

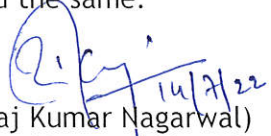
NHAI/HQ/MP/Ujjain-Garoth /IE/2021

Date: 14.07.2022

Meeting notice

Sub: Independent Engineer Services for (i) 4-laning of Chandesari to Khedakhajuriya (Ujjain-Garoth, Package-I) from Km. 0.00 to (-) 750 & Km 0+000 to km 41.400 section of NH-148NG in Madhya Pradesh on Hybrid Annuity Mode (ii) 4-laning of Khedakhajuria to Suhagadi (Ujjain Garoth, Package - II) from Km 41.400 to Km 89.200 section of NH-148NG in Madhya Pradesh on Hybrid Annuity Mode (iii) 4-laning of Suhagada to Bardiya Amra (Ujjain Garoth, Package - III) from Km 89+200 to Km 135.351 section of NH-148NG in MP on Hybrid Annuity Mode.

A meeting is to be held on 14.07.2022 at 12:30 PM for opening of Financial bids for the assignment cited under subject. It is requested to make it convenient to attend the same.


(Raj Kumar Nagarwal)
Manager (T) - MP

Copy to:-

(i)	Shri B.S.Yadav	-	GM (T) - MP	- Convener
(ii)	Shri Subhash Khurana	-	GM (F)	- Member
(iii)	Shri Ravinder	-	GM (T) -BM	- Member
(iv)	Shri Navin Kumar Chaurasia	-	GM (T) AP	- Member
(v)	Shri Raj Kumar Nagarwal	-	Manager (T)-MP	- Member
(vi)	NIC e-tender portal			

AND

- 2 M/s Mayi Ram Pyari Devi Highways Private Limited, a company incorporated under the provisions of the Companies Act, 2013 with CIN U45309JH2022PTC018702 and having its registered office at 702, 7TH Floor, Panchwati Plaza, Kutchery Road, Ranchi, Jharkhand India, 834001, (hereinafter referred to as the “Concessionaire” which expression shall, unless repugnant to the context or meaning thereof, include its successors and permitted assigns and substitutes) of the Other Part.

WHEREAS:

- (A) The Government of India had entrusted to the Authority the development, maintenance and management of **Rehabilitation, Up-gradation and Construction of Two Lane with paved Shoulder of Selected road stretches from Hatwaria near Umagaom Junction {Design Km 0.000} to Kaluahi {Design Km 21.609} (Section-I) NH-227L, Saharghat {Design Km 0.000} to Rahika {Design Km 26.130} (Section-II) NH-227J, Rahika{Design Km 0.00} to Rampatti {Design Km 15.000} Madubani Bypass (section-III) NH-527A & Bideshwarsthan {Design Km 0.00 0} to Bheja {Design Km 25.915} (section-IV) NH-527A, total length of 88.655 km under BRT Scheme Bharatmala Pariyojna Phase-I in the state of Bihar on Hybrid Annuity Mode** The Authority had resolved to **Rehabilitation, Up-gradation and Construction of Two Lane with paved Shoulder of Selected road stretches from Hatwaria near Umagaom Junction {Design Km 0.000} to Kaluahi {Design Km 21.609} (Section-I) NH-227L, Saharghat {Design Km 0.000} to Rahika {Design Km 26.130} (Section-II) NH-227J, Rahika{Design Km 0.00} to Rampatti {Design Km 15.000} Madubani Bypass (section-III) NH-527A & Bideshwarsthan {Design Km 0.00 0} to Bheja {Design Km 25.915} (section-IV) NH-527A, total length of 88.655 km under BRT Scheme Bharatmala Pariyojna Phase-I in the state of Bihar on HAM Mode** (approximately 88.655 km) by Two-Laning thereof (the “Project”) on design, build, operate and transfer (the “DBOT Annuity” or “Hybrid Annuity”) basis, which shall be partly financed by the Concessionaire who shall recover its investment and costs through payments to be made by the Authority, in accordance with the terms and conditions to be set forth in a concession agreement to be entered into.
- (B) The Authority had adopted a single stage two envelope bidding process and accordingly invited proposals by its Request for Proposals dated 25.01.2022 (the “**Request for Proposals**” or “**RFP**”) for qualification and short listing of bidders for construction, operation and maintenance of the above referred Project on Hybrid Annuity basis.
- (C) The Authority had prescribed the technical and commercial terms and conditions in the RFP, and invited bids comprising technical and financial bids from the bidders for undertaking the Project.



- (D) After evaluation of the bids received, the Authority had technically qualified certain bidders including, *inter alia*, **M/s Ram Kripal Singh Construction Pvt. Ltd.** the selected bidder and accepted the financial bid of the selected bidder and issued its Letter of Award No. **NHAI/HQ/Tech/BH/Umagaon-Saharsa/Pkg1/Section(i-iv)/2022/592** dated 31.03.2022 (hereinafter called the “LOA”) to the selected bidder requiring, *inter alia*, the execution of this Concession Agreement within 45 (forty five) days of the date of issue thereof.
- (E) The selected bidder has since promoted and incorporated the Concessionaire as a limited liability company under the Companies Act 2013, and has requested the Authority to accept the Concessionaire as the entity which shall undertake and perform the obligations and exercise the rights of the selected bidder under the LOA, including the obligation to enter into this Concession Agreement pursuant to the LOA for undertaking the Project.
- (F) By its letter dated 25.05.2022 the Concessionaire has also joined in the said request of the selected bidder to the Authority to accept it as the entity which shall undertake and perform the obligations and exercise the rights of the selected bidder including the obligation to enter into this Concession Agreement pursuant to the LOA. The Concessionaire has further represented to the effect that it has been promoted by the selected bidder for the purposes hereof and has delivered to the Authority a legal opinion with respect to the authority of the Concessionaire to enter into this Concession Agreement and the enforceability of the provisions thereof.
- (G) The Authority has agreed to the said request of the selected bidder and the Concessionaire, and has accordingly agreed to enter into this Concession Agreement with the Concessionaire for implementation of the Project on Hybrid Annuity basis, subject to and on the terms and conditions set forth hereinafter.

NOW, THEREFORE, in consideration of the foregoing and the respective covenants and agreements set forth in this Concession Agreement, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound hereby, the Parties agree as follows:



IN WITNESS WHEREOF THE PARTIES HAVE EXECUTED AND DELIVERED THIS AGREEMENT AS OF THE DAY, MONTH AND YEAR FIRST ABOVE WRITTEN.

SIGNED, SEALED AND DELIVERED
For and on behalf of THE AUTHORITY
by:



(Mr. Awadhesh Kumar)
General Manager (Tech.)
National Highways Authority of India
G-5 & 6, Sector 10, Dwarka
New Delhi – 110 075
Email id: awadheshkumar@nhai.org

SIGNED, SEALED AND DELIVERED For and
on behalf of THE Concessionaire by:



(Sudhir Kumar)
Director
M/s Mayi Ram Pyari Devi Highways Private
Limited
702, 7TH Floor, Panchwati Plaza, Kutchery
Road, Ranchi, Ranchi, Jharkhand India,
834001,
E-mail: rkscpl.org@rediffmail.com



In the presence of **Witnesses:**

1. Signature:

Name:

Address:



L.P. PADHY
CGM CT)

2. Signature:

Name:

Address:

In the presence of **Witnesses:**

1. Signature:

Name:

Address:



R.K. Gupta
Palam Vihar Gurgaon HR

2. Signature:

Name:

Address: