

Response to the queries of RFQ Document for Development of Marine Liquid Terminal-II at Kamarajar Port on DBFOT basis

S.No.	Reference clause No./ Page No.	Existing Provision in the Document	Bidders queries / Clarifications sought	Clarifications by KPL
1.	1.1.1	Development of Marine Liquid Terminal - II at Kamarajar Port on DBFOT basis – Indicative Project Cost is Rs. 393 crores	The Indicative Project Cost is Rs. 393 Crore. Requested to provide breakup of the project cost.	The breakup of the project cost is included in the Feasibility Report which will be provided along with the RFP documents during the RFP stage.
2.	7.2 (b)	<p>Marine Liquid Terminal of 3 MTPA:</p> <p>In November 2004 a concession agreement was signed with Ennore Tank Terminals Private Ltd. (ETTPL) for a 30 year BOT of a marine liquid terminal. The operator has developed a terminal with a cargo handling capacity of 3 MTPA. Cargo being handled comprises of POL, LPG, CBFS, chemicals and others. The terminal was commissioned in January, 2009. Further to meet the demand in the Trade, the BOT</p>	<p>Marine Liquid Terminal of 3 MTPA: 2"° para says: "In order to mitigate the congestion problem of vessels at Marine Liquid Terminal-1, the Licensee Ws ETTPL is proposing to lay additional dock lines (24" and 12") and Marine unloading arms (3 Nos x 12") thereby reducing the vessel waiting time."</p> <p>We would like to know the status of the proposal. Whether the additional facilities as requested is accepted by the Authority or not. Whether the</p>	On approval from the Authority, (KPL) the existing BOT operator proposed to lay the additional docklines and Marine Unloading arms. The expected schedule of commissioning of above facility is by March 2017.

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		<p>operator developed a additional storage tanks, installation of LPG handling equipment as a second Phase.</p> <p>In order to mitigate the congestion problem of vessels at Marine Liquid Terminal-1, the Licensee M/s ETPL is proposing to lay additional dock lines (24” and 12”) and Marine unloading arms (3 Nos x 12”) thereby reducing the vessel waiting time.</p>	<p>said additional facilities are expected to be commissioned or not. If yes, what is the expected schedule of commissioning?</p>	
3.	7.4	<p>5. Captive Oil Jetty by IOCL</p> <p>To meet the growing demand of POL, LPG products and Lube Oil Base stock (LOBS) in bulk in Tamil Nadu and neighbouring states, IOCL is proposing to build a Captive jetty at KPL and the proposed jetty is expected to achieve a capacity of 3</p>	<p>Captive Oil Jetty by IOCL: -To meet the growing demand of POL. LPG products and Lube Oil Base stock (LOBS) in bulk in Tamil Nadu and neighbouring states, IOCL is proposing to build a Captive jetty at KPL and the proposed jetty is expected to achieve a capacity of 3</p>	<p>The Traffic assessment study is the part of the DFR and the same will be provided along with the RFP documents during the RFP stage.</p>

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		<p>MTPA of LPG, POL and LOBS.</p> <p>KPL and IOCL signed the MoU for the Construction of Captive Oil Jetty by IOCL on 30.11.2015. Further, KPL signed the Concession Agreement with IOCL on 09.06.2016. The work will be commenced during last quarter of 2016 and will be commissioned by 2019-20.</p>	<p>MTPA of LPG, POL and LOBS. KPL and IOCL signed the MOU for the Construction of Captive Oil Jetty by IOCL on 30.11_2015. Further, KPL signed the Concession Agreement with IOCL on 09.06.2016. The work will be commenced during last quarter of 2016 and will be commissioned by 2019-20."</p> <p>One of the major customers to be considered for the proposed liquid terminal is IOCL When a captive terminal for IOCL is going to be commissioned in 2019-20, the same would take away major share of the liquid cargo. Remaining cargo to be shared between the existing MLT-I and the proposed MLT-II. Whereas</p>	

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			<p>IVILT-1 is also propose to enhance their capacity by providing additional pipelines and unloading arms. In this context, the potential for the proposed terminal is going to be a big question. Can the Authority share any traffic studies justifying an additional liquid terminal at this juncture?</p>	

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4.	7.9	<p>Siting of the Terminal</p> <p>The proposed MLT – II jetty is planned abutting the southern end of MLT – I. The berthing structure will be offset at a distance of about 135 meters off the North breakwater.</p> <p>Land for Tank Farms</p> <p>33 acres of land is earmarked for tankage facility for MLT-II located north of the existing MLT-I Tank farm.</p>	<p>The location of the proposed Jetty is very close to the approach and we would like to know the tranquility conditions in the area to handle small vessels bringing small parcel sizes like 5000 to 8000 Tonnes. Is there any tranquillity studies conducted to assess the suitability of the site for the proposed terminal? Can we get any study report in this regard?</p>	<p>The Location of the Proposed jetty is in between the existing MLT – I jetty and proposed IOCL captive Berth.</p> <p>Based on the Mooring Analysis Studies conducted by CWPRS during 2015, the Tranquility Conditions for the proposed MLT-II site is within the permissible limits and the same will be shared during the RFP stage.</p>
5.	General		<p>Clearances and Approvals:</p> <p>Is the project obtained all necessary clearances and approvals like environmental clearance, consent to establish, explosive license etc. If not obtained what is the status of the same.</p>	<p>KPL is in the process of obtaining the Environmental Clearance for the Development of Marine Liquid Terminal-II from Ministry of Environment & Forests</p> <p>The Concessionaire shall at all-</p>

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				<p>time maintain valid Applicable permits that may be required for construction and operation of the terminal. The Concessionaire, at its costs shall obtain such Applicable permits from the concerned Government Authorities.</p> <p>The Concessioneing Authority will provide assistance to the extent possible in this regard.</p>

