

Finance Committee Meeting : 856/30.05.2023

** SUMMARY RECORD OF DECISIONS **

856th meeting of the Finance Committee of Rajasthan Water Supply & Sewerage Management Board, Jaipur was held on 30.05.2023, wherein, following were present:-

1.	Dr. Subodh Agarwal	Additional Chief Secretary to GoR, PHED , Jaipur	Chairman
2.	Sh D K Gaur	Technical Member, RWSSMB, Jaipur	Member
3.	Sh K C Kumawat	FA&CAO, RWSSMB, Jaipur & Representative of Finance Department	Member
4.	Sh R K Meena	CE(Rural), Addl. Charge & CE(JJM) , PHED, Jaipur	Member
5.	Sh Dinesh Goel	CE(SP), PHED, Jaipur	Member
6.	Sh K D Gupta	CE(U&NRW), Addl. charge & CE(QC), PHED, Jaipur	Member
7.	Sh Shubhanshu Dixit	Secretary, RWSSMB, Jaipur	Secretary

Following was also present in the meeting:

1. Sh Gopal Singh, Deputy Secretary, PHED, Jaipur
2. Sh Neeraj Mathur, CE(P), PHED, Jodhpur
3. Sh D R Solanki, CE(PMC), PHED, Nagaur (Addl. Charge) & ACE(Rural)

Following decisions were taken in the meeting:-

Agenda item no. 1: Confirmation of minutes of FC 855/23.05.2023

Summary record of decisions of the meeting of FC855 dated 23.05.2023 issued vide no. No.: F.3 (/)FC855/2023-24/1088-1139 dated 24.05.2023 were confirmed as no observations on the same were received.

Agenda item no. 2: Action taken report on the decisions taken in FC 855/23.05.2023

Action taken reports of FC855 dated 23.05.2023 were reviewed and it was directed for compliance of decisions in time.

[Action by: CE(Concerned)]

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8,18,15,866.37 (BSR Items Rs.7,96,55,866.37 and Non BSR item Rs. 21,60,000.00), in place of approved negotiated rate of Rs. 8,18,26,895.81.

- 3) The agenda was deliberated in detail. After deliberations, it was decided to read the approved negotiated rates as Rs. 8,18,15,866.37 (BSR Items Rs.7,96,55,866.37 and Non BSR item Rs. 21,60,000.00), in place of approved negotiated rate of Rs. 8,18,26,895.81, mentioned in the minutes of meeting of FC/851/02.05.2023 at agenda item no. 22.
- 4) **Decision: Approved to read the approved negotiated rates as Rs. 8,18,15,866.37 (BSR Items Rs.7,96,55,866.37 and Non BSR item Rs. 21,60,000.00), in place of approved negotiated rate of Rs. 8,18,26,895.81, mentioned in the minutes of meeting of FC/851/02.05.2023 at agenda item no. 22.**

[Action by: CE(JJM)]

Agenda item no. 17: Action under clause 2 & 3 of contract agreement for the works related to coverage of 54 nos. villages by providing functional house hold tap connection (FHTC) under RWSS Peelwa Sadri Jambeshwar Nagar Scheme of block Lohawat and Dechu of District Jodhpur viz. RCC OHSRs, P/L/J of pumping mains, cluster distribution system, villages distribution system, construction of boundary wall and civil, mechanical, electrical & instrumentation works, including geo-tagging on SPR basis and O&M for 10 years after 1 year of defect liability period under Jal Jeevan Mission against NIT No. 02/2021-22.

- 1) The agenda was discussed in the comments of TM /FA&CAO and presentation made by CE(P). During presentation, the following was informed:
- Instant proposal is for rescinding the contract under clause-3 of contract agreement (GCC), due to slow progress of work related to coverage of 54 nos. villages by providing functional house hold tap connections (FHTCs) under RWSS Peelwa Sadri Jambeshwar Nagar Scheme of Block Lohawat and Dechu, District Jodhpur with O&M for 10 years after 1 year of defect liability period, under Jal Jeevan Mission, against NIT No. 02/2021-22.
 - Work order for the referred work was awarded to M/s Geo Miller and Jayantisuper (JV), New Delhi for Rs.56.41 Cr (Capital cost: Rs. 52.18 Cr + O&M cost: Rs. 4.23 Cr) on 26.10.2021, with stipulated date of commencement and completion as 05.11.2021 and 04.02.2023 respectively, after approval of bid by FC785 dated 22.10.2021.
 - The physical progress was only 15% and financial progress of the work was Rs. 8.23 Cr up to 30.01.2023. The cost of balance work till 30.01.2023 was approximately amounting to Rs. 43.76 Cr.
 - Due to slow progress of the work, 4 nos. letters by EE(P), Project Division, Phalodi, Jodhpur, Jodhpur, 3 nos. letters including 2 nos. notices by ACE(P), RGLC and 3 nos. letters including final notice by CE(P), Jodhpur were issued to the contractor i.e. M/s Geo Miller and Jayantisuper (JV), New Delhi for improving the progress of the work but contractor failed to improve the prorate progress of the work at all fronts. This showed the inability of the firm for completing the project up to stipulated completion date.
 - The matter regarding action under clause 3 of GCC due to slow progress of the work was discussed in FC840 dated 28.02.223, wherein following was decided:
"The agenda note was returned with directions that CE(P), Jodhpur shall resubmit the agenda note with clear cut recommendations after one month period with reassessment of physical and financial progress of the work along with critical analysis of the time period required to complete the project in view of the resources deployed by the contractor."

