

CONFIDENTIAL

CAPITAL DEVELOPMENT AUTHORITY
(Directorate of Coordination)

No.CDA-1219/BM-Coord/2011/

Islamabad Oct 2011.

Subject:- MINUTES OF THE 20TH MEETING OF
CDA BOARD FOR THE YEAR 2011.

The 20th meeting of the CDA Board for the year 2011 was convened on Friday, 30th September, 2011 at 9:45 A.M in Room No. 006, Jinnah Convention Centre, Islamabad with the Chairman, CDA presiding.

2. The following were in attendance:-

- | | | |
|----|---|-----------------|
| 1) | Mr. Imtiaz Inayat Elahi,
Chairman, CDA. | In Chair |
| 2) | Mr. Saeed-ur-Rehman,
F.A/ Member. | |
| 3) | Mr. Shaukat Ali Mohmand,
Member (Admin). | |
| 4) | Mr. Tahir Shamshad,
Member (P & D). | |

- 5) Mian Waheed-ud-Din,
Member (Environment).
- 6) Syed Abrar Hussain Shah,
Member (Engineering).
- 7) Mr. Khalid Mehmood Mirza
Member (Estate).
- 8) Dr. Raja Mustafa Hyder,
Secretary CDA Board.

3 The following officers were in attendance and participated:-

- 1) Mr. Ghulam Sarwar Sandhu,
D.G (Planning), CDA.
- 2) Mr. Ghulam Murtaza Malik,
DDG (Building Control).
- 3) Mr. Iftikhar Ahmed Awan,
DDG (Environment-II), CDA.
- 4) Mr. Habib-ur-Rehman,
Dy. D.G (Law).
- 5) Mr. Abdul Baqi,
Director (Law-I).

- 6) Mr. Mumtaz Hussain Zahid,
Director (Law-II).
- 7) Mr. Waqar Ali Khan,
Director (E.M-II / L & R).
- 8) Mr. Khawar Saeed,
Director (PMO), CDA.
- 9) Mr. Faisal Nisar Chaudhary,
Director Estate Management-I.
- 10) Mr. Najeeb-ur-Rehman,
Director (Works), CDA.
- 11) Mr. Muzaffar Khan,
Director Environment (R), CDA.
- 12) Mr. Shaukat Ali,
Dy. Director (Commercial),
Revenue Directorate, CDA.

4. Mr. Omar Asad, Deputy Director (Development / Finance) attended meeting on behalf of Chief Commissioner (ICT), Islamabad and Commissioner, Rawalpindi could not attend the meeting.

5. Meeting commenced with the recitation of "Holy Quran" by Dr. Raja Mustafa Hyder, Secretary CDA Board.

6. The agenda items were taken up for discussion and following decisions were taken:

6.1 DISCUSSION ON CONDITION FOR PERMISSION FOR GROUND + 3 STOREY IN RESPECT OF PLOT NO. 1-A, 1-B, 2-A & 2-B, I & T CENTRE G-6/1-1, AABPARA, ISLAMABAD (M/S GERRY'S).

10025/1219/BM/*11
30-09-11/20TH

DECISION

The case for permission of additional storeys in respect of plots of I&T Centres in G-6 pocket was discussed in the CDA Board meeting held on 30-09-2011. DDG (Building Control) explained that in this pocket, the I&T Centre plots have been allowed Ground + 1 as well as Ground + 2 storey buildings and in the same line Ground + 3 storey for 06 plots in Class-IV category have been allowed. Therefore, the permission for one or two additional storeys was not a new decision rather it will be in line with the existing sky line of the area. The said permission does not require any NOC from any quarter. Therefore the Board decided that no permission is required from any 3rd party and therefore the security clause as issued vide

Corrigendum No. CDA-1200/BM-Coord/2011/2347, dated 20th August, 2011 is not in line with the norm of standard policy and hence stands expunged from the above cited corrigendum.

