



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय)

National Highways Authority of India

(Ministry of Road Transport and Highways)

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No.11041/218/2007-Admn

Dated: 15.09.2015

POLICY MATTERS-Technical (182/2015)

(Decision taken in 255th Meeting of Executive Committee held on 28.08.2015
vide Agenda Item No. 255.03)

Sub: RFP for appointment of Independent Engineer (IE) for operation & maintenance period for DBFOT projects – Modification/ Amendments to the Model RFP documents.

The Model RFP for appointment of Independent Engineer (IE) for operation & maintenance period for DBFOT projects was issued vide policy circular: Tech (165/2014) dated 24.09.2014.

2. Representation from Consultants were received to review the provisions regarding Conflict of Interest in the above said Model RFP.

3. Executive Committee in its 255th meeting dated 28.08.2015 has approved the recommendations of the Interpretation Committee to limit of period of Conflict of Interest, for a Design/DPR consultant to participate in the bidding of IE services during O & M period of the same project, to 5 years from the completion of the Consultancy Assignment as DPR Consultant. Accordingly, the para 1.5 & para 1.6 of Section-2 (Letter of Invitation to consultants) of Model RFP for appointment of Independent Engineer (IE) for operation & maintenance period for DBFOT projects issued vide policy circular 165/2014 dated 24.09.2014 are amended as under:

(i) **Para 1.5** - We wish to remind you that in order to avoid conflict of interest situations, any firm associated with the Concessionaire of the Project Highway as its Design and/or Supervision Consultant and/or the Contractor(s) as Design Consultant and/or Construction Supervision Consultant **during construction period and defect liability period of the project or previous Operation & Maintenance period** is not eligible to participate in the bidding. **The restriction herein shall not apply after a period of 5 (five) years from the completion of their consultancy assignment.**


(ii) **Para 1.6** - Those Consultants who were engaged by Ministry/ NHA for the above project as Design Consultants for preparation of Detail Project Reports shall not be permitted to submit proposal for providing the consultancy services as Independent Consultant for the same project **for first Operation & Maintenance period of the project** either individually or in JV with other firms. **The restriction herein shall not apply after a period of 5 (five) years from the completion of their DPR consultancy assignment for the project.**

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Further, the consultants will not propose any personnel who had been engaged by the concessionaire on the same project within last one year.

4. These amendments shall be incorporated in RFP of all the assignments for which bids has not been received and future Consultancy Assignments.
5. This issues with the approval of Competent Authority.


15/09/15
(A.K. Singh)
CGM (Coord.)

To:

All Officers & Employees of HQ/ROs/ PIUs/ CMUs/ Site Offices