



सत्यमेव जयते

भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)

National Highways Authority of India

(Ministry of Road Transport and Highways, Government of India)

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NHAI/Policy Guidelines/Consultancy /2023

Policy Circular No. 10.2.33/ 2023 dated 20th July, 2023

{Decision taken on E-Office File No. NHAI/11018/01/2008-PQ-Part(6) (Comp. No. 115853)}

Sub: Clarification regarding deductions from the monthly invoices for the consultancy agreement of AE/IE/SC in case of non-availability for 90% of stipulated time during the month.

Ref: (i) RFP issued vide MoRTH letter No.RW/NH-39011/30/2015-P&P (Pt-1) dated 15.02.2019

(ii) In continuation to NHAI Policy Circular No.10.2.32/2022 issued on dated 05/12/2022

The RFP document for IE/AE has been issued vide letter dated 15.02.2019 cited under ref (i), wherein Clause 6.2 of General Conditions of Contract specifies the provisions for deduction in the monthly payment on account of inadequate deployment of Key Personnel/Sub Professional.

2. Vide Policy Circular dated 05.12.2022 cited under ref. (ii), provisions relating to deduction in the monthly payment to Supervision Consultants, on account of inadequate deployment of key professional and sub professional as provided in standard RFP issued by Ministry vide letter dated 15.02.2019, were modified.

3. Some of the Consultants have represented that monthly payments are being deducted by some of the PIUs on account of inadequate deployment of Key Personnel/Other Key Personnel/Sub Professional on the gross/total amount of the bill, in case of Contracts based on standard document issued by Ministry vide letter dated 15.12.2019, whereas the same should be on the respective remunerative part/component of the bill as clarified/modified in the Policy Circular dated 05.12.2022.

4. The matter has been considered by the Competent Authority. It is clarified that the deduction in monthly payments on account of inadequate deployment of Key Personnel/Other Key Personnel/Sub Professional shall be applied on the respective remunerative part/component of Key Personnel/Other Key Personnel/Sub Professional of the bill as per rates provided in the Consultancy Contract and not on the gross/total amount of the bill.

Contd...2/-

5. The above clarification shall be applicable in the on-going consultancy contracts based on RFP issued by Ministry vide letter dated 15.02.2019 as on the date of issuance of this Policy Circular and shall not be applicable on the contracts which are closed/concluded.
6. This issues with the approval of Competent Authority.



20/07/23

(Sanjay Kumar Patel)
General Manager (Coord.)

To:

All Officers of NHAI HQ/ ROs/ PIUs/ CMUs/ Site Offices

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