



# CENTRAL PUBLIC WORKS DEPARTMENT

## OFFICE MEMORANDUM

No. DG/ MAN/Misc/41

ISSUED BY AUTHORITY OF DIRECTOR GENERAL, CPWD

NIRMAN BHAWAN, NEW DELHI

Dated:- 18.12.2019

**Subject:-** Advisory regarding obligation of client Department while sending PE to client for deposit works.

**Reference:-** Issue number 8 raised at Technical Committee Meeting on 04/11/2019


While sending the Preliminary Estimate to clients for works, the following heading including all the six points may be added in the history sheet of the Preliminary Estimate.

### "Obligations of the Client Department"

1. After receipt of A/A & E/S from the client department, the CPWD will prepare and submit various detailed architectural drawings and service plans to Local Bodies (including Environmental clearance) whose approvals are required before taking up the construction work. These Local bodies are independent organizations and CPWD has no control over them. The time required to get such approvals is not included in the time of construction indicated in the estimate. Although CPWD will make all efforts to get such approvals early, it may be necessary for the client department also to pursue with Local Bodies for early approval.
2. CPWD does not bind itself to complete the work within the estimated cost. Necessary revised estimate will be submitted when scope of work is increased/changed or there is deviation in quantities executed.
3. Any dispute arising out of the operation of the contract(s) for the subject work will be subject to arbitration as provided for in the contract agreement. CPWD will defend the arbitration proceedings as best as it can and get the Arbitrator's award examined by the appropriate authority. The decision of the competent authority in CPWD to accept the award or to challenge the same in a Court of Law will be binding on the client department.
4. The CPWD has no funds of its own for investing in the work. The client department should, therefore, ensure that adequate funds are available with CPWD for executing the work. In case the client department fails to provide funds as per requirements, it may be necessary for CPWD to suspend/ abandon the work. In such eventuality, the client department shall be solely responsible for all the consequences arising out of such stoppage/abandonment of work including claims of contractors for compensation/ damages. If additional funds are required, the same will have to be provided by the client department on the Revised Estimates submitted by CPWD.

5. Funds for making payment of all amounts which may be decreed by a Court of Law, Tribunal or by award of an Arbitrator in relation to the work will be made available by the client department promptly irrespective of it not being a party before the Court, Tribunal or Arbitrator. Such payments will be in addition to the payments made to the contractors for execution of work.
6. The client department will help CPWD in –
  - a. Providing site for labour huts for the contractor's labour free of cost,
  - b. Providing free access to contractor's materials and labour to the site of work,
  - c. Providing electricity connection for execution of work on payment of usual charges, and
  - d. Sanction and release of load from the concerned Electricity Board/Authority.

This issues with the approval of DG CPWD.


  
18.12.2019  
Superintending Engineer (C&M)

Issued from file No. CSQ/CM/16(1)/2019

e-file No. 9076305

Copy to:-

All the officers of CPWD through CPWD website for information and necessary action.

  
18.12.2019  
Superintending Engineer (C&M)