

राष्ट्रीय राजमार्ग एवं अवसंरचना विकास निगम लिमिटेड

सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार
तीसरी मंजिल, पीटीआई बिल्डिंग, 4-संसद मार्ग, नई दिल्ली-110 001

National Highways & Infrastructure Development Corporation Limited

Ministry of Road Transport & Highways, Govt. of India
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सार्वजनिक क्षेत्र का उपक्रम

A PUBLIC SECTOR UNDERTAKING

No. NHIDCL/Ar. Pr./Hayuliang-Hawai/AE/2017

Date: 24/10/2017

To,
M/s Highway Engineering Consultant in Association
with Agnitio Infrastructure Project Pvt Ltd
JM-89/3C, Saket Nagar, Bhopal PINCODE- 462024
Email ID: hec_bhopal@rediffmail.com

Kind Attention: Shri Manoj Kumar,

Subject:- Consultancy Services for Authority's Engineer for Supervision of "Construction of Two-Laning of Existing Khupa - Hayuliang - Hawai Road on EPC basis from (i) design Km. 0.000 (Khupa) to Km. 17.000 [Existing Km 95.800 of (Khupa - Hayuliang Road) to Km 8.970 (Hayuliang - Hawai Road)] (ii) design Km. 17.000 (Khupa) to Km. 34.000 [Existing Km 16.950 to Km 34.310 (Hayuliang - Hawai Road)] (iii) Design Km. 34.000 to Km. 51.825 [Existing Km 26.625 to Km 45.050 (Hayuliang - Hawai Road)] (iv) Hayuliang- Hawai bypass Road on EPC basis from design Km. 51.825 to Km. 63.131 [Existing Km 45.050 of Hayuliang - Hawai road to Hawai Town]" in the state of Arunachal Pradesh under SARDP-NE."—Letter of Acceptance (LOA) regarding.

Sir,

This is to notify you that your bid date 23.03.2017 for "Consultancy Services for Authority's Engineer for Supervision of "Construction of Two-Laning of Existing Khupa - Hayuliang - Hawai Road on EPC basis from (i) design Km. 0.000 (Khupa) to Km. 17.000 [Existing Km 95.800 of (Khupa - Hayuliang Road) to Km 8.970 (Hayuliang - Hawai Road)] (ii) design Km. 17.000 (Khupa) to Km. 34.000 [Existing Km 16.950 to Km 34.310 (Hayuliang - Hawai Road)] (iii) Design Km. 34.000 to Km. 51.825 [Existing Km 26.625 to Km 45.050 (Hayuliang - Hawai Road)] (iv) Hayuliang- Hawai bypass Road on EPC basis from design Km. 51.825 to Km. 63.131 [Existing Km 45.050 of Hayuliang - Hawai road to Hawai Town]" in the state of Arunachal Pradesh under SARDP-NE." it is hereby notified that your bid for a modified contract price of Rs. 13,50,04,864.00/- in words (Rupees Thirteen Crore Fifty Lakh Four Thousand Eight Hundred Sixty Four Only) has been accepted by the competent Authority of NHIDCL subject to final order of Hon'ble High Court of Telangana.

You are hereby requested to furnish **Performance Security** in the form detailed in Appendix H of Special Conditions of Contract of RFP for an amount equivalent to Rs. 33,75,122/- within 15 days as per Clause 13 of TOR (Terms of Reference) of RFP and sign the contract agreement.

You are also requested to produce the candidate in person who has been interviewed through Skype/Videocall before Signing of Agreement.

