



BRUHAT BENGALURU MAHANAGARA PALIKE

TERMS AND CONDITIONS FOR THE REGISTRATION/RENEWAL OF THE CONTRACTORS

Bruhat Bengaluru Mahanagara Palike(BBMP) desires to register the names of the contractors on its roll for awarding its Civil/Electrical works, concerning the period from 01-04-2015 to 31-03-2020, in respect of which Format is floated, with terms and conditions mentioned herein below:-

1. CLASSIFICATION:

The Registration of the name of the contractor on the roll of the Bruhat Bengaluru Mahanagara Palike (herein after called as BBMP), shall be as per the following Classes/Category of contractors.

Class I	Qualified to tender for works up to any amount
Class II	Qualified to tender for works whose estimated cost does not exceed Rs.25.00 Lakhs.
Class III	Qualified to tender for works whose estimated cost does not exceed Rs.10.00 Lakhs.
Class IV	Qualified to tender for works whose estimated cost does not exceed Rs.5.00 Lakhs.

- a) BE Civil/Electrical Engineering graduates, who wish to register in BBMP, as a contractor can do so directly register for Class III Category. But he/she should submit a xerox copy of BE Certificate with his/her attestation along with application. The Solvency Certificate is not necessary.
- b) Diploma holder in Civil/Electrical Engineering who wish to register in BBMP, as a contractor can directly register for Class III Category. But he/she shall submit a xerox copy of Diploma Certificate with his/her attestation along with application. He/She should submit solvency as Rs.1.00 Lakhs in original along with the application. The applicant should submit a Certificate, declaring of his/her unemployment, on a Stamp Paper of Rs.50/- Attested by a Notary.

2. LIMITATION OF PARTICIPATION:

The Contractors registered under Class I to Class-IV, respectively could place his/her tender floated by the BBMP up to the ceiling limits mentioned respectively in Para 1 above.

3. REGISTERING AUTHORITY:

The Authority for registering the names of the contractors in respect of all Classes/Category shall be the Chief Engineer (Project-1) on behalf of the Commissioner BBMP, Head office, N.R. Square, Bengaluru - 560002. The decision taken by the Registering Authority, on application as to the Registration, shall be final.

4. APPLICATION:

- a) The Contractor who intend to register his/her name in the BBMP is to obtain a prescribed application form, from the Registering Authority by paying Rs.200/- in the Form of challan Canara Bank of BBMP Branch at Bengaluru, in favour of the "Commissioner, Bruhat Bengaluru Mahanagara Palike".
- b) Those who are already registered in Bruhat Bengaluru Mahanagara Palike / PWD and other Government organization shall submit the application forms to the Registering Authority. All intending applicants who are already registered other than in BBMP i.e., Government organizations, should compulsorily get themselves registered in BBMP before executing agreement in the particular classes. However they can participate in all the tender invited by BBMP.

5. REGISTRATION FEE:

The Registration Fee of Rs.3000/-, Rs. 1000/-, Rs. 500/- and Rs.200/- is prescribed towards Registration for Class-I/Class-II/Class-III and Class-IV respectively. The said fee shall be paid respectively by way of Demand Draft drawn on any bank, branch at Bengaluru, in favour of "Commissioner, Bruhat Bengaluru Mahanagara Palike" and the DD to be enclosed along with the application.

6. WORK DONE CRITERIA:

The contractor who intends to get his/her name registered/renewed, shall have to enclose "Work Done Certificate" concerning the below mentioned (Civil/Electrical) works obtained from the Government/Semi Government Organisations. Only Certified and Approved copies of "Work Done Certificate" are considered for registration. The works other than the works mentioned herein below will not considered.

- a. Road, Bridges, Buildings, Flyovers/infrastructure works.
- b. Drain/ water supply, sanitation project works and such other civil works.
- c. Industrial buildings, power houses, tunnels, channels, etc.,

7. QUALIFICATION:

The following qualifications are prescribed with regard to the Registration of the different classes/categories of contractors.

(i) FOR REGISTERING AS CLASS-I CONTRACTOR:

- a) To register as a Class-I contractor, he/she should have completed in all respect atleast **one work** of the nature mentioned at para 6 above, costing more than Rs.50.00 lakhs during the preceding five (5) years. Or;
- b) In the alternative, the average turnover of works executed by him/her, during the preceding five (5) years should not be less than Rs.25.00 lakhs, and atleast 2 works costing more than Rs.25.00 Lakhs each should have been completed in all respects.

