



**CHENNAI PORT TRUST
No.1 Rajaji Salai
Chennai – 600 001
TRAFFIC DEPARTMENT**

TENDER NO:C6/338/2020/T Dated 20.02.2020

NOTICE INVITING OPEN E-TENDER CUM AUCTION FOR ALLOTMENT OF AREA INSIDE CUSTOM BOND AREA IN “AS IS WHERE IS CONDITION” ON ANNUAL LICENCE BASIS FOR A PERIOD OF 5 YEARS WITHOUT RENEWAL OPTION FOR THE PURPOSE OF DIESEL PUMP OPERATIONS FROM THE ELIGIBLE TENDERERS UNDER TWO COVER SYSTEM.



CHENNAI PORT TRUST
TRAFFIC DEPARTMENT
No.1, RAJAJI SALAI, CHENNAI – 600 001.
DETAILS OF THE E-TENDER CUM AUCTION

OPEN TENDER No.	C6/338/2020/T
E-TENDER CUM AUCTION INVITED FOR	Allotment of area inside custom bond area in “as is where is condition” on annual licence basis for a period of 5 years without renewal option for the purpose of Diesel Pump Operations under two cover system
RESERVE PRICE / AREA DETAILS / LOCATION / EARNEST MONEY DEPOSIT	As indicated in Appendix I
PERIOD OF DOWNLOADING BIDDING DOCUMENT	From 20.02.2020 to 11.03.2020
VALIDITY OF THE E-TENDER	180 Days from the date of opening of the Technical Bid of the Tender.
PRE-BID MEETING	At 11.30a.m on 27.02.2020 , at New Conference Hall, Ground Floor of Centenary Building, Rajaji Salai, Chennai – 600 001.
START DATE FOR SUBMISSION OF BID	At 10.00 a.m on 29.02.2020
LAST DATE FOR SUBMISSION OF BID	At 05.00 p.m. on 11.03.2020
DATE OF OPENING OF E-TENDER	At 10.00a.m on 13.03.2020
CONTACT OFFICER	Shri B.MADHAN, DEPUTY TRAFFIC MANAGER, LANDS & BUILDING SECTION, TRAFFIC DEPARTMENT, CHENNAI PORT TRUST PHONE NO. 044 25362438 / 9444396678

TRAFFIC MANAGER
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TENDER DOCUMENT No.: C6/338/2020/T

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TRAFFIC MANAGER
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1. Instructions to the Bidders for the e-submission of the bids online through eProcurement Portal (<https://eprocure.gov.in>)

- 1.1 Bidder should do online Enrolment in this Portal using the option Click Here to Enrol available in the Home Page. Then the Digital Signature enrolment has to be done with the e-token, after logging into the portal. The e-token may be obtained from one of the authorized Certifying Authorities such as eMudhraCA /GNFC / IDRBT/ MtnlTrustline/ SafeScript/TCS.
- 1.2 Bidder then logs into the portal giving user id / password chosen during enrolment.
- 1.3 The e-token that is registered should be used by the bidder and should not be misused by others.
- 1.4 Digital Signature Certificate (DSC) once mapped to an account cannot be remapped to any other account. It can only be inactivated.
- 1.5 The Bidders can update well in advance, the documents such as certificates, details etc., under **My Documents** option and these can be selected as per tender requirements and then attached along with bid documents during bid submission. This will ensure lesser upload of bid documents.
- 1.6 After downloading / getting the tender schedules, the Bidder should go through them carefully and then submit the documents as per the tender document, otherwise, the bid will be rejected.
- 1.7 The details of the rates offered have to be entered separately in a spread sheet file (xls format Price bid) in the space allotted and should be updated as BOQ.xls file for each tender. The Bill of Quantity (BOQ) template must not be modified/replaced by the bidder and the same should be uploaded after filling the relevant columns, else the bidder is liable to be rejected for that tender. **Bidders are allowed to enter the Bidder Name and Values only.**
- 1.8 The item rate is to be indicated against each item of description/s.
- 1.9 The rate will be applicable to the item against which the rate is quoted.
- 1.10 The figures entered in the column notified as Rates will have automatic conversion to words in next column and thereafter

the amount is calculated with multiplication of rate and quantity. This would be carried forward until end of BOQ and the total amount is calculated automatically and bidder need not insert anything other than rate in figures and name of the firm.

