



KERALA STATE ELECTRICITY BOARD LIMITED

(Incorporated Under the Companies Act, 1956)

Corporate Identity No.U40100KL2011SGCO27424

Registered Office: Vydyuthi Bhavanam, Pattom, Thiruvananthapuram-695004, India,

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Abstract

Request for extension of delivery period up to actual date of supply at site without penalty by M/s Toshiba-for supply of 10 nos 8 MVA 33/11 kV Transformers –Approval - Orders issued.

Corporate Office (Supply Chain Management)

B.O.[FTD] No.376/ 2023 (SCM/XT /AEE7/126/2020-21/8MVA/Toshiba) Dated, Thiruvananthapuram 04/08/2023

- Read:- 1) Purchase Order No.SCM.03/2020-21/778 dated 05/05/2021 of the Chief Engineer (SCM)
- 2) Note No.FA/Tender3/33/2023 dated 28/03/2023 of the Financial Adviser.
- 3) Note No.DIRDIT-AE5/2022/6676(3) dated 15.07.2023 of the Chief Engineer (SCM) submitted to the Full Time Directors (Agenda Item No. 26/07/23).

ORDER

Purchase Order read as 1st above was placed for the supply of 10Nos of 8MVA,33kV/11kV 3phase transformer with M/s.Toshiba Transmission & Distribution Systems (India) Pvt. Ltd. Telengana. Scheduled delivery period of the Purchase Order is as shown below.

Item	Qty. (Nos.)	On or before 05/10/2021	On or before 05/11/2021	On or before 05/12/2021
8MVA, 33kV/11kV 3Phase Transformer	10	3	3	4

The firm had completed supply of all transformers. The PO is based on variable price based on IEEMA price variation calculation, applicable if offered inside delivery schedule. The entire supply details are tabulated below.

Sl. No of transformer	Scheduled delivery as per P.O.	Offer date	Actual Supply Date
2344848 -1 st unit	Before 05/10/2021	24/09/2021	25/11/2021
2344849 -2 nd unit	Before 05/10/2021	24/09/2021	28/11/2021
2344850- 3 rd unit	Before 05/10/2021	24/09/2021	22/11/2021
2344851- 4 th unit	Before 05/11/2021	24/09/2021	22/11/2021
2344852-5 th unit	Before 05/11/2021	11/10/2021	05/12/2021

2344853-6 th unit	Before 05/11/2021	11/10/2021	02/12/2021
2344854- 7 th unit	Before 05/12/2021	11/10/2021	23/11/2021
2344855- 8 th unit	Before 05/12/2021	05/11/2021	20/12/2021
2344856- 9 th unit	Before 05/12/2021	05/11/2021	20/12/2021
2344857-10 th unit	Before 05/12/2021	05/11/2021	23/12/2021

All the transformers were offered within the scheduled delivery period and hence updated price as per IEEMA was given, as per purchase condition. But there was delay in delivering the transformers within 15 days from the date of MDCC. M/s.Toshiba Transmission & Distribution Systems(India) Pvt.Ltd. Telengana vide various letters had requested to consider and accept the transformers by condoning the delay and considering site reaching dates as the actual delivery schedule of transformers.

The firm put forward the following points for consideration.

- During 2nd wave of Covid-19, various State Governments had imposed curfews & lockdowns disrupting the supply chain and adversely affecting the production activities. The firm had notified KSEBL the delay due to occurrence of the Force Majeure events, as per PO Cl. No: 19.
- Even then the transformers were offered within delivery schedule. There was marginal delay in delivering the transformers within 15 days from the date of MDCC for which the reasons were beyond the control of the firm as detailed. After receiving the MDCC, the firm had faced difficulties for placement of suitable vehicles due to narrow roadway for the respective sites. For the sake of safe transportation and to avoid the difficulties during unloading they dispatched the transformers, in semi knocked down (SKD) i.e. one main transformer in Taurus & balance loose material in small vehicle.
- During pandemic there were some restrictions for delivering the materials to respective sites and the lorry drivers have to take RT PCR test as per State Government defined guidelines while passing the State borders. If the RT PCR was +ve the lorry was held up for particular days & only after directing new drivers by transporter they were allowed to cross the Borders of various States. This testing for pandemic delayed the consignment in borders.

The above mentioned circumstances led to delay in the delivery of 10 Nos. 8 MVA 33/11kV, 3-phase Power Transformers after issuance of MDCC.

Considering the above, M/s.Toshiba requested to amend the Purchase Order by considering site reaching dates as the actual delivery schedule of transformers by invoking the "FORCE MAJEURE" condition. Hence no penalty or liquidated damages shall be applicable as per the conditions of the contract.

The matter was placed before the Director(D,SCM&IT) and the Director(D,SCM&IT) has directed to place the matter before the Full Time Directors after obtaining remarks of the

Financial Adviser. The remarks of the Financial Adviser was obtained as per note read as 2nd above.

The matter was placed before the Full Time Directors as per note read as 3rd above.

Having examined the matter in detail the Full Time Directors in the meeting held on 26/07/2023 resolved to grant time extension without penalty upto the actual date of supply at site, for 10Nos. 8MVA, 33kV/11kV 3 phase Transformer, against the Purchase Order No. SCM.03/2020-21/778 dated 05/05/2021 placed with M/s.Toshiba Transmission &Distribution Systems(India) Pvt. Ltd.,Telengana, invoking FMC as per Gol orders on account of COVID-19 pandemic, by issuing necessary amendments to the Purchase Order.

Orders are issued accordingly.

BY ORDER OF THE FULL TIME DIRECTORS

Sd/-

Lekha.G
Company Secretary

To
The Chief Engineer (SCM)

Copy to:-

- 1) All Chief Engineers/ The Legal Advisor & Disciplinary Enquiry Officer.
- 2) The Deputy Chief Engineer (IT).
- 3) TA to Chairman & Managing Director / Director (Distribution, Safety, IT & SCM)/ Director (Transmission, System Operation and Planning)/ Director (Generation-Electrical, REES, SOURA, Sports and Welfare) Director (Generation - Civil).
- 4) PA to Director (Finance and HRM).
- 5) Senior CA to Secretary (Administration)
- 6) The Company Secretary, Board Secretariat
- 7) The Library, KSEB Limited/ Stock file.

Forwarded/ By Order



Assistant Engineer