

The Engineer-in-Chief, Haryana,
Public Health Engineering Department,
Panchkula.

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To

All Superintending Engineers in
Public Health Engineering Department, Haryana.

Memo No. 75 33-44

-PH/Plg.

Dated, 21 September, 2009

Subject:- Enlistment of Contractors/Agencies- Revised Guidelines and action against the contractors/agencies for delay in completion of works.

The revised guidelines for enlistment/ renewal/ upgradation of Contractors/ Agencies, as well as action to be taken against the contractors/ agencies for delay in completion of works, have been approved by the Government, as detailed below :-

a) Category of Contractors:

S.No.	Class of Contractor	Amount of work upto which contractor can tender	
		As per old instructions dated 1/3.10.1997	As Revised
1.	Special Class	Work costing more than Rs. 1.00 Crore and of non conventional type such as sewage treatment plants, fire fighting etc. requiring specialized technical skill and of unusual type.	Specified amount of Non conventional type works such as sewage treatment plants, water treatment plants (Rapid sand filtration) fire fighting, OHSR, Tube well, Air conditioning, Electrical & Mechanical works etc. requiring specialized technical skill and of unusual type
2.	Class-I	Any limit except the work mentioned against Special Class.	Specified amount above Rs. 250 lacs except for the works mentioned against special class.
3.	Class-II	Upto Rs. 50.00 lacs	Specified amount upto Rs.250 lacs
4.	Class-III	Upto Rs. 20.00 lacs	Specified amount upto Rs 100 lacs

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S.No.	Class of Contractor	Amount of work upto which contractor can tender	
		As per old instructions dated 1/3.10.1997	As Revised
5.	Class-IV	Upto Rs. 5.00 lacs	Specified amount upto Rs. 30 lacs
6.	Class-V	Upto Rs. 1.00 lacs	Specified amount upto Rs. 10 lacs

b) Qualification for Enlistment:

S. No.	Class of Contractor	Qualification as per	
		Instruction dated 1/3.10.1997	As Revised
1.	Special Class	The agency should have executed satisfactorily works costing more than Rs. 1.00 Crore and of non-conventional type required specialized technical skill and of unusual type.	The agency should have executed satisfactorily one work amounting to 80% of specified amount of enlistment or three works each amounting to more than 50% of specified amount of enlistment, of non-conventional type requiring specialized technical skill and of unusual type during the last three years.
2.	Class-I	The agency should have executed satisfactorily five works costing more than Rs 30 lacs each or three works costing more than Rs. 50 lacs each or above during the last three years.	The agency should have executed satisfactorily three works of total amount more than specified amount of enlistment or five works costing more than Rs 100 lacs each during the last three years.
3.	Class-II	The agency should have executed satisfactorily five works costing more than Rs. 10.00 lacs each during the last three years.	The agency should have executed satisfactorily three works of total amount more than specified amount of enlistment during the last three years.
4.	Class-III	The agency should have executed satisfactorily five works costing more than Rs. 3.00 lacs each during the last three years.	The agency should have executed satisfactorily three works costing more than specified amount of enlistment during the last three years.
5.	Class-IV	The agency should have executed satisfactorily five works costing more than Rs. 50,000 each during the last three years.	The agency should have executed satisfactorily three works costing more than specified amount of enlistment during the last three years.
6.	Class-V	Petty works	Petty works

c) Powers to Enlist:

As per instructions dated 1/3.10.1997	As Revised
<p>3.0 The powers to make the enlistment of contractors / Private and Public Limited Companies in respect of Special Class , Class-I, Class-II, Class-III and Class-IV are as under:-</p> <p>3.1 A committee consisting of the following officers has been constituted for examination of the application forms for enlistment of contractors for special class works</p>	<p>3.0 The powers to make the enlistment of contractors / Private and Public Limited Companies in respect of Special Class , Class-I, Class-II, Class-III and Class-IV are as under:-</p> <p>3.1 A committee consisting of the following officers has been constituted for examination of the application forms for enlistment of contractors for all class, class-I, class-II & class-III works.</p>
<p>Engineer-in-Chief, Haryana Public Health Branch, Chd Chairman</p> <p>(ii) Chief Engineer (Works) Member</p> <p>(iii) Chief Engineer (YAP) Member</p> <p>(iv) Executive Engineer (Planning) Member Secretary</p>	<p>(i) Senior most Chief Engineer Chairman</p> <p>(ii) Second senior most Chief Engineer Member</p> <p>(iii) Superintending Engineer (Planning) Member Secy</p>
<p>3.2 A committee consisting of the following officers has been constituted for examination of the application forms for enlistment of contractors for Class-I and Class-II contractors :-</p> <p>(i) Chief Engineer (YAP) Chairman</p> <p>(ii) Superintending Engineer (Plg) Member</p> <p>(iii) Superintending Engineer(Urban) Member</p> <p>(iv) Executive Engineer(Plg.) Member Secy.</p>	<p>Proposed to be deleted as included under above committee</p>
<p>3.3 A committee consisting of the following officers has been constituted for examination of application forms for enlistment of Class-III contractors:</p> <p>(i) Superintending Engineer of respective circle. Chairman</p> <p>(ii) Two senior most Executive Engineers of the Divisions Falling under the concerned Circle of superintendence. Member</p> <p>(iii) Superintendent (working in concerned circle) Member Secy.</p>	<p>3.3 A committee consisting of the following officers has been constituted for examination of application forms for enlistment of Class-IV contractors:</p> <p>(i) Superintending Engineer of respective circle. Chairman</p> <p>(ii) Two senior most Executive Engineers of the Divisions Falling under the concerned Circle of superintendence. Member</p> <p>(iii) Superintendent (working in concerned circle) Member Secy.</p>

As per instructions dated 1/3.10.1997	As Revised
<p>4.1 The respective contractors/ private or public Limited Company desirous of enlistment as Special Class , Class-I, Class-II and Class-III contractor should apply on the application for enlistment of contractors prescribed in PWD Manual of Orders, Appendix 7-C as modified from time to time, to the Superintending Engineer under whose jurisdiction the permanent address of the contractors/ Private or Public Limited Companies fall alongwith the enlistment fee prescribed hereinafter.</p>	<p>4.1 The respective contractors/ private or public Limited Company desirous of enlistment as Special Class , Class-I, Class-II and Class-III contractor should apply on the application for enlistment of contractors prescribed in PWD Manual of Orders, Appendix 7-C as modified from time to time, to the Superintending Engineer under whose jurisdiction the permanent address of the contractors/ Private or Public Limited Companies fall alongwith the enlistment fee prescribed hereinafter.</p>
<p>4.2 After examination of such applications the respective Superintending Engineers will send these applications to the Member Secretary to the Committee.</p>	<p>4.2 After examination of such applications the respective Superintending Engineers will send these applications to the Member Secretary to the Committee.</p>
<p>4.3 The Committee will meet after every three months to examine the applications received for enlistment and shall finally decide these cases.</p>	<p>4.3 The Committee will meet after every three months to examine the applications received for enlistment and shall finally decide these cases.</p>
<p>4.4 The decision of the above Committee shall be communicated by the Member Secretary of the Committee to the concerned Superintending Engineer who shall issue the necessary certificate of enlistment to the contractors / Private Limited Companies. The necessary register of contractors shall be maintained by the concerned Superintending Engineer. Similarly , for enlistment as Class-IV and V contractors, the prospective contractors desirous of enlistment should apply on the application for enlistment of contractors prescribed in PWD Manual of Orders Appendix 7-C as modified from time to time, to the Executive Engineer under whose jurisdiction the permanent address of the contractors fall alongwith the enlistment fee prescribed hereafter.</p>	<p>4.4 The decision of the above Committee shall be communicated by the Member Secretary of the Committee to the concerned Superintending Engineer who shall issue the necessary certificate of enlistment to the contractors / Private Limited Companies. The necessary register of contractors shall be maintained by the concerned Superintending Engineer. Similarly, for enlistment as Class-IV and V contractors, the prospective contractors desirous of enlistment should apply on the application for enlistment of contractors prescribed in PWD Manual of Orders Appendix 7-C as modified from time to time, to the Executive Engineer under whose jurisdiction the permanent address of the contractors fall alongwith the enlistment fee prescribed hereafter.</p>