- 1.11. If any clarification is required, the same may be obtained online through the eProcurement Portal, or through the contact details given in the tender document. Bidder should take into account of the corrigendum if any published before submitting the bids online.
- 1.12. Bidder, in advance, should prepare the bid documents to be submitted as indicated in the tender schedule and they should be in PDF/XLS/RAR/DWF formats. If there is more than one document, they can be clubbed together.
- 1.13. Bidder should arrange for the Earnest Money Deposit (EMD) as specified in the tender condition No.2.5.3 of the Tender document.
- 1.14. The bidder should read the terms and conditions and on acceptance of the same shall proceed further to submit the bids.
- 1.15. The bidder has to submit the tender document(s) online well in advance before the prescribed time to avoid any delay or problem during the bid submission process.
- 1.16. There is no limit on the size of the file to be uploaded at the server end. However, the upload is decided on the Memory available at the Bidder's System as well as the Network bandwidth available at the bidder's side at that point of time. In order to reduce the file size, bidders are suggested to scan the documents in 75-100 DPI so that the clarity is maintained and also the size of file gets reduced. This will help in quick uploading even at very low bandwidth speeds.
- 1.17. It is important to note that, **the bidder has to Click on the Freeze Bid Button, to ensure that he/she completes the Bid Submission Process. Bids which are not Frozen are considered as Incomplete/Invalid bids and are not considered for evaluation purposes.**
- 1.18. The **Tender Inviting Authority (TIA)** will not be held responsible for any sort of delay or the difficulties faced during the submission of bids online by the bidders due to their internal issues.
- 1.19. The bidder may submit the bid documents online mode only, through this portal. Offline documents will not be handled through this system.

- 1.20. At the time of freezing the bid, the eProcurement system will give a successful bid updation message after uploading all the bid documents submitted and then a bid summary will be shown with the bid No., date & time of submission of the bid with all other relevant details. The documents submitted by the bidders shall be digitally signed using the e-token of the bidder and then submitted.
- 1.21. After the bid submission, the bid summary has to be printed and kept as an acknowledgement as a token of the submission of the bid. The bid summary will act as a proof of bid submission for the tender floated and will also act as an entry point to participate in the bid opening event.
- 1.22. Successful bid submission from the system means, the bids as uploaded by the bidder is received and stored in the system. System does not certify for its correctness.
- 1.23. The bidder should see that the bid documents submitted should be free from virus and if the documents could not be opened, due to virus, during tender opening, the bid is liable to be rejected.
- 1.24. The time that is displayed from the server clock at the top of the tender Portal, will be valid for all actions of requesting bid submission, bid opening etc., in the e-Procurement portal. The Time followed in this portal is as per Indian Standard Time (IST) which is GMT+5:30. The bidders should adhere to this time during bid submission.
- 1.25. All the data being entered by the bidders would be encrypted at the bidder's end, and the software uses PKI encryption techniques to ensure the secrecy of the data. The data entered will not be viewable by unauthorized persons during bid submission and not viewable by any one until the time of bid opening. Overall, the submitted bid documents become readable only after the tender opening by the authorized official.
- 1.26. During transmission of bid document, the confidentiality of the bids is maintained since the data is transferred over secured Socket Layer(SSL) with 256bit encryption technology. Data encryption of sensitive fields is also done.
- 1.27. The bidders are requested to submit the bids through online eProcurement system to the TIA well before the bid submission end date and time **(as per Server System Clock)**.
- 1.28. The technically qualified bidders and whose bids quoted are found to be in conformity with the tender conditions, will be eligible to participate in the e-auction.

1.29. After opening of the price bids, the highest quoted price by the bidders over and above the reserve price will become the floor price for e-auction and the participant bidders have to quote over and above the floor price in the e-auction. In no case the bidder should bid less than or equal to the floor price.

1.30. The minimum increment value of the bid shall be in multiple of **Rs.100/-** (Rupees Hundred only) for Open space (Unpaved / Paved) and **Rs.10** (Rupees ten only) for Covered space (with ACC / RCC Roof) and any bid below the incremental value shall not be considered for e-auction.

1.31. The duration of the e-auction will be indicated online. In case, if any tenderer submits further bid during the last five minutes before the e-auction end time, the e-auction end time shall be automatically extended by ten minutes and the process will continue till no bid is received during the last five minutes of the extended time.

1.32. If two or more bidders have quoted the same rate at the same time, the system will automatically accept the bid offered by the earliest bidder for arriving at the highest offer through e-auction.

1.33. The Chennai Port Trust (Ch.P.T) will not be held responsible for any technical snag or network failure during on-line bidding. It is the bidder's responsibility to comply with the system requirements i.e. hardware, software and internet connectivity at bidder's premises to access the e-Tender website. Under any circumstances, Ch.P.T shall not be liable to the bidders for any direct/indirect loss or damages incurred by them arising out of incorrect use of the e-Tender system or internet connectivity failures.

2. GENERAL INSTRUCTIONS:

2.1. Online biddings are invited by Ch.P.T from reputed bidders for e-tender cum auction for allotment of Port land inside Custom Bond Area of the areas mentioned in the Appendix – I, on annual license basis for a period of 5 years (without renewal option) for the purpose of Diesel Pump operation under two Cover System.

