Ref: KPCIP/PMCSC/RE-ATD/CW-02/Lot-2/116 Date:26th December 2023

To, 208

The Project Manager
ZKB-M/S T.T. SH-INSAAT LIMITED LIBALITY COMPANY (JV)
Abbottabad

Project: **ADB LOAN 4160-PAK & LOAN 8412-PAK (AIIB CO-FINANCING): KHYBER PAKHTUNKHWA CITIES IMPROVEMENT PROJECT (KPCIP); OCB-KPCIPCW-02 Procurement of Works for improvements/Construction of Water Supply System: LOT-2; Rehabilitation and upgradation of Water Supply to WTP with SCADA in Abbottabad Including New Water Treatment Plant, Abbottabad.**

Subject: **"Un-Justified and Non-Contractual Deductions of Payment from IPCs".**

Reference:
1. Your Letter No. ZKB-T. T Sh. INSAAT(JV).KPCIP/LOT-2.Abbottabad/LGE&RDD/2023/129 Dated: 12th December 2023
2. Your Letter No. ZKB-T. T Sh. INSAAT(JV).KPCIP/LOT-2.Abbottabad/LGE&RDD/2023/117 Dated: 27th November 2023

With Reference to your above letters, we are writing to bring to your attention a matter regarding the disposal of excavated material from structure excavation on our current project. It has come to our attention that there might be a misunderstanding regarding the treatment of two distinct items i.e. disposal of excavated material from structure excavation and disposal of material from site, while both are crucial aspects of our project.

It is important to clarify that there is no separate payment designated for these items. The disposal of excavated materials from structure excavation is included in the unit rate of excavation **(Refer attached technical specifications)** & the disposal of material from the site is deemed to be encompassed in the overall contract amount **(Refer attached particular specifications).**

Our Primary concern lies with the disposal of excavated materials from structure excavation. We believe it is covered comprehensively within the unit rate of excavation. Any deviation from the terms outlined in the contract documents and non-adherence to The Engineer's instructions may lead to further complications.

We trust this explanation provides clarity on the situation and we anticipate your cooperation in ensuring the project proceeds smoothly in accordance with the agreed upon terms.

Your Sincerely

Engr. Said Afsar
The Engineer/Resident Engineer
Water Supply System (Abbottabad)
PMCSC-KPCIP

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Cc:

1. Project Director (PMU-KPCIP, LGE&RDD).
2. Director Technical (PMU-KPCIP, LGE&RDD).
3. Team Leader (PMCSC-KPCIP)
4. Contract Expert (PMCSC-KPCIP)
5. Contract & Claim Engineer (PMCSC-KPCIP)
6. Chief Executive Officer, (WSSCA)
7. Focal Person (CIU-Abbottabad)
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Measurement

1. Structural Excavation

The quantities of structural excavation to be paid for shall be the number of cubic meters of material measured in its original position computed by the average end-area method, and excavated to the satisfaction of the Engineer.

Structural Excavation will be classified for measurement and payment as "Structural Excavation in Common Material", "Structural Excavation in Common Material Below Water Level", "Structural Excavation in Rock Material" and according to whether the excavation is in earth or rock and according to whether the excavation is above or below the water level which is the constant level to which the water naturally rises in a foundation pit.

The volume of earth or rock to be measured for structural excavation shall consist of a prismoid bounded by the following planes: -

1) The vertical limits for computing pay quantities will be vertical planes 50 centimeters outside of the neat lines of footings or foundations as shown on the Drawings or as directed by the Engineer.
2) The upper limit for payment of structural excavation shall be the ground surface as it existed prior to the start of construction operations, except where structural excavation is performed within roadway excavation or ditch excavation areas, the upper limit shall be the planes of the bottom and side slopes of said excavated areas.
3) The lower limits for computing pay quantities of structural excavation or structure backfill shall be a plane at the bottom of the completed footings, foundations, structures or lean concrete. Measurement for structural excavation shall not include material removed below the footing grade and beyond specific limits to compensate for anticipated swell or as a result of effective swell during pile driving, or additional material resulting from slides, slips, cave-ins, silting or fillings, whether due to the action of the elements or to carelessness of the Contractor. The depths of the footings shown on the drawings are approximate only and any variation found to be necessary during construction shall be paid for at the contract unit price.

2. Granular Backfill

The quantities of Granular Backfill to be paid for shall be the number of cubic meters of material laid and compacted in place within the line of structure and limits defined above, computed and accepted by the Engineer.

3. Common Backfill

The quantities of Common Backfill to be paid for shall be the number of cubic meters of material laid and compacted, placed within the lines of structures and limits defined above and accepted by the Engineer.

