

**DEVELOPMENT OF PORT AT GIRYE, VIJAYDURG, MAHARASHTRA.**

**CONSULTANCY SERVICES FOR CONDUCTING EIA STUDIES**

**PRE-BID MEETING HELD ON 04.05.2018**

| <b>Sl. No.</b> | <b>Clause No.</b>   | <b>Query from Bidders</b>  | <b>MPT's reply</b>  |
|----------------|---------------------|--|---|
| 1.             |                     | <p>Exemption from EMD and Tender Fees.</p> <ul style="list-style-type: none"><li>• Issue of tender sets free of cost.</li><li>• Exemption from payment of Earnest Money/Bid security.</li><li>• Waiver of Security Deposit upto the Monetary limit for which at the unit is registered.</li><li>• Price preference upto 15% over the quotation of large scale units.</li></ul> | <p>Exemption for bid security/ EMD is applicable only for firms registered under MSME. This is not applicable for PSU's.</p> <p>Further Exemption for payment of Tender fees, performance security and price preference for MSME is not applicable.</p>   |
| 2              | 3.1.iii page No. 34 | <p><b>CRZ Map.</b> As per scope of services, CRZ mapping agency will be appointed by MPT. Kindly confirm.</p>  | <p>EIA Consultant has to appoint agency for conducting the CRZ HTL and LTL mapping of the Project area earmarked for development .</p>  |
| 3.             |                     | <p><b>Hydrodynamic Modeling:</b> Kindly clarify whether hydrodynamic modeling, dredged dispersion modeling and oil spill modeling is included in scope of EIA consultant or these studies will be provided by MPT. We request MPT to appoint CWPRS for hydrodynamic modeling and same shall be excluded from scope of EIA consultants.</p>                                     | <p>Mathematical model studies based on hydrodynamic model, wave model , tranquility study, dredge disposal study , 3D real time ship navigation simulation study, current and Tide measurements will be carried out by the consultant appointed for providing TEFR.</p> <p>Disaster Management Plan, Rapid Risk Assessment studies, Oil spill</p> |

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|    |  |  | modeling studies, shall be part of the EIA studies.  |
| 4. |  | <b>Public Hearing Arrangements:</b> Kindly clarify whether public hearing event arrangement (including stage, photography, refreshments etc. distribution of EIA copies for public hearing and follow up with MPCB is included in scope of EIA document.   | EIA consultant shall be responsible for the conduct of Public hearing in coordination with MPCB, District Collector and other agencies.  |
| 5. |  | <b>Marine Ecology Studies:</b> EAC Infra 2 is invariably giving condition in TOR to conduct marine ecological studies through NIO, Goa. As per our experience NIO's quotation is exorbitant and highly variable. It is difficult to consider NIO's cost in our bid. We request MPT to appoint NIO for ecological studies if recommended in TOR same shall be excluded from scope of EIA consultants. | MPT will appoint separate agency for conducting the Marine ecological studies for the Project as per the approved ToR.   |
| 6. |  | Whether current measurements and tide measurements have to be made in site or the data will be provided by MPT.  | Data will be provided in TEFR.   |
| 7. |  | If data collection is needed, kindly specify the number of locations and also number of days, in each location.  | The data shall be collected for <b>one season</b> , in the area proposed for Port development. However in case MoEFCC insists in the approved ToR for collection of data for 03 seasons , the same has to be followed by the consultant.<br><br><i>The cost of installation of all equipments and upkeep of the same and obtaining local permissions and coordinating with local Govt. and Private authorities for setting up stations and security of the same shall be responsibility of the EIA consultant.</i> |

