

**CONFIDENTIAL**

**DELHI TRANSPORT CORPORATION**

**Minutes of the 2<sup>nd</sup> Meeting of 2013 of the DTC Board held on 09.04.2013 at 12.00 Noon in the Conference Room, DTC Hqrs. I.P.Estate, New Delhi.**

**PRESENT:**

- |    |  |          |
|----|--|----------|
| 1. | Shri Rajeev Verma, IAS<br>Chairman & MD, DTC   | Chairman |
| 2. | Shri Shakti Sinha, IAS<br><br>Pr. Secretary(F),<br><br>Govt. of NCT of Delhi                   | Director |
| 3. | Shri Puneet K. Goyal, IAS<br><br>Secretary & Commissioner (Tpt.),<br><br>Govt. of NCT of Delhi | Director |
| 4. | Shri Tarsem Kumar, DANICS<br><br>FA& CAO, DTC  | Director |

Principal Secretary (Land & Building), Govt. of NCT of Delhi; Joint Commissioner of Police (Traffic), Delhi and Commissioner (Planning), DDA could not attend the meeting.

**ALSO PRESENT:**

1. Shri R.K.Kasana, C.G.M.(Op.& Tech.)/Secretary DTC Board.

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**Confirmation of minutes of 1<sup>st</sup> meeting of 2013 of  
the DTC Board held on 22.01.2013**

**Confirmed.**

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**Resolution No.33/2013: Item 14/2013: Audit Report of DTC Employees  
Provident Fund Trust for the year 2011-12.**

(Shri R.N.Gupta, Addl.CAO was called in)

The Board after detailed discussion on the agenda item, approved the Audit Report for the year 2011-12 of DTC E.P.F. Trust Accounts together with the comments of DTC on the Audit Report for sending the same to the Govt. of NCT of Delhi for placing before Delhi Legislative Assembly under Section 20(1) of the CAG (Duties, Powers and Conditions of Services) Act, 1971.

**Resolution No.34/2013: Item 15/2013: Approval on the minutes of the Selection  
Committee for filling up the vacant post of Deputy Chief General Manager  
(Industrial Relation) by way of promotion.**

(Shri A.K.Goyal, C.G.M.(P) was called in)

The Board after detailed discussion on the agenda item, approved the minutes of the Selection Committee to promote Dr.Aradhana, Sr.Manager Admn.) to the post of Deputy Chief General Manager (Industrial Relation) on officiating basis.

**Resolution No.35/2013: Item 16/2013: Appeal against the orders of the CMD imposing upon Shri Om Singh, Manager(A) the penalty of stoppage of next due two increments with cumulative effect – consideration thereof.**

(Shri B.Dass, Sr.Mgr.(DC) was called in)

The Board discussed the agenda item in detail and after carefully considering the facts of the case, points raised by the Appellant and material on record, rejected the appeal preferred by Shri Om Singh, Manager (A).

**Resolution No.36/2013: Item 17/2013: Staffing Norms of Repair & Maintenance staff on Low Floor Bus Fleet.**

(Shri A.K.Goyal, C.G.M.(P), was called in)

The Board considered the agenda item and in view of the position explained therein accorded approval for the following category-wise distribution of Repair & Maintenance staff in a Low Floor Bus Depot with a fleet o 100 buses:

S.No.	Category	Nos. of Repair & Maintenance Staff.
1.	Foreman	02
2	Asstt. Foreman	06
3	Mechanic	03
4	Fitter	05
5	Asstt. Fitter	05
6	Elect. I	02

7	Asstt. Electrician	02
	<b>Total</b>	<b>25</b>

**Resolution No.37/2013: Item 18/2013: Procurement of fully built 625 Non-AC and 25 AC Low Floor CNG Propelled City buses with Maintenance from M/s Tata Motors Ltd., - Revision of Labour Rates for undertaking Repairs of Accidental Buses.**

(Shri S.P.Sethi, Consultant & Sh.K.C.Gupta, Sr.Mgr.(M)SBU, were called in)

The Board was apprised of the existing labour rates of Rs.90/- per hour applicable for the accidental bus repairs of the first lot of 650 Low Floor (625 Non-AC & 25 AC) CNG Buses earlier approved by the Board vide Resolution No.14/2011 dated 11.02.2011 effective retrospectively and the repeated requests made by M/s. Tata Motors Ltd for revision in labour hour rates in view of increased labour cost. As per the AMC terms, the cost of repair on account of the accidents due to war, civil commotions, strikes, floods, earthquake & explosion as well as accidents not attributable to the defects/ mechanical failure, shall be borne by the Purchaser – DTC. For such accidental bus repairs, the Corporation has been paying Rs.90/- per hour towards labour cost. The instant matter is placed before the Board for revision of labour hour rates of Rs.90/- per hour as benchmark based on the percentage increase in the labour hour rates of 12.79% as notified by the Government of NCT of Delhi during the period i.e. April'2011 to March'2013.

2. After detailed discussions, the Board resolved as under:

- i. Approved revision in Labour Hour Rates to Rs.102/- per hour for repairs of accidental buses applicable for the financial year 2013 - 14 i.e. effective from 1<sup>st</sup> April'2013 to 31<sup>st</sup> March'2014 from the existing labour hour rates of Rs.90/- per hour.

ii. Approved that the revised labour hour rates of Rs.102/-, henceforth, shall be revised based on the percentage increase in average labour hour rates notified by the Government of NCT, Delhi during the financial year i.e. 1<sup>st</sup> April 2013 to 31<sup>st</sup> March'2014 applicable for the fiscal 2014-15 and so on.

iii. Authorized CMD for further necessary action in the matter.

**Resolution No.38/2013: Item 19/2013: Transport Allowance to Orthopedically Handicapped employees.**

(Shri Zothankhuma C.G.M.(A) & Sh.A.K.Srivastava, Dy.CGM(A) were called in)

The Board discussed the agenda item in detail and approved that the Transport Allowance to 112 (approx.) Orthopedically Handicapped Employees of DTC be granted in terms of directions of [O.M.No. 21\(2/2008-E-II\(B\)](#) dated 29-8-2008 issued by Govt. of India, Ministry of Finance, Deptt. of Expenditure, New Delhi, with retrospective effect i.e. from 01-09-2008.

**Resolution No.39/2013: Item 20/2013: Transport Allowance to the officers/officials who are on deputation with DTC.**

(Shri Zothankhuma C.G.M.(A) & Sh.A.K.Srivastava, Dy.CGM(A) were called in)

The Board discussed the agenda item in detail and approved that in terms of Para 7.6(b) of the O.M. No. 6/8/2009-Estt./Pay-II dated 17.6.2010 of Govt. of India, Ministry of Personnel Public Grievance and Pension , Deptt. of Personnel & Training, New Delhi, the Transport Allowance be given to the persons, who join on deputation in DTC w.e.f. the date of the decision taken by the Govt. subject to the condition that they are not given the staff car facility for coming and going to residence or free travelling facility in DTC buses.

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**Resolution No.40/2013: Item 21/2013: Workers Participation in Depot Operation.**

(Shri Zothankhuma C.G.M.(A) & Sh.A.K.Srivastava, Dy.CGM(A) were called in)

The Board considered the agenda item in detail and approved that draft circular on the scheme of workers participation in operation of Ghazipur Depot.

**Resolution No.41/2013: Item 22/2013: Appeal against the orders of the CMD imposing upon Shri P.K.Bangar, Sr.Manager(Tr.) the penalty of ‘Warning’-consideration thereof.**

(Shri B.Dass, Sr.Mgr.(DC) was called in)

The Board discussed the agenda item in detail and after carefully considering the facts of the case, points raised by the Appellant and material on record, rejected the appeal preferred by Shri P.K.Bangar, Sr.Manager (Tr.)

**Resolution No.42/2013: Item 23/2013: Procurement of fully built 500 Non-AC & 125 AC Low Floor CNG Propelled City Buses with maintenance for 7,50,000 Kms. Or 12 years operation whichever is later – Status Note on Finalization of RFP Document and Floating of Global Tender.**

**Suppl. Note dt. 08.04.2013 (Placed on the Table)**

(Shri S.P.Sethi, Consultant & Sh.K.C.Gupta, Sr.Mgr.(M)SBU, were called in)

