



**Minutes of the 405th meeting of Kerala Water Authority held on 09/08/2018 at
02.00 P.M. in the Conference Hall, CCU Building, KWA, Jalabhavan,
Thiruvananthapuram.**

Minutes of the 405th meeting of Kerala Water Authority held on 09/08/2018 at 02.00 P.M. in the Conference Hall of CCU Building, Kerala Water Authority, Thiruvananthapuram.

Present:

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| 1. Smt. Tinku Biswal IAS | Secretary to Government, Water Resources Department and Chairperson, KWA |
| 2. Dr. Sharmila Mary Joseph IAS | Secretary to Government, Finance (Expenditure) |
| 3. Dr. A. Kowsigan IAS | Managing Director, KWA |
| 4. Sri. Raveendran T. | Technical Member |
| 5. Sri. Alex Kannamala | Member |
| 6. Sri. T.V. Balan | Member |
| 7. Sri V. Murugadas | Member |
| 8. Sri. Chettachal Sahadevan | Member |
| 9. Sri. Sreekumar M. | Secretary, KWA |

Item No. I (1) Review of Action Taken in the Previous Meeting

The Authority reviewed the Action Taken Report

Item No. II (1) Audit of accounts of National Drinking Water Supply Programme - (NRDWP) - Reg

Res. No. 10741 The Authority had noted that M/s.Ram & Co were appointed as auditors for NRDWP accounts for two spells of 3 years each since 2011 - 2012. The 403rd meeting of the Authority held on 13-06-2018 considered the agenda for further extension of the auditors for three more years, and vide Resolution No.10692 had resolved that it is appropriate to change the auditing firm and selections shall be made from empanelled auditors after inviting offers. The audit report for 2017-18 is to be submitted to Government of India at the earliest to claim the 2nd installment of NRDWP grant before 30.11.2018. The tendering formalities and appointment of Auditors may take some more time. Considering the urgency, now it is requested to reappoint M/s Ram & Co for the audit of NRDWP



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accounts for 2017-18 alone (one financial year only) at previous year's fee of Rs.1,64,800/- a year excluding GST.

The Authority discussed the agenda in detail and considering the urgency, **resolved to reappoint M/s S. Ram and Co, Chartered Accountants for the audit of NRDWP Accounts for the financial year 2017-18 (one year only) as per the revised guidelines of Government of India for a fee of Rs. 1,64,800/- for one financial year excluding GST as applicable. The selection of auditors for auditing the NRDWP accounts from the financial year 2018-19 onwards shall be after inviting offers from empanelled auditors.**

Item No. III(1) NABARD - RIDF-XXIII - Comprehensive Water Supply Scheme to Agali and adjoining panchayats in Mannarkad Taluk in Palakkad District - Phase - I - Construction of RW intake well cum pump house, 12 MLD Water Treatment Plant, 5 LL Booster sump cum pump house, RW pumping main, CW gravity main, supply and erection of motor pump sets, transformers and allied works

Res. No. 10742 The Authority discussed the agenda in detail. This is the first e-tender wherein six bidders participated and five pre-qualified. The lowest amount is seen quoted by Sri. Abu Mathew, (JV with M/s New Construction company and M/s Tesla Heavy Electricals Pvt Ltd.,) at Rs. 20,70,00,000/- which is 11.29% below the tendered PAC of Rs. 23,33,38,767/- based on KWA SoR 2016 and DSR 2016. The Authority noted the Tender Committee finding that no experience is seen included in the NIT clause 7.17.1.2.8 for the construction of Intake well cum Pump House which is a deviation from Mother NIT requirement. The value of the component (Intake well) is less than 10% of the total project cost. Hence, the tender committee decided to recommend to the board for accepting the deviation. The tender committee has also noted the contradictory statements in the JV agreement submitted by the L1 bidder and has obtained the remarks of CLO on the JV agreement and recommended that if necessary the JV agreement may be got corrected as per the NIT clause. The LMR estimate is seen



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submitted by CE(NR) for an amount of Rs.25,87,74,775/- which is greater than the quoted amount.

