

NHA Executive Board's Confirmed Minutes
NATIONAL HIGHWAY AUTHORITY
CONFIRMED MINUTES

**450th Executive Board Meeting
Islamabad, December 16, 2023**

AGENDA ITEMS

<u>Agenda Item</u>	<u>Subject</u>
1.	Confirmation of Minutes of the 449 th NHA Executive Board Meeting Held on December 08, 2023
2.	Approval of Cost Estimate for Periodic Maintenance (Functional Overlay) from Km 14+000 – 29+000 (NBC) & Km 12+500 – 44+000 (SBC) on IMDC N-75
3.	Approval for Issuance of Termination Notice and Encashment of Bank Guarantee (Financial Close Bond): Construction of Hyderabad-Sukkur Motorway (M-6) Project on BOT Basis
4.	Amicable Settlement: Dispute Board Regarding Construction of Hasan Abdal Havelian Expressway (E-35) Contract No. ICB-E-35-II: Jharikad to Sarai Saleh (Km 20+400 to Km 39+611)
5.	Amicable Settlement: Dispute Board Regarding Flood Emergency Reconstruction Project, Loan No.2742-Pak: Contract No.NCB-01 Rehabilitation of Existing Chakdara Bridge and Construction of New Bridge (FERP) at KM 88+000 N-45
6.	Construction of Peshawar Northern Bypass Project (Package – IIIB): Resumption of Work in Compliance to Arbitration Award on Dispute No. 1 & 2 and Decision of the Learned District Judge (West) Islamabad
7.	Approval of Addendum No.2 for Construction Supervision of Periodic Maintenance Works on Motorway M-1 under Annual Maintenance Plan (2017-18) in favour of M/s PAVRON
8.	Dualization of Indus Highway (N-55), Package-II; Karak-Kohat: Approval of Addendum No.02 for Construction Supervision Contract of Dualization of Indus Highway (N-55), Package-II; Karak-Kohat (Km 60+846 Km 127+349), Awarded to M/s Zeeruk-M/s Kasib (JV)
9.	Rehabilitation/Reconstruction of Alpuri-Besham Section of National Highway (N-90) in District Shangla-KPK from KM 00+000 to KM 33+502: Approval of Consultancy Services Agreement Addendum-5 of M/s Associated Consulting Engineers-ACE (Pvt) Ltd
10.	Up-gradation, Widening & Improvement of Jaglot-Skardu (S-I) road (164 KM) on EPC/Turnkey Mode: Addendum No.2 to the Consultancy Agreement for Consultancy Services as Assistant to Employer's Representative (AER)
11.	Request for Approval of Additional Amount Under GOP / RMA for Rehabilitation and Improvement of Balkassar-Mianwali Road (N-130) & Mianwali-Muzaffargarh Road (N-135)
12.	Clarification with regards to Decision Made in 406 th National Highway Executive Board Meeting Against Merged Agenda Item 2&3
Addl-I	Construction of Sialkot-Kharian Motorway Project on BOT Basis-Renegotiations of PPP Agreement
Addl-II	2 nd Revised PC-I for Additional Carriageway Torkham-Jalalabad Road Project (74.676 Km)
Addl-III	Report of Constituted Committee Regarding Approval of Premium on Selected Items of CSR-2022 for RMA Works

NHA Executive Board's Confirmed Minutes**NATIONAL HIGHWAY AUTHORITY****CONFIRMED MINUTES**

Subject: **The 450th Meeting of the NHA Executive Board Held on December 16, 2023 at Islamabad**

Introduction

The 450th meeting of the National Highway Authority Executive Board was held at 1000 hours on December 16, 2023 (Saturday) at the Auditorium of NHA Headquarters, Islamabad. Mr. Arshad Majeed Mohmand, Chairman, NHA presided over the meeting.

The meeting commenced with recitation of verses from the Holy Quran with Urdu translation and Darood Sharif.

