**Notice of the Provincial Bidding Office on Printing and Distributing the Measures for the Dynamic Evaluation and Administration of Engineering Bidding Agencies in Jiangsu Province (for Trial Implementation).**

Su JianZhao Office (2018) No. 9

Bidding offices (divisions) of cities and counties (cities and districts):

 In order to further standardize the agency behavior of engineering bidding agencies and practitioners and strengthen the management of agencies, our office has formulated the "Jiangsu Provincial Engineering Bidding Agency Dynamic Evaluation Management Measures" (trial), which is hereby issued to you, please implement it, and at the same time, the "Jiangsu Province Engineering Construction Project Bidding Agency Dynamic Evaluation Management Measures" (trial) (Sujian Bidding Office (2015) No. 5) is invalid.

Annex: Measures for the Administration of Dynamic Evaluation of Engineering Bidding Agencies in Jiangsu Province (trial implementation).

Jiangsu Provincial Construction Project Bidding and Bidding Office

August 10, 2018

CC: Department of Marketing, Ministry of Housing and Urban-Rural Development, Municipal Housing and Urban-Rural Development Bureaus (Committees), Suzhou Industrial Park, Zhangjiagang Free Trade Zone, Susu Industrial Park, Kunshan, Taixing, Shuyang Housing and Urban-Rural Development Bureau

Annex:

**Dynamics of engineering bidding agencies in Jiangsu Province**

**Measures for the Administration of Evaluation and Evaluation (Trial Implementation**).

## Chapter I General Provisions

**Article 1** In order to standardize the professional conduct of bidding agencies for engineering construction projects (hereinafter referred to as "bidding agencies"), improve the comprehensive quality and professional level of bidding agencies, and promote the establishment of a credit system for the construction industry, in accordance with the "Law of the People's Republic of China on Bidding and Bidding", the "Regulations on the Implementation of the Law of the People's Republic of China on Bidding and Bidding", The Ministry of Housing and Urban-Rural Development formulated these Measures in conjunction with the actual conditions of the province, such as the Notice on Canceling the Qualification Recognition of Bidding Agencies for Engineering Construction Projects and Strengthening Supervision During and After the Event.

**Article 2** These Measures shall apply to the dynamic evaluation and management of bidding agencies within the administrative region of this Province.

**Article 3:** "Dynamic appraisal management" as used in these Measures refers to activities such as scoring, releasing, and differentiating management of the office space, practitioners, participation in activities, daily behavior, and business knowledge of bidding agencies.

**Article 4 The** Jiangsu Provincial Construction Project Bidding and Bidding Office is responsible for the dynamic evaluation and management of the bidding agencies in the province, and specifically undertakes the following responsibilities:

(1) Implement the relevant laws, regulations and normative documents of the State, and formulate the measures for the dynamic evaluation and evaluation of bidding agencies in the province;

(2) Responsible for the supervision and management of the dynamic evaluation and management of bidding agencies in the province, and guide all localities to implement differentiated supervision of bidding agencies;

(3) Formulate dynamic evaluation standards for bidding agencies, and establish a dynamic evaluation information database for bidding agencies in the province;

(4) Establish a question bank for the bidding agency business knowledge examination, and implement unified management of the use of the question bank;

(5) Responsible for the review and release of dynamic evaluation information of bidding agencies in the province.

**Article 5** Each districted city and county (city, district) bidding regulatory authority shall be responsible for the dynamic evaluation and management of the bidding agencies engaged in bidding agency business within its administrative region, and shall specifically undertake the following duties:

(1) Implement relevant national and provincial laws, regulations and normative documents, and supervise and manage the market behavior of bidding agencies;

(2) Responsible for the daily evaluation of bidding agencies, and collect, verify, and report relevant information in activities such as bidding agencies participating in activities, business knowledge assessment, and information filling quality spot checks within the administrative region;

(3) Implement differentiated management according to the dynamic evaluation of the bidding agency;

(4) Each districted municipality's bidding regulatory authority is specifically responsible for organizing the assessment of the business knowledge of the bidding agencies registered in its respective administrative regions.

**Article 6 The** dynamic evaluation and management of bidding agencies shall follow the principles of openness, fairness, impartiality and uniformity of standards.

**Article 7** The "Jiangsu Construction Project Bidding Network" (<http://www.jszb.com.cn>) is a unified platform for the dynamic evaluation information of the bidding agencies in the province, and is simultaneously displayed in all districted cities, Published on the website of the county (city, district) bidding regulatory agency or the corresponding service platform.

## Chapter II: Acquisition of Dynamic Evaluation Information

**Article 8 The dynamic evaluation and** evaluation content of the bidding agency includes the following seven aspects: office space, practitioners, participation in activities, daily behavior of the agent, business knowledge assessment, The quality of information filled in and the results of the dynamic evaluation of the previous year.

**Article 9** "Office premises" refers to the area of the office space of the bidding agency, and the relevant information is from the "Jiangsu Provincial Construction Project Bidding and Bidding Administrative Supervision Platform Agency Management System" (hereinafter referred to as "Agent Management System") is obtained.

**Article**  10 "Practitioners" refers to the number and level of employees of the bidding agency, and the relevant information is obtained from the agency management system.

