

Kolkata Port Trust
Haldia Dock Complex

Addendum

Tender No.: AD/E/T/Land/10 acres/2016 :: E-Tender No. : KoPT/Haldia Dock
Complex/Admn. Div/3/16-17/ET/214

Clause reference	Original	Amended / revised
Page No.8 Eligibility Criteria of the Tenderer (B)	<p>A) Technical Capability</p> <p>i) Must have successfully designed, constructed, operated and managed LNG Storage Facilities with cumulative storage capacity of minimum 20000 CBM and the said facilities are in operation for a period of 5 years preceding the date of submission of the tender.</p> <p>ii) Must have operational experience in transporting LNG through Marine Vessels, including loading and unloading for a period of 5 years preceding the date of submission of the tender.</p> <p>iii) Must have a valid Memorandum of Understanding (MOU) / Memorandum of Supply Purchase Agreement (MSPA) with a LNG supplier for securing supply of LNG.</p>	<p>A) Technical Capability</p> <p>i) For showing technical capability and experience, the tenderer shall, over the past 5 financial years preceding the date of submission of the tender have :-</p> <p>(a) Paid for or received payments for construction of the eligible project; and / or (b) Collected and appropriated revenues from operation of the eligible project</p> <p>Note- (1) Eligible Project means LNG storage facilities with storage capacity of minimum 20000 CBM and the said facilities are in operation for a period of 5 years preceding the date of submission of the tender.</p> <p>(2) The tenderer (including consortium members) shall submit certificates from its statutory Auditors in support of their technical capability as per (a) and / or (b) above. The said certificate shall be given as per format at Annex-‘G’</p> <p>(3) In case the tenderer (or the consortium members) does not have any operation and maintenance experience of LNG terminal, it shall submit an undertaking that in the event of becoming the successful tenderer, it shall enter into an Agreement for entrusting the O&M obligations to an entity having the required experience. The said undertaking shall be enclosed along with the techno commercial bid.</p> <p>ii) Must have operational experience in transporting LNG through Marine Vessels, including loading and unloading for a period of 5 years preceding the date of submission of the tender.</p> <p>iii) Must have a valid Memorandum of Understanding (MOU) / Memorandum of Supply Purchase Agreement (MSPA) with a LNG supplier for securing supply of LNG.</p>

<p>Page No.11 (MGT) (g)</p> <p>(h)</p>	<p>The above stipulation of handling of Minimum Guaranteed Cargo per annum and recovery of cargo related charge/ shortfall, if any, shall come into effect after completion of 3 (three) years from the date of commencement of lease (i.e.date of handing over possession of the concerned land on observance of the required formalities) and shall remain in force throughout the lease period thereafter. Accordingly, Bank Guarantee referred to above shall have to be submitted before commencement of the 4th year of the lease.</p> <p>It is obligatory on the part of the lessee to achieve the MGT every year (from 4th year of lease onwards) during the lease period.</p>	<p>The above stipulation of handling of Minimum Guaranteed Cargo per annum and recovery of cargo related charge/ shortfall, if any, shall come into effect after completion of 4 (four) years from the date of commencement of lease (i.e.date of handing over possession of the concerned land on observance of the required formalities) and shall remain in force throughout the lease period thereafter. Accordingly, Bank Guarantee referred to above shall have to be submitted before commencement of the 5th year of the lease.</p> <p>It is obligatory on the part of the lessee to achieve the MGT every year (from 5th year of lease onwards) during the lease period.</p>		
<p>Page No.14 Validity of Offer (O)</p>	<p>The offer shall remain valid for acceptance for a period of one year from the date of opening of Techno Commercial Part of the tender.</p>	<p>The offer shall remain valid for acceptance for a period of six months from the date of opening of Techno Commercial Part of the tender.</p>		
<p>Page No.15 Project Related Information (B) i)</p>	<p>The tenderer shall submit a Detailed Project Report prepared by Consultant to supplement the above details. As per Annexure – ‘E’ i.e. project related information.</p>	<p>The tenderer shall submit a Detailed Project Report or Broad Feasibility Report prepared in house or by a Consultant to supplement the above details. As per Annexure – ‘E’ i.e. project related information.</p>		
<p>Page No.15 A)</p>	<p>Test of Responsiveness :</p> <p>...</p> <p>...</p> <p>....</p> <p>x)....</p> <p>.</p>	<p>Test of Responsiveness:</p> <p>x).....</p> <p>xi) Certificate demonstrating technical capability along with undertaking- Annexure –‘G’</p>		
<p>Page No.2 Last date of submission of EMD & Bid Document fee, Date of starting and closing for submission of Techno-commercial Bid & Price Bid</p>	<p>h) Last date of submission of EMD & Bid Document fee at HDC.</p> <p>i) Date of Starting of e-Tender for submission of on line Techno-Commercial Bid and price Bid at .</p> <p>j) Date of closing of online e-tender for ‘ submission of Techno-Commercial Bid & Price Bid.</p> <p>k) Date & time of opening of Part-I (i.e. Techno-Commercial Bid) Date of opening of Part II i.e. Price Bid shall be informed separately</p>	<p>25.10.2016 upto 13.30 hrs.</p> <p>17.10.2016 from 10.00 hrs</p> <p>25.10.2016 at 14.30 hrs.</p> <p>25.10.2016 after 16.00 hrs.</p>	<p>h) Last date of submission of EMD & Bid Document fee at HDC.</p> <p>i) Date of Starting of e-Tender for submission of on line Techno-Commercial Bid and price Bid at .</p> <p>j) Date of closing of online e-tender for ‘ submission of Techno-Commercial Bid & Price Bid.</p> <p>k) Date & time of opening of Part-I (i.e. Techno-Commercial Bid) Date of opening of Part II i.e. Price Bid shall be informed separately</p>	<p>16.11.2016 upto 13.30 hrs.</p> <p>09.11.2016 from 10.00 hrs.</p> <p>16.11.2016 at 14.30 hrs.</p> <p>16.11.2016 after 16.00 hrs.</p>