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6.	General		<p>Exclusivity</p> <p>The RFQ document does not provide any information about exclusivity period. We request to consider an exclusivity period of 7 years from the commencement of operations of the terminal. The Concessioneing Authority shall not operate any competing facilities, captive or commercial, during the above exclusivity period.</p>	<p>The information relating to exclusivity period will be provided in the Draft Concession Agreement (DCA) during RFP stage.</p>
7.	General		<p>Right of way for laying pipeline up to Port boundary.</p> <p>In certain cases, to attract the potential customers to the terminal the Concessionaire may have to provide pipelines till the customer's premises outside the port. Similarly</p>	<p>In Clauses 7.8 and 7.9 of RFQ, it is clearly indicated about the length of the pipeline from the MLT-II jetty to the proposed tank farm. Further, 33 acres of land is earmarked for tankage facility for MLT-II located north</p>

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			<p>necessary tank farms may have to be set up outside the Port boundary — at private lands or at lands provided by KPL - for which pipeline connection will have to be provided by the Concessionaire. In this regard, the Concessionaire shall be allowed to lay such pipelines and the Authority shall provide necessary Right of Way (RoW) for the pipelines till the port boundary, as required to meet the above requirements.</p>	<p>of the existing MLT-I tank farm.</p> <p>On need basis, additional pipelines to be provided by the Concessionaire within the port boundary.</p>
8.	General		<p>Exclusivity for pipeline to port boundary</p> <p>We request you to consider exclusivity for at-least 10 years for laying pipelines up to the Port boundary to meet the requirements</p>	<p>The information relating to exclusivity period will be provided in the Draft Concession Agreement (DCA) during RFP stage.</p>

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			as mentioned in the above query No.7. The Concessioneing Authority shall not commission any competing facilities, directly or through any agencies, during the above exclusivity period.	
9.	General		Time for submission of application We kindly request your good offices to provide at-least 2 weeks time for submission of the Application from the date of issuance of clarifications to the queries and amendments, if any	Application shall be submitted before 15.00 Hrs IST on 21.10.2016. (Refer Amendment No.2)
10.	Clause 1.2.9	The Concessionaire will be entitled to levy and charge a pre-determined user fee from the users of the Project.	"Pre-determined user fee" - Please clarify the process for determination of user fee. Can the Concessionaire determine this independently?	Pre-determined user fee shall be levied by the Concessionaire as per the reference tariff which will be finalized as per tariff guidelines and notified by KPL. The proposed reference tariff to

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				be applied by the concessionaire will be provided along with the RFP documents during the RFP stage.
11.	Clause 7.4.5	<p>5. Captive Oil Jetty by IOCL</p> <p>To meet the growing demand of POL, LPG products and Lube Oil Base stock (LOBS) in bulk in Tamil Nadu and neighbouring states, IOCL is proposing to build a Captive jetty at KPL and the proposed jetty is expected to achieve a capacity of 3 MTPA of LPG, POL and LOBS.</p> <p>KPL and IOCL signed the MoU for the Construction of Captive Oil Jetty by IOCL on 30.11.2015. Further, KPL signed the Concession Agreement with IOCL on 09.06.2016. The work will be commenced during last</p>	"Captive Oil Jetty by IOCL" - Please clarify if anyone other than IOCL will be allowed to use the captive oil jetty. Will HPCL & BPCL be allowed to use this jetty?	Not relevant to this RFQ, since the "Captive Oil Jetty by IOCL" is a separate Concession Agreement.

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		quarter of 2016 and will be commissioned by 2019-20.		
12.	Clause 7.8	<p><u>Project Details:</u></p> <ul style="list-style-type: none"> ➤ The proposed jetty will be designed to handle suez max tankers upto 150,000 DWT and LOA is 275mtrs, beam of 48mtr and loaded draft of 16.5mtrs. The jetty will be of conventional type with a service platform, 4 berthing dolphins and 4 mooring dolphins. ➤ 2nos. of Marine unloading arms for handling POL products. ➤ 6nos. of pipelines various diameter starting from 6”to 	Trestle - Does the Concessionaire have to construct a new trestle till the landfall or a shorter new trestle to connect to the existing trestle of MLT-I?	Yes. The Concessionaire will have to construct a new trestle parallel to the existing one in between the existing MLT-I and LNG terminal.

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		<p>24" proposed. The total length of the pipeline upto tankfarm will be about 1.8km on trestle and 2.5km on land.</p> <ul style="list-style-type: none"> ➤ Berth will be provided with Fire fighting systems as per OISD 156. ➤ Tankfarm: Initially 5 x 5000 Kl tanks can be provided which will be able to handle about 0.3 MTPA of products. On need basis, additional tank and pipelines will be provided. ➤ Capital Cost: The block cost estimate for the proposed jetty structure, pipeline trestle top size facilities, tank farm including electrical works, contingencies and PMC works 		

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		<p>out to Rs.393.00 crores.</p> <p>Note: The project details shown are indicative only. However, the successful bidder / Concessionaire has to make own assessment for the design requirement including a continuous berth as per the relevant codal provision within the allotted water front available.</p>		
13.	General		We presume that the Environmental Clearance and other related statutory clearances for the project will be obtained by the Concessioneing Authority. Please confirm. Also please inform status of the Environmental clearance.	KPL is in the process of obtaining the Environmental Clearance for the Development of Marine Liquid Terminal-II from Ministry of Environment & Forests
14.	General		Please provide a list of Cargo groups	LNG is the restricted cargo to be