**Article 11** "Participation in activities" refers to the circumstances of the bidding agency's response to the study, exchange, meeting or other activities organized by the bidding regulatory authority; it is collected by the bidding regulatory body in the course of daily supervision work and filled in in the agency management system.

**Article 12:** "Agent's daily conduct" includes "business defects" and "untrustworthy conduct". "Business defects" refer to work errors in the daily agency acts of bidding agencies, etc., which are obtained from the Jiangsu Provincial Construction Project Bidding and Bidding Administrative Supervision Platform; Refers to the illegal acts that occur in the daily agency behavior of the bidding agency, which are collected by the bidding regulatory authorities at all levels in the daily supervision work and in the agency management system Fill in the report.

**Article 13** "Business knowledge assessment" refers to the assessment of the business knowledge of the employees of the bidding agency, which is obtained from the examination module of the "Agency Management System".

**Article 14** "Information filling quality" refers to the authenticity and accuracy of the information filled in by each bidding agency in the agency management system, and the bidding regulatory authorities of each city and county (city, district) shall be subject to each assessment year within each assessment year Randomly select no less than 30% of the total number of bidding agencies in the jurisdiction area, conduct spot checks and verifications, and fill in the relevant information in the agency management system;

At the same time, each bidding regulatory authority shall promptly organize verification of the reports or complaints received about the quality of information reported by the bidding agency; In addition to deducting points in the agent management system, the fraudulent acts found in the verification shall also be reported and criticized. The Jiangsu Provincial Construction Project Bidding and Bidding Office may also conduct spot checks on the quality of the information filled in by the bidding agencies in the province within each assessment year.

**Article** **15** "Dynamic evaluation results of the previous year" refers to 5% of the cumulative deduction of points for the dynamic evaluation of the bidding agency in the previous year (the above one Numerical calculation of the last day of the year), obtained from the "Agent Management System".

## Chapter III: Evaluation and Management

**Article** **16** The assessment cycle of the dynamic evaluation of the bidding agency shall be a natural year, and the starting score of each bidding agency shall be 90 points. All bidding agencies engaged in bidding agency business in the administrative region of our province must conduct dynamic evaluation.

**Article 17** The dynamic evaluation and scoring standards of bidding agencies shall be in accordance with the "Dynamic Evaluation and Evaluation Standards for Bidding Agencies" (Annex 1), " Standards for deducting points for business defects of bidding agencies and employees (Annex II), "Untrustworthy Conduct of Bidding Agencies and Employees" (Annex 3) Implementation. Among them, the results of the business knowledge assessment of the current year are recorded in the "business knowledge assessment" of the following year; 5% of the cumulative deduction of the dynamic assessment of the current year is counted into the next year "Previous Year's Dynamic Evaluation Results".

**Article 18** The evaluation and evaluation of the daily behavior of the bidding agency and its employees shall be deducted from the operation on the administrative supervision platform for bidding and bidding of construction projects in Jiangsu Province. And inform the legal representative of the bidding agency and the project team leader in real time through SMS. If the bidding agency has objections to the results of the deduction of points, it shall adopt the "Agency Management System" within 7 days from the date of deduction of points If an appeal is submitted to the bidding regulatory authority that implements the deduction of points, the bidding regulatory authority shall make a reply within 5 days from the date of receipt of the appeal; where the result of the deduction of points is maintained, the points shall be deducted The time is calculated from the date on which points are deducted; where a point is deducted and an appeal is agreed, the reasons for consent are stated, and the corresponding deduction may be revoked only after review by the leader in charge The result of the appeal will be notified to the legal representative of the bidding agency and the project team leader by SMS.

**Article 19** **The** bidding regulatory authority shall promptly accept and reply to the appeal submitted by the bidding agency within the prescribed time; if it is not accepted within the time limit, the bidding agency shall accept it It is possible to submit an appeal for the second time (those who have already replied cannot submit another appeal), and if the bidding regulatory authority still has not accepted it within 5 days, the deduction of points by the bidding agency will be automatically revoked.

The Jiangsu Provincial Construction Project Bidding and Bidding Office will develop an automatic notification module on the Jiangsu Provincial Construction Project Bidding and Bidding Administrative Supervision Platform to notify the bidding regulatory authorities that do not accept complaints in a timely manner.

**Article 20** The scores of the dynamic evaluation of the bidding agency shall be published in real time on the "Jiangsu Construction Project Bidding Network" and will be made public at the same time Cloth ranking and completion of the corresponding performance.

The ranking of bidding agencies is divided according to the districted city where the enterprise is registered, and the ranking methods are divided into three types: First, only the number of bidding sections for the agency project is greater than that Bidding agencies with an average number of target segments of all tendering agencies in districted cities are ranked according to the dynamic evaluation score from high to low. The second is that the winning bid price of the agency project is higher than the average bid price of all the bidding agencies in the districted city , ranked in order of dynamic assessment scores from highest to lowest. The third is to rank all bidding agencies according to the dynamic evaluation score from high to low, of which the units with the same score Sort by number of agent segments, most to least.

