

Para wise reply to the Pre-Bid queries of the Bidders raised in **first Pre-Bid meeting held on 18/12/2020** in connection with “RFP for Development of Logistic Parks/ Freight Terminals/ Parcel Terminals and their connectivity with DFC stations through private investment”..

Reply to the Pre-bid queries received from various prospective bidders through e-mail and VC chat during Pre-Bid meeting:

Sr. No.	Reference clauses of RFP	Clauses of RFP	Queries	Reply to queries
DP World				
1		General	<p>Authority is requested to provide all technical details related to DFC alignment at proposed DFC stations. This would inter-alia include:</p> <ul style="list-style-type: none"> • As-built DFC alignment drawings including RUB & ROB • Details of land available with DFCCIL along the alignment and stations • Station drawings – GAD/Signalling Plan / ESP • Station layout maps – station land boundary • Station co-ordinates • Status of construction works • Expansion plan for stations, if any <p>Aforesaid information is instrumental in identifying suitable land parcel as well as assessing requirements for connecting with the DFC Stations</p>	<p>Relevant information will be shared with successful bidder.</p> <p>In case of Station Co-ordinates, station layout maps relevant to connectivity, can be shared on one to one basis under confidential mode.</p>

2	Section 1 (12)	Last Date and time of Submission of Proposal	<p>As per Annexure 4 of the RFP, proposal for every location will be submitted with details including :</p> <ul style="list-style-type: none"> • land area, • distance from nearest DFC station, • estimated project cost, • connectivity requirement, • market size, commodities and traffic estimates • Infrastructure requirement (warehouse, handling rail line, holding rail lines, shunting neck, weigh bridges, etc) <p>To suitably address the above requirements, techno commercial surveys/studies/site investigations at different locations would be conducted and would require minimum 8-10 weeks after clarifications to queries has been received from DFCCIL.</p> <p>In view of above, Authority is requested to extend the Last Date of Submission of Proposal to at least 12 weeks from the date of issuance of written clarifications to all the pre-bid queries by the Authority.</p>	Please see Addendum no.2B in DFCCIL website.
3	Section 1 (8)	Bid Security	<p>The bid validity period provided as per this section is 28 days beyond proposal validity period which is equivalent to 118 days from submission deadline. However, as per Form 6, the Bid validity shall be for a period of 240 days from bid submission date. Authority</p>	<p>The Bid security validity period is 90 days beyond the proposal validity period (Proposal validity period is 90 days from proposal submission deadline). Please see Addendum no.2 on DFCCIL website.</p>

			requested to confirm the validity period of the Bid Security.	
4	Section 1 (4)	Type of Contract : License	<p>1. Authority is requested to provide copy of draft License Agreement proposed to be entered between DFCCIL and the TMC as part of this RFP.</p> <p>2. Further, Authority is requested to allow reasonable time to prospective bidders to raise queries and provide comments/suggestions on the draft License Agreement and Authority to provide the necessary clarifications to such queries.</p>	<p>1. Draft License agreement will be uploaded on DFCCIL website as Addendum of RFP. Detailed terms and conditions are laid down in RFP document.</p> <p>2. Sufficient opportunity has been given to raise queries during the Pre-Bid meeting discussion including chat box of MS team and through emails. Second Pre-Bid meeting was also arranged to raise the queries on 11/01/2021 vide Addendum no.2A.</p>
5	3.1 (3)	Proposals are required to be submitted only in hard copy and soft copy of RFP document is available in website - https://dfccil.com/ and https://eprocure.gov.in/eprocure/app and submission of RFP will not be accepted online. Bid Security amount should be either submitted through DD or electronic transfer and acknowledgement/ receipt of transaction / Original BG for off-line should be attached with the proposal, or in the form of e-Bank Guarantee the detail of which should be attached with the proposal, failing which the offer shall be summarily rejected.	Given the COVID 19 situation and ongoing requirement of work-from-home, submission of proposal in hard copy would be challenging and may enhance risk of contamination. Accordingly, Authority is requested to accept online submission of the proposal.	Online provision for this type of tender in IREPS portal (digital platform) is not available. Hence the option of hard copy submission is resorted to.

	3.1(10)	Bids will be submitted only in hard copies at DFCCIL office address mentioned in Sr.no.15 of section 1.		
	3.1 (11)	Proposals will not be accepted electronically/online.		
	3.1 (12)	Bidder (s) must submit: Proposal: one (1) original, three (3) copies and CD/Pen-drive containing soft copies of the proposal in pdf and documents (DOCX) format;		
6	3.1 (22)	Each bidder must submit: <ul style="list-style-type: none"> • A declaration that the information furnished with the bid documents is correct in all respects; • o Such other certificates as required in this RFP document; failure to produce the stipulated certificates shall make the bid non-responsive. 	We understand that the declarations envisaged under this clause are suitably covered in Form 2 (Form of Declaration) that will be submitted with the bid towards declaration by the bidder. For avoidance of doubt, Authority is requested to confirm that no separate declaration is required to be submitted by the bidders for the specific purpose of this clause 3.1.22.	Declaration under Form-2 is sufficient for proposal submission.
7	3.2	A particular bidder can bid for multiple locations (DFC stations) and each location will be treated as a separate application and will be governed by a separate contract. Bid security shall be separate for each application/proposal. For example, if a bidder is applying for 2	1. Please confirm in case of submission of bid for more than one location, only Annexure 4 and Bid Security needs to be separately submitted for each such locations. All other documents required (as per Checklist on Page 5) can be submitted common for all locations.	1. Provisions under clause 3.2 in RFP stand good. One set of documents Covering letter, profile, CA certificate, experience, Pre-contract Integrity Pact, etc. will be submitted per bidder. Information related to locations and Bid security will be submitted location-wise.

		locations, he shall submit bid security for each location separately.	2. To encourage participation in bids for multiple locations, Authority is requested to reduce the bid security amount to INR 5,00,000/- (Rupees Five Lakhs) per bid for each location.	2. Please see Addendum no.2 on DFCCIL website.
8	3.3 (b) xxii. (a)	Where, on the due date of the Bid, not less than 25% (twenty five percent) of the aggregate issued, subscribed and paid up equity share capital/capital contribution/partnership contribution in the Lowest Bidder or its member	Please define the term “Lowest Bidder” as it is in capitalised term.	“Lowest Bidder” in this clause means successful bidder.
9	3.3 (b) (xxii) (e)	In case the selected Bidder under (a) above is denied the security clearance, for whatsoever reasons, then the Bidders emerging as qualifying bidder having second highest average turn-over bidder having third highest average turnover (in that order) may be given a counter-offer (one by one sequentially) for award of connectivity license.	Please advise on the process and timelines for security clearance of Bidder from the competent authority from national security and public interest perspective as per the instructions of the Government of India.	The matter pertains to other than DFCCIL. Security clearance will be granted as per Government of India guidelines.
10	3.6 (v).b	In the case of a successful bidder fails to comply terms of LOA or fails to sign the agreement within the specified time limit as specified by DFCCIL	Please advise on the estimated timeline of issue of LoA and signing of License Agreement w.r.t Bid Submission Date	The contract work will start after receipt of LOA and signing of License period will be mentioned in LOA.
11	3.6 (iv)	Bid security of unsuccessful applicants will be returned, without any interest, as promptly as possible on acceptance of the proposal of the	Please advise us on within what time frame from Bid Due Date the Bid Security of unsuccessful applicants would be returned.	The bid security shall be returned to the bidders without interest within reasonable time.

