

# दीनदयाल पत्तन प्राधिकरण DEENDAYAL PORT AUTHORITY



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Civil Engineering/Design/1273/TA/2023PF1

Date: 03/12/2024

## Expression of Interest

**Sub: “PROVIDING LEGAL, TECHNICAL AND FINANCIAL TRANSACTIONS FOR ALL ONGOING & FUTURE PROPOSALS OF DEENDAYAL PORT AUTHORITY ON PPP/CAPTIVE MODE FOR THE PERIOD OF THREE YEARS AND FURTHER EXTENDABLE FOR TWO YEARS” – call for Expression of Interest along with budgetary offer.**

Sir,

Deendayal Port Authority intends to appoint Transaction Advisor for PPP Project for “Providing Legal, Technical and Financial Transactions for all ongoing & future proposals of Deendayal Port Authority on PPP/Captive Mode for the period of three years and further extendable for two years”.

Kindly submit your Expression of Interest along with budgetary-offer (as per Annexure-I) for 5 years for the subject work on the basis of Brief Summary & tentative scope of work which is enclosed herewith.

The rates quoted must be exclusive of GST and inclusive of all other taxes, duties, cess, etc for performing scope of work.

Your Expression of interest along with budgetary offer for the above work should reach to the following address **on or before 18.12.2024**

**Address:**

**Executive Engineer (Design)  
Deendayal Port Authority  
Room No. 204,  
ANNEX, Administrative Office  
Gandhidham – Kutch, Gujarat-370 201  
Tel (O) : 999877742,  
E-Mail: designsectionkpt@gmail.com  
Website: [www.deendayalport.gov.in](http://www.deendayalport.gov.in)**

Encl. As above

Yours faithfully,

**SD/-  
Executive Engineer (Design)  
Deendayal Port Authority**

**DEENDAYAL PORT AUTHORITY**

**ENGINEERING DEPARTMENT**

**Brief Summary**

Deendayal Port is situated on the West Coast of India, in the Gulf of Kutch and along the West Bank of Kandla Creek at 70° 13” E longitude and 23° 01” N Latitude. The Port was developed after Independence of India. It was commissioned in the year 1955 with 2 dry cargo berths and was declared a Major Port.

Presently the Port has fourteen cargo berths for handling dry cargo traffic, two berths for handling container cargo, eight oil jetties for handling POL products and other liquid cargo traffic at Kandla within Kandla Creek, one Offshore Terminal at Tekra for handling dry bulk cargo, and three Single Buoy Mooring (SBM) & Two products Jetties at Vadinar, in Jamnagar District, for handling crude oil.

Deendayal Port has undertaken/identified following projects on PPP/Captive basis to augment the capacity of Deendayal Port.

|            |   |
|------------|---|
| <b>(A)</b> | <b>PPP Project under operation</b>  |
| i.         | Dry Bulk Terminal off Tekra near Tuna (outside Kandla Creek) on BOT Basis   |
| ii.        | Setting up of Captive Barge Jetty at Old Kandla on Captive Basis  |
| iii.       | Development, operation & maintenance of Container Terminal (Berth 11&12) on BOT basis   |
| iv.        | Oil Jetty No 05   |
| v.         | Oil Jetty No. 06  |
| vi.        | 3 SPMs and Two Product Jetties at OOT, Vadinar on Captive Basis   |
| vii.       | Container Freight Station   |
| <b>(B)</b> | <b>PPP Project- Concession Agreement signed and are under implementation</b>  |
| i.         | Development of Oil Jetty to handle liquid cargo and ship bunkering terminal at old Kandla on BOT Basis                          |
| ii.        | Development of Marine Liquid Terminal Facilities consisting of SPM and Two Product Jetties at OOT, Vadinar on Captive use basis |