Yours faithfully,

(Y.C. Srivastava)

General Manager (Tech)

Enclosed Minutes of Contract Negotiation

Copy to: 1. ED (P), Guwahati.... For Information
2. GM (P), Arunachal Pradesh.... For information

Minutes of the Meeting

Subject: Minutes of Meeting of Contract Negotiation held at NHIDCL, New Delhi on 27.09.2017 for "Consultancy Services for Authority's Engineer for Supervision of "Construction of Two-Laning of Existing Khupa - Hayuliang - Hawaii Road on EPC basis from (i) design Km. 0.000 (Khupa) to Km. 17.000 [Existing Km 95.800 of (Khupa - Hayuliang Road) to Km 8.970 (Hayuliang - Hawaii Road)] (ii) design Km. 17.000 (Khupa) to Km. 34.000 [Existing Km 16.950 to Km 34.310 (Hayuliang - Hawaii Road)] (iii) Design Km. 34.000 to Km. 51.825 [Existing Km 26.625 to Km 45.050 (Hayuliang - Hawaii Road)] (iv) Hayuliang- Hawaii bypass Road on EPC basis from design Km. 51.825 to Km. 63.131 [Existing Km 45.050 of Hayuliang - Hawaii road to Hawaii Town]" in the state of Arunachal Pradesh under SARDP-NE" (1st Meeting).

Present:

(A) For National Highways and Infrastructure Development Corporation Ltd.

1	Shri Sanjay Jaju, Director (A &F)	Chairman
2.	Shri V.K.Rajavat , Exe.Director - I	Member
3.	Shri Y.C Srivastava, GM(Tech)	Member Secretary
4.	Shri Ashok Kumar Jha , DGM (Tech)	Presenting officer

(B) For Consultants- M/s Highway Engineering Consultant in association with Agnitio Infrastructure Projects Pvt Ltd.

Shri Manoj Kumar, Authorized Representative.

1. Opening remarks

At the outset, the Director (A &F) welcomed the participants and expressed the hope that negotiations would be fruitful and would lead to early finalization of a binding contract. He further insisted for accomplishing the assignment on fast track. The Consultant's representative Shri Manoj Kumar thanked the Committee on behalf of the Consultants for the invitation and assured to put in all efforts to come up to NHIDCL requirements.

2. Confirmation of Personnel

2.1 During the meeting, the Consultant was apprised that 10 key personnel are required to be deployed by the consulting firm for the assignment and these would be (i) **Team Leader** cum Senior Highway Engineer, (ii) Resident Engineer cum pavement specialist + road safety expert, (iii) Sr. Contract Specialist, (iv) Senior Quantity Surveyor, (v) Bridge/Structural Engineer- 2, (vi) Material Engineer- 2.(vi) Bridge Design Specialist, (vii) Highway Design Specialist.

2.2 Thereafter, the Consultant's authorized representative presented Mr. Rajesh Kumar, Team Leader cum Senior Highway Engineer, Mr. Dhananjay Kumar, Resident Engineer-cum-Pavement Specialist+ road safety expert, Mr. Ramakant Prasad, Senior Quality Surveyor, Mr. Upendra Kumar Singh, Material Engineer, Mr. Rajib Sarkar, Bridge Design Specialist.

2.3 Mr. Rajesh Kumar, Team Leader-cum-Senior Highway Engineer, Mr. Dhananjay Kumar, Resident Engineer-cum-Pavement Specialist+ road safety expert, Mr. Upendra Kumar Singh, Material Engineer, Mr. Rajib Sarkar, Bridge Design Specialist were found suitable for the assignment.

3. During negotiation Mr. Ramakant Prasad (Senior Quantity Surveyor) has stated that he has worked in Nepal for Sl. No. 9 of CV the project of Ministry of External Affairs, Govt. of India. However, the same was got verified through GM (P), NHIDCL it was found that no such project is being executed therein. Hence, Consultant was advised to submit the authenticated proof from the Government Authorities for working in Nepal for the aforesaid project or otherwise submit the replacement.

4. Consultant has proposed Shri Kuldeep Chandra (Senior Contract Specialist) and Mr. Inderpal Singh as replacement due to non-availability of original key personnel vide letter dated 18.09.2017.

4.1. As regards Mr. Kuldeep Chandra (Sr. Contract Specialist) it is clarified to the Consultant that he is already engaged in 2 ongoing projects in Arunachal Pradesh and also proposed in Akajan-Likabali-Bame project of Arunachal Pradesh. Hence, he cannot be considered as replacement at this stage as a decision on the preferred bidder for Akajan-Likabali-Bame is yet to be decided, hence Consultant may propose the other suitable replacement.

