



GOVERNMENT OF INDIA
MINISTRY OF ROAD TRANSPORT & HIGHWAYS

A-5, Sec.62, IAHE Campus,
Institutional Area, Noida, U.P.

No. RW-NH- 34048/7/2013-S&R (B)

Dated -1st January, 2016

To,

- 1 The Principal Secretaries /Secretaries of all States/U.Ts. Public Works Department dealing with National Highways, and other Centrally Sponsored Schemes.
- 2 The Engineers-in-Chief and Chief Engineers of Public Works Departments of States/U.Ts dealing with National Highways, and other Centrally Sponsored Schemes .
- 3 Director General (Border Roads), Seema Sadak Bhawan, Ring Road, New Delhi-110 010.
- 4 The Chairman, National Highways Authority of India, G-5&6, Sector-10, Dwarka, New Delhi-110 075
- 5 Director, Indian Academy of Highway Engineers, Noida, UP.
- 6 The Managing Director, NHIDCL, PTI Building, New Delhi-110001.

Subject: Procurement of consultants for Independent Engineer/ Authority Engineer /Preparation of DPR -Reg. Amendments.

Madam/Sir,

Ministry has received representation from Consulting Engineers Association of India for improving certain Terms and Conditions for engagement of consultants in the existing RFP document. The existing provisions of RFP on the issue of return of earnest money deposit and debarment of consultants have been reviewed in the Ministry and following modifications have been made.

2.1 Ministry has decided that earnest money deposit may be returned to all the bidders except preferred and next preferred bidder within a week of opening of their financial bids. Further, the earnest money deposit of next preferred bidder may be returned within a week of issue of LOA.

2.2 Ministry has decided that conditions barring Consultants from participating in the bid due to non-performance in the past shall be in line with the existing policy in this regard for Civil Contracts issued vide Ministry's policy circular dated 5th October, 2015 for EPC projects. Accordingly a suitable para as given below should be incorporated in RFP.

“The Bidder including individual or any of its Joint Venture Member should, in the last 2 years, have neither failed to perform for the works of Expressways, National Highways, ISC & EI works, as evidenced by imposition of a penalty by an arbitral or judicial authority or a judicial pronouncement or arbitration award against the Bidder including individual or any of its Joint Venture Member, as the case may be, nor has been expelled or terminated by Ministry of Road Transport & Highways or its implementing agencies for breach by such Bidder including individual or any of its Joint Venture Member”.

3. The contents of the circular may be brought to the notice of all concerned in your organization.

Yours faithfully,


01/01/2016

(Devender Kumar)

**Assistant Executive Engineer Engineer [S&R (Bridge)]
For Director General (Road Development) & SS**

Copy for information and necessary action to:

- 7 All Technical officers in the Ministry of Road Transport & Highways
- 8 All ROs and ELOs
- 9 The Secretary General, Indian Roads Congress- With request to publish in Indian Highways Journal
- 10 Technical Circular File of S&R (B) Section
- 11 NIC- for uploading MoRT&H's website under "What is new".

Copy for kind information to:

- 12 PS to Hon'ble Minister (RTH&S)
- 13 PS to Hon'ble MOS(RTH&S)
- 14 Sr. PPS to Secretary (RT&H)
- 15 PPS to DG (RD) & SS
- 16 PPS to JS&FA
- 17 PS to ADG-I/ADG-II
- 18 PS to JS(T)/JS(H)/JS(LA)/JS(EIC)