

**DELHI DEVELOPMENT AUTHORITY**  
**(WORKS ADVISORY BOARD)**

No. WAB1 (76)/Vol.42/Secy./VIII/2018/3629

Dated: 14-9-18

**Subject: Minutes of the 8<sup>th</sup> WAB (2018) Meeting- Reg.**

The Minutes of 8<sup>th</sup> WAB (2018) Meeting held on 05-09-2018 at 02:15 PM in the Conference Hall (VC Secretariat), 1<sup>st</sup> Floor, B- Block, Vikas Sadan, INA, New Delhi, are enclosed here with for favour of information & necessary action.

**Encl: As above.**

*R.K.G.*  
14/9/18  
(R.K.Garg)

Secretary (WAB)

o/c

**In Circulation to:**

1. Chief Engineer (NZ), DDA.
2. Chief Engineer (Dwk), DDA.
3. Chief Engineer (RZ), DDA.

**Copy to:-**

1. Sr. PS to VC, DDA for kind information of the latter.
2. AD 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.
6. Chief Engineer (NZ), DDA
7. Chief Engineer (Dwk), DDA.
8. Chief Engineer(RZ), DDA.
9. Commissioner (Planning), DDA.
10. Chief Architect, DDA.
11. Sr. AO(Works) III, DDA.
12. Director (Works), DDA.
13. Director (System), DDA for uploading on DDA website and the same will be send through e-mail.
14. Deputy Director (Hindi Section) for translation in Hindi & uploading on DDA website through Dy. Director(System).

} for kind information.

*R.K.G.*  
14/9/18

Secretary (WAB)

o/c

*(Signature)*  
14/9/18

CONFIDENTIALDELHI DEVELOPMENT AUTHORITY  
(WORK ADVISORY BOARD)

No. WAB1 (76)/Vol.42/Secy./VIII/2018/

Dated:

**Subject:** Minutes of the 8<sup>th</sup> WAB (2018) meeting held on 05.09.2018 at 02:15 PM in the Conference Hall (VC Office), 1<sup>st</sup> floor, B-Block, Vikas Sadan, INA, New Delhi.

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

Present(S/Shri)

|                      |               |             |
|----------------------|---------------|-------------|
| 1. Udai Pratap Singh | Vice-Chairman | Chairman    |
| 2. Jayesh Kumar      | EM            | Member      |
| 3. K. Vinayak Rao    | FM            | Member      |
| 4. Mrityunjay Jha    | CAO           | Member      |
| 5. A.K. Singh        | CE(QAC)       | Member      |
| 6. R.K. Garg         | EO-III to EM  | Secy. (WAB) |

Others (S/Shri)

|                     |                     |
|---------------------|---------------------|
| 1. S.N. Singh       | CE(HQ)              |
| 2. Ajay Gupta       | CE(NZ)              |
| 3. R.K. Singh       | CE(Dwk)             |
| 4. Sandeep Mehta    | CE(RZ)              |
| 5. Vinod Yadav      | Chief Legal Advisor |
| 6. H.K. Bharti      | Director (Planning) |
| 7. Ashok Ghodeshwar | ACA(RZ)             |
| 8. Manisha Gupta    | Director (Planning) |
| 9. Anil Behki       | Director (Works)    |
| 10. Sunil Kumar     | EE/RPD-10           |
| 11. S.K. Gupta      | EE/ND-12            |
| 12. H.S. Rawat      | EE/WD-8             |

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The following agenda items were discussed:

**(A) Category "C" : New Items.**

1. **WAB AGENDA ITEM NO.743**

**Subject:** Providing Consultancy to develop city level high density mixed uses  
Economic/Commercial/Residential hubs in DDA vacant land at Dwarka.

The agenda note submitted by CE(Dwk) vide No. RFP-03/EE/WD-8/DDA/2017-18/961 dt. 31.08.2018 and subsequently modified vide even No. dt. 05.09.2018 was presented by CE(Dwk) with the recommendation that present bid of M/s I.K. Worldwide & SCP Consultant Pvt. Ltd. should be rejected at this stage due to high quoted rates and a fresh bid with modified RFP as per changed scope of work as suggested by office of Comm.(Planning), may be invited or this job may be undertaken by office of Commissioner (Planning) departmentally.

