

# KARNATAKA SOLAR POWER DEVELOPMENT CORPORATION LIMITED

## GENERAL CONDITIONS & SCOPE OF WORK

- 1.00.00 SCOPE OF WORK  
Shifting, dismantling and re-arranging of DTC, 11 KV & LT lines and arranging power supply to IP sets passing through 2000 MW Pavagada Solar Park in Rayacherlu and Tirumani Villages on TTK basis.
- 1.01.00 The Works will be handled by the Deputy. General Manager (F), KSPDCL and will be assisted by his authorized assistants. The Deputy. General Manager (F), will be responsible through his authorized assistants for monitoring the proper execution of all the works and for measurement of works executed by the contractor.
- 1.02.02 The Bidder shall execute the above works on total Turnkey basis which involves broadly the supply, transportation to work sites, erection, assembly, testing and commissioning of the lines & equipment and returning the released materials to KSPDCL.
- 1.02.03 The details of equipment to be supplied, transported, erected, assembled, tested & commissioned are indicated in price sheets. The quantities indicated in the price sheets are only approximate and may increase or decrease and prices quoted by the bidder are deemed to be valid in spite of such variations in the quantities at the time of award of contract.
- 1.02.04 VOID
- 1.02.05 Any other items not specifically mentioned but which are essentially required for satisfactory performance & completeness of work shall be deemed to be included in the scope of specifications and works and the same shall be executed / carried out by the bidder at no extra cost to the KSPDCL.
- 1.03.00 **STANDARDS:** Unless otherwise stated, all equipment / material to be supplied and used under this contract shall be new. All equipment to be supplied / provided and work to be performed under the specifications shall in general conform to the latest standards including amendments of the B.I standards mentioned under respective equipment heads.
- For materials in respect of which no specifications have been indicated, such materials shall conform to the latest Indian Standard or in its absence, any other international Standard.
- 1.04.00 **GENERAL REQUIREMENTS**
- 1.04.01 Similar parts of any equipment supplied shall be interchangeable.
- 1.04.02 The successful bidder / Contractor shall grant free access to his places to the authorized representative of KSPDCL at all times when the works related to the scope of work are in progress.
- 1.04.03 Inspection and acceptance of any equipment / materials under the specifications by KSPDCL or his authorized representative shall not

relieve the Contractor of his obligations of furnishing / supplying the equipment in accordance with the specifications.

1.04.04 All equipment / materials being supplied by the Contractor shall conform to the Type tests and shall be subject to Routine tests in accordance with relevant standards and invariably the materials has to be inspected by the Deputy General Manager(F), before commissioning of the work.

1.04.05 The KSPDCL reserves the right of getting any field test conducted on completely assembled equipment at site.

1.04.06 The Contractor is fully responsible for the Equipment / Material until the same is handed over to the KSPDCL in an operating condition after commissioning. The Contractor is responsible for the proper maintenance of equipment / material as well as protection of the same against theft, elements of nature, damages etc., while in his custody as well as after erection until the same is taken over by the KSPDCL under due acknowledgment in writing.

1.04.07 The entire works to be executed under this contract will be in stages & requires obtaining Line Clear Permits from BESCO before taking up the works by the Contractor. As such the Contractor shall take all mandatory safety precautions for executing the works & shall obtain line clear permits with the Operational Authorities of the area prior to commencement of works on daily basis.

**1.05.00 ACCEPTANCE OF SUPPLIES**

All or any articles supplied against this contract will be subject to the inspection and approval of the Deputy General Manager (F).

**1.06.00 GENERAL GUIDE LINES FOR WORKS**

1.06.01

**Compliance with Labor Regulations**

- 1) During continuance of the contract, the Contractor and his sub-contractors shall abide at all times by all applicable existing labour enactments and rules made there-under, regulations, notifications and byelaws of the State or Central Government or local authority and any other labour law (including rules), regulations, bye laws that may be passed or notification that may be issued under any labour law in future either by the State or the Central Government or the local authority. The employees of the Contractor and the Sub-contractor in no case shall be treated as the employees of the Owner at any point of time.
- 2) The Contractor shall keep the Owner indemnified in case any action is taken against the Owner by the competent authority on account of contravention of any of the provisions of any Act or rules made there under, regulations, or notifications including amendments.
- 3) If the Owner is caused to pay under any law as Principal Owner such amount as may be necessary to cause or observe, or for non-observance of

the provisions stipulated in the Notifications/ Byelaws/ Acts/ Rules/ Regulations including amendments, if any, on the part of the Contractor, the Owner shall have the right to deduct any money due to the Contractor under this contract or any other contract with the Owner including his amount of performance security for adjusting the aforesaid payment. The Owner shall also have right to recover from the Contractor any sum required or estimated to be required for making good the loss or damage suffered by the Owner.

