



Registration Rules for Contractors – 2021, Haryana Engineering Works Portal

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Acronyms and Abbreviations

CA	Chartered Accountant
CE	Chief Engineer
EE	Executive Engineer
EMD	Earnest Money Deposit
GoI	Government of India
GoH	Government of Haryana
GST	Goods and Services Tax
HEWP	Haryana Engineering Works Portal
ITR	Income Tax Return
ISI	Indian Standards Institution
ICT	Information and Communication Technology
LLC	Limited Liability Company
IT	Information Technology
MSME	Micro, Small and Medium Enterprises
NIT	Notice Inviting Tender
NIC	National Informatics Centre
PAN	Permanent Account Number
PBG	Performance Bank Guarantee
SE	Superintending Engineer
TAN	Tax Deduction and Collection Account Number

1. Preamble

1.1 Title

These rules shall be called the “Registration Rules for Contractor-2021, Haryana” and shall come into force with effect from the date of notification/approval from the Govt.

1.2 Objective

The objective of the Registration Rules for contractor- 2021 is to provide exemption from deposit of Earnest money to the registered contractors as well as support to ease of doing business. The “*Haryana Engineering Works Portal (HEWP)*” aims to provide a single window for contractors to bring in transparency and ease of access.

Registered contractor will be benefitted from following benefits:

1. Registered contractor will be exempted from paying Earnest money deposit for tenders processed on Haryana Engineering Works Portal (HEWP).
2. One Stop Information Platform for department as well as Contractor.
3. Improve Transparency and online facilitation for contractors regarding registration, renewal, tenders, allotment of works etc.

2. Definitions

1. **‘Authorized Signatory’** means the bidder’s representative/ officer vested (explicitly, implicitly, or through conduct) with the powers to commit the authorizing organization to a binding agreement. Also called signing officer/ authority having the Power of Attorney (PoA) from the competent authority of the respective Bidding firm.
2. **‘Competent Authority’** means an authority or officer to whom the relevant administrative or financial powers have been delegated for taking decision in a matter relating to procurement.
3. **‘Chief Engineer’** means Chief Engineer of Engineering Departments Haryana,
4. **‘Class’** means the class in which a contractor has been Registered,
5. **‘Company’** means the company formed & registered under the Indian Company’s Act, 1956,
6. **‘Corporate body’** means a body incorporated under the Company’s Act-1956, Haryana companies Act-1956 or The Haryana Co-operative Societies Act-1984.

7. **'Firm'** means "Persons who have entered into partnership with one another are called individually "partners" and collectively "a firm", and the name under which their business is carried on is called the "firm name" as per Section 2(23)(i), Income-tax Act 1961 from Section 4, Indian Partnership Act,1932.
8. **'Departments'** Engineering Departments (On boarded on HEWP portal), Haryana of Government of Haryana,
9. **'Earnest Money Deposit or EMD'** means a sum of money required to be submitted with the tender.
10. **'Engineer-in-Chief'** means Engineer-in-Chief of Engineering Departments, Haryana,
11. **'Executive Engineer'** means Executive Engineer of Division of Engineering Departments, Haryana,
12. **'Labour and Construction Society'** means a labour and construction society registered under the Haryana Cooperative Societies Act-1984 for undertaking civil works,
13. **'LLP'** means Limited Liability Partnership where liability of the partners is limited to their agreed contribution in the LLP.
14. **'PAN'** means Personal Account Number issued by the Income Tax Authorities, Government of India,
15. **'CIN'** means Corporate Identification Number is a unique identification number, which is assigned by the ROC (Registrar of Companies) of various states under the MCA (Ministry of Corporate Affairs) Govt of India. Corporate Identity Number is a 21 digits alpha-numeric code issued to companies incorporated within the country on being registered by the ROC situated in different states across India.
16. **'DIN'** means Director Identification Number is a unique Identification Number allotted to an individual who is appointed as a director of a company, pursuant to section 153 & 154 of the Companies Act, 2013.
17. **'GST'** means the Good and Service Sales Tax Number issued by the concerned department of Government of India,
18. **'Secretary'** means Secretary or Principal Secretary or Additional Chief Secretary to Government,
19. **'State Government'** means Government of Haryana,
20. **'Superintending Engineer'** means Superintending Engineer of Circle or Head Office of Public Health Engineering Department, Haryana as the case may be,
21. **'Tender'** means an offer submitted by a contractor to the Department in response to a notice inviting tender for executing a work,
22. **'Tendering limit'** means the maximum limit up to which an Registered contractor is eligible to tender.