Opening Remarks

The Chairman extended warm welcome to the participants of the meeting. He thanked the Board Members for sparing their precious time on holiday to discuss important agenda items.

The Chairman allowed Secretary, NHA to start formal Board proceedings on the agenda.

Formal Board Proceedings**Agenda Items**

The Secretary, NHA apprised the Board that agenda consists of twelve (12) items. He further apprised that following agenda items will be tabled with the permission of Board:

- A-I. Construction of Sialkot-Kharian Motorway Project on BOT Basis-Renegotiations of PPP Agreement.
- A-II. 2nd Revised PC-I for Additional Carriageway Torkham-Jalalabad Road Project (74.676 Km).
- A-III. Report of Constituted of Committee Regarding Approval of Premium on Selected Items of CSR - 2022 for RMA Works.

NHA Executive Board's Confirmed Minutes**Agenda Item 1****Confirmation of Minutes of the 449th NHA Executive Board Meeting Held on December 08, 2023****Decision**

The NHA Executive Board unanimously confirmed minutes of the 449th Executive Board meeting held on December 14, 2023 (including Para-4.2).

Action By : Secretary, NHA

Agenda Item 2**Approval of Cost Estimate for Periodic Maintenance (Functional Overlay) from Km 14+000 – 29+000 (NBC) & Km 12+500 – 44+000 (SBC) on IMDC N-75****Decision**

The NHA Executive Board approved cost estimate amounting Rs.763,315,110.96 based on CSR-2022 for Functional Overlay from Km 14+000 - 29+000 (NBC) and Km 12+500 - 44+000 (SBC) on IMDC N-75 from Special Maintenance Head of up-coming AMP 2024-25.

The Board also allowed procurement of works through direct contracting with state owned entities under PPRA Rule-42(f) due to urgency of work.

Action By Member (Engg. Coord)

Agenda Item 3**Approval for Issuance of Termination Notice and Encashment of Bank Guarantee (Financial Close Bond): Construction of Hyderabad-Sukkur Motorway (M-6) Project on BOT Basis****Decision**

The NHA Executive Board approved the following:

- a. Disallow further one-month Extension of Time to Concessionaire M/s TECMC (Pvt) Ltd. for achievement of Financial Close.

NHA Executive Board's Confirmed Minutes

- b. Issue "Termination Notice attached as DFA, duly reviewed by NHA's legal counsel, to the Concessionaire M/s TECMC (Pvt) Ltd. for Hyderabad-Sukkur Motorway (M-6).
- c. En-cash Bank Guarantee (Financial Close Bond) amounting to Rs. 150 Million for Hyderabad-Sukkur Motorway (M-6).

Action By Member (PPP)

Agenda Item 4

Amicable Settlement: Dispute Board Regarding Construction of Hasan Abdal Havelian Expressway (E-35) Contract No. ICB-E-35-II: Jharikad to Sarai Saleh (Km 20+400 to Km 39+611)

Agenda Item 5

Amicable Settlement: Dispute Board Regarding Flood Emergency Reconstruction Project, Loan No.2742-Pak: Contract No.NCB-01 Rehabilitation of Existing Chakdara Bridge and Construction of New Bridge (FERP) at KM 88+000 N-45

The subject agenda items were not discussed due to paucity of time.

Action By Secretary NHA

Agenda Item 6

Construction of Peshawar Northern Bypass Project (Package - IIIB): Resumption of Work in Compliance to Arbitration Award on Dispute No. 1 & 2 and Decision of the Learned District Judge (West) Islamabad

Decision

The NHA Executive Board approved the following:

- a. Approval for proceeding as per the arbitration award /rule of the court vide orders dated July 22, 2023 by the Addl. District Judge-IX WEST Islamabad for resumption of the work on contract Package-3B.
- b. Approval for signing of revival agreement/amendment in the contract with M/s Reliable-Al Mahreen (JV) for fixing/

NHA Executive Board's Confirmed Minutes

updating of start and completion dates for project completion.

