

**CLARIFICATION / ADDENDUM DATED 07.08.2023**

Interested bidders are requested to take note of the following clarifications/ amendments/ modifications/ addition in respect of the tender documents against N.I.T. Nos. **SMP/KDS/LND/43-2023** to **SMP/KDS/LND/69-2023** dated **31.05.2023**

**A. Clarification against query from the prospective bidders:**

<b>Sl. No.</b>	<b>Query from Prospective bidder</b>	<b>Proposed Clarification</b>
1.	What are the applicable taxes to be charged on the rent	May pl. refer Clause No. 15(a)(i) of Annexure-VI All taxes shall have to be paid extra on the highest rent offered by the successful bidder.
2.	If an applicant possesses Class III DSC, can he sign the bid? Is it mandatory to obtain a fresh DSC for this particular tender or normal valid DSC will suffice?	May pl. Refer "process of Tender" under Annexure-II(A)
3.	(i) What is the UoM of the land (ii) What is the UoM of the Structure? Can the Price for the entire structure be quoted without considering any UoM	(i) UoM of the land is Sqm (ii) Quoting of bid is only for land. Structure value as mentioned in Annexure –I plus GST to be paid by the successful bidder along with rent quoted
4.	Is it mandatory to quote bid in e-auction	Participation in e-auction is not mandatory.
5.	In the event the Tenderer choose not to participate in the e-auction and finally e-auction rate is less than the quoted rate of such eligible Tenderer, whether final price of e-auction or the quoted price of such Tenderer will be considered	May pl. Refer " <b>EVALUATION CRITERIA</b> " in <b>Annexure-VII of the Tender Document of the respective NIT</b>
6.	(i) Does a CSR Trust fall within the category of "others"? (ii) Is it obligatory on the part of a CSR Trust to submit bid through one of its Trustee or CSR Trust itself can submit the bid? (iii) In case of a CSR Trust, and in the event Trust itself cannot submit a bid but the bid is required to be submitted through a Trustee of a Trust, whether such authorization can be given only by the said Trustee of the Trust or Trust itself can authorize any person? (iv) In case of CSR Trust, self-attested copy of the Trust Deed with amendment(s) together with Registration Certificate of the Trust will suffice or any other documents will also be required?	Tender Condition Prevails.
7.	(i) In the event the land is proposed to be used for <u>Sports and Similar other Purposes</u> whether the same will fall within the Assembly Building category? (ii) If the ground is used for sports activities and no Sports Complex is constructed, whether still 35% premium is applicable?	(i) & (ii) - May pl. Refer <b>Definitions of different purposes</b> under Annexure-V of the tender document of the respective NIT. In this context may pl. refer list of allowable purpose as mentioned in Annexure-I of the tender document of the respective NIT.
8.	Whether, in case of Assembly Building, 35% premium is required to be paid?	ARR of a plot was fixed according to the allowable purposes as mentioned in Annexure-

Sl. No.	Query from Prospective bidder	Proposed Clarification
		I of the said tender and no further enhancement will be made on account of 35% extra if “Assembly Building” is one of the allowable purposes in the respective NIT. In this context may pl. refer list of allowable purpose as mentioned in Annexure-I
9.	Does the plot no.49/23A, will attract 35% extra on the ARR	ARR for the plot No. 49/23A was fixed according to the allowable purposes as mentioned in Annexure-I of the said tender and no further enhancement will be made on account of 35% extra for permitted commercial use as specified in tender.
10.	Is the buyer allowed to convert the rent from annual rental lease to upfront on the later stages, i.e. after 3 years if the buyer wishes to	<b>This will be dealt with as when request for such migration from Annual payment mode to Upfront payment mode is received by Estate Division and to be guided by prevailing Land Policy Guideline &amp; Schedule of Rates</b>
11.	Are multiple uses over the same land allowed	May pl. refer allowable purposes as mentioned in Annexure-I of the Tender Document of the respective NIT.
12.	If the successful bidder opts for one-time payment, whether still there would be any annual lease rental and if so, what is the amount?	May please refer Para 15.b(ii) under Annexure-VI
13.	Since the land will be handed over on a long-term (30 years) lease to the successful bidder, whether the land is required to be mutated as Lessee with the Kolkata Municipal Corporation (KMC)? If so, whether Municipal tax will be paid directly by the Lessee or through the Port Trust? In the event the Municipal tax is paid through Port Trust, whether that will tantamount to discharge of all liabilities towards KMC in the matter of Municipal tax	Yes Municipal tax shall have to be paid through Port and the same will be included in the annual rental bill
14.	So long the vacant land belongs to Port Trust, a Central Government utility, provisions of The Urban Land (Ceiling and Regulation) Act, 1976 (hereinafter referred to as ‘ULCRA’) is not applicable, but upon handing over the vacant land on long term lease by the Port Trust to the successful bidder, whether ULCRA will be made applicable? In that event, how the successful bidder can utilize the said vacant land for sports activities without being attracted by ULCRA or being exempted from the provisions of the ULCRA?	Urban Land (Ceiling and Regulation) Act, 1976 (hereinafter referred to as ‘ULCRA’) is not applicable for the property owned by SMP, Kolkata.
15.	Whether subletting is allowed	No sub-lease/ subletting or parting with possession of the leased land will be allowed with exception in case the business model is based on subletting. Instructions under MALL/ FOOD PARK/ PLAZA and Setting up of a Commercial Office Complex may be referred