**Action: D.G (Planning)
DDG (B.C)
D.F.A-II**

6.2 RATIONALIZATION OF CHARGES ON CONVERSION FROM MARRIAGE HALL TO OFFICE COMPLEX OF PLOT NO. 26, G-6 MARKAZ, ISLAMABAD (ALLOTTEE TO BE SUMMONED).

6.3 PRESENTATION TO REVIEW THE PROGRESS WORK IN "C" SERIES SECTORS & REGULARIZATION / CONTRACT EXTENSION OF LAND ACQUISITION PROJECT EMPLOYEES.

The above two items i.e. **Item No. 6.2 to 6.3** could not be discussed due to paucity of time.

6.4 REPORT OF THE COMMISSION FORMED FOR SETTLEMENT OF CLAIM LODGED BY M/S MPCHS - NORTHERN STRIP E-11.

DECISION

The Board deliberated the findings of the Commission in-depth and each item of the claim was examined individually on its merits. The Board especially appreciated Mr. Haroon-ur-Rasheed, President, Islamabad Bar Association for the hard work done by him and the diligence and vigor with which the Commission discharged its mandate. In light of these events, the Board directed payment of Rs 2,00,000/- as a token fee to the Chair of the Commission, namely Mr. Haroon-ur-Rasheed, President Islamabad Bar Association and Rs. 100,000/= each for the non-CDA members, namely, Mr. Munawar Mughal, Ex-President I.C.C.I, Mr. Iqbal Bhatti, Deputy Managing Director, National Construction Limited and Capt. (R) Fareed-ud-Din Mustafa, AC (Saddar), Islamabad. The CDA officers in the Commission voluntarily opted not to take any payment for their services in this regard. The Board accepted the recommendation of the Commission in respect of admissibility / verification of financial charges from

a well reputed Audit Firm of Chartered Accountants as well as the applicable laws of Pakistan. It was further decided that the firm appointed for the purpose of audit related to vacation of possession of land as described should also be asked to advice on admissibility of financial charges. Out of total of Rs. 1,656,423,883/- that stands factually verified by the commission as having been expended by MPCHS, the Board decided that the heftiest claim of expenditure on account of vacation and repossession of land ought to be subjected to further professional scrutiny in order to ensure that there remains no possibility of any objection being raised in relation to such claim before divesting public funds to settle the same. Consequently the Board decided that an amount of Rs. 875,647,750/- (Claim No. 1) out of the total amount verified by the Commission shall be referred to the Deputy Commissioner Islamabad / Registrar Cooperatives with the request of appointing a well reputed audit firm of Chartered Accountants from the approved panel. The TORs for the audit of amount on account of vacation of possession of land will be prepared by Member (Estate).

The Board decided that out of a total amount of Rs. 1,656,423,883/- verified by the Commission, the claims in relation to actual Developmental charges, payments in lieu of utilities and governmental fees etc. backed by public record and vouchers, in the amount of Rs. 316,526,398/- Million, as recommended by the Commission may be paid to MPCHS. The Board further decided that the amount of compensation as above will be paid out of the sale proceeds receipt from the residential plots in Northern Strip E-11 from the Project Margalla Retreat. The Board further decided that no other CDA's funds will be utilized for payment of compensation. The Board also decided that since the charges are being approved for payment related to development work, therefore, the payment will be processed by the concerned Directorate i.e. Director Roads (North) under Member (Engineering) as per laid down procedure.

**Action: F.A / Member
Member (Estate)
Member (Engineering)
Director (L&R)
Director Roads (North)**

6.5 DISCUSSION ON AMENDMENTS IN THE CDA
ORDINANCE 1960.

10027/1219/BM/'11
20.09-11/20¹¹¹

DDO

DECISION

DDG (Law), presented the facts of the case before the Board. Director (Law) and Director Law (Opinion) were also present on the occasion. The Board approved the amendments in the CDA Ordinance, 1960 and rejected de-acquisition clause and also gave approval in principle for changes in Regulations as required for which the CDA Board is competent. The Board also directed that the Draft Policy should be prepared on priority basis. The amendment bill draft for changes in the CDA Ordinance is as under:-

AN ORDINANCE.

