



GOVERNMENT OF KERALA

Abstract

Health and Family Welfare Department - Development of General Hospital, Thiruvananthapuram - Appointment of KIIFCON as Authority Engineer for the project and fixing the roles and responsibilities of Authority Engineer - Sanction accorded - Orders issued

HEALTH AND FAMILY WELFARE (P) DEPARTMENT

G.O.(Rt)No.163/2025/H&FWD Dated, Thiruvananthapuram, 22-01-2025

- Read 1) G.O (Rt)No.1051/2013/H&FWD dated 03.05.2023
- 2) Government letter No.P1/73/2022/Health dated 01.02.2024
- 3) Letter No.WAP/KERALA/SPVH/2024/04/005 dated 13.04.2024 from the Regional Manager, WAPCOS
- 4) Letter No.HFW002-28-MISC-01 dated 27.08.2024 and 07.12.2024 from the Chief Executive Officer, KIIFB

ORDER

As per the Government Order read as 1st paper above, revised Administrative Sanction was accorded for an amount of Rs.207,35,00,000/- for the development of General Hospital, Thiruvananthapuram, with KIIFB assistance. The project is permitted to proceed with EPC mode. Subsequently, as decided in the meeting by the CEO, KIIFB on 27.10.2023, permission was granted to WAPCOS to appoint M/s KIIFCON as the Authority Engineer and to finalize the detailed roles and responsibility of the Authority Engineer adhering to the directions given in the meeting of CEO, KIIFB and on the condition that WAPCOS will be primarily responsible for the engagement of the Authority Engineer as per the terms and conditions agreed upon. In furtherance of the same, KIIFB finalised the roles and responsibilities of the Authority Engineer for the project and forwarded the same to the Government as per the letter read as the fourth paper above.

- 3) Government have examined the matter in detail and are pleased

to appoint 'KIIFCON' as 'Authority Engineer' and to fix the roles and responsibilities of Authority Engineer for the Development of GH, Thiruvananthapuram as outlined below;

I. Appointment of Authority's Engineer

The Authority's Engineer shall be a consulting engineering firm, who shall be appointed by the Authority and shall perform its duties and functions on behalf of the Authority, in accordance-with the provisions of the Conditions of Contract for the Project.

II. Roles and Responsibilities of Authority's Engineer

The Authority's Engineer shall be vested with the authority to make final decisions on the matters specified below, except for item (c) for which the Authority's Engineer shall obtain prior approval from the Authority:

- a. any Extension of Time [EOT].
- b. any Variation in Contract Price,
- c. Termination of the Contract,
- d. decision with respect to curing of major defects and damages which will affect the functioning of the Project,
- e. oversight of Test on Completion and Test after Completion
- f. determination of delays on the part-of the Employer due to which damages are to be paid to the Contractor,
- g. determination in matters of disagreement between the Employer and the Contractor,
- h. any other matter, which falls beyond the power of the Employer.

While carrying out his/her duties under the Conditions of the Contract, the Authority's Engineer shall act impartially and shall not be deemed to act on behalf of the Authority.

III. Authority's Engineer and The Employer

Whenever there is a situation arise to make decisions in the matters mentioned in the Conditions of Contract, where the Authority's Engineers consent or decision is warranted, the Employer shall refer the matter with all supporting data to the Authority's Engineer. The Authority's Engineer shall promptly give his/her decision/response to the matters referred by the Employer.

(1). Authority's Engineer's Determination -

- a. In case of any matter to be agreed or determined under the Conditions of Contract, the Employer's Representative shall proceed to achieve an agreement between the Parties on the matter referred. If the Parties fail to reach an agreement, then the Employer's Representative shall inform the matter to the Employer and the Employer shall refer the matter to the Authority's Engineer, who shall proceed with the provisions of determination.
- b. The Authority's Engineer shall make a fair determination of the matter or Claim, in accordance with the Contract, taking due regard of all relevant circumstances.
- c. Within the time limits for determination specified in the Contract, the Authority's Engineer shall give the Notice to both Parties of determination by the Authority's Engineer. This Notice shall state that it is a "Notice of the Authority's Engineer's Determination" and shall describe the determination in detail with reasons and detailed supporting particulars

(2). Agreement and Determination by Authority's Engineer

However, the Authority's Engineer shall follow the procedure for consultation to reach an agreement in addition to the role of determination of the matter specified below:

- i. Variation, i.e., a change to the Employer's Requirements or the Works, which is instructed as a variation to the Contractor.
- ii. Valuation of works after Termination under any circumstances,
- iii. any Claims, including EOT, additional payment from the Employer to the Contractor, additional payment from the Contractor to the Employer, extension of DLP
- iv. Agreement or Determination of Claims,

IV. Other responsibilities of Authority's Engineer

a) The Authority's Engineer shall assess the case and give his/her recommendation/decision in the matters referred by the Employer. The Employer must refer the matters, including but not limited to the following, to the Authority's Engineer:

- i. dispute between the Parties,
- ii. Extension of Time for completion (EOT),
- iii. failure to pass tests on completion,
- iv. entitlement of extension of Defects Liability Period (DLP),
- v. failure to remedy defects after taking over of the project,
- vi. value engineering i.e. variation proposed by the Contractor,
- vii. notice to correct, in case of Contractor's non-compliance with the obligations,
- viii. notice of intention to terminate the Contract.

b) Upon verification of the bills submitted by the Contractor for payment, the Employer shall forward the verified bills to the Authority's Engineer for vetting.

(By order of the Governor)
Dr. Rajan Namdev Khobragade I A S
ADDITIONAL CHIEF SECRETARY

To:

The Director of Health Services, Thiruvananthapuram
The Chief Executive Officer, KIIFB, Felicity Square (2nd floor),
Opposite A.Gs Office, M.G Road, Statue, Thiruvananthapuram
The Regional Manager, WAPCOS,
The Superintendent, General Hospital, Thiruvananthapuram
The District Medical Officer, Thiruvananthapuram
Finance (Infrastructure) Department
Stock file / Office copy
Copy to:- PS to Hon'ble Minister for Health, Women and Child
Development
PA to Additional Chief Secretary, Health Department
Information Officer, Web & New Media

Forwarded /By order

Section Officer