The Board was apprised of the progress made in preparation of Request for Proposal (RFP) Document by M/s. Delhi Integrated Multi Modal Transit System Limited (DIMTS) – Bid Management Consultant to DTC for piloting Global Tender for procurement of 625 Low Floor CNG Buses with maintenance. A Tender Review Committee (TRC) comprising of the concerned Officers of the Corporation from Technical, Operation, Finance & Traffic Departments, the representatives of Transport & Finance Departments of the Government of NCT of Delhi, outside Expert Dr. Amit Pal of Delhi College of Engineering and M/s. DIMTS was constituted. The TRC reviewed the draft RFP Document prepared by M/s. DIMTS based on the experience of the Corporation in executing the Tenders for first lot of 650 Low Floor buses and second lot of 3125 Low Floor Buses and finalized Terms & Conditions, Specifications of RFP Document. Meanwhile, the Government of NCT, Delhi decided to procure 20% AC Buses out of the lot of 625 LF CNG Buses. M/s. DIMTS did not agree to prepare Terms & Conditions, Specifications of AC Buses due to non-settlement of additional exorbitant Consultancy Fee for the

additional work of AC Buses, as such, the Terms & Conditions, Specifications based on the existing Terms & Conditions, Specifications of AC Buses was prepared by the Corporation in-house by incorporating acceleration of 0.9 meter per second<sup>2</sup> for premium segment air-conditioned Diesel/ CNG/ ULSD/ Hydrogen Engine under Urban Bus Specification – II, Ministry of Urban Development, Government of India as Supplementary to the RFP Document. Accordingly, the Global Tender for procurement of 625 Low Floor CNG Buses (500 Non-AC & 125 AC) was published in the Newspapers on 20.03.2013 and Indian Trade Journal, Kolkata. The Bid Invitation Notice & RFP Document was also up-loaded on DTC Website on 20.03.2013. All known Indian/ Foreign Vehicle Manufacturers and Indian Embassies in Foreign countries & Foreign Embassies in India were also intimated through e-mail/ letters. The Pre-Bid Conference was held on 04.04.2013 with the prospective Bidders organized by M/s. DIMTS in its Conference Hall attended by the representatives of Vehicle Manufacturers namely M/s. Tata Motors, Ashok Leyland, Volvo Bus etc and Members of TRC. M/s. DIMTS has made a presentation highlighting the main features of the RFP Document in respect of Commercial, Technical & Annual Maintenance Contract. The Vehicle Manufacturers have raised queries in respect of Terms & Conditions, Specifications of the RFP Document and sought changes in the RFP Document. Some clarifications in respect of RFP Document were given to the Vehicle Manufacturers during the Pre-Bid Conference. However, it was made clear to the Vehicle Manufacturers that the Corporation is not bound by the verbal queries/suggestions and would take cognizance of only written suggestions/queries, as such the Vehicle Manufacturers were asked to submit their written queries/ suggestions latest by 17.00 hours on 05.04.2013. M/s. DIMTS also informed the prospective bidders that based on perusal of their queries/ suggestions & by incorporating the changes, if any found acceptable, the RFP Document will be frozen by 12.04.2013.

2. M/s. Tata Motors, Ashok Leyland, Volvo Bus, JBM & Cast Master have given their queries/ suggestions in writing and the same have been annexed with the Supplementary Note. These suggestions were deliberated by the Tender Review Committee in its Meeting held on 05.04.2013 at 05.30 p.m. After detailed discussions on the suggestions/ issues raised during the Pre-Bid Conference by the Vehicle Manufacturers seeking changes in the Terms & Conditions, Specifications of the RFP Document, the Tender Review Committee recommended the following changes for consideration & approval for incorporation in the RFP Document before freezing:

- i. Clause 1.1 of Instructions to Bidder (ITB): Experience of manufacturing CNG/ Diesel Fuel Mode Vehicles

Considering being Global Tender & limited participation by the bidders in the past and CNG Fuel Mode Buses not mandatory outside India as in Delhi, the Committee decided that *'established and reliable manufacturers having atleast 3 years' experience in manufacturing of CNG/ Diesel propelled Bus Chassis and/ or fully built CNG/ Diesel Buses of at least preceding three years ending on 31st March '2013'* may be agreed to.

ii. Clause 46.5/ 46.9 of General Conditions of Contract (GCC): 95%/ 92% Fleet-wise availability

Considering excessive recoveries towards 95%/ 92% Bus-wise availability, cumbersome bus-wise pre-estimated damages calculation, the Committee decided that *Depot-wise 95%/ 92% fleet-wise availability in morning shift as well as in evening shift on daily basis may be agreed to. However , the contractor shall ensure that a bus shall not be held up beyond 15 days continously , otherwise, pre-estimated damages as defined in relevent clause of AMC may be leviable on each such bus for the period held up beyond 15 days irrespective of making availablability of 95%/ 92% of the fleet.* The Committee clarified that the Multiplying Factor may be applicable on the basic AMC rates i.e. excluding Government levies/ taxes.

iii. Clause 46.22 of GCC: 100% Fleet-wise availability on certain days

The Committee decided that the Contractor may be required to make best efforts to ensure the availability of 100% of the buses, in the morning shift on certain days, as may be specified by DTC, which may include festivals, weekly/ monthly productivity days, non-availability of other public transport modes in city, etc. However, pre-estimated damages may not be levied for any shortfall in 100% availability of buses except in cases where the availability is less than 95%/ 92% as applicable.

iv. Clause 46.5 of GCC: Hourly Schedule of out-shedding of buses – Morning & Evening Shift

In place of availability of bus for Morning & Evening out-shedding in sync with Morning & Evening hourly out-shedding schedule of the Depot, the Committee agreed that Morning & Evening out-shedding as per Depot out-shedding schedule latest by 9 AM for Morning Shift & 6 PM for Evening Shift respectively may be considered. Beyond this point, the buses shall be considered as late/ non-available for shift operation.

v. Clause 46.9 of GCC:Pre-estimated Damages towards non-avaiability & multiplying factor

Regarding Pre-estimated damages as defined in AMC Clause-46.9 with multiplication factor of 5 for the life span of the bus, in order to make the pre-estimated dmages reasonable, the Committee decided that Multiplication Factor (MF) of 5 may be considered for Warranty Period of 2,10,000 Kms or 3



years whichever is later in view of better reliability of new buses, beyond Warranty Period upto 7 years of induction into operation, MF of 4.5 may be applicable and thereafter, MF of 4 for the remaining life of the bus considering higher AMC rates generally quoted involving higher maintenance cost for the aging buses.

vi. Clause 24.4 & 24.5 of GCC on 'Performance of obligations under Fuel Efficiency Norms and CNG fuel KmpKg Guarantee& Route Kilometers verification

The Committee decided that above Clause-24.4 & 24.5 of GCC under 'Warranty' may be brought out under Clause-46 on AMC of GCC being part of the AMC. Further, the Committee considered & agreed to the advice of DIMTS that 1% of the actual kilometers operated by the buses of the Depot concerned as recorded on the Driver's memo and Purchaser's Control Room towards miscellaneous kilometrage may be added for the purpose of calculation of CNG KmpKg only on quarterly basis other than kilometrage for the purpose of AMC charges. In event of any doubt in respect of kilometers of a route, the representatives of the Contractor & the Purchaser may carry out joint survey of the route for verification of the same.

vii. Clause-46.11 of GCC

The Committee decided that the provision after the Table i.e. '*After Warranty Period, in case, any bus complete year-wise slab kilometers of 60,000 before expiry of the year, the AMC charges for the said slab shall be paid to the Contractor till expiry of the said year*' may be considered for deletion in line with the existing provision of the RFP Document for 2500 Low Floor CNG Buses of 2008. However, after Warranty Period, each bus need to complete the life of the bus for 7,50,000 Kms or 12 years whichever is later. In case, a bus completes 7,50,000 Kms before 12 years, the AMC rates of the last slab may be payable till the bus completes 12 years. Similarly, if a bus completes less than 7,50,000 Kms in 12 years, the AMC rates of the last slab may be payable till the bus completes 7,50,000 Kms.

viii. Payment Terms 80%/ 20%

No change.

ix. Labour Rates

No change.

x. Accidents/ Damages/ Loss due to vandalism/ Drivers not available etc.

The Committee decided that the Contractor may not be liable for any pre-estimated damages for non-availability of buses due to vandalism/ bus made available but not out-shedded as per requirement of the Purchaser or due to

non-availability of drivers or for any other reason for which the Contractor is not liable/ responsible.

xi. New/ Revision in Government Taxes/ Levies

All Government Taxes/ Levies as applicable on the date of invoicing of new buses/ AMC of buses may be payable to the Contractor.

xii. Clause 20.8, 20.9 of ITB & Clause 5 of GCC: Delivery of Minimum supply of 50 buses per month

The Committee decided that minimum supply of 20 buses per month in place of minimum supply of 50 buses per month may be specified for the first lot after prototype approval and thereafter, the Contractor is required to complete the entire supply of buses within the stipulated period.

xiii. Clause 12.1 (b)& (c) of GCC: Delay in Delivery of Buses not to deprive VMs change in Government Taxes/ Levies

The Committee decided that delay in delivery of buses already attract liquidated damages, as such, Government Taxes/ Levies as applicable on the date of invoicing may be payable to the Contractor.

xiv. GPS Fitment

The Committee decided that supply and installation of GPS system as per MoUD, GOI specifications and integrated/ compatible with DIMTS's Master Control Room may be specified in the RFP document.

xv. Material Sampling under Clause-3.2 of Inspection Plan (Annexure-11) – Testing Charges on passing of samples in Lab Test

*Regarding the Purchaser reserves its right to take a sample of any material being used or used for the purpose of manufacturing of bus either during the progress of work at his works by the Inspecting officer deputed at his works in the presence of the Bus Manufacturer or his authorized representative or from the completed bus during the Warranty Period after dismantling any of the part or portion of the bus in the presence of the Contractor or his authorized representative and send the same to CIRT, Pune/ ARAI, Pune/ BIS approved Lab., for testing purposes regarding its standard quality etc. at the cost of the Contractor. The samples will be got tested as per BIS/ equivalent International Standards as mentioned in the specifications. The Test Report of such sample as given by the Laboratory shall be final and binding on both the Parties. The samples will be got tested as per Specifications as per contract. The cost of Testing Charges shall be borne by the Bus Manufacturer, the Committee decided that in the event of any such sample found passing in lab test, the testing charges may be borne by the Purchaser.*

xvi. Clause 46.14 of GCC: Towing of online CNG finish breakdown buses

The Committee decided that towing of such breakdown buses on line on account of CNG finish may be arranged by the Contractor immediately to clear the road from traffic jams/ inconvenience caused to other road users. In case the fault is on the part of the Driver concerned due to inadequate filling, towing charges may be borne by the purchaser and in case the same is due to CNG leakage, the Contractor may bear the towing charges. The decision of the Purchaser in respect of towing charges as determined by the purchaser taking into consideration market rates etc. may be binding on the Contractor.