WHEREAS it is expedient further to amend the Capital Development Authority Ordinance, 1960 (XXIII of 1960), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.--(1) This Ordinance may be called the Capital Development Authority (Amendment) Ordinance, 2011.

(2) It shall come into force at once.

2. Amendment of section 2, Ordinance XXIII of 1960.--In the Capital Development Authority Ordinance, 1960 (XXIII of 1960), hereinafter referred to as the said Ordinance, in section 2,--

(a) after clause (g), the following new sub-clauses shall be added, namely:--

“(g-a) “concession” means grant of a right of a public asset by the Authority in return for stipulated services or a promise that the right will be used for a specific purpose in the form of Build Operate Transfer (BOT), Design Build Finance Operate (DBFO) and any other variant of Public-Private Partnership;”

“(g-b) “consortium” means a joint venture of persons, jointly and severally liable, controlled by private investors or at least majority thereof controlled by private investors, created for the purpose of forming a private party and entering into a Public-Private Partnership Agreement;”

(b) after clause (l), the following new sub-clauses shall be added, namely:--

“(l-a) “person” means a company, entity, firm, association, body of individuals, or a sole proprietor other than an agency or a local body;”

“(l-b) “private party” means a person who enters into a Public-Private Partnership Agreement with the Authority, and includes a consortium;”

"(l-c) "Public-Private Partnership" means a partnership carried out under a Public-Private Partnership Agreement between the Authority and a private party for the provision of an infrastructure facility, management functions and/or service with a clear allocation of risks and benefits between the two parties;"

"(l-d) "Public-Private Partnership Agreement" means a contractual arrangement made between the Authority and a private party to enter into a Public-Private Partnership;"

"(l-e) "Public-Private Partnership Cell" means the cell established under section 10A;"

3. Insertion of new section after section 10, Ordinance XXIII of 1960.-- In the said Ordinance, after section 10, the following new section shall be inserted, namely:--

"10A. Public-Private Partnership Cell:-- The Chairman shall form a Public-Private Partnership Cell with the approval of the Board consisting of officers from within the Authority or other local bodies or agencies as the case may be, which may include representative(s) from the Finance Department, and independent technical and legal experts if deemed appropriate.

4. Amendment of section 12, Ordinance XXIII of 1960.--

(1) In the said Ordinance, in section 12, in subsection (1),--

(a) after the words "local body or agency operating in the Specified Areas" appearing in the third line, a comma shall be inserted and thereafter the words "or persons" shall be added;

(b) after the words "local body or agency" appearing in the fifth line, the words "or persons" shall be added; and

(c) after the words "local body or agency" appearing in the sixth line, the words "or persons" shall be added.

(2) In the said Ordinance, in section 12, in subsection (4),--

(a) after the words "local body or agency" the words "or persons" shall be added.

5. Amendment of section 15, Ordinance XXIII of 1960.—

(1) In the said Ordinance, in section 15, in subsection (2),--

(a) after clause (ix), the following new sub-clauses shall be added, namely:--

"(x) seek participation from the private sector in appropriate projects subject to the provisions of this Ordinance;

(xi) enter into Public-Private Partnership Agreements under mutually agreed terms and conditions in relation to one or several project planning and management functions such as designing, financing, building, constructing, owning, operating and maintaining infrastructure projects;

(xii) enter into Public-Private Partnership Agreements and award concession contracts to vest public property in private parties for development and other appropriate purposes;

(xiii) pay any fee, in cash or kind, for services performed by private parties under duly authorized Public-Private Partnership Agreements including but not restricted to user fees, subsidies, revenue shortfall guarantees."