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			that are allowed to be handled at MLT-II. Are there any restrictions imposed by the Concession Agreement on the cargoes that can be handled at MLT-II?	handled at MLT-II. However, the list of cargo groups which are allowed to be handled at MLT-II will be provided during the RFP Stage.
15.	General		We presume that the Dredging (both Capital and Maintenance) will be the responsibility and scope of the Concessioning Authority. Please confirm	Capital and Maintenance dredging on account of normal siltation will be carried out by KPL. However removal of any obstruction / foreign material in the alongside berth area will be the responsibility of the Concessionaire at his cost and risk.
16.	2.2.3	<p>O&M Experience:</p> <p>In the event that the Applicant does not have such experience, it should furnish an undertaking that is selected to undertake the Project, it shall, for a period of at least 5 (five)</p>	<p>O & M Experience:</p> <p>Is there any eligibility to claim experience under O & M</p>	Refer Amendment No.2

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		years from the date of commercial operation of the Project, enter into an agreement for entrusting its operation and maintenance (O&M) obligations to an entity having the aforesaid experience, failing with the Concession Agreement shall be liable to termination		
17.	7.3	Physical Performance of the port: 2010 -11 to 2015-16	Physical Performance of the port: The Authority is requested to provide the commodity wise break up handled at MLT-I for the past 5 years.	Applicants to ascertain the status.
18.	7.4	Captive Oil Jetty by IOCL To meet the growing demand of POL, LPG products and Lube Oil Base stock (LOBS) in bulk in Tamil Nadu and neighbouring states, IOCL is proposing to build a Captive jetty at	Further expansion of facilities in the port. Item 5 Captive Oil Jetty by IOCL As per the data provided at present	The Traffic assessment study is the part of the DFR and the same will be provided along with the RFP documents during the RFP stage.

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		<p>KPL and the proposed jetty is expected to achieve a capacity of 3 MTPA of LPG, POL and LOBS.</p> <p>KPL and IOCL signed the MoU for the Construction of Captive Oil Jetty by IOCL on 30.11.2015. Further, KPL signed the Concession Agreement with IOCL on 09.06.2016. The work will be commenced during last quarter of 2016 and will be commissioned by 2019-20.</p>	<p>MLT-I is handling close to 4 MMT of POL and liquids.</p> <p>The captive jetty of IOCL is expected to be commissioned by 2019-20 i.e in the next three years. The capacity of this jetty is 3MMTPA.</p> <p>Thus the combined capacity of these two liquid facilities would be 6 MMTPA by 2019-20.</p> <p>Clarification sought</p> <p>How the capacity of 3MMTPA is justified for MLT-II in light of available combined capacity of additional 6 MMTPA by 2019-20.</p>	
19.	7.8	<u>Project Details:</u>	Project Details	The Project details provided in RFQ are indicative only. The

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		<ul style="list-style-type: none"> ➤ The proposed jetty will be designed to handle suez max tankers upto 150,000 DWT and LOA is 275mtrs, beam of 48mtr and loaded draft of 16.5mtrs. The jetty will be of conventional type with a service platform, 4 berthing dolphins and 4 mooring dolphins. ➤ 2nos. of Marine unloading arms for handling POL products. ➤ 6nos. of pipelines various diameter starting from 6”to 24” proposed. The total length of the pipeline upto tankfarm will be about 1.8km on trestle and 2.5km on land. 	<ol style="list-style-type: none"> 1. 6 no of pipelines as specified under project details. Is the quantity is also mandatory or it can vary based on the type and nature of the expected cargo. 2. 2 nos of 24inch pipeline , 1 no 6 inch and one no 8 or 12 inch shall be considered in the fist phase of the project. 3. What is the width of Pipeline corridor to lay the pipelines? 4. Whether the proposed pipeline corridor can accommodate POL and LPG pipelines under the prevailing regulations. 5. Can the tank farm construction be made 	<p>Successful bidder / Concessionaire has to make his own assessment for the design requirement of the terminal as per the relevant codal provisions and the allotted water front available.</p> <p>The Concessionaire to develop</p>

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		<ul style="list-style-type: none"> ➤ Berth will be provided with Fire fighting systems as per OISD 156. ➤ Tankfarm: Initially 5 x 5000 Kl tanks can be provided which will be able to handle about 0.3 MTPA of products. On need basis, additional tank and pipelines will be provided. ➤ Capital Cost: The block cost estimate for the proposed jetty structure, pipeline trestle top size facilities, tank farm including electrical works, contingencies and PMC works out to Rs.393.00 crores. 	optional based on the business requirement?	the minimum number of tank farms as specified in the RFQ. Development of Additional tank farms, will be optional based on business requirement. .

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		<p>Note:</p> <p>The project details shown are indicative only. However, the successful bidder / Concessionaire has to make own assessment for the design requirement including a continuous berth as per the relevant codal provision within the allotted water front available.</p>		
20.	7.9	<p>The proposed MLT – II jetty is planned abutting the southern end of MLT – I. The berthing structure will be offset at a distance of about 135 meters off the North breakwater.</p> <p>Land for Tank Farms</p> <p>33 acres of land is earmarked for tankage facility for MLT-II located north of the existing MLT-I Tank</p>	<p>Proposed location of MLT-II</p> <ol style="list-style-type: none"> 1. What are the distances to be followed as per the prevailing regulations between two jetties handling LPG or LPG & POL simultaneously? 2. What are the actual distances between MLT-I & proposed 	<p>While handling the cargo, the successful applicant / Concessionaire to follow the prevailing regulations as set put by Statutory Authorities.</p> <p>The water front length of 360m earmarked for proposed MLT-II is</p>

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		farm.	MLT-II. Also between MLT-II & IOCL Captive Jetty.	in between the southern edge of existing MLT-I and northern edge of proposed IOCL Captive Oil Jetty. .
21.	General		Type of Cargo RFQ document does not specify the different kind of liquid cargo. Please specify whether all kinds of liquid cargo including LPG and LNG can be handled or not.	LNG is the restricted cargo to handle at MLT-II. However, the list of cargo groups which are allowed to be handled at MLT-II will be provided during the RFP Stage.
22.	1.1.4	Indicative capital costs of the Project (the “ Estimated Project Cost ”) will be revised and specified in the Bidding Document of the Project. The assessment of actual costs, however, will have to be made by the Bidders.	Estimated Project Cost Project cost has been proposed at Rs. 393 Crs but break up of cost is not provided. We request you to provide the break-up of the same into major heads under civil, mechanical, electrical, IT, etc.	The breakup of the project cost is included in the Feasibility Report which will be provided along with the RFP documents during the RFP stage.

