Response to Pre-Application Queries on the RFQs for
"Development of Eco-Tourism Projects in Lalaji Bay, Long Island, Smith Island and Aves Island"

Sl. No.	RFQ for:	Section/ Clause	Provision in the RFQ	Query Submitted	Authority Response
1.	Aves Island Project	Section 1 1.1.1	Concession Period = 30 Years including construction period of 2 years	Period of Concession- it is hereby requested to extend the period to at least 50 years.	The concession period has been decided based on project parameter and as mentioned in clause 1.1.1 & 1.2.8 and other applicable provisions of the RFQ document.
2.	Aves Island Project	Section 1 1.1.1	Star Categorization- Confirm to minimum 4 Star Categorization by Ministry of Tourism	Star Categorization- Confirm to minimum 4 Star Categorization by Ministry of Tourism* This clause says minimum 4-star categorization but the eligibility in Clause 2.2.2 (A) clearly *specifies 3 Star and/or 4 Star and/or 5 Star and/or 5 Star Deluxe or above*.	The Star Categorization specified in Clause 1.1.1 is for the proposed Project to be developed by the concessionaire at Aves Island. The star categorization specified in Clause 2.2.2 (A) is for eligibility of hotels for demonstrating Technical Capacity of the Applicant.
3.	All 3 Projects	Section 1 1.1.1	Following supporting infrastructure to be created by the concessionaire : Floating jetty, desalination plant, rain water treatment plant, solar power plant, DG set, STP, etc.	Support infrastructure to be created by concessionaire (Jetty, Desalination Plant, RWT plant, Solar plant, STP, etc. is excessive and partially unnecessary for some projects. These should be clarified as non-essential to completion certificate. Whereas it is fine for it to be spelled out that ANIIDCO will not provide these facilities, it should be left to the winning bidder to choose the level of supporting infrastructure he requires and to build accordingly.	The support infrastructure has been considered for self-sustenance of the projects considering its eco-friendly nature. The support infrastructure proposed to be created for the project is also part of the Form 1 of CRZ application which has been submitted by the Authority to MoEF for obtaining prior CRZ clearance. Details of support infrastructure to be created by the concessionaire shall be provided in the Draft Concession Agreement to be issued as part of RFP document.

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4.	All 3 Projects	Section 1 1.1.1	Prior/In-principle CRZ/ Environmental Clearance as applicable for the projects shall be obtained by the Authority.	Environmental Clearance/CRZ Clearance is dependent upon exact layout drawings and exact project plan. Even if some form of in-principle approval is obtained, the project once finalized will have to go through all the same clearances again. The RFQ document does not build in grace time for the winning bidder to obtain these or safety clauses in case these end up not forthcoming. It also does not mention penalties for the failure of ANIIDCO to procure these, if the onus is actually on ANIIDCO.	The Corporation on 19.07.2018 submitted online application to MoEF for CRZ clearance for Long, Aves & Smith Island and on 06.12.2018 submitted application for Environment Clearance for Long Island project submitted to MoEF. The Expert Appraisal Committee (EAC) of MoEF considered the applications in its meeting held on 25.01.2019. Environmental Clearance/ CRZ Clearance shall be Conditions Precedent of the Authority. The timelines and damages for respective Conditions Precedent of the Authority and the concessionaire shall be provided in the Draft Concession Agreement to be issued as part of RFP document. The Draft Concession Agreement shall be broadly based on the Model Concession Agreement (MCA) for Development and Operation of Eco-Tourism Resort and Supporting Infrastructure. The MCA is available on the NITI Aayog website *https://www.niti.gov.in/writereaddata/files/document_publication/ModelConcessionAgreement_for_Development_and_Operation_of_Eco-tourism_Resort.pdf* for reference. Draft Concession Agreement to be issued as part of the RFP document.
5.	All 3 Projects	Section 1 1.1.1	A & N Administration shall facilitate the concessionaire in obtaining applicable permits subject to concessionaire submitting timely complete application.	Other clearances, such as Bar License are also dependent upon submission of project report. In the RFQ meeting it was mentioned that Bar Licenses would be included in the pre-procured clearances. Clarification is required if this is actually the case; i.e. is a change being made to the Bar License regulations/procedures which currently mandate that Bar License will be extended only after physical inspection of completed buildings	In the meeting held under the chairmanship of MD, ANIIDCO on 14.09.2018 it has been decided that UT Administration shall provide upfront bar license, which will be deemed to be approved as soon as the fire clearance and clearance from SP (CID) is granted. Further, the Administration shall commence the public consultation/objection process for the prescribed 15 days upon the issuance of Request for Proposal (RFP) documents for these projects.

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6.	All 3 Projects	Section 1 1.1.1		Commercialization of Land for tourism purposes currently requires detailed project proposal to be submitted prior to diversion of land use. Clarity is sought as to how diversion of land use will be granted in the absence of detailed project plans, and if any change is being made to the rules governing diversion of land use to facilitate the same	Approval of the competent authority shall be obtained for land use conversion before execution of the agreement.
7.	Long Island project	1.1.1	220 (400 beds). The project shall be deemed complete with construction of minimum 110 rooms in 03 years and it is upto the concessionaire to build additional rooms subject to a maximum of 220 rooms over 15 years	The minimum room count requirement is 110 keys. The Projects total room count is 220 keys. We require clarification on the requirement of 400 beds. This should be deleted as it implies 400 physical beds.	Total no. of rooms permitted are 220 or 440 beds and maximum guest occupancy permitted is 440.
8.	Long Island project	1.1.1	Concession period – 60 years including 03 years of construction period.	Leasehold rights for 60 years including 3 years for construction is not acceptable. The authority needs to consider freehold rights to the land.	Site for Project shall be made available on license basis. This is captured under Article 3 & 10 of the Model Concession Agreement of Eco-Tourism Projects. The Draft Concession Agreement for the proposed Project shall be broadly based on the MCA which is available on the website of NITI Aayog https://www.niti.gov.in. Draft Concession Agreement to be issued as part of the RFP document.
9.	Long Island project	1.1.1	Concession period – 60 years including 03 years of construction period.	The Project should be with Freehold rights and for the successful concessionaire to own and not transfer at the end of a term.	Site for Project shall be made available on license basis. This is captured under Article 3 & 10 of the Model Concession Agreement of Eco-Tourism Projects. The Draft Concession Agreement for the proposed Project shall be broadly based on the MCA which is available on the website of NITI Aayog https://www.niti.gov.in. Draft Concession Agreement to be issued as part of the RFP document.
10.	Long Island project	1.1.1	Type of construction proposed – Eco friendly material and/or pre cast concrete technology.	It is a requirement to build using eco-friendly material. We require definition and details of this eco-friendly material. This can be basis practical availability of material.	Construction to be undertaken using eco-friendly material such as wood, bamboo, pre-cast concrete/pre-fabricated concrete/steel as per Section 1.1.1 of the RFQ with very minimal use of RCC and confirm to environmental standard of LEED/ GRIHA/Green Globe.

