**ITEM NO. 02 (A-22)**

1. **Subject : Adoption of CPWD Works Manual 2012.**
2. **Name of Department**

Civil Engineering Department.

1. **Brief History of subject/ project.**

(i) Earlier vide Item No.05 (A-29) on dated 14.01.2011, the CPWD Works Manual 2010 was adopted by NDMC and following were resolved by the Council:-

a) Continuation of adoption of CPWD Works Manual 2010 with all its amendments / modifications issued from time to time in NDMC w.e.f. the date of applicable to CPWD except the financial and administrative powers to be exercised under NDMC Act 1994, in supersession of Council Reso. No. 24(A-27) dt. 22.05.2009.

 (ii) In CPWD work manual-2012, all the technical and financial matter have been updated including 35 Nos. amendments/ modification issued in CPWD work manual 2010 upto 31.03.12.

**4) Detailed Proposal of the Subject/Project.**

(i) The details of the total 35 Nos. office memorandum in respect of CPWD Works Manual-2010 have been incorporated in the CPWD Works Manual-2012. **(Annexure ‘A’ See pages 12 - 17)**

(ii) In addition to above the Council has been giving administrative approval and finance sanction for various projects having value more than ` 1 crore. Thereafter, tenders are invited and contracts entered into. As per section-143 of the NDMC Act, 1994, every contract which involves as expenditure exceeding ` 1 crore is made on behalf of the Council by the Chairperson.

(iii) Extension of time or approval for variation in the quantities including substituted and extra items in already approved contracts is regulated, as per the guidelines provided in the CPWD Manual, which has been adopted by the Council.

(iv) It is therefore proposed that extension of time and for variation in quantities due to additional quantities, substituted/extra items in various contracts exceeds ` 1 crore, may also be approved by the Chairperson after concurrence by finance provided that the total expenditure due to such approvals does not exceed 10% of the administrative approval and the financial sanction given by the Council.

(v) All the contracts where expenditure exceed 10% of the administrative approval and financial sanction shall be brought to the Council for revised administrative approval and financial sanction.

 **5) Financial Implications of the proposed subject/ project.**

There is no financial implications by adopting CPWD Works Manual 2012.

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

This to be effective from the date CPWD has adopted the CPWD Works Manual 2012. i.e. 18.01.2012.

**7) Comments of Finance Department of the Subject.**

(i) Salient features of CPWD Works Manual 2012 having provision with CPWD Works Manual 2010 may be incorporated in Agendum including additions/deletion of Sections.

(ii) ‘A’ at Point No.-4 of draft agenda is not covered under financial implication, the same may be deleted.

(iii) Upto which date the modifications/amendments have been incorporated in the CPWD Works Manual 2012, may be brought on record and ensure that proposal is as per financial and administrative power in NDMC.

(iv) Department may bring on record the updated modifications/ amendments duly examined by planning in consultation with CE/AO(W) as per applicability in NDMC.

**8) Comments of the Deptt. on comments of Finance Deptt.**

(i) Salient features of CPWD Works Manual 2012 having provision with CPWD Works Manual 2010 has been be incorporated in Agendum including additions/deletion of Sections.

 (ii) Necessary correction has been made in agenda.

(iii) Modifications/amendments 35 Nos. issued by CPWD has been incorporated in CPWD Manual 2012.

(iv) It is certified that updated modifications/amendments has been examined by planning in consultation with CE/AO(W) as per applicability in NDMC.

**9) Final views of the Finance Department**

 Seen in Finance Deptt.

**10) Legal Implications of the subject/ project:**

 There is no legal issue.

**11) Details of previous Council Resolutions, existing Law of Parliament and Assembly on the subject.**

 CPWD manual 2010 was adopted vide Reso.No.05(A-29) dt-14.01.2011.

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

NIL

**13) Final view of law Department ( wherever necessary)**

There is no legal issue.

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

All CVC guidelines have been followed.

**15) Recommendations**

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

1. Continuation of adoption of CPWD Works Manual 2012 with all its amendments / modifications issued from time to time in NDMC w.e.f. the date of applicable to CPWD except the financial and administrative powers to be exercised under NDMC Act 1994, in supersession of Council Reso. No. 24(A-27) dt. 22.05.2009.
2. In addition to above the Council has been giving administrative approval and finance sanction for various projects having value more than ` 1 crore. Thereafter, tenders are invited and contracts entered into. As per section-143 of the NDMC Act, 1994, every contract which involves as expenditure exceeding ` 1 crore is made on behalf of the Council by the Chairperson.

c) Extension of time or approval for variation in the quantities including substituted and extra items in already approved contracts is regulated, as per the guidelines provided in the CPWD Manual, which has been adopted by the Council.

d) It is therefore proposed that extension of time and for variation in quantities due to additional quantities, substituted/extra items in various contracts exceeds ` 1 crore, may also be approved by the Chairperson after concurrence by finance provided that the total expenditure due to such approvals does not exceed 10% of the administrative approval and the financial sanction given by the Council.

**16) Draft Resolution :**

Resolved by the Council to accord approval of following:-

1. Continuation of adoption of CPWD Works Manual 2012 with all its amendments / modifications issued from time to time in NDMC w.e.f. the date of applicable to CPWD except the financial and administrative powers to be exercised under NDMC Act 1994, in supersession of Council Reso. No. 24(A-27) dt. 22.05.2009.
2. In addition to above the Council has been giving administrative approval and finance sanction for various projects having value more than ` 1 crore. Thereafter, tenders are invited and contracts entered into. As per section-143 of the NDMC Act, 1994, every contract which involves as expenditure exceeding ` 1 crore is made on behalf of the Council by the Chairperson.
3. Extension of time or approval for variation in the quantities including substituted and extra items in already approved contracts is regulated, as per the guidelines provided in the CPWD Manual, which has been adopted by the Council.
4. It is therefore proposed that extension of time and for variation in quantities due to additional quantities, substituted/extra items in various contracts exceeds ` 1 crore, may also be approved by the Chairperson after concurrence by finance provided that the total expenditure due to such approvals does not exceed 10% of the administrative approval and the financial sanction given by the Council.

e) All the contracts where expenditure exceed 10% of the administrative approval and financial sanction shall be brought to the Council for revised administrative approval and financial sanction.

It was also resolved that further action may be taken by the Department in anticipation of confirmation of the Minutes by the Council.

**COUNCIL’S DECISION**

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

1. Adoption of CPWD Works Manual 2012 with all its amendments / modifications issued from time to time in NDMC w.e.f. the date of its applicability in CPWD except the financial and administrative powers to be exercised under NDMC Act 1994, in supersession of Council Reso. No. 24(A-27) dt. 22.05.2009.
2. Extension of time and for variation in quantities due to additional quantities, substituted/extra items in various contracts exceeding one crore, may be approved by the Chairperson after concurrence of Finance Department, provided that the total expenditure due to such approvals does not exceed 10% of the administrative approval and the financial sanction given by the Council.

c) All the contracts where expenditure exceed 10% of the administrative approval and financial sanction, shall be brought to the Council for revised administrative approval and financial sanction, giving justifications for such variation.

It was also resolved that further action may be taken by the Department in anticipation of confirmation of the Minutes by the Council.