

**Tender Id: 2025\_KMB\_802172\_1****Tender Title: RFP for Ponnani Maritime and Industrial Hub, Malappuram****Corrigendum 3**

The Kerala Maritime Board invited Bidders to participate in the RFP titled above, published on the e-tender site of Govt. of Kerala. Queries were received from prospective bidders regarding the RFP and the responses to the same are given below:

Sl. No	Query	Response
1.	Ownership Status of Proposed Land: It may kindly be verified whether the entire extent of land is under the ownership of the Kerala Maritime Board (KMB). At present, there are no visible demarcations, fencing, or name boards installed at the site. It is therefore requested to clarify whether the KMB has any plans to install proper fencing and display name boards indicating that the land belongs to the Kerala Maritime Board, and to caution that trespassing on the property is strictly prohibited and liable for prosecution. It is preferable that the above measures be undertaken at the earliest.	We confirm that the entire extent of the land in question is under the ownership of the KMB. We acknowledge the current absence of visible fencing and name boards at the site. Furthermore, we wish to highlight that under Article 3 of the Concession Agreement, it is the express obligation of the Concessioneing Authority to hand over physical possession of the Project Site. Therefore, KMB will initiate steps to install proper boundary stones and fencing to deter unauthorized access.
2.	Legal Disputes: It is understood that there is an ongoing legal dispute between Malabar Ports Pvt. Ltd. and the Kerala Maritime Board (KMB). In this context, it is requested that the KMB provide a written assurance confirming that the ongoing legal proceedings will not in any manner jeopardize or affect the implementation of projects proposed on the Ponnani land covered under the current RFP notification. Kindly advise whether the KMB has obtained any legal opinion in this regard. If so, it is requested to share a copy of the same for reference. Furthermore, please clarify whether there are any other legal disputes or encumbrances pertaining to	We wish to assure you that these proceedings are unrelated to the implementation of projects at the proposed site and will not impact the progress or execution of the project in any manner. In the unlikely event of any legal proceedings arising, KMB will take all necessary steps to defend its position and safeguard the interests of the project.

	the said land, and provide a written confirmation that the entire project area is under the undisputed ownership of the Kerala Maritime Board.	
3.	CRZ Regulations: The Coastal Regulation Zone CRZ I B and CRZ II is indicated in RFP. Kindly provide necessary guidelines that indicate the Ship Building/ Repair facility is possible to establish under such areas which are under CRZ I B & CRZ II. We could not find any explicit provisions in this regard.	<p>The activities, that are directly related to waterfront or directly needing foreshore facilities such as ports, harbours, jetties, slipways, and other maritime installations etc. are permitted as per the Coastal Regulation Zone Notification, 2019.</p> <p>The CRZ notification is attached.</p>
4.	The Bathymetric and Geo Technical Data: An updated database of Bathymetric/ Hydrographic is not immediately available. Please provide hydrographic data from 2020 onwards till 2024 to establish the level of siling in the area. Also, Geo technical data is required to establish the area is suitable to dredge up to the level of 5 meter to 6 meter from the current level along the waterfront (river front) up to an extent that facilitate launching, manoeuvring and berthing of the under-construction (under repair) vessels.	KMB will share the available bathymetric data in its possession to support preliminary assessments. However, bidders are expected to carry out their own detailed Geotechnical studies to establish site suitability for dredging and vessel operations, as the site will be handed over in its existing, as is, where is condition.
5.	Exclusive access for Project Site and Road within the project area: The project site seems used by common public and access road to Breakwater area appears a common tourist attraction. The access shall be restricted and must be under the control of the Company. The presence of common public (within the premises) raises substantial safety and security concerns for the proposed Ship Building/ ship repair facility. The facility will be undergoing rapid transformations and there will be a lot of construction activities that involve the hot works, lifting etc. Please advise the action taken by the KMB to cordon off the area and handing over to the exclusive access to the site.	We confirm that during the concession period, the selected concessionaire will be granted exclusive access and control over the designated project site and internal access roads. But controlled access to the Breakwater shall have to be given to the Harbour Engineering Department and their contractors for inspection and replenishment works to the Breakwater. The approach road to Breakwater must be retained to enable the access to Breakwater.