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11.	Long Island project	1.1.1	Prior/In-principle CRZ/ Environmental Clearance as applicable for the projects shall be obtained by the Authority. A & N Administration shall facilitate the concessionaire in obtaining applicable permits subject to concessionaire submitting timely complete application.	Please provide a list of all the clearance that will be obtained by the Authority. A single window clearance for Environment, CRZ, Forest, Liquor License, construction and development, police clearances etc. would be required.	Following clearances will be provided by the UT Administration: • CRZ clearance • Environment Clearance • Conversion of Land Use (CLU) • Liquor / Alcohol & Bar License In addition, UT Administration shall facilitate the concessionaire in obtaining other applicable permits such as Building Plan Sanction, Pollution NOC, Electricity Clearance, Fire Clearance, Food License & Hygiene Clearance, approval for Adventure and Water Sports activities, etc. subject to concessionaire submitting timely complete application in accordance with prescribed norms.
12.	Long Island project	1.1.1	Estimated Project Cost – Rs. 379 Crores for 220 keys and Rs. 154 Crores for 110 keys	Requirement: Rs. 379 Crores for 220 keys and Rs. 154 Crores for 110 keys. We would require the break-up of the Estimated Project Cost Requirement as provided in the RFQ	The total estimated cost of the project is given in Section 1.1.1 of the RFQ. The Applicants are required to have their own estimate of the Project Cost based on the site assessment, proposed design of the Project, construction material and methodology, and other parameters, as applicable.
13.	Long Island project	1.1.1	Following supporting infrastructure to be created by the concessionaire: Floating jetty, desalination plant, rain water treatment plant, solar power plant, DG set, STP, etc.	Supporting infrastructure of floating jetty and solar power plant needs to be provided by the authority. These cannot be an obligation for the concessionaire to build.	The support infrastructure such as Floating Jetty, STP, Desalination plant, Solar Power Plant, etc. which are required for self sustenance of the project and are in the scope of the concessionaire as per Section 1.1.1 of the RFQ.
14.	Aves Island project	1.1.1		As per Clause 1.1.1 it has to be only the Tent or other structural materials could be integrated as well with Tent?	The accommodation facilities have to be tents, but facilities like lobby, restaurants, spa etc will be permanent structures made form eco-friendly/ pre-cast materials and confirm to environmental standard of LEED/GRIHA/Green Globe.
15.	Aves Island project	1.1.1		As per Clause 1.1.1 it mentioned 50 keys, Is there any flexibility to increase the number. Would you please share with us the total beach length / Shore line length for each Island Please. This will help us for our project assessment.	50 Keys as mentioned are maximum no. of keys for the Project at Aves island and cannot be increased. Total beach length of Aves Island: 0.5km (approx.). However, Applicants are required to make their own site assessment for beach length.

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16.	All 3 Projects	Section 1 1.2.1		RFP documents including Concession Agreement are not available at present. It is impossible to form Consortiums when the proposed consortium partners do not have clarity on the shape of the final agreement and project they will be jointly bidding on. The RFQ deadline should be extended till 30 days after the RFP documents, and specifically the Model Concession Agreement, is finalized and shared with intending bidders.	The Draft Concession Agreements of all 3 Projects shall be broadly based on the Model Concession Agreement (MCA) for Development and Operation of Eco-Tourism Resort and Supporting Infrastructure. The MCA is available on the NITI Aayog website https://www.niti.gov.in for reference.
17.	Aves Island Project	Section 1 1.2.6	During the Bid Stage, Bidders are invited to examine the Project in greater detail, and to carry out, at their cost, such studies as may be required for submitting their respective Bids for award of the concession including implementation of the Project.	Clause 1.2.6 says that the Bidders are invited to examine the project but the date, time and number of persons allowed is not mentioned.	Bidders may examine the Project in greater detail at its own cost, at its own discretion. However, the Authority shall facilitate in providing clarification on the project and for site visit.
18.	All 3 Projects	Section 2 (2.2.2 B)	In case of a Consortium, the combined Technical Capacity and Net Worth of those Members, who shall have an equity share of at least 26% (twenty six per cent) each in the SPV, should satisfy the above conditions of eligibility; provided that each such Member shall, for a period of 2 (two) years from the date of commercial operation of the Project, hold equity share capital not less than: (i) 26% (twenty six per cent) of the subscribed and paid up equity of the SPV; and (ii)5% (five per cent) of the Total Project Cost specified in the Concession Agreement.	Minimum equity criteria of 26% for considering technical and financial eligibility criteria to be relaxed considering that most of the leading hotel chains only operate the hotel and not invest in the project	Consortium members whose Technical Capacity and Net Worth have been considered for qualification are required to hold at least 26% equity share for a period of 5 (five) years from commercial operation of the Project as per the clause 2.2.2(B) & 2.2.6(c) of the RFQ and other applicable provisions of the RFQ document. Please refer to the corrigendum.
19.	All 3 Projects			Technical partner of consortium should have a minimum stake of 26%, so can a foreign hotel owner/operator be part of consortium with more than 26%?	A foreign entity may become part of the consortium subject to Clause 2.2.2, Clause 2.2.6, Clause 2.2.11 of the RFQ and other applicable provisions of the RFQ document.

