



KERALA WATER AUTHORITY

OFFICE OF THE SUPERINTENDING
PUBLIC HEALTH CIRCLE
THIRUVANANTHAPURAM - 695 033

PROCEEDINGS OF THE SUPERINTENDING ENGINEER, P.H.CIRCLE, TVPM (Present: Sri.Saji.V)

Name of work : Providing additional 120mld treated water to Thiruvananthapuramcity and adjoining Panchayaths-Construction of 120 mld Water Treatment Plant at Neyyar Dam and allied works- cancellation of tender- reg

KERALA WATER AUTHORITY

No. KWA/PHC-D2/780/2014

dated:30/03/2021

- Read:-
1. AS no.GO(Rt) No. 214/2017/WRD dated 21.03.2017 for Rs.60 crores
 2. TS no. KWA/CE(SR)/39/2017-18 dated 01/01/2018 of CE(SR) for WTP & allied works for Rs.4682 lakhs
 3. TS.No.5190/2018-19 dated 27/02/2019 of CE(SR) for floating intake structures for Rs.1299.30 lakhs
 4. TS.No.5343/2018-19 dated 05/03/2019 of SE,PHC for substation building for Rs.17 lakhs
 5. E-tender no. 41 /2018-19/KWA/PHC/D2/TVM with last date of uplinking on 08.04/2019 extended to 29.04.2019,08/05/2019 & 22.5.2019
 6. Proceedings No.KWA/JP/WS1/5630/18/TD dated 18/09/2019 of the Managing Director, KWA
 7. This office selection notice of even no dated 18.09.2019
 8. This office agreement no.10/2019-2020 dated 19.09.2019
 9. GO(Rt) No. 158/2020/WRD dt.18.02.2020.
 10. GO(Rt) no.139/2021/WRD dated 18/02/2021 of GOK
 11. This office letter of even no dated 20/02/2021 addressed to M/s.Chicago Constructions
 12. Minutes of meeting held in this office on 25/02/2021
 13. This office letter of even no dated 03/03/2021 addressed to M/s.Chicago Constructions
 14. Letter no.KWA/CE(SR)/WSNTA/678/21 dated 21/03/2021 of CE(SR)
 15. Letter no.KWA/JP/P4/10/2020 dated 25/03/2021 of Managing Director,KWA
 - 16 Proceedings No.3334/AE(TMU)/2021/KWA dated 20/03/2021 of MD,KWA
 17. Proceedings No.KWA/JP/P4/10/2020 dated 27/03/2021 of MD,KWA

ORDER

The Government of Kerala accorded Administrative Sanction for the construction of 120 MLD Water Treatment Plant at Neyyar Dam for an amount of Rs. 60 Crore in order to

provide additional 100MLD to Thiruvananthapuram Corporation and 20MLD to adjoining Maranalloor, Malayinkeezhu, Vilavoorkal and Vilappil Panchayaths vide read as 1. Hence the Kerala Water Authority requested the Irrigation Department to provide the elevated vacant land opposite to Sivananda Ashramam near Neyyar Dam, but the Irrigation Department recommended another 3.62 Acres of elevated vacant land at Markkunnam in Block 32, Re-survey No. 1 (Clamala reserve forest) in Thiruvananthapuram District, Kattakada Taluk, Vazhichal Village. Technical Sanction has been accorded vide read as (2) to (4) and the work was tendered vide read as (5). The Kerala Water Authority proceeded with the implementation of the project beneficial for nearly 10 Lakh people residing in the Capital city and 2 Lakh people in four adjoining Panchayaths. The work was tendered vide ref(5) cited and in response to the tender call, two offers received from the following bidders and both of them were financially and technically qualified. The details of bidders and their quoted amounts are given as follows.

Sl.no	Name of bidder	Tendered PAC	Quoted amount
1	M/s.Laxmi Civil Engineering Services(P) Ltd	Rs.59,97,06,607/-	Rs.62,96,91,937.35/- (5% above)
2	M/s.Chicago Construction(P) Ltd JV with M/s.Flowmore Ltd		Rs.55,90,00,000/- (6.79% below)

Managing Director, KWA has accorded sanction to the lowest offer of Ms.Chicago Constructions(P) Ltd read as 6 and selection notice was given vide read as 7 with time of completion of 18 months. Accordingly agreement has been executed vide ref(8) cited.

On initial survey and execution of the project, as the land earmarked for the project is in sloppy terrain, Kerala Water Authority requested the Government that the allotted land is not possible to accommodate all components of 120 MLD WTP and requested to allot 6 Acres of land. Considering the request of Kerala Water Authority the Government of Kerala allotted 6 Acres of land[ref(9)] for the use of Kerala Authority for constructing 120MLD WTP. The land was demarcated by Tahsildar Kattakkada and handed over to KWA as on 11.03.2020. As Kerala Water Authority started the work, public protest raised by local people regarding the temple which was unauthorizedly constructed by the Sree Ramadasa mission and some encroachers of Government land. All efforts were made from the part of KWA to sort out the issue and implementing the project.

