



KERALA STATE ELECTRICITY BOARD Ltd

(Incorporated under the Companies Act, 1956)

Registered Office: Vidyuthi Bhavanam, Pattom,

Thiruvananthapuram – 695 004

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ABSTRACT

Upper Sengulam Hydro Electric Project – Execution of Civil and Hydro Mechanical works of Upper Sengulam Hydro Electric Project (1x24MW/ 53.22Mu) - Sanctioned – Orders issued.

Corporate Office (SBU - G/C)

Office Order (DGC)No.1864/2023(DGC/AEEV/Up-Sen/2015)

Thiruvananthapuram, Dated: 18.12.2023

- Read:
1. B.O (FB) 1497/2013 (GPC4(C)/ SEN-EXTN/17/08 dated 09.07.2013.
 2. G.O (RT) No. 292/2013/PD dated 01.11.2013.
 3. B.O (FTD) No. 619/2020(DGC/AEEV/Up-Sen/2015) dated 07.10.2020.
 4. B.O (DB) No. 662/2020(DGC/AEEV/Up-Sen/2015) dated 03.11.2020.
 5. B.O (DB) No. 254/2022(DGC/AEEV/Quoting System/2021) dated 30.03.2022.
 6. BO (FTD) No. 389/2022 (DGC/AEEV/ General/22/2022) dated 08.05.2022.
 7. e-tender No. CECCS/01/2022-23 dated 03.05.2022 (ID:2022_KSEB_488856_1).
 8. Judgment dated 31.01.2023 on WA No.1716 of 2022 in WP(C) No.32855 of 2022 filed by the L2 Bidder.
 9. Remarks of FA No. FA/Tender-I/98/2022 (1) (1) dated 09.02.2023.
 10. Remarks of LA&DEO No. LAII 7990/2022 dated 13.02.2023.
 11. Record of Proceedings from Supreme Court of India on Special Leave Petition to Appeal(C) No. 2874/2023.
 12. Letter No. PGCCPL/KSEBL/HO/557/2023 dated 22.11.2023 of M/s. PGCCPL.
 13. Note No. CECCS/USHEP/Bid Evaluation/2023-24/2917 dated 22.11.2023 of the Chief Engineer (Civil - Construction) South.

ORDER

The Upper Sengulam Hydro Electric Project envisages utilization of surplus water that will be available at Sengulam balancing Reservoir after commissioning of Sengulam Augmentation Scheme and Pallivasal Extension Scheme (60MW). The Scheme is located at Vellathooval Panchayat of Devikulam Taluk of Idukki District. Presently the main source of inflow into the reservoir is from the tail race of existing Pallivasal HEP. It is proposed to pump the tail water of the existing Pallivasal Scheme to the tail race weir of Pallivasal extension Scheme and from there it is conveyed through a steel pipe to the existing tunnel by gravity to the Sengulam Balancing Reservoir. With the commissioning of the Sengulam Augmentation Scheme, water diverted from the Western Kallar River would also be augmented to the Sengulam Balancing Reservoir. This project comprises of an Intake structure near the existing intake arrangement of Sengulam HEP at Muthuvankudy, 2659.103 m power tunnel from intake to surge shaft located at Elkunnu, pressure shaft from surge shaft to power house which is located at 500 m upstream to the existing Sengulam power house. Total catchment area of the scheme is 304.735 sq. km and

design head is 330m. Expected annual generation from the Scheme is 53.22 million units. The period of completion of the project is proposed as 48 months.

Board as per the order read as 1st above has accorded Administrative Sanction for the Project and Government of Kerala has also accorded Administrative Sanction as per order read as 2nd above. Later, Board as per order read as 3rd above has accorded sanction for modifications to the project components with respect to approved DPR of Upper Sengulam Hydro Electric Project, and Board has accorded revised Administrative Sanction as per order read as 4th above for the implementation of Upper Sengulam Hydro Electric Project at an estimated cost of Rs. 276.2 Crore based on DSR 2016 with cost index of Munnar @49.69% on condition that detailed estimate shall be prepared in PRICE software and Technical sanction shall be based on detailed investigation and design. Sanction was also accorded to invite separate tenders for Civil works and Electro Mechanical works for the Project. Technical sanction was issued for the revised estimate based on DSR 2018 with cost index for Munnar @ 39.83% for an amount of Rs 215 Crores incorporating the decisions as per the orders read as 5th and 6th above.

Tenders were invited for the work as item rate system on 03.05.2022 as per the tender read as 7th above. The last date of bid submission was extended up to 13.07.2022. The pre-qualification bids were opened on 20.07.2022. The probable amount of contract for the work is Rs. 175,86,25,744/-, excluding GST (Rupees One Hundred Seventy Five Crore, Eighty Six Lakh, Twenty Five Thousand, Seven Hundred and Forty Four only). Four bidders had submitted their offers.

