

National Highways & Infrastructure Development Corporation Limited

Subject: Consultancy Services for Preparation of Detailed Project Report for 2 lane road from Tetwal (Kashmir) to Drass (Ladakh) in the UT of Jammu & Kashmir and Ladakh.

Tender ID: 2020_NHIDC_604411_1

Amendment no. 2

Sr. No.	Reference section/clause no./ Annexure/items	Existing Provision			Modified Provision (To be read as)		
		Sl. No.	Description	Date & Time	Sl. No.	Description	Date & Time
1.	Clause 6, NIT, Page 4	5	Proposal Due Date	27.01.2021 at 1100 Hrs	5	Proposal Due Date	08.02.2021 at 1100 Hrs
		6	Opening of Technical proposals at venue	28.01.2021 at 1130 Hrs	6	Opening of Technical proposals at venue	09.02.2021 at 1130 Hrs
2.	New Clause 1.12, Letter of Invitation (LOI), Page 9				<u>Criteria for Ineligibility to Bid:</u> (i) Stands debarred by the Authority as a natural consequence of termination of any Consultancy Contract of the Authority. (ii) Has been placed in the Negative List of firms by the Authority for any reason including failure to deliver consultancy in time bound manner, abandoning the project without permission of the Authority, non mobilization of key personnel, poor performance, penalties, missing commitments, non-adherence to quality specifications, inefficient execution of works, unethical practices, failure to abide by Integrity Pact or failure to follow any lawful directions given by the Authority. (iii) The bidder including individual or any of its JV members or its related parties, who are already having three or more on-going Consultancy contract(s) as a DPR Consultant in NHIDCL, as on date of financial bid opening, shall not be eligible to bid for this project.		



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			<p>Explanation:</p> <p>(i) An LOA issued for any project shall be counted as an on-going project.</p> <p>(ii) Projects with consultancy fee of Rs.1.5 Crores or less shall not be counted for this purpose.</p> <p>(iii) Projects wherein Draft DPR has been submitted after approval of Alignment & Feasibility Report shall not be counted for this purpose.</p> <p>(iv) In case of a company, the Related Parties means Related Parties as defined in the Companies Act, 2013, and in case of a bidder other than a company, the Related Parties means bodies in which the bidder or its partners are partner, trustee or directors in other bodies whether incorporated or not.</p> <p>To substantiate this, the bidder shall provide an undertaking giving list of all such Related Parties and projects being executed by the Related Parties in NHIDCL.</p> <p>A certificate in this regard from Statutory Auditor (with UDIN) shall also be provided by the bidder</p>
3.	Clause 6.1, Performance Security, LOI, Page 17	The consultant will furnish within 15 days of the issue of Letter of Acceptance (LOA), an unconditional Bank Guarantee equivalent to 3% of the total contract value from Public Sector Banks or Scheduled Private Banks having the Net Worth of Rs 1,000/- crores or more as per the latest annual report of the bank, in favour of the Authority. The list of such banks is mentioned as below. The Authority reserves the right to add or remove any of names bank on which BG shall be accepted based on advisories from the Govt./RBI. The BGs issued by 'Foreign Banks' and Banks not mentioned in the given list shall not be accepted. In case of JV, the BG shall be furnished on behalf of the JV or by the lead member of the JVs for an amount equivalent to 3% of the total contract value towards Performance Security valid for a period of three years beyond the date of completion of services, or end of civil works contract,	The consultant will furnish within 15 days of the issue of Letter of Acceptance (LOA), an unconditional Bank Guarantee equivalent to 5% of the total contract value from Public Sector Banks or Scheduled Private Banks having the Net Worth of Rs 1,000/- crores or more as per the latest annual report of the bank, in favour of the Authority. The list of such banks is mentioned in the clause 6.1 of LOI. The Authority reserves the right to add or remove any of names bank on which BG shall be accepted based on advisories from the Govt./RBI. The BGs issued by 'Foreign Banks' and Banks not mentioned in the given list shall not be accepted. In case of JV, the BG shall be furnished on behalf of the JV or by the lead member of the JVs on behalf of JV for an amount equivalent to 5% of the total contract value towards Performance Security valid for a period of three years



