

No. RW/NH-35014/35/2020-H (Part-IV) (Comp no. 208779)
Government of India
Ministry of Road Transport & Highways
(Highways Section)
Transport Bhawan, 1, Parliament Street, New Delhi-110001

Dated: 31 May, 2022

To

1. The Principal Secretaries/Secretaries of all States/UTs Public Works Department dealing with National Highways, other Centrally Sponsored Schemes & State Schemes.
2. The Engineers-in-Chief and Chief Engineers of all States/UTs Public Works Department dealing with National Highways, other Centrally Sponsored Schemes & State Schemes.
3. The Chairman, National Highways Authority of India (NHAI), G-5&6, Sector-10, Dwarka, New Delhi-110 075.
4. The Managing Director, National Highway Infrastructure Development Corporation Ltd., 3rd floor, PTI Building, Parliament Street, New Delhi- 110 001

Subject: Standard Request for Proposal (RFP) for National Highways and centrally sponsored road works proposed to be implemented on EPC Mode of Contract- Amendments to RFP regarding.

- Ref: (i) Ministry's Circular no. RW/NH-37010/4/2010/PIC-EAP (Printing) dated 05.03.2019
(ii) Ministry's Circular RW/NH-37010/4/2010-EAP (Printing) vol.-IV dated 07.10.2019
(iii) Ministry's Circular RW/NH-37010/4/2010-EAP (Printing) vol.-IV dated 30.04.2020
(iv) Ministry's Circular RW/NH-37010/4/2010-EAP (Printing) vol.-IV dated 02.06.2020
(v) Ministry's Circular NH-35014/35/2020-H dated 02.11.2020

Sir,

This is in continuation to Ministry's circulars referred above.

2. In view of maintaining uniformity in interpretation during bid evaluation in respect of 'Highway Sector' works for assessing the 'similar work experience' of bidders as per Clause 2.2.2.2 of the RFP, the Clause 2.2.2.2, 2.2.2.4 & 2.2.2.5 shall be amended as under:-

Existing Clause			Modified Clause		
<p>Clause 2.2.2.2 Technical Capacity</p> <p>(ii) For demonstrating technical capacity and experience (the "Technical Capacity"), the Bidder shall, over the past [5 (five)]¹ financial years preceding the Bid Due Date, have received payments for construction of Eligible Projects, or has undertaken construction works by itself in a PPP project, such that the sum total thereof, as further adjusted in accordance with clause 2.2.2.5 (i) & (ii), is more than [Rs. ****crore (Rs. ****)] (the "Threshold Technical Capacity")².</p> <p>¹ 5(five) years in case of normal highway projects and 10(Ten) years in case of stand along specialized projects (Major Bridges/ROB/Flyover/Tunnel)</p> <p>²This amount should be as follows: (A) For normal highway projects</p>			<p>Clause 2.2.2.2 Technical Capacity</p> <p>(i) For demonstrating technical capacity and experience (the "Technical Capacity"), the Bidder shall, over the past [5 (five)]¹ financial years preceding the Bid Due Date, have received payments for construction of Eligible Projects, or has undertaken construction works by itself in a PPP project, such that the sum total thereof, as further adjusted in accordance with clause 2.2.2.5 (i) & (ii), is more than [Rs. ****crore (Rs. ****)] (the "Threshold Technical Capacity")¹.</p> <p>¹ 5(five) years in case of normal highway projects and 10(Ten) years in case of stand along specialized projects (Major Bridges/ROB/Flyover/Tunnel)</p> <p>²This amount should be as follows: (A) For normal highway projects</p>		
Sl No	Estimated Project Cost (EPC) of the Project being invited	Threshold Technical Capacity	Sl No	Estimated Project Cost of the Project being invited	Threshold Technical Capacity
1	Estimated Project Cost ≤ 100 Crore	0.75 time of EPC	1	Estimated Project Cost ≤ 100 Crore	0.75 time of EPC
2	Estimated Project Cost > 100 Crore & ≤ 500 crore	1.0 time of EPC	2	Estimated Project Cost > 100 Crore & ≤ 500 crore	1.0 time of EPC
3	Estimated Project Cost > 500 Crore	1.0 time of EPC	3	Estimated Project Cost > 500 Crore	1.0 time of EPC
(B) For Stand-alone specialized projects (Major Bridges/ROB/Flyover/Tunnel)			(B) For Stand-alone specialized projects (Major Bridges/ROB/Flyover/Tunnel)		
Sl No	Estimated Project Cost (EPC) of the Project being invited	Threshold Technical Capacity	Sl No	Estimated Project Cost of the Project being invited	Threshold Technical Capacity
1	Estimated Project Cost < 100 Crore	0.75 time of EPC	1	Estimated Project Cost < 100 Crore	0.75 time of EPC
2	Estimated Project Cost > 100	1.0 time of EPC	2	Estimated Project Cost > 100	1.0 time of EPC
3	Estimated Project Cost > 500 Crore & ≤ 1000 Crore	1.0 time of EPC	3	Estimated Project Cost > 500 Crore & ≤ 1000 Crore	1.0 time of EPC

