

Reply to Pre-Bid queries raised during the Second Pre-bid meeting (VC) held on 11-01-2021

S. No.	Queries raised by the participants	Replied by DFCCIL
1	What kind of comfort with DFCC need from the bidder on land, land under possession or land identified for potential ownership	Priority will be given to the bidders who have possession of land either in ownership or under lease for minimum 35 years. Details of ownership/under lease land or indicative details of land if land not in possession are required.
2	As per PFT policy of DFCCIL, TMC can decide users of the PFT, whereas it is also said as common user terminal	It will be Common User Facility. However, Authorized user concept is provided in IR/DFCCIL policy. For this RFP, no such concept is provided.
3	Please confirm that criteria for selection is ownership of land and then highest turn-over.	Preference will be given to the bidders having possession of minimum 4 HA land as compared to those who are not having any land. If there are more than one bidder who are having land of 4 Ha and above in that case all will be considered at par and then the highest turn-over will be considered.
4	What is the advantage new TMC have over the existing other ICDs on the near vicinity	8 years including construction/gestation period of 3 years exclusivity will be given to the successful bidder (TMC) under this RFP. No other PFT/ICD will be allowed connectivity at that particular station during exclusivity period. After 8 years any other ICD/PFT will be given connectivity. 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. Movement of traffic on DFC is Non-discriminatory.
5	If we want to develop logistics park in distance of 2 km of DFC track without laying railway track to our park, is it possible to bid?	This RFP is for developing PFT along with connectivity to DFC station. If someone is desirous of developing Freight Terminal/Logistic Park without connectivity to DFC in that case DFC has no relation with it.
6	Criteria for an existing PFT connected with IR Network to get a connection with DFCC.	As per Railway Board guidelines, if a PFT is on IR side it will be connected with IR, if it is on DFC side, it will be connected to DFC. An existing PFT connected with IR (on IR side) desirous of getting connectivity with DFC

		has to connect through Rail fly over. Otherwise their trains can come over DFC network through next available junction.
7	Would like to have all the project details before bidding also need to discuss few details after this meeting so in that case with whom we can be get contacted.	GGM/BD is nominated as coordinating officer and you can always contact Business development department of DFC for getting available details.
8	There are three projects being implemented by NICDC, DMICDC in Haryana, UP and Gujarat out of these 3 projects, 2 projects have been approved by CCEA, are in advance stage of development hope this are getting addressed.	Connectivity proposals for these projects have already been accorded In-Principle Approval (IPA) and they are at DPR submission stage. As far as this RFP is concerned, these are already pre-existing connections, so they will not be considered for exclusivity clause. However, one can apply for PFT from the serving station of these projects. Exclusivity will hold for new project under this RFP.
9	Sudeep Mehrotra - Would like to understand an existing ICD with ownership of land availability can qualify for selection criteria as ownership of land.	Yes, it is possible that existing ICD can show and leverage land of existing ICD to get a connectivity in this RFP subject to feasibility of connectivity.
10	Mr Atirat Gupta – bidder cannot buy source land in 15 days this construct will result in qualifying land owner as project owner most qualified technical or business partners may not get qualified, hence as suggested earlier land ownership should not be the criteria, if the bidder can show availability of land should specify, please consider.	This issue has been deliberated upon. Over and above, these terminals are required immediately and in view of DFCC coming up in next two years in operation phase, we would like to catch on that growth process. So terminal development is DFCCIL’s focus area. Bidders without land may identify new land for acquisition and provide details of land as sought in the RFP. Indicative details with commitment to purchase land is required.
11	Umesh Shah, DP World – few junctions are being developed with sidings what if any policy has been decided on the functioning the potential leasing privatization of this siding at major junction/station.	In the 1 st phase, DFCCIL is looking at PFTs (Logistics Parks and mega logistics parks etc.) coming with the private investment in private land. DFCCIL has certain pockets of the land which are being identified at certain places for 2nd phase of terminal development. DFC land may be offered to operators for developing infrastructure and operate without leasing of land. It is in conceptual stage.
12	Himanshu, Gateway Rail – please confirm that financial and technical criteria of associate companies of the bidding entity.	Yes, we have already provided in the RFP under clause 5.2.
13	Rahul Bhagwat – Clause 4.2.7 where ever feasible the land required for last mile connectivity linear portion between DFC connection point and TMC entry point may also be	This is the concern of TMC to check viability of the project. TMC will get terminal charges as fixed by IR and handling charges, facilitation charges, Value Added Service charges as fixed by TMC.

