

### **ENLISTMENT OF CONTRACTORS IN BEML LIMITED**

Applications are invited online from reputed Civil, Electrical, Structural and Interior Decorator Contractors for enlistment in the proposed panel of approved contractors for Civil, Electrical, Structural and Interior decorator works. Interested reputed agencies may apply online by furnishing the details of works carried out during the last seven years, Financial status, Registration details, IT clearance, ESI/PF details, VAT registration details and other relevant information.

Interested agencies may submit their completed application online.

#### TABLE -1 (Proposed)

- a) up to Rs.10 Lakhs
- b) up to Rs.30 Lakhs
- c) up to Rs.50 Lakhs
- d) up to Rs.100 Lakhs
- e) up to Rs.300 Lakhs
- f) upto Rs.500 Lakhs

The agency has to fulfill the following Eligibility Criteria and submit as per format below.

**A.** Experience of having successfully completed similar works during last 7 years ending last day of month previous to the one in which applications are invited.

- a) Three similar completed works costing not less than the amount equal to 40% of the proposed category applied for as in Table 1.

OR

- b) Two similar completed works costing not less than the amount equal to 50% of the proposed category applied for as in Table 1.

OR

- c) One similar completed works costing not less than the amount equal to 80% of the proposed category applied for as in Table 1.

Note: - The documents / certificates to be submitted as and when required by BEML Limited.

**B.** Average Annual financial turnover during the last 3 years, ending 31st March of the previous financial year, should be at least 30% of the proposed category applied for as in Table 1.

Note: - The copy of the audited balance sheet / Profit & Loss statement shall be submitted as and when requested by BEML Limited.

#### **Rules for Enlistment of Contractors in BEML Limited**

##### **1. Applicability:**

- 1.1 BEML Limited enlists contractors who intend to work with the department. Any Indian Individual, Sole Proprietorship Firm, Partnership Firm, Public Limited Company or a Private Limited Company may apply for enlistment as a contractor in BEML Limited under these Rules provided the eligibility criteria and other conditions are satisfied. The enlisted contractors have to abide by all the rules made herein and as amended from time to time during the currency of their enlistment.
- 1.2 No individual or a firm having such individual as one of the partners, who is a dismissed government servant: or removed from the approved list of contractors: or having business banned/suspended by any Government department in the past: or convicted by a court of law shall be entitled for enlistment.
- 1.3 A contractor is not permitted to have enlistment in more than one name.
- 1.4 A partner of a firm or a Director of a company enlisted as a contractor cannot be a partner/director in any other enlisted firm/company in BEML Limited.

##### **2. Scope:**

- 2.1 The enlistment of a contractor in BEML Limited shall only entitle him to be considered for issue of tender papers/documents subject to the conditions laid down in each individual Notice Inviting Tenders. It shall not confer any right on him either to be necessarily issued the tender papers or for award of work.

##### **3. Enlistment Procedure:**

- 3.1 The contractor shall have to submit the application online in the prescribed format.
- 3.2 Incomplete applications are liable to be rejected.

- 3.3 The enlistment authority shall have the right to independently verify the details furnished by the contractor and to get works done by the contractor inspected and / or to get such other reports as may be considered necessary.
- 3.4 If the enlistment authority finds the contractor suitable for enlistment, the contractor has to submit all the necessary supporting documents and certificates as and when requested. The decision of the enlistment authority shall be final and binding on the contractor.
- 3.5 The enlisting authority reserves right to limit number of contractors to be enlisted in any proposed category.
- 3.6 Enlistment of contractors in the department may be closed at any point of time. While closing the enlistment, the department may have a reserved list of eligible contractors from the pending applications submitted online. Out of this, contractors may be enlisted depending on requirement.

#### **4. Categories:**

- 4.1 The enlistment will be done in the proposed categories as mentioned in Table – 1. Under the proposed Civil, Electrical, Structural and Interior Decorator Contractors.

#### **5. Tendering Limits:**

- 5.1 The contractors enlisted in various proposed categories shall be permitted to tender and the tendering limit upto which they shall be eligible to tender shall be as given in Table-1.
- 5.2 The contractor shall be governed by the provisions existing at a particular point of time irrespective of when he was enlisted.

#### **6. Eligibility Criteria:**

- 6.1 The work done experience, in case of enlistment, shall be the completion of requisite number of works, as the case may be, of prescribed nature and magnitude executed on independent contract basis under any Govt. / Govt. PSU, during the last Seven years. The works should have been executed in the same name and style in which the enlistment is sought.
- 6.2 The financial soundness shall be judged on the basis of the annual turnover during the last three years.

#### **7. Electrical License:**

- 7.1 The contractors of Electrical category shall have to produce valid electrical license from the competent authority in the name of the contractor. They shall keep valid license throughout the period of enlistment by getting it renewed at suitable intervals and submit an attested copy of the same to the enlistment authority after each renewal.