The work of Excavation for Structures will be measured by volume. The unit of measurement shall be one cubic meter or hundred cubic feet. and the backfill coarse sand material if brought from outside will also be measured accordingly.

Payment

The unit rate shall be full compensation for all costs of complying with the provisions of this Section and includes costs of unwatering of foundations, removal and disposal of surplus

material, back – filling and final cleaning as may be necessary for the proper execution of the work.

Pay Item No.	Description	Measurements
3.9.6	Excavation for Structure in Common Material including backfilling and disposal of surplus material	Cub meter / Per 100 cub. Ft
3.9.6	Excavation for Structure in Common Material Below Water Level including backfilling and disposal of surplus material	Cub meter / Per 100 cub. Ft
3.9.6	Excavation for Structure in Rock Material including backfilling and disposal of surplus material	Cub meter / Per 100 cub. Ft
	In Gravels whether above or below Water Level Rate Per CM / Per100Cft	Cub meter / Per 100 cub. Ft
	in Soft Rock whether above or below Water Level Rate Per CM / Per100Cft	Cub meter / Per 100 cub. Ft
	In Medium Rock whether above or below Water Leve Rate Per CM / Per100Cft	Cub meter / Per 100 cub. Ft
	In Hard Rock whether above or below Water Level Rate Per CM / Per100Cft	Cub meter / Per 100 cub. Ft
3.9.6	Back filling behind abutments with borrowed coarse sand	Cub meter / Per 100 cub. Ft

3.9.7 Formation of Embankments

Description

This work shall consist of the formation of embankment including preparation of area for placing and compaction of embankment material in layers and in holes, pits and other depressions within the roadway area in accordance with these specifications and in conformity with the lines, grades, sections and dimensions shown on the Drawings or as directed by the Engineer

3.9.7.1 Material Requirements

Material for embankment such as common soil, gravel, soft or hard rock shall consist of suitable material obtained from structural excavation, roadway excavation or borrow excavation as approved by the Engineer. Borrow material however, shall only be used when there is no suitable material available from structural excavation or roadway excavation.
The material under this item shall conform to the following specification.

1. Contractor shall use AASHTO Class A-1, A-2, A-3, A-4 or A-5 soil as specified in AASHTO M-145 or other material approved by the Engineer.
2. CBR of the material shall not be less than five (5) percent, corresponding to the degree of compaction required for the corresponding layer.
3. Swell value of the material for embankment formation shall not exceed five tenth (0.5) percent. However, while establishing the swell value, surcharge weights representing the overburden will be used. In case sandy material is used for embankment formation, it shall be properly confined at no extra payment with a material and to the extent as approved by the Engineer and sandy material shall not be used on slopes of embankment.
4. In areas subject to flood and prolonged inundation of the embankment, such as at bridge sites, the material used in embankment, unless rock, shall be AASHTO Class A1 (a), A1 (b) and A-2-4, soils. Other soils may be used only with the written consent of Engineer.

ground may not be permitted.

1.14. Disposal of Material From Site

A. Uncontaminated excavation materials shall be disposed of in accordance with the requirements herein.
B. Contaminated materials shall be disposed of in accordance with the procedures defined with the CEMP as per Environmental Control Measures defined by the local authorities.
C. The Contractor shall, subject to the restrictions noted in the Contract documents, remove all unused material and rubbish from the Site on a regular basis.

D The Contractor shall not dispose any excavated material, rubbish, building debris, etc on any vacant plot of land or roadside or in any drain, sewer, etc.

E. All excavated material, rubbish, building debris, rubble, etc. shall be removed from Site by the Contractor and disposed of at tips approved by the Engineer. Such tips shall be approved by the relevant Authorities, the Owner and the occupier and evidence of this approval supplied to the Engineer prior to use of the tip.

F The Contractor shall bear the cost of all disposal charges, transportation costs, dumping fees, etc of all materials resulting from the construction of the Works in compliance with the Contract documents and the instructions of the Engineer and he shall be deemed to have allowed for these charges in the Accepted Contract Amount.

G Transportation of all materials disposed of from the site shall be in covered containers. No material shall leak from the containers used for transportation of the unwanted materials during transit to any disposal site.

H. The Contractor shall comply with all requirements imposed by the relevant Authorities with regards to the hours of operation for his disposal vehicles.

I. The Contractor shall provide bulk bins at the work sites and shall deposit the waste and debris into these bins and make necessary arrangements for regular disposal.

J. The Contractor shall not use the bulk bins for storing excavated materials.

1.15. Roads and Site to be Kept Clean