of submitting adequate proof lies with applicant)		
	(i)List of M/C, T&P i/c steel centering & shuttering, possessed by the	☐	☐
	Applicant. Full details and location of workshop including details of	☐	☐
	Machines & Equipment provided and proof of sufficient stock		
6.	of	☐	☐
	Materials as required for Furniture category. (Sl.no..12).		
7.	(ii)Copy of purchase document etc (Onus of submitting adequate	☐	☐
	proof lies with applicant	☐	☐
8.	Attested copies of valid Electrical Licenses (Sl.no..13(i)&(ii))		
9.		☐	☐
	Attested copy of Enlistment order (Sl.no..14)		
10.		☐	☐
	List of all near relatives working in NITTTR, BHOPAL, including their addresses (Sl.no..15) See also Rule 17.0 of		
11.	Enlistment Rule.	☐	☐
	Demand Draft **for processing the case** (Sl.no..16)		
	Original or attested copies of certificates for works done,		

from concerned clients, in proforma as given in annexure-IV

Attested copies of award letters for works included in Annexure-III

ANNEXURE-III

(1) In case of enlistment- Works completed, in progress& secured during the last five years

[Add additional sheets, if necessary]

S.No.	Name of work & Agreement No.	Date of start	Date of completion		Reasons for delay & compensation levied, if any	Tendered Amount	Gross Amount of the completed work	Net amount received	Name, designation & complete address of the authority for whom the work was done
			Stipulated	Actual					

Contractor's Signatures

ANNEXURE – IV

CLIENT's CERTIFICATE REG. PERFORMANCE OF CONTRACTOR

Name & address of the Client…….……..
Details of Works executed by Shri/M/s …….
……

1.Name of work with brief particulars	
2. Agreement No. and date	
3 Agreement amount	
4. Date of commencement of work	
5 Stipulated date of completion	
6 Actual date of completion	
7Details of compensation levied for delay (indicate amount) if any	
8 Gross amount of the work completed and paid	
9 Name and address of the authority under whom works executed	
10 Whether the contractor employed qualified Engineer/Overseer during execution of work ?	
11. i) Quality of work (indicate grading) ii) Amt. of work paid on reduced rates, if any.	Outstanding/Very Good/Good/Satisfactory/Poor
12. i) Did the contractor go for arbitration ? ii) If yes, total amount of claim iii) Total amount awarded	
13. Comments on the capabilities of the contractor. a) Technical proficiency b) Financial soundness c) Mobilization of adequate T&P d) Mobilization of manpower e) General behavior	 Outstanding/Very Good/Good/Satisfactory/poor Outstanding/Very Good/Good/Satisfactory/Poor Outstanding/Very Good/Good/Satisfactory/Poor Outstanding/Very Good/Good/Satisfactory/Poor

	Outstanding/Very Good/Good/Satisfactory/Poor

Note : All columns should be filled in properly

"Countersigned"

Signature of the Reporting Officer with Office seal

Officer of the rank of Superintending Engineer or equivalent

ANNEXURE – V

FORM OF BANKERS'CERTIFICATE FROM A SCHEDULED BANK

This is to certify that to the best of our knowledge and information M/s./Sri……..having marginally noted address, a customer of our bank are/is respectable and can be treated as good for any engagement up to a limit of Rs…… (Rupees……). This certificate is issued without any guarantee or responsibility on the Bank or any of the officers.

(Signature)
For the Bank

Note: 1) Bankers' certificates should be on letter head of the Bank, sealed in cover addressed to enlistment authority.

2) In case of partnership firm, certificate to include names of all partners as recorded with the Bank.

FORM OF WORKING CAPITAL CERTIFICATE FROM A SCHEUDLED BANK

Certified that Shri/Smt./M/s …… S/o/W/o …… and resident(s) of …… has/have been maintaining a saving bank account/current account/fixed deposit account with this branch of bank since …….. and an amount not less than Rs. ……. (Rupees …… ……)has been available to the credit in his/her/their account No. …… for the last six months.

Signature
For the Bank

Table – I Enlistment Rules 2011

Category	Class	Jurisdiction & Enlistment Authority	Tendering limit	Past experience of completed works in last 5 years	Financial soundness	Engineering Establishment	T&P Machinery	Enlistment processing fee
1	2	3	4	5	6	7	8	9
Civil	Valid Class Of CPWD /PWD	NITTTR, BHOPAL	Rs. 30 lakh	Two works of Rs.18 lakh each OR Three works of Rs.12lakh each OR One work of 30 Lakhs	Banker's certificate of Rs.18 lakh	One diploma engineer(C/M/E) with minimum experience of 3 years	Civil i) Concrete mixer of full bag capacity 1 no. ii) Mortar Mixer - 1 No iii) Needle vibrator-2 Nos. (1 OIL, 1 Electrical) iv) Beam vibrator - 1 No vi) Slab vibrator - 1 No Electrical 2 Nos. chase cutting machine 2 Nos. electrical wiredrawing equipment. Conduit die set; Pipe vice; Bench vice; LT Megger 500 volts, Tong Tester, MultiMeter; Hydraulically operated & hand operated crimping machines, Earth tester; Portable drilling machine; Overhead conduit puller,	Rs. 5000