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20.	All 3 Projects	Section 2 (2.2.2 and 2.2.3)	**Technical Capacity**	Major hotel chains prefer not to invest and prefer to seek O&M contracts only. The structure of qualification criteria does not allow for a consortium between a non-investing O&M partner and a Financial Partner. Recommended that Financial Capacity be determined through Net Worth Criteria and for Technical Capacity, lock-in period of qualifying O&M partner be accepted (with substitution allowed at end of period with another qualifying O&M partner if necessary).	Technical Capacity and Financial Capacity of the Applicant shall be determined as per the clause 2.2.2 and 2.2.3 of the RFQ and other applicable provisions of the RFQ document.
21.	All 3 Projects	Section 2 (2.2.2 and 2.2.3)	**Technical and Financial Capacity**	The Qualification Criteria exclude meaningful participation of Andaman Based hotel owners, and this should be revisited to allow the same. Andaman based legacy resorts, even those which previously held star categorization from Government of India, do not at present have such classification owing to change in application procedure which required CRZ Clearance, whereas CRZ Authority and procedures for clearances were not in place in Andaman until very recently. Now that these procedures and bodies are in place, Andaman based resort owners have applied under special dispensation for CRZ Post Facto clearance. Given the domain knowledge and expertise held by these players, and that lack of star categorization has been due to infrastructural inadequacies of Government of India, the technical capacity for Andaman based resorts should be modified to use price or other criteria in lieu of star categorization.	The qualification criteria of the Applicant shall be determined as per the clause 2.2.2 and 2.2.3 of the RFQ and other applicable provisions of the RFQ document.

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22.	All 3 Projects	Section 2 (2.2.11)	While Qualification is open to persons from any country, the following provisions shall apply: (a) Where, on the date of the Application, 25% (twenty five percent) or more of the aggregate issued, subscribed and paid up equity share capital in an Applicant or its Member is held by persons resident outside India or where an Applicant or its Member is controlled by persons resident outside India; or (b) if at any subsequent stage after the date of the Application, there is anacquisition of 25% (twenty five percent) or more of the aggregate issued, subscribed and paid up equity share capital or control, by persons resident outside India, in or of the Applicant or its Member; then the Qualification of such Applicant or in the event described in sub clause (b) above, the continued Qualification of the Applicant shall be subject to approval of the Authority from national security and public interest perspective. The decision of the Authority in this behalf shall be final and conclusive and binding on the Applicant.	FDI is allowed under automatic route without approval upto 51%, Why is clause 2.2.11 it is mentioned that foreign investment more than 25% requires approval?	Clause 2.2.11 is for disclosure of holding or transferring more than 25% of the equity share from national security and public interest perspective. FDI for the Project shall be governed by extant policy of the Government of India.

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23.	All 3 Projects	Section 2 (2.2.2 and 2.2.11)	**Technical Capacity and Overseas entities**	These clauses are at variance. If the maximum allowable investment by an overseas entity is 25% (2.2.11) after which participation is subject to unspecified security approvals, but the minimum shareholding required for consideration of qualifying technical/financial experience is 26%, how can a foreign technical partner meaningfully participate? In order to be certain of success in meeting qualification criteria with an overseas O&M partner, it would perhaps take an unlikely consortium of an Indian technically and financially qualifying partner with an overseas operator, wherein the technically qualifying Indian partner would then forgo O&M rights in favour of the overseas brand. This is extremely unlikely and does not create a path for global chains to participate. The recommended solution is same as in Point 6 above, which is to allow O&M participation without equity, and use that also towards meeting technical qualifying criteria.	The maximum allowable investment by an overseas entity shall be governed by extant policy of the Government of India. Clause 2.2.11 is for disclosure of holding or transferring more than 25% of the equity share from national security and public interest perspective.
24.	All 3 Projects		**Extension of application submission date**	Owing to the complexity in qualification criteria and the need for clarification and overhaul of the same, and also given the lack of clarity on Concession Agreement, 22 February is too soon for formation of consortiums. The RFQ submission date should be duly extended	The last date of submission of RFQ is 3.00 pm on 22.02.2019 as mentioned in clause 1.3 of the RFQ document.
25.	All 3 Projects	-	-	Whether there are any minimum debt equity norms for financing of the project	There is no minimum debt equity norm for financing of the Project.

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26.	All 3 Projects	-	-	Whether mortgaged rights would be provided for raising money from lending institutes	The mortgage right of the concessionaire shall be adequately dealt in the Draft Concession Agreement to be issued as part of the RFP document. The Draft Concession Agreement shall be broadly based on the Model Concession Agreement (MCA) for Development and Operation of Eco-Tourism Resort and Supporting Infrastructure. The MCA is available on the NITI Aayog website https://www.niti.gov.in for reference.
27.	Long Island project	Section 1 1.1.1	Construction Period and penalty on delay	The construction period of 3 years in a remote Island location is not practically achievable. This requirement needs to be taken out completely. Penalty clauses on delay in construction need to be removed	Construction period has been estimated based on project parameter. No change in the construction period. Detail of the penalty provision for delay in construction shall be provided in the Draft Concession Agreement to be issued as part of the RFP document. The Draft Concession Agreement shall be broadly based on the Model Concession Agreement (MCA) for Development and Operation of Eco-Tourism Resort and Supporting Infrastructure. The MCA is available on the NITI Aayog website https://www.niti.gov.in for reference.
28.	All 3 Projects	Section 2 2.2.1	2.2.1 lays down the requirement that 'the Bidder or its shareholders and any other Bidder or its shareholder should not have common shareholders or beneficial owners, with the shareholding or ownership interest being in excess of 5% (five per cent)'	It is recommended that Bidders, being Public Listed companies, be exempted from this clause.	No change in the Clause 2.2.1 and other applicable provisions of the RFQ document.

