

Tamil Nadu Maritime Board

RFP for selection of Port Developer for Development,  
Marketing, Operation & Maintenance of Cuddalore  
Port for a Period of 50 Years - Response to Queries

Tamil Nadu Maritime Board  
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RFP Reference No. 4770/S1/2022

RFP for selection of Port Developer for Development, Marketing, Operation & Maintenance of Cuddalore Port for a  
Period of 50 Years  
RESPONSE TO QUERIES

S.no	Point of Clarification required	Response from TNMB
1.	The Right of Way (RoW) for the Railway, Road, Utilities should be made available by the Authority (Brownfield & Greenfield project) and should be a Condition Precedent.	<b>Brownfield</b> Already a road exists from the highway No.32 to the port entry gate which could be used for evacuation of cargo. If the concessionaire desires for a dedicated elevated road,

		<p>till NH-32, TNMB will have No Objection for such development along the existing road.</p> <p><b>Greenfield</b></p> <p>The road connectivity to the Greenfield site is to be taken up by the Concessionaire along with other land acquisition.</p> <p>However, if the concessionaire desires, land acquisition for the Right of Way and the road development will be carried out by the Concessing Authority at the cost of the concessionaire. This will be based on the finalized alignment agreed upon by the Concessing Authority and the concessionaire, starting from NH-32.</p> <p>The Concessionaire shall have the exclusive rights for the usage of Right of Way, however, the ownership of the road and the land acquired for Right of Way would vest with the Concessing Authority.</p> <p>Similarly, the railway connectivity to the port will be developed based on the feasible alignment finalised by the Concessionaire and Railways together, and at the Cost of the Concessionaire.</p>
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2.	<p>Concessionaire may opt to develop Brownfield facility, hence required following modification in the Tender Conditions:</p> <ol style="list-style-type: none"> <li>a. No MGT should be applicable for initial period of 4 years from the Award of the Concession as the MOEF clearance and development period may be for the 4 years.</li> <li>b. The MGT should be applicable in aggregate manner i.e. brownfield &amp; greenfield facility in totality.</li> <li>c. In case Concessionaire develops either brownfield or greenfield facility for 10 MTPA capacity in phases within 10 years from Award of Concession, development of both the facilities should not be mandatory. Further, it should not be forming part of the Event of Defaults &amp; trigger termination or any other consequences clauses.</li> </ol>	<ol style="list-style-type: none"> <li>a. Tender Conditions Prevail.</li> <li>b. Tender Conditions Prevail.</li> <li>c. Please refer 16.2 (i) of DCA.</li> </ol>

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3.	License fees for the brownfield & greenfield project should not be applicable & to be kept as nominal Rs. 1 per annum. The same is in line with Major Ports - PPP tenders. Further, we suggest that a lump-sum fees of Rs. 10 Crore may be taken by the Authority from Concessionaire at the time of the CoD of the Project towards the development made by the Authority.	Tender Conditions Prevail.
4.	The bidding parameter should be kept as % of revenue share for overall project i.e. brownfield & greenfield instead of 2 parameters i.e. Rs. Per MT for brownfield or % of revenue for greenfield. Further, escalation & other relevant clauses need to be deleted.	Tender Condition Prevails. Refer clause no.3.2.1 of RFP.
5.	Authority should provide requisite assistance for Land Acquisition for greenfield as well as brownfield	Tender Conditions Prevail. Refer Clause no. 7.1 of DCA
6.	As per Tamil Nadu State Port Development Policy, the concession period for Commercial Port may be for 99 years. Accordingly, we request you to consider	Tender Condition Prevails. Refer clause no.3.2 of DCA.

S.no	Point of Clarification required	Response from TNMB
	the Concession Period of 99 years instead of 50 years.	
7.	Incentive & benefits for this Project to be in line with Tamil Nadu State Port Development Policy and Tamil Nadu Industrial Policy.	Noted and as applicable.