

NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA : NEW DELHI.

COUNCIL'S MEETING NO. 02/2009-10 DATED 20.05.2009 AT 3-00 P.M.

Arrangement of business

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ITEM NO. 01 (C-04)**OATH TAKING BY THE NEWLY NOMINATED MEMBERS OF THE COUNCIL.**

1. Notification No.14011/50/2008/Delhi-II dated 02nd March, 2009, (**Annexure I, pages 6 - 8**) has been issued by the M/o Home Affairs, Govt. of India, in respect of

- (i) notifying MLAs as Members of NDMC u/s 4(1)(b) ;
- (ii) nomination of Member of the NDMC, u/s 4(1)(d), of NDMC Act 1994 and, Vice Chairperson of NDMC ;

for information and necessary action.

2. The first Notification briefly states that, in exercise of the powers conferred by clause (b) of sub-section (1) of Section 4 of the New Delhi Municipal Council Act, 1994 (44 of 1994), the Central Government hereby notifies **Smt. Sheila Dikshit and Sh. Karan Singh Tanwar**, to be Members of the New Delhi Municipal Council and for that purpose, makes the following further amendments in the notification of the Govt. of India, M/o Home Affairs, S.O.1820(E), dated the 27th December, 2005, (**Annexure II, pages 9 – 12**) with effect from the date of publication of this notification in the official Gazette, namely :-

In the said notification, under the heading "Members representing the constituencies under clause (b) of sub-section (1) of section 4",-

(a) for item numbers (2) and (3) and the entries relating thereto, the following item numbers and entries shall respectively be substituted, namely :-

- | | | | |
|------|--|---|--------|
| “(2) | Smt. Sheila Dikshit
Chief Minister, Delhi | - | Member |
| (3) | Shri Karan Singh Tanwar
MLA, Delhi | - | Member |
| (b) | item number (4) and entries relating thereto shall be omitted. | | |

3. The second Notification states that, in exercise of the powers conferred by clause (d) of sub-section (1) of section 4 and sub-section (4) of section 4 of the NDMC Act 1994 (44 of 1994), the Central Government hereby makes the following further amendments in the notification of the Government of India in the M/o Home Affairs No. S.O.1820(E) dated the 27th December, 2005, with effect from the date of publication of this notification in the official Gazette, namely :-

In the said notification :

- (1) under the heading "Members nominated by the Central Government under clause (d) of sub-section (1) of section 4" for item Number (11) and the entries relating thereto, the following item number and entries shall be substituted namely :-

“(11) **Smt. Tajdar Babar,**
No.1, Golf Links Sadan
NDMC Staff Quarters,
Golf Links, New Delhi.”

- (2) the last paragraph shall be substituted, namely :-

"The Central Government, in consultation with the Chief Minister of Delhi, hereby nominates Smt. Tajdar Babar, member as the Vice-Chairperson of the Council as per sub-section (4) of section 4 of the said Act."

4. Under Section 7 of the NDMC Act 1994, every Member before taking his seat, shall make and subscribe at a meeting of the Council an oath or affirmation in the prescribed format.

5. All the above three newly nominated Members of the Council have therefore been invited to take oath of office u/s 7 of the NDMC Act 1994, in the prescribed format in the Meeting of the Council, scheduled at 3-00 P.M. on 20.05.2009.

COUNCIL'S DECISION

"The Chairperson, NDMC administered oath of office to the following :-

- i) Smt. Tajdar Babar as Member & Vice Chairperson
- ii) Sh. Karan Singh Tanwar, MLA, as Member."

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ANNEXURE END

ITEM NO. 02 (C- 05)

Confirmation and signing of the minutes of the Council's Meeting No. 01/2009-10 dated 15.04.2009 **(See pages 14 - 17)**.

COUNCIL'S DECISION

Minutes confirmed.

Thereafter, the Meeting was adjourned for Friday, 22nd May, 2009 at 3-00 P.M. in the Council Room, Palika Kendra, NDMC.

(MANISH KUMAR)
SECRETARY/F.A.

(PARIMAL RAI)
CHAIRPERSON

NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA : NEW DELHI

MINUTES OF THE COUNCIL'S MEETING NO. 01/2009-10 HELD ON 15.04.2009 AT 3-00 P.M. IN THE COUNCIL ROOM, PALIKA KENDRA, NEW DELHI.

MEETING NO.	:	01/2009-10
DATED	:	15.04.2009
TIME	:	3-00 P.M.
PLACE	:	PALIKA KENDRA, NEW DELHI.

PRESENT :

- 1. Sh. Parimal Rai - Chairperson**
2. Sh. Mukesh Bhatt - Member
3. Dr. M. M. Kutty - Member
4. Sh. Vikram Dev Dutt - Secretary, NDMC

The meeting was adjourned for want of quorum.

(MANISH KUMAR)
F.A./SECRETARY

(PARIMAL RAI)
CHAIRPERSON

NEW DELHI MUNICIPAL COUNCIL
PALIKA KENDRA : NEW DELHI

MINUTES OF THE COUNCIL'S ADJOURNED MEETING NO. 01/2009-10 HELD ON 15.04.2009 AT 3-15 P.M. IN THE COUNCIL ROOM, PALIKA KENDRA, NEW DELHI.

MEETING NO.	:	01/2009-10
DATED	:	15.04.2009
TIME	:	3-15 P.M.
PLACE	:	PALIKA KENDRA, NEW DELHI.

PRESENT :

- | | | | |
|-----------|------------------------|----------|--------------------|
| 1. | Sh. Parimal Rai | - | Chairperson |
| 2. | Sh. Mukesh Bhatt | - | Member |
| 3. | Dr. M. M. Kutty | - | Member |
| 4. | Sh. Vikram Dev Dutt | - | Secretary, NDMC |

ITEM NO.	SUBJECT	DECISION
01 (C-01)	Confirmation and signing of the minutes of the Council's Meeting No. 19/2008-09 dated 18.03.2009.	Minutes confirmed.
02 (A-01)	S/R of Roads in NDMC Area. SH: Improvement to footpaths of Janpath from Claridge Hotel to Maulana Azad Road and Rajesh Pilot Marg.	The decision of the Council was kept pending till clearance of this project is received from the Election Commission of India, referred to them vide Letter No.F.25(1)/CS/1/2009/D-168 dated 06.04.2009.
03 (A-02)	S/R of roads in NDMC area. SH: Improvement to footpath at Ferozshah Road, Dr. Rajendra Prasad Road, Jaswant Singh Road, Tolstoy Marg, Atul Grove Road, K.G. Marg, Jai Singh Road, Jantar Mantar Road and Sansad Marg.	The decision of the Council was kept pending till clearance of this project is received from the Election Commission of India, referred to them vide Letter No.F.25(1)/CS/1/2009/D-168 dated 06.04.2009.
04 (A-03)	Improvement to parks in D-I, D-II flats of CPWD colonies in Chanakyapuri Area.	The decision of the Council was kept pending till clearance of this project is received from the Election Commission of India, referred to them vide Letter No.F.25(1)/CS/1/2009/D-168 dated 06.04.2009.
05 (A-04)	S/R of Roads in NDMC area. SH: Improvement to footpath/walkway at Tansen Marg, Madhav Rao Scindia Marg, Maharaja Ranjit Singh Marg & Mahatma Jyoti Rao Phule Marg.	The decision of the Council was kept pending till clearance of this project is received from the Election Commission of India, referred to them vide Letter No.F.25(1)/CS/1/2009/D-168 dated 06.04.2009.

06 (M-01)	Mid day meal scheme.	<p>Keeping in view the need for uninterrupted continuity of Mid Day Meal Scheme to the children studying in NDMC schools as well as NDMC aided schools, as per the existing ongoing scheme, the Council approved the proposal to continue the scheme beyond 30.06.2009, at the following rate / nutrition value / weight, subject to the condition that public notice for the selection of the mid day meal supplier will be issued only after clearance is accorded by the Election Commission of India, where a reference has already been made vide Letter No.F.25(1)/CS/1/2009/D-172 dated 13.4.2009 :</p> <table border="1" data-bbox="836 584 1501 1305"> <thead> <tr> <th data-bbox="836 584 991 712">Category of the students</th> <th data-bbox="991 584 1171 712">Rate per day per child</th> <th data-bbox="1171 584 1337 712">Requisite Nutritive value</th> <th data-bbox="1337 584 1501 712">Approx. Weight of cooked meal</th> </tr> </thead> <tbody> <tr> <td data-bbox="836 712 991 840">Nursery</td> <td data-bbox="991 712 1171 840">Rs.2.50</td> <td data-bbox="1171 712 1337 840">450 calories 10 Gms. Protein</td> <td data-bbox="1337 712 1501 840">250 Gms. to 300 Gms.</td> </tr> <tr> <td data-bbox="836 840 991 1003">Primary</td> <td data-bbox="991 840 1171 1003">Rs.2.50 with 100 gms. of free grain subsidy i.e. wheat /rice</td> <td data-bbox="1171 840 1337 1003">450 calories 12 gms. protein</td> <td data-bbox="1337 840 1501 1003">300 Gms.</td> </tr> <tr> <td data-bbox="836 1003 991 1167">Middle</td> <td data-bbox="991 1003 1171 1167">Rs.3/- with 150 gms. of free grain subsidy i.e. wheat /rice</td> <td data-bbox="1171 1003 1337 1167">700 calories 20 gms. protein</td> <td data-bbox="1337 1003 1501 1167">350 Gms.</td> </tr> <tr> <td data-bbox="836 1167 991 1305">Sec. & Sr. Sec.</td> <td data-bbox="991 1167 1171 1305">Rs.4.50/- *</td> <td data-bbox="1171 1167 1337 1305">700 calories 20 gms. protein</td> <td data-bbox="1337 1167 1501 1305">350 Gms.</td> </tr> </tbody> </table>	Category of the students	Rate per day per child	Requisite Nutritive value	Approx. Weight of cooked meal	Nursery	Rs.2.50	450 calories 10 Gms. Protein	250 Gms. to 300 Gms.	Primary	Rs.2.50 with 100 gms. of free grain subsidy i.e. wheat /rice	450 calories 12 gms. protein	300 Gms.	Middle	Rs.3/- with 150 gms. of free grain subsidy i.e. wheat /rice	700 calories 20 gms. protein	350 Gms.	Sec. & Sr. Sec.	Rs.4.50/- *	700 calories 20 gms. protein	350 Gms.
Category of the students	Rate per day per child	Requisite Nutritive value	Approx. Weight of cooked meal																			
Nursery	Rs.2.50	450 calories 10 Gms. Protein	250 Gms. to 300 Gms.																			
Primary	Rs.2.50 with 100 gms. of free grain subsidy i.e. wheat /rice	450 calories 12 gms. protein	300 Gms.																			
Middle	Rs.3/- with 150 gms. of free grain subsidy i.e. wheat /rice	700 calories 20 gms. protein	350 Gms.																			
Sec. & Sr. Sec.	Rs.4.50/- *	700 calories 20 gms. protein	350 Gms.																			
07 (A-05)	Augmentation of sewerage system in NDMC area. Providing consultancy services for laying of sewer through Trenchless Technology (Micro-Tunneling).	<p>Noting that there was no alternative except closure of contract as proposed by the department, it was resolved by the Council to accord approval to the action taken by the department, with the approval of the Chairperson, for release of payment upto the stages completed as per the scope of work defined in the contract. and for closure of the contract after withholding a token sum of Rs. 3.00 lacs for approval of the documents.</p> <p>It was further resolved that CVO, NDMC will look into the entire Consultancy Agreement, its utility and reasons leading to wasteful expenditure, in order to fix responsibility on the Concerned Officials.</p>																				
08 (A-06)	Improvement to Vidyut Bhawan Office Complex (Old Building) SH: Renovation/Upgradation of Vidyut Bhawan Office Complex (old building).	Deferred.																				
09 (C-02)	Contracts/Schemes involving an expenditure of Rs. 1 Lac but not exceeding Rs. 50 Lacs.	Information noted.																				

10 (C-03)	Action Taken Report on the status of ongoing schemes/works approved by the Council.	Information noted.
11 (I-01)	Implementation of Electricity & Water Utility Software in Electric, Commercial & Power Department of NDMC.	Deferred.
12 (I-02)	Implementation of Cash Card for collection of online payments from NDMC customers through Web and SMS interface.	Deferred.

In the meantime, the Election Commission of India, vide their Letter No.437/DL-HP/2009 dated 17th April 2009, has directed to defer the matters mentioned at Item Nos. 02(A-01), 03 (A-02), 04(A-03) and 05 (A-04).

(MANISH KUMAR)
F.A./SECRETARY

(PARIMAL RAI)
CHAIRPERSON

ITEM NO. 03 (A-07)**1. Name of the subject /project:**

Sub: S/R of roads in NDMC Area.

SH.: Providing Mastic Asphalt Concrete wearing course at crossing of Janpath – Maulana Azad Road & Roundabout of Tuglak Road – Tees January Marg - Akbar Road, Krishna Menon Marg (Methi Circle).

2. Name of the Department/departments concerned:

Civil Engineering Department, Road Division-II

3. Brief history of project:

- a) The approval in principle for the subject work was accorded by competent authority in Jan.'09 under Roundabout Improvement Plan.
- b) Following Roundabout/crossing are proposed to taken up for laying of Mastic overlay.
 - (i) Crossing of Maulana Azad Road & Janpath.
 - (ii) Roundabout of Tuglak Road-Tees January Marg - Akbar Road.
- c) Mastic Asphalt wearing course at this roundabout & crossing was laid in 1998-1999, 1999-2000 respectively.
- d) Due to prolonged use crossing & roundabout have outlived their life and are due for resurfacing. The riding quality of this roundabout & crossing is bad as a result of which lot of inconvenience is being faced by the motorists.
- e) Since the mastic layer has outlived its life so the case of Preliminary Estimate amounting to Rs. 58,59,500/- has been initiated by the field staff. The Preliminary Estimate has been checked by the Planning Division and the Finance Department has got no objection to Preliminary Estimate amounting to Rs. 58,59,500/-.

4. Detailed proposal on the subject/project

- a) Filling depressions.
- b) Providing & applying tack coat with bitumen of 80/100 grade.
- c) Providing & fixing chicken wire mesh (22 gauge).
- d) Providing & laying 25mm mastic asphalt wearing course with bitumen grade 85/25.

5. Financial implications of the proposed project:

The Financial implication of the proposal works out to Rs.58,59,500/-.

6. Implementation schedule with timelines for each stage including internal processing:

The schedule date of completion of work has been taken as three months after award of work.

7. Comments of Finance Department on the subject with diary No. and date:

Finance Department vide diary No. 531/Fin/R-Civil dated 2-4-2009 has concurred the preliminary estimate amounting to Rs. 58,59,500/- for the work "Providing mastic asphalt concrete wearing coarse at crossing of Janpath - Maulana Azad Road & Roundabout of Tughlak Road-Tees January Marg - Akbar Road (Methi Circle)" subject to following:-

- a) Restoration work on Janpath crossing with Maulana Azad Road, if due with DMRC, needs to be taken up with the authorities responsible for the same before processing the case further.
- b) The department is also advised that the necessity of item No. 5 read with item No. 2 of Schedule of quantities may be ensured at site and certified while seeking approval of A/A & E/S from the competent authority.

8. Comments of department comments of Finance Department:

- a) The crossing of Janpath with Maulana Azad Road had pedestal (Police Post) which was removed and restoration done by DMRC. No further restoration is required from their side.
- b) The item No.2 of Schedule of quantities has been taken for Maulana Azad and Janpath crossing for profile correction due to removal of pedestal only whereas item No. 5 of Schedule has been taken for Methi Circle. The two are different in nature and it is certified that items taken are as per site requirement.

9. Legal Implications of the subject/project

Nil

10. Details of previous Council resolutions, existing law of Parliament and Assembly on the subject:-

Nil

11. Comments of the Law Department on the subject:

This does not involve a law point.

12. Comments of the Department on the comments of the Law Department

No comments

13. Certification by the department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case

Certified that CVC guidelines would be followed while processing the tender case.

14. Recommendations:

The case is placed before the Council for consideration and accord of approval of following:-

- (a) Administrative Approval and Expenditure Sanction for Rs.58,59,500/- for the work of Providing Mastic Asphalt Concrete wearing course at crossing of janpath – Maulana Azad Road & Roundabout of Tuglak Road – Tees January Marg - Akbar Road, Krishna Menon Marg (Methi Circle).
- (b) The initiate further action in anticipation of approval of Minutes of Council meeting.

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval and expenditure sanction to the estimate amounting to Rs.58,59,500/- for the work of Providing Mastic Asphalt Concrete wearing course at crossing of Janpath – Maulana Azad Road & Roundabout of Tuglak Road – Tees January Marg - Akbar Road, Krishna Menon Marg (Methi Circle).

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 04 (A-08)**1. Name of the subject /project:**

Sub: S/R of roads in NDMC Area.

SH.: Providing Mastic Asphalt Concrete wearing course at Q-Point Roundabout and Amrita Shergill Marg – South End Road (Rajesh Pilot Marg) Roundabout.

2. Name of the Department/departments concerned:

Civil Engineering Department, Road Division-II

3. Brief history/ detailed proposal of subject/project

- a) A comprehensive plan for improvement of roads, footpaths, lane/bylanes, roundabouts & drainage system in NDMC area was approved in principle by Chairman on 12 Mar. '07.
- b) In the proposed programme Mastic overlay treatment of Roundabouts was included at following locations:
 - i) Roundabout at Q-Point.
 - ii) Roundabout at Amrita Shergill Marg – South End Road (Rajesh Pilot Marg).
- c) Mastic Asphalt wearing course at these Roundabout was laid in 1999-2000 respectively. Due to prolonged use, these Roundabouts have outlived their life and are due for resurfacing. The riding quality of these Roundabouts is bad as a result of which lot of inconvenience is being faced by the motorists. Since the mastic layer has outlived its life so the Preliminary Estimate for Rs.61,84,000/- was approved by Council vide Resolution No.23 (A-60) dated 17 Sep.'08 for Rs.61,84,000/-.
- d) Accordingly the tenders were called by giving wide publicity in all leading newspapers and on Delhi Govt. and NDMC websites. The tenders were opened through e-tendering system on 28 Jan. '09. The details of bids received are as follows:

S. No.	Name	Estimated Cost	Tendered Amount	Rate Quoted
1.	M/S Builtech	Rs.58,89,070/-	Rs.54,49,800/-	7.46% below
2.	M/S Rajesh Kumar Gupta	"	Rs.53,35,283/-	9.40% below
3.	M/S Roadtech	"	Rs.55,04,400/-	6.53% below
4.	M/S S. N. Industries	"	Rs.61,56,362/-	4.54% above
5.	Sh. Pawan Kumar Gupta	"	Financial Bid not opened due to non fulfillment of NIT condition i.e. VAT undertaking/ NIT undertaking	-

- e) M/s. Rajesh Kumar Gupta is the lowest bidder at 9.40% below the Estimated Cost of Rs.58,89,070/- against the justification of 16.47% above Estimated Cost with tendered amount of Rs.53,35,283/-.
- f) The rates quoted by the lowest tenderer after scrutiny by Planning have been found to be reasonable and are therefore recommended for acceptance.
- g) The tenders have been scrutinized & concurred by Finance Department.
- h) Empowered Committee during its meeting on 17 Apr.'09 after detailed deliberations recommended that the case be placed before the Council for accord of approval for acceptance of lowest offer of M/s. Rajesh Kumar Gupta @ 9.40% below the Estimated Cost of Rs.58,89,070/- against the justification of 16.47% above the Estimated Cost with the tendered amount of Rs.53,35,283/-.
- i) The validity of tender which was expiring on 27 Apr.'09 has been got extended upto **31 May.'09**

4. Financial implications of the proposed project:

The Financial implications of the scheme works out to Rs.53,35,283/-.

5. Implementation schedule with time limits for such stage including internal processing:

The schedule date of completion of work is six months after award of work.

6. Comments of Finance Department on the subject with diary No. and date:

Finance Deptt. Vide diary No.464/Finance/R-Civil dated 06.03.09 have no objection to departments recommendation for acceptance of the Lowest offer of M/s. Rajesh Kumar Gupta with tendered amount of Rs.53,35,283/- at 9.40% below the Estimated Cost of Rs.58,89,070/- against the justified rates of 16.47% above the Estimated Cost subject to the following:-

- a) Time limit for publicity of tenders as per Clause 16.5 of CPWD Manual 2007 has been adopted in the Council.
- b) All codal requirements and CVC guidelines have been adhered to.
- c) The reasons for not opening the financial bid of M/s. Pawan Kumar Gupta be placed on record.

7. Comments of department comments of Finance Department:

- a) The case for adoption of time limit for publicity of tenders as per Clause 16.5 of CPWD Manual 2007 has been initiated for approval. However, since all other conditions of CPWD Manual 2007 are being followed so the time limit as stated in the CPWD Manual of 2007 are also being followed accordingly.
- b) All the codal requirements and CVC guidelines have been adhered to.
- c) M/s. Pawan Kumar Gupta has neither given any undertaking regarding uptodate VAT returns nor about abiding by the terms and conditions of NIT which is mandatory as per conditions of NIT. So the tender of the firm was not opened.

8. Legal Implications of the subject/project

Nil

9. Details of previous Council resolutions, existing law of Parliament and Assembly on the subject

Administrative Approval & Expenditure Sanction for Rs.61,84,000/- has been accorded by the Council vide Resolution No. 23 (A-60) dated 17 Sep.'08.

10. Comments of the Law Department on the subject:

No comments

11. Comments of the Department on the comments of the Law Department

No comments

12. Certification by the department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case

Certified that necessary guidelines of CVC would be followed while processing the tender case.

13. Recommendations:

The case is placed before the Council for

- a) Considerations & accord of approval for acceptance of lowest offer of M/s. Rajesh Kumar Gupta @ 9.40% below the Estimated Cost of Rs.58,89,070/- against the justification of 16.47% above the Estimated Cost with the tendered amount of Rs.53,35,283/- for the work of providing Mastic Asphalt Concrete Wearing Course at Q-Point Roundabout and Amrita Shergill Marg and South End Road roundabout.

- b) To initiate further action in anticipation of approval of Minutes of the Council meeting.

COUNCIL'S DECISION

Resolved by the Council to accept the lowest offer of M/s. Rajesh Kumar Gupta @ 9.40% below the Estimated Cost of Rs.58,89,070/- against the justification of 16.47% above the Estimated Cost, with the tendered amount of Rs.53,35,283/-, for the work of providing Mastic Asphalt Concrete Wearing Course at Q-Point Roundabout and Amrita Shergill Marg and South End Road roundabout.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 05 (A-09)**1. Name of the subject /project:**

Sub: Roundabout Improvement Plan

SH.: Providing & laying 25 mm thick Mastic Asphalt concrete wearing coarse at Claridge Hotel Roundabout and crossing of Prithvi Raj Road and Rajesh Pilot Marg.

2. Name of the Department/departments concerned:

Civil Engineering Department, Road Division-II

3. Brief history of subject/project

- (a) A comprehensive plan for improvement of roads, footpaths, lane/bylanes, roundabouts & drainage system in NDMC area was approved in principle by Competent Authority in Mar.'07.
- (b) In the proposed programme Mastic overlay treatment of following Roundabouts/crossing was included:-
 - (i) Roundabout of Claridge Hotel.
 - (ii) Crossing of Prithvi Raj Road and Rajesh Pilot Marg.
- (c) Mastic Asphalt wearing course at Roundabouts/crossing was laid in 1999-2000 respectively. Due to prolonged use, the roundabout and crossing have outlived their life and are due for resurfacing. The riding quality of these roundabouts is bad as a result of which lot of inconvenience is being faced by the motorists.
- (d) Since the mastic layer has outlived its life so the case of Preliminary Estimate amounting to Rs. 74,93,000/- was processed and approved by Council vide Agenda Item No. 01(A-87) dated 31 Dec.'08.
- (e) The tenders were invited through e-tendering system and five tenders were opened on 27 Jan.'09 the details of which are as follows:-

S. No.	Name	Estimated Cost	Tendered Amount	Rate Quoted	Remarks
1.	M/S Builtech works	Rs.71,36,043/-	Rs.61,84,032/-	13.34% below	Lowest
2.	M/s Roadtech	"	Rs.68,90,198/-	3.45% below	
3.	M/s S.N. Industries	"	Rs.74,45,703/-	4.34% above	
4.	M/s Satya Parkash	"	Rs.80,19,535.50	12.38% above	
5.	M/s Wilco Engineering	"	Rs.71,76,105.50	0.56% above	

- (f) M/s Builtech works is the lowest bidder at 13.34% below the Estimated Cost of Rs. 71,36,043/- against the justification of 15.61% above Estimated Cost with tendered amount of Rs. 61,84,032/-.
- (g) The rates quoted by the lowest tenderer after scrutiny by Planning have been found to be reasonable and therefore recommended for acceptance. The tenders have been scrutinized & concurred by Finance Department.
- (h) The Administrative Approval and Expenditure Sanction for Rs.74,93,000/- has been accorded by the council vide Agenda Item No. 01(A-87) dated 31 Dec.'08.
- (i) Empowered Committee during its meeting on 17 Apr.'09 after detailed deliberations recommended that the case be placed before the Council for accord of approval for acceptance of lowest offer of M/s Builtech @ 13.34% below the Estimated Cost of Rs.71,36,043/- against the justification of 15.61% above Estimated Cost with tendered amount of Rs. 61,84,032/-.
- (j) The validity of tender which was expiring on 26 Apr.'09 has been extended upto **31 May '09**.

4. Detailed proposal on the subject/project

- (a) Tack coat with bitumen grade 80/100.
- (b) Chicken wire mesh 22 gauge.
- (c) Minor depression filling.
- (d) 25 mm thick Mastic Asphalt concrete with bitumen of 85/25 grade.

5. Financial implications of the proposed project

The Financial implications of the scheme works out to Rs.61,84,032/-.

6. Implementation schedule with time limits for such stage including internal processing:

The schedule completion of work is three months after award of work.

7. Comments of Finance Department on the subject with diary No. and date:

The Finance Deptt. Vide diary No.693/Finance/R-Civil dated 08 Apr.'09 has no objection to the proposal of department to accept lowest offer subject to following:-

- (a) The condition 19C of general condition of contract regarding submission of certificate that bidder have filed upto date VAT return be amended in case the receipts of upto date VAT returns have been submitted with bid.

8. Comments of department comments of Finance Department

The clause 19 C of general conditions of contract will be modified suitably.

9. Legal Implications of the subject/project

Nil

10. Details of previous Council resolutions, existing law of Parliament and Assembly on the subject

The Administrative Approval and Expenditure Sanction for Rs.74,93,000/- has been accorded by the council vide Agenda Item No. 01(A-87) dated 31 Dec.'08.

11. Comments of the Law Department on the subject

No comments

12. Comments of the Department on the comments of the Law Department

No comments

13. Certification by the department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case

Certified that necessary guidelines of CVC have been followed while processing the tender case.

14. Recommendations:

The case is placed before the Council for

- (a) Consideration & accord of approval for acceptance of lowest offer of M/s Builtech @ 13.34% below the Estimated Cost of Rs.71,36,043/- against the justification of 15.61% above the Estimated Cost with the tendered amount of Rs. 61,84,032/- for the work of providing & laying 25 mm thick mastic asphalt concrete wearing course at Claridge Hotel Roundabout and crossing of Prithvi Raj Road – Rajesh Pilot Marg.

- (b) To initiate further action in anticipation of approval of Minutes of the Council meeting.

COUNCIL'S DECISION

Resolved by the Council to accept the lowest offer of M/s Builtech @ 13.34% below the Estimated Cost of Rs.71,36,043/- against the justification of 15.61% above the Estimated Cost, with the tendered amount of Rs. 61,84,032/-, for the work of providing & laying 25 mm thick mastic asphalt concrete wearing course at Claridge Hotel Roundabout and crossing of Prithvi Raj Road, – Rajesh Pilot Marg.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 06 (A-10)**1. Name of the subject/project:**

Sub: S/R of roads in NDMC area.

SH: Pavement Improvement Programme in R-V Division

2. Name of the Department/departments concerned

Civil Engineering Department, Road-V Division.

3. Brief history of the subject/project

- a) A comprehensive plan for improvement of footpaths under Pavement Improvement Plan was approved by the Competent Authority in Mar.'07.
- b) Following roads have been taken up under Pavement Improvement Plan of EE(R-V):-
 - Chelmsford Road
 - Bishamber Dass Road
 - Mahadev Road
 - Peshwa Road
 - Rakab Ganj Road
 - Kali Bari Marg
- c) The precast RCC footpaths of these roads were constructed 1989-93. The condition of these footpaths has deteriorated due to wear and tear, cuttings by the various utility service providers and has outlived their life. So, there is need to improve these footpaths on priority in view of Commonwealth Games-2010.
- d) The Sub-committee, on Pavement Improvement Plan comprising of Zonal Officer of the area, Asstt. Financial Advisor & EE(R-V) has checked the condition of these footpaths & recommended for improvement.
- e) Accordingly Preliminary Estimate has been prepared by the Field Staff & has been scrutinized by Planning.
- f) The Finance Department has also concurred the Preliminary Estimate amounting to Rs.1,52,02,000.

4. Detailed proposal on the subject/project:

- (a) Pre-cast CC slab of size 400 X 400 X 50 mm in footpath.
- (b) Precast C.C. kerb stones & precast cement channel slabs.
- (c) Table top crossing at entry gates.

5. Financial implications of the proposed project/subject:

The financial implications of the proposal works out to Rs.1,52,02,000/-.

6. Implementation schedule with timeliness for each stage including internal processing:-

The schedule of completion of the work is Nine months after award of work.

7. Comments of the finance department on the subject:-

The Finance Deptt. vide diary No.694Finance/R-Civil dated 16 Apr.'09 has no objection to the Preliminary Estimate amounting to Rs. Rs.1,52,02,000/- subject to the following:-

- a) There are sufficient funds available with the department for the execution of the instant work.
- b) The specifications proposed in the Estimate are same as approved by the Competent Authority.
- c) Costly items with richer specifications are being proposed in the Preliminary Estimate. Life of the footpath having regard to the additional cost involved may be enhanced and the same be stated in the draft agenda for approval of Council.

8. Comments of the department on comments of Finance Department

The clarifications on the comments of the Finance Department are as follows:-

- a) There are sufficient funds available with the department for execution of the work.
- b) The specifications proposed in the Estimate are same as approved by the Competent Authority.
- c) No costly item has been proposed for footpaths. Only table top crossing as per approved specification have been proposed in the Preliminary Estimate.

9. Legal Implication Of The Subject/Project

There is no legal implication.

10. Details of previous council Reso. existing law of parliament and assembly on the subject

Nil

11. Comments of Law Department on the subject

No comments.

12. Comments of the department on the comments of the Law Department

No comments.

13. Certification by the department that all central vigilance commission (cvc) guidelines have been followed while processing the case

Certified that CVC guidelines would be followed during tendering.

14. Recommendations

The case is placed before the Council for consideration and

(a) Accord of Administrative Approval & Expenditure Sanction amounting to Rs.1,52,02,000/- to the Preliminary Estimate for the work of Improvement to footpath under Pavement Improvement Plan in R-V Division.

(b) To initiate further action in the matter in anticipation of approval of minutes of Council meeting.

COUNCIL'S DECISION

Resolved by the Council to accord Administrative Approval & Expenditure Sanction to the Preliminary Estimate amounting to Rs.1,52,02,000/- for the work of Improvement to footpath under Pavement Improvement Plan in R-V Division.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 07 (A-11)**1. Name of the subject/project:**

Sub.: Construction of Boundary wall on both sides of Shankar Road from Ganga Ram Hospital to Talkatora Stadium Roundabout (Deposit Work)

2. Name of the Department/departments concerned

Civil Engineering Department, Road-V Division.

3. Brief history of the subject/project

- a) Secretary (E & F), Govt. of Delhi during the discussion held in the meeting attended by Secretary, NDMC, MD, DSIIDC, Chief Engineers, IFCD and NDMC on 02 Jan.'09, apprised the Hon'ble Chief Minister, Delhi of the status of construction of boundary wall in the Central Ridge for protection of notified forests.
- b) In view of the forthcoming Commonwealth Games 2010 and also for prevention of dumping of malba it was decided by the Hon'ble Chief Minister, that the construction/ reconstruction of the boundary walls of uniform design/ cross-section and elevation in the ridge be undertaken in the Central Ridge.
- c) The random stone masonry boundary wall shall have the height of seven feet from the ground level as per the architectural design provided by the Chief Engineer, NDMC.
- d) It was further decided that NDMC shall be responsible for construction of the stone Masonry boundary wall on both side of Shankar Road from Ganga Ram Hospital to Talkatora Stadium Roundabouts. The work is to be executed by NDMC as deposit work.
- e) Accordingly Preliminary Estimate for Rs.2,11,12,000/- was approved by the Council vide Resolution No. 16(A-126) dated 18 Feb.'09.
- f) The tenders were opened on **16 Mar.'09** through e-tendering & nine tenders were received the details of which are as follows:-

S. No.	Name	Estimated Cost	Tendered Amount	Rate Quoted	Remarks
1.	M/s Builtech	Rs. 1,75,37,505/-	Rs.1,71,61,991/-	2.14% above	
2.	M/s Gee Internationals	- do -	Rs.1,82,98,708/-	4.34% above	
3.	Sh. Gyanchand Goel	- do	Rs. 2,20,71,881/-	25.85% above	
4.	M/s Kailash Associates	-do-	Rs. 1,91,46,819/-	9.18% above	
5.	M/s KBG Engineers	- do -	Rs, 1,70,82,938/-	2.59% below	Lowest
6.	M/s Maini Construction	- do -	Rs. 2,41,60,742/-	37.77% above	
7.	M/s RR Foundation Engineers Pvt. Ltd.	- do -	Rs.2,33,80,925/-	33.32% above	
8.	M/s Raghav Engineers	- do -	Rs. 1,81,39,842/-	3.47% above	
9.	M/s Swastic Construction Co.	- do -	1,85,84,128/-	5.97% above	

- g) M/s KBG Engineers is the lowest bidder @ 2.59% below the Estimated Cost of Rs. 1,75,37,505/- against the justification of 14.47% above the Estimated Cost with the tendered amount of Rs.1,70,82,938/-.
- h) The rates quoted by the lowest bidder after scrutiny by planning have been found to be reasonable and recommended for acceptance by the Council.
- i) Finance Department has got no objection to acceptance of lowest offer of M/s KBG Engineers.
- j) The validity of tender will expire on **14 Jun.'09**.

4. Detailed proposal on the subject/project:

- Random rubble masonry.
- Red/ white sandstone work on coping of wall and pillars.
- Reinforcement cement concrete work in beams & PCC M 10 in foundation.
- Raised and cut pointing on stone work.

5. Financial implications of the proposed project/subject:

The financial implications of the proposal works out to Rs.1,70,82,938/-.

6. Implementation schedule with timeliness for each stage including internal processing

The schedule of completion of the work is six months after award of work.

7. Comments of the finance department on the subject:-

The Finance Deptt. vide diary No.764/Finance/R-Civil dated 22 Apr.'09 has no objection for acceptance of lowest offer of M/s KBG Engineers with tendered amount of Rs.1,70,82,938/- @ 2.59% below the Estimated Cost of Rs.1,75,37,505/- against the justification of 14.47% above the Estimated Cost subject to the following:-

- (a) Till CPWD Manual 2007 is got adopted from the Competent Authority, publicity time as prescribed in earlier Manual may be followed. But department is not taking action on the suggested lines instead the time limit as given in new Manual is being followed. A decision on this is needed.
- (b) The cost of the work in question may be got deposited from the department concerned or at least a firm commitment for release of funds may be obtained before incurring any liability on this account.

8. Comments of the department on comments of Finance Department

The clarifications on the comments of the Finance Department are as follows:-

- a) At present CPWD manual 2007 is followed with all its amendments and guidelines issued by CPWD in reference to Council Reso. No. 3(ii) dated 26 Sep.'97. The observations of Finance Department has already been taken care of and the case has already initiated and referred to the Finance Department for their comments vide No. 477/CE(C)-I dated 20 Apr.'08.
- b) Efforts are being made for early release of the funds from the Secretary, Department of Forest and Wild Life, Govt. of NCT of Delhi & it would ensure that the funds are deposited before incurring any liability on this account.

9. Legal Implication Of The Subject/Project

There are no legal implications.

10. Details of previous council Reso. existing law of parliament and assembly on the subject

The Administrative Approval and Expenditure Sanction for Rs.2,11,12,000/- has been accorded by the Council vide Agenda Item No. 16(A-126) dated 18 Feb.'09.

11. Comments of Law Department on the subject

No comments.

12. Comments of the department on the comments of the Law Department

No comments

13. Certification by the department that all central vigilance commission (CVC) guidelines have been followed while processing the case

Certified that necessary CVC guidelines have been followed during tendering.

14. Recommendations

The case is placed before the Council for

- (a) Consideration & accord of approval for acceptance of lowest offer of M/s KBG Engineers @ 2.59% below the Estimated Cost of Rs.1,75,37,505/- against the justification of 14.47% above the Estimated Cost with the tendered amount of Rs.1,70,82,938/- for the work of Construction of Boundary wall on both sides of Shankar Road from Ganga Ram Hospital to Talkatora Stadium Roundabout (Deposit work).
- (b) To initiate further action in anticipation of approval of Minutes of the Council meeting.

COUNCIL'S DECISION

Resolved by the Council to accept the lowest offer of M/s KBG Engineers @ 2.59% below the Estimated Cost of Rs.1,75,37,505/- against the justification of 14.47% above the Estimated Cost, with the tendered amount of Rs.1,70,82,938/-, for the work of Construction of Boundary wall on both sides of Shankar Road from Ganga Ram Hospital to Talkatora Stadium Roundabout (Deposit work).

It was decided by the Council that the work will be awarded only after the release of the funds by the Secretary, Department of Forest and Wild Life, Govt. of NCT of Delhi.

ITEM NO. 08 (A-12)**1. Name of the subject/project**

Sub.: S/R of Roads in NDMC area.

SH: Improvement to footpath/walkway at Tansen Marg, Madhav Rao Scindia Marg, Maharaja Ranjit Singh Marg & Mahatma Jyoti Rao Phule Marg.

2. Name of the Department/departments concerned

Civil Engineering Department, Road-I Division.

3. Brief history/ detailed proposal of subject/project

- (a) A comprehensive plan for improvement to footpaths under Pavement Improvement Plan was approved by the Competent Authority in Mar.'07.
- (b) The following roads have been taken up under Pavement Improvement Plan of Road Division-I: -
 - (i) Tansen Marg
 - (ii) Madhav Rao Scindia Marg
 - (iii) Maharaja Ranjit Singh Marg
 - (iv) Mahatma Jyoti Rao Phule Marg
- (c) The precast concrete footpaths of these roads were constructed about 15 years back. The condition of these footpaths has deteriorated due to wear and tear, cuttings by various service providers and have outlived their useful life. So there is need to improve these footpaths on priority in view of CWG-2010.
- (d) Accordingly, P.E. has been prepared by the field staff for Rs.1,15,26000/- which has been checked by the Planning. The P.E. has been concurred by the Finance Department.
- (e) Since the cost of work is more than Rs.50 lacs, it is required to be approved by the Council.
- (f) The case was placed before the Council vide agenda item No. 04(A-04) dated 15 Apr.'09 & was deferred due to model code of conduct.

4. Detailed proposal on the Subject/Project

- (a) White/Red sandstone with precast CC kerb stone and CC channel slab.
- (b) The scope of the work includes construction of bell mouths, bollards, cobble stone approaches to the footpaths in the form of table top crossing.

5. Financial implications of the proposed Project/Subject

The Financial implications of the proposal work out to Rs.1,15,26,000/-.

6. Implementation schedule with timelines for each stage including internal processing

The schedule of completion of work is nine months after the award of work.

7. Comments of the Finance Department on the subject with diary no. & date

The Finance Deptt. Vide diary No.437/Fin/R-Civil dated 6.3.09 has concurred the P.E. subject to following: -

- (a) Specifications proposed in the estimate including providing table top to the footpath have the approval of the Competent Authority.
- (b) The existing surface of the footpaths proposed to be improved has outlived its useful life. Further latest position in respect of action suggested by Finance Department in the case received in Finance vide Dy. No. 438 dated 26 Feb.'09 regarding maintenance of RHRs in respect of all the roads including the proposed works may also be brought on record before further submission of the case.

8. Comments of the Department on comments of Finance Department.

- (a) The Specifications proposed in the estimate including providing the table top to the footpaths have been approved by the Competent Authority.
- (b) The existing surface of footpaths has outlived its useful life. The RHRs in respect of the Road Divisions have been updated based on the available records. The certificate to this affect from Executive Engineer of concerned road division has been brought on record. The proposed life of footpaths with these specifications is about 15 years subject to condition that there are no excessive cuttings for laying of services.

9. Legal Implications of the subject/project

NIL

10. Details of previous Council Resolutions, existing Law of Parliament and Assembly on the subject

NIL

11. Comments of the Law Department on the subject

No comments.

12. Comments of the Department on the comments of the Law Department

No comments.

13. Certification by the Department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case

Certified that necessary guidelines of C.V.C. would be followed during the tendering.

14. Recommendations

The case is placed before the Council for consideration and

- (a) Accord of administrative approval and expenditure sanction for Rs.1,15,26,000/- to the P.E. for Improvement to Footpaths on Tansen Marg, Madhav Rao Scindia Marg, Maharaja Ranjit Singh Marg & Mahatma Jyoti Rao Phule Marg
- (b) Approval to initiate further action in the matter in anticipation of the minutes of the Council Meeting.

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval and expenditure sanction to the preliminary estimate amounting to Rs.1,15,26,000/- for "Improvement to Footpaths on Tansen Marg, Madhav Rao Scindia Marg, Maharaja Ranjit Singh Marg & Mahatma Jyoti Rao Phule Marg".

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 09 (A-13)**1. Name of the subject/project:**

Sub.: Improvement to parks in D-I, D-II flats of CPWD colonies in Chanakyapuri Area.

2. Name of the Department/departments concerned

Civil Engineering Department, Road-IV Division

3. Brief history of the subject/project

- a) The parks of CPWD Colonies in D-I, D-II flats of Vinay Marg were taken over from CPWD for further maintenance last year. 11 parks have been taken over from CPWD at Vinay Marg.
- b) The condition of these parks including their civil structures is bad and need immediate improvement. Accordingly a Preliminary Estimate has been prepared for Rs.1,17,19,000/- in consultation with Director (Hort.).
- c) The Preliminary Estimate has been checked by Planning & concurred by Finance Department.
- d) The case was placed before the Council vide agenda item No. 04(A-03) dated 15 Apr.'09 & was deferred due to model code of conduct.

4. Detailed proposal on the subject/project

- (a) Construction of brick toe wall with Grit wash plaster, Red sand stone copping & MS railing.
- (b) Interlocking pavers between Service Road & proposed toe wall of the park.
- (c) Retro reflective informatory sign boards & Victorian type garden benches.
- (d) Pipe lines for sprinkler system & Renovating lawn including wedding & cheeling the grass etc.

5. Financial implications of the proposed subject/project:

The Financial implications of proposal works out to Rs. 1,17,19,000/-.

6. Implementation schedule with timelines for each stage including internal processing.

The schedule time for completion of work is twelve months after award of work.

7. Comments of the Finance Department on the subject with diary no. & date.

The Finance Department vide diary No.3146/Finance/R-Civil dated 19 Jan.'09 has no objection to Preliminary Estimate for Rs.1,17,19,000/- subject to following:-

- (a) The parks have been handed over to NDMC for maintenance without release of development charges. Both Horticulture and Civil Engineering Departments have claimed development charges but status is not on record. A view / decision is required to be taken by the Competent Authority whether execution of capital and revenue nature of works should be linked without receipt of development charges as claimed from Ministry of Urban Development.
- (b) The expenditure is proposed to be charged to Head D.4.4.10 which is meant for original works to be taken up in parks & gardens of NDMC. The expenditure incurred on maintenance of parks transferred from CPWD needs to be booked under a separate head of Account & for this Director (Hort.) has got a separate head D.4.4D. The instant estimate is for capital nature of work and as such, department has to get suitable funds for capital nature of work under this HOA besides maintaining a proper account of assets to be created out of execution of capital nature of works.

8. Comments of the Department on comments of Finance Department.

- (a) Since the condition of these parks is bad and need immediate improvement so decision has been taken by Competent Authority that improvement work be carried out and should not be linked with release of development charges from Ministry of Urban Development.
- (b) It has been clarified by Account Branch of Finance Department that separate sub-head of Account has been given in Budget Book of 2009-10 for Redevelopment of CPWD colony parks as D.4.4.10(A). It is further confirmed that separate accounts of assets would be maintained after the completion of the work.

9. Legal Implications of the subject/project

There are no legal implications.

10. Details of previous Council Resolutions, existing Law of Parliament and Assembly on the subject:

Nil

11. Comments of the Law Department on the subject :

- a) Whose responsibility is to improve & maintain these parks?
- b) Is there any commitment from CPWD that they will pay?

12. Comments of the Department on the comments of the Law Department

- (a) The responsibility of maintenance of these parks has been entrusted to NDMC after taking over.
- (b) CPWD has not committed for payment of maintenance of these parks.

13. Certification by the Department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case

Certified that necessary guidelines of CVC would be followed while processing the tender case.

14. Recommendations:

The case is placed before the Council for consideration and

- (a) Accord of Administrative Approval & Expenditure for Rs.1,17,19,000/- to the Preliminary Estimate for "Improvement to parks in D-I, D-II flats of CPWD colonies in Chanakyapuri Area.
- (b) To initiate further action in anticipation of approval of Minutes of the Council meeting.

COUNCIL'S DECISION

Resolved by the Council to accord Administrative Approval & Expenditure sanction to the Preliminary Estimate amounting to Rs.1,17,19,000/- for "Improvement to parks in D-I, D-II flats of CPWD colonies in Chanakyapuri Area.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 10 (A-14)**1. Name of the subject/project**

Sub: S/R of roads in NDMC area.

SH: Improvement to footpath at Ferozshah Road, Dr. Rajendra Prasad Road, Jaswant Singh Road, Tolstoy Marg, Atul Grove Road, K.G. Marg, Jai Singh Road, Jantar Mantar Road and Sansad Marg.

2. Name of the Department/departments concerned

Civil Engineering Department, Road-I Division.

3. Brief history of the subject/project

- a) A comprehensive plan for improvement of footpaths under Pavement Improvement Plan was approved by the Competent Authority in March, 07.
- b) Following roads have been taken up under Pavement Improvement Plan:
 - Ferozshah Road
 - Dr. Rajender Prasad Road
 - Jaswant Singh Road
 - Tolstoy Marg
 - Atul Grove Road
 - K. G. Marg
 - Jai Singh Road
 - Jantar Mantar Road
 - Sansad Marg.
- c) The precast RCC footpaths of these roads were constructed 15 years back. The condition of these footpaths has deteriorated due to wear and tear, cuttings by the various utility service providers and has outlived their life. So, there is need to improve these footpaths on priority in view of Commonwealth Games-2010.
- d) Accordingly Preliminary Estimate has been prepared by the Field Staff which has been checked by the Planning. Preliminary Estimate has been concurred by the Finance Deptt.
- e) The case is placed before the Council vide agenda item No. 03(A-02) dated 15 Apr.'09 & was deferred due to model code of conduct.

4. Detailed proposal on the subject/project

- a) White / Red sandstone slabs with precast CC kerb stone & channel slab.
- b) The scope also includes provision of precast bell mouths, bollards, cobble stone approaches to footpaths in the form of table top crossings and interlocking pavers.

5. Financial implications of the proposed project/subject

The financial implications of the proposal works out to Rs.2,84,48,000/-.

6. Implementation schedule with timeliness for each stage including Internal Processing

The schedule of completion of the work is twelve months after award of work.

7. Comments of the Finance Department on the subject/project

The Finance Deptt. vide diary No.438/Finance/R-Civil dated 04.03.2009 has no objection to place the matter before the Council for seeking Administrative Approval and Expenditure Sanction for Rs.2,48,48,000/- subject to following:

- a) Approval of the Competent Authority for proposal of Red/Stone flooring instead of CC Slab for K.G. Marg and Tolstoy Marg footpath and placing on record the life of new footpath.
- b) Compliance of the earlier circular issued by the Finance Department regarding updating of Road History Register and time frame for the completion of the RHR.
- c) Availability of funds.

8. Comments of the department on comments of Finance Department

- a) Approval of Competent Authority has been obtained for use of Red/ white sandstone for K.G. Marg and Tolstoy Marg.
- b) It is certified that the action in respect of earlier circular issued by Finance Deptt. has been taken and entries have been made in RHR. The RHR's in respect of road divisions have been updated based on available records.
- c) The funds would be made available after approval of PE by the Council as per norms of Finance Deptt.

9. Legal implication of the subject/project

There is no legal implication.

10. Details of previous Council reso. existing law of Parliament and Assembly on the subject

Nil

11. Comments of Law Department on the subject

No comments

12. Comments of the department on the comments of the Law Department

No comments

13. Certification by the department that all Central Vigilance commission (CVC) guidelines have been followed while processing the case

Certified that CVC guidelines would be followed during tendering.

