

# Minutes of the 19<sup>th</sup> Meeting of the Building and Works Committee held on 05<sup>th</sup> June, 2023 at 04:30 PM (Through Hybrid Mode)

The following members were present:

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| 1. Prof. Lalit Kumar Awasthi, Director, NIT Uttarakhand              | - Chairman         |
| 2. Ms. Veena Dunga, Deputy Secretary, NIT Division, MoE              | - Member           |
| 3. Shri. Anil Kumar, Director (Finance), MoE                         | - Member           |
| 4. Dr. Rajib Chowdhury, Asso., Prof., Civil Engg. Dept., IIT Roorkee | - Member           |
| 5. Prof.(Dr.) Virendra Kumar Paul                                    | - Special Invitee  |
| 6. Sh. S. S. Rai, ADG, CPWD  | - Special Invitee  |
| 7. Prof.(Dr.) Umesh Sharma   | - Special Invitee  |
| 8. Dr. G. S. Brar, Dean (P&D), NITUK                                 | - Member           |
| 9. Dr. Dharmendra Tripathi, I/c. Registrar                           | - Member Secretary |

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 Committee discussed the following agenda:

## **BWC 19.01: To apprise the Building & Works Committee about status of construction and development of infrastructural facilities at NIT Uttarakhand- Sumari Campus and approval on revised Notice Inviting Tender.**

The tender for construction and development of infrastructural facilities at NIT Uttarakhand-Sumari Campus was floated by NBCC (India) Ltd. Subsequently technical and financial bid were opened. However, one of the bidders filed writ petition in Hon'ble High Court of Delhi. The matter was presented to the BoG of the Institute (BoG 45.01). The BoG in its 45<sup>th</sup> meeting resolved that "the matter regarding qualified bidders is subjudice in the Hon'ble Court of Delhi. Any course of action on this tender shall be taken after decision of the Hon'ble High Court of Delhi and it was decided that a three members committee of Prof. V.K.Paul, SPA-Delhi, Prof. Umesh Kumar Sharma, IIT-Roorkee and Er. S.N. Rai, ADG, CPWD-Chandigarh, be constituted to look into the terms and conditions of tender and the higher cost of L-I bidder". The constituted committee deliberated on the matter in its meeting held on 29.03.2023, 31.03.2023, 03.04.2023 and 11.04.2023. The committee concluded that NIT Uttarakhand will undertake to revisit 'cost put to tender' (Rs.545Cr) for downward revision through a Workshop with NBCC team without jeopardising time lines for the re-tender, considering:

- Cost reduction in A/V system
- Development cost as there appears to be scope for reduction of around 50%
- Reduction of road width in some cases to 4.5M where traffic is less
- Undertake residential buildings, including hostels as at least G+3 or G+4 which is feasible.
- Revisit heating option in HVAC.

NIT Uttarakhand conducted a workshop with NBCC (India) Ltd. to discuss the above and

communication was made with NBCC to relook into above for downward revision of cost put to tender.

It is also to apprise the BWC that NBCC (India) Ltd. has requested NIT Uttarakhand vide letter (Ref. No.: NBCC/SBG/N&U/GM/2023/103 dated 25/03/2023) to provide the Administrative Approval and Expenditure Sanction (A/A&E/S) citing the reason that during the hearing, Hon'ble Judge, High Court of Delhi has clarified that "As no Stay Order has been passed against NBCC in awarding the Contract, NBCC is free to act in furtherance to the tendering procedure"

However, no such proof of court order regarding tendering procedure has been attached. In this regard a communication has also been made with NBCC (India) Ltd. to provide the justification for release of the Administrative Approval and Expenditure Sanction (A/A&E/S). The court orders of 30.01.2023 and 23.03.2023 are attached in **(Annexure BWC 19.01)**.

Hon'ble High Court of Delhi at New Delhi in order dated 18.04.2023 mentioned that application has been filed by petitioner for withdrawal of present writ petition and for the reasons stated in application, Hon'ble High Court allowed the same. Thus the writ petition is dismissed as withdrawn, along with pending applications if any and the date of hearing i.e. 09.05.2023 stands cancel **(Annexure BWC 19.02)**.

Further, NBCC (India) Ltd informed vide letter no NBCC/ZH/NCR/AGM/2023/119, dated 17.05.2023 that as deliberated during the meeting held under the chairmanship of Director NIT Uttarakhand and NBCC (India) Ltd. on dated 20.04.2023 through VC, no additional qualification condition is kept in the tender to increase the competition in bidding process. Accordingly revised tender documents prepared by NBCC (India) Ltd. **(Annexure BWC 19.03)** incorporating some modification in technical specification and considering the inputs received from external committee the revised tender document is prepared.

The representative from NBCC (India) Limited will present the revised Notice Inviting Tender in the Meeting.

The BWC is requested to deliberate and approve the same.

**Resolution:** After going through the observations of the expert committee, it was decided to seek clarification from NBCC (India) Ltd. After receiving the clarification from NBCC (India) Ltd. (vide letter no NBCC/ RBG/ Sr.Ed/ UKD/ 2023 dated 09/06/2022), it was decided that the tender floated presently by the NBCC (India) Ltd. will be continued. After opening the tender, if cost of the tender exceeds Rs.545.00 crores, NBCC (India) Ltd. will write to NIT Uttarakhand and thereafter, Institute would send a formal proposal incorporating inputs of PMC, Director views, Civil Dept. inputs, Tender Evaluation Committee inputs regarding reasonability of the L-1 rates, BWC, FC & BOG views, to the Ministry of Education (MoE), for revising the sanctioned capital cost of the NIT Uttarakhand.

Until unless, the Ministry conveys the approval of the competent authority to NIT in this regard, tender shall not be accepted by the NBCC.

BWC 19.02: Any other item with the permission of Chairman, BWC.

Resolution: NIL.

The meeting ended with vote of thanks to the Chair.

(Dr. Dharmendra Tripathi)

I/c. Registrar & Member Secretary,  
Building and Works Committee

✓ Approved/Not Approved

(Prof. Lalit Kumar Awasthi)  
Chairman, Building and Works Committee