The Authority after discussions, resolved to accord sanction to award the work of "NABARD - RIDF-XXIII - Comprehensive Water Supply Scheme to Agali and adjoining panchayats in Mannarkad Taluk in Palakkad District - Phase - I - Construction of RW intake well cum pump house, 12 MLD Water Treatment Plant, 5 LL Booster sump cum pump house, RW pumping main, CW gravity main, supply and erection of motor pump sets, transformers and allied works" to the lowest tenderer Sri. Abu Mathew, JV with M/s New Construction company and M/s Tesla Heavy Electricals Pvt Ltd. at their quoted amount of Rs. 20,70,00,000/- which is 11.29% below the tendered PAC of Rs. 23,33,38,767/- based on KWA SoR 2016 and DSR 2016 with the following direction

1. Interconnections with the existing pipelines shall be executed through the same contractor within the quoted amount.
2. MOU for DI pipe shall be obtained.
3. The work shall be awarded only after getting land in possession of KWA.
4. The required capacity of the transformer of reputed make to be ensured by Chief Engineer.
5. The number of transformers required for this work should be clearly mentioned.
6. Approval may be obtained from Chief Engineer(NR) regarding technical data sheet, performance curve satisfying the duty condition and make of pump sets.
7. Additional Performance Guarantee shall be insisted as per prevailing Govt. orders.
8. The maintenance period of the work should be 24 months as mentioned in the BOQ for all components including pump sets.
9. The tendering authority shall prepare the billing/payment schedule as per the prevailing circular and incorporate all items included in the estimate as part of the same.


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10. The JV agreement of L1 has to be got appropriately corrected as per the NIT condition before issuing the work order.

The Authority also resolved to issue a warning to the Superintending Engineer, Palakkad and all concerned not to repeat such violation of mother NIT stipulations in future.

Item No. III (2)

NABARD - RIDF-XXIII - Comprehensive Water Supply Scheme to Mannur, Keralassery and Mankara panchayaths in Palakkad District - Phase I - Construction of 10 MLD WTP, 11 LL OHSR for Mannur, 8 LL OHSR, 2.60 LL CW sump for Keralassery, Raw water and clear water pumping main, supply and erection of motor pump sets and transformers and allied works.

Res. No. 10743

The Authority discussed the agenda in detail and noted that this is the first tender wherein five bidders participated and all pre-qualified. The lowest amount is quoted by Sri.Binu Mathew, Thalavady JV with M/s New Construction Company, Kollam & M/s Techzone Engineers Pvt Ltd, Ernakulam who quoted Rs.19,49,79,997/- which is 11.32% below the tendered PAC of Rs.21,98,71,997/-. The LMR estimate is seen submitted by CE(NR) for an amount of Rs.23,63,03,350/- which is greater than the quoted amount. The tender committee has noted contradictory statements in the JV submitted by the L1 bidder. Hence, the Tender Committee has recommended that the JV agreement has to be got appropriately worded/corrected as per NIT conditions.

The Authority resolved to accord sanction to award the work of "NABARD - RIDF-XXIII - Comprehensive Water Supply Scheme to Mannur, Keralassery and Mankara panchayaths in Palakkad District - Phase I - Construction of 10 MLD WTP, 11 LL OHSR for Mannur, 8 LL OHSR, 2.60 LL CW sump for Keralassery, Raw water and clear water pumping main, supply and erection of motor pump sets and transformers and allied works" to the lowest bidder Sri.Binu Mathew, Thalavady JV with M/s New Construction Company, Kollam & M/s Techzone Engineers Pvt Ltd, Ernakulam at



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Rs.19,49,79,997/- which is 11.32% below the tendered PAC of Rs.21,98,71,997/- based on DSR 2016 and KWA SoR 2016 with the following directions:

1. The work shall be awarded only after obtaining the land in possession of KWA.
2. Railway crossing by HDD method shall be arranged and completed simultaneously without affecting the commissioning of the scheme.
3. Approval should be obtained from Chief Engineer(NR) regarding technical data sheet, performance curve satisfying the duty condition and make of Pump sets.
4. Additional Performance Guarantee shall be insisted as per prevailing Govt. order.
5. The maintenance period of the work should be 24 months as mentioned in the BOQ for all components including pumpsets.
6. The tendering authority shall prepare the billing/payment schedule as per the prevailing circular and incorporate all items included in the estimate as part of the same.
7. JV agreement of L1 has to be got appropriately corrected as per NIT conditions before issuing the work order.