The agenda was deliberated by WAB with following observations / decisions:

**1<sup>st</sup> BID:**

The bids for the appointment of the consultant for vacant land in Dwarka were invited by CE(Dwk) in the month of July 2016. At technical bid stage seven agencies submitted their bids:

On the basis of technical evaluation of the bids all the seven agencies were found eligible for presentation which was held on 09.12.2016 in the presence of a committee constituted by the Competent Authority. After the presentation, the committee felt that hardly any agency had implemented the plan prepared by them. After the presentation Competent Authority desired that the bids need to be re-invited after making suitable modifications in the RFP document so that only those agencies which are really involved in preparation and implementation of the required type of projects can participate.

**2<sup>nd</sup> BID:**

With the approval of Competent Authority, the R.F.P. document was modified.

The bids were re-invited in the month of January,2017. The Technical bids were opened on 02-03-2017, wherein bids from Seven agencies were received.

On the basis of evaluation of technical bids only Five agencies were found eligible. On the basis of combined weighted score for quality and cost in the ratio of 80:20, the consultants were ranked in the order of total score obtained as below:

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| S.No. | Bidder   | Rate per ha<br>(in Rs) | Gross Amount<br>of Bid (in Rs) | Total Score | Remarks |
|-------|--|------------------------|--------------------------------|-------------|---------|
| 1     | Consortium of M/s<br>I.K Worldwide<br>&SCP Consultant<br>Pvt. Ltd.     | 8,93,000/-             | 13,75,22,000/-                 | 77.80       | H1      |
| 2     | Consortium of M/s<br>Darashaw<br>&Co.QDC&<br>Architect Hafeez          | 1,02,650/-             | 1,59,62,100/-                  | 77.33       | H2      |
| 3     | Consortium of M/s<br>CBRE South Asia<br>Pvt. Ltd. & Sikka<br>Associate | 82,792/-               | 1,27,50,000/-                  | 72.40       | H3      |
| 4     | Consortium of M/s<br>Feedback & CP<br>Kukreja Architects               | 1,68,181/-             | 2,58,99,999/-                  | 72.10       | H4      |
| 5     | Consortium of M/s<br>JLL & Chapman<br>Taylor                           | 2,77,923/-             | 4,28,00,142/-                  | 64.16       | H5      |

The case was put up to WAB on 08-05-2017 & after due deliberations and discussions a three-member committee with CE/Dwk, Director (Finance) & CE(SZ) was formed to negotiate with the first ranked bidder (H1) Consortium of Worldwide & SCP Consultant Pvt. Ltd. to reduce their rate and submit a detailed justification/ breakdown of rate quoted by them due to huge difference of cost between H1 & H2.

Accordingly, H1 agency submitted their negotiated rates on 14-05-2017 along with detailed justification/ breakdown of rates. The rates were reduced from Rs. 13,75,22,000/- to Rs.8,73,42,079/- (i.e. Rs. 8,93,000/- per ha to Rs. 5,67,156/- per ha). Thus lowering their rates by a margin of 36.48 %. The committee opined that even the negotiated rates of H1 agency are still on higher side as compared to the rates quoted by H2 agency and the bid was rejected subsequently and decided to recall the same.

### **3<sup>rd</sup> & Present BID**

The RFP with improvement in marking matrix duly approved was uploaded on E-tendering website for bidding on 31-08-2017. The technical bids were opened on 18-10-2017 and following three bidders applied for the bids for Dwarka Project:

1. Consortium/JV of M/s I.K. Worldwide & SCP Consultant Pvt. Ltd.
2. Consortium/JV of M/s JLL & Creative Group
3. Consortium/JV of M/s BDP Design Engineering, TCE & CBRE.

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Only one bidder i.e. M/s I.K. Worldwide & SCP Consultant Pvt. Ltd was technically qualified for this tender and remaining two bidders did not technically qualify as they were not meeting the criteria as per clause 5(i) of the RFP document (bidders must have experience of minimum 5 works completed and implemented on ground)

The technical evaluation was approved by the committee headed by EM/DDA on 09-03-2018 and in the view of same financial bid was opened on 27-03-2018.

