



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण  
(सड़क परिवहन और राजमार्ग मंत्रालय)  
**National Highways Authority of India**

(Ministry of Road Transport and Highways)  
जी-5 एवं 6, सेक्टर-10, द्वारका, नई दिल्ली-110075  
G-5 & 6, Sector-10, Dwarka, New Delhi-110075

दूरभाष / Phone : 91-11-25074100/25074200  
फैक्स / Fax : 91-11-25093507 / 25093514

**NHAI/Internal Guidelines/PPP(HAM)/2020  
No. 8.3.37/2020 dated 14<sup>th</sup> August, 2020**

**Internal Guidelines - Applicable for only those projects where AD + 20% of CP lapsed by 09.07.2020**

**Sub: HAM Projects – SoP on Reduction in Scope of the Project Works in remaining sites not provided within the period of AD + 20% of CP.**

Refer Policy Guidelines No. 8.3.35/2020 dated 09.07.2020 in which instructions have been issued to ensure that immediately after expiry of the period of the **Appointed Date plus 20% of Construction Period (AD + 20% of CP)**, the remaining sites of the project highway not handed over to the Concessionaire shall invariably be removed from the scope of the work and the Bid Project Cost (BPC) be revised as per Clause 16.6.1.

2. In some of the ongoing HAM Projects, where the period of (AD + 20%) of CP might have already elapsed before issue of above Policy Guidelines dated 09.07.2020 and in some projects even the scheduled completion might have elapsed. In such projects, it may be possible that the Authority might have provided some sites/ Right of Way after (AD + 20%) of CP and the Concessionaires might have proceeded with the works on such sites. **These Policy Guidelines are applicable only for such cases.** In such cases, the following approach may be adopted:

- (i) In a project length of A km., within the period of (AD + 20% of CP) say B km. was handed over, then the remaining length not provided within the period of (AD + 20% of CP), i.e., (A-B) km. shall be removed from the scope of work and the guidelines as prescribed in the Policy Guidelines dated 09.07.2020 shall be applicable. However, if Concessionaire completes work (100%) in some length in (A-B) km. [say C km., which is part of (A-B) km.], by the date of completion of work (100%) in B km., then length of (B+C) km may be considered for COD and such length (C km) may not be removed from the scope of work. However, (B+C) km and its BPC shall be finalized within 30 days of this circular.
- (ii) The completion of work in the remaining length may be considered as given below:
  - (a) **Through HAM Concessionaire:** If the Concessionaire is willing to take up the works as given below, a Supplementary Agreement shall be executed for construction of works for which Right of Way was granted after expiry of the period of (AD + 20%) of CP, but before the date of Supplementary Agreement.
    - (a1) The reduced Bid Project Cost will be further revised & restored to the extent of cost of works in the sites/ RoW handed over till date of Supplementary Agreement. Upon completion of such works, the proportionate payments (milestone payments & advances) and proportionate annuities (accumulated from the date of completion of works in the sites/ RoW handed over till AD + 20% of CP) shall be made on the immediately succeeding annuity payment date based on further revised BPC duly accounting for earlier payments and annuities. However, Bonus shall be applicable on the basis of BPC of (B+C) km only [Ref. Para2(i) above], if COD of (B+C) km is on or more than 30 days prior to Scheduled Completion Date.

(a2) the remaining sites of the project highway not provided by the date of Supplementary Agreement shall invariably be removed from the scope of the work and the Bid Project Cost (BPC) be revised.

**(b) Through separate tender :** Balance work may be executed by NHAI through a separate tender. If any work was done by HAM Concessionaire in this length, the value of such work shall be paid by NHAI as per SOR applicable on Bid Date multiplied by "Price Index Multiple" on date of payment as per CI 23.2.3 of HAM MCA. No first right shall be given to Concessionaire to match L1 bid as these works are removed from the Scope of Work. Arrangement of O&M of such reaches after completion may be agreed with the Concessionaire, through a Supplementary Agreement, in which case O&M costs of removed length as & when completed and taken over by concessionaire may be paid as per the bid of the Concessionaire on pro-rata basis.

(iii) Suitable option, out of above options may be decided by Member concerned on case to case basis duly weighing all pros & cons, especially to start tolling of the completed length by NHAI with minimum time loss, without compromising on the safety & comfort of road users. These are Internal Guidelines for reference and guidance of officers of NHAI only.

This issues with the approval of Competent Authority.

  
(Amarendra Kumar)  
CGM(Coord)

**All Officers of HQ/ROs/PIUs/CMs/Site Offices**