

**Government of India
Central Public Works Department
Directorate General of Works
CSQ Organisation
Contracts & Manual Unit**

No.DGW/MAN/28

Dated Nirman Bhawan, New Delhi, the 14th June, '99

OFFICE MEMORANDUM

Subject: Rules of Enlistment of Contractors in CPWD 1999, revalidation and performance reports.

A copy of 'Rules for Enlistment of Contractors in CPWD 1999' is enclosed with this OM. The new rules shall be applicable from 15.6.99. For the purpose of Rules 6.0, 13.0, 19.0, 20.0 and 22.0 of these rules, further provisions are made as under:

1.0 RULE 6.0

1.1 Inspection Teams The Inspection teams for inspecting the works of the contractor and furnishing their reports on quality of construction, workmanship etc. to the enlistment authorities shall be as follows:

CLASS & CATEGORY	INSPECTION TEAM
Class-I (Civil), (Furniture)	<p>CE(CSQ)[or, in certain cases, as convenient, the SE (QA) nominated by him], CE of the Zone & SE of the Circle in whose geographical jurisdiction the work is situated.</p> <p>For works in Delhi, CE(CSQ) [or, in certain cases, as convenient, the SE (QA) nominated by him], One of the officers from the panel of CE(CDO), ED(Consultancy) & DDG and SE of the Circle in whose jurisdiction the work is situated</p>
Class-I(Electrical), (HVAC)	<p>CE(CSQ)[or, in certain cases, as convenient, the SE (QA) nominated by him], CE(E) of the Zone & SE(E) of the Circle in whose geographical jurisdiction the work is situated.</p> <p>For works in Delhi, CE(CSQ)[or, in certain cases, as convenient, the SE (QA) nominated by him], CE(E)II and SE(E) of the Circle in whose geographical jurisdiction the work is situated.</p>

Class-I(Horticulture), Nursery	<p>CE(CSQ)[or, in certain cases, as convenient, the SE (QA) nominated by him], CE of the ZONE, DOH/ADOH/any representative and SE(A) of the Zone.</p> <p>For works in Delhi, CE(CSQ)[or, in certain cases, as convenient, the SE (QA) nominated by him], CE(NDZ)III, DOH/ADOH/any representative and SE(C&M).</p>
Class-II (Civil), (Furniture)	<p>SE(TLQA), SE(P) of the concerned Zone and SE of the Circle in whose geographical jurisdiction the work is situated.</p> <p>For works in Delhi, SE(TLC), any one of the SEs(P) and SE of the Circle in whose geographical jurisdiction the work is situated.</p>
Class-II(Electrical); (HVAC)	<p>SE(E)S&S, SE(E)A of the Electrical Zone and SE(E) of the concerned Circle in whose jurisdiction the work is situated.</p> <p>For works in Delhi, SE(E)S&S, SE(E)A of CE(E)II and SE(E) of the concerned Circle in whose jurisdiction the work is situated.</p>
Class-II(Horticulture)	Inspection team is not required.
Classes-III (Civil), (Furniture) & Class-IV(Civil)	SE(P)/SE(A) of the enlisting CE , SE of the concerned Circle & EE of the concerned Division in whose jurisdiction the work is situated.
Classes-III (Electrical), (HVAC) & Class-IV(HVAC)	SE(E)P/SE(E)A of the enlisting CE(E), SE(E) of the concerned Electrical Circle & EE(E) of the concerned Electrical Division in whose geographical jurisdiction the work is situated.
Class-III(Horticulture)	Inspection team is not required
Class-IV (Furniture) & Class-V(Civil)	SE of the concerned Circle and EE of the concerned Division
Class-IV(Electrical)	SE(E) of the concerned Electrical Circle and EE(E) of the concerned Electrical Division.

1.2 Advisory Committees

The Advisory Committees shall assist the enlistment authority in scrutinising the cases, make recommendations regarding suitability of the contractor, evaluate annual performance reports of contractors, and advise the enlistment authority in weeding out of contractors and revalidation process. Such Advisory Committees shall be as follow: -

<u>ENLISTEMENT AUTHORITY</u>	<u>COMMITTEE</u>
DG(W)	Chairman : ADG(TD) Member-Secretary: SE(C&M) <u>For Civil, Fur. & Hort. contractors:</u> CE(CSQ) & any two officers out of CE(CDO), CE(NDZ)I, CE(NDZ)II <u>For Elect & HVAC contractors:</u> CE(CSQ) and any two officers out of CE(Elect)I, CE(Elec)II, CE(E)NZ & CE(E)PLP
ADG(TD)	<u>For Civil & Fur. contractors:</u> CE(NDZ)IV – Chairman DW under ADG (TD), SE(DCC)IV, SE(DCC)V, SE(DCC)III and SE(DCC)IX (Any three of the above) <u>For Elect & HVAC contractors:</u> CE(E)II - Chairman SE(E)III, SE(E)IV & SE(P)E of CE(E)II
ADG(WR)	<u>For Civil & Fur. contractors:</u> CE(WZ)I - Chairman DW under ADG(WR), SE(P)WZ-I, SE(MCC)I and SE(MCC)II (Any three of the above) <u>For Elect & HVAC contractors:</u> CE(E)WZ -Chairman SE(E)MCEC & SE(P) of CE(E)WZ

ADG(SR)	<p><u>For Civil & Fur contractors:</u> CE(SZ)I - Chairman DW under ADG(SR), SE(P)SZ-I, SE(MCC)I and SE(MCC)I (Any three of the above)</p> <p><u>For Elect & HVAC contractors:</u> CE(E)SZ - Chairman SE(E)CCEC & SE(P)E of CE(E)SZ</p>
ADG(ER)	<p><u>For Civil & Fur. contractors:</u> CE(EZ)I -Chairman DW under ADG(ER), SE(P)EZ-I, SE(CCC)I. SE(CCC)II and SE(CCC)III (Any three of the above)</p> <p><u>For Elect & HVAC contractors:</u> CE(E)EZ - Chairman SE(E)CCEC-I, SE(E) CCEC-II & SE(P)E of CE(E)EZ</p>
CE(Zone) (For Civil & Fur. Contractors)	SE(A)/SE(P), One SE(Circle)
CE(E)Zone contractors in Delhi)	SE(A)E/SE(P)E SE(E) located at HQ of CE(E)
CE(E)II (For Elect & HVAC contractors in Delhi)	SE(E)A of CE(Elect)II, SE(DCEC)IV, SE(DCEC)III

the contractor. The proformas for reports for the two types of the reports have been given in Annexure I & II

- 4.1.2 **Writing & Submission of Performance Reports** The EE shall write the performance reports of all the contractors according to the class and category of enlistment of the contractor and submit the same to the Superintending Engineer. The report shall be submitted to the respective enlistment authority by and under the signature of the authority as mentioned below:

<u>Class of contractor</u>	<u>To be submitted to</u>	<u>Signing authority</u>
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CPWD contractors:

I(All categories) & Horticulture(All classes)	CE(CSQ)	CE
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II(except Hort.)	ADG	CE
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III(except Hort.) & IV(Civil, HVAC)	CE(Enlistment Authority)	SE
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IV & V	SE(Enlistment Authority)	EE
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Contractors enlisted

<u>with other departments:*</u>	CE	SE
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Contractors not enlisted

anywhere including specialist

<u>& prequalified contractors:*</u>	CE	SE
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* See para 4.1.3 also.

- 4.1.3 In case of contractors not enlisted with CPWD, if the performance report is not found satisfactory, the CE shall act as the disciplinary authority in the following manner:

(a) **Contractors enlisted with other departments**

CE shall forward a copy of the report to the concerned enlistment authority with recommendations for taking action against the contractor as deemed fit. He may also ban the contractor for a suitable period for his Zone or recommend such banning for whole of CPWD to DGW depending upon the merits of the case.

(b) **Contractors not enlisted anywhere including specialist & prequalified contractors**

The CE may ban the contractor for a suitable period for his Zone or recommend such banning for whole of CPWD to DGW depending upon the merits of the case.

4.1.4 Submission dates of Performance Reports The performance reports shall be **timely written** and forwarded to the next authority so as to reach him by the following dates:

S.No	Class	Form No.	To	Date
By EE:				
1.	Class-I(all categories), Classes-II & III(Hort) & Nursery	C&M-1	SE	30 th April
2.	Class-II(except Hort)	C&M-1	SE	30 th April
3.	Class-III(except Hort)	C&M-1	SE	31 st May
4.	Class-IV(Civil & HVAC)	C&M-2	SE	31 st May
5.	Class-IV(Elect & Fur)	C&M-2	SE(Enlisting Authority)	30 th June
6.	Class-V(Civil)	C&M-2	SE(Enlisting Authority)	30 th June
7.	Contractors enlisted with other departments and contractors not enlisted anywhere.	C&M-1 or C&M-2 according to class of contractor	SE	31 st May
By SE:				
1.	Class-I(all categories), Classes-II & III(Hort) & Nursery	C&M-1	CE	31 st May
2.	Class-II(except Hort)	C&M-1	CE	31 st May
3.	Class-III(except Hort)	C&M-1	CE(Enlisting Authority)	30 th June
4.	Class-IV(Civil & HVAC)	C&M-2	CE(Enlisting Authority)	30 th June
5.	Contractors enlisted with other departments and contractors not enlisted anywhere.	C&M-1 or C&M-2 according to class of contractor	CE	30 th June

	BY CE:			
1.	Class-I(all categories), Classes-II & III(Hort) & Nursery	C&M-1	CE(CSQ)	30 th June
2.	Class-II(except Hort)	C&M-1	ADG	30 th June

4.2 Entry in ACR of officer Suitable entry shall be made in the Annual Confidential Reports of the concerned officers indicating that all performance reports of contractors during the last financial year have been written. Pending performance reports of contractors, if any, may also be indicated. Separate administrative orders are being issued in this respect.

4.3 Records & Monitoring of the Performance Report In order that the enlisting authority may keep a proper record and monitor the writing of the performance reports of the contractors, following procedure shall be adopted:

4.3.1 For contractors enlisted with CPWD or any other department –

(i) **Contractors enlisted with CPWD:** A copy of the letter of award of work shall be sent invariably to the concerned enlistment authority in CPWD quoting the enlistment number of the contractor.

(ii) **Contractors enlisted with other department:** A copy of the letter of award of work shall be sent invariably to the CE of the concerned Zone quoting the enlistment number of the contractor.