xvii. Clause 46.10.2 (46.7.2) of GCC: 10% rebate towards retaining the unservicable/ defective parts

No change.

xviii. Annexure A1, A2, B1 & B2 Price Schedules of RFP Document

The Committee decided that it should be clearly brought out in the Foot Note instructions in respect of both Bus Price and AMC charges that the Bidder may clearly indicate the breakup of prices in their bids including government taxes/ levies as applicable at the time of filling their bids. The Bidders should also clearly indicate the breakup of VAT/ Service Tax etc applicable on the AMC charges in respect of Works contract involving use of spare parts & labour in providing AMC services.

xix. Clause 46.14 & 46.18 of GCC: Painting of Buses

The Committee decided that the Contractor may be required to paint the entire bus properly also other than making the bus presentable fit to pass MVI test before producing the same for MVI passing i.e. first MVI after two years and subsequently after every year.

xx. Clause 46.45 of GCC: Presentability

The Committee decided that in order to avoid any ambiguity in respect of presentability of the buses, proper record should be maintained on the particular poor presentability aspect of the bus concerned with Bus Registration number etc. and if needed, the same may be photographed to provide evidence in respect of poor presentability to the Contractor so that the same may be attended immediately by the Contractor.

xxi. Clause 36.1 of GCC: Training

The Committee decided that the Contractor may arrange orientation training at New Delhi/ their Works/ Plant for technicians/ supervisors/ engineers/ officers of the purchaser.

3. The above recommendations of the Tender Review Committee were also circulated to all the Members of the Committee for favour of their comments/ views. The comments/ views have been received from RM-(North), Sr. Manager-(MS-I), RM-(East) & RM-(Rural) endorsing the recommendations of the Tender Review Committee and other suggestions of Technical nature will be taken care of before freezing the RFP Document.

4. Meanwhile, M/s. DIMTS have been requested vide letter No. CGM/SBU/891/2013/135 dated 06.04.2013 for favour of further necessary action in respect of Replies to Queries & Addendum based on the changes recommended by the Tender Review Committee. The Board was apprised that M/s. DIMTS is working on Replies to Queries & Addendum based on the recommendation of the TRC. Regarding Technical changes requested by the Vehicle Manufacturers during Pre-Bid Conference, M/s. DIMTS has informed that they have already forwarded the same to their Technical Expert for examination and the same will be submitted before 12.04.2013.

5. Regarding additional Consultancy Fee of Rs.10.0 lakh asked by M/s. DIMTS towards additional work of AC Buses, the Board was informed that initially M/s. DIMTS asked for Rs.10.0 lakh when justification for the same was requested, M/s. DIMTS enhanced the additional Consultancy Fee to Rs.19.0 lakh. The Corporation informed M/s. DIMTS that not much changes in respect of Specifications, Terms & Conditions have been made in the finalized Tender Document except amplification/ clarity brought out in respect of the terms of the basis of feedback provided by the Corporation. In the past, under similar conditions, M/s. RITES had executed the Bid Management Consultancy for 500 Non-AC & 125 AC Low Floor CNG Buses consequent to the decision of the Government without any additional Consultancy Fee though the initial Consultancy fWork was awarded for 200 Non-ac Low Floor CNG Buses. Meanwhile, CIRT, Pune have submitted their Bids for Bid Management Consultancy for procurement of 1100 Standard 900mm Floor Height CNG Buses with maintenance at a total project cost of Rs.33,49,248/- plus Service Tax @ 12.36% and confirmed acceptance of

additional Consultancy work of 20% AC Buses out of the lot of 1100 Buses without any additional cost. Further, no change has been made in the Supplementary to the Tender Document on AC Buses prepared and floated by the Corporation as per the decision of the Government. As such, M/s DIMTS have been requested to pilot the Global Tender for procurement of 500 Non-AC & 125 AC Low Floor CNG propelled City Buses without any additional Consultancy Fee. The Board observed that M/s DIMTS has asked for additional Consultancy Fee of Rs.10.0 lakh for additional AC Buses while the Corporation has taken a stand that M/s.DIMTS should undertake AC work without additional Consultancy Fee. In view of the above circumstances, the Board desired that the Corporation should re-negotiate the additional Consultancy Fee with M/s. DIMTS to arrive at an agreeable additional Consultancy Fee for the additional work of AC Buses.

6. After detailed discussions, the Board resolved as under:

(i) Approved actions taken so far.

(ii) Noted the decision of the Government for procurement of 20% AC Buses out of the lot of 625 Low Floor Non-AC CNG City Buses with maintenance.

(iii) Approved changes in the RFP Document recommended by Tender Review Committee as brought out in Para-6 of Supplementary Note dated 08.04.2012 on Agenda Item No.23/2013 and also reproduced in Para-2 above.

(iv) To re-negotiate the additional Consultancy Fee with M/s. DIMTS to arrive at an agreeable additional Consultancy Fee for the additional work of AC Buses.

(v) Authorized CMD for further necessary action in the matter for freezing the RFP Document by 12-04-2013, Replies to Queries, issue of Addendum No.1, Technical issues, Evaluation of Bids etc.

**Resolution No.43/2013: Item 24/2013: Fixing of minimum charge of Low Floor AC Buses on for giving on Special Hire to the School.**

(Shri A.K.Goyal, C.G.M.(Tr.) was called in)

The Board considered the agenda item in detail and after discussion thereon approved minimum charges of Rs.4500/- per bus per day for hiring AC buses for school operation and in case of hiring of AC buses by general public, the minimum charges may remain the same as Rs.8000/- per bus per day (plus detention).

**Resolution No.44/2013: Item 25/2013: To honour the Award dt. 10.5.2006 published by Ld. Arbitrator against DTC and in favour M/s Rose Advtg.(P) Ltd.**

(Shri S.R.Kataria, CGM(Pub.) was called in)

The Board considered the agenda item in detail and after discussion thereon, accorded approval to comply the award dated 10.05.2006 as all legal remedies have been exhausted. The excess amount already paid to MCD be recovered immediately and if need arises, the amount may be recovered/adjusted from future payments or any dues of MCD pending with the Corporation.

**Resolution No.45/2013: Item 26/2013: Posting of Sh. S.R. Kataria, DANICS as Chief G.M. in DTC on deputation.**

(Shri A.K.Goyal, C.G.M.(P), was called in)

The Board considered the agenda item and in view of the position explained therein, accorded ex-post-facto approval for posting of Shri S.R.Kataria, DANICS in DTC on deputation as Chief General Manager in the Pay Band of Rs.37400-67000 + Grade Pay of Rs.8700/- w.e.f. 14.02.2013 (FN).

**Resolution No.46/2013: Item 27/2013: Procurement of Lube Oils for the Year 2013-2014.**

(Shri Prem Chand, Sr.Mgr.(M)MS-I was called in)

The Board considered the agenda item and in view of the position explained therein, accorded –

- (i) Ex-post-facto approval for the following expenditure for which orders have already been released to meet emergent requirement:

S No	Nomen- clature	Qty.  (in Barre- ls	Business Allocation

			Firm	Rates (per ltr) in Rs	Qty in Barrels  (Nos.)	Amount  (Rs.)	Proposal at
1.	Engine  Oil GEO 15W40 (Tata)	200	IOC	117.79	130 (65%)	32,15,618.92	Annexure"- D1" to the agenda item.
			HPC	117.79	<u>70</u> (35%)	<u>17,31,513.00</u>	Annexure- D2"
					<u>200</u>	<u>49,47,131.92</u>	to the agenda item.

(ii) Sanction for the following expenditure:

S N o.	Nom en- clatur e	Qty.  (in Barr els  of 210 Ltrs. Each  in Nos.	Business Allocation				
			Fir m	Rate s (per ltr) in Rs	Qty in Barrels  (Nos.)	Amount  (Rs.)	Propo sal at
1.	Engi ne  Oil GEO 20W 50	612	BP C	118. 42	398 (65%)	98,97,936 .42	Anne x."- C1" to the agend a
			HP C	118. 42	<u>214 (35%)</u> <u>612</u>	-	

	(Ley)					<u>53,21,794</u> <u>.80</u> <u>1,52,19.7</u> <u>31.22</u>	item.  Anne x.- “C2” to the agend a item.
2.	Engi ne  Oil GEO 15W 40 (Tata )	890	IO C  HP C	117. 79  117. 79	579 (65%)  <u>311</u> (35%) <u>890</u>	1,43,21,8 71.95  - <u>76,92,864</u> <u>.90</u> <u>2,20,14,7</u> <u>36.85</u>	Anne x.- “C3” to the agend a item.    Anne x.- “C4” to the agend a item.
					Total	3,72,34,4 68.07	

The Board authorized Chairman-cum-MD, DTC for the following:

- i) To sanction extra quantity if so required during the financial year 2013-14 in case the requirement increases due to increase in operated kilometres or for any other reason.
- ii) To cancel/divert the pending orders to other firm(s) in case the firms on whom orders may be pending fail to supply as per our requirement or for any other reasons, if so warranted.



iii) To accept change in Govt. levies/taxes etc. as may be applicable at the time of supply and sanction entailed extra expenditure thereto, if any.

iv) To procure the balance requirement for the year 2013-14 + buffer and sanction the entailed expenditure thereon even if the value per item per annum exceeds Rs.50 lacs.