|            |   |
|------------|---|
| iii.       | Development of a Container Terminal at Tuna Tekra, Deendayal Port on BOT basis under PPP Mode   |
| iv.        | Development, Operation & Maintenance Of Berth-13 For handling Multipurpose Clean Cargo Including Container Cargo at Deendayal Port on DBFOT Basis under PPP Mode  |
| <b>(C)</b> | <b>PPP Projects approved recently and to be implemented</b>   |
| i.         | Development, operation and Maintenance of Oil Jetty No.9 for handling all types of liquid cargo under BOT basis under PPP mode for concession period of 30 years  |
| ii.        | Development, operation and maintenance of Oil Jetty No.10 for handling all types of liquid cargo under BOT basis under PPP mode for concession period of 30 years |
| iii.       | Development, operation and maintenance of Oil Jetty No.11 for handling all types of liquid cargo under BOT basis under PPP mode for concession period of 30 years |
| iv.        | Development of 14 <sup>th</sup> Multipurpose Cargo (other than Liquid/Container) Berths at Kandla Port on BOT Basis   |
| <b>(D)</b> | <b>PPP Projects under Approval</b>  |
| i.         | Mechanization of 15 <sup>th</sup> Multipurpose Cargo (other than Liquid/Container) Berths at Kandla Port on BOT Basis   |
| ii.        | Mechanization of 16 <sup>th</sup> Multipurpose Cargo (other than Liquid/Container) Berths at Kandla Port on BOT Basis   |
| iii.       | Development of Berth no. 17 on PPP Mode   |
| iv.        | Development of Multipurpose Cargo (other than container/ liquid) Berth off Tuna Tekra outside Kandla Creek at Kandla on BOT basis                                 |
| <b>(E)</b> | <b>PPP Projects with litigations</b>  |
| i.         | Development of 13 <sup>th</sup> Multipurpose Cargo (other than Liquid/Container) Berths at Kandla Port on BOT Basis   |
| ii.        | Development of 14 <sup>th</sup> Multipurpose Cargo (other than Liquid/Container) Berths at Kandla Port on BOT Basis   |
| iii.       | Development of 15 <sup>th</sup> Multipurpose Cargo (other than Liquid/Container) Berths at Kandla Port on BOT Basis   |
| iv.        | Development of 16 <sup>th</sup> Multipurpose Cargo (other than Liquid/Container) Berths at Kandla Port on BOT Basis   |
| v.         | Development of Oil jetty to handle liquid cargo and ship bunkering terminal at old Kandla on BOT Basis  |
| vi.        | Development, operation & maintenance of Container Terminal (Berth 11&12) on BOT basis   |

| (F)   | Future PPP Projects  |
|-------|--|
| i.    | Developing Port Facilities at Vadinar  |
| ii.   | Developing Container Terminal  |
| iii.  | Mechanization of existing Berths / Jetties   |
| iv.   | Mechanization of Barge Unloading Facility  |
| v.    | Mechanization of Food Grains Handling Facility   |
| vi.   | Setting up Dry Dock/Ship repair facilities   |
| vii.  | Setting up of SPM  |
| viii. | Setting up of Super-Speciality Hospital and Nursing college  |
| ix.   | Setting up of Multi Skill Development Center in Port and Maritime Logistics                                |
| x.    | Development of New Terminals on the West Side of the entrance of the Kandla Creek, Kandla under PPP Mode . |
| xi.   | Any other PPP project finalized in due course.   |

**Note: The projects mentioned above are indicative. There will be addition/deletion in the above list as per requirements of DPA.**

## **Brief Scope of Work**

The scope of work will be as follows:

