

राष्ट्रीय राजमार्ग एवं अवसंरचना विकास निगम लिमिटेड

सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार
तीसरी मंजिल, पीटीआई बिल्डिंग, 4-संसद मार्ग, नई दिल्ली-110001

National Highways & Infrastructure Development Corporation Limited

Ministry of Road Transport & Highways, Govt. of India
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(भारत सरकार का उद्यम)

(A Government of India Enterprise)

Corrigendum I

NHIDCL/Nagaland/Akhegwo- Avanghu/Pkg 3/2022/ **1336**

Date 22.09.2022

To,

All Respective Bidders

Subject- **Widening to 2 (Two) Lane with Hard shoulder of Akegwo-Avangkhu section of NH-202K for Package-III (Design Chainage 69+875 Km to 106+816 Km) in the State of Nagaland on EPC mode under NH (O)-NE**

Tender Id - **2022_NHIDC_706415_1**

Sir,

Following amendments are being carried out

S.no	Reference	Existing Provision	Modified provision as per MORTH guidelines
1	2.2.2.2(i) of RFP	For demonstrating technical capacity and experience (the “Technical Capacity”), the Bidder shall, over the past [5 (five)] financial years preceding the Bid Due Date, have received payments for construction of Eligible Project(s), or has undertaken construction works by itself in a PPP project, such that the sum total thereof, as further adjusted in accordance with clause 2.2.2.5 (i) & (ii), is more than [Rs. 323.59 Crore] (the “Threshold Technical Capacity”).	For demonstrating technical capacity and experience (the “Technical Capacity”), the Bidder shall, over the past [5 (five)] financial years preceding the Bid Due Date, have received payments for construction of Eligible Project(s), or has undertaken construction works by itself in a PPP project, such that the sum total thereof, as further adjusted in accordance with clause 2.2.2.5 (i) & (ii), is more than [Rs. 323.59 Crore] (the “Threshold Technical Capacity”).
		15(five) years in case of normal highway projects and 10(Ten) years in case of stand alone specified projects (Major Bridges/ROB/Flyover/Tunnel)	15(five) years in case of normal highway projects and 10(Ten) years in case of stand alone specialized projects (Major Bridges/ROB/Flyover/Tunnel)

		² This amount should be as follows:	² This amount should be as follows:								
2	Para 5 of table under 2.2.2.2(i)(B) of RFP	<table><tr><th>Estimated Project cost (EPC) if the project being invited</th><th>Technical Threshold Capacity</th></tr><tr><td>Estimated project cost > 100 Crore of stand-alone specialize projects</td><td>1.0 time of the estimate project cost of Rs. 1000 Crore, whichever is less</td></tr></table>	Estimated Project cost (EPC) if the project being invited	Technical Threshold Capacity	Estimated project cost > 100 Crore of stand-alone specialize projects	1.0 time of the estimate project cost of Rs. 1000 Crore, whichever is less	<table><tr><th>Estimated Project cost (EPC) if the project being invited</th><th>Technical Threshold Capacity</th></tr><tr><td>Estimated project cost > 1000 Crore of stand-alone specialize projects</td><td>1.0 time of the estimate project cost of Rs. 1000 Crore, whichever is less</td></tr></table>	Estimated Project cost (EPC) if the project being invited	Technical Threshold Capacity	Estimated project cost > 1000 Crore of stand-alone specialize projects	1.0 time of the estimate project cost of Rs. 1000 Crore, whichever is less
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Estimated project cost > 1000 Crore of stand-alone specialize projects	1.0 time of the estimate project cost of Rs. 1000 Crore, whichever is less										
3	2.2.2.2(ii) of RFP	<p>For normal Highways projects (including major bridges/ROB/Flyovers/Tunnels):</p> <p>Provided that at least one similar work of 20% of Estimated Project Cost [Rs. 64.72 Cr.] shall have been completed from the Eligible Projects in Category 1 and/or Category 3 specified in Clause 2.2.2.5. For this purpose, a project shall be considered to be completed, if more than 90% of the value of work has been completed, if more than 90% of the value of work has been completed value of work is equal to or more than 20% of the estimated project cost. Eligible projects shall include the following:</p> <p>(a) Widening/ reconstruction/up-gradation works on NH/SH/Expressway or on any category of road taken up under CRF, ISC/EI, SARDP, LWE</p> <p>(b) Widening/reconstruction/up-gradation on MDRs with loan assistance from multilateral agencies or on BOT basis.</p> <p>(c) Widening/reconstruction/up-gradation work of roads in Municipal Corporation limits, construction of Bypasses</p> <p>(d) Construction of stand-alone bridges, ROB, tunnels</p> <p>(e) Construction/reconstruction of linear projects like airport runways, railways,</p>	<p>For normal Highways projects (including major bridges/ROB/Flyovers/Tunnels):</p> <p>Provided that at least one similar work of 20% of Estimated Project Cost [Rs. 64.72 Cr.] shall have been completed from the Eligible Projects in Category 1 and/or Category 3 specified in Clause 2.2.2.5. For this purpose, a project shall be considered to be completed, if more than 90% of the value of work has been completed, if more than 90% of the value of work has been completed and such completed value of work is equal to or more than 20% of the estimated project cost. Eligible projects shall include the following:</p> <p>(a) Widening/ reconstruction/up-gradation works on NH/SH/Expressway or on any category of road taken up under CRF, ISC/EI, SARDP, LWE</p> <p>(b) Widening/reconstruction/up-gradation on MDRs with loan assistance from multilateral agencies or on BOT basis.</p> <p>(c) Widening/reconstruction/up-gradation work of roads in Municipal Corporation limits, construction of Bypasses</p> <p>(d) Construction of stand-alone bridges, ROB, tunnels</p> <p>(e) Construction/reconstruction of linear projects like airport runways, railways (construction/re-construction</p>								

