

O.P.W.D Amedment-2003

Guidelines for Eligibility for enlistment/ upgradation of different classes of Contractors

- For enlistment/upgradation as “Super Class” one should fulfill the following conditions.

He should be in possession of valid” Special Class” Registration certificate of Registration Certificate of similar/equivalent rank to other state P.W.D, C.P.W.D, Major ports, Railway, Central or any state Government undertakings/enterprises and should have executed works worth of Rs.2.00 crores or more in a financial year which should include execution of atleast one work worth of Rs. 50.00 lakhs or more in single contract.

Registering Authority may relax the above financial criteria provided the applicant for “Super Class” possesses the following machineries including other Tools and Plant.

i.	Vibratory Roller	...	Two numbers
ii.	45 to 60 MT Capacity H.M. Plant	One numbers
iii.	8 to 10 MT Capacity power Road Roller	...	Two numbers
iv.	Tipper	Five numbers
v.	Proclain	...	One numbers
vi.	J.C.B	...	One numbers
vii.	Crane	...	One numbers
viii.	Batching and weighting Machine	...	One numbers
ix.	Needle Vibrator	...	Five numbers
x.	Plate vibrator	...	Two numbers
xi.	Concrete mixer	...	Three numbers
xii.	Compressor	...	Two numbers
xiii.	Dozer	...	One numbers

- Eligibility for enlistment/up gradation for “Special Class”

For enlistment/up gradation the “Special Class” one should fulfill the following conditions;

- a. He should be in possession of valid “A” class Registration certificate under state P.W.D or Registration of similar/equivalent rank in other state O.P.W.D, C.P.W.D , Railway, Major ports, central and State Government undertakings/enterprises etc. and should have executed works of minimum Rs. 50.00 lakhs in a financial year which should include, at least one work worth of Rs. 10.00 lakhs in single contract.
- b. A contractor already registered as “B” class may also be eligible or the purpose, if he has executed works of Rs. 75.00 lakhs or more in financial year having one work/contract of Rs. 10.00 lakhs or more.

Registering Authority may relax the above financial criteria provided the applicant for “Super Class” posses the following machineries including other minor Tools and Plant.

i.	Needle vibrator	...	Three numbers
ii.	Concrete Mixer	...	Two numbers
iii.	Plate vibrator	...	Two numbers
iv.	8 to 10 M.T. Capacity power Road Roller	...	One number
v.	Vibrator Roller	...	One number
vi.	Truck/Dumper/Tipper	...	Two number
vii.	Mini hot mix Plant	...	One number
viii.	Compressor	...	One number
ix.	Dozer	...	One number

- Eligibility for enlistment/upgradation to “A” Class (general category)

For enlistment/upgradation to “A” class one should fulfill the following conditions.

- a. He should be in possession of valid Registration certificate of either in ‘C’ class or ‘B’ class.
- b. He should have executed works of more than Rs. 10.00 lakhs in a financial year having one work/contract costing of Rs. 3.00 lakhs or more.

Or

He should have executed work or more than Rs. 15.00 lakhs in a financial year having one work of Rs. 2.00 lakhs in a single contract. Registering Authority may relax the above financial criteria provided the posses Tools and Plant like Vibrator, Concrete Mixer, Road Roller of 10 M.T. Capacity (one number each) including other Tools and Plant.

Note: (i) List of machineries submitted by the applicant along with his application for enlistment/upgradation to “A” Class, “Special Class” and “Super Class” in case of non-production of bills/invoices/vouchers etc. or any other documents in support of their ownership should be certified by a Chartered Accountant or by an officer not below the rank of Executive Engineer.

(ii) Nothing fetters the discretion of the Chief Engineer or any Officer having the power of the Chief Engineer to prescribe certain special conditions while inviting tender for special nature of work urgent nature of works, works requiring special skill and superior quality irrespective of the value of tender. On such occasion, the concerned Chief Engineer will be the authority to impose special condition indication requirement of machineries, yearly turnover and execution of similar nature of work for the specified amount at his own discretion irrespective of the value of tender invited.

- This amendment is applicable for both existing and new contractor

(Codes 2003, 1946/W., Dt.30.01.2003)

- Before grant of a certificate of registration in Form B appended hereto, the registering authority may make such enquiries as he considers necessary with regard to the suitability of the applicant his technical ability or any other relevant matter. All-

certificates shall be serially numbered under each class and in the case of C or D class prefixed with the name of the Circle.

O.P.W.D Amendment 2005

FIXED Deposit

- The applicants desirous of enrolling themselves registered as contractors should deposit the amounts indicated below in shape of Post Office Savings Bank Account/National Savings Certificate/Post Office Time Deposit Account and KIshan Vikash Patra duly pledged in favour of the registering authority.

