

No. RW-NH-34048/7/2013-S&R (B)
Government of India
Ministry of Road Transport & Highways
(S&R P&B)

Transport Bhawan, 1, Parliament Street, New Delhi-110001

Date: 29.10.2018

To

1. The Principal Secretaries/ Secretaries of all States/UTs Public Works Department dealing with National Highways and other Centrally Sponsored Schemes
2. The Chairman, National Highways Authority of India, G-5&6, Sector-10, Dwarka, New Delhi-110075
3. Director General (Border Roads), Seema Sadak Bhawan, Ring Road, New Delhi-110010
4. The Managing Director, NHIDCL, PTI Building, New Delhi-110001
5. All CE-RO/ RO/ELO of MoRT&H
6. The Engineers-in-Chief and Chief Engineers of Public Works Departments of States/ UTs dealing with National Highways and other Centrally Sponsored Schemes

Subject: Standard RFP document for selection of Authority's Engineer for works to be implemented on Engineering Procurement and Construction (EPC) mode & Delegation of powers to Chief Engineer-Regional Officer (CE-RO)/ SE-RO/ ELO at MORT&H Regional Office- Amendments Reg.

Reference:

- (i) Ministry's Circular no. RW/NH-24035/4/2008-P&M/PIC Vol. II dated 23.02.2018.
- (ii) Ministry's Circular no. RW/NH-34048/7/2013-S&R(B) dated 16.09.2013 and subsequent amendments.

Sir,

Ministry has already formulated Standard RFP for engagement of Authority's Engineer, which inter-alia stipulates the terms of payment to be made to the consultants. Besides, Ministry has also delegated the powers to concerned State PWD to act as Authority Engineer for the projects costing up to Rs. 100 crore.

2. Following changes/revisions have been approved by the competent authority in partial modification of earlier guidelines/circulars/RFP:-

- (i) The State PWD/ NHAI/ NHIDCL/ BRO shall act as Authority Engineer for all the EPC projects costing (Civil Work cost put to tender) up to Rs. 300 Crore w.e.f 01.01.2019. For this purpose, services of specialized person(s) for limited project period for specific purpose may also be availed, if required by the executing agency. However, those works which include some specialized nature of structure/ work and/or difficult site conditions, consultant may be appointed as Authority's Engineer with the approval of DGRD&SS, MoRT&H/ Chairman NHAI/ MD NHIDCL as the case may be. In such cases, the supervision charges @3% would be payable to the concerned agency i.e. State PWD/ NHAI/ NHIDCL/ BRO in addition to the extant agency charges/ administrative charges.

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- (ii) The invitation of proposal for engagement of Authority's Engineer shall be done simultaneously or before the tender for civil works are invited in order to ensure availability of the Authority's Engineer before mobilization of civil contractor.
- (iii) Necessary modification in the main EPC document should be carried out accordingly.

3. In cases, where EOT is granted to the civil works contractor, the consultancy period of the Authority's Engineer shall be automatically extended subject to satisfactory performance of the Authority Engineer.

4. Mode of billing & Payment to the Authority's Engineer

- (i) As per the extant provision of RFP for appointment of Authority's Engineer, the consultant is to be paid billing rates for the remuneration towards the deployment of key personnel, sub-professional and support staff on man-month basis. For other items, like (i) transportation, (ii) duty travel to site, (iii) office rent, (iv) office supplies communication etc, (v) reports & documents printing, and (vi) survey equipment etc., the quoted amount of selected consultant is converted to percentage of civil work cost quoted by civil contractor and payments are made in proportion to the financial progress of civil works.
- (ii) In some projects, the progress of the work may be lagging behind the scheduled milestone due to various reasons such as non-availability of certain parcels of land, forest clearance, poor performance of contractor etc. In such cases, the deployment of key personnel, sub-professional and support staff, as envisaged in the original consultancy agreement, shall be underutilized. Towards operation & maintenance of logistics, the consultant has to incur the expenditure irrespective of the progress of the civil work. As such, linking such expenditure of the consultant with the progress of the work for the projects where progress is behind the scheduled milestone may not be rational and justified.
- (iii) In such situations/ circumstances, the Regional Officers of MoRT&H/ NHAI/ NHIDCL shall review the requirement of personnel & also of the logistics items commensurate to the progress of the work. The concerned regional officer may also de-mobilize the Authority's Engineer, if the project is at a standstill. The deployment of personnel & logistics may be reduced as per assessment in consultation with Authority's Engineer. The payment of remuneration and also of the reimbursable items in such cases may be paid as per the actual deployment of personnel/ logistics.

Yours faithfully,



(P.K.Mourya)
Executive Engineer, S&R (P&B)
For Director General (Road Development) & SS