		<p>(construction/re-construction of railway tracks, yards for of railway yards for keeping containers etc) metro containers etc) metro rail and rail and ports (including ports (including construction/re-construction/re-construction of construction of Jetties) Jetties)</p> <p>If any Major Bridge/ROB/Flyover/Tunnel is (are) part of the project, then the Bidder shall necessarily demonstrate additional experience in construction of Bridge/ROBs/Flyovers/Tunnel in the last 10 (Ten) financial years preceding the Bid Due Date i.e. shall have completed atleast one similar Bridge/ROB/Flyover/Tunnel of following sizes:</p> <p>(a) In case, longest span of bridge/ROB/flyover is less than or equal to 60m, no additional qualification is required.</p> <p>(b) When longest span is more than 60 m: 50% of the longest span or 100 m, whichever is less, of the structure proposed in this project.</p> <p>(c) in case of tunnel is a part of project having 200m, then no additional qualification is required.</p> <p>(d) When length of tunnel more than 200 m: 50% of the cross sectional area of proposed tunnel or two lane highway tunnel cross-sectional area, whichever is less and 20% length of the tunnel to be constructed in this project or 2 km, whichever is less. For the purpose of this requirement, tunnel may have single/twin tubes for roads/railways/metro rail/irrigation/hydroelectricity projects etc.</p>	<p>If any Major Bridge/ROB/Flyover/Tunnel is (are) part of the project, then the Bidder shall necessarily demonstrate additional experience in construction of Major Bridge/ROBs/Flyovers/Tunnel in the last 10 (Ten) financial years preceding the Bid Due Date i.e. shall have completed atleast one similar Major Bridge/ROB/Flyover/Tunnel of following sizes:</p> <p>(a) In case, longest span of bridge/ROB/flyover is less than or equal to 60m, no additional qualification is required.</p> <p>(b) When longest span is more than 60 m: 50% of the longest span or 100 m, whichever is less, of the structure proposed in this project.</p> <p>(c) In case tunnel is part of project having length less than or equal to 200 mtr, then no additional qualification is required.</p> <p>(d) When length of tunnel more than 200 m: 50% of the cross sectional area of proposed tunnel or two lane highway tunnel cross-sectional area, whichever is less and 20% length of the tunnel to be constructed in this project or 2 km, whichever is less. For the purpose of this requirement, tunnel may have single/twin tubes for roads/railways/metro rail/irrigation/hydroelectricity projects etc.</p>
4	2.2.2.2.(iii)(b) of the RFP	<p>(b) Tunnel project: The Sole Bidder or in case the Bidder being a Joint Venture, any member of JV shall have completed atleast one tunnel project in the last 10 (Ten) financial years preceding the Bid Due Date, consisting of single or twin tubes</p>	<p>(b) Tunnel project: The Bidder shall have completed atleast one tunnel project in the last 10 (Ten) financial years preceding the Bid Due Date, consisting of single or twin tubes (including tunnel(s) for</p>

