

SPECIAL CONDITIONS AND SPECIFICATION OF CONTRACT

1.0 CONDITIONS IN GENERAL: -

1.1 Before submitting the tender, the tenderers are required to satisfy themselves by actual inspection of site and locality of the work and that all the conditions liable to be encountered during the course of execution of works are taken into account and the rates entered in tender schedule are adequate and all inclusive for completion of the works to the entire satisfaction of the Engineer.

1.2 Unless otherwise specified in the Special Conditions, all the tools, plants and machinery and equipment's shall be arranged by the contractor as are necessary for execution of the work.

1.3 Housing accommodation and watering facilities for Contractor's labour will have to be arranged by the contractor. Cess and Water charges will be recovered from contractor's bills as per extant rules.

1.4 Work should be done under traffic block/speed restriction as necessary, which shall be arranged by the Engineer's representative at site.

1.5 Except otherwise required, all works under TSR such as lifting of track, sleeper renewal etc. will be executed under caution order which will be imposed by the sectional PWIs as per necessity. Caution watchman as necessary during day and night would be arranged by Railway free of cost.

1.6 Safeguard of materials released from track and new material as handed over to the contractor from PWIs depot/Stores shall be the contractor's responsibility and his / their responsibility shall cease only when:- (i) Sorting and stacking in lots is completed in the PWI's depot or any other place as directed and verified by the PWI / Stock holder and material is handed over back to the PWI / stock holder against a proper Hand Receipt (HR).

(ii) Laying of new materials in track is completed and surplus materials are handed over to the PWI/Stockholder at his stores/depot against a proper HR.

1.7 Before removal of sleepers or any other P. Way materials, a joint inventory should be prepared by contractor along with PWI in charge of the work for particular strip where work will be taken in hand within short period showing details of existing track and nature of replacement showing exact quantity of the requirement of new materials for replacement and released materials. The inventory with contractor's authorised representative should be prepared well in advance before starting the work and recorded in a register to be kept with PWI in charge.

1.8 In case of any loss, damage, or shortage to any materials (either released or new) from the custody of contractor, recovery will be made from the contractor's bills as per prevailing rates of disposal/procurement of such items by the Railway, depending upon the released or new materials as the case may be.

1.9 Loading and unloading of materials would be done in safe manner as per direction of Railway Officials. It shall be ensured that at no point of time the dismantled materials infringe the track. Immediate and prompt action shall be taken by the contractor in stacking the material at a safe distance from the track in suitable place.

1.10 Whenever a train is to be passed during the progress of work, immediate on hearing the whistle from the lookout man, the site should be kept free from man and tools by the contractor after making necessary arrangements for safe passage

of the train including insertions of wooden blocks, where necessary, as per direction of the Railway's representative at site and resume the work again as soon as the train passes. The contractor shall deploy the lookout man for this purpose. The Railway shall give wooden blocks for deep screening works from PWI's store or any other stations. The contractor shall make his own arrangement for carting of the wooden blocks from the store/ station to the site of work & nothing extra shall be paid. The wooden blocks shall be handed over to the Railway at the store of the PWI after completion of the work to the PWI.

1.11 Observation of bonded labour system (Abolition) Ordinance –1975:- The contractor shall have to observe the provision of bonded labour system (Abolition) Ordinance –1975.

1.12 Contractor shall ensure the all-P. Way materials are properly used and no damage is done to P. Way materials new or released. In the event of any damage to P. Way materials contractor shall be responsible for damage.

1.13 Contractor shall be responsible for proper maintenance of track within the restricted portion of length of track. Restriction will only be removed when track is fully maintained by contractor up to specification and satisfaction of the Engineer's representative in Charge at site, for 30 KMPH & 45 KMPH.

1.14 Before commencement of the work, contractor along with his supervisors and labour should get clear "Know how" of the work from the Railway Officials to avoid confusion during the progress of work.

1.15 The entire work is to be done in workman like manner and the track shall be handed over to Railway for maintenance after completion of work.

