



KERALA STATE ELECTRICITY BOARD LIMITED

(Incorporated Under the Companies Act, 1956)

Corporate Identity No.U40100KL2011SGCO27424

Registered Office: Vydyuthi Bhavanam, Pattom,

Thiruvananthapuram- 695004, India,

Ph:+91-471-2446853, E-mail: cescm@kseb.in, website:www.kseb.in



Abstract

Supply of Towers including hot dipped galvanized bolts, nuts, earthing sets and all required accessories for 220kV & 110kV MC/DC line – Request for Delivery Period Extension - sanction accorded – Orders issued.

Corporate Office (Supply Chain Management)

B.O.[FTD] No.639/2021 (SCM/XT/123/2019-20) Dated, Thiruvananthapuram 24/08/2021

- Read:-
- 1) P.O.No.SCM.98/2019-20/6308 dated 26/11/2019.
 - 2) Office Memorandum dated 19th February, 2020 regarding Force Majeure Clause from the Ministry of Finance, Government of India.
 - 3) Office Memorandum (Force Majeure Clause-(FMC) No.F 18/4/2020-PPD) dated 13/05/2020 of Government of India, Procurement Policy Division, Department of Expenditure, Ministry of Finance.
 - 4) Letter No.KEPL/KSEB/19-20/00179/81 dated 27/02/2021 of M/s.Karamtara Engineering Pvt. Limited.
 - 5) Note No.SCM/XT/123/2019-20/3027 dated 02/08/2021 of the Director (Generation –Electrical &SCM) submitted to the Full time Director's (Agenda No.46/8/21).

ORDER

The Purchase order read as 1st above was placed with M/s.Karam Tara Engineering Private Limited for the supply various type of towers with a total contract value of **Rs.8,94,35,634/-**.

As per the terms and conditions of the Purchase Order, Supply shall commence on the 3rd month and complete on the 6th month from the date of Purchase Order as detailed below:

Sl. No.	Description (Tower / Extension/ Stub & Cleat including Bolt, Nut and all required accessories)	Qty. as per Bid (Nos.)	Unit Weight (Approx.)	Total Weight (Approx.)	Supply shall commence on the 3rd month and complete on the 6th month from the date of PO. The schedule of qty. of each item (in Nos.) to be supplied during each month shall be as shown below.			
					3rd month	4th month	5th month	6th month
	110kV DC							
1)	110kV D3	68	2.58	175.44	17	17	17	17
2)	Stub & Cleat for D3	40	0.156	6.24	10	10	10	10

3)	3m Extn. For D3	9	0.463	4.167	3	3	3	
4)	4.5m Extn. For D3	46	0.698	32.108	11	11	12	12
5)	110kV D30	52	3.655	190.06	13	13	13	13
6)	Stub & Cleat for D30	47	0.351	16.497	11	11	12	13
7)	3m Extn. for D30	5	0.902	4.51	5	0	0	0
8)	4.5m Extn. for D30	32	1.19	38.08	8	8	8	8
9)	110kV D60	22	5.141	113.102	5	5	6	6
10)	Stub & Cleat for D60	17	0.616	10.472	4	4	4	5
11)	3m Extn. for D60	3	1.098	3.294	2	1	0	0
12)	4.5m Extn. for D60	14	1.537	21.518	4	4	3	3
	220kV DC			0				
13)	220kV P	44	4.109	180.796	11	11	11	11
14)	Stub & Cleat for P	41	0.194	7.954	10	10	10	11
15)	3m Extn. for P	11	0.721	7.931	3	3	3	2
16)	4.5m Extn. for P	6	1.47	8.82	3	3	0	0
17)	6m Extn. for P	18	1.47	26.46	4	4	5	5
18)	220kV Q	9	5.855	52.695	3	3	3	0
19)	Stub & Cleat for Q	9	0.3457	3.1113	3	3	3	0
20)	3m Extn. for Q	3	1.1017	3.3051	2	1	0	0
21)	6m Extn. for Q	7	1.973	13.811	2	2	2	1
22)	220kV R	1	6.934	6.934	1	0	0	0
23)	Stub & Cleat for R	1	0.391	0.391	1	0	0	0
24)	3m Extn. for R	1	1.3013	1.3013	1	0	0	0
25)	6m Extn. for R	1	2.374	2.374	1	0	0	0
26)	220kV S	5	9.765	48.825	0	5	0	0
27)	Stub & Cleat for S	5	0.646	3.23	3	2	0	0
28)	6m Extn. for S	2	3.026	6.052	2	0	0	0
	110kV MC			0				
29)	110kV M3	3	8.28	24.84	0	3	0	0
30)	Stub & Cleat for M3	3	0.241	0.723	3	0	0	0
31)	110kV M30	2	12.923	25.846	0	2	0	0
32)	Stub & Cleat for M30	2	0.63	1.26	2	0	0	0
33)	110kV M60	4	18.766	75.064	0	4	0	0
34)	Stub & Cleat for M60	2	0.952	1.904	2	0	0	0
35)	220 kV MC Z type	1	18.986	18.986	0	1	0	0
36)	Stub & Cleat for Z	1	0.785	0.785	1	0	0	0
	Total			1138.886				

As per letter read as 4th above, the firm requested time extension.

The Proto inspection call for D3, D30 & D60 towers were received on 11/02/2020. But due to Covid pandemic proto inspection was cancelled and inspection on D3, D30, D60 & Q type towers were waived on 17/03/2020. The mass inspection call for D3, D30, D60 towers were received on 04/06/2020 and inspection was conducted through video conference based on the test report received on 26/06/2020 and MDCC issued on 01/07/2020 from these tower.

