

DEENDAYAL PORT TRUST

MINUTES OF PROCEEDINGS OF MEETING NO.2 OF
2019-20 OF THE BOARD OF TRUSTEES OF THE PORT OF
DEENDAYAL HELD AT 1100 HOURS ON TUESDAY,
28TH MAY, 2019, AT GANDHIDHAM.

P R E S E N T

Shri S. K. Mehta, IFS, Chairman

Trustees

Dr. Tejinder Singh, IFS
DIG Rajesh Makwana
Shri L. Satyanarayan

Shri Prabhat Kumar, IRTS
Shri M. L. Bellani

Also present

Shri T. Venu Gopal, Secretary

I. Leave of absence: -

The following Trustees were granted leave of absence:-

Shri R. K. Agarwal, IAS, JS (Ports)
Shri Mukesh Kumar, IAS
Shri Sanjay Kumar Agarwal, IRS
Cmde. M. Govardhan Raju
Capt. R.K. Muduli

3. Ratification of the action taken for Discharge of E-tender-cum-E-auction for allotment of 02 Nos. of vacant plots invited for Setting up of Liquid Storage Tanks on 30 years' lease and on As is Where is Basis.

Resolution

11

Resolved to ratify the action taken by the Competent Authority for discharge of tender for the work of "Allotment of 02 Nos. of vacant plots for setting up of liquid storage tanks on 30 years' lease and on As is Where is basis at Kandla" and re-invite by considering the demand of minimum 50 acres of vacant land on lease basis, by the Port Users/Investors.

5. Assigning work to Indian Institute of Technology, Mumbai, on nomination basis, for "Assessing Technical Viability, Project Monitoring Consultancy, including preparation of Estimate and DTPs, Analysis, Design and Engineering, Inspection and Supervision etc – Modification & Strengthening of Bunder Basin Berthing Structure" at DPT
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Resolution

12

Resolved to approve the Proposal for assigning work of Assessing technical viability, project monitoring consultancy, including preparation of estimate and DTPs, analysis, design and engineering, inspection and supervision etc., for the work of Modification & Strengthening of Bunder Basin Berthing structure at DPT to IIT, Mumbai, by accepting offer submitted by IIT, Mumbai, vide letter dtd.06.03.2019, amounting to Rs.90.00 lakhs + 18% GST.

6. Construction of Dr. Baba Saheb Ambedkar Convention Centre at Gandhidham – Acceptance of L1 offer of M/s. Dipesh Construction Co., Anjar.
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Resolution

13

Resolved:-

- (i) To ratify the action taken to Qualify the bidders at Sr. No.1 to 7 and disqualify the bidder at Sr. No.8 and to open the Price Bids of Qualified bidders.

Qualified Bidders

1. M/s. Rhythm Infrastructure Pvt. Ltd., Ahmedabad
2. M/s. Maruti Construction Co., Ahmedabad
3. M/s. Dipesh Construction. Co., Anjar.
4. M/s. Patel Infrastructure Ltd., Vadodara
5. M/s. SCC Infrastructure Pvt, Ltd., Ahmedabad
6. M/s. Kargwal Construction Pvt. Ltd. Mumbai.
7. M/s. Great Unison Const. India Pvt. Ltd.- TEMPUS JV, Mumbai.

Disqualified Bidder:

8. M/s. Bhuptani Associates – Prime Developers or API CIVILCON Pvt. Ltd.
- (ii) To ratify the action to accept the L1 bid of M/s. Dipesh Construction Co., Anjar, amounting to Rs.28,83,43,382.73 + GST for the subject work, which is 12.84% below the Estimated Cost put to tender of Rs. 33,08,31,917.00, Issue letter of Acceptance and Commence the work for the work of Construction of Dr. Baba Saheb Ambedkar Convention Centre at Gandhidham.

Due to the urgency cited, the Board also confirmed the above Resolution.

7. Amendment to the Contract conditions for payment of Escalation due to revision of base year of All-India Wholesale Price Index (WPI) based on Index Series 2011-12 instead of 2004-05.

Resolution

14

Resolved to approve the Amendment of the existing Contract Conditions for payment of Price Escalation for Cement, Steel & Other Commodities with New WPI series 2011-12 in place of WPI series 2004-05 with effect from April, 2017 due to revision of base year by Office of the Economic Advisory, Ministry of Commerce, Government of India, in respect of following works:-

1. Construction of 16th Berth for Multipurpose Cargo at Kandla.
2. Construction of 14th Berth for Multipurpose Cargo at Kandla.
3. Retrofitting of Existing Cargo Berth No.1 to 5 (Panel 1 to 45).
4. Construction of Oil Jetty No.7 at Old Kandla.

Due to the urgency cited, the Board also confirmed the above Resolution.