**Resolution No.47/2013: Item 28/2013: Permanent constitution of DPCs to consider the promotion of the employees/Officers at various levels.**

(Shri A.K.Goyal, C.G.M.(P), was called in)

The Board considered the agenda item in detail and after discussion thereon and approved the constitution of Standing Committees of DPC to scrutinize the service records/interview of the incumbents for consideration of their promotion from the feeder cadre with respect to Class-I, II III & IV categories of officers/employees.

**Resolution No. 48/2013: Item 29/2013: Draft Personnel Policy.**

(Shri A.K.Goyal, C.G.M.(P), was called in)

The Board considered the agenda item in detail and after discussion thereon approved the draft personnel policy in principle subject to that the proposed norms for ministerial staff, printing press, CED, may be 50% - 50% for regular and contractual staff and in case of officers, the norms may be 70% - 30% respectively for regular and contractual officers. The Board further approved to obtain suggestions from recognized union.

**Resolution No.49/2013: Item 30/2013: Procurement of 245 Nos. Crank Shaft to Part No. 3907804/3908032/278603990103 for Tata CNG vehicles for requirement period from 01.04.2013 to 31.03.2014 plus buffer.**

(Shri V.K.Gupta, Sr.Mgr.(M)MS-II was called in)

The Board considered the agenda item and in view of explained in the agenda and detailed discussion thereon, accorded approval for procurement of 245 Nos. Crank Shaft as per expenditure given below:

<u>S.No. Name of the firm</u>	<u>Amount (Rs.)</u>
1. M/s Tata Motors Ltd	Rs. 68,42,115.00

The Board authorized Chairman-cum-MD, DTC for the following: -

- (i) To accept changes in rates as may be approved by ASRTU along in change in statutory levies if any as may be applicable at the time of supply and to sanction entailed expenditure on these counts, if any, provided the firm remains L-I.
- (ii) To divert/cancel the ordered quantity in part or full to other acceptable L-I source if changes, taking into consideration the availability, quality etc., and in case the firms on whom orders may be pending, fail to execute the supplies as per our requirement/stipulated delivery schedules or for any other reason.

**Resolution No.50/2013: Item 31/2013: Procurement of 240 Nos. Crank Shafts to Part No.04780446W for Leyland Standard floor C.N.G. buses for the year 2013-14.**

(Shri V.K.Gupta, Sr.Mgr.(M)MS-II was called in).

The Board considered the agenda item and in view of position explained in the agenda and detailed discussion thereon, accorded approval for procurement of 240 Nos. Crank shafts to Part No. 04780446W for Leyland Standard floor CNG buses for the year 2013-14, as per expenditure given below subject to delivery schedule of 20 crank shafts per month and penalty be imposed on delayed supply:

<u>S.No. Name of the Firm</u>	<u>Amount (Rs.)</u>	<u>Annexure</u>
1. M/s. Ashok Leyland Ltd	74, 08,811.00	‘D’ to the agenda item

Further, the Board authorized Chairman-cum-MD, DTC to accept changes in rates as may be approved by ASRTU, along with change in statutory levies, if any, as

may be applicable at the time of supply and to sanction entailed expenditure on these counts, if any, provided the firm's price ranking remains same.

**Resolution No.51/2013: Item 32/2013: Procurement of Additional fully built 131 Non-AC & 87 AC Low Floor CNG Propelled City Buses with Maintenance from M/s. Ashok Leyland Ltd – Release of Penalty recovered on additional Bank Guarantees.**

(Shri S.P.Sethi, Consultant & Sh.K.C.Gupta, Sr.Mgr.(M)SBU, were called in)

The Board was apprised about the penalty of Rs.60,79,391/- deducted from the bills of M/s Ashok Leyland Limited (ALL) towards delay of one day, as per the record of the Corporation, in submission of Bank Guarantees (BGs) as per the Contract provisions. M/s ALL were informed of levy of penalty on late submission of the BGs and also the delay of one day on their part in submission of BGs on 31-12-2009 in place of 30-12-2009 vide letter dated 13-01-2010. But no response was received from M/s ALL. The Corporation made recoveries from the final 80% bills of M/s ALL on 06-07-2011. M/s ALL did not object. However in response to letter dated 14-11-2012 (Annexure VI), M/s ALL vide letter dated 12-12-2102 (Annexure VII) submitted the evidence in respect of submission of BGs in CMD Sectt on 30-12-2009 at 18.00 hours and the same was verified & found correct. A Committee was constituted to examine the matter and the Committee observed that there was no intent on the part of ALL to delay the submission of BGs as the same were obtained by them on 23-12-2009 from their bankers in Chennai well before the due date of 30.12.2009. The Committee recommended that the matter may be placed before the DTC Board for consideration/ decision for refund of recovery amount of Rs.60,79,391/- in respect of M/s ALL.

2. Considering the recommendation of the Committee and after detailed discussions, the Board decided to refund the deducted penalty amount of Rs.60,79,391/- in favour of ALL.

**Resolution No.52/2013: Item 33/2013: Bid Management Consultant for piloting Global Tender for Supply of 1100 Standard 900mm Floor Height (880 Non-AC & 220 AC) CNG Propelled City Buses with Maintenance.**

(Shri S.P.Sethi, Consultant & Sh.K.C.Gupta, Sr.Mgr.(M)SBU, were called in)

The Board was apprised that the Corporation had invited Limited Tender Enquiry (LTE) from M/s RITES, DMRC, UMTC, CIRT & DIMTS in Two Bid System – Part I Technical Bid& Part-II Financial Bid for piloting the Global tender for procurement of 1100 fully built Non AC CNG Buses with

maintenance for 7,50,000 Kms or 12 years operations whichever is later. Meanwhile, the Government of NCT of Delhi decided to procure 20% AC Buses out of the lot of 1100 Standard Floor CNG Buses. Only single bid of M/s Central Institute of Road Transport (CIRT), Pune was received against the Limited Tender Enquiry. A Tender Evaluation Committee was constituted for evaluation of the Bids of the single bidder – CIRT, Pune. CIRT is a Unit of the Association of State Road Transport Undertakings (ASRTU), New Delhi and was formed on the joint initiative of the ASRTU and the Ministry of Road Transport & Highways (MORTH), Government of India in 1967. CIRT is undertaking Consultancy& Research, Training & Vehicle Certification and Testing services to the SRTU fraternity for the last about 45 years. Accordingly, the single Bid of CIRT, Pune was considered. The Committee sought certain clarifications/ confirmations from the bidder - CIRT, Pune including additional work of 20% AC buses out of the lot of 1100 Standard Floor Buses without any additional consultancy work before opening of the Price Bid. The single bidder - CIRT, Pune confirmed acceptance of the LTE Terms of Reference including additional work of 20% AC buses without additional cost. The Committee recommended opening of Price Bid of the single bidder - CIRT, Pune.

2. After evaluation of the Price Bid, the Committee recommended that the Corporation may consider to engage the Consultancy Services of CIRT, Pune based on their quoted rates as reasonable& justifiable for piloting Global Tender for procurement of 1100 fully built Standard 900mm Floor Height (880 Non-AC & 220 AC) CNG Propelled City Buses with maintenance on the Terms of Reference of Limited Tender Enquiry detailed as under:

Sl. No.	Item/ Activity	Amount (Rs.)
1	Manpower Expenses (1 Team Leader, 3 Team Members, Legal, Finance & Customs Experts and 1 Clerical staff)	17,40,000
2	Transportation expenses including local travel	4,03,000
3	Lodging & Boarding Expenses	2,73,600
4	Miscellaneous (Stationary for Report, Communication, Printing, Binding, Postage etc.)	2,00,000
5	Total Cost (1 + 2 + 3 + 4)	26,16,600
6	Institutional Charges (28% of total cost)	7,32,648

7	Total Project Cost (5 + 6)	33,49,248
8	Service Tax @ 12.36% (of total project cost)	4,13,967
9	Grand Total (7 + 8)	37,63,215

3. Considering the recommendations of the Committee & after detailed discussions, the Board resolved as under:

i. Approved actions taken so far.

ii. Noted the decision of the Government for procurement of 20% AC Buses out of the lot of 1100 Standard 900mm Floor Height CNG Propelled City Buses with maintenance.

iii. Approved engagement of Single Bidder – CIRT, Pune as Bid Management Consultant to DTC at total cost of Rs.37,63,215/- [total project cost of Rs.33,49,248/- plus Rs.4,13,967/- Service Tax @12.36% on total project cost] for piloting the Global Tender for procurement of 1100 fully built Standard 900mm Floor Height (880 Non-AC & 220 AC) CNG Propelled City Buses with maintenance on the Terms of Reference of Limited Tender Enquiry on the quoted rates as brought out in Para II(8) of Agenda Item reproduced in Para 2 above.

iv. Authorized CMD for further necessary action in the matter for engaging CIRT, Pune as Bid Management Consultant by placing of Consultancy Work for piloting Global tender, agreement etc.

