

Varanasi MMT OMT and Sahibganj MMT OMT- Responses to further clarifications sought

S No	S No as per IWAI response dated 26.03.2024	Article no	Initial query and IWAI response dated 26.03.2024	Further clarification sought	Response
1	-	-	-	<p>LAD</p> <p>A study of LAD report published by IWAI indicates:</p> <p>a) LAD at Farakka Lock Gate (chainage 541 to 544 km) will fall below 1.5 m if dredging is not done during lean period.</p> <p>b) LAD from Sahibganj to Varanasi: If dredging is not done during lean period, depth can fall below:</p> <ul style="list-style-type: none"> • Near Barh chainage 894 to 901 km: 1.8m • Before Patna chainage 904 to 935 km: 1.6 to 1.8 m • Beyond Patna near Doriganj chainage 1000 km onwards: 1.1 m • Right upto Varanasi chainage 1308 km: 1 m <p>From the above observations, it is clear that after the initial dredging is done to get the specified LAD as per the contract, periodical maintenance dredging as and when required must be carried out to ensure LAD during</p>	<p>Kindly refer to Article 7.3.3, which states that “The Concessioning Authority may arrange for dredging operations, as may be required to ensure the LAD as per this Agreement, with minimum inconvenience to or dislocation of the Project Facilities and Services;”</p> <p>IWAI has recently conducted successful trials runs in March 2024 and April 2024 between Kolkata to Varanasi, with no hindrance to vessel passage.</p>

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				<p>lean period specially from November to April.</p> <p>As a matter of fact, to assess the efficacy of dredging and other activities as discussed above, it would be necessary to conduct trial run during November to April when obstruction/ bottleneck, if any, could be jointly noted by both the Concessioning Authority and Concessionaire for further necessary action with a view to remove all the bottlenecks, prior to commencement of COD.</p>	
2	-	-	-	<p>LAD</p> <p>Portions of navigation channel along NW-1 prone to heavy siltation and consequent low draft should be marked by buoy to provide a clear navigation width of 45 m to ensure smooth maneuvering of barges having higher length overall (LOA).</p>	<p>IWAI undertakes survey of the entire length of NW-1 and accordingly the navigational channel is marked for safe navigation. The electronic charts are also published clearly marked with the navigational route.</p>
3	-	-	-	<p>Air draft/ vertical clearance</p> <p>There are number of bridges (around 26 nos.) along NW-1 between Haldia to Varanasi having different vertical distances from the water level. Concessioning Authority should</p>	<p>NW-1 is classified as Class VII waterway between Sagar-Patna and Class VI waterway between Patna to Allahabad. The vertical clearance as per these Class of waterways is 10 m. For details on LAD and vertical clearance for NW-1 stretches, IWAI website may be visited.</p>

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				specify the minimum vertical clearance in excess of air draft that allows a vessel to pass safely under the bridges or object. This is an important parameter to ensure economically viable sizes of barges during high tide and low tide.	
4	-	-	-	<p>Obstruction due to pontoon bridges</p> <p>There are a number of Pontoon bridges made by local administration to facilitate river crossing by local population. We understand that there are 4 nos. pontoon bridges spread over 49 km around Patna, Gaighat and Jamalpur in Bihar and 8 such bridges spread over 193 km in U.P. along NW 1 route. As opening and closing of the pontoon bridges require permission of local administration, the Concessioning Authority, in consultation with concerned local government officials should work out a Standard Operating Procedure (SOP) for opening and closing the pontoon bridges to facilitate unhindered movement of barges through these areas</p>	<p>Pontoon bridges are currently operated by state Govt. The pontoon bridges are opened on request for crossing of vessels at arrival. IWAI facilitates opening of pontoon bridges.</p> <p>To further ease the operation, IWAI has already initiated actions for fabrication and installation of quick pontoon operating system.</p>

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5	-	-	-	<p>Obstruction due to pontoon bridges</p> <p>We understand that in certain sectors of NW-1 there are lack of night navigation facilities specially from Patna to Varanasi. This should be provided before commissioning of the project.</p> <p>COD should commence only after satisfactory resolution of the above issues. During trial run as well as after commencement of COD, if the barges get obstructed due to above issues, suitable compensation should be paid to the Concessionaire to mitigate the losses.</p>	<p>Vessel can navigate with the help of electronic charts.</p> <p>Night navigation aids are already available between Haldia to Ballia (1,140 km) stretch. Night navigation between Ballia and Varanasi shall be provided after COD.</p> <p>No change. Tender conditions prevail.</p>
6	-	-	-	<p>Dredging</p> <p>It has been observed in the LAD report for NW-1 for the year 2023-24 published by IWAI, no survey figures in the lean period have been given for most of the areas between Farakka to Varanasi from July to March. The Concessioning Authority should share the entire survey report, specially of the lean period with the Concessionaire to facilitate cargo movement planning.</p>	<p>The survey of entire waterway is undertaken on weekly/fortnightly basis and data is uploaded on IWAI website. Kindly refer to the IWAI website for LAD reports.</p>