4.2. Mr. Inder Pal Singh Sengar as replacement for Bridge/Structural Engineer has shown at at Sl. No. 8 of CV as worked as Bridge/Structural Engineer in the project executed by BRO in Raebareilly Uttar Pradesh. However, it is observed that BRO is not executing any project in the Raebareilly Uttar Pradesh. Hence, Consultant shall be advised to submit the requisite certificate from the concerned agency to authenticate the same.

The meeting ended with a vote of thanks to the Chair.


Sanjay Jaju ,IAS
Director(A&F)
Chairman


Y.C. Srivastava
GM(Tech)
Member


V.K. Rajawat
Exe. Director - I
Member


Ashok Kumar Jha
DGM(Tech)
Member

Accepted by:

Shri Manoj Kumar
Authorised Representative

Subject: Minutes of Meeting of Contract Negotiation held at NHIDCL, New Delhi on 16.10.2017 for "Consultancy Services for Authority's Engineer for Supervision of "Construction of Two-Laning of Existing Khupa - Hayuliang - Hawaii Road on EPC basis from (i) design Km. 0.000 (Khupa) to Km. 17.000 [Existing Km 95.800 of (Khupa - Hayuliang Road) to Km 8.970 (Hayuliang - Hawaii Road)] (ii) design Km. 17.000 (Khupa) to Km. 34.000 [Existing Km 16.950 to Km 34.310 (Hayuliang - Hawaii Road)] (iii) Design Km. 34.000 to Km. 51.825 [Existing Km 26.625 to Km 45.050 (Hayuliang - Hawaii Road)] (iv) Hayuliang- Hawaii bypass Road on EPC basis from design Km. 51.825 to Km. 63.131 [Existing Km 45.050 of Hayuliang - Hawaii road to Hawaii Town]" in the state of Arunachal Pradesh under SARDP-NE" (2nd Meeting).

Present:

(A) For National Highways and Infrastructure Development Corporation Ltd.

1	Shri Sanjay Jaju, Director (A &F)	Chairman
2.	Shri V.K.Rajavat , Exe.Director - I	Member
3.	Shri Y.C Srivastava, GM(Tech)	Member Secretary
4.	Shri Ashok Kumar Jha , DGM (Tech)	Presenting officer

(B) For Consultants- M/s Highway Engineering Consultant in association with Agnitio Infrastructure Projects Pvt Ltd.

Shri Manoj Kumar, Authorized Representative.

1. Opening remarks

At the outset, the Director (A &F) welcomed the participants and expressed the hope that negotiations would be fruitful and would lead to early finalization of a binding contract. He further insisted for accomplishing the assignment on fast track. The Consultant's representative Shri Manoj Kumar thanked the Committee on behalf of the Consultants for the invitation and assured to put in all efforts to come up to NHIDCL requirements.

2. Confirmation of Personnel

2.1 Contract Negotiation Committee in its meeting dated 27.09.2017 had interacted with five Original Key Personnel i.e. Mr. Rajesh Kumar (Team Leader-cum-Senior Highway Engineer), Mr. Dhananjay Kumar (Resident Engineer-cum-Pavement Specialist+ road safety expert), Mr. Upendra Kumar Singh (Material Engineer), Mr. Rajib Sarkar (Bridge Design Specialist) were found suitable for the assignment and Mr. Ram Kant Prasad has stated that he has worked in Nepal. Hence he has been asked to submit the experience certificate. Consultant also proposed five key personnel for replacement which in two key personnel Mr. Kuldeep Chandra (Senior Contract Specialist) and Mr. Inder Pal Singh Sengar (Bridge/Structural Engineer) CVs have some issues. The committee recommended to write a letter to Consultant regarding Key personnel Mr. Ramakanth Prasad (Senior Quantity Surveyor), Mr. Kuldeep Chandra (Senior Contract Specialist) and Mr. Inder Pal Singh Sengar (Bridge/Structural Engineer).