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no change

Existing Clause			Modified Clause		
4	Estimated Project Cost > 1000 Crore	1.0 time of the estimate project cost or Rs.1000 crore, whichever is less.	4	Estimated Project Cost > 1000 Crore	1.0 time of the estimate project cost or Rs.1000 crore, whichever is less
5	Estimated project cost > 1000 Crore of stand-alone specialize projects	1.0 time of the estimate project cost or Rs.1000 crore, whichever is less	5	Estimated project cost > 1000 Crore of stand-alone specialize projects	1.0 time of the estimate project cost or Rs.1000 crore, whichever is less

(ii) For normal Highway projects (including Major Bridges/ROB/Flyovers/Tunnels):

Provided that at least one similar work of 20% of Estimated Project Cost [Rs.***crore (Rs.****)] shall have been completed from the Eligible Projects in Category 1 and/or Category 3 specified in Clause 2.2.2.5. For this purpose, a project shall be considered to be completed, if more than 90% of the value of work has been completed and such completed value of work is equal to or more than 20% of the estimated project cost.

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Provided that at least one similar work of 20% of Estimated Project Cost [Rs.***crore (Rs.****)] shall have been completed from the Eligible Projects in Category 1 and/or Category 3 specified in Clause 2.2.2.5. For this purpose, a project shall be considered to be completed, if more than 90% of the value of work has been completed and such completed value of work is equal to or more than 20% of the estimated project cost. Eligible projects shall include following:

- (a) Widening/ reconstruction/up-gradation works on NH/SH/Expressway or on any category of road taken up under CRF, ISC/EI, SARDP, LWE
- (b) Widening/reconstruction/up-gradation works on MDRs with loan assistance from multilateral agencies or on BOT basis
- (c) Widening/reconstruction/up-gradation work of roads in Municipal corporation limits, construction of Bypasses
- (d) Construction of stand-alone bridges, ROBs, tunnels
- (e) Construction/reconstruction of linear projects like airport runways, railways (construction/re-construction of railway tracks, yards for keeping containers etc.) metro rail and ports (including construction/re-construction of Jetties)

If any Major Bridge/ROB/Flyover/Tunnel is (are) part of the project, then the sole Bidder or in case the Bidder being a Joint Venture, any member of Joint Venture shall necessarily demonstrate additional experience in construction of Major

If any Major Bridge/ROB/Flyover/Tunnel is (are) part of the project, then the Bidder shall necessarily demonstrate additional experience in construction of Major Bridge/ROBs/Flyovers/Tunnel in the last 10 (Ten) financial years preceding the Bid Due

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Existing Clause

Bridge/ROBs/Flyovers/Tunnel in the last 10 (Ten) financial years preceding the Bid Due Date i.e. shall have completed atleast one similar Major Bridge/ROB/Flyover having span equal to or greater than:

- (a) In case, longest span of Bridge/ROB/flyover is less than or equal to 60m, no additional qualification is required.
- (b) when longest span is more than 60 m : 50% of the longest span or 100 m, whichever is less, of the structure proposed in this project

And in case of tunnel, if any, shall have completed construction of atleast one tunnel consisting of single or twin tubes (including tunnel(s) for roads/Railway/Metro rail/irrigation/hydro-electric projects etc.) having atleast:

(a) In case Tunnel is a part of project having length less than or equal to 200 m, then no additional qualification is required.