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23.	7.6.3 (a) & (b)	<p>Proposed Northern Port Access Road</p> <p>The Government of India conveyed in-principle approval for inclusion of New 4 lane road to provide direct connectivity to Kamarajar Port from NH-5 under NHDP Phase-VII in 2004. A new 4 lane road is proposed from Kamarajar Port to Thatchur on NH-5 with a length of 21.148Kmand a link to TPP Road with a length of 4.35 Km for providing seamless evacuation of cargo from Kamarajar Port.</p> <p>As per the original proposal, this road is an exclusive access controlled road linking Kamarajar Port to NH-5. Accordingly, the Feasibility Report was prepared by NHAI at a total cost</p>	<p>Road and Rail Connectivity</p> <p>RFQ indicates that Port authority developing Northern Road and Rail for cargo evacuation. Please clarify that whether this road and rail network can be used for evacuation of liquid cargo from tank farm for the proposed project.</p> <p>Kindly also advice about the commissioning date of the Northern Rail line.</p>	<p><u>Northern Port access Road</u></p> <p>Northern Port access road is being developed by the Govt of Tamil Nadu and land acquisition is under progress.</p> <p>Presently road connectivity is available for evacuation of liquid cargo from tank farms along with other cargo, the successful bidder/ Concessionaire to use the same.</p> <p><u>Northern Rail Connectivity</u></p> <p>KPL is in the process of assessing the alternate rail connectivity other than the available rail route. KPL is in the process of providing rail connectivity for handling liquid cargo inside the port premises.</p>

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		<p>of Rs.271 crores. As on date, the Government of Tamil Nadu has taken over the project from NHAI during January 2012. Now state Government has finalized the alignment of road and DPR is in the approval stage from State Ministry. This is one of the components of Chennai Peripheral road alignment which is now in the planning stage of State Government. TNRDC is the implementing Agency for the Northern Port Access road.</p> <p>b) Proposed Northern Rail Connectivity</p> <p>KPL initiated action for development of Northern Rail Link connecting north of Minjur to KPL which is</p>		

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		<p>parallel to the proposed Northern Port Access Road. The DFR has been prepared and approval was obtained from Southern Railways during September,2013. KPL appointed a Consultant for the preparation of DPR and obtaining approval from the Railways. The consultant has submitted the DPR and the same has been submitted to Railways for approval during November 2015. Totally 160.46 acres of land is required for the Rail Connectivity. KPL is pursuing with the Highways Department, Govt. Of Tamil Nadu for acquiring of land from the Private Owners and also give Right of Way permission for Govt. Land for construction of the proposed</p>		

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		Northern Rail Connectivity. The project is identified as one of the critical projects for Ponneri node under CBIC.		
24.	2.2.3	<p>O&M Experience:</p> <p>In the event that the Applicant does not have such experience, it should furnish an undertaking that is selected to undertake the Project, it shall, for a period of at least 5 (five) years from the date of commercial operation of the Project, enter into an agreement for entrusting its operation and maintenance (O&M) obligations to an entity having the aforesaid experience, failing with the Concession Agreement shall be liable to termination</p>	<p>Clause of O&M Experience has been specified as given below:</p> <p>O & M Experience: In the event that the Applicant does not have such experience, it should furnish an undertaking that if selected to undertake the Project, it shall, for a period of at least 5 (five) years from the date of commercial operation of the Project, enter into an agreement for entrusting its operation and maintenance (O&M) obligations to an entity having the aforesaid experience, failing which the</p>	Refer Amendment No.2

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			<p>Concession Agreement shall be liable to termination.</p> <p>However, it is observed that there is no specific O&M experience requirement has been specified in the aforesaid clause. It simply starts with <i>“In the event that the Applicant does not have such experience, it should furnish an undertaking...”</i>. However, there is no experience requirement specified and hence, it cannot be assessed whether the Applicant is qualified on O&M Experience itself or it shall need to give an undertaking required in lieu of that. Unless a specific O&M experience is specified, it is not possible to evaluate any Applicant under this</p>	

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			<p>clause.</p> <p>Clause for O&M Experience in the approved Model RFQ is as given below and the same should be used instead of the aforesaid clause.</p> <p>O&M Experience: <i>The Applicant shall, [in the case of a Consortium, include a Member who shall subscribe and continue to hold at least 10% (ten per cent) of the subscribed and paid up equity of the SPV for a period of 5 (five) years from the date of commercial operation of the Project, and has either by itself or through its Associate, experience of 5 (five) years or more in operation and maintenance (O&M) of Category 1 projects specified in Clause 3.2.1,</i></p>	

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			<p><i>which have an aggregate capital cost equal to the Estimated Project Cost¹⁵. In case the Applicant is not a Consortium, it shall be eligible only if it has equivalent experience of its own or through its Associates. In the event that the Applicant does not have such experience, it should furnish an undertaking that if selected to undertake the Project, it shall for a period of at least 5 (five) years from the date of commercial operation of the Project, enter into an agreement for entrusting its operation & maintenance (O&M) obligations to an entity having the aforesaid experience, failing which the Concession Agreement shall be liable to termination]</i></p>	