6.	<p>Harbour Engineering Department's Presence: We have noted that the Harbour engineering department is utilizing the land for the construction of Breakwaters and there are rock stockpiles &amp; stockpiles of other breakwater construction materials. This will be preventing the effective utilization of the site for the intended project, and it may raise safety &amp; security concerns. Because there will be movement of men and materials that may affect the smooth progress of setting up the facility/ progress of the project. The land shall be exclusively given to the company for development and utilization – if we win the bidding. If the works of Harbour engineering department is extended to more than 6 months or extended to an indefinite period, the project implementation will be delayed as well. So, before the handing over the land or execution of the concession agreement – the KMB shall pursue the Harbour engineering department to either terminate the utilization of the area or seek alternatives.</p>	<p>Upon award of the concession, the project site will be handed over to the selected bidder with exclusive access and control for development and operation. The Breakwater is an integral part of the Port. The replenishment and maintenance of the Breakwater is vested with Harbour Engineering Department. Stocking of rocks, other materials and movements of vehicles &amp; machineries are inevitable for replenishment works of Breakwater. A meeting would be held with HED to ensure smooth implementation of the project.</p>
7.	<p>Soil Profile and other relevant data: At present there is NO data available about the soil health and feasibility of construction of workshops, slipways, installation of cranes on the proposed land. The absence of data is increasing risk on PPP partner. So, we advise the KMB to release the Data related to Soil profile in order to establish the complete feasibility of the intended project.</p>	<p>As per tender conditions, the concessionaire has to prepare the DPR and TEFR of the proposed project. All the data required for the preparation of DPR/TEFR must be collected by the developer.</p>
8.	<p>The Effective area Available: Presence of redundant Sea Walls and a consequent reduction of effective area available for development: There is old rock pile (apparent remanent of old sea wall) that occupy a substantial area. This implies a</p>	<p>The possibility of modification or removal of structures can be assessed after the joint site inspection with respective Departments who constructed the Seawalls and Breakwaters, particularly HED</p>

	net reduction in effective area available for development. We require permission to modify/ remove this structure.	
9.	The existence of Concrete Buildings/ Sheds: It is important to remove the couple of existing concrete sheds for effective development of the land area. Please advise the KMB stand on these buildings.	While the site will be handed over in its current, as is, where is condition, KMB will extend necessary support in facilitating the removal of these structures.
10.	The fish Landing Huts: The existence of fish landing huts is identified. The activities of fishermen community seem quite extensive, and the area remains quite busy at night also. Please advise the KMB action plan in this regard. The matter is quite sensitive and will directly affect effective implementation of the project. The effective & sensible resettlement of fish landing huts outside the project site is one of the base requirements to initiate the project.	KMB is committed for ensuring effective and sensible resettlement of these facilities outside the project area in consultation with relevant stakeholders. This process will be undertaken prior to the handover of the site, ensuring the area is fully available for development and free from operational conflicts.
11.	Details on Beach Area clearance: Details are required for establishing exact area to be made clear from the Beach front. Also, Tidal zone (CRZ) – Construction restrictions need to be established.	The necessary clearances like EC/ CRZ clearances, Municipal building permits, PCB clearances etc are to be obtained by the Developer from the respective agencies and KMB will extend required support.
12.	Road Infrastructure: At Present the Road Access to project Site is through crowded streets and there exists some choke points where movement of trailers/ trucks remain nearly impossible.	We would like to clarify that the site will be handed over in its existing, as is, where is condition. Currently there is no confirmed plan for immediate road upgrades, KMB will extend necessary support in coordinating with relevant authorities to explore potential improvements in connectivity, subject to feasibility and approvals.
13.	Security Infrastructure within the Project land: At Present CCTV Cameras within Proposed project Site is damaged. This needs to be reinstated to monitor activities prior to the signing of the Concession agreement.	All security arrangements must be installed by the Concessionaire. Wherever KMB's installations are there and require maintenance, KMB will consider.
14.	Proposed Coastal Highway Alignment: The proximity of the support pillars of the proposed Coastal Highway Bridge is a	KMB will engage with the concerned authorities to obtain clarity on navigational clearances and operational feasibility and