4.3.2 For contractors not enlisted any where (including contractors of specialist class and contractors who are pre-qualified for a particular work)-

4.4 The copy of the letter of award of work shall be sent to the CE of the concerned Zone.

4.5 The enlisting authority shall open a register for all contractors on its rolls currently in the proforma at Annexure III.

4.5.1 One page shall be allotted to each contractor for keeping a record of the works awarded to him.

4.5.2 As soon as a copy of letter of award of work is received, cols. 1 to 6 shall be filled in based on the information in letter of award. After the prescribed date for submission of performance report of contractors, the register shall be reviewed. In case any report is not received, the

matter shall be taken up with EE/SE concerned for ensuring that all performance reports are received.

4.5.3 On receipt of performance report, the date of receipt shall be entered in col. 7 for concerned year starting with 1997-98. After evaluation, marks secured will be entered in col. 8. Thereafter, action taken and remarks shall be entered in col. 9.

4.5.4 The above procedure shall also be adopted by CE of the Zone in respect of contractors not enlisted anywhere including contractors of specialist class and contractors who are pre-qualified for a particular work.

4.6 The annual reports received in the office of the enlistment authority shall be compiled as per the following schedule :

Compilation by : SE(C&M) for DG(W)
DW for ADG
SE(HQ) for CE
EE(HQ) for SE

4.7 Review of Performance Reports Advisory committee shall meet in the month of July and finalise its review of the performance reports. It will identify the contractors by evaluation on a pre-determined criteria. The approved criteria shall be sent to the enlistment authorities separately. The classification of contractors shall be as those obtaining upto 40 marks, between 41 to 69 marks and 70 or above marks. On the basis of such review action shall be taken for weeding out of contractors and revalidating their enlistment by initiating the following actions. The whole exercise shall be completed by the end of October each year.

4.7.1 Contractors securing upto 40 marks Show cause notices shall be issued to such contractors by 16th August which shall be returnable in three weeks' time. The Advisory committee shall meet again in October and arrive at a final decision on disciplinary action after review of the replies received. In case the reasons extended by the contractor for poor performance are not found satisfactory, his name shall be removed from the list of approved contractors and he shall be debarred from further enlistment for a period of two years. If the reply of the contractor to the show cause notice appears to be convincing to the committee, it may consider not to take the extreme action of de-enlisting the contractor but to place him in the next lower class. However, this shall be done not as a rule but as an exception and the order thus downgrading the contractor will be so worded as to leave it to the contractor to continue in the lower class at his will.

4.7.2 Contractors securing marks between 41 & 69 A caution notice shall be issued to the contractors securing marks between 41 & 69 by 31st August advising them to improve their

performance. In certain cases, where committee so feels, it may consider to downgrade a contractor securing marks from 41 to 55 to the next lower class in the same manner as mentioned above for downgrading contractors securing upto 40 marks.

- 4.7.3 **Contractors securing 70 or more marks** The performance of such contractors shall be considered to be satisfactory and they shall be treated as eligible for revalidation of their enlistment if such revalidation is due.

5.0 RULE 22.0

- 5.1 **Revalidation to be decided by 15th of March** For considering the applications for revalidation received by 31st December of the last year, the committee shall meet in the month of January / February each year and scrutinise the cases on the basis of performance reviewed and finalised by it in the month of October last year. The considerations for revalidation shall be as given in Rule 22.2. The final decision on all applications shall be taken latest by 15th March so that the revalidation orders can be issued well before the expiry of the enlistment of contractors on 31st March.

6.0 GENERAL

- 6.1 **Lump sum Security Deposit of already enlisted contractors** The new Enlistment Rules do not provide for the facility of Lump-sum Security Deposit by contractors of any class to obtain exemption from depositing earnest money with individual tenders. But some of the already enlisted contractors are availing of this facility. It has been decided to ask them to take back their deposits by 31.3.2000. Therefore, such contractors shall be allowed the said facility only till 31.3.2000 i.e. for tenders whose date of submission is 31.3.2000 or earlier.
- 6.2 **Printed copies of Enlistment Rules and application forms** The new Enlistment Rules and the Application forms are being got printed. Till printed copies are available, the existing forms shall be issued to the contractors at the prices as per new rules along with a photocopy of the Enlistment Rules enclosed with this OM. The Chief Engineers shall make arrangements to send copy of this OM along with copy of Enlistment Rules upto the level of Executive Engineer immediately.

7.0 Necessary amendment in Section 35 of CPWD Manual Vol.II shall be made in due course.

This issues with the approval of DGW.

Encls.1 Enlistment Rules'99
2. Annexures I,II,III



(P.K.Mathur)
Superintending Engineer(C&M)

(Issued from file No. 18/4/97/SE/CM)

Copy forwarded to :

1. ADG(S&P), ADG(TD), ADG(B), ADG(NR), ADG(WR), ADG(SR), ADG(ER), E-in-C(PWD NCTD)
2. PPS TO DG(W), CPWD
3. All Chief Engineers in CPWD & PWD, NCTD, ED(Consultancy), CE(Env & Forest)
4. F.O.to (DGW)
5. Ministry of Urban Development (W-3) Section (2 copies)
6. Chief Controller of Accounts, MUD
7. Chief Technical Examiner, Central Vigilance Commissioner, INA, New Delhi
8. Sr. Counsel, CPWD

PROFORMA FOR PERFORMANCE REPORT OF CONTRACTORS
(EXCEPT CLASSES IV & V)

Name of contractor :
Enlistment number :
Enlistment authority with address :
Name of work :

Estimated amount of work :

Tendered amount :

Note: The reporting officer is to mention grading on a 0-5 scale* for items nos. 1(i), 1(ii), 2(B), 3(ii) to 3(vi). For other items he should provide factual information only.