2.2. The tender document through e-procurement mode is open from 20.02.2020 to 11.03.2020 can be downloaded from the Ch.P.T official website and through e-procurement portal link.

2.3. The complete tender document including sketch can be downloaded from Chennai Port Trust website: www.chennaiport.gov.in and e- procurement Portal and submit

as tender offer online on or before the due date and time of submission.

2.4. The validity of the tender shall be for a period of **180 days** from the date of opening of the technical bid of the tender online.

2.5 **Earnest Money Deposit (EMD)**

2.5.1 Earnest Money Deposit will be equal to 10% of the annual license fee of the respective area and EMD (as indicated in Appendix – I) **may be paid only through online.**

2.5.2. The EMD may be **paid online to the Chennai Port Trust Account as under:**

Name of the beneficiary	CHENNAI PORT TRUST
Account Number	10885904367
Account	CURRENT ACCOUNT
Name of the Bank	STATE BANK OF INDIA
Branch Bank & Place	SBI, SME Branch, Chennai
IFSC	SBIN0018529
MICR CODE	600 002 288

EMD in any other form shall not be considered.

2.5.3. In case of payment of EMD through online, the proof of payment of EMD through online (UTR number) details shall be uploaded as a scanned copy of the payment through e-procurement portal under the Tender document- Technical bid while submitting Tender electronically in the e-procurement portal. Mere uploading of the details as proof of EMD payment through online and if receipt of payment is not confirmed by the Finance Department, **will lead to disqualification of the technical bid.**

The tender offer shall have to be submitted by the bidder only through **e-procurement mode** as explained in the Tender Document.

2.5.4 The EMD will be automatically forfeited in case of refusal to accept the allotment by the successful bidder.

2.5.5 Tender /offer without the EMD payment details as above shall not be considered.

2.5.6 The tenderers are advised to enclose an advance stamp receipt duly signed along with the Bank details, viz., Name and branch of the Bank, Account Number, Type of Account and IFSC & MICR code, along with a cancelled cheque leaf to enable the

Ch.P.T. to refund the EMD amount through RTGS to the unsuccessful tenderers (Appendix – IV).

2.5.7 No interest shall be paid on the EMD from the date of receipt till it is being refunded. In case of the successful bidder, the EMD shall be adjusted with Security Deposit on request.

2.6 Mandatory obligation:

2.6.1 Tenderer should submit the online tender in two covers, as per the specification of the tender and quote price over and above the reserve price, as indicated in Cover I & Cover II and in accordance with the instructions to tender, to consider the offer as complete. In fact, mere submission of offer online, will not mean that a particular offer will be automatically considered as qualified and the bid will be entertained.

2.6.2 The category of area which forms major portion of the total area of allotment will be the bidding parameter in each allotment, refer Appendix I. For example, out of the total allotment area of mg.500sqm, if the area under the category of Covered space (ACC Roof) is mg.300sqm, it will be the major portion of the allotment area. Hence, the bidding parameter would be the SoR rate as applicable for the Covered Space (ACC Roof) i.e., Rs.422/- per sqm.

2.6.3 Further, based on the bidding parameter as arrived in clause 2.6.2 (refer Appendix I) the licence fee for the total allotment area at the final H1 quoted rate will be levied accordingly. For example, during the e-auction if the bidding price received is Rs.442/- per sqm, against the base reserve price of Rs.422/- per sqm or part thereof for the covered space (ACC Roof) mg.300sqm, there is an increase of Rs.20/- on the base rate. As there is an increase by Rs.20/- for covered space (ACC Roof), the existing SoR base rate of open space paved area of Rs.13,385/- per 100sqm will be increased by Rs.200/-. Hence, the licence fee for the balance open space paved area mg.200sq.mtrs. (i.e., 500sqm - 300sqm = 200sqm) will be Rs.13,585/- per 100 sqm or part thereof. For example, in case of bidding parameter being open space (Unpaved / paved) and if there is an increase of Rs.200/- against the e-auction base price, then the SoR rate of covered space (ACC Roof) will be increased by Rs.20/- per sqm.

2.7 Inspection of site: The tenderer or his authorized representatives or agents will be granted permission to inspect the areas for the purpose of site inspection but on the condition that the tenderer / authorized representatives or agents shall indemnify the Port in writing to The Traffic Manager against any loss to Trust property or against any liability in respect thereof.

Prospective tenderers are advised to contact the officer Shri B.Madhan, Deputy Traffic Manager, Lands & Buildings Section at Phone No. 044 25362438/9444396678, regarding arrangement of site inspection. The cost incurred by the tenderers in preparing their offer or attending inspection of the site will not be reimbursed by the Ch.P.T.

- 2.8 **Deemed inspection:** Irrespective of participation in the site-inspection, the tenderers shall be deemed to have inspected the respective area before submission of offer and to have considered all relevant aspects necessary for submission of offer.
- 2.9 In case of any discrepancy between the content of the Tender Document submitted by the tenderer which is downloaded from Ch.P.T's website/ CPP Portal and the master copy of the Tender Document available in the office of the Traffic Manager, Ch.P.T, the latter shall prevail and shall be binding on the Tenderer.

3 Eligibility Criteria :

- 3.1 The bidder should submit any of the following documents to substantiate their status for which allotment of area is required for inside the Chennai Port.

a) All the required Statutory Approvals for operating Diesel Pumps for retail/distribution

- 3.2 30% of Average Annual Financial Turn Over, during the 3 financial years ending 31st March (i.e.,) 2016-17, 2017-18 and 2018-19, shall not be less than the Annual License Fee of the area for which the bid is submitted. **Balance Sheet & Profit and loss account of the bidder should be duly authenticated by a Chartered Accountant for the last three financial years as mentioned above**

If the bidder does not possess the above qualifying criteria, the bid shall stand disqualified and the same will not be taken up for evaluation.

4. COVER -I - TECHNICAL AND COMMERCIAL BID only through online

- 4.1 Bidders should upload bids through ONLINE website www.eprocure.gov.in and should contain the scanned copy of the following:

- a) The proof of payment of EMD through online (UTR number) details shall be uploaded for the area for which bid is submitted.
- b) To submit proof to substantiate their status as per clause 3.1.

- c) Balance Sheet & Profit and loss account of the bidder authenticated by a Chartered Accountant for the last three financial years as per clause 3.2
- d) PAN Card & GST registration certificate.
- e) IT Return for the last three Financial Years
- f) Self attested copy of Partnership Deed (in case the bidder is a partnership firm) or self attested copy of Memorandum of Association and Articles of Association/ Bye laws along with certificate of incorporation (in case the bidder is a company), if applicable. This is not applicable for a proprietorship firm and in that event, the same is to be clearly stated in the covering letter of the offer.
- g) Self Attested papers to indicate the status of the firm, name and designation of the proprietor/partners/ directors/major share holders etc. with profit sharing ratio and/or share holding pattern certified by authorities concerned or Chartered Accountant/Company Secretary, if applicable.
- h) Original Power of Attorney in favour of the person signing the tender document, if the tender is not signed by the proprietor / partner / authorized signatory, as the case may be, if applicable.
- i) Filled in APPENDIX II, IV, V & VI and filled in Format of undertaking III, as attached.**

All the above documents shall be self-attested before uploading the bid. Non-submission of any of the aforesaid documents lead to disqualification of the offer.

4.2 Note: Any indication of “Quoted Price” in the technical bid documents shall lead to rejection of the bid outright.

5. COVER II - PRICE BID - Through online only (Refer clause 1.7)

Bidders should quote over and above the reserve price. Bidders should necessarily submit their financial bids in the .xls format provided and no other format is acceptable. The bidders are cautioned to enable macros for comparing bid amount in figures and words (Ref point 1.10). For evaluation purpose the uploaded offer documents will be treated as authentic and final. No hard copy shall be submitted for reference purpose. The bid submitted through e-procurement mode only will be taken up for the purpose of evaluation.

6. EVALUATION / AUCTION:

- 6.1 On opening of Cover-I, the committee will evaluate the bid based on the fulfillment of Port's requirement in terms of documents submitted by the tenderer online. The offers with deviation in any of the conditions will be summarily rejected and no correspondence will be made in this regard.
- 6.2 The Trust reserves the right to seek any technical (or) commercial clarification. Since the tender involves selection based on pre-qualification criteria, the Trust will examine and seek clarification, if any, and list out the firms, which are found technically suitable and Cover-II "Price Bid" of such tenderers will only be opened. EMD will be returned to the disqualified tenderers.
- 6.3 The financial bids (cover II) of those tenderers who have been short listed in Technical bid by the Tender Committee alone will be opened online. The date and time of the opening of Cover-II of such tenderers will be published online.
- 6.4 Only those techno-commercially qualified bidders of the tender, who have quoted more than the reserve price in the format of the Price Schedule (BOQ), would be allowed to take part in the e-auction.**
- 6.5 The date, time and other details of e-auction will be notified online and tenderers shall take note in advance of their eligibility to participate in the e-auction.
- 6.6 The highest quoted price in the price Schedule shall be the floor price for that particular area of the tender in the e-auction. The tenderers are required to bid the rate over and above the floor price so fixed. The e-auction process will be as specified in the 'Instruction to Bidders'. Subsequently, the highest offer through e-auction (H1) will be taken as final price for the tendered area and the H1 bidder of the e-auction will be the successful bidder. EMD will be returned to the unsuccessful tenderers.

