

Selection of Operator for Establishment, Operation and Maintenance of Adventure activities at Ooty Boat House on Design, Build, Finance, Operate and Transfer (DBFOT) basis

To,

All the eligible Bidders,

Tender ID:2297/Engg/2022

Sub: Establishment, operation and maintenance of adventure activities at Ooty Boat House on Design, Build, Finance, Operate and Transfer (DBFOT) Basis under PPP mode.

Dear Bidders,

This has reference to the RFP dated 11th August 2022 for the subject work and pre-bid meeting held on 27th August 2022 and extension of date for submission of tender on 23.09.2022 upto 03.00 PM. In this regard following documents are enclosed herewith:

- i. Annexure-A (Pre-Bid Queries)
- ii. Annexure-B (Corrigendum)

Encl: As above

MANAGING DIRECTOR

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Annexure-A (Pre-Bid Queries)

Sr.	Reference in Document	Point for clarification/ suggestion	Revised Clause / Response
1	Revenue Sharing	What will be the condition for revenue sharing under situations like lockdown (Covid)?	Please refer to Clause 21 of Volume II – Draft Concession Agreement
2	EMD	We understand that EMD will be refunded with certain terms and conditions after the selection of successful bidder. a. Will there be any fee deduction in EMD? If yes, How much will be deducted? (Or) b. Will it be returned utterly?	Yes, EMD will be returned as per conditions specified in the RFP – VOLUME I
3	VOL 1 - Clause 1.1.8 Pg. 4	Due to the hilly region and also considering the weather conditions (Rainy season ahead) transportation of construction materials may get deferred. On behalf of Tourist Safety grounds, we will not be able to allow people to walk around such places under construction. So we request the authority to provide at least six months of time for construction of all activities from the date of signing tender.	Refer to Pt. 3 of the Corrigendum
4		Who should come and attend the technical bid meeting on behalf of the bidder?	Any member with an authorization letter signed by the member of the consortium holding the Power of Attorney can attend the meeting
5	Vol I - 2.1.1.d	(Vol I - 2.1.1.d) In view of Covid -19 situation we request the authority to consider and reduce the minimum average Annual Turnover of Rs.2 Crores to an average of Rs.1.75 Crores.	Refer to Pt. 2 of the Corrigendum

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Sr.	Reference in Document	Point for clarification/ suggestion	Revised Clause / Response
6	Vol I – 2.1.1.c.2	it is written that the bidder should have constructed and operated minimum of 400 meter zip line. In most cases as soon as the construction is completed, the project will be handed over to the owners of the adventure parks or resorts for operation of adventure activities. Suppliers need not necessarily operate as that is the preview of the client and maintenance is done on a need to basis from the clients. So we request the authority to kindly consider and revise the clause in RFP - VOL I – 2.1.1.c.2	Refer to Pt. 1 of the Corrigendum

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Annexure B - CORRIGENDUM

S. No.	Clause Reference/ Page No	Previous Clause	Revised Clause
1.	Vol I – 2.1.1.c.2	Bidder should have constructed and operated minimum of 400-meter zip line in India in the last 3 (three) financial years.	Bidder should have constructed minimum of one 400-meter zip line in India in the last 3 (three) financial years.
2.	Vol I - 2.1.1.d	Bidder should have Minimum average Annual Turnover of Rs.2 Crores (Rupees Two Crores Only) in three out of the last five Financial years(the “Financial Capacity”) as per the audited annual reports.	Bidder should have Minimum average Annual Turnover of Rs.1.75 Crores (Rupees One Crore seventy five Lakhs Only) in three out of the last five Financial years(the “Financial Capacity”) as per the audited annual reports.
3.	Vol I – 1.2.7 a)	There will be 03 (three) month moratorium on payment of Revenue Share from the date of signing of Concession Agreement for operationalising the Project.	There will be 06 (six) month moratorium on payment of Revenue Share from the date of signing of Concession Agreement for operationalising the Project.
4.	Vol I – 1.2.7 b)	The Revenue Share (Monthly Fee) offered by the Successful Bidder shall be payable to the Authority from the fourth month of execution of the Concession Agreement or the Commercial Operation Date of the Project, whichever is earlier as per terms provided in the Concession Agreement.	The Revenue Share (Monthly Fee) offered by the Successful Bidder shall be payable to the Authority from the seventh month of execution of the Concession Agreement or the Commercial Operation Date of the Project, whichever is earlier as per terms provided in the Concession Agreement.
5.	Vol 1 – Appendix F Pg. 32 Notes Pt. 1	The Revenue Share or fixed assured amount, whichever is higher shall be payable to the authority from the fourth month of execution of the Agreement.	The Revenue Share or fixed assured amount, whichever is higher shall be payable to the Authority from the seventh month of execution of the Agreement.

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S. No.	Clause Reference/ Page No	Previous Clause	Revised Clause
6.	Vol II – Cl. 18.1.1 Pg. 52	In Consideration of the grant of Concession, the Concessionaire shall, from the commencement of the 4th month from the Appointed Date or the Commercial Operations Date (whichever is earlier) pay to the Authority, the Revenue Share of ____ percentage of Gross Revenue or Minimum Assured Amount of Rs. 2,00,000 (including annual escalation), whichever is higher for that particular month. Applicable GST on the above shall also be paid by the Concessionaire	In Consideration of the grant of Concession, the Concessionaire shall, from the commencement of the 7th month from the Appointed Date or the Commercial Operations Date (whichever is earlier) pay to the Authority, the Revenue Share of ____ percentage of Gross Revenue or Minimum Assured Amount of Rs. 2,00,000 (including annual escalation), whichever is higher for that particular month. Applicable GST on the above shall also be paid by the Concessionaire
7.	Vol II – Cl. 18.1.3 Pg. 52	The Minimum Assured Amount or Gross Revenue share payable under the provisions of this Article 18 shall be due and payable monthly and the first such payment (in the first year of scheduled operation) shall be from the 4th month of signing of the Concession Agreement or the Commercial Operations Date, whichever is earlier	The Minimum Assured Amount or Gross Revenue share payable under the provisions of this Article 18 shall be due and payable monthly and the first such payment (in the first year of scheduled operation) shall be from the 7th month of signing of the Concession Agreement or the Commercial Operations Date, whichever is earlier
8.	Vol II – Cl. 18.1.4 Pg. 52	The Minimum Assured Amount of Rs. 2,00,000 will be payable from the commencement of 4th month from the Appointed Date even if the Commercial Operation Date of the Project is not attained by the Concessionaire. Minimum Assured Amount shall be payable from the due date as specified above irrespective of the extension in Development/Construction Period beyond 3 months.	The Minimum Assured Amount of Rs. 2,00,000 will be payable from the commencement of 7thmonth from the Appointed Date even if the Commercial Operation Date of the Project is not attained by the Concessionaire. Minimum Assured Amount shall be payable from the due date as specified above irrespective of the extension in Development/Construction Period beyond 6 months .

Throughout the RFP and the Concession Agreement, it is to be read that the Minimum Rent shall be payable from the 7th month of the signing of the Concession Agreement or Commercial Operation Date, whichever is earlier and the period for development of the Project is 6-months.