

Government of India
Ministry of Road Transport & Highways

1, Parliament Street,
Transport Bhawan,
New Delhi- 1100 01

Dated: the 18th Dec, 2012

RW-22012/01/2012-Mech

To,

1. All Chief Engineers of the States and Union Territories, dealing with National Highways.
2. The Director General Border Roads, Seema Sadak Bhawan, Delhi Cantt, New Delhi
3. The Chairman, National Highways Authority of India (NHAI), New Delhi
4. The Secretary General, Indian Roads Congress, New Delhi
5. The Director, Indian Academy of Highway Engineers, Noida

Subject: Use of Recycling technology for PR (Periodic Renewal) works on National Highways.

Sir,

In supersession to Ministry's circular No. RW/NHVI-67(10)/85 dated 16.10.1985 on the subject "Recycling of bituminous surfacing- Introduction of the technique of" the following circular is issued.

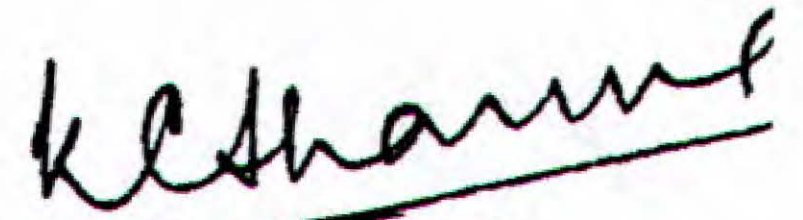
2. To strengthen the reaches overlay is considered, which requires fresh aggregates and bitumen. The level of road surface rises after overlay. Due to rise in level of road surface the level of adjacent structures such as footpath and median kerbs have to be raised. In urban areas overlay is generally associated with other infrastructure improvement works.
3. However for maintaining the reach with periodical renewal, recycling may be a better option than an additional renewal course. The restrictions on mining have necessitated the requirement to conserve aggregates. There is also a need to conserve bitumen by reusing it wherever feasible. As such, efforts are required to adopt suitable technology which will be helpful in the conservation of natural resources. Recycling can be one such technology.
4. Recycling technology is a part of Ministry's Specifications for Road and Bridge Works. Resurfacing of Bituminous surface by Hot-in-Situ Recycling / Central Plant Recycling was also recommended in the Chief Engineer's Meeting at the 197th Mid-term Session of IRC at Kohima.
5. In view of the inherent advantages of recycling technology, Recycling of bituminous surface on at least 10% of stretches which are otherwise structurally sound, may be proposed for PR works (Periodical Renewal) on National Highways.

Office of the
Superintending Engineer (C)
Ministry of Road Transport
& Highways, Kolkata
Dy. No. 1749
D. 3/1/13

6. It is suggested to select a stretch of 30-50 km (which may not be continuous) of two lane Highway, if necessary by clubbing the reaches. Proportionately minimum stretches for 4/6 etc. lane may be calculated. Recycling of the existing bituminous wearing course can be considered where the existing thickness of the bituminous layer is at least 100 mm. Thickness/depth of recycling shall be the thickness of existing wearing course and the treated finished wearing course shall be of the same specifications and thickness as that of the existing wearing course (such as SDBC, BC etc).

This circular is issued with the approval of the competent authority.

Yours sincerely,


(K.C. Sharma)

Superintending Engineer (Mech)
For Director General (RD) & Special Secretary

Copy to :

1. All the Technical Officers in the Ministry of Road Transport & Highways
2. All ROs and ELOs

GOVERNMENT OF INDIA
Ministry of Road Transport & Highways
(Planning Zone)

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

No. I-26011/3/2001(12)-P&M (Pt.)

Dated, 29th June, 2016

OFFICE MEMORANDUM

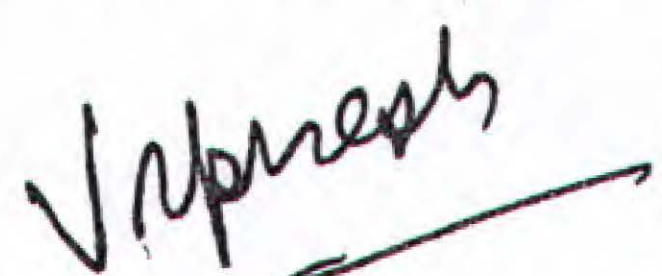
Subject: Delegation of powers for Administrative / Financial Approval of Periodic Renewal / Improvement of Riding Quality Programme (PR/IRQP) under Maintenance & Repair (M&R) of NHs (Non-Plan) –Reg.