Item No. III (3)

KIIFB - Special investment Package –WRD 002-05- CWSS to Ponnani Municipality and adjoining Villages –Package I- Design, Construction Commissioning maintenance of 12 m Dia RCC Well cum pump house and allied works; Supplying, Laying testing and Commissioning (1016 mm OD, 10 mm thick) MS Raw water pumping main; Design, Construction & commissioning of 50 MLD (2200 m³/ Hr) WTP, 2200 M³ CW Sump and allied works with Data Acquisition and Monitoring; Construction of Retaining wall/compound wall; Design, Construction Commissioning maintenance of Staff Quarters (8 Nos), conference hall, Store Building etc including demolition of old structure etc. - Tender-Reg

Res. No. 10744

The Authority discussed the agenda in detail. The Authority noted that the first tender for the subject work was cancelled due to discrepancy in experience criterion between two clauses of the


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same NIT of the tender floated. The second tender was also cancelled as it became a single offer case, due to the disqualification of the second lowest bidder. The lowest bidder in both cases was the same contractor and he had approached the Hon'ble High Court. The Court in its judgment directed the Chairman, KWA to consider the petition. The Chairman after conducting a hearing and examining the files, had directed to place the matter before the Board of Directors of KWA for an appropriate decision. Consequently, the matter was placed in the 404th meeting of the Authority and the Board had mandated the HLC to examine the 'pros and cons of retendering – 3rd tendering i.e., 2nd retendering'.

Having an open opportunity to cut further delay and escalation in costs, without a legal bar, the HLC after detailed examination of the facts, observed that, '2nd retendering without exercising the open lawful option of taking forward the 1st re-tender and negotiating with the L1 bidder in public interest would not be wise'. 'Justifications for negotiation with L1 bidder are cost advantage, time advantage and Public Interest above all' in the words of HLC. Hence, the HLC had recommended that 'the Board may reconsider its decision on cancellation of the second tender and revoke the cancellation of the 2nd tender' and that if it is agreed to, 'the Tender Committee may be directed to negotiate with L1 bidder of the second tender (Sri. Shahul Hameed) in the presence of the Tender Inviting Authority and the Tender Committee may be directed to negotiate so that L1 bidder agrees to execute the work at the first tender rate (quoted rate), where issues pertaining to GST shall be dealt with in a fair and lawful manner'.

Considering the same, the Authority after detailed discussions, **resolved to revisit its earlier Resolution No 10590 and revoke the cancellation of the second tender. The Authority also resolved to direct the Tender Committee to negotiate with L1 bidder of the second tender (Sri. Shahul Hameed) in the presence of the Tender Inviting Authority, so that L1 bidder agrees to execute the work at the first tender rate (quoted rate), where issues pertaining to GST shall be dealt with in a fair and lawful manner. The Board also directed that in the**


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event of the negotiation turning unsuccessful, a decision regarding retendering the work shall be taken after obtaining the explicit approval of the Board.

Item No. IV (1) KWA – Estt – Formation of Project Sub Division under Project Division Kottayam and Rearrangement of Posts – Reg

Res. No. 10745 The Authority discussed the agenda in detail and **resolved to constitute a new Project Sub Division Office of Kerala Water Authority at Kuttanadu under Project Division, Kottayam by utilizing the services of staff from the adjoining Divisions with minimal displacement of staff. In future, the administrative control will be with Project Division, Alappuzha for the implementation of KIIFB Project worth 241 crores. The Managing Director, Kerala Water Authority is entrusted to take necessary action to implement the proposal.**

Item No. IV (2) Proposal of rearrangement of posts for the strengthening of Project Division, Palakkad.

Res. No.10746 The Authority discussed the agenda in detail and noted that there are about twenty two ongoing projects which are being implemented at an estimated cost of Rs.407.27 crores under various schemes. The Authority also noted the report that the present staff strength of Project Division, Palakkad is not sufficient. Hence the Authority **resolved to approve the proposal for rearrangement of various existing posts for the strengthening of the Project Division. There shall not be any creation of posts and any additional financial commitment.** Sri. Murugadas.V, Member invited the attention of the Authority to the volume of work being managed by one single Project Division at Palakkad. It is opined that one more Division may be required to implement the projects in a time bound manner. It is also stated that there are idling posts in the region itself, which can be shifted. The Authority after discussions directed the Managing Director to present a status report on the workload of the Project Division and



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related concerns raised by Sri. Murugadas, Member, in the next Authority Meeting.