The price bids of the following pre-qualified bidders were opened on 10.10.2022. The total bid amount of each bidder quoted for the subject work are tabulated as follows:

Sl.No.	Name of the bidder	Total agreed amount (Rs)	Bid Rank
1	M/s. Anchor-SSIPL-MIPL Consortium, Eloor House, Kolenchery P.O, Ernakulam - 682311.	Rs 154,04,46,896/-	L1 (12.41% below PAC)
2	M/s. PGCCPL & Aryacon Consortium, Aishwarya Towers, Puthencruz Road, Karimugal P.O., Kochi - 682303.	Rs 155,72,16,321/-	L2 (11.45% below PAC)
3	M/s. PES - KSR JV, 1st Floor, Pancom Chambers, 6-3-1090/1/A, Raj Bhavan Road, Somajiguda, Hyderabad 500082 Telangana	Rs 160,53,35,819/-	L3 (8.72% below PAC)

In the meantime, L2 Bidder, M/s. PGCCPL has filed a WP(C) No.32855 of 2022 before the Hon'ble High Court of Kerala to disqualify the L1 Bidder, but the case has been dismissed in favour of the L1 Bidder. Subsequently, L2 Bidder has filed a Writ Appeal, WA No.1716 of 2022 making an argument that the Asset and Business Operation Transfer Agreement entered into between Dr. Sasi Eloor and M/s Anchor Structural on 01.04.2022 is only an agreement to take over the assets and liabilities and no details have been furnished in the said agreement as regards the turnover of the transferor company. The Division Bench of Hon'ble High Court of Kerala has

admitted the Writ Appeal and dismissed the case in favour of L2 Bidder as per the judgment read as 8th above. The L2 bidder had filed an affidavit in the Court that they agree to match their bid with the bid submitted by the L1 bidder, M/s Anchor Structural-SSIPL-MIPL Consortium.

Remarks of FA and LA&DEO in this regard were obtained read as 9th and 10th above.

Meanwhile, the L1 bidder, M/s. Anchor – SSIPL-MIPL Consortium has filed a Special Leave Appeal Petition No. 2874/2023 before the Hon'ble Supreme Court of India, against the above judgment dated 31.01.2023 in WA No. 1716/2022 passed by the Division Bench of High Court of Kerala. The Hon'ble Supreme Court of India has disposed of the petition as per the Record of Proceedings read as 11th above, stating that the Court is not inclined to interfere with the impugned order passed by the Division Bench of High Court dated 31.01.2023 in WA No. 1716/2022.

The Chief Engineer (Civil-Construction) South as per the letter read as 13th above has informed that M/s PGCCPL-Aryacon Consortium was negotiated for further deductions on items showing abnormal variation from the estimate rate as suggested by the Financial Adviser. M/s PGCCPL as per letter read as 12th above has furnished their negotiated offer of an overall deduction of 1.08% on their bid amount of Rs.155,72,16,321/- and the revised bid amount as Rs. 154,03,98,384/- (Rupees One Hundred Fifty Four Crore, Three Lakh Ninety Eight Thousand, Three Hundred Eighty Four only). The negotiated amount is Rs. 48,512/- lower than the bid amount of L1 bidder and 12.409% lower than the probable amount of contract. The Chief Engineer has requested sanction for awarding the subject work to M/s. PGCCPL-Aryacon Consortium at their negotiated amount of Rs. 154,03,98,384/- based on the Court orders.

Having considered the above and recommendation of the Chief Engineer (Civil-Construction) South, sanction is accorded to award the work of "Execution of Civil and Hydro Mechanical works of Upper Sengulam Hydro Electric Project (1x24 MW/53.22 Mu)", tendered on item rate contract basis, to the L2 bidder, M/s PGCCPL – Aryacon Consortium, at their negotiated amount of Rs. 154,03,98,384/- (Rupees One Hundred Fifty Four Crore, Three Lakh, Ninety Eight Thousand, Three Hundred and Eighty Four only) excluding GST, by applying an overall negotiated deduction factor of 1.08% on their quoted bid amount of Rs. 155,72,16,321/-, thereby complying the order of the Hon'ble Supreme Court of India on the Special Leave Petition to Appeal(C) No. 2874/2023 and the judgment of the Division Bench of Hon'ble High Court of Kerala on WA No.1716 of 2022 in WP(C) No.32855 of 2022.

Orders are issued accordingly.

**By Order of the
Director**

Sd/-

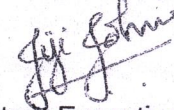
**SABITHA S
Secretary**

To:

The Chief Engineer (Civil - Construction) South.

Copy to: ✓ The Chief Engineer (IT, CR & CAPS)/ Company Secretary/ Financial Advisor/LA&DEO
The T A to the Chairman & Managing Director / Director (Generation-Civil)/ Director
(Generation-Electrical, REES, Soura, Sports & Welfare)/ Director (Distribution, Safety, IT
& SCM)/ Director (Transmission & SO and Planning)
The PA to the Director (Finance & HRM).
The RCAO/RAO
The Sr.CA to the Secretary (Administration).
Stock File.

Forwarded / By Order



Assistant Executive Engineer