14. Recommendations

The case is placed before the Council for consideration and

- (a) Accord of A/A & E/S amounting to Rs.2,84,48,000/- to the Preliminary Estimate for the work of Improvement to footpath at Ferozshah Road, Dr. Rajender Prasad Road, Jaswant Singh Road, Tolstoy Marg, Atul Grove Road, K.G. Marg, Jai Singh Road, Jantar Mantar Road and Sansad Marg.
- (b) To initiate further action in the matter in anticipation of approval of members of Council meeting.

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval and expenditure sanction to the preliminary estimate amounting to Rs.2,84,48,000/- for the work of "Improvement to footpath at Ferozshah Road, Dr. Rajender Prasad Road, Jaswant Singh Road, Tolstoy Marg, Atul Grove Road, K.G. Marg, Jai Singh Road, Jantar Mantar Road and Sansad Marg".

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 11 (A-15)**1. Name of the subject/project:**

Sub.: S/R of Roads in NDMC Area

SH: Improvement to footpaths of Janpath from Claridge Hotel to Maulana Azad Road and Rajesh Pilot Marg.

2. Name of the Department/departments concerned

Civil Engineering Department, Road-II Division.

3. Brief history of subject/project

- (a) A Comprehensive Plan scheme for Improvement of footpaths under Pavement Improvement Plan was approved by the Competent Authority in Mar'07.
- (b) Following roads in EE(R-II) have been taken up under Pavement Improvement Plan (Phase-II)
- ◆ Janpath from Claridge Hotel to Maulana Azad Road
 - ◆ Rajesh Pilot Marg.
- (c) The precast RCC footpath of these roads were constructed more than 13 years. The condition of these footpaths has deteriorated due to wear & tear, cuttings by various utility providers and have outlived their life. So there is need to improve these footpaths on **priority** in view of Common wealth Games 2010.
- (d) The Sub-committee on Pavement Improvement Plan comprising of Zonal Officer of the area, Asstt. Financial Advisor & EE(R-II) has checked the condition of these footpaths & recommended for improvement.
- (e) Accordingly Preliminary Estimate has been prepared by the field staff for Rs. 52,66,500/- which has been checked by Member Planning of the Project Team and concurred by Finance Department.
- (f) Empowered Committee during its meeting on 23 Mar.'09 after detailed deliberations decided that the case be placed before the Council for accord of Administrative Approval & Expenditure Sanction for Rs. 52,66,500/- to the Preliminary Estimate for the work of "Pavement Improvement Programme during 2009-10 SH: Improvement to footpaths at Janpath Road from Claridge Hotel, Maulana Azad Road and Rajesh Pilot Marg".

- (g) The case was placed before the Council vide agenda item No. 02(A-01) dated 15 Apr.'09 & was deferred due to model code of conduct.

4. Detailed proposal on the subject/project

- (i) White/ Red Sandstone with precast CC kerb stone & channel slab in footpath of Janpath.
- (ii) Precast CC slabs with precast CC kerb stone and CC channel slab in footpath of Rajesh Pilot Marg.
- (iii) The scope of work also includes provision of bell mouths, bollards, cobble stone approaches to footpaths in the form of table top crossing.

5. Financial implications of the proposed subject/project

The financial implications of the proposal works out to Rs. 52,66,500/-.

6. Implementation schedule with timelines for each stage including internal processing.

The schedule of completion of work is six months after award of work.

7. Comments of the Finance Department on the subject with diary no. & date

The finance vide diary No. 328/finance/R-Civil dated 03 Mac. '09 has concurred the estimate for Rs. 52,66,500/- subject to following:

- (a) A definite time schedule up to which Road History Register are proposed to be completed and brought on record while seeking A/A & E/S from Council.
- (b) Availability of funds

8. Comments of the Department on comments of Finance Department

- (a) The Road History Registers of road divisions have been updated based on available records. The Certificate to this effect from Executive Engineer of concerned Road Divisions have been brought on record.
- (b) Sufficient funds are available against PIP works in the year 2009-10.

9. Legal Implications of the subject/project

Nil

10. Details of previous Council Resolutions, existing Law of Parliament and Assembly on the subject

Nil

11. Comments of the Law Department on the subject

No comments

12. Comments of the Department on the comments of the Law Department

No comments

13. Certification by the Department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case

Certified that necessary guidelines of CVC would be followed during tendering.

14. Recommendations

The case is placed before the Council for consideration and

- (a) Accord of Administrative Approval & Expenditure Sanction for Rs.52,66,500/- to the Preliminary Estimate for the work of "Pavement Improvement Programme during 2009-10 SH: Improvement to footpaths at Janpath Road from Claridge Hotel, Maulana Azad Road and Rajesh Pilot Marg".
- (b) To initiate further action in anticipation of approval of Minutes of the Council meeting.

COUNCIL'S DECISION

Resolved by the Council to accord Administrative Approval & Expenditure Sanction to the Preliminary Estimate amounting to Rs.52,66,500/- for the work of "Pavement Improvement Programme during 2009-10 SH: Improvement to footpaths at Janpath Road from Claridge Hotel, Maulana Azad Road and Rajesh Pilot Marg".

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 12 (A-16)**1. Name of the subject/project:**

Sub.: S/R of Roads in NDMC Area

SH: Improvement to footpaths and side berms of Hailey Lane, Connaught Lane, College Lane, Sikandra Lane, Pt. Ravi Shankar Shukla Lane, Copernicus Lane, Balwant Rao Mehta Lane, New Barakhamba Lane, Bhagwan Dass Lane & Lane of Mahatma Jyoti Rao Phule Marg.

2. Name of the Department/departments concerned

Civil Engineering Department, Road-I Division.

3. Brief history of subject/project

(a) A Comprehensive Plan scheme for Improvement of footpaths and side berms of lanes/ bye-lanes under LIP was approved in principle by the Competent Authority in Mar.'07.

(b) Following lanes in EE(R-I) have been taken up under Lane Improvement Plan:-

- ◆ Hailey Lane
- ◆ Connaught Lane
- ◆ College Lane
- ◆ Sikandra Lane
- ◆ Pt. Ravi Shankar Shukla Lane
- ◆ Copernicus Lane
- ◆ Balwant Rao Mehta Lane
- ◆ New Barakhamba Lane
- ◆ Lane of Mahatma Jyoti Rao Phule Marg

(c) The detailed survey of these lanes was carried out by the Sub-committee comprising of Zonal Officer of the area, Asstt. Financial Advisor & EE(R-I) to assess the conditions of these lanes and Sub-Committee recommended that suitable treatment be given to these lanes in view of deteriorating condition.

(d) The precast RCC slab of the footpaths were constructed about 10-15 years back. The condition of these footpaths has deteriorated due to wear & tear, use by various utility providers and have outlived their life soo there is need

to improve these footpaths & berms of these lanes on **priority** keeping in view of Commonwealth Games 2010.

- (e) Accordingly Preliminary Estimate has been prepared by the field staff for Rs. 1,45,82,000/- which has been checked by Planning of the and concurred by Finance Department.
- (f) Since the cost is more than Rs. 50 lacs so it is required to be placed before the Council for accord of Administrative Approval & Expenditure Sanction.

4. Detailed proposal on the subject/project

- (i) Precast CC tiles & CC kerbstone
- (ii) Precast CC channel slabs.
- (iii) The scope of work also includes provision of bell mouths, bollards, cobble stone approaches and interlocking pavers in the form of table top crossing.

5. Financial implications of the proposed subject/project

The financial implications of the proposal works out to Rs. 1,45,82,000/-.

6. Implementation schedule with timelines for each stage including internal processing.

The schedule time for completion of work is nine months after award of work.

7. Comments of the Finance Department on the subject with diary no. & date

The finance vide diary No. 497/Finance/R-Civil dated 20 Mar.'09 has concurred the estimate for Rs.1,45,82,000/- for the work 'Improvement to footpath and side berms in lanes/ bye-lanes of Hailey Lane, Connaught Lane, College Lane, Sikanda Lane, Pt. Ravi Shankar Shukla Lane, Copernicus Lane, Balwant Rao Mehta Lane, New Barakhamba Lane, Bhagwan Dass Lane & Lane of Mahatma Jyoti Rao Phule Marg subject to following:

- (a) Lanes & specifications proposed in the Estimate are the same as approved by the Competent Authority.
- (b) The existing surface of the footpath to be improved has outlived its useful life.
- (c) There are sufficient funds available with the department under the proposed HOA.
- (d) RHR on the basis of marking of year on the slabs be updated and added to the file for record before seeking Administrative Approval & Expenditure Sanction.

8. Comments of the Department on comments of Finance Department

- (a) Lanes & specifications proposed in the Estimate are the same as approved by the Competent Authority.
- (b) The existing surface of the footpath has outlived its useful life. These footpath were constructed more than twelve years back.
- (c) Sufficient funds are available with department under proposed head of account.
- (d) RHR of lanes on the basis of year marked on RCC slabs has been updated.

9. Legal Implications of the subject/project

Nil

10. Details of previous Council Resolutions, existing Law of Parliament and Assembly on the subject

Nil

11. Comments of the Law Department on the subject

No comments

12. Comments of the Department on the comments of the Law Department

No comments

13. Certification by the Department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case

Certified that necessary guidelines of CVC would be followed during tendering.

14. Recommendations

The case is placed before the Council for consideration and

- (a) Accord of Administrative Approval & Expenditure Sanction for Rs.1,45,82,000/- to the Preliminary Estimate for the work of "Improvement to footpaths and side berms of Hailey Lane, Connaught Lane, College Lane, Sikandra Lane, Pt. Ravi Shankar Shukla Lane, Copernicus Lane, Balwant Rao Mehta Lane, New Barakhamba Lane, Bhagwan Dass Lane & Lane of Mahatma Jyoti Rao Phule Marg"

- (b) To initiate further action in anticipation of approval of Minutes of the Council meeting.

COUNCIL'S DECISION

Resolved by the Council to accord Administrative Approval & Expenditure Sanction to the Preliminary Estimate amounting to Rs.1,45,82,000/- for the work of "Improvement to footpaths and side berms of Hailey Lane, Connaught Lane, College Lane, Sikandra Lane, Pt. Ravi Shankar Shukla Lane, Copernicus Lane, Balwant Rao Mehta Lane, New Barakhamba Lane, Bhagwan Dass Lane & Lane of Mahatma Jyoti Rao Phule Marg".

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 13 (A-17)**1. Name of the subject /project:**

Sub: S/R of Roads in NDMC Area

SH.: Improvement of footpath/ walkway at Dr. Zakir Hussain Marg, Subramaniam Bharti Marg, Pandara Road & Shershah Road

2. Name of the Department/departments concerned:

Civil Engineering Department, Road Division-I

3. Brief history of subject/project

- a) The footpaths of Dr. Zakir Hussain Marg, SB Marg, Pandara Road & Shershah Road were constructed between 1982 to 1990. The condition of the footpaths is bad and are not in presentable state as the slabs are broken/ missing and reinforcement is coming out at the number of places. Due to frequent cuts by MTNL, Water Supply, Electric Department etc. the problems of the damage to footpath has been substantially compounded. The improvement scheme of these footpaths was approved in principle by the Competent Authority under Pavement Improvement Plan.
- b) Since these footpaths have outlived their life so the case of Preliminary Estimate amounting to Rs. 3,04,06,000/-was approved by the Council vide Agenda Item No. 07(A-5) dated 28 Apr.'08.
- c) The tenders were invited through e-tendering system and opened on 31 Dec.'08 the details of which are as follows:-

S. No.	Name	Estimated Cost	Tendered Amount	Rate Quoted	Remarks
1.	M/s K.R. Anand	Rs.3,12,12,767/-	Rs.3,97,50,385/-	27.35% above	
2.	M/s Puja Const. Co.	- do -	Rs.4,74,73,531/-	52.1% above	
3.	Sh.Satyavir Singh	- do	Rs.3,94,71,035/-	26.46% above	Lowest

- d) M/s Satyavir Singh is the lowest bidder @ 26.46% above the Estimated Cost of Rs. 3,12,12,767/- against the justification of 22.81% above the Estimated Cost with the tendered amount of Rs.3,94,71,035/-.
- e) The rates quoted by the lowest bidder after scrutiny by planning have been found to be reasonable and recommended for acceptance.
- f) The validity of tender which is expiring on 30 Mar.'09 has been got extended upto **31 May'09**.

- g) Empowered Committee during its meeting on 08 May '09 after detailed deliberations recommended that the case be placed before the Council for accord of approval for acceptance of lowest offer of Sh. Satyavir Singh @ 26.46% above Estimated Cost of Rs.3,12,12,767/- against the justification of 22.81% above the Estimated Cost with the tendered amount of Rs.3,94,71,035/- for the work of S/R of Roads in NDMC Area SH: Improvement of footpath/ walkway at Dr. Zakir Hussain Marg, Subramaniam Bharti Marg, Pandara Road and Shershah Road.

4. Detailed proposal on the subject/project

- (a) Providing 40 mm thick fine dressed sandstone over PCC 1:5:10.
 (b) Provision of sunken and moulded red sandstone kerb stone of size 300 X 300 X 150 mm
 (c) DQ stone blocks 100X100 mm around trees.

5. Financial implications of the proposed project

The Financial implications of the scheme works out to Rs.3,94,71,035/-.

6. Implementation schedule with time limits for such stage including internal processing:

The schedule completion of work is twelve months after award of work.

7. Comments of Finance Department on the subject with diary No. and date:

The proposal has been concurred by Finance Deptt. Vide diary No.748/Finance/R-Civil dated 17 Apr.'09. Finance Department has got no objection to the recommendations of department for acceptance of tender of Sh. Satyavir Singh at the tendered amount of Rs. 3,94,71,035/- which is 26.46% above the Estimated Cost of Rs. 3,12,12,767/- against the justified rates of 22.81% above the Estimated Cost subject to certification that rates quoted by L-1 are reasonable and justified.

8. Comments of department comments of Finance Department

It is certified that rates quoted by lowest bidder are reasonable and justified.

9. Legal Implications of the subject/project

Nil

10. Details of previous Council resolutions, existing law of Parliament and Assembly on the subject

The Administrative Approval and Expenditure Sanction for Rs.3,04,06,000/- has been accorded by the council vide Agenda Item No. 07(A-5) dated 28 Apr.'08.

11. Comments of the Law Department on the subject

No comments

12. Comments of the Department on the comments of the Law Department

No comments

13. Certification by the department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case

Certified that guidelines of CVC have been followed while processing the tender case.

14. Recommendations:

The case is placed before the Council for

- (a) Consideration and accord of approval of lowest offer of Sh. Satyavir Singh @ 26.46% above Estimated Cost of Rs.3,12,12,767/- against the justification of 22.81% above the Estimated Cost with the tendered amount of Rs.3,94,71,035/- for the work of S/R of Roads in NDMC Area SH: Improvement of footpath/ walkway at Dr. Zakir Hussain Marg, Subramaniam Bharti Marg, Pandara Road and Shershah Road.
- (b) To initiate further action in anticipation of approval of Minutes of the Council Meeting.

COUNCIL'S DECISION

Resolved by the Council to accept the lowest offer of Sh. Satyavir Singh @ 26.46% above Estimated Cost of Rs.3,12,12,767/- against the justification of 22.81% above the Estimated Cost, with the tendered amount of Rs.3,94,71,035/-, for the work of S/R of Roads in NDMC Area. SH: Improvement of footpath/ walkway at Dr. Zakir Hussain Marg, Subramaniam Bharti Marg, Pandara Road and Shershah Road.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 14 (A-18)**1. Name of the Project**

Sub: Installation of Road Signages in NDMC Area.

SH: Providing & Fixing road signages on 28 corridors comprising of roads in NDMC area related to CWG 2010, Corridor Nos. 1,2,15,19 & 28 (Package-I)

2. Name of Department

Civil Engineering Department, Road Division II.

3. Brief History of the project

- (a) The road signages in NDMC area consists of retro-reflective as well as non retro-reflective types made of posts of MS angle/ channel with MS sheet painted with stove enameled paint. Informatory, Cautionary and Mandatory boards have been provided from time to time as per request of traffic police but not in a planned manner. The signages provided on the roads are not adequate and do not meet the national/international standards. Most of the Mandatory/ Cautionary/ Informatory boards are inadequate & not in tune with the latest standards prevalent in major cities of the world.
- (b) All the major Central Govt. offices including seat of Central Govt. is in NDMC area. The embassies are also located in NDMC area. All the visiting dignitaries & heads of State alongwith their delegations visit NDMC area. So the importance of having proper signages cannot be ignored as it enhances the reputation of city more so when so many foreign tourists/dignitaries visit the capital of the country.
- (c) The signages provided at present are grossly inadequate and the material which has been used in the past has been replaced worldwide by the latest material which is user friendly. Signages with these latest materials can be seen clearly during night and foggy days. It is proposed to provide signages of international standards which will improve visibility of the signs and facilitate both pedestrians and the vehicle users. In view of Commonwealth Games 2010, the importance of good, adequate & planned signages on the roads cannot be ignored. So the proposal to have well planned & properly designed international standard Road signages was initiated for NDMC roads.
- (d) The presentation of signage plan was made before Council vide item No. 26 (A-78) dated 13 Feb.'08.

- (e) Accordingly 28 major corridors were identified comprising of roads related to CWG 2010 and Administrative Approval & Expenditure Sanction for Rs. 11,87,21,000/- comprising of 48 roads was accorded vide Reso. No. 04(A-90) dated 31 Dec.'08 alongwith approval to call tenders in three packages of Rs.4 Crores each. This is the tender case for first package.
- (f) The tenders were opened through e-tendering system and five technical bids were opened on 09 Mar.'09. The financial bids were opened on 06 Apr.'09. The Technical bid of M/s Design Dialogues was not opened as cost of tender & earnest money was not deposited by the bidder.
- (g) After Evaluation of Technical bids by Technical Sub-Committee technical bid of M/s M.K. Sign was not found as per NIT conditions so the financial bid of M/s M.K. Sign was not opened. The details of financial bid of the eligible bidders are as follows:-

S. No.	Name	Estimated Cost	Tendered Amount	Rate Quoted	Remarks
1.	M/s Nippon Signages (I) Pvt. Ltd.	Rs.3,49,99,421/-	Rs.4,48,80,798/-	28.23% Above	
2.	M/s CBM Industries Ltd.	- do-	Rs.4,37,70,249	25.06% above	Lowest
3.	M/s Kalpana Glass Fibre Pvt. Ltd.	- do-	Rs.4,49,22,332/-	28.35% Above	
4.	M/s Fibre Fill Engineers	- do -	Rs.4,49,32,692	28.38% above	

- (h) M/s CBM Industries Ltd. quoted the lowest rate at 25.06% above the Estimated Cost of Rs.3,49,99,421/- with tendered amount of Rs.4,37,70,249/- against justification of 2.37% above Estimated Cost.
- (i) Since the rates quoted by the lowest tenderer were found to be higher than the justified rate after scrutiny by planning so keeping in view the importance of work being directly related to CWG-2010 the feasibility of negotiation with lowest bidder was explored. Accordingly after approval by Competent Authority negotiation was held with Lowest bidder to explore the possibility of reduction of rates to the extent possible.
- (j) The negotiation was conducted with Lowest Bidder i.e. M/s CBM Industries Ltd. by negotiation Sub-committee and bidder gave a rebate of 18% on his earlier quoted rates which works out to 2.55% above the Estimated Cost against justified rate of 2.37% above Estimated Cost with negotiated offer of Rs.3,58,91,604/-. Since the negotiated offer of Lowest Bidder has now been

found reasonable with respect to justified rates & is therefore recommended for acceptance.

- (k) The finance Department has concurred the proposal of acceptance of Lowest offer of M/s CBM Industries Ltd..
- (l) The validity of tender has been extended upto **30 Jun.'09**.

4. Detailed proposal on the subject / project

- (a) Stainless steel structure.
- (b) Aluminum composite material sheet with stainless steel pipe frame.
- (c) Type IX Micro Prismatic Retro-reflective sheeting over aluminum composite material sheet with words and signs as per IRC specifications.
- (d) Construction of foundation with cement concrete for fixing stainless steel posts.
- (e) Very High Bond (VHB) double side tape for fixing of ACM sheet.

5. Financial implication of the proposed project

The Financial implications of the scheme works out to Rs.3,58,91,604/-.

6. Implementation schedule with time limits for such stage including internal processing

The schedule period of completion of work is six months after award of work.

7. Comments of finance department on the subject with diary No. & date

The finance Department vide diary No. FA-917/A-CE(C) dated 06 May'09 has concurred in the proposal subject to following:-

- (a) The negotiated offer is within the close range of justified rates. Department to ensure that negotiated offer is in close range of trend of rates for similar nature of work.
- (b) A comparative statement containing eligibility criteria as laid down in NIT, compliance of the said eligibility criteria by the participants, comments of tender opening authority against the column of each firms duly signed by the Technical Evaluation Committee may be added to the file for record. It may be certified on the body of the statement that the firms, which have been

qualified for opening of financial bids, fulfill the eligibility criteria as per NIT conditions.

- (c) Certification that due publicity time has been observed, placing on record newspaper cuttings in support thereof & the advertisement policy as circulated by Director (PR) as per No. PRD 1578/D/2007 dated 04 Jul.'07 has been followed.
- (d) Certification that no extra cost has been added in the justification on account of various factors as listed in OM No. DGW/MAN/169 dated 31 Dec.'08.
- (e) Tender opening authority to sign all the tender documents before processing the case further.
- (f) Certification that CVC guidelines including that on negotiation have been followed.

8. Comments of department comments of finance Department

- (a) The trend for similar nature of work with such magnitude is not available as similar items/ specifications works of such a large magnitude has not been executed in the recent past. However smaller works of signages with different items/ specifications have been executed at the rates less than the justified rates. The present negotiated offer which is in close range of justified rates has been found reasonable keeping in view the fact that the work is scattered in nature & has to be executed along several roads in NDMC Area besides having several working constraints of VVIP movement & Traffic restrictions etc.
- (b) The comparative statement containing eligibility criteria as laid down in NIT, compliance of the said eligibility criteria by the participants, comments of tender opening authority against the column of each firms duly signed by the Technical Evaluation Committee has been added to the file for record. It is further certified that the firms whose financial bid was opened was approved by the Technical Evaluation Committee fulfilling the eligibility criteria as per NIT condition.
- (c) It is certified that due publicity time as per CPWD Manual 2007 has been observed and published in leading newspapers by Director (PR) as per policy circulated for various range of works.

- (d) It is certified that no extra cost has been added in the justification on account of various factors as listed in OM No. DGM/MAN/169 dated 31 Dec.'08.
- (e) The tender opening authority has signed all the tender documents.
- (f) It is certified that negotiations were conducted as per standing order No. 14/05-06 dated 11 Apr.'05 and as per CVC guidelines.

9. Legal Implication of the subject/Project

There are no legal implications.

10 Details of previous council resolution existing law of Parliament and Assembly on subject

The Administrative Approval & Expenditure Sanction for Providing & Fixing road signages on 28 corridors was accorded by Council vide Agenda Item No. 04(A-90) dated 31 Dec.'08 for Rs. 11,87,21,000/-

11. Comments of Law Department on subject

No comments

12. Comments of the department on the comments of Law department

No comments

13. Certification by the department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case

Certified that Necessary guidelines of CVC have been followed during tendering.

14. Recommendations

The case is placed before the Council for consideration & accord of approval for following:-

- (a) Acceptance of negotiated offer of M/s CBM Industries Ltd. @ 2.55% above Estimated Cost of Rs.3,49,99,421/- against justified rates of 2.37% above Estimated Cost with tendered amount of Rs. 3,58,91,604/- for the work of Installation of Road Signages in NDMC Area SH: Providing & Fixing road signages on 28 corridors comprising of roads in NDMC area related to CWG 2010, Corridor Nos. 1,2,15,19 & 28 (Package-I).

- (b) To initiate further action in anticipation of approval of minutes of Council meeting.

COUNCIL'S DECISION

Resolved by the Council to accept the negotiated offer of M/s CBM Industries Ltd. @ 2.55% above Estimated Cost of Rs.3,49,99,421/-, against justified rates of 2.37% above Estimated Cost, with tendered amount of Rs.3,58,91,604/-, for the work of Installation of Road Signages in NDMC Area. SH: Providing & Fixing road signages on 28 corridors comprising of roads in NDMC area related to CWG 2010, Corridor Nos. 1,2,15,19 & 28 (Package-I).

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 15 (A-19)**1. Name of the Project**

Sub: Installation of Road Signages in NDMC Area.

SH: Providing & Fixing road signages on 28 corridors comprising of roads in NDMC area related to CWG 2010, Corridor Nos. 3,7,12,13,14,16,24,25 & 27 (Package-II).

2. Name of Department

Civil Engineering Department, Road Division-II.

3. Brief History of the project

- (a) The road signages in NDMC area consists of retro-reflective as well as non retro-reflective types made of posts of MS angle/ channel with MS sheet painted with stove enameled paint. Informatory, Cautionary and Mandatory boards have been provided from time to time as per request of traffic police but not in a planned manner. The signages provided on the roads are not adequate and do not meet the national/international standards. Most of the Mandatory/ Cautionary/ Informatory boards are inadequate & not in tune with the latest standards prevalent in major cities of the world.
- (b) All the major Central Govt. offices including seat of Central Govt. is in NDMC area. The embassies are also located in NDMC area. All the visiting dignitaries & heads of State alongwith their delegations visit NDMC area. So the importance of having proper signages cannot be ignored as it enhances the reputation of city more so when so many foreign tourists/dignitaries visit the capital of the country.
- (c) The signages provided at present are grossly inadequate and the material which has been used in the past has been replaced worldwide by the latest material which is user friendly. Signages with these latest materials can be seen clearly during night and foggy days. It is proposed to provide signages of international standards which will improve visibility of the signs and facilitate both pedestrians and the vehicle users. In view of Commonwealth Games 2010, the importance of good, adequate & planned signages on the roads cannot be ignored. So the proposal to have well planned & properly designed international standard Road signages was initiated for NDMC roads.

- (d) The presentation of signage plan was made before Council vide item No. 26 (A-78) dated 13 Feb.'08.
- (e) Accordingly 28 major corridors were identified comprising of roads related to CWG 2010 and Administrative Approval & Expenditure Sanction for Rs. 11,87,21,000/- comprising of 48 roads was accorded vide Reso. No. 04(A-90) dated 31 Dec.'08 alongwith approval to call tenders in three packages of Rs.4 Crores each. This is the tender case of second package.
- (f) The tenders were opened through e-tendering system and technical bids of seven bidders were opened on 26 Feb.'09. The financial bids were opened on 02 Apr.'09. After Evaluation of technical bids by Technical Sub-Committee only four bidders qualified for opening of financial bid.
- (g) The technical bid of M/s Design Dialogues, M/s M.K. Siign & M/s Bajaj Electrical Ltd. was not opened as they did not meet the eligibility criteria of NIT.
- (h) The details of financial bids of the eligible bidders are as follows:-

S. No.	Name	Estimated Cost	Tendered Amount	Rate Quoted	Remarks
1.	M/s Kalpana Glass Fibre Pvt. Ltd.	Rs.3,19,11,397/-	Rs.4,31,15,843.80	35.11% above	
2.	M/s Nippon Signages (I) Pvt. Ltd.	- do -	Rs.4,15,61,459/-	30.24% above	
3.	M/s CBM Industries Ltd.	- do -	Rs.4,14,63,088.60	29.93% above	
4.	M/s Fibre Fill Engineers	- do -	Rs.4,09,17,997/-	28.22% above	Lowest

- (i) M/s Fibrefill Engineers quoted the lowest rate at 28.22% above the Estimated Cost of Rs. 3,19,11,397/- with tendered amount of Rs. 4,09,17,997/- against justification of 2.40% above Estimated Cost.
- (j) Since the rates quoted by the lowest tenderer were found to be higher than the justified rate after scrutiny by planning so keeping in view the importance of work being directly related to CWG-2010 the feasibility of negotiation with lowest bidder was explored. Accordingly after approval by Competent Authority negotiation was held with Lowest bidder to explore the possibility of reduction of rates to the extent possible.
- (k) The negotiation was conducted with Lowest Bidder i.e. M/s Fiberfill Engineers by negotiation Sub-committee and bidder gave a rebate of 20% on his earlier quoted rates which works out to 2.58% above the Estimated Cost against justified rate of 2.40% above Estimated Cost with negotiated offer of Rs.

3,27,34,398/-. Since the negotiated offer of Lowest Bidder has now been found reasonable with respect to justified rates & is therefore recommended for acceptance.

- (l) The Finance Department has concurred the proposal of acceptance of Lowest offer of M/s Fibre fill Engineers.
- (m) The validity of tender has been extended upto **30 Jun.'09**.

4. Detailed proposal on the subject / project

- (a) Stainless steel structure.
- (b) Aluminum composite material sheet with stainless steel pipe frame.
- (c) Type IX Micro Prismatic Retro-reflective sheeting over aluminum composite material sheet with words and signs as per IRC specifications.
- (d) Construction of foundation with cement concrete for fixing stainless steel posts.
- (e) Very High Bond (VHB) double side tape for fixing of ACM sheet.

5. Financial implication of the proposed project

The Financial implications of the scheme works out to Rs.3,27,34,398/-.

6. Implementation schedule with time limits for such stage including internal processing

The schedule period of completion of work is six months after award of work.

7. Comments of finance department on the subject with diary No. & date

Finance Department vide diary No. F-918/A-CE(C) dated 06 May'09 has concurred the proposal subject to following:-

- (a) The negotiated offer is within the close range of justified rates. Department to ensure that negotiated offer is in close range of trend of rates for similar nature of work.
- (b) A comparative statement containing eligibility criteria as laid down in NIT, compliance of the said eligibility criteria by the participants, comments of tender opening authority against the column of each firms duly signed by the Technical Evaluation Committee may be added to the file for record. It

may be certified on the body of the statement that the firms, which have been qualified for opening of financial bids, fulfill the eligibility criteria as per NIT conditions.

- (c) It may be certified that due publicity time has been observed, placing on record newspaper cuttings in support thereof & the advertisement policy as circulated by Director (PR) as per No. PRD 1578/D/2007 dated 04 Jul.'07 has been followed.
- (d) It also needs to be certified that no extra cost is added in the justification on account of various factors as listed in OM No. DGW/MAN/169 dated 31 Dec.'08.
- (e) Tender opening authority may sign all the tender documents before processing the case further.
- (f) Certification that CVC guidelines including that negotiation has been followed.

8. Comments of department comments of finance Department

- (a) The trend for similar nature of work with such magnitude is not available as similar items/ specifications works of such a large magnitude has not been executed in the recent past. However smaller works of signages with different items/ specifications have been executed at the rates less than the justified rates. The present negotiated offer which is in close range of justified rates has been found reasonable keeping in view the fact that the work is scattered in nature & has to be executed along several roads in NDMC Area besides having several working constraints of VVIP movement & Traffic restrictions etc.
- (b) The comparative statement containing eligibility criteria as laid down in NIT, compliance of the said eligibility criteria by the participants, comments of tender opening authority against the column of each firms duly signed by the Technical Evaluation Committee has been added to the file for record. It is further certified that the firms whose financial bid was opened was approved by the Technical Evaluation Committee fulfilling the eligibility criteria as per NIT condition.
- (c) It is certified that due publicity time as per CPWD Manual 2007 has been observed and published in leading newspapers by Director (PR) as per policy circulated for various range of works.

- (d) It is certified that no extra cost has been added in the justification on account of various factors as listed in OM No. DGM/MAN/169 dated 31 Dec.'08.
- (e) The tender opening authority has signed all the tender documents.
- (f) It is certified that negotiations were conducted as per standing order No. 14/05-06 dated 11 Apr.'05 and as per CVC guidelines.

9. Legal Implication of the subject/Project

There are no legal implications.

10. Details of previous council resolution existing law of Parliament and Assembly on subject

The Administrative Approval & Expenditure Sanction for providing & fixing signages on 28 corridors was accorded by Council vide Agenda Item No. 04(A-90) dated 31 Dec.'08 for Rs.11,87,21,000/-.

11. Comments of Law Department on subject

No comments

12. Comments of the department on the comments of Law department

No comments

13. Certification by the department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case

Certified that Necessary guidelines of CVC have been followed during tendering.

14. Recommendations

The case is placed before the Council for consideration & accord of approval for following:-

- (a) Acceptance of negotiated offer of M/s Fiberfill Engineers @ 2.58% above Estimated Cost of Rs.3,19,11,397/- against justified rate of 2.40% above Estimated Cost with tendered amount of Rs. 3,27,34,398/- for the work of Installation of Road Signages in NDMC Area SH: Providing & Fixing road

signages on 28 corridors comprising of roads in NDMC area related to CWG 2010, Corridor Nos. 3,7,12,13,14,16,24,25 & 27 (Package-II).

- (b) To initiate further action in anticipation of approval of minutes of Council meeting.

COUNCIL'S DECISION

Resolved by the Council to accept the negotiated offer of M/s Fiberfill Engineers @ 2.58% above Estimated Cost of Rs.3,19,11,397/-, against justified rate of 2.40% above Estimated Cost, with tendered amount of Rs. 3,27,34,398/-, for the work of Installation of Road Signages in NDMC Area. SH: Providing & Fixing road signages on 28 corridors comprising of roads in NDMC area related to CWG 2010, Corridor Nos. 3,7,12,13,14,16,24,25 & 27 (Package-II).

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 16 (A-20)**1. Name of the Project**

Sub: Installation of Road Signages in NDMC Area.

SH: Providing & Fixing road signages on 28 corridors comprising of roads in NDMC area related to CWG 2010, Corridor Nos. 4,5,6,8,9,10,11,17,18,20,21,22,23 & 26 (Package-III).

2. Name of Department

Civil Engineering Department, Road Division-II.

3. Brief History of the project

- (a) The road signages in NDMC area consists of retro-reflective as well as non retro-reflective types made of posts of MS angle/ channel with MS sheet painted with stove enameled paint. Informatory, Cautionary and Mandatory boards have been provided from time to time as per request of traffic police but not in a planned manner. The signages provided on the roads are not adequate and do not meet the national/international standards. Most of the Mandatory/ Cautionary/ Informatory boards are inadequate & not in tune with the latest standards prevalent in major cities of the world.
- (b) All the major Central Govt. offices including seat of Central Govt. is in NDMC area. The embassies are also located in NDMC area. All the visiting dignitaries & heads of State alongwith their delegations visit NDMC area. So the importance of having proper signages cannot be ignored as it enhances the reputation of city more so when so many foreign tourists/dignitaries visit the capital of the country.
- (c) The signages provided at present are grossly inadequate and the material which has been used in the past has been replaced worldwide by the latest material which is user friendly. Signages with these latest materials can be seen clearly during night and foggy days. It is proposed to provide signages of international standards which will improve visibility of the signs and facilitate both pedestrians and the vehicle users. In view of Commonwealth Games 2010, the importance of good, adequate & planned signages on the roads cannot be ignored. So the proposal to have well planned & properly designed international standard Road signages was initiated for NDMC roads.

- (d) The presentation of signage plan was made before Council vide item No. 26 (A-78) dated 13 Feb.'08.
- (e) Accordingly 28 major corridors were identified comprising of roads related to CWG 2010 and Administrative Approval & Expenditure Sanction for Rs. 11,87,21,000/- comprising of 48 roads was accorded vide Reso. No. 04(A-90) dated 31 Dec.'08 alongwith approval to call tenders in three packages of Rs.4 Crores each. This is the tender case of third package.
- (f) The tenders were opened through e-tendering system and technical bids of six bidders were opened on 12 Mar.'09. The financial bids were opened on 09 Apr.'09. After evaluation of technical bids by the Technical Sub-Committee only four bidders qualified for opening of financial bid.
- (g) The technical bid of M/s Design Dialogues & M/s M.K. Sign was not opened they did not meet the eligibility criteria of NIT.
- (h) The details of financial bid of the eligible bidder are as follows:-

S. No.	Name	Estimated Cost	Tendered Amount	Rate Quoted	Remarks
1.	M/s Fibre Fill Engineers	Rs.3,35,76,318/-	Rs.4,31,17,835/-	28.42% above	
2.	M/s Nippon Signages (I) Pvt. Ltd.	- do -	Rs.4,21,68,301/-	25.59% above	
3.	M/s Kalpana Glass Fibre Pvt. Ltd.	- do -	Rs.4,31,63,991.60	28.55%	
4.	M/s CBM Industries Ltd.	- do -	Rs.4,20,05,369.80	25.10% above	Lowest

- (i) M/s CBM Industries Ltd. quoted the lowest rate @ 25.10% above the Estimated Cost of Rs.3,35,76,318/- with tendered amount of Rs.4,20,05,369.80 against justification of 2.36% above Estimated Cost.
- (j) Since the rates quoted by the lowest tenderer were found to be higher than the justified rate after scrutiny by planning so keeping in view the importance of work being directly related to CWG-2010 the feasibility of negotiation with lowest bidder was explored. Accordingly after approval by Competent Authority negotiation was held with Lowest bidder to explore the possibility of reduction of rates to the extent possible.
- (k) The negotiation was conducted with Lowest Bidder i.e. M/s CBM Industries Ltd. by negotiation Sub-committee and bidder gave a rebate of 18% on his earlier quoted rates which works out to 2.59% above the Estimated Cost against justified rate of 2.36% above Estimated Cost with negotiated offer of 3,44,44,403/-. Since the negotiated offer of Lowest Bidder has now been

found reasonable with respect to justified rates & is therefore recommended for acceptance.

- (l) The Finance Department has concurred the proposal of acceptance of Lowest offer of M/s CBM Industries Ltd.
- (m) The validity of tender has been extended upto **30 Jun.'09**.

4. Detailed proposal on the subject / project

- (a) Stainless steel structure.
- (b) Aluminum composite material sheet with stainless steel pipe frame.
- (c) Type IX Micro Prismatic Retro-reflective sheeting over aluminum composite material sheet with words and signs as per IRC specifications.
- (d) Construction of foundation with cement concrete for fixing stainless steel posts.
- (e) Very High Bond (VHB) double side tape for fixing of ACM sheet.

5. Financial implication of the proposed project

The Financial implications of the scheme works out to Rs.3,44,44,403/-.

6. Implementation schedule with time limits for such stage including internal processing

The schedule period of completion of work is six months after award of work.

7. Comments of finance department on the subject with diary No. & date

Finance Department vide diary No.FA-916/R-CE(C)dated 08 May'09 has no objection to department recommendation for acceptance of negotiated offer of M/s CBM dated 2.59% above Estimated Cost of 3,35,76,318/- with negotiated amount of Rs. 3,44,44,403 subject to following:-

- (a) The negotiated offer is within the close range of justified rates. Department to ensure that negotiated offer is in close range of trend of rates for similar nature of work.
- (b) A comparative statement containing eligibility criteria as laid down in NIT, compliance of the said eligibility criteria by the participants, comments of tender opening authority against the column of each firms duly signed by the

Technical Evaluation Committee may be added to the file for record. It may be certified on the body of the statement that the firms, which have been qualified for opening of financial bids, fulfill the eligibility criteria as per NIT conditions.

- (c) It may be certified that due publicity time has been observed, placing on record newspaper cuttings in support thereof & the advertisement policy as circulated by Director (PR) as per No. PRD 1578/D/2007 dated 04 Jul.'07 has been followed.
- (d) It also needs to be certified that no extra cost is added in the justification on account of various factors as listed in OM No. DGW/MAN/169 dated 31 Dec.'08.
- (e) Tender opening authority may sign all the tender documents before processing the case further.
- (f) Certification that CVC guidelines including that negotiation has been followed.

8. Comments of department on comments of Finance Department

- (a) The trend for similar nature of work with such magnitude is not available as similar items/ specifications works of such a large magnitude has not been executed in the recent past. However smaller works of signages with different items/ specifications have been executed at the rates less than the justified rates. The present negotiated offer which is in close range of justified rates has been found reasonable keeping in view the fact that the work is scattered in nature & has to be executed along several roads in NDMC Area besides having several working constraints of VVIP movement & Traffic restrictions etc.
- (b) The comparative statement containing eligibility criteria as laid down in NIT, compliance of the said eligibility criteria by the participants, comments of tender opening authority against the column of each firms duly signed by the Technical Evaluation Committee has been added to the file for record. It is further certified that the firms whose financial bid was opened was approved by the Technical Evaluation Committee fulfilling the eligibility criteria as per NIT condition.
- (c) It is certified that due publicity time as per CPWD Manual 2007 has been observed and published in leading newspapers by Director (PR) as per policy circulated for various range of works.

- (d) It is certified that no extra cost has been added in the justification on account of various factors as listed in OM No. DGM/MAN/169 dated 31 Dec.'08.
- (e) The tender opening authority has signed all the tender documents.
- (f) It is certified that negotiations were conducted as per standing order No. 14/05-06 dated 11 Apr.'05 and as per CVC guidelines.

9. Legal Implication of the subject/Project

There are no legal implications.

10. Details of previous council resolution existing law of Parliament and Assembly on subject

The Administrative Approval & Expenditure Sanction for providing & fixing road signages on 28 corridors was accorded by Council vide Agenda Item No. 04(A-90) dated 31 Dec.'08 for Rs.11,87,21,000/-.

11. Comments of Law Department on subject

No comments

12. Comments of the department on the comments of Law department

No comments

13. Certification by the department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case

Certified that Necessary guidelines of CVC have been followed during tendering.

14. Recommendations

The case is placed before the Council for consideration & accord of approval of for following:-

- (a) Acceptance of negotiated offer of M/s CBM Industires Ltd. @ 2.59% above Estimated Cost of Rs.3,35,76,318/- against justified rates of 2.36% above Estimated Cost with tendered amount of Rs. 3,44,44,403/- for the work of Installation of Road Signages in NDMC Area SH: Providing & Fixing road

- signages on 28 corridors comprising of roads in NDMC area related to CWG 2010, Corridor Nos. 4,5,6,8,9,10,11,17,18,20,21,22,23 & 26 (Package-III)
- (b) To initiate further action in anticipation of approval of minutes of Council meeting.

COUNCIL'S DECISION

Resolved by the Council to accept the negotiated offer of M/s CBM Industires Ltd. @ 2.59% above Estimated Cost of Rs.3,35,76,318/-, against justified rates of 2.36% above Estimated Cost, with tendered amount of Rs. 3,44,44,403/-, for the work of Installation of Road Signages in NDMC Area. SH: Providing & Fixing road signages on 28 corridors comprising of roads in NDMC area related to CWG 2010, Corridor Nos. 4,5,6,8,9,10,11,17,18,20,21,22, 23 & 26 (Package-III)

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 17 (A-21)**1. Name of the Project**

Sub.: Pavement Improvement Programme

SH.: Improvement to footpaths under jurisdiction of Sub-division-II of EE(R-II).

2. Name of the Department/departments concerned

Civil Engineering Department, Road-II Division.

3. Brief history of the subject/project

- (a) The scheme for improvement of footpaths under Pavement Improvement Plan was approved by the Competent Authority in Mar.'07.
- (b) Following roads have been taken up under Pavement Improvement Plan (Phase-I):-
 - Shahajahan Road
 - Moti Lal Nehru Marg
 - Aurangzeb Road
 - Prithvi Raj Road
 - Tughlak Road
- (c) The precast RCC footpath of these roads were constructed between 1987-96. The condition of these footpaths has deteriorated due to wear & tear, cuttings by various utility providers and have outlived their life. So there is need to improve these footpaths on **priority** in view of Commonwealth Games 2010.
- (d) The Sub-Committee on Pavement Improvement Plan comprising of Zonal Officer of the area, Asstt. Financial Advisor & EE(R-II) has checked the condition of these footpaths & recommended for improvement.
- (e) The Administrative Approval & Expenditure for Rs.3,56,15,000/- was accorded by Council vide Reso. No. 04(A-71) dated 17 Dec.'08.
- (f) Tenders were opened through e-tendering system on 03 Mar.'09 & five tenders participated. The details of financial bids are as follows:-

S. No.	Name	Estimated Cost	Tendered Amount	Rate Quoted	Remarks
1.	M/s K.B.G. Engineers	Rs.3,51,42,292/-	Rs.4,81,48,081/-	37.01% above	
2.	M/s Swastic Const. Co.	- do -	Rs.5,17,25,106/-	47.19% above	
3.	M/s Puja Const. Co.	- do -	Rs.4,88,64,659.29	39.05% above	
4.	M/s Satish Chand Rajesh Kumar (P) Ltd.	- do -	Rs.4,75,15,299/-	35.21% above	Lowest
5.	M/s Apex Const. Co.	- do -	Rs.4,84,60,072.50	37.90% above	

- (g) M/s Satish Chand Rajesh Kumar (P) Ltd. has quoted the lowest rate @ 35.21% above the Estimated Cost of Rs.3,51,42,292/- with tendered amount of Rs.4,75,15,299/- against justification of 35.11% above the Estimated Cost.
- (h) The tender has been scrutinized by Planning & has recommended to award the work to L-1 at his quoted rate which is 35.21% above the Estimated Cost and seek revised Administrative Approval & Expenditure Sanction from the Council as the tendered amount is more than 10% of the Administrative Approval & Expenditure Sanction.
- (i) The case has been concurred by the Finance Department.
- (j) The validity of tender has been extended upto 30 May'09.

4. Detailed proposal on the subject/project:

- a) The proposal is for improvement of footpath of Tuglak Road, Aurangzeb Road & Prithvi Raj Road by providing 40mm thick machine cut red & white sandstone with precise CC kerbstone.
- b) Provision of 40mm thick machine cut red & white sandstone with sunken moulded kerbstone with channel of red sandstone on Moti Lal Nehru Marg & Shahjahan Road.
- c) The scope of work also includes provision of bell mouths, bollards, cobble stone approaches of footpaths in the form of table top.

5. Financial implications of the proposed project/subject:

The financial implications of the scheme works out to Rs.4,75,15,299/-

6. Implementation schedule with timeliness for such stage including internal processing

The schedule of completion of the work is Twelve months after award of work.

7. Comments of the finance department on the subject:-

The Finance Deptt. vide diary No.FA-938/R-CE(C) dated 08 May '09 has no objection to award of work to L-1 at their tendered amount of Rs.4,75,15,299/- which is 35.21% above Estimated Cost of Rs.3,51,42,292 against justification of 35.11% above the Estimated cost subject to following:-

Department to take necessary action for adoption of CPWD Manual 2007 with upto date modifications (with or without changes required for NDMC) or atleast take the approval of Competent Authority for the adoption of publicity clause as per new Manual of 2007.

8. Comments of the department on comments of Finance Department

The case for adoption of CPWD Manual 2007 has already been initiated & sent to Finance Department for concurrence on 08 May '09 & is proposed to be placed before the Council after clearance from Finance & Legal Departments.

9. Legal Implication Of The Subject/Project

There are no legal implications.

10. Details of previous council Resolution existing law of Parliament and Assembly on the subject

The Administrative Approval and Expenditure Sanction was accorded by Council vide Agenda Item No. 04(A-71) dated 17 Dec.'08 for Rs.3,56,15,000/-.

11. Comments of Law Department on the subject

No comments

12. Comments of the department on the comments of the Law Department

No comments

13. Certification by the department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case

Certified that Necessary guidelines of CVC have been followed during tendering.

14. Recommendations

The case is placed before the Council for consideration & accord of approval for following:-

- (a) To award the work of M/S Satish Chand Rajesh Kumar (P) Ltd. at their tendered amount of Rs.4,75,15,299/- which is 35.21% above the Estimated Cost of Rs.3,51,42,292/- against justification of 35.11% above the Estimated Cost for the Work "Pavement Improvement Programme SH.: Improvement to footpaths under jurisdiction of Sub-division-II of EE(R-II) & accord of revised Administrative Approval & Expenditure Sanction for Rs.4,75,15,299/-.
- (b) To initiate further action in anticipation of approval of Minutes of the Council meeting.

COUNCIL'S DECISION

Resolved by the Council to award the work to M/S Satish Chand Rajesh Kumar (P) Ltd. at their tendered amount of Rs.4,75,15,299/- which is 35.21% above the Estimated Cost of Rs.3,51,42,292/-, against justification of 35.11% above the Estimated Cost, for the Work "Pavement Improvement Programme SH.: Improvement to footpaths under jurisdiction of Sub-division-II of EE(R-II) & to accord revised Administrative Approval & Expenditure Sanction for Rs.4,75,15,299/-.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 18 (A-22)**1. Name of the subject/project:**

Sub.: Streetscaping of roads in NDMC Area

SH: Streetscaping of Sardar Patel Marg

2. Name of the Department/departments concerned

Civil Engineering Department, Road-IV Division.

3. Brief history of the subject/project

- a) A decision was taken in year 2006 to take up important roads for streetscaping and M/s Creators Architect & Interior Designers was appointed as a landscape consultant for streetscaping of Sardar Patel Marg & Mother Teresa Crescent.
- b) Accordingly as per terms of agreement the consultant submitted the conceptual design for proposed streetscaping of Sardar Patel Marg which was approved by the Competent Authority.
- c) The presentation of the conceptual plan was also made to Council vide Agenda Item No. 25(A-59) dated 19 Dec.'07.
- d) Accordingly Preliminary Estimate for Rs. 11,24,21,545/- was approved by Council vide Resolution No. 04(A-49) dated 17 Sep.'08 with civil/ elect. Work component of Rs. 8,10,93,794/- & Horticulture component of Rs.3,13,27,751/-. The estimates were prepared based on DSR 2002.
- e) The tenders were opened on **17 Feb.'09** through e-tendering & two tenders were received the details of which are as follows:-

S. No.	Name	Estimated Cost	Tendered Amount	Rate Quoted	Remarks
1.	M/s Progressive Estate & Promoters Pvt. Ltd.	Rs.5,96,00,797/-	Rs.7,96,60,354/-	33.66% above	Lowest
2.	M/s Apex Construction Company	- do -	Rs.10,34,74,349/-	73.61% above	

- f) M/s Progressive Estate & Promoters Pvt. Ltd. is the lowest bidder @ 33.66% above the Estimated Cost of Rs5,96,00,797/- against the justification of 46.24% above the Estimated Cost with the tendered amount of Rs.7,96,60,354/-.
- g) The rates quoted by the lowest bidder after scrutiny by Member planning have been found to be reasonable and recommended for acceptance by the Competent Authority.

