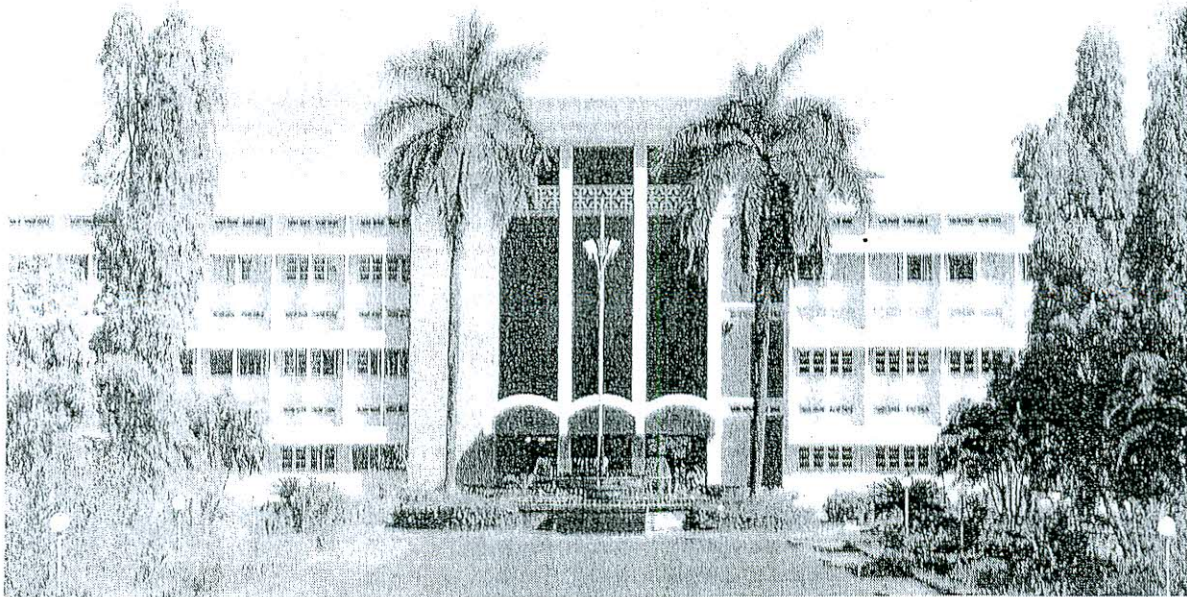


NATIONAL INSTITUTE OF TECHNOLOGY KARNATAKA, SURATHKAL

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Minutes of
Adjourned 31st meeting of the
BUILDING & WORKS COMMITTEE
held on July 30, 2015 (Thursday) at 11:00AM in the
Board Room, NITK, Surathkal.



Minutes of the proceedings of adjourned 31st meeting of the Building and Works Committee held on July 30, 2015 (Thursday) at 11:00AM in the Board Room, NITK, Surathkal.

Members present:

1. Prof. Swapan Bhattacharya, Chairman
Director,
NITK, Surathkal, Mangaluru – 575 025.
2. Prof. M C Narasimhan, Member
Dean (P&D),
NITK, Surathkal, Mangaluru – 575 025.
3. Shri M Seetarama Rao, Member
Superintending Engineer (Civil), CPWD,
Mysuru Central Circle, T Narasipura Road,
Siddarthnagar, Mysuru – 570 011
4. Shri P K Naidu, Special Invitee
Project Manager/ Superintending Engineer, CPWD,
NITK-S Project Circle Office, Yogic Science building,
Beach Road, NITK campus,
Srinivasnagar, Mangaluru – 575025
5. Shri R N Ashwathaiah, Special Invitee
Executive Engineer (Civil), CPWD,
CPWD, NITK-S Project Division -I, Yogic Science building,
NITK campus, Srinivasnagar, Mangaluru – 575025.
6. Shri Pankaj Kumar Rawal, Special Invitee
Executive Engineer (Civil), CPWD,
CPWD, NITK-S Project Division -II, Yogic Science building,
NITK campus, Srinivasnagar, Mangaluru – 575025.
7. Shri D Krishna Kumar, Special Invitee
Executive Engineer (Ele), CPWD,
NITKS Project Electrical Division,
Yogic Science building, Beach Road, NITK campus,
Srinivasnagar, Mangaluru – 575025.
8. Prof. Lakshman Nandagiri, Special Invitee
Former Dean (P&D) & Professor, Dept of AM,
NITK, Surathkal, Mangaluru – 575 025.