- Preparation of Techno Economic Feasibility Report including but not limited to working out cost estimate, financial modeling, etc.
- Preparation of Expression of Interest PPP (BOT/Captive) projects and its evaluation.
- To evaluate/scrutinize Feasibility Report submitted by the applicant as per PDI Policy or prevailing relevant policy.
- Preparing RFQ on the basis of Feasibility Report and updated figures, data and statistics, etc., scrutiny & evaluation thereof.
- Preparation for Pre-Bid and other meetings, conducting the same, preparing replies/ clarifications in consultation with officials of DPA.
- To scrutiny & examine the Tariff in line with the applicable Tariff Guidelines and also to work out tariff as per applicable tariff guidelines.
- Preparing RFP, issuance, scrutiny and evaluation thereof.
- Preparing Draft Concession Agreement, finalize the same. Follow-up of compliance and scrutiny of conditions precedent and financial closure.
- Framing of proposal including but not limited to Board agendas along with its supporting documents for obtaining approvals at before various authorities.
- Preparation of letters, drafts, etc. for obtaining Govt. approvals including Security Clearance, etc.
- Co-ordination and correspondence with concerned statutory State/Central Govt. organizations/persons.
- Framing of bidding documents for valuation of assets, land valuation, Replacement cost etc pertaining to PPP/BOT project including evaluation of Bids.
- Providing Transactional and Legal advice as required by Govt/DPA.
- Provide necessary Technical, Financial and Legal support.
- For appointment of Consultant/Technical Advisor, Auditors etc. for PPP projects, frame bidding documents & subsequent evaluation thereof.
- Furnish clarification to query from RFQ applicants/bidders, Ministry, Competent Authority or any other Statutory Authority.
- After signing of agreement with concessionaire, provide Technical, Financial, Legal opinion/advice/support for implementation, monitoring & operation of PPP Projects.
- Scrutiny of various Policies /Guidelines/ Orders/ Instructions issued by statutory authorities from time to time and suggest any action to be taken by DPA.
- To assist DPA w.r.t. requests received from the concessionaire for modifications/change the project cost, in coordination with Statutory Auditor/Independent Engineer/Consultant .
- To scrutiny/examine the Total Project Cost / Actual Project Cost / Revised Cost submitted by the Concessionaire including assistance to Port Auditor in case of auditing of aforesaid costs.
- Frame the various Reports/formats by incorporating required information there in.
- To work out sustainable Royalty and Reserve Royalty for Projects and also to work out floor level for royalty as per PDI Policy or any other prevalent policy.
- To scrutinize security clearance information of bidders/RFQ Applicants.
- To scrutinize & advise on shareholding change requests from the Concessionaires as per the provisions of Agreement as well Guidelines including Security Clearance guidelines.
- To prepare documents for appointing agency to work out replacement cost for the existing facilities to be offered as per PDI policy or any other relevant policy including evaluation of Bids.

- To frame proposals like but not limited to SFC, EFC, PPPAC, CCEA etc. to take approval of competent authority.
- To frame and make presentation before Authorities in relation to finalization, evaluation to approval of proposal.
- To attend the meetings and support Port officials in respect to PPP projects.
- To frame bidding documents for appointing Independent Engineer including evaluation of bids received for the same.
- To frame the documents for appointing valuer/consultant/expert/ auditor etc., if required to be appointed by the DPA, for the PPP projects including evaluation of the bids received for the same.
- Any other matter related to procedural issues of PPP (BOT/Captive/ or any other mode under PPP).
- Assist the DPA/Port Officials and Port Advocates in the legal matters including dispute resolution mechanism which includes but not limited to Amicable Settlement, Assistance of Expert, Conciliation & Settlement by authorised committee, Arbitration, Adjudication by Adjudicatory Board, SAROD, court cases, etc. including documentation thereof.
- Preparation & checking of invoices to be raised to Concessionaires, working out payable amount, outstanding dues & interest thereof and to assist in all financial matters related to License Fee, waterfront charges, calculation & examination of Royalty, storage charges, liquidated damages, compensation etc including other statutory payments related to PPP projects.
- To evaluate the Performance Standard including calculation of Liquidated Damages.
- To scrutiny/examine/calculate the Termination Compensation & Termination Payment.
- Analysis the Escrow statements/Credentials submitted by the Concessionaire/Lenders, from time to time, towards maintaining of Escrow Account as per Concession Agreement.
- Evaluate the project in terms of stressed project.
- Analysis & Review the various Reports/Statements/Credentials submitted by the Concessionaire, from time to time, as per the Concession Agreement.
- Monitoring obligations of the Concessionaire and Concessions Authority as per the Concession Agreement from time to time and timely suggest further course of action along with detailed opinion. Also, framing of Reports on Monitoring of the PPP Projects, from time to time.
- Assist DPA officials in framing of: (a) Proposals & Correspondence seeking approval of Competent Authorities of the Port and/or Ministries etc; (b) Letters / communications addressed to various Authorities/Agencies/Parties etc; including but not limited to drafting, typing, printing, scanning, tagging etc, as directed by the Port officials from time to time.
- Assist DPA officials in framing of Minutes and Record of discussions of the meetings in respect of PPP Projects.
- Scrutinize and examine the draft model documents, draft guidelines etc and offer suggestion there on.
- Co-ordination with Divisions and Department of DPA.
- Frame and update the status of PPP Projects from time to time but at least once in month.
- Assist DPA officials in framing of various Reports on PPP Projects for sending to various Authorities from time to time. This includes collection of the required details/data for framing such Reports.
- Preparation & Fortnightly updating, in chronological order, data-base of the PPP projects along with corresponding supporting documents.
- Preparing Chronological events and detailed status of the projects regularly and furnishing the same as and when required by DPA.
- Maintain all the records of PPP projects in soft and hard copy.
- Development of various possible alternatives for revenue maximization.
- Assisting the Authority in identification of project risks and in an efficient and economic manner.
- Review cost estimates contained in the Techno Economic Feasibility Reports (TEFR).