- h) Finance Department has got no objection to acceptance of lowest offer of M/s Progressive Estate & Promoters Pvt. Ltd.
- i) Empowered Committee during its meeting on 08 May '09 after detailed deliberations recommended that the case be placed before the Council for accord of approval for acceptance of lowest offer of M/s Progressive Estate Promoters Pvt. Ltd. @ 33.66% above the Estimated Cost of Rs.5,96,00,797/- against the justification of 46.24% above the Estimated Cost with the tendered amount of Rs.7,96,60,354/- for the work of Streetscaping of Sardar Patel Marg subject to following:
- The amount earmarked for Horticulture works for which the tender is proposed to be issued separately be indicated in the agenda to know whether the revision of estimates would be required after both the tenders i.e. instant case and for Horticulture works are accepted.
 - The Horticulture tenders be issued by the Civil Engineering Department and work be got executed by the Project Team along with the Member (Horticulture) of the Project Team under overall supervision of the Director (Hort.).
 - The DSR on which the estimates of the project have been prepared be indicated in the agenda.
- j) The validity of tender has been extended upto **31st May'09**.

4. Detailed proposal on the subject/project:

- (a) The entire length of Sardar Patel Marg has been divided in various stretches between Dhaula Kaun to 11 Murti Junction & each stretch is proposed to be treated according to the site but will have uniformity in surface treatment.
- (b) The existing trees will not be disturbed.
- (c) Green barrier/buffer has been proposed between carriageway and pedestrian path & the pedestrian walkway is proposed to be barrier free.
- (d) All open patches of land are proposed to be covered by grass to prevent dust from spreading. Hardy plants which require less maintenance are proposed to be provided. Mostly hard-scape and green-scape has been proposed all along ROW.
- (e) Proper irrigation system has been planned with provision of Rain Water Harvesting-cum-shortage tanks.

- (f) Provision has been made for Bus Bays, hard surface with seating arrangement, pergola covered with creepers, space for mobile vendors & improvement in geometrics of curves / slip roads.
- (g) Parking, Zebra crossing with bollards have also been proposed. Three level planter arrangement at island near slip roads and view points from either side of S.P. Marg to 11-Murti have been proposed.
- (h) Landscape lights of different capacities with feeder pillars & concealed armoured/conduit wiring with light and power supply have also been proposed.
- (i) Other Civil works comprises of Walkways, Bus ways & Architectural features/elements
- (j) Electrical works comprises of Cables of different sizes, Feeder pillars & Lights/ Light fixtures.
- (k) The tenders for works pertaining to Horticulture which are part of project would be issued separately.

5. Financial implications of the proposed project/subject:

The financial implications of the proposal works out to Rs.7,96,60,354/-.

6. Implementation schedule with timeliness for each stage including internal processing

The schedule of completion of the work is eighteen months after award of work.

7. Comments of the finance department on the subject:-

The Finance Deptt. vide diary No.766/Finance/R-Civil dated 23 Apr.'09 has no objection for acceptance of lowest offer of M/s Progressive Estate & Promoters Pvt. Ltd. with tendered amount of Rs. 7,96,60,354/- @ 33.66% above the Estimated Cost of Rs.5,96,00,797/- against the justification of 46.24% above the Estimated Cost subject to the following:-

- a) Certification by the consultant that justification has been prepared as per market rate and rates of lowest offer are reasonable.
- b) Department to take necessary action for adoption of CPWD manual 2007 with upto date modification or atleast take the approval of Competent Authority for adoption of publicity lines as per new manual 2007.

8. Comments of the department on comments of Finance Department

The clarifications on the comments of the Finance Department are as follows:-

- a) Consultant has checked the justification based on the market rates and it has been certified that rates quoted by the lowest agency are reasonable.
- b) At present CPWD manual 2007 is followed with all its amendments and guidelines issued by CPWD in reference to Council Reso. No. 3(ii) dated 26 Sep.'97. The observations of Finance Department have been taken care of and the case has already initiated and referred to the Finance Department for their comments vide No. 477/CE(C)-I dated 20 Apr.'08.

9. Legal Implication Of The Subject/Project

There are no legal implications.

10. Details of previous council Reso. existing law of parliament and assembly on the subject

- (a) Presentation of conceptual plan was made vide Agenda Item No. 25(A-59) dated 19 Dec.'07.
- (b) The Administrative Approval and Expenditure Sanction for Rs.11,24,24,545/- has been accorded by the Council vide Agenda Item No. 04(A-49)) dated 17 Sep.'08.

11. Comments of Law Department on the subject

No comments

12. Comments of the department on the comments of the Law Department

No comments

13. Certification by the department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case

Certified that necessary CVC guidelines have been followed during tendering.

14. Recommendations

The case is placed before the Council for consideration and

- a) Accord of approval for acceptance of lowest offer of M/s Progressive Estate Promoters Pvt. Ltd. @ 33.66% above the Estimated Cost of Rs.5,96,00,797/- against the justification of 46.24% above the Estimated Cost with the tendered amount of Rs.7,96,60,354/- for the work of Streetscaping of Sardar Patel Marg.
- b) To initiate further action in anticipation of approval of Minutes of the Council meeting.

COUNCIL'S DECISION

Resolved by the Council to accept the lowest offer of M/s Progressive Estate Promoters Pvt. Ltd. @ 33.66% above the Estimated Cost of Rs.5,96,00,797/-, against the justification of 46.24% above the Estimated Cost, with the tendered amount of Rs.7,96,60,354/-, for the work of Streetscaping of Sardar Patel Marg.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 19 (A-23)**1. Name of the subject/project:**

Sub.: Streetscaping of roads in NDMC Area

SH: Streetscaping of Mother Teresa Crescent

2. Name of the Department/departments concerned

Civil Engineering Department, Road-V Division.

3. Brief history of the subject/project

- a) A decision was taken in year 2006 to take up important roads for streetscaping and M/s Creators Architect & Interior Designers was appointed as a landscape consultant for streetscaping of Sardar Patel Marg & Mother Teresa Crescent.
- b) Accordingly as per terms of agreement the consultant submitted the conceptual design for streetscaping of Mother Teresa Crescent which was approved by Competent Authority on 01 Dec.'06.
- c) The presentation of the conceptual plan was also made to Council vide Agenda Item No. 09(A-51) dated 21 Nov.'07.
- d) Accordingly Preliminary Estimate for Rs. 9,05,35,500/- was approved by Council vide agenda Item No. 03(A-48) dated 17 Sep.'08 with Civil/ Electrical works component of Rs.7,05,28,500/- & Horticulture work component of Rs.2,00,07,000/-. The Estimates were prepared based on DSR 2002.
- e) In first call of tenders due on 28 Jan.'09 only one tender was received but due to non-submission of Earnest money the tender was not opened & next date of opening of tender was fixed on 20 Feb.'09.
- f) The tenders were opened on **20 Feb.'09** through e-tendering. The details of tenders received are as follows:-

S. No.	Name	Estimated Cost	Tendered Amount	Rate Quoted	Remarks
1.	M/s Apex Const. Company	Rs.5,95,47,787/-	Rs.11,81,24,758/-	98.37% above	
2.	M/s Devi Construction Company	- do -	Rs.10,23,00,943/-	71.79% Above	
3.	M/s K.R.Anand	- do-	Rs.9,75,96,319/-	63.89% above	Lowest

- g) M/s K.R. Anand is the lowest bidder @ 63.89% above the Estimated Cost of Rs.5,95,47,787/- with the tendered amount of Rs.9,75,96,319/-.

- h) The tender was scrutinized by Planning of project team & justification based on market rates works out to 48.2% above Estimated Cost of 5,95,47,787/-.
- i) Since the rates quoted were higher than the justified rates the possibility of reduction of rates through negotiation with the lowest bidder was explored and after approval by Competent Authority Negotiation Committee constituted as per Standing Order No. FD(U-1)/2005-06/D dated 11 Apr.'05 carried out negotiation with M/s K.R. Anand on 15 Apr.'09. M/s K.R. Anand voluntarily gave rebate of 5.5% on his quoted rate. The negotiated amount works out to Rs. 9,22,28,521/- which is 54.88% above the Estimated Cost against the justification of 48.2% above the Estimated Cost. The negotiated offer is 4.5% above the justified cost which is within permissible limit of 5% specified in CPWD manual.
- j) The case has been seen by Finance Department.
- k) Empowered Committee during its meeting on 08 May '09 after detailed deliberations decided that the case be placed before the Council for accord of approval for acceptance of lowest offer of M/s K.R. Anand. @ 54.88% above the Estimated Cost of Rs.5,95,47,787/- against the justification of 48.20% above the Estimated Cost with the tendered amount of Rs.9,22,28,521/- for the work of Streetscaping of Mother Teresa Crescent subject to following:
- The amount earmarked for Horticulture works for which the tender is proposed to be issued separately be indicated in the agenda to know whether the revision of estimates would be required after both the tenders i.e. instant case and for Horticulture works are accepted.
 - The Horticulture tenders be issued by the Civil Engineering Department and work be got executed by the Project Team along with the Member (Horticulture) of the Project Team under overall supervision of the Director (Hort.).
 - The DSR on which the estimates of the project have been prepared be indicated in the agenda.
- l) Since the tender cost of Civil/Elect. works is more than the amount earmarked in Preliminary Estimate for these works so the case of Revised Administrative Approval & Expenditure Sanction would be brought before the Council after tenders for Horticulture works are received & exact figures are known.
- m) The validity of tender has been extended upto **31st May'09**.

4. Detailed proposal on the subject/project:

- a) The entire stretch of road between RML roundabout and Teen Murti Roundabout has been divided into three different stretches i.e. from Teen Murti to Eleven Murti, Eleven Murti to RML roundabout & from wall of swimming pool to Talkatora Stadium marriage ground.
- b) More green patches & heritage elements have been planned on Presidential Estate side.
- c) More paved areas have been proposed on opposite side of Presidential Estate. Cycle track, shelters, benches, semi-covered spaces, pergolas have been planned including landscaping, space for mobile vendors and Hawkers.
- d) The stretch from wall of swimming pool to the RML roundabout would be treated as a public plaza. Proper lightings have been planned to have clear visibility in parking areas. Bus bays & Zebra Crossing at suitable positions have been proposed.
- e) Provision of view point for Eleven Murti from two ends of Sardar Patel Marg & various landscape elements etc.
- f) Civil works comprise of walkways, parking, cycle track, Architectural features/ elements.
- g) Street furniture items comprises of stone lamp posts, cast iron lamps posts, stone bollards, stone decorative bollards. Sculptures etc.
- h) Electrical works comprises of Cables (different sizes), Feeder pillars, Lights / light fixtures
- i) The tenders for works pertaining to Horticulture which are part of project would be issued separately.

5. Financial implications of the proposed project/subject:

The financial implications of the proposal works out to Rs.9,22,28,521/-.

6. Implementation schedule with timeliness for each stage including internal processing

The schedule of completion of the work is eighteen months after award of work.

7. Comments of the finance department on the subject:-

The Finance Deptt. vide diary No.FA/852/R-CE(C) dated 01 May'09 has observed as under:

"Department is advised to place the tender case before the Empowered Committee placing on record the information/ clarification on the following issues for consideration & decision:-

- a) Photocopy of the note dated 17 Mar.'09 reveals that in the justification so prepared, the market rate of labour as per Delhi Government website for open Market Rate in respect of Mason-I grade, Mason-II grade and Beldar as Rs. 300/-, Rs.250/- & Rs.150/- respectively have been taken whereas in other works, the rate of labour are being taken as minimum wages for these categories as Rs. 158/-, Rs. 148/- & Rs.142/- respectively. Similarly, market rates of material have been taken in the justification as per work of Tees January Marg. Finance Department is of the view that basis of arriving at reasonable market rate (justification) should be uniform unless otherwise decided by the Competent Authority, with reasons thereof. Reasons for not following/ adopting the rates of material and labour being followed in other cases, may be brought on record for consideration and decision of the Empowered Committee.
- b) Certifying that no extra cost has been added in the justification on account of various factors as listed at S.No. 1 to 7 of OM No. DGW(MAN).169 dated 31 Dec.'08 the views/ comments of the consultant engaged for the project on reasonability of the offer of L-1 with respect to market rates may be obtained and brought on record.
- c) Time for publicity as given on Manual 2003 (Manual 2007 is yet to be got adopted) has not been followed. Department may take necessary action for adoption of CPWD Manual 2007 or at least take the approval of the Competent Authority for adoption of publicity clause as per manual of 2007.
- d) Certification that publicity to NIT has been observed in terms of advertisement policy circulated vide NO. PRD/1578/D/7 dated 07 Jul.'07.
- e) It may be certified that all CVC guidelines have been followed in the process of tendering including negotiation.
- f) The variation in the rates in similar nature of works needs to be looked into for bringing on record the specific comments for consideration of tender accepting authority as justification in other two streetscaping projects of S.P. Marg & Tees January Marg are different.
- g) Approval of Competent Authority for rejection of first call has not been obtained. The same may be obtained now placing on record the reasons of not doing so before resorting to recall.
- h) It is considered worth pointing out that the lone technical bid received in first call could not get through because of non-deposit of EMD as per NIT

stipulation being followed in NDMC. In general condition of contract in CPWD the mode of deposit of EMD is in cash (upto Rs. 10,000/-) receipt/ treasury challan/ deposit at call of a scheduled bank/ fixed deposit/ demand draft of schedule bank issued in favour of 50% of Earnest money or Rs. 20 lacs whichever is less will have to be deposited in the shape prescribed above and balance amount of earnest money can be accepted in the form of Bank guarantee issued by a schedule bank. GCC being followed in NDMC needs to be reviewed having regard to GCC in CPWD as already advised in similar other cases.

8. Comments of the department on comments of Finance Department

- a) The justification has been worked out based on the labour rates of the market notified on Delhi Government website and market rate of material as was applied in other similar projects because high degree of skill & quality is involved in these projects as compared to other routine works. This project being related to Commonwealth Games 2010 we cannot compromise on the quality & workmanship to be produced by the skilled labours. In preparation of justification of streetscaping of Tees January Marg/ Lane the market rates of materials have been taken in the justification and similar market rates have been adopted in this tender also in order to maintain the uniformity & reasonability of the rates.
- b) It is certified that no extra cost has been added in the justification of various factors as listed at S.No. 1 to 7 of the OM No. DGW(MAN)/169 dated 31 Dec.'08. The views/ comments of the consultant on reasonability of offer of L-1 have been obtained.
- c) At present CPWD manual 2007 is followed with all its amendments and guidelines issued by CPWD in reference to Council Reso. No. 3(ii) dated 26 Sep.'97. The observations of Finance Department has already been taken care of and the case has already initiated and referred to the Finance Department for their comments vide No. 477/CE(C)-I dated 20 Apr.'08.
- d) It is certified that publicity of NIT has been observed in terms of advertisement policy circulated vide No. PRD/1578/D/7 dated 09 Jul.'07.
- e) It is certified that CVC guidelines have been followed during the process of tendering.
- f) It is clarified that streetscaping projects are road specific and they cannot be compared totally with each other as the details of the work / items to be executed in different roads would vary e.g. in the instant case majority of work pertains to the stone work similar in character to what is there in adjoining area of Presidential Estate which is not true with other two roads.

There is no similarity in the major items to be executed and that is the reason for variation of justified rates. Besides the estimate of Tees January Marg was prepared on DSR 2007 whereas estimates of S.P. Marg & Mother Teresa Crescent are based on DSR 2002 & that is why there is difference in justified percentage of Tees January Marg with two other cases.

- g) The financial bid of the first call was not opened since the contractor did not deposit the earnest money as per the conditions of NIT that is a reason that approval of Competent Authority was not obtained for rejection of First call.
- h) The suggestions of Finance Department regarding review of GCC have been noted & necessary action would be taken in this matter.

9. Legal Implication Of The Subject/Project

There are no legal implications.

10. Details of previous council Reso. existing law of parliament and assembly on the subject

- a) Conceptual plan was presented to Council vide Item No. 09(A-51) dated 21 Nov.'07.
- b) The Administrative Approval and Expenditure Sanction for Rs.9,05,35,500/- has been accorded by the Council vide Agenda Item No. 03(A-48)) dated 17 Sep.'08.

11. Comments of Law Department on the subject

No comments

12. Comments of the department on the comments of the Law Department

No comments

13. Certification by the department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case

Certified that necessary CVC guidelines have been followed during tendering.

14. Recommendations

The case is placed before the Council for consideration and

- a) Accord of approval for acceptance of lowest offer of M/s K.R. Anand @ 54.88% above the Estimated Cost of Rs.5,95,47,787/- against the justification of 48.20% above the Estimated Cost with the tendered amount of Rs.9,22,28,521/- for the work of Streetscaping of Mother Teresa Crescent including approval of rejection of tender in first call. The case of revised Administrative Approval & Expenditure Sanction will be brought before the Council after tenders of Horticulture works are received & exact figures are known.
- b) To initiate further action in anticipation of approval of Minutes of the Council Meeting.

COUNCIL'S DECISION

Resolved by the Council to accept the lowest offer of M/s K.R. Anand @ 54.88% above the Estimated Cost of Rs.5,95,47,787/-, against the justification of 48.20% above the Estimated Cost, with the tendered amount of Rs.9,22,28,521/-, for the work of Streetscaping of Mother Teresa Crescent, and to approve rejection of tender in first call.

It was further decided that the case of revised Administrative Approval & Expenditure Sanction will be brought before the Council after the tenders for Horticulture works are received & exact figures are known.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 20 (A-24)**1. Name of the subject/project:****Sub: Preservation/Restoration of Building in NDMC area.****SH: (a) Implementation of signage and street furniture.****(b) Façade restoration of Gole Market and surrounding building.****(c) Restoration with rehabilitation of structure services, interior restoration and up-gradation.****2. Name of Deptt./Deptt. concerned:**

Civil Engineering Department, NDMC

3. Brief History:

Gole Market and its surrounding building/structures has survived the hazards of time and provides the tangible link between the past and present giving a continuous cultural identity and is an architecturally significant, carry strong cultural overtones and being a part of cities heritage need care/conservation. This being an essential component in a civilized society through which architectural, aesthetic, social economic, political and cultural values the past are observed, besides it shows an architectural, aesthetic, historic of cultural values with local landmark contributing to the image and identity of the city and thus required to be restored to its old glory be preserving & restoration of the same.

Gole Market is one of the pride, oldest surviving colonial market of the era and being a circular marked which marks the critical crossing of two important axes on the Lutyens' Plan and is in proximity of the historic Bangle Sahib Gurudwara on one side and Laxmi Narain Temple on the other side, thus positioned on a nodal point in the Colonial Master Plan for the Imperial capital. This is acting as a subsidiary market to the prime business centre of Connaught Place.

Being in constant use as bustling market, Gole Market has been subjected to a range of issues arising from over use, division of spaces, introduction of services, partitions, signage etc. that are typical of buildings actively used for commercial uses. As a result, much of the original fabric has either been obliterated or entirely transformed, leading to a decline in the architectural aesthetic as well as historic authenticity of the building. The Gole Market building exhibits a whole range of architectural issues such as encroachments, adhoc and insensitive additions, obliteration of architectural details by signage, deterioration of renders and plaster, redundant and insufficient services, structural deterioration of timber roofing system, water seepage and ficus growth.

As such, there is a need for conservation and restoration for this heritage structure which is sensitive to its architectural and aesthetic integrity which will be visible to the people visiting specially during the Commonwealth Games and being a pride of the nation.

4. Detailed proposal on the subject/project:

The Council vide its resolution no. 3 (A-22) dtd. 20-09-06 accorded A/A & E/S amounting to Rs.6,31,60,535/-. After completion the codal formalities, tenders were invited on 12-9-09. Only single tender of M/s India Guniting Corpn. was received and accordingly being a single tender as well as there was some change in the plans as such, the tenders were rejected by the Council vide Reso No. 17 (A-54) dt. 21-11-07. Accordingly, it was desired to re-examine the issue by the Architect Consultant, M/s Abha Narain Lambah Associates, who in turn submitted their recommendations vide letter dt. 13-3-08 based on the test report of the testing conducted by M/s Shriram Institute for Industrial Research alongwith the recommendations of the Structural Engineer which has been placed at NP-45-46. The recommendations made by the Architect Consultant are inter-alia reproduced as under:

"Further to the receipt of the reports for the Testing conducted by M/s Shreeram Laboratories and on the recommendations for structural testing made by our Structural Engineer Mr. Manoj Mittal, it is clear that the building is suffering from structural distress as sections in the building exhibit 100% corrosion of reinforcement bars, as well as unsatisfactory result on the compressive tests conducted on brick samples and soil tests.

It would therefore be imperative that the structural consolidation of the Gole Market be taken up at priority and the building be cleared for safety reasons to allow for propping and consolidation works.

It has been earlier discussed that due to traffic issues, the use of the building may be reconsidered. However, any charge in use would only impact the final interior lighting and finishes or furniture that may be taken up subsequent to the conservation works. The works outlined in the present tender, i.e. street furniture, signages, structural consolidation, architectural conservation and services upgrade need to be undertaken in any scenario. I would therefore, recommend that NDMC proceed with the Tendering for the project at the earliest so as to enable the strengthening and restoration of the building."

After considering the above report and based on the advise of L.A. Chairman approved the proposal vide order dt. 24-3-08, to invite the fresh tenders for the above work.

Item rate tender for the above work was re-invited by fixing the last date of application, sale and opening of tender, as 17-4-08, 21-4-08 and 24-4-08 respectively. In

response only single tender was received and on opening of their technical bid, it was observed that the firms is not meeting the eligibility criteria in respect of the following:-

1. Condition of similar work.
2. Bank solvency certificate.

In view of the above and that the response of the tender is very little inspite of making all out efforts by publication etc. the tenders during the 2nd call was rejected by the Chairman vide order dt. 13-6-08 and NP-58. There was poor response in the tender, it was proposed to modify by deleting the conditions of similar work with a eligibility criteria class of contractor as per section 16.7 page-78 of CPWD manual 2007. The following changes in the NIT was made with the approval of the Chairman at NP-70.

- i. The conditions in the NIT for executing similar works was deleted with other changes.
- ii. The deviation limit was increased from 20% to 50%.

Accordingly, after approving the draft NIT, item rate tenders during the 3rd call for the above work was invited by fixing the last date of application, sale and opening of tender as 25-9-08, 29-9-08 & 3-10-08 respectively. On the due opening, three tenders were received and the details of the same is given as under:

1. M/s Devi Constn. Co.
2. M/s Hindustan Constn. Co.
3. M.s Dashmesh Arts.

Out of which two agencies were not fulfilling eligibility criteria and only one agencies i.e. M/s. Devi Const. Co. was meeting the eligibility criteria who quoted their rate as 121% above the estimated cost against justification rate 68.25% above EC, which is being stressed/insisted for negotiated taking a plea of urgency. At first place, for conducting negotiations, CVC has issued guidelines and the instant proposal, it appears, is not fitting well within the given parameters. Further, there being wide gap between the justified rates and offer of single bidder, which is obviously not a competitive offer, is not likely to be bridged during negotiation and as such, it becomes a advised by Member Planning at P-98/N and Member Finance at P-90/N. The conditions that can be considered from relaxation for example are, the work being of specialized nature should be thrown open for decided without insisting upon prior registration in NDMC or in any other organization, in addition to nay other relaxation considered by the Project Leader to have wide scope of participants. The tender

has been rejected by the Council vide Reso No. 12 (A-96) dtd. 31-12-08. Accordingly, the NIT has been modified and approved by the Competent Authority.

Tenders were again invited through E-procurement but due to some technical snag, were not uploaded in the fourth call which was on 05-02-09.

In the fifth call, sealed Item Rate tenders for the above said work were again invited through E-tendering system and opened on 19-03-09, in response thereof four tenders had been received. A technical Sub-committee has been constituted to evaluate the eligibility criteria of the tenderer as per approved NIT and as per recommendation of Sub-committee only three agencies, out of four, meet the technical requirement. There upon the financial bid of the three above said eligible agencies was opened on 06-04-09. M/s. R.R. Foundation have quoted the lowest rate Rs.7,75,67,214/- i.e. 68.42% above the estimated cost put to tender. Justification has been checked by Planning Deptt. at 65.52% above the estimated cost put to tender. The percentage of tender cost over the justified cost of tender checked by planning works out as 1.75% above and is recommended by EE (Planning) for acceptance being the 5th call of tender.

The finance member has concurred the case subject to the following:

- i) Certification by the department that the change in concept as mentioned at page 42/N by the CE(c-II) in his note at page 42/N has been approved by the competent authority and conditions attached in the approval given by HCC & DUAC have been/are being complied with.
- ii) Certification by the department that the issue has been re-examined by the Architect Consultant as decided by the Council in its meeting held on 21.11.07 (Para 1 at page 45/N).
- iii) Recommendations of the consultants may be placed on record.

In this connection Architect Consultant was requested for give comments on the above cited paras. The consultant has vide their letter dated 4.5.2009 for the following:-

- i) It is certified that the scheme was approved by the competent authority and condition attached in the approval given by HCC & DUAC are being complied with.
- ii) It is certified that the consultant has re-examined the case.
- iii) Architect consultant has recommended for pursuance of the case further.

Finance Deptt. has concurred the case after which the case was placed before Empowered Committee on 8.5.09. Empowered Committee resolved that the case for acceptance of lowest tender of M/s R.R. Foundation at his quoted rates of 68.42% above estimated cost of Rs. 4,60,56,073/- which works out to Rs. 7,75,67,214/- may be placed before Council.

5. Financial Implications of the proposed project/subject:

The A/A & E/S accorded by the Council is Rs.6,31,60,535/-. There is budget provision of Rs.1.00 crore exists under the Head of A/c. H-1-8 vide item no. 418 at P-217 of current year 2009-10 budget book. The tendered amount of M/s R.R. Foundation is Rs.7,75,67,214/-.

6. Implementation schedule:

58 weeks after award of work.

7. Comments of Finance Deptt. on the subject:

The Finance department has concurred the case on 8.5.09 subject to the following:

- (i) Correctness of information, data and computations brought on record/
- (ii) Certification that all CVC guidelines have been followed during the process of tendering.
- (iii) Justification for giving less time than three week to publicity of tenders since CPWD Works Manual 2007 is yet to be adopted under approval of competent authority.
- (iv) Newspaper cutting of publication of NIT are placed in the file for record and certify that advertisement policy as circulated by Dir (PR) vide No. PRD/578/D/2007 dated 4.7.2007 has been followed.
- (v) No extra cost is added in the justification on account of various factors as listed in OM No. DG(W)/MAN/169 dt. 31.12.2008 and
- (vi) All the participants fulfill all the parameters as stated in NIT relating to eligibility criteria.

8. Comments of the Department on comments of Finance Deptt.

- (i) The information and computation has been worked out on the basis of available data is correct.
- (ii) Certified that the all CVC guidelines have been followed during the process of tendering.
- (iii) The clause CPWD 2007 works manual has been adopted for publication of the tender.

- (iv) Newspaper cuttings have already been clubbed with the file and the policy of the circulation have been followed.
- (v) Certified that no extra cost is added in the justification.
- (vi) Technical Sub Committee has evaluated the eligibility criteria as per NIT condition and gave their recommendation vide NP-120 dt. 31.3.09 and accordingly the case has been processed.

9. Legal Implication of the project:

Cases are pending in the Court of Estate Officer, ADJ & High Court as informed by Estate Deptt.

10. Details of previous Council Resolutions, existing law of Parliament and Assembly on the Subject:

1. Reso. No. 3 (A-22) dtd. 20-09-06

"Resolved by the Council that administrative approval and expenditure sanction to the preliminary estimate amounting to Rs.6,31,60,135/- is accorded.

Further resolved by the Council the licensees/shopkeepers of Gole market will be relocated only for the period for which a particular shop is being renovated and would be put back in position of the shop as soon as the renovation of the shop is complete.

It has also been resolve that the Market Association and occupants of the shops would also be taken into the confidence and the proposed restoration be done taking into the suggestions coming from that quarter.

Further resolved by the Council that a presentation be made to the Council in the next meeting of the Council."

2. Reso. No. 17 (A-54) dtd. 21-11-07

"It was resolved by the Council that due to change in the concept and there being a single tender, the tender is rejected and may be recalled."

3. Reso No. 12 (A-96) dtd. 31-12-08

Resolved by the Council that the action taken by the Chairman for rejection of tender, alongwith the changes/modifications made, with regards to the eligibility criteria in the NIT, is approved.

It was further resolved to re-invite the tender with the direction to take necessary precaution to avoid rejection of tender in future, in all cases.

11. Comments of the Law Department on the subject/Project

NIL

12. Comments of the Department on the comments of Law Deptt.

NIL

13. Certification by the Deptt.

All CVC Guideline have been followed.

14. Recommendation of Deptt.

The case is placed before the Council for acceptance of tender of M/S R.R. Foundation at his quoted rates of 68.42% above estimated cost of Rs. 4,60,56,073/- which works out to Rs.7,75,67,214/-. Revised A/A & E/S for Rs.8,53,24,000/- and approval for taking further necessary action in anticipation of confirmation of Council decision be also accorded.

COUNCIL'S DECISION

Resolved by the Council to accept the tender of M/S R.R. Foundation at their quoted rates of 68.42% above estimated cost of Rs.4,60,56,073/-, which works out to Rs.7,75,67,214/- and to accord administrative approval and expenditure sanction to the Revised Estimate amounting to Rs.8,53,24,000/-, subject to the condition that it does not violate any orders / strictures of any Courts in India.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 21 (A-25)

1. **Name of the Sub.:** Strengthening of Water Supply System in NDMC area.
Installation of 26 Nos. tubewells for Horticulture purposes.
SH:- Providing and laying G.I. Pipeline and Hydrant System.
2. **Name of the Deptt. :** Civil Engineering, Public Health Circle, Water Supply Division.

3. Brief History of the Subject

Administrative approval and expenditure sanction for the above said scheme was accorded by the Council vide Item No. 4(A-1) dated 18.04.2007 for an amount of Rs.2,27,06,200/-. The scheme comprised of the provision for the following sub heads :-

Sr. No.	Description of Item	Amount
i)	Boring of tubewells.	Rs. 83,91,400/-
ii)	Supplying and installation of submersible pump sets	Rs. 24,54,500/-
iii)	Providing and laying G.I. pipe line and hydrant system.	Rs. 86,10,300/-
iv)	Laying of electrical cables including energy meter etc.	Rs. 32,50,000/-

Total Rs. 2,27,06,200/-

Against the above said main scheme, action with respect to i) & ii) above have already been taken. The work of boring of tubewells have been carried out and development of the same is in progress. The tenders for supply and installation of submersible pump sets have also been accepted and the lowest tenderer asked to deposit necessary performance guarantee. As regards (iv), the work of laying of electrical cables for various tubewells, is being taken up by Electrical Department.

The instant case is regarding acceptance of tenders for providing and laying GI pipeline and hydrant system of the tubewells developed for various road berms.

4. Detailed Proposal of the Subject :

After approval of technical sanction estimate for an amount of Rs.85,17,500/- tenders for providing and laying GI pipeline and Hydrant System were invited for an estimated cost of Rs.81,11,868/- through E-Procurement Solution on 11.04.09. The

tenders were published in various newspapers on 15.04.09. Tenders were opened on 27.04.09 and four tenderers as per details given below tendered their rates :-

S. No.	Name of the Agency	Estimated Cost	% of rates	Tendered Amount
1.	M/s Vishesh Builders	81,11,868/-	7.9% below	74,71,030/-
2.	M/s Expert Const. Co.	81,11,868/-	26% above	1,02,20,954/-
3.	M/s Shivaji Const. Co.	81,11,868/-	34.3% above	1,08,94,239/-
4.	M/s Pranav Sales and Projects (I) Pvt. Ltd.	81,11,868/-	35% above.	1,09,51,022/-

The lowest tendered rate is of M/s Vishesh Builders at 7.9% below the estimated cost of Rs.81,11,868/- with tendered amount of Rs.74,71,030/-. After scrutiny of tenders by Planning, the justification of rates works out to 3.64% above the estimated cost. Thus the tendered cost of the lowest tenderer M/s Vishesh Builders is less by 11.13% than the justified cost. Thereafter, the case was referred to Finance Department for concurrence.

5. Final Implications of the Proposed Subject :

The proposal is mainly to lay GI pipeline of 40mm dia and 20mm dia on the berms of various roads. For interconnection of lines the roads are proposed to be crossed through trenchless technology. The work is proposed to awarded for a tendered amount of Rs.74,71,030/-.

6. Implementation Schedule with Timeliness for each stage including Internal Processing :

The work is proposed to be carried out and completed in a period of 8 months after award of the same.

7. Comments of the Finance Department on the Subject :

The Finance Department while scrutiny of the tender have observed as under:-
 "It appears that the department has given publicity time in accordance with CPWD Works Manual 2007 which is yet to be adopted by the NDMC under approval of competent authority. The department may take necessary action for the same as the case has already been cleared by FD. Further in view of position brought on record subject to correctness of information, data & computations and availability of funds we concur in for award of work to L-1, M/s Vishesh Builders at their quoted %age rates of 7.9% below the EC of Rs. 81,11,868/- against the justified rates of 3.64%

above EC as recommended by Planning and proposed by the department. The tendered amount works out to Rs. 74,71,030/- (Rs. Seventy four lacs seventy one thousand thirty only).

The department may certify that due publicity as per approved policy of NDMC has been given to tender and all CVC guidelines have been followed during the tendering process while submitting the case for approval of competent authority.

This issues with the approval of F.A.”

8. Comments of the Department on Comments of Finance Department :

With respect to comments of Finance Department, it is clarified that publicity time for tenders has been given as per the present policy. Action with respect to adoption of CPWD Works Manual 2007 is being taken up. The information, data & computation of tenders are correct and a provision of Rs.50 lac exists in the current year's budget proposals for this scheme. Provision for additional expenditure will be made in the revised budget proposals for the year 2009-10.

Due publicity for call of tenders has been given through E-Tendering System of Delhi Government, NDMC Website and Newspapers as per policy of NDMC and all CVC guidelines have been followed during the tendering process.

9. Legal Implication of the Subject :

Not applicable

10. Details of Previous Council Resolutions, Existing Law of Parliament and Assembly on the Subject :

Council resolution no. 4(A-1) dated 18.04.2007, 18(A-12) dated 28.04.08 and 13 (A-56) dated 17.09.2008.

11. Comments of the Law Department on the Subject :

Agenda Item says it has no legal implications, hence, we have no comments to offer.

12. Comments of the Department on the Comments of Law Department :

Not applicable

13. Certification by the department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case :

It is certified that all the CVC guidelines have been followed.

14. Recommendation:-

The case is noted to the Council for acceptance of tenders of L-1, M/s Vishesh Builders at 7.9% below the estimated cost of Rs.81,11,868/- with tendered amount of Rs.74,71,030/-, against justified rates of 3.64% above the estimated cost. The work may be awarded before confirmation of the minutes of the Council.

COUNCIL'S DECISION

Resolved by the Council to accept the lowest tender of M/s Vishesh Builders at 7.9% below the estimated cost of Rs.81,11,868/- with tendered amount of Rs.74,71,030/-, against justified rates of 3.64% above the estimated cost.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 22 (B-01)

1. **Name of Work:-**Augmentation of L.T. distribution system at Bhagat Singh Market, New Delhi.

2. **Department :-** Electricity Department.

3. **Brief History:**

Bhagidari meeting was held at Delhi Secretariat under the Chairman–ship of Hon'ble Chief Minister NCT Delhi on 4.6.08. During the meeting President of Bhagat Singh Market Association high-lighted about the temporary wires feeding various shops & flats in the market from G.S. pillars.

It was explained that the undeclared load has increased tremendously and the system is decades old which has been over loaded.

Accordingly it has been proposed to augment the L.T. system in the market to meet the present &future demand of load.

4. **Detailed Proposal:-**

(a) Existing system:

The shops/flats about 250 Nos. are being fed from various pillars in the area having feed from Sub-station SBS Palace, Raja Bazar, and Baird Lane & Gole Market. Further from various pillar ,service cable of 16mm² /25mm² sizes are laid upto the stair-cases which are feeding various shops/flats in the market .

(b) Deficiencies of the existing system:

These shops/flats were constructed about 50 years back & the sanctioned load is about 0.34 to 1K.W. in most of these shops/flat. Due to passage of time &boom in economy there has been tremendous increase in load on account of use of various appliances &particularly air-conditioners etc. This undeclared increase of the load on the system is responsible for faults in the system.

(c) Extent of utilization of existing system:

The infrastructure i.e. pillar & main cables are being used & some pillars are being replaced .The cable feeding the staircase are under sized with respect to present requirement of load; deeply buried, have number of joints etc.& it is uneconomical to retrieve them.

However same shall be dismantled to the extent possible as per site requirement &remaining shall be used as stand by.

(d) Necessity of augmentation of system:-

As explained on prepage the undeclared load has increased tremendously & existing system is decades old &giving constant trouble. In order to maintain the system addition temporary arrangement was provided as per site conditions.

Further there is going to be increase in load requirement in future also. Keeping in view the above, the department feels the necessity for augmentation of electric distribution system.

(e) Technical viability of scheme :-

The proposal has been technically cleared by planning division as per site requirements.

The following has been proposed in the estimate :-

- (i) G.S. pillars (Big Size) – 9 Numbers.
- (ii) These pillars shall be provided with feed of 400mm²/ 3¹/₂ C from various pillar being fed from Sub station Raja Bazar , SBS Palace ,Gole Market & Baird Lane etc.
- (iii) Existing pillar shall be strengthened by laying inter connectors of 400mm² 3¹/₂ C.
- (iv) 3 numbers old pillars are to be replaced with new one.
- (v) Cable of 95mm² 3-¹/₂ C size shall be laid from the nearest pillar/main board from various pillars.
- (vi) L.T. cable of 10mm²/2C shall be laid from the nearest pillar/main board upto each shop.

5. Financial Implication :-

Estimate amounting to Rs.1,02,30,400/- has been framed and the expenditure shall be charged to **Transferred Market Fund** during the year 2009-2010.

6. Implementation Schedule:-

The work shall be completed in 6 months.

7. Comments of Finance Department :-

- (i) Approval of the competent authority.
- (ii) Availability of funds.
- (iii) The work should be executed after adhering to all codal provisions.
- (iv) Department has not given any credit for the dismantled cable on the ground that the cost of digging and road restoration charges is much more than the cost of old cables. Specific approval of the competent authority in this regard be obtained at the time of seeking A/A and E/S by preparing a statement indicating the comparison between the cost of digging road restoration and the value of the dismantled cable.

8. Comments of the department on the Comments of Finance Department:-

- a. Approval of Council is being solicited.
- b. The expenditure is to be met from **Transferred Market Fund**.

- c. The work shall be executed after adhering all the codal provisions. The material shall be procured by stores division. The cable laying work shall be got executed against Annual Cable Laying Contract which stands approved by Council.
- d. The credit for dismantled cables has not been given as it is un-economical sometime to dismantle the existing cables due to site conditions .Further the cost of digging, these decades old cable e.g. in case of 95mm² /3-¹/₂ Core cable, the cost of new cable is Rs.276/per metre & its scrap value is Rs.27.60 .whereas the cost of dismantling this cable & Road Restoration Charges etc as per site condition comes to Rs .1104.88. The statement indicating the comparison between the cost of digging /road restoration & value of dismantled cable of various sizes is placed as per **Annexure –I (See page 104)**.

However if during laying of new cables the old cables are coming conditions on he route the same shall be dismantled to the extent possible based on site conditions and shall be accounted for & due credit shall be given as per prevailing rates.

9. Legal Implications of the subject :- No legal implication is involved.

10. Details of previous council resolution :- Not applicable

11. Comments of Law Department :-

Draft Agenda appears to be in order. However, department may ensure that facts and figures are correct are as per approval of the competent authority.

12. Comments of the Department on the comments of the Law Department :-

The facts & figures given by the department are correct.

13. Certificate on CVC Guidelines :-

All CVC guidelines shall be adhered to while implementing the scheme.

14. Recommendations of Department:-

The case is placed before the Council to accord administrative approval & expenditure sanction of the estimate amounting to Rs. 10230400/- (One hundred two lacs, thirty thousand & four hundred only) for augmentation of L.T. distribution system at Bhagat Singh Market . In view of the critical importance of the work, approval may please be accorded to commence the work in anticipation of confirmation of the minutes of the council's meeting.

15. Draft Resolution:-

Resolved by the Council that administrative approval & expenditure sanction is accorded to the estimate amounting to Rs. 1,02,30,400/- (one hundred two lacs, thirty thousand & four hundred only) for augmentation of L.T. distribution system at Bhagat Singh Market. Further, permission is accorded to commence the work in anticipation of confirmation of the minutes of the council's meeting.

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval & expenditure sanction to the estimate amounting to Rs. 1,02,30,400/- for augmentation of L.T. distribution system at Bhagat Singh Market.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ANNEXURE - I**COMPARISON BETWEEN VALUE OF DISMANTLED CABLE AND COST OF DISMANTLING OF CABLE (as per NDMC approved rates & SIR of stores)**

COST OF DISMANTELLING OF CABLE						VALUE OF DISMANTELLED CABLE		DIFFERENCE in the cost of dismantling of cable & its value.
S.No.	Cable size	Cost of Dismantling in soft soil (per metre)	Road cut for CC Slab/Foot Path /Road berm etc. (per metre)	R.R. Charges CC Slab/Foot path/walk way (per sq. metre)	Total cost	Rate of New Cable (Per Metre)	Scrap value of cable (10% cost of new cable)	
1.	95mm ² / 3 ¹ / ₂ c	Rs.57.34	Rs.27.52	1020.00	1104.86	Rs.276.00	Rs.27.60	Rs.1077.26
2.	50mm ² / 3 ¹ / ₂ c	Rs.57.34	Rs.27.52	1020.00	1104.86	Rs.177.00	Rs.17.70	Rs.1087.16
3.	25mm ² / 3 ¹ / ₂ c	Rs.57.34	Rs.27.52	1020.00	1104.86	Rs.110.32	Rs.11.03	Rs.1093.83
4.	16mm ² / 4-C	Rs.57.34	Rs.27.52	1020.00	1104.86	Rs.92.00	Rs.9.20	Rs.1095.66

ITEM NO. 23 (A-26)**1. Name of the subject/ project :****Sub: Imp./Upgradation of Talkatora Indoor Stadium.****SH : Construction of boundary wall and gates.****2. Name of the deptt./deptt. concerned :**

Civil Engg. Deptt., NDMC

3. Brief History :

For implementation of the Common Wealth Games scheduled to be held in Delhi in 2010 and accordingly 1st meeting of core group of officers was held on 20.10.04 in the Conference Room of Chief Secretary, Delhi, to select various competition & training venues. At the outset, Chief Secretary stated that final selections of the venues may take some time but all the department should prepare their action plan keeping in mind the venues which were used for the Asian Games, 1982 as these venues are in all probability going to be used for the Common Wealth Games with some modification and up-gradation. If any changes in the venues are made in subsequent stage, than portion of the action plan can be suitably modified.

Accordingly, Talkatora Indoor Stadium & Shivaji Stadium were selected the two venues likely to host events during the Common Wealth Games and as such, for proper renovation of the stadias, a rough cost estimate was prepared and the case was placed before the Council to accord approval to the proposal. Council vide its Reso no. 10 (A-9) dtd. 22.07.05 approved the proposal for up-gradation of NDMC stadias as under:

"Council resolved and approved the up-gradation of two NDMC Stadia to the international level even if these are not used during Commonwealth Games from its own funds at a rough cost of Rs. 30.45 crores. In case, it is decided to use the stadiums for Commonwealth Games the requisite funds would come from Delhi Govt."

Considering the above & after having detailed discussions and deliberations held with Mr. Prasad, ADG (Tech.) SAI and with M/S EKS, an international consultant appointed by SAI for selection, submission of venue brief, technical parameters, examining the drawings as per requirement and make recommendations to Organising Committee, CWG on the games, selected to host Boxing a competition venue at Talkatora Indoor Stadium and a training venue Hockey Event at Shivaji Stadium. For this purpose, a need was felt for Improvement/Up-gradation of Talkatora Indoor Stadium in order to meet the requirement of C.W.G. Federation and as per the venue brief submitted by the International Consultant, M/S EKS, a new multi-storey block with the two basement for parking just adjacent to the existing Talkatora Indoor Stadium, Addition/alteration to the existing stadia and up-gradation of Shivaji Stadium, is to be constructed for which the revised A/A & E/S was accorded by the Council vide Reso No. 29 (A-19) dtd. 28.04.08 for Talkatora Indoor Stadium as Rs. 150 crores and Shivaji Stadium as Rs. 185 Crores.

4. Detailed proposal on the subject/project:

M/S Raja Aederi Consultant Pvt. Ltd. has been appointed as an Architect consultant for the project of Talkatora Indoor Stadium and Shivaji Stadium.

The Architect Consultant submitted the detailed estimate alongwith the drawings as per the venue brief, Security guidelines and as per the site requirement, construction of boundary wall alongwith the gates on the periphery of the Talkatora Indoor Stadium is required to be made for its security. Accordingly, the detailed estimate amounting to Rs. 69,36,700/- was technically sanctioned and the NIT amounting to Rs. 66,06,421/- was approved by the competent authority for Talkatora Indoor Stadium.

Initially, the tenders were invited with the last date of receipt/opening of tender as 26.02.09 & 27.02.09 respectively after giving wide publicity in four Metro Cities, newspapers as well as on NDMC website and the same were rejected and recall by the Chairman vide order dtd. 18.03.09 placed at Np-15.

Tenders were re-called by publishing the same on website vide tender ID no. 6856 on 19.03.09 as well as publishing the same in leading news paper through Dir. (PR) by fixing last date of bid document downloading and last date of receipt of bid as 6.04.09 and 9.04.09 respectively.

On due date i.e. 9.04.09 technical bid was opened and after discussing the matter by EE (Stadia Project) with ACE (C)/Project Leader details of the same has been mentioned at Np-17 & 18. One of the six tender received in e-tendering system i.e. M/S Sunehri Bagh Builders (P) Ltd. did not submit the TC & EMD, as such the same was disqualified. As desired keeping in view of the urgency due to CWG Project financial bid was opened on 11.04.09. Details of tenders opened as per comparative statement are as under :

S.No.	Agency	%age offered	Amount	Remarks
1.	M/S Gee International	0.65% below	Rs. 65,63,602/-	Ist Lowest
2.	M/S Puja Const. Co.	At par	Rs. 66,07,591/-	2 nd lowest
3.	Sh. Vijay Tyagi	4.53% above	Rs. 69,05,897/-	3 rd lowest
4.	Sh. Gyan Chand Goel	21.55% above	Rs. 80,30,017/-	
5.	M/S KBG Engineers	14.29% above	Rs. 75,50,645/-	

The justifications statement was prepared based on the rates circulated by Delhi Govt./market rates which was checked by the Project Planning which works out to 13.91% above the estimated cost of Rs. 66,06,421/- as against the rates quoted by the Ist Lowest, M/S Gee International, which is 0.65% below the estimated cost with a tendered value of Rs. 65,63,602/-.

5. Financial implications of the proposed project/subject:

The total financial implication on the above work is Rs. 69,36,700/-.

There is a budget provision of Rs. 40 crores exists under the Head of A/C - C.7.5 (ii) 4.2 during the year 2009-10.

6. Implementation schedule :

Time of Completion of work : 06 months

7. Comments of the Finance Deptt. on the subject:

The case was submitted to the finance who examined the case vide their dy. No. 783/finance dtd. 24.04.09 at Np-23 submitted that "in view of the lowest quoted rates amount to Rs. 65,63,602/- (Rs. Sixty five lakh sixty three thousand six hundred two only) below the EC of Rs. 66,06,421/- against the justified rates of 13.91% above EC, we have no objection if the case for acceptance of lowest offer of M/S Gee International is placed before empowered committee for consideration subject to following condition :

1. Newspaper cuttings showing date of publication of NIT are added with the record.
2. Certification that published NIT is "as it is" as approved NIT.
3. Certification that publicity to tender has been given as per approved policy of NDMC and all CVC guidelines have been followed.
4. Certification that all bidders including L-1 fulfill eligibility criteria as stipulated in NIT.

8. Comments of the Department on comments of Finance Deptt.

It is clarified as under :

1. Copies of newspaper cutting showing date of publication of NIT, has been placed in the file.
2. It is certified that published NIT is "as it is" as approved NIT.
3. It is certified that publicity to tenders has been given as per approved policy of NDMC and all CVC guidelines have been followed.
4. It is certified that all bidders including L-1 full fill eligibility criteria as stipulated in NIT.
5. The case was also placed before the Empowered Committee during its meeting held on 8.5.2009. The Empowered Committee cleared the case for placing before the Council.

9. Legal Implication of the project:

NIL

10. Details of previous Council Resolutions, existing law of Parliament and Assembly on the Subject:

Reso no. 10 (A-9) dts. 22.07.05 & Reso. No. 27 (A-19) dtd. 28.04.08 approved the proposal for up-gradation of NDMC stadias.

