

Minutes of the 330th meeting of KWA held on 08/01/2010 at 09.30 a.m. in the Conference Hall, PWD Rest House, Kollam.

Members Present:

1. Dr. A. Jayathilak IAS	Chairman
2. Sri. Illickal Augusty	Member
3. Sri. C. Ravindran	Member
4. Sri. M. S. Gopakumar	Member
5. Smt. Susan Jacob	Managing Director
6. Sri. T. P. Mohanlal	Technical Member
7. Sri. S. Sunil Raj, IA&AS	Accounts Member

Leave of Absence:

1. Sri. Velayudhan Vallikkunnu	Member
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Item No. I (1) Confirmation of the Minutes of the 329th Meeting held on 29/12/2009

The Authority confirmed the minutes of the 329th meeting held on 29/12/2009 with the following modifications.

After the decision on Resolution No. 8398 on item No. VII(4) the following sentence is added

“ It is further resolved that the implementation will be with consultation with the unions of the employees at the earliest”

Item No. I (2) Extension of term of deputation of Deputy Accounts Manager - Authority Decision - Correction of dates

Res. No. 8401 The Authority noted the item and **resolved to correct the date of extension of period of deputation as noted below**

Smt. M.N. Leena from 15/02/2010

Sri. P.O. James from 26/02/2010

Item No. II (1) JICA Assisted Kerala Water Supply Project – Kozhikode and adjoining villages – Package IV – Service Reservoirs – Delay in acquisition of land for reservoir at Narikkuni, Thalakkulathur and Kakkur

Since the procedure of land acquisition is in ^{an} advanced stage the Authority noted the item. _^

Item No. II (2)

JICA – Assisted KWSP – Package III Contracts awarded to M/s.K.Ramakrishna Contractors (P) Ltd, Hyderabad for Meenad, Pattuvam and Kozhikkode Schemes – Time extension and alternate arrangement - proposal

Res. No. 8402

The Authority noted the ^{detailed} Agenda item placed before it ~~in detail~~ and the recommendations of the Technical Committee. The Authority also recalled the decision taken in the review meeting held by the Hon'ble Minister (WR) on 25.11.2009 in which the Chief Secretary directed KWA to review the whole issues and finalize the further course of action and come to the Empowered Committee after consideration by the Board.

After detailed discussions the Authority resolved to recommend to the Empowered Committee in Government the following course of action in respect of the three contracts of M/s. KRKCPL.

1. Time Extension may be granted upto 30.06.2010 to KRKCPL for completion of the entire scope of work in 13 villages of Meenad subject to the condition that the cumulative short fall in achievement shall not be more than 5% in every month. The monthly programme shall be submitted by KRKCPL before 31.12.2009 as already committed to the Engineer. A decision on the continuation of the contract with KRKCPL including rearrangement of works of the remaining 6 village shall be taken after a review at the end of Feb. 2010. The programme of work to be given by KRKCPL shall be with priority for Gap closing and balance Hydro testing.
2. The entire balance work in Pattuvam shall be repackaged into 6 bids and re-tendered at the risk and cost of the contractor. M/s. KRKCPL shall be given 3 months time for completion of the Gaps in the already laid pipe lines and for completing the balance Hydro testing, as agreed to by him.
3. Time Extension may be granted up to 30.11.2010 to M/s. KRKCPL for completion in all respects 1001km out of 1865km scope of work in the contract of Kozhikkode Scheme and the balance length of 864 km will be re-tendered at the risk and cost of the contractor M/s KRKCPL. It is proposed to complete the work of this project during 2010 itself, subject to the condition that the cumulative short fall in achievement by M/s KRKCPL shall not be more than 5% in every month. The monthly programme shall be submitted by M/s. KRKCPL before

10.01.2010. Necessary action for repacking and rearranging the balance length of 864 km at the risk and cost of the contractor M/s KRKCPL shall be carried out by TEC. The decision on continuation of the contract 1001 km with M/s. KRKCPL shall be taken after a review based on the progress achieved during January to March 2010. The programme of work to be given by M/s KRKCPL shall be with priority for Gap closing and Balance Hydro testing as agreed by them on 28th December 2009. the tendering process for the 864 km shall be commenced after taking a decision on continuing the agreement with M/s KRKCPL for the completion of 1001 km as per repacking in March 2010.