(b) when length of tunnel more than 200 m : 50% of the cross sectional area of proposed tunnel or two lane highway tunnel cross-sectional area, whichever is less and 20% length of the tunnel to be constructed in this project or 2 km, whichever is less.

(iii) For Stand-alone specialized projects:

(a) Major Bridges/ROB/Flyovers projects:

(a1) In case the cost of specialized project is less than or equal to Rs. 1,000 Cr: The Bidder shall have completed at least one similar Major Bridge/ROB/Flyover project in the last 10 (Ten) financial years preceding the Bid Due Date, having span equal to or greater than 50% of the longest span or 100 mtr whichever is less of the structure proposed in this project and also the cost of such similar project shall be at least 20% of the Estimated Project Cost. For this purpose, a project shall be considered to be completed, if more than 90% of the value of work has been completed and such completed value of work is equal to or more than 20% of the Estimated Project Cost.

(a2) In case the cost of specialized project is more than Rs. 1,000 Cr: The Bidder shall have completed at least one similar Major

Modified Clause

Date i.e. shall have completed atleast one similar Major Bridge/ROB/Flyover/Tunnel of following sizes:

- (a) In case, longest span of Bridge/ROB/flyover is less than or equal to 60m, no additional qualification is required.
- (b) when longest span is more than 60 m : 50% of the longest span or 100 m, whichever is less, of the structure proposed in this project

(c) In case Tunnel is a part of project having length less than or equal to 200 m, then no additional qualification is required.

(d) when length of tunnel more than 200 m : 50% of the cross sectional area of proposed tunnel or two lane highway tunnel cross-sectional area, whichever is less and 20% length of the tunnel to be constructed in this project or 2 km, whichever is less. For the purpose of this requirement, tunnel may have single/twin tubes for roads/railways/metro rail/irrigation/hydroelectricity projects etc.

(iii) For Stand-alone specialized projects:

(a) Major Bridges/ROB/Flyovers projects:

(a1) In case the cost of specialized project is less than or equal to Rs. 1,000 Cr: The Bidder shall have completed at least one similar Major Bridge/ROB/Flyover project in the last 10 (Ten) financial years preceding the Bid Due Date, having span equal to or greater than 50% of the longest span or 100 mtr whichever is less of the structure proposed in this project and also the cost of such similar project shall be at least 20% of the Estimated Project Cost. For this purpose, a project shall be considered to be completed, if more than 90% of the value of work has been completed and such completed value of work is equal to or more than 20% of the Estimated Project Cost.