		successful bidder or when the selection process is completed by DFCCIL.		
12	3.6 (vi)	Bid Security of the successful bidder shall be retained by DFCCIL towards performance security/guarantee for the commissioning period and further, during the license period.	<p>1. Please advise on the Performance Guarantee amount for project at a location. Our understanding is that it would not be more than the amount of the Bid Security.</p> <p>2. Further, the Performance Guarantee should be valid only during the construction period and not the operational period. Authority requested to amend this clause accordingly.</p>	<p>1. Bid Security amount shall be replaced with Performance Security amount. No additional amount is required for performance security and Provision has been made in Article 33 of draft agreement as a part of RFP and draft agreement will be uploaded on DFCCIL website.</p> <p>2. Please refer clause 3.6 (vi) of RFP.</p>
13	3.11 (v)	DFCCIL reserves the right to reject any or all of the Proposals without assigning any reason whatsoever. DFCCIL also reserves the right to hold the process of selection or withdraw the process or shorten or enlarge the scope of work or modify or amend the terms of reference at any time till the process is finalised duly informing all the bidders.	Please confirm that in case of cancellation of bid by DFCCIL, the Bid Security submitted by Bidder shall be returned to it and within what time frame.	DFCCIL's motive is to make it (Bid) a success. But in case it is cancelled due to some reason, the bid security shall be returned to the bidders without interest within reasonable time.
14	3.12	Force Majeure	It is understood that the clause and related provision will be part of the License Agreement that Authority will provide to bidders before submission of the bid. Please advise on relevance of this clause in the RFP.	Force Majeure is defined for the purpose of License agreement document. The detailed provisions of Force Majeure will be given in the License agreement document.
15	4.2.1 & 4.2.2	Most of the traffic passing over the DFC network in future will be	1. Please advise on the haulage charges applicable to traffic moving	1. The freight charges shall be as per Indian Railways goods tariff. Any

		shifted from IR network and will continue to originate and/or terminate at stations located on the IR network (termed as DFC feeder routes). DFCCIL intends to boost this traffic as well as attract additional/incremental traffic through the proposed new Terminals on DFC Network	<p>on the DFC Corridor. This would be important factor for determination of traffic shift from road to rail and hence the addressable traffic that the proposed terminals could attract.</p> <p>2. To ascertain the potential traffic for the proposed terminals, Authority is also requested to advise on any priority or freight discounts or service level commitments that would be given to trains originating from DFC terminals developed under this RFP compared to those originating from PFT on IR network connecting to the same DFC station.</p>	incentive scheme of IR /DFC will be applicable on DFC. <p>2. There is no discrimination for trains whether originating from DFC terminal (developed under this RFP) or from any other terminal on IR network from the point of entering DFC.</p>
16	4.2.3	Target Dates of commissioning of different sections of DFC are as below: i) New Khurja to New Bhaupur- Dec'2020 ii) New Rewari to New Palanpur - March 2021 iii) Entire DFC network - 2022-23	As completion of DFC network is critical to the commercial operation of the terminals connected to DFC, the achievement of commissioning of all sections of the DFC and the respective DFC stations within the stipulated target dates should be an obligation of DFCCIL in the License Agreement.	The target dates of commissioning of different sections of DFC are optimistic subject to the Force Majeure conditions. Commercial operation has been started in following two section of DFCCIL: New Khurja to New Bhaupur in EDFC New Ateli to New Kishangarh in WDFC. Subsequently other sections of DFC (Both EDFC & WDFC) will be opened for train operation by the end of June-2022.
17	4.2.5	Station Exclusivity: License for Connectivity with a particular station of DFC, will be awarded to only one Private Freight Terminal	1. Typically, catchment area of a rail link logistics facility ranges between 50-100 km. Accordingly, Authority is requested to extend the exclusivity	1&2 – For station exclusivity please see Clause 4.2.5, 6.28 and Addendum no.2 which will be uploaded in DFCCIL website.

		<p>for ten years from the date of commissioning (COD) of a Terminal. After the completion of this period, any additional license to any other person may be awarded for this particular DFC station.</p>	<p>provision to include all stations at a chargeable distance of 100 km. This will enhance market interest in developing such facilities. Moreover, considering the investment required, high gestation period and market ramp up of 8-10 years for greenfield locations, Authority is requested to increase the exclusivity period to at least 15 years.</p> <p>2. Station exclusivity would also be applicable to PFTs coming up on IR network which can also connect through feeder routes to DFC junction stations i.e. after award of license to connect to a DFC station under this RFP no PFTs would be allowed to connect to the same station even though they are planned on IR network for ten years. As owing to more number of terminals there would be tremendous over-supply of capacity in the catchment and congestion at the DFC junction.</p> <p>3. In case exclusivity is not granted as per point (2) above please advise on the order of priority of access to DFC station to be given to DFC and IR terminals.</p>	
18	4.2.6	<p>Procuring/arranging the Land for the Terminal and its connectivity to</p>	<p>1. Last mile rail/DFC connectivity is most critical for optimal utilization of</p>	<p>3. There is no discrimination about trains whether originating from DFC terminal (developed under this RFP) or from any other terminal on IR network from the point of view of entering/running on DFC.</p> <p>1 & 2. Please see DFCCIL's obligations under section 6.31 of RFP which</p>