(ii) FOR REGISTERING AS CLASS II CONTRACTOR:

- a) To register as a Class-II contractor should have completed atleast one work mentioned in para 6 above, costing more than Rs.25.00 lakhs during the preceding five (5) years. Or;
- b) The alternative the average turnover of works executed by them during the preceding five (5) years should not be less than Rs.25.00 Lakhs and atleast 5 works costing more than Rs.5.00 Lakhs each should have been completed in all respects.

(iii) FOR REGISTERING AS CLASS-III CONTRACTORS:

- a) To register as a Class-III Contractor should have completed at least one work mentioned in para 6 above, costing more than Rs.10.00 lakhs during the preceding five (5) years. Or;
- b) The alternative the average turnover of works executed by him/her during the preceding five (5) years should not be less than Rs.10.00 lakhs and atleast 5 works costing more than Rs.2.00 Lakhs each should have been completed in all respects.

(iv) FOR REGISTERING AS CLASS-IV CONTRACTORS:

The Registration under this category will be taken up only on the receipt of application in the prescribed form, without insisting any previous experience.

8. THE CONTRACTOR APPLYING FOR REGISTRATION/RENEWAL, SHALL HAVE EMPLOYED TECHNICAL STAFF AS UNDER

Class I: - Atleast two graduate Engineers and two Diploma holders in Civil/Electrical Engineering.

Class II:- Atleast one Graduate Engineer or two Diploma holders in Civil /Electrical Engineering.

The proof of the compliance of the above, is required to be enclosed to the prescribed application form, viz., the certified copy of the testimonials of the Engineer and also copy of the order of appointment letter to be enclosed.

9. CONTRACTOR APPLYING FOR REGISTRATION/RENEWAL SHALL HAVE TO BE SOLVENT TO THE EXTENT INDICATED BELOW:

Class I	Not less than Rs. 25.00 lakhs	} The Solvency Certificate Competent Authority should be enclosed and it should be valid for one year initially
Class II	Not less than Rs. 7.00 lakhs	
Class III	Not less than Rs. 2.00 lakhs	
Class IV	Not less than Rs. 25,000.00	

10. PROCEDURE FOR REGISTRATION.

The applicant contractor shall submit the application in the prescribed form (Form I) to the Registering Authority together with the following documents:

- a) Demand Draft towards Registration Fee.
- b) A list of work executed by the contractor during last five (5) years accompanied by at least one certificate in Form II.
- c) A list works on hand in Form III).
- d) A list of machinery tools and plants owned by the contractor in Form IV.
- e) A list of Technical/Managerial, key personnel in employment with the contractor in Form V.
- f) Solvency Certificate to be obtained from Tahasildar /Nationalized or schedule Bank in Form VI & VIII respectively.
- g) Latest Income Tax clearance certificate / Copy of Pan Card obtained from Income Tax Authorities.
- h) Latest Sales Tax clearance Certificate obtained from Sales Tax Authorities.
- i) Copy of Partnership Deed in case of firms/companies.
- j) Certificate of Registration issued under "Partnership Act" or "Company Act" in case of firms / companies.
- k) Registration certificate as per the Provident Fund Act.
- l) Registration certificate/ Pass Book, if the contractor registered in PWD or other Government Organizations.
- m) Three passport size photographs of the applicant in the case of individual applicant and that of Managing Partner in case of Partnership firm/Company.
- n) **Address Proof:** Election ID, Adhaar Card, Ration Card, Pan card, Driving Licence, any two of the mentioned are mandatory.
- o) Change of address, Telephone number, if any should be communicated to the Registering/Renewal Authority from time to time. In the case of firms which is registered as a partnership firm under the Indian Partnership Act, 1932, a declaration from all the partners is to be enclosed to the effect that no change shall be made in the constitution of the firm given at the time of application for registration/renewal without the prior consent of the registering authority and changes made otherwise would not be binding on BBMP.
- p) Declaration Certificate in Rs. 50/- on a stamp paper in the form of an affidavit, that he/she has not been black listed, as per form VIII.

11. The Registering Authority

- a) The Registering Authority may in writing could give his consent for a change in the constitution of the firm, given at the time of application for registration/renewal, provided all the partners were to give their consent in writing for adjustment of dues to BBMP, out of the assets for the partnership firm.

- b) The Registering Authority could allow a period of three months before entrusting the work to the contractor for furnishing necessary clearance certificate, so far as Sales Tax & Income Tax matters are concerned.
- c) Wherever the contractor is not dealing in materials on which sales Tax is leviable and the contractor is not liable under the rules in force to possess a sales tax Registration certificate and is therefore unable to obtain a Sales Tax Clearance certificate, may obtain necessary endorsement for the purpose of registration as a contractor.
- d) The Registering Authority shall satisfy himself about the suitability of the contractor to the work to be entrusted, before issuing an order of registration/renewal.
- e) If there were to be any adverse remarks, in the annual confidential reports of a contractor, such remarks shall be communicated him/her for guidance and correction.
- f) Prescribed application form should be submitted for registration together with 3 passport size photographs of the contractor, in whose name the registration is sought for.
- g) A registration certificate would be issued with the following information, retaining one copy with the Registering Authority.
- h) In case of partnership firm the photograph of the partners is required to be furnished and a photograph of the Managing Partner shall have to be affixed to the Registration Certificate.