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Existing Clause	Modified Clause																								
<p>Bridge/ ROB/ Flyover project in the last 10 (Ten) financial years preceding the Bid Due Date, having span equal to or greater than 50% of the longest span of the structure proposed in this project or 100m, whichever is less, and also the cost of such similar project shall be atleast 20% of the Estimated Project Cost or Rs. 1000Cr. whichever is less. For this purpose, a project shall be considered to be completed, if more than 90% of the value of work has been completed and such completed value of work is equal to or more than 20% of the Estimated Project Cost or Rs. 1000 Cr., whichever is less.</p>	<p>Bridge/ ROB/ Flyover project in the last 10 (Ten) financial years preceding the Bid Due Date, having span equal to or greater than 50% of the longest span of the structure proposed in this project or 100m, whichever is less, and also the cost of such similar project shall be atleast 20% of the Estimated Project Cost or Rs. 1000Cr. whichever is less. For this purpose, a project shall be considered to be completed, if more than 90% of the value of work has been completed and such completed value of work is equal to or more than 20% of the Estimated Project Cost or Rs. 1000 Cr., whichever is less.</p>																								
<p>(b) Tunnel project: The Bidder shall have completed atleast one tunnel project in the last 10 (Ten) financial years preceding the Bid Due Date, consisting of single or twin tubes (including tunnel(s) for roads/Railway/Metro rail/irrigation/hydro-electric projects etc.) having atleast 50% of the cross-sectional area of the tunnel to be constructed or cross-sectional area of 2 lane highway tunnel, whichever is less and 20% length of the tunnel to be constructed in this project or 2 km whichever is less and the cost of such project shall be atleast 20% of the Estimated Project Cost or Rs 1000 crore whichever is less. For this purpose, a project shall be considered to be completed, if more than 90% of the value of work has been completed and such completed value of work is equal to or more than 20% of the Estimated Project Cost or Rs 1000 crore whichever is less.</p>	<p>(b) Tunnel project: The Bidder shall have completed atleast one tunnel project in the last 10 (Ten) financial years preceding the Bid Due Date, consisting of single or twin tubes (including tunnel(s) for roads/Railway/Metro rail/irrigation/hydro-electric projects etc.) having atleast 50% of the cross-sectional area of the tunnel to be constructed or cross-sectional area of 2 lane highway tunnel, whichever is less and 20% length of the tunnel to be constructed in this project or 2 km whichever is less and the cost of such project shall be atleast 20% of the Estimated Project Cost or Rs 1000 crore whichever is less. For this purpose, a project shall be considered to be completed, if more than 90% of the value of work has been completed and such completed value of work is equal to or more than 20% of the Estimated Project Cost or Rs 1000 crore whichever is less.</p>																								
<p>(iv) The updation factor to update the price of the eligible projects for the year indicated in table below:</p>	<p>(iv) The updation factor to update the price of the eligible projects for the year indicated in table below:</p>																								
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<p>2.2.2.4 In case of a Joint Venture: (ii) The Bid Capacity, Technical Capacity and Financial Capacity of all the Members of</p>	<p>2.2.2.4 In case of a Joint Venture: (i) The Bid Capacity, Technical Capacity and Financial Capacity of all the Members of</p>																								

Existing Clause

Joint Venture would be taken into account for satisfying the above conditions of eligibility. Further, Lead Member shall meet at least 60% requirement of Bid Capacity, Technical and Financial Capacity, as per Clause 2.2.2.1, 2.2.2.2(i) and 2.2.2.3 and each of other JV members shall meet at least 20% requirement of Bid Capacity, Technical and Financial Capacity individually as per Clause 2.2.2.1, 2.2.2.2(i) and 2.2.2.3. For avoidance of doubt it is further clarified that the Joint Venture must collectively and individually satisfy the above qualification criteria. i.e. JV shall cumulatively/collectively fulfill the 100% requirement.

(ii) For requirement of 2.2.2.2 (ii), one similar work of 20% of Estimated Project Cost should have been completed from the Eligible Projects in Category 1 and/or Category 3 specified in Clause 2.2.2.5 individually by any of the JV members as a single work.

Modified Clause

Joint Venture would be taken into account for satisfying the above conditions of eligibility. Further, Lead Member shall meet at least 60% requirement of Bid Capacity, Technical and Financial Capacity, as per Clause 2.2.2.1, 2.2.2.2(i) and 2.2.2.3 and each of other JV members shall meet at least 20% requirement of Bid Capacity, Technical and Financial Capacity individually as per Clause 2.2.2.1, 2.2.2.2(i) and 2.2.2.3. For avoidance of doubt it is further clarified that the Joint Venture must collectively and individually satisfy the above qualification criteria i.e. JV shall cumulatively/collectively fulfill the 100% requirement.

(ii) For requirement of 2.2.2.2 (ii) & (iii), one similar work of 20% of Estimated Project Cost should have been completed from the Eligible Projects in Category 1 and/or Category 3 individually by any of the JV members as a single work.