11. Comments of Law Department on the subject :

Evaluation of tender is the job of Tender Evaluation Committee and not the Empowered Committee. Empowered Committee is not Section 9 Committee of the Council.

It is thus for consideration as to whether reference of Empowered Committee should be in the Agenda Item for Council.

12. Comments of Department on the comments of Law Deptt. :

As per procedure of fast track project, the cases are to be discussed in Empowered Committee before placing the same in the Council. The Finance department, while scrutinizing the case, has also directed to place the tender case before Empowered Committee, as mentioned in para 7 of this agendum, under the heading of Comments of the Finance Deptt. on the subject. The agenda has been modified accordingly.

13. Certification by the department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case :

It is certified that all the CVC guidelines have been followed.

14. Recommendation of the Department:

The case may be placed before the Council for award of the above work to M/S Gee International at their tendered amount of Rs.65,63,602/-, which is 0.65% below the estimated cost of Rs.66,06,421/- against the justified rates of 13.91% above EC. The Deptt. may initiate action in anticipation of confirmation of minutes

COUNCIL'S DECISION

Resolved by the Council to award the work to the lowest tenderer M/S Gee International at their tendered amount of Rs.65,63,602/-, which is 0.65% below the estimated cost of Rs.66,06,421/-, against the justified rates of 13.91% above the Estimated cost for the work of Improvement/Upgradation of Talkatora Indoor Stadium. SH : Construction of boundary wall and gates.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 24 (A-27)

1. Name of the subject/project : Adoption of CPWD Manual 2007.

2. Name of the Department/departments concerned

Civil Engineering Department

3. Brief history/ detailed proposal of subject/project

- (a) It was decided by the Council to adopt CPWD Works Manual w.e.f. 15 Jan.'92 on "as it is" basis vide Council Resolution No. 02 dated 15 Jan.'93. It was further resolved that individual changes, if any, can be put to Committee as and when required for decision.
- (b) In 1996, Ms. Madhu Mahajan, the then Chief Vigilance Officer, NDMC drafted NDMC Works Manual in consultation with the then Financial Advisor and the then Chief Engineers, Civil & Electrical. It was placed before the Council for consideration and decision whether NDMC should continue with following CPWD Manual or adopt the NDMC Works Manual as presented before it.
- (c) After detailed discussions & deliberations it was resolved vide Reso No. 3(ii) 26 Sep.'97 that the CPWD Manual as amended/ modified/ updated from time to time shall continue to be adopted in NDMC subject to limitation in Administrative & Financial powers as provided under NDMC Act 1994. This decision was circulated by Director (Vig.) vide circular dated 19 Nov.'97 to all the departments.
- (d) During the deliberations on the functioning of the NDMC, the Estimates Committee of the Parliament observed it was time for the NDMC to consider framing by laws, rules and guidelines for its day to day functioning as contemplated in Section 388 of the NDMC Act 1994. Accordingly it was proposed to revise the NDMC Works Manual of 1996 to suit the present conditions and adopt it in the NDMC.
- (e) The Chairperson, NDMC was to be authorized by the Council to take action as deemed most suitable to have the NDMC Works Manual finalized for implementation in NDMC.
- (f) It was also proposed that till the NDMC Works Manual was implemented;

- (i) A resolution be adopted by the NDMC formally authorizing all the departments to follow the provisions of the CPWD Manual with the latest amendment and
 - (ii) Regarding those items that are not covered by the CPWD Manual, Engineer-in-Chief, NDMC was to formally authorize to periodically issue instructions and guidelines.
- (g) The matter was accordingly placed before the Council on 27 May'05 & following decision was taken vide Council Reso. No.3(S-2) dated 27 May'05.

"The Council after deliberations, unanimously decided that NDMC should have a Works Manual of its own and authorized the Chairperson, NDMC to take action as deemed appropriate by her to have the NDMC Works Manual of 1996 revised/ rewritten to meet the functional requirements in NDMC. The Council also resolved that till the new Works Manual came into operation the Engineer-in-Chief, NDMC, would periodically issue instructions and guidelines to ensure proper execution of works in NDMC. The Chairperson informed the Council that she would entrust the task of revising/ rewriting the NDMC Works Manual of 1996 to Sh. R.Sundara Raj, former Chief Vigilance Officer, NDMC who informed Chairperson that he would arrange to have the first draft of the Manual prepared and circulated among the members of the Council on or before 01 Sep.'05.

Further resolved by the Council that the NDMC Works Manual will be reviewed after every 3 years and will be placed before the Council in its meeting to be held in Apr.'08".

- (h) However no order was issued in supersession of the orders dated 19 Nov.97 issued by Director (Vig.) which is reproduced below:-

"The NDMC vide Reso. No. 2 dated 15 Jan.'93 decided to adopt CPWD w.e.f. 15 Jan.'92 on "as it is" basis. It was further resolved that individual changes, if any, can be put up to the Committee as and when required for a decision.

The case of adopting NDMC Works Manual was placed before the Council. After detailed discussion and deliberations, it has been resolved by the Council vide Reso. No. 3(ii) dated 26 Sep.'97 that the CPWD Manual as amended/ modified/ updated from time to time shall continue

to be adopted in NDMC subject to limitation in administrative and financial powers as under NDMC Act 1994”.

- (i) The works Manual as prepared by NDMC has never been adopted and implemented. No action has been taken as per decision taken vide Council Reso. No. 3(S-2) dated 27 May'05. The case was referred to Chief Vigilance Officer & Chief Vigilance Officer vide note dated 19 Mar.'09 has given following comments:-

“NDMC Manual was drafted and placed before the Council vide Reso. No. 3(ii) dated 26 Sep.'97, however, since some amendments were proposed by the Civil Engineering Department, therefore, at that time it was resolved that CPWD Manual as amended/ modified/ updated from time to time shall continue to be adopted, however, NDMC Manual was not updated and therefore not implemented.”

- (j) CPWD Works Manual & General condition of contracts have been adopted by other departments, as such, there is no requirement of making separate NDMC Works Manual. This is the only reason the NDMC Works Manual was not adopted by Council as mentioned above even after the same was prepared and placed before the Council because CPWD Manual is drafted by team of experts & is updated periodically to meet the growing demands of the market changes.
- (k) It can be concluded from the past resolutions of the Council that NDMC is following CPWD Manual with all its amendments received from time to time other than the Administrative & financial powers as provided under NDMC Act. Since large number of works are in progress & planned for Commonwealth Games 2010 it would be appropriate to adopt the CPWD Manual 2007 with all its amendments formally as this Manual has been followed since inception of New Delhi Municipal Council & has worked well so far.

4. Financial implications of the proposed subject/project

There are no financial implications as NDMC will follow financial & administrative powers as per NDMC Act 1994.

5. Implementation schedule with timelines for each stage including internal processing

This is to be effective from the date CPWD has adopted the CPWD Works Manual 2007.

6. Comments of the Finance Department on the subject with diary no. & date

Finance Department vide diary No.1003/R-CE(C) dated 14 May'09 & 825 dated 06 May '09 has advised to place the matter before Council with following observations:-

- (a) Creation of dedicated desk in Planning Unit of Civil Engineering Department to examine the amendments/ modifications issued by CPWD time to time with a view to ensure that same are implemented with or without modification with the approval of Competent Authority uniformly in NDMC
- (b) Till the exercise in terms of the Council's Resolution dated 27 May'05 is completed, for which a fresh and specific time schedule be indicated, department may place the proposal before the Council for adoption of CPWD Works Manual 2007 with necessary modifications required as per the needs/ requirements of NDMC.
- (c) The amendments/ modifications/ updations made by CPWD from time to time will also be applicable with or without modification in NDMC. For this purpose, a mandate from Council be required to adopt CPWD Works Manual in supersession of the Council's earlier decision based on the Resolution dated 27 May'05.

7. Comments of the Department on comments of Finance Department

- (a) Planning unit of Civil Engineering Department would examine the amendments/ modifications issued by CPWD time to time with a view to ensure that the same are implemented with or without modifications with the approval of the Competent Authority uniformly in NDMC.
- (b) CPWD Works Manual & General condition of contracts have been adopted by other departments, as such, there is no requirement of making separate NDMC Works Manual. This is the only reason the NDMC Works Manual was not adopted by Council as mentioned above even after the same was prepared and placed before the Council because CPWD Manual is drafted by team of experts & is updated periodically to meet the growing demands of the market changes & a separate cell in CPWD is entrusted with this task. Since large number of works are in progress & planned for Commonwealth Games 2010 it would be appropriate to adopt the CPWD Manual 2007 with all its amendments formally as this manual has been followed since inception of New Delhi Municipal Council & has worked well so far.

- (c) Department agrees with the views of Finance Department that amendments/modifications made by CPWD from time to time will be applicable with or without modification in NDMC & for this purpose the case is placed before the Council to adopt CPWD Manual 2007 in supersession of Council's earlier decision based on the Resolution dated 27 May'05.

8. Legal Implications of the subject/project : NIL

9. Details of previous Council Resolutions, existing Law of Parliament and Assembly on the subject

Details of previous Resolution are given in Para 3.

10. Comments of the Law Department on the subject

- (a) Rules are framed by Central Government. Regulation by Council and approved by Central Government. Byelaws are framed by Council and approved by Govt. of NCT of Delhi & then notified by Delhi Govt.
- (b) The CPWD manual is neither Rule nor Regulation. It is not a Byelaw under Section 388 of NDMC Act as referred to at 3(d). These are internal guidelines to process the cases of works – to leave no discretion.
- (c) Procedure as per CPWD Manual can be adopted, but Administrative and financial powers shall be as per delegation by Chairperson on the advise from Finance.
- (d) A copy of the Manual being adopted from 01 Apr.'09 be placed at the table of the Council and all the amendments made in a financial year be placed before the Council in the month of April for information of the Council. Copies of Administrative & Financial delegation being part of manual be also simultaneously placed before Council for information.

11. Comments of the Department on the comments of the Law Department

- (a) Para (a)(b) : No comments being matter of record.
- (b) Para (c) : Department agrees with the views of Law Department that procedure as per CPWD Manual should be adopted, but Administrative & Financial powers shall be as per delegation by Chairperson on the advise from Finance.
- (c) Para (d) : The copy of manual being adopted alongwith amendments made during the current financial year would be placed before the Council

in Apr.'10 for information of Council alongwith copies of Administrative & Financial delegation.

12. Certification by the Department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case.

N.A.

13. Recommendations

The case is placed before the Council for consideration & approval of following:-

- (a) Continuation of adoption of CPWD Works Manual 2007 with all its Amendments/ Modifications issued from time to time in NDMC w.e.f. the date as applicable to CPWD except financial and administrative powers to be exercised under NDMC Act 1994." In Supersession of Council Reso. No. 3(S-2) dated 27 May'05.
- (b) To continue to adopt the CPWD Manual as & when its revisions/amendments are carried out by CPWD.
- (c) All amendments/ modifications issued by CPWD from time to time to be circulated through Planning Department after the approval of the Competent Authority & be placed before the Council in April every year for information. Copies of Administrative & Financial delegation being part of manual be also simultaneously placed before Council for information.
- (d) To initiate further action in anticipation of approval of Minutes of the Council meeting.

COUNCIL'S DECISION

Resolved by the Council to accord approval for the following :-

- (a) Continuation of adoption of CPWD Works Manual 2007 with all its Amendments/ Modifications issued from time to time in NDMC w.e.f. the date as applicable to CPWD except the financial and administrative powers to be exercised under NDMC Act 1994, in supersession of Council Reso. No. 3(S-2) dated 27 May'05.
- (b) To continue to adopt the CPWD Manual as & when its revisions/amendments are carried out by CPWD.
- (c) All amendments/ modifications issued by CPWD from time to time to be circulated through Planning Department after the approval of the Competent Authority & be placed before the Council in April every year for information. Copies of Administrative & Financial delegation being part of manual be also simultaneously placed before Council for information.
- (d) Further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 25 (A-28)1. **Name of the Project**

Improvement to Vdiyut Bhawan Office Complex (Old Building) SH: Renovation/Upgradation of Vidyut Bhawan Office Complex (old building).

2. **Name of the Department Concerned :**

Civil Engineering Department, EE(BM-III)

3. **Brief History of the Project**

Vidyut Bhawan (Old building), of NDMC is a big office complex and was constructed way back in 1970 and since then no major improvement work has been taken up. Accordingly an inspection was carried out on dated 26.9.2008 by Director G.A. along with S.O. to Chairman in the presence of ACE-II (Elect.), Dy. CA-II, EE(BM-II) Elect. And E.E.(BM-III) when it was observed that the office space is not being used properly rather being wasted due to improper designing of sitting arrangement. Keeping in view that 13 E.Es are to be accommodated alongwith their technical and ministerial staff there. Presently 9 EEs alongwith their technical and ministerial staff are accommodated in the old building complex and adjoining barracks.

The case was placed before the Council vide agenda item No. 08(A-06) dated 15th Apr.'09 & was deferred due to model code of conduct.

4. **Detailed Proposal of the Project & Scope of Work.**

It was observed by the higher authorities as mentioned above that the office space is not being used properly rather being wasted due to improper designing of sitting arrangement, keeping in view the 26 E.Es are to be accommodated alongwith their technical and ministerial staff there. Presently only 13 EEs are being considered for old building and the remaining 13 E.Es will be accommodated in next phase while taking up the new block. The improvement work will over all result in better efficiency of the staff using modern day gazettes for performing official duties & optimum use of the space available in the building.

Accordingly Preliminary Estimate, amounting to Rs.1,72,65,400/- has been prepared by taking following improvements as per Architectural drawings issued by C.A. Deptt.:-

- Dismantling of brick walls, RCC slabs/ beam including allied fixtures as per requirement of site/ CA drawings.
- 124mm. & 66mm. thick wooden partitions made of double skin silicate board with GI channel studs etc. inside the boards.
- Dog-legged type staircase leading up to terrace level.
- 18mm. thick granite stone flooring and dado in toilets.
- Vitrified anti-skid tile flooring.
- On exterior wall, Dholpur stone cladding upto ground floor and textured paint for first & second floor.
- Powder coated aluminium glazed doors , windows & clerestory windows.
- Regradation of existing mud phaska has also been considered as per modern technique.

- And allied miscellaneous items of disposal of building rubbish. Lump sum provision of Rs. 5 lacs has been considered to accommodate railings, grills etc. (to be furnished by C.A) and some unforeseen items essentially required in the instant case

5. **Financial Implications of the Project**

Financial implication/ preliminary costing of the scheme for Improvement to Vidyut Bhawan Office Complex (Old Building) SH: Renovation/Upgradation of Vidyut Bhawan Office Complex (old building) is Rs.1,72,65,400/-.

6. **Implementation schedule with time lines for each stage including internal processing.**

Completion of work: - 8 months from the date of start

7. **Comments of FA/ Finance Department dated 8.4.2009 (Diary No. dt 674)**

Finance has no objection to the estimate, subject to the following:

- i) It appears that the estimate does not cover items/provisions for fire fighting, rain harvesting works etc., if any. The department may clarify the position in this regard while obtaining approval of competent authority.
- ii) Certified that all the items taken in the estimate are within the approved specifications of NDMC.
- iii) Due permission for any Govt. agency, if required is obtained in time to avoid hindrances during execution of work./
- iv) The replaceable items have outlived their prescribed life.
- v) Technical soundness of proposed work.
- vi) SE(BM) and CE(C-II) may also sign the estimate at appropriate places marked for the same.
- vii) A lump sum provision @ 20% has been kept for electric department. The department may keep the provision for electric work after receipt of estimate from CE(E) and accordingly modify the estimated cost.
- viii) Availability of funds for execution of work.
- ix) The department may ensure & certify that proposed expenditure will result not only to strengthen existing structure but also the existing space will be put to optimum utilization.

8. **Comments of the Department on the comments of FA dated 8.4.2009**

1. The matter has been discussed with Fire Officer. As the height of the building is less than 15 metres as such only dry apparatus with minor cost is required and no wet riser system is required as per norms. For dry apparatus (for fire prevention and fire safety measures) and rain water harvesting, the expenditure shall be met out of contingencies of this work.
2. All the items taken in the estimate are as per approved drawings issued by the Chief Architect and CPWD specifications.
3. No permission from any other Govt. agency is required as the work is of up gradation purpose to be carried out in the existing building and will over all

result in better efficiency of the staff using modern day gazettes for performing official duties & optimum use of the space available in the building...

4. The items which are required to be replaced have outlived their life.
5. The proposed work is technically sound and the design has been given by the Architect Deptt. with the approval of the Chief Architect.
6. Estimate has since been signed by SE(BM) & C.E(C-II)
7. The lump sum provision @ 20% has been kept for electrical works/air-conditioning as per consent given by the S.E.(Electrical) at the time of approval of D.P.R. by the Sub Committee.
8. Rs. 10 lacs exists in the current year's Budget Book for 2009-2010 under head of account H.1.8 and rest of the amount will be sought for in the R.E. of 2009-2010.
9. As the up gradation of the building will be carried out externally and internally which will automatically enhance the life of the building and also optimum utilization of the space has been taken care of by the Architect Deptt..

9. Legal Implication of the subject/project :

Nil

10. Details of previous Council Resolutions, existing law of Parliament and assembly on the subject.

N.A

11. Comments of LA/ Law Department :-

NIL

12. Comments of the Department on the comments of LA/ Law Department

NIL

13. Certified that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case.

14. **A Detailed Project Report (DPR)** has been prepared comprising C.E(C-II), S.E. (Elect.), E.E(BM-III), EE(R-III), EE(P-III), and A.E. III(BM-III) as Sub Committee Members and the same has been duly approved. Sub Committee has recommended that over all the whole scheme is technically viable and the proposal has been made for the benefits of NDMC employees by achieving the optimum of the space available. (copy placed in the file)

15. Recommendations :

Preliminary Estimate amounting to Rs. 1,72,65,400/- for the work "Improvement to Vidyut Bhawan Office Complex (Old Building) SH: Renovation/Upgradation of Vidyut Bhawan Office Complex (old building) " is recommended for A/A & E/S of the Council. It is also recommended that permission be accorded to proceed with the work in anticipation of confirmation of minutes of the Council.

16. **Draft Resolution :**

Resolved that Preliminary Estimate amounting to Rs. 1,72,65,400/- for the work "Improvement to Vidyut Bhawan Office Complex (Old Building) SH: Renovation/Upgradation of Vidyut Bhawan Office Complex (old building)" is approved for A/A & E/S of the Council. It is also approved that permission be accorded to proceed with the work in anticipation of confirmation of minutes of the Council.

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval and expenditure sanction to the Preliminary Estimate amounting to Rs. 1,72,65,400/- for the work "Improvement to Vidyut Bhawan Office Complex (Old Building) SH: Renovation/Upgradation of Vidyut Bhawan Office Complex (old building)".

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 26 (A-29)**1. Name of the Project**

Name of Work:- **Improvement to Palika Niwas Housing complex, Lodhi Colony . SH: External finish with grit wash plaster at Palika Niwas Housing complex.**

2. Name of the Department Concerned

Civil Engineering Department, EE(BM-III)

3. Brief History of the Project

Palika Niwas Housing Complex, Lodhi Colony, NDMC is a big housing colony comprising of 189 quarters of various categories i.e. Type I, II and type III flats. The housing complex was constructed way back in 1973 and till then no major improvement for exterior has been taken up. A Sub-Committee was constituted for Façade restoration of N.D.M.C. residential colonies under the chairmanship of S.E. (BM) and the above building comes under the category No.iv of the report of technical sub-committee received vide No.1814/SE (BM) dated 15.09.2008. According to report this housing required façade restoration along with structural rehabilitation.

4. Detailed Proposal of the Project & Scope of Work.

Improving the external surface of the housing complex by providing dhaultpur/sand stone grit wash plaster will not only enhance the life of the building but also curtail the A/R & M/O expenditure incurred for external finish of the walls every two years and also give an elegant look to the housing complex and living conditions of the employees complaining regularly will also be enhanced due to renovation of the flats. The work is to be carried out, are of the nature of external improvement of Palika Niwas Housing Complex by providing washed stone grit plaster on exterior walls after dismantling the existing plaster, forming of grooves, by using ordinary cement on the top layer as per recommendations of the Technical Sub- Committee.

Accordingly Preliminary Estimate, amounting to Rs.90,60,700/- has been prepared for the external finish with grit wash plaster at Palika Niwas Housing Complex.

5. Financial Implications of the Project

Preliminary costing of the scheme is Rs.90, 60,700/-.

6. Implementation schedule with time lines for each stage including internal processing.

- i) Detailed Estimate – 20.06.2009.
- ii) N.I.T – 05.07.2009
- iii) Processing of tender & award of work:: 15.09.2009
- iv) Completion time – eight months from the date of award of work.

7. **Comments of FA/ Finance Department dated 13/05/2009 (Diary No. FA-928 dt. 13.05.2009)**

"We concur in the P.E. amounting to Rs. 90,60,700/- (Rupees ninety lacs sixty thousand seven hundred only) as checked by Planning at P. -9/N subject to ensuring adequacy of funds before committing liability. The expenditure is proposed to be charges against Head of A/c D.4.12.1 Item No.302 P.165 where a budget provision of Rs. 50 lakh exists in the budget book of 2009.10".

8. **Comments of the Department on the comments of FA dated 13.05.2009**

Although the provision is only Rs. 50 lacs in the current financial year against Head of A/C D.4.12.1 item 302/P-165 but sufficient amount will be sought for in the R.E. of the financial year 2009-2010 as the execution of the work will be carried out in the end of this financial year.

9. **Legal Implication of the subject/project**

Not applicable.

10. **Details of previous Council Resolutions, existing law of Parliament and assembly on the subject.**

Nil. However, D.P.R. has been duly approved by the Technical Sub Committee dated 28.4.2009

11. **Comments of LA/ Law Department**

Nil

12. **Comments of the Department on the comments of LA/ Law Department**

Nil

13. **Certified that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case.**

14. **Recommendations :**

Preliminary Estimate amounting to Rs. 90,60,700/- (Rupees ninety lacs sixty thousand seven hundred only) for Improvement to Palika Niwas Housing complex, Lodhi Colony. SH: External finish with grit wash plaster at Palika Niwas Housing complex duly concurred in by the finance department is recommended for A/A & E/S of the Council.

It is also recommended that further action in the matter be taken by the department like Technical Sanction of D.E., NIT etc. in anticipation of confirmation of the minutes by the Council.

15. **Draft Resolution :**

Resolved by the Council to accord administrative approval and expenditure sanction to the preliminary estimate amounting to Rs.90,60,700/- for "Improvement to Palika Niwas Housing Complex, Lodhi Colony SH: External finish with grit wash plaster at Palika Niwas Housing complex".

It was also resolved by the Council that further action in the matter like Technical Sanction of D.E., NIT etc. be taken by the department in anticipation of confirmation of the minutes by the Council.

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval and expenditure sanction to the preliminary estimate amounting to Rs.90,60,700/- for "Improvement to Palika Niwas Housing Complex, Lodhi Colony SH: External finish with grit wash plaster at Palika Niwas Housing complex".

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 27(E-01)**1. Name of the Subject / Project.**

Administrative Approval and expenditure sanction of Rs. 250 Lacs for procurement of Allopathic Medicines for the year 2009 -2010.

2. Name of the Department/ Departments concerned.

Health, (Medical Sector)

3. Brief History of the Subject/ Project.

NDMC provides medical care including medicines to masses free of cost. A sum of RS. 250 Lacs has been allocated under Head of A/C D.2.2.4 (35/230/80/47/304 as per new chart of A/cs) in the budgetary proposal for the year 2009 – 2010 for the procurement of Allopathic Medicines. Last year the allocations were Rs. 225 Lacs out of which Rs.224.7 lacs were spent on Medicines Procurement.

The methodology which is being followed for medicines procurement is:

- (i) By quarterly placement of supply orders with the approved firms at the rates approved under the Rate Contract.
- (ii) Local purchase of medicines those are essential but not in stock with Central Medical Stores, from Kendriya Bhandar especially for the benefit for the employees and their dependents.
- (iii) Emergent purchase of Vital drugs those are either not available with Registered Firms or are not under rate contract, from open market by calling short terms quotations.

4. Detailed proposal on the subject/ project.

The Council vide its resolution No. 06 (E-8) dt 15.10.2008 (**Annexure – I See pages 125 - 126**) had approved the Rate Contract for the purchase of Allopathic Medicines for a period of one year from the date of execution of agreement. The said Rate Contract is valid till 15.10.2009. Accordingly, the department is likely to place two quarterly supply orders before the expiry of existing Rate Contract. In addition department will have to make local purchase of medicines upto Rs.2 Lakhs per month to discharge its obligations of medical care towards its employees.

The consumption of various medicines during the year 2008 – 2009 along with stock position as on 01.04.2009 has been documented in (**Annexure – II See pages 127 - 138**)

Logistic Management is the function of Medical Department as per Council Resolution No. 26 (E-6) DT 19/12/2007 (**Annexure – III See pages 139 - 140**). Accordingly, the department has sought administrative approval and expenditure sanction of the budgeted amount i.e. Rs.250 Lacs.

5. Financial implication of the proposed project/subject

Rs.250 Lacs

6. Implementation schedule with timeless for each stage including internal processing.

The supply order will be placed every quarters based on the rate of consumption of various drugs during the proceeding quarter. The usual time period granted for the completion of supply is one month.

7. Comments of the Finance Department on the subjects.

In view of the role of Finance Department and Medical Department having been decided by the Council vide its Reso.No.26 (E-6) dated 19.12.2007 for concurrence of the preliminary estimate for procurement of medical consumables, we have no objection to the proposal for accord of AA & ES for an amount of Rs. 250 Lacs for purchase of Allopathic Medicines during the year 2009 – 2010. The department, however, needs to ensure that: -

1. Approval of the Council is obtained.
2. Availability of funds under the Head of A/c D.2.2.4 (35/230/80/47/304 as per New Chart of A/cs).
3. The data placed on records is correct.
4. A preliminary estimate for the said amount is drawn and placed on records.
5. The role as defined by the Council vide resolution *ibid*, is strictly adhered to by it.
6. The amount of PE includes the cost of medicines to be procured on emergent basis as also to meet indent requirement of NDMC employees from Kendriya Bhandar or other sources.
7. Supply of medicines is received on quarterly basis in compliance with the decision taken by the Council vide its Reso. No.12 (E-2) dated 21.05.2008

8. Comments of the Department on the comments of Finance Department.

1. Case is being laid before the Council for its approval. Principal approval of the competent authority has already been obtained.
2. The funds are available under the head of accounts D.2.2.4 (35/230/80/47/304 as per new chart accounts).
3. The data placed on records is correct.
4. Preliminary estimate amounting to Rs. 250 Lacs is drawn and Annexed **(Annexure – II)**.
5. The role as defined by the Council vide resolution No.26 (E-6) dt 19/12/2007 is being strictly followed.
6. In the amount of P.E. includes expenditure on procurement of medicines on emergent basis, indent procurement of medicines for NDMC employees from Kendriya Bhandar.
7. The supply of medicines will be ordered quarterly.

9. **Legal implications of the subject :** Nil
10. **Details of previous Council Resolution, existing law of parliament and Assembly on the subject.**
Nil
11. **Comments of the Law Department on the subject/project**
L.A. has seen the case.
12. **Comments of the Department on the comments of the law Department.**
None.
13. **Certification by the department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case**
It is certified that all the CVC guidelines have been followed.
14. **Recommendations.**
- (a) Administrative approval and expenditure sanction of preliminary estimate of Rs. 250 Lacs (Rupees Two Hundred Fifty Lacs only) inclusive of taxes for purchase of Allopathic Medicines during the year 2009-2010.
 - (b) Approval to place supply orders every quarter based on requirement during the proceeding three months with a provision to place a supplementary order in between if, the need so arises, to the firms under the approved rate contract.
 - (c) Approval to place the supply orders of the first quarter in anticipation of the confirmation of the minutes.
15. **Draft Resolution :**
Resolved by the Council that Administrative Approval and Expenditure Sanction of PE of Rs.250 Lacs (Rupees Two Hundred Fifty Lacs only) inclusive of taxes for the purchase of Allopathic Medicines during the year 2009-10 from the firms /suppliers under the approved rate contract by placing the supply orders every quarter with a provision of placing a supplementary orders in between if so required, is accorded. The permission is also accorded to place supply orders of the first quarter in anticipation of confirmation of the minutes.

COUNCIL'S DECISION

Resolved by the Council to accord Administrative Approval and Expenditure Sanction to the preliminary estimate amounting to of Rs.250 Lacs, inclusive of all taxes, for the procurement of Allopathic Medicines during the year 2009-10, from the firms /suppliers approved under the rate contract by placing the supply orders every quarter with a provision of placing supplementary orders, in between, if so required.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

The Council further directed the department that the procurement and inventory management should be improved and proper mechanism be put in place to ensure that all the medicines are available to the patients but at the same time it is not excessive in stock. Efforts for improvement and upgradation of CPH be continued so as to bring the facilities and functioning of the hospital at par with the best hospitals in the country.

1. Name of the subject! project

Annual Rate Contract for the purchase of Allopathic Medicine for the year 2008-09.

2. Name of the Department / departments concerned.

Health (Medical sector)

3. Brief history of the subject! Project.

Medical care of the masses through its hospitals, dispensaries and Maternity & Child Welfare centre is obligatory function of the council as defined under sec. 11 of the NDMC Act 1994. A sum of Rs.225 Lacs has been allocated under head of Account 0-2-2-4 in the budget estimates for the year 2008-09 for the purchase of allopathic medicines to provide free medical care in an endeavour to discharge its obligations. The medicines are purchased quarterly from the firms at rates approved under the rate contract.

The department empanels firms dealing with the manufacturing of allopathic medicines every 5 years fulfilling all the prescribed qualifying criteria to impart eligibility on them to participate in the tender process prescribed for finalizing rate contract under the code requirements. At present the department has 45 firms on its panel approved vide council resolution no. 22(E-S) dated 18/6/2008 (Annexure I) (see page 34).

The rate contract once approved by the council remains valid for a period of one year from the date of its approval.

4. Detailed proposal of the subject / project

Sealed tenders were invited from all the 45 firms empanelled with NOMC in August 2008 and 44 of them responded to our tender query. The comparative statement was drawn up to compare the rates quoted by various firms in respect of different formularies. Those preparations of the participating firms cheapest in their rates i.e. L - 1 were recommended by the sub committee for approval for the rate contract. A detailed list of the firms approved in respect of various drugs required to be procured for a period of one year hence forth with along with their rates has been, enclosed as annexure U (see pages 35 - 50).

5. Financial Implications of the proposed project:

A sum of Rs.225 Lacs has been allocated under the budgetary proposals for the year 2008-09 and the council has already accorded its administrative approval and expenditure sanction for the same vide its Resolution No. 12 (E-2) dated 21/5/2008.

6. The implementation schedule with timeliness for each stage including internal processing.

The rate contract will come into effect from the date of council approval and will remain valid for a period of one year. The department will procure its requirement of medicines by placing quarterly supply orders within the sanctioned expenditure.

7. Comments of the Finance Department on the subject.

We concur in the proposal of the department for approval of annual rate contract for procurement of allopathic medicines for a period of one year from the date of approval of competent authority. However, our concurrence is subject to the following:-

1. Approval of the competent authority.
2. Availability of funds under the head of Alc D-2-2-4.
3. Correctness of information, data and computation.
4. Ensuring strict adherence to the role of Medical department as decided by the

Council vide its Resolution No. 26 (E-6) dated 19/12/2007, and

5. Ensuring that procurement of medicines during the year 2008-09 is restricted to the amount of Rs.225 lacs (inclusive of all taxes) strictly in accordance with the council Resolution No. 12 (E-2) dated 21/5/2008.

8. Comments of the department on the comments of finance Department.

1. Case is being laid before the council for approval.
2. Funds are available under the head of A/c D-2-2-4.
3. The information data and computation is correct.
4. The role as define by the council vide resolution no. 26 (E-26) dated 19/12/2007 is being strictly followed.
5. It is ensured that procurement of medicines during the year 2008-09 will be restricted to the amount of Rs.225 lacs (inclusive of all taxes) strictly in accordance with the council resolution no. 12 (E-2) dated 21/5/2008.

9. Legal implications of the subject

Nil.

10. Details of previous Council Resolution, existing law of Parliament and Assembly on the subject.

Council resolution no. 22 (E-5) dated 18/6/2008 Annexure I (See page 34).

Council resolution no. 12 (E-2) dated 21/5/2008 Annexure III (See page 51)

11. Comments of the Law Department on the subject/project

Nil

12. Comments of the Department on the comments of the law Department.

N.A

13. Recommendations.

Approval of Annual Rate Contract as proposed in Annexure II (see pages 35-50) for a period of one year from the date of council resolution for the council resolution for the procurement of allopathic medicines.

14. Draft Resolution.

Resolved by the council that the annual rate contract for the procurement of allopathic medicines for a period of one year from the date of council approval as detailed in Annexure II (See pages 35-50) is approved.

COUNCIL'S DECISION

Resolved by the Council that the annual rate contract for the procurement of allopathic medicines for a period of one year , as detailed in Annexure II of the preamble, is approved w.e.f. 15/10/2008.

It was further resolved that the department may initiate necessary action in anticipation of confirmation of the minutes by the Council.

ANNEXURE II == 12 PAGES

ANNEXURE II END

ANNEXURE - III**1. Name of the Subject / Project.**

Policy regarding role of Finance and Medical Department for the concurrence of preliminary estimates for the procurement of medical consumables.

2. Name of the Department/ Departments concerned.

Health, (Medical Sector)

3. Brief History of the Subject/ Project.

At present the quantities of various medical consumables projected by the department for the calculation of preliminary estimates for procurement are subject matter of review by the Finance Department. In the event of divergence of opinion between the departments over the quantities projected in the preliminary estimates, its resolution often takes substantial time which in turn results in delay in procurement. It has necessitated review of the existing system for seeking concurrence of preliminary estimates.

4. Detailed proposal on the subject/ project.

During the deliberations on the expenditure sanction for the procurement of Allopathic Medicines in the Council Meeting dated 17.10.2007, it emerged that assignment of definite roles to the various departments involved in the process of procurement of medical consumables shall expedite the process of finalization of the proposals. Accordingly, the following definite roles have been proposed for these departments to avoid over – lapping of functions:

1. Role of the Finance Department for the concurrence of the preliminary estimates and approval of the rate contract.

1. Monitoring of budget allocations so that the expenditure does not exceed the sanctioned allocations.
2. To ensure that the proposed expenditure is for the purpose for which the funds are allocated.
3. That all codal requirements proposed in the General Financial Rules to ensure total transparency, competitiveness, fairness and elimination of arbitrariness in the process of procurement have been observed.
4. Enforcement of efficiency, economy and accountability in the procurement system.
5. That the proper care was taken in the evaluation, selection, ranking the responsive bids and selection of the successful bidder for placing of contract.

2. Role of the Medical Department.

1. Determination of the quantities of the consumables based on fair and justifiable grounds.
2. Proper Inventory Management to avoid over-stocking or short falls.
3. To ensure that there is no wastage of municipal funds on account of mis-use or expiry of supplies or on account of inventory carrying cost due to over-stocking.

5. Financial implication of the proposed project/subject

Nil

6. Implementation schedule with timeless for each stage including internal processing.

N.A.

7. Comments of the Finance Department on the subjects.

In the matters of concurrence for quantities and estimated cost, a substantive decision to be taken, formulating a policy spelling out the specific point of reference.

8. Comments of the Department on the comments of Finance Department.

None

9. Legal implications of the subject

Nil

10. Details of previous Council Resolution, existing law of parliament and Assembly on the subject.

None

11. Comments of the Law Department on the subject/project

Nil

12. Comments of the Department on the comments of the law Department.

None

13. Recommendations.

The policy formulated in para 5 is noted to Council for information and adoption.

COUNCIL'S DECISION

The policy regarding procurement of Medical consumables as enumerated in para 4 (A) was noted by the Council.

It was further resolved by the Council that Sh. Mukesh Bhatt, Member of the Council member associated by the Deptt. in the procurement process.

ITEM NO. 28 (A-30)**1. Name of the Project**

Purchase of sewer cleaning machine and other equipments. S.H. Providing chassis, fabrication and commissioning of vehicle mounted high pressure sewer suction machine and operation and maintenance of sewer suction machine.

2. Name of the department concerned

Civil Engineering Department Addl.C.E(Civil) - (Sewerage Maintenance Divn.)

3. Brief History of the Project

As per the directions of hon'ble High Court manual cleaning of sewer lines is being phased out by mechanical cleaning. By procuring new suction machine, the strength of sewer cleaning machine could be enhanced and so would be the efficiency in removing the sewer blockages in the entire NDMC area. Two number existing sewer suction machines are not sufficient to support the existing 3 no. pressure jetting machines for attending the sewer complaints.

Complaints have also been increased considerably due to heavy silting of the sewer lines as most of the sewer lines are about 50 years old. Mostly VVIPs are residing in entire NDMC area and for quick and timely disposal of the complaints one additional suction machine is required. Due to mechanized system no fresh sewer men are being employed in place of the already retired/retiring sewer men.

4. Detailed proposal of the Project

There are 3 no. of pressure jetting machines and 2 no. of sewer suction machines, those have been purchased 5 years back. It has been felt that an additional sewer suction machine is to be procured to clear the daily load of sewer suction machines, complaints in the entire NDMC area.

The detailed specifications for the same are as under :-

A truck chassis of Ashok Leyland (Modal CG 1616 H)
Fabricating the cabin and sewer suction equipment on this chassis.
Operation and maintenance of this new suction machine for 5 years

Since previous ones are also Ashok Leyland and their performance is satisfactory. For standardization of machinery it is necessary and also covered under GFR 154 (iii).

5. Financial Implications of the Project

The preliminary estimate is framed on the basis of market rates for an amount of Rs.50,56,700/- (including 5% contingencies).

6. Implementation schedule with time limit

6 (six months) from award of work.

7. Comments of the finance department on this subject

Finance department has concurred in the estimate amounting to Rs.50,56,700/- (Fifty Lacs Fifty Six Thousands and seven hundred only) as proposed by ACE(C) subject to correctness of data, computations and information supplied and availability of funds vide diary no. FA-985 dt. 15.5.09 on page 10/NP.

8. Comments of the department

The Finance has concurred in the estimate.

It is clarified that correctness of data, computation and information supplied would be ensured. The balance funds would be sought in the revised budget estimate.

9. Legal implications of the Project/Subject

-NIL-

10. Details of previous Councils resolution, existing law of Parliament and assembly on this subject.

-NIL-

11. Comments of the law department on this Project.

No Law point involved.

12. Comments of the department on the comments of Law department

-Nil-

13. Certification by the department that all central vigilance commission(CVC) guidelines have been followed while processing the case:-

Certified that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case.

14. Recommendations

The case is placed before the Council for according administrative approval and expenditure sanction of the preliminary estimate amounting to Rs. 50,56,700/(Fifty Lacs Fifty Six Thousands and Seven hundred only) for Providing chassis, fabrication and commissioning of vehicle mounted high pressure sewer suction machine and operation and maintenance of sewer suction machine. It is also recommended that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

15. Draft Resolution :

Resolved by the Council that A/A and E/S is accorded to the preliminary estimated amount to Rs. 50,56,700/- (Fifty Lacs Fifty Six Thousands and Seven hundred only) for Providing chassis, fabrication and commissioning of vehicle mounted high pressure sewer suction machine and operation and maintenance of sewer suction machine. It is also recommended that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval and expenditure sanction to the preliminary estimate amount to Rs.50,56,700/- for providing chassis, fabrication and commissioning of vehicle mounted high pressure sewer suction machine as well as operation and maintenance of sewer suction machine.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 29 (B-02)**1. Name of Work:**

Purchase of 02 nos. microprocessor based HT cable fault locating machines suitable upto 66 kv system in buyback offer. (Tender no. 25/EE(E)S-II/2008-09)

2. Department:

ELECTRICITY DEPARTMENT

3. Brief History of the proposal:

Two nos. old/unserviceable Robotron German make 110 KV HT cable fault locating systems, one fitted on TATA 407(1990) and another fitted on imported German van (1988), were condemned by condemnation subcommittee and estimate was sanctioned for the purchase of 02 nos. machines. Accordingly, a case for purchase of 02 nos. microprocessor based HT cable fault locating machines suitable upto 66 kv system was initiated in buyback offer through call of Tenders by e-procurement.

4. Detailed proposal of the subject:

Tenders, in three covers system, were invited through e-procurement portal for the purchase of 02 nos. microprocessor based HT cable fault locating machine suitable upto 66 kv system in buyback offer by giving due publicity as per the codal provisions. In response to the Tender Enquiry, offer from only one firm was received on the due date opening i.e 05-12-2008, without EMD & Tender cost and same was not opened. Due to constraints of e-procurement portal system, the tenders were reinvited/extended, but, on the second call i.e 14-01-2009, no firm responded. The tender was again reinvited/extended .One firm M/s PCI Ltd. submitted it's offer on extended due date of opening, i.e 24-02-2009. After following prescribed procedure for Tender Evaluation, the Price Bid of the only tendering firm M/s PCI Ltd. was opened on 01-05-2009, in which the firm had quoted at a basic rate of Rs . 1,28,70,000/- , plus CST/VAT @12.5% for each van and a total computed cost for supply of 02 no. of vans on Rs.2,89,57,500/- (Rupees two crores eighty nine lakhs fifty seven thousand five hundred only) and Rs. 32,000/-(plus CST/VAT @12.36%) to be credited against the condemned Robotron German make 110 KV HT cable fault locating system with imported German van and reject credit offer for second condemned Robotron German make 110 KV HT cable fault locating system with van TATA 407 as the firm has quoted Rs. 44,946/- (including CST/VAT @12.36%), which is 40.07% lower than the reserve price of Rs.75,000/ -(nett) as decided by the Condemnation Subcommittee.

The case has been examined by the Planning department and subsequently concurred by the Finance Department on 15-05-2009 for the above.

5. Financial Implications: Rs.2,89,57,500/- (Gross) & Rs.2,89,21,545/- (Nett) .

6. Implementation Schedule:

The material shall be supplied within 03 months from the date of issue of Supply Order.

7. Comments of the Finance Department:

Finance vide diary no. FA-1042 dated 15-05-2009 has concurred the proposal of Department to place Supply Order on "M/s PCI Ltd." for purchase of 2 nos. Microprocessor based HT cable fault locating machine suitable upto 66 KV system at their quoted amount of Rs.2,57,40,000/-(Plus VAT/CST).

Further, the rates quoted by the firm in buyback offer for old German make 110 HT CFL machine with imported German van is more than reserve price, we also agree in the proposal of department to sold the same in Buyback offer of Rs.32,000/- (plus VAT/CST) to M/s PCI Ltd., subject to the following:-

1. Approval of Competent Authority.
2. Availability of funds
3. Certification by the department that the rates are just, reasonable and justification of rates have been worked out on the basis of machine, having same specifications.
4. Codal formalities and guidelines of CVC have been adhered to.
5. Rates have been compared with the rates mentioned in the Supply Order dated 17-12-2007 issued by Central Power Distribution Company of AP Ltd.. It has been seen that in our case CST/VAT @12.36% is being asked for whereas in case of A.P.C.P.D.C.L; CST is 3%. Department may obtain clarification why concessional CST @3% is not levied on NDMC.
6. In the justification, while assessing the reasonability of rates; department has increased the cost of machine in Indian currency taking into account the rates of EURO. Department must ensure and certify that that the manufacturer has not decreased the cost of the machines in EURO currency,since,17-12-2007.

8. Comments of the Department on comments of Finance Deptt.:

1. Approval of Competent Authority i.e the Council is being obtained .
2. Funds are available under the Budget Head "E-11, Purchase of Stores" during the current financial year.
3. Certified that the rates are just, reasonable and justification of rates have been worked out on the basis of derived cost of machine with similar features and specifications.
4. Codal formalities and guidelines of CVC have been adhered.
5. In our case, being a local sale, VAT @12.5% or if applicable on the production of documentary evidence, would be charged as per actual, whereas in case of A.P.C.P.D.C.L; CST @ 3% is charged being an interstate sale.
6. The firm has certified that that the cost of the machines in EURO currency has not been decreased, since,17-12-2007.Further, the firm has confirmed that they have not supplied cable fault locating equipment with similar

specifications recently to any organization at the price lower than the offered to NDMC.

9. Legal implication of the subject: NIL

10. Details of previous Council Resolution: N/A

11. Comments of Law Department: NIL

12. Comments of the department on the comments of Law Department:
N/A

13. Certification by the Department:

All Central Vigilance Commission (CVC) guidelines have been followed.

14. Recommendations of the department:

The case may be placed before the Council for approval to purchase of 02 nos. microprocessor based HT cable fault locating machine suitable upto 66 kv system in buyback offer from M/s PCI Ltd., New Delhi, at a quoted rate of Rs . 1,28,70,000/- , plus VAT @12.5% for each van and at a total computed cost of Rs. 2,89,57,500/- (Rupees two crores eighty nine lakhs fifty seven thousand five hundred only) on the terms & conditions of NIT and Rs. 32,000/- (plus VAT @12.36%) to be credited against the credit offer for the condemned Robotron German make 110 KV HT cable fault locating system with imported German van and reject credit offer for second condemned Robotron German make 110 KV HT cable fault locating system installed on van TATA 407 as the firm has quoted Rs. 44,946/- including CST/VAT @12.36%), which is 40.07% lower than the reserve price of Rs.75,000/- (nett) as decided by the Condemnation Subcommittee. The requirement is of critical and urgent nature, approval is also solicited to place the Supply Order on the firm, in anticipation to the confirmation of minutes of the Council meeting.

15. Draft Resolution :

Resolved by the Council that approval is accorded to purchase 02 nos. microprocessor based HT cable fault locating machine suitable upto 66 kv system in buyback offer from M/s PCI Ltd., New Delhi , at a quoted rate of Rs.1,28,70,000/- , plus VAT @12.5% for each van and at a total computed cost of Rs.2,89,57,500/- (Rupees two crores eighty nine lakhs fifty seven thousand five hundred only) on the terms & conditions of NIT and Rs. 32,000/- (plus VAT @12.36%) to be credited against the credit offer for the condemned Robotron German make 110 KV HT cable fault locating system with imported German van and reject credit offer for second condemned Robotron German make 110 KV HT cable fault locating system installed on TATA 407 as the firm has quoted Rs.44,946/- (including CST/VAT @12.36%),

which is 40.07% lower than the reserve price of Rs.75,000/ -(nett) as decided by the Condemnation Subcommittee. Further, approval is also accorded to place the Supply Order on the firm, in anticipation to the confirmation of minutes of the Council meeting.

COUNCIL'S DECISION

Resolved by the Council to accord approval for purchase of 02 nos. microprocessor based HT cable fault locating machine, suitable upto 66 kv system, in buyback offer, from M/s PCI Ltd., New Delhi, at a quoted rate of Rs.1,28,70,000/-, plus VAT @12.5% for each van ; and at a total computed cost of Rs.2,89,57,500/- on the terms & conditions of NIT and Rs.32,000/- (plus VAT @12.36%) to be credited against the credit offer for the condemned Robotron German make 110 KV HT cable fault locating system with imported German van and reject credit offer for second condemned Robotron German make 110 KV HT cable fault locating system installed on TATA 407 as the firm has quoted Rs.44,946/- (including CST/VAT @12.36%), which is 40.07% lower than the reserve price of Rs.75,000/ -(nett) as decided by the Condemnation Subcommittee.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 30 (B-03)

1. Name of Work: Purchase of Unitized Sub-Stations 11/.433KV, 990 KVA.

2. Department : ELECTRICITY DEPARTMENT

3. Brief History of the Proposal:

In Principle approval was accorded by the Council for purchase of material in order to revamp /augment the electrical system in NDMC, vide item No. 33(B-29) dated 17.07.07. Accordingly a case for purchase of 15 Nos. Unitized Sub-Stations 11/.433 KV 990 KVA was processed against the various D.C and other works for which the estimates have been sanctioned subsequently by the competent authority and tenders were invited through e-procurement system.

4. Detailed Proposal of the Subject:

Sealed tenders were invited through e-procurement portal for the purchase of 15 Nos. Unitized Sub-Station 11/.433 KV 990KVA by giving due publicity to the tender as per the codal provisions. In response to the Tender Enquiry, offers from following four firms were received through e-procurement system.

- i. M/S ABB Ltd.
- ii. M/S Areva T&D Ltd.
- iii. M/S Crompton Greaves Ltd.
- iv. M/S L&T Ltd.

In addition to above firms, M/S Schnieder Electric Ltd. and M/S Space-Age Switchgears Ltd. also participated in the tender, but they failed to participate through prescribed e-procurement mode ,their offers were not considered eligible. After following the prescribed procedure for tender evaluation, it was revealed that M/S L&T Ltd. and M/S Crompton Greaves Ltd. did not meet the eligibility criteria of the NIT, hence their offers were not considered for opening of the Price bids.

The price bids of two eligible participating firms were opened on the due date of opening ie. on 06.05.09 and after carrying out due scrutiny and detailed evaluation of price bids , it was found that M/s ABB Ltd. emerged as the lowest tenderer at a quoted ex-work rate of Rs 14,75,000-00 each. The total computed amount after loading the prevalent Excise Duty @ 8.24% ,C.S.T @2%,Insurance @Rs.2000.00 Freight @ Rs19000/- and Handling @1000.00 was found to be Rs.16,50,470.80 for each unit and hence Rs.2,47,57,062.00 for a total quantity of 15 NOs. which is 20.27 % below the estimated ex-work price and 15.71 % below the justified rates based on ex-work rate of an order placed by M/S HPCL-Mittal Ltd. Dt.30.03.09 on M/S ABB Ltd.