	<p>matter of concern. This may adversely affect the movement of vessels, as well as the launching and berthing operations of vessels under construction. It is therefore necessary to obtain further clarity on this matter from the concerned authorities</p>	<p>ensure that the bridge design does not hinder the effective functioning of the proposed shipbuilding/repair facility.</p>
15.	<p>Freedom to Modify Land as per Project Needs: The Detail Project Report (DPR) will be submitted eventually, and details of project requirements will be enlisted in it. During the project implementation – Land modifications will be carried out to support project infrastructure like Cranes, Slipways, roads, Warf etc. The signing of the Concession Agreement is subject to the acceptance of the DPR.</p>	<p>The selected bidder will be required to submit a Detailed Project Report (DPR) outlining all infrastructure and development requirements. Land modifications necessary for project infrastructure will be permitted in accordance with the approved DPR.</p>
16.	<p>Annual Escalation of Land Lease License Fee (Ref- RFP page no.6 serial no.15): At present there is a projected annual escalation of 5% to fixed License fee. This will add to a compounded figure and will reach higher value &amp; may affect the competitiveness of the ship building facility. This may in turn affect the sustainability/ viability of the enterprise. So, we request to reduce the annual inflation of a maximum of 2% instead of proposed 5%. The proposed land in Ponnani requires substantial capital inflows to establish a proper ship building infrastructure. The area also needs capital inflows for dredging and maintaining the necessary water depth. However, yield from the land area is low compared to a real estate or Tourism project. So, we request to consider a lower Annual inflation to support the intended project.</p>	<p>As per the current terms of the RFP this escalation rate is fixed and cannot be revised since the RFP is open.</p>
17.	<p>The Performance Guarantee (Ref: RFP page no.6, serial no.14): It is shown that the performance Bond for the project implementation is settled as 5% of the project value. However, we found this is</p>	<p>This requirement is being reviewed, and a revised rate will be notified through a corrigendum shortly.</p>

	quite high as a value and it may block the initial investment capital. So, we request KMB to reconsider this as 2.5-3%.	
18.	The Dredging of the river waterfront area: The Current level of water depth is NOT suitable for the development of ship building/ ship repair facility. We request the KMB to complete the dredging of the area to help to initiate the project once it is awarded.	At present, there is no confirmed plan to increase the draft to accommodate larger vessels. However, KMB will extend necessary support in coordinating with the relevant authorities should any future proposal for draft enhancement be considered feasible.
19.	Industrial Power and Water Supply: There is NO provision of Industrial Power and water connections to the land at present. We request KMB to provide same to initiate the project without any time delay	The project site will be handed over in its existing, as is, where is condition. While KMB will extend necessary support in facilitating activities such as obtaining industrial power and water connections, the responsibility for securing and implementing these utilities will rest with the developer.
20.	Rail Infrastructure: Is there any plan to extend the railway network to connect directly to or near the proposed facility?	As of now, there are no plans to extend the railway network.
21.	Road Access: The present road access to the proposed site appears to be inadequate. Is there any plan to upgrade or improve the road connectivity?	We would like to clarify that the site will be handed over in its existing, as-is condition. While there is currently no confirmed plan for immediate road upgrades, KMB will extend necessary support in coordinating with relevant authorities to explore potential improvements in connectivity, subject to feasibility and approvals.
22.	Water Draft: The current draft restricts the type of vessels that can be called in for repair. Does KMB have any plan to increase the draft to accommodate larger vessels?	At present, there is no confirmed plan to increase the draft to accommodate larger vessels. However, KMB will extend necessary support in coordinating with the relevant authorities should any future proposal for draft enhancement be considered feasible.
23.	Revenue Share: The proposed revenue share of 1% of total revenue is significantly high. We request this clause to be reconsidered and deleted.	The 1% revenue share is a fixed provision of the RFP and cannot be deleted. This percentage was determined to ensure a balanced and sustainable framework for both the developer and KMB.
24.	Ship Repair Facility Revenue: For the ship repair facility, revenue generation will not be immediate. It is requested that the	As per the provisions of the RFP, revenue share is not payable until the achievement of COD. The RFP allows for a maximum

	agreement structure ensures payment of only the lease amount for the first five years.	construction period of two years, with the possibility of further extension in exceptional circumstances, subject to the approval of the KMB.
25.	Existing Project: As per information available online, there was an earlier project initiated by a port company in the same area around 2014. Please confirm the current status of that project.	There are no ongoing activities or commitments associated with the project site at present.