6. Insertion of new sections after section 15A, Ordinance XXIII of 1960.-- In the said Ordinance, after section 15A, the following new sections shall be inserted, namely:--

"15B. Public-Private Partnership arrangements.-- Subject to due diligence and appraisal of the project falling in the jurisdiction of the Authority with respect to Land, acquired or un acquired by Authority, and the prospective private party, the Authority may:

- (i) Enter into a Public-Private Partnership Agreement with a person, through its duly authorized representative in relation to acquire possession of acquired land, the planning, the designing, development, construction, operation and maintenance of infrastructure facilities;
- (ii) Arrange or provide for a payment to the private party in accordance with the terms and conditions of the Public-Private Partnership Agreement;
- (iii) Enter into an agreement with any entity for funding or guaranteeing a Public-Private Partnership project.
- (iv) Enter into a Public-Private Partnership instead of development of such part of the Capital Site by the Authority itself, to serves greater public interest, i-e faster development, implementation of Government policies, or due to paucity of funds.

15C. Preparation and negotiation of Public-Private Partnership Agreement:-- (1) The model draft Public-Private Partnership Agreement shall form a part of bidding documents

and shall clearly define the legal relationship between the Authority and the selected private party, as well as their respective rights and responsibilities.

(2) The Authority shall be authorized to negotiate with the successful bidder to finalize the Public-Private Partnership Agreement without substantially deviating from the draft Public-Private Partnership Agreement in a material way.

15D. Unsolicited proposals:-- (1) A person may propose a project to the Authority on its own initiative and the Authority may consider the unsolicited proposal from all aspects including technical and financial.

(2) The Authority may give the person who made the unsolicited proposal first right to match the best bid and if the person fails to match the bid, the Authority shall direct the best bidder to reimburse to the person reasonable costs incurred in project preparations as may be specified in the bid documents.

(3) If valid comparative bids are not received, the Authority may negotiate the Public-Private Partnership Agreement with the person who made the unsolicited proposal.

7. Insertion of new section after section 25, Ordinance XXIII of 1960.-- In the said Ordinance, after section 25, the following new sections shall be inserted, namely:--

"25A. No prevention or authorized entry upon land, survey and acquisition:-- No person shall prevent, obstruct or hinder, by show or use of force or otherwise, the Authority and any such person as may be generally or specially authorized by the Authority, to enter upon and survey or acquire any land or take other actions in accordance with Sections 23 and 25 of this Ordinance."

8. Amendment of section 29, Ordinance XXIII of 1960.-- In the said Ordinance, in section 29, after the words "shall be paid compensation," appearing in the second line, the words "in cash or in kind, the manner or" shall be added.

9. Insertion of new section after section 33B, Ordinance XXIII of 1960.-- In the said Ordinance, after section 33B, the following new section shall be inserted, namely:--

"33C. Payment of resettlement and rehabilitation solatium upon securing possession of acquired land:-- The Authority may, through an agreement, pay a solatium, upon securing possession of land already acquired by the Authority prior to 1985, in an amount or in such manner deemed reasonable for resettlement and rehabilitation of a landless affecttee or dweller, not being a person who has been or was entitled to be paid compensation at the time of acquisition of land by the Authority.

For purposes of this section, "landless affecttee or dweller" shall include a person:-

(i) who is the owner of built up property in form of a dwelling house constructed after acquisition of land who on account of acquisition of land by the Authority is being involuntarily displaced from such property; and

(ii) who is the adult successor of an individual whose land has been acquired, and whose primary place of residence or property or source of livelihood is adversely affected due to acquisition of land by the Authority."

10. Amendment of section 46, Ordinance XXIII of 1960.-- In the said Ordinance, in section 46, the words "six months or fine" shall be omitted and the words "five years or with fine which may extend to one million Rupees" shall be added.

Statement of Objects and Reasons for the PROPOSED
AMENDMENT of the CAPITAL DEVELOPMENT AUTHORITY
ORDINANCE, 1960.

1. PRIVATE SECTOR PARTICIPATION IN
INFRASTRUCTURE DEVELOPMENT PROJECTS.

The Capital Development Authority (CDA) is mandated to make arrangements for the planning and development of the Capital city.

Section 11 of the Capital Development Authority Ordinance, 1960 vests in CDA an exclusive mandate to prepare master-plan and master-programme for the development of the Capital territory. Under Section 12, CDA may require a local body or agency to prepare schemes pursuant to the master plan and the master programme, in consultation with CDA.