Sl. No.	RFQ for:	Section/ Clause	Provision in the RFQ	Query Submitted	Authority Response
29.	Aves Island Project	Section 2 2.2.1 (b)	An Applicant may be a natural person, private entity, government-owned entity or any combination of them with a formal intent to enter into an agreement or under an existing agreement to form a Consortium. A Consortium shall be eligible for consideration subject to the conditions set out in Clause 2.2.6 below.	Clause 2.2.1 (b): The clause says, "An applicant may be a natural person, private entity, government owned entity or any combination of them with a formal intent to enter into an agreement or under an existing agreement to form a Consortium". Kindly specify the words ****Private Entity**** and if ***Limited Liability Partnerships, Firms***, etc. allowed.	As per Clause 2.2.1 of the RFQ document. Limited Liability Partnerships, Firms are eligible to apply for the Project, subject to the adherence to other eligibility provisions of the RFQ document.
30.	Long Island Project	Section 2 2.2.2 (A)	**Technical Capacity:** For demonstrating technical capacity and experience (the "Technical Capacity"), the Applicant shall, over the past 5 (five) financial years preceding the Application Due Date, have: (i) owned a functional 3 star and/or 4 star and/ or 5 star and/ or 5 star Deluxe and above hotels having a minimum of 50 residential rooms; or (ii) operated, maintained and managed a functional 3 star and/or 4 star and/ or 5 star and/or 5 star Deluxe and above hotel having a minimum of 50 residential rooms. such that the sum total of residential rooms is more than 550 residential rooms (the "Threshold Technical Capacity").	This requirement of minimum 50 rooms totalling to 550 rooms is not clear. Does the Authority require the Applicant to own or manage multiple hotels with a minimum room count of 50 and a total of minimum 550 rooms?	As per provision of the Clause 2.2.2 (A), the Applicant shall, over the past 5 financial years, preceding the Application Due Date, have owned/ operated, maintained and managed functional 3 star and/or 4 star and/ or 5 star and/ or 5 star Deluxe and above hotels having a minimum of 50 residential rooms per hotel, such that the sum total of residential rooms in all hotels is more than 550 residential rooms. Hence, the Technical Capacity of 550 rooms shall be arrived at by aggregating room counts of multiple hotels (Eligible Projects) each having minimum room count of 50.

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31.	Aves Island Project	Section 2 2.2.2 (A) And Section 3 3.2.2	2.2.2 (A) - Technical Capacity 3.2.2 Eligible Experience in respect of each category shall be measured only for Eligible Projects.	Technical Capacity: The sub-clause demonstrates the capacity and experience as "owned or operated, maintained and managed a functional 3star and/or 4 star and/or 5 star and/or 5 star Deluxe and above hotel while Clause 3.2.2 says "Eligible Experience in respect of *EACH CATEGORY* shall be measured only for eligible projects. Please clarify	As provided in Clause 3.2.1, Eligible Projects are categorised into four categories. Applicants may submit hotel experience for meeting Technical Capacity (as provided in Clause 2.2.2 (A) by demonstrating aggregate Project experience under each category.
32.	Aves Island Project	Section 2 2.2.2 (B)	**Financial Capacity:** The Applicant shall have a minimum Net Worth (the "Financial Capacity") of Rs. 9.50 Crores (Rupees Nine Crores Fifty Lakhs only) at the close of the preceding financial year. In case of a Consortium, the combined technical capacity and Net Worth of those Members, who shall have an equity share of at least 26% (twenty six per cent) each in the SPV, should satisfy the above conditions of eligibility; provided that each such Member shall, for a period of 2 (two) years from the date of commercial operation of the Project, hold equity share capital not less than: (i) 26% (twenty six per cent) of the subscribed and paid up equity of the SPV; and (ii) 5% (five per cent) of the Total Project Cost specified in the Concession Agreement.	Financial Capacity: As per second paragraph of this sub-clause, ***please clarify if the Lead Member's combined technical and financial capacity will be considered only***. To clarify, can two members of the consortium separately submit their financial and technical capacity?	Please refer to Clause 2.2.6 (c) for specific provision related to Lead Member. All members, having 26% of the equity stake in the SPV, may separately submit their financial and technical capacity. Also, please refer to the corrigendum.

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33.	Aves Island Project	Section 2 2.2.3	**O&M Experience**: In the event that the Applicant does not have the requisite O&M experience, it shall either enter into an agreement, for a period of 5 (five) years from COD, with an entity having the aforesaid experience relating to the performance of O&M obligations, or engage experienced and qualified personnel for discharging its O&M obligations in accordance with the provisions of the Concession Agreement, failing which the Concession Agreement shall be liable to termination.	O&M Experience- Kindly explain the meaning of "engage experienced and qualified personnel for discharging its O&M obligations" as mentioned in the clause.	The clause is self-explanatory.
34.	All 3 Projects	Section 2 2.2.6	Where the Applicant is a single entity, it may be required to form an appropriate Special Purpose Vehicle, incorporated under the Indian Companies Act,2013 (the "SPV"), to execute the Concession Agreement and implement the Project.	The RFQ requires Successful Bidder to form a SPV to enter into agreement for the allotment of land. We request removal of this clause and the bidder to enter into agreement with the authority from among its existing companies.	No change in the Clause 2.2.6 and other applicable provisions of the RFQ document.

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35.	Aves Island Project	Section 2 2.2.6 (g) (v)	(g) members of the Consortium shall enter into a binding Joint Bidding Agreement, substantially in the form specified at Appendix-IV (the "Jt. Bidding Agreement"), for the purpose of making the Application and submitting a Bid in the event of being short-listed. The Jt. Bidding Agreement, to be submitted along with the Application, shall, inter alia: (v) members of the Consortium undertake that they shall collectively hold at least 51% (fifty one per cent) of the subscribed and paid up equity of the SPV at all times until the second anniversary of the commercial operation date of the Project;	Please clarify "members of the Consortium undertake that they shall collectively hold at least 51% of the subscribed and paid-up equity of the SPV at all times until the second anniversary of the commercial operation date of the project".	The members of the consortium need to hold equity in the SPV as per the clause 2.2.6(g)(v) of the RFQ and applicable provisions of the RFQ document. Please refer to the corrigendum.
36.	Aves Island Project	Section 3 3.2.3	3.2.3 For a project to qualify as an Eligible Project under Categories 1, 2, 3 and 4, the entity claiming experience should have held, in the company owning or operating the Eligible Project, a minimum of 26% (twenty six per cent) equity during the entire year for which Eligible Experience is being claimed.	As per clause 3.2.3, only lead member's experience shall be considered.	Any member of the Applicant claiming its experience should have held minimum 26% of the equity in the Eligible Project during the period for which experience is being claimed as per clause 3.2.3 of the RFQ and applicable provisions of the RFQ document.

