

APPENDIX 'A' TO NOTICE OF INVITING E-TENDER (NIT) ANNEXURE 'A'

'D'	(a) Two works costing not less than Rs 25.00 lakh each. or One work costing not less than Rs 40.00 lakh. or Average annual turnover for last two consecutive years shall not be less than Rs 50.00 lakh.	(a) Solvent upto Rs 20.00 lakh or Financially sound for engagement upto Rs 50.00 lakh. (b) Working capital not less than Rs 7.50 lakh	Rs 12.50 lakh
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Notes:-

1. Authority competent to enlist shall be called Registering Authority.
2. The categories for enlistment shall be decided on the basis of nature of works executed by Contractor. Contractors who have experience of executing of Prefab/Pre Engineered Structures and fulfill other criteria, shall also be eligible for enlistment in category a(i). At the time of renewal, contractors already enlisted in Cat (a) (i) Building & Roads shall be enlisted in Cat (a) (i) Building works & (a) (v) Roads. In case of E class contractors, Registering Authority shall issue suitable amendments to enlistment letters in respect of separate categories for buildings works i.e a(i) and roads i.e. a(v) without any application from contractor.
3. For enlistment upgradation/renewal/reclassification etc, in category (b) Electrical Engineering Works (i) to (iii), a declaration/undertaking shall be obtained from the applicant contractor in affidavit form whereby the contractor shall undertake to either obtain valid Electrical Licence of required class in its name or engage an agency having valid Electrical Licence of required class through MoU (Memorandum of Understanding) for execution of all electrical works as well as works under category (c) [including its sub categories (i) to (vii)] and the category (d)(v) to the extent Rule 29 under Part III of Central Electricity Authority (Measures Relating to Safety and Electric Supply) Regulations, 2010 is applicable either in full or part of the scope of work of contract awarded to him and that all such electrical works shall be executed by him through such agency only (either self or other agency) having valid Electrical Licence of required class from State /Union Territory Authorities where works are to be executed.
4. Working capital with the Contractor shall be judged from balance sheet/bank's certificate as per Appendix 1.3 / bank statement for last 6 month/overdraft or cash credit facility from bank/fixed deposit receipts with banks.
5. The requirements of minimum reserves are applicable for enlistment related process of existing contractors i.e. Change in constitution/Renewal/Reclassification (Revision in Monetary Limit) etc, if they have contracts in hand not having Performance Security provisions, till their contracts are completed and their Final Bills do not become MINUS. For this, these contractors will submit affidavit on non-judicial stamp paper of appropriate value (minimum value Rs. 1 00) declaring that all their contracts without Performance Security provisions are completed and the Final Bills are not MINUS. Immovable/movable property (minimum reserve) shall be exclusively in the name of Contractor and not in the name of family members/relatives/others. In case of Limited companies, immovable/movable property (considered for minimum reserve) shall be exclusively in the name of Company and should be reflected in the Balance Sheet of the Company.
6. "Last two consecutive years" shall mean immediate last two consecutive financial years reckoned from the date of application for upgradation. Two consecutive years for the purpose of fresh enlistment shall mean any of the two consecutive financial years in last Five Financial Years preceding the date of application for enlistment. For documents in support of works experience, TDS certificate for IT/Sales Tax/NAT/GST shall also be asked from applicant firms. All documents related to works experience and turnover (except Form 26 AS and portal generated GST return) shall be got independently verified from the client/issuing authority. Registering Authority may seek clarification from the Chartered Accountant in case of any doubt. Annual turnover to be considered for enlistment purpose shall mean the turnover from all businesses carried out by the applicant firm in relation to construction work related to categories of works for which the enlistment is being sought. It may be total turnover as shown in the audited balance sheet or part thereof. Necessary clarification shall be obtained from the Chartered Accountant whose audited balance sheet is submitted by the applicant firm in case considered necessary by the Registering Authority.



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Upgradation of enlisted contractor shall be done gradually in stages. Before a contractor is considered for upgradation, he should have worked at least for two years in the present tendering limit and should meet the criteria laid down. Normally upgradation will be done only to one next higher class at a time. However, if performance of any particular contractor is of very high order and Registering Authority considers upgradation of such contractor by more than one class justified, the same shall be done only with prior approval of E-in-C's Branch. Following considerations shall be applied to ascertain whether the performance of contractor is of very high order or otherwise:

(a) Contractor has completed works, value of which is more than 1.25 times the requirement in which the upgradation is being considered.

(b) Average Annual Turnover of the contractor is more than 1.25 times the requirement in which the upgradation is being considered.

Example: For a contractor enlisted in class 'C' having tendering limit of 100 lakh, proposed to be upgraded to class 'A' having tendering limit of 7.50 crore, minimum value of works completed and turnover shall be as under :

(i) Two works completed costing not less than 5.00 crore each (1.25 x 4.00)
Or

One work costing not less than 7.50 crore (1.25 x 6.00)
(ii) Average annual turnover 7.5 crore (1.25 x 6.00)

(c) Average marks secured in Performance Reports (Stage-11) for the works completed in last five years shall not be less than 70%. Where report for any work is not available, it will be deemed to contain only 60% average marks.