4. All Bank Guarantees furnished by M/s KRKCPL shall be suitably extended to cover the period of extension.
5. All materials supplied by M/s KRKCPL and to be taken over by the KWA shall be handed over to the Employer/ Engineer or their representatives immediately, at stock yards acceptable to the Employer.
6. The valuation of materials taken over by the Employer/ Engineer shall be based on the accepted rate and the percentage break-up as per the original estimate of the Engineer approved by the Employer.
7. The contractor shall carry on with the work as per the programme given and approved by the Engineer and shall not stop or slow down the pace of implementation citing any issue what so ever. Any such issues shall be resolved through the procedures laid down in the contract while proceeding with the work as per the approved programme.

Item No. II (3)

JICA Assisted Kerala Water Supply Project - Package III - Distribution System - Thiruvananthapuram - Extension of time of Completion granted on 25.02.2009-Supplementary Agreement not executed yet by M/s. ECL

The Authority discussed the notes presented before it and the recommendation of the Technical Committee. It is observed that the GO (MS) No. 42/2009/WRD dated 25.09.2009 will have only prospective effect and that the contract has to abide with the conditions stipulated in the original agreement. No additional clause for settlement of disputes can be incorporated in the supplementary agreement. Hence the Authority decided to accept the proposal of the execution of supplemental agreement

since the original agreement provides for this eventuality.

extending the time of completion up to 31/03/2010 as an extension of the original contract.

The Authority further directed the Managing Director to issue notice to the contractor to execute the supplemental agreement within 7 days and if the supplementary agreement is not executed within this specified period action shall be taken for terminating the contract.

Item No. II (4) JICA Assisted Kerala Water Supply Project – Road Restoration - Restoration of KIMS – Kumarapuram road

Res. No. 8403 The Managing Director informed that this road is connecting the NH Bypass with the Medical College Hospital and is leading via KIMS and Kumarapuram is one of the main road along which heavy traffic is there. KWA had laid pipe line along this road under the JICA Project. The Government had already ordered that the road restoration shall be the responsibility of the agency requesting permission to carry out the work. Accordingly the work has to arranged through negotiated tender as resolved by the Authority vide Resolution No. 8263 of its 326th meeting held on 15.09.2009. However there was immense pressure from the public as well as from the KRFB to restore the road for smooth traffic. Considering the request and the importance of the road the Chief Engineer, JICA Project arranged the work on quotation basis in anticipation of approval from the competitive authority. The estimated cost of the work was Rs. 13,44,455/- which is beyond the sanctioning powers of the Managing Director and hence this item. The Authority after discussion **resolved to ratify the action of the Chief Engineer (JICA Project) in arranging the work of Restoration of KIMS – Kumarapuram road through quotation, waiving tender call at an estimated cost of Rs. 13.44 lakhs in anticipation of formal approval.**

Item No. III (1) CWSS to Thevalakkara and Thekkumbhagom Panchayath - Package II - Transmission main from chainage 4500 m to Mavila Jn - 450 mm DI K9 pipe in Thevalakkara Panchayath- Tender

Res. No. 8404 The Authority discussed the tender in detail and **resolved to accord sanction to award the work of supplying and laying transmission main from chainage 4500 m to Mavila Jn 450 mm DI K9 pipe (3345 m) in Thevalakkara Panchayath for CWSS to Thevalakkara and Thekkumbhagom Panchayath – Package II to the lowest tenderer Sri. M. V.Viswanathan at his quoted amount of Rs. 30649796/- which works out to about 21.66% above the estimate amount of Rs. 25191907/-.**