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25.			Whether PSUs / Consortium of PSU's are exempted from submitting the Bid Security Deposit?	No. All the bidders have to submit the Bid Security as per clause 1.2.4 of the RFQ document.
26.			OMCs (IOC/HPC/BPC) are undertaking major projects like putting up Refineries / expansion of refineries, Construction of major terminals, pipelines, etc., and also operation of terminals / jetties from their own Capital funds and not on PPP model. Whether such projects of PSU OMCs (IOC/HPC/BPC) are considered in Category-1 & 3	Evaluation will be as per the provisions of RFQ. Category 1 & 3 refers to eligible projects in Port sector.
27.			In case the revenue sharing by a bidder is different for different kind of liquid cargo being handled i.e., one revenue sharing rate for POL products and another rate for	As per Clause 1.2.8 of RFQ, bids will be invited for the project on the basis of the % of Gross Revenue quoted by a bidder (Revenue Share) for

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S.No.	Reference clause No./ Page No.	Existing Provision in the Document	Bidders queries / Clarifications sought	Clarifications by KPL
			chemicals, then how the RFP of such bidder will be evaluated?	implementing the project. Hence, commodity/cargo wise revenue sharing does not arise.
28.			Is there a threshold limited on quantity of product to be handled / revenue to be shared with KPL by the successful bidder?	As per Clauses 1.2.5 and 1.2.8 of RFQ, the “Highest bidder” shall be the selected bidder in terms of the basis of the % of the Gross Revenue quoted by the bidder for implementing the project.
29.			Whether 2 chemical / or other vessels of smaller size will be simultaneously berthed for unloading. If yes then what can be the size / type of these vessels considered for berthing simultaneously?	Concessionaire has to make his own assessment while deciding the berthing of vessel as per the codal provisions. However, While handling the cargo, the successful applicant / Concessionaire to follow the prevailing regulations as set out by Statutory Authorities.
30.			Whether common Oil spillage	Details will be provided during

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			protection system is in place at KPL? If yes whether any cost of such system to be borne by the bidder or the same is borne by the Port?	RFP Stage.
31.			Whether combined Rapid risk assessment of the entire Oil jetties (existing + proposed) has been carried out and accordingly the proposed jetty is planned?	No. The respective operators of the Oil jetties have to carry out such assessments.
32.			Whether PESO approval is available for MLT-II?	No. The Concessionaire shall at all-time maintain valid Applicable permits that may be required for construction and operation of the terminal. The Concessionaire, at its costs shall obtain such Applicable permits from the concerned Government Authorities. The Concessioneing Authority will provide assistance to the extent

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				possible in this regard.
33.	Clause 7.8	<p><u>Project Details:</u></p> <ul style="list-style-type: none"> ➤ The proposed jetty will be designed to handle suez max tankers upto 150,000 DWT and LOA is 275mtrs, beam of 48mtr and loaded draft of 16.5mtrs. The jetty will be of conventional type with a service platform, 4 berthing dolphins and 4 mooring dolphins. ➤ 2nos. of Marine unloading arms for handling POL products. ➤ 6nos. of pipelines various diameter starting from 6”to 24” proposed. The total length 	The indicated cost of the project is Rs.393 crores. The facilities considered in this estimate may be advised	The breakup of the project cost is included in the Feasibility Report which will be provided along with the RFP documents during the RFP stage

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S.No.	Reference clause No./ Page No.	Existing Provision in the Document	Bidders queries / Clarifications sought	Clarifications by KPL
		<p>of the pipeline upto tankfarm will be about 1.8km on trestle and 2.5km on land.</p> <ul style="list-style-type: none"> ➤ Berth will be provided with Fire fighting systems as per OISD 156. ➤ Tankfarm: Initially 5 x 5000 Kl tanks can be provided which will be able to handle about 0.3 MTPA of products. On need basis, additional tank and pipelines will be provided. ➤ Capital Cost: The block cost estimate for the proposed jetty structure, pipeline trestle top size facilities, tank farm including electrical works, contingencies and PMC works 		

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S.No.	Reference clause No./ Page No.	Existing Provision in the Document	Bidders queries / Clarifications sought	Clarifications by KPL
		<p>out to Rs.393.00 crores.</p> <p>Note: The project details shown are indicative only. However, the successful bidder / Concessionaire has to make own assessment for the design requirement including a continuous berth as per the relevant codal provision within the allotted water front available.</p>		
34.			<p>Is LPG / LNG is planned to be unloaded in the proposed jetty? Whether bidder can decide on the product mix?</p>	<p>LNG is the restricted cargo to handle at MLT-II. However, the list of cargo groups which are allowed to be handled at MLT-II will be provided during the RFP Stage.</p>
35.			<p>Whether a common Pipeline corridor is made available to take the</p>	<p>No. The Successful Applicant /Concessionaire will have to</p>

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S.No.	Reference clause No./ Page No.	Existing Provision in the Document	Bidders queries / Clarifications sought	Clarifications by KPL
			pipeline from MLT-II to installations outside the port premises?	construct a new trestle parallel to the existing one in between the existing MLT-I and LNG terminal.
36.			Kindly confirm the proposed MLT-II should be designed for a liquid cargo jetty only?	Yes. The present project for construction of MLT- II is to be designed for handling liquid cargo
37.			Has port carried out the Optimum vessel movement study and ensured that the proposed jetty will not be idling for congestion in the channel considering the other jetties awarded / under construction / planned.	No. The Successful Applicant / Concessionaire to ascertain the same.
38.			Will the power and potable water be made available for services as well as F/F system by port at free of cost / chargeable basis at one point in	The details will be provided during the RFP Stage.

