

In response to the queries received, the following clarifications are hereby published;

I. Clause 2.1 of the tender document may please be read as under;

“The location of the Project site will be provided for establishment of tented colony to the successful/preferred bidder however the possession and rights of the land shall remain with the corporation and the Operator will not have any kind of Claim on the rights of the land”

II. Clause 5 Sub-Clause 5.1 of the tender document may be read as under;

Financial Proposal Evaluation:

5.1.1. *The financial bid of only those bidders who qualify the technical evaluation will be opened for financial evaluation.*

5.1.2. *Financial bid shall be in the shape of revenue sharing in percentage with the authority and the bidder who will offer maximum revenue percentage share and not less than 10% will be selected as the highest bidder (H1).*

5.1.3. *The successful bidder will have to increase revenue share by 2.5% every year with the authority.*

5.1.4. *The Letter of Award (LoA) shall be issued in favour of the Highest Bidder (H1) and other Bidders H2, H3 will remain empanelled. In case, H1 fails to execute the project within the stipulated or for any other reason, the Authority will have the discretion to call next higher bidder(s) for execution of the project.*

III. Clause 7 of the tender document may be read as under;

Earnest Money Deposit (EMD)

The Proposal shall be accompanied with Earnest Money Deposit (EMD) for an amount of Rs.5.00 lacs in the form of Demand Draft / Bank Guarantee issued by Scheduled Commercial Bank in favor of “Managing Director JKTDC” payable / en-cashable at Srinagar/Jammu. Proposals without the EMD shall be treated as non-responsive and rejected out-rightly. No exemption from submission of EMD is allowed. No adjustment of EMD

with respect to other works previously lying in JKTDC is allowed. In respect of unsuccessful bidders EMD will be returned within 30 working days from the date of execution of the agreement between JKTDC and the successful/ preferred bidder (highest bidder). No interest will be paid on EMD.

The EMD of the successful bidder shall be retained without any interest and may be forfeited in the following cases:

- a. If a bidder withdraws its bid during the period of validity of the Bid.*
- b. In case of a successful bidder, if the bidder fails within the specified time limit to sign the agreement.*

IV. Clause 21 of the tender document may be read as under;

Performance Security and Agreement

JKTDC shall issue a Letter of Award (LoA), along with the Draft Contract Agreement, to the selected Operator post completion of the evaluation process within 15 days of issuance of such LoA, the Successful Bidder would be required to submit Performance Security equivalent to the EMD in the form of an irrevocable and unconditional Bank Guarantee from a Scheduled Commercial Bank.

The Bank Guarantee shall be drawn in favour of 'Managing Director JKTDC' and enter into the Agreement with JKTDC and start the work on immediate basis after issuance of LoA and execution of agreement. The performance security shall be retained till the completion of the Project. The performance security shall be forfeited at the sole discretion of JKTDC towards any liquidated damages that may be payable by the selected Operator, under the Terms of the Agreement.

V. **Term of Contract:**

"The term of contract shall be for a period of five (5) years extendable further by two (2) years at the discretion of the management of the corporation."