4) Salient features of some major laws applicable to establishments engaged in building and other construction works:

- (a) Workmen Compensation Act 1923: The Act provides for compensation in case of injury by accident arising out of and during the course of employment.
- (b) Payment of Gratuity Act 1972: Gratuity is payable to an employee under the Act on satisfaction of certain conditions on separation if an employee has completed 5 years service or more or on death the rate of 15 days wages for every completed year of service. The Act is applicable to all establishments employing 10 or more employees.
- (c) Employee P.F. and Miscellaneous Provision Act 1952: The Act provides for more contribution by the Owner plus workers @ 10% or 8.33%. The benefits under these are :
  - i) Pension or family pension on retirement or death, as the case may be.
  - ii) Deposit linked insurance on death in harness of the worker.
  - iii) Payment of P.F. accumulation on retirement/death etc.

**NOTE: It is mandatory on the part of the bidder to have a valid ESI and PF registration. In case, the bidder does not have these, in such case before award of work these registrations shall be obtained and furnished to this office failing which the bid will be rejected.**

- (a) Maternity Benefit Act 1951: The Act provides for leave and some other benefit for women employees in case of confinement or miscarriage etc.
- (b) Contract Labour (Regulation & Abolition) Act 1970: The Act provides for certain welfare measures to be provided by the Contractor to contract labour and in case contractor fails to provide, the same are required to be provided, by the Principal Owner by law. The Principal Owner is required to take Certification of Registration and the Contractor is required to take license from the designated Officer. The Act applicable to the

establishments or contractor of Principal Owner if they employ 20 or more contract labour.

- (c) Minimum Wages Act 1948: The Owner is supposed to pay not less than the Minimum Wages fixed by appropriate Govt. as per provision of the Act if the employment is scheduled employment.
- (d) Payment of Wages Act 1936: It lays down as to by what date the wages are to be paid, when it will be paid and what deductions can be made from the wages of the workers.
- (e) Equal Remuneration Act 1979: The Act provides for payment of equal wages for work of equal nature to male and female workers and for not making discrimination against female employees in the matters of transfer, training and promotions etc.
- (f) Payment of Bonds Act 1965: The Act is applicable to all establishments employing 20 or more employees. The Act provides for payments of annual bonus subject to a minimum of 8.33% of wages and maximum of 20% of wages to employees drawing Rs.3500/- per month or less. The bonus is to be paid to employees getting Rs.2500 per month or above upto Rs.3500/- per month shall be worked out by taking wages of Rs.2500/- per month only. The Act does not apply to certain establishments. The newly set-up establishments are exempted for five years in certain circumstances. Some of the State Governments have reduced the employment size from 20 to 10 for the purpose of applicability of this Act.
- (g) Industrial Dispute Act 1947: The act lays down the machinery and procedure for resolution of industrial disputes, in what situations as strike or lock-out becomes illegal and what are the requirements for laying off or retrenching the employees or closing down the establishment.
- (h) Industrial Employment (Standing Orders) act 1946: It is applicable to all establishments employing 100 or more workmen (employment size reduced by some of the States and Central Government to 50). The Act provides for laying down rules governing the conditions of employment by the Owner on matters provided in the Act and get the same certified by the designated Authority.
- (i) Trade Unions Act 1926: The Act lays down the procedure for registration of trade unions of workmen and Owners. The Trade Unions registered under the Act have been given certain immunities from civil and criminal liabilities.
- (j) Child Labour (Prohibition & Regulation) Act 1986: The Act prohibits employment of children below 14 years of age in certain

occupations and processes and provides for regulations of employment of children in all other occupations and processes. Employment of Child Labour is prohibited in building and Construction Industry.

- (k) Inter-State Migrant Workmen's (Regulation of Employment & Conditions of Service) Act 1979: The Act is applicable to an establishment which employs 5 or more inter-state migrant workmen through an intermediary (who has recruited workmen in one state for employment in the establishment situated in another state). The Inter-State migrant workmen, in an establishment to which this Act becomes applicable, are required to be provided certain facilities such as housing, medical aid, traveling expenses from home up to the establishment and back, etc.
- (l) The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act 1996 and the Cess Act of 1996: All the establishments who carry on any building or other construction work and employ 10 or more workers are covered under this Act. All such establishments are required to pay cess at the rate not exceeding 2% of the cost of construction as may be modified by the Government. The Owner of the establishment is required to provide safety measures at the building or construction work and other welfare measures, such as canteens, first-aid facilities, ambulance, housing accommodations for workers near the work place etc. The Owner to whom the Act applies has to obtain a registration certificate from the Registering Officer appointed by the Government.
- (m) Factories Act 1948: The Act lays down the procedure for approval at plans before setting up a factory, health and safety provisions, welfare provisions, working hours, annual earned leave and rendering information regarding accidents or dangerous occurrences to designated authorities. It is applicable to premises employing 10 persons or more with aid of power or 20 or more persons without the aid of power engaged in manufacturing process.