		<p>DFC shall be the sole responsibility of the Licensee (TMC). However, wherever considered feasible by DFCCIL, the IR/DFCCIL's land falling in the alignment of linear connectivity of proposed PFT, may be licensed to the Licensee (TMC) as per extant Policy/Instructions, Terms & Conditions issued vide MoR's letter No. 2016/Infra/6/12 dated 05.10.2016 (Enclosure -3) through a Licensing Agreement.</p>	<p>DFC infrastructure as it ensures uninterrupted movement of freight traffic. Accordingly, it is requested that connectivity to DFC station should be joint responsibility of the successful bidder and DFCCIL.</p> <p>2. To boost existing rail traffic and to attract additional/incremental traffic, network of terminals serving as entry-exit points for carriage of various cargo is essential. To encourage development of terminals by private sector along the DFC, extant policy for licensing of land shall not be applicable on the TMC and land available with DFCCIL shall be made available to TMC free of cost for the purpose of establishing connectivity only.</p>	<p>stipulates that "Wherever feasible, acquisition of land for last mile connectivity (linear portion between DFC station connection point and TMC entry point) may be facilitated/done by DFC on behalf of TMC as per terms and conditions of Railway Board letter no. 2020/Infra/6/5 dated 05/10/2020 (Enclosure-I of RFP).</p> <p>Section 4.2.6 & 4.2.7 regarding procurement of land stand good. Land licensing for connectivity portion within Right of Way (ROW) of DFC will be as per extant IR guidelines and charges will be levied as applicable.</p>
19	5.2.2	Eligibility Criteria	<p>1. Please confirm that all or any one of the three criteria 5.2.2 (i), (ii) and (iii) has to be fulfilled towards qualification for eligibility criteria.</p> <p>2. To suitable address the tender requirements, please confirm that</p>	<p>1. Sr.No. iii of clause 5.2.2 has been deleted vide addendum no.2 which has been published in DFCCIL website. Sr.No. i, ii, iv & v of clause 5.2.2 will be applicable for eligibility criteria. However, under clause 5.2.2 (v), any one of the conditions (a), (b), or (c) should be fulfilled by the bidding firm. Addendum to clause 5.2.3(b) in this regard is being issued (published on DFCCIL website).</p> <p>2. Detailed provisions regarding bidders as Joint venture/Subsidiary</p>

			<p>bidders shall be permitted to use the technical and financial capabilities of their Parent company or Affiliate(s) to fulfil the technical and financial Eligibility criteria as per 5.2.2 (i), (ii), (iii) and (v). Further, please confirm that such an affiliate can also be a foreign entity.</p> <p>“Affiliate” shall mean a company that either directly or indirectly controls or is controlled by or is under common control with the bidder and</p> <p>“control” means direct or indirect ownership by one company of at least 26% of the voting rights of the other company. “Parent company” shall mean a company, which holds more than 51% equity either directly or indirectly in the bidding entity (As per PFT Policy of Indian Railways clause 6.2, experience of holding company is reckoned for the purpose of experience)</p>	<p>companies/Consortium etc. and provisions w.r.t. foreign entity are given in section 3.3 of RFP. Conditions for JV are clearly indicated in the RFP.</p>
20	5.2.2 (iii)	The Firm should be profit making in the last three financial years.	<p>It should be noted that major private investments had happened in the recent past in inland logistics infrastructure facilities (rail/road freight terminals, warehousing, logistics parks etc) and most of these investing companies are scaling up. Given the long gestation period for infrastructure projects, most of the entities investing in logistics infrastructure facilities may not exhibit</p>	<p>Vide addendum no.2, Sr.No.iii of clause 5.2.2 has been deleted. Please see addendum no.2 in DFCCIL website.</p>

			<p>profitability in any of previous 3 years. Accordingly, Authority is requested to waive the requirement of profitability in last 3 years to encourage participation of growth-oriented companies with appetite for investment in infrastructure.</p> <p>Moreover, based on our experience of developing & operating various infrastructure projects, this condition on profitability is more specific to EPC / material supply contracts. Whereas for infrastructure developers, net-worth is the more relevant criteria due to large investment requirements & long gestation period of infrastructure projects.</p>	
21	5.2.2	<p>(i) Annual average Turnover of the Firm during the last 3 financial years (FY 2016-17, 2017- 2018 & 2018-2019) shall not be less than Rs.50 Crores.</p> <p>(ii) The Firm should have a minimum current Net Worth of Rs 20 Cr.</p> <p>(iii) The Firm should be profit making in the last three financial years.</p>	<p>(i) Please advise in case prospective Bidder is 3 years old with audited financials not available for FY 20, then average turnover of last 2 financial years would suffice</p> <p>(ii) Please confirm the Net Worth as on March 31, 2020 or March 31, 2019 (in case the Bidder's audited financials for FY 20 is not available) would suffice</p> <p>Further, please advise whether the financial criteria has to be satisfied at a consolidated level or standalone level and accordingly the certificate</p>	<p>(i) & (ii) Last 3 financial years turn over and net worth related documents are required for each financial year separately duly certified by Chartered Accountant (standalone level). Clause 5.2.2 of RFP stands good.</p> <p>Vide addendum no.2, Sr.No.iii of clause 5.2.2 has been deleted. Please see addendum no.2 in DFCCIL website.</p>

			from Chartered Accountant shall be submitted.	
22	5.2.3	Criteria for Selection: In case there are more than one eligible bidders for a particular station/location (fulfilling the eligibility criteria defined in para 5.2.2 above), the Terminal License shall be awarded to the bidder having highest average annual turnover in terms of para 5.2.2 (i) above	<p>1. The project terminal envisaged to be developed along the DFC would play a critical role in driving the modal shift to ensure overall increase of rail share. Hence, we believe that award of projects should be based on mix of financial and technical credentials and not purely average turnover. Authority requested to consider this to ensure a level playing field for this ambitious project.</p> <p>2. Further, Authority is requested to consider average annual turnover of Affiliates/ Parent towards the selection criteria. “Affiliate” shall mean a company that either directly or indirectly controls or is controlled by or is under common control with the bidder and “control” means direct or indirect ownership by one company of at least 26% of the voting rights of the other company. “Parent company” shall mean a company, which holds more than 51% equity either directly or indirectly in the bidding entity</p>	<p>1. Sr.No.iii of clause 5.2.2 has been deleted vide addendum no.2 which has been published in DFCCIL website. Sr.No. i, ii, iv & v of clause 5.2.2 will be applicable for eligibility criteria and these eligibility criteria under clause 5.2.2 are required to be fulfilled, out of which one condition is related to technical capability of the bidding firm. Addendum to clause 5.2.3(b) in this regard is being issued (Published on DFCCIL website).</p> <p>2. Credentials of the participant entity will be considered. In case of JV/Consortium, lead member and JV/consortium members will be considered as per clause 3.3(b).</p>
23	6.5	Date of issue of Letter of Award (LOA) will be considered as Date of effectuation of the contract.	<p>1. Please share copy of draft Letter of Award (LOA) that would be issued by DFCCIL to the successful bidder.</p> <p>2. Further, Authority is requested to allow reasonable time to prospective</p>	<p>1. Draft LOA will be shared with successful bidder only.</p> <p>2. Sufficient opportunity has been given to raise queries during the Pre-Bid</p>

			bidders to raise queries and provide comments/suggestions on the draft LOA and Authority to provide the necessary clarifications to such queries.	meeting discussion including chat box of MS team and through emails. Second Pre-Bid meeting was also arranged to raise the queries on 11/01/2021 vide Addendum no.2A.
24	6.5	Gestation Period: The selected Licensee (TMC) should develop the terminal and start commercial operations (COD) within three (03) years from the date of issue of LOA	<p>1. Development of ICD/freight terminal along the DFC would imply land requirement of minimum of 50 acres. In addition, land/right-of-way would be required for connectivity to DFC station. Considering the challenges in acquiring such size of contiguous parcels, Authority is requested to allow development period of at least 5 years from issuance of LoA with provision of further extension in special circumstances /exigencies.</p> <p>2. As per clause 4.2.3, DFC network in under various stages of commissioning and is expected to get completely commissioned by 2022-23, excluding Sonnagar – Dankuni section of EDFC. Authority is requested to ensure that the serving DFC Station is fully operational before development of the logistics facility by TMC. In the event of any delay in development and completion of the serving DFC Station, Gestation Period for developing the terminal by TMC shall be automatically extended.</p>	<p>1. Three (3) years gestation period is sufficient.</p> <p>2. Commissioning of entire DFC is targeted in June-2022, in case of delay in completion of DFC in the area of concerned bidder, extension may be considered.</p>
25	6.7	Currency of License: The license period for the terminal operation by	• In proximity of DFC stations across the alignment, cost of land acquisition	It has been informed in the RFP that duration of the License is initially 30

