



भारतीय राजमार्ग अभियन्ता अकादमी
(सड़क परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार)
Indian Academy of Highway Engineers

F.No.IAHE/Lab/IAFS/Uganda/2018-19

5th April, 2023

To,

M/s Enkay Enterprises,
605, Padma Tower-II
22, Rajendra Place,
New Delhi-110008 (India)
Tel: +91-11-41539634, Fax: +91-11-41539633
Email: enkayenterprises@gmail.com

(Kind attention: Mr. N Tully, Proprietor, M/s Enkay Enterprises)

Subject: Establishment of Regional Materials Testing Laboratory in Uganda under IAFS-II – Installation and commissioning of all the equipment at final destination CML, Kampala, Uganda – **Declaration as 'NON-PERFORMER' agency** regarding.

Sir,

Consequent upon the notice served under the 'Clause 2.26 Termination for Default' vide email dated 3rd March, 2023, M/s Enkay Enterprises neither submitted comprehensive response nor sent his team of personnel to complete installation, commissioning, acceptance of equipment, organize demonstration and hands-on training at CML, Kampala, Uganda as per the agreement.

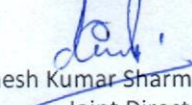
2. It has been intimated to M/s Enkay Enterprises several times in writing that 4th Extension of Time (EoT) granted had already expired on the 31 Jan, 2023 but no action has been taken for the extension as well as submitting revised timelines and completing the project. The equipment supplied by M/s Enkay Enterprises vide Ref. No.EKE/2021-22/IAHE/Payment dated 16.08.2022 are lying at CML, Kampala, Uganda in the want of the installation, testing, commissioning and hands-on training for their intended utilization and purposes. However, IAHE had already paid a total 90% payment (refer clause GCC 2.20 of SCC) of contract amount on 4th Oct, 2022 and 15 Nov, 2022 against the bills submitted. Since then M/s Enkay Enterprises is neither deputing his team of personnel for installation, testing, training and commissioning the laboratory equipment nor submitting any response.

3. The task for installation, commissioning, testing, etc. has not been completed even after several months of the scheduled completion period. As such your firm has been rated as '**NON-PERFORMER**'. Further necessary actions in terms of the contract agreement shall be initiated under the Clause 2.25 Penalty clause and Clause 2.26 of GCC and SCC of the agreement including debarment/blacklisting, forfeiting performance security, imposing liquidated damages for delays and not performing the obligations specified under the scope of supply (refer clause 2.4 of GCC and items in the list at page 55 of the agreement).

4. M/s Enkay Enterprises is therefore declared as '**NON-PERFORMER**' agency in terms of Standard Operating Procedure to debar/penalize/declare the contractor/concessionaire as Non-Performer issued vide F.No.RW/NH-33044/76/2021-S&R(P&B) dated 4th Jan, 2022 and DoE, MoF guidelines issued vide O.M. F-1/20/2018-PPD dated 02.11.2021.

5. This issues with the approval of competent authority.

Yours faithfully,


(Dinesh Kumar Sharma)
Joint Director

Copy for information to:

- (i) Joint Secretary (IC), Ministry of Road Transport & Highways (MoRTH), Govt. of India, New Delhi- 110001
- (ii) Joint Secretary (IAHE), Ministry of Road Transport & Highways (MoRTH), Govt. of India, New Delhi- 110001
- (iii) Joint Secretary (E&SA), Ministry of External Affairs (MEA), Govt. of India, New Delhi-110001
- (iv) NIC for uploading on the MoRTH website.
- (v) NIC for uploading on the MSME website.
- (vi) IAHE for uploading on the website.

Please note: All correspondence should be addressed to the Director by designation only

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