1.16 Safe Working Methods: - All or some of the works executed under this contract involves works on or alongside the Railway track on which the Railway Traffic is kept operative during or immediately after the completion of one or more phases of the contract. In view of the position, maintaining safe working conditions at work site at all times for the safe passage of the Railway traffic is a primary & over riding condition required to be fulfilled by the contractor at all time. For this purpose, it is understood and agreed to by the contractor that the work executed by him under this contract shall at all times fulfil all the safety conditions in force on the Railway from time to time to operate the Railway Traffic.

1.17 Instructions/directive of the Engineer's representative: - The contractor shall at all times, execute the contract work only in the presence of and under the supervision of Engineer's representative of a Railway Employee specially appointed on his behalf. No work under the contract shall, therefore, be commenced by contractor without the permission of Engineer's representative.

(i). The contractor shall always execute the work under contract in strict compliance with the instructions or directive by the Engineer's representative of Railway. Act of non-compliance with the instructions, directives issued by the Engineer's representative shall be considered as a default of the contractor and the Railway shall be free to take further appropriate action as provided in the contract for dealing with such default of the contractor. The decision of the Engineer's representative where there has been an act of non-compliance with the instructions/directives of the Engineer's representative for the purpose of this clause shall be final and conclusive.

(ii). The instructions/directives by the Engineer's representative shall not however, absolve the contractor of his responsibility or reduce his responsibility in any manner whatsoever regarding maintaining the safe working condition at the work site.

1.18 Protection at the work site: -

(i) On Railway Track where the train traffic will be operational during the execution of the contract work, the protection of the work site as considered appropriate and adequate shall be arranged by the Engineer's representative at the Railway's cost. Flagman will be given by Railway on Speed Restriction of 20 KMPH. Notwithstanding the aforesaid mentioned protection at the work site provided the Engineer's representative, the contractor shall be responsible for providing appropriate and adequate system of warning the contractor's workmen about the train traffic on or in the vicinity of the site of work. The decision of Engineer's representative whether the facilities provided by the contractor in this regard are appropriate and adequate or not shall be final and conclusive.

1.19 Non-Compliance with the instructions/directive of the Engineer's representative:

- (a) The contractor shall always comply with the instructions/directive issued by the Engineer's representative from time to time. In the event of any non-compliance with such instructions/directives apart from and in addition to other remedies available to the Railway as specified herein above, the Engineer's representative may employ at the work site the Railway workman with necessary equipment's as considered appropriate and adequate by him to provide the requisite condition for the safe and unhampered movement of Railway traffic. The decision of the Engineer's representative in regard to the need, appropriate and adequacy of the deployment of the Railway workmen with necessary equipment's shall be final and conclusive.

(b) When the workman with necessary equipment's is deployed in the above manner, recovery at the following rates shall be made from the contractor's dues under this contract or any other money of the contract available with the Railway under this contract or any other contract. The recovery for the total workmen hours employed at the work site for the above purpose shall be made at the rate of Rs. 30/- (Rupees Thirty Only) per workman hours irrespective of the type and grade of the Railway employee actually employed. The aggregate period of the workmen hours for the above recoveries shall be reckoned from time the Railway workman is actually deployed at the site till the work is completed to the satisfaction of the Engineer's representative, whose decision in this regard shall be final and conclusive. The decision of the Engineer in charge shall be final and binding on the contractor.

(c) If the contractor does not comply with the instructions, directives of the Engineer's representative, as part from an in addition to the remedies available to Railway as specified herein above without prejudice to the Railway's right in this regard, the Engineer's representative, which for the purpose of this clause shall exclude suspended the contractor work till the Engineer's representative is satisfied that the contractor is in a position/will comply with the instructions/directives issued by the Engineer's representative.

(d) Similarly, if the contractor fails to transport the material, the Railway, if it so desires, shall deploy its own transport means for carrying out the necessary transportation and in addition to the labour deployed for which deduction shall be made at the rate of Rs. 30/- per man hour, deduction at the rate of Rs. 10/- per

tonne per Km. for lead up to 30Kms. and at the rate of Rs. 5/- per tonne per Km. for lead beyond 30Kms shall be made.

(e) The decision of Engineers' representative in this regard shall be final and conclusive. The Contractor shall not have any claim whatsoever against the Railway for such a short terms/long terms suspension of the contacted work.