	acquired by DFCCIL under Railways Act 1989 on behalf of TMC and at the cost of TMC as per enclosure 1. Policy regarding facilitating the land acquisition for providing last mile connectivity linear portion for PFT/MMLPs/ICDs on DFC the ownership of land so acquired will Indian Railways combining these two implies land acquisition will be paid by TMC but the ownership will be with railways How would the TMC recover his cost of land acquisition.	Only connectivity land from main terminal land to DFC take off point, if acquired by DFC on behalf of TMC, will be in the name of DFC. Main terminal land owned by the party will not be in the name of DFC.
14	Sh. Rahul Bhagwat, Adani Logistics: a. will these ICDs qualify for concessional rail haulage rate of 40%? new ICDs/ terminals on DFC. b. If a start-up having JV with a company having turnover which fits into criteria but needs more time to finalize the land, what is maximum concession allowed in that case?	a. Railway tariff will be applicable on DFC. Incentive scheme of IR in general will be applicable on DFC. DFC can give discounts up to 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. b. Land in such cases need to be firmed up and land details with commitment to buy the given area of land should be provided in the bid.
15	Sh. Ashwani Nayar, Hind Terminals - CRTs at key locations where DFCC already has land can be setup by DFCC in very short time bringing traffic onto DFCC. In contrast the PFTs will take time perhaps 2-3 years or more then why defer CRT development and commissioning to second phase.	In First phase we are developing PFTs through private investment. In second phase development of Freight terminals on DFC land will be taken up. These two are separate plans and will progress parallely.
16	Sh. Arun, All cargo logistics a. can we have the draft agreement please b. Looking at the huge investment being pumped in; 10 years exclusivity is too less. It should be for 30 years. Please advise. c. suggest all queries and their answers to be posted on DFCCIL website.	a. Draft License agreement will be uploaded on DFCCIL Website as Addendum of RFP. b. License for Connectivity with a particular station of DFC, will be awarded to only one Private Freight Terminal for eight years from the Date of Award of Contract for development and operation of PFT. Gestation period is included in this Exclusivity period. Please see Addendum no.2 in DFCCIL website. c. Yes, reply to the queries will be uploaded on DFCCIL website.

17	<p>Sh. Nitin Behl, All cargo logistics</p> <p>a. Please clarify the penalty if a successful bidder fails to construct the facility within given timelines owing to failure in land acquisition or any other reasons not attributable to the bidder.</p> <p>b. Huge investments need time, I feel DFCCIL need to give bidders more time. The project of this size should not be closed in haste.</p> <p>c. By when we can expect tariff on DFC?</p>	<p>a. For failure to develop PFT, reasonable extension may be considered. Repeated failure will attract initiation of termination of contract along with partial/full forfeiture of bid security/performance guarantee.</p> <p>b. extension at-least up to 28/01/2021 is considered.</p> <p>c. it may come in multi operator regime. Date not declared.</p>
18	<p>Sh. Umesh Saha, DP World -</p> <p>a. Few junctions are being developed with sidings. what if any policy has been decided on the functioning and the potential leasing privatisation of these sidings at major junctions/ stations.</p> <p>b. Is it possible to get data on existing cargo being handled by IR, CRWC, CONCOR, CWC at various hubs on DFCC. will DFCC do viability gap funding also?</p> <p>c. How much is the performance guarantee to be deposited during implementation and operation stage? will it be 25 lakhs?</p> <p>d. Sir, request if you can issue all the clarifications in writing and advise on by what date bidders will get the written clarifications issued.</p> <p>e. Sir understand that the draft agreement is yet to be shared. Request some timeline be given to bidders.</p>	<p>a. Under preparation. Leasing/ privatization not considered as of now.</p> <p>b. It is not considered and not in the purview of DFCCIL.</p> <p>c. Yes, it is INR 25 lakh.</p> <p>d. Will be posted on DFCCIL website.</p> <p>e. Noted.</p>
19	<p>Sh. Sanjeev Singh</p> <p>We have most of our warehouses aligned on the IR network, need a clarity on the connectivity of the DFC with the existing IR feeder routes etc.</p>	<p>Feeder routes are being strengthened and connected to DFC.</p>
20	<p>Sh. Moh Batwara -</p>	<p>Available data of previous study can be collected by successful bidder from DFCCIL office.</p>

