

NHA Executive Board's Confirmed Minutes

NATIONAL HIGHWAY AUTHORITY

CONFIRMED MINUTES

**456th Executive Board Meeting
Islamabad, February 22, 2024**

AGENDA ITEMS

<u>Agenda Item</u>	<u>Subject</u>
1.	Confirmation of Minutes of the 455 th NHA Executive Board Meeting Held on February 15, 2024
2.	Emergency Flood Assistance Project (EFAP) Package-6: Rehabilitation & Reconstruction of N-5 from Moro to Ranipur LOT-1 Moro – Bhiria (NBC & SBC) (Km 318- Km 360) LOT-2: Bhiria – Ranipur (NBC & SBC) (Km 360-Km 404)
3.	Award of Work for Construction of an Interchange at (M-3) Abdul Hakim Motorway at Essan, Sharaqpur District Sheikhpura, 20 Km from M-2
4.	Progress of the Case: ICSID Arbitration (ICSID) Case No ARB/21/48 case of Bayinder Insaat Turizm Ticaret ve Sanayi A.S vs Islamic Republic of Pakistan (M-1 Project)
Add'l	Enhancement of BPS-21 Engineer Cadre Seats In National Highway Authority Organogram
	Conclusion

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Subject: **The 456th Meeting of the NHA Executive Board Held on February 22, 2024 at Islamabad**

Introduction

The 456th meeting of the National Highway Authority Executive Board was held at 1100 hours on February 22, 2024 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.

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

Formal Board Proceedings**Agenda Items**

The Secretary, NHA apprised that agenda consists of four (04) items. He further apprised that agenda item regarding "Enhancement of BPS-21 Engineer Cadre Seats in National Highway Authority Organogram" will be tabled with the permission of Board.

Agenda Item 1

Confirmation of Minutes of the 455th NHA Executive Board Meeting Held on February 15, 2024

Decision

4.2. The NHA Executive Board unanimously confirmed minutes of the 455th NHA Executive Board meeting held on February 15, 2024.

Action By : Secretary, NHA

Agenda Item 2

**Emergency Flood Assistance Project (EFAP) Package-6:
Rehabilitation & Reconstruction of N-5 from Moro to Ranipur
LOT-1 Moro – Bhiria (NBC & SBC) (Km 318- Km 360) LOT-2:
Bhiria – Ranipur (NBC & SBC) (Km 360-Km 404)**

Decision

The NHA Executive Board approved the award of following works and allowed issuance of Letter of Acceptance (LOA) to the successful bidder, however, contract signing with successful bidder will be subject to substantiation of Foreign Currency Component by the Bidder and completion of all other codal formalities:

- a. EFAP/NHA/CW-06: PACKAGE-6. Rehabilitation and Reconstruction of N-5 from MORO to RANIPUR [Km 318 – 404 (NBC / SBC)]: Lot-1: Moro – Bhiria (NBC & SBC) (Km 318 ~ Km 360) to M/s China Railway Sixth Group Co. Ltd at the Lowest Evaluated Bid Price of PKR 17,822,386,190.00, (Pak Rupees seventeen billion, eight hundred twenty-two million, three hundred eighty-six thousand, one hundred & ninety only), which is 41.43% above the Engineer's Estimate based on NHA CSR 2022, along with 25% Foreign Currency requirement.
- b. EFAP/NHA/CW-06: PACKAGE-6. Rehabilitation and Reconstruction of N-5 from MORO TO RANIPUR [KM 318 – 404 (NBC / SBC)]: Lot-2: Bhiria – Ranipur (NBC & SBC) (Km 360 - Km 404) to M/s China Railway Sixth Group Co. Ltd at the Lowest Evaluated Bid Price of PKR 19,631,535,883.39 (Pak Rupees nineteen billion, six hundred thirty-one million, five hundred thirty-five thousand, eight hundred & eighty-three only), which is 37.57% above the Engineer's Estimate based on NHA CSR 2022 along with 25% Foreign Currency requirement.

