

**DEVELOPMENT OF A LIQUID BULK CARGO BERTH AT VASCO BAY ON PPP BASIS AT
MORMUGAO PORT**

Reply to prebid queries on RFQ held on 10-03-2017

| Sr No. | Page No | Clause | Provision /clause of RFQ | Bidders Query | Reply |
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| 1 | 6 | | Table of Contents-Appendix IV deals with the format for the Joint Bidding Agreement, whereas it is mentioned in the Table of Contents as 'Guidelines of the Department of Investment'. | | <i>Appendices are revised as follows:</i> Appendix IV – Joint Bidding Agreement Appendix V – Guidelines of the Department of Disinvestment. Appendix VI- Letter from Ministry regarding preventing of monopoly in Major Ports. (Letter attached as Annexure – I) |
| 2 | 6 | 1.1.1 | The Indicated Project Cost is Rs 116.38 crores. | Pl provide a break up of this Estimate. The unit cost taken into account while arriving at the various components of the project cost may also be indicated. | Revised Project cost is Rs. 181 crores (incl IDC) Details attached as Annexure - II |
| 3 | 6 | 1.1.3 | Scope of the Project | The details of total quantity of liquid cargo handled at the existing berths commodity wise during the last five years may please be given. | This is included in attached DPR. |
| 4 | 6 | 1.1.3 | Scope of the Project | What is the extent of land proposed to be allocated for receiving the cargo? For increasing the feasibility of the Project, it is necessary to allocate land along with the Project for building tank farms. Pl provide for the same in the scope of the Project | *Water Area of approx.25000 sq.m including area for approach to the Berth will be made available for construction of POL berth. An approach bund and 15 mt wide road shall be constructed by the selected bidder upto the Port connectivity road as indicated in the drawing. Road width of 15mts shall be |

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| | | | | | inclusive of pipeline corridor /service trench etc. Provision of land of about 4 hectares at Baina , Vasco for setting of Tank farms, excluding elevated road of NH 17B will be made available on tender cum auction basis. (Drg. is attached as Annexure III) |
| 5 | 6 | 1.1.3 | Scope of the Project | What are the average pre-berthing detention and Turn Round Time of the liquid cargo vessels calling on the port? | Pre-berthing detention from April to Feb is 0.40 days Turn around time is 1.79 days |
| 6 | 6 | 1.1.3 | Scope of the Project | Is priority berthing available for liquid cargo vessels in the priority berthing norms of the port? | Yes, under certain conditions. |
| 7 | 6 | 1.1.3 | Scope of the Project | What is the existing Tank Farm capacity, Operator wise available in the back up area. What is the extent of utilization of Tank farms presently? | Please see the details provided in the DPR |
| 8 | 6 | 1.1.3 | Scope of the Project | Are the statutory clearances from the Ministry of Environment and Forests from the environmental, CRZ and Forest angles available and if so till what date they are valid? If not, what is the present status of these clearances? | Obtaining EC and CRZ clearance is the responsibility of the Port. Terms of Reference granted for EIA studies and the studies are in progress. |
| 9 | 6 | 1.1.3 | Scope of the Project | The scope of the Concessionaire includes capital dredging. Normally, capital dredging is carried out by the Concessioning Authority. This may therefore be reviewed. PI also indicate as to who will carry out maintenance dredging. | The capital dredging for the Project, basin and approaches has to be done by the PPP operator / concessionaire. Post monsoon maintenance dredging will be done by the Concessioning Authority |

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| 10 | 6 | 1.1.3 | Scope of the Project | Is any location identified by the port where the residual dredged material could be disposed off? What is the distance involved? | The dredged material has to be dumped at the identified spoil ground which is at approx. 12 km away from the Project site / location. The details will be made available during the RFP stage. |
| 11 | 6 | 1.1.3 | Scope of the Project | Any hydrographic surveys, bathymetry, wind and wave modelling, soil investigations, geotechnical studies, topographic measurement of the area and other geo-technical investigations have been conducted? If so, the information may kindly be shared. | *The bathymetric., soil investigation and other studies carried out by Port will be made available during RFP stage. |
| 12 | 6 | 1.1.3 | Scope of the Project | What are water depths and width of the berthing area and the entrance channel that will be made available? | Minimum Water Depth shall be (-) 14.00 Mtr Sufficient Width for basin and approach is available. |
| 13 | 6 | 1.1.3 | Scope of the Project | What is the proposed construction period for this Project? | The Project construction period shall be 24 months |
| 14 | 6 | 1.1.3 | Scope of the Project | What are the specifications of the berth and the distance and the extent of back up land envisaged in the scope of the project. Please provide layout and cross sections of the Berth and Back up lands. Please also indicate the source location for Electricity and water take off points. | The details of Berth and back up area is provided in DPR. (DPR is attached as Annexure – IV) Additional requirement of land is not considered at this stage, however land admeasuring about 40000 sq.mts. is available at Baina as shown in the sketch. This will be tendered out separately, wherein the selected bidder can participate on tender cum auction. Electricity and water shall be obtained by the PPP operator from the State Govt. from the nearest source. The nearest cable point available is about |