7. CONDITIONS OF LICENCE & SCOPE OF e-TENDER CUM AUCTION

Notwithstanding anything contained in the tender document, 'Policy Guidelines for Land Management by Major Ports, issued by Govt. of India, from time to time, shall prevail in case of any dispute as to the interpretation of any terms of this tender.

- 7.1 **Plot details:** As given in **APPENDIX – I**
- 7.2 **Applicability of the Chennai Port Trust's Scale of Rates:** The terms and conditions stipulated in the Scale of Rates, amended from time to time, will be applicable for the area allotted

through e-tender cum auction. ***The Tenderer can access to the Scale of Rates (SoR) in www.chennaiport.gov.in.***

- 7.3 **Sub-Let:** No subletting / transfer or parting with possession of the allotted area or part thereof will be allowed.
- 7.4 The Ch.P.T will not in any way take responsibility for pilferage, theft, fire or loss thereof. The successful bidder shall post their own watch to safeguard the goods stored at their allotted area and to prevent any unauthorized occupation of such area by others.
- 7.5 The successful bidder shall agree to comply with all rules and directions issued by the Ch.P.T from time to time. Should the successful bidder neglect to comply with such rules or directions, the Ch.P.T may terminate the allotment.
- 7.6 **Jurisdiction of Court:** In the event of disagreement / dispute between Ch.P.T and the successful bidder remains unresolved, the same shall be resolved under the jurisdiction of appropriate courts in Chennai **only**.
- 7.7 **Cleanliness:** The successful bidder shall be responsible for keeping the area clean to the satisfaction of Ch.P.T and the pollution under control as per applicable norm of State / Central Pollution Control Board and other statutory authorities during the entire period of allotment.

The successful bidder shall ensure that the garbage is cleared then and there.

Waste disposal is the responsibility of the bidder. No wastage should be thrown out. Non-compliance of waste disposal will invite penalty. Bidder, under no circumstances shall dispose plastic and food waste into the drainage. Damages caused to the drainage system by breaking the jallies etc., which will result inappropriate repairs will be recovered completely from the bidder.

- 7.8 **Permission for construction:** No permanent construction / installation within allotted area shall be allowed. General repair and maintenance work, without changing the characteristics of the existing mechanical / electrical equipment may be allowed with prior written permission of Traffic Manager, Ch.P.T. However, the same shall be removed at the licensee's cost on expiry of the period of allotment.
- 7.9 The successful bidder should bear the cost of infrastructure, if required, for the power connectivity / water supply to their allotted area with prior written permission of appropriate authority of Ch.P.T. The installation cost, cost of water and electricity consumed every month at the rates fixed by the

Ch.P.T based on the rates prescribed by the authority concerned from time to time, including the maintenance charges on electrical installations every month as may be fixed by the Ch.P.T from time to time shall be paid by the successful bidder.

7.10 Electricity:

A separate electrical meter shall be provided by MEE Dept and electrical meter cost will be charged to the successful bidder and as directed the successful bidder shall pay the consumption charges on or before 10th of every month to the finance department of Ch.P.T.

The Electrical charges are subject to revision from time to time by Chief Mechanical Engineer and the successful bidder is liable to pay at the revised rate as amended from time to time by MEE Department. The non-remittance of above charges by the successful bidder within the specified period shall attract penal interest as applicable per annum as per SoR from the due date and also liable for disconnection.

Security Deposit for Electricity (Refundable)

The Security Deposit for Electricity charges shall be based on the assessed electricity consumption by Chief Mechanical Engineer which shall be paid by the successful bidder before providing power supply. This will not carry any interest. This Deposit or any part of it shall be refunded to the successful bidder, after the expiry of allotment period or upon termination of licence for any breach of conditions of Licence, and after adjusting all dues, claims of the Trust.

In addition to the above, 20% Service charges on consumption charges will be made every month and GST on service charges extra will be levied.

7.11 Water

For water consumption, a separate meter shall be provided by MEE Department and meter cost will be charged to the successful bidder and the successful bidder has to pay the water consumption charges as charged by Chief Mechanical Engineer from time to time and as directed to the finance department of CHPT. These charges shall be paid by the successful bidder every month before 10th of the succeeding month, failing which it will attract penal interest as applicable per annum as per SoR and also liable for disconnection. Further the successful bidder should avoid wastage of water in any form.

Security Deposit for Water (Refundable)

The successful bidder shall pay security deposit for water consumption at the rate of assessed water consumption by Mechanical and Electrical Engineering Department for 3 months. This shall not carry any interest. This Deposit or any part of it shall be refunded to the successful bidder on the expiry of the period of allotment or upon determination of allotment for violation of conditions of allotment and after adjusting dues /claims of the Trust.