- (vi) In compliance to above decision, ACE, RGLC(P) directed the contractor on 03.03.2023 to expedite the progress of the work. Meanwhile, the contractor vide letter dated 08.05.2023 has raised certain issues, regarding payment of amount against escalation and for additional payment in rocky reaches along the alignment of pipes, which are not admissible under the contract. CE(P) Jodhpur also issued a notice on dated 19.05.2023 for slow progress of the work. The contractor vide their letter dated 22.05.2023 informed the department that they have decided to terminate the contract on various issues, either not admissible or minor grounds.
- (vii) The physical progress achieved by the firm up to 23.05.2023 is only 30% and payment of Rs. 15.81 Cr has been released to the firm. The progress achieved by the firm from March, 2023 to 23.05.2023 is only 6.67% at all fronts. The minor progress of the work, shows the inability of the firm in completing the balance work of the project up to August, 2023.
- (viii) The actual progress had been far below than the stipulated mile stones prescribed in clause-2 of GCC, in-spite of best pursuance and efforts by the department.
- (ix) Many notices / letters were issued by the department to the contractor for improving the progress but the contractor failed to achieve the desired prorate progress and there is no option except rescind the work under clause 3 of contract agreement.
- (x) Due to slow progress of the work and firm's own communication for termination, this is now clear case of rescinding/ termination of the contract.
- 2) In view of above, CE(P) Jodhpur recommended to take action against the contractor under clause 3 i.e. rescinding the contract and to re-invite bid for balance work on risk & cost of M/s Geo Miller and Jayantisuper (JV), New Delhi. During deliberations, CE(P) informed that in order to utilize the infrastructure built under the contract and to achieve the target for providing FHTC as per NJM guidelines, it would be appropriate to rescind the contract under clause 3 of GCC.
- 3) After deliberations, following were decided:
- To authorize CE(P) for action under clause 3 of General Conditions of Contract i.e. rescinding the contract and other actions as per provisions of the Contract. However, it shall be ensured that all actions as per provisions of contract agreement and PWF&AR i.e. all the legal and contractual formalities due to risk and cost clause and all the pending recoveries should be made well in time.
 - To invite fresh bid for the remaining work on the risk & cost of M/s Geo Miller and Jayantisuper (JV), New Delhi as per Annexure XI of PWF&AR and SOP Item no. 36.
 - Action against the firm i.e. M/s Geo Miller and Jayantisuper (JV), New Delhi for debarment for 3 years for doing further business in the department, shall be taken by CE(P) as per the provision under section 46 of RTPP Act, 2012 and as per provisions mentioned in clause VIII.5 of Appendix XVI of PWF & AR part-II
- 4) Decision: Approved to authorize CE(P) for rescinding the contract as per clause 3 of General Conditions of Contract and to permit for inviting fresh bid for remaining work on the risk & cost of M/s Geo Miller and Jayantisuper (JV), New Delhi as per Annexure XI of PWF&AR and SOP Item no. 36 . It was decided that action against the firm i.e. M/s Geo Miller and Jayantisuper (JV), New Delhi for debarment for 3 yearsfor doing further business in the department, shall be taken by CE(P) as per the provision under section 46 of RTPP Act, 2012 and as per provisions mentioned in clause VIII.5 of Appendix**


31/5/23

No. :F.3 ()/FC 856/2023-24/1263-1315

Dated: 31.05.2023

Copy forwarded for information and necessary action to the following: -

1. SA to Hon'ble Minister, PHED, GoR, Jaipur.
2. PS to Additional Chief Secretary to GoR, PHED, Secretariat, Jaipur.
3. PS to Additional Chief Secretary to GoR, Finance Department, Secretariat, Jaipur
4. PS to Mission Director, Jal Jeevan Mission, PHED, Rajasthan, Jaipur
5. Accountant General, Rajasthan, Jaipur
6. Joint Secretary-I / II, PHED, GoR, Secretariat, Jaipur
7. Joint Secretary (Exp III), Finance Department, Secretariat, Jaipur.
8. Deputy Secretary, PHED, GoR, Secretariat, Jaipur
9. Chief Engineer (Tech.) & Technical Member, RWSSMB, PHED, Jaipur.
10. Financial Adviser & CAO, RWSSMB, PHED, Jaipur.
11. Chief Engineer (Adm.)/(U & NRW)/(Rural)/(SP)/(JJM)/(QC), PHED, Jaipur.
12. Chief Engineer (P), PHED, Jodhpur / (PMC), RRWS&FMP, PHED, Nagaur.
13. Joint Director, Industries Department, Udyog Bhawan, Tilak Marg, Jaipur.
14. Additional Chief Engineer, PHED, Region(All)
15. Financial Adviser (HQ)/ (JJM), PHED, Jaipur.
16. Chief Chemist, PHED, Jaipur
17. Chief Chemist, JJM, PHED, Jaipur
18. P.R.O., PHED, Jal Bhawan, 2- Civil Lines, Jaipur
19. RCAO-II, Purchase Audit Cell, 2-Civil Lines, Jaipur
20. Guard File.


 31/05/2023
 (Shubhanshu Dixit)
SECRETARY
RWSSMB, JAIPUR