Documents of Nanjing Municipal Urban and Rural Construction Commission

Ning Jian Jian Jian Jian Zi (2018) No. 428

Opinions on strengthening the supervision of the construction market in the city's
construction administrative departments at all levels

Competent administrative departments for construction at all levels:

In order to further standardize the management of the city's construction administrative departments at all levels and establish a unified, open, competitive, and orderly construction market environment, the following implementation opinions are hereby put forward on strengthening the supervision of the construction market at the municipal and district (park) levels (including construction permits, qualification (qualification) review, bidding review, market inspection, administrative law enforcement, etc.).

First, clarify the division of labor and responsibilities for the management of the construction market at all levels

1. The Nanjing Municipal Urban and Rural Construction Commission (hereinafter referred to as the Municipal Construction Commission) is responsible for the supervision of the city's construction market, takes the lead in organizing the comprehensive law enforcement inspection of the city's construction market, guides the competent administrative departments for the construction of each district (park) (hereinafter referred to as the competent department) to do a good job in the management of the territory and the scope of empowerment, and supervises the competent departments of the districts (parks) and all parties to perform their duties Do a good job of relevant duties, responsible for the overall coordination, guidance, supervision and service of the whole city.

2. The competent departments at all levels shall carry out regional territorial management according to the authority of the project. ( See annex for an explanation of administrative authority).

3. The professional departments under the Municipal Construction Commission that undertake market supervision are: the housing construction project is responsible for the Construction Management Office; the municipal engineering is responsible for the Municipal Management Office; the decoration project is responsible for the Decoration Office; and the rail transit project in the city is led by the rail station.

Second, establish a unified and open construction market

4. Competent departments at all levels should strictly implement the Notice of the Ministry of Housing and Urban-Rural Development on Printing and Distributing Several Provisions on Promoting the Unified Opening of the Construction Market (Jianshi [2015] No. 140) and the Notice of the Provincial Department on Promoting the Unified Opening of the Construction Market in the Province (Su Jianjian). Guan [2016] No. 23) document related requirements, the current documents and practices must not be contrary to it.

5. Each district (park) shall not add any approval, filing matters or notification conditions without authorization; shall not stipulate the collection of fees or security deposits that have no basis in laws and regulations; shall not require foreign enterprises to register and establish independent subsidiaries or branches in the district; shall not stipulate the seizure of the original certificate materials of foreign enterprises and personnel; shall not use the district (park) to contract project performance. The awards of the district (park) shall be regarded as a condition for enterprises to enter the market of the district (park); the legal representative of the enterprise and the relevant technical, economic, and management personnel shall not be required to be present when handling the formalities for the enterprise to enter the district (park).

6. Where the construction project is subject to bidding and contracting, and the construction unit sets other bidding conditions outside the scope of laws, regulations or documents, the management institution shall review and require the construction unit to explain the reasons for the establishment in writing.

Third, unify the construction market supervision and management standards

7. Each district (park) shall, in accordance with the unified list of administrative powers of the municipality, clarify the daily supervision content of the construction market, including permits, filings, registration, inspections, administrative penalties, etc., and formulate corresponding rules and regulations; matters entrusted by the Nanjing Municipal Construction Commission shall be handled in strict accordance with the requirements of the entrustment.

8. The application of credit appraisal and appraisal results shall implement the unified standards of the whole city, and shall not be modified or adjusted without authorization, and the number of credit scores shall not be used to restrict enterprises from participating in business activities in various districts (parks) (except for enterprises included in the blacklist), and the whole city will uniformly formulate a "red and black list" for enterprise management "Standard.

9. Where market inspections and the identification, investigation, and handling of violations of laws and regulations already exist in the provinces and municipalities, they shall be implemented. Where administrative penalties are imposed, they shall be implemented in accordance with the Measures for the Implementation of the Discretionary Power of Administrative Penalties of the Nanjing Municipal Urban and Rural Construction Commission (Ning Jian Fa Zi [2016] No. 543).

10. Where each district (park) formulates supplementary provisions in light of the actual situation, the supplementary provisions shall not conflict with laws and regulations or higher-level documents, and the supplementary provisions shall be reported to the Nanjing Municipal Urban and Rural Construction Committee.

Fourth, strengthen the construction of the construction market supervision team

11. Each district (park) shall clarify the leaders in charge of the construction market, establish a relatively unified market regulatory body, clarify the regulatory responsibilities, specific business leaders and work contacts, and the relevant information shall be reported to the Nanjing Municipal Urban and Rural Construction Commission.

12. The construction market supervision and supervision of various business staff implement the training induction system, qualification (qualification) management and market inspectors through business training, internship in the corresponding position for not less than three months, after the expiration of the assessment can be put on the job, at the same time must be in accordance with the provincial, municipal requirements to regularly participate in laws and regulations training.

13. Cities and districts (parks) shall establish a database of administrative law enforcement personnel in the construction market, and improve the management system of the administrative law enforcement personnel database. The comprehensive law enforcement inspection of the construction market is carried out in a combination of "double random, one open" and daily inspection, of which "double random, one open" The proportion of inspection should meet the requirements of the superior.

V. Standardize the management of supervision work accounts and archives

14. Establish a supervision work account. The ledger shall cover the basic information of the project, the market behavior data and the credit archives, the contracting situation, the project management organization, and the market inspection information.

