

CLARIFICATION / ADDENDUM DATED 19.01.2023

Interested bidders are requested to take note of the following clarifications in respect of the EOI. No. **SMP/KDS/LND/MMLP-EOI /41-2022** dated **01.11.2022**

Clarification against query from the prospective bidders

Sl. No.	Queries of Bidders	Clarification
1	The port is offering 3 sites with a total area of ~ 59 acres. Does the bidder have the flexibility to quote for any single site or is it mandatory to quote for all the 3 sites?	Mandatory to quote rate for the total area .
2	Please provide us the basis of arriving at the rates of Rs. 16.43 Cr. of Annual Reserve Rent & Rs. 362 Cr. on Upfront premium. Will the applicant have to pay both the charges?	The rates have been arrived at from the Schedule of Rent for SMPK. The bidder will have the option of paying either upfront for the entire period of lease or on Annual rent basis. Upfront amount will be calculated from the prevailing G-Sec rate of RBI with multiplying factor.
3	Please confirm that the port shall handover the land free from any encumbrances, encroachments and legal disputes & claims?	Will be handed over the land free from legal disputes on as- is- where –is basis.
4	Please confirm that the port shall handover the land free from any encumbrances, encroachments and legal disputes & claims?	Will be handed over the land free from legal disputes on as- is- where –is basis.
5	Please provide the plan for connecting (through rail/road) all the sites with the port.	Drawing showing connectivity already Attached along with EOI Notice.
6	Please clarify whether the scope of development of railway siding at Site 1 would fall under the responsibility of the port. Also, how is the siding going to be connected to main the Indian Railway network?	The port has given a conceptual idea of the layout of the siding. Scope of development of railway siding has not been envisaged to fall under the responsibility of SMPK. The MMLP operator is at liberty to develop the siding at Site No.1 as per their requirement. The siding will be connected with the main line (Sealdah – Budge Budge) through Port

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		interchange point at EJC Yard.
7	As per the railway standards the minimum platform length to be considered is 650m; however; the port has proposed for a platform length of 560m. Kindly clarify?	The Plan of Site-I showing proposed railway siding may kindly be perused. Due to restriction of land for a length of about 85m, the total length of platform adjoining the railway line No. 1 has been shown in two parts i.e. 560m + 140m. Each BLCA unit consists of 5 flat wagons of 70m length. 8 BLCA units can be placed in the 560m stretch and 2 BLCA units can be placed in the 140m stretch by cutting the units accordingly. BCN and BOXN wagons can also be placed similarly by cutting individual wagons as per requirement.
8	Is there any demarcation available for handling & storage of EXIM & domestic cargo/containers?	No demarcation for EXIM & domestic cargo/containers is presently available since it is a greenfield project outside the Custom Bonded area of the Docks. Demarcation, if required, will be according to the requirement of the party after due permission is obtained from Customs Authority for EXIM cargo/containers as in the case of off-dock CFSs. Port will extend its assistance in dealing with Customs, if required.
9	Please confirm whether the sites will be handed over to the applicant on as is where is basis or the old super structure will be demolished prior hand over to the applicant?	will be handed over to the applicant on as is where is basis
10	It is provided that the value of existing structures amount to a total of Rs. 3.77 Cr.; however, the breakup provided in page no. 11 & 12 shows a grand to total of Rs. 8.39 Cr. Request you to clarify the same.	Sketch showing structures and break up is to be uploaded through a separate Addendum soon.
11	Please provide the clarity on obtaining customs permissions for handling of EXIM volumes? Also provide the regulatory framework from the port in case the of cargo	This has to be sorted out through interaction with the Customs, as and when such requirement of handling EXIM cargo comes up.

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	transshipment from the MMLP to the neighbouring countries like Nepal & Bangladesh.	
12	Request the authority to accept the EOI applications without the details of clause no. 4, 5 & 6 in Annexure1, as the same is not possible to be provided at this stage without conducting any feasibility study.	A brief of the project proposal to be shared at EOI stage only
13	We understand from the documents that the three sites proposed are to be done by a single bidder. All these three sites are at different spines and management of three will need three major infrastructure investments apart from development. It would be prudent if you allow us to bid for three different parcels in three different bids.	Mandatory to quote rate for the total area .
14	There is a huge investment for development of these sites and will take 2-3 years to develop the same including sanction of plans from KMC. Starting rent from day 1, will make the project in a difficult situation. Hence request to give a moratorium of rent for 2 years at least for development and thereafter the rent can start.	No
15	The development of almost 40 acres of land (approx.- taking 3 sites) into a multi modal logistics hub of Grade A will need at least Rs 360 cr. of investment. Hence recovery of the same within 30 years from an investment perspective will be unviable for a 30 years tenure as because infrastructure projects have a longer tenure returns.	Since it is at EOI stage, query has been noted by SMPK Authority.
16	The land preparedness from KOPT on the time of handover should be in a condition to	Land will be handed over on as is where basis is. SMPK will furnish NOC for obtaining