Reference:- (i) OM of even number dated 22.02.2016
(ii) OM of even number dated 23.02.2016
(iii) OM of even number dated 07.03.2016

Please refer to this Ministry's OMs under reference above on the above mentioned subject.

2. The clarifications to para 2 (i) and (ii) of OM under reference (i) are enclosed herewith for further necessary action.

Enclosure: As above

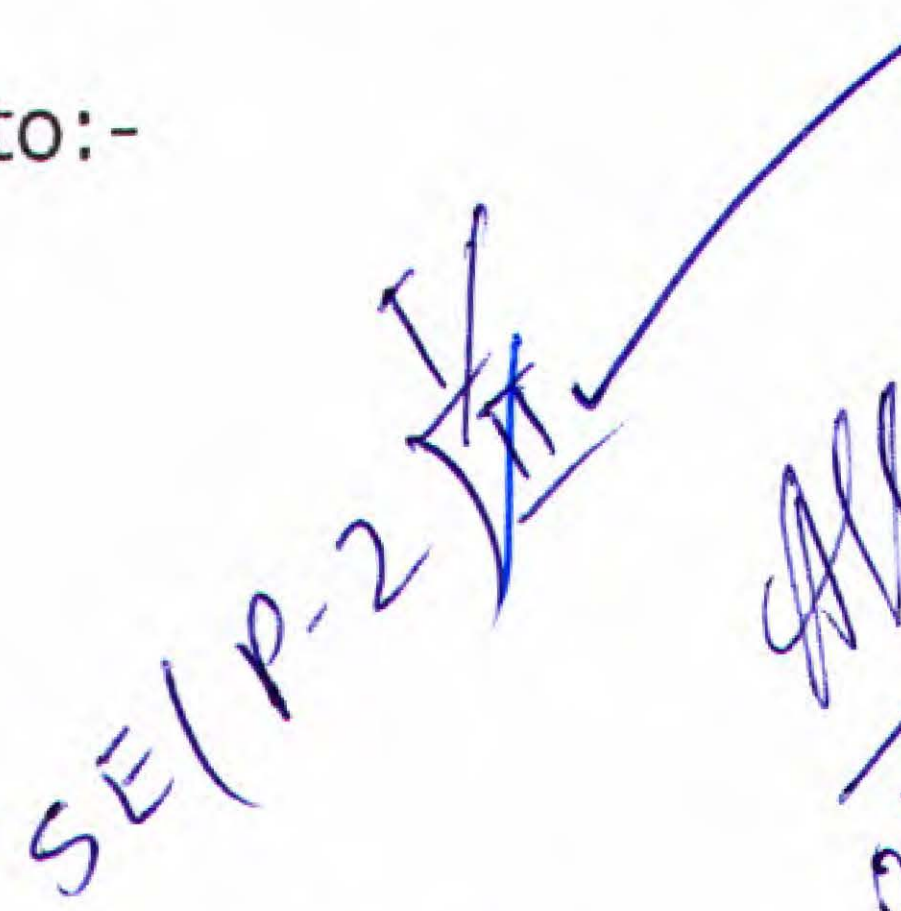

(Vipnesh Sharma)
Superintending Engineer (Planning)
sharma_vipnesh@yahoo.co.in

To,

1. ADG – I / Coordinator – I / Coordinator – II / Coordinator – III
2. All CEs / SEs / EEs of the Ministry
3. DyFA
4. All Directors / DSs / USs / Sections in Roads Wing
5. All ROs / ELOs of the Ministry

Copy for information and necessary action to:-

1. PS to Hon'ble Minister (RT&H)
2. PS to Hon'ble MOS (RT&H)
3. PPS to Secretary (RT&H)
4. PPS to DG (RD)&SS
5. PPS to AS & FA


