

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. 11041/217/2007-Admn

13th December, 2012

POLICY MATTERS-ADMINISTRATION/FINANCE (101/2012) (Decision Taken on File No. NHA/CM/Elect/TollPlaza/2008)

Sub: Delegation of Powers relating to various issues under Commercial Operations.

In partial modification of Policy Circular dated 03.08.2012 [Administration/Finance No. 89/2012], the following further Delegation of Power has been decided by Chairman in case of the issues under Commercial Operations:

(i) The proposals of C.O. Division for amendments to "Standard RFP" shall be examined by 3 CGMs Committee [Two CGM(T) & CGM(CO)] and finalized for incorporation in the Standard RFP after approval of concerned Member.

(ii) Annual Potential Collection (APC) for bid purposes shall be approved by 4 Member APC Committee comprising of [CGM(F), CGM(CO), GM(CO) concerned and GM(T) of concerned State].

(iii) In case of non-receipt of bids in regular bidding and other such exigencies, limited bidding needs to be resorted to for a short period toll collection. The highest bid for award under such limited bidding shall be approved/ rejected by concerned Member.

(iv) Opening and acceptance of single bid under regular bidding: A decision to open the single bid received or to re-invite the bid shall be taken by concerned Member. However, Chairman will decide on the acceptance of single bid received and opened.

(v) Imposition of penalty on the tolling contractors for various defaults of the Contractor:

- (a) PD (of DGM & above) upto 07 days remittance value.
- (b) CGM/RO upto one month remittance value.
- (c) Member concerned upto two months remittance value.
- (d) Chairman - Full Powers.

(vi) Claims under Force Majeure:

- (a) CGM/RO upto one month remittance value.
- (b) Member concerned upto two months remittance value.
- (c) Chairman - Full Powers.

(vii) Maintenance, invocation & release of Performance Security: Demand Drafts (the amount to be transferred to NHA HQ to bank account of RO) and Bank Guarantees of Performance Security shall be maintained at Regional Office. The

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required amounts will be recovered/invoked from these securities by CGM/RO after approval of penalty as per delegation given at para (v) above. CGM/RO shall also approve the release of Performance Security and issue "No Dues Certificate" after closing the contractual issues/ penalties/ accounts of concerned Toll Collection Contractor.

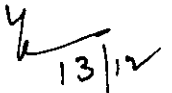
(viii) All Fee Notification proposals (Public Funded & DBFOT Projects) shall be approved by Member concerned for sending to Ministry.

(ix) Validation of Fee Rates: All proposals of validation of fee rates shall be approved by concerned Member. Based on approved fee rates, CGM/RO shall approve the revised remittance.

(x) Assignment proposals of Contractor shall be approved/ rejected by concerned Member, considering the justification and the qualification & experience assigned under the proposal.

2. CGM/RO concerned shall send a Monthly Brief Report on the powers exercised on various issues under Commercial Operations to NHAI HQ which shall be consolidated and placed before the Executive Committee by CGM(CO) for information and necessary directions, if any. Since the commercial operations involve financial implications there should be no delay in decision making. Files should be disposed if need be after discussion instead of sending the same back and forth. Any delay in decision along with financial implications & the reasons for delay shall be explained in the consolidated note to be placed before the Executive Committee.

3. This issues with the approval of Chairman,



(V.K. Sharma)
CGM (Coord/ LA)

To

All officers and employees of HQ/ ZO/ ROs/ PIUs/ CMUs/ Site Offices