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		whichever earlier. The Bank Guarantee will be released by NHIDCL upon expiry of 3 years beyond the date of completion of services, or end of civil works contract, whichever earlier, provided rectification of errors if any, found during implementation of the contract for civil work and satisfactory report by NHIDCL in this regard is issued. However, if contract is foreclosed / terminated by NHIDCL at Inception Stage, with no fault of Consultant, Performance Security shall be released within three months from date of foreclosure / termination.			beyond the date of completion of services, or end of civil works contract, whichever earlier. The Bank Guarantee will be released by NHIDCL upon expiry of 3 years beyond the date of completion of services, or end of civil works contract, whichever earlier, provided rectification of errors if any, found during implementation of the contract for civil work and satisfactory report by NHIDCL in this regard is issued. However, if contract is foreclosed / terminated by NHIDCL at Inception Stage, with no fault of Consultant, Performance Security shall be released within three months from date of foreclosure / termination.		
4.	Clause 10, DATASHEET, Page 30	Sl. No.	Description	Date & Time	Sl. No.	Description	Date & Time
		5	Proposal Due Date	27.01.2021 at 1100 Hrs	5	Proposal Due Date	08.02.2021 at 1100 Hrs
		6	Opening of Technical proposals at venue	28.01.2021 at 1130 Hrs	6	Opening of Technical proposals at venue	09.02.2021 at 1130 Hrs
5.	Data Sheet, Assumptions to be made regarding Similar Capacity for various positions, Page 46-48	Assumptions to be made regarding Similar Capacity for various positions <ul style="list-style-type: none"> • Senior Tunnel Expert • Tunnel Design Expert • Senior E&M • Senior Geologist • Senior Geotechnical Engineer 			As per Annexure-I.		
6.	Enclosure-I, Manning Schedule, TOR Pg. 145	Total Project Assignment - 10 months			Total Project Assignment - 08 months		
7.	Enclosure-II, TOR Pg. 147				<u>Highway cum Pavement Engineer</u>		
					i) Educational Qualification		
					Essential	Degree in Civil Engineering	
			Desirable	Masters in highway engineering/ Transportation Engineering			