Sl. No.	Query from Prospective bidder	Proposed Clarification
		to. May pl. refer Clause No.6 of Annexure-VI and Clause No.8.9 & 8.10 of Annexure-V of respective NIT.
16.	in case of NIT No. <b>SMP/KDS/LND/67-2023 dated 31.05.2023</b> , Whether the left over land( after setting up of cold storage) can be utilized for the purpose of setting up of separate projects like warehouse, petrol pump or any other like set-ups	Set-ups related to cold chain facility may be allowed. For own use petrol pump may be allowed. In that case, rent for the area used for petrol pump shall have to be calculated by adding 35% on annual rent on pro-rata basis.
17.	How soon can we get the handover of the land after the bidding is successfully done	Immediately after payment of lease rent including other payments as would be indicated in the offer letter.
18.	When can we get the valid sanction plan and relevant NOC issued in our name, once we successfully bid the tender	After complying with the formalities of handing over of land including execution of lease agreement, SMP Authority will only issue NOC within 30 days of receiving application from the bidder. It is the responsibility of the lessee to obtain permission from the competent authority like Municipal Corporation and other statutory authority as required at their own cost and initiative.
19.	Whether peaceful possession of land will be handed over	Yes
20.	Whether rent for the plot at Taratala Road against NIT No.SMP/KDS/LND/46-23 (A) will be allowed on yearly rental basis instead of upfront rent.	May pl. refer Amendment Clause under B (i) & (ii) of this CLARIFICATION/ ADDENDUM Notice.

## **B. Amendment / Addendum**

### **1. Prospective bidders may kindly note the following changes**

Sl.No.	Existing Clause	Amended Clause
	FOR NIT No. SMP/KDS/LND/48-2023, dated 31.05.2023 and e-tender No. <b>MSTC/ERO/KOLKATA PORT TRUST/37/KOLKATA/23-24/9375</b> <b><u>(i) IN PARA-1 OF NIT of PAGE NO.1 Tender Document mentioned as</u></b> E-Tender under two-part system (Part I: Techno-Commercial Bid and Part II: Price Bid) for “ <b>Allotment of Vacant land at Taratala Road( Earlier Ballygange Engineering), being plot No. 46/ 23(A), on long term lease of 30 years, on ‘as is where is basis’, without renewal option,</b>	FOR NIT No. SMP/KDS/LND/48-2023, dated 31.05.2023 and e-tender No. <b>MSTC/ERO/KOLKATA PORT TRUST/37/KOLKATA/23-24/9375</b> <b><u>(i) IN PARA-1 OF NIT of PAGE NO.1Tender Document will be as follows-</u></b> E-Tender under two-part system (Part I: Techno-Commercial Bid and Part II: Price Bid) for “ <b>Allotment of Vacant land at Taratala Road( Earlier Ballygange Engineering), being plot No. 46/ 23(A), on long term</b>

	<p>against payment on upfront basis”, is invited through e-tender-cum e-auction from the willing bidders</p> <p><b><u>(ii) IN Column-V of Annexure-I of Tender Document mentioned as</u></b>  <b>Upfront Reserve Rent (in Rs.) (taxes extra)-</b>  <b>6,54,41,662/-</b></p>	<p>lease of 30 years, on ‘as is where is basis’, without renewal option, against payment on annual rent/ upfront basis”, is invited through e-tender-cum e-auction from the willing bidders.</p> <p><b><u>(ii) IN Column- V of Annexure-I of Tender Document will be as follows-</u></b>  <b>Annual Reserve Rent (in Rs.) (taxes extra)- 28, 35,486/-</b></p>
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**2. Addendum in Annexure-I under NOTE:-**

- (i) For purpose of use as “Storage & Warehousing for port related activities” the lessee have to submit certification for storing port cargo every year.**