2.2.2.5 Categories and factors for evaluation of Technical Capacity:

(i) Subject to the provisions of Clause 2.2.2 the following categories of experience would qualify as Technical Capacity and eligible experience (the "Eligible Experience") in relation to eligible projects as stipulated in Clauses 2.2.2.6 (i) & (ii) (the "Eligible Projects"). In case the Bidder has experience across different categories, the experience for each category would be computed as per weight of following factors to arrive at its aggregated Eligible Experience:

Category	Project Construction experience on Eligible Projects	Factors
1	Project in highways sector that qualify under Clause 2.2.2.6 (i)	1
2	Project in core sector that qualify under Clause 2.2.2.6 (i)	0.75

2.2.2.5 Categories and factors for evaluation of Technical Capacity:

(i) Subject to the provisions of Clause 2.2.2 the following categories of experience would qualify as Technical Capacity and eligible experience (the "Eligible Experience") in relation to eligible projects as stipulated in Clauses 2.2.2.6 (i) & (ii) (the "Eligible Projects"). In case the Bidder has experience across different categories, the experience for each category would be computed as per weight of following factors to arrive at its aggregated Eligible Experience:

Category	Project Construction experience on Eligible Projects	Factors
1	Project in highways sector that qualify under Clause 2.2.2.6 (i)	1
2	Project in core sector that qualify under Clause 2.2.2.6 (i)	0.75

Existing Clause			Modified Clause		
3	Construction in highways sector that qualify under Clause 2.2.2.6 (ii)	1	3	Construction in highways sector that qualify under Clause 2.2.2.6 (ii)	1
4	Construction in core sector that qualify under Clause 2.2.2.6 (iii)	0.75	4	Construction in core sector that qualify under Clause 2.2.2.6 (iii)	0.75
<p>(i) The Technical capacity in respect of an Eligible Project situated in a developed country which is a member of OECD shall be further multiplied by a factor of 0.5 (zero point five) and the product thereof shall be the Experience Score for such Eligible Project.</p> <p>(iii) For the purpose of this RFP: (a) highways sector would be deemed to include highways, expressways, bridges, tunnels, runways, railways (construction/re-construction of railway tracks, yards for keeping containers etc.) metro rail and ports (including construction/re-construction cost of Jetties, any other linear infrastructure including bridges etc.); and (b) core sector would be deemed to include civil construction cost of power sector, commercial setups (SEZs etc.), airports, industrial parks/ estates, logistic parks, pipelines, irrigation, water supply, sewerage, irrigation, water supply, stadium, hospitals, hotel, smart city, warehouses/silos, oil & gas and real estate development.</p> <p>(i) In case of projects executed by applicant under category 3 and 4 as a member of Joint Venture, the project cost should be restricted to the share of the applicant in the joint venture for determining eligibility as per provision under clause 2.2.2.2 (ii). In case Statutory Auditor certifies that, the work of other member(s) is also executed by the applicant, then the total share executed</p>			<p>(ii) The Technical capacity in respect of an Eligible Project situated in a developed country which is a member of OECD shall be further multiplied by a factor of 0.5 (zero point five) and the product thereof shall be the Experience Score for such Eligible Project.</p> <p>(iii) For the purpose of this RFP: (a) highways sector would be deemed to include highways, expressways, bridges, tunnels, runways, railways (construction/re-construction of railway tracks, yards for keeping containers etc.) metro rail and ports (including construction/re-construction of Jetties, any other linear infrastructure including bridges etc.); and (b) core sector would be deemed to include civil construction cost of power sector, commercial setups (SEZs etc.), airports, industrial parks/ estates, logistic parks, pipelines, irrigation, water supply, sewerage, irrigation, water supply, stadium, hospitals, hotel, smart city, warehouses/silos, oil & gas and real estate development. Core sector will also include the projects with the title of RIDF, PMGSY road, link road, city roads, rural road, sector/ municipality road, real estate projects which demonstrate road development/construction bridges or culverts.</p> <p>(iv) In case of projects executed by applicant under category 3 and 4 as a member of Joint Venture, the project cost should be restricted to the share of the applicant in the joint venture for determining eligibility as per</p>		

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Existing Clause

by applicant can be considered for determining eligibility as per provision under clause 2.2.2.2 (ii).