The gross amount quoted by M/s I.K. Worldwide & SCP Consultant Pvt. Ltd only technically qualified bidder amounts to Rs. 11,18,00,000/- (Rupees Eleven Crore & Eighteen Lakh only).

The rate quoted per ha by the only bidder is Rs. 5,59,000/- per ha (Rs. Five lakh Fifty Nine Thousand only) which is marginally lower than the negotiated rate agreed by the same bidder in the previous bid for same work i.e. Rs. 5,67,156/- per ha (Rs. Five Lakh Sixty-seven Thousand one hundred fifty six only). The lowest rate quoted in previous RFP (2<sup>nd</sup> Call) was approx. Rs. 82,792/- per ha (Rs. Eighty-Two Thousand Seven Hundred and Ninety-Two only) by Consortium of CBRE South Asia Pvt. Ltd. & Sikka Associate (JV).

M/s I.K. Worldwide & SCP Consultant Pvt. Ltd has filed a W.P.(C) 5310/2018 in the High Court of Delhi at New Delhi The matter came for hearing before Hon'ble High Court of Delhi on 31.05. 2018. In the order of Hon'ble High Court, it is observed that no direction is given to DDA except that court has taken on record the statement of the petitioner's counsel highlighting that the decision on the bids needs to be taken on or before 25.06.2018 for Dwarka, 26.06.2018 for Narela and 01.07.2018 for Rohini project i.e. 90 days after opening of financial bids by respective CEs and DDA shall ,before the financial bid expire, call upon the petitioner to extend the validity of same at least till decision is taken. On this Ld. CLA has advised that this order does not preclude the DDA from taking a decision in the matter and there is no embargo on DDA in taking any decision on the RFP.

The matter further came for hearing before Hon'ble High Court of Delhi on 02-07-2018 and it was taken on record on behalf of DDA Panel lawyer that "*a committee duly constituted to make recommendations in relation to the subject tender has already determined that the petitioners are technically qualified and in pursuance thereon **accepted their financial bid**. It is however submitted that the Competent Authority is yet to take a final decision in regard to the issuance of the LOI in accordance with the law.*"

There was some error in the statement of Panel lawyer recorded in the above order. The factual position is that the bid of the petitioner is technically qualified only and decision on financial bid is under consideration. The panel lawyer has given the statement based on a document shown to him i.e. the tenders summary report downloaded from the NIC portal which was produced by the petitioner in the Court. In that tender summary report at the time of opening of financial bid status of tender is shown as '**Accepted-Finance**' which doesn't imply that financial bid has been accepted. This is a inbuilt system on the NIC portal.

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The petitioner filed an application CM APPL.3250/2018 under Section 151 of the Code of Civil Procedure, 1908. The matter was listed on 13.08.2018. The Extract of the order dated 13.08.2018 is as under:

*Mr. Dhanesh Relan, learned counsel accepts notice on behalf of respondent No.1.(DDA)*

*Mr. Relan, learned counsel states that the Competent Authority shall take a decision with regard to the issuance of Letter of Intent (LOI), in accordance with law, **within four weeks from today.***

*Directed accordingly.*

*It is, however, made clear that in the event the decision is not taken, within the time undertaken by the DDA, they shall produce the relevant file before this Court on the next date of hearing.*

**List on 25.09.2018.**

The four-week period will end on 10.09.2018. So, DDA is to take decision on or before 10.09.2018.

Board observed that it has taken note of the emails sent by Sh. V.K. Jain (DDA's panel lawyer who was dealing with this case earlier) and the note of FM dated 4.09.2018. WAB observed that there is no substance in the allegations made by Sh. V.K. Jain. WAB also observed that the notings on case file reveal that there have been detailed deliberations and the case has been examined from all angles. No further action needs to be taken on the emails from Sh. Jain.

