

CONFIDENTIAL

DELHI TRANSPORT CORPORATION
(Govt. of NCT of Delhi)
I.P. ESTATE: NEW DELHI

No. SB/ *Sec. DTC/62*


Dated: *8-8-2014*

Reference letter No.ITD-HQ/RTI/2013/127/DTC IT/687-701
dated 20.03.2013.

A soft copy of minutes of the DTC Board Meeting held on
13.6.14 has been sent at e-mail of the I.T.Deptt. (HQ) and a hard
copy of the same is also enclosed.

This has the approval of Competent Authority.

Encl : As above.


(B. Das) *8/8/14*
Secretary, DTC Board

Dy.C.G.M. (IT)

Sr. mgy (IT)


12/8/14

DELHI TRANSPORT CORPORATION
(Govt. of NCT of Delhi)

Minutes of 3rd Meeting of 2014 of the DTC Board held on
13.06.2014 at 10.30 a.m. at DTC H.Qrs.

PRESENT:

1. Smt. Debashree Mukherjee, IAS
Chairperson & MD, DTC
Chairperson
2. Shri M.M. Kutty, IAS
Principal Secretary (Finance)
Govt. of NCT of Delhi
Director
3. Shri Gyanesh Bharti, IAS
Commissioner (Transport),
Govt. of NCT of Delhi
Director
4. Shri Tarsem Kumar, DANICS
FA-cum-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, Chief G.M.(O&T)/Secretary DTC Board.

- (i) Confirmation of minutes of 1st meeting of 2014
of the DTC Board held on 5.3.2014.

Confirmed.

(ii) Confirmation of minutes of 2nd meeting of 2014 of the DTC Board held on 19.3.2014.

Confirmed subject to the following:

BR No.21/2014 (on Item 21/2014): The second Para of the Resolution may be replaced with the following:

“The Board desired that the matter may be taken up with the Management Action Group (MAG) meeting by the Transport Deptt., GNCTD that land use is not required to be changed as at present hotel is permissible in Bus Terminal/bus Depot premises as per Master Plan Delhi-2021 and permissible use should not be restricted to hotel only and other uses like Hospitals etc. may also be allowed within permissible limit of Master Plan Delhi-2021.”

Resolution No.23/2014: Item 23/2014: Statement showing action taken reports on the resolutions adopted by the DTC Board in its meeting held on 22.1.2013 (BR No.3/2013); 9.4.2013; 27.6.2013; 8.8.2013; 10.9.2013 & 29.10.2013.

The Board noted the item.

Resolution No.24/2014: Item 24/2014: Appeal against the orders of the CMD, DTC imposing the penalty of ‘Censure’ upon Shri V.K.Gautam, Sr.Mgr. (Traffic) – consideration thereof.

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 V.K.Gautam, Sr.Manager (Traffic).

Resolution No.25/2014: Item 25/2014: Remittance of outstanding rent, service tax and water charges by Transport Department to DTC for the space occupied for operation of cluster buses.

(Shri A.K.Chawla, Dy.CGM (Civil) was called in.)

The Board in view of the position explained in the Agenda Item desired that the matter may be taken up with the Transport Deptt. to sort out the issue and then be put up before the Board.

Resolution No.26/2014: Item 26/2014: Completion of period of officiating promotion of Dr. Aradhana , Dy. CGM (Industrial Relations) w.e.f. 17.4.2014 (AN) and also confirmation on the said post from the same date.

(Shri A.K.Goyal, CGM (P) was called in.)

The Board considered the Agenda Item and accorded approval for completion of period of officiating promotion of Dr. Aradhana, Dy. CGM (Industrial Relations) w.e.f. 17.04.2014(AN) and also to be confirmed on the said post from the same date.

Resolution No.27/2014: Item 14/2014: Filling-up the vacant posts of Jr. Clerk meant for direct recruitment through departmental candidates.

(Shri A.K.Goyal, CGM (P) was called in.)

The Board desired that the matter may be re-examined in view of maintaining the quality of Personnel.

Resolution No.28/2014: Item 16/2014: Amendment in Column No.11 of the Recruitment Rules for the post of Labour Welfare Officer.