SE(P-2) ✓
ALL
01/07/16
STAT
EE(P2)
ACCE
Jun 29 2016

Enclosure to O.M. No. I-26011/3/2001(12)-P&M (Pt.), dated, 29th June, 2016

| Sub-para no. | Provisions | Clarifications | | | | | | | | | | | | |
|---|--|---|---|---|--------------------------------|-------------------------------|-------|------------------------|-------------------|-------|--|---|----|---|
| 2 (i) | <p>Delegation for Administrative Approval (AA) & Financial Sanction (FS)</p> <table> <tr> <th>Estimated Cost</th><th>Authority for AA & FS</th><th>Level of Authority for Financial Concurrence</th></tr> <tr> <td>Upto and including Rs.25 crore</td><td>CE (Project Zone)</td><td>Dy FA</td></tr> <tr> <td>Full power</td><td>Secretary (RT&H)</td><td>FA</td></tr> </table> | Estimated Cost | Authority for AA & FS | Level of Authority for Financial Concurrence | Upto and including Rs.25 crore | CE (Project Zone) | Dy FA | Full power | Secretary (RT&H) | FA | <p>This shall be applicable for individual works and also for all proposals involving revalidation of sanction of PR / IRQP works irrespective of their dates / years of sanction.</p> | | | |
| Estimated Cost | Authority for AA & FS | Level of Authority for Financial Concurrence | | | | | | | | | | | | |
| Upto and including Rs.25 crore | CE (Project Zone) | Dy FA | | | | | | | | | | | | |
| Full power | Secretary (RT&H) | FA | | | | | | | | | | | | |
| 2 (ii) | <p>The delegation for AA & FS on account of Tender Premium / Variation, etc.: -</p> <table> <tr> <th>Excess over sanctioned cost upto</th><th>Delegation for RCE (AA & FS)</th><th>Level of Authority for Financial Concurrence</th></tr> <tr> <td>5%</td><td>Approval for RCE not required</td><td>-</td></tr> <tr> <td>Beyond 5% and upto 10%</td><td>CE (Project Zone)</td><td>Dy FA</td></tr> <tr> <td>Beyond 10%</td><td>Secretary(RT&H) with concurrence of IFD</td><td>FA</td></tr> </table> | Excess over sanctioned cost upto | Delegation for RCE (AA & FS) | Level of Authority for Financial Concurrence | 5% | Approval for RCE not required | - | Beyond 5% and upto 10% | CE (Project Zone) | Dy FA | Beyond 10% | Secretary(RT&H) with concurrence of IFD | FA | <p>This shall be applicable for all sanctioned PR / IRQP works irrespective of their dates / years of sanction.</p> |
| Excess over sanctioned cost upto | Delegation for RCE (AA & FS) | Level of Authority for Financial Concurrence | | | | | | | | | | | | |
| 5% | Approval for RCE not required | - | | | | | | | | | | | | |
| Beyond 5% and upto 10% | CE (Project Zone) | Dy FA | | | | | | | | | | | | |
| Beyond 10% | Secretary(RT&H) with concurrence of IFD | FA | | | | | | | | | | | | |

V. Prakash

28890
624

407/36

407.24

No. RW/NH-34066/9/2000-(B) S&R

Dated the 30th July, 2002

To

The Chief Engineer (All State PWDs dealing with NHs and other centrally sponsored schemes)

Subject: Review of Ministry's Specifications for Road and Bridge Works-4th Revision

Reference: The Ministry's letter of even number dated 10th April, 2002

As you may be aware, the Fourth revision of this Ministry's Specifications for Road and Bridge Works was brought out during August 2001. It has been observed that the above revision needs further changes in respect of some items in line with recent revisions in the various codal stipulations. Suggestions from the Chief Engineers of all State PWDs in this regard were invited in this Ministry's letter under reference. However, no feedback from you has been received so far. You are again requested to intimate this Ministry your comments and problems, if any, being faced in adopting Ministry's Specifications (4th revision) and suggest modifications to the Specifications so as to bring it in conformity with latest codal provisions.

As an action plan is required to be drawn up urgently for revising Ministry's Specifications, your comments/suggestions may please be given within one month positively.

407.25

No. RW/NH-33044/10/2002/S&R

Dated the 26th September, 2002

To

The Secretary of all States/UTs (in charge of PWD), Engineer-in-Charge and Chief Engineers of State PWDs and UTs (dealing with National Highways), Director General (Border Roads), Chairman, National Highways Authority of India

Subject: Revised Guidelines for selection of National Highway stretches for Improvement to Riding Quality (IRQP) and Periodic Renewal (PR)

The Ministry launched an intensive Programme of Improving Riding Quality (IRQP) under plan funds and Special Repair Programme (SRP) under maintenance and repair funds during 1999-2000 with a view to create perceptible impact on the road users. These programmes have yielded good results in the form of improvement of riding comfort, reduction & vehicle operations Cost (VOC) and consequent appreciation from the users of N.H's. Ministry has continued with the IRQP both under Plan and Non-Plan heads and presently a length of about 33,000 Kms. have good riding surface. It is programmed that balance length of about 12,000 kms. for Non-NHDP portion of National Highway would have good riding surface by March, 2004.