7. Contractors of 'A' class and above only shall be eligible for enlistment in categories :

(a) (iii) Runways and Pavements and (a)(iv) Marine and Harbour Works subject to prior approval of E-in-C.

8. The criteria laid down above for enlistment/ upgradation may be relaxed in the case of contractors whose performance has been found to be of a very high order. Such relaxation may, however be given only with the prior approval of E-in-C's Branch.

9. **Documents required to be submitted by the contractor for enlistment in MES.**

(a) Application for enrolment as contractor on IAFW-2190 (Revised 2020). Coloured Photographs affixed on application shall be self-attested.

(b) Affidavit for constitution of firm.

(c) List of works executed during last five years (As per Appendix 1_2) including copies of Work Orders/Work allotment letters, Copies of completion certificates and Form 16 AITDS certificate for GST (GSTR-7A).

(d) Annual turnover certificate duly supported with audited balance sheet. The turnover certificate must bear the UDIN (Unique Document Identification Number). The turnover certificate and audited balance sheet should be from same Chartered Accountant. In case balance sheets are not audited, Form 26 AS and/or Annual GST return shall be forwarded in support of turnover.

(e) Audited balance sheet of last five years in case of Limited companies

(f) Solvency certificate from scheduled bank as per specimen given in **Appendix-1.3**

(g) Working Capital certificate from scheduled bank as per specimen given in **Appendix-1.3**.

(h) Affidavit from contractor that there is no Government dues/ recovery outstanding against him. If there is any Government dues/recovery outstanding from the contractor, enlistment/ upgradation shall not be carried out.

(j) Affidavit from contractor giving brief details of arbitration / litigation cases he was involved in. Registering Authority will critically examine such details and if contractor is considered habitual litigant, his enlistment/ upgradation shall not be carried out. Contractor shall be deemed to be a habitual litigant if he moves the court more than once ignoring arbitration clause and court does not uphold his view.

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Two self-attested photographs of Proprietor/Partners/ Directors of firm for verification of character and antecedents from the police authorities. Places where online police verification process is available, the contractor will carry out police verification of the Proprietor/Partners/Directors and submit the verification reports for cross verification by the Department. Alternatively the contractor may submit a copy of valid passport issued by Govt of India.

- (l) Copy of partnership deed in case of partnership firm.
- (m) Memorandum and Articles of Association in case of Limited Companies.
- (n) Copy of Registration Certificate of firm with Registrar of Companies/ Register of Firms.
- (o) Affidavit that no near relative(s) of the contractor or his/their employees/agents is/are working as Gazetted/ Commissioned Officer(s) in MES/ Corps of Engineers/Ministry of Defence. If the near relative(s) is/are working in such capacity in any formation upto Zonal CE/CCE, he/ they shall furnish details. The contractor shall not be entitled to tender for the works in entire area of CE Zone/CCE.
- (p) Affidavit that no near relative(s) of the contractor or his/their employees/agents is/are working as Junior Engineer(s) in MES/Corps of Engineers. If his near relative(s) is/are working in such capacity in any formation upto CWE/ GE(I) office, the contractor shall furnish details. The contractor shall not be entitled to tender for the works in entire area of that CWE/GE(I).
- (q) Copy of power of attorney/Resolution of the Board infavourof any Partner/ Director of the firm.
- (r) Copy of immediate last Income Tax Return.
- (s) A separate sheet containing specimen signatures (signed in black ink) and affixed with photographs of Proprietor/Partners/Directors (to be used as Appendix B of enlistment letter).
- (t) Self-attested copy of PAN Card of Proprietor, Partners, Directors and the firm/ Company.
- (u) Self-attested copies of GST registration, EPFO registration and ESIC registration certificates.

Notes:-

- (v) All the documents submitted by the contractor shall be signed by Proprietor/all Partners/all Directors unless specifically authorised to a Partner/Director through POA or Resolution of the Board.
- (ii) Photocopies of documents shall be self-attested. Registering Authority shall ask production of original documents to verify the photocopies.
- (iii) All affidavits shall be given on non-judicial stamp paper of appropriate value duly signed by the contractor and attested by the Magistrate/Notary public.
- (iv) Registering Authority shall cross-verify the genuineness of financial documents at Para (d) & (e) above from issuing Chartered Accountant (CA) and documents at Para (f) & (g) from the concerned Bank branch by referring in writing to them alongwith copy of above documents submitted by contractor. Registering Authority is also at liberty to verify the genuineness of all the documents from other reliable/authentic sources.
- (v) All documents related to work experience and turnover (except Form 26AS and portal-generated GST return) shall be got independently verified from the client/issuing Authority. For documents in support of works experience, TDS certificate for IT/Sales Tax/NAT/GST shall also be asked from applicant firms. Registering Authorities may seek clarifications from the Chartered Accountant in case of any doubt.
- (vi) Documents mentioned at Para 9 (a) and 9 (s) shall not be applicable for the purpose of documents to be uploaded for bidding purpose by unenlisted firms.**

Signature of Contractor



DCWE (Contracts)
For Accepting Officer