**Article** **21** The **scores**  of bidding agencies and their branches shall be calculated from the day after their registration into the agency management system.

**Article 22**  The bidding regulatory bodies of each districted city shall be responsible for organizing and carrying out a bidding agency within its administrative region once in the fourth quarter of each year Business knowledge assessment, the assessment is completed in the "Business Examination" module in the "Agent Management System", and the computer randomly produces questions and closes the examination.

**Article 23** Tendering agencies or branches that have newly entered the "Agency Management System" shall enter the "Agency Management System" Within 30 days, you need to apply to participate in a business knowledge assessment (pre-employment business assessment) to obtain business knowledge assessment scores, which are counted into the "business knowledge assessment" evaluation of the current year Those who do not participate in the assessment are scored zero; at the same time, they are also required to participate in the annual business knowledge assessment, and the results are counted in the next year "Business knowledge assessment" evaluation; bidding agencies or branches that enter the "agency management system" during the annual business knowledge assessment organized by districted cities may no longer conduct pre-employment business assessments.

Practitioners who pass the business knowledge assessment can print out the business knowledge assessment certificate from the system**.**

**Article 24** **Where a** bidding agency from another province establishes a branch office in our province, the dynamic evaluation shall be based on the branch, and the bidding regulatory authority of the districted city where the industrial and commercial registration is located shall be compared with the jurisdiction The bidding agency conducts appraisal management.

Where a provincial bidding agency sets up a branch in the province, all branches deduct points and record their performance into the head office, and at the same time, the dynamic evaluation of each branch must also be included in the districted city where the branch is registered Evaluation and ranking of tendering agencies.

 Article **25** **Where** a bidding agency from another province enters our province to undertake the bidding agency business (without a branch), it shall enter for the first time." Within 30 days of filling in the information in the agency management system, the project team members need to participate in a business knowledge assessment, which is included in the business knowledge assessment score of the current year, and then undertake new agency business across the year The project team members are required to participate in the local annual business knowledge assessment at the project site to obtain a new business knowledge assessment score.

Bidding agencies from other provinces that enter the province to undertake business in a single item will only announce in real time on the "Jiangsu Construction Project Bidding Network" that the agent's daily behavior deduction points and business knowledge assessment deduction points and the completed performance of the corresponding agent, and the above data is not divided into years, has been accumulated.

**Article 26**: Where bidding agencies and their employees have untrustworthy conduct in their daily agency work (see Annex III for details), the handling measures are as follows:

(1) 2 points are deducted each time for general untrustworthy conduct.

(2) In addition to deducting 10 points for heavier untrustworthy conduct each time, it is also announced on the "Jiangsu Construction Project Bidding Network" for 1 month, and during the period of publicity, it is suspended from undertaking it throughout the province Qualification for bidding agency business for state-owned capital projects.

(3) In addition to deducting 20 points for serious untrustworthy conduct each time, it is simultaneously announced on the "Jiangsu Construction Project Bidding Network" for 3 months, and during the period of publicity, it is suspended from undertaking throughout the province Qualification for bidding agency business for state-owned capital projects.

**Article** **27** In addition to publishing the scores of the daily behavior evaluation of the bidding agency and its employees in real time, it shall also be based on the "Implementation Opinions of the Department of Housing and Urban-Rural Development of Jiangsu Province on Reforming and Improving the Bidding system for Housing Construction and Municipal Infrastructure Projects" (Su Jian Gui Zi [2017] No. 1). Implement the following management:

(1) For bidding agencies that have deducted 8 points for daily behavior evaluation, the bidding regulatory authority under its jurisdiction shall interview its legal representative and technical person in charge, and at the same time publicize it on the "Jiangsu Construction Project Bidding Network" for 2 months During the publicity period, the qualification to undertake the bidding agency business of state-owned capital projects within the province is suspended;

(2) Where the total number of points deducted from the evaluation of the daily behavior of the employees of the bidding agency reaches 3 points, it shall be announced on the "Jiangsu Construction Project Bidding Network" for 2 months. During the publicity period, the qualification to undertake bidding agency business for state-owned capital projects within the province is suspended.

**Article 28** **Where a** bidding agency whose qualification for undertaking bidding agency business for state-funded projects has been suspended, the branch established by it shall simultaneously suspend the qualification to undertake bidding agency business for state-owned funded projects.

**Article 29** The bidding regulatory authority shall implement differentiated management of the bidding agency according to the dynamic evaluation situation:

(1) As one of the bases for the credit appraisal of bidding agencies;

(2) Where bidding agencies are determined by means of bidding, the bid evaluation measures may be used as the basis for additional points in credit appraisal;

(3) Tendering agencies with an average score below should strengthen education, management and inspection;

(4) For bidding agencies that have committed relatively serious or serious negative conduct, publicize and notify them, and restrict the bidding agency business qualifications of state-owned capital investment projects.

## Chapter IV Supplementary Provisions

**Article 30** **Where the** bidding agency has objections to the dynamic evaluation results, it may submit a review and correction to the bidding regulatory authority that implements the evaluation.

**Article** **31**: The "Untrustworthy Conduct of Bidding Agencies and Employees" (Annex III) will be adjusted in a timely manner in accordance with the Provincial Housing and Construction Department's Code of Untrustworthy Conduct in the Engineering Construction Industry.