The case was also examined by the Planning and subsequently concurred by Finance on 15.05 .09 for the above purchase.

5. Financial Implications:

Rs.2,47,57,062/- (Rs. two crore forty seven lac fifty seven thousand sixty two only), inclusive of all prevalent taxes, duties, freight ,handling and insurance.

6. Implementation Schedule:

Commencing with 4 No. within 2 months and completion @ 4 Nos. per month thereafter or Completion within 05 months from the date of approval of Drawing to be submitted within 15 days from date of issue of supply order.

7. Comments of the Finance Department :

Finance vide diary No. 1051 /Dated 15.05.09, have concurred the proposal of department to place supply order on M/s ABB Ltd. at quoted cost of Rs.2,21,25,000/- (Rs. two crore twenty one lac twenty five thousand only) , plus all taxes, duties, freight ,handling and insurance for purchase of Unitized Sub-Station 11/.433 KV, 990KVA and on the terms and conditions and specifications as per our NIT subject to the following:-

1. Approval of Competent Authority
2. Availability of funds.
3. Certification by the department that all codal provisions and CVC guidelines have been adhered to.
4. The department may bring on the recorded reason for not framing the estimate while seeking the approval of the Competent Authority.

8. Comments of the Department on comments of Finance Deptt.

1. Approval of competent Authority ie. the Council is being obtained.
2. Funds are available under the Budget Head "E-11, Purchase of Stores" during the current financial year.
3. All codal requirements and CVC guidelines have been adhered .
4. At the time of processing the case by Store Division , the estimates were under the process of sanction from the Competent Authority, which now stand sanctioned.

9. Legal Implication of the Subject: NIL**10. Details of previous Council Resolution: No.****11. Comments of Law Department: No comments.****12. Comments of the department on the comments of Law Department: N/A.****13. Certification by the Department:**

All Central Vigilance Commission (CVC) guidelines have been followed.

14. Recommendations of the Department:

The case may be placed before the Council for the purchase of 15Nos. Unitized Sub-Stations 11/.433 KV, 990 KVA from the lowest eligible firm M/s ABB Ltd. at an ex-

works rate of Rs.14,75,000/- for each unit plus Excise duty @ 8.24% ,C.S.T @2%,Insurance @Rs.2000.00 Freight @ Rs19000/- and Handling @1000.00 and total computed cost for 15 Nos. units.for an amount of Rs.2,47,57,062 /- (Rupees two crore forty seven lac fifty seven thousand sixty two only) on the terms, conditions and specifications of NIT, read with the firm's letter No. PPMV.CSS09161A Dated 05.05.09. The requirement is of urgent and essential nature, therefore approval is also solicited to place supply order on the firm in anticipation to the confirmation of the minutes of the Council meeting

15. Draft Resolution:

Resolved by the Council that the approval is accorded to the purchase of 15 Nos. Unitized Sub-Stations 11/.433 KV, 990 KVA from the lowest eligible firm M/s ABB Ltd. at an ex-works rate of Rs 14,75,000/- for each unit plus Excise duty @ 8.24% ,C.S.T @2%,Insurance @Rs.2000.00 Freight @ Rs19000/- and Handling @1000.00 and hence at a total computed cost amounting to Rs.2,47,57,062 /- (Rupees two crore forty seven lac fifty seven thousand sixty two only) on the terms, conditions and specifications of NIT, read with the firm's letter No. PPMV.CSS09161A Dated 05.05.09. Further, the approval is also accorded to place supply order on the firm in anticipation of the confirmation to the minutes of the Council meeting.

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval and expenditure sanction for the purchase of 15 Nos. Unitized Sub-Stations 11/.433 KV, 990 KVA from the lowest eligible firm M/s ABB Ltd. at an ex-works rate of Rs.14,75,000/- for each unit plus Excise duty @ 8.24%, C.S.T @ 2%, Insurance @ Rs.2000.00; Freight @ Rs.19000/- and Handling @1000.00; the total computed cost coming to Rs.2,47,57,062 /- on the terms, conditions and specifications of NIT, read with the firm's letter No. PPMV.CSS09161A Dated 05.05.09.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 31 (A-31)**1. Name of the subject /project**

Review of norms for Annual Repair and maintenance (A/R & M/O) of roads in NDMC area

2. Name of the Department/departments concerned:

Civil Engineering Department, Road divisions.

3. Brief history/Detailed proposal on the subject/project:

- a) The Council vide Resolution No. 18(A-7) dated 27 May.'05 approved the norms for annual repair and maintenance (A/R & M/O) of roads in NDMC area.
- b) The Standard Rate approved by council for two lane road (7m wide) with 1.5 m wide walkway was Rs.1,04,700 per kilometer.
- c) Rates for roads having more lanes and with or without shoulders was also approved, the details of which are as follows:

(i)	Two lanes without shoulders = 0.90 i.e. Rs. 1,04,700/- x 0.90	Rs. 94,230/-
(ii)	Single lane W/o Shoulders = 0.625 i.e. Rs. 1,04,700/- x 0.625	Rs. 65,438/-
(iii)	Single lane with paved Shoulders = 0.70 i.e. Rs. 1,04,700/- x 0.70	Rs. 73,290
(iv)	Intermediate lane (5.5 m) (i) W/o Paved shoulders – 0.75 i.e. Rs. 1,04,700 X 0.75 (ii) With Paved shoulders – 0.83 i.e. Rs. 1,04,700 X 0.83	Rs. 78,525/- Rs. 86,901/-
(v)	Four lane divided carriageway (i) W/o paved shoulders = 1.7 i.e. Rs. 1,04,700/- X 1.7 (ii) With paved shoulders = 1.87 i.e. Rs. 1,04,700/- X 1.83	Rs.1,77,990/- Rs.1,95,789/-
(vi)	For 6 lanes, with paved shoulders (Rs. 1,04,700/- + Rs. 1,77,990/-)	Rs. 2,82,690/-
(vii)	For odd lanes, rates of single lane as (b) above can be added to the nearest lower lane rate.	

- d) These norms do not include expenditure on following items & separate Lump Sump provisions are made for these in the budget:-
- (i) For execution of works for all repair & maintenance of Dhalaos, dustbins & litterbins, chargeable to D.2.16.13
 - (ii) For execution of works for all civil maintenance works in gardens/ parks/ fountains and roundabouts/ rotaries etc. chargeable to D.4.4.4.B
 - (iii) For execution of works of annual repairs of public urinals/toilets chargeable to D.4.9.1.A
 - (iv) Deposit available under head K2 collected from Roads Cut Permissions.
- e) An Escalation @ 6% was assumed to arrive at the upto date norms. For future years escalation @ 6% per annum to be included before sanction of estimates by the competent authority.
- f) Works Connected with Republic Day Celebrations (RDC) do not form part of ARMO roads norms. Separate estimates are framed and sanction obtained every year.
- g) Road History Registers (RHR) to be meticulously maintained and updated by all road engineers both in hard and soft form. Each division will ensure that the statistical data in respect of its area is kept up-to-date & certified every year.
- h) The Council ratified above norms of A/R & M/O of roads during 2005-06. It further decided that these norms be brought before council after three years for review. Accordingly, review of A/R & M/O norms is being laid before the council for approval.

3.1 Review of Norms for A/R & M/O Roads and proposals after discussion with all Road divisions are as follows:

- a) Expenditure incurred against Civil Works of Colony Roads, Drainage and Parks handed over by CPWD in the year 2007

Since the approval of norms in the year 2005 by the council the roads & Civil Works of colony parks and roads have been handed over by CPWD to NDMC & there has been substantial changes in the quantum of the area of maintenance falling under the jurisdiction of various Road Divisions. These parks and colony roads maintained by CPWD were transferred to NDMC for maintenance purposes in year

2007. This has necessitated to make necessary provisions for the maintenance of Road and Roadside Drainage, Parks of colonies handed over by CPWD.

Proposal: So far as extra provisions for Road and Roadside Drainage of colonies handed over by CPWD area are concerned, it is proposed to be accounted in the road length while framing the Annual Estimate of A/R & M/O Roads. For extra provisions for Civil Works of parks and gardens handed over by CPWD, an extra Budget Head of Account D.4.4.4.B is proposed to be created for "Civil Works in CPWD colonies and parks" with an amount of Rs. 1 crore similar to the Head of Account D.4.4.4.D (Rs. 3.00 crore at page 79 of Current Year Budget Book) for Maintenance of CPWD Colony Parks and Greens for horticultural Department.

b) **Expenditure Incurred against maintenance, upkeep including Security etc. of subways:**

It is experienced that there is substantial Expenditure incurred on maintenance of Sub-Ways whereas there is no specific provision in the A/R & M/O Norms especially in light of the fact that Standard of Maintenance has been substantially raised. Presently, such expenditure is being adjusted under the Head A/R & M/O Roads.

Proposal: It is proposed that existing Head of Account G.1.1.4 at page 95 of current year budget for "Operation and Maintenance of Casting Yard" be converted for "Maintenance of Road Street Furniture" by making provision of Rs. 3 lacs per Sub-way per year for maintenance of subways and other street furniture which based on the average expenditure incurred during last 3 years. Similarly, New Head of Account G.1.1.2.1 may be created with an amount of Rs.5 lac for "Special Repair & Maintenance of subways" under the Head of Account G.1.1.2 "Special Repair & Maintenance" at page 95 of current year Budget Book.

c) **Expenditure incurred on Removal of Malba:**

It has been noticed that there is substantial increase in the incidents of throwing Malba on Street during night either by the residents carrying out renovations/repairs etc. or by the other agencies like CPWD and other Govt. Departments. It has put extra burden on the

expenditure booked under A/R & M/O Roads but without accounting and accommodating provision in the norms.

Proposal: It is proposed that L.S. amount of Rs. 3 lacs per road division be placed in the norms of A/R & M/O Roads as a provision to book this expenditure which is based on expenditure of preceding three years.

d) **Expenditure incurred on Inaugural functions/Jayanti etc.:**

It is a practice in Civil Engineering Deptt. that all the necessary arrangement for holding 'Jayanti Samaroh' or inaugural functions etc. wherein temporary urinal boxes, cleaning of statues, fixing of flags etc. and thereafter their removal including finishing of grounds/roads etc. and transportation of the material (to and fro) are being made by the concerned service centres of Roads, resulting in incurring regular expenditure on such functions. These expenditures are also charged to A/R & M/O Roads but without accounting and accommodating in the norms.

Proposal: It is proposed that the expenditure incurred on such functions be adjusted under the head D.4.9.1.A, already created in the prevailing norms by making a provision of Rs. 6 lacs per year.

e) **Expenditure incurred against payment of Electricity Charges:**

All road divisions have to incur expenditure against "Payment of Electricity Charges" to the Commercial Deptt. against the bills raised by them for consumption of Electricity in the Buildings occupied by Road Divisions in the form of Offices, Service Centres etc.

Proposal: It is proposed that L.S. amount of Rs. 2 lacs per Road Division per year be placed in the norms of A/R & M/O Roads as a provision to accommodate this expenditure based on average of last three years.

f) **Expenditure incurred against Running and operation of Control Rooms during Monsoon from 15th June to 31st October every year**

Since the publication of Annual Protocol on establishment of Control Rooms during raining seasons from 15th June to 31st October every year and extra expenditure is being incurred on its functioning. Five

Control Rooms are established alongwith deployment of necessary manpower tools & Plants, Machinery, Drivers, Pump Operators, Chowkidars, Supervisors etc. It is a matter of pride of NDMC to state that for the last two years, the complaints of water logging are bare minimum and even Hon'ble Hight Court at Delhi has praised NDMC for its efforts to minimize the complaints on this issue and to maintain the higher standard of maintenance. This expenditure, at present, is being charged to A/R & M/O Roads though no specific provision exists.

Proposal: It is proposed that L.S. amount of Rs. 5 lacs per Road Division per year be placed in the norms of A/R & M/O Roads as a provision to accommodate this expenditure based on average actual expenditure of last three years.

g) **Escalation in cost of manpower & materials etc.:**

At present there is provision of adding escalation of 6% per year in the Annual Estimates chargeable to A/R & M/O Roads. As the cost indices of various materials including consumer index has gone up requiring to review the rate of escalation.

Proposal: Keeping in view the present trend of rates and hike in various indices, it is proposed that escalation be assumed to be at the rate of 10% per year and accordingly included in the Annual A/R & M/O Roads estimates.

- h) Existing Head of Account G.1.1.4 at page 95 of current year Budget Book Head be retained and changed to accommodate the expenditure to be incurred for "Maintenance of Road Street Furniture" as Operation & Maintenance of Casting Yard has to be abandoned due to closure of Casting Yard

4. Financial implications of the proposed project:

The budget provision exists vide Item No. G.1.1.1 at P-95 of current year budget book.

5. Implementation schedule with time limits for such stage including internal processing:

A/R & M/O norms are applied for expenditure during financial year.

6. Comments of Finance Department on the subject with diary No. and date:

Finance Department vide diary No. FA-979/R-CE(C) dated 14 May'09 have advised to place the agenda before Council with following observations:

- (i) The norms on the above noted subject were approved in May 2005 and the same were decided to be reviewed after three years in the Month of April 2008. The proposal relating to review has been received in May 2009 i.e. after a lapse of more than one year from the deadline fixed by the Council.
- (ii) Norms so approved were processed on a policy file with the Civil Engineering Department on the subject. Review of the same needs to be processed on the said policy file so as to have the related facts available while reviewing the norms.
- (iii) Based on maintenance norms of National Highways and urban roads recommended by a Committee constituted by MORTH and the circumstances prevailing in NDMC, a standard rate for two lanes with 1.5 M wide walkway was worked out as R. 1,04,700/- per Km. All items of work needed at site for maintaining the roads in good condition were considered while arriving at the said standard rate. In the review proposal, it is felt that department should have brought upfront the achievements/ expenditure incurred item-wise, of course highlighting the bottlenecks, if any, faced in achieving the set targets. In the absence of which, the intent of review is obscure.
- (iv) **Para 3.1(a)** : For extra provisions for civil works of parks & gardens handed over by CPWD, an extra budget head of account D.4.4.4.B has been proposed to be created for civil works in CPWD colonial parks with an amount of Rs. 1 Cr. In this context, it may pointed out that the issue at hand related to review of norms in respect of roads. The maintenance issue of parks & gardens taken over from CPWD is a separate issue which should be processed accordingly in consultation with Director (Hort.).
- (v) **Para 3.1(b)** : The HOA G.1.1.4 for operation and maintenance of casting yards has been proposed to be converted to maintenance of road street furniture (by subway) by making provision of Rs. 3 lacs. per subway per year. New HOA G.1.1.2.1 has also been proposed to be created with an amount of Rs. 5 lacs for special repair & maintenance of subways. It is to say that casting yard has been closed and as such HOA meant for the said yard be deleted from Budget Book. Regarding maintenance of subways

including special repairs, attention is drawn to Para 8.2(i) & (ii) of Preamble of Agenda Item No. 18(A-7) of May 2005 which contains the provision of maintenance of under passes etc. and also 15% provision for Special Repairs and 15% for Emergency Repairs. It would thus be seen that this issue has accordingly been taken care of adequately in the already approved norms

- (vi) **Para 3.1(c)** : Lump sum amount of Rs. 2 lacs. per Road Division has been required for removal of malba on street. It may be pointed out that against Item No. 8.2(iv) of Preamble of approved norms, a provision of Rs. 8,500/- per Km. was added for items of works not covered in above norms but required in NDMC Roads. Such unavoidable eventualities have already been taken care of in the approved norms. Hence no additional funds as asked for, are justified.
- (vii) **Para 3.1(d)** : A provision of Rs. 6 lacs. per year has been asked for adjusting the expenditure incurred on inaugural functions/ jayanti etc. It may be stated that expenditure in Inaugural functions should be capitalized to the work in question. For occasional requirements on Jayanti etc. item No. 8.2(iv) takes adequate care.
- (viii) **Para 3.1(e)** : Lump sum amount of Rs. 2 lacs per year per road division has been asked on account of expenditure against payment of electricity charges. The existing norms, it appears, do not take care of this expenditure. The same can be allowed on the basis of average of last three years' expenditure on this account.
- (ix) **Para 3.1(f)** : Rs. 5 lacs. per division per year has been required for accommodating the expenditure incurred against running and operation of control rooms during monsoon. The already approved norms as referred to in proceeding paras provide 15% for emergency. Operation of control room is required in an emergent situation and therefore, it is considered that the provision being demanded is already included in approved norms.
- (x) **Para 3.1(g)** : Escalation of cost in manpower and material has been proposed as 10% against existing 6% may be agreed to.
- (xi) **Para 3.1 (h)** : Existing head of account G.1.1.4 has been proposed to be retained and changed to accommodate the expenditure to be incurred for maintenance of road furniture already discussed in Para 3.1(b).

7. Comments of department on comments of Finance Department:

The parawise replies to the observations raised by Finance Department are as follows:-

- (i) The delay was unavoidable due to heavy work load on the field staff in achieving targets in view of CWG 2010 and shortage of staff.
- (ii) The norms were framed and got approved by the then E-in-C and at present, office of the E-in-C is not functioning and therefore, it is not possible to locate the file. However review has been proposed based on all relevant documents.
- (iii) In NDMC, the accounts of expenditure incurred are not maintained item wise and nor any sanction is granted in such manner. All the sanctions are granted for specific works containing so many items and accordingly accounts of expenditure incurred are also maintained for works. However the bottlenecks have been identified during review of norms & are listed in the Agenda.
- (iv) **Para 3.1(a)** : The review of A/R & M/O norms includes the civil works pertaining to parks & gardens taken over from CPWD as these assets are maintained by road divisions. Since the proposal involves only civil works so consultation at this stage with Director (Hort.) is not required. However while carrying out maintenance Horticulture Department would be consulted. Since all the civil works are to be executed solely by Civil Engg. Department so it is of paramount importance to create Budget Head D.4.4.4.B with an amount of Rs.1 Cr. similar to head of Account D.4.4.D for maintenance of CPWD colony, parks & greens for Horticulture Department which is Rs. 3 Crs. in the current year Budget Book.
- (v) **Para 3.(b) & 3.1(h)** : Para 8.2(i) of the Preamble of Agenda Item No. 18(A-7) dated May 2005 deals with only Escalation which is to be added for each year to the A/R & M/O Estimates.
 Para 8.2(ii) deals with special repairs/ emergency repairs & not maintenance of subways. However 8.2(L) deals with the maintenance of underpasses etc. but this prevailing norm of underpass as referred cannot be adopted for subways for the reason of such underpasses existing on highway based are not quite common and are meager in percentage in comparison to the quantum of subways existing in NDMC Area. The underpasses existing on highways are not used by pedestrians to cross the

road whereas in NDMC Area subways are specifically meant for movement of pedestrians to avoid any conflict with the traffic in different direction and not in single direction like underpass. In NDMC, maintenance of these subways is not the only issue but its cleaning, upkeep and security is also maintained by the road divisions so the comparison of maintenance of upkeep and security of subways cannot be compared with that of underpasses on highway. So the proposal of separate head for maintenance of upkeep including security of subway is genuine and is recommended for acceptance.

- (vi) **Para 3.1 (c)** : The problem of malba found unauthorisedly deposited is a menace and even police finds itself in a fix to handle it and all such acts are committed in the odd hours/ wee hours and therefore, to lay hand on such miscreants is very difficult. It is an admitted fact that maintenance standards cannot be allowed to be swallowed by the heaps of malba lying on roads. The malba cannot be allowed to remain and in light of the meager facilities available at service centers of Road Divisions, it is not possible to get it removed by the departmental vehicles. Since this is a regular feature happening almost everyday so this cannot be considered to be covered under para 8.2(iv) of the Preamble of the approved norms referred by the Finance Department. Hence, the demand of Rs. 3 lacs per year per Road Division is justified.
- (vii) **Para 3.1(d)** : It is not proper to compare the provision as existing in item no. 8.2(iv) with the demand of expenditure to be incurred on Jayanti Samaroh etc. as neither MOST nor MORTH, based on which the norms have been framed arrange such functions, though is a regular and common feature in NDMC Area and Road Divisions have to make necessary arrangements for the same. Hence, the demand is reasonable and justified.
- (viii) **Para 3.1(e)** : No comments as Finance Department agrees with the Department's proposal of Expenditure incurred for the last three years by Road Divisions on payment of electricity charges to catered in A/R & M/O norms.
- (ix) **Para 3.1(f)** : The functioning of Control Rooms is a regular feature & is carried out on regular basis every year from 15 June to 31st October & not in the case of emergency. Hence, demand of Rs. 5 lac per year is justified to maintain roads free from water logging. Since expenditure incurred on this account is substantial so there is a need to cater this expenditure in A/R & M/O norms. Being not any event occurred in emergent conditions,

but a regular feature to be arranged every year, therefore, cannot be considered to be covered under para 8.2(ii) of the Preamble as referred by the Finance Department.

- (x) **Para 3.1 (g)** : No comments as proposal of enhancement of escalation from 6% to 10% per year has been agreed to by Finance.

8. Legal Implications of the subject/project

Nil

9. Details of previous Council resolutions, existing law of Parliament and Assembly on the subject

- a) Resolution No. 3(xiii) dated 27 Jan.'99
b) Resolution No. 18(A-7) dated 27 May'05

10. Comments of the Law Department on the subject:

It has no law point. NDMC is following CPWD Manual. It may be placed on record that the provisions of escalation are as per manual. If there are no such guidelines in manual, please mention.

11. Comments of the Department on the comments of the Law Department:

Council has approved norms for A/R & M/O Roads based on the recommendation of Committee constituted by Ministry of Roads, Transport & Highways (MORTH) for maintenance of roads which are very detailed, elaborate, scientific and based on detailed field data collected from all over the country. These recommendations were duly deliberated and discussed with Finance Department before acceptance after modifying to suit NDMC conditions by council while approving the norms in May '05.

CPWD maintains lanes/back lanes etc. and not roads in its true sense, therefore they are not having any such detailed study/ experience with them. Hence, the recommendations of MORTH were followed.

12. Certification by the department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case.

Not applicable

13. Recommendations:

The case is placed before the council for consideration & accord of approval of A/R & M/O norms sanctioned earlier in May'05 alongwith Review of A/R & M/O norms as proposed at para 3.1(a) to para 3.1(h) of the agenda.

COUNCIL'S DECISION

Resolved by the Council to accord approval of Annual Repair and maintenance (A/R & M/O) norms sanctioned earlier in May'05 along with Review of A/R & M/O norms, as proposed at para 3.1(a) to para 3.1(h) of the preamble.

ITEM NO. 32 (A-32)**1. Name of the Project**

Strengthening and resurfacing of roads in NDMC Area by Hot Mix Technology, RIP Phase-I

2. Name of Department

Civil Engineering Department, EE(RIP)

3. Brief History of the project

- a) 52 roads were identified for the resurfacing with the recommendations of Noida Toll Bridge Company Ltd.(NTBCL) and Central Road Research Institute (CRRRI) and it was decided to carry out resurfacing of 29 roads by Hot Mix Technology & 23 roads by Cold Mix Technology (Microsurfacing).
- b) The following 29 roads have been resurfaced using Hot Mix Technology under the scope of the agreement with M/s Satya Parkash Bros. Pvt. Ltd. accepted vide Council Resolution No. 12(A-16) dated 19 Jul.'06.
- Africa Avenue
 - Ashoka Road
 - Arch Bishop Makarios Marg
 - Aurbindo Marg
 - Bangla Sahib Marg
 - Dr. S.Radha Krishnan Marg
 - Dr. Zakir Hussain Marg
 - Between Oberoi flyover and SB Marg Crossing
 - Between C-Hexagon and SB Marg (Stone Matrix Asphalt)
 - Ferozeshah Road
 - Hanuman Road
 - Jantar Mantar Road
 - Jor Bagh Road
 - K.G. Marg
 - Madhav Rao Scindia Marg
 - Madhulimaye Marg

- Maulana Azad Road
 - Mother Teresa Crescent
 - Pandara Road
 - Safdar Hashmi Marg
 - Safdarjung Road
 - Sansad Marg
 - Satya Marg (Madhulimaye Marg to Niti Marg)
 - Shanti Path (upto Satya Marg Roundabout)
 - Rajesh Pilot Marg
 - Tansen Marg
 - Teen Murti Marg
 - Tolstoy Marg
 - Udyan Marg
 - Vinay Marg
 - Tilak Marg
- c) Following twelve additional roads were resurfaced after obtaining approval in principle from the Competent Authority under this agreement & informed to Council vide Resolution NO. 23(A-77) dated 13 Feb.'08.
- R.K. Ashram Marg
 - Shershah Road
 - Bhai Veer Singh Marg
 - Old R.K. Ashram Marg
 - Babar Road
 - Mahadev Road
 - Hailey Road
 - Gurudwara Rakabganj Road
 - Red Cross Road
 - Raisina Road
 - Tees January Marg

- C-Hexagon

The Administrative Approval & Expenditure Sanction for Rs.18,99,42,000/- was accorded by Council vide Resolution No. 05(A-6) dated 17 May'06 and Revised Administrative Approval and Expenditure Sanction vide Council Resolution No. 07(A-19) dated 18 Jul.'07 for Rs.31,21,20,000/- & second revision of Administrative Approval & Expenditure Sanction is required for Rs.37,46,59,200/-.

The tender was awarded to M/s Satya Praksah Bros. Pvt. Ltd. at 39.97% above the Estimated Cost for Rs.25,55,65,251/- vide Resolution No. 12(A-16) dated 19 Jul.'06. Since the amount of work done on 12 additional roads was within the 20% deviation limit and of C-Hexagon roads exceeded that the Administrative Approval & Expenditure Sanction by more than 10%, so the revised Administrative Approval & Expenditure Sanction is required to be accorded by the Council for resurfacing of 12 additional roads and roads of C-Hexagon after completion of work as per decision taken during approval of resurfacing of C-Hexagon road by Council vide Resolution No. 23(A-27) dated 13 Feb.'08.

The work was completed on 31 May'08.

4. Detailed proposal on the subject / project

The scope of work and specifications adopted in the work as under:-

- (a) Sealing the cracks by using hot rubberized bitumen 80/100.
- (b) Tack coat @ 0.25 Kg per sqm with bitumen emulsion complying with IS:8887-19953.
- (c) 40 mm - 50 mm thick Dense Bituminous Macadam (DBM) using 60/70 grade bitumen.
- (d) Road marking with thermoplastic paint, applied mechanically.

5. Financial implication of the proposed project

The Financial implications of Resurfacing of 41 roads i.e. 29 original roads & 12 additional roads and roads of C-Hexagon works out to Rs.37,46,59,200/- which also includes fee paid to CRRRI for Third Party Quality Assurance

6. Implementation schedule with time limits for such stage including internal processing

The work has been completed on 31 May'08.

7. Comments of finance department on the subject with diary No. & date

Finance Department vide diary No.233/Finance/R-Civil dated 10 Feb.'09 has advised to place the matter before Council with following observations:-

Clause 12 of the agreement (Deviation clause) which is regarding 'Deviations/ Variations-extent and pricing' do not allow to execute resurfacing of roads other than those mentioned in the agreement i.e. 29 roads. As per this clause 'The Engineer-in-Charge shall have power (i) to make alterations in, omissions from, additions to, or substitutions for the original specifications, drawings, designs and instructions that may appear to him to be necessary or advisable during the progress of work, and (ii) to omit a part of work in case of non-availability of a portion of the site or for any other reasons. Execution of additional work beyond given deviations otherwise also not regular because the same amounts to award of work without call of open tender & competitions. Therefore, taking up of the roads which were not originally stipulated is not in accordance with the provision of the agreement as referred to.

As regards to realization of funds from CPWD on account of the expenditure done by NDMC on the portion of road of C-Hexagon under their jurisdiction, the money is still to be realized. Department is advised to take up the matter at appropriate level in addition to maintaining proper accounts thereof as per clause 3.6 (Deposit Works) of CPWD Works Manual. It is necessary to settle these accounts against deposit works expeditiously so that the amount in the books of the NDMC as well as the client does not remain unsettled for long.

8. Comments of department comments of finance Department

- (a) Clause-12 of the agreement further states beyond what has been reproduced by finance that the contractor shall be bound to carry out the work in accordance with any instructions given to him in writing signed by the Engineer-in-Charge and said alterations, omissions, additions or substitutions shall form a part of the contract as if originally provided therein and any altered, additional or substituted work which the contractor may be directed to do in the manner specified above as part of work shall be carried out by the contractor on the same conditions in all respects including pricing on which he agreed to do the main work.
- a. Besides as per Memorandum forming part of agreement, the deviation limit of 20% has been specified in the agreement. The deviation limit is applicable on the schedule of quantities involving various items being item rate contract & not on no. of roads. No. of roads given in agreement broadly defines the scope whereas schedule indicates various quantities to be executed.
 - b. Accordingly the mode of payment for deviations involving extra /additional / substituted quantities has been clearly listed out at para 12.2 and 12.3 of the contract. The above clauses of contract agreement clearly stipulate that there is a provision for increased quantities given in the schedule of quantities upto the deviation limit of 20%.
 - c. In fact clause 12.2(c) of the contract caters for quantities which can be executed beyond deviation limit also subject to some conditions listed out in the clause with regard to the pricing of deviated quantities.
 - d. As per this clause the deviation has to be priced on market rates whereas in the instant case the quantities under clause 12.3(c) have been executed at tender rates only. So long as the contractor agrees to execute the extra quantities beyond the deviation limit at the same rates as that of the main work there should not be any problem especially when there is an urgency to execute such works.
 - e. The 11 roads initially resurfaced were within the deviation limit of 20% of contract. As far as work of C-Hexagon roads is concerned,

the approval of Council was taken before execution of work. However, the reasons which were given while asking for approval of Council are reproduced again. "Separate tenders for resurfacing of 11 roads and roads of C-Hexagon would have taken 3-4 months and rate were likely to be much higher than the quoted rates due to increase in cost of bitumen. The condition of roads would have further deteriorated specially the C-Hexagon rotary which attracts huge volume of traffic from all the directions and attracts lots of tourists within the country and abroad. Further CRRRI had also observed high level of distress mainly cracking and raveling and loss of surface material at several places & required immediate resurfacing".

- (b) CPWD has been requested for the reimbursement of the expenditure for resurfacing of portion on the roads which falls in their jurisdiction vide letter No. D/64/CE(C)-I dated 20 Jan.'09 & D/81-82/CE(C)-I dated 24 Feb.'09 & letter No. D/281/CEC-I dated 21 Mar.' 09. CPWD vide their letter dated 31st March 2009 have confirmed that the matter is under consideration by higher authority.

9. Legal Implication of the subject/Project

There are no legal implications.

10. Details of previous council resolution existing law of Parliament and Assembly on subject

- (a) Administrative Approval & Expenditure Sanction was accorded for Rs.18,99,42,000/- by Council vide item No. 5(A-6) dated 17 May'06.
- (b) Work was awarded to M/s Satya Parkash & Bros. Pvt. Ltd. for Rs.22,55,65,251/- vide Council Resolution No. 12(A-16) dated 19 Jul.'06.
- (c) Revised Administrative Approval & Expenditure Sanction was accorded by the Council vide Reso. No. 07(A-19) dated 18 Jul.'07 for Rs.31,21,20,000/-.
- (d) Approval in Principle to resurface roads of C-Hexagon was accorded by the Council vide Reso. No. 23(A-77) dated 13 Feb.'08.

11. Comments of Law Department on subject

No comments

12. Comments of the department on the comments of Law department

No comments

13. Certification by the department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case

Certified that Necessary guidelines of CVC have been followed during tendering.

14. Recommendations

The case is placed before the Council for consideration & accord of second Revised Administrative Approval & Expenditure Sanction based on actual expenditure of the work "S/R of Roads in NDMC Area by Hot Mix Technology" for Rs.37,46,59,200/- with next excess of Rs.6,25,39,200/- on Administrative Approval & Expenditure Sanction already accorded including approval for additional quantity statement No. 1 for Rs.7,76,64,688/- and Extra Item statement No. 1 for Rs.59,03,788/- for "providing Stone Matrix Asphalt at Dr. Zakir Hussain Marg between C-Hexagon & SB Marg".

COUNCIL'S DECISION

Resolved by the Council to accord second Revised Administrative Approval & Expenditure Sanction, based on actual expenditure for the work of "S/R of Roads in NDMC Area by Hot Mix Technology" for Rs.37,46,59,200/- with net excess of Rs.6,25,39,200/- on Administrative Approval & Expenditure Sanction already accorded including approval for additional quantity statement No. 1 for Rs.7,76,64,688/- and Extra Item statement No. 1 for Rs.59,03,788/- for "providing Stone Matrix Asphalt at Dr. Zakir Hussain Marg between C-Hexagon & SB Marg".

ITEM NO. 33 (A-33)**1. Name of the subject/project:****Imp. to Yashwant Place Shopping Complex****SH: Imp. to circulation space opposite lifts in office-cum-residential complex and Providing parking space and traffic management in complex****2. Name of the Deptt./Deptt. Concerned.**

Civil Engineering Department, NDMC.

3. Brief History:

During a meeting of up-gradation of commercial complexes, the matter regarding Improvement of circulation area including lift lobby in the office cum residential complex of Yashwant Place came up for discussion. The Architect Deptt. had been requested to furnish the drawings for up-gradation of the area. The drawing had been provided by the Architect Deptt. on 26.8.08.

The proposal for PE amounting to Rs.1,30,00,000/- in respect of Yashwant Place Shopping Complex had been laid before the Council and was approved vide item No. 20 (A-64) dated 17.12.08. The proposal of P.E. also includes Rs. 13 lacs for internal electric works and Rs. 25 lacs for Fire Fighting system. After completion of codal formalities tenders have been invited on 26.02.09 and in response only a single tender of M/s R.K. Jain & Co. has been received with quoted rates as 0.86% below the estimated cost. The tendered amount works out to Rs.1,12,36,155/-.

The justification of work as checked by the Planning Div. worked out to 2.13% above the estimated cost, i.e., 2.99% more than quoted rate. Planning Div. has recommended that the rates offered by the single tenderer, i.e., M/s R.K. Jain & Co. being reasonable be accepted by the competent authority. The acceptance of tender falls within the competency of the Council.

4. Detailed proposal on the subject/project:

An estimate amounting to Rs.1,30,00,000/-has been framed on the basis of Guidelines/ drawings issued by Architect Department vide their note dtd. 26.8.08. Major items considered in this estimate are as under:

1. Katni stone pre-polished with 20mm thick stone slab over 20 mm average thick base of cement mortar in entrance lobby, lift lobby at all the floors.
2. P/F Katni stone pre-polished flooring in treads and risers of staircase.
3. P/F glass mosaic tiles on staircase column at all heights
4. P/F granite on walls at entrance lobby and lift lobby.
5. P/F false ceiling of calcium silicate tiles of size 600x600 mm at entrance of the lift lobby at all floors.

Considering above specifications a PE had been framed for Rs.1,30,00,000/- and A/A & E/S was obtained vide Reso. No. 20(A-64) dated 17.12.08. After obtaining administrative approval, the DE was prepared for Rs.97,98,000/- and CE(C-II) had accorded technical sanction. DE amounting to Rs.2,75,176/- for internal electrical works and Rs.18,32,500/- for Fire Alarm and Fire Detection System have been approved by the competent authority. After completion of all codal formalities, composite tenders for the work have been invited on 26.2.09.

5. Financial implications of the proposed project:

A total financial implications of proposal in hand would be Rs.1,12,36,155/- on the basis of the lone tenderer @ 0.86% below the estimated cost of Rs.1,13,33,394/- .

There is a budget provision of Rs. 50 lacs vide Sr.No. 429, page- 219 of the current year budget book, however, rest of the budget will be sought in the R.B.E. 2009-10.

6. Implementation Scheme:

09 months from the date of award of work.

7. Comments of the Finance Department on the subject:

A. Some infirmities have been noticed during scrutiny of case. We observe as under :

1. Checklist point 4 shows that the NIT was published on 11.02.09 but no newspapers cutting/web publication has been found added in support. The department may add the same. The publication time as filled up against Point No. 6 is also in contradiction of provision of this point.

B) the department may certify that publicity to NIT has been given as per approved policy of NDMC, as circulated by Director (PR) vide No. 1578/D/2007 dated 19.07.07.

2. Clause 2.2 (at NIT P-4) stipulates an average annual financial turnover during last 3 years should be at least 50% of the estimated cost, but no such documents have been found placed on record.

3. It may be certified that the approved NIT has been published 'as it is' on web site.

4. Certification regarding following all CVC guidelines may be recorded.

5. While according A/A & E/S for this work vide its Resolution No. 26(A-84) dated 17.12.07, Council inter alia, decided to : (1) appoint a consultant for developing parking spaces in the complex at ground level, underground and multi storey parking (2) appoint a consultant to advice on vehicular movement for smooth flow of vehicles inside the complex as well as to & fro the complex (3) demolish the servant quarters and garages

for smooth flow of vehicular traffic inside the complex as well as in the periphery of the complex. File/record made available does not speak the follow up action, if any, taken pursuant to the said decision of the Council. Consultants need to be associated from the very start of conceptualizing a scheme and till completion of the work.

B. In view of clarifications now afforded, we concur in to award the work to single bidder M/s R.K. Jain & Co. at their tendered rates amounting to Rs.1,12,36,155/- i.e., 0.86% below the EC of Rs.1,13,33,394/- and against justified rates of 2.13% above the EC, as recommended by Planning and proposed by the department subject to availability of funds. The department is advised to take necessary action for getting approval of competent authority for adoption of CPWD Manual 2007 as the case had already been cleared by FD.

8. Comments of the Department on comments of Finance Department:

The replies of the observations of Finance Deptt. are clarified as under :

1. A request for publicity of NIT in leading newspapers as per criteria fixed by PR Deptt. had been sent on 11.2.09. In response the NIT was published on 14.2.09. Cutting of one of newspaper is placed in the file at page No. 299/C. the publicity time has been given as per the provision of CPWD Manual 2007. the tenders were opened on 26.2.09
2. Necessary documents are attached herewith.
3. The NIT had been published 'as it is' on the website.
4. It is certified that all the CVC guidelines have been followed.
5. The action apart from this tender is being taken separately by Dir. Project and C.A.

9. Legal implication of the project:

NIL

10. Details of previous council Resolutions, existing law of parliament and assembly on the subject

Administrative approval and expenditure sanction of Rs. 1,30,00,000/- vide Reso. No. 20 (A-64) dtd. 17.12.08.

11. Comments of the Law Department on the subject / project:

L.A. has seen.

12. Comments of the department on the comments of Law Deptt..

No Comments.

13. Certification by the department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case.

It is certified that all CVC guidelines have been followed

14. Recommendations :

The case is placed before the council for acceptance of the offer of M/s R.K. Jain & Co. @ 0.86% below the estimated cost and tendered amount of Rs.1,12,36,155/- (Rs. one crore twelve lacs thirty six thousand one hundred fifty five only) which is 2.99% below the justified rates. Permission may also be granted to issue letter of award to M/s R.K. Jain & Co. and take further action in anticipation of confirmation of the minutes of the Council.

15. Draft Resolution:

It is resolved in the Council that the lone offer of M/s R.K. Jain & Co. @ 0.86% below the estimated cost with a tendered amount of Rs.1,12,36,155/- (Rs. one crore twelve lacs thirty six thousand one hundred fifty five only) be accepted. Permission is also granted to issue letter of award to M/s R.K. Jain & Co. and take further action in anticipation of confirmation of the minutes of the Council.

COUNCIL'S DECISION

Taking note of the fact that only single tender was received, it was directed by the Council that the Department may go for re-tender.

ITEM NO. 34 (A-34)**1. NAME OF THE PROJECT:**

Name of work: - Community and Multipurpose Halls.
SH: - Improvement to Barat Ghar, Sarojini Nagar

2. NAME OF THE DEPARTMENT CONCERNED: Civil Engineering Department (Zone-II)**3. BRIEF HISTORY OF THE PROJECT:**

Sarojini Nagar Barat Ghar is situated on Ring road near Nauroji Nagar Market. It caters the area like Govt. Quarters in Sarojini Nagar, Chanakyapuri, Netaji Nagar, Pilanji Village, INA, Yusuf Sarai, Kidwai Nagar, Safdarjung Enclave & R.K. Puram. The NDMC provides all basic amenities to the residents and the employees working in its area like water supply, sewerage, drainage, roads, foot paths etc. including other social activities like cultural, educational, medical & facilities for social functions i.e. marriages etc.

The authorities of NDMC has decided to improve/modernize all the Barat Ghars of NDMC, to keep the structure matching with the specification/facilities of modern banquet halls in this area. This has been considered in view of the overwhelming response of the renovated Barat Ghar at Kaka Nagar. The revenue is likely to increase manifold, as has been experienced in Kaka Nagar Barat Ghar.

In Compliance to the direction of Chairperson, NDMC has decided to carryout all the works related to up gradation of NDMC Barat Ghar with the consultation of CA after making joint inspection with field staff of Civil Engg. Department.

4. DETAILED PROPOSAL OF THE PROJECT:

The Architect Department issued the drawings for improvement which comprises following:-

1. M.S. railing and Dholpur stone finish in boundary wall and gate.
2. 150x150 mm industrial vitrified pavers with spacer of approved design and colour in flooring of open area.
3. 550x550 mm kota stone flooring of open cooking and washing etc.
4. 300x200 mm ceramic tiles of approved shade in dado of kitchen, flooring and flooring of store.
5. Precut and pre-polished (factory finish) marble stone /granite stone of approved colour in entrance lobby.
6. Stainless steel fixtures and fittings shall be provided in kitchen counters.
7. 1000x1000 mm precut and pre-polished (factory finish) marble stone/granite stone of

- approved colour be provided in multipurpose hall flooring.
8. 600x600 mm precut and pre-polished (factory finish) marble stone/granite stone of approved colour be provided in office rooms.
 9. Stainless steel railing of approved design for stairs.
 10. UPVC windows/ aluminum frames for windows.
 11. Pressed steel frame, pre laminated factory finish flush door shutter for doors.
 12. 100x700 mm Dholpur stone, with 1000x250 mm rough finish dholpur stone projected canopy shall be finished with aluminum cladding as exterior finish.
 13. Fire fighting work
 14. Electrical works.
 15. Air Conditioning Works.
 16. False Ceiling.
 17. Land scaping & horticulture works.

5. FINANCIAL IMPLICATIONS OF THE PROJECT:

Accordingly Preliminary Estimate is framed on the basis of drawings and specifications given by CA Department amounting to Rs. 3,19,60,000/= , which comprises of following works :-

1. Civil works	Rs. 1,96,61,000
2. Electrical	Rs. 98,99,000
3. Fire Fighting	Rs. 14,00,000
4. Horticulture.	<u>Rs. 10,00,000</u>
Total	<u>Rs. 3,19,60,000</u>

6. IMPLEMENTATION SCHEDULE WITH TIME LIMIT

10 months from the Award of work.

7. COMMENTS OF THE FINANCE DEPARTMENT ON THE SUBJECT.

The Finance Department has concurred the case subject to the following conditions:-

1. Approved priority list which includes proposed work or AIP of competent authority to carry out this work may be added with the case, since the same have not been found on record .
2. Written consent of Architect Department and user Department is obtained.
3. The Department may certify that the scope of work and specifications of items are within the approved norms / policy of NDMC.
4. The Department may justify the replacement items by certifying that they have outlived their prescribed lives or otherwise as per NDMC approved policy/norms.

5. The Department may certify that no permission from any agency/ DUACC is required for execution of the proposed work.
6. The position about revision/enhancement of charges of Barat Ghar after proposed work may also be brought on record since the same has not been found mentioned on record.
7. Availability of funds for execution of work is ensured.

8. COMMENTS OF THE DEPARTMENT ON THE COMMENTS OF THE FINANCE DEPARTMENT.

The observations of Finance Deptt. are replied as under:-

1. The scheme was finalized by the Chairman in the meeting held with senior officers of NDMC and accordingly drawings were issued by Architect Deptt. and accordingly the estimate was framed . No such approved priority list was issued.
2. The Architect Deptt. has issued the drawings and the consent of the Architect Deptt. as well as user Deptt. was taken on the DPR.
3. Certified that the scope of work and specifications of items are same as of other Barat Ghars, for which drawings were issued by Architect Deptt.
4. As the renovation work of various Barat Ghars is being taken up after approval from the Chairperson and hence , accordingly items were deliberated in the estimate.
5. As there is no major change in the existing structure and hence no such approval is required from any agency.
6. The enhancement of charges of Barat Ghar will be take up/examined after completion of work on the basis of actual expenditure incurred and other details.
7. The funds are available in current budget year and remaining will be sought in RBE/BE.

9. LEGAL IMPLICATION OF THE PROJECT/SUBJECT:

NIL

10. DETAILS OF PREVIOUS COUNCIL RESOLUTIONS, EXISTING LAW OF PARLIAMENT AND ASSEMBLY ON THIS SUBJECT:

NIL

11. COMMENTS OF THE LAW DEPARTMENT ON THIS PROJECT:

NIL

12. COMMENTS OF THE DEPARTMENT ON THE COMMENTS OF LAW DEPARTMENT:

NIL

13. CERTIFY THAT ALL CENTRAL VIGILANCE COMMISSION (CVC) GUIDELINES HAVE BEEN FOLLOWED WHILE PROCESSING THE CASE.

Certified that all central vigilance commission (CVC) guidelines have been followed while processing the case.

14. RECOMMENDATIONS:

The case is placed before the council for accord of administrative approval and Expenditure Sanction of the preliminary estimate amounting to Rs.3,19,60,000/= (Rs. Three Crores nineteen lacs sixty thousand) for improvement to Barat Ghar, Sarojini Nagar. It is also recommended that permission be accorded to proceed with the work in anticipation of approval of minutes of the Council.

15. DRAFT RESOLUTION:

Resolved by the Council that A/A & E/S is accorded to the preliminary estimate amounting to Rs. 3,19,60,000/= (Rs. Three Crores nineteen lacs sixty thousand) for improvement to Barat Ghar Sarojini Nagar and it is also recommended that permission is accorded to proceed with the work in anticipation of approval of minutes of the Council.

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval and expenditure sanction to the preliminary estimate amounting to Rs.3,19,60,000/- for the work of Improvement to Barat Ghar Sarojini Nagar.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 35 (A-35)**1. Name of the subject/project:****Sub: Community and Multipurpose Hall.****SH: Imp. to Barat Ghar, Netaji Nagar including fire fighting, electrical and AC works.****2. Name of the Deptt./deptt. Concerned:**

Civil Engg. Deptt., NDMC

3. Brief History:

The existing Barat Ghar at Netaji Nagar was commissioned in March 1989 and consists of a multipurpose hall on the Ground floor, kitchen, dormitory, room, Toilets, office space with a mezzanine floor with rooms and toilets. This is an important & flagship, facility used extensively for marriage and other community gathering & function, and is now in a deteriorated condition and has not been upgraded. Expectations of the users in such centers have considerably changed and the users look forward to a facility that equals most other facilities of similar nature. The marriage function is an event to remember by & should leave a memorable experience by its appearance outside and its ambience inside with comfortable facilities to cater to the event. It is with this intention that this Barat Ghar to be upgraded with the facilities to the acceptable standard in keeping with modern trends and comfort levels.

4. Detailed proposal on the subject/project:

A/A & E/S for Rs.. 2,95,95,000/- was accorded vide Reso. No. . 17 (A-58) dt. 17.09.08 After getting the detailed estimate technically sanctioned and draft NIT approved, . Accordingly, Press notice for its publication in leading daily newspaper in Delhi and editions outside Delhi was sent vide no. EE(Spl. Project)/D/AB/134-44 date. 24.03.09 Tender Notice were issued to all NDMC Divisions as well as contractor's Association & also sent to Dir. (IT) for its publication on the website.

Item rate tenders for the above work were invited and tender were opened on 26.03.09 In response to the above, two tenders were received through e-tendering .

.The details of which is given as below:-

Estt. Cost put to Tender: Rs. 2,50,60,300,-

<u>S.No.</u>	<u>Agency</u>	<u>% age quoted</u>	<u>Amount</u>
1.	M/S India Guniting Corpn	1.62% above	2,54,67,036/-
2.	M/S KBG Engineer	20.66% above	3,02,38,430/-

The justifications duly checked by planning works out to 5.10 % above the estimated cost Of Rs. 2,50,60,300/-.The lowest tender cost i.e. Rs. 2,54,67,036/- of M/s India Guniting Corp @1.62% above the E.C which work out to 3.69 % below the justified rate. The case duly recommended by planning for acceptance and was sent to Finance for their concurrence to the proposal. The Finance has concurred the case vide their dairy No.FA-1036/R-CE(C-II) dated 15.05.2009.

5. Financial implications of the proposed project/subject:

The total financial implication for the above work is Rs. 2,54,67,036/-

There is a budget provision of Rs. 925.00 lacs exists under the Head of A//C D-4-2-4 scheme 213 page 150 of year 2009-10.