8. Item for information of the Board

- (I) Construction of Oil Jetty No.7 at Old Kandla - Appointment of IIT, Madras, as Proof Technical Advisor on nomination basis.
- (II) Development of Marine Liquid Terminal facilities consisting of SPM & two Product Jetties in DPT waters at OOT, Vadinar, Deendayal Port on Captive Use Basis – Name change of M/s. Vadinar Liquid Terminals Limited (The Concessionaire) & M/s. Essar Oil Limited (Shareholder in VLTL) and subsequent changes in approved Addendum to be signed.
- (III) Schedule of Rates 2018 (Kandla and Vadinar) of Civil Engineering Department, Deendayal Port Trust, Released for Implementation – Information thereof.
- (IV) Award of Service Contract on nomination basis to M/s. Distromed Kutch Services Private Limited, Bhuj, for disposal of Bio-Medical Waste of Deendayal Port Trust Hospital at Gopalpuri, New Kandla, and Adipur Dispensary for a period of one year from 1.4.2019 to 31.3.2020.
- (V) System improvement in Medical Department – Suggestions made to resolve the procedural issues.

The Board noted the position.

10. Permission for carrying out Repair & Maintenance activities in expired leases land area owing to Safety, Health, Environment & Security reasons to M/s. CRL Terminals Pvt. Ltd., Old Kandla, allotted for Liquid Storage Tanks purpose.

Resolution

15

Resolved to grant permission for repair and maintenance work in expired leases of M/s. CRL Terminals Pvt. Ltd, Old Kandla, as recommended by the Safety Officer, subject to condition that (i) M/s. CRL Terminals Pvt. Ltd., shall take necessary clearance from various statutory authorities, whenever required, before starting construction work, (ii) they shall not claim extra or compensation, renewal of lease from Port for above work and no increase in the capacity of tank, up-gradation and tank construction shall be allowed and (iii) they will have to execute the work with certified engineer/authorized agency who shall take care of safety and security aspects during above repair and maintenance work.

11. Work awarded to SBICAPS for assessment of replacement value of the assets (Except land) and Transaction Advisory Services for Restructuring of 13th & 15th Multipurpose Cargo Berths on BOT Basis – Outcome of discussion in respect of depreciated value.

Resolution

16

Resolved to approve the proposal to conclude the work of "Assessment of Replacement Value of the Assets (Except Land) and Transaction Advisory Services for Restructuring of 13th & 15th Multipurpose Cargo Berths on BOT Basis" awarded to SBICAPS, vide work order dated 29.07.2015, with saving of Rs.50 lakhs (excluding Service Tax and out of pocket expenses) i.e., with saving of 26.32% of accepted tender amount of Rs 190 lakhs.

14. Proposal for sending of General Revision of Scale of Rates of DPT due from 01.04.2019 to TAMP, as approved by the Board, vide B.R. No.160 in the Board Meeting held on 7.3.2019, based on opinion received from the ASG.

Resolution

17

Resolved to approve the Proposal of General Revision of Scale of Rate due from 1.4.2019, to be sent to the TAMP for its approval under sections 48,49,49(A), 49(B) & 50 of the MPT Act, 1963.

Due to the urgency cited, the Board also confirmed the above Resolution.

15. Item for Information of the Board

Merger of rates of Tuna Tekra with Kandla, as per the suggestions of Indian Ports' Association, New Delhi.

The Board noted the position.

16. Summary of Financial Review 2018-19.

Resolution
18

Resolved to approve the Annual Accounts of Deendayal Port Trust for the year 2018-19 i.e., Balance sheet as on 31st March, 2019 and Profit & Loss Account for the year 2018-19, for submission to the Principal Director of Commercial Audit & Ex-Officio Member, Audit Board-I, Mumbai.

Due to the urgency cited, the Board also confirmed the above Resolution.

17. Engineering, Procurement and Construction of Mechanized Bagging and Rake Loading Facility for Fertilizer at Deendayal Port, including Maintenance and Operation for 8 years – Variation on account of Supply & Installation of 2 Nos. of HT VCBs.

Resolution
19

Resolved to approve the payment for Variation amount of Rs.10,53,400 (0.88% over Tender cost of Rs. 11,96,80,000/-) + 18% GST extra, on account of supply & installation of 2 nos. of HT VCBs for the work of "Engineering, Procurement and Construction of Mechanized bagging and rake loading facility for fertilizer at Deendayal Port".

18. Retrofitting of existing Cargo Berths No.1 to 5 (Panel 1 to 45) – Final Variation Statement and releasing of payment deposited towards other contract deposit in lieu of GST Act.

Resolution
20

Resolved to approve:-

- (i) The Final Variation Statement with a net excess of Rs.53,75,134.76 which is 1.57% of the tender cost of Rs.34,19,06,895.00;
- (ii) An amount of Rs.1,50,80,965.00 to be recovered from Final bill by way of discount on account of "Excise + VAT+WCT" and included in the contract price for the work executed after 01/07/2017 and GST to be charged on discounted value.