Item No. III (2) ARWSS to Veliyannuur and adjoining villages ARWSS to Thalayazham and adjoining villages- LIC aided augmentation of CWSS to Vaikom and nearby Panchayat - Construction of Substation Building at Chengalapalam - Tender

Res. No. 8405 The Authority noted the item in detail and after discussion resolved to accord sanction to award the common component work “ARWSS to Veliyannuur and adjoining villages- ARWSS to Thalayazham and adjoining villages- LIC aided augmentation of CWSS to Vaikom and nearby Panchayat - Construction of Substation Building at Chengalapalam “ to the lowest tenderer Sri. Babu Thomas at his negotiated reduced quoted amount of Rs. 42,76,378/- which works out to 40% above the tendered PAC of Rs. 30,54,556/-

Item No. III (3) WSS to Krishnagiri, Purakkadi and Ambalavayal Villages - Construction of 8LL capacity GL Sump cum Service reservoir attached to TP at Kacherikkunnu, Meenangadi - Tender

Res. No. 8406 The Authority discussed the tender in detail and after discussion resolved to accord sanction to award the work of “Construction of 8LL capacity GL Sump cum Service reservoir attached to the Treatment Plant at Kacherikkunnu, Meenangadi of WSS to Krishnagiri, Purakkadi and Ambalavayal Villages” to the lowest tenderer Sri.T.T.Balan, Karippakulangara Thazham(H),Kottooli (PO), Calicut, at his negotiated reduced quoted amount of Rs.39,27,233/- which is at an overall excess of 38.99% above the tendered PAC of Rs. 28,25,521/-.

Item No. III (4) CWSS to Kunnummal and adjoining villages-Supplying & laying, testing and commissioning of pumping mains and gravity mains of length approximately 27 Km of various sizes of DI K9 pipes from 700mm to 200mm and Design and construction of pipe line supporting steel bridge-Under EPCM basis -Tender

Res. No. 8407 The Authority noted the item in detail. It is observed that this tender was opened on 26.08.2008. However the tender was submitted for consideration of the Authority in this meeting only i.e., after a lapse of about 16 months and the Authority expressed its displeasure on this delay. The Managing Director informed the Authority that so many defects are noticed in the tenders received from lower offices requiring clarifications from them. Even though clarification letters are sent much time is taken by these offices in forwarding the reply. This is the main reason for the delay. The Authority discussed the tender in detail and resolved to recommend the subject tender of “Supplying and

Laying, testing and commissioning of Pumping Main and Gravity Main, Design and construction of pipe line supporting steel bridge- under EPCM basis of the scheme - CWSS to Kunnummal and adjoining villages” to the Government for prior approval of the lowest received offer of M/s. Reena Engineers & Contractors Pvt.Ltd., Panaji, Goa at their negotiated reduced quoted amount of Rs.22,80,33,695/- which works out to an overall excess of 40.55% above estimate PAC of Rs.16,22,48,592/-.

The Authority further directed the Managing Director that the tenders requiring approval from Authority shall invariably be presented before it with in 5 months, in the case of manual tenders, and with in 2 months, in the case of e-tenders from the date of tender opening. Tenders submitted beyond this date shall also accompany the specific reason for the delay. The Authority further reiterated that it is the responsibility of the officer who had invited the tender ^{to ensure} ~~responsible for~~ the accuracy of the evaluation. For any defects noticed on further evaluation at higher levels the first evaluated officer shall be personally held responsible and his explanation shall accompany the notes submitted to the Authority.