2.2 The following are the queries raised by NHIDCL, clarification received from Consultant and decision taken by Committee.

Sr. No.	NHIDCL Vide letter dated 29.09.2017 has issued to Consultant Vide which consultant has asked to replacement of key personnel	Clarification received from Consultant	Decision taken by Committee

(Handwritten signatures and initials)

1	<p>During negotiation Mr. Ramakant Prasad (Senior Quantity Surveyor) has stated that he has worked in Nepal for Sl. No. 9 of CV the project of Ministry of External Affairs, Govt. of India. However, the same was got verified through GM (P), NHIDCL it was found that no such project is being executed therein. Hence, you are advised to submit the authenticated proof from the Government Authorities for working in Nepal for the aforesaid project or otherwise submit the replacement as communicated vide this officer letter dated 28.09.2017.</p>	<p>Consultant has submitted clarification that Mr. Ram Kant Prasad was not considered due to some doubt of his one assignment of Nepal project. In this regards, Mr. Prasad has submitted experience certificate and project details from Employer of that project Mr. Prasad has also submitted the clarification about the typographic error in updating of CV on INFRACON. All documents of Mr. Prasad are being submitting herewith for consideration.</p>	<p>Mr. Ram Kant Prasad was interviewed physically on 27.09.2017 and during negotiation Mr. Ramakant Prasad (Senior Quantity Surveyor) has stated that he has worked in Nepal for Sl. No. 9 of CV the project of Ministry of External Affairs, Govt. of India. However, the same was got verified through GM (P), NHIDCL it was found that no such project is being executed therein. Hence, Consultant was advised to submit the authenticated proof from the Government Authorities for working in Nepal for the aforesaid project or otherwise submit the replacement. Mr. Ram Kant Prasad proposed has submitted the experience certificate. He was considered for subject work.</p>
2	<p>Mr. Kuldeep Chandra (Sr. Contract Specialist) it is clarified that he is already engaged in 2 ongoing projects in Arunachal Pradesh and also proposed in Akajan-Likabali-Bame project of Arunachal Pradesh. Hence, he cannot be considered as replacement at this stage as a decision on the preferred bidder for Akajan-Likabali-Bame is yet to be decided.</p>	<p>Conditional approval has been issued for Mr. Kuldeep Chandra as Sr. Contract Specialist for two ongoing projects of Arunachal Pradesh subjected to submission of resignation of replaced Sr. Contract Specialist (Mr. P.R. Roy). We have requested to Mr. P.R. Roy for submission of resignation, but till date he has not submitted. So as per conditional approval of replacement, the candidatures of Mr. Kuldeep Chandra have not come enforce and he has not joined on these two ongoing projects till date. So we request you to consider candidature of Mr. Kuldeep Chandra for above subjected project.</p>	<p>As per consultant letter dated 11.10.2017. It is observed that Mr. Kuldeep Chandra as Sr. Contract Specialist was not joined any project of Arunachal Pradesh hence the CV of Mr. Kuldeep Chandra has considered for subject work.</p>
3	<p>Mr. Inder Pal Singh Sengar as replacement for Bridge/Structural Engineer has shown at Sl. No. 8 of CV as worked as Bridge/Structural Engineer in the project executed by BRO in Raebareilly Uttar Pradesh. However, it is observed that BRO is not executing any project in the Raebareilly Uttar Pradesh. Hence, you are advised to submit the requisite certificate from the concerned agency to authenticate the same otherwise a replacement for this key personnel may also be provided as communicated vide this office letter dated 28.09.2017.</p>	<p>For replacement of Original Key Personnel for position of Bridge/Structural Engineer we are submitting the CV herewith of better candidate Mr. Manas Pratim Deb in place of Mr. Inder Pal Singh Sengar.</p>	<p>Mr. Manas Pratim Deb CV was evaluated.</p>

2.3 Consultant vide their letter dated 18.09.2017 has proposed replacements for following key personnel as

tabulated below.