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<tr><th>Sl. No.</th><th>RFQ for:</th><th>Section/ Clause</th><th>Provision in the RFQ</th><th>Query Submitted</th><th>Authority Response</th></tr>
<tr><td>37.</td><td>Aves Island Project</td><td>Section 3 3.2.2 and 3.2.5</td><td>3.2.2 Eligible Experience in respect of each category shall be measured only for Eligible Projects.

3.2.5 The Applicant shall quote experience in respect of a particular Eligible Project under any one category only, even though the Applicant (either individually or alongwith a member of the Consortium) may have played multiple roles in the cited project. Double counting for a particular Eligible Project shall not be permitted in any form.</td><td>Clause 3.2.5 and Clause 3.2.2 differ.</td><td>One Eligible Project can be claimed in one category only.

An Applicant may have multiple Eligible Projects who fall under different category and eligible experience in respect of each category shall be measured only for eligible project as per clause 3.2 of the RFQ and applicable provisions of the RFQ document.</td></tr>
<tr><td>38.</td><td>Aves Island Project</td><td>Section 3 3.2.6</td><td>Criteria for Evaluation

<table><tr><th>Categories</th><th>Factor</th></tr><tr><td>Category 1</td><td>1.00</td></tr><tr><td>Category 2</td><td>1.25</td></tr><tr><td>Category 3</td><td>1.50</td></tr><tr><td>Category 4</td><td>2.00</td></tr></table></td><td>The clause 1.2.8 says that the bids will be invited on the basis of the highest financial offer to pay the concession fees to the authority for the award of the concession. The amount shall constitute the sole criteria for evaluation of bids*.

Although, in Clause 3.2.6, there are factors given for experience according to the Star Categorization.

In our understanding, what if a bidder quotes a highest financial offer but receives lowest factor on the basis of clause 3.2.6. Please clarify the basis of evaluation of bid and the criteria on which the bidder will be selected</td><td>Please refer to Clause 1.2.1 and clause 3.5 of the RFQ document. The RFQ is for qualification and short listing of applicants.

Shortlisted applicants shall be invited for submission of bids at the bid Stage. During bid stage, award of the project shall be to Highest Bidder as per provision of Clause 1.2.8 of the RFQ document.</td></tr>
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</table></td><td>a. The technical capacity in this clause mentions 4 separate categories. Further, all the categories are awarded different points (factors) as per the star categorisation. This means that category 1 will automatically have no eligibility in comparison of category 4. Kindly clarify.

b. Kindly add “Resorts” for participating in the herein mentioned tender apart from hotels.

c. Kindly explain the factors as mentioned in the table in Clause 3.2.6.</td><td>Factors provided in the table are for measuring Experience Score of an Eligible Project as per its category (as defined in Clause 3.2.1 of the RFQ document). A Category 4 Eligible Project will have higher Experience Score than a Category 1 Eligible Project for same no. of hotel rooms as evidenced by the higher Factor.

“Resorts” shall be considered under Eligible Projects subject to eligibility criteria as per Clause 3.2.1.</td></tr>
<tr><td>40.</td><td>All 3 Projects</td><td></td><td>Escrow Account</td><td>Upon review of the Model Concession Agreement being prepared by NITI Aayog, we are given to understand that an escrow accounts needs to be created and all capital and revenues would be controlled under this escrow mechanism. The Escrow mechanism will put a lot of restrictions on the day to day operation which shall adversely affect the business. The requirement for an Escrow Account should not be adopted.</td><td>As per the RBI Circular No. DBOD.BP.BC.No. 83/08.12.014/2012-13 dated March 18, 2013, it is suggested to have an escrow account to provide adequate comfort to lenders in a PPP project. However, the objective of the escrow account is not to put any restriction on the day to day operation of the Project.

Details of escrow provision for the Project shall be provided in the Draft Concession Agreement to be issued as part of the RFP document.

The Draft Concession Agreement shall be broadly based on the Model Concession Agreement (MCA) for Development and Operation of Eco-Tourism Resort and Supporting Infrastructure. The MCA is available on the NITI Aayog website https://www.niti.gov.in for reference.</td></tr>
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Sl. No.	RFQ for:	Section/ Clause	Provision in the RFQ	Query Submitted	Authority Response
41.	Smith Island Project	-	ROFR	At the end of 30-year concession period does concessionaire have the right of first refusal?	No ROFR provision has been envisaged for the Project.
42.	Smith Island Project	-	Transfer of Assets	How is the concessionaire compensated for the various assets created, if concessionaire chooses not to continue the lease after the expiry of the30 years period?	The project has been structured on DBFOT model. Therefore, no termination payment shall be payable to the concessionaire at the expiry of the concession period.
43.	Smith Island Project	-	-	Envisaged time gap between qualification stage and submission of bid	Bid submission date shall be provided in the RFP document issued to shortlisted Applicants.
44.	Long Island project	General		We would require the Authority to share the initial Soil and Environment Assessment Reports for us to conduct our evaluation.	Environment Assessment of the Islands was undertaken by the technical consultant for the project which may be shared with the shortlisted bidders at the RFP stage. However, soil assessment is in the scope of the concessionaire.
45.	Long Island project	General		We require the construction norms to be made available with respect to FSI, CRZ norms, ground coverage, height, no. of basements, etc.	Islands Protection Zone (IPZ) notification dated 06.01.2011 and amendment notification dated 22.08.2013 may be referred.
46.	Long Island project	General		We require details of water and electricity supply provided by the government at the Island.	**Long Island, Smith Island** • Currently, groundwater is used for water supply and Diesel Generator is used for power supply in the Island for its inhabitants. **Aves Island** • There is no source of water and power supply in the Island currently. It will be the responsibility of the concessionaire to install desalination plant and rainwater treatment plant to meet its water requirements and set up his own solar power plant and diesel power plant to meet the power requirements. However, A & N Administration is exploring the possibility of providing power and water during construction phase on payment of user charges basis which will be confirmed during RFP stage.