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S.No.	Reference clause No./ Page No.	Existing Provision in the Document	Bidders queries / Clarifications sought	Clarifications by KPL
			the proposed premises?	
39.			Will the F/F system of all the liquid cargo jetties be integrated or independent of each other?	To be provided independently by the Concessionaire
40.			Whether the impact of construction of captive jetty / LNG jetty on proposed MLT-II and vice versa? Any study has been done to decide on the construction period?	No. The Selected Bidder / Concessionaire will have to construct the MLT-II without affecting the construction activities of nearby jetty/ structures.
41.	Clause 2.2.3	O&M Experience: In the event that the Applicant does not have such experience, it should furnish an undertaking that is selected to undertake the Project, it shall, for a period of at least 5 (five) years from the date of commercial operation of the Project, enter into an	Can the O&M operation of the jetty be outsourced to 3 rd party after construction of the jetty?	Refer Amendment No.2

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S.No.	Reference clause No./ Page No.	Existing Provision in the Document	Bidders queries / Clarifications sought	Clarifications by KPL
		agreement for entrusting its operation and maintenance (O&M) obligations to an entity having the aforesaid experience, failing with the Concession Agreement shall be liable to termination		
42.			What all approvals already available for this proposed jetty and what all successful bidder has to take?	<p>KPL is in the process of obtaining the Environmental Clearance for the Development of Marine Liquid Terminal-II from Ministry of Environment & Forests</p> <p>The Concessionaire shall at all-time maintain valid Applicable permits that may be required for construction and operation of the terminal. The Concessionaire, at its costs shall obtain such Applicable permits from the concerned Government</p>

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				<p>Authorities.</p> <p>The Concessioneing Authority will provide assistance to the extent possible in this regard.</p>
43.	Clause 3.2.6	<p>Applicant's experience shall be measured and stated in terms of a score (the "Experience Score"). The Experience Score for an "Eligible project" in a given category would be the eligible payments and or / receipts specified in Clause 2.2.2 (A), divided by one crore and then multiplied by the applicable factor in Table 3.2.6 below. In case the Applicant has experience across different categories, the score for each category would be computed as</p>	<p>How the experience score has a bearing on RFQ / RFP?</p>	<p>The experience score will be computed for each category as per clause 3.2.6 of the RFQ document and the applicants experience shall be measured based on the score obtained.</p> <p>The experience score is computed only during the RFQ stage and it has no bearing during RFP. All the applicants meeting the eligible experience will be shortlisted and will be eligible for participation in the</p>

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		above and then aggregated to arrive at its Experience Score.		RFP Stage.
44.			Has the location of the proposed MLT-II jetty fixed with required separation distance mandatory by PESO from existing jetty of ETTPL and proposed IOC Captive and LNG jetty for simultaneous loading / discharge of Petroleum / LPG / LNG vessels at adjacent jetties?	The water front length of 360m earmarked for proposed MLT-II is in between the southern edge of existing MLT-I and northern edge of proposed IOCL Captive Oil Jetty. However, the Successful bidder/ Concessionaire to comply with the applicable regulations stipulated by the Statutory Authority while developing the MLT-II including jetty.
45.			Is it mandatory for the Developer to handle Chemical Cargo in case no jetty capacity is available for Chemical Cargo?	Not relevant in RFQ stage.

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S.No.	Reference clause No./ Page No.	Existing Provision in the Document	Bidders queries / Clarifications sought	Clarifications by KPL
46.	Clause 1.2.8	<p>Bids will be invited for the Project on the basis of the percentage of Gross Revenue quoted by a Bidder (the “Revenue Share”) for implementing the project. The Concession Period shall be pre-determined, and will be indicated in the draft Concession Agreement forming part of the Bidding Documents. The Revenue Share shall constitute the sole criteria for evaluation of Bids. The Project shall be awarded to the Bidder quoting the highest revenue share.</p> <p>In this RFQ, the term “Highest Bidder” means the Bidder who is offering the highest “Revenue share”.</p>	What all components of charges levied by Developer for Cargo Handling would be under the gambit of revenue sharing?	Revenue share is to be quoted on the gross revenue earned by the concessionaire as per the reference tariff given for the liquid handling activity, storage charges and berth hire charges which will be provided along with the RFP documents during RFP stage.

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S.No.	Reference clause No./ Page No.	Existing Provision in the Document	Bidders queries / Clarifications sought	Clarifications by KPL
47.	Clause 7.8	<p>Tankfarm: Initially 5 x 5000 KI tanks can be provided which will be able to handle about 0.3 MTPA of products. On need basis, additional tank and pipelines will be provided.</p>	<p>Is it mandatory for the developer to construct 5 x 5000 KL Tankages initially? Is construction Tankage (5 x 5000 KL) part of block cost estimate of Rs.393 crores</p>	<p>Yes, the cost of construction for 5 tankages has been included in the estimate of Rs.393 crores.</p>
48.	Clause 2.2.2	<p>Technical Capacity: For demonstrating technical capacity and experience (the “Technical Capacity”), the Applicant shall, over the past 5 (five) financial years preceding the Application Due Date, have:</p> <p>(i) Paid for, or received payments for construction of Eligible Project(s); and/or</p> <p>(ii) <i>paid for development of</i></p>	<p>What is the bearing of the “Threshold Technical Capability” in the Evaluation Process?</p>	<p>The Threshold technical capacity refers to the minimum experience that is required to be obtained by the bidder to get prequalified and eligible for shortlisting as per clause 2.2.2 (A) of the RFQ document. If the technical capacity of the eligible projects is less than the Threshold technical capacity, then the bidder will not be considered for pre-qualification</p>

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S.No.	Reference clause No./ Page No.	Existing Provision in the Document	Bidders queries / Clarifications sought	Clarifications by KPL
		<p><i>Eligible Project(s) in Category 1 and/or Category 2 specified in Clause 3.2.1; and/or</i></p> <p>(iii) collected and appropriated revenues from Eligible Project(s) in Category 1 and/or Category 2 specified in Clause 3.2.1,</p> <p>such that the sum total of the above is more than Rs. 786 crore (Rupees Seven Hundred Eighty Six Crore only) (the “Threshold Technical Capability”).</p> <p>Provided that at least one fourth of the Threshold Technical Capability shall be from the Eligible Projects in Category I and/or Category 3</p>		and shortlisting.