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7	3	4	<p>Query: As no performance can be guaranteed without availability of LAD, the same should be payable after ensuring LAD for uninterrupted commercial operation. Kindly confirm.</p> <p>Response: All contracts for fairway maintenance between Haldia and Varanasi (except stretch between Kahalgaon – Sultanganj and river bend correction upstream of Farakka navigation lock) shall be awarded prior to COD.</p> <p>The fairway maintenance between Kahalgaon – Sultanganj and</p>	<p>Performance guarantee</p> <p>We assume from the Pre-bid queries responses dated 26.03.2024 that initial Performance Guarantee of INR 2.8 crore (for Sahibganj MMT) and INR 2 crore (for Varanasi MMT) need to be paid within 15 days of COD. However, no installment payment facility for the balance amount has been mentioned in your reply.</p> <p>We suggest a total Performance Guarantee of INR 8.40 crore for Sahibganj MMT and INR 6 crore for Varanasi MMT to be paid in two suitable mutually agreed installments which may kindly be confirmed.</p>	<p>Kindly refer to Article 4.1.1 of the DCA.</p> <p>Initial Performance Guarantee of INR 2.8 crore (for Sahibganj MMT) and INR 2 crore (for Varanasi MMT) is payable within 15 days of the execution of the Agreement.</p> <p>The balance Performance Guarantee of INR 4 crore (for Varanasi MMT) and INR 5.6 crore (for Sahibganj MMT) shall be payable within 15 days of the completion of joint site inspection.</p> <p>No change. Tender conditions prevail.</p>

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			<p>river bend correction upstream of Farakka navigation lock shall be taken up departmentally prior to COD.</p> <p>If the same are not fulfilled, COD may be extended.</p>		
8	4	6.5.2	<p>Query: It is reiterated that Concessionaire cannot be held responsible for any inadequacy, if found later, in sub-soil investigation carried out much before signing of the Agreement based on which all terminal assets construction have been completed by the Concessioning Authority. Kindly confirm.</p>	<p>We assume that the Concessionaire will carry out soil test, if required, for new construction to be done by the Concessionaire.</p> <p>It should be clearly understood that the Concessionaire shall not be held responsible for any inadequacy whatsoever including soil test in constructing the terminal assets by the Concessioning Authority. This may kindly be confirmed.</p>	<p>It is reiterated that IWAI has carried out sub-soil investigation for the structures constructed through EPC contract and will be responsible for its adequacy.</p> <p>The Concessionaire can take the aforementioned sub-soil investigation as reference. However, the Concessionaire shall do due diligence and undertake own study for additional information for new interventions, if required.</p>

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			<p>Response: IWAI has carried out sub-soil investigation for the structures constructed through EPC contract. These can be taken as reference. However, the Concessionaire shall do due diligence and undertake own study for additional information if required.</p>		
9	5	7.2.2	<p>Query: LAD is the single most important parameter for successful operation of MMT and hence, it deserves making it a condition precedent. Therefore, we request to kindly review and confirm</p> <p>Response: All contracts for fairway</p>	<p>Even after fulfilling the condition by the Concessioneing Authority, regarding both the initial and maintenance dredging, if barges get stuck in NW-1 due to reasons attributable to lack of draft, all losses incurred by the Concessionaire shall be compensated by the Concessioneing Authority.</p> <p>It may be noted that 2nd para of Article 7.2.2 regarding Concessionaire's engaging suitable intervention at its own cost and subsequently get it-reimbursed by the</p>	<p>Kindly refer to Article 3.2.3.4 which states that all contracts for fairway maintenance between Haldia and Varanasi (except stretch between Kahalgaon – Sultanganj and river bend correction upstream of Farakka navigation lock) shall be awarded prior to COD. The fairway maintenance between Kahalgaon – Sultanganj and river bend correction upstream of Farakka navigation lock shall be taken up departmentally prior to COD.</p> <p>Kindly refer to Annexure XXV of the DCA which provides for Key Performance</p>