(Shri A.K.Goyal, CGM (P) was called in.)

The Board desired that the matter may be re-examined.

Resolution No.29/2014: Item 17/2014: Amendment in the R.Rs. for the posts of Dy.CGM(Traffic), Sr.Mgr.(Tr.), Mgr.(Tr.), Dy.Mgr.(Tr.), Dy.CGM (Mech.), Sr.Mgr. (Mech.), Mgr.(Mech.) and Dy.CGM (S&P), Sr. Mgr.(S&P) and Mgr. (Stores).

(Shri A.K.Goyal, CGM (P) was called in.)

The Board considered the Agenda Item and accorded approval for amendment in the R.Rs. for the posts of Dy.CGM(Traffic), Sr.Mgr.(Tr.), Mgr.(Tr.), Dy.Mgr.(Tr.), Dy.CGM (Mech.), Sr.Mgr. (Mech.), Mgr.(Mech.) and Dy.CGM (S&P), Sr. Mgr.(S&P) and Mgr. (Stores), as proposed in the Annexures 'L' to 'U' annexed to the Agenda Item. The Board also desired that DTC should conduct a detailed cadre review.

Resolution No.30 /2014: Item 27/2014: Extension of term of contract for engagement of Sh. S.P. Sethi , as Consultant for a period of another six months i.e. up-to 31.10.2014 (AN) on a consolidated amount of Rs.38,000/- per month on the existing terms and conditions against the vacant post of Senior Manager (Mech.) meant for direct recruitment – Information thereof to the Board.

(Shri A.K.Goyal, CGM (P) was called in.)

The Board considered the Agenda Item and noted the same.

Resolution No.31/2014: Item 28/2014: Procurement of Reel Paper 24 CMS, 60 GSM for Ticket Printing for the period Jan.2014 to Dec., 2014 + buffer.

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

The Board in view of the position explained in the Agenda Item, accorded approval for the following expenditure for procurement of Reel Paper to meet the requirement for the subject period:

Nomen-clature	Qty. (MT)	Firm	Landed Rates PMT (Rs.)	Amount (Rs.)
Reel Paper (24 cms, 60 GSM)	140	M/s Hindustan Paper Corpn. Ltd., Delhi	51994.425	72,79,219.50

*(Rupees Seventy two lacs seventy nine thousand two hundred nineteen and paise fifty only).

2. However, being Govt. Paper Mill, rates, discounts, taxes and duties etc. prevailing at the time of dispatch/supply will be applicable.
3. The Board authorized CMD, DTC for the following:
 - i. To sanction extra quantity if so required during the year in case the requirement increases due to increase in operated kilometers or for any other reason.
 - ii To cancel/divert the pending orders to other firm(s) in case the firm on whom order may be pending fail to supply as per our requirement or for any other reasons, if so warranted.

Resolution No.32/2014: Item 29/2014: Approval for Scrapping/deletion & disposal of 48 Nos. CNG buses and ex-post-facto approval of 176 Nos. CNG buses & 1 Jeep (M&M) – Aux. vehicle from the fleet of the Corporation on ‘As is where is condition’.

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

The Board considered the Agenda Item and in view of the position explained therein, accorded approval for scrapping/deletion and disposal of 48 Nos. (23 Nos. of Leyland and 25 Nos. of Tata) CNG buses.

The Board also accorded ex-post-facto approval for Scrapping, deletion and disposal of 176 Nos. of CNG buses (127 Nos. of Leyland and 49 Nos. of Tata) and 1 No. of Jeep (M&M) - Aux. Vehicle which have already been deleted from the active fleet of the Corporation vide letter No.CWS-II/Mgr.(S)/2014/71 Dated 23.05.2014.

Resolution No.33/2014: Item 3/2014: Procurement of Winter Uniform items.

- i) **Nehru Jacket for the year 2013-18**
- ii) **Coat (Fine) for the year 2013-18 &**
- iii) **Cash compensation for Woolen Jersey for the year 2013-15.**
- iv) **Cash compensation for Ties – 2 nos.in maroon colour for the year 2013 to 2017**

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

The Board considered the Agenda Item and in view of the position explained therein, accorded approval for –

- (i) the expenditure amounting to Rs.1,96,83,149.10 for procurement of Nehru Jacket from KVIC as per proposal at Annexure “D” to the Agenda Item.
- (ii) the expenditure amounting to Rs.26,94,510.00 for procurement of Coat (fine) from M/s NTC as per proposal at Annexure “E” to the Agenda Item.
- (iii) cash compensation of Rs.1,66,29,902.50 in lieu of Woolen Jersey/Ladies Cardigan & Tie (2 nos.) as per proposal at Annexure “F” to the Agenda Item.

2. The Board also sanctioned the total expenditure of Rs.3,90,07,561.60 as brought out above in Para (i) to (iii).

3. The Board further approved issuance of Nehru Jacket & cash compensation in lieu of Woolen Jersey to contractual staff at par with regular staff subject to pro-rata recovery of value of these two uniform items in case the contractual staff leaves the service before the expiry of eligibility period which is 2 years for Woolen Jersey and 5 years for Nehru Jacket for issuance of these items to the entitled staff.

4. The Board authorized CMD, DTC for the following:-

- i) Procurement of additional quantity of Nehru Jacket & Coat (fine), if required, due to increase in strength of the employees and also to give cash compensation for Woolen Jersey to the entitled categories.
- ii) 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.
- iii) To modify existing modalities for quality, assurance & terms & conditions, if any.

Resolution No.34/2014: Item 30/2014: Procurement of 1380 fully built Non Air-conditioned Standard 900mm Floor Height CNG Propelled City Buses with maintenance – Review of RFP Document.

(S/Shri S.P.Sethi, Consultant (SBU) and K.C.Gupta, Sr.Mgr. (SBU) were called in.)

The Board was apprised of the need to review the existing RFP document for procurement of the subject buses since only a single conditional bid was received and the global tender floated on 04-10-2013 was foreclosed.

2. A presentation in this regard was made before the DTC Board highlighting the salient changes proposed to be made in order to elicit better response & participation from the prospective bidders to obtain reasonable rates for supply of buses with maintenance.

3. The Board was informed that only a single bidder – M/s.TML had participated in the two recent tenders floated by DTC in 2013.

4. The Board was informed about the following probable causes of poor/unreasonable response received against the last two Global Tenders floated on 20.03.2013 and 04.10.2013:

- (i) Limited Vehicle Manufacturers available in India for CNG Buses.
- (ii) Procurement of buses with maintenance from only VMs having expertise in bus technology, better maintenance practices with genuine spare parts etc.
- (iii) Initially VMs had little experience in maintenance of buses under AMC while submitting their bids.
- (iv) In some cases, the recoveries were found to be more than the VMs quarterly AMC bill amount resulting in nil payment. It appears that the VMs might not have anticipated such huge recoveries being made from their bills towards failure to comply with performance parameters while submitting their Bids.
- (v) VMs have been asking for lower period of AMC period (say 5 – 8 years) in place of 12 years or 7,50,000 kms. operation whichever is later.
- (vi) The exorbitantly high bus price & AMC charges may be on account of loading of the Bid by the single bidder on account of realization of actual payments in respect of bus price and AMC charges after recoveries, such as recoveries affected on account of CNG norms guarantee wherein the VMs have no control over the factors affecting CNG consumption and expenditure incurred in creating infrastructure etc.
- (vii) The reason for single bid against the latest tender dated 04.10.2013 for procurement of 1380 Non-AC 900mm Floor Height CNG Buses with maintenance may be the provision of acceleration of 0.6m/sec^2 which is met by Tata Cluster Buses while in case of Ashok Leyland SLF Bus acceleration is about 0.55m/sec^2 in respect of AL Cluster buses currently under production with ALL (Annexure-‘III’). This might be the reason for non-participation by ALL.
- (viii) The prospective bidders have conveyed reservations in respect of certain factors beyond their control, including provisions of levy of pre-estimated liquidated damages/damages/cost of excess CNG consumption towards performance deficiency in compliance of the contract terms and may be reluctant to participate against DTC Tenders.