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	start of the construction immediately.	permission of construction from the appropriate authorities.
17	Considering the least at 60 years (30+30) with auto renewal after initial lease period of 30 years since the investment stake is high and will need time to recover. (Same as 15)	Since it is at EOI stage, query has been noted by SMPK Authority.
18	Removal of existing structure of the proposed sites before handover. None of the existing structures are suitable for a new investment for MMLP.	Since it is at EOI stage, query has been noted by SMPK Authority.
19	Removal of the shown existing petrol pump at site no.3 and placement of a gate for protection of any unauthorised entry/ parking. This need to be gated by KPT only.	Action is being taken for shifting of petrol pump
20	To share the AutoCAD drawings for all 3 proposed sites for better understanding along with proper scale so that a genuine plan can draw up for bidding.	Link for folder containing AutoCAD Drawing of the MMLP is given below https://mab.to/t/5CPbfA4zKgW
21	Storm water connection with KPT/KMC line from all the 3 sites.	Land will be handed over on as is where basis is. SMPK will furnish NOC for obtaining permission from the appropriate authorities.
22	All three sites should be unencumbered while handling over with butted and bounded.	Land will be handed over on as is where basis is and unencumbered.
23	We need to have KPT representation to KMC for getting building plan approval so that construction can start immediately.	SMPK will furnish NOC for obtaining permission of construction. Separate approval is to be taken by the bidder.
24	NOC from KPT should be provided automatically for mortgage of structures and leasehold rights with financier for development.	Leasehold Rights may be mortgaged

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25	Charge of usage of the railway siding which is not mentioned in the EOI document.	Port locomotive will be performing all the shunting activities, hence railway related charges as per extant Scale of Rates (SoR) will be leviable.
26	The bid document encompasses civil structures valuing INR 3.77 Crores. However, during our site visit we could not validate the individual values put on the structures as most of them are in a dilapidated state. We request your kind assistance in providing the modus operandi of valuation and the valuation reports of the same so that the basis of valuation of the said structures can be understood at our end.	Valuation of structures has been done on the basis of cost replacement method by third party valuer.
27	As per the proposed layout of Railway Line, it is seen that the handling area of 700m is discontinuous. There is one stretch of 140m railway line where cargo can be handled and thereafter a <u>stretch of 100m with no handling platform or land availability</u> due to presence of occupancy on either side, and thereafter a further second stretch of 560m where again cargo can be handled. In this case, there will be major operational challenges as the train will have to be handled separately at two points leading to cost of shifting of cargo, machines and also vehicles for the entire tenure of the project. In the present case, the machines will have to first handle at site 1 first stretch of 140m and then the machines will have to be moved all the way through Hyde Road into Transport Depot Road to handle at the remaining stretch of 560m due to this inaccessible area of 100m railway line in the middle. You are therefore requested to kindly revisit the proposed layout and suggest measures to avoid such	The stretch of about 85m (envisaged to be concretized) has enough width for cargo handling equipment to ply between both parts of Site-I for shifting of cargo if required. As such, there will be no need for equipment to move on the roads outside the site.

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	operational challenges as it will be commercially unviable to handle the trains from two different discontinuous ends.	
28	<p>Sites 1 & 3 are known to be high water logging areas. Further, there is development work for road going on adjacent to the sites, and as a result of which the height of the area adjacent to the sites is further increased leading to confirmed instances of waterlogging going forward. In this regard, it will be a major operational challenge and increase the cost for the MMLP operator to work in these two sites by undertaking land filling of over 50 acres. You are therefore requested to provide your inputs on how Syama Prasad Mookerjee Port Trust intends to provide drainage/land filling in these areas so that water logging can be avoided.</p>	<p>Land is to be allotted on as -is –where- is basis.</p>
29	<p>A period of 30 years is perceived to be a relatively shorter span for civil infrastructure developments at the project which will span over 500 Crores as per initial estimate. Such a short period will make it difficult for getting returns on investment of this scale. You are therefore requested to incorporate a First Right of Refusal clause in the lease conditions and also requested to keep the lease period of 50 years.(Same as 15)</p>	<p>Since it is at EOI stage, query has been noted by SMPK Authority</p>
30	<p>As per the given plan, there needs to be two railway lines as one line will always have to be kept vacant for FCI Trains. In this case, it is anticipated that the MMLP Operator cannot operate from day zero as currently there is only one railway line at the proposed site 1 and the second line will have to be constructed from scratch. Further, the entire</p>	<p>It may be noted that there is only one approach line to the FCI siding as well as MMPL siding at Site-I. FCI shunting will have to be done using the two (2) lines to be constructed in the MMLP area.</p>