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S.No.	Reference clause No./ Page No.	Existing Provision in the Document	Bidders queries / Clarifications sought	Clarifications by KPL
		specified in Clause 3.2.1.		
49.	Clause 2.2.1 (a)	<p>For determining the eligibility of applicants for their pre-qualification hereunder, the following shall apply</p> <p>(a) The Applicant for pre-qualification may be a single entity or a group of entities (the “Consortium”), coming together to implement the Project. However, no Applicant applying individually or as a member of a Consortium, as the case may be, can be member of another Applicant. The term Applicant used herein would apply to both a single entity and a Consortium.</p>	<p>In case IOCL is participating as a consortium member and if one of their JV in which IOC has 48.81% share holding may also submit bid for RFQ. The applicable of eligibility for the bids especially the following aspects may please be clarified:</p> <ol style="list-style-type: none"> 1. As per the term “Member” defined as per clause 2.2.1 (a) of RFQ, no Applicant applying individually or as a member of a Consortium as the case may be, can be member of another applicant. <p>Query: Kindly clarify whether Indian</p>	<p>RFQ Clause 2.2.1 (c) is self explanatory in this regard. However, based on the submission of RFQ documents by the Applicants, the existence of Conflict of Interest can be ascertained.</p>

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			<p>Oil participating as Consortium member and its JV (in which Indian Oil holds 48.81% equity shares) also participating separately would be treated as separate parties and would not be treated disqualified, as per the definition of the “Member” as per clause 2.2.1 (a) of RFQ.</p> <p>2. Conflict of Interest</p> <p>Query: Govt. of India is having majority stake (58.28% share holding) in Indian Oil and Indian Oil is having 48.81% equity in its JV and hence there is no common controlling share holder of both the companies. It may please be clarified that considering the same, if the said JV would be treated as</p>	

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			associate of IOC and whether it would lead to disqualification.	
50.	Clause 1.2.3	<p>In the Bid Stage, the Bidders will be called upon to submit their financial offers (the “Bids”) in accordance with the RFP and other documents to be provided by the Authority, (collectively the “Bidding Documents”). The Bidding Documents for the Project will be provided to every Bidder on payment of Rs.1,68,000 (Rupees One Lakh Sixty Eight Thousand only) inclusive of VAT or \$ 2500 (US Dollars Two Thousand Five Hundred only) inclusive of VAT. The</p>	We presume bidding documents means ‘documents required to be submitted with financial offer in bid stage and the same will be provided to the applicants short listed in qualification stage only. Please clarify’.	Yes. As per clause 1.2.1, at the end of the RFQ stage, the Authority will announce shortlist of suitable prequalified applicants who shall be eligible for participation in the second stage of the process i.e. “Bid stage” comprising Request for Proposal (RFP).

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S.No.	Reference clause No./ Page No.	Existing Provision in the Document	Bidders queries / Clarifications sought	Clarifications by KPL
		Bid shall be valid for a period of not less than 120 days from the date specified in Clause 1.3 for submission of Bids (the “Bid Due Date”)		
51.	Clause 1.2.9	The Concessionaire will be entitled to levy and charge a pre-determined user fee from the users of the Project	We presume ‘user fee particulars will be provided in bidding documents to be supplied for financial offer. Please clarify.’	Yes. Pre-determined user fee shall be levied by the Concessionaire as per the reference tariff which will be finalized as per tariff guidelines and notified by KPL. The proposed reference tariff to be applied by the concessionaire will be provided along with the RFP documents during the RFP stage.
52.	Clause 2.2.2 (A)	Technical Capacity: For demonstrating technical capacity and experience (the “Technical	In absence of Category, we presume (i) Paid for, received payments for construction of Eligible Project(s) in	Clause 2.2.2 (A) clearly indicates the demonstrating of Technical capacity and experience of the

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S.No.	Reference clause No./ Page No.	Existing Provision in the Document	Bidders queries / Clarifications sought	Clarifications by KPL
		Capacity”), the Applicant shall, over the past 5 (five) financial years preceding the Application Due Date, have: (i) Paid for, or received payments for construction of Eligible Project(s);	Category 3 and / or Category 4 specified in Clause 3.2.1. Please Clarify.	Applicant.
53.	Clause 2.2.2 (A)	Technical Capacity	We Presume one fourth of the Threshold Technical Capability from the Eligible Projects in Category 1 and / or Category 3 specified in Clause 3.2.1. need not be only from any one of the member having equity more than 26%, and it can be combined aggregate capacity of all the members of the consortium. Please Clarify.	RFQ document in clause 2.2.2. (B), indicate the following: In case of a Consortium, the combined technical capability and net worth of those Members, who have and shall continue to have an equity share of at least 26% (twenty six per cent) each in the SPV, should satisfy the above conditions of

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S.No.	Reference clause No./ Page No.	Existing Provision in the Document	Bidders queries / Clarifications sought	Clarifications by KPL
				eligibility; provided that each such Member shall, for a period of 2 (two) years from the date of commercial operation of the Project, hold equity share capital not less than: (i) 26% (twenty six per cent) of the subscribed and paid up equity of the SPV; and (ii) 5% (five per cent) of the Total Project Cost specified in the <i>Concession Agreement</i> .
54.	Clause 2.2.2 (B)	Financial Capacity: The Applicant shall have a minimum Net Worth (the “Financial Capacity”) of Rs 98.25 Crores (Rupees Ninety Eight crores and twenty five lakhs only) at the close of the preceding	We Presume one of the member of a consortium having an equity share of more than 26% with negative and other members combindly satisfying the aggregate net worth of Rs. 98.25 Cr. Will be also considered. Please Clarify.	RFQ document in clause 2.2.2. (B), indicate the following: In case of a Consortium, the combined technical capability and net worth of those Members, who have and shall continue to have an equity share

