

Minutes of the Eleventh Meeting of the Building and Works Committee held on 21st December, 2020 (via Video Conferencing)

The following members were present:

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|--|-------------------|
| 1. Dr. Satish Kumar, I/c Director, NIT Uttarakhand | - Chairman |
| 2. Dr. B.R. Gurjar, Prof., Civil Engg. Dept., IIT Roorkee | -Member |
| 3. Dr. Mukesh Kumar Pathak, Prof., Electrical Engg. Dept., IIT Roorkee | -Member |
| 4. Shri Ajay Sharma, Superintending Engineer (Civil), IIT Roorkee | -Member |
| 5. Dr. Surinder Deswal, Prof., Civil Engg., NIT Kurukshetra | -Special Invitee |
| 6. Dr. Vikas Pratap Singh, I/c Dean (P&D) | -Member |
| 7. Dr. Prabhakar Mani Kala, Registrar | -Member Secretary |

The nominee of the Ministry of Education could not attend the meeting due to some prior commitments.

At the outset Member Secretary, Building and Works Committee welcomed the Chairman and all the members, and requested Chairman, Building and Works Committee to preside over the today meeting of the Building and Works Committee (BWC).

The Building and Works Committee paid their heartfelt tribute to the Prof. Shyam Lal Soni, former Director, NIT Uttarakhand and Chairman, BWC, who passed away on 27th November, 2020 due to the Corona illness. The Committee placed on record his visionary leadership and immense contributions to the growth of the Institute.

The Committee discussed the following agenda:

BWC 11.01: To confirm the minutes of the Tenth Building and Works Committee meeting.

The minutes of the Tenth Building and Works Committee are enclosed as **(Annexure BWC 11.01)**.

The Building and Works Committee is requested to confirm the same.

Resolution: Confirmed.

BWC 11.02: Action Taken Report.

The Action Taken Report is as below:

| Item no. | Items | Action Taken Report |
|-----------|---|---------------------|
| BWC 10.01 | To confirm the minutes of Ninth Building and Works Committee meeting. | Noted |
| BWC 10.02 | Action Taken Report. | Noted |
| BWC 10.03 | To approve the Topographical Survey Map of the Extension Campus of the Institute at Srinagar Garhwal. | Noted |

| | | |
|-----------|--|--|
| BWC 10.04 | To deliberate and approve the Site Layout Plan for the construction at Extension Campus, Srinagar Garhwal. | Partially implemented, Part (b) in process |
| BWC 10.05 | Any other item with the permission of Chairman, BWC. | Noted |

The Building and Works Committee is requested to note the same.

Resolution: Noted.

BWC 11.03: To deliberate upon the mode of selection of the construction agency for Permanent Campus construction at Sumari, and apprise the Building and Works Committee with related developments.

The directions of the Building and Works Committee on the mode of selection of the construction agency for the Permanent campus at Sumari were earlier deliberated vide agenda item BWC 08.08 in the 8th Building and Works Committee held on **3rd July 2020** and the related resolve is reproduced below for ready reference:

Resolve BWC 08.08: *In the purview of the provisions of Rule 133 of the GFR 2017, the Building and Works Committee deliberated upon and recommends the following:*

As per GFR 2017 Rule 133(3) the project of Civil Works at Sumari (Pauri, Garhwal) for construction of Permanent Campus, for estimated value of Rs. 596.75 crores, the Institute may award it any Public Sector Undertaking set up by the Central or State Government to carry out civil or electrical works or to any other Central/ State Government organization /PSU which may be notified by the Ministry of Urban Development (MoUD) for such purpose, by inviting bids and evaluating their financial strength and technical competence.

For award of this work the Institute shall ensure competitive bidding among such PSUs/Organisations. This competition shall be essentially on the lump sum service charges to be claimed for execution of complete civil works, to include providing Comprehensive Design, Engineering and Project Management Consultancy (PMC) Services for construction and development of complete campus.

The Institute shall prepare a comprehensive Tender Document to invite the competitive bidding. The Tender Document may be brought before the Building and Works Committee for approval at the earliest."

