



# भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय)

## National Highways Authority of India

(Ministry of Road Transport and Highways)

जी-5 एवं 6, सेक्टर-10, द्वारका, नई दिल्ली-110075  
G-5 & 6, Sector-10, Dwarka, New Delhi-110075

दूरभाष / Phone : 91-11-25074100/25074200

फैक्स / Fax : 91-11-25093507 / 25093514

Original

NHAI/J&K/Ramban-Banihal Pkg- II/2021/EPC

Date: 03.09.2021

To,

Ceigall India Limited  
Patel Engineering Limited (JV)  
A-898, Tagore Nagar  
Ludhiana, Punjab-141001

**Subject:** Construction of Four Laning of part of Ramban to Banihal Section of NH-1A (Now NH-44), from Ch.158+675 to Ch.164+660 (North Bound) and Ch.160+282 to Ch.163+368 (South Bound connecting with Existing Tunnel-T4) excluding Ch.161+544 to Ch.164+100 (North Bound) including construction of Twin Tube Tunnel (Package-II) in the UT of Jammu & Kashmir on EPC Mode- Letter of Acceptance (LOA)-Reg.

**Ref:** Your bid for the subject work dated 20.07.2021.

Sir,

This is to notify you that your Bid dated 20.07.2021 for execution of the Construction of Four Laning of part of Ramban to Banihal Section of NH-1A (Now NH-44), from Ch.158+675 to Ch.164+660 (North Bound) and Ch.160+282 to Ch.163+368 (South Bound connecting with Existing Tunnel-T4) excluding Ch.161+544 to Ch.164+100 (North Bound) including construction of Twin Tube Tunnel (Package-II) in the UT of Jammu & Kashmir on EPC Mode, at your quoted bid price amounting to Rs. 846.00 Cr. (Rupees Eight Hundred and Forty Six Crore only) has been determined to be the lowest evaluated bid and is substantially responsive and has been accepted.

2. You are requested to return a duplicate of the LOA as an acknowledgement and sign the Contract Agreement within the period prescribed in Clause 1.3 of the RFP.

3. You are also requested to furnish Performance Security for an amount of Rs. 25,38,00,000/- (Rupees Twenty Five Crore Thirty Eight Lakhs Only) and Additional Performance Security of Rs. 4,33,08,000/- (Rupees Four Crore Thirty Three Lakh Eight Thousand only) as per clause 2.21 of RFP within 30 (thirty) days of receipt of this Letter of Acceptance (LOA). In case of delay in submission of Performance Security, you may seek extension of time for a period not exceeding 60 (Sixty) days in accordance with Clause 2.21 of RFP.

Contd. ...2/-

4. In case of failure of submission of Performance Security, Additional Performance Security and Security against Damages (if any) within the additional 60 (Sixty) days time period, the award shall be deemed to be cancelled and bidder shall be suspended for participation in the tendering process for the works of MoRTH/NHAI/NHIDCL and works under other Centrally Sponsored Schemes for a period of 01 (One) Year from the bid due date of this work as per Clause 2.20.1 of the RFP.

5. In this regard it is important to mention here that one of the technically non-responsive bidder i.e. M/s C S Construction Company Private Limited - Altis-Holding Corporation (JV) filed writ in Hon'ble High Court of Delhi praying quashing NHAI letter dt. 19.08.2021 and also requested to consider their bid as responsive. In this regard, Hon'ble High Court under WP(C) No. 9058/2021 CM APPL 28186/2021, CM APPL 28187/2021 C S Construction Company Pvt. Ltd with Altis Holding Corporation (CSCCPL-ALTIS JV) v National Highways Authority of India has ordered that "In case the respondent proceeds with the opening of the financial bids of the technically qualified bidders as declared, and further awards the contract, the same shall be subject to further orders in the writ petition".

6. In view of above, the LOA is being issued, subject to further orders and outcome in the WP(C) No. 9058 of 2021. It is made clear that your acceptance to terms of the Letter of Award must be unconditional and the Authority will not be responsible for claim for damages/losses including but not limited to loss of profit that may arise on account of the final decision in the Writ Petition (C) No. 9058 of 2021.

Yours faithfully,

  
(Virender Sambyal)  
General Manager (T)JK/HP

Copy to: RO Jammu & PD PIU Ramban



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