<u>S. No.</u>	<u>Description</u>	<u>Grading percentage information</u>
<u>1.</u>	<u>2.</u>	<u>3.</u>
1.	<u>Quality of Works</u>	
	(i) Structural work/Conduiting & ducting/Landscape (As applicable)	
	(ii) Workmanship & finish (Identify and mention 3 major items and grade each of them on 0-5 scale)	
	(iii) Sub-standard and defective work	
	a. Agreement amount of sub-standard work accepted/proposed to be accepted at reduced rates.	
	b. Agreement amount of defective work rejected.	
	(iv) Technical staff employed on the work	

Contd...2

* Grading on 0-5 scale shall be as follows:

Poor- 0, Fair- 1, Average- 2, Good-3, Very good- 4, Excellent- 5

2.

Speed of execution

A.

- (i) For completed work
 - (a) Stipulated period
 - (b) Actual period
 - (c) compensation levied.
- (ii) For work in progress
 - (a) Stipulated time
 - (b) Time elapsed so far
 - (c) %age progress as per schedule
 - (d) Actual progress
 - (e) Reasons for delay

B. Financial soundness and resourcefulness

General

3.

(i) Materials

Number of rejection of materials, either by test or visual

(ii) Construction machinery and equipment deployed on the work

(iii) Quality of shuttering materials and other non-consumables (for Civil contractors)

Quality of non-consumables (for Elect. & HVAC contractors)

Quality of T&P (for Hort. & Fur contractors)

(iv) Behaviour of contractor/his employees

(Quote specific misbehaviour, if any)

(v) Responsiveness/sense of responsibility

(vi) Labour welfare measures

Reporting officer

Reviewing officer

Countersigning officer

PROFORMA FOR PERFORMANCE REPORT OF CONTRACTORS
OF CLASSES IV & V

Name of contractor :

Enlistment number :

Enlistment authority with address :

Note: The reporting officer is to mention grading on a 0-5 scale*

<u>S. No.</u>	<u>Description</u>	<u>Grading</u>
<u>1.</u>	<u>2.</u>	<u>3.</u>
1.	Quality of work	
2.	Speed of execution	
3.	General (Materials, T&P, Behaviour & Responsiveness)	

Reporting officer

Reviewing officer

Countersigning officer

* Grading on 0-5 scale shall be as follows:

Poor- 0, Fair- 1, Average- 2, Good-3, Very good- 4, Excellent- 5

Enlistment Number

Name of contractor

Constitution

Date

Address

WORKS AWARDED AND PERFORMANCE

S.No.	Reference to letter of award	Division Circle Zone	Name of Work	Amount	Date start / Stipulated Comp.date	of Amount	Date of submiss- ion of perform- ance report	Action taken and remarks
1	2	3	4	5	6	7	8	9

Rules of Enlistment of Contractors in CPWD, 1999

Directorate General of Works
Central Public Works Department
Nirman Bhawan, New Delhi

RULES OF ENLISTMENT OF CONTRACTORS IN CPWD 1999

1.0 Title These rules shall be called the "Rules of Enlistment of Contractors in CPWD, 1999" and shall come into force with effect from the 15th day of June, 1999.

2.0 Short Title Hereinafter these rules shall be referred to as " Enlistment Rules '99" for the sake of brevity.

3.0 Repeal and Saving All rules regarding enlistment of contractors in CPWD existing before coming into force of Enlistment Rules '99 are repealed. Notwithstanding such repeal, the contractors already enlisted on the basis of rules hitherto in force shall continue to enjoy the status of enlisted contractors of CPWD till the period of such enlistment, including revalidation/extension granted before coming into effect of the Enlistment Rules '99, expires. However, in regard to all other matters and further revalidation of their enlistment / revalidation, they shall be governed by the Enlistment Rules '99.

4.0 Applicability Any Indian Individual, Sole Proprietorship Firm, Partnership Firm, Public Limited Company or a Private Limited Company is entitled to get enlistment as a contractor in CPWD 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 CPWD 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 categories and under more than one enlistment authorities but not in more than one classes of the same category under any one enlistment authority.

4.4 A contractor is not permitted to have enlistment in more than one names.

5 Scope The enlistment of a contractor in CPWD 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 award of work.

6 Enlistment Procedure The contractor shall have to submit application in a prescribed form to the enlistment authority. The forms shall be made available at the Divisional offices. In case there are more than one Divisional offices at a place, Division-1 under Circle-1 shall be responsible for the sale of the application form. In Delhi, the forms shall be made available at 'R' Division, B-1/W-6, Kasturba Gandhi Marg, New Delhi and Electrical Division No.5, R.No. 807, S-Wing, Sewa Bhawan, R.K.Puram, New Delhi. The forms shall be numbered; carry details of the issuing Division and bear signature of the Executive Engineer. The price of the form shall be as below:

Classes I & Nursery	Rs.500
Classes II & III	Rs.200
Classes IV & V	Rs.100

Subject to the eligibility criteria and other conditions laid down in the Enlistment Rules '99, the application shall be scrutinised by the enlistment

authority and if found in order in every respect, an acknowledgement shall be issued to the contractor else the application shall be returned. The enlistment authority shall verify the details of as many completed works mentioned by the contractor as considered necessary but not less than the minimum number given in the eligibility criteria. Such verification and performance reports on the selected works shall be obtained confidentially from the agencies for which the works were executed. The enlistment authority shall consider the reports and if found fit, ask the departmental inspection team to visit the works and submit a report on quality of work, workmanship and other aspects. The case shall, thereafter, be placed before an advisory committee that shall make its recommendations to the enlistment authority. If the enlistment authority finds the contractor suitable for enlistment, it shall issue the enlistment order 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.