(iii) Maintenance works are not considered as eligible project for evaluation as per Instruction No.6 to Annex-IV. As such works with nomenclature like PR, OR, FDR,SR, site/micro grading, surface renewal, resurfacing work, Tarring, B.T. surface work, temporary restoration, urgent works, periodic maintenance, repair & rehabilitation, one time maintenance, permanent protection work of bank, external pre stressing, repair of central hinge, short term OMT contract of NHAI, any type of work related to border fencing, work of earthwork alone, construction of buildings/ hostels/hospitals, etc, or not specified, shall not be considered. However, such maintenance works shall be considered as eligible projects in case of Maintenance works to be taken up on EPC mode.

(iii) The works such as Improvement in Riding Quality work (IRQP/IRQ), shall be considered for Technical Capacity [2.2.2.2 (i)] but not for single completed works [2.2.2.2 (ii)]. However, such work shall be considered for single completed works [2.2.2.2 (i)] in case of Maintenance works to be taken up on EPC mode.

(iv) Project in Highway sector shall constitute the following for the purpose of consideration under category 1 or 3 as applicable, if:

- i. Widening / reconstruction / up-gradation works on NH / SH or on any category of road taken up under CRF, ISC/ EI, SARDP, LWE
- ii. Widening/ re-construction/up-gradation works on MDRs with loan assistance from multilateral agencies or on BOT basis.
- iii. Widening/ reconstruction / up-gradation work of roads in Municipal corporation limits, construction of Bypasses,
- iv. Construction of stand- alone bridges, ROBs, tunnels w.r.t roads.
- v. Long term OMT works of NHAI/MoRT&H.

(V) The projects with the title of RIDF, PMGSY road, link road, city roads, rural road,

Modified Clause

provision under clause 2.2.2.2. In case Statutory Auditor certifies that, the work of other member(s) is also executed by the applicant, then the total share executed by applicant can be considered for determining eligibility as per provision under clause 2.2.2.2.

(v) Maintenance works are not considered as eligible project for evaluation as per Instruction No.6 to Annex-IV. As such works with nomenclature like PR, OR, FDR,SR, site/micro grading, surface renewal, resurfacing work, Tarring, B.T. surface work, temporary restoration, urgent works, periodic maintenance, repair & rehabilitation, one time maintenance, permanent protection work of bank, external pre stressing, repair of central hinge, short term OMT contract of NHAI, any type of work related to border fencing, work of earthwork alone, construction of buildings/ hostels/hospitals, etc, or not specified, shall not be considered. However, such maintenance works shall be considered as eligible projects in case of Maintenance works to be taken up on EPC mode.

(vi) The works such as Improvement in Riding Quality work (IRQP/IRQ), shall be considered for Technical Capacity [2.2.2.2 (i)] but not for similar completed works [2.2.2.2 (ii) and 2.2.2.2.(iii)]. However, such work shall be considered for similar completed works [2.2.2.2 (ii)] in case of Maintenance works to be taken up on EPC mode.

(vii) In case both the estimated cost of project and revised cost of project are provided, the revised cost of project shall be considered for evaluation. ✓

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Existing Clause	Modified Clause
sector, municipality road, Bridges for railway line, work of metro rails (bridges, tunnel), real estate projects which demonstrate road development, construction bridges or culverts may be considered under category – 4.	
(Vi) In case both the estimated cost of project and revised cost of project are provided, the revised cost of project shall be considered for evaluation.	

3. Contents of this circular may be brought to the notice of all the concerned for immediate compliance.
4. This circular shall be effective from the date of its issue.
5. This issues with approval of the Competent Authority.

Yours faithfully



(Sushant Sudan)
Deputy Secretary to the Government of India
Telephone no. 011-23724515

Copy to:

1. All Technical Officers at the Headquarters
2. Secretary General, Indian Roads Congress
3. Director, IAHE, NOIDA
4. All ROs and ELOs of MoRT&H.

Copy for information to:

1. PPS to Secretary (RT&H), PPS to DG(RD) & SS, PS to AS&FA, PS to AS/JS(EAP), PS to ADG I/II.
2. Director(Technical), NIC, MoRTH to upload this OM on the website of MoRTH