**Article 32** The Jiangsu Provincial Construction Project Bidding and Bidding Office shall be responsible for the interpretation of these Measures

 These Measures shall be implemented as of October 1, 2018.

Appendix 1: "Dynamic Evaluation and Scoring Criteria for Bidding Agencies"

Appendix II: "Standards for Deducting Points for Daily Business Defects of Tendering Agencies and Employees"

Annex III: "Untrustworthy Conduct of Bidding Agencies and Practitioners"

### Annex I:

### Dynamic evaluation and scoring standards for bidding agencies

|  |  |  |  |
| --- | --- | --- | --- |
| **serial number** | **Evaluate the content** |  **Evaluation criteria**  | **remark** |
| 1 | Office space | Tender agencies with fixed office space and not less than 200 square meters plus 4 points. (The value of the office area is required to be filled in according to the area marked on the scanned copy of the office lease contract or the purchase contract uploaded in the system.) ） | Plus |
| 2 | Practitioners | Personnel with engineering qualifications (except for second-level construction engineers) are added 1 point per person, and personnel with second-level construction division registration qualifications are added 0.5 points per person; points cannot be repeated, up to a maximum of 6 points | Plus |
| 3 | Attend an event | Failure to respond to the study, exchange, meeting, submission of annual reports or other activities organized by the bidding regulatory authority as required will be deducted 0.5 points per time.  | Deduct points |
| 4 | Daily agent behavior | Business defects | According to Annex 2, in the jiangsu provincial construction project bidding and bidding administrative supervision platform, the bidding agency and the employees are deducted points for daily work defects, and 0.1-0.5 points/time are deducted.  | Deduct points |
| Untrustworthy conduct | In accordance with Annex III, points are deducted for the untrustworthy conduct of bidding agencies and employees in the Jiangsu Provincial Construction Project Bidding and Bidding Administrative Supervision Platform. 20 points per time for serious untrustworthy conduct, 10 points per time for heavier untrustworthy conduct, and 2 points for general untrustworthy conduct Minutes/times.  | Deduct points |
| 5 | Business knowledge assessment | Among the employees of the library, all those who have been members of the agency group project in the current year are required to participate in the annual business knowledge assessment; if the number of project team members in the whole year is less than 5, they need to supplement other personnel to participate in the business knowledge assessment (that is, the number of people participating in the business knowledge assessment should be ≧ 5 people). 1 point per person will be deducted for missing the examination or failing to pass the assessment.  | Deduct points |
| 6 | Quality of information filled in | 2 points will be deducted for fraudulent acts in the submitted information, and 1 point will be deducted if the submitted information is inaccurate.  | Deduct points |
| 7 | Dynamic evaluation results of the previous year | The previous year's dynamic evaluation deducts \*5% points | Deduct points |

**Remarks: This scoring standard applies to both the head office and the branch office.**

**Annex II:**

**Bidding agencies and practitioners** **business defect deduction** **standards**

|  |  |  |  |
| --- | --- | --- | --- |
| **Tendering phase** | **serial number** | **Example of business appraisal deduction points** | **Points deducted** |
| All stages | 1 | The filing materials of the bidding agency do not meet the requirements and are returned for modification | 0.1 |
| 2 | When the project agency business operation, the agent personnel do not wear work badges and other identity badges | 0.1 |
| 3 | When the project agency business operation is carried out, the agent personnel are inconsistent with the project team personnel for the record | 0.3 |
| 4 | Where the tendering agency causes a new bid or re-evaluation; or a complaint is caused by the bidding agency; or the tenderer is not assisted in handling objections in a timely and conscientious manner; or the bidding regulatory authority is not assisted in handling the complaint in a timely and conscientious manner | 0.5 |
| 5 | The tendering agency collects from the successful bidder a fee other than the cost of the tender documents | 0.5 |
|  | 6 | All violations of the relevant regulations on tenderers | 0.1-0.5 |
| Agency ContractsRecord | 7 | The content of the contract entrusted by the bidding agent is incomplete | 0.2 |
| Initial contract issuancescheme | 8 | Key contents such as project scale, total investment, contract issuance content, and contract estimated price are not filled in or filled in incorrectly | 0.2 |
| Announcement is issued | 9 | Before the announcement is issued, the bidding agency has not conducted a pre-bid on-site survey | 0.2 |
| 10 | The name of the project, the name of the bidding section, the content of the bidding and other key contents are incorrectly written, or the content of the announcement is incomplete | 0.3 |
| 11 | The content of the announcement is inconsistent and leads to ambiguity; or there are provisions that violate laws and regulations | 0.5 |
| Prequalification | 12 | Failure to organize prequalification in accordance with regulations | 0.5 |
| 13 | Where the results of the prequalification are not announced in accordance with provisions | 0.5 |
| Tender documentsRecord | 14 | Due to the reasons of the tendering agency, the prequalification documents, tender documents, clarifications or amendments are not filed in a timely manner; or the tender control price is not issued at the prescribed time | 0.2 |
| 15 | Modifications to the fixed terms of the standard (model) solicitation documents are not explained in advance at the time of filing | 0.5 |
| 16 | There are inconsistencies in the content of the solicitation documents and their clarifications or amendments, contradictory terms, or other illegal provisions | 0.5 |
| 17 | The content of the qualification review conditions and bid evaluation methods in the bidding documents is inconsistent with the content of the bidding announcement; the bidding documents issued are inconsistent with the bidding documents for the record | 0.5 |
| 18 | The list compiled has omissions and omissions | 0.1/article |
| Bids | 19 | The agent does not enter the bid opening room 15 minutes before the bid opening to make preparations before the bid opening | 0.1 |
| 20 | The acting project team leader did not attend to organize the bid opening activities | 0.3 |
| 21 | The agent did not truthfully record the time of delivery and sealing of the bidding documents (electronic bidding is not applicable); the content of the bid opening record is incomplete and inaccurate | 0.2 |
| Bid evaluation | 22 | The bidder judges fail to file the record in accordance with the regulations | 0.1 |
| 23 | Failure to prepare for bid evaluation by bidders as required | 0.5 |
| 24 | The collection and collation of the evaluation results data is incomplete | 0.3 |
| Winning bidder | 25 | Failure to publicize the circumstances of the winning candidate, the results of the evaluation of the bid, and the name of the successful bidder in accordance with the provisions | 0.2 |
| 26 | Failure to publish the announcement of the successful bidder in accordance with the provisions | 0.2 |
| 27 | The content of the notice of winning the bid handled by the bidding agency is inconsistent with the evaluation result | 0.5 |
| Written status report on tendering and bidding | 28 | The filing of the written report on the bidding situation is not timely; or the content is incomplete or untrue | 0.3 |
| Concentrate:1. Points may be deducted for violations of the requirements of bidding work that are not specified and may be deducted with reference to the above similar standards.

