

National Highways & Infrastructure Development Corporation Limited

26.02.2021

Subject: Construction & Upgradation to 2 lane with paved shoulder from Design Km. 67.805 (at the end of Km 83rd tunnel near Dhrabshala) to Km 80.675 (Dulhasti) of 12.87 Km length on Khellani - Kishtwar -Chattroo section of NH-244 in the Union Territory of Jammu & Kashmir on EPC mode (Pkg -III).


Contract Package No.: NHIDCL/J&K/NH-244/K-K/Pkg-III/2020
Tender Id: 2020_NHIDC_603505_1

Amendment no. V

Sr.No.	Reference Section/ Clause no.	Existing Provision	Modified Provision (To be read As)
1	RFP	Estimated Cost exclusive of GST (Rs. In Cr): Rs. 168.84 Cr.	Estimated Project Cost exclusive of GST (Rs. In Cr.) may be read as Rs.167.92 Cr.
2	Section 7 Para:4 of RFP	Threshold Technical Capacity (Refer Clause 2.2.2.2(i)): Rs.84.42 Cr.	Threshold Technical Capacity (Refer Clause 2.2.2.2(i)) : Rs. 83.96 Cr.
3	Cl. 23.1(vi) of DCA	The Authority may, at its discretion, without terminating the contract and allowing the contractor to continue with the existing contract(s), place the contractor(s) in the 'Negative List' for any of the following reasons : - (a) Failure to achieve milestones; (b) Failure to achieve targets / interim targets duly communicated by the Authority or its officers; (c) Clumsy execution of work showing total disregard to public safety in construction zone and public convenience; (d) Showing total disregard to environmental laws, local laws and State / local administration concerns; (e) Showing total lack of ability (whether managerial / technical) to execute projects of such size; (f) Failure to mobilize machinery / manpower as per the discretion of the Authority or its officers; (g) Failure to abide by any lawful direction of the Authority or its officers.	The Authority may, at its discretion, without terminating the contract and allowing the contractor to continue with the existing contract(s), place the contractor(s) in the 'Negative List' for any of the following reasons : a) Failure to achieve milestones proportionate to the encumbrance free ROW handed over. (b) Failure to achieve targets / interim targets duly communicated by the Authority or its officers; (c) Failure to mobilize machinery / manpower as per the discretion of the Authority or its officers; (d) Inefficient and unsafe execution of work showing total disregard to public safety in construction zone and public convenience. (e) Showing total disregard to environmental laws, local laws and State / local administration concerns; (f) Showing total lack of ability (whether managerial / technical) to execute projects of such size; (g) Failure to abide by any lawful direction of the Authority or its officers.



		<p>Provided that, the Authority shall issue a notice giving 15 days time to the contractor before placing him in the 'Negative List' and upon evaluation of reply, if any, shall take a final decision. Such a notice shall not be issued without the approval of an officer below the rank of Dy. General Manager.</p> <p>Provided, upon satisfactory action on the matter for which the contractor has been placed in the list, the Competent Authority may allow the contractor to be deleted from the 'Negative List'.</p>	<p>(h) Failure of contractor to extend/ replenish the Performance Security as per Contract Agreement. (i) Failure of contractor to maintain the project highway during construction and/or after completion of work, during the maintenance period. (j) Failure of contractor to rectify defects/ unsafe work within the time period as directed by Authority Engineer. (k) Subcontracting part or whole of the work without approval of the Authority. (l) Failure of contractor to fulfill its obligations as per Article 3 of contract of agreement.</p> <p>Provided that, the Authority shall issue a notice giving 15 days time to the contractor before placing him in the 'Negative List' and upon evaluation of reply, if any, shall take a final decision. Such a notice shall not be issued without the approval of an officer below the rank of Executive Director.</p> <p>Provided, upon satisfactory action on the matter for which the contractor has been placed in the list, the Competent Authority may allow the contractor to be deleted from the 'Negative List'.</p>
4	Cl. 23.1 (vii) of DCA	<p>Consequence of placement in the Negative List :- The contractor or its Related Parties shall not be able to bid in any of the Authority's contracts / projects for a period of 2 years or till the completion of the ongoing contract, whichever is earlier.</p>	<p>Consequence of placement in the Negative List :- <i>"The contractor to include all the JV partners and their related parties shall not be eligible to bid in any of the Authority's contracts / projects for a period of 2 years from the date of being placed in the negative list or till the completion of the ongoing contract or removal of the Contractor from the negative list, whichever is earlier."</i></p>
5	Technical Schedule	Technical Schedules has been uploaded on portal.	
6	DPR	DPR has been uploaded on NHIDCL website.	


B. Shivprasad
General Manager (T)