

**Subject:- MINUTES OF THE 20TH MEETING OF
CDA BOARD (SPECIAL BOARD MEETING) FOR
THE YEAR 2010.**

The 20th meeting of CDA Board for the year 2010 was held on Tuesday, 26th October, 2010 at 2.30 pm in the Office of the Chairman, CDA, Islamabad.

2. Following attended:-

- 1) Mr. Imtiaz Inayat Ellahi,
Chairman, CDA. In Chair
- 2) Mr. Saeed-ur-Rehman,
F.A / Member
- 3) Mr. Mazhar Hussain,
Member Environment.
- 4) Mr. S.M. Farooqi,
Member (Estate).
- 5) Mr. Abdul Jabbar Malano,
Member (Engineering) / (P&D).
- 6) Mr. Shaukat Ali Mohmand,
Member Administration.
- 7) Mr. Nadeem Akbar Malik,
Secretary CDA Board.

3 The following officers were in attendance and participated:-

- 1) Lt. Col (Retd) Mr. Arshad Nasim Qureshi,
 Consultant Engineer, CDA.
- 2) Mr. Ghulam Sarwar Sandhu,
 DDG(Planning).
- 3) Mr. Ghulam Murtaza Malik,
 DDG (Building Control).
- 4) Mr. Habib-ur-Rehman,
 Dy. D.G (Law).
- 5) Mr. Waqar Ali Khan,
 Director Estate Management-II.
- 6) Mr. Abdul Baqi,
 Director (Law).
- 7) Mr. Khawar Saeed Khan,
 Manager Projects (PMO).
- 8) Mr. Afnan Kundi,
 Counsel, CDA.

4. Meeting commenced with the recitation from the Holy Quran by Mr. Nadeem Akbar Malik, Secretary CDA Board.

5. The meeting was convened in light of the observations of the honourable Supreme Court of Pakistan during the hearing of 25th October, 2010 in McDonald's case. The honourable Court observed

that the advertisement was not in line with the Court's decision dated 04.06.2010 insofar as the advertised size of the plot was 2.0 acres whereas the original McDonald site was 6000 sq.yds in size. The same constituted the agenda of this Special Board Meeting in order to discuss the matter together with the approval of advertisement/ EOI document for re-auction of the site as earlier decided by the Board in its last meeting dated 18.10.2010.

6. Documents produced before the Board for concurrence and approval were as under:

1. Fresh advertisement for subject site
2. EOI / Prequalification document

7. The Board considered the above documents and deliberated upon the same with a view to bringing them in line with the Supreme Court decision and observation made on the last date of hearing.

SIZE OF THE PLOT

8. The Board first took up the matter of size of the plot to be re-auctioned in light of the honourable Court's decision and observation.

9. Rationale behind advertising a plot size of 2.0 acres was discussed. It was noted that additional area was meant exclusively for parking of vehicles. It was already in use by present occupant of the plot i.e. McDonald. The use of additional parking space was necessitated because the front entrance to McDonald site from the Jinnah Avenue was blocked due to security concerns and the parking space already allotted to McDonald within its leased area of 6000 sq.yds was also blocked/cordoned off for the same security fears to

avoid parking of vehicles in close proximity of McDonald's eating area/building. Additional parking space was, therefore, used adjacent to the site/plot to cater for the rush of vehicles in peak hours, especially on holidays.

10. Now as the plot was being re-auctioned in light of the honourable Supreme Court's decision, it was deemed appropriate to advertise the plot alongwith necessary provision for adjacent additional parking space to both address the parking needs of visitors and to allow CDA to fetch a better commercial bargain from the auction of a larger chunk of land. To ensure the use of additional area solely for parking purposes, no change was made in the advertisement in the covered area of McDonald's site which continued to be 10,000 sq.ft. approximately as before. It was also noted that the advertised 2.0 acres plot did not include the entire presently used additional parking area and the remainder un-advertised portion was proposed to be utilized for plantation as green area.