3. Applicability

It is intended to registered contractors on Haryana Engineering Works Portal (HEWP) to have a ready list of suitable and competent contractors for Engineering Departments works so as to minimize requirement and time for verification of credentials of contractors at the time of tenders. At the same time, those contractors who are registered will be benefitted with exemption of Earnest Money Deposit (EMD). Any Indian Individual, Sole Proprietorship Firm, Partnership Firm, Limited Liability Partnership, Public Limited Company or a Private Limited Company may apply for registration as a contractor in Engineering Departments, Haryana under these Rules provided the eligibility criteria and other conditions are satisfied. The registered contractors have to abide by all the rules made herein and as amended from time to time during the validity of their registration as below.

- i) Every contractor intending to submit bids for works in engineering departments of Government of Haryana will have to create login on Haryana Engineering Works Portal "<https://works.haryana.gov.in>". After creation of login account, contractor may also apply for registration on the HEWP to take the benefits of exemption of EMD.
- ii) The Application format will be available on "<https://works.haryana.gov.in>" after creation login account.
- iii) There is no fee for creating login account on HEWP by the contractors.
- iv) Contractors not registered on HEWP can also participate in tender, but they will not get the EMD exemption benefit and contractors shall furnish, as part of the Bid, an EMD for the amount as specified in a particular work.
- v) Contractor registered in lower class on HEWP and technically eligible to participate in higher class of tenders, then the contractor is liable to pay EMD as applicable to not registered contractor.
- vi) No employee/outsourced employee connected with directly or indirectly with the Government department, Government Company or statutory organization shall be entitled for Registration. For the purpose of this rule, Government Company includes a co-operative society, labour & construction society or corporate body, which receives financial grants from any government sources on a regular basis.
- vii) No individual, or a firm/LLP/company having such individual as one of the partners/directors, who is a dismissed government servant; or removed from the registered list of contractors; or having business banned/ suspended by any government department or Public Sector Undertaking or local body or Autonomous

body in the past; or convicted by a court of law shall be entitled for Registration. However, cases where disciplinary action was taken against the contractor for a Specified period and such penalty period is already over, his case for registration / revalidation can be considered.

- viii) An individual or a firm or a company or Karta of Hindu Undivided Family, corporate body, firm, cooperative society, Labour and Construction Society, who has been debarred for doing business with any government department (Center or any state government) or government company or co-operative society or corporate body or a statutory organization, which receives financial grants from government, shall not be eligible for registration.
- ix) An individual or a partner of a firm or Director of a company or organization, Managing Director or Chief Executive has been convicted by a court of law in a case of moral turpitude or in a case under Prevention of Corruption Act, shall not be eligible for registration.
- x) The contractors shall abide by the terms and conditions set out in the tender documents.
- xi) If two or more individuals form a partnership firm and if any of the partners is having required work experience to become eligible for registration in any Class in which registration is sought, their case shall be considered for registration of the partnership firm subject to fulfilment of other laid down criteria. Similarly, the past work experience gained from the works completed by the sole proprietor or any partner of new firm, provided he has left or disassociated himself from his earlier firm shall also be considered in the same proportion of share of the applicant in that partnership firm.
- xii) No Engineer or any other official employed in Engineering or Administrative duties in any Engineering Department of the Government of India or any State Government is allowed to work in the Engineering Departments as employee of a contractor for a period of one year after his retirement from Government service unless he has obtained prior permission to do so. Even after registration, if either the contractor or any of his employees is found to be a person who had not obtained the prior permission as aforesaid, the name of the contractor shall be removed from the list of registered contractors.
- xiii) A partner of a firm or a Director of a company registered as a contractor in a Class cannot be a partner/director in any other registered firm/company on HEWP in any one of the engineering departments.