		<p>TMC will be initially valid for 30 (thirty) years from COD with provision for further extension on mutual agreement/consent on the same terms & conditions subject to satisfactory past performance of TMC.</p>	<p>(including rehabilitation & re-settlement) by private sector under the applicable Land Acquisition Laws will be high and hence the higher capital expenditure of the overall project</p> <ul style="list-style-type: none"> • Variation in the cost of land acquisition will severely impact the overall project viability • Hence, project returns over the License period of 30 years may not be adequate for such project composition with high land cost <p>Given the potential variation in total land acquisition costs and considering the that land has to be acquired by the private entity, Authority is therefore requested to increase the License Period from 30 years to minimum of 50 years.</p>	<p>years from the commercial operation date (COD) which is further extendable through mutual consent on the same terms and conditions subject to satisfactory past performance of Terminal Management Company (TMC).</p>
26	6.8	<p>Revenue Source for TMC: TMC will be entitled to receive Terminal Charges for cargo handled (per tonne basis), as notified by IR/DFC from time to time for the freight trains loaded/unloaded at the PFT</p>	<p>1. Authority is requested to share the Terminal Charges presently (as on RFP Date) applicable for cargo handled (per tonne basis), as notified by IR/DFC from time to time for the freight trains loaded/unloaded at the PFT along with yearly escalation mechanism to ensure inflation adjustments.</p> <p>2. Authority is requested to confirm that apart from the Terminal Charges, there would be no regulation on the tariff to be collected from users.</p>	<p>1 & 2. Terminal charges as notified/amended by Indian Railways from time to time will be applicable. At present Terminal Charges is Rs.20/ton as per Indian Railway Rate Circular no.24 of 2018, dated 27/12/2018.</p>

			3. Further, Authority is requested to confirm that, TMC would be permitted to independently set and revise the tariffs /user charges, to be collected from users for the services offered by the TMC. Services offered by the TMC would inter-alia include cargo handling & storage services, container stuffing / stripping, document processing, insurance and other value-added services (VAS)	3. Fixing the handling charges and charges for Value Added Service (VAS) will be under the purview of TMC (Other than freight charges).
27	6.9	Statutory requirements: The selected operator will obtain all necessary/statutory clearances such as from pollution control authorities, for Electrical installations, labour authorities etc as applicable for related terminals type, Environmental clearance if required etc.	1. Authority to provide the complete list of approvals that would be required for the development and operations of the facility. 2. Obligation of DFCCIL should also include obtaining and maintaining approvals/clearances that has to be granted by it. 3. Obligation of DFCCIL should include providing necessary assistance to the TMC for obtaining all other approvals/clearances on best effort basis. 4. Please advise on the authority that would grant approvals from the railways side.	1. TMC is required to obtain all necessary/statutory clearances and approvals for concerned Authority. 2, 3 & 4. It is already included in the clause 6.33“Obligation of DFCCIL”.
28	6.15	In case of concurrent construction of DFC at the site of the terminal, Terminal Management Company shall ensure unhindered access to the DFC contractor(s). For smooth execution of DFC project,	Authority is requested to provide details of all such proposed works and status of works at each site at the bidding stage. This will help bidders to timely evaluate the DFC station/location, identify the	Target date of completion for all DFC sections offered in this RFP is June 2022. Commercial operation has been started in following two section of DFCCIL: • New Khurja to New Bhaupur in EDFC

		precedence will be given to the DFC traffic for movement of construction machines, material special trains etc. on DFC track.	development/operating timeframe and capex planning.	<ul style="list-style-type: none"> • New Ateli to New Kishangarh in WDFC. <p>Further relevant information will be shared with successful bidder.</p>
29	6.24	The maintenance of terminal assets shall be done by TMC according to DFC/Railway rules and regulations as in force from time to time. Such emergent maintenance as may be required for safety may be done by the DFCCIL Administration without prior notice to Terminal Management Company and Terminal Management Company will have to pay on demand any expenditure incurred by the or through the DFCCIL Administration on this account, including departmental and other charges as may be fixed by the DFCCIL/Railway Administration from time to time. Other rules & regulations regarding installation, operation and maintenance of weigh bridges as laid down from time to time by DFCCIL/Railway Administration would apply.	<p>1. Please share the relevant document defining such rules and regulation for maintenance of terminal assets</p> <p>2. Please share the relevant document defining such rules and regulation for maintenance of the connectivity to DFC station</p>	<p>1&2. The provisions of DFCCIL PFT policy will be applicable which is available on DFCCIL website. Schedules of Dimensions laid down for DFC will be applicable for construction and maintenance of Rail yard, signalling and OHE.</p> <p>Following IR manuals may be referred about rules and regulation for maintenance of terminal assets (rail infrastructure):</p> <ul style="list-style-type: none"> • IR AC traction manual Vol. II – Part 1 & Part 2. • IR Permanent Way manual • IR Signal Engineering Manual Part 1 & 2. • IR Telecommunication Manual
30		Obligations of DFCCIL	Common user facilities (like additional cross-overs, additional loop lines, shunting neck, engine escape line, S&T work etc as approved by the Authority) developed by TMC will also be used by other users as well as Indian Railways.	1 & 2. Provisions of DFCCIL PFT Policy will be applicable as amended from time to time. We are not asking for any common user facilities to be provided for at the cost of the licensee, however, all minimum components needed for the