Annex - G

Tender No. : AD/E/T/Land/10 acres/2016

E-Tender No. : KoPT/Haldia Dock Complex/Admn. Div/3/16-17/ET/214

Certificate demonstrating Technical Capability

Based on the Books of Account and other published information authenticated by(name of the tenderer / consortium members), the following details are certified:-

Item	Particulars
The details of eligible project (including storage capacity) for which technical capability is demonstrated	
Payments received in construction of eligible project	
Payments made in construction of eligible project	
Revenue received and appropriated in operation of eligible project	
Entity for which the eligible project was constructed	
Location of the eligible project	
Project Cost	
Date of completion/ commissioning of the project	
The number of years for which the eligible project is in operation	

Note – In case the technical capacity is sought for multiple projects, this certificate shall be given for all such projects.

Name of the Audit Firm

Name and designation of the Signatory

Seal of the Audit Firm

Reply to the Queries and Clarification furnished by HDC, KoPT

Allotment of KoPT land msg. about 40468.55 sq. mtrs. or 10 acres in the Industrial Zone of Haldia Dock Complex at Haldia on "as is where is" basis for setting up of LNG Terminal with storage & distribution facilities through tender-cum-auction.

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Sl.	Reference	Clause	Clarifications Sought/ Queries	Clarification furnished by HDC, KoPT
1	Page No.8. A) Particulars of land :(iv)	The lessee shall have to utilize the land for setting up of LNG Terminal. The lessee shall have to utilize the land within a period of 24 months from the date of commencement of lease (i.e. date of allotment of land).	i) What is the definition of "utilization of land" within 24 months from date of commencement of lease? ii) Whether the limit of 24 months can be extended to at least 36 month?	i) Utilization of land means that the lessee should commence construction of project within 24 months from the date of handing over physical possession of land to the lessee i.e. from the date of allotment of land. ii) No, this is as per the existing Land Policy Guidelines issued by Ministry of Shipping.
2	Page – 8 A) Particulars of land	Period of lease – 30 years without any option for renewal.	Project is expected to have long gestation period. Hence, it was requested to provide suitable option for renewal.	Provision for automatic renewal of lease after expiry of the initial lease period is not permissible as per the existing Land Policy Guidelines issued by Ministry of Shipping.
3	Page No.9 Financial capability 4(d)	Members of the Consortium shall enter into a Memorandum of Understanding (MoU) for the purpose of participating in the instant tender and implementing the project thereafter in case of becoming the successful tenderer. MoU shall also convey the intent to form a Joint Venture Company which shall enter into the lease agreement with the Port in respect of the concerned land as also to implement and operate the project thereon. The MoU shall clearly contain a statement that all members of the Consortium shall be liable and responsible jointly and severally towards execution of the proposed project on the demised land and complying with all the provisions of the	Whether all consortium members need to be part of the 'Joint Venture Company'?	Yes, as per tender clause all consortium members should be part of the 'Joint Venture Company' to be formed for implementing this project.