However, in the light of the following recent events and facts, the Building and Works Committee is requested to re-deliberate on the resolve BWC 08.08:

1. On 27th July, 2020, the Hon'ble High of Uttarakhand at Nainital delivered its Judgment for the Writ Petition (PIL) No. 217 of 2018 filed by an Alumni of NIT Uttarakhand Mr. Jasveer Singh against State of Uttarakhand & others. With regard to the permanent campus of NIT Uttarakhand at Sumari, the judgment states the following:

"The decision of the Government of India, conveying its consent to locate the NIT, Uttarakhand permanent campus at Sumari with a view "to end the impasse", suffers from the vice of irrationality, unreasonableness and arbitrariness, and falls foul of Article 14 of the Constitution of India. The said decision is, accordingly, quashed. The Government of India shall, after seeking expert opinion, reexamine

the matter and satisfy itself that the location, of the permanent campus of NIT, Uttarakhand at Sumari, would not, in any manner, endanger the life and safety of students, faculty and staff of NIT, who would be residing thereat. It shall, thereafter, take a considered decision on whether the permanent campus of NIT, Uttarakhand should still be located at Sumari, or should be shifted elsewhere within the State of Uttarakhand. The entire exercise, culminating in a considered decision being taken by the Government of India in this regard, shall be completed with utmost expedition and, in any event, within four months from the date of production of a certified copy of this order."

Consequent to the High Court judgment, in the 27th Board of Governors (BoG) meeting dated 10.08.2020 it was resolved (resolve BoG 27.04) that "As regards the construction of Permanent Campus, the Institute shall comply with the direction of Ministry of HRD which will be issued in due course of the time."

Further, in compliance of the High Court judgment, a four-member Expert Committee comprising of Prof. S. R. Gandhi (Director, SVNIT Surat), Prof. P.S.N. Rao (Director, SPA New Delhi), Prof. A.K. Sachan (MNNIT Allahabad, Prayagraj), and Prof. M.K. Shrimali (MNIT Jaipur) was constituted vide office order F.No.40-65/2018-TS.III dated 27th August, 2020 issued by the Ministry of Education (MoE), Government of India. The Committee visited the site at Sumari, Pauri-Garhwal during 2-4 October 2020, and later submitted its report directly to the Ministry of Education (MoE), Government of India.

Based on the opinion of the Expert Committee, the MoE vide office order F.No.40-65/2018-TS.III dated **25th November, 2020** ordered NIT Uttarakhand to initiate the necessary infrastructure at the Sumari campus after taking into consideration of the observations/recommendations made by the Expert Committee in its report.

2. The Public Investment Board (PIB) approval, as communicated by the Ministry of Education vide its letter no. F.No.30-3/2019.TS-III, dated 30th June 2020, of the Revised Cost Estimates (RCE) of Rs. 909.85 crores for setting up of Permanent Campus of NIT Uttarakhand to cater 1260 students **is applicable only upto the financial year 2021-22.**

Thus, from points **1 & 2** above, it is clear that the Institute has lost significant and crucial time (i.e. about 06 months) vis-à-vis the financial deadline of completion of the project by March 2022. If the institute go ahead with the earlier resolve BWC 08.08 to have competitive bidding among PSUs, inevitably atleast another 3-4 months' time in the bidding process and its evaluation would be lost, and have an adverse effect on the possibility of leading the project to an advanced stage of construction by March 2022.

Proposal: The construction activities at the permanent campus at Sumari falls in the category of **Original Works** defined as per GFR 2017 Rule 130 which includes all new constructions and site preparation.

Further, according to the GFR 2017 Rule 133(2): "A Ministry or Department may, **at its discretion**, assign repair works estimated to cost above Rupees thirty Lakhs and **original/minor works of any value** to any Public Works Organisation (PWO) such as Central Public Works Department (CPWD), State Public Works Department, others Central Government organisations authorized to carry out civil or electrical works such as Military Engineering Service (MES), Border Roads Organisation (BRO), etc. or Ministry/Department's construction wings of Ministries of Railways,

Defence, Environment & Forests, Information & Broadcasting and Departments of Posts, and Space etc.”

Also, it is pertinent to mention that as per Ministry of HRD O.M. No F.No.33-1/2012.TS-III, dated 3rd June, 2019 “Master Circular for Infrastructure Projects in Centrally Funded Institutions”, the only mode of construction is through EPC (i.e. Engineering, Procurement, & Construction).