**C. TENDER ID FOR 27 NOS. TENDERS:-**

Plot No.	NIT No. SMP/KDS/ LND/ dated 31.03.2023	E-TENDER No.	Tender ID
41/23A	43-2023	MSTC/ERO/KOLKATPORTTRUST/32/KOLKAT/23-24/9370	937001
42/23A	44-2023	MSTC/ERO/KOLKATAPORTTRUST/33/KOLKATA/23-24/9371	937101
43/23A	45-2023	MSTC/ERO/KOLKATA PORT TRUST/34/KOLKATA/23-24/9372	937201
44/23A	46-2023	MSTC/ERO/KOLKATA PORT TRUST/35/KOLKATA/23-24/9373	937301
45/23A	47-2023	MSTC/ERO/KOLKATA PORT TRUST/36/KOLKATA/23-24/9374	937401
46/23A	48-2023	MSTC/ERO/KOLKATA PORT TRUST/37/KOLKATA/23-24/9375	937501
47/23A	49-2023	MSTC/ERO/KOLKATA PORT TRUST/38/KOLKATA/23-24/9376	937601
48/23A	50-2023	MSTC/ERO/KOLKATA PORT TRUST/39/KOLKATA/23-24/9377	937701

<b>Plot No.</b>	<b>NIT No. SMP/KDS/ LND/ dated 31.03.2023</b>	<b>E-TENDER No.</b>	<b>Tender ID</b>
49/23A	51-2023	MSTC/ERO/KOLKATA PORT TRUST/40/KOLKATA/23-24/9378	937801
50/23A	52-2023	MSTC/ERO/KOLKATA PORT TRUST/41/KOLKATA/23-24/9379	937901
51/23A	53-2023	MSTC/ERO/KOLKATA PORT TRUST/42/KOLKATA/23-24/9380	938001
52/23A	54-2023	MSTC/ERO/KOLKATA PORT TRUST/43/KOLKATA/23-24/9381	938101
53/23A	55-2023	MSTC/ERO/KOLKATA PORT TRUST/44/KOLKATA/23-24/9382	938201
54/23A	56-2023	MSTC/ERO/KOLKATA PORT TRUST/45/KOLKATA/23-24/9383	938301
55/23A	57-2023	MSTC/ERO/KOLKATA PORT TRUST/46/KOLKATA/23-24/9384	938401
56/23A	58-2023	MSTC/ERO/KOLKATA PORT TRUST/47/KOLKATA/23-24/9385	938501
57/23A	59-2023	MSTC/ERO/KOLKATA PORT TRUST/48/KOLKATA/23-24/9386	938601
58/23A	60-2023	MSTC/ERO/KOLKATA PORT TRUST/49/KOLKATA/23-24/9387	938701
59/23A	61-2023	MSTC/ERO/KOLKATA PORT TRUST/50/KOLKATA/23-24/9388	938801
60/23B	62-2023	MSTC/ERO/KOLKATA PORT TRUST/51/KOLKATA/2324/9389	938901
61/23C	63-2023	MSTC/ERO/KOLKATA PORT TRUST/52/KOLKATA/23-24/9390	939001
62/23C	64-2023	MSTC/ERO/KOLKATA PORT TRUST/53/KOLKATA/23-24/9391	939101
63/23C	65-2023	MSTC/ERO/KOLKATA PORT TRUST/54/KOLKATA/23-24/9392	939201
64/23C	66-2023	MSTC/ERO/KOLKATA PORT TRUST/55/KOLKATA/23-	939301

<b>Plot No.</b>	<b>NIT No. SMP/KDS/ LND/ dated 31.03.2023</b>	<b>E-TENDER No.</b>	<b>Tender ID</b>
		24/9393	
65/23A	67-2023	MSTC/ERO/KOLKATA PORT TR/56/KOLKATA/23-24/9394	939401
66/23A	68-2023	MSTC/ERO/KOLKATAPORTTRUST/57/KOLKATA/2324/939 5	939501
67/23A	69-2023	MSTC/ERO/KOLKATAPORTTRUST/58/KOLKATA/23- 4/9396	939601

- D.** In respect of above tenders as mentioned, tendering floor of MSTC will be activated for submission of EMD/Tender Fee and online bid on & from **09.08.2023**
- E.** Accordingly, prospective bidders are requested to **remit Tender Fee & EMD till 5 PM by 18.08.2023 and to submit bid till 5 PM by 19.08.2023**
- F.** All other terms & conditions of original NITs will remain same.
- G.** The above clarifications/ amendments/ modifications/ addition will be the part of the original NIT of the respective tenders against NIT Nos. SMP/KDS/LND/43-2023 to SMP/KDS/LND/69-2023 dated 31.05.2023 and extension notice dated 11/07/2023.

**Estate Manager (I/C)**