<u>(WORKS ADVISORY BOARD)</u>

No. WAB1 (76)/Vol.42/Secy./X/2019/3204

Dated: 31/10/19

Subject:

Minutes of the 10th WAB (2019) Meeting-Reg.

The Minutes of 10th WAB (2019) Meeting held on **21.10.2019 at 01:00 PM** in the Conference Hall, VC Secretariat, DDA, 1st Floor, B- Block, Vikas Sadan, INA, New Delhi, are enclosed here with for favor of information & necessary action.

Encl: As above.

(R.K.Garg) Secretary (WAB)

In Circulation to:

Chief Engineer (Rohini), DDA for kind information and necessary action.

The following instructions of Vice Chairman / DDA are to be followed for compliance:

"This has to come up as an iconic development. The chances of poor design / construction, developer not maintaining this particularly socio-cultural part in the long run have to be minimized. Therefore, the Chief Engineer must satisfy himself that there are adequate safeguards in the agreement and the importance of the project be also explained to the developer before signing of agreement".

Copy to: -

- 1. OSD to VC, DDA for kind information of the latter.
- 2. DD to EM, DDA for kind information of the latter.
- 3. Sr. PS to FM, DDA for kind information of the latter.
- 4. Chief Engineer(QAC), DDA.
- 5. Chief Account Officer, DDA.

for kind information.

- 6. Director (Works), DDA
- 7. AO(Works)-I, DDA.
- 8. Director (System), DDA for uploading on DDA website (through e-mail).
- 9. Deputy Director (Hindi Section) for translation in Hindi & uploading on DDA website through Dy. Director(System).

Secretary (WAB)

0/6

DELHI DEVELOPMENT AUTHORITY (WORK ADVISORY BOARD)

Subject: Minutes of the 10th WAB (2019) Meeting held on 21.10.2019 at 01:00 PM in

the Conference Hall, VC Secretariat, DDA, 1st floor, B-Block, Vikas Sadan,

INA, New Delhi

The list of officers who attended the meeting is as under:

Present(S/Shri)

man
per
per
ber
ber
tary

Others (S/Shri)

1.	Ashwani Kumar	CE(Rohini)
2.	D.R. Meghwal	SE/CC-9/Rohini
3.	R.K.Bhanwaria	Director (Works)
4.	H.K. Bharti	Director(Plg.)/ Rohini
5.	Smt. Harleen Behl	Addl. Chief Architect-III/ Rohini
6.	R.K. Chandel	EE/RPD-13
7.	Abhijeet Chaudhary	Associate Vice President of Darashaw & Co. (Consultant)

The following agenda item was discussed:

The Soul, MAD)

1

(A) Category "C": New Items.

1) WAB AGENDA ITEM NO. 1 of CE(Rohini)

Sub:

Tender for the work for

Name of Work:

Selection of Developer for Development of Socio-Cultural Centre

at District Centre-II, (Cluster-4B) Sector-10, Rohini, Delhi on

Design, Build, Finance, Operate and Transfer Basis (DBFOT).

The agenda note was submitted by CE(Rohini) vide no.FO/CE(R)/11(633)/2019-20/123 dated 09.10.2019. The case was presented by CE(Rohini) before Board as under:

- (i) Request For Proposal (RFP) document was approved in File No. F4(23)Socio/AE-IV/RPD-13/DDA on dated 11.03.2019. RFP was earlier invited on 18.07.2018. Single bid was received and it was not found responsive. In the second call RFP was issued and published in newspaper on 04.06.2019. A Pre-bid meeting was held on 12.06.2019 & following decisions were taken:
 - Development control norms for District Centre as available in MPD-2021 including latest notifications will be applicable.
 - As per MPD-2021, FAR for Twin District Centre (I&II) is 150, Quotient of enhancement of FAR for Twin District Centre is 0.4371.
 - Total permissible built up area shall be 80673.00 Sq.mt.
 - Additional FAR and ground coverage for Green Building available to the bidders shall be as per MPD-2021.

Nes

Sul, Mas

The clarification to Pre-Bid queries were uploaded on e-tendering portal. Technical bids were opened on 29.07.2019 and three bidders submitted their bids viz. (1) M/s Meriton Towers Private Limited-Consortium (2) M/s. Basant Projects Ltd. (3) M/S MAXHEIGHTS PROMOTERS PRIVATE LIMITED. All the bids were found technically qualified by the Technical Evaluation Committee on 29.08.2019 & recommended for opening their Financial Bids.