Notwithstanding above procedure, if the applicant contractor for Class-V(Civil), Class-IV(Elect) and Class-IV(Furniture) does not have the required experience, he shall be enlisted provisionally for one year during which he shall have to secure work of required magnitude to become eligible for regularisation of the enlistment. On completion of the work his enlistment may be regularised for three years from the date of initial provisional enlistment depending upon his performance on the work. In case the contractor is not able to secure any work in CPWD during the year, his enlistment shall be cancelled and he shall be debarred from applying afresh for enlistment for three years.

- 7 Period of enlistment** The enlistment shall be valid for a period until three financial years after the expiry of financial year in which the enlistment order is issued. The enlistment can, however, be revalidated in accordance with rules in this regard. Each revalidation shall be for a period of five financial 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 any time if considered

necessary by the enlistment authority.

8.0 Categories & Classes The enlistment shall be done in four or more categories each having various classes mentioned in Table-1.

Table-1

Category	Classes
Civil	Class-I*, Class-II*, Class-III, Class-IV & Class-V
Electrical	Class-I, Class-II, Class-III & Class-IV
Furniture	Class-I, Class-II, Class-III & Class-IV
HVAC (Heating, Ventilation & Air-conditioning)	Class-I, Class-II, Class-III & Class-IV
Horticulture	Class-I, Class-II, Class-III, & Nursery

*Contractors desirous of executing only road works in these classes shall be enlisted in 'Civil Class-I(Roads only)' and 'Civil Class-II(Roads only)' category. All rules applicable to Civil category shall also apply to Civil (Roads only) category except the eligibility criteria for works experience and T&P/Machinery. Such contractors shall be eligible to tender only for road works.

9.0 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-2. The contractor shall be governed by the provisions existing at a particular point of time irrespective of when he was enlisted.

10.0 Authorities for Enlistment Enlistment in different categories and classes shall be done by different authorities. These are identified in Table-2.

11.0 Eligibility Criteria The contractors shall have to satisfy the

basic minimum criteria of experience and financial soundness before they can be further considered for enlistment. The criterion for experience shall be the completion of three or two works, as the case may be, of prescribed nature and magnitude executed on contract basis during the last five years. The works should have been executed in the same name & style in which the enlistment is sought. The financial soundness shall be judged on the basis of the solvency certificate or the working capital certificate, as the case may be, issued by the Bankers of the contractor on the format prescribed in Annexure-1. Such certificates shall be issued by a scheduled bank and addressed to the enlistment authority in a sealed cover. The criteria for the experience and financial soundness existing on the date of receipt of application by the enlistment authority shall be the governing criteria for that applicant. Table-2 indicates the criteria.

12.0 Other Requirements Apart from the basic criteria mentioned in Rule 11.0, the contractors shall have to satisfy other requirements of engineering establishment, essential T&P and machinery, workshop etc. as detailed out in Table-2.

13.0 Enlistment Fee The contractor shall have to pay a non-refundable enlistment fee by crossed Demand Draft or Banker's Cheque drawn in favour of the Executive Engineer of the CPWD Division from where he has procured the application form. For various categories and classes of enlistment, the fee is prescribed in Table-2.

Category	Class	Jurisdiction	Tendering limit*	Enlistment Authority **	Past Experience of completed works in last 5 years	Financial Soundness	Engineering Establishment	T&P Machinery /	Enlistment Fee
Civil	I	All over India	Rs.5 Crores	DG(W)	Three works of Rs.60 lakhs each. At least two works should be building works. For 'Roads only', at least two works should be road works.	Solvency of certificate Rs.2 Crores	Two graduate engineers with minimum experience of 5 years each out of which at least one should have experience of 10 years. Three diploma holders with minimum 10 years' experience each.	Steel centring & Shuttering 3000 sqm. Builder's hoist 2 nos. Concrete mixers of full bag capacity 5 nos. Vibrators 10 nos. For Roads only Hot mix plant of at least 75 Tonnes per hour capacity 1 no. Paver finishers 2 nos. Road rollers 8 nos. Trucks/Tipper 10 nos.	Rs.10,000

II	Region of CPWD [Contractors enlisted for Delhi shall be entitled to tender also for works of ODZ situated Delhi]	Rs. 1 Crore	ADG of Region. [For Delhi : ADG(TD)]	Three works of Rs. 25 lakhs each. At least two works should be building works. For Roads only, at least two works should be road works.	Solvency of certificate Rs. 60 lakhs.	One graduate engineers with minimum experience of 5 years each. Two diploma holders with 10 years experience each.	Steel centring shuttering 2000 sqm Concrete mixers of full bag capacity 8 nos. Vibrators 15 nos. For Roads only Hot mix plant of at least 50 tonnes per hour capacity 1 no. Paver finisher 1 no. Road rollers 5 nos. Trucks/Tipppers 5 nos.	Rs. 5,000
III	Zone of CPWD	Rs. 40 lakhs	Chief Engineer. [For Delhi : CE(NDZ)III]	Three works of Rs. 10 lakhs each. At least one work should be building work.	Solvency of certificate Rs. 25 lakhs.	One graduate engineer with minimum experience of 5 years.	Steel centring shuttering 1000 sqm Concrete mixers of full bag capacity 2 nos. Vibrators 3 nos.	Rs. 5,000
IV	Zone of CPWD	Rs. 15 lakhs	Chief Engineer. [For Delhi : CE(NDZ)III]	Three works of Rs. 3 lakhs each.	Solvency of certificate Rs. 10 lakhs.	One diploma holder with minimum experience of 5 years.	-	Rs. 1,000
V	Circle of CPWD	Rs. 5 lakhs	Superintending Engineer. [For Delhi : SE(DCC)II]	Two works of Rs. 50,000 each or one work of Rs. 1 lakh. See also Rule 6.0	Certificate for working capital of Rs. 50,000 for at least last six months.	-	-	Rs. 1,000

Electrical	1	All over India	Rs. 5 Crores	DGWM	Three works of Rs. 5 lakhs each. At least two works should be of internal electrification of buildings.	Solvency certificate of Rs. 50 lakhs	One graduate engineer with minimum experience of 5 years. Two diploma holders with minimum experience of 5 years.	Steel, Aluminium ladder 1.5 m to 8 m. Chase cutting machines. Torque wrench for nut/bolt/screws; Primary & secondary injection equipment, Transfer oil dehydration equipment, dielectric strength testing equipment, dial indicator for alignment; Conduit die set; Pipe vice; Bench vice; LT Meggar 500 volts & HT Meggar 5000 volts; Tong Tester, Multimeter, Hydraulically operated & hand operated crimping machines, Earth tester, Portable drilling machine; Overhead conduit puller, Test Bench for light fittings & MCB DB.	Rs. 10.00
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III	Region of CPWD selected for Contractors enlisted for Delhi shall be entitled to tender also for works of OODZ situated Delhi]	Rs.10 lakhs to Rs.20 lakhs	ADD of Region (For Delhi ADG(TD))	Three works of Rs.3 lakhs each. At least two works should be of internal electrification of buildings.	Solvency certificate of Rs.8 lakhs.	Two diploma holders with minimum experience of 5 years.	Steel/ Aluminum ladder 1.5 m to 8m; Conduit die set; Pipe vice; Bench vice; LT Meggar 500 volts & HT Meggar 5000 volts; Tong Tester, Multimeter, Hydraulically operated & hand operated crimping machines, Earth tester, Portable drilling machine; Overhead conduit puller, Test Bench for light fittings & MCB DB.	Rs.5,000
III	Elect. Zone of CPWD	Rs.5 lakhs.	Chief Engineer(Elect). (For Delhi CE(E)III)	Three works of Rs.1 lakh each. At least one works should be of internal electrification of buildings.	Solvency certificate of Rs.4 lakhs.		Conduit die set; Pipe vice; Bench vice; LT Meggar 500 volts & HT Meggar 5000 volts; Tong Tester, Multimeter, Hydraulically operated & hand operated crimping machines, Earth tester; Portable drilling machine; Overhead conduit puller, Test Bench for light fittings & MCB DB.	Rs.5,000

IV	Region of CPWD	Rs. 10 lakhs	Engineer (B-20) (For Delhi SE(DCC))	Rs. 10,000 each for one work of Rs. 30,000. See also Rule 6.0	Rs. 25,000 for at least last six months.	Designers of capable producing well thought out schemes for furnishing large buildings.	Properly fitted workshop, paints, polish & other finishing equipment.	Rs. 10,000
I	All over India	Rs. 5 Crores	DG(M)	Three works of Rs. 5 lakhs each.	Solvency of certificate of Rs. 25 lakhs.			
II	Region of CPWD Contractors enlisted for Delhi shall be entitled to tender also for works of ODZ situated Delhi.	Rs. 10 lakhs.	ADG of Region. (For Delhi ADG(TD))	Three works of Rs. 3 lakhs each.	Solvency of certificate of Rs. 8 lakhs.		Properly fitted workshop, paints, polish & other finishing equipment.	Rs. 5,000
III	Zone of CPWD	Rs. 5 lakhs.	Chief Engineer. (For Delhi : CE(NDZ/III))	Three works of Rs. 1 lakh each.	Solvency of certificate of Rs. 4 lakhs		Properly fitted workshop, paints, polish & other finishing equipment.	Rs. 5,000
IV	Circle of CPWD	Rs. 1.5 lakh.	Superintending Engineer. (For Delhi : SE(DCC))	Two works of Rs. 15,000 each or one work of Rs. 30,000. See also Rule 6.0	Certificate for working capital of Rs. 25,000 for at least last six months.			Rs. 1,000