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			ii) Essential Experience																																																
			a) Total Professional Experience	Min. 8 years																																															
			b) Experience in Highway projects	Minimum 06 years' experience in pavement design and maintenance of highways.																																															
			c) Experience in similar capacity	Pavement design for major highway projects (2/4/6 lane NH / SH / Expressways) of minimum aggregate length of 80 km.																																															
			iii) Age Limit	65 years on the date of submission of Proposal																																															
8.	A. Firm's Relevant Experience (40), Appendix V, Page 193	A Firm's Relevant Experience (40)	A Firm's Relevant Experience in last 7 years (40)																																																
		<table border="1"> <thead> <tr> <th>S. No.</th> <th>Description</th> <th>Maximum Points</th> <th>Sub-Points</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Specific experience of the DPR consultancy related to the assignment for eligibility</td> <td>15</td> <td></td> </tr> <tr> <td>1.1</td> <td>Aggregate Length of DPR / Feasibility study of 2/4/ 6 lane projects</td> <td>8</td> <td></td> </tr> <tr> <td>1.1.1</td> <td>More than the indicative Length of the package applied for</td> <td></td> <td>6</td> </tr> <tr> <td>1.1.2</td> <td>More than 2 times the indicative length of the package applied for</td> <td></td> <td>7</td> </tr> <tr> <td>1.1.3</td> <td>More than 3 times the indicative length of the package applied for</td> <td></td> <td>8</td> </tr> </tbody> </table>	S. No.	Description	Maximum Points	Sub-Points	1	Specific experience of the DPR consultancy related to the assignment for eligibility	15		1.1	Aggregate Length of DPR / Feasibility study of 2/4/ 6 lane projects	8		1.1.1	More than the indicative Length of the package applied for		6	1.1.2	More than 2 times the indicative length of the package applied for		7	1.1.3	More than 3 times the indicative length of the package applied for		8	<table border="1"> <thead> <tr> <th>S. No.</th> <th>Description</th> <th>Maximum Points</th> <th>Sub-Points</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Specific experience of the DPR consultancy related to the assignment for eligibility <i>i.e. hilly and mountainous terrain</i></td> <td>15</td> <td></td> </tr> <tr> <td>1.1</td> <td>Aggregate Length of DPR / Feasibility study of 2/4/ 6 lane projects</td> <td>8</td> <td></td> </tr> <tr> <td>1.1.1</td> <td>More than the indicative Length of the package applied for</td> <td></td> <td>6</td> </tr> <tr> <td>1.1.2</td> <td>More than 2 times the indicative length of the package applied for</td> <td></td> <td>7</td> </tr> <tr> <td>1.1.3</td> <td>More than 3 times the indicative length of the package applied for</td> <td></td> <td>8</td> </tr> </tbody> </table>	S. No.	Description	Maximum Points	Sub-Points	1	Specific experience of the DPR consultancy related to the assignment for eligibility <i>i.e. hilly and mountainous terrain</i>	15		1.1	Aggregate Length of DPR / Feasibility study of 2/4/ 6 lane projects	8		1.1.1	More than the indicative Length of the package applied for		6	1.1.2	More than 2 times the indicative length of the package applied for		7	1.1.3	More than 3 times the indicative length of the package applied for		8
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		1.2	DPR for 2/4/6 laning projects each equal to or more than 40 % of indicative length of a package applied for (or Feasibility Study for 2/4/6 laning projects each equal to or more than 60 % of indicative length of a package applied for)	7			
		1.2.1	1 project			5	
		1.2.2	2 projects			6	
		1.2.3	≥ 3 projects			7	
		2	DPR of Bridge having length more than 200 m	5			
		2.1	1 bridge			1	
		2.2	2 bridges			2	
		2.3	3 bridges			3	
		2.4	4 bridges			4	
		2.5	≥ 5 bridges			5	
		3	Specific experience of firms in terms of turnover	5			
		3.1	Firm's Average Turnover of last 5 years > 50 crore			5	
		3.2	Firm Average Turnover of last 5 years 20-50 crore			4.5	
		3.3	Firm Average Turnover of last 5 years > 5 crore but < 20 crore			4	
		4	DPR of number of tunnels (if	5			
		1.2	DPR for 2/4/6 laning projects each equal to or more than 40 % of indicative length of a package applied for (or Feasibility Study for 2/4/6 laning projects each equal to or more than 60 % of indicative length of a package applied for) Or DPR for high altitude (2000 mtr or more above MSL) road project of 2/4/6 laning of minimum 5% of the indicative length of the package or feasibility study of 2/4/6 laning of minimum 7.5% of the indicative length of the package	7			
		1.2.1	1 project			5	
		1.2.2	2 projects			6	
		1.2.3	≥ 3 projects			7	
		2	DPR of Bridge having length more than 200 m	5			
		2.1	1 bridge			1	
		2.2	2 bridges			2	
		2.3	3 bridges			3	
		2.4	4 bridges			4	
		2.5	≥ 5 bridges			5	
		3	Specific experience of firms in terms of turnover	5			