2. "The filing materials of the bidding agency do not meet the requirements and are returned for modification" refers to the fact that the regulatory authority shall inform the content that needs to be modified at one time for the materials for filing. If the regulatory authority does not inform the contents of the same material for filing that should be modified at one time, it can only deduct points according to the situation of returning once, and may not deduct points repeatedly. 3. All the acts listed in this table do not meet the administrative punishment standards. |  |

### Annex III:

### Untrustworthy conduct of bidding agencies and employees

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **serial number** | **Untrustworthy conduct** | **Regulatory basis** | **Type and magnitude of treatment** | **Severity classification** |
| 1 | Divulging information and information related to bidding that should be kept confidential before the opening of bids | Article 50 of the Law of the People's Republic of China on Bidding and Bidding (Presidential Decree No. 21) Where a bidding agency violates the provisions of this Law by divulging the circumstances and materials related to bidding and bidding activities that should be kept confidential, or colludes with bidders or bidders to harm the interests of the State, the societal public interest or the lawful rights and interests of others, it shall be fined not less than 50,000 yuan but not more than 250,000 yuan. The directly responsible supervisors and other directly responsible personnel of the unit shall be fined not less than 5 percent but not more than 10 percent of the amount of the unit's fine; where there are illegal gains, they shall also be confiscated; if the circumstances are serious, they shall be suspended or even disqualified as bidding agents; and where a crime is constituted, criminal responsibility shall be pursued in accordance with law. Whoever causes losses to others shall bear the liability for compensation in accordance with law.  | Suspension or cancellation of bidding agent qualifications, or fines of more than 50,000 yuan | severe |
| 2 | Where a bidding agency colludes with a bidder or bidder to harm the interests of the State, the public interest, or the interests of the bidders | Law of the People's Republic of China on Tendering and Bidding (Presidential Decree No. 21). Article 50 Where a bidding agency violates the provisions of this Law by divulging the circumstances and materials related to bidding and bidding activities that should be kept confidential, or colludes with bidders or bidders to harm the interests of the State, the societal public interest, or the lawful rights and interests of others, it shall be fined not less than 50,000 yuan but not more than 250,000 yuan, and the supervisors and other directly responsible personnel directly responsible for the unit shall be fined not less than 5 percent but not more than 10 percent of the amount; Suspension or even cancellation of bidding agency qualifications; where a crime is constituted, criminal responsibility shall be pursued in accordance with law. Whoever causes losses to others shall bear the liability for compensation in accordance with law.  | Suspension or cancellation of bidding agent qualifications, or fines of more than 50,000 yuan | severe |
| 3 | At the same time, it accepts the entrustment of the contract issuer and the contractor for the relevant business of the same project | Article 24 of the Regulations on the Administration of the Construction Market of Jiangsu Province (adopted at the Eleventh Meeting of the Standing Committee of the Tenth People's Congress of Jiangsu Province on August 20, 2004) Engineering construction intermediary service institutions shall not carry out the following acts: Subparagraph (2) shall simultaneously accept the relevant business entrustment of the contract issuer and the contractor for the same project. Article 50 Where a project cost consulting unit, a bidding agency or a engineering testing unit violates the provisions of subparagraph (2) of the first paragraph of Article 24 of these Regulations, the competent administrative department for construction shall order corrections, confiscate the illegal gains, and impose a fine of not less than 10,000 yuan but not more than 50,000 yuan.  | Order corrections and impose a fine of not more than 20,000 yuan, or confiscate illegal gains of less than 20,000 yuan | Heavier |
| Where a fine of 20,000 yuan or more is imposed, or the illegal gains are confiscated in 20,000 yuan or more | severe |
| 4 | Illegal interference in the bid evaluation activities of bid evaluation experts | Article 16 of the Interim Measures for the Management of the Pool of Bid Evaluation Experts and Bid Evaluation Experts (Decree No. 29 of the State Development Planning Commission) Article 16 Where the government department or bidding agency that forms the bid evaluation expert pool has any of the following circumstances, the relevant administrative supervision department shall give a warning; , illegally interfering with the bid evaluation activities of bid evaluation experts.  | warn | So so |
| Suspension or cancellation of tender agent qualifications | severe |
| 5 | If the tender is terminated, the relevant persons are not notified in a timely manner or the fees collected are refunded | Article 31 of the Regulations of the People's Republic of China on the Implementation of the Law on Tendering and Bidding (Decree No. 613 of the State Council) Where a tenderer terminates the tender, it shall promptly issue an announcement or notify in writing the invited or potential bidder who has obtained the prequalification documents or tender documents. Where prequalification documents or bidding documents have been sold or a bidding deposit has been collected, the bidder shall promptly refund the fees collected for the prequalification documents and bidding documents, as well as the bidding deposits collected and the interest on bank deposits for the same period. Article 66 Where a bidder collects a bid deposit or a performance bond in excess of the proportion prescribed in these Regulations, or fails to return the bid deposit and the interest on bank deposits for the same period in accordance with the regulations, the relevant administrative supervision department shall order corrections and may impose a fine of not more than 50,000 yuan; if it causes losses to others, it shall bear the liability for compensation in accordance with law.  | Ordered to make corrections and fined not more than 1,000 yuan | So so |