		(including tunnel(s) for roads/Railway /Metro rail/ roads/Railway /Metro rail/irrigation/ hydro-electric projects etc.) having atleast 50% of the cross-sectional area of the tunnel to be constructed or cross-sectional area of 2 lane highway tunnel, whichever is less and 20% length of the tunnel to be constructed in this project or 2 km, whichever is less and the cost of such project shall be atleast 20% of the Estimated Project Cost or Rs. 1000 crore, whichever is less. For this purpose, a project shall be considered to be completed, if more than 90% of the value of work has been completed and such completed value of work is equal to or more than 20% of the Estimated Project Cost or ₹ 1000 Cr., whichever is less.	(including tunnel(s) for roads/Railway /Metro rail/ roads/Railway /Metro rail/irrigation/ hydro-electric projects etc.) having atleast 50% of the cross-sectional area of the tunnel to be constructed or cross-sectional area of 2 lane highway tunnel, whichever is less and 20% length of the tunnel to be constructed in this project or 2 km, whichever is less and the cost of such project shall be atleast 20% of the Estimated Project Cost or Rs. 1000 crore, whichever is less. For this purpose, a project shall be considered to be completed, if more than 90% of the value of work has been completed and such completed value of work is equal to or more than 20% of the Estimated Project Cost or ₹ 1000 Cr., whichever is less.
5	2.2.2.5(v) of RFP	Maintenance works are not considered as eligible project for evaluation as per instruction No.6 to Annex-IV. As such works with nomenclature like PR, OR, FDR, SR, site/micro grading, surface renewal, resurfacing work, Tarring, B.T. surface work, temporary restoration, urgent works, periodic maintenance, repair & rehabilitation, one time maintenance, permanent protection work of bank, external pre stressing, repair of central hinge, short term OMT contract of NHAI, any type of work related to border fencing, work of earthwork alone, construction of buildings/ hostels, etc., or not specified, shall not be considered. However, such maintenance works shall be considered as eligible projects in case of Maintenance works to be taken up on EPC mode.	Maintenance works are not considered as eligible project for evaluation as per instruction No.6 to Annex-IV. As such works with nomenclature like PR, OR, FDR, SR, site/micro grading, surface renewal, resurfacing work, Tarring, B.T. surface work, temporary restoration, urgent works, periodic maintenance, repair & rehabilitation, one time maintenance, permanent protection work of bank, external pre stressing, repair of central hinge, short term OMT contract of NHAI, any type of work related to border fencing, work of earthwork alone, construction of buildings/ hostels/hospitals, etc., or not specified, shall not be considered. However, such maintenance works shall be considered as eligible projects in case of Maintenance works to be taken up on EPC mode.
6	Clause 2.1.17 of RFP	Entities of countries which have been identified by Ministry of Road Transport & Highways as not allowing Indian companies to participate in their Government procurement in their Government	Entities of countries which have been identified by Ministry of Road Transport & Highways as not allowing Indian companies to participate in their Government procurement for any item related