(f) During the above-mentioned period of suspension of work, the contractor shall not in any manner attempt to carry out any work at the work site. Any such attempt of the contractor shall than be liable for further appropriate action under the relevant provision of Indian Railway Act.

1.20 Contractor shall not start any work without the personal presence of the PWI at site. In case the contractor's representative starts any work in absence of PWI, it shall be treated as unauthorized and illegal tampering with track and shall be liable for action under the Indian Railway Act.

1.21 Penalties shall be imposed in case there is an accident, negligence, careless, oversight etc. for which the contractor is responsible, and contractor shall have to pay such amounts as determined by the Engineer in charge at site and to be recoverable from the contractor's due.

1.22 Railway administration reserves the right to terminate the contract with immediate effect if the contractor is found responsible for the accident without giving any further notice to the contractor.

1.23 Speed Restriction and disconnection: -

(i) Necessary speed restrictions will be imposed by PWI in charge of the work for execution of through Sleeper Renewal of girder bridges sleeper, points and X-ing sleepers, deep screening, lifting, re-alignment of curves etc.

(ii) Contractor after ensuring that speed restriction is imposed where he must do the work, should progress with the work in a systematic manner keeping in view the speed restriction will be for minimum period and should be utilised in most progressive manner for which before starting the work, the contractor in consultation with Railway representative should check out the programme date wise and operation wise. Any delay on account of contractor's negligence will be taken up seriously and necessary action will be taken as per GCC and extant rules which may amount to termination of the contract and awarding the same to other contractor. Signal-man as necessary during day and night will be arranged by Railway free.

1.24 Safety Hazards: -

(i) The work should be done in the presence of the authorized Railway supervisor not less than rank of an PWI.

(ii) No work should be carried out during rains and foggy weather or when working conditions do not permit.

(iii) He should ensure for providing sufficient number of technical supervisors including retired PWI having sufficient experience constantly during the progress of work at site.

(iv) The contractor will ensure that no obstructions are caused which may endanger to safety of track while working at site. Any loss caused to Railways due to negligence of the contractor will be recoverable from the contractor, as decided by the Railway Administration.

(v) The work will be done during speed restriction as and when imposed. No compensation will be payable for idling of the labour and machines.

1.25 Safety at work site:

1.1 Before permitting the execution of certain works like earth work, supply of ballast for new or existing rail line, gauge conversation or laying of concrete sleepers and rails etc. where it is necessary to used road vehicle/machinery, Open lines Engineering –in charge (ADEN/DEN) of the section shall ensure that he receives the prior intimation/Confirmation of the following aspects from Assistant Engineer/Assistant Officer in charge of the work of the executing agency i.e. construction, electrification, S&T etc.

1.1.1 Name & address of the contractor assigned to execute the work.

1.1.2 Contractor's list of the number(s) of individual vehicle(s) names and license particulars of the driver(s) proposed to be used.

1.1.3 Information regarding location, during & timings during which the vehicles are planned to be plied.

1.1.4 Training to supervisor/staff of contractor shall be done by Civil Engineering Skill Development Centre (CESDC) near Minto Bridge, New Delhi or Competency certificate to be issued by Assistant Engineer in charge of site.

1.1.5 Survey of site by supervisor of contractor & Railway's supervisor to assess the precautions to be taken at site for working of trains and material required for protection.

1.1.6 Draw and advice to sectional ADEN/SSE (P. Way) & SSE (Works) about the detailed planning of work including protection of track and safety measures proposed to be adopted.

1.2 Information as indicated in item 1.1.2 to 1.1.6 shall be obtained from contractor prior to the start of the work if the work is directly supervised by open line.

1.3 Sectional Sr. DEN/ADEN should know the names of supervisors of contractor's who are going to be In-Charge/ In-Charge of work site.

1.4 Before the start of work, the land strip adjacent to running track where road vehicle/machinery is to ply for the work shall be demarcated by line in advance at the appropriate distance from the center of existing track in consultation with railway supervisor.

1.5 Barricading as per the design shall be provided in full length at work area along the track at specified distances.

1.6 The work site shall be suitable demarcated to keep public and passengers away from work area. Necessary signage boards such as 'Work in progress' etc. shall be provided an appropriate location to warn the public/passengers.