2. Detailed guidelines were issued for selection of stretches of National Highways and specification to be adopted under IRQP and Periodical Renewal Programme vide Ministry's letter of even number dated 25th October, 2000. Based on the feedback and experience gained during the execution of RIQP, need to review the existing guidelines to ensure better performance of stretches to be undertaken under IRQP in future has been felt. Accordingly, in supersession of all previous guidelines/instructions by the Ministry in respect of IRQP/Periodical Renewal, following revised guidelines are suggested for identifying National Highways stretches for improvement of riding quality and periodical renewal.

3. Improvement of Riding Quality Programme

3.1 Criteria for selection of stretches

- (i) Stretches of NHs where existing crust has not failed or disintegrated but have uneven and cracked surface requiring profile correction; or

34

407/37

- (ii) Two lane roads carrying about 1500 CVD or more and roughness value more than 3500 mm per km; or
- (iii) Single lane sections having proper geometrics and carrying traffic more than 1000 CVD and roughness value more than 3500 mm/km; or
- (iv) Stretches strengthened more than 5 years ago but have not received renewal treatment and showing signs of distress due to growing traffic.
- (v) Length of stretch should generally be not less than 10 kms. unless such stretches are in continuation of stretches included in earlier IRQP/strengthened reach.

3.2 Specifications

- (a) For existing pavement thickness less than 200 mm.
3x75mm WBM/WMM+20mm PC & Seal Coat or MSS. $225 + 20 = 245$
- (b) For existing pavement thickness between 200mm and 250mm.
2x75mm WBM/WMM+20mm Premix Carpet & Seal Coat or MSS. $150 + 20 = 170$
- (c) For existing pavement thickness between 250mm and 300mm
75mm BUSG+20mm PC and Seal Coat or MSS.
- (d) For existing pavement thickness of 300mm or more
 - (i) 50mm BM+25mm SDBC if undulations/cracks in the existing surface are less than 10% of the surface area
 - (ii) 75mm BM+25mm SDBC if undulation cracks in the existing surface are between 10-20%.

3.3 Binder in case of SDBC/BC as surfacing shall be polymer/rubber modified bitumen as per IRC:SP-53 2002 "Guidelines on use of Polymer and Rubber Modified Bitumen in Road Construction"

3.4 The above treatment proposed in para 3.2(a), (b) and (c) for existing pavement thickness upto 300mm may be taken as stage construction as designed pavement thickness may be much higher and would be taken up in subsequent stages along with provision of 50mm BM and 25mm SDBC after a period of 2-3 years of completion when WBM/WMM/BUSG layers have settled effectively.

4. Periodical Renewal

4.1 Criteria for selection of stretches:

- (i) Road sections carrying traffic (450 to 1500 CVD) and having minor distress and warranting resurfacing only.
- (ii) Road sections having been strengthened under earlier programme and the surface condition is in reasonably fair condition and renewal is warranted to preserve the surface and provide better riding quality and the proposed renewal is expected to last at least for a period of 3 years.
- (iii) As far as possible, the stretches for periodic renewal should be for a continuous length of about 10 kms. or aggregated to about 10 km for the purpose of estimate and tender and in continuation of reaches improved under IRQP or renewed earlier.

(iv) Specifications for renewal

- (a) 20mm MSS/20 mm PC with seal coat for low traffic roads (<1500 CVD)
- (b) 25mm SDBC/BC for high traffic roads (>1500 CVD). BC shall be laid only where the existing surface has BC as wearing course.
- (c) Binder in case of SDBC/BC as surfacing shall be polymer/rubber modified bitumen as per IRC: SP-53 2002 "Guidelines on use of Polymer and Rubber Modified Bitumen in Road Construction"
- (d) Extra quantity for patching/rectification of potholes/undulation may be provided where required as per site conditions in consultation with Regional Officer.

5. Preparation of Existing Surface

Prior to laying bitumen overlays under IRQP/renewal programme, any existing pot holes and cracks shall be scaled in accordance with clauses 3004.2 and 3004.3 respectively of Ministry's Specifications for Roads and Bridge works. Sealing or filling of surface cracks of the existing pavement may be carried out by using any of the following specifications depending upon site requirements:

- (i) Fog Spray
- (ii) Filling cracks with a binder or a combination of crusher dust and a binder.
- (iii) Slurry Seal
- (iv) Crack prevention courses
- (v) Geosynthetics for filling/sealing of cracks

Note: 1. Crack prevention courses and Geosynthetics shall be used on the existing surface only under IRQP.