6. Implementation schedule:

Time of completion of work: 08 months after award of work

7. Comments of the Finance Deptt. On the subject:

We concur in for acceptance of the bid of L-1 M/s India Guniting Corporation at their tendered amount of Rs. 2,54,67,036/- i.e. 1.62% above the EC of Rs. 2,50,60,300/- and against justified rates of 5.10% above EC as recommended and proposed by the department subject following conditions:

1. No extra cost is added in the justification on account of various factors as listed in OM No. DG (W) MAN/169 dated 31.12.2008.
2. Certification about correctness of data, computations and information supplied.
3. Certification that all bidders whose bids have been opened fulfill eligibility criteria as stipulated in NIT.
4. Certification that due publicity to NIT has been given as per approved policy of NDMC and all CVC guidelines have been followed during the process of tendering.

8. Comments of the Department on comments of finance Deptt.

The observation of Finance Department is clarified here as under:-

1. Certified that no extra cost has been added in the justification.
2. Certified that the data supplied is correct.
3. Certified that all bidders whose bid have been opened fulfill the requisite eligibility criteria as per NIT.
4. Certified that the due publicity has been given as per approved policy of NDMC and all CVC guidelines have been followed.

9. Legal implication of the project:

Nil.

10. Details of previous Council Resolutions, existing law of Parliaments and Assembly on the Subject.

Reso. No. 17 (A-58) dtd. 17.09.08 approved the proposal for Community and Multipurpose Halls. SH: Imp. to Barat Ghar, Netaji Nagar including fire fighting, electrical and AC works.

"Resolved by the Council that approval to the proposal and A/A & E/S to the preliminary estimate amounting to Rs. 2,95,95,000/- is accorded

11. COMMENTS OF THE LAW DEPARTMENT ON THIS PROJECT.

Nil.

12. COMMENTS OF THE DEPARTMENT ON THE COMMENTS OF LAW DEPARTMENT.

Nil.

13. Certified that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case.**14. Recommendation**

The case may be placed before the Council for award of work to M/S India Guniting Corporation. at their tendered amount of Rs. 2,54,67,036/-/- which is 1.62% above the estimated cost of Rs. 2,50,60,300/- against justified rate of 5.10% above the estimated cost. The deptt. may initiate action in anticipation of confirmation of minutes by the Council.

15. DRAFT RESOLUTION

Resolved by the Council that the work may be awarded to lowest tenderer M/S India Guniting Corporation. at their tendered amount of Rs. 2,54,67,036/- which is 1.62% above the estimated cost of Rs. 2,50,60,300/- and initiate action in anticipation of confirmation of minutes by the Council.

COUNCIL'S DECISION

Resolved by the Council to award the work to the lowest tenderer M/S India Guniting Corporation at their tendered amount of Rs.2,54,67,036/-; which is 1.62% above the estimated cost of Rs.2,50,60,300/-; for the work of Improvement to Barat Ghar, Netaji Nagar including fire fighting, electrical and AC works.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 36 (A-36)**1. Name of the subject/project:****Sub: Community and Multipurpose Hall.****SH: Imp. to Barat Ghar, Lodhi Colony including fire fighting, electrical and AC works.****2. Name of the Deptt./deptt. Concerned:**

Civil Engg. Deptt., NDMC

3. Brief History:

The existing Barat Ghar at Lodhi Colony was commissioned in March 1989 and consists of a multipurpose hall on the Ground floor, kitchen, dormitory, room, Toilets, office space with a mezzanine floor with rooms and toilets. This is an important & flagship, facility used extensively for marriage and other community gathering & function, and is now in a deteriorated condition and has not been upgraded. Expectations of the users in such centers have considerably changed and the users look forward to a facility that equals most other facilities of similar nature. The marriage function is an event to remember by & should leave a memorable experience by its appearance outside and its ambience inside with comfortable facilities to cater to the event. It is with this intention that this Barat Ghar to be upgraded with the facilities to the acceptable standard in keeping with modern trends and comfort levels.

4. Detailed proposal on the subject/project:

A/A and E/S for Rs.3,45,76,500 was accorded vide Reso. No. 16 (A-58) dt. 17.09.08 After getting the detailed estimate technically sanctioned and draft NIT approved Accordingly, Press notice for its publication in leading daily newspaper in Delhi and editions outside Delhi were sent vide no. EE(Spl. Project)/D/AB/145 date. 06.03.09 Tender Notice were issued to all NDMC Divisions as well as contractor's Association & also sent to Dir. (IT) for its publication on the website. Item rate tenders for the above work were opened on 26.03.09.

In response to the above, three tenders were received through e-tendering. Details of which is given as below.

Estt. Cost put to Tender: Rs.2,87,73,844/-

<u>S.No.</u>	<u>Agency</u>	<u>% age quoted</u>	<u>Amount</u>
1.	M/S India Guniting Corpn	2.16% above	2,93,96,647/-
2.	M/S KBG Engineers	28.67% above	3,70,22,215/-
3.	M/S Devi Constructions	35.59% above	3,90,13,462/-

The justifications duly checked by planning works out to 6.08% above the estimated cost of Rs.2,87,73,844 against the lowest tender cost @ 2.16% above the E.C. which work out to 3.69 % below the justified rate. The case was duly recommended by planning for acceptance. and was sent to Finance for their concurrence to the proposal. The Finance has concurred the case vide their dairy No.FA-1049/R-CE(C-II) dated 15.05.2009.

5. Financial implications of the proposed project/subject:

The total financial implication for the above work is Rs. 2,93,96,647/-

There is a budget provision of Rs. 925.00 lacs exists under the Head of A/C D-4-2-4 scheme 213 page 150 of year 2009-10.

6. Implementation schedule:

Time of completion of work: 08 months after award of work.

7. Comments of the Finance Deptt. On the subject:

We concur in for acceptance of the bid of L-1 M/s India Guniting Corporation at their tendered amount of Rs. 2,93,96,647/- i.e. 2.16% above the EC of Rs. 2,87,73,844/- and against justified rates of 6.08% above EC as recommended and proposed by the department at P-36/N, subject following conditions:

1. No extra cost is added in the justification on account of various factors as listed in OM No. DG (W) MAN/169 dated 31.12.2008.
2. Certification about correctness of data, computations and information supplied.
3. Certification that all bidders whose bids have been opened fulfill eligibility criteria as stipulated in NIT.
4. Certification that due publicity to NIT has been given as per approved policy of NDMC and all CVC guidelines have been followed during the process of tendering.

8. Comments of the Department on comments of finance Deptt.

The observation of Finance Department is clarified here as under:-

1. Certified that no extra cost has been added in the justification.
2. Certified that the data supplied is correct.
3. Certified that all bidders whose bid have been opened fulfill the requisite eligibility criteria as per NIT.
4. Certified that the due publicity has been given as per approved policy of NDMC and all CVC guidelines have been followed.

9. Legal implication of the project:

NIL

10. Details of previous Council Resolutions, existing law of Parliaments and Assembly on the Subject.

Reso. No. 16 (A-58) dtd. 17.09.08 approved the proposal for Community and Multipurpose Halls. SH: Imp. to Barat Ghar, Lodhi Colony including fire fighting, electrical and AC works.

"Resolved by the Council that approval to the proposal and A/A & E/S to the preliminary estimate amounting to Rs. 3,45,76,500/- is accorded.

11. COMMENTS OF THE LAW DEPARTMENT ON THIS PROJECT.

Nil.

12. COMMENTS OF THE DEPARTMENT ON THE COMMENTS OF LAW DEPARTMENT.

Nil.

13. Certified that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case.

14. Recommendation

The case may be placed before the Council for award of work to M/S India Guniting Corporation. at their tendered amount of Rs.2,93,96,647/- which is 2.16% above the estimated cost of Rs.2,87,73,844/- against justified rate of 6.08% above the estimated cost which workout to 3.69% below the justified rate. The deptt. may initiate action in anticipation of confirmation of minutes by the Council.

15. DRAFT RESOLUTION

Resolved by the Council that the work may be awarded to lowest tenderer M/S India Guniting Corporation. at their tendered amount of Rs.2,93,96,647/- which is 2.16% above the estimated cost of Rs.2,87,73,844/- and initiate action of anticipation of conformation of the minutes by the Council.

COUNCIL'S DECISION

Resolved by the Council to award the work to the tenderer M/S India Guniting Corporation. at their tendered amount of Rs.2,93,96,647/-; which is 2.16% above the estimated cost of Rs.2,87,73,844/-; for the work of Improvement to Barat Ghar, Lodhi Colony including fire fighting, electrical and AC works.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 37 (B-04)**1. Name of Work: - Up – Gradation & Remodeling of Palika Bazar.****Sub- Head: -**

- a) Providing HVAC System,
- b) IEI Works,
- c) H.T. / L.T. System,
- d) Fire prevention and fire measures at Palika Bazar.

2. Department: - Electricity Department**3. Brief History of the Proposal: -**

Palika Bazar is NDMC's prestigious underground market. It is the only central air-conditioned market with green top. It was developed in seventies & shops have been allotted on licences fees basis. The general condition/services of Palika Bazar are not up to the desired level. NDMC decided for upgradation and remodeling of Palika Bazar. After due process M/s Five –M Energy Pvt. Ltd. for have been appointed consultant for upgradation of the services. Preliminary design report submitted by the consultant has been approved by the Competent Authority.

4. Detailed proposal of the Subject: -

The consultant M/s Five –M Energy Pvt. Ltd. have submitted a detailed report of the project for Aug. of HVAC system, Elect. S/S, I.E.I., other allied Works & fire prevention and fire safety measures at Palika Bazar.

As the electrical installation have served its useful prescribed life being more than 30 years old, the consultant M/s Five-M. Energy (Pvt.) Ltd. has prepared the detailed project report for the augmentation /replacement.

The existing AC system is old one and also served its useful life. The consultant has recommended to upgrade the existing capacity of AC from 960 TR to 1800 TR, to meet the present demand.

To meet the additional load of HVAC system and allied installation works the Sub-Station also needs to be augmented. Accordingly it is proposed to install 3 x 1600 KVA dry type transformers in place of the existing 3 x 1000KVA. The L.T. panels and H.T. / L.T. Cable will also be augmented to match the proposed installations.

The augmentation of sprinklers , automatic fire alarm, detection system & PA system for the fire prevention & safety measures at Palika Bazar has also been recommended. An estimate amounting to Rs. 12.58 Crore for the work of HVAC System, IEI works ,HT/LT System and Rs 97,84000/- for Fire Prevention and Fire Safety Measures at Palika Bazar submitted by the Consultant has been processed. The estimate has also been examined by the Planning Division and subsequently concurred by the Finance Department.

5. Financial Implications:-

- a) Rs.12,58,00,000/- for Providing HVAC System, IEI Works, HT / LT System at Palika Bazar

- b)** Rs.97,84,000/- Fire prevention and fire safety measures at Palika Bazar

6. Implementation Schedule:-

Along with civil work schedule to be completed within 18 Months

7. Comments of the finance department: -

(a) Finance has concurred in the preliminary estimate amounting to Rs.12.58 crore for providing HVAC system, IEI Works, HT /LT Electrical System at Palika Bazar vide diary no. FA/1041 dated 15/05/09 subject to the following

- i) Approval of the competent Authority.
- ii) Availability of the funds.
- iii) A proper and detailed estimate would be prepared by the department on actual basis
- iv) The work would be executed after adhering the codal formalities
- v) It has recorded that the rates given by the consultant in the estimate amounting to Rs. 12.58 cores are tentative due to urgency of work. Estimates are always required to be prepared realistic keeping in view site requirements after analyzing rates. Even the basis of quantities taken in the estimate is not available on record. In the case of adhoc basis estimate prepared in a hurried manner without checking the conformity /consistency among various scheduled of items, drawings, specifications and contract conditions etc. there can be delays, deviation resulting in time and cost over run. Moreover, if PE increases beyond a prescribed limit, RE are required to be prepared and got approved form the competent authority. We would therefore, suggests that the estimate should be realistic.
- vi) It has been seen from the estimate for Upgradation of Transformers HT Cables and earthing that the firm has not only to supply Transformers and cable but is also required to install and commission the former and lay the cable. In NDMC as per practice, Transformers and cables are purchased from the manufacturers and got installed and cable laid from firms other than manufacturers having experience in line. Department may clarify whether there would be a shift from the past practice in this regard in this case.
- vii) It has also been notice that no credit for the dismantled items have been given in the estimate. Reasons for the same needs to placed on record.

(b) Finance has concurred in the preliminary estimate amounting to Rs.9784000/- for Fire Prevention and Fire Measure vide diary No. FA/1045 Dated 15.05.09 subject to following:-

1. Approval of Competent Authority.
2. Availability of funds.
3. Proper detailed estimate, duly checked by the Chief estimator may be prepared for the work.
4. The work would be executed after adhering to the codal provisions.

8. (a) Comments of the Elect. Department on comments of Finance Department:-

- i) Approval of the competent authority i.e. Council is being obtained.
- ii) At present there is a provision of Rs. 1 Crore in budget book for the year 2009-10 against the head of A/c H-1-8 and suitable proposal shall be made in RE.
- iii) This is only a preliminary Estimate. Proper detailed estimate will be prepared.
- iv) All codal formalities will be adhered to.
- v) Detailed estimate will be prepared on the realistic basis.
- vi) Entire work will be got done by inviting composite tender.
- vii) Due care will be taken for the credit part while preparation of the detailed estimate.

(b) Comments of the Fire Department on comments of Finance Department:-

1. Approval of the competent authority i.e. council is being obtained.
2. Funds are available in the Head of A/C C-3.8(X)A.
3. Proper detailed estimate will be prepared.
4. All codal formalities will be adhered to.

9. Legal implication of the Subject - NIL

10. Details of previous Council resolution: - NIL

11. Comments of Law Department - Law Deptt concurred in with the proposal.

12. Comments of the Department on the Comments of Law Department: NIL

13. Certification by the department:-

All Central Vigilance Commission (CVC) guidelines have been followed.

14. Recommendation of the department: -

The case is placed before the council for according A/A and E/S is accorded to the following Preliminary Estimate for the Up-gradation & Remodeling of Palika Bazar:-

- a) Providing HVAC System, IEI Works, HT / LT System at Palika Bazar :- Rs.12,58,00,000/-
- b) Fire prevention and fire safety measures at Palika Bazar :- Rs.97,84,000/-

The work is to be completed in a scheduled time therefore approval is also solicited to take further action in anticipation to the confirmation of the minutes of the Council Meeting.

15. Draft resolution:-

Resolved by the Council that A/A and E/S is accorded to the following Preliminary Estimate for the Up-gradation & Remodeling of Palika Bazar:-

- a) Providing HVAC System, IEI Works, HT / LT System at Palika Bazar :- Rs.12,58,00,000/-
- b) Fire prevention and fire safety measures at Palika Bazar :- Rs.97,84,000/-

Approval is also accorded to take further action in anticipation to the confirmation of the minutes of the Council meeting.

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval and expenditure sanction to the preliminary estimate for the Up-gradation & Remodeling of Palika Bazar by:-

- a) Providing HVAC System, IEI Works, HT / LT System at Palika Bazar, at a cost of Rs.12,58,00,000/-.
- b) Fire prevention and fire safety measures at Palika Bazar at a cost of Rs.97,84,000/-.

ITEM NO. 38 (I-03)

1) Name of the Subject/project: Implementation of Electricity & Water Utility Software in Electric, Commercial & Power Department of NDMC.

2) Name of the deptt./deptts. concerned: Information Technology Department.

3) Brief history of the subject/project:

A detailed presentation of the Oracle utilities system was covered on 02/02/2009 as a sequel to presentation demonstration by them to all HODs in meeting dated 05/01/2009 in Council room under the chairmanship of Chairman, NDMC. The idea of the presentation was touch upon finer and detailed aspects of the requirement of different departments of NDMC viz. Commercial, Electrical, Finance, IT etc.

M/s Oracle has demonstrated/ discussed the following system features in details:-

- i) Managing Losses of electric network (Technical and Commercial)
- ii) Effective billing of Electricity and Water
- iii) Management of Business processes for Customer care and billing
- iv) Optimised Work and Asset management
- v) Streamline Field Service Operations
- vi) Effective Settlements and forecast
- vii) Improve Customer Responsiveness & Issue Resolution

The case was placed before the Council vide agenda item No. 11(I-01) dated 15th Apr.'09 & was deferred due to model code of conduct.

4) Detailed proposal on the subject/project:

To make great impact on municipal services in power distribution sector, the following operational systems are required for the Commercial, Power and Electric department of NDMC. It will enhance the efficiency of the public services and utilities managed by NDMC.

4.1. Billing and Customer Care-

- i. Billing system should be upgradeable, so that system can be effectively used with technical upgrades over years to come.
- ii. Billing solutions should have flexible workflows and processes as per the needs of NDMC. Billing system must support most of the customer care processes of NDMC like new connection request, disconnection request, complaint management, legal etc.
- iii. The billing system must be robust, up gradable, scalable, browser based and have high availability. The new billing system should have the ability to interface with the already existent system like financial application (E-Finance developed by e-Governments Foundation) and Systems which NDMC already has or will have in future. All reporting must be carried out easily through the software.

- iv. The system should be able to define the existing business processes of the NDMC with ease without changing the process or the terminology used.
- v. The system must have a strong interface to record customer specific data. The data fields must not be limited and there should be the freedom to add on user specific fields and or attributes without system configuration. This feature was seen in depth as it allowed the users to change the way reports are generated without approaching the programmers and was intuitive and easy to do.
- vi. The system shall allow NDMC the choice to store the premise and customer data along with geographical identifiers that shall enable easy customer searches.
- vii. The GUI should be intuitive and user friendly. The system should have the ability to store multiple addresses for a single customer.
- viii. The system shall ensure that a customer is not added until proper customer identification has been carried out by the utility based on the customer identification data (like ration card, driver's license etc.) submitted by the customer.
- ix. Users of the system should be able to search for a certain customer record from any interface or by querying any data field that is specific to the customer.
- x. Multiple service billing (e.g Water and Electricity) should be possible through the system and it should have the ability to generate a single bill for a customer using multiple services.
- xi. The system shall have the ability to process bills according to the already defined billing cycles and in batches. Complete audit trail shall be maintained for all the billing processes. The preparation of the bill must be according to the prevailing regulatory rules. The billing engine should have the ability to accurately calculate the different components of a bill like fixed charges, slab based charges, electricity tax, arrears, time of use based charges, consumption deposits, etc.
- xii. All credit and collection activities can be processed automatically or manually, or any combination thereof, based on specific business practices or regulatory requirements. Bill cancellation must be supported by the system with full audit trail. The system must support adjustment of bills and the creation payment plans.
- xiii. The system should support the aggregation of meter readings and consumption estimation for unmetered or 'data not available' cases.
- xiv. The system should have a robust reporting tool that allows for the creation of both graphical and non-graphical reports. The running of reports should not impact the other system functionalities.
- xv. Work tasks and work flows need to be created by the system Specific users have to be alerted with cases that need analysis. Workflows should be supported by a robust escalation mechanism.
- xvi. Context specific help shall be available whenever required by the user.

4.2. Meter Data Management-

- i. NDMC needs standard functions to access, manipulate, validate, and aggregate meter data. These functions should be available as the basis for configured business rules to address custom business requirements for validations, revenue protection rules, or queries.

- ii. NDMC needs to validate meter data in one central repository and acts as a service to other applications, users and customers. The meter data repository must support open technologies to allow easy integration with various meter head-end systems.
- iii. The utility requires an automated, integrated, scalable, upgradable and web based Meter Data Management (MDM) software. The MDM must have a configurable user interface, context specific help and automated process for validating and correcting invalid data. The system must be able to take as input the meter data from a number of different meter manufacturers and be able to aggregate the data automatically whilst keeping the existing utility business processes in mind. The MDM software must be interfaced with the other systems already installed and being used by us. There should be a provision to add business rules for carrying out validations and preparation of meter data for various uses like billing. The MDM must be able to store the data of all the meters of the organization like meters installed at exchange points, time of day customer meters, consumption based customer meters, energy audit meters, grid meters, substation meters, old electromechanical meters etc. The system shall store the data from all the meters in the field into one single operational database.
- iv. It should be possible to track the meter over its entire life cycle from installation till scrap. It is necessary to track meter changes related to a premise. The system must both keep track of the new installed meter and maintain the status of the old meter as well.
- v. MDM should have very strong reporting capability and be able to generate both graphical and non-graphical reports.
- vi. It is required for the system to possess an integrated exception management engine that is able to analyse the meter data based upon our business processes and send the exceptional cases to the concerned people in our workforce. The exceptions that the system must be able to analyze are (but not limited to) slow meters, gap checks, negative value cases, zero value cases, data spike cases, high/low checks, energy sum checks etc. It is necessary for the system to automatically generate workflows based on our hierarchy rules.

4.3. Load Forecast-

- i. NDMC needs ability to forecast any duration, from one day to many years.
- ii. Top-down and bottom-up forecast processes to be assigned to a given entity to allow quick comparison to check for data inconsistencies.
- iii. The forecast should be run automatically and have the ability to add new forecast processes.
- iv. There should be automatic track of forecast accuracy and report results to drive towards continuous forecast improvement.
- v. The system should be able to compare one forecast with another and also the ability to compare forecasts to actuals. Both top-down and bottom-up forecast methodologies should be possible with strong interfacing capabilities with systems like Meter Data Management, SCADA, and DMS etc.

4.4. Profile and settlement-

- i. NDMC needs Profile and Settlement system that can automate entire load settlement process.
- ii. NDMC needs to accurately verify incoming generator invoices. using the same rules and logic that generate the original settlements. Verification should be run against actual data, not just billing data.
- iii. The profile and settlement system shall have an easy to understand graphical user interface with inbuilt security features and clear audit trails. The system shall allow the entire load settlement process to be automated.
- iv. Profile and settlement system should accurately verify incoming invoices. It should be possible to run Shadow settlements. It should be possible to run verifications against actual data, not just billing data. Profile and settlement system should aggregate usage data from multiple metering points and meter types, managing diverse information effortlessly. System should have multiple load profiling and estimation methods built in with support for industry settlement standards such as proxy Day, Templates, Dynamic Load profiling, Regression Modelling, and actual metered loads.
- v. The system shall be able to perform complex calculations efficiently and accurately on interval data, billing data and customer information with multiple load profiling methods (industry-standard methods) for settlement.
- vi. The system should have the ability to interface with other systems of our utility and be able to submit the calculations made for the purpose of review into another external system. The system should be capable to make automated workflows such that the required work is sent to the concerned person and or department in our organisation

4.5. Distribution Management (DMS) and Outage Management (OMS)-

- i. The system required should have an easy to use and understand graphical user interface. The system should have a high level of security and audit features built into it.
- ii. The system should time and date stamp all critical events and transactions.
- iii. The system shall be able to accept model changes imported from our GIS and remain operational with no downtime during these. The system should be able to incorporate multiple control centres spread over a large area and still provide us with the ability to change the operation philosophy from a centralised one to a decentralised one.
- iv. The system should have strong interfacing capabilities with other systems like SCADA, GIS, Work Management System, Meter Data Management, Load Forecasting, Customer Care and Billing, Workforce Management and Interactive Voice Response Systems etc. Even after all these interfaces, all the system modules and applications should operate in an integrated fashion.
- v. The system should allow the user to build and run a case in the study mode so that all the implications can be easily understood.
- vi. The switchover from the study mode to the real time mode should be seamless. Also, the user should be able to quickly navigate from a selected row in a tabulated list to the concerned graphical view and vice versa.

- vii. The system should be capable to display a real time graphical display (with zoom in and zoom out capabilities) that reflects the electrical model's current condition (without a manual refresh) like dispatched crew location, crew location from a mobile/AVL system, SCADA events and customer trouble calls etc.
- viii. The system shall allow the system administrator to implement security through the creation of role-based logins. The operators should only be able to view and execute those responsibilities that lie in their respective area of operations.
- ix. The system shall be able to store electrical information by electrical phase and colour code the customers, circuits and devices accordingly.
- x. The system must help users rapidly process trouble input, predict probable outage causes, and analyze history. The system should track and manage a variety of events like planned outages, emergency outages, meetings (or appointments) and momentary outages etc.
- xi. The system shall be fully up gradable and scalable to suit the needs of our utility for the next ten years

(A) DMS:

- i. Reduce losses through real-time optimization of distribution system
- ii. Save money on unnecessary network hardware, through a better understanding of the network's un-used capacity.
- iii. Exposing and addressing previously hidden overloads and voltage problems
- iv. Avoid problematic switching actions - Avoiding equipment damage
- v. Better balance feeder loading to better utilize existing facilities
- vi. Improve Quality Of Service by improving reliability (SAIDI, SAIFI)

(B) OMS:

- i. Identify location of the failure quickly
- ii. Reduced Outage Durations
- iii. Dispatch to the largest/most important Outages First
- iv. Reduced Control Centre Costs/ Consolidation of control centres, Restoration Costs
- v. Elimination of Maintenance Effort

4.6. Mobile Workforce Management-

- i. Schedule work for crews to minimize travel cost and contractor cost
- ii. Track work crews using automated vehicle location

- iii. Dispatch emergency work to the closest skilled crew, even if they are already doing other non-emergency work
- iv. Optimize work schedules to manage the numbers of crews required for coming weeks

5) Financial implications of the proposed/subject:

Yes, the estimated cost of the Project would be Rs. 25 Crores. The requisite budget will be raised in the RE of 2009-10. The expenditure will be charged to Head of account "E.2.1 - Payment for Computerization of Electricity & Water charges Bill".

6) Implementation schedule with timeliness for each stage including internal processing:

The expected time for awarding the work would be **six months** which would include publishing of NIT, submission of bids, evaluation of bids, finalization of contract, signing of contract and agreement.

The expected time for implementation of Electricity & Water Utility Software would be **one year**.

7) Comments of the Finance deptt. on the subject :

Vide diary no. 416/Finance dated 12/03/2009, Finance department has observed as under:-

- (i) The department has proposed to prepare a new applications software, but nothing has been mentioned about the existing software. Whether the existing software, if any, would be discarded and the existing contract would be closed need to be brought on record.
- (ii) The specific comments of the user department (Commercial Department) be brought on record. The RFP documents may also be shown to them in order to ascertain as to whether the same is as per their needs and requirements. Considered comments of Director (Commercial) are necessary in view of his note at P-1/N to 3/N.
- (iii) The department has not prepared a proper estimate for the work. The same may be prepared to ascertain the exact cost of the software.
- (iv) Further, the fund requirement on year- to- year basis be brought on record.
- (v) Specific advantages over and above the existing system may be brought on record.
- (vi) Comments of Jt. CAO-III, CE(E-I)/ CE(E-II) may also be obtained in the first instance as not only huge expenditure is involved; realization of revenue is also involved.

8) Comments of the Deptt. on comments of Finance Deptt. :

The comments of IT department on the comments of Finance department are given as under:-

- (i) The existing software would be discarded and the existing contract would be closed. The data available in the existing databases will be migrated to the new software database to make it fully functional in time bound manner.
- (ii) The RFP document has been forwarded to Commercial Department to make necessary amendment as per their requirement. The comments have been obtained from the department and the same will be incorporated in the RFP.
- (iii) The indicative cost of the project would be Rs. 25 Crores which will include Application Software License Fee, Implementation Cost, Training to users, Data Migration cost and three years technical support cost.
- (iv) 1st year cost after go live of the software, Application Software License Fee, Implementation Cost, Training to users, Data Migration cost would be Rs. 19 Crores.
2nd year technical support cost would be Rs. 2 Crores.
3rd year technical support cost would be Rs. 2 Crores.
4th year technical support cost would be Rs. 2 Crores.
- (v) The Specific advantages of the proposed system on the existing system are given as under:-
 - a) Managing Losses of electric network (Technical and Commercial)
 - b) Effective billing of Electricity and Water
 - c) Management of Business processes for Customer care and billing
 - d) Optimised Work and Asset management
 - e) Streamline Field Service Operations
 - f) Effective Settlements and forecast
 - g) Improve Customer Responsiveness & Issue Resolution
- (vi) The RFP document was forwarded to Electric Department to make necessary amendment as per their requirement. The department examined the specifications of all applications and found in order.

In addition, a meeting was conveyed on 13/03/2009 where all concerned were present and their views have been taken on board.

9) Legal implication of the subject/project:

No.

10) Comments of the Law deptt. on the subject :

No Comments.

11) Comments of the Deptt. on comments of Law Deptt. :

No Comments.

12) Certification by the department that All Central Vigilance Commission (CVC) guidelines have been followed while processing the case:-

It is certified that CVC guidelines would be followed during tendering.

13) Details of previous Council Resolutions, existing law of Parliament and Assembly on the subject :

Nil

14) Recommendation: The department recommends for implementation of Electricity & Water Utility Software in Electric, Commercial & Power Department of NDMC. Accordingly, it is proposed to accord AA & ES for preliminary estimate of Rs. 25 Crores.

The department may initiate action in anticipation of confirmation of minutes.

15) Draft Resolution: It is resolved to accord Administrative Approval and Expenditure Sanction for preliminary estimate of Rs. 25 Crores for implementation of Electricity & Water Utility Software in Electric, Commercial & Power Department of NDMC.

It is further resolved that the Department may initiate action in anticipation of confirmation of the minutes by the Council.

COUNCIL'S DECISION

Resolved by the Council to accord Administrative Approval and Expenditure Sanction to the preliminary estimate amounting to Rs.25 Crores for implementation of Electricity & Water Utility Software in Electric, Commercial & Power Department of NDMC.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 39 (I-04)

1) **Name of the Subject/project:** Implementation of scheme of Cash Card for collection of online payments from NDMC customers through Web and SMS interface.

2) **Name of the deptt./deptts. :** Information Technology Department.

3) **Brief history of the subject/project:**

Presently, NDMC consumers can pay their bills by visiting CFCs, NDMC office or online through credit card. Some Customers may not have credit or debit card. Some customers may not prefer to use credit cards for small amount transactions. Some customers may not want to use credit cards due to disclosing their card numbers over internet. Cash card will be an additional and convenient option for consumers to pay their bills online on NDMC website. The card can be used by the consumers who may not have credit or debit card for purchase or payment of bills on the internet. This will empower the citizen to pay their dues round the clock.

The citizens have been using cash cards for online train and airline ticket booking, Energy and telephone bill payment, online shopping, mobile prepaid top ups and post paid bill payment. The cash cards are acceptable on various major sites such as www.irctc.co.in, www.railtourismindia.com, www.bsnl.co.in, www.yatra.com, www.mcdpropertytax.in and many more.

The case was placed before the Council vide agenda item No. 12(I-02) dated 15th Apr.'09 & was deferred due to model code of conduct.

4) **Detailed proposal on the subject/project:**

M/s itzCash Card Ltd. submitted a proposal in August, 2008 for implementation of itzCash Card for collection of online payments in NDMC. As per the proposal, it is a cashless transaction as far as NDMC is concerned. The cash cards had already been implemented in MCD, IRCTC etc. NDMC would incur only nominal cost. It will reduce NDMC cash collection and cash handling security risk.

Various meeting were held to discuss implementation issues from time to time regarding Security Deposit, reconciliation / settlement of payments, Changes/ alterations in the existing software etc.

The major extracts of meetings are given as under:-

- (i) The firm should deposit the payments through cash/ RTGS (Real Time Gross Settlement System) in the NDMC and reconcile / settle payments twice/ thrice in a week to facilitate fast settlement.
- (ii) The firm should send MIS report to NDMC through e-mail containing the details of the transactions done on daily basis.
- (iii) The firm should deposit Rs. 5 Lakhs as security deposit to NDMC before starting the collection of payments. If collection exceeds the limit of security deposit, the proposed system will not accept payments from clients on behalf of NDMC.
- (iv) NDMC will make necessary changes/ alterations and integration with the existing running software modules.
- (v) It is technically possible that the amount collected by the service provider will always be less than the security deposit amount.
- (vi) The convenience fee or any taxes will be recovered from the customer and not from the NDMC. Therefore, there will be **no additional financial burden on NDMC during the transactions between service provider and customer.**

Finally, it was decided that the service provider for implementation of Cash Card for collection of online payments from NDMC customers through Web and SMS interface will be selected through call of open tenders.

- 5) Financial implications of the proposed/subject:**
NDMC will incur nominal cost towards necessary changes/ alterations and integration with the existing running software modules.
- 6) Implementation schedule with timeliness for each stage including internal processing:**
The expected time for implementation would be **Six months** which would include publishing of NIT, submission of bids, evaluation of bids, finalization of contract, signing of contract and agreement.
- 7) Comments of the Finance deptt. on the subject :**
Vide diary no. 1038/Finance dated 14/05/2009, Finance department has no objection to the proposal of department.
- 8) Comments of the Deptt. on comments of Finance Deptt. :**
No Comments
- 9) Legal implication of the subject/project:**
No
- 10) Comments of the Law deptt. on the subject :**
- i) How many persons have availed this facility in MCD?
 - ii) How have we selected "ICCL"? This is a private company and there may be similar companies in private sector.
 - iii) There is no provision in our act to permit a private party, which is not a scheduled bank to have financial dealing with NDMC or for NDMC to have such dealing with private player. I am not in favour of municipal funds be collected by a private player and kept by him for seven days.
 - iv) There is probably already a case in which NDMC could not get electronic Cheque being reconciled to NDMC accord when such collections were by a private player.
 - v) If the facts are not as I have understood. We can discuss. We may agree to municipal funds being collected by persons dealing with SBI/and banks approved by Council.
- 11) Comments of the Deptt. on comments of Law Deptt. :**
- i) As per the proposal of M/s ICCL, They had already started operations at MCD – Property tax online on 22/06/2008 and collected approx. Rs. 2 Crores with over 11000 transactions in 9 working days.
 - ii) Now, IT department will select the service provider for implementation of Cash Card for collection of online payments in NDMC through open tendering process.
 - iii & iv) The firm provider will deposit Rs. 5 Lakhs as security deposit to NDMC before starting the collection of payments. If collection exceeds the limit of security deposit, the proposed system will not accept payments from clients on behalf of NDMC. The

service provider will deposit the payments through cash/ RTGS (Real Time Gross Settlement System) in the NDMC and reconcile / settle payments twice / thrice in a week.

- v) A meeting was held on 17/12/2008 under the chairmanship of FA to discuss implementation of ItzCash Card for collection of online payments in NDMC in presence of LA, MOH, Director (Commercial), Director (Tax), Director (IT), JT. CAO-III, Jt. CAO-II, Jt. Director (Statistics) and DD (IT). The service provider should have online transaction account with one of nationalized bank/ Axis Bank/ ICICI bank. The service provider should be eligible and qualified as per Laws in India to provide the said service.

Department decided that the service provider will be selected through tendering process. Hence, all the observations pertaining to ItzCash Cards should not be taken into consideration.

12) Details of previous Council Resolutions, existing law of Parliament and Assembly on the subject :

Nil

13) Certification by the department that All Central Vigilance Commission (CVC) guidelines have been followed while processing the case:-

It is certified that CVC guidelines would be followed during tendering.

14) Recommendation: The department recommends for implementation of scheme of Cash Card for collection of online payments from NDMC customers through Web and SMS interface through call of open tenders. The department may initiate action in anticipation of confirmation of minutes.

15) Draft Resolution: It is resolved that scheme of Cash Card for collection of online payments from NDMC customers through Web and SMS interface may be implemented through call of open tenders.

It was further resolved that the Department may initiate action in anticipation of confirmation of the minutes by the Council.

COUNCIL'S DECISION

Resolved by the Council to implement the scheme of Cash Card, for collection of online payments from NDMC customers, through Web and SMS interface, through call of open tenders.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 40 (I-05)**1) Name of the Subject/project:****Educational Integration Project of NDMC Schools****2) Name of the Department./Departments. Concerned:**

- a. IT Department
- b. Education Department

3) Brief history of the subject/project:

NDMC as a civic body gives due diligence to education and feels that good quality of education eradicates most of the evils in the society. New Delhi Municipal Council (NDMC) focusing on its social commitment provides education to all children through its education department. Besides Primary Education, Council is running Middle, Secondary and Sr. Secondary Schools for the children of families residing in the NDMC area. There are 18 nursery schools, 26 Primary Schools, 7 Middle and 11 secondary schools, 5 Senior Secondary Schools. In addition, NDMC runs 6 Sr. Sec. & 5 Primary Navyug schools under Navyug Education Society

NDMC visualizes implementing a fully integrated, smart card based, user-friendly, reliable, rugged, customizable, modular, data-secured, upgradeable application that will provide benefits to all stakeholders of the NDMC Schools. The Integrated application will establish the NDMC with improving operational efficiencies, ensuring effective utilization of resources and developing appropriate bases for planning future goals.

4) Detailed proposal on the subject/project

The Vision of 'Educational Integration Project is to transform NDMC school environment by providing efficient, convenient, transparent, integrated e-governance services to students, teachers, management and parents in the areas of:

- i. Admissions
- ii. Examination,
- iii. Library
- iv. Attendance and Other School Services
- v. Billing, Time Office
- vi. Resource Scheduling, Human Resource Management
- vii. Supplies and Purchases
- viii. Inventory etc

The following are the salient features of the solution framework for 'Educational Integration Project'

- 1) The proposed Educational Integration Platform shall provide a common interface for all functions within school.
- 2) Application will be integrated with smart card
- 3) The Educational Integration platform will be a ready application for immediate implementation; based on a complete student-centric approach. In other words, Educational Integration platform should provide information and services to all constituent, based on school business rules
- 4) The 'Educational Integration platform' will have ability to scale along the dimensions of geography (more schools in different areas), more services (for constituents and NDMC). The ability to scale should be both, technically feasible and contractually permissible.

- 5) Each module of the Educational Integration platform will be integrated and provide benefit to all constituents namely students, teachers, parents and management.
- 6) One of the requirements critical to the long-term sustainability of the project is the need to preserve end-user convenience despite the exponential growth of the services. The 'Educational Integration' Platform should ensure minimal disruption to current working during the time of addressing future needs
- 7) The adequate training/ handholding will be provided to users for seamless transition from old working to new 'Educational Integration' platform
- 8) The process and workflow of 'Educational Integration' platform will comply to best industry practices; for NDMC schools to adapt

5) **Financial implications of the proposed/subject**

Tentative Cost is Rs.5,96,00,000/-. This includes cost of smart card for 2500 students which will go up when cards are issued to all the students.

6) **Implementation schedule with timeliness for each stage including internal processing:**

The project will be spread across two stages. NDMC expects to Go Live for all schools by the end of twelve months from the date of award of contract. Tentative/ expected timelines for completion of each phase are indicated below. **T1 is the date of award of contract.**

Phase No.	Phase / Scope	Timeliness
Stage 1 Phase I	Planning & Preparation	
A	Prepare System Study Report (SSR)	T1 + 15 days
B	Prepare Infrastructure Requirements Report (IRR)	T1 + 30 days
Stage 1 Phase II	Deployment	
Phase No.	Phase/Scope	Timelines
A	Deploy Integrated Application	T1 + 60 days
Stage 1 Phase III	Implementation	
A	Provide data porting services for Integrated application startup	T1 + 60 days
B	Provide users with smart cards	T1 + 90 days
C	Provide user training	T1 + 120 days
D	Go Live (GL) (STAGE 1)	120 TH DAY
Stage 1, 2	Post-Implementation – Operation and Maintenance Support	
A	System Administration	For 5 years
Stage 2 Phase 1	Deploy Integrated Application 1 remaining schools of NDMC	GL (STAGE1) + 30
Stage 2 Phase II	Implementation	
A	Provide data porting services for Integrated application startup	GL (STAGE1) + 90
B	Provide users with smart cards	GL (STAGE1) + 130
C	Provide user training	GL (STAGE1) + 265
D	Go Like (GL) (Stage 2)	355 th Day

7) Comments of the Finance Department on the subject

- a) The Department has mentioned that E.O.I. submitted by one firm i.e M/S WIPRO was not considered on the ground that the same was received out of tender box at 03:05 PM. Since the department was only inviting the EOI for estimation purpose, it is not clear as to why the department has instated firms to drop the same in tender box. The proposal of the department to reject the EOI of M/S WIPRO on this ground does not seem to be appropriate. Dir (IT) may offer his considered comments.
- b) A Copy of newspaper cutting wide which the EOI from the firms were invited along with the details posted in the website be placed on record.
- c) As per approval of the Chairman, a sub committee was constituted for the implementation of the project. The Department has no where brought their comments/recommendations on the file. The same needs to be brought on the records.
- d) The basis on which the estimated cost of Rs.5,96,00000/- has been worked out to be brought with supporting documents.
- e) On the basis of the responses received from the interested parties consultants/firms meeting the requirement are required to be short listed for further consideration. It is not clear whether the firms have been short listed.
- f) In such type of cases where "expression of interest" is requests ; in place of limited tender as proposed by the department; RFP is invited from the short listed consultants. Departments as such prepare TOR and RFP for seeking technical and financial proposal in the first instance. This has also been mentioned in EOI
- g) The Department may send the draft RFP to finance department before finalization's New Scheme head may be got opened under the c.15 head and efforts can be made to seek plan funds from GNCTD for this project at R.E. stage. The involvement of education(user) deptt be ensured for the smooth implementation of the project and also for the achieving the intended benefits of the project.

8) Comments of the Department. on comments of Finance Department.

- a) The Last Date & Time i.e 19-Jan2009 03.00 PM was clearly mentioned in the advertisement published for inviting the EOI in the newspaper and in EOI Documents too. Moreover at the time of Opening of EOI, the representatives of other four firms objected the submission of EOI at 03:05 PM of M/S Wipro. The Packet Submitted by M/s Wipro was received unsealed too.
- b) The Copy of News paper Cutting is placed in file
- c) The Comments from the Education Department has been received with their recommendations. For further discussion, A Meeting was organized by the IT department on 02-04-09 to discuss RFP(Request for Proposal) and Detailed specifications of desired solution for Smart Card Based Solution for 'Educational Integration Project (EIP) of NDMC Schools'
- d) The Indicative Cost was invited in EOI just to workout the estimate of the said project on the basis of received input. The Parameters (Items) asked

in EOI were just basic requirements and were not final requirements. The M/S IBILT did not submit the same. M/S HCL submitted their indicative costs including whole infrastructure i.e Cost of Data Center and NDMC already has Data Center so this may not be considered. M/S MGRM submitted the indicative cost only with specific rates of Parameters and now it'll be up to NDMC to find out the amount as per the actual requirement at the time of implementation. One firm submitted the indicative cost covering all 78 schools and student wise details. The final implementation will be done for all 78 schools of NDMC and students. This covers almost all the desired specifications. Therefore, it was treated as the basis of actual budgetary estimate of the said project.

Break up of 5,96,00,000 is as under:

SNO	Item	Qty	Rate (Rs)	Amount(RS)
1	Software Solution	78(for all available NDMC Schools)	5,00,000	3,90,00,000
2.	Smart Card	Assuming 2500	50 Per Smart Card & 4,000 Per Reader	6,000,00
3.	Implementation & Training	Assuming 40 Batches of Students and 20 Students per Batch	10,000 Per Student	80,00,000
4.	Technical Support	5 Years	24,00,000(Per Year for 78 Schools)	1,20,00,000
Grand Total (Inclusive of all taxes)				5,96,00,000/-

- e) All the four firms which participated in EOI are capable to meet the Technical Qualification mentioned in EOI . RFP will be issued to all four firms.
- f) After Receiving the EOI and Demonstrations, in the next phase the preparation of RFP is under progress for the actually required specifications from the EOI submitted by four firms in consultation with Education Department
- g) The Department is in final stages of preparation of RFP. The technical Specifications and modules were shown to Committee Members in the meeting held on 13-05-09. The Budget Department has allotted Head of Accounts D.1.2.11 and mapped to New Chart of Accounts 82.230.59.22 Expenditure in respect of Navyug schools under the HOA D.1.11(82.260.10.01)

9) Legal implication of the subject/project:

No implication.

10) Comments of the Law Department. on the subject :

No comments.

11) Comments of the Department. on comments of Law Department.:

No comments.

12) Certification by the department that All Central Vigilance Commission (CVC) guidelines have been followed while processing the case:-

It is certified that all CVC guidelines will be followed while processing the case.

13) Details of previous Council Resolutions, existing law of Parliament and Assembly on the subject

-NA-

14) Recommendation

The Department recommends for the implementation of Educational Integration Project (EIP) for NDMC Schools. Accordingly Administrative approval and expenditure sanction for preliminary estimate of Rs.5,96,00,000/- is proposed. This includes cost of smart card for 2500 students which will go up when cards are issued to all the students. The Department proposes to initiate action in anticipation of confirmation of the minutes.

15) Draft Resolution:

It is resolved that Administrative approval and expenditure sanction for preliminary estimate of Rs.5,96,00,000/- (which includes cost of smart card for 2500 students and the smart card cost will go up when cards are issued to all the students) for the implementation of Educational Integration Project (EIP) for NDMC Schools is accorded. It is further resolved that Department may initiate action in anticipation of confirmation of the minutes of Council.

COUNCIL'S DECISION

Resolved by the Council to accord Administrative approval and expenditure sanction to the preliminary estimate amounting to Rs.5,96,00,000/- (which includes cost of smart card for 2500 students) for the implementation of Educational Integration Project (EIP), for NDMC Schools.

The Council also directed the Education department to take steps for providing of requisite sports facilities, swimming pool, etc. in NDMC schools in order to bring the infrastructure and educational facilities at par with the best schools in the city.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 41 (B-05)

Sub : Status Report of on-going work undertaken for revamping electrical system

Electricity Deptt. of NDMC has initiated various augmentation and upgradation work to meet the increased load demand and in order to maintain the good quality electricity supply for Common Wealth Games 2010.

The status report of various on-going work undertaken for revamping electrical system was placed before the Council vide Item No.16(B-38) dated 26-2-2009 for information. Council decided that the status report for the progress of the work may be placed before the Council after every three months.

Accordingly, status report showing the latest position of various on-going work, has been prepared and is appended.

Recommendation of Department

The present status report is placed before the Council for information.

COUNCIL'S DECISION

Information noted.

STATUS REPORT OF ONGOING WORK AS ON 18-05-2009

(i) EHV work (Sub Transmission Works)

(a) Work Executed by PGCIL (ANNEXURE A-1 See pages 208 - 215)

- The system strengthening work of sub-station has been awarded on 15-12-08. Actual construction has commenced at Sub-station Dr. Bishamber Das Marg.
- The work of fibre optic cable has been awarded on 15-12-08 and laying work has commenced.
- The work of 66/33 KV cable laying has been awarded on 16-2-09. Actual laying to commence shortly.
- The SCADA work has been awarded on 18-2-09.

(b) Work executed by NDMC. (ANNEXURE A-2 See pages 216 - 220)

- Both 66 KV circuits from G.T. station to Sub-station Vidyut Bhawan (including one circuit lying faulty since July, 2005) replaced and commissioned.
- 22 MVA capacity added at 33 KV level by replacing/ augmenting transformer capacity at 4 Sub-stations.
- Supply order for 28.5 KM, 33KV, 400 sq. mm. XLPE cable has been placed. Out of ordered quantity, 10 K.M. cable has been received.
- Tender invited for 33 KV cable laying work has been rejected being single offer and is now tender re-invited. Technical bid opened and cleared. Price bid opened and tenders under process of award.

(ii) Augmentation of distribution network under execution

(a) Laying of new 11KV feeders

- Estimates of 13 no. 11KV feeders of total length 9800 meters in Phase-I have been approved by the Council & is under execution. **(ANNEXURE – B See pages 221 - 223).**
- Supply order for 37.5 KM 11KV, 400 sq. mm. XLPE cable has been placed. 21 K.M. cable has been received.
- Supply order for 11KV, 150 sq. mm XLPE cable has been placed. Inspection call has been received.
- Estimate for replacement/augmentation of HT 11 KV cable – 174 Nos. has been prepared and sent to Finance Deptt. for concurrence.
- Supply order for LT cables of various sizes has been placed. 6 K.M. cable of size 400 mm^2 , 300 mm^2 & 185 mm^2 has been received.
- 48 No. HT feeders have been laid and balance 45 No. are under execution.

(b) Laying of new LT feeders

Estimate for about 24 km LT cable of various sizes has been approved by the Council & is under execution.

(ANNEXURE-B See pages 221 – 223).

(iii) List of improvement works under execution**(a) Replacement of 11KV HT switchgears****Phase-I**

- HT panel replacement work in 23 E.S.S. in M/S area has been completed.
- HT panel replacement work in 5 E.S.S. in M/N area has been completed.
- HT panel replacement work in 7 E.S.S. is in progress in M/S area.

Phase-II – The requirement of left out E.S.S. from M/N division and M/S division has been received and estimate for replacement in 105 nos. Sub-stations is being prepared after examination of various technical parameters.

(b) Replacement of oil type transformers

35 No. transformers replacement work in M/S area has been completed and balance replacement work of 16 No. transformers is under execution.

(c) Replacement of LT switchgears

- LT panel replacement work in 6 No. E.S.S. in M/N area has been completed.
- LT panel replacement work in 9 No. E.S.S. in M/S area has been completed.
- Estimate amounting to Rs.17,49,37,148/-(G) for replacement of 120 LT Boards at various Substations in M/N area has been approved by the Council for Phase-II and the same is under process of execution. **(ANNEXURE-C See pages 224 – 226)**
- Estimate amounting to Rs.11,09,36,000/-(G) for replacement of 11 No. LT Board for Phase-IV has been approved by the Council and the same is under process of execution. **(ANNEXURE-D See page 227)**
- Estimate for replacement of 3 No. LT Board in M/S area for Phase-III is under process of approval. **(ANNEXURE-E (See page 228)**
- Estimate for replacement of 50 No. LT Board in 50 Electric Substations for Phase-V is under process of approval. **(ANNEXURE-F See pages 229 - 231)**
- Estimate for left out 15 no. Electric Substations is to be framed after examination of technical requirement at site. **(ANNEXURE-G See page 232)**

(d) Replacement of feeder pillars

- Estimate for 339 feeder pillars has been approved and is under execution for Khan Market, Kidwai Nagar and DIZ area.
- 77 feeder pillars have been replaced & commissioned.