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	applicable)							
4.1	1 project			1		3.1	Firm's Average Turnover of last 5 years > 50 crore	5
4.2	2 projects			2		3.2	Firm Average Turnover of last 5 years 20-50 crore	4
4.3	3 projects			3		3.3	Firm Average Turnover of last 5 years > 5 crore but < 20 crore	3
4.4	4 projects			4		4	DPR of number of tunnels	5
4.5	≥ 5 projects			5		4.1	1 project	1
5	Highway Professionals * working with the firm		10			4.2	2 projects	2
5.1	<10 nos.			0		4.3	3 projects	3
5.2	10-20 nos.			8		4.4	4 projects	4
5.3	>20-30 nos.			9		4.5	≥ 5 projects	5
5.4	>30 nos.			10		5	Highway Professionals * working with the firm	10
*The professionals who possess degree in Civil Engineering/Transport Planning/Transport Economics/Traffic Management/Geology/Environment Science or Engineering and 8 years Experience in highway/bridge/tunnel with employment in the firm for more than one year. The current Employment Certificate shall be uploaded by Key Personnel on INFRACON.						5.1	<10 nos.	0
						5.2	10-20 nos.	8
						5.3	> 20-30 nos.	9
						5.4	> 30 nos.	10
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9.	Note below Assumptions to be made regarding Similar Capacity for various positions, Page 194	While carrying out evaluation of key personnel, the experience in similar capacity is also a criteria of evaluation and assumptions to be made regarding similar capacity have been mentioned above. However, if a key personnel has worked in next lower category to the similar capacity, the marks allotted to key personnel in the category 'experience in similar capacity' shall be reduced to two thirds of marks in this category. This shall be applicable for evaluation of all key personnel	Deleted.
10.	New Clause 2.9.1.1, GCC, Page 217		<p>The Authority may, at its discretion, without terminating the contract and allowing the Consultants to continue with the existing consultancy contract, place the DPR Consultant in the Negative List for any of the following reasons : -</p> <p>(a) Failure to submit the deliverables as per the schedule for submission of Reports and Documents of the Consultancy Contract Agreement.</p> <p>(b) Submissions of incomplete/incorrect site data, inaccurate and incorrect plans, deficient designs and drawings and incorrect reports and estimates.</p> <p>(c) Discrepancy in land to be acquired or utilities to be shifted.</p> <p>(d) Deficiencies of designs resulting in change of scope of more than 10% of the Contract Amount.</p> <p>(e) Failure to deploy all the key personnel as per the Contract Agreement in the project on site.</p> <p>(f) Submission of incorrect/fake CV of personnel.</p> <p>(g) Failure to replace in reasonable time frame key personnel who have left the site or are asked to be replaced by the Authority due to poor performance.</p> <p>(h) Showing total lack of ability (whether managerial/technical) for the execution of the given consultancy contract.</p> <p>(i) Failure to comply with any other conditions of TOR and any</p>



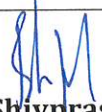
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			<p>other lawful directions of the Authority.</p> <p>Provided that, the Authority shall issue a notice giving 15 days time to the consultant before placing him in the 'Negative List' and upon evaluation of reply, if any, shall take a final decision. Such notice shall not be issued without the approval of an officer below the rank of Executive Director.</p> <p>Provided, upon satisfactory action on the matter for which the Consultant was placed in the list, the Competent Authority may allow the name of the Consultant to be removed from the 'Negative List'.</p>
11.	New Clause 2.9.1.2, GCC, Page 217		<p>Consequence of placement in the Negative List:-</p> <p>"The consultant to include all the JV partners and Associates and their related parties shall not be eligible to bid in any of the Authority's Consultancy Contracts for a period of 2 years from date of being placed in the negative list or till the completion of the ongoing consultancy service, or till removal from Negative list, whichever is earlier".</p>
12.	New Clause 2.9.7, GCC, Page 219		<p>As a natural consequence of the termination, due to the Consultant's failure, the Consultant shall deemed to have been debarred for a period of 2 years and shall not be able to bid any contract of the Authority either singularly or in a JV or its Related Parties.</p> <p>Explanation: Such debarment shall be a natural consequence of termination. No separate Show Cause/ proceeding shall be initiated for placing such consultant under debarment.</p>
13.	Clause 2.4, SCC, Page 235	The time period shall be 10 months or such other time period as the parties may agree in writing.	The time period shall be 08 months or such other time period as the parties may agree in writing