- 7.12 **Indemnity:** The successful bidder shall at his own expense pay compensation for any injury, loss or reinstate and make good to the satisfaction of Ch.P.T for loss or damage accrued to any property or rights of Ch.P.T whatsoever, including Ch.P.T's agents/servants/employees, or any third party arising out of or in any way in connection with the licence. Further, the successful bidder shall indemnify Ch.P.T against all claims enforceable against Ch.P.T (or agents/servants/employees of Ch.P.T) or which would be so enforceable against Ch.P.T as applicable, in respect of any such injury (including injury resulting to death), loss or damage to any person whomsoever or property including all claims which may arise under the Workmen's Compensation Act or otherwise.
- 7.13 **Amendment of Tender Document:** At any time prior to the due date for submission of tender, Ch.P.T may, for any reason, whether at its own initiative or in response to queries raised /clarifications sought by the tenderer(s) during the pre-bid meeting or otherwise, modify the Tender Document by issuance of Addendum/Corrigendum in e-procurement website and in www.chennaiport.gov.in. In order to afford prospective tenderer(s), a reasonable time to take Addendum/Corrigendum into account, or for any other reason, Ch.P.T, at its discretion, may extend the due date of submission of offer through appropriate notification in e-procurement website / Chennai Port Trust's website.
- 7.14 **Sanitation & Fire Service:** The successful bidder will also keep the area in good sanitary and drainage condition at their own cost. Necessary fire-fighting arrangement has also to be installed after obtaining appropriate approval in writing from the Deputy Conservator, Marine Department, Ch.P.T for any such installations.
- 7.15 **Statutory Clearances:** The successful bidder must obtain all statutory clearances, as may be required as per law(s), from the concerned Ministries/Departments/ Authorities before commencement of activities and thereafter, will follow all safety norms as may be prescribed by the competent authorities.

The successful bidder shall conform and be bound by all the statutory rules, Labour Laws, Security Regulations of Port as per ISPS Port Regulations, health, sanitation and drainage and those regulations of safety, pollution control etc., prescribed from time to time under the provisions of any law being in force and shall obtain clearance from the concerned competent authorities wherever required.

7.16 Termination of allotment :

Ch.P.T reserves the right to terminate the licence and cancel the allotment, if there is any breach of terms and conditions as per Allotment Order.

The Ch.P.T reserves the right to resume possession of area wholly or partly at any time for any operational reasons or for any Projects of Port/Government on 15 days notice.

Premature exit is permissible on 6 month's advance notice by the licensee. In such case 6 month's licence fee of Security Deposit will be forfeited.

After expiry / termination of allotment on account of change of user assignment, etc., if the successful bidder continues to occupy it unauthorisedly, the successful bidder shall be liable to pay penalty for wrongful use and unauthorised occupation as prescribed in the Scale of Rates till the vacant possession is obtained for the said area, by Ch.P.T.

7.17 Terms of payment:

- (i) The category of area which forms major portion of the total area of allotment will be the bidding parameter in each allotment, refer Appendix I. For example, out of the total allotment area of mg.500sqm, if the area under the category of Covered space (ACC Roof) is mg.300sqm, it will be the major portion of the allotment area. Hence, the bidding parameter would be the SoR rate as applicable for the Covered Space (ACC Roof) i.e., Rs.422/- per sqm.
- (ii) Further, based on the bidding parameter as arrived in clause 7.17(i) (refer Appendix I) the licence fee for the total allotment area at the final H1 quoted rate will be levied accordingly. For example, during the e-auction if the bidding price received is Rs.442/- per sqm, against the base reserve price of Rs.422/- per sqm or part thereof for the covered space (ACC Roof) mg.300sqm, there is an increase of Rs.20/- on the base rate. As there is an increase by Rs.20/- for covered space (ACC Roof), the existing SoR base rate of open space paved area of

Rs.13,385/- per 100sqm will be increased by Rs.200/-. Hence, the licence fee for the balance open space paved area mg.200sq.mtrs. (i.e.,500sqm - 300sqm = 200sqm) will be Rs.13,585/- per 100 sqm or part thereof. For example, in case of bidding parameter being open space (Unpaved / paved) and if there is an increase of Rs.200/- against the e-auction base price, then the SoR rate of covered space (ACC Roof) will be increased by Rs.20/- per sqm.