| A fine of between 1,000 and 20,000 yuan shall be imposed | Heavier |
| A fine of more than 20,000 yuan shall be imposed | severe |
| 6 | Restrict or exclude potential bidders on unreasonable terms | Article 51 of the Law of the People's Republic of China on Bidding and Bidding (Presidential Decree No. 21) Where a bidder restricts or excludes potential bidders with unreasonable conditions, discriminates against potential bidders, compulsorily requires bidders to form a consortium to bid together, or restricts competition between bidders, orders corrections and may be fined between 10,000 and 50,000 yuan. Article 32 of the Implementing Regulations of the Law of the People's Republic of China on Bidding and Bidding (Decree No. 613 of the State Council) The bidder shall not restrict or exclude potential bidders or bidders with unreasonable conditions.  If a bidder commits any of the following acts, it shall be deemed to restrict or exclude potential bidders or bidders with unreasonable conditions: (1) Providing potential bidders or bidders with differentiated project information in connection with the same bidding project; (2) The qualifications, technology and commercial conditions set are incompatible with the specific characteristics and actual needs of the bidding project or have nothing to do with the performance of the contract; (3) Projects that must be tendered in accordance with law shall use the performance or awards of a specific administrative region or specific industry as a condition for extra points or a condition for winning the bid; (4) Adopt different qualification review or bid evaluation criteria for potential bidders or bidders; (5) restricting or designating specific patents, trademarks, brands, places of origin or suppliers; (6) Illegally restricting the form of ownership or organization of potential bidders or bidders for projects that must be tendered in accordance with law;(7) Restricting or excluding potential bidders or bidders with other unreasonable conditions.Article 26 of the Measures for Bidding and Bidding for the Construction of Engineering Construction Projects (Decree No. 30 of the Seven Ministries and Commissions) The technical standards specified in the bidding documents shall comply with the national mandatory standards. None of the technical standards set out in the solicitation documents may require or identify a particular patent, trademark, name, design, place of origin or supplier of production, nor shall it contain other elements that favour or exclude potential bidders. If reference to the technical standards of a production supplier is necessary to accurately or clearly describe the technical standards of the project to be tendered, the words "or equivalent" shall be added after the reference.  | Order corrections | So so |
| A fine of not more than 20,000 yuan shall be imposed | Heavier |
| A fine of more than 20,000 yuan shall be imposed | severe |
| 7 | The time limit for the sale, clarification or modification of the solicitation documents or prequalification documents, or the time limit for submitting prequalification application documents or bidding documents determined does not comply with the regulations | Article 64 of the Implementing Regulations of the Law of the People's Republic of China on Bidding and Bidding (Decree No. 613 of the State Council) Where a bidder has any of the following circumstances, the relevant administrative supervision department shall order corrections and may impose a fine of not more than 100,000 yuan: (2) the time limit for the sale, clarification or amendment of the bidding documents and prequalification documents, or the determination of the submission of prequalification application documents, The time limit for tender documents is not in accordance with the provisions of the Law on Tendering and Bidding and these Regulations;Regulations on the Implementation of the Law of the People's Republic of China on Tendering and Bidding (Decree No. 613 of the State Council).Article 16 The tenderer shall issue the prequalification documents or tendering documents in accordance with the time and place specified in the prequalification announcement, the bidding announcement or the invitation to bid. The prequalification documents or solicitation documents shall be sold for a period of not less than 5 days. Article 17 The tenderer shall reasonably determine the time for submitting the application documents for prequalification. The time for submitting prequalification application documents for projects that must be tendered according to law shall not be less than 5 days from the date on which the prequalification documents cease to be sold. Article 21 The tenderer may make necessary clarifications or amendments to the prequalification documents or solicitation documents that have been issued. Where the content of the clarification or modification may affect the preparation of the prequalification application documents or the bidding documents, the tenderer shall notify all potential bidders who have obtained the prequalification documents or the tender documents in writing at least 3 days before the deadline for submitting the prequalification application documents, or at least 15 days before the bidding deadline; less than 3 days or less On the 15th, the tenderer shall postpone the deadline for submitting the prequalification application documents or bidding documents. Law of the People's Republic of China on Tendering and Bidding (Presidential Decree No. 21). Article 24 The tenderer shall determine the reasonable time required by the bidder to prepare the bidding documents; however, the minimum period for projects for which bidding must be conducted in accordance with the law shall be no less than 20 days from the date of issuance of the bidding documents to the date on which the bidding documents are submitted. | Order corrections | So so |