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| 8.  | 2.9 Contents of the RFP Schedules – (Page 17)<br>5 Project Details and Location Map<br>6 Extract of Minutes of 130th meeting of EAC  | Item 5 under the Schedules is not provided along with the RFP<br>We understand that as the project is yet to obtain the EC, Item 6 - Extract of Minutes will not be applicable – please confirm  | The project details and layout will be provided in TEFR.<br><br>Content no.. 6: “Extract of meetings...” of RFP is deleted.   |
| 9.  | 3. SCOPE OF SERVICES<br>(vii) After formulation and approval of Draft EIA, sufficient copies of the EIA report should made available in both the English and Marathi language as per the requirement for distribution to Public offices / institutions as per the MoEF guidelines. (Page 34) | It may kindly be noted that the MoEF guidelines only asks for the Executive Summary of the EIA report to be prepared in English and the local language. The entire EIA report is not needed to be translated to the local language. Consultant requests MPT to edit this clause accordingly.   | Executive Summary of the EIA report as required for submission to MPCB are to be prepared in English and the local language. The required nos of sets for distribution shall be provided in consultation with MSPCB.  |
| 10. | 3. SCOPE OF SERVICES<br>(viii) Providing all inputs and assistance for replying to Parliamentary/ Maharashtra Legislative Assembly questionnaire, reply to RTI related applications or other environmental related issues, etc. (Page 34)  | This scope shall be limited to the scope of Environmental studies and until the period of obtaining the Environmental Clearance.<br>For assistance beyond the Environmental Clearance stage (e.g. NGT issues, etc.), this shall be excluded from consultants current scope. The same can be taken up subsequently at mutually agreed additional time and cost basis. Please confirm.   | Assistance of the EIA consultant shall be till the period of obtaining Environmental clearance.   |
| 11. | 6. TIME AND PAYMENT SCHEDULE<br>6.1 The total duration for procuring CRZ / prior Environmental Clearance for the project shall be 6 months. (Page 36)  | The time period of 6 months is inadequate to complete the EIA study and complete the process of obtaining EC. The EC process will include several stages such as obtaining ToR, conducting baseline surveys (One Season as per the RFP which is 3 months), conducting Public Hearing, Obtaining CZMA recommendations and EAC appraisal for EC. Several of these activities have minimum fixed timelines as per regulatory requirements. As such the overall process for obtaining EC will ideally be at least 10 – | The project duration time frame is of 06 months remains unchanged, and studies shall be based on data collected for a period of 01 season only. It is expected that Draft EIA and other reports will be ready.<br><br>However this being a Green field Project site and in the approved ToR for EIA studies, MoEFCC, insists on collecting data for 03 seasons the same shall be made applicable by the |

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|   |  | 12 months. Accordingly consultant requests MPT to revise the time frame to 12 months.   | EIA consultant and the time period will be accordingly extended by another 4 Months. |     |                               |     |  |     |   |     |   |     |  |     |   |                                  |     |   |     |  |     |  |     |   |     |
| 12.   | 6. TIME AND PAYMENT SCHEDULE<br>6.2 The payment schedule linked to the specified Deliverables as given below:<br>(Page 36) | There will be significant expenses involved until the stage of completion of the Draft EIA Report which will create cash flow issues to the consultant. Considering this, consultant requests MPT to revise the payment terms as follows:   | The payment schedule is as follows:  |     |                               |     |  |     |   |     |   |     |  |     |   |                                  |     |   |     |  |     |  |     |   |     |
|   |  | <table border="1"> <tr> <td>On submission of Inception Report</td> <td>10%</td> </tr> <tr> <td>On obtaining ToR from MoEF&amp;CC</td> <td>20%</td> </tr> <tr> <td>Completion of Draft EIA report and project specific EMP report</td> <td>30%</td> </tr> <tr> <td>Procuring MCZMA's recommendation and Conduct of Public hearing, etc</td> <td>15%</td> </tr> <tr> <td>Completion of the process of Appraisal by the EAC of MoEF</td> <td>15%</td> </tr> <tr> <td>Completion of assignment upon procurement of MoEF's approval</td> <td>10%</td> </tr> </table> | On submission of Inception Report  | 10% | On obtaining ToR from MoEF&CC | 20% | Completion of Draft EIA report and project specific EMP report | 30% | Procuring MCZMA's recommendation and Conduct of Public hearing, etc | 15% | Completion of the process of Appraisal by the EAC of MoEF | 15% | Completion of assignment upon procurement of MoEF's approval | 10% | <table border="1"> <tr> <td>1) On obtaining ToR from MoEF&amp;CC</td> <td>15%</td> </tr> <tr> <td>2) Completion of Draft EIA report and project specific EMP report and CRZ mapping, baseline and other studies applicable under this tender.</td> <td>40%</td> </tr> <tr> <td>3) Procuring MCZMA's recommendation and Conduct of Public hearing, etc</td> <td>20%</td> </tr> <tr> <td>4) Completion of the process of Appraisal by the EAC of MoEF</td> <td>15%</td> </tr> <tr> <td>5) Completion of assignment upon procurement of MoEF's approval</td> <td>10%</td> </tr> </table> | 1) On obtaining ToR from MoEF&CC | 15% | 2) Completion of Draft EIA report and project specific EMP report and CRZ mapping, baseline and other studies applicable under this tender. | 40% | 3) Procuring MCZMA's recommendation and Conduct of Public hearing, etc | 20% | 4) Completion of the process of Appraisal by the EAC of MoEF | 15% | 5) Completion of assignment upon procurement of MoEF's approval | 10% |
| On submission of Inception Report   | 10%  |   |  |     |                               |     |  |     |   |     |   |     |  |     |   |                                  |     |   |     |  |     |  |     |   |     |
| On obtaining ToR from MoEF&CC   | 20%  |   |  |     |                               |     |  |     |   |     |   |     |  |     |   |                                  |     |   |     |  |     |  |     |   |     |
| Completion of Draft EIA report and project specific EMP report  | 30%  |   |  |     |                               |     |  |     |   |     |   |     |  |     |   |                                  |     |   |     |  |     |  |     |   |     |
| Procuring MCZMA's recommendation and Conduct of Public hearing, etc   | 15%  |   |  |     |                               |     |  |     |   |     |   |     |  |     |   |                                  |     |   |     |  |     |  |     |   |     |
| Completion of the process of Appraisal by the EAC of MoEF   | 15%  |   |  |     |                               |     |  |     |   |     |   |     |  |     |   |                                  |     |   |     |  |     |  |     |   |     |
| Completion of assignment upon procurement of MoEF's approval  | 10%  |   |  |     |                               |     |  |     |   |     |   |     |  |     |   |                                  |     |   |     |  |     |  |     |   |     |
| 1) On obtaining ToR from MoEF&CC  | 15%  |   |  |     |                               |     |  |     |   |     |   |     |  |     |   |                                  |     |   |     |  |     |  |     |   |     |
| 2) Completion of Draft EIA report and project specific EMP report and CRZ mapping, baseline and other studies applicable under this tender. | 40%  |   |  |     |                               |     |  |     |   |     |   |     |  |     |   |                                  |     |   |     |  |     |  |     |   |     |
| 3) Procuring MCZMA's recommendation and Conduct of Public hearing, etc  | 20%  |   |  |     |                               |     |  |     |   |     |   |     |  |     |   |                                  |     |   |     |  |     |  |     |   |     |
| 4) Completion of the process of Appraisal by the EAC of MoEF  | 15%  |   |  |     |                               |     |  |     |   |     |   |     |  |     |   |                                  |     |   |     |  |     |  |     |   |     |
| 5) Completion of assignment upon procurement of MoEF's approval   | 10%  |   |  |     |                               |     |  |     |   |     |   |     |  |     |   |                                  |     |   |     |  |     |  |     |   |     |