2. Profile corrective course for correcting the existing pavement profile, if required, shall be based on estimation of its quantity by taking cross-sections of the existing road at appropriate intervals and provided as per clause 501.8.2 of Ministry's Specifications.

3. For specifications, reference may be made to relevant clause of Ministry's "Specifications for Road and Bridge Works" Fourth Revision-2001.

6. **Tendering**

The splitting of longer stretches into shorter stretches not less than 5.0 km. each is permissible if warranted from site consideration or to facilitate expeditious completion. However, the State PWD shall project as single estimate for the whole identified stretch with separate package for each split section while sending the estimates. It shall be mandatory to commence and complete each package simultaneously within a period not exceeding 12 months from sanction.

7. **Quality Assurance**

7.1 Exercise of quality control during execution shall be the responsibility of the contracting agency executing the work who shall establish requisite field testing laboratory for carrying out all necessary tests on various items of work as per clause 903 of Ministry's 'Specifications for Road and Bridge Works'. If necessary, suitable provisions for this may be incorporated in the NTT/tender documents.

7.2 Since polymer/rubber modified bitumen shall be used in surfacing like SDBC/BC it is mandatory that contracting agency shall carry out independently necessary tests as per Clause 903, Table 900-4 of Ministry's 'Specifications for Road and Bridge Works' to ensure that modified bitumen used meets requirement laid down in IRC:SP:53-2002.

7.3 Three levels of supervision and quality assurance to be established by the PWD shall be mandatory as mentioned below:

Level I The concerned Engineer-in-charge of the PWD shall also independently carry out all necessary tests as per clause 903 of Ministry's 'Specifications for Road and Bridge Works'. The number and frequency of tests shall strictly be as laid down in the Ministry's Specification.

Level II 10% of all tests shall be conducted in the presence of the concerned Executive Engineer and their test results are countersigned by him.

Level III During execution of work concerned Superintending Engineer shall make a visit at least once in three months and record his detailed inspection results about the quality and progress of work.

7.4 The results of the tests carried out by the contractor as well as the concerned Engineer-in-Charge of the PWD shall be properly documented and kept at site and made available to inspecting officers.

7.5 The expenditure for exercising quality control by the concerned Engineer-in-Charge of PWD and monitoring shall be met out of the provisions of 1% for quality control made in the estimate.

8. **Monitoring**

8.1 The contract must provide for furnishing of a programme of work in the form of bar chart by the Contractor. This will be monitored by the Engineer-in-Charge/Executive Engineer and the Superintending Engineer in detail and action for removal of any bottleneck, slippages etc. shall be taken. A consolidated

statement will be sent to Regional Officer by respective SE, of PWD's.

8.2 Since polymer/rubber modified bitumen shall be used in surfacing like SDBC/BC, it is suggested that suitable display boards indicating types of polymer/rubber modified bitumen used and date of laying etc. shall be placed at the beginning and end of each such section. Performance of such stretches shall be closely monitored by making observations/tests every six months (i.e. June and December) for a minimum period of 5 years and six monthly performance reports sent to the Ministry.

9. The reaches under IRQP and PR programme may be identified in consultation with R.O. of this Ministry during the month of October/November and estimates for same got approved by the Ministry before December every year. The pre-tender activities should be taken up immediately along with forwarding the estimate to the Ministry so that the work can commence with 30 days of sanction of work and funds allocated are effectively utilized during the financial year.

10. The proposal for IRQP as well as periodical renewal shall be accompanied by a bar chart showing the IRQP/strengthening/renewal carried out during last 5 years and should be comprehensive to include road marking, traffic signs shoulders drainage and safety measures etc. The estimates for both IRQP and periodical renewal should be got approved from the Ministry.

11. The above instructions may please be intimated to all concerned for immediate compliance.

407.26

No. RW/NH-33044/10/2002-S&R(R)

Dated the 17th February, 2003

To

All Regional Officers & ELOs of Ministry of Road Transport & Highways.

Subject: Measures of ensure Quality Control on National Highway works and Centrally Sponsored Schemes.