4. Classes of Contractor for all types of work

S.No.	Classes of Contractor	Amount of work
1	Class I	More than 25 Crore
2	Class II	Up to 25 Crore
3	Class III	Up to 10 Crore
4	Class IV	Up to 01 Crore

5. Solvency Certificate

The bank solvency certificate of the value given as under or as revised from time to time, shall have to be submitted by the contractors for registration: -

Sr. No.	Classes of Contractor	Value of solvency certificate (Rs. in lacs)
1	Class I	200.00
2	Class II	100.00
3	Class III	50.00
4	Class IV	NIL

6. Registration Fees

The Onetime Non- Refundable Registration Fees Rs. 5000/- (Rupees Five Thousand Only), or as amended from time to time by the competent authority, will be submitted online through Haryana Engineering Work Portal (HEWP) for Registration Process.

7. Refundable Deposit for Registration

The one-time refundable deposit for registration will be paid online only. However, the refundable deposit will be paid after the application has been scrutinized/verified and found as eligible for registration by the competent authority as under:

S.No.	Classes/Categories of Contractor	Refundable Deposit (Rs. Lacs)
1	Class I	15.00
2	Class II	10.00
3	Class III	05.00
4	Class IV	00.50

8. Period of validity of Registration and renewal

Registration of a contractor shall be done for a period of 5 (Five) years. However, contractor is eligible to apply for renewal of registration for a further period of Five years, for which contractor may apply three months before the expiry of the registration. Agency can apply any time for upgrade of class from where previously registered subject to meeting all eligibility criteria and conditions.

9. Qualification for Registration for Engineering works

Average annual turnover in any of the last five years and minimum value of work executed in last five years, for registration for different classes of contractors, shall be as under: -

S.No.	Classes/Categories of Contractor	Annual turnover in any of the last five years (Rs. in Lacs)	Minimum value of work executed in last five years
1	Class I	1000.00	Single work of Rs. 20 crores or two works each of Rs. 12.5 crores or three works each of Rs. 10 crores.
2	Class II	500.00	Single work of Rs. 10 crores or two works each of Rs. 6.25 crores or three works each of Rs. 5 crores.
3	Class III	300.00	Single work of Rs. 4 crores or two works each of Rs. 2.5 crores or three works each of Rs. 2 crores.
4	Class IV	NIL	NIL

10. Approval Committee & Timeline for dealing registration application of Contractors

The credentials of contractors who apply for registration shall be got verified by following committee.

S.No.	Classes/Categories of Contractor	Category	Approval Committee
1	Class I & Class II	(i) Chief Engineer (Senior most)	Chairman
		(ii) Chief Engineer (Second Senior most)	Member
		(iii) Superintending Engineer (Head Office)*	Member Secretary
2	Class III	i) Superintending Engineer of respective Circle	Chairman
		ii) 1 st senior most Executive Engineers under the concerned Circle	Member
		(iii) Superintendent of the concerned circle	Member Secretary
3	Class IV	(i) Executive Engineer of Respective Division	Chairman/Member**
		(ii) One Executive Engineer to be nominated by Superintending Engineer.	Chairman/Member**
		(iii) Deputy Superintendent (working in respective Division)	Member Secretary
<p>Note: * To be nominated by Engineer-in-Chief. **Senior among (i) or and (ii) will act as Chairman</p>			

Once the Interested applicant submit their application for registration in requested class the application flow will as under

Process flow for dealing registration cases:

Level	Class-I & Class-II	Class-III	Class-IV
I	The Submitted application will be scrutinized, verified at the respective Division level and forward to respective circle.	The submitted application will be scrutinized, verified at the respective Division level and forward to respective circle.	The Submitted application will be scrutinized, verified and finalized at the respective Division level.
II	The Submitted application will be scrutinized, verified at the respective Circle level and forward to Head office.	The Submitted application will be scrutinized, verified and finalized at the respective Circle level.	--
III	The Submitted application will be scrutinized, verified and finalized at the respective Head office level.	--	--

11. Timeline for dealing registration application

The contractor will choose the Departments, Circle and Division during submission of registration application for verification through approval committee.

The Maximum time period to process the registration application is 36 days and the defined time limit as under at each level of verification. If no response is given by the authority at first stage within the given time limit, the application will be open for the next stage to the nodal Division.

Competent authority for registration process shall decide/verify all applications received within time period as under:

S.No.	No. of Days	Verification Authority
1	15 Days	Client Department of Haryana Government, Board, Corporations etc. for verification of contractor performance for a particular work under their jurisdiction.
2	07 Days	Nodal Division
3	07 Days	Concerned Circle
4	07 Days	Head office Committee of chief Engineer

12. List of Documents to be uploaded for Registration

Interested applicant should upload the Following documents at the time of registration:

A. Mandatory Documents

1. Proof of Constitution - Partnership deed (in case of the partnership firm registration); or Certificate of Incorporation (in case of Private limited company, public limited company, Public sector undertaking, Limited Liability Partnership, registration); or Any proof substantiating constitution (in the case of society, trust, AOP, Government department, local authority, statutory body registration.)
2. PAN Card
3. GST Certificate
4. Undertaking of Non-Blacklisting – (Certificate that contractor has not been blacklisted previously)
5. Proof of immovable properties/self-certification that doesn't have any property
6. Registration certificate of Labour Department
7. Solvency Certificate (for class I,II & III)
8. ITR of last three years (for class I,II & III)
9. Cancelled Cheque (Proof of bank account)
10. Proof of Address
11. CA certificate on Turnover (for class I,II & III)
12. Signed copy of complete application.

B. Optional Documents

1. TAN Number Document
2. MSME Registration Certificate (If Applicable)
3. Form 26AS for last three years (Provided by Income Tax Department)
4. LLCs (Limited Liability Company) to upload last audited balance sheet
5. Change of constitution of agency
6. Litigation History (If any)
7. List of Abandoned works (if any)
8. Any Other relevant documents

13. Registration Certificate

Once the contractor has been found eligible and have paid prescribed deposit, It can generate Registration certificate from the portal. The Registration certificate in prescribed format with QR code will contain the basic details of agency. The certificate can be verified online by scanning QR code. No other registration certificate will be issued.

14. Applicability of Registration Certificate

The Registration Certificate will be valid on all on-boarded Engineering departments of Haryana on HEWP.

15. Other Rules

1. The contractor has to update the data online whenever there is any change in the constitution or address of the firm/company.
2. The registration certificate shall be valid for 5 years unless de-registered by Competent Authority or voluntary.
3. In case the contractor is blacklisted/de-barred for tendering in any of the department/board/corporation of the State of Haryana or Other States or Govt. of India, contractor shall be de-registered. The respective Division (where such action would be taken) will update such status on HEWP and upload related documents.
4. In case the contractor wants to upgrade the class, it may apply on portal with necessary documents as required.
5. In case of a Co-operative Labour & Construction Societies, one-time refundable deposit for registration shall be fifty percent of the amount mentioned in point no. 7 "Refundable deposit for *Registration*" above.
6. The earnest money deposit (EMD) for unregistered Co-operative Labour & Construction Societies shall be governed by rules and notification (***As per GoH Notification No. 8366-C-7-2016/13819 dated 08-12-2016***), as amended from time to time, by Department of Co-operation, Government of Haryana
7. The performance of the registered contractor shall be monitored and evaluated after completion of each work. To maintain registration in particular Class, the registered contractor shall have to perform and maintain a minimum threshold Score. The dynamic evaluation shall be carried out on the basis of parameters defined in **ANNEXURE-A1** for works allotted on HEW Portal and **ANNEXURE-A2** for works allotted elsewhere and the minimum threshold Score is 70%. Any registered contractor falling below the threshold limit for that class of contractor will be auto de-registered. Deregistration certificate will be generated from HEWP.

