

RW/NH-33044/88/2021-S&R (PSB)

Government of India
Ministry of Road Transport & Highways
(S&R Zone)

No.1, Parliament Street, Transport Bhavan, New Delhi-110001

Dated: 9th September, 2021

To,

1. The Chief Secretaries of all State Governments/UTs.
2. The Principal Secretaries/ Secretaries of all States/ UTs PWD dealing with National Highways, other centrally sponsored schemes and state schemes.
3. The Chairman, National Highways Authority of India (NHAI), G-5&6, Sector-10, Dwarka, New Delhi-110075.
4. The Managing Director, National Highway Infrastructure Development Corporation Ltd., 3rd floor, PTI Building, Parliament Street, New Delhi-110001.
5. Director General (Border Roads), Seema Sadak Bhawan, Ring Road, New Delhi -110010.
6. All Engineer-in-Chief and Chief Engineers of all States/ UTs PWD dealing with National Highways, other centrally sponsored schemes and state schemes.
7. All ROs and ELOs of the Ministry

Subject: Consultancy services for Authority's Engineer/Independent Engineer – Regarding Extension of Time (EOT).

Madam/Sir,

It has been decided that *no Extension Of Time (EOT) shall be given to ongoing consultancy services (AE/IE/PMC), which have been appointed for supervision of construction and maintenance works of a project. In case of delay in construction, services of AE/IE/PMC shall be concluded after completion of original consultancy period (project preparation* + construction + maintenance) mentioned in the contract.* Hence, para-3 of circular no. RW-NH-34048/7/2013-S&R(B) dated 29.10.2018 of the Ministry is modified as under:

"In cases where EoT is granted to the civil works contractor, the consultancy period of Authority's Engineer shall be extended for construction period only subject to the condition that consultancy period shall be concluded after completion of original consultancy period including maintenance period."

* applicable for PMC services only

2. Model RFP document for Authority's Engineer issued vide Ministry's letter no. RW/NH-39011/30/2015-P&P (Pt-I) dated 15.02.2019 shall be modified as below:

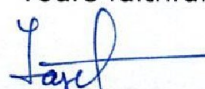


Sl. No	Reference Clause	Existing Clause	Modified Clause
1	Clause 13.1.1 of Section 6 (last sentence)	Extension of Time for providing services of the Authority's Engineer may be extended concurrently with the Extension of Time granted, if any, to the EPC Contractor for the project, subject to satisfactory performance of the Authority's Engineer.	Extension of Time for providing services of the Authority's Engineer may be extended concurrently with the Extension of Time granted, if any, to the EPC Contractor for the project, subject to satisfactory performance of the Authority's Engineer and limited to original period of consultancy services.
1.	Clause 2.7.4 of Section 7	Any period within which a Party shall, pursuant to this Contract, complete any action or task, shall be extended for a period equal to the time during which such Party was unable to perform such action as a result of Force Majeure. Extension of Time for providing services of the Authority's Engineer shall be extended concurrently with the Extension of Time granted, if any, to the EPC Contractor for the project, subject to satisfactory performance of the Authority's Engineer.	Any period within which a Party shall, pursuant to this Contract, complete any action or task, shall be extended for a period equal to the time during which such Party was unable to perform such action as a result of Force Majeure. Extension of Time for providing services of the Authority's Engineer may be extended concurrently with the Extension of Time granted, if any, to the EPC Contractor for the project, subject to satisfactory performance of the Authority's Engineer and limited to original period of consultancy services.

3. Necessary amendments shall also be incorporated in the RFP for Independent Engineer/ Project Management Consultant (PMC) on the above lines before invitation of proposals.

4. This is issued with the approval of Competent Authority.

Yours faithfully,



(Jagat Narayan)

**Superintending Engineer, S&R (R)
For Director General (RD) & SS**

Copy to:

1. All Technical Officers at MoRTH Headquarter.
2. Secretary General, Indian Roads Congress
3. Director, IAHE, NOIDA
4. PPS to Secretary (RTH), PPS to DG (RD) &SS, PPS to AS&FA, PPS to all ADGs/ASs, PPS to all JSs
5. NIC-with request to upload on the Ministry's portal under 'Circulars' & e-office Notice Board.

A handwritten signature in blue ink, consisting of a stylized 'Y' followed by a horizontal line and the word 'Tan' written below it.