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			<p>maintenance between Haldia and Varanasi (except stretch between Kahalgaon – Sultanganj and river bend correction upstream of Farakka navigation lock) shall be awarded prior to COD.</p> <p>The fairway maintenance between Kahalgaon – Sultanganj and river bend correction upstream of Farakka navigation lock shall be taken up departmentally prior to COD.</p> <p>If the same are not fulfilled, COD may be extended.</p>	<p>Concessioneing Authority should be deleted. Kindly confirm.</p>	<p>Indicators of the Concessioneing Authority. On account of unavailability of LAD along the designated navigational channel of NW-1, approach channel, turning circle and loading/unloading points in front of the jetty as per the thresholds provided, the Concessioneing Authority shall be liable to pay Liquidated Damages as per in Annexure XXV of the DCA.</p> <p>No change. Tender conditions prevail.</p>
10	6	7.3.3	<p>Query: LAD is the single most important</p>	<p>Survey report showing availability of LAD during lean period of 6 months (November to April)</p>	<p>IWAI has recently conducted successful trials runs in March 2024 and April 2024 between Kolkata to Varanasi, with no hindrance to vessel passage.</p>

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			<p>parameter for successful operation of MMT and hence, it deserves making it a condition precedent. Therefore, we request to kindly review and confirm.</p> <p>Response: All contracts for fairway maintenance between Haldia and Varanasi (except stretch between Kahalgaon – Sultanganj and river bend correction upstream of Farakka navigation lock) shall be awarded prior to COD.</p> <p>The fairway maintenance between Kahalgaon – Sultanganj and river bend correction upstream</p>	<p>when LAD get reduced may kindly be confirmed.</p>	

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			<p>of Farakka navigation lock shall be taken up departmentally prior to COD.</p> <p>If the same are not fulfilled, COD may be extended.</p>		
11	7	15.1.1 (vi)	<p>Query: Request review all these items as any performance parameter like minimum riverine cargo cannot be achieved unless obligations of Concessioning Authority including ensuring LAD are maintained. Kindly confirm.</p> <p>Response: All contracts for fairway maintenance between Haldia and Varanasi (except stretch between</p>	<p>Apart from LAD, the other obstructions due to bridges, pontoon bridges, as mentioned above must be taken care of before assessing recommended minimum riverine cargo to be achieved.</p>	<p>Kindly refer to response at S. No 1, 2,3,4, 5, 6, and 9</p>

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			<p>Kahalgaon – Sultanganj and river bend correction upstream of Farakka navigation lock) shall be awarded prior to COD.</p> <p>The fairway maintenance between Kahalgaon – Sultanganj and river bend correction upstream of Farakka navigation lock shall be taken up departmentally prior to COD.</p> <p>If the same are not fulfilled, COD may be extended.</p>		
12	Amendment 3	-	-	The Estimated Project Cost given in Annexure XXVI is not in conformity with clarification given in Annexure 1111: Scope of Work which categorically mentioned that the Concessionaire shall construct one additional berth of 130 m (100 m for Varanasi) in length and 25 m in width	<p>Please refer to Annexure XXVI of the DCA for Varanasi MMT and Annexure XXVI of the DCA for Sahibganj MMT for the Estimated Project Costs and its breakup.</p> <p>The DPR provided with DCA is only for reference purpose and it is not a binding document for the Concessionaire.</p>

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				<p>(35 m for Varanasi) along with corresponding shore protection works after Capacity Augmentation Trigger is met. Therefore, including site grading, internal roads and belt conveyor system for Sahibganj and internal roads, warehouses, stockyard for Varanasi in the estimate is redundant. Also, estimated cost of INR 2.52 crore (Sahibganj) and INR 2.04 crore (Varanasi) for internal roads does not tally with the figure given in DPR and Estimated Project Cost of INR 95.05 crore for Sahibganj and INR 67.15 crore for Varanasi should not be applicable. Also the Contingency and Escalation figures indicated are considered grossly inadequate in view of the long period for Capacity Augmentation Trigger.</p>	<p>As per Annexure III of the DCA for Varanasi MMT, Concessionaire is required to construct one additional berth of 100m by 35m along with associated infrastructure such as shore protection works if capacity augmentation trigger is met, i.e., if capacity utilization is greater than 80% of terminal design capacity of 1.26 mmtpa for two consecutive years. The augmented capacity should be greater than the initial terminal design capacity of 1.26 mmtpa.</p> <p>Similarly, as per Annexure III of the DCA for Sahibganj MMT, Concessionaire is required to construct one additional berth of 130m by 25m along with associated infrastructure such as shore protection works if capacity augmentation trigger is met, i.e., if capacity utilization is greater than 80% of terminal design capacity of 3.03 mmtpa for two consecutive years. The augmented capacity should be greater than the initial terminal design capacity of 3.03 mmtpa.</p>