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	cost of constructing a railway line along with loss of time and revenue will fall upon the MMLP Operator and make the project further commercially unviable. You are therefore requested to construct the second railway line or to allow at least 2 years moratorium for construction of railway line and other infrastructures at the sight as during this period of 2 years the project will be in complete loss with nil revenue.	
31	We further request that the bidders are allowed to bid separately for the 3 sites as all the sites are at least 1.5 kms away from each other and cannot be projected as part of the same MMLP Project. Further, the real estate value of the Sites 2 and 3 and cannot be compared with that of Site 1 as the former are not rail linked. Further, Site 2 has very limited frontage to facilitate proper evacuation. Therefore, all the three sites command a different real estate value and lease rent thereof and hence our request is to split the three sites into three separate projects.	Mandatory to quote rate for the total area
32	You are requested to kindly clarify that the MMLP Operator shall be running the project as a Private Rail Terminal and not a Common User Facility.	Yes, the MMLP operator will be running the project as a Private rail Terminal and not as a Common User Facility, except for allowing access for shunting of FCI rakes.
33	It was mentioned during the meeting that the buildings of BSNL and Bisco Lawrie shall be demolished by SMP. In this regard, may kindly clarify that the debris from the demolition shall also be removed/managed by SMP and the MMLP Operator shall be getting a clean and vacant land with clear possession.	Demolition of buildings including removal of debris shall be done by SMP, Kolkata for buildings of BSNL and Bisco Lawrie.

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34	You are also requested to kindly clarify whether there are any Green Belts within the proposed sites and also share the Green Belt Maps of all the 3 sites.	No.
35	During our site visit we observed that all the sites have overgrown vegetation, dilapidated structures, internal water pools (site 2), plumbing leakages, etc. There is much work from day one in basic civil engineering part itself. You are therefore requested to confirm whether the land parcels will be handed over in perfect condition after remedying of all defects and also clearing of vegetation.	Land will be handed over on as is where is basis.
36	We also observed that Site 3 was full of parked trailers and ascertained that there is illegal occupancy and parking at the site during our conversation with local persons. In this regard, you are requested to kindly clarify as to what SMP's plan is to clear the said site no. 3 of illegal occupancy and whether the land will be handed over with clear possession by SMP to MMLP Operator.	Will be handed over on as is where is basis
37	We further request you to share the schedule of pending litigations as on date with their status on these land parcels.	No such pending litigations as on date for the 03 Nos. Plot.
38	Kindly clarify that the lease will be given with mortgageable right to the MMLP Operator.(Same as 24)	leasehold rights may be mortgaged
39	We request you to kindly share the schedule of pending compliances on these land parcels and dues, whether statutory or otherwise on these land parcels.	Land will be handed over without any past dues or pending compliances
40	Lastly, we request you to extend the deadline for submission of EOI by 15 days to	Date of submission of EOI has been extended

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	accommodate the delay in holding of the pre-bid meeting and receipt of clarifications.	up to 02.02.2023
41	<p>Can we get the AutoCAD Drawings for all the 3 sites?</p> <p>If not available, can we get the drawings done at our own cost? For this, can we get the required approvals for the survey?</p>	<p>Link for folder containing AutoCAD Drawing of the MMLP is given below https://mab.to/t/5CPbfA4zKgW</p>
42	<p><u>Subleasing Rights and Right to Lease Transfer</u> -</p> <p>a) Are there any restrictions/charges for sub-leasing?</p> <p>b) Do we need any approvals/permissions from Port Trust before Sub-leasing?</p> <p>c) Also, if we were to transfer our leasehold rights, either through Sale of Holding company or through transfer of leasehold rights, are there any payments/restrictions?</p> <p>d) Do we need any approvals/permissions from Port Trust before Lease transfer?</p>	<p>Subletting & Transfer of Lease will be permitted as per provisions of Land Policy Guidelines as available in website.</p>
43	Are there any encumbrances/mortgages/charges/litigations, etc. on the property?	No
44	3 Clusters of Land - Are all three required to be taken, or do we have options to selected the lands (viz. Site 2 & Site 3)?	It is Mandatory to quote rate for the total area and take the entire area.
45	Can the term be extended to 60 years or more? (Same as 15)	Since it is at EOI stage, query has been noted by SMPK Authority
46	Do we have to pay both, Upfront payment and Annual Reserve Rent? Or any one? (same as	The bidder will have the option of paying either upfront for the entire period of lease or on Annual rent basis. Upfront amount will be