	<p>Is there an estimate of throughput that can be expected at a freight terminal to estimate revenue projections for an 8-year period?</p> <p>An average throughput from the Kanpur study</p>	
21	<p>Sh. Vikram Jaisingh -</p> <p>As holding land is one of the important criteria, chunk of land should be located How far distance from DFC station.</p>	<p>Distance has not been restricted for this purpose. However, it is desirable that land should be within 10 kms. Farther the land, more will be cost for the developer. So it would be better and rather economical to have land parcel near to the station.</p>
22	<p>Anushree Kejriwal -</p> <p>will DFCCIL develop common user terminals at places where DFCCIL has surplus land such as New Rewari, Prithala, Palanpur etc.?</p>	<p>Yes, it is under consideration.</p> <p>DFC can develop Freight terminal on its land at any time and any place.</p>
23	<p>Aruna -</p> <p>DFCCIL requires information relating to traffic in the application stage, it is difficult to assess 115 locations and shortlist few identified land parcels and also understand state's regulatory setup in terms of logistics policy and land procurement rules. would be grateful if the date is extended beyond 28th. A pre-feasibility assessment will have to be carried out to determine shortlisted location traffic and service portfolio. This is not possible in 15 days.</p>	<p>Idea of Freight terminal development was conceptualized more than 6 months back when EOI was published. Since then sufficient time has been given to explore the feasibility and other relevant activities on the part of intending bidders. Last date of bid submission is 08/02/2021. Please see Addendum no.2B in DFCCIL website.</p>
24	<p>Sh. Rishabh Jain -</p> <p>Sir what would be the status of ICD permission in case of red zone as per CBIC guidelines?</p>	<p>The CBIC policy in this regard is requested to be reviewed and relaxation for DFC is sought after deliberation at IMC level.</p>
25	<p>Sh. Abhinav Gupta -</p> <p>a. As the TMC can fix the handling and other charges, there should be policy that all the users will be charged some tariff and not different price for different users to discourage some competitors to the use of the terminal.</p> <p>b. As per PFT policy of DFCCIL, TMC can decide the users of the PFT whereas it is also said during various interactions that it is a common user terminal.</p>	<p>a & b: 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. Charges will be non-discriminatory and not customer centric.</p>

26	Sh. Sumit Agarwal - Few stations are very close to each other, it will increase the competition. Request your comments on same.	There is huge potential in the market. Competition is the base of growth. Exclusivity is given in present case in respect of serving station and not beyond that.
27	Madhukant, Hind Terminal - can we have the draft agreement please.	Yes, Draft License agreement will be uploaded on DFCCIL Website as Addendum of RFP.

Queries of second pre-bid meeting which were submitted through emails

a. Mr Himanshu Runthla, Senior Manager (Operations), GRFL

S. No.	Clauses of RFP	Queries	Reply to queries
1	Clause 6.21- For the rail connectivity of proposed Terminal, subject to availability and wherever feasible, use of land in possession of DFCCIL may be permitted on license basis to Terminal Management Company on the basis of terms & conditions prescribed by DFC/IR from time to time (Enclosure 3).	As per Enclosure 3, DFCCIL will pay 6% of applicable market value to Indian Railways. The cost/lease cost of land used by TMC would be a pass-on. Request for further clarity on this. Enclosure – 3 Licensing of Railway Land for providing connectivity to private siding/ PFT/Port by DFCCIL	In addition to 6% of market value of land (as mentioned in Railway Board Letter no.2016/Infra/6/12 dated 05/10/2016 & enclosure no. 3 of this RFP)), 1% administrative & over-head charges will be levied as per clause no.31.2 of DFCCIL PFT policy.
2	Clause 6.28- Conversion of Private Siding to PFT [Co-user not permitted]: Any Private siding coming on a station, after a PFT has been awarded exclusivity at that station by this tender is not permitted to have Co-user as per Private Siding Policy (clause 11) and they cannot convert to a PFT as per extant PFT policy (clause 7), during the exclusivity period.	Request for further clarity (details) on this clause	As per this clause only Private Siding owner is permitted for its end use. No co-user will be allowed. Private Siding will not be allowed to convert it into PFT during exclusivity period.

b. Adani Logistics Ltd

	Relevant Head		
1	Proof of possession of Land	<ul style="list-style-type: none"> • Please indicate documents to be submitted along with RFP to establish possession of land. • In absence of sale deed or land lease agreement, MOU between applicant and land owner should be permitted as proof of possession. 	Documents released by Land authority i.e. SDM, or other state authority will be considered which may be registry papers. Land lease documents in favour of participant/applicant for not less than 35 years from the date of LoA may be provided. MOU or notarized GPA will not be accepted. Persons not having possession of land will indicate details of land proposed to be acquired by them for PFT.
2	ECS Form	<ul style="list-style-type: none"> • Submission of ECS Form as per RFP should not mandatory for applicants who are submitting Bank Guarantee towards Bid Security 	In case of demand draft, it will be required for refund purpose, if any. Submission requirement stands good.
3	JV/Consortium members	<ul style="list-style-type: none"> • JV/Consortium members (other than lead member) should be allowed to exit JV/Consortium after completion of exclusivity period. 	JV/Consortium members (other than lead member) who have not been considered in evaluation criteria for selection, may be allowed to exit JV/Consortium after completion of exclusivity period. Resolution and commitment of the JV/ Consortium for re-allocating the role and liabilities of the exiting members within the JV/Consortium will be needed.