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| | | | | | 2 km from the project location inside port area. The selected PPP operator has to lay cables from existing power supply point. |
| 15 | 6 | 1.1.3 | Scope of the Project | Is trestle structure allowed while designing the berth? | An approach of 15 mts. shall include for erection of trestle structure & to be provided by the selected bidder. Berth loading will be as per IS codes. |
| 16 | 6 | 1.1.3 | Scope of the Project | What are the dimensions and capacities of the designed vessels for this berth? | The approach to the berth shall be dredged upto minimum of -14.1m depth to cater to 85000 DWT ships. |
| 17 | 6 | 1.1.3 | Scope of the Project | Are there any plans to increase the draft at the berth and in the approach channel in future to accommodate bigger size vessels? If so, what are the plans and timelines in this regard? | The approach channel upto the inner turning circle will be dredged by the Port upto -19.80 mts., within one year's time. |
| 18 | 6 | 1.1.3 | Scope of the Project | Will the tranquility conditions available at the berth be within the permissible limits? | The mathematical model and hydrological studies are in progress and will be made available during RFP stage. |
| 19 | 6 | 1.1.3 | Scope of the Project | Pl indicate the details of road and rail evacuation facilities available for the cargo | The approach road connecting the flyover inside berth no 11 will be constructed by Port. No rail evacuation facilities is proposed. |
| 20 | 6 | 1.1.3 | Scope of the Project | It is presumed that exclusivity for the entire 30 year concession period will be available at this berth for handling liquid cargo. Pl confirm. | It will be a common user facility for handling liquid cargo/POL. There will be no exclusivity. |
| 21 | 6 | 1.1.3 | Scope of the Project | Pl. confirm that there are no pending litigation/arbitration cases in respect of this Project or in respect of the previous concession for this Project. | MOU signed with the State Govt. and stake holders for settlement of encroachers and for infrastructure development. As of now, there is no litigation with respect to development |

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| | | | | | of POL Jetty. |
| 22 | 6 | 1.1.3 | Scope of the Project | It says that an applicant shall be liable for disqualification if any legal, financial or technical adviser of the Authority in relation to the Project is engaged by the Applicant. Please indicate the names of the legal, financial and technical advisers of the Authority in relation to this Project. | This shall be provided to the successful bidder at the concessioning / Agreement stage Technical Consultant for DPR is – M/s Aarvee Associates Port has selected M/s. Gianander Associates as Transaction Advisor. |
| 23 | | 3.2.6 | | It is mentioned that Applicant's Experience Score shall be measured and stated in terms of an Experience Score and different weightages have been prescribed for different Categories of the Project. This provision is not in line with the provisions of the PPP Documents in the port sector. There is no experience score prescribed in the PPP Documents presently prescribed by major ports. This provision may therefore be deleted. | The tender condition shall prevail |
| 24 | | 3.2.7 | | This provision relating to weightage for OECD countries has been deleted in the latest RFQ Documents prescribed by major ports. This may therefore be deleted | The tender condition shall prevail |
| 25 | | 3.5.1 | The credentials of the eligible applicants shall be measured in terms of their Experience Score. The sum total of the Experience Scores for all Eligible Projects shall be the 'Aggregate Experience Score' of a particular Applicant | This provision has been deleted by Government/major ports in the current RFQ Documents. This provision may therefore be deleted. | The tender condition shall prevail |

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| 26 | | 3.5.2 | The Applicants shall be ranked on the basis of their respective Aggregate Experience Scores and shortlisted for submission of Bids. | Under the PPP Procedures approved by the government and followed in major ports, there is no question of any ranking of bidders at the RFQ stage. This provision may therefore be deleted | The tender condition shall prevail |
| 27 | | | Appendix I-Annex II Experience Score has been mentioned in the last column | The last column and the relevant notes pertaining to Experience Score under this Annex need to be deleted in view of the position explained above | The tender condition shall prevail |
| 28 | | | Appendix I- Annex II Technical capacity of the Applicant- It is mentioned that in case of conversion of other currency into rupees, conversion rate on the date two months prior to the last date of submission of RFQ Application should be applied. | It is our experience that many times the last date for submission of application keeps changing at the last minute and the documents need to be revised again and again. It is better to indicate a definite date for conversion, say, 14 February 2017. | Tender condition prevail. |
| 29 | | | Under Appendix IV, it is mentioned that for a Joint Bidding Agreement executed and issued overseas, the document shall be legalised by the Indian Embassy and notarized in the jurisdiction where the Power of Attorney has been executed. | In case there is a consortium member from outside India, normally the Joint bidding Agreement is executed and issued in India and sent to the foreign consortium member for signatures. In that case, pl confirm that there is no need for the Document to be legalized by the Indian Embassy and notarized abroad. | The prevailing rules shall govern. |
| 30 | | | Security Clearance | In the RFQ documents issued by other major ports, the format of Security Clearance is enclosed as Appendix VI of the RFQ Document. This may be added to the RFQ Document. | The security clearance format shall be submitted separately along with RFQ document |