Sl. No.	RFQ for:	Section/ Clause	Provision in the RFQ	Query Submitted	Authority Response
47.	Long Island project	General		We require the Authority to provide more details on the infrastructure development with respect to connectivity to and fro Long Island and roads within the Island. Considering a minimum room count of 110 rooms, please let us know the plans of the government to develop ferry connectivity for 200 -250 guests (considering 110 rooms) to and fro the Island such that the guests are able to connect with their respective flights all throughout the day. There are approximately 15 flights landing and departing Port Blair daily. Please let us know the plans to match the frequency of the ferry service with guests arriving and departing on these flights throughout the day.	Connectivity to Long Island: • The Island is connected by road from Port Blair till Yerrata, Rangat. From Yerrata jetty, Govt. ferry plies to and fro Long Island. • Govt. ferry service is also available from Port Blair to Long Island. Following work is being undertaken by UT Administration for better connectivity: • Creation of Civil enclave at Naval Air Station, Shibpur, Diglipur. • Double lining of Andaman Trunk Road and construction of two bridges at Middle strait and Humphrey bridge to reduce travel time. • Concessionaire will be allowed to use existing helipad for private operation. • Water-dromes for seaplane service connectivity at Long Island. Further, concessionaire can utilize the existing jetty, helipad or water drome to introduce private ferry, helicopter or sea plane for improving connectivity.
48.	Long Island project	General		What would be the support provided to enable construction and development of the Project from a logistics point of view? All material and labour would need to be brought on to the Island and as such we request for details on the Authority's plan to provide ease of logistics to facilitate construction of a 110 room resort in a remote Island location.	Services of private cargo boat operators can be utilized for transportation of material for construction. However, the authority shall facilitate logistical arrangement on best effort basis.
49.	Long Island project	General		Would the UT engage in marketing the Andaman & Nicobar Islands as a destination like other states? (E.g. God's Own Country Program by Kerala Tourism).	UT Administration has undertaken branding of the destination including issue of advertisement in print media and participation in national and international trade fairs. The concessionaire is expected to brand and market the Project as per its business proposition.

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50.	Long Island project	General		What are the timelines for Port Blair to be connected with Bangkok as mentioned during the August 10th 2018 conference?	UT Administration has taken up the proposal with Ministry of Civil Aviation for introduction of international flights to Port Blair and also to provide incentive to encourage the airlines.
51.	Long Island project	General		Would the UT relax the accessibility of Andaman & Nicobar by foreign tourists who currently require extra permits over and above an Indian Visa?	Govt. of India vide circular dated 29.06.2018 has removed Restricted Area Permit (RAP) for visiting 29 Islands including Long, Aves and Smith Island.
52.	Smith Island project	General		Layout / plan of the site	To provide flexibility to the concessionaire, only site zoning has been done for the project site. Detail layout plan will be prepared by the concessionaire. The site zoning has been attached with the document.
53.	Smith Island project	General		Key plan of the Island	Key plan has been attached with the document.
54.	Smith Island project	General		What are various access available presently to reach Smith Island?	• Smith Island can be accessed via Govt. ferry from Aerial Bay jetty, Diglipur and Port Blair. Alternatively, union operated fiber boats may also be hired from Aerial Bay Jetty. • Smith Island is connected by Andaman trunk road from Port Blair till Aerial Bay Jetty, Diglipur. From there, one has to take Govt. ferry or fibre boat to reach Smith Island. • Helicopter service is also available from Port Blair to Diglipur. Following support infrastructure will be provided by UT Administration to increase accessibility to the Islands: • Creation of Civil enclave at Naval Air Station, Shibpur, Diglipur. • Double lining of Andaman Trunk Road. • Access to Diglipur helipad. • Development of Helipad at Smith Island. • Water-drome for seaplane connectivity to Aerial Bay, Diglipur.
55.	Smith Island project	General		12 hours drive from Port Blair to Diglipur is too tedious & exhausting. What is the Govt. plan to shorten it?	A joint user base has been proposed at NAS Shibpur which is 8 km away from Diglipur and 16 km away from Aerial Bay Jetty. To reduce the journey time from Port Blair to Diglipur, two bridges are under construction and also two laning of ATR is being carried out.

Sl. No.	RFQ for:	Section/ Clause	Provision in the RFQ	Query Submitted	Authority Response
56.	Smith Island project	General		Is there a catamaran / small ship sailing from Port Blair to Smith Island?	Govt. ferry operates from Port Blair to Aerial Bay Jetty, Diglipur. Presently there are no catamarans/small ships sailing from Port Blair to Smith Island.
57.	Smith Island project	General		Distance of the Smith Island from Diglipur port	7.8 km by waterways/sea
58.	Smith Island project	General		Is there any proposal for an airstrip or heliport to be built near Diglipur / smith Island?	A joint user base has been proposed at NAS Shibpur which is 8 km away from Diglipur and 16 km away from Aerial Bay Jetty. A helipad at Diglipur already exists. Moreover, land has already been identified for construction of helipad at Smith Island. Water drome are also proposed for operation of sea planes under UDAN scheme.
59.	Smith Island project	General		What is the total land area of the smith Island itself?	Total land area of Smith Island is 2470 ha. (24.7 sq.km.)
60.	Smith Island project	General		Are all parts of the Smith Island open to tourists? Any parts restricted/ prohibited?	Smith Island is open for tourists, however, to visit Ross and Smith sandbar, one had to obtain permission from Forest Department which can be taken on arrival at Aerial Bay jetty.
61.	Smith Island project	General		What is the sea diving / scuba / water sports facility available in Smith Island?	Currently, sea diving/scuba/water sports facilities are not available in Smith Island. However, the concessionaire may create these facilities as per applicable norms and rules.
62.	Smith Island project	General		Water source for the Island?	Groundwater is the source of water for inhabitants of the Island, however concessionaire needs to install desalination plant and rainwater treatment plant to meet the water requirement for the project as per Section 1.1.1 of the RFQ.
63.	Smith Island project	General		Power source for the Island?	Diesel Generator is the source of power for the inhabitants of the Island, however concessionaire needs to set up his own solar power plant and diesel power plant to meet the power requirement for the project as per Section 1.1.1 of the RFQ.
64.	Smith Island project	General		Medical facilities available on the Island?	Currently, a sub health centre is present in Smith Island.
65.	Smith Island project	General		Telecommunication facility on the Island?	The area of Smith Island is partially covered by BSNL telecom network. A mobile tower is proposed to be erected at Sagardweep village in Smith Island under the Universal Service Obligation Fund (USOF).