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| 13. | <p>10. DOCUMENTS TO BE MADE AVAILABLE BY THE AUTHORITY</p> <p>This being a Green field Port Project consultant shall collect relevant data from sources as mentioned above, for collecting information such as : (Page 38)</p>   | <p>This being a green field project kindly update on the status of land available for the proposed development. Will development involve Land Acquisition (for the Port as well as Rail/Road connectivity)? If LA is involved, what will be the consultant's scope in the LA process? Will it be limited to conducting a primary social profiling of the area where LA is involved or beyond that? Please confirm.</p> | <p>The Draft TEFR once finalized shall be made available to the EIA consultant . The details of Rail / Road connectivity and the Land acquisition details shall be covered in the TEFR.</p> <p>EIA consultant is expected to conduct social profiling and collect all other information relevant to EIA studies.</p>   |
| 14. | <p>7.1 Performance Security</p> <p>The Authority shall retain by way of performance security (the "Performance Security"), 10% (ten per cent) of the Bid Amount. 5% of the bid amount shall be deposited by the Consultant within 7 days of receipt of the Letter of Award. This shall be in the form of Demand Draft.</p> | <p>Consultant shall be provided an option of submitting the Performance Security deposit by mode of Bank Guarantee as well.</p>  | <p>Agreed</p>  |
| 15. | <p>IV) Proposed Terms of Reference for EIA studies:</p> <p>Ambient air quality</p> <p>An ambient air quality monitoring network shall be designed and parameters such as PM<sub>2.5</sub>, PM<sub>10</sub>, SO<sub>2</sub> and NO<sub>2</sub> shall be monitored in the study area for one season. (Page 83)</p>           | <p>We understand the proposed ToR is for One Season study. However, at the time of ToR appraisal MoEF&amp;CC could ask for conducting a study covering three seasons. In such a scenario MPT will need to provide consultant additional compensation at mutually agreed time and cost basis to carry out the three season study.</p>   | <p>In case MOEF&amp; CC insists on studies covering 03 seasons ,... in anticipation of such a scenario the following changes have been made to the Price bid,...</p> <p>The price bid has been suitably modified and per Annexure – I attached to the Pre-bid query reply..</p> <p><b>"The Price bid shall be escalated by a sum equivalent to 5 % (Five) of the quoted price"</b></p> |