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**(RAJEEV VERMA)**

**Chairman-cum-M.D**

**CONFIDENTIAL**

**DELHI TRANSPORT CORPORATION**

**Minutes of the 2<sup>nd</sup> Meeting of 2013 of the DTC Board held on 09.04.2013 at 12.00 Noon in the Conference Room, DTC Hqrs. I.P.Estate, New Delhi.**

**PRESENT:**

- |    |  |          |
|----|--|----------|
| 1. | Shri Rajeev Verma, IAS<br>Chairman & MD, DTC   | Chairman |
| 2. | Shri Shakti Sinha, IAS<br><br>Pr. Secretary (F),<br><br>Govt. of NCT of Delhi                  | Director |
| 3. | Shri Puneet K. Goyal, IAS<br><br>Secretary & Commissioner (Tpt.),<br><br>Govt. of NCT of Delhi | Director |
| 4. | Shri Tarsem Kumar, DANICS<br><br>FA & CAO, DTC   | Director |

Principal Secretary (Land & Building), Govt. of NCT of Delhi; Joint Commissioner of Police (Traffic), Delhi and Commissioner (Planning), DDA could not attend the meeting.

**ALSO PRESENT:**

1. Shri R.K.Kasana, C.G.M.(Op.& Tech.)/Secretary DTC Board.

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**Confirmation of minutes of 1<sup>st</sup> meeting of 2013 of  
the DTC Board held on 22.01.2013**

**Confirmed.**

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**Resolution No.33/2013: Item 14/2013: Audit Report of DTC Employees Provident Fund Trust for the year 2011-12.**

(Shri R.N.Gupta, Addl.CAO was called in)

The Board after detailed discussion on the agenda item, approved the Audit Report for the year 2011-12 of DTC E.P.F. Trust Accounts together with the comments of DTC on the Audit Report for sending the same to the Govt. of NCT of Delhi for placing before Delhi Legislative Assembly under Section 20(1) of the CAG (Duties, Powers and Conditions of Services) Act, 1971.

**Resolution No.34/2013: Item 15/2013: Approval on the minutes of the Selection Committee for filling up the vacant post of Deputy Chief General Manager (Industrial Relation) by way of promotion.**

(Shri A.K.Goyal, C.G.M.(P) was called in)

The Board after detailed discussion on the agenda item, approved the minutes of the Selection Committee to promote Dr.Aradhana, Sr.Manager Admn.) to the post of Deputy Chief General Manager (Industrial Relation) on officiating basis.

**Resolution No.35/2013: Item 16/2013: Appeal against the orders of the CMD imposing upon Shri Om Singh, Manager(A) the penalty of stoppage of next due two increments with cumulative effect – consideration thereof.**

(Shri B.Dass, Sr.Mgr.(DC) was called in)

The Board discussed the agenda item in detail and after carefully considering the facts of the case, points raised by the Appellant and material on record, rejected the appeal preferred by Shri Om Singh, Manager (A).

**Resolution No.36/2013: Item 17/2013: Staffing Norms of Repair & Maintenance staff on Low Floor Bus Fleet.**

(Shri A.K.Goyal, C.G.M.(P), was called in)

The Board considered the agenda item and in view of the position explained therein accorded approval for the following category-wise distribution of Repair & Maintenance staff in a Low Floor Bus Depot with a fleet o 100 buses:

S.No.	Category	Nos. of Repair & Maintenance Staff.
1.	Foreman	02
2	Asstt. Foreman	06
3	Mechanic	03
4	Fitter	05
5	Asstt. Fitter	05
6	Elect. I	02
7	Asstt. Electrician	02



	<b>Total</b>	<b>25</b>

**Resolution No.37/2013: Item 18/2013: Procurement of fully built 625 Non-AC and 25 AC Low Floor CNG Propelled City buses with Maintenance from M/s Tata Motors Ltd., - Revision of Labour Rates for undertaking Repairs of Accidental Buses.**

(Shri S.P.Sethi, Consultant & Sh.K.C.Gupta, Sr.Mgr.(M)SBU, were called in)

The Board was apprised of the existing labour rates of Rs.90/- per hour applicable for the accidental bus repairs of the first lot of 650 Low Floor (625 Non-AC & 25 AC) CNG Buses earlier approved by the Board vide Resolution No.14/2011 dated 11.02.2011 effective retrospectively and the repeated requests made by M/s. Tata Motors Ltd for revision in labour hour rates in view of increased labour cost. As per the AMC terms, the cost of repair on account of the accidents due to war, civil commotions, strikes, floods, earthquake & explosion as well as accidents not attributable to the defects/ mechanical failure, shall be borne by the Purchaser – DTC. For such accidental bus repairs, the Corporation has been paying Rs.90/- per hour towards labour cost. The instant matter is placed before the Board for revision of labour hour rates of Rs.90/- per hour as benchmark based on the percentage increase in the labour hour rates of 12.79% as notified by the Government of NCT of Delhi during the period i.e. April'2011 to March'2013.

2. After detailed discussions, the Board resolved as under:

i. Approved revision in Labour Hour Rates to Rs.102/- per hour for repairs of accidental buses applicable for the financial year 2013 - 14 i.e. effective from 1<sup>st</sup> April'2013 to 31<sup>st</sup> March'2014 from the existing labour hour rates of Rs.90/- per hour.

ii. Approved that the revised labour hour rates of Rs.102/-, henceforth, shall be revised based on the percentage increase in average

labour hour rates notified by the Government of NCT, Delhi during the financial year i.e. 1<sup>st</sup> April 2013 to 31<sup>st</sup> March'2014 applicable for the fiscal 2014-15 and so on.

iii. Authorized CMD for further necessary action in the matter.

**Resolution No.38/2013: Item 19/2013: Transport Allowance to Orthopedically Handicapped employees.**

(Shri Zothankhuma C.G.M.(A) & Sh.A.K.Srivastava, Dy.CGM(A) were called in)

The Board discussed the agenda item in detail and approved that the Transport Allowance to 112 (approx.) Orthopedically Handicapped Employees of DTC be granted in terms of directions of [O.M.No. 21\(2/2008-E-II\(B\)](#) dated 29-8-2008 issued by Govt. of India, Ministry of Finance, Deptt. of Expenditure, New Delhi, with retrospective effect i.e. from 01-09-2008.

**Resolution No.39/2013: Item 20/2013: Transport Allowance to the officers/officials who are on deputation with DTC.**

(Shri Zothankhuma C.G.M.(A) & Sh.A.K.Srivastava, Dy.CGM(A) were called in)

The Board discussed the agenda item in detail and approved that in terms of Para 7.6(b) of the O.M. No. 6/8/2009-Estt./Pay-II dated 17.6.2010 of Govt. of India, Ministry of Personnel Public Grievance and Pension , Deptt. of Personnel & Training, New Delhi, the Transport Allowance be given to the persons, who join on deputation in DTC w.e.f. the date of the decision taken by the Govt. subject to the condition that they are not given the staff car facility for coming and going to residence or free travelling facility in DTC buses.

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**Resolution No.40/2013: Item 21/2013: Workers Participation in Depot Operation.**

(Shri Zothankhuma C.G.M.(A) & Sh.A.K.Srivastava, Dy.CGM(A) were called in)

The Board considered the agenda item in detail and approved that draft circular on the scheme of workers participation in operation of Ghazipur Depot.

**Resolution No.41/2013: Item 22/2013: Appeal against the orders of the CMD imposing upon Shri P.K.Bangar, Sr.Manager(Tr.) the penalty of ‘Warning’-consideration thereof.**

(Shri B.Dass, Sr.Mgr.(DC) was called in)

The Board discussed the agenda item in detail and after carefully considering the facts of the case, points raised by the Appellant and material on record, rejected the appeal preferred by Shri P.K.Bangar, Sr.Manager (Tr.)

**Resolution No.42/2013: Item 23/2013: Procurement of fully built 500 Non-AC & 125 AC Low Floor CNG Propelled City Buses with maintenance for 7,50,000 Kms. Or 12 years operation whichever is later – Status Note on Finalization of RFP Document and Floating of Global Tender.**

**Suppl. Note dt. 08.04.2013 (Placed on the Table)**

(Shri S.P.Sethi, Consultant & Sh.K.C.Gupta, Sr.Mgr.(M)SBU, were called in)

The Board was apprised of the progress made in preparation of Request for Proposal (RFP) Document by M/s. Delhi Integrated Multi Modal Transit System Limited (DIMTS) – Bid Management Consultant to DTC for piloting Global Tender for procurement of 625 Low Floor CNG Buses with maintenance. A Tender Review Committee (TRC) comprising of the concerned Officers of the Corporation from Technical, Operation, Finance & Traffic Departments, the representatives of Transport & Finance Departments of the Government of NCT of Delhi, outside Expert Dr. Amit Pal of Delhi College of Engineering and M/s. DIMTS was constituted. The TRC reviewed the draft RFP Document prepared by M/s. DIMTS based on the experience of the Corporation in executing the Tenders for first lot of 650 Low Floor buses and second lot of 3125 Low Floor Buses and finalized Terms & Conditions, Specifications of RFP Document. Meanwhile, the Government of NCT, Delhi decided to procure 20% AC Buses out of the lot of 625 LF CNG Buses. M/s. DIMTS did not agree to prepare Terms & Conditions, Specifications of AC Buses due to non-settlement of additional exorbitant Consultancy Fee for the additional work of AC Buses, as such, the Terms & Conditions, Specifications based on the existing Terms & Conditions, Specifications of AC Buses was prepared by the Corporation in-house by incorporating acceleration of 0.9 meter per second<sup>2</sup> for premium segment air-conditioned Diesel/ CNG/ ULSD/