Section 13 of the Ordinance further reinforces the primary aim and object of the Ordinance as reflected in its preamble, i.e. establishment of CDA for making all arrangements for the planning and development of Islamabad within the framework of a regional development plan.

The CDA does not have the financial resources to undertake development of new sectors and already owes huge amounts in respect of land acquired by the CDA.

The value of land in the developed sectors continues to escalate leading to speculation, manipulation and inflation of prices by real estate agents and speculative investors, which has caused great hardship for the genuine purchasers.

RECENT RULINGS OF THE SUPREME COURT OF PAKISTAN in Suo Moto Case No.13 of 2009 have highlighted that the Capital Development Authority Ordinance, 1960, does not empower the CDA to engage private parties in order to undertake planning and development functions. Sections 12 and 13 of the CDA Ordinance, read together with Section 2, have been interpreted as prohibiting the CDA from entering into joint ventures and partnership with private sector entities to plan and develop infrastructure schemes of the Capital city.

In view of (i) the obvious benefits of PPP arrangements to the citizens and the government, (ii) the need to plan and execute infrastructure expansion, management and rehabilitation schemes for the escalating needs of the ICT, and (iii) the limited ability of the CDA and the Federal Government to fund such schemes through budgetary allocations, there is need to amend the CDA Ordinance and enable the CDA to engage with the private sector through PPPs for the purpose of discharging its responsibility to the residents of the ICT.

2. NO PREVENTION OF AUTHORIZED ENTRY UPON LAND, SURVEY AND ACQUISITION:-

Deputy Commissioner, CDA or any person authorized by the authority is empowered to enter upon land for preliminary survey etc before acquisition of land but sometime the inhabitants of the locality create hurdles by using cohesive force to prevent the officer from entering into the land for the purpose. Therefore the law needs to be amended that the officer may enter upon any land to conduct survey regarding acquisition of land and no private person shall prevent obstruct/ hinder, by show or use of force.

3. TO AUTHORIZE CDA TO ACQUIRE LAND OTHER THAN PAYMENT OF COMPENSATION IN AMOUNT.

Under the existing provision in CDA Ordinance, 1960 authority has to acquire land on payment of compensation in amount, due to financial crunch authority intends to acquire land on land sharing basis and for the purpose the amendments needs to be made in the CDA Ordinance to acquire land on land sharing basis or in other way the authority deems appropriate.

4. PAYMENT OF RESETTLEMENT AND REHABILITATION SOLATIUM UPON SECURING POSSESSION OF ACQUIRED LAND.

CDA made a rehabilitation policy to rehabilitate / resettle the displaced persons whose land was acquired. IN ANOTHER JUDGMENT THE SUPREME COURT OF PAKISTAN in Suo Moto Case No.1 of 2011 directed that "CDA may not extend concession nor enter into compromise with the land owners, who have been PAID COMPENSATION FROM PUBLIC EXCHEQUER and TAKE THE POSSESSION OF THE ACQUIRED LAND". In such circumstances CDA faces great difficulties to take the possession from land owners and affectees. In the best interest of public CDA intends to propose amendments in the CDA Ordinance to authorize the CDA to resettle / rehabilitate the affectees.

5. ENHANCEMENT OF PUNISHMENT AND FINE.

The existing penalty provided in the CDA Ordinance, 1960 is extendable to six month or fine or both to deter the land grabbers or violators as per CDA Ordinance. The law needs to be amended and the punishment be enhanced from six month to five years and the fine be extendable to One million rupees.

THE DRAFT CDA AMENDED ORDINANCE, 2011 WILL AUTHORIZE CDA TO UNDERTAKE PUBLIC - PRIVATE PARTNERSHIP PROJECTS AND TO ACQUIRE LAND ON LAND SHARING BASIS AND ALSO TO REHABILITATE THE LAND OWNERS / ESTATE AFFECTEES.

Action: DDG (Law)

6.6 RESTORATION OF ALLOTMENT OF PLOT NO. 13, MARKAZ F-6, ISLAMABAD.

Due to paucity of time the above item could not be discussed.