From foregoing paras it was noted that 2<sup>nd</sup> time the bid of M/s I.K. Worldwide & SCP Consultant Pvt. Ltd. was rejected on account of higher rates in comparison to H-2 bidder. CE(DWK) explained that in the present case too, the rates quoted by M/s I.K. Worldwide & SCP Consultant Pvt. Ltd. is Rs.5,59,000/- per ha against the assessed cost of Rs. 3,27,716/- per ha. He pointed out that the present rate is only marginally lower than the negotiated rate of the same agency i.e. Rs. 5,67,156/- per ha. In view of above since the rates are in the same range as quoted last time and are on the higher side. So, after due discussion and deliberation, Board agreed with the recommendation of CE(Dwk) and accordingly decided to reject the bid of M/s I.K. Worldwide & SCP Consultant Pvt. Ltd. (3<sup>rd</sup> Call) as bid price is very high.

## 2. WAB AGENDA ITEM (RZ)

**Subject:** Providing Consultancy to Evolve City level development plan for high density Mix land use Economic/Commercial Residential hubs in DDA vacant land at Rohini.

The agenda note submitted by CE(RZ) vide No. F2(40)EE/RPD-10/DDA/2016-17/547 dt. 01.09.2018 and was presented by CE(RZ) with the recommendation for rejection of the present bid of M/s I.K. Worldwide & SCP Consultant Pvt. Ltd. due to a number of reasons including loss of substantial chunks of land under 24(2), issues of non-contiguity, intermingled unauthorized private land and seemingly high quoted rates resulting from a single qualified tender.

*RZ*

**1<sup>st</sup> and 2<sup>nd</sup> Bid**

The bids for appointment of the consultant for vacant land in Rohini were invited in the month of November 2016. The Competent Authority on 19.12.2016 directed to cancel the RFP and recall it after modification of documents.

Accordingly the RFP document was modified and the modifications were approved by Competent Authority on 05.01.2017. But due to some administrative reasons 2<sup>nd</sup> bid was cancelled by the Competent Authority on 24.07.2017.

**3<sup>rd</sup> and Present Bid**

The RFP for the work was uploaded on e-tendering website for bidding on 31.08.2017. The technical bids were opened on 18.10.2017 and following four bidders applied for the bids for Rohini work.

1. Consortium/JV of M/s I.K. Worldwide & SCP Consultant Pvt. Ltd.
2. Consortium/JV of M/s JLL & Creative Group
3. Consortium/JV of M/s BDP Design Engineering, TCE & CBRE.
4. Mehta & Associates, Indore.

Only one bidder i.e. M/s I.K. Worldwide & SCP Consultant Pvt. Ltd was technically qualified for this tender and remaining three bidders did not technically qualify as they were not meeting the criteria as per clause 5(i) of the RFP document (bidders must have experience of minimum 5 works completed and implemented on ground).

The technical evaluation was approved by the committee headed by EM/DDA on 09-03-2018 and the financial bid was opened on 02-04-2018.

The gross amount quoted by M/s I.K. Worldwide & SCP Consultant Pvt. Ltd only technically qualified bidder is Rs. 13,61,22,090/- (Rupees Thirteen Crore Sixty One Lakh Twenty Two Thousand and Ninety only).

The rate quoted per ha by the only qualified bidder is Rs. 5,59,000/- per ha (Rs. Five lakh Fifty Nine Thousand only) which is marginally lower than the negotiated rate agreed by the same bidder in the previous bid for similar work under Dwarka Zone i.e. Rs. 5,67,156/- per ha (Rs. Five Lakh Sixty-seven Thousand one hundred and fifty six only). The lowest rate quoted in previous RFP of the Dwarka Zone was approx. Rs. 82,792/- per ha (Rs. Eighty-Two Thousand Seven Hundred and Ninety-Two only) by Consortium of CBRE South Asia Pvt. Ltd. & Sikka Associate (JV).

**The Status of Court case and orders of Court thereof as in agenda of Dwarka Zone remains same for Rohini Zone.**

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As per agenda note submitted by CE(RZ) this bid was called for an area of 243.51 ha, scattered in sec.39,40 & 41 Rohini and these sectors are surrounded by unauthorized colonies. The area of land is substantially reduced from 243.51 ha. to 168.80 ha due to lapse of land under section 24(2). The lapse land under section 24(2) is not likely to be available for use under the proposed plan. The land lost in 24(2) is in separate khasras which are not conjoined, therefore feasibility of the land for development as a smart city needs to be verified by the Planning Wing/DDA. Building Smart City in pockets surrounded by unauthorized private development does not appear feasible.