Please refer to Ministry's Circular No. NH-11042/1/87-NH-III/I dated 18th April, 1988 (Code No. 406.13) furnishing detailed guidelines for adopting Quality Assurance System for works on National Highways and under Centrally Sponsored Schemes. Further guidelines for Quality Assurance on Improvement of Riding Quality Programme (IRQP) and Periodic Renewal (PR) works have been issued vide Ministry's letter No. RW/NH-33044/10/2000-S&R dated 26.9.2002. It may be mentioned that Quality Control charges @ 1% of the estimated cost of project is being allowed for ensuring quality of work on such projects. However, it has been observed that proper attention is not being given by some of the Executive Agencies which results in sub-standard construction. It has further been noted that defect appear within one year of the completion of IRQP and PR works. This is inspite of the fact that specific amounts are being earmarked in the estimates for Quality Control.

2. The above issue has been viewed seriously by the Ministry. The main reason for sub-standard work on National Highways and Centrally Sponsored Schemes is negligence, slackness and non-compliance with the Ministry's Specifications and Guidelines. It has, therefore, been decided to involve Ministry's Regional Offices for enforcement of Ministry's Specifications and Guidelines to ensure Quality Control.

3. Accordingly, all Regional Officers may earmark the National Highways under their jurisdiction to the Officers of the Regional Office. These Officers shall regularly inspect the works allocated to them and send a certificate to the Ministry's concerned Project zone confirming that all the requisite Quality Control tests as per Ministry's Specifications/Guidelines have been conducted by the respective Officers of the State PWD. It may further be ensured that each work is inspected and the requisite certificate issued at least once in every two months, positively.

No. RW/NH-18019/5/2004-P&M (Pt.)

Dated, the 16th January, 2007

To

The Secretaries of States/UTs; The Chief Engineers of States/UTs dealing with National Highways

Subject : Delegation of Powers of the Ministry to Regional Officers

The matter regarding delegation of certain powers to Regional Officers has been under consideration of the Ministry for some time. A Committee was set up by the Ministry in September 2005 to examine these issues and give their recommendations regarding simplification & streamlining of the Direct Payment Procedure and delegation of certain powers to the Regional Officers. The full report of the Committee is under consideration the Ministry separately. In the meantime the Chief Engineers of the States, during the meeting held on 15.2.2005 and also during the ROs meeting held on 15.06.2005 in the Ministry expressed urgency for delegation of powers to the regional officers to regularise delay in award of works and approve variations and extra items. After consideration of the matter, in partial modification of all previous instructions/procedures, it has been decided delegate the following powers to the Regional Officers:-

1. Relaxation of stipulations in respect of time period for award of works

1.1 As per Ministry's letter No. NH-15015/29/2001-PL dated 5.7.2001 the sanctioned works are to be awarded by the State Governments within a period of 5 months if cost of the work is less than Rs. 5 crore and 6 months if cost of the work is more than Rs. 5 crore from the date of sanction. It has now been decided that in the cases of award of works beyond the stipulated period and up to 12 months from the date of sanction, the matter will be regulated as below:-

- (i) Proposal for extension of time for award beyond the stipulated time period of 5/6 months and up to 3 months will be referred by the State Chief Engineer dealing with National Highways to the Regional Officer concerned giving justification for the delay. Regional Officer if satisfied with the reasons may agree for extension of time for award. If the Regional Officer is not satisfied he may refer the matter to the Ministry. In all such cases, where ROs allow extensions, Ministry must be informed periodically.
- (ii) If the delay in award is more than 3 months beyond the stipulated time period of 5/6 months State Chief Engineer will refer the matter to the Ministry.
- (iii) Ministry while according approval to the proposal may consider appropriate reduction in the agency charges payable to the State for the job on account of delay.

1.2 In case the work is not awarded within 12 months of the date of sanction, the work stands de-sanctioned automatically.

2. Approvals for variations/extra items

2.1 The matter regarding approval of variation/extra items over the sanctioned estimate and related issues has been reconsidered and it has been decided that:-

- (i) The limit of upto 5% excess expenditure over the sanctioned amount for the job as per Ministry's Circular No. 11026/2/99-US (D.I) dated 29.10.2001 will continue.
- (ii) The existing delegation to the State Governments to accept tenders up to 5% of the sanctioned amount would also continue. In this regard it is clarified that the sanctioned amount for this purpose will be considered as the sanctioned amount of the component of work put to tender.