6.7 CANCELLATION OF AMERICAN SCHOOL PLOT ALLOTTED TO MR. HAMID HIRAJ IN DIPLOMATIC ENCLAVE.

10028/1219/BM/'11
30-09-11/20TH

DECISION

D.G (Planning), presented the summary before the Board. Director Estate Management-II was also present on the occasion. The Board after examining facts of the case remarked that in implementation of the Court Decree, the subject plot was cancelled by CDA and hence the token fee for the cancellation should not be charged. The Board also directed Director General Planning to bring forth a summary

pertaining to the categories of school plots in one of the next Board meetings.

Action: D.G (Planning)
D.F.A-II
Director (E.M-II)

6.8. PAYMENT OF THE CONTRACTOR ON ACCOUNT OF PRICE ADJUSTMENT (ESCALATION / DE-ESCALATION AGAINST THE FOLLOWING PROJECT:-

10029/1219/BM/11
30-09-11/20TH

- i) IMPROVEMENT & BEAUTIFICATION OF WEEKLY BAZAR G-6 HIGHWAY, ISLAMABAD.
- ii) SHIFTING OF WEEKLY BAZAAR G-9 TO SECTOR H-9 ALONG KASHMIR HIGHWAY, ISLAMABAD.

D. (Member) explained to the Board that the

DECISION

Director (Works) presented the summary before the CDA Board for payment to contractor on account of price adjustment for the item of steel against the projects of Weekly Bazaar, G-6, Islamabad and shifting of Weekly Bazaar, G-9 to Sector H-9 along

Kashmir Highway. The Board decided that the matter be settled on the guidelines and advice of the Engineering Council and as per CDA Regulations. The Board directed that the matter should be resolved in line with the above recommendations and the item of steel be calculated by weight and not by length.

Action: Director (Works)

6.9 MINUTES OF THE MEETING OF ASC HELD ON 01-0-3-2011.

Due to paucity of time the above item could not be discussed.

6.10 EXTENSION OF ADMINISTRATIVE SUPPORT TO LAW DIRECTORATE ENABLING IT TO DISPOSE OF CASES RELATING TO CDA VALUABLE PROPERTIES INVOLVING BULLION OF RUPEES.

0030/1219/BM/11
30-09-11/20TH

DECISION

The Board examined the facts of the case as presented by DDG(Law). The Board decided that DDG(Law) will consult Member Administration on the posting / transfer of Law Graduates as Administrative Officers in the Law Directorate for administrative support. Furthermore, the Board decided in principle to examine the proposal of

abolition of the post of DDG (Law) and its subsequent replacement with the post of DG (Law) subject to the deliberations on the matter by Member (Estate) and Member (Admin). The matter will be brought up before the CDA Board again for final approval.

**Action: Member (Estate)
Member (Admin)
DDG (Law)**

6.11 INCLUSION OF COST OF LIVING ALLOWANCE @ 7% IN THE PENSIONABLE EMOLUMENTS. (SUPREME COURT DECISION ADOPTATION).

6.12 RESTORATION OF PLOT NO. 310, INDUSTRIAL KAHUTA ROAD, ISLAMABAD.

Due to paucity of time the above two items i.e. **Item No. 6.11 to 6.12** could not be discussed.

6.13 ALLOTMENT OF PLOT TO THE WIDOW OF LATE MUHAMMAD ISLAM MINHAS, EX-UDC AS SERVICE BENEFIT. (WAFAQI MOHTASIB CASE).

10031/1219/BM/11
30-09-11/20TH

DECISION

Director Estate Management-I, explained to the Board that Wafaqi Mohtasib has directed CDA to allot the plot to the widow as the case of the widow namely Mst Ishrat Parveen was pending before LDR-1993 going into force. Therefore, the

provisions of LDR-1993 were applicable in her case. The Board heard the facts of the case and decided that due to the matter being subjudice in the High Court and due to non-availability of new sectors the matter stands deferred for the time being.