11. The Board then reviewed the matter in light of the honourable Supreme Court's observation regarding the advertised plot size. It was the unanimous view of the Board that the implementation of honourable Court's decision dated 04.06.2010 must be made in its true letter and spirit and the plot size was to be reduced to the original size of 6000 sq.yds (1.24 acres) as observed by the honourable Court on the last date of hearing. The adjacent additional parking area that was being added to the original plot size was, therefore, decided to be excluded. It was decided that the same would be disposed of separately at a later stage as per planning parameters without lumping it together with the McDonald site.

12. The Board expressed its gratitude to the honourable Supreme Court for its kind observation by which CDA stood guided in the correct interpretation and implementation of the honourable Court's decision dated 06.04.2010.

13. It was decided that since the Board had already decided to re-auction the plot due to only one bidder pre-qualifying i.e. McDonald in order to encourage a healthier response to the EOI, the said opportunity shall be availed to amend the plot size from 2.0 acres to 6000 sq.yds (1.24 acres).

ADVERTISEMENT

14. The Board decided that the earlier advertised plot size of 2.0 acres which included the adjacent additional parking area shall be changed in the fresh advertisement to 6000 sq.yds (1.24 acres) excluding the adjacent parking area which shall remain in control of the Authority and its disposal shall be decided separately later on without lumping it together with the McDonald site.

15. It was further decided that a non-refundable scrutiny fee of Rs.50,000/- shall be charged from all the applicants applying for pre-qualification.

EOI/PREQUALIFICATIONDOCUMENT:

16. Following changes to the EOI / Prequalification document were decided by the Board:

Business Model

17. The Board resolved and decided that the land will be offered on one-time lease of 33 years which will not be extendable. In addition to the monthly lease rental, the successful applicant will also have to pay for the already built-up structure available on the site as per the honourable Supreme Court's decision. The cost of the existing structures shall be determined with the intervention of CDA between the successful party and M/s Siza Food (McDonald restaurant).

Scope of Services

18. The successful applicant shall be required to provide the following services at the site:

1. Restaurant / Food Outlet Area
2. Open Sit-Out
3. Drive-Through (if applicable)
4. Car Parking
5. Kitchen / Operational Area
6. Ancillaries
7. Any other services as deemed appropriate / relevant to land use and after approval of the competent authority.

Terms & Conditions

19. The terms and conditions were finalized by the Board:

1. Successful party will have to pay for the cost of existing structure built by McDonald that will be in addition to the lease bid amount. The cost of the existing structures will be determined with the intervention of CDA between the successful party and M/s Siza Food (McDonald Restaurant).
2. Any inquiry / information required may be obtained from the office of Director Estate Management-II, CDA during working hours.

3. Non-refundable bank draft worth Rs.50,000/- (Rupees Fifty Thousand only) in favour of CDA as scrutiny fee should be submitted alongwith pre-qualification application.
4. False, misleading and incomplete information would render the bidder liable to disqualification at any stage in addition to any penal action under the relevant law and rules.
5. CDA reserves the right to accept or reject any or all of the applications.
6. Last date for receipt of pre-qualification application shall be 23 November 2010 before close of working hours.

20. The Board also decided that, to allow for maximum competition, all local and international food chains can apply directly and their local and/or international experience/number of outlets shall be taken into account during grading of the applications.

Evaluation Criteria

21. The Board also finalized the evaluation criteria for grading the applicants' proposals. It was decided that the following fields will be graded in the evaluation of proposals and each field will carry the marks written against the field which is reproduced below:

Name of applicant		Marks
Address		
Contact Person		
Tel Contact Person		
Line of Business		
Register as Firm / Co Ltd / Partnership / Sole Proprietor etc		10

NTN Number				10
No. of years established				20
No of Outlets				20
Years	2007	2008	2009	Marks
Turnover of the firm (Attach audited three years financial statement)				20
Income Tax Paid (Attach Supporting Documents)				20

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