

भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय)

National Highways Authority of India

(Ministry of Road Transport & Highways)

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No. 11041/21/2002/Admn.-III

February 24, 2003


POLICY MATTER – ADMINISTRATION/FINANCE (34/2003)

Sub.: Payment of retainership fee (Contractor's Share) of Dispute Review Expert / Member or Chairman of Dispute Review Board after release of final bill payment.

As per the provisions of the respective contract agreement, Dispute Review Expert (DRE) & Dispute Review Board (DRB) have been appointed for each of the contract package to settle the disputes, if any, arising in respect of the said agreement between NHA and the contractor. As per terms & conditions of the agreement, services of DRE/DRB are required during the period of Contract i.e. up to defect liability period with authorized extension(s) of time, if any. Further, payment to the DRE/DRB is to be shared equally between NHA & the Contractor. The payment of retainership fee, etc. to the DRE/DRB is being made by NHA initially and contractor's share is deducted from their bills subsequently.

2. However, it has been observed in some of the cases that the payment of final bill is released to the contractor before expiry of defect liability period. As the payment to DRE/DRB has to be made till the completion of defect liability period, it becomes difficult for NHA to recover contractor's share subsequently after all payments due to the Contractor are settled.

3. To streamline the procedure, it has been decided with the approval of the Competent Authority that in such cases where the payment of final bill is proposed to be made to the contractor before the expiry of defect liability period, the share of retainership fee payable by the Contractor be deducted from the final bill payment of the Contractor for the remaining tenure of DRE/DRB.


(S. Loganathan)
General Manager (Admn.)

Copy to:-

- 1) All Members/CGMs/CVO/CPD
- 2) All GMs/DGMs/Managers
- 3) All PDs of PIUs/CMUs
- 4) PS to Chairman