2.0 Measures to be ensured during the execution of the work.

2.1 Contractor has deputed trained supervisors at work sites duly certified by ADEN/ In charge of the work.

2.2 Drivers of vehicle have been briefed about the safety and precautions to be taken while moving/working close to traffic.

2.3 The contractor shall not allow any road vehicle belonging to him or his suppliers etc. ply within 6 meters of centre of running line without presence of Railway supervisor.

2.4 Contractor shall use road vehicles Only between Sunrise and Sunset. In case of emergency where it is necessary to work during night hours, sufficient lighting shall

be ensured in the complete work area for the safety of public and passengers. Also, additional staff shall be posted as necessary for night working.

2.5 Wherever provided the engineering indicator boards shall be as per the provisions of P. way manual.

2.6 Contractor shall ensure that road vehicle/machinery ply in a way so that these do not infringe the line of demarcation.

2.7 Look Out man shall be posted where necessary.

2.8 In unusual circumstances, where operator apprehends infringement to track while working truck/machinery near running track, following action shall be taken.

a) The contractor/supervisor/vehicle operator immediately advises the situation to railway official and assists him in protecting the track.

b) Protection shall be done as done for other emergencies.

2.9 Individual vehicle/machinery shall not be left unattended at site of work. If it is unavoidable and becomes necessary to stable the road vehicle/ machinery at plant near running track, these shall be properly secured against any possible roll-off and always be manned even during non-working hours.

2.10 All temporary/ arrangement required to be made during execution of work shall be made in such a manner that moving dimension do not infringe. Necessary checks shall be exercised by site in charge from time to time.

2.11 In case, work has been planned to be done within 6 M of centre of track but at more than 3.5 M it shall be ensured that.

2.12 Necessary precautions for protection of track have been taken and caution order issued to trains.

2.13 Look out man has been posted along the track at a distance of 800 M from the location of work with red flag and whistle to warn the road vehicles regarding approaching trains.

2.14 In case, work is planned to be done within 3.5M of centre line of running track, it shall be ensured that the work is done under block protection only and necessary safety precautions for protection as per Para No. 806 and 807 of IRPWM 2024 are taken.

2.15 While digging in station area, if any cable is found, digging should be stopped and concerned signalling/electrical staff should be informed immediately.

2.16 Mobile phones or Walkie Talkie sets where necessary should be provided at works sites.

3.0 Precaution required to be taken during execution of work requiring traffic blocks.

3.1 Any work, when infringes the moving dimensions, shall be started only after the traffic block has been imposed and track protected.

3.2 At locations where night working is unavoidable, proper lighting arrangement should be made.

3.3 Before closing the work the track shall be left with the proper track geometry so that the trains run safety.

3.4 After completion of work, the released sleepers and fittings should be properly stacked from the track to be kept clear of moving dimensions.

3.5 Block shall be removed only when all the temporary arrangement machineries, tools, plant etc. have been kept clear of moving dimensions.

4.0 Stacking of material along railway track

4.1 The sites for material stacking shall be selected in advance ensuring that no part of the stacked material would infringe the standard Moving dimensions. A plan of

proposed stacking locations be made and signed jointly by an authorized Railway's representative and contractor's representative.

4.2 The selected location shall be marked by lime in advance.

4.3 Presence of an authorized railways representative unloading and stacking shall be ensured.

4.4 The material shall be stacked such a height, which will not cause infringement to SOD in case of accidental roll off.

5.0 Safety aspects to be observed while working in OHE area.

5.1 No electrical work close to running track shall be carried out without permission of railway representative.

5.2 A minimum distance of 2m has to be maintained between live OHE wire and body part of worker or tool of metallic support etc.

5.3 No electric connection etc. can be tapped from OHE

5.4 Authorized OHE staff should invariably be present when the relaying work or any major work is carried out,

5.5 Power block is correctly taken and 'Permit to work' is issued.

5.6 The structure bonds, track bonds cross bonds, longitudinal rail bonds are not disturbed and if disconnected for the work they are reconnected properly when the work is completed.

