



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण
(सड़क परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार)
National Highways Authority of India
(Ministry of Road Transport and Highways, Govt. of India)
क्षेत्रीय कार्यालय - दिल्ली
जी-3, सेक्टर-10, द्वारका, नई दिल्ली-110075
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WITHOUT PREJUDICE
ORDER

NHAI/RO-Del/DWE/05/2022-23/172

Date: 06.09.2022

Sub: Construction of 8 lane Dwarka Expressway from Delhi-Haryana Border to start of Rail over Bridge, Gurugram (Chainage from km 9+500 to km 19+700) in the state of Haryana (NH-248BB) Package-III on EPC mode- **Revoking Debarment reg.**

Whereas the National Highways Authority of India (hereinafter also referred to "Authority" or "NHAI") had issued an order dated 02.08.2022, whereby the Authority had levied penalty amount of Rs. 20 lakhs on M/s AECOM Asia Company Limited in association with M/s Consulting Group Ltd (hereinafter also referred to as "you" or "Authority's Engineer" or "A.E") for the subject works for the reasons brought out in the Order dated 02.08.2022;

2. Whereas the Authority vide ibid Order dated 02.08.2022 had also debarred the A.E (jointly as well as severally) so that the Authority's Engineer can't participate in bids of NHAI/MoRTH for three months w.e.f date of issuance of the said Order;

3. Whereas the A.E represented vide letters dated 04.08.2022, 06.08.2022 and 30.08.2022 to Authority against said Order dated 02.08.2022. The A.E in its representation dated 30.08.2022 has agreed not to contest the levy of financial penalty and requested Authority to revoke the debarment order considering the successful past track record of both the companies forming the A.E.;

4. Whereas the A.E in ibid representation dated 30.08.2022 has submitted to refrain themselves from participating in NHAI bids for a period of three months from 02.08.2022 to 02.11.2022 as a measure of self-imposed disciplinary measure;

5. Whereas the Competent Authority has considered A.E representations dated 04.08.2022, 06.08.2022 & 30.08.2022 and considering the past track record of A.E, has agreed to AE's self-imposed disciplinary measure to refrain from participating in bids of NHAI for three months i.e. from 02.08.2022 to 02.11.2022. The A.E shall not bid in any of the bids of NHAI. However, this should not be construed as acceptance, on part of Authority, of any contentions made by A.E in their representations about the accident on 28.03.2021.

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6. In view of the above, the Authority hereby partially modifies the NHAI Order dated 02.08.2022 substituting debarment of A.E (jointly as well as severely) with AE's self-imposed disciplinary measure, as brought out at Para-5 above, subject to following conditions:-

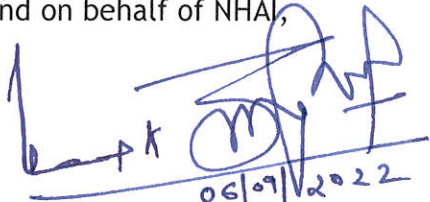
- i. Amount of Rs. 20 lakhs to be paid by A.E to Authority within 7 days of this Order,
- ii. Rest of the conditions of the Order dated 02.08.2022 remain unchanged.

7. It is expressly stated that by issuance of this order, Authority should not be deemed to have varied, surrendered or abrogated any of its legal and contractual rights in any manner, whatsoever.

8. This is issued without prejudice to any rights and/or remedies available to Authority under the Agreement with M/s AECOM Asia Company limited in Association with Consulting Engineers Group Ltd and /or Applicable Laws. For the avoidance of doubt, Authority reserves the right to take measures as per the provisions of the Agreement, as deemed fit, in addition to aforesaid actions.

9. This is issued with the approval of Competent Authority.

For and on behalf of NHAI,


06/09/2022
(Udeep K Singhal)
GM (T)/RO Delhi

To,

M/s AECOM Asia Company Limited in association
With M/s Consulting Group Ltd.
Through Sh. Manmohan Singh Rawat,
Authorized Representative,
M/s AECOM, DLF CYBER CITY,
3rd Floor, Building No. 8A,
DLF Phase II, Gurugram-122002
(Email: manmohan.rawat@aecom.com)

Copy to:

1. Project Director, PIU-Dwarka, NHAI
2. Senior Technical Director, MoRTH (E-mail: mansoor@nic.in)- with request to upload on Ministry's website.
3. Web Admin, NHAI HQ - with a request to upload on NHAI website.