8. Any deregistered contractor due to reason mentioned in point no. 15 (7) above may be eligible for registration again; in case of achieving minimum threshold Score (70 %) and subject to following:
 - Within a period of 90 days after deregistration subject to the condition that refundable deposit has not been withdrawn till date.
 - May apply for registration after 90 days, subject to eligibility.
9. The bidder, who is registered, as contractor with HEWP, shall upload system generated an **Earnest Money declaration form** as per format given in **ANNEXURE-B** to get the benefit of EMD Exemption in Tender during any tender process. Bidder can generate EMD declaration from during start date and end date of respective tender.

16. Return of Refundable Deposit

1. If any contractor wants to voluntary surrender the registration during validity of registration certificate, it may apply for return of one-time refundable deposit through HEWP.
2. Any deregistered contractor may apply for return of one-time refundable deposit through HEWP within a period of Six months after deregistration, otherwise funds will be auto return.

17. Contractor's obligations

Every registered contractor shall undertake to abide by the Registration Rules as amended from time to time and also by the terms and conditions of contract agreement and the Notice Inviting Tender. It shall be the primary responsibility of the contractor to execute work as per contract agreement on time and with prescribed specifications and quality. The contractor should fulfil all obligations under these rules in time and manner as specified, failing which contractor shall be liable for the action as mentioned therein. Some of the obligations are summarized below:

- (a) Intimation of change of address should be given in advance or within one month on the portal along with acknowledgement from Banker, Income Tax and GST authorities.
- (b) The contractor should not indulge in unethical practices and maintain good conduct. The contractor shall provide satisfactory explanation within 7 days wherever any action or bid or tender in whole or part appears unrealistic or unreasonable.

- (c) The contractor shall execute the works awarded to him/her strictly as per the terms and conditions of the contract and specifications.

18. Disciplinary Actions and Disqualifications

Registration authority is empowered to take disciplinary actions such as to demote a registered contractor to a lower class, cancel his registration and debar him or remove his name from the list of registered contractors indefinitely or for a period as decided by registration authority after issue of show cause notice and being heard in person. Decision of the registration authority shall be final and binding on the contractor.

Removal from the list of registered contractors:

The Competent authority on specific reasons/ remarks from Circle/Division offices may remove the name of a contractor from the list of registered contractor, if a contractor-

- Has on more than one occasion failed to execute a contract or has executed it unsatisfactorily (or)
- Fails to abide by the conditions of Registration or is found to have given false particulars information at the time of registration (or)
- Persistently violates any important condition (s) of the contract (or)
- Is proved to be responsible for executing the works with defects in a number of cases (or)
- Is declared or in the process of being declared bankrupt or insolvent, or wound up or dissolved or partitioned (or)
- Persistently violates the labour regulations and rules.

Competent Authority reserves the right to forfeit the refundable deposit for violation by the contractor.

---Sd--
Engineer-in-chief
PWD (B & R)
Haryana

19.