| A fine of not more than 20,000 yuan shall be imposed | Heavier |
| A fine of more than 20,000 yuan shall be imposed | severe |
| 8 | Failure to publish tender announcements in newspapers and information networks designated by the State; | Article 51 of the Law of the People's Republic of China on Tendering and Bidding (Presidential Decree No. 21) Where a tenderer restricts or excludes potential bidders with unreasonable conditions, discriminates against potential bidders, compulsorily requires bidders to form a consortium to bid jointly, or restricts competition between bidders, orders corrections, A fine of between 10,000 and 50,000 yuan may be imposed. Article 63 of the Implementing Regulations of the Law of the People's Republic of China on Bidding and Bidding (Decree No. 613 of the State Council) Where a bidder commits any of the following acts of restricting or excluding potential bidders, the relevant administrative supervision department shall punish him in accordance with the provisions of Article 51 of the Bidding and Bidding Law: (1) Projects that should be publicly tendered in accordance with the law shall not publish pre-qualification announcements or bidding announcements in designated media in accordance with regulations ;(2) Inconsistent content of prequalification announcements or bidding announcements for the same tendered project published in different media, affecting potential bidders' application for prequalification or bidding.  | Order corrections | So so |
| A fine of not more than 20,000 yuan shall be imposed | Heavier |
| A fine of more than 20,000 yuan shall be imposed | severe |
| 9 | Acceptance of tender documents that should be rejected | Article 36 of the Regulations on the Implementation of the Law of the People's Republic of China on Bidding and Bidding (Decree No. 613 of the State Council) The bidding documents submitted by applicants who have not passed the pre-qualification examination, as well as the bidding documents that are delivered late or are not sealed in accordance with the requirements of the bidding documents, shall be rejected by the bidders. Article 64 Where a bidder has any of the following circumstances, the relevant administrative supervision department shall order corrections and may impose a fine of not more than 100,000 yuan: (4) Accept the bidding documents that should be rejected. Where a bidder commits any of the acts listed in items 1, 3, and 4 of the preceding paragraph, he shall give sanctions to the supervisors and other directly responsible personnel of the unit in accordance with law. | Order corrections | So so |
| A fine of not more than 20,000 yuan shall be imposed | Heavier |
| A fine of more than 20,000 yuan shall be imposed | severe |
| 10 | The bid evaluation committee formed does not meet the statutory requirements | Article 46 of the Regulations on the Implementation of the Law of the People's Republic of China on Bidding and Bidding (Decree No. 613 of the State Council) Except for the special bidding projects provided for in paragraph 3 of Article 37 of the Bidding and Bidding Law, the expert members of the bid evaluation committee shall be determined by random selection from the list of experts of relevant professions in the bid evaluation expert pool. No unit or individual may designate or covertly designate expert members to participate in the bid evaluation committee by any means, explicitly or implicitly. Article 70:Where a bidder for a project that must be tendered according to law does not form a bid evaluation committee in accordance with the provisions, or determines or replaces the members of the bid evaluation committee in violation of the provisions of the Law on Bidding and Bidding and these Regulations, the relevant administrative supervision department shall order corrections and may impose a fine of not more than 100,000 yuan, and give sanctions to the directly responsible supervisors and other directly responsible personnel of the unit in accordance with law; the appraisal conclusions made by the members of the bid evaluation committee who have been illegally determined or replaced are invalid, and a new appraisal shall be conducted in accordance with law.  | Order corrections and re-evaluation | So so |
| A fine of not more than 20,000 yuan shall be imposed | Heavier |
| A fine of more than 20,000 yuan shall be imposed | severe |
| 11 | Tenders are not required for bidding | Article 9 of the Law of the People's Republic of China on Tendering and Bidding (Presidential Decree No. 21) Where a bidding project needs to perform the project examination and approval formalities in accordance with the relevant provisions of the State, it shall first perform the examination and approval formalities and obtain approval. The bidder shall have the corresponding funds for the bidding project or the source of funds has been implemented, and shall truthfully indicate it in the bidding documents. Article 8 of the Measures for the Administration of Bidding and Bidding for the Construction of Housing Construction and Municipal Infrastructure Projects (Decree No. 89 of the Ministry of Construction) Article 8 The following conditions shall be met for the bidding for engineering construction:(i). Where it is necessary to perform project approval formalities in accordance with the relevant provisions of the State, the examination and approval procedures have already been performed;(ii). The project funds or sources of funds have been implemented;(iii). There are design documents and other technical information to meet the needs of construction bidding;(iv). Other conditions stipulated by laws, regulations and rules.  | Order corrections | So so |