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	2)	calculated from the prevailing G-Sec rate of RBI with multiplying factor.
47	Are there any restrictions on the products that can be stored in the Warehouse?	<p>Hazardous-1 cargo may be required to be kept at a segregated area away from all other cargo. Presently, Hazardous-1 cargo is required to be landed & removed within daylight hours from the Docks. Manager Environment may give his valuable inputs in this regard since Site-1 is outside the Dock area.</p> <p>The project will require environmental clearance. The storage of different material including hazardous material (if any) is to be covered in the EIA Report for obtaining Environmental Clearance.</p>
48	<p>Are there any title issues, disputes on the existing structures on site?</p> <p>Will you be comfortable in demolishing all the existing structures on site at Purchaser's cost/gain?</p>	No disputes of title and structures. Demolition of buildings including removal of debris shall be done by SMP, Kolkata for buildings of BSNL and Bisco Lawrie. For the rest, responsibility lies with the lessee.
49	Annexure '2' is missing in the EOI document.	Kindly ignore as Typing error
50	Please advise whether 3 different sites will require 3.	Mandatory to quote rate for the total area .
51	Please advise the possibility of rail connectivity for Site No. 3.	Not possible.
52	Please advise the responsible party for relocating the huts/ settlers which are there at the entrance lane of Site No. 1	SMPK will attempt to remove all encumbrances to the extent possible. Lease rent would be charged on actual area handed over in clear condition.
53	Please advise whether there will be one Nodal Officer of SMPA who can be approached for	To be finalized during RFP stage

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	various statutory compliance.	
54	Please advise whether permission for extending railway connectivity inside Site No. 1/ Site No. 3 (if feasible) will be provided by Indian Railways or SMPA.	By SMPK
55	Please clarify if there is bunching of rakes arrival at Site No.1 destined to MMLP and FCI, will FCI rake be always prioritized.	Rake placement will be done in order of arrival at the interchange point at EJC, on 'first come first served basis'. However, drawal of wagons after handling will depend on the time of completion of unloading/loading at MMLP. If rake has been placed at MMLP after placement at FCI rake, the FCI rake after unloading will have to wait for drawal till completion of loading/unloading at MMLP.
56	Please confirm whether the MMLP project will have three different addresses.	The MMLP project comprises of three different plots in three different locations.
57	Whether MMLP owner will have the exclusivity of running the rakes at MMLP?	For MMLP bound / outgoing rakes, yes.
58	What are the charges payable to KoPT/SMP for exclusive running of rakes?	Port locomotive will be performing all the shunting activities, hence railway related charges as per
59	Is there any tariff defined by SMP for levy of charges on other CTO's who wish to bring the train at MMLP?	MMLP operator will be at liberty to bring rakes of their choice. However, SMPK may impose some ceiling on the rakes to be charged by the MMLP operator.
60	What is the tariff applicable to FCI rake? How many rakes FCI handles from this railway line? Will this revenue come to MMLP owner?	FCI pays tariff as per the provisions of the SoR for rail related charges. Presently the charges are : Haulage Charge @2880/- per 8 wheeler wagon, Terminal Charge @ Rs. 29.68 per Ton of chargeable wt. of the consignment, and Consolidated Charge @ Rs. 48.51 per Ton on the declared carrying capacity of the wagon. In addition, demurrage