19. Ratification of action taken in Assigning the work on nomination basis to M/s. Indian Institute of Technology, Bombay, of "Confirmatory tests and Analysis report for Smart Industrial Port City (SIPV) Location - 2 at Kandla".
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Resolution

21

Resolved to approve:-

- (A) Ratify the action taken by the Competent Authority:-
- i. Assigning the work of "Confirmatory Tests and Analysis Report for Smart Industrial Port City (SIPC) Location-2 at Kandla" to M/s. Indian Institute of Technology, Bombay, with all terms & conditions and scope mentioned in the offer letter No.DRD/CE/DNS-15/18-19 dated 28.01.2019, email dated 08.02.2019 and 13.02.2019 for an amount of Rs.32.65 lakhs (Rupees Thirty-two lakhs sixty-five thousand only) plus GST;
 - ii. To pay 70% payment of the Contract amount of Rs. 32.65 lakhs plus GST to be released in advance and balance 30% payment to be released after submission of the report by M/s. Indian Institute of Technology Bombay.
- (B) Authorize the Chief Engineer, DPT, to issue the Work Order to M/s. Indian Institute of Technology Bombay.
20. Proposal regarding Applicability of the effective date i.e. Retrospective / Prospective of the proposal already sent to TAMP for adding Separate Tariff Rate for Tuna Port as Chapter-V.
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Resolution

22

Resolved to approve the proposal to give effect of the applicability of the effective date of the proposal already sent to TAMP retrospectively i.e., w.e.f. 11.08.2016 for adding separate tariff rate for Tuna Port as Chapter-V, as approved by the Board, vide B.R. No.109 of the Board meeting held on 26.12.2017.

Due to the urgency cited, the Board also confirmed the above Resolution.

21. Grant of Provisional Pilotage Licence to Capt. Vikas Vasant Mali, appointed as Pilot on contractual basis for Pilotage Operations at Deendayal Port.
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Resolution

23

Resolved to approve the recommendations dated 06-05-2019 of the Examination Committee, Constituted for conducting the Examination of Pilots, in accordance with Clause-8 of the Kandla Port (Authorization of Pilots) Regulations 2013, as at {Annexure-102} for grant of Provisional Pilot License to

Capt. Vikas Vasant Mali to pilot vessels in and out of the Port berth and un-berth vessels (except dangerous petroleum tankers, men-of-war and ships loaded with explosives), not exceeding 11000 tonnes gross register, between OTB to inner harbour and vice-a-versa independently during the light hours only at Deendayal Port independently with immediate effect; subject to further approval of the Ministry of Shipping.

22. Item for Information of the Board

- (I) Assumption of charge of Chairman and Secretary in Deendayal Port Trust – Reg.
- (II) Development of Smart Industrial Port City (SIPC) at Kandla Gandhidham – Adipur Complex – SIPC land rates & norms.
- (III) Award of works by Marine Department, subject to information of the Board.

The Board noted the position.

23. Provident Fund and General Fund Investments.

Resolution

24

Resolved to approve the proposal, subject to the observations and dissent recorded by the Labour Trustees under Para-23.3 above:-

1. To make the investments of PF, as per EPFO Notification No.Ho/IMC/123 pattern 2015/12937, as per advisory of SBI DFHI Ltd. in compliance to Ministry of Shipping letter dated 27/07/2018 and general funds as per DPE guidelines in compliance to Ministry of Shipping letter dated 27/07/2018;
 2. To execute an agreement with SBI DFHI Ltd., for Provident Fund and General Fund investments., for seeking advisory services for investment;
 3. To execute the P.F. Trust deed, as per copy attached, as { Annexure-111 } and maintain the PF Accounts as separate entity;
 4. To authorize the Chairman, DPT, to take necessary action to do other formalities for opening of Demat Account., CSGL Account and other incidental action.
24. Sprinkling System inside Cargo Jetty Area for Coal Dust Suppression in Coal Yard - Approval towards recovery in lieu of discount on implementation of GST from final bill.

Resolution

25

Resolved to approve:-

Recovery of Rs.17,32,699.47 towards discount on account of "Excise + VAT + WCT" on implementation of GST from Final bill of M/s. Patel Construction Co., Gandhidham, for the work of "Sprinkling system inside Cargo Jetty area for Coal dust suppression in coal yard".

25. Termination of Contract awarded to Gujarat Industrial Security Force Society for providing Security Services at DPT and to go ahead with the E-Tender for the work of engagement of Security Agency for providing Watch & Ward Security Supervisors and Security Guards without arms for various Departments of Deendayal Port Trust for a period of two years.

Resolution

26

Resolved to approve the following:-

- (i) To terminate the contract awarded to Gujarat Industrial Security Force Society (GISFS), for the work of "Providing security services to various Departments of Deendayal Port Trust for the period of 02 years (further extendable for one year)" awarded vide Work Order No. LW/PL/3431/137 dated 28-02-2019, considering their inability to provide the security guards at D.P.T., on completion of one month's Notice i.e. on 09-06-2019, as per Clause No.10 of the work order and
- (ii) To revoke the earlier decision taken by the Board at its meeting held on 22-02-2019 and to go ahead with the existing online tender for the work of "E-Tender for the work of Engagement of security agency for providing watch and ward Security Supervisors & Security Guards without arms for various Departments of Deendayal Port Trust for the period of 02 years".

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