Action by

Member (Planning)

Agenda Item 3**Award of Work for Construction of an Interchange at (M-3) Abdul Hakim Motorway at Essan, Sharaqpur District Sheikhupura, 20 Km from M-2**

The subject agenda item was withdrawn on the request of Member concerned.

Action by Member (Planning)

Agenda Item 4**Progress of the Case: ICSID Arbitration (ICSID) Case No ARB/21/48 case of Bayinder Insaat Turizm Ticaret ve Sanayi A.S vs Islamic Republic of Pakistan (M-1 Project)**

The Director (DRC) briefed the Board about the updated status of the case regarding ICSID Arbitration (ICSID) Case No ARB/21/48 case of Bayinder Insaat Turizm Ticaret ve Sanayi A.S vs Islamic Republic of Pakistan (M-1 Project) as under:

- a. Pakistan's Foreign Counsel, M/s Reed Smith LLP, on behalf of Islamic Republic of Pakistan (Respondent) submitted the Counter Memorial on Jurisdiction and Merits on April 3, 2023.
- b. At the request of the Attorney General of Pakistan, the National Highway Authority (NHA) has diligently provided almost all the requisite documents to the Pakistan's Foreign Counsel, M/s Reedsmith LLP, for onward submission to ICSID Tribunal.
- c. M/s Bayindir (Claimant) has submitted its Reply on Jurisdiction and Liability on September 25, 2023.
- d. Islamic Republic of Pakistan (Respondent) Rejoinder on Jurisdiction and Liability was submitted on February 19, 2024.
- e. Hearing on Jurisdiction and Liability is expected around May, 2024.

Expenditures. Till to date, NHA has paid an amount of USD 1.37 Million (approximately) from its NHA's account maintained at HBL, Istanbul Turkey. This includes ICSID Tribunal Fee of USD 150,000 and USD 1,226,013.78 against invoices of Pakistan's Foreign Counsel M/s Reedsmith LLP, including Barristers and Experts Fee.

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Action by Member (Engg. Coord)

Additional Agenda Item

Enhancement of BPS-21 Engineer Cadre Seats In National Highway Authority Organogram

Decision

8.5. The NHA Executive Board recommended the creation/re-naming of positions of following Members (Engineering, BS-21) with their Job Description/ nomenclature for approval of National Highway Council (NHC):

<u>Sr.</u>	<u>Post</u>	<u>Status</u>	<u>Jurisdiction/JDs</u>
1.	Member (Foreign Aided Projects) at HQs	Already recommended by Board in its 451 st meeting held on December 22, 2023 for creation.	Administrative head, dealing with all foreign funded projects pertaining to World Bank, Asian Development Bank, JICA etc.
2.	Member (Public Private Partnership) at HQs	To be Created	Administrative head dealing with Planning & Procurement of PPP Projects.
3.	Member (Khyber Pakhtunkhwa) at Peshawar	To be Re-Named	Administrative Head of operations, Maintenance and construction activities in Khyber Pakhtunkhwa Province including Motorway M-1.
4.	Member (Northern Areas/GB/AJ&K) at Abbottabad	To be Created	Administrative Head of operations, Maintenance and construction activities in Northern Areas, Gilgit Baltistan & Azad Jammu & Kashmir.
5.	Member (Balochistan-North) at Quetta	To be Re-Named	Administrative Head of Operations, Maintenance and Construction activities in Balochistan North & East (approved region).
6.	Member (Balochistan - South) at Khuzdar	To be Created	Administrative Head of Operations, Maintenance and construction activities in Balochistan, South & West
7.	Member (Monitoring & Inspection) at HQs	To be Created	Administrative Head for dealing with Inspection, Handing - Taking and finalization of quality issues related to projects completed through different financial resources including RMA Works along-with dealing with matters pertaining to different Inquires to be conducted within the department.
8.	Member (Punjab) at	To be Re-Named	Administrative Head of

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Sr.	Post	Status	Jurisdiction/JDs
	Lahore		Operations, Maintenance and Construction activities in Punjab Province.
9.	Member (Sindh) at Karachi	To be Re-Named	Administrative Head of Operations, Maintenance and Construction activities in Sindh Province.

Action by Member (Engg. Coord) /Member (Admn)

Conclusion

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