5. In the light of failure of the last two Global tenders floated in 2013, the Board was apprised of the review of the existing RFP Document carried out by Tender Review Committee (TRC) comprising of representatives of Finance & Transport Departments of Government of NCT of Delhi, outside Technical Expert from Delhi Technological University, Senior DTC Officers from Technical, Traffic, Civil, IT & Finance Departments and DTC's Consultant – CIRT, Pune.

6. The recommendations of the TRC were duly deliberated & decided to modify/ amend the following salient provisions in order to elicit better response & participation by the prospective bidders for competitive bidding. The objective is to simplify and introduce greater transparency in the RFP provisions, while ensuring that there is adequate deterrent for performance deficiencies in the contract terms.

Sl. No.	Clause	Proposed Changes
1	Life of Bus	<p>Considering the concerns expressed by the Vehicle Manufacturers during the Pre-Bid Conferences against the last tender in respect of AMC period of 12 years or 7,50,000 Kms operation and higher expected AMC charges during the last slabs, the life of bus may be revised to 10 years or 6,50,000 Kms operation whichever is later in respect of the conventional buses as specified in respect of similar buses under Private Operators Cluster Bus Scheme (Orange) in Delhi in place of expensive high technology integral structure Low Floor Buses of 12 years or 7,50,000 Kms operation.</p> <p>Earlier, the conventional standard buses were having scrapping norms of 8 years and 5,00,000 kms operation subject to physical conditions.</p> <p>The above change in life of bus of 10 years or 6,50,000 Kms operation whichever is later may be agreed to.</p>
2	95% availability during Warranty Period & 92% availability beyond Warranty Period.	<p>The Vehicle Manufacturers during the Pre-Bid Conference also insisted for lower availability of buses in place of the existing provision of 95%/ 92% applicable for high technology Low Floor buses. Keeping in view the recovery of heavy amount of pre-estimated damages in the event of failure to maintain 95%/ 92% availability of buses in the existing Contracts, the availability of buses may be revised to 92% during Warranty Period and 90% beyond Warranty period for the conventional buses to improve road worthiness of buses by making available adequate buses for maintenance activities.</p>
3	Fuel Efficiency Norms [Clause-46.48 of GCC]	<p>Buses are being operated under variable conditions having direct implication on consumption of CNG beyond the control of VMs & DTC, such as, idling under Delhi's operating condition in view of frequent stoppages, traffic jams, driving habits etc resulting in consumption of CNG without covering any kilometrage. In</p>

fuel consumption of CNG in grams per kilowatt hour at standard conditions as provided under Clause-3.7 of Technical Specification.

In addition, VM may be required to carry out the above specific fuel consumption of CNG test on yearly basis throughout the life of the bus under operation.

While tendering, Purchaser may take into account the higher weightage for more fuel efficient vehicle under standard test conditions.

4 Pre-estimated damages applicable on failure to maintain minimum 95% availability of buses during Warranty Period and 92% availability of buses after Warranty Period [Clause-46.9 of GCC]

All the VMs during the course of Pre-Bid Conference were in favour of deleting the provision of levy of pre-estimated damages based on multiplication factor of 3 / 4 multiplied by slab-wise quoted AMC charges in anticipation of heavy recoveries in the event of failure to make available 95%/ 92% buses for operation.

For example, if a bus covers 100 Kms per shift and AMC charges for a applicable slab is Rs.20/- per km, the pre-estimated damages will be Rs.6,000/-/ Rs.8,000/- per bus per shift. In the event of failure to make available 95%/ 92% of buses, VMs may have to bear with huge recoveries during AMC period of 12 years as is the experience of the Corporation in the existing Contracts.

Such provisions are likely to be loaded by the VMs in their Bid and it may be difficult to obtain reasonable competitive rates.

Keeping in view that the provision of pre estimated damages may be reflected in the quoted AMC charges, as such, the provision of pre-estimated damages may be simplified to say Rs.3,000/- per shift per bus in the first year thereafter compounded annually @ 10% for the second year and so upto 12th year. The purpose of deterrent to make available amended 92% 90% of buses may be served.