ANNEXURE-A1**Appraisal Proforma for Contractual agency**

- Name of Department :
- Name of Employer :
- Name of Engineer:
- Engineer Mobile No. :
- Name of work :
- Name of agency :
- Employer E mail Id:
- Agreement amount and no. :
- Scheduled date of start :
- Scheduled date of completion :
- Actual date of completion :
- Amount of completed work :
- Employer Landline No.:

Sr No.	Parameters	Valuation in marks
1.	Whether agency has submitted performance bank guarantee in time after issuance of letter of acceptance	0 - 5
2.	Whether agency has submitted the monthly bills as per Contract	0 - 5
3.	Whether agency has established field laboratory as per Contract	0 - 5
4.	Whether unnecessary disputes were raised by the agency during execution of work	0 - 5
5.	Whether the agency maintained the work satisfactorily during defect liability period	0 - 5
6.	Whether the agency completed the work in stipulated time (except for the reasons such as forest clearance, land dispute, shifting of utilities, non-supply of drawings/designs in time, any court stay, land acquisition and natural calamities)	0 - 5
7.	Whether the agency submitted the work programme/updated work programme as per Contract	0 - 5
8.	Whether the agency submitted the invoices of materials as per Contract	0 - 5
9.	Whether the agency maintained the receipt and consumption register of stocks as per Contract	0 - 5
10.	Whether quality of work and workmanship was satisfactory and maintained quality control register as per norms	0 - 5

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11.	Whether the agency installed/mobilized the machinery as per Contract	0 - 5
12.	Whether the agency deputed key personnel as per Contract	0 - 5
13.	Whether the agency followed labour laws during execution of work	0 - 5
14.	Whether the agency followed environmental laws during execution of work	0 – 5
15.	Whether the agency provided insurance cover as per Contract	0 – 5
16.	Whether the agency followed the instructions given by the Engineer in time	0 – 5
17.	Whether the agency followed safety norms during execution of work	0 – 5
18.	Whether any inconvenience caused to public during execution of work	0 – 5
19.	Whether as built drawings submitted by the agency after execution of work	0 – 5
20.	Whether the agency complied with environmental aspect and cleanliness at site of work; The agency removed all type of debris etc. before completion of work.	0 – 5
	Total Maximum marks	100

20.

ANNEXURE-A2**Appraisal Proforma for Contractual agency**

- Name of Department :
- Name of Employer :
- Name of Engineer:
- Engineer Mobile No. :
- Name of work :
- Name of agency :
- Employer E mail Id:
- Agreement amount and no. :
- Scheduled date of start :
- Scheduled date of completion :
- Actual date of completion :
- Amount of completed work :
- Employer Landline No.:

Sr No.	Parameters	Valuation in marks
1	Whether the agency completed the work in stipulated time (except for the reasons such as forest clearance, land dispute, shifting of utilities, non-supply of drawings/designs in time, any court stay, land acquisition and natural calamities)	0 – 30
2	Whether quality of work and workmanship was satisfactory and maintained quality control register as per norms	0 – 30
3	Whether the agency maintained the receipt and consumption register of stocks as per Contract	0 – 10
4	Whether the agency deputed key personnel as per Contract	0 – 10
5	Whether the agency followed the instructions given by the Engineer in time	0 – 10
6	Whether the agency followed safety norms during execution of work	0 – 10
	Total Maximum marks	100

21.

ANNEXURE-B

Earnest Money Declaration Form

(In case of bidder is registered and verified as contractor on Haryana Engineering Works portal)

Tender Name:-.....

Tender No. Tender Start Date..... Tender End Date.....

1. I hereby submit a declaration that the bid submitted by the undersigned, on behalf of the bidder, (name of the Bidder), shall not be withdrawn or modified during the period of validity i.e. not less than 120 (one hundred twenty) days from the bid due date.

2. I, on behalf of the bidder, (Name of Bidder), also accept the fact that in case the bid is withdrawn or modified during the period of its validity or if we fail to sign the contract in case the work is awarded to us or we fail to submit a performance security before the deadline defined in relevant clause of the tender document, then (Name of Bidder) will be debarred for participation in the tendering process in any of the Department/Boards/Corporations etc. of the Government of Haryana for a period of Two year from the bid due date of this work.

Date :-

Bidder Name:-.....

Note: - ***This is a Computer generated and do not require any signature***

END OF DOCUMENT