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| 16. |  | What is the Handling Capacity of the proposed port?   | The details as provided by consultant in the Draft TEFR shall be made available.   |
| 17. |  | Will the proposed development include development of Rail/Road Connectivity? If so, will the Rail/Road connectivity also be included in consultant's scope for obtaining the Environmental Clearance as part of current assignment? Please confirm. | EIA is for entire project including Breakwater, berths , connectivity, dredging, reclamation, support infrastructures of the Project as referred in TEFR and ToR to be granted by MoEF . |
| 18. | Under the clause 1.4 page no. 09, it is mentioned that the cost of tender document is INR 10,000. The applicant will need to pay INR 10,000 for participation in the pre bid meeting by producing DD – | Please clarify that whether we need to submit the cost of tender document and participation fee separately i.e two DDs of INR 10,000 each or it is common for both i.e. one DD of INR 10,000”.  | D.D payments for participation is inclusive of Tender cost.  |
| 19  |  | Since this is a study assignment only, bidder request to delete indemnity clause no. 2.26   | Not agreed   |
| 20  | Clause 3.4.4 ( pg 56)  | Liability of Consultant :<br>Request for liability to be relaxed to 10 % or modification as proposed.   | The liability of the consultant shall to limited to and equivalent to the Price quoted in the tender.  |
| 21  | Clause 7.2.1, 7.2.2 (pg 61)  | Liquidated Damages:   | As provided in Tender  |
| 22  | Clause 7.3 (pg 61)   | Penalty for deficiency in services  | Tender condition prevails  |
| 23  | Section 3.0 - Scope of Service 3.1- Point no. 9  | <i>Tender says - Attending meetings with local authorities and gram sabhas.</i><br><br>Q. What is the objective of these meetings and how many such meetings are expected?  | All Meetings concerning Environmental issues only shall be attended by EIA consultant and number of such meetings cannot be quantified now.  |
| 24  | TOR page 36  | <i>Total duration of procuring CRZ/prior environmental clearance for the project shall be 6 months</i>  | Tender condition prevails.<br><br>In case ToR provides 03 seasons, the overall Project period will be 10   |

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|    |                      | Q. 6 months is too short for obtaining EC and CRZ clearance as the baseline survey can start only in the month of Oct (June to September being considered as monsoon month)   | months.                         |
| 25 | Cl. 3.2.3 (a), pg 53 | <i>Prohibition of Conflicting activities</i><br><br>Bidder unable to understand the intent of the clause no. 3.2.3 (a)  | The tender conditions prevails. |
| 26 | Cl 3.3 pg 55         | <i>Confidentiality</i><br><br>Bidder request modifications in the 11 <sup>th</sup> and 12 <sup>th</sup> line of the first para of clause no. 3.3<br>"... and any other information which the consultant is under a written obligation to keep confidential in relation to the project"  | Agreed                          |
| 27 | Cl 9.4 pg 62         | <b><u>Arbitration</u></b><br>Since MPT and EIL both are CPSE organization of Govt. of India hence, arbitration proceeding shall be based on PMA as per DPE Guideline, hence following PMA clause may please be added under clause no. 9.4 for Arbitration between MPT with other CPSE Organization<br><br>In the event of any dispute or difference relating to the interpretation and application of the provisions of the contracts, such dispute or difference shall be referred by either party for Arbitration to the sole Arbitrator in the Department of Public Enterprises to be nominated by the Secretary to the Govt. of India in-charge of the Department of Public Enterprises. The Arbitration and Conciliation Act 1996, shall not be applicable to arbitration under this clause. The Award of the Arbitrator shall be binding upon the | Tender condition prevails.      |

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|    |   | <p>parties to the dispute, provided, however, any party aggrieved by such award may make a further reference for setting aside or revision of the award to the Law Secretary, Department of Legal affairs, Ministry of Law and Justice, Govt. of India. Upon such reference the dispute shall be decided by the Law Secretary, whose decision shall bind the Parties finally and conclusively. The Parties to the dispute will share equally the cost of arbitration as intimated by the Arbitrator. The place of arbitration shall be New Delhi. The Arbitrator shall give reasons for the award</p> |   |
| 28 | <p>Clause 1.8 i.e. schedule of selection process.</p> | <p><b><u>Request for Extension of submission dates.</u></b></p>   | <p><b>EXTENSION :</b><br/> <b>Bid Submission:-</b> The date of Financial Bid submission is Extended upto 12-06-2018 latest by 15.00 hrs.<br/> <b>Opening of Tender :-</b> On 12-06-2018 at 15.30 hrs. in the conference Room of Engg Civil Dept, 2<sup>nd</sup> Floor. Admin Bldg.<br/> <b>Note:-</b> Financial bid shall be submitted along with Valid NABET/QCI certificate, Integrity pact, Vendor Registration and other details provided in tender except CV;s of the key personnel.</p> |



