

By Speed Post

GOVERNMENT OF INDIA
MINISTRY OF ROAD TRANSPORT & HIGHWAYS
(P-9 Zone)

No. RW/NH-12014/5/2010/SP(MP)/P-9

Dated 04th November, 2010**To,**

The Secretaries and Engineers-in-Chief/ Chief Engineers (National Highways), State Public Works Departments, Union Territories (dealing with National Highways); Director General (Works), Central Public Works Department; Director General Border Roads; Chairman, National Highways Authority of India; Regional Officers/ Engineer Liaison Officers of MoRT&H.

Sub: - Correction of Defects and Defect Liability Period under Standard Bidding Document – certain amendments regarding.

Sir,

It has been a cause of concern that some works completed under contracts as per Standard Bidding Document have shown signs of premature failures or damages. At times the defects appear slightly belatedly when the defect liability period is either over or about to be over. As a result, it becomes the liability of the Government to rectify the defects at its own cost and face criticism of accepting sub-standard work from the contractors. Keeping these in view, it has been decided to provide for a longer Defect Liability Period of 3 years in the contracts for National Highways, so that the defects appearing with a reasonable time are rectified at contractor's cost. This may cause the bids to be slightly higher than the usual, but will be a strong deterrent against indifferent quality of work.

2. Accordingly, the following amendments are carried out in the SBD:

Ref. No.	For	Read
Section 3, Conditions of Contract, Clause 1.1, Definitions, Page-39	The Contract is the contract between the Employer and the Contractor to execute, complete and maintain the Works. It consists of the documents listed in Clause 2.3 below.	The Contract is the contract between the Employer and the Contractor to execute, complete and maintain the Works till the completion of Defects Liability Period. It consists of the documents listed in Clause 2.3 below.

Section 4, Contract Data, Sl. No. 4, Page-62	The Defects Liability Period is 365 days from the date of completion.	The Defects Liability Period is three years from the date of completion.
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3. The above instruction may be brought to the notice of all concerned for immediate compliance for the works on National Highways of this Ministry and necessary amendments must be carried out in the SBD. This would be effective from the date of its issue.

4. This issues with the approval of the competent authority.

Yours faithfully,



(L.Behera)

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For DG(RD)&SS

Copy to:

1. All technical officers at the Headquarters;
2. Secretary General, Indian Roads Congress;
3. Director, NITHE;
4. PPS to Secretary(RT&H), Sr.PPS to DG(RD)&SS, PS to AS&FA, PS to ADG



(L.Behera)

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For DG(RD)&SS