Item No. V (1) വാട്ടർ കണക്ഷൻ നടപടിക്രമങ്ങൾ ലഘൂകരിക്കുകയും ഓൺലൈൻ ആക്കുന്നത് സംബന്ധിച്ച്.

Res. No. 10747 അജണ്ടയിലെ വിഷയം യോഗം വിശദമായി ചർച്ച ചെയ്തു. വാട്ടർ അതോറിറ്റിയുടെ ശുദ്ധജല കണക്ഷനുകൾ പൂർണ്ണമായും സുതാര്യമായി ഓൺലൈൻ വഴി നടപ്പിലാക്കാനുള്ള നിർദ്ദേശം അതോറിറ്റി അംഗീകരിച്ചു. ഇതിനായി വാട്ടർ സപ്ലൈ റഗുലേഷനിൽ ആവശ്യമായ മാറ്റം വരുത്തുവാനും നടപടിക്രമത്തിന്റെ അന്തഃസത്തയ്ക്ക് മാറ്റം വരാതെയും എന്നാൽ ആവശ്യമുള്ള കാര്യങ്ങൾ ഉൾപ്പെടുത്തി വിശദമായ ഉത്തരവു പുറപ്പെടുവിക്കാനും, സോഫ്റ്റ്‌വെയർ തയ്യാറാക്കാനുമായി മാനേജിംഗ് ഡയറക്ടറെ ചുമതലപ്പെടുത്തുവാൻ അതോറിറ്റി തീരുമാനിച്ചു.

Item No. V (2) Server Administration, AMC & Operations Support of Digital Document Filing System.

Res. No. 10748 The Authority noted the contents of the items and **resolved to approved the action.**

Item No. V (3) AMC of the KWA's HPE Blade Servers and Enclosure located in the State Data Center

Res. No.10749 The Authority discussed the matter in detail, noted the contents and **resolved to ratify the action of awarding the work of AMC of servers located at the State Data Center to HP (the Original Equipment Manufacturer) at a cost of Rs. 17.20 lakhs (Rupees Seventeen Lakh Twenty Thousand Only) for 2 years including taxes.**

Item No. V (4) Onam celebration 2018 – Pageantry and Illumination sanction – Request

Res. No.10750 The Authority discussed the agenda in detail and **resolved to sanction an amount of Rs.9,02,000/- (Rupees Nine Lakh and**


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Two Thousand only) for the illumination of buildings of Jalabhavan campus in connection with Onam celebrations 2018. The estimate shall be approved by the Chief Engineer (SR) and work shall be arranged only by e-tender. The Authority declined the proposal for preparation of pageantry float in connection with the Onam Celebrations.

Item No. V (5) 2019 ലെ കേരള വാട്ടർ അതോറിറ്റിയുടെ കലണ്ടർ അച്ചടിച്ച് വിതരണം ചെയ്യുന്നത് സംബന്ധിച്ച്.

Res. No.10751 അജണ്ടയിലെ വിഷയം യോഗം വിശദമായി ചർച്ച ചെയ്തു. 2019 ലേയ്ക്കുള്ള 6000 കലണ്ടറുകൾ അച്ചടിക്കാനായി 1,11,000/- അടങ്കൽ തുകയ്ക്ക് അനുമതി നൽകാനും ഈ പ്രവർത്തിക്ക് ഇലക്ട്രോണിക് ടെൻഡറുകൾ ക്ഷണിക്കാനും തീരുമാനിച്ചു.

Item No. VI (1) *Minutes of the 404th meeting held on 27/07/2018*

The Authority confirmed the Minutes of the 404th meeting held on 27/07/2018 with the following modification. The last paragraph of Resolution No. 10738 which read as 'Out of the 12.5% of the total centage charge for deposit works, the Board, in effect, resolved not to charge 2.5% (of the estimate amount) towards preparation of plan and estimate for LSGD deposit works w.e.f. 16.04.2018. It however noted that in case of deposit works of private parties, Quasi Government Organizations and Government of India works, 12.5% centage charges would continue to apply, unaffected, in tune with the provisions of the PWD manual.' is modified as 'Out of the 12.5% of the total centage charge for deposit works, the Board, in effect, resolved not to charge 2.5% (of the estimate amount) towards preparation of plan and estimate for LSGD deposit works w.e.f. 16.04.2018. It however noted that in case of deposit works of Quasi Government Organizations and Government of India works, 12.5% centage charges and in the case of private parties 22.5% centage charges would continue to apply, unaffected'.


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