12. RULES FOR REGISTRATION:

- a) Once Registering Authority registers the name of the contractor, such registration would be in force for a period of five (5) years viz., during Block period from 2015-2020.
- b) In case of partnership/company, if there were to be any change in the name of the firm/company or changes in the names of the partners/ Directors, the same shall have to be reported to the Registering Authority immediately.
- c) The Registering authority reserves the right to refuse registration/renewal of any applicant/ contractor, if the applicant / contractor has not complied with the rules in respect of registration.
- d) Any government / under taking government / boards and corporation officials/officers are barred in applying for registration
- e) Contractor desirous of continuing Registration shall have to apply for renewal in the prescribed form, for a further period of five (5) years with necessary accompaniments to the Registering Authority, 3 months before the expiry of validity of Registration.
- f) Where there is delay on the part of the contractor in applying for renewal a penalty equal to the Registration fee shall be levied.
- g) The registration authority reserves the right to reject an application for Registration / Renewal without assigning any reason.
- h) There is no direct registration of the contractor for Class-II & above.
- i) Even inspite of registration of the name of the contractor in any Governmental Organization or with its undertakings or with any individual, within the state or outside the state or with the Central Government or with its undertakings, still in order to get works in BBMP, the applicant contractor is required to get his name registered with the Registering Authority, in a particular Class or category and such registration shall have to be valid and effective at the time of the execution of the agreement.
- j) The name of the contractor once registered under Class IV, III, II, & I in BBMP, a Registration Certificate would be issued for the block period of 5 years. There will no transfer or change

from lower class to higher class or vice-versa till the expiry of one year from the date of registration, even if the contractor is qualified for promotion.

- k) In case of missing of Registration Certificate and if the contractor intends to obtain a duplicate registration such contractor to produce original acknowledgement issued by the Jurisdictional Police Authority showing of filing of a complaint of loss of registration Certificate alongwith an application disclosing the registration number already held and the date of issue, to enable to issue a duplicate registration Certificate.
- l) Contractor is required return his/her old registration passbook / Registration Certificate while registering to a higher class/category.
- m) In case of partnership firm, the firm shall have to declare the names of each partner and their respective addresses. All the members of the partnership shall have to declare that rules and regulations relating to their firm will not be changed without the written consent from the Registering Authority.

13. SUSPENSION OF BUSINESS:

Suspension of business in the matter of works taken on contract, of a particular contractor could be ordered by the Registering Authority, pending enquiry, upon the receipt of the report from the concerned Executive Engineer, (for all classes of contractors) where prima-facia it were to be found that there are grounds to proceed in ordering for an investigation of an episode, leading to a criminal offence in the matter concerning business dealings, which if established would result in his/her removal from the rolls of contractors of BBMP/Black listing. The period of such suspension of business shall not exceed six months in any case.

14. REMOVAL FROM THE ROLLS OF THE CONTRACTORS OF BBMP:

The powers in the matter of removal of the name of the contractor from the rolls of BBMP, shall vest with the Registering Authority. The name could be removed from the rolls for any one of the following reasons:-

- a) The defects in the construction were to be revealed or noticed, before the expiry of the prescribed period of maintenance and if, it were to be proved that, the concerned contractor is responsible. Or;
- b) The contractor is found to have given false information at the time of registration, and the contractor thereby failed to abide by the conditions of registration. or;
- c) The contractor has been declared or is in the process of being declared as a bank corrupt/ insolvent/has wound up the business or dissolved. Or;
- d) The contractor persistently violated the provisions of Labour Laws, Rules & Regulations. Or;
- e) Failure on the part of the contractor to furnish the required initial security deposit and entering into an agreement with Bruhat Bengaluru Mahanagara Palike within the period specified therein, after the award of the work. Or;
- f) If the contractor purchases the tender form and submits an incomplete tender, resultant position of which would be of non-consideration of tender and if it were to repeated for three times, in such an eventuality, removal would be for a period not less than two years from the date of order of removal. Or;
- g) Has no longer the adequate equipment/s, technical personnel/s, or financial resources; or
- h) Violates any important condition of the contract; or
- i) Fails to submit tender to the works advertised, for a period of two years continuously; or
- j) Fails to earn good reports continuously for a period of three years; or
- k) Fails to furnish required income tax clearance; or