			<p>In view of above, the authority is requested to include the following as obligations of DFCCIL</p> <ol style="list-style-type: none"> 1. DFCCIL to reimburse the capital cost for the common user facilities developed by TMC in a time bound manner. 2. Maintenance of such facilities shall be undertaken by DFCCIL at its own cost. This is as per the provisions under the existing PFT Policy of Indian Railways (Clause 17 of Master Circular on PFT dt 23.06.2020). 	<p>connectivity, including track, signalling, OHE, will be at the cost of Licensee.</p>
31	6.29	<p>On award of license, the Licensee (TMC) will submit the preliminary feasibility study/report along with layout plan of the proposed terminal and connectivity within 45 days from the date of award of contract (LOA). DFCCIL will provide IPA to the project within 15 days of submission. Further, DPR for the project will be submitted along with yard plan within two (02) months from the date of IPA. DFC will clear the DPR within 45 days from the submission date of the DPR</p>	<p>We believe that the timeline provided towards submission of preliminary feasibility report and DPR is insufficient considering the project size, complexity and that connectivity will be also under scope of the TMC. Hence, Authority requested to</p> <ol style="list-style-type: none"> 1. Allow at least 75 days from date of issuance of LOA for preparation and submission of the preliminary feasibility study/report and layout plan. 2. Allow at least 90 days for submission of DPR from date of IPA. Also please advise on 3. The provisions related to delay in submission of preliminary feasibility study/report along with layout plan 	<p>1, 2, 3 & 4: Timeline will be applicable as mentioned in DFCCIL PFT Policy..</p>

			<p>of the proposed terminal by the TMC.</p> <p>4. The provisions related to delay in award of IPA and approval of DPR by the Authority.</p>	
32	Annexure 4	Information related to proposed location(s) to be developed as Freight Terminal (ICD/Parcel Terminal/Logistics Park, etc.)	<p>Authority is requested to allow modifications in proposed plan in future or during implementation stage in case of exigencies or unforeseen events such as the acquisition of identified land parcel(s) for terminal or connectivity becomes difficult and hence Bidder is required to pursue an alternative option.</p>	In case of land not being already possessed/owned the proposed site /location may be indicative.
	Annexure 4	5. Distance from DFC station	<p>Pending the alignment finalisation only an approximate distance range from nearest DFC station can be provided at the proposal stage and this should be acceptable by the Authority. Please confirm.</p>	Approximate Distance of proposed PFT from DFCCIL station is required to be submitted. Location can vary on merit.
33	Others		<p>1. Please advise whether TMC has to pay any application fee or security deposit to DFCCIL and the applicable extant DFCCIL PFT Policy.</p> <p>2. Please advise whether TMC has to pay any overhead charges for connectivity to DFCCIL and the applicable extant DFCCIL PFT Policy.</p>	<p>1. Application Fee is not required under this proposal. Provision of Bid Security/Performance Security has already been made in RFP. Please see Addendum no.2 on DFCCIL website for Bid Security</p> <p>2 & 3. Please refer to clause 6.18 to 6.24 and 6.27 of the RFP regarding obligations of the Licensee. Overhead charges and other charges are to be paid as per DFCCIL PFT Policy.</p>

			3. Please advise on any other payment obligation of TMC towards DFCCIL as per the agreement.	
34	Others		<p>1. We understand that the proposed New Dadri station of DFC is most suitable for providing DFC connectivity to CONCOR ICD at Dadri& the proposed MMLP of DMICDC at Dadri and New Dabla for DMICDC Nangal Chowdhury. Please confirm whether bidders under this RFP will be allowed to bid for these DFC stations already having In-Principle Approval (IPA) from DFCCIL for development of freight terminals/MMLP and exclusivity provisions will be applicable to such facilities as per the provisions of this RFP</p> <p>2. Request Authority to share the list of all such facilities planned to connect to DFC and having IPA</p>	<p>1. Exclusivity through this RFP will have prospective effect. Further, please see Addendum no.2 on DFCCIL website. Bidders can bid for stations where already In-Principle Approval (IPA) has been given for other PFTs. However, these PFTs already having IPA will be allowed to connect with same station based on feasibility even during exclusivity period.</p> <p>2. Please see enclosure of Addendum no.2.</p>
35	Others		<p>3. We understand that new Policy and Guidelines has been issued by Central Board of Indirect Taxes and Customs for setting up ICD/CFS/AFS which was notified on November 05,2020. [F.No. 394/29/2020-Cus (AS)]. As per the policy there are geographical restrictions due to which any proposal for setting up a new ICD</p> <ul style="list-style-type: none"> • Will not be permitted (other than exceptional circumstances) in Red 	<p>Indian Railways guidelines and rules will be followed w.r.t. the New Policy and guidelines issued by Central Board of Indirect taxes and customs.</p> <p>IR has been requested to review this policy.</p>

			<p>Zone states i.e. Maharashtra, Gujarat, MP, Haryana and Punjab</p> <ul style="list-style-type: none"> • Will not be permitted if it comes within 100 km of another ICD • Will not be permitted if the ICD location is within 200 km from a port <p>Relaxation on the above geographical restrictions are provided only for ICDs to be developed along inland waterways. With respect to the facilities linked to DFCs, the distance rule (please refer 4.1.3, 4.1.4 and 4.1.8 of the above Policy) shall be applicable. We understand that rail linked facility connected to DFC would also consist of an ICD apart from other logistics infrastructure components such as domestic facility, warehousing etc. Moreover, among the locations listed in the RFP for invitation of bid, most of the adjacent stations are located within distance of 100 km and few of these locations are well within 200 km from nearby port.</p> <p>1. Considering the above, Authority is requested to advise on the applicability of the above policy to this RFP and the restrictions thereby on the freight terminals envisaged to be developed on both WDFC and EDFC through the RFP</p> <p>2. Further, please advise whether the clause of Term, Renewal and</p>	
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			Denotification as defined in the new Policy and Guidelines shall also apply to ICDs at terminals envisaged under this RFP	
36	Others		<p>1. Please advise on the applicability of the Multi-Modal Logistics Park Policy and the National Logistics Policy on the RFP and what would be the governance mechanism</p> <p>2. Please advise on the consequences in case guidelines of the above policies conflicts with the terms of the RFP and/or the License Agreement.</p>	<p>1. Indian Railways guidelines and rules will be followed w.r.t. the New Policy and guidelines issued by Central Board of Indirect taxes and customs.</p> <p>2. RFP will be amended accordingly if needed. Uncertain future rules, being hypothetical, cannot be commented on.</p>
37	Others		DFCCIL is requested to share the technical, commercial and market studies/reports conducted by it for all/any of the listed location(s)	Relevant documents will be shared with successful bidders. Technical details can be shared on one to one basis under confidentiality.
Aman Warehousing Pvt. Ltd				
1		General	We would like to know how DFCCIL plans to help the bidder in land acquisition and connectivity to the station. The station we are interested in is DFCC Tundla where there is only one route for connectivity to the station where 4-5 kms road needs to be constructed. Also, land next to the station is ample but without assistance and dedicated involvement by DFCCIL and the state land acquisition will be very difficult.	Procuring/arranging the land for the terminal and its connectivity to DFC shall be the sole responsibility of the licensee (TMC). However, assistance may be given by acquiring connectivity land on behalf of successful bidder.