(iv) Installation of unitized sub stations

- Estimate for 2 nos. unitized substations for Khan Market has been approved and is under execution.
- Estimates for 2 nos. unitized substations has been approved by the Council for Palika Niwas and is under execution.
- Estimate for 1 no. unitized substation for Moti Bagh Hospital has been issued for execution. **(ANNEXURE-H See page 233)**
- Estimate for 15 nos. unitized substation in DIZ Area has been sanctioned & is under procurement process.
- The case of purchase of 15 No. Unitized Sub-stations is being placed before the Council for approval.

(v) Installation of dry type transformers

- Estimate for replacement/augmentation of 40 transformers in 21 Electric Substations in M/N area has been approved by the Council and issued for execution for Phase-II.
- Estimate for replacement/augmentation of 51 transformers in 19 Electric Substations has been approved by the Council and issued for execution for Phase-IV.
- Estimate for replacement/augmentation of 23 transformers in 13 Electric Substations in M/S area for Phase-III has been framed and is under process of approval.
- Estimate for replacement/augmentation of 89 transformers in 50 Electric Substations for Phase-V has been framed and under concurrence of the Finance Deptt.
- Tenders already invited and being processed for procurement of 53 Nos., 1000 KVA rating and 14 Nos., 1600 KVA rating dry type transformers.

(vi) Program for procurement of electronic meter----

- Supply order for 5000 No. three phase and 10000 No. single phase electronic energy meters has been placed.
5000 No. three phase energy meters have been received and issued to Commercial Deptt. for erection.
- 5000 No. single phase energy meters have been received and issued to Commercial Deptt. for erection.
- Balanced 5000 No. single phase energy meters are ready and yet to be received.

(vii) 66KV feeder Vidyut Bhawan to GT ----

The cable laying work has been completed. Circuit No.1 has been commissioned on 19-4-09 and Circuit No.2 has been commissioned on 3-5-09.

(viii) Model sub station Dalhousie Road

Estimate for Electrical works has been prepared and sent to Finance Deptt. for concurrence. The scheme for Civil & Horticulture works is to be finalized as observed by Finance Deptt. and a consolidated estimate is to be framed. Architectural drawings are being prepared.

(ix) Service Van

Estimate has been approved by the Council. The purchase case for 2 Nos. service vans is under process. Technical bid opened and under scrutiny.

(x) Issue of land allotment with L&DO

Earlier land marked for 33 KV substation in Aliganj, Jor Bagh has been cancelled by CPWD and now has submitted earmarked drawing showing the land at another location. The proposed land fulfill our requirement and forwarded to C.A. for acceptance. The matter is being persuaded with CPWD/L&DO.

(xi) Identification of new sites for 11KV sub-stations

Six sites have been identified. The matter is being persuaded with L&DO.
(ANNEXURE-I See pages 234 - 236)

(xii) Upgradation of Road lighting

- Sample project for Simon Boliver Marg has been completed.
- For Upgradation for 67 nos. main roads under phase 1 & 2 work including automatic operation of street light by GSM technology is under process of award.
- In Phase-III, for 81 roads/ lanes, estimate has been approved and issued for execution.
- Estimate for remaining lanes/ colony roads and strengthening of LT distribution system is being framed.

ANNEXURE 29 PAGES

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ANNEXURE ENDS

ITEM NO. 42 (C-06)**CONTRACTS/SCHEMES INVOLVING AN EXPENDITURE OF RS. 1 LAC BUT NOT EXCEEDING RS. 50 LACS.**

Section 143 (D) of NDMC Act, 1994 provides that every contract involving an expenditure of Rs.1 lac but not exceeding Rs.50 lacs under clause 143 (c) shall be reported to the Council. In pursuance of these provisions, a list of contracts entered/executed in April, 2009, have been prepared.

A list of the contracts, entered into for the various schemes, is accordingly laid before the Council for information. **(See pages 238 - 248).**

COUNCIL'S DECISION

Information noted.

ANNEXURE 238 – 248

ANNEXURE ENDS

ITEM NO. 43 (C-07)

ACTION TAKEN REPORT ON THE STATUS OF ONGOING SCHEMES/WORKS APPROVED BY THE COUNCIL.

In the Council Meeting held on 28.8.1998, it was decided that the status of execution of all ongoing schemes/works approved by the Council indicating the value of work, date of award/start of work, stipulated date of completion & the present position thereof be placed before the Council for information.

The said report on the status of the ongoing schemes/works upto March, 2009 had already been included in the Agenda for the Council Meeting on 15.04.2009.

A report on the status of execution of the ongoing schemes/works awarded upto April, 2009, is placed before the Council for information. **(See pages 250 -296).**

COUNCIL'S DECISION

Information noted.

ANNEXURE 47 PAGES

255 – 296

ANNEXURE ENDS

ANNEXURE ENDS

ITEM NO. 44 (B-06)**1. Name of the subject / project:**

**Sub: Improvement / Up gradation of Talkatora Indoor Stadium
Competition venue of Boxing event CWG 2010.**

Sub Head: Providing Sound Reinforcement System at Talkatora Indoor Stadium

2. Name of the Deptt. / Deptt. Concerned:

Electrical Engineering Department, NDMC

3. Brief History:

For implementation of the Common Wealth Games scheduled to be held in Delhi in 2010 and accordingly 1st meeting of core group of officers was held on 20.10.04 in the Conference Room of Chief Secretary, Delhi, to select various competition & training venues. At the outset, Chief Secretary stated that final selections of the venues may take some time but all the department should prepare their action plan keeping in mind the venues which were used for the Asian Games, 1982 as these venues are in all probability going to be used for the Common Wealth Games with some modification and up-gradation. If any changes in the venues are made in subsequent stage, than portion of the action plan can be suitably modified.

Accordingly, Talkatora Indoor Stadium & Shivaji Stadium were selected the two venues likely to host events during the Common Wealth Games and as such, for proper renovation of the stadias, a rough cost estimate was prepared and the case was placed before the Council to accord approval to the proposal. Council vide its Resolution no. 10 (A-9) dts. 22.07.05 approved the proposal for up-gradation of NDMC stadia as under:

"Council resolved and approved the up-gradation of two NDMC Stadia to the international level even if these are not used during Commonwealth Games from its own funds at a rough cost of Rs. 30.45 crores. In case, it is decided to use the stadiums for Commonwealth Games the requisite funds would come from Delhi Govt."

Considering the above & after having detailed discussions and deliberations held with Mr. Prasad, ADG (Tech.) SAI and with M/S EKS, an international consultant appointed by SAI for selection, submission of venue brief, technical parameters, examining the drawings as per requirement and make recommendations to Organising Committee, CWG on the games, selected to host Boxing a competition venue at Talkatora Indoor Stadium and a training venue Hockey Event at Shivaji Stadium. For this purpose, a need was felt for Improvement/Up-gradation of Talkatora Indoor Stadium in order to meet the requirement of C.W.G. Federation and as per the venue brief submitted by the International Consultant, M/S EKS, a new multi-storey block with the two basement for parking just adjacent to the existing Talkatora Indoor Stadium, Addition/alteration to the existing stadia and up-gradation of Shivaji Stadium, is to be constructed for which the revised A/A & E/S was accorded by the Council vide Reso No. 29 (A-19) dtd. 28.04.08 for Talkatora Indoor Stadium as Rs. 150 crores and Shivaji Stadium as Rs. 185 Crores.

4. Detailed proposal on the subject/ project:

M/S Raja Aederi Consultant Pvt. Ltd. has been appointed as an Architect consultant for the project of Talkatora Indoor Stadium and Shivaji Stadium.

The Architect Consultant submitted the detailed estimate alongwith the drawings as per the venue brief and as per the site requirement, **Providing Sound Reinforcement System at Talkatora Indoor Stadium** is required to be made for its security. Accordingly, the detailed estimate amounting to Rs. 1,15,14,119/- was technically sanctioned and the NIT amounting to Rs. 1,10,44,119/- was approved by the competent authority for Talkatora Indoor Stadium.

Initially, the tenders were invited with the last date of receipt/opening of tender as 31/3/09 & 31/3/09 respectively after giving wide publicity in four Metro Cities, newspapers as well as on NDMC website.

Tenders were called by publishing the same on website vide tender ID no. 6629 on 19.03.09 as well as publishing the same in leading news paper through Dir. (PR) by fixing last date of bid document downloading and last date of receipt of bid as 21.03.09 respectively.

On due date i.e. 31/3/09 technical bid was opened and after discussing the matter by EE (Stadia Project) with ACE (C)/Project Leader. The financial bid was opened on 2/4/09. Details of tenders opened as per comparative statement are as under :

S.No.	Agency	%age offered	Amount	Remarks
1.	M/s AV Science & Technologies Pvt. Ltd.	9.46% below	Rs. 99,98,850/-	4 th lowest
2.	M/s Electrorama	11.35% below	Rs. 97,91,100/-	3 rd lowest
3.	M/s Elgin Electronics	15.89 % below	Rs. 92,88,888/-	2 nd lowest
4.	M/s Hi- Tech Audio Systems Pvt Ltd.	19.92 % below	Rs. 88,44,000/-	Ist lowest
5.	M/s Modern Radio House India Pvt. Ltd.	7.19 % below	Rs. 1,02,52,400/-	5 th lowest

The case was sent to Finance for their concurrence in the proposal.

5. Financial implications of the proposed project/ subject:

The detail of financial status of project and tender already awarded is appended below:-

1.	Revised A/A & E/S for whole project (Vide reso No. 29 (A-19) dt 28/4/08.)	=	150 crores
2.	Years wise flow of funds demanded from Govt of Delhi		
	2007-08	=	10 crores
	2008-09	=	70 crores
	2009-10	=	24.01 crores

3. Detail of tenders already awarded:-

- | | | |
|--|---|--------------|
| a) Construction of new sports facilities block
(Approved vide reso. No. D-1(A-47) dt. 5/11/07.) | = | 52.98 crores |
| b) Addition/ Alteration of existing Stadium.
(Approved vide item No. 15 (A-86) dt. 31/3/08.) | = | 19.19 crores |
| c) Fire fighting work of new and existing Stadium.
(Approved vide item No. 03 (A-80) dt. 31/3/08.) | = | 3.23 crores |
| d) Establishing of ESS at upper basement of new block
(Approved vide item No. 04 (A-81) dt. 31/3/08.) | = | 1.87 crores |
| e) Supply, Installation, Testing & Commissioning of
1000 KVA D. G Sets at Talkatora Indoor Stadium
(Approved vide item No. 11 (A-07) dt.28/04/08.) | = | 2 .06 crores |
| f) Installation of Lifts at Talkatora Indoor Stadium.
(Approved vide item No. 17 (A-25) dt. 21/5/08) | = | 50.8 Lac |
| g) Providing HVAC System at Talkatora Indoor Stadium.
(Approved vide item No. 12 (A-30) dt. 18/6/08) | = | 8.82 Crores |

4. The financial implication of this tender is Rs.88,44,000 /-, which is processed for approval of council.

6. Implementation schedule:

Time of completion of work: **4 months**

7. Comments of the Finance Department on the subject:

The case was submitted to the finance who examined the case vide their dy. No. 494/finance dated. 30.04.09 at Np- 10 and 11 and dy. No. 959/ finance dated 5/5/09 submitted that "In view of the lowest quoted rates amounting to Rs.88,44,000/- being 19.92% below the EC of Rs.1,10,44,119/- we have no objection if the case for acceptance of lowest offer of M/s Hi- Tech Audio Systems Pvt. Ltd. is placed before empowered committee for consideration subject to following condition :

1. The justification of rates has not been prepared referring provisions of Section 19.4.3.1 of CPWD works Manual 2007. For such cases, Section 19.4.3 provides that " where justification of rates is not required to be prepared, the tender accepting authority while deciding the tenders, may refer to rates of tenders of similar nature of works called with a period of last three months " The necessary action needs to be taken.
2. No. Member Planning has been associated with the case. Perusal of P. 1/N shows that EA /BM-I is representative of Planning. Project Leader may record his specific comments about the suitability of the representative of Planning.
3. The final outcome of the complaint made by Sh. Rohit Jolly may be brought on record, This may also be confirmed whether he or anybody else has also filed any such complaint with the vigilance department and if so the present status of the same.

4. The publication time as provided vide Checklist Point No. 6 is in contradiction with the time given to publicity shown against it.

8. Comments of the Department on comments of Finance Department:

1. The estimate was framed by the Architect Consultant/Service Consultant being a specialized work. The rates of L-I tenderer are 19.92% below the estimated cost of Rs 1, 10, 44,119/-. From the comparative statement it is clear that the rates are very competitive as difference between the lowest bidder and higher bidder is 13%, which shows the healthy competition and rates are reasonable and justified.
2. The tender was checked by Executive Engineer (Elect) R/L.
3. The compliant of Mr. Rohit jolly was investigated, the L-I firm M/s Hi Tech Audio system Pvt Ltd has already approved as a associate contractor for the work of Providing Sound Reinforcement System /P A system at Wrestling Stadium at IG complex, Dr Karni Singh shooting range and SPM swimming pool at Talkatora.
4. The publication time as per CPWD works manual 2007 section 16 item no 16.5. The minimum publicity time required for the tender up to Rs.2crore is ten days. The present tender was published in daily news paper, 13 days before the date of opening.
5. The case was also discussed in Empowered Committee meeting held on 18/05/09. Empowered Committee clear the case for placing before the Council.

9. Legal Implication of the project:

NIL

10. Details of previous council Resolutions, existing law of Parliament and Assembly on the subject:

1. Reso. No. 10 (A-9) dated. 22.07-05 approved the proposal for up-gradation of NDMC stadias as under:

"Council resolved and approved the up-gradation of two NDMC stadiums to the international level even if these are not used during Common Wealth Games from its own funds at a rough cost of Rs. 30.45 crores. In case, it is decided to use the stadiums for Commonwealth Games the requisite funds would come from Delhi Govt."

2. Reso No. 29/ (A-19) dated 28-4-08 approved the proposal for which the revised A/A & E/S amounting to Rs. 335 crores to the whole project of stadias and consultancy fee of the Architect Consultant as under:

"Resolved by the Council that approval is accorded to the recommendation of the department, as mentioned in serial no. 1 to 3 of para 16 of the preamble on the confirmation by the department that all CVC guidelines have been adhered to in this case."

Department may initiate action in anticipation of confirmation of minutes.

11. Comments of the Law department of the subject / project.

NIL

12. Comments of the Department on the comments of Law department.

NIL

13. It is certified that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case.**14. Recommendation of Department**

The case is placed before the Council for award of the above work to M/s Hi-tech Audio System Pvt. Ltd. at their total tendered amount of Rs 88,44,000/- which is 19.92 % below the estimated cost put to tender of Rs.1,10,44,119 /- The department may initiate action in anticipation of confirmation of minutes.

COUNCIL'S DECISION

Resolved by the Council to award the work to the lowest tenderer M/s Hi- tech Audio System Pvt. Ltd. at their total tendered amount of Rs.88,44,000/-which is 19.92% below the estimated cost put to tender i.e. Rs.1,10,44,119/-, for the work of Improvement / Up gradation of Talkatora Indoor Stadium Competition, venue of Boxing event CWG 2010. SH: Providing Sound Reinforcement System at Talkatora Indoor Stadium.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 45 (A-37)**1. Name of the Project****Disaster preparation with respect to N.D.M.C. schools****S.H:- Construction of fire escape staircases and underground tanks in various N.D.M.C schools.****2. Name of the Department : Civil Engineering Department Zone – II****3. Brief history of the Subject**

The New Delhi Municipal Council is responsible for an area of 42.74 sq. kilometer. This area includes the seat of the Central Government, Rashtrapati Bhawan, Prime Minister's office and residence, central government offices, foreign missions, residence of ministers, member of parliaments, diplomat and central government employees. In addition to providing basic amenities to its residents, the municipal council also ensures various social, cultural, educational and medical facilities especially to the government/municipal employees and other weaker sections of the society.

N.D.M.C has decided to construct fire escape stair cases and underground tanks in the existing school buildings from the fire prevention point of view. The scope of work has been decided by FO cum NA exploring the locations of the staircase where only one staircase exist and underground tank for fire safety purposes according to norms prescribed by fire protection.

There are 22 schools where proposals for construction of fire escape staircases and in 8 no. schools for under ground tank of capacity 25000 litres to 50000 litres has been taken. Accordingly PE amounting to Rs.2,26,83,000 /- was approved by council vide resolution no. 11 (A-78) at 17-12-2008.

4. Detailed proposal of the project

Based on the proposal of Architect department, EE (Design) has issued the structural drawings for.

- a. M.S. Steel staircase made of M.S. Channel, M.S. Girocer, M.S. Chequered plates, M.S. Angle mounted on RCC footing.
- b. RCC underground tank of either 25,000 litres in 50,000 litre capacity having glazed tiles inside the walls & the bottom.

Tenders were invited after completing codal formalities through the e-procurement system and opened on 01.04.2009. In response to the 3 tenders were received as per the details given below:-

S. No.	Name of the Contractor	Amount Needed	Percentage
1.	M/S K.B.G. Engineers	3,57,89,654 /-	61.94% above
2.	M/S Puja Construction Company	2,89,65,000 /-	31.06% above
3.	M/S Raghav Engineers	3,46,01,893 /-	56.57% above

M/S Puja Constructions Co. have quoted the lowest rate of 31.06% above the estimated cost of Rs.2,21,00,508/- and tendered amount of Rs.2,89,65,000/-. The justification has been worked out by the planning division at 23.60% above the estimated cost put to tender of Rs.2,21,00,508/-. The lowest rate quoted by M/S Puja Constructions Co. was slightly on the higher side, with the prior approval of the chairman dated 28.04.2009, negotiations were held in the chamber of CE(C-II) on 30.04.2009. The contractor was called for negotiations and was requested to reduce his rates. However contractor was reluctant to reduce the rate and explained the following reasons in support of his action:

- a) The rates of steel prices are fluctuating very much and also stated that there are possibilities for further increase in rates. In the NIT, the provision of clause 10CA has also not been considered and he will not get any benefit in the absence of this clause as there is possibility of increase in cost of steel prices.
- b) Electricity charges are considered huge, keeping in view the likely consumption of the electricity for the work.

After due deliberation and persuasion, the contractor offered a rebate of 1% (one percent) over his quoted rates. Considering these factors, the negotiated rates worked out to be 29.75% above the estimated cost of Rs 2,21,00,508/- and the tendered amount worked out to be 2,86,75,350 /-. After considering the revised offer, the percentage of quoted cost over the justified cost of the tender comes to 4.98% above.

Considering all the above difficulties expressed by the agency, likely increase in cost of steel prices, direction of Hon'ble Supreme court of India for the completion of such works at the earliest, the requirement of Quality Council I of India for different schools, the requirement of Delhi fire service and the urgency of work, the revised offer of M/S Puja Construction Co. @ 29.75% above the estimated cost of Rs 2,21,00,508 /- and negotiated tendered amount of Rs. 2,86,75,350 /- and which is 4.98% above the justified cost is considered workable and recommended for acceptance.

5. Financial implication of the project

The tendered amount of the work it is Rs.2,86,75,350/- and this will be charged to Head of Account C.3.8 (Xiii) Sl. No. 3 at P/113 against which budget provision of Rs.60 lacs exists in the current year budget book 2009-2010.

6. Implementation of schedule with time limit for each stage including internal processing.

Nine (9) months form the date of award.

7. Comments of the Finance department on the subject.

- (i) File reveals that planning had checked the justification at 20.03% above (P-50/N). Subsequently on review, the same has been checked to 23.60% above the EC after considering 3% for scattered work. In this context, it may be pointed out that as per OM No. DGW/MAN/169 dated 31.12.2008, contractor's profit and overheads have been increased from 10 to 15% wherein contractor's overhead has been increased from 2.5 to 7.5% on account of factors listed in the said OM. On the face of this CE (C-II) may bring his comments on record on the justifications for considering 3% element on account of scattered work.

- (ii) Correctness of data, computations and information supplied.
- (iii) All bidders whose bids have been opened fulfill eligibility criteria as stipulated in the NIT.
- (iv) Due publicity to NIT has been given as per approved policy of NDMC.
- (v) CVC guidelines on the subject have been followed during the process of tendering.

8. Comments of the department on the comments of Finance department

1. The clarification of the observation of Finance department are as under :

As per O.M. No. DGW/MAN/169 dated 31.12.2008 by increasing contractor profit and over heads from 10 to 15% change has been made in the contractor profit @ 7.5% as applicable earlier whereas the contractor overhead has been increased from 2.5% to 7.5% on account of following factors :-

- i) Cost of Engineering establishment deployed by the contractor.
- ii) Cost of T&P and heavy machinery which includes tower crane, Material hoists, excavators, vibrators and heavy machinery for road constructions.
- iii) Cost of cleaner environment at site & labour welfare facilities.
- iv) Cost of Quality Assurance set up enhancing testing lab.
- v) Cost of office set up including engagement of necessary staff for computerized billing etc.
- vi) Cost of Earnest Money/performance Guarantee/security deposits.
- vii) Other miscellaneous expenditure.

Therefore no extra cost is to be added in justification on account of various factors mentioned above.

In this case, the works are to be carried out in 22NO. different schools which are located I complete NDMC area for which extra provision has been considered for scattered work in the justification. The case was examined by planning and 3% has been allowed on this account.

- 1) The data computation and information given as per norms.
- 2) The bidders bid opened who fulfill the eligibility criteria as stipulated in the NIT.
- 3) Due publicity n has been given as per norms.
- 4) CVC guidelines have been followed while processing the tender.

9. Legal implication of the project

Nil.

10. Details of the previous council Resolution, existing law of Parliament and assembly on the subject.

Administrative approval and expenditure sanction of the P.E amounting Rs. 2,26,83,800/- for Disaster preparedness with r/o to NDMC schools has been resolved by the council vide No. 11(A-78) dated 17.12.2008.

11. Comments of the law department on the project

Nil.

12. Comments on the department on the comments of the law department

Nil.

13. Certify that all Central Vigilance Commission (CVC) Guidelines have been followed while processing the case

Certified that Central Vigilance Commission guidelines have been followed while processing the case.

14. Recommendations

The case is placed before Council for acceptance of revised offer of L-I i.e. M/s Puja construction Co. at their revised offer @ 29.75% above the estimated cost of Rs.2,21,00508/- with negotiated tendered amount of Rs.2,86,75,350/- (Two crore eighty six lac seventy five thousand three hundred fifty only) which is 4.98% above the justified cost. It is also recommended that revised A/A & ES for RS.2,86,75,350/- which is based on lowest quoted rate be accorded. It is also recommended that permission be accorded to proceed with the work in anticipation of approval of minutes of the Council.

15 Draft Resolution

Resolved by the council that the negotiated offer of M/S Puja Construction Co. with negotiated tendered amount of Rs.2,86,75,350.00 (Two crore eighty six lac seventy five thousand three hundred fifty only) i.e 29.75% above the estimated cost of Rs.2,21,00508/- is accepted along with revised A/A & ES of Rs.2,86,75,350.00 and the department may initiate actions in anticipation of confirmation of the minutes of the Council.

COUNCIL'S DECISION

Resolved by the Council to accord revised administrative approval and expenditure sanction, accepting the negotiated offer of M/S Puja Construction Co. with negotiated tendered amount of Rs.2,86,75,350.00 i.e 29.75% above the estimated cost of Rs.2,21,00508/-, for the work of Disaster preparation with respect to N.D.M.C. schools. S.H:- Construction of fire escape staircases and underground tanks in various N.D.M.C schools.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 46 (A-38)**1. Name of the subject/project:****Norms for cleaning & Sweeping works in various NDMC Buildings.****2. Name of Deptt./Deptt. concerned.**

Civil Engineering Department, NDMC.

3. Brief History:

NDMC has outsourced the work of cleaning and sweeping of various NDMC Buildings such as Commercial Complexes, Schools, Offices. The proposals for the cleaning and sweeping work for the respective buildings were prepared in accordance with the procedure adopted for respective buildings for evaluating the strength of labour as well as material required for cleaning and Sweeping work. The norms for cleaning and sweeping work with regard to Strength of Safai Karamcharies etc. and the material required were framed long back and proposals were got approved according to the existing norms, considering the existing norms are too old, and require re-examination, the Chairman had constituted a Sub-Committee comprising of M.O.H., C.M.O., EE(BM-I), EE(BM-II) and the Sr. A.O.(W-II) to submit its report during earlier approved norms and new proposed norms and the Sub-Committee has submitted its report for approval of the competent authority.

5. Detailed proposal on the subject/project:

A Sub-Committee comprising of M.O.H., C.M.O., EE (BM-I), EE (BM-II) and the Sr. A.O.(W-II) was constituted by the Chairman on 16.7.2008 for reviewing the norms of the existing works for cleaning and sweeping being carried out in various NDMC buildings and accordingly, the Sub-Committee constituted by the Chairman had approved the norms regarding labour and the material required for Commercial Complexes, Schools/other than Commercial Complexes. Chairman on the advice of Finance Department desired to place the proposal before the Council for approval. Accordingly, The revised norms with regard to labour and material for different categories_of buildings duly approved by the Sub-Committee are as under:

A . For Commercial Complexes:

Description of Area	No. of Safai Karamcharies required		No. of Sewermen		No. of Supervisors required.	
	Earlier approved norms	Proposed norms	Earlier approved norms	Proposed norms	Earlier approved norms	Proposed norms
Each set of toilet comprising two No. of toilet (Gents & Ladies)	1 No. for each set of toilets	1 No. for each set of toilets	Minimum ½ Nos. for each floor	1 No. for 4 set of toilets and additional 2 Nos. for whole of the building for cleaning of chocked	Minimum 1 No. upto 8 Nos. of Safai Karamcharies/Sewermen	Minimum 1 No. on 8 Nos. of deployed workers.

				lines like vertical stack. Sewer line etc. inside the building		
Office area cum common area including disposal of waste upto the first Municipal dustbin.	1 No. upto 3,000 sq. ft.	1 No. upto 5,000 sq. ft.	-	-	-	-
Outer plinth area like parking staircase, open pavement, terrace etc.	1 No. upto 6,000 sq. ft.	1 No. upto 8,000 sq. ft.	-	-	-	-

Material required:

S.No.	Description	Details	
		Earlier approved norms	Proposed norms
1.	Phenyl of approved maker	500 ml. per toilet per day and 500 ml per floor per day	250 ml. per toilet per day and 250 ml. per floor per day.
2.	Hydrochloric Acid for cleaning of approved make	300 ml. per toilet per day	100 ml. per toilet per day
3.	Detergent powder for cleaning of approved make.	500 gm. per toilet per day including per floor	250 gm. per toilet per day including per floor
4.	PVC scrubber/Iron scrubber of standard size.	1 No. for each Safai Karamchari per week.	1 No. for each Safai Karamchari per week.
5.	Plastic Balti of 12 ltr. With Plastic Mug of 1 ltr.	2 Nos. at each floor for bi-monthly	2 Nos. at each floor for bi-monthly
6.	Toilet brush of standard size	2 Nos. at each floor for bi-monthly	2 Nos. at each floor for bi-monthly
7.	Rubbing brush	4 Nos. at each floor for one month.	4 Nos. at each floor for one month.
8.	Phool Jharu of 400gm. weight	1 No. per Safai Karamchari for 15 dys	1 No. per Safai Karamchari for 15 dys
9.	Bamboo Brush	5 Nos. upto 24,000 sq. ft. for 15 days	3 Nos. upto 24,000 sq. ft. for 15 days
10.	Naphthalene ball/urinal cube	500 gm. In a week for each toilet.	500 gm. In a week for each toilet.
11.	Glass cleaner	1 Bottle of 750 ml. for each set of toilet per month.	1 Bottle of 750 ml. for each set of toilet per month.
12.	Duster 22"X22"	2 Nos. for each toilet for 15 days.	2 Nos. for each toilet for 15 days and 2 Nos. for each floor for 15 days.

13.	Pooncha 22"X22"	6 Nos. upto 22,000 sq. ft. for 15 days.	10 Nos. upto 22,000 sq. ft. for 15 days.
14.	Wiper of 1.05 m in length	-	2 Nos. for each floor for one month.
15.	Rubbing stone	1 No. for each floor for one month	1 No. for each floor for one month
16.	Odonil	1 No. for each toilet for 15 days.	1 No. for each toilet for 15 days.
17.	Room Freshner	1 No. for each office of Group 'A' for one month	1 No. for each office of Group 'A' for one month
18.	Iron Patti		2 Nos. per floor for one month.
19.	Taat	-	4 M per floor per month
20.	Industril Brush of 2' in width	-	2 Nos. per floor per month
21.	Handwah	-	500 ml. per toilet for biomonthyly.
22.	PVC Litter liftner	-	2 Nos. for each floor for biomonthly.
23.	Hit.	-	2 Nos. for one building for 15 days

B) For Schools/other than Commercial Complexes:

Description of Area	No. of Safai Karamcharies required		No. of Sewermen		No. of Supervisors required.	
	Earlier approved norms	Proposed norms	Earlier approved norms	Proposed norms	Earlier approved norms	Proposed norms
Each set of toilet comprising two No. of toilet (Gents & Ldies)	1 No. for each set of toilets	1 No. for each set of toilets	Minimum ½ Nos. for each floor	1 No. for 4 set of toilets and additional 2 Nos. for whole of the building for cleaning of chocked lines like vertical stack. Sewer line etc. inside the building	Minimum 1 No. upto 8 Nos. of Safai Katramcharies/Sewermen	Minimum 1 No. on 8 Nos. of deployed workers.

Office area cum common area including disposal of waste upto the first Municipal dustbin.	1 No. upto 3,000 sq. ft.	1 No. upto 6,000 sq. ft.	-	-
Outer plinth area like parking staircase, open pavement, terrace etc.	1 No. upto 6,000 sq. ft.	1 No. upto 14,000 sq. ft.	-	-

Material required:

S.No.	Description	Details	
		Earlier approved norms	Proposed norms
1.	Phenyl of approved maker	500 ml. per toilet per day and 500ml per floor per day	250ml. per toilet per day and 250ml. per floor per day.
2.	Hydrochloric Acid for cleaning of approved make	300 ml. per toilet per day	100ml. per toilet per day
3.	Detergent powder for cleaning of approved make.	500 gm. per toilet per day including per floor	250 gm. per toilet per day including per floor
4.	PVC scrubber/Iron scrubber of standard size.	1 No. for each Safai Karamchari per week.	1 No. for each Safai Karamchari per week.
5.	Plastic Balti of 12 ltr. With Plastic Mug of 1 ltr.	2 Nos. at each floor for bi-monthly	2 Nos. at each floor for bi-monthly
6.	Toilet brush of standard size	2 Nos. at each floor for bi-monthly	2 Nos. at each floor for bi-monthly
7.	Rubbing brush	4 Nos. at each floor for one month.	4 Nos. at each floor for one month.
8.	Phool Jharu of 400gm. weight	1 No. per Safai Karamchari for 15 days	1 No. per Safai Karamchari for 15 days
9.	Bamboo Brush	5 Nos. upto 24,000 sq. ft. for 15 days	3 Nos. upto 24,000 sq. ft. for 15 days
10.	Naphthalene ball/urinal cube	500 gm. In a week for each toilet.	500 gm. In a week for each toilet.
11.	Glass cleaner	1 Bottle of 750 ml. for each set of toilet per month.	1 Bottle of 750 ml. for each set of toilet per month.
12.	Duster 22"x22"	2 Nos. for each toilet for 15 days.	2 Nos. for each toilet for 15 days and 2 Nos. for each floor for 15 days.
13.	Pooncha 22"x22"	6 Nos. upto 22,000 sq. ft. for 15 days.	10 Nos. upto 22,000 sq. ft. for 15 days.

14.	Wiper of 1.05 m in length	-	2 Nos. for each floor for one month.
15.	Rubbing stone	1 No. for each floor for one month	1 No. for each floor for one month
16.	Odonil	1 No. for each toilet for 15 days.	1 No. for each toilet for 15 days.
17.	Room Freshner	1 No. for each office of Group 'A' for one month	1 No. for each office of Group 'A' for one month
18.	Iron Patti	-	2 Nos. per floor for one month.
19.	Taat	-	4 M per floor per month
20.	Industril Brush of 2' in width	-	2 Nos. per floor per month
21.	Handwah	-	500 ml. per toilet for biomontyhly.
22.	PVC Litter liftner	-	2 Nos. for each floor for biomonthly.
23.	Hit.	-	2 Nos. for one building for 15 days

5. Financial implications of the proposed project/subject:

The proposal is regarding revision of existing norms for cleaning and sweeping work in various NDMC buildings on the basis of which, estimate will be prepared for obtaining A/A & E/S.

6. Implementation schedule: Yearly basis.

7. Comments of Finance Deptt. on the subject:

Keeping in view the clarifications afforded by the department, we have no objection if the proposal as recommended by the Sub-Committee is placed before the competent authority for consideration subject to (i) the department is convinced that the proposed norms are economically and practically best suited at present for different kinds of NDMC buildings and (ii) the norms are reviewed after two years.

8. Comments of the Department on comments of Finance Deptt.:

The observations of the finance deptt. are clarified here as under:

- (i) The proposed norms are approved by the sub-committee constituted for this purpose. After deliberating all aspect these norms were finalized and are economical and practical and best suited for different kinds of NDMC buildings under the present circumstances.
- (ii) Noted that review be done before the expiry of two years.

9. Legal Implication of the project:

Nil

10. Details of previous Council Resolutions, existing law of Parliament and Assembly on the subject:

Nil

11. Comments of the Law Department on the subject/project

- (i) It is presumed that similar guide lines/yard stick are available in other Govt. Buildings maintained by PWD/CPWD.
- (ii) Are we not outsourcing?

12. Comments of the Department on the comments of Law Department:

The guidelines/yardstick were finalized after report of the sub-committee approved by Hon" Chairperson on 16.07.08 on the basis of ground realities. The sub-Committee has submitted their report after considering all aspects and accordingly case was processed. Further no specific yard stick/guideline for similar nature of work has been found as verified from Deptt. line CPWD, PWD, DDA, Indian Railways etc.

The norms finalized by subcommittee were considered for framing of estimate and further tendering required for outsourcing.

13. Certified that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case.

14. Recommendation of the Department:

The case is placed before the Council for acceptance of revised norms for Cleaning and sweeping work in various NDMC buildings as proposed under by the Sub-committee.

15. DRAFT RESOLUTION :

Resolved by the Council that the revised norms for cleaning and sweeping work in vario0us NDMC buildings as proposed by the Sub-Committee has been approved and department may initiate action in anticipation of conformation of the minutes by the council.

COUNCIL'S DECISION

Resolved by the Council to accord approval to the revised norms for cleaning and sweeping work in various NDMC buildings, as proposed by the Sub-Committee.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 47 (A-39)**1. Name of the Project**

Disaster preparation with respect to N.D.M.C. schools

S.H:- Construction of fire escape staircases and underground tanks for fire protection in NDMC area. (Construction of Fire escape staircase for NDMC schools.)

2. Name of the Department

Civil Engineering Department Zone – II

3. Brief history of the Subject

The New Delhi Municipal Council is responsible for an area of 42.74 sq. kilometer. This area includes the seat of the Central Government, Rashtrapati Bhawan, Prime Minister's office and residence, central government offices, foreign missions, residence of ministers, member of parliaments, diplomat and central government employees. In addition to providing basic amenities to its residents, the municipal council also ensures various social, cultural, educational and medical facilities specially to the government/municipal employees and other weaker sections of the society.

N.D.M.C has decided to construct fire escape stair cases and underground tanks in the existing school buildings from the fire prevention point of view. The scope of work is to be decided by FO cum NA exploring the locations of the staircase where only one staircase exist and underground tank for fire safety purposes according to norms prescribed by fire protection.

After due exercise, FO cum NA came to the conclusion that the work of disaster preparedness is to be carried out in the initial stage of 17 nos. schools for which the PE amounting to Rs 91 lacs was approved by the council. The work in some schools have already been completed and work in some school are in progress and remaining work in 10 schools are to be done.

4. Detailed proposal of the project

The architect department has proposed and EE (design) has been supplied with the design for

- a. M.S. Steel staircase made of M.S. Channel, M.S. Girder, M.S. Chequered plates, M.S. Angle mounted on RCC footing.

Earlier tender were called. In the first and second call tenders were rejected due to higher rate and poor response. This is the third call and tenders were opened after completing all the formalities through e-procurement system and opened on 1.4.2009. In response 4 tender were received as per detail given below :-

S. No.	Name of the Contractor	Amount Needed	Percentage

1.	M/S Puja Construction Company	88,52,095/-	30.75% above
2.	Sh. Navin Kumar Gupta	94,45,736/-	39.52% above
3.	M/S Raghav Engineers	1,11,94,690/-	65.35% above
4.	M/s K.B.G. Engineers	1,14,97,622/-	69.82% above

M/S Puja Constructions Co. have quoted the lowest rate of 30.75% above the estimated cost of 67,70,086/- and tendered amount of Rs 88,52,095/-. The justification has been worked out by the planning division at 23.47% above the estimated cost put to tender of Rs 67,70,086/-. The lowest rate quoted by M/S Puja Constructions Co. is on the slightly on the higher side, with the prior approval of the chairman dated 28.04.2009, negotiations were conducted in the chamber of CE(C-II) on 30.04.2009. The contractor was called for negotiations and asked to reduce his rates and explained the following reasons in support of his actions:

- a) The rates of steel prices are fluctuating very much and also stated that there are possibilities for further increase in rates. In the NIT, the provision of clause 10CA has also not been considered and will not get any benefit in the absence of this clause as there is possibility of increase in cost of steel prices.
- b) Electricity charges are considered huge, keeping in view the likely consumption of the electricity for the work.

After due deliberation and persuasion, the contractor offered a rebate of 1% (one percent) over his quoted rates. Considering these factors, the negotiated rates worked out to be 29.45% above the estimated cost of Rs 67,70,086/- and the tendered amount worked out to be 87,63,574/-. After considering the revised offer the percentage of quoted cost over the justified cost of the tender comes to 4.84% above .

Considering all the above difficulties expressed by the agency, likely increase in cost of steel prices, direction of Hon'ble Supreme court of India for the completion of such works at the earliest, the requirement of quality control of India for different schools and the requirement of Delhi fire service. Due to urgency of work it is recommended that the revised offer of M/S Puja Construction Co. @ 29.45% above the estimated cost of Rs 67,70,086/- and negotiated tendered amount of Rs. 87,63,574/- and which is 4.84% above the justified cost is considered workable and recommended for acceptance.

5. Financial implication of the project

The tendered amount of the work is Rs. 87,67,574/- and this will be charge to head of account C.3.8 (Xiii) Sl. 3 at P/113 against which budget provision of Rs. 60.00 lacs exists in the current year budget book 2009-2010.

6. Implementation of schedule with time limit for each stage including internal processing

6 (Six) month of the award.

7. Comments of the Fianance department on the subject

(i) File reveals that planning had checked the justification at 20.03% above (P-67/N). Subsequently on review, the same has been checked to 23.60% above the EC after considering 3% for scattered work. In this context, it may be pointed out that as per OM No. DGW/MAN/169 dated 31.12.2008, contractor's profit and overheads have been increased from 10 to 15% wherein contractor's overhead has been increased from 2.5 to 7.5% on account of factors listed in the said OM. On the face of this CE (C-II) may bring his comments on record on the justifications for considering 3% element on account of scattered work.

- (ii). Correctness of data, computations and information supplied.
- (iii). All bidders whose bids have been opened fulfill eligibility criteria as stipulated in the NIT.
- (iv). Due publicity to NIT has been given as per approved policy of NDIMc .
- (v). CVC guidelines on the subject have been followed during the process of tendering.

8. Comments of the department on the comments of Finance department

The clarification of the observation of Finance department are as under :

As per O.M. No. DGW/MAN/169 dated 31.12.2008 by increasing contractor profit and over heads from 10 to 15% change has been made in the contractor profit @ 7.5% as applicable earlier whereas the contractor overhead has been increased from 2.5% to 7.5% on account of following factors :-

- i) Cost of Engineering establishment deployed by the contractor.
- ii) Cost of T&P and heavy machinery which includes tower crane, Material hoists, excavators, vibrators and heavy machinery for road constructions.
- iii) Cost of cleaner environment at site & labour welfare facilities.
- iv) Cost of Quality Assurance set up enhancing testing lab.
- v) Cost of office set up including engagement of necessary staff for computerized billing etc.
- vi) Cost of Earnest Money/performance Guarantee/security deposits.
- vii) Other miscellaneous expenditure.

Therefore no extra cost is to be added in justification on account of various factors mentioned above.

In this case, the works are to be carried out in 22NO. different schools which are located I complete NDMC area for which extra provision has been considered for scattered work in the justification. The case was examined by planning and 3% has been allowed on this account.

- (a) The data computation and information given as per norms.
- (b) The bidders bid opened who fulfill the eligibility criteria as stipulated in the NIT.
- (c) Due publicity has been given as per norms.
- (d) CVC guidelines have been followed while processing the tender.

9. Legal implication of the project

Nil.

10. Details of the previous council Resolution, existing law of Parliament and assembly on the subject.

Administrative approval and expenditure sanction of the P.E amounting Rs. 91 lacs for the work for Disaster preparedness with r/o to NDMC schools has been resolved by the council vide No. 21(A-32) dated 22.08.2007.

11. Comments of the law department on the project

Nil

12. Comments on the department on the comments of the law department

Nil.

13. Certify that all Central Vigilance Commission (CVC) Guidelines have been followed while processing the case

Certify that Central Vigilance Commission guidelines have been followed while processing the case.

14. Recommendations

The case is placed before Council for acceptance of revised offer of L-I i.e. M/s Puja construction Co. at their revised offer @ 29.45% above the estimated cost of Rs. 67,70,086/- with negotiated tendered amount of Rs. 87,63,574/- (Eighty seven lac sixty three thousand five hundred seventy four only) which is 4.84% above the justified cost .It is recommended that revised A/A/ & E/S for Rs.1,28,89,845/- which is based on lowest quoted rate and expenditure incurred be accorded. It is also recommended that permission be accorded the with the work in anticipation of approval of minutes of the Council.

15. Draft Resolution

Resolved by the Council that the negotiated offer of M/S Puja Construction Co. with negotiated tendered amount of Rs.87,63,574/- (Eighty seven lac sixty three thousand five hundred seventy four only) i.e 29.45 % above the estimated cost of Rs. 67,70,086/- is accepted along with revised Administrative Approval and expenditure sanction Rs.1,28,89,845/-and department may initiate action in anticipation of confirmation of the minutes of the Council.

COUNCIL'S DECISION

Resolved by the Council to accept the negotiated offer of M/S Puja Construction Co. with negotiated tendered amount of Rs.87,63,574/-, which is 29.45% above the estimated cost of Rs.67,70,086/-, along with revised Administrative Approval and expenditure sanction amounting to Rs.1,28,89,845/- for the work of Disaster preparation with respect to N.D.M.C. schools. S.H:- Construction of fire escape staircases and underground tanks for fire protection in NDMC area. (Construction of Fire escape stair case for NDMC schools.)

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 48 (A-40)**1. Name of the subject/project:****Development of various markets in NDMC Area****SH: Façade improvement for Begum Zaidi Market at Moti Bagh, New Delhi****2. Name of the Deptt./Deptt. Concerned.**

Civil Engineering Department, NDMC.

3. Brief History:

During a meeting of senior officers held in the Council room regarding Development of various municipal markets in NDMC Area under the chairmanship of Chairman, NDMC, it had been decided to improve façade of Begum Zaidi Market alongwith other related works. Accordingly, Archtiect Deptt. released drawing alongwith the detailed specifications on 28.01.09.

A PE had been framed for obtaining A/A & E/S from the Council. The PE has been duly checked by the Planning Div. and concurred by Finance Deptt. for Rs. 53,45,200/-.

4. Detailed proposal on the subject/project:

Begum Zaidi Market had been constructed in the year 1959-60 and PE for the development of this market amounting to Rs.53,45,200/- has been framed on the basis of drawings/specifications issued by Architect Deptt. vide their note 28.01.09. Major items considered in this estimate are as under :

1. Replacement of kota stone wherever it is damaged/broken.
2. Facelifting of existing columns with POP and texture paint.
3. Replacement of sewer pipes and covering of shafts with RCC Jali of approved design.
4. Repair of Chajjas by removing RCC facia and providing ACP as proposed in the drawing.
5. Provision of same colour & sized sign boards.
6. Replacement of existing windows with aluminium windows and grill
7. Re-plastering of exterior surface and texture paint.
8. Providing Acrylic glow sign boards of uniform size, colour paint shutters.

5. Financial implications of the proposed project:

A total financial implications of proposal in hand would be Rs. 53,45,200/-.There is a budget provision of Rs. 20 lacs vide Sr.No. 434.41 page- 229 of the current year budget book, however, rest of the budget will be sought in the R.B.E. 2009-10.

6. Implementation Scheme:

08 months from the date of award of work.

7. Comments of the Finance Department on the subject:

A. we observe as under :

1. The department may add minutes of the decision/AIP wherein this market has been taken for re-development for proper appreciation.
 2. The PE covers replacement of existing doors, windows, clerestory windows, shutters including chowkhats old plaster kota stone slab flooring etc. etc. It may be clarified i) have all these items outlived their prescribed lives ii) whether or not all replaceable items proposed will be replaced within the approved prescribed norms, iii) when was last major repair including the proposed items of work carried out?
 3. Does the scope of work not fall under Special Repair? Details of expenditure of special repairs, if any, during last five years may be brought on record.
 4. The department may clarify whether the estimate has been prepared within the NDMC approved norms for commercial buildings or otherwise, with justification.
 5. Is providing signage above shutter responsibility of NDMC? (ref DPR point 5h)
 6. Is expenditure/part of expenditure recoverable from any other party?
 7. NDMC has allotted these shops on license basis. Is the license fee proposed to be revised pursuant to improvement being proposed and if so details thereof may be brought on record.
 8. Views of Director (Estate) may be taken to ensure that the provisions taken in the estimate conform to the policy, if any, got approved by the Estate Deptt.
 9. Whether the nature of work as proposed to be taken up require permission from DUACC or any other authority?
 - 10 i) Is any consent from the shopkeepers required for execution of work, if so, the action taken and result thereof may be brought on record. ii) It may be clarified whether there would be any need for rehabilitation of the shopkeepers during the execution of work. If so, what action has been taken in this regard?
- B.** Subject to correctness of data, computation and information supplied, we have no objection if the proposal/estimate amounting to Rs.53,45,200/- is placed before the competent authority for consideration and A/A & E/S Availability of funds may be ensured for execution of work.

8. Comments of the Department on comments of Finance Department:

The replies of the observations of Finance Deptt. are clarified as under :

1. The PE has been framed on the basis of the decision taken by the competent authority during discussion in the Council Room. However, no minutes had been issued. The periodical review of the progress of the instance case is being taken up by Chairman, NDMC.
2. The replacement of Kota stone has been taken at the places where it has been broken by the excessive footfall. The items considered to be replaced have already lived their useful life and are within the approved norms of NDMC. The market had been constructed for more 50 years time. No major repair has been carried out in the last 10 years.
3. The scope of work falls under the Head of Development and not under Special Repair. However, no expenditure had been incurred during last 5 years on account of Special Repair.

4. The estimate has been framed on the basis of the drawing issued by the Architect Deptt. after considering NDMC approved norms/specifications.
5. This provision has been taken according to the drawings received from the Chief Architect. However, the same will be sort out at the time of framing of Detailed Estimate.
6. No expenditure is recoverable from any other party.
7. Since this is the external development of the municipal property, there is no scope of enhancement of license fee.
8. When the decision for development of municipal market had been taken in the meeting held in the Council Room, which was chaired by Chairman, NDMC, the views of Director(Estate) had been taken there & then..
9. There is no requirement to take permission from the UACC or any other authority.
10. Since the scope of work is limited to the external development of the market, the consent of the shopkeepers is not required for execution of the work and there will be no need to rehabilitate the shopkeepers during execution of the work.

9. Legal implication of the project:

10. Details of previous council Resolutions, existing law of parliament and assembly on the subject

NIL

11. Comments of the Law Department on the subject / project:

Nil.

12. Comments of the department on the comments of Law Deptt..

Nil.

13. Certification by the department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case.

It is certified that all CVC guidelines have been followed

14. Recommendations :

It is recommended that A/A & E/S for Rs. 53,45,200/- (Rupees fifty three lacs forty five thousand two hundred only) may be accorded. Permission may also be granted to proceed further for technical sanction of DE, approval of Draft NIT & call of tender in anticipation of confirmation of the minutes of the Council.

15. Draft Resolution :

It is resolved in the Council that A/A & E/S is accorded for Rs. 53,45,200/- (Rupees fifty three lacs forty five thousand two hundred only). Permission is also granted to proceed further for technical sanction of DE, approval of Draft NIT & call of tender in anticipation of confirmation of the minutes of the Council.

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval and expenditure sanction to the estimate amounting to Rs.53,45,200/- for the work of Development of various markets in NDMC Area. SH:Façade improvement for Begum Zaidi Market at Moti Bagh, New Delhi..