Sl. No.	RFQ for:	Section/ Clause	Provision in the RFQ	Query Submitted	Authority Response
66.	Smith Island project	General		The jetty that the concessionaire is expected to develop on main land & Island – will it be for exclusive use of the concessionaire & its guests or has to be allowed for public use	Concessionaire to obtain necessary permission under applicable law for setting up of exclusive jetty in Smith Island.
67.	Smith Island project	General		Are there enough large trees available for building of tree houses? How many?	There are enough large trees available on site, however, the Applicants need to conduct site studies for detail assessment.
68.	Smith Island project	General		What are construction items that would come in category of eco friendly materials?	Eco friendly materials such as bamboo, wood, pre cast concrete, steel, etc. shall be used for construction and confirm to environmental standard of LEED/GRIHA/Green Globe.
69.	Smith Island project	General		Is concessionaire allowed any other construction method other than pre cast concrete?	Construction will be either based on eco-friendly materials and/or pre-cast/pre-fabricated concrete and/ or steel and confirm to environmental standard of LEED/GRIHA/Green Globe. Very minimal RCC can be used, only if necessary.
70.	Smith Island project	General		What is typical construction cost per sft in Andaman for civil + plumbing + electrical?	Applicants needs to carry out their own due diligence regarding construction cost based on the business proposition.
71.	Smith Island project	General		Are civil/construction materials available in Andaman. Can we get a copy of the rate list for basic items?	There are private traders selling construction material in Andaman. However, the Applicants needs to carry out their own survey regarding rates of construction material.
72.	Smith Island project	General		What construction equipment is available in Andaman? How will it be transported to the Island?	Private trucks, excavators, etc. are available in the Islands. However, the Applicants needs to conduct market survey for details on construction equipment.
73.	Smith Island project	General		The gestation for the breakeven/ profitability of the project is expected to be much longer than standard. What is the Govt. support available for the viability of the project?	There is no viability support available for the project. However, to facilitate the project, following support infrastructure shall be developed/provided by the UT Administration: • Creation of civil enclave at Naval Air Station, Shibpur, Diglipur. • Double lining of Andaman Trunk Road. • Submarine Optical fibre connectivity. • Access to Diglipur helipad. • Development of helipad at Smith Island. • Water-drome for seaplane connectivity to Aerial Bay, Diglipur.
74.	Smith Island project	General		What is CRZ setback for the project site and the FSI allowed?	Islands Protection Zone (IPZ) notification dated 06.01.2011 and amendment notification dated 22.08.2013 may be referred.

Sl. No.	RFQ for:	Section/ Clause	Provision in the RFQ	Query Submitted	Authority Response
75.	Smith Island project	General		Please share draft / approved IIMP of Smith Island	Soft copy of IIMP of Smith Island will be provided to applicants on request.
76.	Smith Island project	General		Pls share copy of Form I submitted by you for the preliminary CRZ approval?	Form I for CRZ application is under process with MoEF.
77.	Smith Island project	General		It was mentioned in the meet that ANCZMA has recommended the project for CRZ clearance. Please provide details	Minutes of the ANCZMA meeting is enclosed.
78.	Smith Island project	General		Kindly share details of the outcome of the EAC meeting to be held on 25.01.2019	Decision of Expert Appraisal Committee (EAC) held on 25.01.2019 is awaited.
79.	Smith Island project	General		Details of the Environmental clearance to be obtained by the UT Administration	Environmental Clearance as per Section 1.1.1 of the RFQ shall be obtained by the Authority.
80.	Smith Island project	General		Details of the Bar License to be obtained by the UT Administration	In the meeting held under the chairmanship of MD, ANIIDCO on 14.09.2018 it has been decided that UT Administration shall provide upfront bar license, which will be deemed to be approved as soon as the fire clearance and clearance from SP (CID) is granted. Further, the Administration shall commence the public consultation/objection process for the prescribed 15 days upon the issuance of Request for Proposal (RFP) documents for these projects.
81.	Smith Island project	General		Groundwater clearance is to be obtained by the concessionaire? Is groundwater extraction allowed?	The project does not envisage use of ground water. The project will have to meet its water requirement through desalination plant and rainwater harvesting as per Section 1.1.1 of the RFQ.
82.	Smith Island project	General		Current land usage as per revenue record – agriculture / grazing, etc.? Is land conversion required?	Approval of the competent authority shall be obtained for land use conversion before execution of the agreement.
83.	Smith Island project	General		Existing squatters/tenants/structures on site. Please share pictures.	Encumbrance free land shall be provided to the concessionaire.
84.	Smith Island project	General		Solid & sewage waste disposal policy as per Islands norms & rules?	The concessionaire has to comply with the guidelines for effluent sewage and solid waste management issued vide notification dated 28.09.2017 and all other applicable law in this regard.