Item No. III (5) ARWSS to Navaikulam and Kudavoor villages - Packages II - Supplying and laying distribution line to Zone I - Construction of 1.5LL capacity sump at Navaikulam, construction of 1.7LL capacity GLSR at Palavacode Construction of 1.4LL capacity GLSR and 50,000L capacity OHSR at Maruthikunnu -schedule Tender

Res. No. 8408 The Authority discussed the tender in detail and resolved to accord sanction to award the work of ARWSS to Navaikulam and Kudavoor villages - Supplying and laying distribution line to Zone I - Construction of 1.5LL capacity sump at Navaikulam, construction of 1.7 LL capacity GLSR at Palavacode, Construction of 1.4 LL capacity GLSR and 50,000L capacity OHSR at Maruthikunnu to the lowest tenderer Sri. G. Suresh at his reduced amount of Rs.2, 72,86,000/- which is 40% overall excess of the tendered PAC of Rs.1, 94,90,000/-

Item No. III (6) Setting up of PVC manufacturing unit at Chavara

The Authority discussed the item in detail and observed that some more details on the criteria adopted for the short listing is required for taking a decision and hence deferred the item to the next meeting.

Item No. IV (1) Estt - LWA for better employment abroad to Sri.Biju George, Assistant Engineer, WS Section No.II, Thiruvanchoor – request for relaxation in the joining period in KWA

Res. No. 8409 The Authority observed that the LWA for 5 years was sanctioned to the incumbent from 15.11.2004 for better employment abroad. According to the leave sanctioned to him he has to join back in the service of KWA on expiry of his leave. He is well aware of the prevailing rules in KWA in sanctioning extension of period of LWA beyond 5 years. He ought to have given quit notice to his employer abroad well in advance as per the terms of his employment so that he could have joined back on expiry of leave. However as a special case and taking a lenient view the Authority **resolved to sanction extension of time for two more months to Sri. Biju George with the condition that he will join back in KWA on or before 01.03.2010.**

The Authority further directed the Managing Director to give notice to all the expatriates informing them that no request for extension of LWA will be entertained under any circumstances and shall join back in KWA on completion of their present term of leave sanctioned. They shall complete all the formalities with their over seas employer for termination from the employment.

Item No. IV (2) Transfer of land to Kerala Sustainable Urban Development Project (KSUDP) for Kozhikkode Sewerage Scheme

Res. No. 8410 The Authority discussed the item in detail and **resolved to give permission to Kozhikkode Corporation for constructing the Pump House and to transfer the assets finally to KWA keeping the right of land with KWA based on the MoU signed with KSUDP and Secretary ULB and resolved by the Authority**

Item No. IV (3) Legal fee-bill submitted by Smt.Ambikadevi, Advocate on behalf of Sri.T.P.Kelu Nambiar, Senior Advocate and Junior Advocate fee to Smt.Ambikadevi

Res. No. 8411 The Authority **resolved to sanction for making the payment of Rs.5,00,000/- to Adv. Kelu Nambiar through Adv.Ambikadevi, Standing Counsel for Kerala Water Authority and Rs.1,50,000/- to Adv.Ambikadevi as Junior Advocate fee for the assistance to Senior Advocate Kelu Nambiar for the following cases.**

1. CCC 910/09
2. WP© 17115/08

Item No. V (1)

Tender No: KWA/HO/SP-8/2009-10/PDW Opened on 9/11/2009 for Planning, Design, Construction, Supply, Installation and Commissioning of packaged/ Bottled Drinking Water Plant of Capacity 7500 LPH on EPCM contract basis at Aruvikkara including Marketing of the packaged drinking water

The Authority noted the item. The Managing Director informed that only single firm namely M/s Shivam Water Treaters Pvt Ltd was qualified for opening the price bid. On evaluation some clarifications are to be obtained from the firm. Even though clarifications were received further clarifications are required with regard to pay back value. For this further negotiations are required. This note was placed in this meeting only for bringing the present position of the tender for the information of the Authority. The Authority after discussions directed the Managing Director to proceed with the negotiations as suggested and place the tender for consideration with out further delay



SECRETARY



MANAGING DIRECTOR



CHAIRMAN