Thus, the Building and Works Committee is requested to reconsider its earlier resolve BWC 08.08, further deliberate and give directions to assign the construction work of permanent campus at Sumari in accordance with the GFR 2017 Rule 133(2) stated above so that the financial deadline of March 2022 could be achieved in the best possible manner. All relevant documents are enclosed as (Annexure BWC 11.02).

Resolution: *The Building and Works Committee deliberated at-length on the above. Considering the importance of the project, project cost involved, and level of technical competence required for execution, the Building and the Works Committee stands with its earlier resolve (i.e. BWC08.08), and recommends that the selection of construction agency for permanent campus at Sumari be done in accordance with GFR -2017 rule 133(3) on the basis of Quality-cum-Cost Based Selection System (QCCBS).*

The competitive bids shall be invited from Agencies (such as PSUs/Organization) eligible under GFR 133(3) with a minimum bidding period of 15 days.

As Institute has to place the DPR for permanent campus before the Finance Committee (FC) and the Board of Governors (BoG) in the meetings expected to be held in near future, the above resolve stands confirmed in the meeting itself.

BWC 11.04: To ratify the final site layout plan, boundary wall drawings, and drawing for the entrance gates of the construction project at Srinagar Campus.

A) Based on the observations made in the resolves ILPMC 03.02 and BWC 10.04(a), CPWD revised the Site Layout Plan incorporating all suggestions. Subsequently, CPWD submitted the Final Site Layout Plan alongwith the Boundary Wall Drawings for the Construction Phase-I vide letter no. D.B./24(29)/E.E.-Garhwal/2095 dated 10.11.2020.

The above drawings were circulated among the ILPMC members via email dated 16.11.2020, and the members gave their consent with no specific comments / suggestions. Based on the ILPMC consent, both the Final site layout plan and boundary wall drawings were approved by the Competent Authority and the same was communicated to CPWD vide letter no. NITUK/AD(P&D)/2020/1115 dated 18.11.2020 for further process.

B) CPWD submitted drawing of the campus entrance gates in the extension campus via email dated 25.11.2020. The drawing was circulated among ILPMC members via email dated 25.11.2020, and the members gave their consent with no specific comments / suggestions. Based on the ILPMC consent, entrance gate drawing was approved by the Competent Authority and the same was communicated to CPWD vide letter no. NITUK/AD(P&D)/2020/1141 dated 26.11.2020 for further process.

All related documents are enclosed as (Annexure BWC 11.03). The Building and

Works Committee is requested to ratify the same.

Resolution: Ratified.

BWC 11.05: To ratify the amendment in AA&ES dated 11.09.2020 for the work of construction Phase-I at the Srinagar Campus of NIT Uttarakhand.

The AA&ES of Rs.37.72 Crores for the work of construction Phase-I was granted to the CPWD on date 11.09.2020. Inadvertently, the provision of DG sets, Substation equipment's, UPS and Water supply pumps that are essential to make the Hostel building functional were not included in the AA&ES dated 11.09.2020. However, these provisions are available in the approved DPR of Rs. 78.45 Crores for the infrastructure development at Srinagar Garhwal with following tabulated details:

| Sr. No. | Description of Item | Amount in Rs. | Reference in the Approved Estimates of 78.45 Crores |
|---------|--------------------------------|--------------------|---|
| 1 | Substation Equipment's | 28,35,000/- | Annexure G (B-S No.9) |
| 2 | DG Set | 13,75,000/- | Annexure G (B-S No.10) |
| 3 | UPS | 8,00,000/- | Annexure G (B-S No.11) |
| 4 | Water Supply Pumps | 5,00,000/- | Annexure G (B-S No.4) |
| | Total (A) | 55,10,000/- | |
| | Add Contingency @ 3% on A | 1,65,300/- | Remarks: As per BoG resolves 27.05, Quality Assurance is considered 0.5% instead of 1% |
| | Add EPF & ESIC @ 4.25% on A | 2,34,175/- | |
| | Add Quality assurance @5% on A | 27,550/- | |
| | Add Labour Cess @ 1% on A | 55,100/- | |
| | Total Amount (in Rs.) | 59,92,125/- | |

Considering that the above mentioned provisions are essential for smooth functioning of the proposed hostel buildings, with the approval of the Competent Authority, the AA&ES was amended on date 18.11.2020 by giving an additional AA&ES for Rs.59,92,125/- and communicated to CPWD vide letter no. NITUK/AD(P&D)/2020/1122 date 18.11.2020. All related documents are enclosed as (Annexure BWC 11.04).