| 12 | Failure to sell prequalification documents and solicitation documents as required | Regulations on the Implementation of the Law of the People's Republic of China on Tendering and Bidding (Decree No. 613 of the State Council). Article 16 The fees charged by the tenderer for the sale of prequalification documents and tender documents shall be limited to compensating for the cost of printing and mailing, and shall not be for the purpose of making profits.Notice on Clarifying the Standards for the Sale of Bidding Documents in the Electronic Bidding work of Construction Projects (Su Jianzhao [2012] No. 191).Article 1 For projects that adopt full electronic bidding, the sale price of the bidding documents shall not exceed 300 yuan per book, including the preparation of electronic bidding documents and the use, maintenance, upgrading and other costs of related software. Article 2 For projects temporarily using the same tool and platform, the bidding document will be sold for 250 yuan, and the total cost of use and maintenance of tool software and platform software shall not exceed 150 yuan per book. Article 3 In non-electronic bidding, the standard of bidding documents for the sale of bidding documents shall be adjusted to: the maximum amount for projects with an estimated price of 10 million yuan in the bidding section shall not exceed 300 yuan; and the maximum for projects with an estimated price of more than 10 million yuan for the bidding section shall not exceed 500 yuan Yuan. Among them, the use of online remote bid evaluation projects, electronic bidding tool software, bid evaluation software, special CD-ROM (including economic bids, technical bids, etc.) the use and maintenance of total costs, each bid does not exceed 50 yuan, included in the bidding document sale fee, by the software developer to collect.  | Order corrections | So so |
| 13 | Failure to enter the tangible construction market in accordance with the regulations and in accordance with the law | Article 10 of the Regulations on the Administration of the Construction Market of Jiangsu Province The contracting of engineering projects shall be carried out in accordance with the authority of project project management in the construction project trading centers of provinces, districted cities and counties (cities). The bidding and bidding activities of mechanical and electrical equipment shall be carried out in accordance with the relevant provisions of the national and provincial people's governments. Article 13 of the Measures for the Administration of Bidding and Bidding for the Construction of Housing Construction and Municipal Infrastructure Projects Article 13 Projects that use all state-owned funds to invest or state-owned capital investment to hold a controlling or dominant position, and must be subject to construction bidding in accordance with law, shall enter the tangible construction market for bidding and bidding activities. The relevant government management organs may handle the relevant formalities in the tangible construction market in a centralized manner and supervise them in accordance with law.  | Order corrections, or circulate criticism | Heavier |
| 14 | The content of the announcement is untrue and incomplete | Article 6 of the Interim Measures for the Issuance of Tendering Announcements (Decree No. 4 of the State Planning Commission) The tendering announcement shall indicate the name and address of the tenderer, the nature, quantity, place and time of implementation of the tendering projects, the deadline for bidding, and the methods for obtaining tendering documents. The tenderer or the tendering agency entrusted by it shall ensure that the content of the tender announcement is true, accurate and complete. | Order corrections | So so |
| 15 | No qualification committee has been formed to conduct prequalification | Article 18 of the Regulations on the Implementation of the Law of the People's Republic of China on Tendering and Bidding (Decree No. 613 of the State Council) Prequalification shall be conducted in accordance with the standards and methods set forth in the prequalification documents. For projects for which state-owned funds hold a controlling or dominant position that must be tendered in accordance with law, the bidder shall form a qualification review committee to review the prequalification application documents. The Qualification Review Committee and its members shall abide by the provisions of the Law on Tendering and Bidding and the relevant bid evaluation committees and their members in these Regulations.  | Order corrections | So so |
| 16 | No written report was submitted within 15 days of the determination of the successful bidder | Article 47 of the Law of the People's Republic of China on Bidding and Bidding (Presidential Decree No. 21) For projects that must be tendered according to law, the tenderer shall submit a written report on the bidding and bidding situation to the relevant administrative supervision department within 15 days from the date of determining the successful bidder.  | Order corrections | So so |
| 17 | Notification of prequalification results was not issued to the prequalification applicant | Article 19 of the Implementing Regulations of the Law of the People's Republic of China on Bidding and Bidding (Decree No. 613 of the State Council) After the prequalification is completed, the bidder shall promptly issue a notice of the prequalification result to the prequalification applicant. Applicants who fail to pass the prequalification are not eligible to bid. Where there are less than 3 applicants who have passed the pre-qualification examination, they shall be re-tendered.  | Order corrections | So so |