



CENTRAL PUBLIC WORKS DEPARTMENT

OFFICE MEMORANDUM No.DGW/MAN/122

NIRMAN BHAVAN, NEW DELHI

DATED 6.1.05

Subject: Modification in requirement of technical staff in CPWD contracts

Requirement of technical staff in CPWD contracts and rate of recovery in event of non compliance of clause 36(i) by contractors has been under consideration for quite sometime. Suggestions from all ADGs of CPWD, E-in-C of PWD (DA) and all CEs of CPWD were invited. Based on suggestions received, a proposal was placed for consideration of a Committee of senior officers. Based on above, DG (W) is pleased to order amendment to provisions of Works Manual 2003 as following:-

New Para 15.12.1 below Para 15.12 and above Para 15.13 be added as following.

“15.12.1 The Notice Inviting tender should also stipulate minimum requirement of Technical staff for the work. Requirement of technical staff should be decided by NIT approving authority. For building works recommended scale is given in Appendix 16(a).”

Para 32.12 related with Clause 36 is also partially amended as following:-

Existing	Modified
32.12.1 In order to effectively operate the provisions under Clause 36, certain instructions on this clause :- EE's should ensure that the contractor is called upon, immediately after award of work, to intimate the details i.e. name , qualifications, and address of the qualified Engineer required to be employed by him as per terms of the contract and to ensure that a properly qualified engineer employed by contractor is actually available at site to note down the instructions conveyed by the representative of the Engineer-in-Charge in site order Book or/his authorized representative, namely AE or JE. The Engineer should also be invariably present during important stages of the execution of the work to be clearly specified by EE in his letter to the contractor. The Engineer should also be associated with measurement of important items of work. In addition the contractors' Engineer shall be present at the site of the work, whenever desired by the Engineer-in-Charge. In this respect an advance intimation shall be given by the department verbally or in writing. Suitable directions should be issued to the AEs to verify this during their inspection of work and measurements recorded by	32.12.1 Instructions in order to effectively operate the provisions under Clause 36:- EE's should ensure that the contractor is called upon, immediately after award of work, to intimate the details i.e. name(s) , qualifications, and address(es) of the qualified Engineer(s) required to be employed by him as per terms of the contract and to ensure that properly qualified engineer(s) employed by contractor is/are actually available at site to supervise construction at all stages and note down the instructions conveyed by the Engineer-in-Charge or his authorized representative namely AE or JE in site order Book. The Engineer(s) should be invariably present fully during all stages of the execution of the work. It is also essential that the certificate that qualified engineer(s) satisfactorily employed by the contractor as per the provisions of clause 36 has/have looked after the work during its execution is verified and recorded by the AE alongwith each running bill. Ex.Engineers

the JE. It is also essential that the certificate that a qualified engineer satisfactorily employed by the contractor as per the provisions of clause 36 has looked after the work during its execution is recorded by the AE alongwith each running bill. Ex.Engineers should also verify the fact of employment during their visit of works.	should also verify the fact of employment during their visit of works.
32.12.2 Certain Administrative instructions as regards this clause are given as under:-	32.12.2 Certain Administrative instructions as regards this clause are given as under:-
i) There shall be no objection if an Engineer or Overseer looks after more than one work, provided the total value of works under him does not exceed Rs.sixty lacs in the case of an Engineer and Rs.Twenty five lacs in the case of an Overseer.	i) Engineer(s) and/or Overseer(s) deployed as per stipulation in the contract shall look after only the work under contract and no other work and shall be available fully during execution of work.
ii) It is not necessary for a contractor (or partner in case of firm/company) who is himself an Engineer/Overseer to employ another Engineer/Overseer for the supervision of the work so long as the contractor/partner does work similar to what would have been done by an employed Engineer/Overseer.	ii) Even if contractor (or partner in case of firm/company) is himself an Engineer/Overseer, it is necessary on part of contractor to employ Engineer(s) and/or /Overseer for the supervision of the work(s) as per stipulation.
iii)The Retired Engineer/Asstt.Engineer who are holding Diploma may be treated at par with Graduate Engineers for the operation of the above Clause.	iii)The Retired Engineer/Asstt.Engineer who are holding Diploma may be treated at par with Graduate Engineers for the operation of the above Clause.
Staff to be Employed by Contractor on Works.	Staff to be Employed by Contractor on Works
32.12.3 The contractor shall employ the following technical staff during execution of works	32.12..3 : The contractor shall employ technical staff of appropriate discipline and in required number during execution of works as stipulated in Schedule – F.
For works with estimated cost put to tender Rs. 2,000/- per month for Diploma Holder	Deleted

Modifications to related provisions of General Conditions of Contract are being issued separately.

Encl: Appendix 16(a)

Issued from file No.CSQ/CM/C/ 30(14)/2004
Processed from file No CSQ/CM/C/37(6)/2004
Copy forwarded as per mailing list attached

Sd/- 4.1.05
Superintending Engineer (C&M)

APPENDIX 16 (a)
(Reference Para 15.12.1)

General Guidelines for fixing requirement of Technical Staff for a work

Cost of work	Contract period	Requirement of Technical staff	Minimum experience	Designation
More than Rs.10 crore	24 month	i)Project Manager with degree in corresponding discipline of Engineering – 1 No.	10 years	Principal Technical Representative.
		ii)Graduate Engineer-1 No.	5 years	Technical Representative.
		iii)Graduate Engineer - 2 Nos or Diploma Engineer- 2 Nos.	Nil 5 years	Technical Representative.
Rs.5 crore to Rs.10 crore	18 month	i)Graduate Engineer – 1 No.	5 years	Principal Technical Representative
		ii)Graduate Engineer– 2 No or Diploma Engineer – 2 No.	Nil	Technical Representative.
			5 years	
Rs.2 crore to Rs.5 crore	12 month	i)Graduate Engineer – 1 No.	5 years	Principal Technical Representative
		ii)Graduate Engineer - 1 No. or Diploma Engineer – 1 No	Nil	Technical Representative
			5 years	
Rs.50 lakh to Rs.2 crore	9 month	Graduate Engineer – 1 No.	5 years	Principal Tech. Rep.
Rs.10 lakh to Rs.50 lakh	6 month	Graduate Engineer -1No.or	Nil	Principal Technical Representative
		Diploma Engineer - 1 No.	5 years	

- Notes–
1. ‘Cost of work’, in table above, means corresponding amount available for work in sanctioned Preliminary estimate.
 - 2 -‘Contract period’ indicated, in table above, should not be considered as standard schedule but should be actually determined as per Appendix 16 for each work.
 - 3 Rate of recovery in case of non compliance of Clause 36(i) be stipulated at following rates:-

Sl.	Qualification	Experience	Rate of recovery
i)	Project Manager with Degree	10 years	Rs.20,000/- p.m.
ii)	Graduate Engineer	5 years	Rs.15,000/- p.m.
iii)	Graduate Engineer Or Diploma Engineer	Nil 5 years	Rs.10,000/- p.m.

- 4 Nothing extra need be added while preparing market rate justified amount of the work if stipulation is made as per above recommended scale of requirement of technical staff.
- 5 Requirement of technical staff and their experience can be varied depending upon nature of work and contract period determined as per Appendix 16.

- 6 In event requirement of Technical staff is varied and estimated expenditure on technical staff worked out on the basis of 75% of the rate of recovery exceeds 1% of the cost of work, excess may be added while preparing market rate justified amount of the work.