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S.No.	Reference clause No./ Page No.	Existing Provision in the Document	Bidders queries / Clarifications sought	Clarifications by KPL
		<p>financial year. In case of a Consortium, the combined technical capability and net worth of those Members, who have and shall continue to have an equity share</p> <p>of at least 26% (twenty six per cent) each in the SPV, should satisfy the above conditions of eligibility; provided that each such Member shall, for a period of 2 (two) years from the date of commercial operation</p> <p>of the Project, hold equity share capital not less than: (i) 26% (twenty six</p> <p>per cent) of the subscribed and paid up equity of the SPV; and (ii) 5% (five per cent) of the Total Project</p>		<p>of at least 26% (twenty six per cent) each in the SPV, should satisfy the above conditions of eligibility; provided that each such Member shall, for a period of 2 (two) years from the date of commercial operation of the Project, hold equity share capital not less than: (i) 26% (twenty six per cent) of the subscribed and paid up equity of the SPV; and (ii) 5% (five per cent) of the Total Project Cost specified in the <i>Concession Agreement</i>.</p>

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		Cost specified in the <i>Concession Agreement</i>		
55.	Clause 3.2.1.	For the purpose of this RFQ: (i) Port Sector would be deemed to include Marine structures, Onshore and Off-shore Terminals, Berths, Jetties, Quays, Cargo Handling System, Bulk/ Liquid Material Handling System, Port based Terminal Facilities, Container Freight Station / Inland Container Depots. Storage Tanks/ Tank Farms, Conveyors, Pipelines, Warehousing, etc., and	We Presume pipelines meant for drinking water supply / irrigation purpose, warehouse on the land (not related port operations), piloting operations and dredging works will also be considered. Please Clarify.	RFQ Clauses 3.2.1 (i) and (ii) clearly categorizes the eligible projects in Port and Core Sector.
56.	Clause 7.8	The Sagarmala Consultant M/s. AECOM, the consortium member of Mc Kinsey who has been appointed by Ministry of Shipping submitted the Technical	Request to provide the copy of same so that it will be useful for our guidance purpose.	The Feasibility Report will be provided along with the RFP documents during “RFP stage”.

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S.No.	Reference clause No./ Page No.	Existing Provision in the Document	Bidders queries / Clarifications sought	Clarifications by KPL
		Note for setting up of Multi User Liquid Terminal-II during December 2015.		
57.	General		Data on Bore Hole at the present location of MLT- II.	The available details of Marine Bore holes in the basin area will be provided during the RFP Stage.
58.	Clause 3.2.4	For a project to qualify as an Eligible Project under Categories 3 and 4, the Applicant should have paid for execution of its construction works or received payments from its client(s) for construction works executed, fully or partially, during the 5 (five) financial years immediately preceding the Application Due Date, and only the payments (gross) actually made or received, as the case may be, during such 5 (five) financial years shall qualify for purposes of computing the Experience Score. However, payments / receipts of less than Rs.78.60 crore (Rupees Seventy Eight crores and Sixty lakhs only)	Oil Marketing Companies (OMCs) carries out its several project of construction of cross country pipelines and terminals to meet their Infrastructure needs. Each project is constructed under specific project name and the estimated cost of project is appropriated under one code called AR No. The total project cost includes the supply items like Line Pipes, Steel plates for storage tanks, valves etc and the cost of	RFQ Clause 3.2.4 is self explanatory for considering the supply of construction materials for the eligible project.

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S.No.	Reference clause No./ Page No.	Existing Provision in the Document	Bidders queries / Clarifications sought	Clarifications by KPL
		shall not be reckoned as payments / receipts for Eligible Projects. For the avoidance of doubt, construction works shall not include supply of goods or equipment except when such goods or equipment form part of a turn- key construction contract / EPC contract for the project. Further, the cost of land shall not be included hereunder.	works. However to manage the time and cost effectively, OMCs issues various work orders like supply of Line pipes, supply of steel plates, valves and works separately to different vendors. With reference to the Clause 3.2.4 of RFQ, clarification is requested whether the cost of procurement of steel plates, pipes, valves and other construction materials for the specific project directly by OMCs and issued to the contractor for execution of job, will form the part of payment for eligible projects.	
59.	Clause 2.3.5	Notwithstanding anything to the contrary contained in sub-clause (c) (i) of Clause 2.2.1, an Applicant may, within 10 (ten) days after	RFQ clause 2.3.5 (Pg-13/14) of the RFQ document which says "Notwithstanding anything to the contrary contained in sub-clause	RFQ Clause 2.3.5 is self explanatory.

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S.No.	Reference clause No./ Page No.	Existing Provision in the Document	Bidders queries / Clarifications sought	Clarifications by KPL
		the Application Due Date, remove from its Consortium any Member who suffers from a Conflict of Interest, and such removal shall be deemed to cure the Conflict of Interest arising in respect thereof.	(c) (i) of Clause 2.2.1, an Applicant may, within 10 (ten) days after the Application Due Date, remove from its Consortium any Member who suffers from a Conflict of Interest, and such removal shall be deemed to cure the Conflict of Interest arising in respect thereof". How and when the Applicant will be informed about the "Conflict of Interest" contained by any of the Consortium member as applied for? Will Kamarajar Port Limited inform the same? If so, with in how many days after the Application Due date?	
60.	Appendix-VII		Refer Appendix-VII of the RFQ document reads as SECURITY clearance and the Self Declaration for Company of Director(s) for whom Security Clearance is sought. Clarify for whom this APPENDIX-VII is applicable	Appendix-VII to be submitted by all the Applicants during RFQ submission.