- (iii) The successful bidder shall make full payment within 7 administrative working days from the date of receipt of allotment order from Ch.P.T towards (a) refundable security deposit equivalent to 6 months License Fee of the total allotment area, at the final H1 quoted rate, as per clause 7.17(ii) (b) Annual license fee for the total allotment area, at the final H1 quoted rate, as per clause 7.17(ii) with applicable taxes for the first year of the allotment period.
- (iv) The payment shall be made through Online ECS mandate / NACH/ RTGS /Electronic transfer to Ch.P.T's Bank account. The break up details of such payment like licence fee, GST, TDS etc., shall be furnished to AO(Rent) **e-mail accountsrent2018@yahoo.com** or through letter addressed to AO(Rent), Finance Department of Chennai Port Trust within 3 days of remittance.
- (v) The currency of payment shall be in INR.
- (vi) If the successful bidder fails to remit the payment as per clause 7.17(iii) above, the allotment stands to be cancelled as per the provisions of Scale of Rates and EMD will be forfeited.
- (vii) From the 2nd year onwards the annual license fee shall be paid 15 days in advance before the commencement of that respective allotment period.
- (viii) In case of delayed remittance of licence fee as per clause 7.17(vii) above, the successful bidder is liable to pay penal interest and penalty at applicable rate as per Scale of Rates, amended from time to time, for the period from the due date till the date of payment.
- (ix) In the event of delay in making the payment as stated above, the Ch.P.T will have the right to cancel the allotment of the area apart from forfeiting the Security Deposit and will also have the right to initiate proceedings under the provisions of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 for the recovery of dues / eviction.

- (x) The annual escalation of 5% on the quoted rate is applicable for each calendar year from January subject to revision as per the Scale of Rates amended from time to time. The successful bidder is liable to pay the annual license fee on the quoted rate with escalation of 5% (Compoundable) applicable from January of each calendar year during the tenure of allotment period of 5 Years.
- (xi) The licence fee is subject to revision in accordance with the amendments to the Ch.P.T's Scale of Rates from time to time. In the event of such revisions, the successful bidder is liable to pay either the escalated licence fee on the final quoted rate or revised licence fee at the time of revision, whichever is higher and additional security deposit has to be remitted for every escalation/revision.
- (xii) The tax components will be as in vogue from time to time. The same has to be paid by the successful bidder along with the licence fee for onward remittance to the concerned authority.
- (xiii) **Applicable charges:** During the currency of the allotment, the successful bidder shall be liable to pay the licence fee charges, security deposit, etc., and to maintain the deposit account(s) with Ch.P.T, if any, as required.

7.18 The sequence of activities as enumerated in the above clause shall be as follows:

Issuance of Allotment order by ChPT to the successful bidder.

Acceptance of the said Allotment order and acknowledging the same by the successful bidder on payment of all the charges i.e., security deposit and annual licence fee including taxes, will be treated as the successful bidder agreed to take possession of the area for the purpose of the tender.

7.19 **Security Deposit:** The successful bidder shall deposit a sum equivalent to 6 months License Fee of the total allotment area, at the final H1 quoted rate, as per clause 7.17(ii), as Security Deposit through Online ECS mandate / NACH/ RTGS / Electronic transfer to Ch.P.T's Bank account before taking over possession of area and the same shall be paid within 7 working days from the date of receipt of allotment order from Ch.P.T. The Security Deposit will not carry any interest. In the event of expiry of license period, the Security Deposit will be refunded/adjusted against the dues if any payable by the successful bidder to the Ch.P.T.

7.20 **Purpose:** If the allotted area is not utilized for the purpose it has been allotted, the allotment is liable for termination and the Security Deposit shall be forfeited.

- 7.21 **Way Leave:** For installation of permanent pipelines, other service lines, etc., through Ch.P.T estates outside the licensed area/ structures, way leave permission from Mechanical & Electrical Engineering Department of Ch.P.T will have to be separately obtained on payment of charges as applicable as per Scale of Rates, amended from time to time.
- 7.22 If the existing licensee, is not being a successful bidder, has to vacate and surrender the area in as is where is condition, after remitting the Port dues.
- 7.23 **Licence Agreement :**
- The successful bidder has to enter into an agreement with the Trust at their cost duly affixing the non-judicial stamp value of Rs.100/- in the prescribed format. This executed agreement along with the subject tender document conditions, all those correspondence letters, note, clarifications if any etc., exchanged between the successful bidder and Ch.P.T shall be part of the agreement and will be a binding contract between the Ch.P.T., as the Licensor and the successful bidder, as the Licensee.
- 7.24 The Information required by Ch.P.T from the tenderer(s) for the purpose of examination, evaluation etc. will be kept in confidence by Ch.P.T and Ch.P.T will not divulge any such information unless it is ordered to do so by any authority that has power under the law to require its release.
- 7.25 The Chennai Port Trust reserves the right to reject any or all tenders without assigning any reasons thereof.
- 7.26 The Chennai Port Trust reserves the right to allot the area to the successful bidder. The period of allotment will be as mentioned in the allotment order issued by the Port to the successful bidder.

**TRAFFIC MANAGER
CHENNAI PORT TRUST**

APPENDIX I

DETAILS OF THE AREAS, RESERVE PRICE AND EMD FOR ALLOTMENT THROUGH E-TENDER CUM AUCTION FOR THE PURPOSE OF SHIP REPAIR WORK INSIDE THE CUSTOM BOND AREA.