Adani Logistics

Sr.No	Clause No.	Information provided	Query/Suggestion	
1.		In referenc to our earlier query via letter dated 12 th May, 2020 and your response to our queries (http://dfccil.com/upload/Reply to queries- 200820 fsb 13 D5. Pdf), at point no.2 it was indiacated that Rail haulage on DFC is estimated to be 40-45% less on IR.	Request you to confirm the DFC stations where 40-45% lesser rail haulage would be applicable.	Railway tariff will be applicable on DFC. Incentive scheme of IR in general will be applicable on DFC. DFC can give discounts upto 30% as per provisions of Policy on Station to Station Rate for a specific O-D pair/Cluster, if found justified, as per policy circular no, 26 of 2016.
2.		Connectivity to existing operating / upcoming terminals	Please advise, how exclusivity of a station will impact connection to terminals which are already operating and currently on IR which will connect on different station points on DFC network	Exclusivity through this RFP will have prospective effect.
3.			In view of the National Logistics Policy getting issued and its likely impact on the station exclusivity for terminals coming up on DFC, we request DFCCIL to keep appropriate gap between issue of National Logistics Policy and submission deadline so that business case can be ascertained correctly	Indian Railways guidelines and rules will be followed with respect to the New Policy and guidelines issued by Central Board of Indirect Taxes and Customs. IR has been requested to review this policy.
4.		Development of Logistic Parks/Freight Terminals/ Parcel Terminals and their connectivity with DFC stations through private investment	Please confirm if proposed Logistic Parks/Freight Terminals will be private user terminals i.e. access to the terminals (for train operators, customers, etc) regulated by private Developer.	The terminal is considered as Private Freight Terminal (PFT), therefore, provisions of DFCCIL PFT policy will be applicable. However, a PFT under this RFP will be common user facilities and cargo (Dry/Bulk/Break

				Bulk), containerized or non-containerized will be dealt without discrimination of customer/operator.
5.	3.1(10)	Bids will be submitted only in hard copies at DFCCIL office address mentioned in SR. no.15. of section 1.	Submission of bids in soft copy by mail should be permitted considering the current pandemic situation.	Online provision in the digital platform (IREPS portal) is not available for this type of tender. Hence the option of hard copy submission is resorted to.
6.	3.1(11)	Proposals will not be accepted electronically/ online	Request to drop this clause.	Online provision in the digital platform (IREPS portal) is not available for this type of tender. Hence the option of hard copy submission is resorted to.
7.	3.1(12)	Bidder (s) must submit: Proposal : one (1) original, three (3) copies and CD/Pendrive containing soft copies of the proposal in pdf and documents (DOCX) format;	Submission of 3 nos. copies may be excluded if hard copy submission is mandatory along with soft copy in CD/Pen drive.	Online provision in the digital platform (IREPS portal) is not available for this type of tender. Hence the option of hard copy submission is resorted to.

8.	3.1(21)	<p>While submitting their Proposal, bidders are expected to examine in detail the provision of this RFP Document as well as the site/Concerned DFC station including approach roads, water/ electricity connections etc. Material deficiencies in submitting the information requested may result in Rejection of a bid. DFCCIL reserves the right to not select any or all of the applicant(s) without assigning any reason whatsoever.</p>	<p>Request to share google coordinates of DFC stations part of this RFP. This will facilitate understanding of necessary aspects relating to distance to station approach roads, water/ electricity connection etc</p>	<p>Google coordinates will be shared through mail or in person at Corporate Office, if demanded by the bidder. But confidentiality will be maintained by the bidder.</p>
9.	3.2	<p>A particular bidder can bid for multiple locations (DFC stations) and each location will be treated as a separate application and will be governed by a separate contract. Bid security shall be separate for each application/ proposal.</p>	<p>Understand that one set of documents will be submitted per bidder i.e. covering letter, profile, CA certificate, experience, Pre-contract Integrity Pact, etc. Bid security and Information as per Annexure-4, have to be submitted for each individual location. All above to be submitted in one tender box. Please confirm understanding.</p>	<p>Provisions of RFP are self-explanatory. One set of documents Covering letter, profile, CA certificate, experience, Pre-contract Integrity Pact, etc. will be submitted per bidder. Information related to locations and Bid security will be submitted location-wise.</p>
10.	3.3	<p>A Bidder may be (a) A company registered in India under the Companies Act, 1956, or Company Act, 2013 or (b) A public Sector entity (PSUs or organizations created under an act of Parliament), or (c) An entity registered as a Cooperative Society under the Cooperative</p>	<p>Kindly indicate requirements for Consortium.</p>	<p>Consortium is a group made up of two or more entities mentioned in the clause 3.3 to work together for achieving a common objective through an agreement.</p>

		Societies Act 1912, or (d) An entity owning an existing Private Siding or an Assisted Siding, or (e) Subsidiary of an entity covered in (a),(b) above, or (f) a joint venture company or (g) consortium		
11.	3.8	Bidders can submit their queries in writing during or up to two working days after the Pre-bid meeting up to 17:00 Hrs	Please modify to five working days	Sufficient opportunity has been given to raise queries during the Pre-Bid meeting discussion including chat box of MS team and through emails. Second Pre-Bid meeting was also arranged to raise the queries on 11/01/2021 vide Addendum no.2A
12.	4.2.5	Station Exclusivity: - License for Connectivity with a particular station of DFC, will be awarded to only one Private Freight Terminal for ten years from the date of commissioning (COD) of a Terminal. After the completion of this period, any additional license to any other person may be awarded for this particular DFC station.	Development of MMLP is a capital-intensive proposal and recovery of investment requires continuous business volumes. Hence propose that station exclusivity should be 33 years as license period is 3 years (construction period) + 30 years (operations)	Exclusivity period has been modified. Please see addendum no.2 on DFCCIL website.
13.	4.2.6	Procuring/arranging the Land for the Terminal and its connectivity to DFC shall be the sole responsibility of the Licensee (TMC). However, wherever considered feasible by DFCCIL, the IR/DFCCIL's land falling in	Land acquisition is a major challenge in development of infrastructure projects. Secondly cost of land also affects viability of project.	Procuring/arranging the land for the terminal and its connectivity to DFC shall be the sole responsibility of the licensee (TMC). Assistance may be given by acquiring connectivity land on behalf of successful bidder.

		the alignment of linear connectivity of proposed PFT, may be licensed to the Licensee (TMC) as per extant		
		<p>Policy/Instructions, Terms & Conditions issued vide MoR's letter No. 2016/Infra/6/12 dated 05.10.2016(Enclosure -3) through a Licensing Agreement.</p> <p>In addition to above, wherever feasible, the Land required for last mile connectivity (linear portion between DFC connection point and TMC entry point) may also be acquired by DFCCIL under Railways Act 1989 on behalf of TMC</p>	DFCCIL should consider acquisition of land for proposed MMLP projects and lease to developer for development of proposed terminals. This has multiple benefits (1) Time bound acquisition (2) Land price is not exorbitant (3) Faster regulatory approvals like CLU etc.	
14	4.2.9	Providing/Arranging proper Road Connectivity of Terminal up to nearest motorable existing road as well as arranging water/electricity/sewer/other connections including all associated costs, will be the sole responsibility of TMC.	Industrial utilities and road connection are important success factors for MMLP. We request DFCCIL to ensure utilities and road connection (to nearest National / State Highway) to boundary of proposed terminal.	DFCCIL will provide assistance for liasioning with state agencies.
15.	5.2.2(i)	Annual average Turnover of the Firm during the last 3 financial year (FY 2016-17, 2017-2018 & 2018-2019) shall not be less than Rs.50 Crores	Turnover of parent company should be considered in calculation of bidder's annual average turnover if bidding company is 100% subsidiary of parent company.	Credentials of the participant entity will be considered. In case of JV/Consortium lead member and JV/consortium members will be considered as per clause 3.3(b).