15. Establish law enforcement inspection archives. Law enforcement inspections must establish archives. Under the premise of meeting the inspection frequency and coverage rate, the archives shall be recorded accurately and the contents should be complete, and summarized, sorted out, and archived according to the requirements, and specially responsible for them, and retained for more than 3 years.

SIXTH, raise the level of informatization in regulatory work

16. On the basis of the Nanjing Construction Market Supervision and Integrity Information Integration Work Platform, improve the city, district (park) secondary data exchange system, form real-time regulatory information from top to bottom, realize comprehensive, timely and effective dynamic supervision of the city's construction market, and uniformly disclose construction market supervision and integrity behavior information.

17. In the daily information management, each district (park) can use the relevant system of the city, and can also use the self-owned system that has passed the acceptance. If the system is used, the data shall be connected to the municipal system and pushed in a timely manner as required.

VII. Implement a dynamic assessment system for regulatory work

18. The Municipal Construction Commission will regularly supervise the supervision of the city's construction market, and at the same time conduct special spot checks from time to time.

19. Where the market supervision work is not in place or is not carried out according to the requirements, it shall be ordered to rectify;

Where problems are serious or are not rectified in a timely manner, they are to be interviewed or reported for criticism; and relevant staff members who fail to perform their duties or have a high error rate are ordered to make corresponding handling.

2。 If the unified standards for supervision and management of the construction market in this city are violated, and there are major deficiencies in the work and the circumstances are relatively serious, the Municipal Construction Commission will notify the district (park) people's government (management committee) of the handling opinions, and if the circumstances are particularly serious and cause a major impact, the municipal construction commission will report directly to the municipal people's government.

Annex: Sorting out the matters of administrative power in the construction field of districts (parks).



CC: District (park) government

Office of Nanjing Municipal Urban and Rural Construction Commission

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Sorting out the administrative power matters in the construction field of the district (park).

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| **The name of the item****District Authority** | **Construction permits** | **Qualification (qualification) review** | **Tender review** | **Market inspection** | **Administrative Law Enforcement** |
| 1 | Gulou District Construction Bureau | Yes | not | Yes | not | Yes |
| 2 | Xuanwu District Construction Real Estate and Transportation Bureau | Yes | not | Yes | not | Yes |
| 3 | Qinhuai District Construction Real Estate and Transportation Bureau | Yes | not | Yes | not | Yes |
| 4 | Jian Ye District Construction and Transportation Bureau | Yes | not | Yes | not | Yes |
| 5 | Yuhuatai District Housing and Construction Bureau | Yes | not | Yes | Yes | not |
| 6 | Qixia District Housing and Construction Bureau | Yes | not | Yes | Yes | not |
| 7 | Jiangning District Administrative Approval Bureau/Construction Engineering Bureau | Yes | not | Yes | Yes | Yes |
| 8 | Pukou District Urban and Rural Construction Bureau / Construction Engineering Bureau | Yes | not | Yes | Yes | Yes |
| *9* | Liuhe District Housing and Urban-Rural Development Bureau | Yes | not | Yes | Yes | Yes |
| 10 | Gaochun Approval Bureau/Urban Construction Bureau | Yes | not | Yes | Yes | Yes |

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| **, ^** **Item Name****District Supervisor Gate',** | **Construction permits** | **Qualification (qualification) review** | **Tender review** | **Market inspection** | **Administrative Law Enforcement** |
| 11 | Lishui District Urban and Rural Construction Bureau/Administrative Examination and Approval Bureau | Yes | not | Yes | Yes | Yes |
| 12 | Nanjing Economic and Technological Development Zone Management Committee Land Planning and Construction Bureau/Examination and Approval Bureau | Yes | Yes | Yes | Yes | Yes |
| 13 | Xianlin University Urban Management Committee | Yes | not | Yes | not | not |
| 14 | Qilin High-tech District Management Committee  | Yes | not | Yes | not | not |
| 15 | Nanjing South New Town Development and Construction Management Committee | Yes | not | Yes | not | not |
| 16 | Hexi Management Committee | Yes | not | Yes | not | not |
| 17 | Eco-Tech Island Management Committee | Yes | not | Yes | Yes | Yes |
| 18 | Jiangbei New Area Construction and Communication Bureau / Approval Bureau | Yes | Yes | Yes | Yes | Yes |

Remark:

First, the qualification declaration:

(1) Applications for enterprise qualifications registered in Nanjing Jiangbei New Area, Nanjing Economic and Technological Development Zone, and Jiangning Economic and Technological Development Zone shall be directly accepted and examined and approved by the construction department in the district where the enterprise is located.

(2) Enterprises registered in the New Fifth District, Yuhuatai District, and Qixia District, when the qualification application is accepted by the Municipal Construction Management Office or the Municipal Decoration Office, the competent construction department of the district where they are located shall receive and examine the documents, and the Municipal Construction Management Office or the Municipal Decoration Office shall accept the preliminary examination, and other circumstances shall be directly examined by the Municipal Construction Management Office, the Municipal Decoration Office, and the Municipal Decoration Office The Municipal Administration Office or the Municipal Energy Conservation Center directly accepts the preliminary examination, and the MarketIng Department of the Municipal Construction Commission is responsible for the final examination and approval of all municipal licensing qualifications.

(3) Before the completion of the transformation of the qualification examination and approval system of the provincial department, the Jiangbei New Area, the Nanjing Economic and Technological Development Zone, and the Jiangning Economic and Technological Development Zone will still be implemented in accordance with the existing model. 2. Bidding:

Please follow the relevant documents of the tender.