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 49 (A-41)

- 1. Name of the subject/project:**
Development of various markets in NDMC Area
SH: Repair of flooring, Chajjas, water proofing of roofs and finishing work at Netaji Nagar.

- 2. Name of the Deptt./Deptt. Concerned.**
Civil Engineering Department, NDMC.

- 3. Brief History:**

During a meeting of senior officers held in the Council room regarding Development of various municipal markets in NDMC Area under the chairmanship of Chairman, NDMC, it had been decided to improve façade of Netaji Nagar alongwith other related works. In this regard, Archtict Deptt. released drawing alongwith the detailed specifications on 28.01.09.

Accordingly, a PE had been framed for obtaining A/A & E/S from the Council. The PE has been duly checked by the Planning Div. and concurred by Finance Deptt. for Rs. 58,00,500/-.

- 4. Detailed proposal on the subject/project:**

Netaji Nagar Market had been constructed in the year 1960 and PE for the development of this market amounting to Rs. 58,00,500/- has been framed on the basis of drawings/specifications issued by Architect Deptt. vide their note 28.01.09. Major items considered in this estimate are as under :

1. Replacement of kota stone wherever it is damaged/broken.
2. Face-lifting of existing columns with POP and texture paint.
3. Replacement of sewer pipes and covering of shafts with RCC Jali of approved design.
4. Repair of Chajjas by removing RCC facia and providing ACP as proposed in the drawing.
5. Provision of sign boards.
6. Replacement of existing windows with aluminium windows and grill
7. Re-plastering of exterior surface and applying texture paint.
8. Providing Acrylic glow sign boards of uniform size, colour paint on shutters of the shops.

- 5. Financial implications of the proposed project:**

A total financial implications of proposal in hand would be Rs. 58,00,500/-.

Budget provision could not be taken in the current year's budget book, however, sufficient funds shall be sought in the R.E. 2009-10/or shall be re-appropriated from the savings in other appropriated HOA.

- 6. Implementation Scheme:**

06 months from the date of award of work.

7. Comments of the Finance Department on the subject:

A. we observe as under :

1. The department may add minutes of the decision/AIP wherein this market has been taken for re-development for proper appreciation.
 2. The PE covers replacement of existing doors, windows, clerestory windows, shutters including chowkhats old plaster kota stone slab flooring etc. etc. It may be clarified i) have all these items outlived their prescribed lives ii) whether or not all replaceable items proposed will be replaced within the approved prescribed norms, iii) when was last major repair including the proposed items of work carried out?
 3. Does the scope of work not fall under Special Repair? Details of expenditure of special repairs, if any, during last five years may be brought on record.
 4. The department may clarify whether the estimate has been prepared within the NDMC approved norms for commercial buildings or otherwise, with justification.
 5. Is providing signage above shutter responsibility of NDMC? (ref DPR point 5h)
 6. Is expenditure/part of expenditure recoverable from any other party?
 7. NDMC has allotted these shops on license basis. Is the license fee proposed to be revised pursuant to improvement being proposed and if so details thereof may be brought on record.
 8. Views of Director (Estate) may be taken to ensure that the provisions taken in the estimate conform to the policy, if any, got approved by the Estate Deptt.
 9. Whether the nature of work as proposed to be taken up require permission from DUACC or any other authority?
 - 10 i) Is any consent from the shopkeepers required for execution of work, if so, the action taken and result thereof may be brought on record. ii) It may be clarified whether there would be any need for rehabilitation of the shopkeepers during the execution of work. If so, what action has been taken in this regard?
 11. HOA and provisions for work have been presumed to be kept in RE. Clear and confirmed picture may be brought on record.
- B.** Subject to correctness of data, computation and information supplied, we have no objection if the proposal/estimate amounting to Rs.58,00,500/- is placed before the competent authority for consideration and A/A & E/S Availability of funds may be ensured for execution of work.

8. Comments of the Department on comments of Finance Department:

The replies of the observations of Finance Deptt. are clarified as under :

1. The PE has been framed on the basis of the decision taken by the competent authority during discussion in the Council Room. However, no minutes had been issued. The periodical review of the progress of the instance case is being taken up by Chairman, NDMC.
2. The replacement of Kota stone has been taken at the places where it has been broken by the excessive footfall. The items considered to be replaced have already lived their useful life and are within the approved norms of NDMC. The market had been constructed for more 50 years time. No major repair has been carried out in the last 10 years.
3. The scope of work falls under the Head of Development and not under Special Repair. However, no expenditure had been incurred during last 5 years on account of Special Repair.
4. The estimate has been framed on the basis of the drawing issued by the Architect Deptt. after considering NDMC approved norms/specifications.

5. This provision has been taken according to the drawings received from the Chief Architect. However, the same will be sort out at the time of framing of Detailed Estimate.
6. No expenditure is recoverable from any other party.
7. Since this is the external development of the municipal property, there is no scope of enhancement of license fee.
8. When the decision for development of municipal market had been taken in the meeting held in the Council Room, which was chaired by Chairman, NDMC, the views of Director(Estate) had been taken there & then..
9. There is no requirement to take permission from the UACC or any other authority.
10. Since the scope of work is limited to the external development of the market, the consent of the shopkeepers is not required for execution of the work and there will be no need to rehabilitate the shopkeepers during execution of the work.
11. Due to oversight, provision could not be taken in the B.E. 2009-10. However, sufficient funds shall be sought in the R.E. 2009-10/or shall be re-appropriated from the savings in appropriated HOA

9. Legal implication of the project:

10. Details of previous council Resolutions, existing law of parliament and assembly on the subject

NIL

11. Comments of the Law Department on the subject / project:

Nil.

12. Comments of the department on the comments of Law Deptt..

Nil.

13. Certification by the department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case.

It is certified that all CVC guidelines have been followed

14. Recommendations :

It is recommended that A/A & E/S for Rs. 58,00,500/- (Rupees fifty eight lacs five hundred only) may be accorded. Permission may also be granted to proceed further for technical sanction of DE, approval of Draft NIT & call of tender in anticipation of confirmation of the minutes of the Council.

15. Draft Resolution :

It is resolved in the Council that A/A & E/S is accorded for Rs. 58,00,500/- /- (Rupees fifty eight lacs five hundred only). Permission is also granted to proceed further for technical sanction of DE, approval of Draft NIT & call of tender in anticipation of confirmation of the minutes of the Council.

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval and expenditure sanction to the estimate amounting to Rs.58,00,500/- for Development of various markets in NDMC Area. SH: Repair of flooring, Chajjas, water proofing of roofs and finishing work at Netaji Nagar.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 50 (E-02)**1. Name of the subject / project**

Repair/Renovation, Maintenance and Management of Public Conveniences on BOT basis with advertisement rights – North of Rajpath.

2. Name of the Department

Health Department

3. Brief History of the subject / project

The New Delhi Municipal Council (NDMC) had invited the interested parties having adequate experience in this field and adequate financial strength, for the Renovation/Construction, Operation and Maintenance of Public conveniences at specified locations in its area with advertisement rights on specified area of the toilets. The concession period was kept as 10 years, commencing from commencement date without permission for any renewal thereafter.

Total PTUs were 113 nos. which were further sub divided into two groups – Group 'A' & 'B'. The PTUs in group "A" (Total 69 nos.) were primarily the old toilet blocks constructed by NDMC. Group A had some new locations for PTUs. Based on the area available at each site, NDMC had provided standard designs that were to be constructed. The PTUs in group "B" (Total 44 nos.) were the ones which were earlier developed by NDMC on BOT basis and are now in the possession of NDMC. These PTUs require relatively lesser repairs. However, these PTUs have to be modified for persons with disabilities. After call of tenders by Dir. (Projects) and due deliberation M/s City Life Line Travels Pvt. Ltd. emerged as the highest bidders.

Scope of Work:

The project scope was comprised of the following major activities:

a) Construction Works:

The successful bidders were required to renovate/construct the PTUs and create facilities for persons with physical disabilities, as per the drawings / details issued with the RFP document at its own cost.

b) Operation & Maintenance:

This includes operation of the PTUs i.e. regular cleaning of the PTUs and its surrounding areas, functioning of user amenities, Provision of dedicated personnel, supervision, availability of basic infrastructure requirements such as electricity, proper drainage, sewage, waste removal were formed part of the operations.

c) Transfer of PTUs to NDMC at the end of CONCESSION period in good working condition.

d) Regular Payment of concession fee to NDMC.

4. Details proposal on the subject/project

The primary objective of NDMC was to ensure that a suitably high standard of maintenance is ensured in the public toilets and accordingly bids were invited from the eligible candidates.

The following three Bidders were found technically qualified:-

1. M/s City Life Line Travels Pvt. Ltd.
2. Hythro Power Corporation Ltd.
3. M/s J.C. Decaux Advertising India Pvt. Ltd.

The Financial Bids of all the three (3) technically qualified bidders were opened on 06/06/08 in the Chamber of Director (Projects) in the presence of all the bid evaluation members and the representatives of the bidders:

The status is under:

Name of the bidder	M/s City Life Line Travels Pvt. Ltd.	Hythro Power Corporation Ltd.	M/s J.C. Decaux Advertising India Pvt. Ltd.
Rates Quoted			
Group "A"	Rs.36,00,000.00	NIL	Rs.10,00,000.00
Group "B"	Rs.1,19,00,000.00	Rs.35,80,000.00	Rs.20,00,000.00
Total	Rs.1,55,00,000.00	Rs.35,80,000.00	Rs.30,00,000.00

All the quoted rates are the Concession Fee offered by the bidders, on monthly basis + applicable taxes with an increase of 5% every year after the first year.

M/s City Life Line Travels Pvt. Ltd. had quoted the highest concession fee per month i.e., Rs.1.55 Crore + applicable taxes.

Concession fee was payable to NDMC from the commencement date till the transfer date. Concessionaire was to deposit the Performance security in the form of Demand Draft or Bank Guarantee equivalent to Six (6) months concession fee on or before signing of the agreement.

After considering the above details, the Council vide its Resolution No. 4 (E-4) dated 18.06.08 resolved as under,

Resolved by the Council to accept the Highest Bid, quoted by M/s City Life Line Travels Pvt. Ltd., @ Rs.1.55 Crore + applicable taxes per month, with an escalation of 5% every year, after first year, for a period of 10 years subject to the following conditions :

- i) That the advertisements will be allowed only after completion/renovation of the toilet in all respects.
- ii) That the department will ensure that the advertisements are displayed within the earmarked space.
- iii) That no advertisement will be allowed in 'B' category toilets until and unless all the toilets in category 'A' are completed.
- iv) The department should ensure that the work is completed as per schedule.
- v) That the department to ensure that the space provided for advertisement is not violated or misused in any manner.

The project was awarded to M/s City Life Line Travels Pvt. Ltd.

As per the concession agreement the concessionaire was supposed to deposit the concession fee @ Rs.1.55 crore + applicable taxes per month for the entire lot of PTUs to be paid monthly in advance to NDMC by the concessionaire (Clause 3.1 (i)).

Certain clarifications were sought by the department in connection with the concession agreement and accordingly the Chairman, NDMC directed to place the case before the Empowered Committee.

The case was placed before the Empowered Committee and the empowered committee after discussing the case in detail felt that the item covers various departments and their views and recommendations have not been reflected in the note and it was decided that a committee consisting of Dir. (Projects) – In Chair, MOH, C.E. (C-I) and Addl. F.A. will discuss / examine this item and give its view / recommendations. Thereafter, if needed, the item may be placed before the Empowered Committee.

The case was sent to the Chairman, NDMC for his consent and he took the view of L.A. before approving the sub committee. L.A. in its remarks has suggested to put up the case before the committee consisting of Dir. (Projects), C.E. (C-I), Addl. F.A. and MOH for its view / recommendations and after obtaining the approval of the Chairman, the case was placed before the sub committee.

The sub committee holds its meetings on 19.02.2009, 27.02.2009 & 05.03.2009 to discuss the issues. In the first meeting the members of the sub committee heard the concessionaire and took on record the representation provided by the concessionaire dated 19.02.09. The issues raised by the concessionaire were primarily on difficulties in carrying out work at 38 sites as per a list enclosed with his letter dated 19.02.09. These issues were considered by the sub committee with a view to understand the root of the problem, if any. The committee noted that the 69 toilets had earlier been taken for the project by the Project Department based on detailed surveys carried out by the concerned departments. Therefore in order to verify the issues raised by the concessionaire, the sub committee decided that the Health Department should first inspect the sites and pin point the locations where the work can or cannot be carried out so as to decide the future course of action within the provisions of the concession agreement for reduction in the scope of work.

In the meeting held on 05.03.09, the inspection report prepared by the Health Department (**Annexure 'A' See page 335**) was discussed and the sub committee recommended the following course of action -

1. The inspection report points out that there is no difficulty on 03 locations and to that extent the claim of the concessionaire does not merit any consideration. In addition there are 05 sites where toilets of smaller size can be adjusted. At 02 locations minor shift in location is feasible. Therefore in all construction is possible at 10 locations. In case there is a difference in the advertisement panel area, the concessionaire would be entitled to a rebate in concession fee as per the provisions of the agreement.
2. The inspection report points out that it is not possible to construct toilets due to various reasons at 23 places. The report further points out that at 06 places clearance from other authorities is required such as PWD, Horticulture etc. & this may take some time. The committee was of the view that the issue should be resolved quickly & view taken by competent authority for reduction in scope of work as per provisions of concession agreement.

The case was placed before the Empowered Committee in its meeting held on 23.03.09 and the Empowered Committee decided as under –

On the recommendations of the sub committee, the empowered committee decided to reduce the scope of work as per provisions of concession agreement. It was further decided that in case there is difference in the advertisement panel area, the concessionaire would be entitled to a rebate in concession fee as per the provisions of the agreement. Accordingly, a letter is to be issued to the concessionaire and the sub committee should discuss, examine the item on priority basis and give its views / recommendations in the next meeting of the Empowered Committee.

The case was further placed before the sub committee meeting held on 02.04.2009 wherein MOH informed that the concessionaire has been informed vide letter no. D-108/PA/MOH/09/CMO (Proj.) dated 23.03.09 to take up the work on all locations except the 29 locations where it was not found feasible to construct toilets as per report prepared by the department with a privilege for the entitlement to a rebate in terms of Clause 7.1 of the concession agreement. The concessionaire has declined to the proposal of the department and intimate the department vide their letter dated 27.03.09. The contents of the letter are reproduced as under,

“We reiterate that the sites mentioned in the latter and have become unavailable are core of the viability of our project having being on lucrative locations. Having these become non-available has completely jeopardized the project on account of loss of advertisement potential.

We would like to bring to your notice that our proposal to the council was based on revenue accrual from all the sites. The reduction in the licence fee proposed due to non-availability of these 29 sites does not compensate for the revenue loss that would accrue to us for the project as a whole. The project being for a concession period of ten years, the overall losses would be tremendous and unbearable. In such circumstances, it would not be possible for us to continue on this project and perform compelled to discontinue with the work on this project.”

The letter was considered in the sub committee meeting which was of the view that, it is clear that the concessionaire does not want to continue the project for the reasons given in his letter.

Although the reduction in scope of work has been provided in the agreement and the concessionaire is bound to the same. However, because of the present circumstances being beyond control, the change of scope has become extremely large. Moreover, the unavailability of toilets is concentrated in one area i.e. Connaught Place and around. Under these circumstances, the concessionaire has shown his inability to continue with this project. It is further mentioned that the bidders were asked to quote their rates for Group 'A' (construction of 69 sites) and Group 'B' (Renovation of 44 sites) separately at the stage of inviting tenders but the final project was conceived as a single project. Therefore, it was to be clarified whether the project can be legally bifurcated in Group 'A' & Group 'B'.

In the above scenario, the committee feels that legal opinion be taken in the matter whether the project can be bifurcated between Group 'A' and Group 'B' at this stage as per the terms of the agreement so that if possible to do so, the same can be offered to the concessionaire in order to salvage the project to that extent in the best interest of both the parties, failing which the contract be terminated by the prescribed procedure. If the contract cannot be bifurcated then the same shall be processed for termination of the same by mutual understanding.

The file was sent to the Law Department for seeking their advise in the said case as opined by the sub committee in its meeting on 02.04.09 and the Law Department comments on the issue as under –

"Discussed. What was our tender? Was it a single tender or two tenders? What was our proposal to the council and council decision? If it was one tender our proposal for approval from Council, there cannot be two tender or bifurcation of the tender. It will depend on terms of tender and approval of council."

The case was then placed before the Empowered Committee in its meeting held on 08.05.2009 and after reviewing the facts of the instant case, that the concessionaire has declined for reduction in scope of work from 69 toilets to 40 toilets of Group "A", the empowered committee recommended that the sub committee framed for this purpose may finalize mutually agreeable terms and conditions for termination of the contract and thereafter put up these terms and conditions for consideration and approval of the council.

The sub committee then review the case in its meeting held on 14.05.09 and opined as under,

"The empowered committee vide meeting held on 08.05.09 deputed the sub committee to work out the modalities for termination, accordingly the sub committee meet on 14.05.09 at 12.00 noon and examined various aspects, in view of the departments inability as reported earlier & in view of the concessionaire's letter dated 27-03-2009, it become necessary to operate the termination clause of the agreement. However legal interpretation is required as to specify clause of the agreement to be operated in the present situation.

In the meanwhile, the concessionaire vide their letter dated 15.05.2009 addressed to MOH has reiterated their position as under,

"This is further to our letter dated 27th May 2009. We reiterate that we were perforce made to stop work under the captioned contract as the allocated sites at lucrative locations could not be made available to us thereby jeopardizing our entire working on the contract. Under these circumstances it would not be possible for us to continue with the contract. It is hence requested that the above contract be terminated.

We assure you that in the event of the Council agreeing to the termination, we will not file any claim for the work already executed by us under the contract and shall not take recourse to seek legal remedy or through arbitration for making claims for expenses, costs or damages under the contract whatsoever.

We are indemnifying the Council against all such claims, expenses and damages and from legal recourse.

It is requested that the Performance Guarantee deposited by us with the Council be released at the earliest.

We request that the Council decide on the above matter at the earliest and to release the Bank Guarantee after termination of the Contract."

In view of the opinion of the sub committee and the letter dated 15.05.09 from the concessionaire, the case was sent to the Law Department for their opinion / consent

in terms of the termination of the contract under the purview of the present status before placing the same on table for the consideration of the Council.

The opinion of the Law Department was sought and the Law Department in its opinion states as under,

1. The NDMC vide a tender floated sometime in the first half of the year 2008 invited interested parties for renovation, construction, operation and maintenance of public utilities at specified locations, called PTU's, Public Toilet Utilities. The said tender was for group A (69 sites), primarily old toilet blocks constructed by the NDMC and Group B sites (44 in Nos.) were the sites earlier developed by the NDMC on a BOT basis and now in the possession of the NDMC. The total tender was thus for 113 toilet sites. Group B sites required lesser repair than Group A sites. However, Group A sites are more lucrative in terms of location, exposure to public and their potential for generating revenue from advertisers.

Group A sites offer better and quicker returns than Group B sites.

2. Since the bids furnished by M/s City Lifeline Travels Pvt. Ltd. were the highest, vide Council decision dated 18.06.2008, the said bid was accepted subject to various conditions including the condition that no advertisement would be allowed in B categories toilet until all toilets of Group A are completed. Advertisements would be allowed only after completion/renovation of toilets in all respects. The operative part of the Council's decision dated 18.6.2008 is reproduced as under:-

"Resolved by the Council to accept the Highest Bid, quoted by M/s City Life Line Travels Pvt. Ltd., @ Rs. 1.55 Crore + applicable taxes per month, with an escalation of 5% every year, after first year, for a period of 10 years subject to the following conditions:

- i) That the advertisements will be allowed only after completion/renovation of the toilets in all respects.*
- ii) That the department will ensure that the advertisements are displayed within the earmarked space.*
- iii) That no advertisement will be allowed in 'B' category toilets until and unless all the toilets in category 'A' are completed.*
- iv) The department should ensure that the work is completed as per schedule.*
- v) That the department to ensure that the space provided for advertisement is not violated or misused in any manner.*

It was also decided that the department may initiate action in anticipation of confirmation of the minutes of the Council."

3. A concession agreement dated 17.10.2008 was entered into between the NDMC and M/s City Lifeline Travels Ltd. The construction/renovation of the toilets was to be completed within a period of nine months from the commencement date, which date was the date on which the physical possession of the toilet sites is delivered by the NDMC. I am informed that all sites were handed over to the concessionaire by middle of January, 2009.

4. Vide letter dated 24.12.2008, work on toilets at S.No. 3 and 13-19 of Group A was stopped by the Chief Engg. (Civil) due to the redevelopment of Connaught Place. Subsequently, work on toilets at Shankar Market (Group A) was also stopped. Thereafter, work at other sites was also stopped due to objections raised by RWAs, VIP residents of the areas and other reasons. In all of the 69 sites in Group A, 29 sites were taken out of the scope of the agreement. The scope of work was thus reduced by the NDMC. This has been provided by clause 8 of the Agreement which provides for the proportionate reduction in the no. of PTUs and a corresponding decrease of concession fee. Strictly speaking, the NDMC has not acted beyond the scope of the contract.
5. In deference to the agreement dated 17.10.2008, the Concessionaire has deposited earnest money of Rs. 6,00,000/- (Rupees Six Lakh only) in terms of the condition of tender. I am informed that the said amount is adjustable towards the security deposit. I do not have the benefit of the tender papers.
6. As per clause 4 of the agreement dated 17.10.2008, the concessionaire was to deliver to NDMC, on or before signing the agreement, a performance bank guarantee for a sum equivalent to six months' concession fee i.e. Rs. 1.55 crore x 6 i.e. Rs. 9.3 crore. This has been complied with and the said guarantee is still alive.
7. Vide letter dated 27.3.2009, the concessionaire has informed the NDMC that in view of NDMC's inability to make available 29 Group A sites, its demand to reduce the size of PTUs and also advertisement panel sizes in lucrative Group A sites, the agreement is no longer commercially viable from the point of view of the concessionaire due to loss of advertisement potential.
8. The concessionaire has informed the NDMC vide letter dated 27.3.2009 that it is not possible for him to continue work on the project, he being per force compelled to discontinue.
9. It is in this backdrop that vide note dated 18.5.2009, my opinion is sought on the following aspects:-

"In the above scenario, the committee feels that legal opinion be taken in the matter whether the project can be bifurcated between Group 'A' and Group 'B' at this stage as per the terms of the agreement so that if possible to do so, the same can be offered to the concessionaire in order to salvage the project to that extent in the best interest of both the parties, failing which the contract be terminated by the prescribed procedure. If the contract cannot be bifurcated then the same shall be processed for termination of the same by mutual understanding."

10. I am informed that the concessionaire is willing to withdraw completely from the agreement on various terms and conditions, including not filing any claims for the works executed under the contract, not taking recourse to any legal remedy open to it and undertaking to do so, not insisting on refund of its earnest money under the tender. The concessionaire however requests

that the performance guarantee of Rs. 9.30 crore be released to it in consideration of the above. I am also informed that the work on the toilets is seriously delayed and that the said toilets have to be completed before the Commonwealth Games i.e. by October 2010.

11. As far as bifurcation of project in Group A and Group B is concerned; and offering the concessionaire group B projects is concerned, it is doubtful whether the concessionaire would accept only Group B projects when he has in fact refused the complete project in view of reduction of specific Group A toilets. As per the Council's decision dated 18.6.2008, no advertisements are to be allowed in B category toilets until and unless all category A toilets are completed. Bifurcating the project into Group A and Group B would go against the said decision of the Council. The seven bids received for Group A and B were processed on the basis of a total requirement for Group A and B and to now bifurcate the highest successful tenderer in that context into only Group B would in my opinion not be feasible.

The objective for doing so seems to be in order to salvage the project. The said bifurcation may however not prove to be beneficial in view of the clear and unequivocal stand taken by the concessionaire that removal of Group A sites makes the contract unworkable and economically viable for it. The contract dated 17.10.2008 has a provision for reduction of sites (Clause 8) but no provision for bifurcation.

My opinion is also sought as to, in the absence of bifurcation, whether the contract can be terminated by mutual understanding. Clauses 9 and 10 of the contract deal with events of default and termination. Clause 12 deals with the modes of dispute resolution including mediation and arbitration. The parties however wish to terminate the contract mutually. In my opinion, there is no impediment to the parties doing so as it is open to them to mutually rescind the original contract in terms of the provisions of the Contract Act, 1872. The effect of rescinding the said contract is that the original contract does not need to be performed. In this context, the provisions of Section 62 of the Contract Act are reproduced below:-

"62. Effect of novation, rescission, and alteration of contract – *If the parties to a contract agree to substitute a new contract for it, or to rescind or alter it, the original contract need not be performed.*

12. ***In the light of the above, while the NDMC can terminate the contract on mutually acceptable terms, all relevant factors including loss of revenues, possibility of the contract being completed in the existing scenario versus fresh work on sites excluding the prime Group A sites and the compelling urgency of the approaching Commonwealth Games would have to be taken into account. It is in the light of such factors that the NDMC would weigh the offer of the concessionaire as contained in his letter dated 15.5.2009. A clear undertaking which incorporates all conditions of termination including not filing any litigation against the NDMC would need to be taken from the concessionaire. In view of this, once the terms of termination are found to be acceptable, it would not be open to the NDMC to retain the performance bank guarantee as the applicable***

contract has been rescinded. However, it may be clarified that there exists no blanket obligation on the part of NDMC to return the performance bank guarantee. The same is a decision based on an appraisal or relevant factors including possible losses to the NDMC being compensated. It is open to the NDMC to return the performance Bank Guarantee, whether it does so or not, as part of the conditions of termination is a decision to be taken by the NDMC itself.

13. This opinion has been prepared on the basis of the records shown to me and instructions received from the NDMC.

5. Financial implications of the proposed project / subject:

The NDMC was likely to earn minimum revenue of Rs. 1.55 Crore per month with an annual increase of 5% for the next 10 (Ten) years. Also, the 113 toilets were to be renovated and handed back to NDMC at the end of concession period. Concessionaire had deposited the Performance security in the form of Bank Guarantee equivalent to Six (6) months concession fee.

Due to the reasons detailed above, the concessionaire is now decline to continue with the project and has requested for releasing the Bank Guarantee furnished by him on account of Performance Security to a tune of Rs. 9.30 crores. In addition to this, the concessionaire has deposited an amount of Rs. 6 lacs as Earnest Money which is still with the department.

Apart from the above, the concessionaire has carried out the civil structure work at a number of locations which also involves a considerable amount in terms of the finance.

6. Implementation schedule with timeliness for each stage including internal proceeding:

The concessionaire had started the work at various locations but the same was stopped due to one or the other reasons and as such none of the parties could adhere to the stipulated renovation period of 9 (Nine) months.

7. Comments of the Finance Deptt. on the subject

No comments

8. Comments of the deptt. on comments of Finance Deptt.

N.A.

9. Legal implications of the subject/project

All the advertisement panels were to be kept as per the guidelines issued by Hon'ble Supreme Court.

10. Details of previous Council Resolutions, existing law of Parliament and Assembly on the subject

The project was approved by the Council vide its Resolution No. 4 (E-4) dated 18.06.08.

11. Comments of the Law Deptt. on the subject/ project

As per the opinion of the Law, in the light of such factors detailed in the agenda the NDMC would weigh the offer of the concessionaire as contained in the letter dated 15.05.2009.

12. Comments of the deptt. on the comments of Law Deptt.

No comments

13. Recommendations

The agenda is placed before the Council for its consideration for terminating of the contract in the light of the opinion of the Law Department by withholding the Earnest Money amounting to Rs. 6 lacs and not making any payment to the concessionaire for the construction work executed by him at site. Since the concessionaire is requesting for the refund of his bank guarantee furnished by him in the form of Performance Guarantee, be released to him as the implementation of the project is being terminated subject to the following conditions –

The concessionaire shall furnish an undertaking for

- i) Not filing any claims for the works executed under the contract
- ii) Not taking recourse to any legal remedy open to it and undertaking to do so
- iii) Not insisting on refund of its earnest money under the tender

COUNCIL'S DECISION

After going through the facts brought on record as well as after hearing the views of NDMC's Standing Counsel, the Council directed the department to refer the matter to the Solicitor General of India / Addl. Solicitor General of India, through Law Department, for seeking their expert opinion in the instant case.

It was further directed that the proposal be put up before the Council for further orders, based on the advice of Additional Solicitor General / Solicitor General of India.

SUMMARY OF THE SURVEY REPORT

1. It is feasible to construct toilets of approved design on following **03** locations viz. 4/6, 5/7 & 39/66.
2. Feasible to construct toilets of smaller size at **05** locations viz. 2/4, 8/17, 9/19, 10/21, 14/28.
3. Feasible to construct toilets at **06** locations viz. 1/3, 31/58, 33/60, 25/51, 35/62, 7/16 subject to clearance from other agencies like Horticulture Department, Enforcement Department, Navyug School, PWD etc.
4. Feasible to construct toilets at **02** locations viz. 27/54, 16/38 by change of the site/location.
5. Not feasible to construct toilets at the **13** locations viz. 3/5, 6/9, 17/43, 18/44, 19/45, 20/46, 21/47, 22/48, 23/49, 24/50, 30/57, 32/59, 36/63.
6. Not feasible to construct the toilet at **01** location viz. 15/31 as already renovated under MLA Fund by Civil Engg. Deptt
7. Presently not feasible to construct the toilet at **04** location viz. 11/22, 12/23, 13/25, 29/56 due to Talkatora Stadium Development work/DMRC work.
8. Not feasible to construct the toilets at **05** location viz. 26/52 due to objection by Imperial Hotel, 28/55 objection by Punjab Govt. Kapurthala House, 34/61 objection by the RWA Chanakyapuri, 37/64 due to objection by VIP lobby, 38/65 objection by 1 South End Road owner / Spain Embassy.

Presently feasible /change of drawing to smaller size	3+5	08
Presently feasible subject to clearance /site reallocation	6+2	08
Presently not feasible / developed by MLA Fund / Development of Talkatora Stadium, DMRC / Objections by various agencies	13+1 +4+5	23
	Total	39

ITEM NO. 51 (A-42)**1. Name of the subject/project:****Imp. to Navyug School, Vinay Marg****Sub-Head:- Construction of additional floor at 2nd floor and addition and alteration in Navyug School, Vinay Marg.****2. Name of the Deptt./Deptt. Concerned.**

Civil Engineering Department, NDMC.

3. Brief History:

Navyug School, Vinay Marg had been inspected by Chairman, alongwith Sr. officers of NDMC and it was desired that the school may be upgraded to the senior secondary level. Considering the need for required infrastructure for up gradation, the Chief Architect, NDMC had issued schematic drawings for the proposal for inviting comments of the user department as well as Civil Engg. Deptt. comments were offered, considering the ground situation and site conditions. After detailed deliberation with Architect Deptt., final drawings were issued.

The proposal for PE amounting to Rs.85,71,500/- in respect of Navyug School, Vinay Marg had been laid before the Council and was approved vide item No. 23(A-III) dated 21.1.09. The proposal of PE also includes Rs.3, 58,150/- for internal electric works. After completion of codal formalities, tenders were invited with date of opening on 08.5.09 and in response eight tenders have been received and the lowest tenderer, M/s Expert Engineers has quoted their lowest rates as 3.75% above the estimated cost of Rs. 88,43,548/-. The tendered amount comes to Rs.91,75,226/-.

The justification of work as checked by Planning Div. worked out to 4.49% above the estimated cost. The quoted rates are 0.74% below the justified rates of 4.49% above. Planning Div. has recommended the rates offered by the lowest tenderer i.e., M/s Expert Engineers being reasonable and be accepted by the competent authority. The acceptance of tender falls within the competency of Council.

4. Detailed proposal on the subject/project:

An estimate amounting to Rs. 85,71,500/- has been framed on the basis of Guidelines/ drawings issued by Architect Department. Major items considered in this estimate are as under:

- 1) Wall :- Walls with light weight material, i.e., CC hollow blocks with cement plaster on both side.

- 2) Roofing :- Roofing with pipe truss and polypropylene corrugated sheet with false ceiling.
- 3) Flooring :- Kota Stone in rooms as well as corridors.
- 4) Doors and windows :- (a) Doors will be of 35mm thick hard board non-decorative type with aluminium fittings (b) Windows shall be of MS sections.
- 5) External Finish :- The external wall shall be plastered and painted with exterior emulsion paint.

Considering above specifications a PE had been framed for Rs.85,71,500/- and A/A & E/S was obtained vide Reso. No. 23(A-III) dated 21.01.09. After obtaining administrative approval, the DE was prepared for Rs. 89,28,000/- and technical sanction issued. DE amounting to Rs.3,58,150/- for internal electrical works have been approved by the competent authority. After completion of all codal formalities, composite tenders for the work have been invited on 08.05.09.

5. Financial implications of the proposed project:

A total financial implications of proposal in hand would be Rs.91,75,226/- on the basis of the lowest tenderer rates @ 3.75% above the estimated cost of Rs.88,43,548/-.

There is a budget provision of Rs.40 lacs vide Sr. No. 31, page-117 of the current year budget book, however, rest of the budget will be sought in the R.B.E. 2009-10.

6. Implementation Scheme:

06 months from the date of award of work.

7. Comments of the Finance Department on the subject:

It appears that the department has given publicity time in accordance with CPWD Works Manual 2007 which is yet to be adopted by the NDMC under approval of Competent Authority. The department may take necessary action for the same as the case has already been cleared by FD. Further in view of position brought on record, subject to correctness of information, data & computations and availability of funds, we concur in for award of work to L-1, M/s Expert Engineers at their tendered amount of Rs.91,75,226/- i.e. 3.75% above EC of Rs.88,43,548/- against the justified rates of 4.49% above EC as recommended by Planning and proposed by the department.

The department may ensure & certify that (i) all the bidders, including L-1, whose financial bids have been opened, fulfil eligibility criteria including that of annual turnover of 50% of EC during last three years. (ii) NIT has been published on web "as it is" as the approved NIT (iii) due publicity as per approved policy of NDMC has been given to tender and (iv) No extra cost is added in the justification on account of

various factors as listed in OM No. DG(W)/MAN/169 dated 31.12.2008 and (v) CVC guidelines have been followed during the tendering process while submitting the case for approval of Competent Authority.

8. Comments of the Department on comments of Finance Department:

While concurring in for award of work to L-1, M/s Expert Engineers at their tendered amount of Rs. 91,75,226/- i.e. 3.7% above EC of Rs. 88,43,548/- against the justified rates of 4.49% above the EC, as recommended by Planning & proposed by the Department, the Finance Department has observed that the publicity time given is in accordance with the CPWD works manual 2007 which is yet to be adopted by NDMC under approval of the Competent Authority. In this regard, necessary action is being taken separately for adoption of CPWD works manual 2007. Further, it is certified that (i) all the bidders, including L-1, whose financial bids have been opened, fulfil eligibility criteria including that of annual turnover of 50% of EC during last three years. (ii) NIT has been published on web "as it is" as the approved NIT (iii) due publicity as per approved policy of NDMC has been given to tender and (iv) No extra cost is added in the justification on account of various factors as listed in OM No. DG(W)/MAN/169 dated 31.12.2008 and (v) CVC guidelines have been followed during the tendering process while submitting the case for approval of Competent Authority.

9. Legal implication of the project:

NIL

10. Details of previous council Resolutions, existing law of parliament and assembly on the subject

Administrative approval and expenditure sanction of Rs. 85,71,500/- vide Reso. No. 23(A-III) dtd. 21.01.09.

11. Comments of the Law Department on the subject / project:

NIL

12. Comments of the department on the comments of Law Deptt..

Law Department has vetted.

13. Certification by the department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case.

It is certified that all CVC guidelines have been followed

14. Recommendations :

The case is placed before the council for acceptance of the offer of M/s Expert Engineers @ 3.75% above the estimated cost and tendered amount of Rs.91,75,226/- (Rs. Ninety one lacs seventy five thousand two hundred twenty six only) which is 0.74% below the justified rates 4.49% above. Permission may also be granted to issue letter of award to M/s Expert Engineers and take further necessary action in anticipation of confirmation of the minutes of the Council.

15. Draft Resolution :

It is resolved by the Council that offer of M/s Expert Engineers @ 3.75% above the estimated cost with a tendered amount of Rs.91,75,226/- (Rs. Ninety one lacs seventy five thousand two hundred twenty six only) which is 0.74% below the justified rates of 4.49% above be accepted. Permission is also granted to issue letter of award to M/s Expert Engineers and take further necessary action in anticipation of confirmation of the minutes of the Council.

COUNCIL'S DECISION

Resolved by the Council to accept the offer of M/s Expert Engineers @ 3.75% above the estimated cost, with a tendered amount of Rs.91,75,226/-, which is 0.74% below the justified rates, whereas the justified rates are 4.49% above the estimated cost, for the work of Improvement to Navyug School, Vinay Marg. SH:- Construction of additional floor at 2nd floor and addition and alteration in Navyug School, Vinay Marg, subject to the certification from Structural Consultant about the structural strength of the building for the additional 2nd floor load.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 52 (A-43)

1. Name of the subject/project:
Imp. to Sr. Navyug School, Sarojini Nagar
SH : Renovation of Laboratory at Sr. Navyug School, Sarojini Ngr.

2. Name of the Deptt./Deptt. Concerned.

Civil Engineering Department, NDMC.

3. Brief History:

During one of the inspections of the school by senior officers of NDMC, it had been pointed out by the Principal that laboratories of the school need immediate upgradation. Accordingly, the school laboratories had been inspected by the concerned engineering staff alongwith school authorities and Godrej Furnishers. The detailed drawings had been supplied by the Godrej which was discussed with the concerned teachers and Principal of the school and they have accorded their approval on 29.4.09. Accordingly, a PE has been framed in two parts i.e., a) Civil works amounting to Rs.17,64,100/- and b). Furnishing works amounting to Rs. 71,47,735/-, with a total estimated cost of Rs.89,11,900/- for obtaining A/A & E/S from the competent authority.

4. Detailed proposal on the subject/project:

The PE has been framed in two parts i.e., a) Civil works amounting to Rs.17,64,100/- and b). Furnishing works amounting to Rs. 71,47,735/-, with a total estimated cost of Rs.89,11,900/-. The major components in the part a & b are as below :

a. CIVIL works :

The provision for the following has been taken in the PE :

1. Aluminium doors and windows to be provided in labs.
2. Providing & fixing pre-laminated particle boards in door frames.
3. Providing and applying plaster of paris putty of 2mm thickness.
4. Wall painting with plastic emulsion paint in walls of lab.
5. Providing and fixing soil, waste and vent pipes of 100 mm dia sand cast iron and allied fittings etc.
6. Providing and fixing G.I. pipes complete with G.I. fittings and clamps 15 mm dia nominal bore.
7. Providing and laying vitrified tiles flooring of size 600x600mm in labs.

b. FURNISHING works :

Furnishing of lab by Godrej Furnishers as per approved drawings.

5. Financial implications of the proposed project:

A total financial implications of proposal in hand would be Rs. 89,11,900/-. There is a budget provision of Rs. 15 lacs under the head of account D.1.2.10 page- 115 of the current year budget book, however, rest of the budget will be sought in the R.B.E. 2009-10.

6. Implementation Scheme:

03 months from the date of award of work.

7. Comments of the Finance Department on the subject:

We concur in the estimate amounting to Rs.89,11,900/- subject to following conditions :

1. The concerned XEN may check the layout plan and estimate and certify its viability and correctness.
2. The layout plan/proposal is got endorsed from the user department i.e., Director (NSES).
3. the estimate may be signed by CE(C) at the appropriate place marked for the same.

8. Comments of the Department on comments of Finance Department:

The replies of the observations of Finance Deptt. are clarified as under :

1. The layout plans and the estimate has been checked for its viability and correctness.
2. The plan/proposal has already been approved by the concerned teachers and the Principal of the Navyug School, Sarojini Nagar. It is submitted that the plans will also be got vetted/approved from Director (NSES)/Secretary (NSES).
3. The estimate has been signed by CE(C-II) at the appropriate place marked for the same.

9. Legal implication of the project:

NIL

10. Details of previous council Resolutions, existing law of parliament and assembly on the subject

NIL

11. Comments of the Law Department on the subject / project:

Law Department has vetted.

12. Comments of the department on the comments of Law Deptt..

NIL

13. Certification by the department that all Central Vigilance Commission (CVC) guidelines have been followed while processing the case.

It is certified that all CVC guidelines have been followed

14. Recommendations :

It is recommended that A/A & E/S for Rs. 89,11,900/- (Rupees eighty nine lacs eleven thousand nine hundred only) may be accorded. Permission may also be granted to proceed further for technical sanction of DE, approval of Draft NIT & call of tender in anticipation of confirmation of the minutes of the Council.

15. Draft Resolution :

It is resolved in the Council that A/A & E/S is accorded for Rs. 89,11,900/- (Rupees eighty nine lacs eleven thousand nine hundred only) Permission is also granted to proceed further for technical sanction of DE, approval of Draft NIT & call of tender in anticipation of confirmation of the minutes of the Council.

COUNCIL'S DECISION

Resolved by the Council to accord administrative approval and expenditure sanction to the estimate amounting to Rs.89,11,900/-, for the work of Improvement to Sr. Navyug School, Sarojini Nagar. SH : Renovation of Laboratory at Sr. Navyug School, Sarojini Nagar.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

ITEM NO. 53 (B-07)**1. Name of work:**

Annual Rate Contract for laying of 33KV, 400/300sq.mm/3C XLPE cables in & outside NDMC area

2. Name of Department : Electricity Department**3. Brief History of the proposal :**

Estimate regarding replacement of 33KV feeders i.e Bay No. 28, 38 & 42 from I.P. Station to S/stn. Connaught Place, Estt.No. 02/EE(M/F)/07-08, Bay No. 4, & 10 from Mandi House circle to S/stn. Electric Lane and Bay no.16 from Tilak Marg – Sikendra Road crossing to S/stn. Nirman Bhawan, Estt.No. 03/EE(M/F)/07-08 and Park Street to (a) Baird Lane -2nos. (b) S/stn. Hanuman Road (C) S/stn. Niramn Bhawan and S/S Hanuman Road to S/S Electric Lane, Estt.No. 04/EE(M/F)/07-08 have been sanctioned from the Council and stands issued for execution. Presently, the total 28.5Km, 400Sq.mm/3C XLPE, 33KV cable is to be got laid against this tender.

4. Detailed proposal of the subject:

NIT amounting to Rs. 19780877/- for the said work was approved and the e-tender for the subject cited work were invited and the technical bids of the three firms i.e. M/s Gopal Enterprises , M/s Goel Electric works and M/s H.S.Power Projects (P) Ltd were opened on 16.4.09. During the checking of documents pertaining to eligibility criteria, it revealed that M/s Gopal Enterprises failed to fulfill the eligibility criteria. The case was examined by Planning division and thereafter with the approval of CEE-II the financial bids of two firms i.e. M/s Goel Electric works and M/s H.S.Power Projects (P) Ltd were opened on 14/5/09 on internet From the comparative statement it revealed that M/S H.S.Power Project (P) Ltd has quoted the lowest rates of Rs17389400/-). The justification statement has also been prepared. The comparison of justified rates with L-1 rates revealed that L1 has quoted rates substantially higher than the justified rates for item no 5, 6, 7, 8 &13, but overall computed cost of L-1 tenderer are 20.89% below the justified cost. Since the work is of composite nature and the items can not be awarded in segregation, therefore, the rates quoted by the L1 firm are considered justified and reasonable being 20.89% below the justified rates. The case was examined by Planning division and found in order.

5. Financial implication:

Rs. 1,73,89,400/-

6. Implementation Schedule:

The contract shall be valid for twelve months.

7. Comments of Finance Deptt.:

The finance department has accorded his concurrence vide Diary no –FA-1059 dated 19.05.09 to award the work of "Annual Rate Contract for laying of 33KV, 400/300sq.mm/3C XLPE cables in & outside NDMC area" to M/s H.S.Power Project (P) Ltd on their quoted amount of Rs17389400/- and on the terms and conditions of NIT, subject to

1. Approval of the Competent Authority.
2. Availability of funds.
3. All codal formalities and guidelines of CVC have been adhered to.
4. The reasonability of rates is primarily assessed on the basis of justified rates. The method of preparing justification statement should be on the basis of detailed analysis of rates by taken market rates of labour, materials, cartage etc. In this tender case, it has been seen that items have been justified by adding 10% on the estimated cost. In respect of other items 10% increase has been given on the last accepted rates. If the last accepted rates are high for any reason, it results in award of the contract at higher rates since no analysis of circumstances under which the last contract was ordered is gone into. And also this new awarded rates becomes the basis for estimation of rates for next tender. Thus this problem has a cascading effect. The department should prepare proper justification statement in all cases in future as assured at the time of seeking administrative approval and expenditure sanction.
5. Estimates of these works were also not prepared by adhering to the prescribed guidelines. The department assured at that time that the detailed justification of rates will be prepared by adhering to all codal requirements at the time of procurement of cables/execution of works. No such exercise has been carried out even now.
6. There has been substantial difference between the justified rates and quoted rates in respect of following items :-

Item No. & Description	Justified Rates	Quoted Rates
1) Supplying and making of H.S. type straight through joint for cable with joining material.	23,09,216	20,74,000
3) Supplying and fixing of Ushape RCC Cable covers	86,59,200	50,51,200
9) Cutting of service road/stone/footpath/brick & laying of cables	26,02,886	17,24,400
12) Supplying & laying of RCC pipe with trenchless technology	10,46,672	7,51,200
Total	Rs.1,46,17,974	96,00,800

It would be seen from above that there is difference of Rs.50,17,174/- between the justified rates worked out by the department and quoted rates by L1.

7. There has been substantial difference between the estimated costs and justified rates in respect of following items :-

Item NO. & Description	Estimated Rates	Justified Rates
1) Supplying and making of H.S. type straight through joint for cable with joining material.	28,97,500	23,09,216
3) Supplying and fixing of U shape RCC cable covers	41,49,200	86,59,200
9) Cutting of service road/stone/footpath/Brick & laying of cable	18,20,200	26,02,886

11) Supplying and laying of HDPE pipe with trench less technology	59,34,000	43,13,760
12) Supplying & laying of RCC pipe with trench less technology	19,38,947	10,46,672

The department may justify these differences while seeking the approval of Competent Authority.

8. Department must ensure that certify that the quoted rates are just, fair and reasonable are in larger interest of the Council if same are accepted.

8. Comments of the Department on comments of Finance Deptt:

1. The approval of the competent authority i.e. the Council is being obtained.
2. Funds are available under the budget head E 3 replacement
3. All codal formalities and guidelines of CVC have been followed.
4. The justification of rates has been prepared taking the latest approved rates, as per prevailing practice in the department. However, as suggested, the advice of finance department has been noted for the future.
5. The estimates were prepared on the basis of last approved rates / market rates as prevailing practice in the department.
6. There has been substantial difference between the justified rates and quoted rates in respect of some items but overall Computed cost of L-1 tenderer is 20.89% and 12.09% below the justified cost and the estimated cost respectively which are based on the last approved rates. The rates quoted by the L-1 firm are considered overall competitive, justified and reasonable.
7. The justified rates are based on the latest approved tendered rates whereas the estimated rates are based on the latest approved rates/budgetary offers taken from the market It is further mentioned that the Powergrid has recently awarded the similar nature of work and the rates of most of the items are even much higher than rates worked out in our justification.
8. Certified that the rates quoted by L1 firm are fair, reasonable and in the larger interest of Council.
In view of above and the fact that they are the lowest rates received against the open tenders invited through e-tendering.

9. Legal Implications:

No legal implication involved.

10. Details of previous council Resolutions:

N.A.

11. Comments of Law Department:

No comments

12. Comments of the department on the comments of Law department:

No comments

13. Certification by the Department :

All Central Vigilance Commission (CVC) guidelines have been followed.

14. Recommendations of the department :

The case may be placed before the council for approval to award the work "Annual Rate Contract for laying of 33KV, 400/300sq.mm/3C XLPE cables in & outside NDMC area" to the lowest tenderer M/s H.S.Power Project (P) Ltd at their quoted cost of Rs17389400/- (Rs. One crore Seventy Three lacs Eighty Nine thousand four hundred only) on the specification, terms and conditions of the NIT. The work is of urgent nature; therefore approval is also solicited to award the work in anticipation to the confirmation of minutes of the Council meeting.

15. Draft resolution :

Resolved by the council that the approval is accorded to award the work "Annual Rate Contract for laying of 33KV, 400/300sq.mm/3C XLPE cables in & outside NDMC area" to the lowest tenderer, M/s. H.S.Power Project (P) Ltd at their quoted cost of Rs17389400/- (Rs. One crore Seventy Three lacs Eighty Nine thousand four hundred only) on the specification, terms and conditions of the NIT. Further approval is also accorded to award the work to firm in anticipation to the confirmation of minutes of the Council meeting.

COUNCIL'S DECISION

Resolved by the Council to award the work to the lowest tenderer, M/s. H.S.Power Project (P) Ltd., at their quoted cost of Rs.1,73,89,400/- on the specification, terms and conditions of the NIT, for the work of Annual Rate Contract for laying of 33KV, 400/300sq.mm/3C XLPE cables in & outside NDMC area.

It was also resolved that further action in the matter be taken in anticipation of confirmation of the minutes by the Council.

(MANISH KUMAR)
SECRETARY/FA

(PARIMAL RAI)
CHAIRPERSON