Hydrogen Engine under Urban Bus Specification – II, Ministry of Urban Development, Government of India as Supplementary to the RFP Document. Accordingly, the Global Tender for procurement of 625 Low Floor CNG Buses (500 Non-AC & 125 AC) was published in the Newspapers on 20.03.2013 and Indian Trade Journal, Kolkata. The Bid Invitation Notice & RFP Document was also up-loaded on DTC Website on 20.03.2013. All known Indian/ Foreign Vehicle Manufacturers and Indian Embassies in Foreign countries & Foreign Embassies in India were also intimated through e-mail/ letters. The Pre-Bid Conference was held on 04.04.2013 with the prospective Bidders organized by M/s. DIMTS in its Conference Hall attended by the representatives of Vehicle Manufacturers namely M/s. Tata Motors, Ashok Leyland, Volvo Bus etc and Members of TRC. M/s. DIMTS has made a presentation highlighting the main features of the RFP Document in respect of Commercial, Technical & Annual Maintenance Contract. The Vehicle Manufacturers have raised queries in respect of Terms & Conditions, Specifications of the RFP Document and sought changes in the RFP Document. Some clarifications in respect of RFP Document were given to the Vehicle Manufacturers during the Pre-Bid Conference. However, it was made clear to the Vehicle Manufacturers that the Corporation is not bound by the verbal queries/suggestions and would take cognizance of only written suggestions/queries, as such the Vehicle Manufacturers were asked to submit their written queries/ suggestions latest by 17.00 hours on 05.04.2013. M/s. DIMTS also informed the prospective bidders that based on perusal of their queries/ suggestions & by incorporating the changes, if any found acceptable, the RFP Document will be frozen by 12.04.2013.

2. M/s. Tata Motors, Ashok Leyland, Volvo Bus, JBM & Cast Master have given their queries/ suggestions in writing and the same have been annexed with the Supplementary Note. These suggestions were deliberated by the Tender Review Committee in its Meeting held on 05.04.2013 at 05.30 p.m. After detailed discussions on the suggestions/ issues raised during the Pre-Bid Conference by the Vehicle Manufacturers seeking changes in the Terms & Conditions, Specifications of the RFP Document, the Tender Review Committee recommended the following changes for consideration & approval for incorporation in the RFP Document before freezing:

i. Clause 1.1 of Instructions to Bidder (ITB): Experience of manufacturing CNG/ Diesel Fuel Mode Vehicles

Considering being Global Tender & limited participation by the bidders in the past and CNG Fuel Mode Buses not mandatory outside India as in Delhi, the Committee decided that *‘established and reliable manufacturers having atleast 3 years’ experience in manufacturing of CNG/ Diesel propelled Bus*

*Chassis and/ or fully built CNG/ Diesel Buses of at least preceding three years ending on 31st March '2013'' may be agreed to.*

ii. Clause 46.5/ 46.9 of General Conditions of Contract (GCC): 95%/ 92% Fleet-wise availability

Considering excessive recoveries towards 95%/ 92% Bus-wise availability, cumbersome bus-wise pre-estimated damages calculation, the Committee decided that *Depot-wise 95%/ 92% fleet-wise availability in morning shift as well as in evening shift on daily basis may be agreed to. However, the contractor shall ensure that a bus shall not be held up beyond 15 days continuously, otherwise, pre-estimated damages as defined in relevant clause of AMC may be leviable on each such bus for the period held up beyond 15 days irrespective of making availability of 95%/ 92% of the fleet.* The Committee clarified that the Multiplying Factor may be applicable on the basic AMC rates i.e. excluding Government levies/ taxes.

iii. Clause 46.22 of GCC: 100% Fleet-wise availability on certain days

The Committee decided that the Contractor may be required to make best efforts to ensure the availability of 100% of the buses, in the morning shift on certain days, as may be specified by DTC, which may include festivals, weekly/ monthly productivity days, non-availability of other public transport modes in city, etc. However, pre-estimated damages may not be levied for any shortfall in 100% availability of buses except in cases where the availability is less than 95%/ 92% as applicable.

iv. Clause 46.5 of GCC: Hourly Schedule of out-shedding of buses – Morning & Evening Shift

In place of availability of bus for Morning & Evening out-shedding in sync with Morning & Evening hourly out-shedding schedule of the Depot, the Committee agreed that Morning & Evening out-shedding as per Depot out-shedding schedule latest by 9 AM for Morning Shift & 6 PM for Evening Shift respectively may be considered. Beyond this point, the buses shall be considered as late/ non-available for shift operation.

v. Clause 46.9 of GCC: Pre-estimated Damages towards non-availability & multiplying factor

Regarding Pre-estimated damages as defined in AMC Clause-46.9 with multiplication factor of 5 for the life span of the bus, in order to make the pre-estimated damages reasonable, the Committee decided that Multiplication Factor (MF) of 5 may be considered for Warranty Period of 2,10,000 Kms or 3 years whichever is later in view of better reliability of new buses, beyond Warranty Period upto 7 years of induction into operation, MF of 4.5 may be applicable and thereafter, MF of 4 for the remaining life of the bus considering higher AMC rates generally quoted involving higher maintenance cost for the aging buses.

vi. Clause 24.4 & 24.5 of GCC on 'Performance of obligations under Fuel Efficiency Norms and CNG fuel KmpKg Guarantee& Route Kilometers verification

The Committee decided that above Clause-24.4 & 24.5 of GCC under 'Warranty' may be brought out under Clause-46 on AMC of GCC being part of the AMC. Further, the Committee considered & agreed to the advice of DIMTS that 1% of the actual kilometers operated by the buses of the Depot concerned as recorded on the Driver's memo and Purchaser's Control Room towards miscellaneous kilometrage may be added for the purpose of calculation of CNG KmpKg only on quarterly basis other than kilometrage for the purpose of AMC charges. In event of any doubt in respect of kilometers of a route, the representatives of the Contractor & the Purchaser may carry out joint survey of the route for verification of the same.

vii. Clause-46.11 of GCC

The Committee decided that the provision after the Table i.e. '*After Warranty Period, in case, any bus complete year-wise slab kilometers of 60,000 before expiry of the year, the AMC charges for the said slab shall be paid to the Contractor till expiry of the said year*' may be considered for deletion in line with the existing provision of the RFP Document for 2500 Low Floor CNG Buses of 2008. However, after Warranty Period, each bus need to complete the life of the bus for 7,50,000 Kms or 12 years whichever is later. In case, a bus completes 7,50,000 Kms before 12 years, the AMC rates of the last slab may be payable till the bus completes 12 years. Similarly, if a bus completes less than 7,50,000 Kms in 12 years, the AMC rates of the last slab may be payable till the bus completes 7,50,000 Kms.

viii. Payment Terms 80%/ 20%

No change.

ix. Labour Rates

No change.

x. Accidents/ Damages/ Loss due to vandalism/ Drivers not available etc.

The Committee decided that the Contractor may not be liable for any pre-estimated damages for non-availability of buses due to vandalism/ bus made available but not out-shedded as per requirement of the Purchaser or due to non-availability of drivers or for any other reason for which the Contractor is not liable/ responsible.

xi. New/ Revision in Government Taxes/ Levies

All Government Taxes/ Levies as applicable on the date of invoicing of new buses/ AMC of buses may be payable to the Contractor.

xii. Clause 20.8, 20.9 of ITB & Clause 5 of GCC: Delivery of Minimum supply of 50 buses per month

The Committee decided that minimum supply of 20 buses per month in place of minimum supply of 50 buses per month may be specified for the first lot after prototype approval and thereafter, the Contractor is required to complete the entire supply of buses within the stipulated period.

xiii. Clause 12.1 (b)& (c) of GCC: Delay in Delivery of Buses not to deprive VMs change in Government Taxes/ Levies

The Committee decided that delay in delivery of buses already attract liquidated damages, as such, Government Taxes/ Levies as applicable on the date of invoicing may be payable to the Contractor.

xiv. GPS Fitment

The Committee decided that supply and installation of GPS system as per MoUD, GOI specifications and integrated/ compatible with DIMTS's Master Control Room may be specified in the RFP document.

xv. Material Sampling under Clause-3.2 of Inspection Plan (Annexure-11) – Testing Charges on passing of samples in Lab Test

*Regarding the Purchaser reserves its right to take a sample of any material being used or used for the purpose of manufacturing of bus either during the progress of work at his works by the Inspecting officer deputed at his works in the presence of the Bus Manufacturer or his authorized representative or from the completed bus during the Warranty Period after dismantling any of the part or portion of the bus in the presence of the Contractor or his authorized representative and send the same to CIRT, Pune/ ARAI, Pune/ BIS approved Lab., for testing purposes regarding its standard quality etc. at the cost of the Contractor. The samples will be got tested as per BIS/ equivalent International Standards as mentioned in the specifications. The Test Report of such sample as given by the Laboratory shall be final and binding on both the Parties. The samples will be got tested as per Specifications as per contract. The cost of Testing Charges shall be borne by the Bus Manufacturer, the Committee decided that in the event of any such sample found passing in lab test, the testing charges may be borne by the Purchaser.*

xvi. Clause 46.14 of GCC: Towing of online CNG finish breakdown buses

The Committee decided that towing of such breakdown buses on line on account of CNG finish may be arranged by the Contractor immediately to

clear the road from traffic jams/ inconvenience caused to other road users. In case the fault is on the part of the Driver concerned due to inadequate filling, towing charges may be borne by the purchaser and in case the same is due to CNG leakage, the Contractor may bear the towing charges. The decision of the Purchaser in respect of towing charges as determined by the purchaser taking into consideration market rates etc. may be binding on the Contractor.