			Turnover of 100% subsidiaries and step-down subsidiaries should be considered in calculation of bidder's annual average turnover.	
16.	5.2.2	(b) Should have minimum 5 years' experience as Railway Freight Terminal Operator/Owner in the last 10 years for which complete details of Terminal & relevant documents/certificates/agreements should be submitted. © Should have minimum 5 years' experience of a logistics service provider in last 10 years, for which all related details and certificates should be submitted.	Please share specimen/format of supporting documents to be submitted by Railway Freight Terminal Operator/Owner and logistics service provider.	Complete information with documentary proof should be provided in own format.
17.	5.2.3	CRITERIA FOR THE SELECTION:	Please indicate action/next step by DFCCIL if there is no bid/bidder for a station/location.	It will be decided after receiving response on this proposal.
18.	6.8	Revenue Source for TMC: TMC will be entitled to receive Terminal Charges for cargo handled (per tonne basis), as notified by IR/DFC from time to time for the freight trains loaded /unloaded at the PFT (mentioned in Enclosure 5 as Railway Board letter corrigendum 37 to RMC/CRT) subject to revision of terminal charges by IR/DFC from time to time.	Referred Railway Board letter corrigendum 37 to RMC/CRT mentions about access charges for container trains. What would be the modality for non-container trains? Cargo handling charges- Private developer should be permitted to fix, levy and collect charges for cargo handling and value-added services from customers. This also implies that private developer can regulate access to vendors for cargo handling at proposed MMLP/PFT.	Terminal charges as notified/amended by Indian Railways from time to time will be applicable. At present Terminal Charges is Rs.20/ton vide Indian Railway Rate Circular no.24 of 2018, dated 27/12/2018. Fixing the charges for Value Added Service (VAS) will be under the purview of TMC (Other than freight charges).

19		Land details sought in RFP	Sharing of land coordinates and others details may not possible as per of RFP submission, as land is still under acquisition at various locations. This clause may be dropped.	It cannot be dropped being essential for proposal. Indicative locality area, distance from DFC station etc. is required.
20		Issue of LOA (Letter of Award)	<ul style="list-style-type: none"> • DFCCIL should issue in-principle LOA to shortlisted bidder. • DFCCIL allow 18 months for land acquisition by selected bidder. • Final LOA and License Agreement should be executed after 18 months from in-principle LOA. 	Provisions of RFP stand good. No such provision of shortlisting; direct selection will be done based on laid criteria (Clause 5.2.3).
21		ICD status of MMLP as proposed	<ul style="list-style-type: none"> • New policy issued by CBIC for setting up ICD, CFS & AFS provides exclusivity to a terminal within a radius of 100 kms i.e. radius from existing ICDs. • The policy has also categorized states into Red, Blue and Green Zones. Accordingly, all states of WDFC are failing under Red Zone. Processing of ICD status will be a challenge. • DFCCIL should take up with CBIC for waiver of above conditions with respect to MMLPs on DFC. 	Indian Railways guidelines and rules will be followed with respect to the New Policy and guidelines issued by Central Board of Indirect Taxes and Customs. IR has been requested to review this policy.
22		Revenue model for DFCCIL	What will be the revenue model/revenue streams for DFCCIL under this RFP?	DFCCIL will get additional traffic and related Track Access Charges due to the terminals developed under this RFP.
23		Rail Haulage on DFCCIL	In response to our earlier queries dated 12 th May 2020, it was indicated that Rail Haulage on DFC is estimated to be 40-45% less or IR. Request you to confirm	Railway tariff will be applicable on DFC. Any incentive scheme of IR will be applicable on DFC.

			the DFC stations where 40-45% lesser rail haulage would be applicable.	
24		Business potential of proposed locations	Additional information should be shared by DFCCIL for participants to understand the feasibility of setting up logistics facilities at proposed locations.	Available information, if any, shall be shared with successful bidder.
25		Premium path option	<ul style="list-style-type: none"> • What is the concept of Premium path and how will it be operationalized? • Does it mean offering slots/running fixed/scheduled rail service with defined arrival-departure times, how it will work? • What would be the benefits of premium path option? 	Premium path is the “Timetabled path” that will be created between defined set of O-D pairs which can be beneficial to the TMC to give assured transit time to its customers. This is at conceptual stage now.
26		Eligibility of selection criteria	<ul style="list-style-type: none"> • Turnover of JV/Consortium should be considered on pro-rata basis shareholding. • Example: 50:50 JV/Consortium of company A (Turnover 1000 Cr.) & company B (Turnover 500 Cr.); Average turnover of JV to be considered 750 Cr. 	Turn-over of members will be added for qualifying as per clause 5.2.2 of RFP.
27		Transfer of License to Step down 100% subsidiary of the successful bidder?	<ul style="list-style-type: none"> • Once the bid is awarded, is it possible to transfer operating license to a 100% subsidiary of the successful bidder? 	Transfer of license is not allowed. Management/Operation of PFT can be given to authorized agency without transfer of liabilities of the awardee of license.

Reply to the points discussed in the Pre-bid meeting as mentioned in VC chat:

Sr. No.	Representative name and Company	Queries	Reply to queries
1	Mr. Manish Puri, President, ACTO	Request to extend the license period upto 50 years. Terminal Access Charges should be given to the successful bidder. Agreement document will help for finance the project.	<ul style="list-style-type: none"> • It has been informed in the RFP that duration of the License is initially 30 years from the commercial operation date (COD) which is further extendable through mutual consent of DFCCIL/IR and TMC on the same terms and conditions subject to satisfactory past performance of terminal Management Company (TMC). • Terminal charges will be regulated as per Indian Railway's extant rules. At present, Terminal Charges are Rs.20/ton as per Indian Railway Rate Circular no.24 of 2018, dated 27/12/2018. • Draft license agreement will be uploaded on DFCCIL website as Addendum of RFP. <i>Details of terms and conditions are laid down in the RFP.</i>
2	Mr. Prakash Tulsiani	One of the criteria for selection is Turnover, on this basis technical and financial bids will not be required, kindly elaborate on this process. What happen if DFC delayed. Is that confirmation of DFC completion date.	<ul style="list-style-type: none"> • The point of eligibility criteria is clearly mentioned in Clause 5.2.2 and 5.2.3 of the RFP. In case, there is only one eligible bidder for a particular station/location fulfilling the eligibility criteria as defined in para 5.2.2 above, the Terminal License will be awarded to that bidder. In case there are more than one eligible bidders for a particular station/location (fulfilling the eligibility criteria defined in para 5.2.2 above), the Terminal License shall be awarded to the bidder having highest average annual turnover in terms of para 5.2.2 (i) above. Amendment to clause 5.2.3(b) in this regard is being issued. Please see Addendum no.2 on DFCCIL website. • Commercial operation has been started in following two section of DFCCIL:

			<ul style="list-style-type: none"> ○ New Khurja to New Bhaupur in EDFC ○ New Ateli to New Kishangarh in WDFC. <p>Subsequently other sections of DFC (Both EDFC & WDFC) will be opened for train operation by the end of June-2022.</p>
		Extension of Proposal submission date.	Please see Addendum 2B in DFCCIL Website.
3	Sudeep Mehrotra	Can existing PFTs or ICDs also be considered for this exclusivity?	Exclusivity through this RFP will have prospective effect. Please see addendum no.2 on DFCCIL website for further information. Existing ICD presently not connected with rail head can also participate in this tender. Such participant/s will get the priority similar to participants owning land as mentioned in Clause 5.2.3 (b) of Section 5 in the RFP.
		Will existing terminals e.g.CONCOR - Dadri or Kathuwas - will be given access to DFC?	These terminals are already being connected to DFC.
		Sir, will feeder route capacity be equal to DFC or existing terminals will have to operate hub and spoke with two capacities. In such a case, how will DFC ensure level playing field between existing terminals with feeder and exclusive terminals under this RFP?	Feeder routes on Indian Railways joining with DFC network will be developed/strengthened as per DFC standards. DFC is not responsible for operations on Feeder routes of IR. But once IR makes over trains to DFC, all trains will be treated on equal footing for running or priorities.
4	Varun Agrawal	Most of the proposed station locations are within 20-30km distance. Wouldn't this lead to development of excess capacity within a cluster?	If demand persists, the distance between two terminals will not be a constraint. Based on potential of traffic and demand of Trade/Industry, anyone (as per criteria) can come with the proposal for development of terminal at any station of DFC irrespective of distance without discrimination. Rules for ICDs issued by other concerned Ministry/Deptt will apply.
		What will be the Haulage charges on DFC?	Indian Railway tariff will be applicable on DFC till IR is Single Operator for DFC.
		Can completion of DFC be included as part of Conditions Precedent for DFCCIL? In case of delay of DFC, time extension could be provided to the Licensee?	Commissioning of entire DFC is targeted in June-2022, in case of delay in completion of DFC in the area of concerned bidder, extension may be considered.

			Commercial operation has been started in following two section of DFCCIL: <ul style="list-style-type: none"> • New Khurja to New Bhaupur in EDFC • New Ateli to New Kishangarh in WDFC.
5	Rohit Ahuja	With terminals at distance of 20-30 km, how exclusivity is going to work.	Distance between two terminals is not a constraint or subject for exclusivity. This RFP offers exclusivity at station only.
		What will be the difference between terminals in DFC and on feeder route? Will there be priority given to trains originating from DFC terminals developed under this RFP?	There is no discrimination about trains whether originating from DFC terminals developed under this RFP or from any other terminal from the point of entering DFC.
		Authority is requested to clarify that, TMC would be permitted to independently set the tariffs /user charges, to be collected from users for the services offered by the TMC. Services offered by the TMC would inter-alia include cargo handling & storage services, container stuffing / stripping, document processing, insurance and other value added service (VAS)	Fixing the charges for handling and Value-Added Service (VAS) will be under the purview of TMC (Other than freight charges).
6	Umesh Shaha, DP World	What is the consequence in terms of penalty if successful Bidder cannot complete the project due to land acquisition issues etc.?	Clause 6.9 of RFP will be applicable in such case.
		For a complete evaluation the draft License Agreement should be shared with all prospective bidders.	Draft License agreement will be uploaded on DFCCIL Website as Addendum of RFP.
		Would request owing to Christmas season some time is allowed to submit written queries?	Sufficient opportunity has been given to raise queries during the Pre-Bid meeting discussion including chat box of MS team and through emails. Second Pre-Bid meeting was also arranged to raise the queries on 11/01/2021 vide Addendum no.2A.
7	Saurabh Sharma, PSA	Whether Indian Railways Operation and Commercial Rules will be applicable to DFCC as well, is there any circular issued by Railway Board on this?	DFC has issued its own Operating Manual based on IR Operating Manual. Indian Railway commercial rules will be

			applicable over DFCCIL as well. Railway Board has issued circular in this regard.
8	Ashish Sharma	Is there any draft contract which need to be signed with DFCCIL? If yes, then please share the copy.	Draft License agreement will be uploaded on DFCCIL Website as Addendum of RFP.
9	Madhukant, Hind Terminals	Only annual turnover may not be right criteria for selection of developer since a big player let's say CONCOR bids for any station then other private players will not stand in the competition even after satisfying the criteria	As per clause 3.3 of RFP, the private players may form a JV/consortium for the purpose of participating in the tender (RFP).
10	Rohit Vyas, Adani logistics	Sir, existing Terminals are allowed for connectivity, for such proposals how exclusivity for station will work?	Exclusivity through this RFP will have prospective effect. Any existing terminal on IR side will not be considered under this RFP. A new terminal on IR side will construct a Rail Fly over to cross IR line in order to connect to DFC stations. Existing ICD presently not connected with rail head can also participate in this tender. Such participant/s will get the priority similar to participants owning land as mentioned in Clause 5.2.3 (b) of Section 5 in the RFP.
		Land and development cost varies location to location, suggest that exclusivity period to be enhanced to recover returns and it can be extended to entire license period.	Please see clause 4.2.5 of RFP and addendum no.2 is being uploaded on DFCCIL website for further information on exclusivity.
11	Arun Adak, Allcargo	Can we have draft agreement for legal vetting before we proceed with RFP?	Draft License agreement will be uploaded on DFCCIL Website as Addendum of RFP.
		What would be cost of connectivity to DFC?	The cost depends upon the geographical situation, length of the track, extent of infrastructure etc. hence it varies from case to case.
12	Yogesh Mehta, Shree Cement Limited	Whether DFC will acquire land along the _____DFC line/station for rail connectivity for private sidings as well as for production facility creation at cost of customer both on western and eastern corridor?	Procuring/arranging the land for the terminal and its connectivity to DFC shall be the sole responsibility of the licensee (TMC). However, linear connectivity land from terminal's main land to take off point of the connecting station can be acquired by DFC on behalf of the TMC at the cost of TMC as per extant rules/guidelines of IR.

13	Abhinav	Prior to this RFP DFCCIL released an EOI wherein DFCCIL was offering some of its land for development of MMLP. Is this RFP for those lands which are owned by DFCCIL?	This RFP pertains to development of PFT on private land. Please refer to section 4 of the RFP for better appreciation.
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