So, after due discussion and deliberation, Board agreed with the recommendation of CE(RZ) and accordingly take a decision for rejecting the bid of M/s I.K. Worldwide & SCP Consultant Pvt. Ltd. due to loss of substantial chunk of land under 24(2) and high bid price.

### 3. WAB AGENDA ITEM (NZ)

**Subject:** Providing Consultancy to Evolve City level development plan for high density Mix land use Economic/ Commercial/ Residential hubs in DDA vacant land at Narela.

The agenda note submitted by CE(NZ) vide No.F56(31)A/C's/ND-12/DDA/2017-18 dt. 04-09-2018 and was presented by CE(NZ) with the recommendation for cancellation of the present bid of M/s I.K. Worldwide & SCP Consultant Pvt. Ltd. as quoted rate are extremely high and area is substantially reduced which is not sufficient for this project.

#### 1<sup>st</sup> Bid

The bids for appointment of the consultant for vacant land in Narela were invited in the month of December 2016. The Competent Authority on 19.12.2016 decided to cancel the RFP and directed to recall it after modification of document.

#### 2<sup>nd</sup> Bid

Accordingly the RFP document was modified and the modifications were approved by Competent Authority on 05.01.2017. The bids were re-invited in the month of February 2017. But due to some administrative reasons 2<sup>nd</sup> bid was cancelled by the Competent Authority.

#### 3<sup>rd</sup> and Present Bid

The RFP for the work was uploaded on e-tendering website for bidding on 31.08.2017. The technical bids were opened on 18.10.2017 and following three bidders applied for the bids for Narela work.

1. Consortium/JV of M/s I.K. Worldwide & SCP Consultant Pvt. Ltd.
2. Consortium/JV of M/s JLL & Creative Group





3. Consortium/JV of M/s BDP Design Engineering, TCE & CBRE.

Only one bidder i.e. M/s I.K. Worldwide & SCP Consultant Pvt. Ltd was technically qualified for this tender and remaining two bidders did not technically qualify as they were not meeting the criteria as per clause 5(i) of the RFP document (bidders must have experience of minimum 5 works completed and implemented on ground).

The technical evaluation was approved by the committee headed by EM/DDA on 09-03-2018 and the financial bid was opened on 28-03-2018. The gross amount quoted by M/s I.K. Worldwide & SCP Consultant Pvt. Ltd only technically qualified bidder is Rs. 12,16,83,120/- (Rupees Twelve Crore Sixteen Lakh Eighty Three Thousand One Hundred and Twenty only). The rate quoted per hectare by the only qualified bidder is Rs. 5,59,000/- per ha (Rs. Five lakh Fifty Nine Thousand only) which is extremely high.

**The Status of Court case and orders of Court thereof as in agenda of Dwarka Zone remains same for North Zone.**

As per agenda note submitted by CE(NZ) at the time of preparation of RFP the total land area considered was 217.68 Ha. consisting of 83.31 Ha. of Tikri Khurd and 134.37 Ha. of IFC Narela. The plan of IFC Narela is already approved by the Screening Committee and earmarked for Commercial, Wholesale Market, District Center, Automobile Showroom/Repair shop, Parking, Parks, Truck Terminal etc. The Development works at IFC Narela have already been taken up by DDA and are under the monitoring of Hon'ble High Court and Hon'ble LG Delhi, in the matter of Society of Awareness and Development V/S Union of India & Ors. [WP(C)5378/2016, CM No. 32335/2017 and 46284-85/2017]. Thus, planning of only 83.31 Ha. area in this proposal will be an exercise in futility.

So, after due discussion and deliberation, Board agreed with the recommendation of CE(NZ) and accordingly take a decision for rejecting the bid of M/s I.K. Worldwide & SCP Consultant Pvt. Ltd. as quoted rate are very high and area is substantially reduced which is not sufficient for this project.

Sd/-  
(Mrityunjay Jha)  
CAO

Sd/-  
(A.K. Singh )  
CE (QAC)

Sd/-  
(Jayesh Kumar)  
EM/DDA

Sd/-  
(K.Vinayak Rao)  
FM/DDA

Sd/-  
(Udai Pratap Singh)  
Vice Chairman/DDA

*Rud*

*W*