#### **8. Change in Constitution of Firm:**

- 8.1 The contractor/firm shall not modify the existing partnership or enter into any fresh partnership without the prior approval of the enlistment authority. Such proposal, if any, shall be submitted in advance giving full details of the intended partnership/sole proprietorship along with the draft partnership deed/affidavit and other documents. Any change in status of the contractor as an 'Individual' or in constitution of the firm without prior approval of the enlistment authority will render the contractor/firm liable to be removed from the approved list of contractors.
- 8.2 If a firm is converted in two or more firms by any action of its partners, the new firm(s) or any separated partner(s) in his (their) individual/joint capacity shall have to apply for the enlistment afresh on the basis of work experience gained as a separate entity.
- 8.3 If new partners are taken in the firm, each new partner shall have to satisfy the eligibility conditions mentioned in Rule 1.
- 8.4 If the number of original partners of a firm reduces to less than half due to any reason including death of partner(s), the enlistment of the firm shall be withdrawn. Original partners means constituents at the time of Enlistment and those who have remained as constituent for more than 5 years.

#### **9. Change in Address:**

- 9.1 While applying for enlistment, the contractor should mention address of his Registered office as well as Head Office, if different. All documents i.e., Solvency / Bankers' Certificate, Electrical license etc. should bear one of the above addresses, otherwise the same shall not be accepted.
- 9.2 The contractor shall intimate the change, if any, in any of the above addresses, in advance or maximum within one month of such change along with acknowledgement of noting down of such change in address from the Bank, Income Tax, Sales Tax authorities etc. Failure to do so may result in removal of his name from the approved list of contractors.
- 9.3 Near Relatives Working in BEML Limited - Contractors whose near relatives are working in BEML Limited will not be allowed to tender for works if the division responsible for award and execution of contract is the one where the near relative is working. For this purpose a near relative shall mean wife, husband, parents, grand parents, children, grand children, brothers, sisters, uncles, aunts, cousins and their corresponding in-laws.

## **10. Review of Approved List of Contractors:**

- 10.1 The contractor shall be required to secure works of appropriate magnitude in BEML Limited during the enlistment period. Contractors shall be liable to be weeded out for non observance of enlistment rules. For this purpose the enlistment authority shall have the power to periodically review the approved list of contractors.

## **11. Disciplinary Actions:**

- 11.1 The contractor shall have to abide by all the rules of enlistment and also by the terms and conditions of the contract and the Notice Inviting Tenders. He shall have to execute the works as per contract on time and with good quality. The enlisting authority shall have the right to demote a contractor to a lower class, suspend business with him for any period, debar him or remove his name from the approved list of contractors indefinitely or for a period as decided by enlisting authority after issue of show cause notice. Decision of the enlisting authority shall be final and binding on the contractor. The following actions of the contractor shall, in general, make him liable to disciplinary actions.
- 11.2 Demotion to lower class: The contractor shall be liable to demotion to a lower class, by the enlisting authority, if he:
- a) Fails to execute a contract or executes it unsatisfactorily or is proved to be responsible for constructional defects; or
  - b) No longer has adequate equipment, technical personnel or financial resources; or
  - c) Is litigious by nature; or
  - d) Violates any important condition of contract; or
  - e) His staff misconducts or misbehaves with BEML Limited officials or
  - f) Buys tender forms but fails to submit his offer on maximum of two occasions or
  - g) Is responsible for a conduct which may justify his demotion to a lower class, or
  - h) Any other reason which in view of enlisting authority is adequate for his demotion to a lower class.

## **12. Suspension of business:**

- 12.1 The enlistment authority may suspend business with a contractor for indefinite period or for a period as decided by enlisting authority, pending full enquiry into the allegations, if the enlistment authority is prima facie of the view that the contractor is guilty of an offence in relation to business dealings which, when established would result in his removal/banning business and it is not considered desirable to entrust new works or continue business with the contractor.

## **13. Removal from the approved list:**

- 13.1 The name of the contractor may be removed from the approved list of contractors, by the enlisting authority, if he:
- A) Has, on more than one occasion, failed to execute a contract or has executed it unsatisfactorily; or
  - B) Is proved to be responsible for constructional defects in two or more works; or
  - C) Persistently violates any important conditions of the contract; or
  - D) Fails to abide by the conditions of enlistment; or
  - E) Is found to have given false particulars at the time of enlistment; or
  - F) Has indulged in any type of forgery or falsification of records; or
  - G) Changes constitution of the firm or Individual without prior approval of the enlistment authority; or
  - H) Changes permanent address / business address without intimation to the enlistment authority; or
  - I) Is declared or is in the process of being declared bankrupt, insolvent, wound up, dissolved or partitioned; or
  - J) Persistently violates the labour regulations and rules, or
  - K) Is involved in complaints of serious nature received from other departments, which prima facie appear to be true.
  - L) Default in settlement of tax dues like income tax, Contract tax, sales tax, octroi, duties etc.
  - M) Has already been demoted for other reason(s). or
  - N) Ceases to fulfill eligibility criteria based on which enlistment was done. Or
  - O) Is considered not required to be in list of BEML Limited for any other reason considered fit by enlistment authority.

General Manager  
(Corporate Purchase Cell)