- (ii) The financial bids were opened on 02.09.2019. M/s Meriton Tower Pvt. Ltd.-Consortium emerged as the highest bidder with its financial quote of Rs.22.05 Cr. per annum as Annual Concession Fee (ACF) with 5% increase over previous year Annual Concession Fee. Additionally, as per Clause 1.2.6 of RFP, the Successful Bidder would pay Rs.20 Crores to Authority as Upfront Premium on signing of Concession Agreement. The expected revenue projected per year by M/s Darashaw & Company Private Limited (Consultant) is Rs.6 Crore per year at 2019 price level with 5% increase over previous year Annual Concession Fee. Accordingly, CE(Rohini) has recommended for acceptance of bid of M/s Meriton Tower Pvt. Ltd.-Consortium (H1 bidder).
 - 2. Board members raised some issues which are mostly covered in the RFP except for few for which consent of concessionaire should be taken before award of work. The details are as under:

Sr. No	Issues	Provision in RFP / Comments:
1.	Bidder should not be allowed to start the commercial operations unless the project is complete and completion certificate is issued by DDA.	Clause 6.2 (j) at Page 118 of RFP: Commence Commercial Operations of the Project Facility only upon Construction Completion of Minimum Development Obligations (Schedule M, Page-221) as

Nab

Send, My

Sr. No	Issues	Provision in RFP / Comments:
	The Concession with a second	certified by the Nodal Officer/Executive Engineer concerned.
	Salarin Mary Mary	Clause 6.2(d) at Page-117 of RFP:
		Meet the Minimum Development Obligations in terms of this Agreement and as specified in Schedule M. (Page-221).
	Descriptions A registration	Article 9 OPERATION AND MAINTENANCE
	Part Assimon Pearly	Section 9.1 O&M Works:
	imprised by JilliR A, on an angle of the second sec	(a) The Operation and Maintenance period of the Project shall commence from the date of issue of Construction Completion Certificate and in its absence, from the date of Provisional Certificate and terminate at the Transfer Date.
		Comments:
		In view of above provisions,
		"The Concessionaire can commence commercial operations of the project facility only after Construction Completion of Minimum Development Obligations as certified by the Nodal Officer/Executive Engineer concerned. The Mandatory Components of Minimum Development Obligations are Auditorium, Centre for Performing Arts, Convention Centre/Exhibitions, Open Air Amphitheatre, Multi-Purpose Training and Meeting Rooms, Recreational Club, Library/E-Library."
		per introduce a property to appearing pro- de.

Suy has

4

Sr. No	Issues	Provision in RFP / Comments:
3	The Concessioner shall not use the Socio Cultural Components under Schedule-M for making Shops / Kiosks for commercial purposes. Board observed that Real Estate (Regulation and Development) Act regulations / registration should be strictly followed by Concessionaire. Penalty if	Comments: An undertaking for not making Shops / Kiosks for commercial purposes should be taken from the concessionaire before award of work. Section 6.2(b) at Page-116 of RFP: Make or cause to be made the necessary applications to and obtain from the relevant Competent Authority for all Clearances, permits, necessary approvals and sanctions
		from the Competent Authorities, for building plans, infrastructure facilities including power, water supply, drainage & sewerage, firefighting, telecommunications etc. including environmental clearances, changes or clearances relating to import of goods, technology and personnel, pay applicable fees and supply the appropriate particulars and details to such Competent Authority as may be necessary for confirming that the Concessionaire fulfils the eligibility criteria to enable such authority reasonably to consider the request for the grant of the relevant Clearance and, following the grant of any such Clearance, maintain such Clearance in full force and effect so long as it is necessary in order for the Concessionaire to perform its obligations hereunder;
		Comments:
		The Real Estate Act makes it mandatory for all commercial and residential real estate projects where the land is over 500 square metres with the Real Estate Regulatory Authority (RERA) for launching a project, in order to provide greater transparency in project-marketing and

Cartifas Cart

Sr. No	Issues	Provision in RFP / Comments:
io h	prima (El bidder) or gines. Collabora 5% even sept a	execution. Thus the concessionaire will have to mandatorily register for the same and comply directions of RERA during execution of the project. The concessionaire should be conveyed
	rate of outspect to deletament a	accordingly while issuing LOI.
4	Step-in-right on non- fulfilment of obligations as per the Concession Agreement by the	Article-19 EVENTS OF DEFAULT Section 19.8 Step-in-rights at page 180 of RFP
	Concessionaire	This Section of Concession Agreement take care of step-in-rights of Concessioning Authority on the occurrence of Concessionaire Event of Default.
5	Levy of User Charges: The Concessionaire and DDA shall have equal voting rights in fixing & implementing the rates to be charged for Socio Culture component.	ARTICLE 12 USER CHARGES Section 12.1 Levy of User Charges at page 152 of RFP. a) Effective from Operations Date The user charges for the Socio Cultural Facilities shall be fixed in consultation of DDA. The Concessionaire shall propose to DDA the user charges for such facilities based on the market driven rates and the same shall be approved by DDA, if found to be in confirmation to the same. Comments:
		The Authority will have final say in approving user charges for Socio Cultural Facilities.

10 (Seal 1985)

After due discussion & deliberation, Board agreed with recommendation of CE(Rohini) and accepted the bid of M/s Meriton Towers Private Limited-Consortium (H1 bidder) at quoted Annual Concession Fee of Rs.22.05 Cr. per year to be enhanced 5% every year over previous year Annual Concession Fees with upfront premium of Rs. 20 Crore payable to Authority on Signing of Concession Agreement subject to fulfilment of all codal formalities and Comments of Board as in the table above.

Sd/-(Mahabir Prasad) CAO Sd/-(R.K. Singh) CE (QAC)

Sd/-(Shailendra Sharma) EM/DDA Sd/-(K. Vinayak Rao) FM/DDA

Sd/-(Tarun Kapoor) VC/DDA

Condigo John