- | | | | | |
|-----|---|------|------|--------------------|
| 9. | Prof. M K Nagaraj,
Resident Engineer (i/c),
NITK, Surathkal, Mangaluru – 575 025. | | | Special Invitee |
| 10. | Shri Y Ram Mohan
Deputy Registrar (Accounts)
NITK, Surathkal, Mangaluru – 575025. | | | Special Invitee |
| 11. | Dr. Basavaraju Manu,
Faculty-in-charge of Estate & Works,
NITK, Surathkal, Mangaluru – 575 025. | | | Special Invitee |
| 12. | Dr. Shubhanga,
Faculty-in-charge, Electrical Works
NITK, Surathkal, Mangaluru – 575 025. | | | Special Invitee |
| 13. | Shri K Ravindranath,
Registrar,
NITK, Surathkal, Mangaluru – 575 025. | | | Member – Secretary |

Chairman of the Building and Works Committee welcomed all the members. After the welcome address, the Committee began its proceedings.

Item No. 31.1: Reading and Confirmation of the minutes of 30th meeting of the Building and Works Committee held on 11-05-2015 – Reg.


The minutes of 30th meeting of the Building and Works Committee held on 11-05-2015 were read and confirmed.

Item No. 31.2: To consider the report on action taken on the resolutions of the 30th meeting of the Building and Works Committee held on 11-05-2015 – Reg.

The action taken on various resolutions passed in the 30th meeting of Building and Works Committee held on 11-05-2015 were noted.

As regards to the subject under item number "30.3.9 – Providing additional 11kV LT line from 33kV electrical sub-station to Western side of the NITK Campus", the B&WC further resolved as follows in view of the limited technical staff available at the Works Establishment of the Institute for taking up of the work at the Institute level:

"Resolved to entrust the work of proposed "Providing additional 11kV LT line from 33kV electrical sub-station to Western side of the NITK Campus" to CPWD on deposit work basis.



Item No. 31.3: Items placed before the present meeting dated 30-07-2015 for consideration:

Item No. 31.3.1: Construction of Mega hostel at NITK [a completed project in August 2010] – Issues regarding contractor's claim on:

- (i) Payment of Price escalation bill of the contractor under Clause No. 10 CC – Cost Index to be adopted for payment of Price escalation bill for the works carried out after the original stipulated period for completion of work;
- (ii) Reimbursement of service tax - M/s Shirke CTPL, Pune, contractor of Mega hostel paid to the agency engaged by the contractor for epoxy coating on steel reinforcement; and
- (iii) Recovery at 1% towards labour cess from the bills of the contractor – Reg.

The above issues were deliberated at length and the following resolutions were passed:

(a) Considering the fact that there is a variation in agreement clause and the CPWD standard Contract Provisions and also considering the objections recorded by the Institute audit and the CTE organization under CVC, it was decided to explore the possibility of conducting a conciliatory meeting with the Contractor to limit his claim for Price Escalation worked out as per CPWD standard Contract Provisions for Price Escalations. In the event of Contractor agreeing for limiting his price escalation claims to the amount worked out based on indices prevailing on the stipulated date of completion or later period whichever is less, then payment may be made to him accordingly. An undertaking shall be obtained from the Contractor, at the time making the payment, that he is accepting the Price escalation amount as calculated above, and the same is being accepted by him in full and final settlement of his price escalation claim and he will not have any additional claim, absolutely whatsoever in this regard. This should safe-guard the Institute against the Contractor approaching for arbitration at a later date for any additional amount towards price escalation.

In the event of the Contractor agreeing to limit his price escalation claims and the Institute making the payment to him as above, the Institute audit as well as CTE organization may be informed about the same for dropping the audit objections.

(b) As regards to the reimbursement of the Service Tax, the B & W Committee has concurred with the recommendations of the Institute Advocate and accordingly the claim of the Contractor is untenable and be rejected by the Institute



- (c) As regards to the reimbursement of the Labour Cess, the B & W Committee has concurred with the recommendations of the Institute Advocate and accordingly the claim of the Contractor is untenable and be rejected by the Institute.
- (d) In the event of failure of conciliatory proceedings with the Contractor as resolved (a) above, the B & W Committee may deliberate on the issue in its next meeting, to decide further course of action.

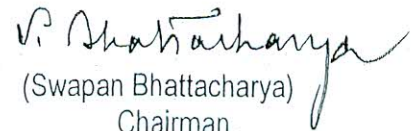
Item No. 31.3.2: To consider the (i) latest progress (physical & financial) of various works/buildings under construction (Projects entrusted to CPWD as well as the works being executed by the Institute); AND (ii) information regarding latest position of grants received, expenditure incurred and unspent balance available in respect of building works (under Plan grants) – Reg.

The B&WC noted the status of various ongoing projects (Projects entrusted to CPWD as well as the works being executed by the Institute) and the status of grants received. The B&WC suggested for expediting completion of the projects. The B&WC further noted the status of various new works to be undertaken for which approvals have been granted.

The meeting ended with Vote of thanks to the Chair.



(K Ravindranath)
Member Secretary,
Building and Works Committee.



(Swapan Bhattacharya)
Chairman,
Building and Works Committee.