Action: Director (E.M-I)

6.14 ALLOTMENT OF RESIDENTIAL PLOTS TO RETIRED OFFICERS IN DEVELOPED SECTORS (BPS-16 AND ABOVE PETITIONER'S CASE).

The above item was deferred being subjudice.

6.15 REQUEST FOR ENHANCEMENT OF NUMBER OF STOREY, COVERED AREA AND CHANGE OF USE OF THE PLOT NO. 10 LEASED OUT FOR TEA HOUSE QADRIA MARKET, G-7/3-4, ISLAMABAD.

6.16 ENHANCEMENT OF QUOTA FOR THE PROMOTION OF SUB ENGINEERS PROCESSING DEGREE OF B.TECH (HONS) TO THE POST OF ASSISTANT DIRECTOR (BPS-17) FROM 10% TO 15% (CABINET CASE).

Due to paucity of time the above two items i.e. **Item No. 6.15 to 6.15** could not be discussed.

**6.17 DEVELOPMENT AND OPERATION OF FUEL
FILLING STATIONS IN ISLAMABAD.**

10032/1219/BM/11
30-09-11/20TH

DECISION

The CDA Board approved draft advertisement, RFP document and the four sites as Fuel Filling Stations in addition to the sites approved by CDA Board. However, it was decided that previously approved site at South East corner of Sector E-10 be omitted from the list which will be examined at a later date by the CDA Board.

The Auction Committee for these plots will be the same as decided by CDA Board earlier.

Action: Director (PMO)

6.18 DEVELOPMENT OF SECTOR D-12, ISLAMABAD.

10033/1219/BM/'11
30-09-11/20TH

DECISION

The CDA Board considered the summary presented by Director Sector Development, CDA through DG (Works) along with "undertaking" given by M/s Muhammad Ayub Brothers (MAB) for allowing revival of work in Sector D-12 which stands

rescinded under clause 3)c) of Contract Agreement. The implications of expected litigations from the Contractor and pending / outstanding recoveries against the Contractor were also discussed. After detailed deliberations, CDA Board decided to withdraw the decision of rescission of contract of M/s Muhammad Ayub Brothers for development of Sector D-12 in the best interest of the project and allowed the Contractor to resume the work without any financial implication as per their commitment made in the "undertaking" dated 07-09-2011 which shall be made part of the agreement as "Addendum".

**Action: Member (Engineering)
Director Sector (Dev)**

6.19 APPEAL FOR ALLOTMENT OF PLOT IN SECTOR I-8 OF ANOTHER DEVELOPED SECTOR OUT OF CDA EMPLOYEES QUOTA IN FCEHF SCHEME OF SERVICE BENEFIT (MR. MUNIR KHAN LODHI & CH. MUHAMMAD ILYAS).

6.20 REQUEST FOR RESTORATION OF SHOP-CUM FLAT NO. 9, BLOCK-C, F-6, SUPER MARKET, ISLAMABAD.

Due to paucity of time the above two items i.e. **Item No. 6.19 to 6.20** could not be discussed.

**6.21 DELAY IN PAYMENT – M/S PAKISTAN PARADISE
ASSOCIATES.**

10034/1219/BM/'11
30-09-11/20TH

DECISION

DDG-II(Environment), presented the facts of the case before the CDA Board. The Board approved 39 work orders pertaining to repair of Environment Directorate on the grounds that the record of the same was available and was verified by the Committee constituted under DDG-II(Environment) with Environment Directorate and MPO Directorate officers as its Members. The Transport Officer, Environment Wing and Accounts Officer Environment-I were also Members of this Committee. In light of the above the Board agreed in principle to pay the legitimate charges of the contractor for 39 work orders **AFTER** a Committee comprising one official from MPO, one official from the office of Director Audit and one official of Environment Wing have examined the claim and counter validated the 39 legitimate claims.

