



**PROCEEDINGS OF THE SUPERINTENDING ENGINEER,
PUBLIC HEALTH CIRCLE,
KERALA WATER AUTHORITY, THIRUVALLA, PATHANAMTHITTA
(DT.)**

Present – Sri. Manu.B

Sub: - KIIFB – RWSS to Vechoochira- Relaying of Damaged pipe lines – Chethakkal –Koothattukulam & treatment plant in Vechoochira – Termination of the contract and the balance works to be arranged at risk and cost – order issued - reg –

KERALA WATER AUTHORITY

No. SE/PHC/TVLA/3266/2018

Dated. 30.12.2022

- Ref:-
1. Administrative Sanction Order No. APR-4/401/2018 KIIFB dated 09/04/2018 of CEO, KIIFB.
 2. Technical Sanction Order No. TS/2019-2020/2018/8511 dated 28/01/2020 of Chief Engineer (SR), Jalabhavan, Thiruvananthapuram.
 3. E – Tender No. 18/2019-2020/KWA/PHC/TVLA with due date on 10/02/2020.
 4. This office work order issued Ltr. No. SE/PHC/TVLA/3266/2018 dated 26.05.2020.
 5. This office Agreement No. 08/SE/PHC/TVLA/2020-2021 dated 23.09.2020.
 6. Letter No. DB2-2562/2018 dated 27.04.2022 of the Executive Engineer, P. H Division, Pathanamtitta.
 7. This office Proceedings No. SE/PHC/TVLA/3266/2018 dated 03.08.2021.
 8. Letter No. DB2-2562/2018 dated 27.04.2022 of the Executive Engineer, P. H Division, Pathanamtitta.
 9. Proceedings No. SE/PHC/TVLA/3266/2018 dated 05.05.2022.
 10. Minutes of the meeting dated 06.10.2022 convened by the Technical Member, KWA (Vide No. KWA/JB/P-1/1035/2016-17 part -2 Vol IV dated 07.10.2022).
 11. Proceedings No. SE/PHC/TVLA/3266/2018 dated 11.10.2022.

(P.T.O)

12. Your action plan dated 11.10.2022 with completion date as on 30.12.2022.
13. Letter No. DB2-2562/2018 dated 03.12.2022 of the Executive Engineer, P. H Division, Pathanamthitta.
14. Show cause notice of even no. dated 05.12.2022.
15. Your letter no. 15/MD/WA/2020 dated 14.12.2022
16. Show cause notice of even number dated 27.12.2022.
17. Your letter no. 15/MD/WA/2020 dated 28.12.2022.
18. Meeting conducted by this office on 28.12.2022.

Administrative sanction (vide ref. 1) for the subject work was received for an amount of Rs.478 lakhs and Technical sanction was issued by the Chief Engineer(SR) (vide ref. 2) for an amount of Rs.473 lakhs based on the DSR 2016.

The scope of the work includes supplying and laying of 150 mm DIK9 pipe - 5500 m, 110 mm PVC 10 kg/cm² pipe - 3000m, 90 mm PVC 10 kg/cm² - 1000 m, 100mm GI pipe - 200m, 80mm GI pipe - 300m and 50mm GI pipe - 800m. It also includes provision for necessary valves, restoration of the PWD road as per MORTH specification.

E-tender for the work (ref. 3) was invited from this office in single cover system with tendered PAC Rs.42222423.98 /- .Two bidders participated in the e-tender and the lowest quoted bidder M/s. Minartech Developers Pvt: LTD, Building No. 268/C Erumelikara - 5, Puthanpally Bus stop, Kumarapuram P O , Ernakulam dist. The work Order was issued on 26/05/2020 to M/s. Minartech Developers PVT Ltd at the LMR PAC of Rs.45083361/- + GST (Rupees Four Crore fifty lakh eighty three thousand three hundred and sixty one only+GST) which is 6.6776 % above the TPAC. Accordingly agreement executed vide No. 08/SE/PHC/TVLA/2020-2021 dated 23/09/2020 with original date of completion of the work as on 22.01.2021. But the contractor could not complete the work within the stipulated time.

The time extension was granted up to 31/12/2021 considering the recommendation vide ref.(6) of the Executive Engineer, P H Division, Pathanamthitta . As such supplementary agreement was executed on 09.08.2021 by imposing a fine of Rs.10,000/-.

As the contractor could not complete the work in the extended period, as per the recommendation (vide ref.8) of the Executive Engineer, P H Division, Pathanamthitta, the second time of completion was extended up to 31/05/2022 by imposing a fine of Rs.10,000/-

(P.T.O)

Even though extension was granted twice, the response from the contractor was very poor, in this regard an online meeting was conducted by the Technical Member on 6/10/2022 to review the progress. As per the decision in the review meeting, the contractor agreed to complete the work by 31/12/2022 and an action plan submitted. Hence the time of completion was extended up to 31/12/2022 by imposing a fine of Rs.1,00,000/- as the prevailing rules.

Vide ref.13, the Executive Engineer, P. H Division, Pathanamthitta reported that the progress of work at site is very poor and he has not turned up to supply the required DI Pipes till date and recommended to terminate the work at risk and cost. In this connection show cause notice was issued vide ref.14. But the reply vide ref.15 was not satisfactory. Then a final notice was issued to the contractor vide ref. 16 dated 27.12.2022 and an offline meeting with the contractor was conducted by this office on 28.12.2022 it was clear that the contractor will not complete the work even if further extension of time of completion is given.

In the above circumstances, it is decided to terminate the contract and rearrange the balance works at the risk and cost as per clause 2116.2 of the PWD manual. The exact liability due to termination of the contract will be ascertained after rearranging the balance work and quantifying the liability in accordance with a new contract. All loses sustained to KWA on account of the termination of this contract clause 2116.2.1 of PWD manual should be recovered from the contractor.

Objections/complaints, if any regarding the above may be filed before the Chief Engineer(SR) within 7 days.


SUPERINTENDING ENGINEER.

To

M/s Minartech Developers PVT LTD
Building No. 268/C, Erumelikara – 5,
Puthanpally Bus stop, Kumarapuram P O
Ernakulam.

Copy to

1. The Managing Director, KWA, Jalabhavan, Thiruvananthapuram.
2. The Technical Member , KWA, Jalabhavan, Thiruvananthapuram
3. The Chief Engineer (SR) , KWA, Thiruvananthapuram
4. The Executive Engineer, P.H Division, Pathanamthitta for favour of information and also directed to submit the estimate for the balance work of arranging the work within two weeks.