xvii. Clause 46.10.2 (46.7.2) of GCC: 10% rebate towards retaining the unservicable/ defective parts

No change.

xviii. Annexure A1, A2, B1 & B2 Price Schedules of RFP Document

The Committee decided that it should be clearly brought out in the Foot Note instructions in respect of both Bus Price and AMC charges that the Bidder may clearly indicate the breakup of prices in their bids including government taxes/ levies as applicable at the time of filling their bids. The Bidders should also clearly indicate the breakup of VAT/ Service Tax etc applicable on the AMC charges in respect of Works contract involving use of spare parts & labour in providing AMC services.

xix. Clause 46.14 & 46.18 of GCC: Painting of Buses

The Committee decided that the Contractor may be required to paint the entire bus properly also other than making the bus presentable fit to pass MVI test before producing the same for MVI passing i.e. first MVI after two years and subsequently after every year.

xx. Clause 46.45 of GCC: Presentability

The Committee decided that in order to avoid any ambiguity in respect of presentability of the buses, proper record should be maintained on the particular poor presentability aspect of the bus concerned with Bus Registration number etc. and if needed, the same may be photographed to provide evidence in respect of poor presentability to the Contractor so that the same may be attended immediately by the Contractor.

xxi. Clause 36.1 of GCC: Training

The Committee decided that the Contractor may arrange orientation training at New Delhi/ their Works/ Plant for technicians/ supervisors/ engineers/ officers of the purchaser.



3. The above recommendations of the Tender Review Committee were also circulated to all the Members of the Committee for favour of their comments/ views. The comments/ views have been received from RM-(North), Sr. Manager-(MS-I), RM-(East) & RM-(Rural) endorsing the recommendations of the Tender Review Committee and other suggestions of Technical nature will be taken care of before freezing the RFP Document.

4. Meanwhile, M/s. DIMTS have been requested vide letter No. CGM/SBU/891/2013/135 dated 06.04.2013 for favour of further necessary action in respect of Replies to Queries & Addendum based on the changes recommended by the Tender Review Committee. The Board was apprised that M/s. DIMTS is working on Replies to Queries & Addendum based on the recommendation of the TRC. Regarding Technical changes requested by the Vehicle Manufacturers during Pre-Bid Conference, M/s. DIMTS has informed that they have already forwarded the same to their Technical Expert for examination and the same will be submitted before 12.04.2013.

5. Regarding additional Consultancy Fee of Rs.10.0 lakh asked by M/s. DIMTS towards additional work of AC Buses, the Board was informed that initially M/s. DIMTS asked for Rs.10.0 lakh when justification for the same was requested, M/s. DIMTS enhanced the additional Consultancy Fee to Rs.19.0 lakh. The Corporation informed M/s. DIMTS that not much changes in respect of Specifications, Terms & Conditions have been made in the finalized Tender Document except amplification/ clarity brought out in respect of the terms of the basis of feedback provided by the Corporation. In the past, under similar conditions, M/s. RITES had executed the Bid Management Consultancy for 500 Non-AC & 125 AC Low Floor CNG Buses consequent to the decision of the Government without any additional Consultancy Fee though the initial Consultancy fWork was awarded for 200 Non-ac Low Floor CNG Buses. Meanwhile, CIRT, Pune have submitted their Bids for Bid Management Consultancy for procurement of 1100 Standard 900mm Floor Height CNG Buses with maintenance at a total project cost of Rs.33,49,248/- plus Service Tax @ 12.36% and confirmed acceptance of additional Consultancy work of 20% AC Buses out of the lot of 1100 Buses without any additional cost. Further, no change has been made in the Supplementary to the Tender Document on AC Buses prepared and floated by the Corporation as per the decision of the Government. As such, M/s DIMTS have been requestd to pilot the Global Tender for

procurement of 500 Non-AC & 125 AC Low Floor CNG propelled City Buses without any additional Consultancy Fee. The Board observed that M/s DIMTS has asked for additional Consultancy Fee of Rs.10.0 lakh for additional AC Buses while the Csdorporation has taken a stand that M/s.DIMTS should undertaken AC work without additional Consultancy Fee. In view of the above circumstances, the Board desired that the Corporation should re-negotiate the additional Consultancy Fee with M/s. DIMTS to arrive at an agreeable additional Consultancy Fee for the additional work of AC Buses.

6. After detailed discussions, the Board resolved as under:

(i) Approved actions taken so far.

(ii) Noted the decision of the Government for procurement of 20% AC Buses out of the lot of 625 Low Floor Non-AC CNG City Buses with maintenance.

(iii) Approved changes in the RFP Document recommended by Tender Review Committee as brought out in Para-6 of Supplementary Note dated 08.04.2012 on Agenda Item No.23/2013 and also reproduced in Para-2 above.

(iv) To re-negotiate the additional Consultancy Fee with M/s. DIMTS to arrive at an agreeable additional Consultancy Fee for the additional work of AC Buses.

(v) Authorized CMD for further necessary action in the matter for freezing the RFP Document by 12-04-2013, Replies to Queries, issue of Addendum No.1, Technical issues, Evaluation of Bids etc.

**Resolution No.43/2013: Item 24/2013: Fixing of minimum charge of Low Floor AC Buses on for giving on Special Hire to the School.**

(Shri A.K.Goyal, C.G.M.(Tr.) was called in)

The Board considered the agenda item in detail and after discussion thereon approved minimum charges of Rs.4500/- per bus per day for hiring AC buses for school operation and in case of hiring of AC buses by general public, the minimum charges may remain the same as Rs.8000/- per bus per day (plus detention).

**Resolution No.44/2013: Item 25/2013: To honour the Award dt. 10.5.2006 published by Ld. Arbitrator against DTC and in favour M/s Rose Advtg.(P) Ltd.**

(Shri S.R.Kataria, CGM(Pub.) was called in)

The Board considered the agenda item in detail and after discussion thereon, accorded approval to comply the award dated 10.05.2006 as all legal remedies have been exhausted. The excess amount already paid to MCD be recovered immediately and if need arises, the amount may be recovered/adjusted from future payments or any dues of MCD pending with the Corporation.

**Resolution No.45/2013: Item 26/2013: Posting of Sh. S.R. Kataria, DANICS as Chief G.M. in DTC on deputation.**

(Shri A.K.Goyal, C.G.M.(P), was called in)

The Board considered the agenda item and in view of the position explained therein, accorded ex-post-facto approval for posting of Shri S.R.Kataria, DANICS in DTC on deputation as Chief General Manager in the Pay Band of Rs.37400-67000 + Grade Pay of Rs.8700/- w.e.f. 14.02.2013 (FN).

**Resolution No.46/2013: Item 27/2013: Procurement of Lube Oils for the Year 2013-2014.**

(Shri Prem Chand, Sr.Mgr.(M)MS-I was called in)

The Board considered the agenda item and in view of the position explained therein, accorded –

- (i) Ex-post-facto approval for the following expenditure for which orders have already been released to meet emergent requirement:

S No	Nomen- clature	Qty.  (in Barre- ls	Business Allocation				
			Firm	Rates (per ltr) in Rs	Qty in Barrels  (Nos.)	Amount  (Rs.)	Proposal at
1.	Engine  Oil GEO	200	IOC	117.79	130 (65%)	32,15,618.92	Annexure”- D1” to the

	15W40 (Tata)		HPC	117.79	<u>70</u> (35%) <u>200</u>	<u>17,31,513.00</u> <u>49,47,131.92</u>	agenda item.  Annexure- D2”  to the agenda item.
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(ii) Sanction for the following expenditure:

S N o.	Nom en- clatur e	Qty. (in Barr els  of 210 Ltrs. Each  in Nos.	Business Allocation				
			Fir m	Rate s (per ltr) in Rs	Qty in Barrels (Nos.)	Amount (Rs.)	Propo sal at
1.	Engi ne  Oil GEO 20W 50 (Ley)	612	BP C  HP C	118. 42  118. 42	398 (65%)  <u>214 (35%)</u> <u>612</u>	98,97,936 .42  - <u>53,21,794</u> .80  <u>1,52,19.7</u> <u>31.22</u>	Anne x.”- C1” to the agend a item.  Anne x.- “C2” to the agend

							a item.
2.	Engi ne  Oil GEO 15W 40 (Tata )	890	IO C  HP C	117. 79  117. 79	579 (65%)  <u>311</u> (35%)  <u>890</u>	1,43,21,8 71.95   <u>76,92,864</u> <u>.90</u>  <u>2,20,14,7</u> <u>36.85</u>	Anne x.- “C3” to the agend a item.      Anne x.- “C4” to the agend a item.
					Total	3,72,34,4 68.07	

The Board authorized Chairman-cum-MD, DTC for the following:

- i) To sanction extra quantity if so required during the financial year 2013-14 in case the requirement increases due to increase in operated kilometres or for any other reason.
- ii) To cancel/divert the pending orders to other firm(s) in case the firms on whom orders may be pending fail to supply as per our requirement or for any other reasons, if so warranted.
- iii) To accept change in Govt. levies/taxes etc. as may be applicable at the time of supply and sanction entailed extra expenditure thereto, if any.

iv) To procure the balance requirement for the year 2013-14 + buffer and sanction the entailed expenditure thereon even if the value per item per annum exceeds Rs.50 lacs.