- c. Approval for Payment of Rs.552,206,937/- as per arbitration award on account of contractor's claims.

Action By Member (North Zone)

Agenda Item 7

Approval of Addendum No.2 for Construction Supervision of Periodic Maintenance Works on Motorway M-1 under Annual Maintenance Plan (2017-18) in favour of M/s PAVRON

Agenda Item 8

Dualization of Indus Highway (N-55), Package-II; Karak-Kohat: Approval of Addendum No.02 for Construction Supervision Contract of Dualization of Indus Highway (N-55), Package-II; Karak-Kohat (Km 60+846 Km 127+349), Awarded to M/s Zeeruk-M/s Kasib (JV)

Agenda Item 9

Rehabilitation/Reconstruction of Alpuri-Besham Section of National Highway (N-90) in District Shangla-KPK from KM 00+000 to KM 33+502: Approval of Consultancy Services Agreement Addendum-5 of M/s Associated Consulting Engineers-ACE (Pvt) Ltd

Agenda Item 10

Up-gradation, Widening & Improvement of Jaglot-Skardu (S-I) road (164 KM) on EPC/Turnkey Mode: Addendum No.2 to the Consultancy Agreement for Consultancy Services as Assistant to Employer's Representative (AER)

Agenda Item 11

Request for Approval of Additional Amount Under GOP / RMA for Rehabilitation and Improvement of Balkassar-Mianwali Road (N-130) & Mianwali-Muzaffargarh Road (N-135)

Agenda Item 12

Clarification with regards to Decision Made in 406th National Highway Executive Board Meeting Against Merged Agenda Item 2&3

The subject agenda items were not discussed due to paucity of time.

Action By Secretary NHA

Additional Agenda Item-I

**Construction of Sialkot-Kharian Motorway Project on BOT Basis-
Renegotiations of PPP Agreement**

Decision

The NHA Executive Board approved the following based on the recommendation by Independent Engineer (IE) and Independent Auditor (IA):

- a. Forwarding the case to Public Private Partnership Authority (P3A) for taking appropriate decision on the request of Concessionaire for renegotiation of PPP Agreement signed on 13th September, 2021 for Construction of Sialkot-Kharian Motorway, under P3A Act Section 8-2(b).
- b. In case P3A allow renegotiations, the following renegotiation committee will carry out renegotiations with Concessionaire M/s SKIM (Pvt) Ltd:

Chairman/Convener	Member (Central Zone)
Member I	Member (PPP)
Member II	GM (PPP)
Member III/Secretary	GM (SKM)
Member IV	GM (Finance)
Member V	GM (Design)
Member VI	Director (Legal)
Member VII	Director (PPP)
Member VIII	Director (DRC)

The NHA Executive Board directed that subsequent to approval of renegotiation from P3A Board, the renegotiation committee will submit its recommendations for consideration of the Board before further onward submission to the quarters concerned.

Action By Member (PPP)

Additional Agenda Item-II**2nd Revised PC-I for Additional Carriageway Torkham-Jalalabad Road Project (74.676 Km)****Decision**

The NHA Executive Board recommended the 2nd Revised PC-I (2023) of Additional Carriageway Torkham - Jalalabad Road Project (74.676 Km) at a cost of Rs.17,140,621,703.000 Million for approval of CDWP/ECNEC.

Action By Member (North Zone)

Additional Agenda Item-III**Report of Constituted Committee Regarding Approval of Premium on Selected Items of CSR-2022 for RMA Works****Decision**

The NHA Executive Board approved the following on the recommendations of the Committee:

- a. Application of an overall premium of 70% on CSR-2022 rates for the purposes of the evaluation of financial Bids of all RMA Periodic Maintenance and Structure Works on all the Works whose financial bids have already been received; and
- b. Application of premium on all new RMA Works will be taken up with Executive Board for decision in case CSR-2023 not approved in future.

Action By Member (Engg. Coord)

Conclusion

The Chairman wrapped up the meeting by thanking the Board Members for their active participation and useful input.