HVAC	I	All over India	Rs. 5 Crores	DD (W)	Three works of Rs. 75 lakhs each. At least two works should be of designing, installing, testing & commissioning of Central AC plant of capacity 100 TR or more in each case.	Certificate of Rs. 1 Crore	experience of 5 years each out of which at least one should have experience of 10 years. Three diploma holders with minimum 10 years' experience each.		
	II	Region of CPWD [Contractors enlisted for Delhi shall be entitled to tender also for works of ODZ situated Delhi]	Rs. 75 lakhs	ADG of Region. [For Delhi: ADG(TD)]	Three works of Rs. 30 lakhs each. At least two works should be of Central AC plant of capacity 40 TR or more in each case.	Solvency of certificate of Rs. 50 lakhs.	One graduate engineer with minimum experience of 5 year. Two diploma holders with minimum 5 years' experience each.	Rs. 5,000	
	III	Elect. Zone of CPWD	Rs. 30 lakhs	Chief Engineer (Elect.) [For Delhi: CE(E)]	Three works of Rs. 10 lakhs each pertaining to Central AC plants.	Solvency of certificate of Rs. 15 lakhs.	Two diploma holders with minimum experience of 5 years.	Rs. 5,000	
	IV	Elect. Zone of CPWD	Rs. 7.5 lakhs	Chief Engineer (Elect.) [For Delhi: CE(E)]	Two works of original/operation/maintenance nature of Rs. 2.5 lakhs each.	Solvency of certificate of Rs. 5 lakhs.		Rs. 1,000	

Horticulture	I	All over India	Rs. 5 Crores	DG(M)	Three works of Horticultural activity each costing Rs. 5 lakhs or more	Certificate for working capital of Rs. 1 lakh for at least last six months	One B.Sc(Agriculture) graduate employee	Malapporath, carrier, tractor cum-trailer, Power & manual Lawn-movers, Wheel barrows, Rubber hose pipes, Power sprayers, Hand-carts and all implements for day to day working and carriages. No T&P shall be issued by the dept.	Rs. 5,000
	II	All over India	Rs. 15 lakhs	DG(M)	Three works of Horticultural activity each costing Rs. 3 lakhs or more	Certificate for working capital of Rs. 50,000 for at least last six months	---	All implements for day to day working and carriage. No T&P shall be issued by the dept.	Rs. 2,000
	III	All over India	Rs. 5 lakhs	DG(M)	Three works of Horticultural activity each costing Rs. 1 lakh or more.	Certificate for working capital of Rs. 20,000 for at least last six months	---	All implements for day to day working and carriage. No T&P shall be issued by the dept.	Rs. 1,000
	Nursery	Delhi	Rs. 5 Crores	DG(M)	Should be in business for at least last three years	Minimum average annual turn over of Rs. 5 lakhs during last three years and minimum turn over of Rs. 3 lakhs in each of these years. At least one acre of land under plantation of nursery.	---	All implements for day to day working. No T&P shall be issued by the dept.	Rs. 5,000

*For works costing more than Rs.5 Crores, contractors are pre-qualified. For works costing more than Rs.1Crore but less than Rs.5 Crores, CPWD may pre-qualify the contractors at its discretion.

** As a general rule, in stations where there are more than one CE or SE, CE of Zone-I or SE of Circle-I shall be the enlistment authority.

14.0 Income Tax Clearance The contractor shall produce valid Income Tax Clearance Certificate (ITCC). He shall have to apply to the Income Tax department for issue of ITCC in the month of May every year and submit the same or an attested copy thereof to the enlistment authority by the end of June every year. Failure to submit the ITCC in this manner without any justifiable reason will render the contractor liable to be removed from the approved list of contractors.

15.0 Electrical Licence The contractors of Electrical category shall have to produce valid electrical licence from the competent authority. They shall keep valid licence 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. For securing works in any state they shall have to possess valid electrical licence issued from that state or at least an endorsement in the licence of other state.

16.0 Change in Constitution of Firm The contractor/firm shall not 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. 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.

16.1 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.

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

16.3 If the number of original partners of a firm reduces to half or less due

to any reason including death of partner(s), the enlistment of the firm shall be withdrawn.

17.0 Change in Address The contractor shall intimate the change in his permanent address / business address, if any, in future. Failure to do so may result in removal of his name from the approved list of contractors.

18.0 Near Relatives Working in CPWD 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.

19.0 Review of Approved List of Contractors The contractor shall be required to secure works of appropriate magnitude in CPWD. If the officer awarding the work (whether of appropriate magnitude or not) does not forward a copy of letter of award of work to the concerned enlistment authority, the contractor may bring it to the notice of the officer and also inform the enlisting authority. If the contractor fails to secure any work during a period of five consecutive years, he shall be weeded out of the approved list of contractors save as provided in the rules regarding revalidation. Contractors shall also 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.

20.0 Annual Performance Reports Executive Engineer of the department shall write work wise annual performance reports for all works of a contractor whether completed in that year or in progress. In case of Class-V(Civil), Class-IV(Elect) and Class-IV(Fur) contractors, there shall be only one overall report for all the works of the contractor. The annual performance reports shall be submitted to the enlistment authority by the appropriate

countersigning authority, according to the category and class of enlistment of the contractor.

20.1 The annual performance report shall be written for each financial year i.e. from 1st April to 31st March.

20.2 The Advisory Committee of the enlistment authority shall review the performance reports of the contractors. It will identify the contractors who secure below 40 marks in evaluation on the prescribed criteria between 41 to 69 marks and 70 or above marks. This evaluation shall form the basis of weeding out of contractors and the revalidation of their enlistment.