During the site visit of the Secretary Water Resources Department on 07/11/2020 along with KWA officials and Irrigation Department Officers to assess the status of the project,

the Secretary emphasized the importance of the project to be completed on war foot basis to solve the water crisis in the Capital city. It is directed to get a favourable Court verdict immediately. It is also informed that the Capital city faced one of the worst water crisis in 2017, following which the Government decided to implement this project on war foot basis to ensure uninterrupted drinking water supply to the city residents. It is also opined that any further delay in the execution of the project entails serious consequences. The prolonged delay in implementation of the project owing to the legal disputes over the land identified for the project invite huge financial implication and directed to suggest remedy to execute the project on war footing basis.

As the time for resolving legal dispute may take more time, it was suggested to explore alternate options also. Hence it was suggested to the site opposite to Sivananda Asram, originally proposed for the Water Treatment Plant by Kerala Water Authority which was still kept idle is the only hydraulically feasible location in left bank of Neyyar for ensuring gravity flow to the existing GL tank at PTP Nagar without much change in the scope of work and additional financial commitment.

In the mean time the contractor filed a writ petition in the Hon'ble High Court of Kerala vide WP© no. 18133 of 2020 for providing favourable site condition to carry out the work due to severe protest from local people. The Honble High Court of Kerala vide judgement dated 18/09/2020 directed Managing Director, KWA to pass orders on Exhibit 21 representation of the firm after giving a meaning ful opportunity to explain their stand . Accordingly Managing Director, KWA has arranged a meeting on 19/11/2020 and in the meeting it was decided to arrange an alternate land to proceed with the prestigious project after placing the matter before the consideration of Authority.

In the above circumstances it is noted that the work of laying 1422mm MS transmission trunk main from Neyyar to PTP Nagar for a length of about 23.8Km with a Tendered PAC of Rs. 158.11 Crore in connection with this project which was funded by KIIFB and if KWA will not be able to start the construction of 120mld WTP along with this KIIFB work, the whole huge expenditure under KIIFB work become unfruitful and 12 Lakh people of Capital city and adjoining Panchayaths may suffer due to the absence of the alternate source during severe draught and crisis as occurred in 2017 summer.. The matter was reported to GOK by Managing Director, KWA on 21/01/2021 after placing the matter before the Authority and accordingly Govt of Kerala has accorded permissive sanction to KWA for the utilization of an extent of 5 acres of Govt. land comprised in Survey No. 241/ 5, Block

No. 32 in Kallikkadu village, Kattakada Taluk in Thiruvananthapuram District owned by Irrigation Department for the construction of 120mld WTP vide ref(10) cited.

Accordingly direction was given to the contractor, M/s.Chicago Constructions(P) Ltd vide letter dated 20/02/2021 for urgent commencement of the work in the newly allotted site. Accordingly the firm requested to facilitate a meeting to express all their concern .Hence a meeting was arranged on 25/02/2021 and in the meeting direction was given to the firm to start the work on 26/02/2021 itself and assure all supports in the part of KWA. The firm informed that 17 months had elapsed after the execution of agreement and they had mobilized men and material for the execution of work and spend money related to local protest in the site. Hence they requested price escalation for the work. Based on the decision of meeting, direction was given to the firm to submit the details/arrangements for the commencement of work at site. But the contractor did not respond the direction. The matter was reported to Chief Engineer(SR), KWA from this office vide letter dated 15/03/2021. The Chief Engineer(SR), KWA vide letter dated 21/03/2021 (ref.14) has directed to rearrange the work as the contractor is not commence the work after giving direction . Also vide ref(15) cited, Managing Director, KWA has informed the contractor that enhancement/escalation cannot be considered as per NIT condition. The contract period of the subject work expired on 18/03/2021. Also Managing Director, KWA as per ref(16) cited , has accorded sanction for implementation of Quality and Cost Based Selection (QCBS) method of selecting bidders in Kerala Water Authority, tendering of Civil, Electrical and Mechanical works together for comprehensive water supply schemes and modification of existing NIT clause 7.14.

In the above circumstances, sanction is here by accorded to cancel the contract of the work of "Providing additional 120mld treated water to Thiruvananthapuram city and adjoining Panchayaths-Construction of 120 mld Water Treatment Plant at Neyyar Dam and allied works under state plan " with M/s.Chicago Constructions Internationals (P) Ltd vide ref(8) cited is here by cancelled and decided to revise the estimate and invite fresh tender by implementing the direction of Managing Director, KWA vide ref(16) and (17) cited.

Superintending Engineer

Copy submitted to PA to Managing Director, KWA/ PA to Technical Member, KWA/PA to Accounts Member/PA to Chief Engineer(Projects & Operations),KWA/PA to Chief Engineer(SR),KWA/DBA for publishing in the website

Copy to the Executive Engineer, Project Division, Tvpm for information and necessary action