		lease.		
4	Page No.11 MGT (H)	“Each participating tenderer shall have to keep the Minimum Guaranteed quantum of Traffic (MGT) for 2,00,000 MT of Liquefied Natural Gas (LNG) for the concerned land for which the tenderer is intend to submit their offer”.	Whether unloading of 1,00,000 MT from sea going tankers at HDC and completely reloading the same quantity into Inland Vessels / Trucks shall considered to meet the MGT of 2,00,000 MT?	Quantum of MGT will be calculated taking into account the LNG shift and landed to & from the vessels through jetties of Haldia Dock Complex and stored in the proposed terminal.
5.	Page No.11 MGT (H)	Each participating tenderer shall have to keep MGT of 2,00,000 MT per annum and they shall have to maintain a Performance Guarantee equivalent to cargo related charges as per prevailing Scale of Rates plus applicable taxes in the form of irrevocable and encashable at - Call Bank Guarantee.”	Location at which the call bank guarantee is required to be encashable ?	Bank Guarantee should be encashable at the Branch of Haldia/Kolkata of any scheduled bank.
6.	Page No.11 MGT (H)	The rate of cargo related charges as per prevailing scale of rates as revised from time to time including special rate and taxes as applicable.	i) LNG is not included in KoPT’s scale of rates. Kindly advice cargo related charges for LNG. ii) What are the various proposed charges for MGT.	i) Cargo related charge for LNG would be the same as per the rate applicable for POL / POL Products or any other liquid / gas having a flash point less than 23 degree C (73.4 degree F) if not otherwise specified. The scale of rates applicable for Haldia Dock Complex is available in KoPT website (www.kolkataporttrust.gov.in) ii) Cargo related charges + special rate @5% +Service Tax / GST as applicable.
7.	Page No.11 (MGT) (h)	It is obligatory on the part of the lessee to achieve the MGT every year (from 4 th year of lease onwards) during the lease period.	Whether commencement of MGT to be changed from 5 th year instead of 4 th year in view of long time required for project activities and also long break even period?	Acceded to. Please refer addendum
8.	Page No.12 River draft (J)	Kolkata Port / Haldia Dock being a riverine port, no guarantee of river draft can be given.	What is the present depth available and quantum of annual dredging required and such dredging if required will be on whose account?	At present KoPT is carrying out the dredging for maintaining the navigable channel at river Hooghly. KoPT endeavours to maintain an average draft varying between 6.7 m to 8.1m depending upon neap or spring tide.

9.	Page No.14 Validity of offer (O)	The offer shall remain valid for acceptance for a period of one year from the date of opening of Techno Commercial Part of the tender.”	Whether bid validity period can be reduced to 4 months ?	It is proposed to reduce the bid validity period to six months. Please refer addendum.
10.	Page No.15 Evaluation criteria(B) (i)	The tenderer shall submit a Detailed Project Report prepared by Consultant to supplement Annexure – ‘E’ i.e. project related information.	i) Whether the project report be prepared in house? Or, alternatively date of submission of tender may be extended by 45 days from existing date of submission for preparation of DPR? ii) Can this criteria be relaxed for a broad feasibility report ? iii) What are the expected contents of DPR ?	i) & ii) DPR/ Broad feasibility report prepared in-house shall also be acceptable. Please refer addendum iii) Project details including operational details, quantum of cargo, storage capacity, facility planning, evacuation plan, estimated cost, employment potential, safety and environment protection measures, etc.
11.	Page No.18 Annexure – A Location map		To provide detail map of location including geographical co-ordinates indicating industries / habitation in the vicinity.	A sketch plan of the area concern has been provided in the tender document and the area was shown during site inspection held on 28.09.2016.
12.	Page No.29 Lease Deed Form (9)	THAT the Lessee will not offer the demised land or any portion thereof as Security, either in Court or anywhere, without the prior consent, in writing, of the Trustees.”	To confirm whether the lessee be allowed to create charge on the assets created on the demised land in favour of lenders.	The lessee may be allowed for mortgaging the leasehold interest created by the lessee on the demised land with the approval of KoPT, on such terms and conditions as contained in the existing Land Policy Guidelines issued by the Ministry of Shipping from time to time.
13.	Page No.31 Lease Deed Form (20)	THAT the statutory powers hereafter conferred upon the Trustees, shall automatically apply to the demised land and provisions in that respect shall be deemed to have been incorporated in these presents and the Lessee shall be deemed to have constructive notice thereof.	What are these statutory powers?	Statutory powers that may be imposed by the Statutory authorities in future.

14.	Page No.		<p>i) Whether Sewage connection, water and electricity be provided by HDC during construction of LNG project ?</p> <p>ii) Whether electrical 11 KV inputs from two independent sources be made available for LNG project ?</p> <p>iii) Can the land concerned be made available relatively flat and free from existing construction with +- 500 MM deviation from mean ground level ?</p> <p>iv) Whether it can be certified by HDC that the proposed land is free of any contamination ?</p>	<p>i) There is no Sewage connection. Water may be provided from the KoPT sources subject to feasibility on chargeable basis.</p> <p>ii) KoPT dose not have source for providing 11 KV power. Power supply may be drawn from WBSEDCL source.</p> <p>iii) The land will be provided on 'as is where is' basis after removing the existing structures. However, land development and levelling to be done by lessee.</p> <p>iv) No.</p>
15.			<p>EPC Co. will be a vendor to the bidder, who will bring in the experience of Design, Engineer and Construction of the LNG Storage and Distribution facility, and cannot be asked to become the part of the consortium and share the liabilities with the bidder, as required in the technical qualification.</p>	<p>Technical capability towards eligibility for the tender concerned has been modified. Please refer Addendum</p>
16.			<p>In case the bidder is supported by a financial investor, the bidder will have a commitment of capital from the financial investor, which shall also qualify to meet the financial qualification requirement.</p>	<p>The query is not clear. However, the eligibility of bidder will be as per relevant provisions stipulated in the tender document.</p>