(iii) The Regional Officers are hereby empowered to accept variations in the quantities of BOQ items and permit extra items such that the overall excess due to tender premium, variation and extra items is limited to 5% over the amounts for works plus the amount for contingencies provided in the sanctioned estimate, subject to the following conditions;

- (a) The variations shall be consistent with the provisions of contract.
- (b) Proposal for the variations and/or extra items etc. will have to be referred to the Regional Officer by the Chief Engineer of the State dealing with the National Highways;
- (c) The total expenditure on the job, including expenditure on variations and extra items will not exceed the sanctioned amount plus 5%, stand in para 2.1 (i) above.
- (d) Savings due to tender discounts (the sanctioned amount of the items put to tender minus amount of the same items of work based on tender) will be excluded for working out the excess due to variations and extra items. In such cases, the variations which can be allowed by Regional Officer will be 5% of value of work based on tender plus the amount provided for contingency.

2. For further clarification, reference is invited to the examples given in the enclosure to this circular.

3. The above delegation will be applicable to both plan and non-plan works and will be reviewed after a year from the date of issue.

4. This issues with the approval of the Finance Wing vide UO No. 11/TF. II/05 dated 8/7/2005.

(Enclosure to circular No. NH-18019/5/2004-P&M (Pl.) dated 13.01.2006 issued by Ministry of Shipping, Road Transport & Highways, Department of Road Transport & Highways, Government of India, New Delhi)

Example:

Consider an estimate sanctioned with work value of Rs. 100 lakh as per the following details:

| S.No. | Provison | Sanction Amount (Rs. in lakhs) | % |
|-------|---------------------------------|-----------------------------------|-------------|
| 1. | Estimated amount of work | 100 | |
| 2. | Provision for contingencies | 2.80 | 2.8% of 1 |
| 3. | Provision for w/c establishment | 1.54 | 1.5% of 1&2 |
| 4. | Provision for Q/C | 1.03 | 1% of 1&2 |
| 5. | Provision for Agency charges | 9.25 | 9% of 1&2 |
| Total | | 114.62-(A) | |

The permissible limit of excess on the job is 5% of 114.62 i.e. Rs. 5.73 lakh. The maximum expenditure without getting the revised estimates which can be incurred, including tender premium, variations and new items is only Rs. 120.35 lakh (Rs. 114.62 lakh + Rs. 5.73 lakh).

In the above example, financial limit for variations and/or extra items, which can be permitted by R.O. is Rs.5.14 lakh i.e. 5% of Rs. 102.8 lakh (work value + amount for contingencies) if there is no tender premium. This amount shall be reduced corresponding in case of any tender premium. In case the tender premium is 5% only the amount provided for contingency plus 5% of over such amount will be available for variations and/or extra items.

The permissible excess due to tender is only 5% of the work value. In other words, the amount based on tender for the entire sanctioned work (without any change) whether a single tender is invited for the whole work, or more than one tender received, (after taking approval for spitting) should not exceed Rs. 105 lakh in the above example.

| S. No. | Provision | Sanction Amount based on estimate (Rs. in lakhs) | % | Amount based on tender (Rs. in lakhs) |
|--------|---------------------------------|--|---------------|---------------------------------------|
| 1. | Estimated amount of work | 100 | | 90 |
| 2. | Provision for contingencies | 2.80 | 2.8% of 1 | 2.8 |
| 3. | Provision for w/c establishment | 1.54 | 1.5% of 1 & 2 | 1.54 |
| 4. | Provision for Q/c | 1.03 | 1% of 1 & 2 | 1.03 |
| 5. | Provision for Agency charges | 9.25 | 9% of 1 & 2 | 8.35 |
| | | | | (9% of 92.8) |
| | | 114.62-(A) | | 103.72 |

The amount upto which RO may allow extra and/or variations is only Rs. 108.36 (103.72+4.64 (5% of 92.8) in the case of tender discount.

7200.15

Dated, the 18th May, 2007

No. RW/NH-18019/4/2006-P&M

To

The Secretaries of States Union Territories, Public Works Departments (Dealing with National Highways and other Centrally sponsored schemes); The Engineer-in-Chief and Chief Engineers of State PWDs and UTs (Dealing with National Highways and other Centrally sponsored schemes); The Regional Officers, Department of Road Transport & Highways, Ministry of Shipping, Road Transport & Highways.

Subject : Delegation of powers of the Ministry to Regional Officers—Clarification of the Ministry's Circular No. NH-18019/5/2004-P&M (Pt.) dated 16th January, 2006-reg.