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| 31 | 6 | Cl. 1.1.1, 1.1.3 | | Considering capacity of 2MMTPA of the berth and future growth of the cargo, storage of the liquid should also be included in the project scope and Mormugao Port Trust (MPT) should provide land for the purpose. 25 acres of land will make the project attractive, but in any case at least 10 acres of land should be provided. Kindly confirm whether any backup land for development of liquid storage tanks will be provided for the project. | The back up area is sufficient for providing fire fighting installation. Regarding additional area you may refer Sl. No. 4 of the pre-bid. |
| 32 | 6 | Cl. 1.1.1, 1.1.3 | | Please share the details of how the berth will be connected to the existing tankages in the Port in order to enable unloading / loading of cargo | The tentative pipeline connectivity route will be indicated during RFP stage. |
| 33 | 6 | Cl. 1.1.1, 1.1.3 | | We understand that the Port will provide Right of way (ROW) for connecting the berth to the existing liquid storage tanks and tanks to be developed in the future in the Port area. PI confirm | ROW for routing of pipeline within the Port areas will be provided , however the selected bidder shall make his own arrangement for laying pipelines routing through the private properties/ other ownership. Necessary permissions from the state/central agencies shall be obtained by the operator. The Port will issue necessary recommendatory letter. |
| 34 | 6 | Cl. 1.1.1, 1.1.3 | | As Tender envisages handling of all types of liquid we understand LNG will also be allowed to be handled . Please | All types of POL products can be handled subject to statutory clearances. Provision to handle LPG |

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| | | | | confirm | and LNG will be intimated during RFP stage after getting in- principle approval from CCOE. |
| 35 | 6 | Cl. 1.1.1, 1.1.3 | | Whether any risk assessment study undertaken to check feasibility of handling POL / Chemicals/Veg/OIL/LPG/LNG at the proposed location | Risk assessment studies is the responsibility of the selected bidder. |
| 36 | | | | Provide the value of the Performance security to be submitted by bidder and also consider the Bank Guarantee in lieu of the same | Performance security to be provided at the RFP stage. Bank Guarantee will be accepted. |
| 37 | | | | Period of concession to be provided | 30 years including construction period. |
| 38 | | | | In Appendix I (Annex II) under column “ revenues appropriated from eligible projects in categories 1 & 2 “ we request Port to provide details of Number of years of Revenue to be consider under this column | Number of years to be considered is Five (5) financial years preceding the Application due date. Pl see the corrigendum as regard to the qualification criteria due the revision of the Project cost. |
| 39 | | | | Is there minimum guaranteed throughput to be committed by concessionaire ? How will be tariff fix ? | The details of Minimum Guaranteed throughput will be provided during the RFP stage. The tariff will be fixed by TAMP based on the revenue model proposed by the Port and in consultation with the stakeholders. |
| 40 | | | Scope of work Capital Dredging | We request the Port Authority to indicate the volume of capital dredging required to be carried out alongside the | The total dredging quantity is assessed on approx.. 5.00 lakh cu.m |

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| | | | | berth and the approaches | |
| 41 | | | The party getting the job of developing POL berth can deny any other party for laying their pipelines at POL jetty? | | The berth will be a common user facility. Confirmed that any party getting the tender cannot deny other parties from laying their pipelines at the POL Jetty. Rights for the existing POL operators needs be retained. |
| 42 | | | | If any bunker supplier is loading their barge at proposed POL jetty & supplying the bunker at any other berth then the supplier will pay the revenue charges to MPT or the party occupying the POL Jetty. | Handling charges will be levied at single point. Necessary bunkering facilities near the passenger jetty will be provided by the PPP operator |
| 43 | | | | Provision of liquid handling at proposed POL jetty. | Provision of two nos unloading arms is considered in the revised cost. . |
| 44 | | | | Statutory clearance for new Jetty. 1)Environment clearance 2)PESO 3)CRZ | CRZ and EC clearance will be obtained by Port. However obtaining PESO clearance and any other statutory clearance is the responsibility of the concessionaire. |
| 47 | | | | Wreck removal | Confirmed that the wreck will be removed by Port before the award of work to the selected bidder and its cost is excluded from the revised estimate. |
| 48 | | | Integrity pact | We have been participating and submitting the RFQ applications at various Major Ports for various projects. We observe that the Applications are required to be signed and submitted by the Authorized Signatory through a Power of Attorney for signing of Application. Hence, the authorized signatory of the Application will only be | Authorized signatory can sign pre-contract Integrity pact. |

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| | | | | <p>the authorized signatory of the pre-contract integrity pact also since the said pact will also be the part of the Application only. However, the pro-forma provided by MPT for Integrity Pact places the CEO of the bidder entity as the signatory of the pre-contract integrity pact which contradicts with authorization of an official through Power of Attorney for signing of RFQ Application</p> | |
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