



Government of India
Ministry of Road Transport & Highways
Transport Bhawan
(EAP) Zone

Transport Bhawan
1, Parliament Street
New Delhi-110 001

No.RW/NH-37010/4/2010/PIC-EAP(Printing)

Dated the 27.06.2017

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. Director General (Border Roads), Seema Sadak Bhawan, Ring Road, New Delhi-110010
4. The Chairman, National Highways Authority of India (NHAI), G-5&6, Sector-10, Dwarka, New Delhi-110 075.
5. The Managing Director, National Highway Infrastructure Development Corporation Ltd., 3rd floor, PTI Building, Parliament Street, New Delhi-110 001

Subject: Amendment to Model document for 'Request for Proposal' (RFP-Single stage two part bidding) for Road & Bridge Works to be implemented on Engineering, Procurement & Construction (EPC) mode

Sir,

With reference to 'Request for Proposal' (RFP-Single stage two part bidding) issued vide circular 16.01.17 for Road & Bridge works to be implemented on Engineering, Procurement & Construction (EPC) mode, following amendments are being issued:

2. Clause 2.1.16 of the RFP shall now be read as:

While bidding is open to persons from any country, the following provisions shall apply:

- (a) Where, on the date of the Application, not less than 50% (fifty percent) of the aggregate issued, subscribed and paid up equity share capital in a Bidder or its Member is held by persons resident outside India or where a Bidder or its Member is controlled by persons resident outside India; or*
- (b) if at any subsequent stage after the Bid due date, there is an acquisition of not less than 50% (fifty percent) of the aggregate issued, subscribed and paid up equity share capital or control, by persons resident outside India, in or of the Bidder or its Member;*

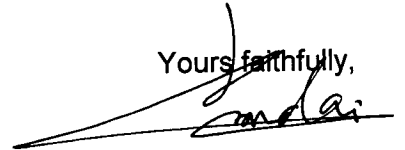
then the Eligibility of such Bidder shall be subject to approval of the Authority from national security and public interest perspective. The decision of the Authority in this behalf shall be final and conclusive and binding on the Bidder.

The holding or acquisition of equity or control, as above, shall include direct or indirect holding/ acquisition, including by transfer, of the direct or indirect legal or beneficial ownership or control, by persons acting for themselves or in concert and in determining such holding or acquisition, the Authority shall be guided by the principles, precedents and definitions contained in the Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) Regulations, 1997, or any substitute thereof, as in force on the date of such acquisition.

The Bidder shall promptly inform the Authority of any change in the shareholding, as above, and failure to do so shall render the Bidder liable for disqualification from the Bidding Process.

3. This issues with approval of Competent Authority.

Yours faithfully,



(Khushal Chand)
Superintending Engineer (EAP)

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.

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