5.7 The track level is not raised beyond the permissible limit during the work.

Note: For items of barricading, Sign Board like "work in progress" walkie - Talkie sets, mobile phones, look out man etc., suitable **provision may be incorporated in the tender conditions as per site requirement.**

As per Para 819 of IRPWM-2024 to read as under: -

819. Safe Working of Contractors— A large number of men and machinery are deployed by the contractors for track renewals, gauge conversions, doublings, bridge rebuilding etc. It is therefore essential that adequate safety measures are taken for safety of the trains as well as the work force. The following measures should invariably be adopted:

(i) The contractor shall not start any work without the presence of railway supervisor or his representative and contractor's supervisor at site.

(ii) Wherever the road vehicles and/or machinery are required to work in the close vicinity of railway line, the work shall be so carried out that there is no infringement to the railway's schedule of dimensions. For this purpose, the area where road vehicles and/or machinery are required to ply, shall be demarcated and acknowledged by the contractor. Special care shall be taken for turning/reversal of road vehicles/machinery without infringing the running track. Barricading shall be provided wherever justified and feasible as per site conditions.

(iii) The look out and whistle caution orders shall be issued to the trains and speed restrictions imposed where considered necessary. Suitable flagmen/detonators shall be provided where necessary for protection of trains.

(iv) The supervisor/workmen should be counselled about safety measures. A competency certificate to the contractor's supervisor as per proforma annexed shall be issued by ADEN which will be valid only for the work for which it has been issued.

(Annexure 8/5).

COMPETENCY CERTIFICATE

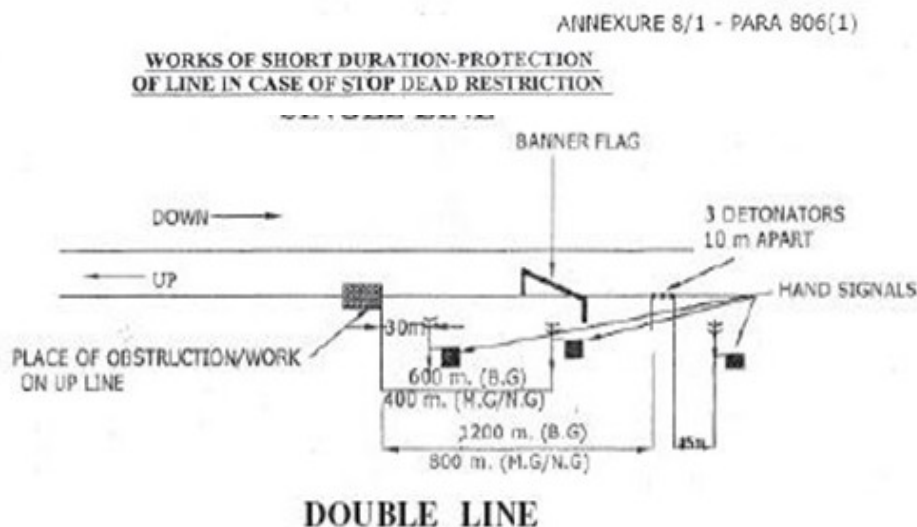
Certified that shri..... P.Way supervisor of M/s has been examined regarding P.Way working on work. His knowledge has been found satisfactory and he is capable of supervising the work safely.

Assistant Divisional Engineer

(v) The unloaded ballast/rails/sleepers/other P. Way materials after unloading along track should be kept clear off moving dimensions and stacked as per the specified heights and distance from the running track.

(vi) Supplementary site-specific instructions, wherever considered necessary, shall be issued by the Engineer in-charge.

(vii) The Engineer in-charge shall approve the methodology proposed to be adopted by the contractor, with a view to ensure safety of trains, passengers and workers and he shall also ensure that the methods and arrangements are actually available at site before start of the work and the contractor's supervisors and the workers have clearly understood the safety aspects and requirements to be adopted/ followed while executing the work. There shall be an assurance register kept at each site, which will have to be signed by both, i.e. Railway Supervisor or his representative as well as the contractor's supervisor as a token of their having understood the safety precautions to be observed at site.



Note: - IN CASE OF M. G SECTIONS, WHERE THE TRAINS RUN AT A SPEED MORE THAN 75 Km/h, THE DISTANCES OF HAND-SIGNALS AND DETONATORS SHALL BE INCREASED SUITABLY AS PER APPROVED SPECIAL INSTRUCTIONS