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		charges are payable @ Rs. 150/- per wagon per hour in excess of the free time allowed. FCI has handled 71 rakes in the current FY (April-Nov 2022), 180 rakes in FY 2021-22, and 136 rakes in FY 2020-21. The revenue from FCI rakes accrues to the Port for the service rendered, which will continue.
61	Development of MMLP attracts investment close to Rs 400 Crores. To recover this investment and make reasonable profit on investment, 30 years lease period will be too less. Can it be increased to 50 years? (Same as 15)	Since it is at EOI stage, query has been noted by SMPK Authority.
62	Do you have feasibility study done for this MMLP? In case yes, can you please share the same with us?	No
63	On page 9, you have mentioned about the broad scope of work. Can you elaborate if you have worked out any measurement for container yard, general warehousing and cold storage? Can you please share the same with us?	No
64	Page 11-Page 12: As the structure over all the 3 land parcel shall not be of any use to us, can the payment amount of Rs 3.77 crore be waived off?	Since it is at EOI stage, query has been noted by SMPK Authority
65	Page 12- within how much period the tenancies of 100 m railway track will be cleared? Till such time the tenancies are cleared, whether SMP shall charge monthly lease on reduced rates?	SMPK will attempt to remove all encumbrances to the extent possible. Lease rent would be charged on actual area handed over in clear condition.
66	Whether the base price of Rs 362 Crores need to be paid upfront or MMLP owner can pay Rs 16.43 Crore annually till 30 years?	The bidder will have the option of paying either upfront for the entire period of lease or on Annual rent basis. Upfront amount will be calculated from the prevailing G-Sec rate of

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		RBI with multiplying factor.
67	Is there any escalation of lease rent during the lease period of 30 years is planned? If yes what is the % of annual rent?	If payment is on Annual rent basis, there will be an escalation @ 5% every year & comparison of rate with Schedule of Rent of SMPK, every five years and higher of the two will be applicable. If payment is on Upfront basis, no annual escalation or comparison every five years will be effective.
68	Whether KoPT shall be assisting MMLP owner for requisite permissions from IMC / Customs / state Governments or MMLP owner has to get the same arranged on its own?	All NOC request would be given by SMPK.
69	Since this EoI require massive work to be done as listed on page 17 of EoI document, we request you to extend the date and time of submission by one month i.e. instead of 22.12.2022 make it 22.01.2023.	Date of submission of EOI has been extended up to 02.02.2023
70	We request you to share the presentation shown during pre-bid for our internal discussion.	Uploaded in web site
71	Can MMLP owner charge its own tariff for services being render to its customers?	MMLP operator will be at liberty to bring rakes of their choice. However, SMPK may impose some ceiling on the rakes to be charged by the MMLP operator
72	For any development work on MMLP land, does MMLP owner need to take permission from KoPT or mere submission of plans shall suffice the purpose?	SMPK will furnish NOC for obtaining permission from the appropriate authorities. Approval of plans have to be obtained from KMC by bidder.
73	How much is the free time the MMLP owner will get for construction of warehouse and other facilities?	No free time. Lease rent would be applicable from date of possession.

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74	After allotment of offer letter of MMLP, within how much time the lease rentals will start?	Immediately on taking over possession
75	Who will clear the encroachment and other obstructions existed in the proposed site?	SMPK
76	What happens if encroachment area is not been able to clear by KoPT?	SMPK will attempt to remove all encumbrances to the extent possible. Lease rent would be charged on actual area handed over in clear condition.
77	Whether sub-lease is possible?	Yes
78	Is it possible to share the valuation report of structures?	No
79	Is it possible to share AutoCAD of drawings?	Link for folder containing AutoCAD Drawing of the MMLP is given below https://mab.to/t/5CPbfA4zKgW
80	Detail PPT on area and other structures are available to them, can it be shared?	Yes. Request for same may be submitted by e-mail to moumita.gt@kolkataporttrust.gov.in
81	Can the proposed project be taken separately as this has had three sites (S1/S2/S3) and located in different places?	No
82	Would there be any relaxation on traffic restriction?	Traffic Restrictions are imposed by Police Authorities
83	Is there any litigation pending?	No
84	Who does rail placement and removal?	Rake placement and removal is done by SMPK.
85	How many railway lines are currently operated?	KDS SMPK has 7 arrival lines and 6 Despatch lines at EJC Yard, from where shunting is done to various sidings.

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86	Can the operator charge railway line access charges as this can be used by others as well?	Other than shunting rakes by SMPK to FCI and MMPL Site-I, no other party will be using the lines at MMLP Site-I.
87	Will local municipal tax be applicable?	Yes. On land & structure.
88	What are other government dues which MMLP owner will be paying in monthly basis?	GST
89	Please share the Presentation made during pre-bid.	To be shared upon receiving request over email.

Accordingly, prospective bidders are requested to submit offer till **5 PM by 03/02/2023** as per original EOI No.SMP/KDS/LND/MMLP-EOI /41-2022 dated **01.11.2022** through e-mail:- moumita.gt@kolkataporttrust.gov.in

All other terms & conditions of original EOI will remain same.

The above clarifications will be the part of the original EOI.

Estate Manager (I/C)