5.0 Enlistment Fee

The enlistment fee under different Classes shall be as under:

S.No.	Category of Contractors	Rate of the fee prescribed	Remarks	S.No.	Category of Contractors	Rate of the fee prescribed	Remarks
1.	Special Class	Rs. 5,000/-	Renewal after 2 Yrs.	1.	Special Class	Rs. 25,000/-	Renewal after 2 Yrs.
2.	Class-I	Rs. 5,000/-	financial years	2.	Class-I	Rs. 25,000/-	financial years
3.	Class-II	Rs. 4,000/-	at a fee equal	3.	Class-II	Rs. 20,000/-	at a fee equal
4.	Class-III	Rs. 3,000/-	50% of enlistment	4.	Class-III	Rs. 15,000/-	50% of enlistment
5.	Class-IV	Rs. 1,000/-	fee.	5.	Class-IV	Rs. 5,000/-	fee.
6.	Class-V	Rs. 500/-		6.	Class-V	Rs. 2,500/-	

Action against the contractors for delay in completion of works:

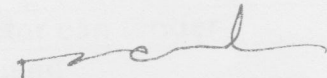
Time is the essence of the contract agreement. It has been observed that most of the works are not completed within the stipulated contract period and sometimes the works are completed in more than the double of contract period leading to delayed benefits of the project to the public / beneficiaries. This is because of the callous attitude of the contractors as well as the officers towards the completion of work within time period. Moreover hardly any action is initiated against the contractors for delay in completion of works & time extension is granted on flimsy grounds. To check this menace of delay in completion of works as well as to encourage timely completion of works, some actions other than penalty clauses of contract agreement are proposed as under:-

- (I) The enlistment of the contractor be suspended in case he does not execute the agreement after acceptance of the tender. He shall be debarred & suspended from participating in the re-tender of that work or in future tenders also for a period of two years.
- (II) The enlistment of the contractor be suspended in case he does not start the work by the date of commencement as notified by the Engineer-in-Charge except in cases where he is not at fault e.g. delay in handing over the site etc. He shall be debarred and suspended from participating in the re-tender of that work or in future tenders also for a period of two years.
- (III) The enlistment of the contractor be suspended for three years in case action under Clause 3-C of the agreement has been initiated against the contractors.

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- (IV) The contractor be demoted to a lower class at the time or renewal of his enlistment in case he has not been able to finish at least 75% of the works awarded to him within the original contract time period except in cases where he is not at fault e.g. delay in handing over the site, approval of structural design, delay in supply of material to be given by the Department, natural calamity etc. to be decided by the Engineer-in-charge.
- (V) The action proposed at (i), (ii), (iii) & (iv) regarding demotion, debarring/ suspension can be reviewed by competent authority as prescribed from time to time.

The above guidelines may please be adhered to in future and applications for enlistment/ renewal/ upgradation of the contractors/ agencies must be sent as per revised guidelines. Further, action against the defaulting contractors/ agencies may also be taken in accordance with the guidelines mentioned in the letter.



Superintending Engineer (Planning),
For Engineer-in-Chief, Haryana, PHED.

22/9
-PHE/Plg., Dated: 22.9.2009

Endst. No. 7545-50

A copy of the above is forwarded to the following for information :-

- 1- PA to EIC/PS to CEU/PA to CE (Project)/PA to CE(Rural)/PA to CE(Prog.).


Superintending Engineer (Planning),
For Engineer-in-Chief, Haryana, PHED.

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