- Identification and quantification of estimated financial impact of the Project on government resources.
- Assisting in furnishing data for feeding the same in various portals of Government of India including Ministry of Ports, Shipping and Waterways.
- To deal with the matters pertaining to Audit/Resident Audit Officer (RAO) and assist Port in compliance of queries of Audit.
- To deal with the matters pertaining to RTI (Right to Information) for PPP Projects and assist Port in compliance of the same.

**Qualification & Experience of Key personnel deputed at PPP cell (DPA):**

The Advisor shall ensure availability of the requisite Professional staff/ Experts / Key Personnel stationed at Deendayal Port Authority during entire consultancy period. The requirement of Professional staff is as under:

| <b>Sr. No.</b> | <b>Category of professional (s)</b> | <b>Qualification</b>   | <b>Post Qualification Experience</b>  |
|----------------|-------------------------------------|--|---|
| 1.             | Two Technical Experts               | Graduate Degree (B.E/B.Tech) in Civil/Mechanical Engineering                   | <p><b>1<sup>st</sup> Expert:</b><br/>Minimum <b>5 years'</b> experience in dealing with preparation/evaluation of Transaction documents like Feasibility Report, RFQ, RFP, DCA, etc for implementation of PPP projects.</p> <p><b>2<sup>nd</sup> Expert:</b><br/>Minimum <b>3 years'</b> experience in dealing with preparation/evaluation of Transaction documents like Feasibility Report, RFQ, RFP, DCA, etc for implementation of PPP projects.</p> |
| 2.             | Two Financial Experts               | Either C.A. or ICWA or CFA or MBA (Finance) or PGDM (Finance) or PGD (Finance) | <p><b>1<sup>st</sup> Expert:</b><br/>Minimum <b>7 years'</b> experience in dealing with preparation/evaluation of Transaction documents like Feasibility Report, RFQ, RFP, DCA, Tariff proposal etc. for implementation/appraisal of PPP projects.</p>  |

|    |                         |   |  |
|----|-------------------------|---|--|
|    |                         |   | <p><b>2<sup>nd</sup> Expert:</b><br/>Minimum <b>5 years'</b> experience in dealing with preparation/evaluation of Transaction documents like Feasibility Report, RFQ, RFP, DCA, Tariff proposal etc. for implementation/appraisal of PPP projects.</p>   |
| 3. | Three Legal Experts     | LLB or any equivalent degree in law and above     | <p><b>1<sup>st</sup> Expert / Team Leader:</b><br/>Minimum <b>8 years'</b> experience in dealing with preparation of Transaction documents like RFP, Model Concession or Draft Concession Agreement, etc pertaining to PPP Projects.</p> <p><b>2<sup>nd</sup> Expert:</b><br/>Minimum <b>7 years'</b> experience in dealing with preparation of Transaction documents like RFP, Model Concession or Draft Concession Agreement, etc pertaining to PPP Projects.</p> <p><b>3<sup>rd</sup> Expert:</b><br/>Minimum <b>5 years'</b> experience in dealing with preparation of Transaction documents like RFP, Model Concession or Draft Concession Agreement, etc pertaining to PPP Projects.</p> |
| 4. | One Technical Assistant | Graduate Degree (B.E/B.Tech) in Civil Engineering | <ul style="list-style-type: none"> <li>• Proficient in English</li> <li>• Proficient in Microsoft Office excel, Microsoft word, Microsoft PowerPoint, etc</li> <li>• Two years of experience related to engineering field.</li> <li>• Good skills in drafting</li> <li>• Record keeping &amp; Data Management Preferable</li> </ul>  |
| 5  | Two Office Assistants   | Graduate in any discipline                        | <ul style="list-style-type: none"> <li>• Proficient in English</li> <li>• Proficient in Microsoft Office excel, Microsoft word, Microsoft PowerPoint, etc.</li> <li>• Good Speed in data entry &amp; typing which should not be less than 30 wpm</li> <li>• Filing &amp; Record keeping experience</li> </ul>  |