The firm submitted the drawing for towers (P, Q, R, S, M3, M30, M60 and Z) only after 25/05/2020. Also there is no delay in drawing approval and conducting inspection and issuing of MDCC as per purchase order conditions for these towers, so the request for delivery extension of all item for three months can be considered only based on the COVID - 19 situation.

As per Force Majeure conditions of Purchase Order Clause -19:- The firm will not be liable for any liquidated damages for such delay due to force majeure conditions such as acts of God, acts of force majeure conditions. The KSEB Limited will verify the facts on merits and grant suitable extension of delivery period if facts justify.

It is notified by the Ministry of Finance, Government of India as per Memorandum read as 2nd above that COVID-19 situation should be considered as a case of natural calamity and FMC may be evoked, wherever considered appropriate. As per Memorandum read as 3rd above, it is clarified that it may not be possible for the parties to the contract to fulfill contractual obligations due to the restrictions placed on the movement of goods, services and manpower on account of the overseas, countrywide lockdown in terms of guidelines issued under DM Act 2005. The date for completion of contractual obligations which had to be completed on or after 20th February 2020 shall stand extended for a period not less than three months and not more than six months without imposition of any cost or penalty on the contract.

Hence the request of the firm for extending delivery period for all towers its sub and extensions, for 3 months i.e., Commence on 6th month and complete on the 9th month from the date of purchase order is genuine and can be considered.

It is recommended to consider the Delivery Period extension of M/s.Karam Tara Engineering Private Limited commence from 6th month instead of 3rd month and complete on 9th month instead of 6th month from the date of purchase order for the following items as shown below without imposing penalty on LD and with variable price as per actual date of receipt of materials by consignee as it is genuine due to Covid-19 pandemic which comes under Force Majeure Conditions.

Sl. No	Description (Tower / Extension/ Stub & Cleat including Bolt, Nut and all required accessories)	Qty. as per Bid (Nos.)	Unit Weight (Approx.)	Total Weight (Approx.)	Supply shall commence on the 6th month and complete on the 9th month from the date of PO. The schedule of qty. of each item (in Nos.), to be supplied during each month shall be as shown below.			
					6 th month	7 th month	8 th month	9 th month
	110kV DC							
1)	110kV D3	68	2.58	175.44	17	17	17	17
2)	Stub & Cleat for D3	40	0.156	6.24	10	10	10	10
3)	3m Extn. For D3	9	0.463	4.167	3	3	3	
4)	4.5m Extn. For D3	46	0.698	32.108	11	11	12	12
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15)	3m Extn. for P	11	0.721	7.931	3	3	3	2
16)	4.5mxtn. for P	6	1.47	8.82	3	3	0	0
17)	6m Extn. for P	18	1.47	26.46	4	4	5	5
18)	220kV Q	9	5.855	52.695	3	3	3	0
19)	Stub & Cleat for Q	9	0.3457	3.1113	3	3	3	0
20)	3m Extn. for Q	3	1.1017	3.3051	2	1	0	0
21)	6m Extn. for Q	7	1.973	13.811	2	2	2	1
22)	220kV R	1	6.934	6.934	1	0	0	0
23)	Stub & Cleat for R	1	0.391	0.391	1	0	0	0
24)	3m Extn. for R	1	1.3013	1.3013	1	0	0	0
25)	6m Extn. for R	1	2.374	2.374	1	0	0	0
26)	220kV S	5	9.765	48.825	0	5	0	0
27)	Stub & Cleat for S	5	0.646	3.23	3	2	0	0
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	110kV MC							
29)	110kV M3	3	8.28	24.84	0	3	0	0
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31)	110kV M30	2	12.923	25.846	0	2	0	0
32)	Stub & Cleat for M30	2	0.63	1.26	2	0	0	0
33)	110kV M60	4	18.766	75.064	0	4	0	0
34)	Stub & Cleat for M60	2	0.952	1.904	2	0	0	0
35)	220 kV MC Z type	1	18.986	18.986	0	1	0	0
36)	Stub & Cleat for Z	1	0.785	0.785	1	0	0	0
	Total			1138.886				

The matter was placed before Full Time Directors as per note read as 5th above.

Having considered the matter in detail the Full Time Directors in its meeting held on 09/08/2021, resolved to accord sanction to allow the request of the firm M/s.Karamtara Engineering Pvt. Limited for Delivery Period extension from 6th month and extent the delivery period up to 9th month from the date of purchase order for all items as shown in the table , without imposing penalty on LD and with variable price as per actual date of receipt of material by consignee, due to covid-19 pandemic situation.

Orders are issued accordingly.

BY ORDER OF THE FULL TIME DIRECTORS

Sd/-

Lekha.G

Company secretary In charge


To

The Chief Engineer (SCM)

Copy to:-

- ◆ The Legal Advisor & Disciplinary Enquiry Officer.
- ◆ The Deputy Chief Engineer (IT), KSEB Limited.
- ◆ TA to Chairman & Managing Director/ Director (Distribution, IT&HRM) / Director (Generation-Electrical & SCM)/ Director (Transmission & System Operation) Director (Planning, Safety & REES)/ Director (Generation-Civil)
- ◆ PA to Director (Finance)/Senior C.A. to Secretary (Administration)/ Company Secretary.
- ◆ The Fair Copy Superintendent, Board Secretariat
- ◆ The Library, KSEB Limited/Stock file.

Forwarded/ By Order


Assistant Executive Engineer