**Action: DDG (Envvt-II)
Director Audit
Director (MPO)**

NON-AGENDA ITEMS

- (I) **AWARD OF CONTRACT OF TOLL PLAZA
KASHMIR HIGHWAY NEAR GOLRA MORE,
ISLAMABAD.**

10035/1219/BM/11
30-09-11/20th

DECISION

The Board examined the summary presented by Deputy Director (Commercial), Directorate of Revenue and decided that M/s Bright Business (Pvt) Limited may be granted extension for one month effective from 07-10-2011 to 06-11-2011 as willingness of the contractor has already been obtained. The Board also decided that during this

period of 01 month extension a fresh open auction notice be advertised within 15 days time limit and after auction the contract be offered to highest bidder. The Board further directed that same Auction Committee which has already been dealing with the matter examine the case at this point in time as well. The Committee will be headed by DG(Works)

Action: DG (Works)
Director (Revenue)

(II) **PREQUALIFICATION OF DEVELOPERS / CONTRACTORS AND BIDS EVALUATION FOR PARK ENCLAVE.**

10036/1219/BM/11
30-09-11/20TH

DECISION

A decision took place in the CDA Board on the subject of pre-qualification of developers / contractors and bidding for Park Enclave on design and build basis. The CDA Board was apprised that 23 companies presented the pre-qualification documents and by closing hours on 30-09-2011, 15 companies had submitted the completed pre-qualification applications on the prescribed documents. At this point the Board remarked that all applicants of Park Enclave be kept abreast and updated on the ongoing development by Member

(Estate), so that they do not lose confidence and it was reiterated that the time line of 30-10-2011 for tender issue should be met, so that award of work can be finalized by 15-12-2011. The Chair re-emphasized that while finalizing the tender documents special consideration should be given to operation and maintenance of the facilities being provided in the scheme especially the water bodies. The CDA Board also constituted a high powered scrutiny committee for pre-qualification of bid documents and bid evaluation comprising the following officials:-

- | | | |
|------|--|-----------------------|
| i) | Member (P & D) | Head of the Committee |
| ii) | F.A / Member | Member |
| iii) | Member Engineering | Member |
| iv) | D.G (Environment) | Member |
| v) | Shahzada Rimal Jamil,
Project Director (Park Enclave) | Member |
| vi) | Mr. Nauman Sheikh,
D.D (Coord) Engineering Wing/
(PMU) Park Enclave. | Member |
| vii) | Representative(s) of NESPAK | Member(s) |
- Action: Member (P & D)**
Member (Engg)
F.A / Member
D.G (Environment)
P.D (Park Enclave)
D.D (Coord), Engg: Wing/
PMU (Park Enclave)

(III) REQUEST FOR RESTORATION OF PLOT NO.
34-A, MARKAZ G-9, ISLAMABAD.

10037/1219/BM/'11
30-09-11/20TH

DECISION

Director Estate Management-II, presented the summary pertaining to the request for restoration of Plot No. 34-A, Markaz G-9, Islamabad. The Board decided that the case should be processed after completion of codal formalities of the Price Evaluation Committee and then the same will be examined by the CDA Board afresh for deciding the matter. Members of the Price Evaluation Committee will be as under:-

- i) F.A / Member.
- ii) D.F.A-II.
- iii) Director Estate management-II.
- iv) Director Urban Planning.

**Action: F.A / Member
Director (E.M-II)
D.F.A-II
Director (U.P)**

10038/1219/BM/11
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IV) PROCUREMENT C/F GOLF CARTS / SIGHT
SEEING CARS ALONGWITH ACCESSORIES FOR
RAWAL LAKE VIEW PARK, ARTS & CRAFTS
VILLAGE AND SAIDPUR TOURIST VILLAGE.

DECISION

Environment Wing, presented the summary for procurement of Golf Carts / Sight Seeing Cars along with accessories for Rawal Lake View Park, Arts & Craft Village and Saidpur Tourist Village. The Board decided that the contract for Golf Carts / Sight Seeing Cars along with accessories for Rawal Lake View Park, Arts & Craft Village and Saidpur Tourist Village be revived subject to payment of Rs. 750,000/- as lump sum penalty.

**Action: Member (Environment)
Director Env't: (R)**

7. **The meeting concluded with a word of thanks to
and from the Chair.**