- The PPP cell will work at the premises of Deendayal Port Authority in the Port Administrative Building, Gandhidham -370201. DPA will provide necessary RENT-FREE office space with minimum furniture. However, computer/laptops with printers, scanners and other required equipment/stationary shall be provided by the advisor to its experts/key personnel deployed in the PPP cell.



- Subject to availability, one “E” Type quarter for each Experts and one “F” type quarter to each Technical Assistant/Office Assistant at Port Colony, Gopalpuri will be provided RENT FREE. However, the Electricity, Water and other service charges will be charged extra.
- No local transport will be provided. However, in case Experts/Key personnel deployed by the Advisor in PPP Cell at Gandhidham as well as Advisor/ Consultant / Contractor are required to travel outside their respective headquarter as per orders of Chief Engineer, Deendayal Port Authority, the upper most entitled class of journey will be “2nd AC” class in case of journey is performed by Rail or Road. However, in case of exigency, the Experts/Key personnel and/or Advisor/ Consultant / Contractor may perform journey by Air (Flight) in “Economic Class” with prior permission of Chief Engineer, DPA. Other expenses like hotel accommodation, food, taxi hire charges etc. during journey will be paid as applicable to Class-I entry level post of DPA. The actual expenditure will be reimbursed on producing bills supported with original vouchers.

**BUDGETARY OFFER**

To,  
Executive Engineer (Design)  
Deendayal Port Authority  
Room No. 204,  
ANNEX, Administrative Office  
Gandhidham – Kutch, Gujarat-370 201  
Tel (O) : 9998777742,  
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**“PROVIDING LEGAL, TECHNICAL AND FINANCIAL TRANSACTIONS FOR ALL ONGOING & FUTURE PROPOSALS OF DEENDAYAL PORT AUTHORITY ON PPP/CAPTIVE MODE FOR THE PERIOD OF THREE YEARS AND FURTHER EXTENDABLE FOR TWO YEAR”**

| Sr. no. | Description                 | Year - 1 | Year - 2 | Year – 3 | Year – 4 | Year – 5 | Total |
|---------|-----------------------------|----------|----------|----------|----------|----------|-------|
| 1       | Technical Expert-1          |          |          |          |          |          |       |
| 2       | Technical Expert-2          |          |          |          |          |          |       |
| 3       | Financial Expert -1         |          |          |          |          |          |       |
| 4       | Financial Expert -2         |          |          |          |          |          |       |
| 5       | Legal Expert -1             |          |          |          |          |          |       |
| 6       | Legal Expert -2             |          |          |          |          |          |       |
| 7       | Legal Expert -3             |          |          |          |          |          |       |
| 8       | Technical Assistant-1       |          |          |          |          |          |       |
| 9       | Office Assistant-1          |          |          |          |          |          |       |
| 10      | Office Assistant-2          |          |          |          |          |          |       |
| 11      | Other Miscellaneous Expense |          |          |          |          |          |       |
|         | <b>Total</b>                |          |          |          |          |          |       |

The above quoted rates are excluding GST but inclusive of all other taxes, duties, cess, etc for performing the scope of work:

Signature with seal

Designation: \_\_\_\_\_

Place: \_\_\_\_\_

Date: \_\_\_\_\_