The Building and Works Committee is requested to ratify the same.

Resolution: Ratified.

BWC 11.06: To apprise the Building and Works Committee regarding "Time Schedule for Completion of Work in the Construction Phase-1" at the Srinagar Campus.

Based on the request made by the Institute during the meeting held on 20.11.2020 between the CPWD officials & ILPMC members of NIT Uttarakhand, CPWD submitted a Time Schedule for Completion of Work for the Construction Phase-1 via email dated 23.11.2020. The time schedule was then discussed among ILPMC members and modified to comply with the High Court directives and point (e) of the AA&ES dated 11.09.2020. The modified Time Schedule for Completion of Work is given in table below and has been communicated to the CPWD vide letter no. NITUK/AD(P&D)/2020/1134 dated 24.11.2020.

| Sl. No. | Activities | Duration (Days) | Target Date |
|---------|---|-----------------|------------------------|
| 1 | Invitation of Tender | - | 01-12-2020 |
| 2 | Publicity Period for Tender | 15 | 16-12-2020 |
| 3 | Acceptance of Tender | 07 | 23-12-2020 |
| 4 | Mobilization of Resources and Start of Work | 10 | 02-01-2021 |
| 5 | Selection of Consultant & Preparation of Architectural Drawings | 15 | 17-01-2021 |
| 6 | Approval of Architectural Drawing from NIT Uttarakhand | 01 | 18-01-2021 |
| 7 | Preparation and vetting of Structural Drawings | 12 | 30-01-2021 |
| 8 | Local Body Approval | 10 | 09-02-2021 |
| 9 | Foundation work for all blocks | 42 | 23-03-2021 |
| 10 | Casting of First Floor Slab | 30 | 22-04-2021 |
| 11 | Casting of Second Floor Slab | 30 | 22-05-2021 |
| 12 | Casting of Terrace Slab | 30 | 21-06-2021 |
| 13 | Finishing and Development work of Campus | 40 | 31-07-2021 |
| | Total Time | 242 | upto 31-07-2021 |

All related documents are enclosed as (**Annexure BWC 11.05**). The Building and Works Committee is requested to note the same.

Resolution: *The Building and Works Committee noted the above.*

Further deliberations were made on a recent communication received from CPWD vide its letter no. 54(833)/A.B./E.E.-Garhwal/2242 dated 20.12.2020, wherein, it stated that all the prospective bidders who appeared in the pre-bid conference held on 18.12.2020 (EPC e-tender was floated online on 12.12.2020) were of the opinion that the time duration for the construction activity (i.e. 7 months) needs to be increased to atleast 12 months.

The Building and Works Committee opined that technically seven months appears to be a stringent project duration for the proposed construction activities in the Phase-1, which might also result in unsuccessful on-going tendering process, and therefore, resolved the following:

(a) Keeping in view that the Institute has to comply with the High Court directions (i.e. to provide necessary infrastructure to the students before the commencement of the academic year 2021-22 i.e. on or before 01st July, 2021), Institute has a shortage of hostel facility of about 350 students. Considering this, the Building and Works Committee approves that CPWD shall handover ready-to-use hostel blocks/floors along with Dining/Recreation block, so as to accommodate a minimum student strength of about 350 students (out of the maximum 530) in accordance with the pre-decided room layouts and approved architectural plans of hostel blocks, strictly by 31st July 2021 as per mutually agreed schedule.

To implement above, CPWD shall be requested to make suitable provision for sub-phasing of the activities proposed in the Construction Phase-1, and also submit a revised time-schedule.


(b) The Building and Works Committee also approves that the construction of the remaining hostel blocks and other facilities proposed in the Construction Phase-1 shall be completed latest by December 2021, with no scope of any further extension in project duration and cost escalation.

As Institute has to respond back to the above communication from CPWD latest by 23.12.2020, the above resolve stands confirmed in the meeting itself.

BWC 11.07: Any other item with the permission of Chairman, Building and Works Committee.


Resolution: Not Applicable.

The meeting ended with vote of thanks to the Chair.


(Dr. Prabhakar Mani Kala)
Registrar & Member Secretary,
Building and Works Committee

Approved/Not Approved

Approved


(Dr. Satish Kumar)

Chairman, Building and Works Committee

21.12.2020