		procurement for any item related to proposed provision.	to Ministry of Road Transport & Highways shall not be allowed to participate in Government procurement in India for all items related to Ministry of Road Transport & Highways, except for the list of items published by the Ministry of Road Transport & Highways permitting their participation.
7	Clause 2.2.1(d)(iii) of RFP	<p>Beneficial owner for the purpose of (III) above means:</p> <p>1. In case of a company or Limited Liability Partnership, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more judicial person, has a controlling ownership interest or who exercises control through other means.</p> <p>Explanation:</p> <p>a. "Controlling ownership interest" means ownership of or entitlement to more than twenty-five per cent of shares or capital or profits of the company.</p> <p>b. "Control" shall include the right to appoint majority of the directors or to control the management or policy decisions including by virtue of their shareholding or management rights or shareholding agreements or voting agreements;</p> <p>2. In case of a partnership firm, the beneficial owner is the natural person(s) who, whether acting alone or together, or through one or more juridical person: has ownership of entitlement to more than fifteen percent of capital or profits of the partnership;</p> <p>3. In case of an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has ownership of or entitlement to more than fifteen percent of the property or capital or profits of such association or body of individual;</p>	<p>Beneficial owner for the purpose of (ii) above means:</p> <p>1. In case of a company or Limited Liability Partnership, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more judicial person, has a controlling ownership interest or who exercises control through other means.</p> <p>Explanation:</p> <p>a. "Controlling ownership interest" means ownership of or entitlement to more than twenty-five per cent of shares or capital or profits of the company.</p> <p>b. "Control" shall include the right to appoint majority of the directors or to control the management or policy decisions including by virtue of their shareholding or management rights or shareholding agreements or voting agreements;</p> <p>2. In case of a partnership firm, the beneficial owner is the natural person(s) who, whether acting alone or together, or through one or more juridical person: has ownership of entitlement to more than fifteen percent of capital or profits of the partnership;</p> <p>3. In case of an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has ownership of or entitlement to more than fifteen percent of the</p>

		<p>4. Where no natural person is identified under (1) or (2) or (3) above, the beneficial owner is the individual;</p> <p>relevant natural person who holds the position of senior managing official;</p> <p>1. In case of a trust, the identification of beneficial owner(s) shall include identification of the author of the trust, the trustee, the beneficiaries with fifteen percent or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.</p>	<p>property or capital or profits of such association or body of individual;</p> <p>4. Where no natural person is identified under (1) or (2) or (3) above, the beneficial owner is the relevant natural person who holds the position of senior managing official;</p> <p>5. In case of a trust, the identification of beneficial owner(s) shall include identification of the author of the trust, the trustee, the beneficiaries with fifteen percent or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.</p>
8	Clause 2.2.1.(v) of RFP	<p>The Selected Bidder/Concessionaire shall not be allowed to sub-contract works to any contractor from a country which shares a land border with India unless such contractor is registered with the Competent Authority. The definition of "contractor from a country which shares a land border with India" shall be as in Clause III above.</p>	<p>The Selected Bidder/Concessionaire shall not be allowed to sub-contract works to any contractor from a country which shares a land border with India unless such contractor is registered with the Competent Authority. The definition of "contractor from a country which shares a land border with India" shall be as in Clause 2.2.1.(d)(ii) above.</p>
9	Clause 2.2.2.1 of RFP (para 1 under Note) of RFP	<p>The Statement showing the value of all existing commitments, works for which the contractor has emerged as the winner of the bids as given by the bidder and ongoing works as well as the stipulated period of completion remaining should be countersigned by the Client or its Engineer-in-charge not below the rank of Executive Engineer or equivalent in respect of EPC Projects or concessionaire /Authorized signatory of the SPV in respect of BOT projects and verified by the statutory auditor.</p>	<p>The Statement showing the value of all existing commitments, works for which the contractor has emerged as the winner of the bids as given by the bidder and ongoing works as well as the stipulated period of completion remaining for each of the works listed should be countersigned by the Client or its Engineer-in-charge not below the rank of Executive Engineer or equivalent in respect of EPC Projects or concessionaire /Authorized signatory of the SPV in respect of BOT projects and verified by the statutory auditor.</p>
10	RFP	<p>The Word 'Bid Securing Declaration'</p>	<p>The word 'Bid Securing Declaration' is to be read as 'Bid Security'</p>

11		DCA	Revised DCA
12		Schedule H	Revised Schedule H
13	DPR	-	As updated
14		Bid Due Date: 26.09.2022 upto 11:00 Hrs Opening of Technical Bid: 27.09.2022 at 11:30 Hrs	Bid Due Date: 17.10.2022 upto 11:00 Hrs Opening of Technical Bid: 18.10.2022 at 11:30 Hrs

Yours Sincerely,


A.K. Jha
GM(T)