Item No. / Area reference No.	Details of the Total Allotment Area	Bidding parameter as per Clauses 2.6.2 & 7.17(i)	Base Reserve Price in terms of License fee Per calendar month or part thereof	Annual License fee excluding GST (in Rs.)	EMD (in Rs) 10% of Annual License fee (Rounded off)
1 / C6/338(A)/2020/T	Area mg.451sqm (comprising of Covered Space with RCC Roof/structure mg.58sqm., Open space paved area mg.344sqm and Open space Unpaved mg.49sqm) near 10 th Gate, III section	Open space Paved	Rs.13385/- per 100sqm.	10,20,744	1,02,100

APPENDIX – II

Format for Earnest Money Deposit for participation in the e-tender cum e-auction for “Allotment of areas inside Custom Bond Area ‘as is where is condition’ on annual license basis for a period of 5 years (without renewal option) for the purpose of Diesel Pump operations under Two Cover System”.

Mention specific area/s from the Appendix I **Item No., / Area reference No..... mg.-----**

Amount as EMD	Amount in Rs.	UTR no. with date	Name and Branch of Bank
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(Signature of the bidder with stamp)

APPENDIX - III

FORMAT OF UNDERTAKING TO BE SUBMITTED BY THE BIDDER

I (signatory of this undertaking).....son / daughter / wife of....., aged about.....years, in occupation....., residing at....., do hereby solemnly affirm and declare as follows:

- I / We am/are a citizen(s) of India;
- I / We have not been removed/ dismissed from service/employment earlier;
- I / We have not been found guilty of misconduct in professional capacity;
- I / We am/are not an un-discharged insolvent;
- I / We have not been convicted of an offence;
- I / We have read and understood the Terms and Conditions contained in the Tender Document No. C6/338/2020/T and all applicable addendum / Corrigendum;
- I / We agree to all the Terms and Conditions contained in the Tender Document No. C6/338/2020/T and all applicable addendum / Corrigendum.
- I/We confirm that from the Location Drawings, I / We are sure of area/s for which bid/s have been submitted
- In the event of disagreement / dispute between Ch.P.T and the successful bidder remains unresolved, the same shall be resolved under the jurisdiction of appropriate courts in Chennai only.
- I / We have not concealed or suppressed any material information, facts and records and
- I / We have made a complete and full disclosure.
- I / We have not been delisted/debarred/blacklisted by any Govt. Ministry/ Department / PSU/ Autonomous Body/ Local Authority in connection with our business with them in any manner whatsoever, during last 5 years.

In the above undertaking, 'I' stands for the individual or the proprietor and 'We' stands for bidders having other legal status.

Dated:

Signature.....

Name.....

Address.....

SEAL OF THE BIDDER:

Note : This format should be submitted separately for each applied area. Mention specific area/s from the Appendix I **Item No., / Area reference No..... mg.-----**

APPENDIX-IV

(TO BE TYPED IN THEIR RESPECTIVE LETTER HEAD)

DATE :

ADVANCE STAMPED RECEIPT

RECEIVED WITH THANKS FROM THE CHAIRMAN, CHENNAI
PORT TRUST A SUM OF RUPEES _____ (IN FIGURES)
_____ (IN WORDS)
TOWARDS REFUND OF EARNEST MONEY DEPOSIT FOR THE E-
TENDER CUM AUCTION FOR ALLOTMENT OF AREA INSIDE
CUSTOM BOND AREA IN "AS IS WHERE IS CONDITION" ON ANNUAL
LICENCE BASIS FOR A PERIOD OF 5 YEARS WITHOUT RENEWAL
OPTION FOR THE PURPOSE OF DIESEL PUMP OPERATIONS UNDER
TWO COVER SYSTEM VIDE TENDER NOTIFICATION NO.
C6/338/2020/T DT.20/02/2020.

BANK DETAILS : SHOULD FURNISH THE BANK DETAILS (REFER
CLAUSE 2.5.6)
(cancelled cheque leaf to be attached)

REVENUE STAMP WITH SIGNATURE

Note : This format should be submitted separately for each applied area. Mention specific area/s from the Appendix I Item No., / Area reference No..... mg.-----

(To be uploaded online)

APPENDIX-V (Cover - I)

Tender No. **C6/338/2020/T**

Schedule Format for token of confirmation of area

To
The Traffic Manager,
Chennai Port Trust.

Sir,
We here by submit our bid for

DESCRIPTION OF AREA

Note:

- 1. Mention specific Item No., / Area reference No.....
from the Appendix I**
- 2. Area mg.....**

Signature of the bidder
with stamp & date

APPENDIX-VI

DRAWING