**Resolution No.47/2013: Item 28/2013: Permanent constitution of DPCs to consider the promotion of the employees/Officers at various levels.**

(Shri A.K.Goyal, C.G.M.(P), was called in)

The Board considered the agenda item in detail and after discussion thereon and approved the constitution of Standing Committees of DPC to scrutinize the service records/interview of the incumbents for consideration of their promotion from the feeder cadre with respect to Class-I, II III & IV categories of officers/employees.

**Resolution No. 48/2013: Item 29/2013: Draft Personnel Policy.**

(Shri A.K.Goyal, C.G.M.(P), was called in)

The Board considered the agenda item in detail and after discussion thereon approved the draft personnel policy in principle subject to that the proposed norms for ministerial staff, printing press, CED, may be 50% - 50% for regular and contractual staff and in case of officers, the norms may be 70% - 30% respectively for regular and contractual officers. The Board further approved to obtain suggestions from recognized union.

**Resolution No.49/2013: Item 30/2013: Procurement of 245 Nos. Crank Shaft to Part No. 3907804/3908032/278603990103 for Tata CNG vehicles for requirement period from 01.04.2013 to 31.03.2014 plus buffer.**

(Shri V.K.Gupta, Sr.Mgr.(M)MS-II was called in)

The Board considered the agenda item and in view of explained in the agenda and detailed discussion thereon, accorded approval for procurement of 245 Nos. Crank Shaft as per expenditure given below:

S.No. Name of the firm

Amount (Rs.)

1. M/s Tata Motors Ltd

Rs. 68,42,115.00

The Board authorized Chairman-cum-MD, DTC for the following: -

(i) To accept changes in rates as may be approved by ASRTU along in change in statutory levies if any as may be applicable at the time of supply and to sanction entailed expenditure on these counts, if any, provided the firm remains L-I.

(ii) To divert/cancel the ordered quantity in part or full to other acceptable L-I source if changes, taking into consideration the availability, quality etc., and in case the firms on whom orders may be pending, fail to execute the supplies as per our requirement/stipulated delivery schedules or for any other reason.

**Resolution No.50/2013: Item 31/2013: Procurement of 240 Nos. Crank Shafts to Part No.04780446W for Leyland Standard floor C.N.G. buses for the year 2013-14.**

(Shri V.K.Gupta, Sr.Mgr.(M)MS-II was called in).

The Board considered the agenda item and in view of position explained in the agenda and detailed discussion thereon, accorded approval for procurement of 240 Nos. Crank shafts to Part No. 04780446W for Leyland Standard floor CNG buses for the year 2013-14, as per expenditure given below subject to delivery schedule of 20 crank shafts per month and penalty be imposed on delayed supply:

<u>S.No.</u>	<u>Name of the Firm</u>	<u>Amount (Rs.)</u>	<u>Annexure</u>
1.	M/s. Ashok Leyland Ltd	74, 08,811.00	‘D’ to the agenda item

Further, the Board authorized Chairman-cum-MD, DTC to accept changes in rates as may be approved by ASRTU, along with change in statutory levies, if any, as may be applicable at the time of supply and to sanction entailed expenditure on these counts, if any, provided the firm’s price ranking remains same.

**Resolution No.51/2013: Item 32/2013: Procurement of Additional fully built 131 Non-AC & 87 AC Low Floor CNG Propelled City Buses with Maintenance from M/s. Ashok Leyland Ltd – Release of Penalty recovered on additional Bank Guarantees.**

(Shri S.P.Sethi, Consultant & Sh.K.C.Gupta, Sr.Mgr.(M)SBU, were called in)

The Board was apprised about the penalty of Rs.60,79,391/- deducted from the bills of M/s Ashok Leyland Limited (ALL) towards delay of one day, as per the record of the Corporation, in submission of Bank Guarantees (BGs) as per the Contract provisions. M/s ALL were informed of levy of penalty on late submission of the BGs and also the delay of one day on their part in submission of BGs on 31-12-2009 in place of 30-12-2009 vide letter dated 13-01-2010. But no response was received from M/s ALL. The Corporation made recoveries from the final 80% bills of M/s ALL on 06-07-2011. M/s ALL did not object. However in response to letter dated 14-11-2012 (Annexure VI), M/s ALL vide letter dated 12-12-2102 (Annexure VII) submitted the evidence in respect of submission of BGs in CMD Sectt on 30-12-2009 at 18.00 hours and the same was verified & found correct. A Committee was constituted to examine the matter and the Committee observed that there was no intent on the part of ALL to delay the submission of BGs as the same were obtained by them on 23-12-2009 from their bankers in Chennai well before the due date of 30.12.2009. The Committee recommended that the matter may be placed before the DTC Board for consideration/ decision for refund of recovery amount of Rs.60,79,391/- in respect of M/s ALL.

2. Considering the recommendation of the Committee and after detailed discussions, the Board decided to refund the deducted penalty amount of Rs.60,79,391/- in favour of ALL.

**Resolution No.52/2013: Item 33/2013: Bid Management Consultant for piloting Global Tender for Supply of 1100 Standard 900mm Floor Height (880 Non-AC & 220 AC) CNG Propelled City Buses with Maintenance.**

(Shri S.P.Sethi, Consultant & Sh.K.C.Gupta, Sr.Mgr.(M)SBU, were called in)

The Board was apprised that the Corporation had invited Limited Tender Enquiry (LTE) from M/s RITES, DMRC, UMTC, CIRT & DIMTS in Two Bid System – Part I Technical Bid& Part-II Financial Bid for piloting the Global tender for procurement of 1100 fully built Non AC CNG Buses with maintenance for 7,50,000 Kms or 12 years operations whichever is later. Meanwhile, the Government of NCT of Delhi decided to procure 20% AC Buses out of the lot of 1100 Standard Floor CNG Buses. Only single bid of M/s Central Institute of Road Transport (CIRT), Pune was received against the Limited Tender Enquiry. A Tender Evaluation Committee was constituted for evaluation of the Bids of the single bidder – CIRT, Pune. CIRT is a Unit of the Association of State Road Transport Undertakings (ASRTU), New Delhi and was formed on the joint initiative of the ASRTU and the Ministry of Road Transport & Highways (MORTH), Government of India in 1967. CIRT is



undertaking Consultancy& Research, Training & Vehicle Certification and Testing services to the SRTU fraternity for the last about 45 years. Accordingly, the single Bid of CIRT, Pune was considered. The Committee sought certain clarifications/ confirmations from the bidder - CIRT, Pune including additional work of 20% AC buses out of the lot of 1100 Standard Floor Buses without any additional consultancy work before opening of the Price Bid. The single bidder - CIRT, Pune confirmed acceptance of the LTE Terms of Reference including additional work of 20% AC buses without additional cost. The Committee recommended opening of Price Bid of the single bidder - CIRT, Pune.

2. After evaluation of the Price Bid, the Committee recommended that the Corporation may consider to engage the Consultancy Services of CIRT, Pune based on their quoted rates as reasonable& justifiable for piloting Global Tender for procurement of 1100 fully built Standard 900mm Floor Height (880 Non-AC & 220 AC) CNG Propelled City Buses with maintenance on the Terms of Reference of Limited Tender Enquiry detailed as under:

Sl. No.	Item/ Activity	Amount (Rs.)
1	Manpower Expenses (1 Team Leader, 3 Team Members, Legal, Finance & Customs Experts and 1 Clerical staff)	17,40,000
2	Transportation expenses including local travel	4,03,000
3	Lodging & Boarding Expenses	2,73,600
4	Miscellaneous (Stationary for Report, Communication, Printing, Binding, Postage etc.)	2,00,000
5	Total Cost (1 + 2 + 3 + 4)	26,16,600
6	Institutional Charges (28% of total cost)	7,32,648
7	Total Project Cost (5 + 6)	33,49,248
8	Service Tax @ 12.36% (of total project cost)	4,13,967
9	Grand Total (7 + 8)	37,63,215

3. Considering the recommendations of the Committee & after detailed discussions, the Board resolved as under:

i. Approved actions taken so far.

ii. Noted the decision of the Government for procurement of 20% AC Buses out of the lot of 1100 Standard 900mm Floor Height CNG Propelled City Buses with maintenance.

iii. Approved engagement of Single Bidder – CIRT, Pune as Bid Management Consultant to DTC at total cost of Rs.37,63,215/- [total project cost of Rs.33,49,248/- plus Rs.4,13,967/- Service Tax @12.36% on total project cost] for piloting the Global Tender for procurement of 1100 fully built Standard 900mm Floor Height (880 Non-AC & 220 AC) CNG Propelled City Buses with maintenance on the Terms of Reference of Limited Tender Enquiry on the quoted rates as brought out in Para II(8) of Agenda Item reproduced in Para 2 above.

iv. Authorized CMD for further necessary action in the matter for engaging CIRT, Pune as Bid Management Consultant by placing of Consultancy Work for piloting Global tender, agreement etc.

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**(RAJEEV VERMA)**

**Chairman-cum-M.D**