The Ministry, vide letter No. NH-18019/5/2004-P&I. (Pt.), dated 16.1.2006, delegated powers to the Regional Officers (ROs) to regularize delay in award of works and approve variations and extra items on account of the urgency expressed by the Chief Engineers of the States during the meetings held in February 2005 and June 2005. However, certain specific clarifications have been sought by the RO, Lucknow, on the provisions stipulated in the above mentioned letter vis-à-vis the Ministry's circulars no. NH-11052/5/86-NHIII/DI, dated 1.7.1987 and No. RW/NH-33044/10/2000-S&R (R), dated 23.4.2001 regarding the following:-

- (i) The extent of variation which can be allowed in individual items.
- (ii) Approval of Excess in Quantity of Profile Corrective Course (PCC) beyond the sanctioned quantity.
- (iii) Approval in case of net saving in contract cost even after variation and extra items.
- (iv) Making/with holding payments from contractors' bills in case of concerned Executive Engineers of State PWD recommending bills for unapproved variations/extra items.

2. At the outset it is clarified that the Ministry's above mentioned Circular dated 16.1.2006 was issued only to streamline the procedure of DPP for expediting the progress of work by delegating some powers to the ROs

within the 5% excess over the sanctioned amount for the works as per the Ministry's circular No. NH-11026/2/99-US(D-1), dated 29.10.2001, which were vested with the Headquarter.

3. After due consideration of the submission made by the RO Lucknow following clarifications are given on these issues considering their general applicability and relevance for all the PWDs of States/UTs associated with NH works.

(a) **Variation in quantities of individual items:** The Ministry's Circular No. NH-11026/2/99-US (D.I.) dated 29.10.2001 specifies that in respect of the works sanctioned after 13.1.2000, the permissible excess of expenditure over the sanctioned cost will be 5% subject to the condition that other provisions contained in this circular are satisfied. It is also to be ensured while accepting tenders that the overall cost on the basis of the tender rates including contingencies, work charged establishment and agency charges does not exceed by more than 5% of the sanctioned cost. Therefore the Ministry's ROs may approve the variations in the individual items keeping this and also the provisions of permissible excess in the contract agreement of the works under execution in view, subject to the condition that the provision contained in the Ministry's circular No. NH-18019/5/2004-P&M (Pt.), dated 16.2.2006 are satisfied.

(b) **Variation in quantity of Profile Corrective Course:** The approval of variation in the quantity of the Profile Corrective Course for the change in the condition of pavement due to time lag of preparation of estimate and actual execution of work is to be governed as a variation in the individual item and also to be dealt accordingly as clarified above. This is in supersession of the Ministry's Circular No. RW/NH-33044/10/2000-S&R (R) dated 23.4.2001.

(c) **Utilisation of the savings from the contract cost:** In the context of the clarifications sought regarding the approving authority in case of net saving in contract cost even after variation and extra items, it is pertinent to mention that the Ministry's Circular dated 16.1.2006 clearly mentions that savings due to tender discounts shall not be utilized without prior approval of the Ministry. Similarly, any savings from the contract cost due to variations in the quantities of the sanctioned items are not to be utilized without prior approval of the Ministry. For such cases the recommendations of the RO shall be forwarded to the Ministry for consideration consistent with the clarifications given below.

(d) **Approval of work for execution of additional work and variation in quantities:** Various circulars, guidelines, etc. bring out clearly stipulate for obtaining approval of the works, which are not provided in the sanctioned scopes or beyond the permissible limit of the sanctioned quantity. Therefore, efforts are to be made in advance for assessment of the variations/additional items which require the Ministry's approval and also prior approval of the Competent Authority should be obtained before their execution. Further, in order to avoid contractual complications during the execution of work, the concerned Executive Engineer of State PWD shall inform about such possible variations/additional items to the Ministry's RO with details containing nature and extent of such variations/extra items including their justifications etc., and shall also forward the proposal to CE (NH) of PWD concerned for further necessary action. The Ministry's RO shall, thereafter, take up necessary action for approval or otherwise within his delegated powers and communicate his decision within a week of receipt of the proposal from CE (NH) of the State PWD. the payment for these items may be regulated accordingly. Variations/additional items requiring approval of the Ministry's HQ may also be sent within seven days by the RO after receipt of proposal from CE (NH) of the PWD concerned.

4. This issue with the approval of the Finance Wing vide U.O. No. 93/TF-II/07 dated 14.5.2007.