- l) Is in the opinion of the registering authority guilty or misconduct in connection with the execution of Government Works/BBMP Works or such conduct is to calculate to impede or results in impeding the progress of Government /BBMP works;

15. BLACK LISTING:

The registering authority shall have the right to blacklist a contractor on any one of the following reasons:-

- a) There are sufficient reasons to believe that the contractor or his employee has been guilty of malpractices such as bribery, corruption, fraud including substitution of or interpolation in tenders, smuggling pilferage, unauthorized use of or disposal of BBMP materials issued for a specific work.
- b) The contractor or his/her partner or his/her representative has been convicted by a court of Competent jurisdiction for offences in relation to business dealings.
- c) The contractor continuously refuses to pay the corporation dues without showing the adequate reasons.
- d) The contractor has shown a persistent tendency and reluctance in executing an accepted work or all the items of works, as per the terms of agreement.
- e) The contractor even after giving due notice, in the matter of removal of sub standard or defective work, were not to do it, and allowed the sub standard or defective work to withstand.
- f) If the contractor purchases the tender form and submits an incomplete tender, or were to bid without prescribed EMD, the resultant position of which would be of non-consideration of tender and if it were to repeated for three times, in such an eventuality, removal would be for a period not less than two years from the date of order of removal. Or;

Note: Before action is to be taken to blacklist a contractor by the Registering Authority, the contractor will be given reasonable opportunity to explain his/her stand.

16. TRANSFER TO HIGHER CLASS:

- a) A contractor who desire to transfer to a higher class/category shall submit an application alongwith necessary documents.
- b) Transfer from one class/category to another class/category, would be made on merits taking into account the cost of works on hand and the average annual turnover.
- c) Transferring from lower Class/category to higher class/category would be considered only after the concerned contractor completing minimum one year from the date of registration in the lower class/category.

17. APPEALS:

The Appeal would lie before the Commissioner, Bruhat Bengaluru Mahanagara Palike within 30 days from the date of the order, against the decision of the Registering Authority relating to registration/renewal/suspension/Removal from the roll/Black-listing/Transfer.

18. AMENDMENT:

The Bruhat Bengaluru Mahanagara Palike reserves the right to amend /substitute/add any of the condition herein contained in the interest of the BBMP.

19. Registration Certificate

Registration Certificate would be issued by the Registering Authority, to the applicant contractor whose name has been ordered to be registered with Photo with signature of the contractor, which would be valid up to 31-03-2020.

20. RENEWAL:

- a) Every registration/renewal, granted/renewed effected or made under these rules shall be valid from the date of registration/renewal for a block period of five (5) years. i.e. from 01-04-2015 to 31-03-2020.
- b) Such registration/renewal for a block period of five years will be subject to all the conditions laid down.
- c) Application for registration/renewal is required to be submitted with required documents three (3) months before the expiry of the period of registration.
- d) Registering authority would ensure that, all applications for registrations/renewals are disposed of by 31st March 2015. Fresh registration made during the block period would expire at the end of the block period of 5 (five) years, viz., 31-03-2020. The solvency certificate should be produced at the time of first registration & at the time of renewal.
- e) The production of works qualification certificate need not be insisted at the time of renewal of registration. The competent authority accepting the registration should not delay the registration due to omission of certain documents while submitting application for renewal in time so that the contractors are not denied the benefit for tendering for works, due to these procedural delays.

Note: The registering authority is empowered to grant time for the production of such documents upto a maximum of three months and failure to produce the documents within the granted grace time would automatically cancel the registration or renewal.

21. Penalty for delay in applying for renewal any registration: Where there is delay on the part of the contractor in applying for renewal, a penalty equal to the fee for renewal of registration is liable to levied i.e. when there is a delay in applying for renewal, a renewal fee at double the rate shall be charged.

Note:- a. The Registering Authority shall communicate adverse remarks if any, in the annual confidential report to the contractor for guidance and correction.

b. The Annual confidential report shall be sent to the Registering Authority every odd year of the block period at the time of furnishing the statement of income tax department in order to assess the performance.

22. Cancellation of Registration in BBMP

- a) Registered contractor willing to cancel his/her Registration, should submit an application with a notice of 30 days, addressed to the Registering Authority with original Contractor Licence, Pass book, Certificate from the concerned Chief Engineer/ department certifying the completion of the work awarded to him and that, no work is pending as on the date of application for cancellation as per Section 26 (1) (k) of KMC Act 1976.
- b) No Dues certificate from the concerned CE's/ Department.

Chief Engineer(Project-Central-1)
Bruhat Bengaluru Mahanagara Palike
Bengaluru