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14.	Clause 2.1 (b), SCC, Page 235	<p>The consultant will furnish within 15 days of the issue of Letter of Acceptance (LOA), an unconditional Bank Guarantee equivalent to 3% of the total contract value from Public Sector Banks or Scheduled Private Banks having the Net Worth of Rs 1,000/- crores or more as per the latest annual report of the bank, in favour of the Authority. The list of such banks is given in clause 6.1 of LOI. The Authority reserves the right to add or remove any of names bank on which BG shall be accepted based on advisories from the Govt./RBI. The BGs issued by 'Foreign Banks' and Banks not mentioned in the given list shall not be accepted. In case of JV, the BG shall be furnished on behalf of the JV or by the lead member of the JVs for an amount equivalent to 3% of the total contract value towards Performance Security valid for a period of three years beyond the date of completion of services, or end of civil works contract, whichever earlier. The Bank Guarantee will be released by NHIDCL upon expiry of 3 years beyond the date of completion of services, or end of civil works contract, whichever earlier, provided rectification of errors if any, found during implementation of the contract for civil work and satisfactory report by NHIDCL in this regard is issued. However, if contract is foreclosed / terminated by NHIDCL at Inception Stage, with no fault of Consultant, Performance Security shall be released within three months from date of foreclosure / termination.</p>	<p>The consultant will furnish within 15 days of the issue of Letter of Acceptance (LOA), an unconditional Bank Guarantee equivalent to 5% of the total contract value from Public Sector Banks or Scheduled Private Banks having the Net Worth of Rs 1,000/- crores or more as per the latest annual report of the bank, in favour of the Authority. The list of such banks is given in clause 6.1 of LOI. The Authority reserves the right to add or remove any of names bank on which BG shall be accepted based on advisories from the Govt./RBI. The BGs issued by 'Foreign Banks' and Banks not mentioned in the given list shall not be accepted. In case of JV, the BG shall be furnished on behalf of the JV or by the lead member of the JVs on behalf of JV for an amount equivalent to 5% of the total contract value towards Performance Security valid for a period of three years beyond the date of completion of services, or end of civil works contract, whichever earlier. The Bank Guarantee will be released by NHIDCL upon expiry of 3 years beyond the date of completion of services, or end of civil works contract, whichever earlier, provided rectification of errors if any, found during implementation of the contract for civil work and satisfactory report by NHIDCL in this regard is issued. However, if contract is foreclosed / terminated by NHIDCL at Inception Stage, with no fault of Consultant, Performance Security shall be released within three months from date of foreclosure / termination.</p>
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B. Shivprasad
General Manager (T)
25.01.2021

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Annexure-I

Assumptions to be made regarding Similar Capacity for various positions:

Senior Tunnel Expert:

- (i) On the behalf of Consultant / Contractor: Tunnel Engineer / Tunnel Expert.
- (ii) In Government Organizations: Superintendent Engineer (or equivalent) and above.

Tunnel Design Expert:

- (i) *On the behalf of Consultant/Contractor:* Tunnel Design Engineer/ Tunnel Design Expert/ Tunnel Designer
- (ii) *In Government Organizations:* Superintendent Engineer (or equivalent) and above

Senior E&M Expert:

- (i) *On the behalf of Consultant/Contractor:* Senior E&M Expert (Tunnels)
- (ii) *In Government Organizations:* Superintendent Engineer (or equivalent) and above

Senior Geologist:

- (i) *On the behalf of Consultant/Contractor:* Senior Geologist
- (ii) *In Government Organizations:* Superintendent Engineer (or equivalent) and above

Senior Geotechnical Expert:

- (i) *On the behalf of Consultant/Contractor:* Senior Geotechnical Engineer
- (ii) *In Government Organizations:* Superintendent Engineer (or equivalent) and above