Class of Contractors			Amount
(i)	Super Class	...	Rs. 10.00 lakhs
(ii)	Special Class	...	Rs. 2.00 lakhs
(iii)	A Class	...	Rs. 80,000/-
(iv)	B Class	...	Rs. 40,000/-
(v)	C Class	...	Rs. 20,000/-
(vi)	D Class	...	Rs. 20,000/-

(U.O.R. No. 282/WF-1, Dt. 04.05.2005)

In case of Super Class, Special Class and “A’ Class Contractors, the deposit referred at above shall be made in favour of the Engineer-in-Chief (Civil) R&B.

The existing contractors shall deposit the differential amount towards the above initial deposit within two months from the date of this amendment.

Those contractors who have already deposited need not deposit such differential amount towards the aforesaid initial security deposit.

7-A. Any person desirous of being registered as a Special Class Contractor or “A” Class Contractor under these rules for the first time on nay contractor seeking promotion to Special Class, or “A” Class , shall satisfy the registering authority that he has under his employment the minimum technical staff as prescribed below:

Special Class- One Graduate Engineer and Two Diploma Holders belonging to the State of Orissa.

“A” Class- One Graduate Engineer or two Diploma Holders to the State of Orissa.

The Contractor shall pay to the Engineering personnel monthly emoluments which shall not be less than the emoluments of the personnel of equivalent qualification employed under the State Government of Orissa. The Chief Engineer, Roads, Orissa, may however, assist the contractor with names of such unemployed Graduate Engineers and Diploma Holders, if such help is sought for by the Contractor.

Notes: Rule 7-A on the basis of the old record a Contractor cannot be refused registration for all times to come requirements under Rule 7-A whether fulfill or not has not been considered –Rejection of the petitioners application on the letter of the Chief Engineer is held not sustainable in Law: 33 (1991) OJD 304 (Civil).

- Certificates of registration shall remain valid for, a period of three years from the date of commencement of the financial year during which they are granted and may be renewed thereafter for further three yearly periods.

O.P.W.D Amendment 2005

Renewal Fee

- Every registered contractor who wishes to renew his Certificate of registration shall apply to the registering authority not less than one month before the expiry date of the certificate in Form 'C' accompanied with the Treasury Challan showing deposit of the following Fees and performance reported in Form G (copy enclosed):

Class of Contractors	Amount
(i) Super Class	Rs. 50,000/-
(ii) Special Class	Rs.20,000/-
(iii) 'A' Class	Rs.10, 000/-
(iii) 'B' Class	Rs. 5,000/-
(iv) 'C' Class	Rs.2,000/-
(v) 'D' Class	Rs.1,000/-

(Substituted by F.D.U.O.R. No.282/WF-1., Dt. 04.05.2005)

Renewal may be granted by endorsement on the certificate of registration. But if it is found from the performance report that the performance of the contractor is not satisfactory, the registering authority will enquire into the matter and if after such enquiry the authority is convinced that his performance is not satisfactory, action as prescribed under Rule 11 of these Rules shall be taken against the contractor.

The registering authority shall not renew the certificate of registration of 'A' class, Special Class and Super Class contractor if they have not employed Technical Staff as prescribed in Rule 7-A.

- Failure to apply for renewal in time will render the contractor liable to a penalty equal to the renewal fee for the first three months of default or part thereof. Thereafter the amount of penalty will be equal to the renewal fee for every month of default.
- (a) The Divisional officers, should report to the Registering Authority if in their opinion any contractor is incompetent, dishonest, or his performance is unsatisfactory, has contravened any, provisions of the Labour Regulations and Rules persistently or has misbehaved with the Department while executing any work or has otherwise, forfeited his right to continue as a registered contractor.

On receipt of such a report from the Divisional Officer or any other officer-in-charge of Public Works, the Registering Authority may suspend or cancel the certificate of registration after due enquiry if-

- (i) The contractor has to execute a contract or has executed unsatisfactorily or is proved to be responsible for constructional defects revealed even before the expiry of twelve months from the completion of the work;
- (ii) Has no longer adequate equipments, technical personnel or financial resources;
- (iii) Has intentionally violated any important conditions of the contract;
- (iv) If declared or is in the process of being declared, bankrupt or insolvent;
- (v) Has persistently violated the provisions of Labour Regulations and Rules;
- (vi) Is guilty of misconduct in connection with execution of Government works or of such conduct as is calculated to impede or results in impeding the progress of Government works;
- (vii) Has failed to clear Government dues outstanding within a period of six months from the date of passing of the Final Bill;
- (viii) Has failed to employ technical staff as per Rule 7-A;
- (ix) Has persistently quoted unrealistic rates while tendering for works.

(b) Before taking a decision to cancel the registration certificate of a contractor, the registering Authority may, if he considers necessary, issue a notice to a contractor asking him to explain his actions as to why his registration should not be cancelled.

(G.O.No. Codes AP-2/75-34221, dt.23.12.1975)

- Every Registering Authority shall maintain the following registers:
 - (i) Register of applications for registration in Form D;
 - (ii) Register of certificate for registration in Form E;
 - (iii) Register of applications for renewal in Form E.

Besides, for every application or registration a separate file shall be opened in which shall be recorded all papers relating to matters arising out of these rules.