Sr. No.	Designation	Original Key Personnel	Replaced Key Personnel
1	Bridge/Structural Engineer	Mr. Subodh Kumar Thakur	Mr. Manas Pratim Deb
2	Bridge/Structural Engineer	Mr. Prashant Kumar Sinha	Mr. Awadh Kishore Pandey
3	Material Engineer	Mr. Rohit Kumar	Mr. Rajesh Kumar
4	Highway Design Specialist	Ms. Nandini De	Mr. Nagesh Sachan
5	Sr. Contract Specialist	Mr. P R Roy	Mr. Kuldeep Chandra

2.4 The CVs submitted by the Consultant has been evaluated in accordance with the RFP and the following are respective comparative the scores.

Sr. No.	Key Personnel	Marks Scored by the replaced candidate	Marks scored (original candidate)
1.	Bridge/Structural Engineer	89.33	84
2.	Bridge/Structural Engineer	93	85
3.	Material Engineer	89	89.33
4.	Highway Design Specialist	89.33	89.33
5.	Sr. Contract Specialist	99	94

2.5 Mr. Manas Pratim Deb (Bridge/Structural Engineer), Mr. Awadh Kishore Pandey(Bridge/Structural Engineer), Mr. Rajesh Kumar(Material Engineer), Mr. Nagesh Sachan(Highway Design Specialist) and Mr. Kuldeep Chandra (Sr. Contract Specialist) were interviewed through Skype/video-call. The candidates are found suitable for the assignment.

2.6 There is no deduction in remuneration of replaced key personnel as per clause 6.3 of RFP i.e. 50% of replacements are permitted beyond 180 days after the bid due date (which was 23.03.2017) without any deduction. Further the marks scored by Mr. Rajesh Kumar are less than to the original candidate Mr. Rohit Kumar hence the remuneration has been reduced proportionately i.e. 89/89.33.

3. Terms of Reference and Scope of Work

The general points of clarification regarding Terms of Reference and Scope of Work were discussed and addressed by the Committee. The Consultant confirmed that they have understood the requirement of the assignment as given in the Terms of Reference and have accordingly constituted their team of key personnel with adequate expertise.

4. Work Plan and Personnel Schedule

(i) The Consultant explained the proposed work plan and proposed induction of personnel for effective execution of the tasks set-forth in Terms of Reference.

(ii) It was also informed that the construction agency for the work is already at site and the work of construction has commenced therefore consultant is required. The Consultant agreed to sign the Contract Agreement soon after receipt of LOA and begin the assignment accordingly to ensure the set timelines.

5. Conclusion on Technical points

The following points were discussed and agreed during negotiations.

(i) **Substitution of Key Personnel**

It shall be governed by clause 4.5 of GCC.

(ii) **Professional Liability Insurance:**

The Consultant shall provide to NHIDCL the necessary insurances in the manner, form and amount in pursuant to clause 3.5 of GCC.

6. Conclusion on Financial Matters

(i) The Consultant's Representative was informed all the expenses under the contingencies shall be incurred with prior approval of NHIDCL.

(ii) The original Financial Proposal amounts to Rs. 13,50,32,792.00/- (Rupees Thirteen Crore Fifty Lakh Thirty Two Thousand Seven Hundred Ninety Two Only) and the following are the details. The modified proposal after taking into account the reduction in remuneration of Key personnel's is as under:

Modified Contract Price							
Sl No	Key Personnel	Rate/Month (as per proposal)	Modified Remuneration on account of replacement	Further Reduction in Remuneration on pro rata basis of marks	Final Remuneration as finalised in Contract Negotiation	No. of Man Months	Modified Amount
A	Team Leader Cum Senior Highway Engineer	234000	0	0	234000	48	11232000
B	Residential Engineer cum Pavement specialist + Road Safety Expert	225000	0	0	225000	84	18900000
C	Sr. Contract Specialist	180000	0	0	180000	16	2880000
D	Senior Quantity Surveyor	189000	0	0	189000	40	7560000
E	Bridge/Structural Engineer	189000	0	0	189000	36	6804000
F	Bridge/Structural Engineer	189000	0	0	189000	36	6804000
G	Material Engineer	189000	0	0	189000	40	7560000
H	Material Engineer	189000	0	188302*	188302	40	7532072
I	Bridge Design Specialist	180000	0	0	180000	4	720000
J	Highway Design Specialist	180000	0	0	180000	4	720000
K	Sum(A to J)						7,07,12,072
L	Sum (Sr. No 1.9 to Sr. No. 10) of Annexure A of BOQ						6,42,92,792
M	Final Contract Price (K+L)						13,50,04,864
(Rupees Thirteen Crore Fifty Lakh Four Thousand Eight Hundred Sixty Four Only)							

* The firm was requested to provide a candidate with equivalent or better qualification than the previous candidate. The firm could not provide a better person than the replaced candidate; therefore, the reduction has been made on pro-rata basis.

(iii) The man-month rates shown against each personnel are inclusive of overtime period. The working hours shall match the working hours suiting to the requirement of the work. All such cost shall be borne by the Consultant within the man month rates. Any extra cost on account of this, if any, shall be borne by the Consultant only.

(iv) Final Composition of Team. Their remuneration is given at para 6(ii) here in under

Sr. No	Designation	Original Key Personnel Name	Final Key Personnel Name	Final Remuneration of Key Personnel after modification per Month
1	Team Leader Cum Senior Highway Engineer	Rajesh Kumar	Rajesh Kumar	2,34,000
2	Residential Engineer cum Pavement specialist + Road Safety Expert	Dhananjay Kumar	Dhananjay Kumar	2,25,000
3	Sr. Contract Specialist	P R Roy	Kuldeep Chandra	1,80,000
4	Senior Quantity Surveyor	Ram Kant Prasad	Ram Kant Prasad	1,89,000



5	Bridge/Structural Engineer	Subodh Kumar Thakur	Manas Pratim Deb	1,89,000
6	Bridge/Structural Engineer	Prashant Kumar Sinha	Awadh Kishore Pandey	1,89,000
7	Material Engineer	Upendra Kumar Singh	Upendra Kumar Singh	1,89,000
8	Material Engineer	Rohit Kumar	Rajesh Kumar	1,88,302
9	Bridge Design Specialist	Rajib Sarkar	Rajib Sarkar	1,80,000
10	Highway Design Specialist	Nandini De	Nagesh Sachan	1,80,000

7. **Taxes**

The Consultant was informed that as indicated in the Taxes and Insurance shall be governed by clauses mentioned in General Conditions of Contract (GCC) of RFP.


8. **Integrity Pact**

Further, the consultant was apprised that it shall be required to sign the Integrity Pact as per the format at the time of signing of Contract Agreement. The Consultant's Representative agreed for the same.

9. **Recommendations of the Committee.**

The Committee found the negotiations successful and recommends awarding the work to the Consultant, **M/s Highway Engineering Consultant in association with Agnitio Infrastructure Projects Pvt Ltd.** at a cost of 13,50,04,864.00/- in words (**Rupees Thirteen Crore Fifty Lakh Four Thousand Eight Hundred Sixty Four Only**). The Consultant was informed that key personnel Mr. Manas Pratim Deb (Bridge/Structural Engineer), Mr. Awadh Kishore Pandey(Bridge/Structural Engineer), Mr. Rajesh Kumar(Material Engineer), Mr. Nagesh Sachan(Highway Design Specialist) and Mr. Kuldeep Chandra (Sr. Contract Specialist) who have been interviewed through Skype/Video-call is to brought in person for interacting with Committee before signing of Agreement.

The meeting ended with a vote of thanks to the Chair.


Sanjay Jaju ,IAS
Director(A&F)
Chairman


Y.C. Srivastava
GM(Tech)
Member


V.K. Rajawat
Exe. Director - I
Member


Ashok Kumar Jha
DGM(Tech)
Member

Accepted by:

Shri Manoj Kumar
Authorised Representative