5 Provision of recovery of damages based on infractions on account of performance deficiencies introduced in the last two Global Tenders

Presentability parameters specified in Clause 46.47 of GCC in the last two Tenders may all be the reason for poor & unreasonable responses resulting in failure of the tenders. The prospective VMs also objected to the provision during the Pre-Bid Conferences.

Instead, the presentability parameters may be incorporated in the presentability Clause-46 and a fine of 10% of the pre-estimated damages

	[Clause-46.47 of GCC]	as specified in Clause-46.9 may be recoverable from the Contractor in the event of one or more presentability parameters are not met by the buses at the time of out-shedding.
6	Cost of creation of infrastructure in DTC Depots i.e. DTC to provide Effluent Treatment Plant & Tower Lights and the Contractor to create rest of the maintenance infrastructure such as RO for water treatment, Service Pits, Workshop development/ renovation & maintenance, Washing Plant, Generating Sets etc at his cost [Clause-46.12.2 of GCC]	<p>DTC may provide existing maintenance facilities available in the Depot on 'as is where is basis' to the Contractor.</p> <p>DTC may be responsible to provide Service Pits, Effluent Treatment Plant, Tower Lights, Water Softening Plant, Six Rooms to the Contractor.</p> <p>The Contractor will be responsible to make his own arrangement for Plant & Machinery, Tools, Jigs & Fixtures, Washing Plant required for proper maintenance of buses.</p> <p>The Contractor is required to create maintenance facilities at DTC's Depots within six months from the date of issue of Letter of Acceptance (LOA). No pre-estimated damages towards non-availability of 92%/ 90% of buses shall be levied on the Contractor for next four months due to any delay in creation of maintenance facilities i.e. no pre-estimated damages for 10 months from the date of issue of LOA.</p>
7	Quarterly AMC Payments [Clause-46.15 of GCC]	As per the existing experience of liquidity crunch on account of Quarterly AMC payments in 15 days, monthly AMC payment in 30 days may be agreed to.
8	Provision of 10% rebate on the list price given by the Contractor towards retaining the unserviceable/ defective/ items by the Contractor in lieu of scrap [Clause-46.10.2 of GCC]	The provision of 5% rebate towards scrap material retained by the Contractor as applicable in the first lot of 650 buses and as suggested by the VMs during Pre-Bid Conferences in place of existing 10% rebate may be agreed to.
9	Provision under Clause-46.10.2 on 'Accidental Repairs' that in all cases, the labour cost under any circumstances shall	The cost of repair of accidental buses on the part of DTC bus crew is to be borne by DTC. Such buses after accident are considered outside AMC till the buses are repaired and made roadworthy by the Contractor. The VMs have insisted during the Pre-Bid Conferences that accident cost both spare parts used and labour cost shall be borne by DTC.

	[Clause-46.10.2 of GCC]	<p>spare parts is borne by DTC while labour cost under any circumstances shall not be borne by DTC and shall be borne by the Contractor.</p> <p>Since repair of accidental buses attributed to DTC is not part of normal AMC, as such, DTC may have to bear cost of both spare parts & labour charges. The cost of spare parts chargeable shall be as per the approved price list and for labour charges based on the Government's notified minimum wages rates applicable in Delhi.</p> <p>The existing labour charges applicable in respect of first lot of 650 buses is Rs.114/- per hour applicable for the current fiscal 2014-15 subject to revision based on the percentage increase in the minimum wages rates during the current fiscal applicable for the next fiscal 2015-16. The above may be agreed to.</p>
10	<p>Liquidated Damages towards delayed delivery of buses</p> <p>[Clause-8.1, 8.1.1, 8.1.2 & 8.1.3 of GCC]</p>	<p>In order to simplify pre-estimated liquidated damages as applicable for the lot of 650 buses i.e. @ 0.5% of the value of bus for delay of each week or part thereof subject to maximum ceiling of 10% of the total value of each bus in place of existing 0.5% upto four weeks or part thereof, 0.75% between four weeks to eight weeks & 1% beyond eight weeks may be agreed to.</p>

7. In respect of changes/amendments in Technical Specifications & Annexures as brought out in Para-III (3) of the Agenda Item, the Board observed that the same should be as decided by Technical Officers of the Corporation in consultation with DTC's Consultant - CIRT, Pune. The Board further observed that it would approve the changes/ amendments/modifications suggested by TRC, DTC's Consultant - CIRT, Pune & DTC and not the RFP Document as brought out in Para- VI (ii).