21.0 Weeding out of Contractors On the basis of evaluation of performance reports by the Advisory Committee, the contractors shall be weeded out or qualified for revalidation in the following manner.

(i) **Contractors securing upto 40 marks** Contractors securing upto 40 marks shall have to show cause for their poor performance. If the Advisory Committee does not find the reasons extended by the contractor satisfactory, his name shall be removed from the list of approved contractors and he shall be debarred from further enlistment for a period of two years. If the reply of the contractor to the show cause notice appears to be convincing to the committee, it may consider to place him in the next lower class instead of de-listing. However, this shall be done not as a rule but as an exception and the contractor shall be at liberty to continue or not to continue in the lower class. A contractor thus downgraded shall be eligible for re-enlistment in the higher class only after expiry of two years from the date of downgrading.

(ii) **Contractors securing marks between 41 & 69** The contractor securing marks between 41 & 69 shall be asked to improve the performance. Contractors securing marks from 41 to 55 may be downgraded to the next lower class in the same manner as those

contractors who secure upto 40 marks. If the contractor fails to secure 70 or more marks in the next year too, his name shall be removed from the list of approved contractors.

- (iii) **Contractors securing 70 or more marks** The performance of such contractors shall be considered to be satisfactory and they shall be treated as eligible for revalidation of their enlistment if such revalidation is due and they satisfy all other conditions.

22.0 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. Normally the first and subsequent revalidation shall be for a period of five financial years after the expiry of the enlistment on each occasion unless otherwise necessitated under Rule 20.0. Only the contractor who has completed / secured / attempted to secure at least one work of appropriate magnitude in CPWD, PWD(NCTD) or CCU or Ministry of Environment & Forest during the period of enlistment or last revalidation of enlistment as the case may be, shall be considered for revalidation.

A work completed/secured as an associate contractor of the main contractor, to whom a composite work in CPWD, PWD(NCTD) or CCU of Ministry of Environment & Forest was/has been awarded, shall also qualify for consideration of revalidation.

22.1 Application for Revalidation The contractor shall apply for revalidation of his enlistment in the prescribed form so as to reach the enlistment authority by 31st December of the financial year on the last day of which his enlistment is due to expire. Applications received after 31st December but before following 31st January shall be considered if accompanied by a late fee of Rs.2000/- in the form of Demand Draft in the name of Executive Engineer of the Division from where he obtains the application form. Applications received after 31st January shall not be considered and the contractor shall have to apply for fresh enlistment which shall be considered on

22.2 Revalidation Procedure

The revalidation shall be done on the basis of review of the annual performance reports of the contractor pertaining to the period of enlistment by the committee as described in Rule 21.0(iii). Cases shall be categorised and action taken as below:

- (i) **Category 'A'** Enlistment of only such contractor who secured work(s) of appropriate magnitude during the period of enlistment and complete satisfactorily (i.e. obtain 70% or above marks in the evaluation of performance reports) shall be revalidated for a further period of five financial years.
- (ii) **Category 'B'** Enlistment of a contractor who secured work(s) of appropriate magnitude recently, in the final year of their enlistment, such that the performance report has not become due shall be extended for one year for watching the performance and then revalidated for four financial years, if found satisfactory.
- (iii) **Category 'C'** Enlistment of a contractor who could not secure any work during the enlistment period but kept on tendering for the works of appropriate magnitude shall be dealt with as below:
 - (a) A contractor who submitted less than three tenders of appropriate magnitude shall not be eligible for revalidation and his enlistment shall stand cancelled. He shall be entitled to apply for fresh enlistment only after one year of the expiry of his enlistment.
 - (b) A contractor who submitted three or more tenders for work of appropriate magnitude shall be eligible for extension of enlistment for one year, provided he was among the three lowest tenderers in at least one work, so as to enable him to

try to secure at least one work. After one year, he shall be regulated in the following manner :

- i) If the contractor has not been able to secure any work of appropriate magnitude during the extended one year, his enlistment shall stand cancelled and he shall be entitled to apply for fresh enlistment only after one year of expiry of his extended enlistment.
- ii) If the contractor has secured at least one work of appropriate magnitude during the extended one year, he shall be granted extension of one more year so as to watch his performance. After this one year, when his performance report is available, the same shall be evaluated and if found satisfactory, the enlistment shall be revalidated for three financial years.

(iv) **Category 'D'** Enlistment of a contractor who has neither secured a work nor tendered for the same shall not be revalidated.

23.0 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. He shall have to execute the works satisfactorily, 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. Decision of the department shall be final and binding on the contractor. The following actions of the contractor shall, in general, make him liable to disciplinary actions:

23.1 Demotion to a lower class The contractor shall be liable to demotion to a lower class 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. is responsible for a conduct which may justify his demotion to a lower class.

23.2 Suspension of business The enlistment authority may suspend business with a contractor for indefinite period where, pending full enquiry into the allegations, 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.

23.3 Removal from the approved list The name of the contractor may be removed from the approved list of contractors if he:

- a. has, on any 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.

FORM OF SOLVANCY CERTIFICATE FROM THE 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

FORM OF WORKING CAPITAL CERTIFICATE FROM THE SCHEDULED 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