8. After detailed discussions & deliberations, the Board accorded approval for the following:

- (i) Changes/ modifications/ amendments in the bid conditions as brought out in Para-7 above.
- (ii) Authorized CMD for approval of the revised RFP Document including Technical Specifications & Annexures, further changes in the terms & conditions, specifications, if any, required and necessary action in the matter of floating of Global Tender, freezing of RFP Document by incorporating changes/ amendments, if any required in consideration of the suggestions of the prospective bidders after Pre-Bid Conference. Replies to Queries issue of 11/11/14

Resolution No.35/2014: Item 31/2014: Procurement of shoes to the entitled staff for the year 2014-2015.

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

The Board considered the Agenda Item and in view of the position explained therein, accorded approval for cash compensation to the entitled staff for shoes for the year 2014-2015 as per details mentioned in the Annex.-'C' to the Agenda Item and also sanctioned the amount of Rs.1,54,59,070/- on this account.

Resolution No.36/2014: Item 32/2014: Installation of CCTV Cameras in 200 DTC Buses.

(Shri A.K.Kakkar, Sr.Mgr. (IT) was called in.)

The Board considered the Agenda Item and in view of the position explained therein, accorded approval for the following:

- i) Issue of 'Letter of Acceptance' to L-1 bidder viz. M/s Matrix Security Surveillance Pvt. Ltd., Hyderabad as per draft submitted by Consultant M/s UTIITSL.
 - ii) To enter into agreement with M/s Matrix Security Surveillance Pvt. Ltd., Hyderabad and award contract for running of the CCTV project in 200 buses for a period of five years as per T & C of tender.
2. The Board also accorded sanction for Rs. 3,75,42,115.00 to be paid to M/s Matrix Security Surveillance Pvt. Ltd., Hyderabad towards running of the CCTV project in 200 buses of DTC as per payment schedule given in the RFP.
 3. The Board authorized CMD, DTC to approve/ sanction, take any action & decisions required for implementation of aforesaid CCTV project in DTC.

Resolution No.37/2014: Item 33/2014: Constitution of Review Selection Committee in the promotion case of Sh. H.C. Gupta, Sr. Manager (Traffic) to the post of Dy.CGM (Traffic) w.e.f. 4.6.2009 against which criminal case was reported pending against him at that time but not in the knowledge of the Selection Committee as well as Personnel Department.

(Shri A.K.Goyal, CGM (P) was called in.)

Resolution No.38/2014: Item 34/2014: Renting out DTC's space for Installation of Equipment/Infra for mobile network services in DTC's Depots/Terminals.

(Shri A.K.Chawla, Dy.CGM (Civil) was called in.)

The Board considered the Agenda Item and in view of the position explained therein, accorded approval for allotment of DTC space at the monthly rent of Rs.3000/- per sq.mtr. plus other charges viz. cable tray charges, electric installation charges/maintenance charges and service tax etc. per month at 54 locations in favour of M/s Indus Tower Ltd along with other terms and conditions mentioned in the tender.

Resolution No.39/2014: Item 35/2014: Matter regarding allotment of alternate land by DDA to DTC in lieu of Millennium Depot Land for parking of about 1000 Low Floor Buses.

(Shri A.K.Chawla, Dy.CGM (Civil) was called in.)

The Board noted the status of allotment of various land to DTC by DDA in lieu of Millennium Depot Land for parking of about 1000 Low Floor Buses and further desired that the matter be continuously pursued with the D.D.A. by the concerned authority.

Resolution No.40/2014: Item 36/2014: Engagement of Bus Conductors (amongst the dependent of deceased employees of the Corporation registered for the post of Conductor) on short-term contract for a period of one year. **(Placed on the table)**

The Board deferred the item for want of time.

Chairperson-cum-M.D.
Delhi Transport Corporation