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85.	Smith Island project	General		Is the number of keys (70 keys) the maximum. How was it arrived at?	The maximum keys proposed for the project is 70 as per Section 1.1.1 of the RFQ which has been arrived based on comprehensive carrying capacity of the Island by the consultant.
86.	Smith Island project	General		Is concessionaire required to set up a desalination plant at site?	Desalination plant is the part of the project and has to be set up by concessionaire as per Section 1.1.1 of the RFQ.
87.	Smith Island project	General		Any protected wildlife / marine sanctuary in vicinity of site? Radial distance?	Ross wildlife sanctuary is situated at a distance of 5 km.
88.	Smith Island project	General		Are turtle nesting sites in the vicinity? How far? Any restrictions applicable?	Turtle nesting sites are present at a distance of 1.5 to 2 km.
89.	Smith Island project	General		How far is the Indian territorial water boundary?	12 nautical miles from the Islands.
90.	Smith Island project	General		Distance of nearest inhabited village? Existing facilities at the village?	The site falls in Sagardweep village which is sparsely populated (approx. 600 people). Following are the facilities in the village: Sub Health Centre – 1 km Govt. Middle School – 1 km Police outpost– 1.6 km Temple – 400 m Community hall – 1 km
91.	Smith Island project	General		Details of the seaplane service connectivity at Diglipur?	Feasibility study of water drome at Diglipur has been conducted by a technical team of Ministry of Civil Aviation and the report has been submitted. Ministry of Civil Aviation has recently awarded the route connecting Port Blair to Shibpur, Diglipur to M/s Andaman Airways Pvt. Ltd. for operation of fixed wing aircraft under UDAN scheme.
92.	All 3 projects	General		CRZ clearance rules/CRZ issues.	Islands Protection Zone (IPZ) notification dated 06.01.2011 and amendment notification dated 22.08.2013 may be referred.
93.	All 3 projects	General		Tourism details relating to Guest, Occupancy, ADR for nearby resorts to each of the proposed Islands.	There are no existing tourist accommodation facilities in Smith and Aves Islands. Long Island has 1 Hotel, Blue Planet (5-6 rooms) 1 forest guest house (3 rooms) and 1 forest rest house (2 rooms); 2 eco-tourism resorts (total 10 rooms) owned by Forest Dept.

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94.	All 3 projects	General		EIA – Environmental Impact Assessment	Islands Protection Zone (IPZ) notification dated 06.01.2011 may be referred.
95.	All 3 projects	General		Jetty or detailed landing facilities for transporting guest/workers/people	**Long Island** • Berthing facilities are available in Yeratta and Long Island, including RCC jetty and a passenger waiting hall. **Smith Island** • Berthing facilities are available in Aerial Bay and Smith Island. • There is a RCC jetty in Sagardweep which is being upgraded. • Tourist speed boats ply regularly between Aerial Bay and the eco-tourism beach in Ross & Smith beach. There are however no berthing facilities in Smith Island beach **Aves Island** • Aves Island does not have a jetty however a floating jetty is proposed as part of the support infrastructure to be created by the concessionaire as per Section 1.1.1 of the RFQ.
96.	All 3 projects	General		Salt Water crocodiles issue	Wildlife Institute of India is in the process of submitting the report on the issue of salt water crocodile based on which A & N Administration will take further necessary action.
97.	All 3 projects	General		Roads & Bridges	UT Administration has undertaken projects for double laning of Andaman Trunk Road and for construction of major bridges across Middle and Humphrey Straits to reduce the travel time from Port Blair to Diglipur.
98.	All 3 projects	General		Jarwa Tribe	None of the sites falls in tribal reserve.
99.	All 3 projects	General		Manpower ratio	It is upto concessionaire to decide the manpower ratio. However, 60% of the manpower should be locally employed which shall be mentioned in the concession agreement.
100.	All 3 projects	General		Technical Feasibility Report	Consultant engaged by NITI Aayog carried out feasibility of the project and approval of Govt. of India has been obtained.
101.	All 3 projects	General		Water Activities– Govt Order & Regulation	Water sports guidelines formulated by Tourism Department, A & N Administration is available on the website www.andamans.gov.in

Sl. No.	RFQ for:	Section/ Clause	Provision in the RFQ	Query Submitted	Authority Response
102.	All 3 projects	General		Private Helipad Facilities & Sea Planes	There is an existing helipad at Long Island. At Smith Island, the helipad is under construction. The concessionaire will be provided access to these helipads for private operation. Feasibility study for water drome at Mayabunder and Dilgipur has been conducted by a technical team and the report has been submitted to Ministry of Civil Aviation. A technical team is on a visit to the islands to conduct pre feasibility study of water drome at Long Island for including the same under UDAN special round of bidding which is expected shortly.
103.	All 3 projects	General		Private RORO or Cruise Ship Operations – Regulations	For operation of RORO/cruise ship in addition to obtaining license from DG Shipping and registration of vessel from Mercantile Marine Department (MMD), permission also needs to be obtained from Directorate of Shipping Services, A & N Administration.
104.	Long Island project			Route & Drudge for the creek – Low & High Water from Yeratta to Lalaji Bay	Presently DSS is operating a ferry between Yeratta creek to Long Island and OBM operated boats are also being operated in the creek by private parties.
105.	Long Island project			Jetty or detailed landing facilities for transporting guest/workers/people from Port Blair to Lalaji Bay	There are regular ferries on alternate days to Rangat via Long Island. Berthing facilities are available in Yeratta and Long Island, including RCC jetty and a passenger waiting hall.
106.	Long Island project			Logistics for construction time and operational (working capital). Any incentives or exemptions for importing raw material from abroad.	Import duty as applicable in mainland India is applicable in A & N Islands and there is concessional import duty applicable for import of construction material from ASEAN countries as per notification no. 14/2011-Custom.
107.	Long Island project			Network & Connectivity Issues – Phone & Internet	A & N Administration has taken up with BSNL for providing mobile connectivity at Lalaji Bay, Long Island.
108.	Long Island project			Forest Area – Trekking Routes & Adventure Activities	Trekking through the forest area is permitted subject to certain terms & conditions. Further, only eco tourism activities during day time shall be allowed in forest area which will be regulated by respective Divisional Forest Officer.
109.	Smith Island project			Access through the reserved forest to the beach	Access through reserve forest for trekking to beach is permissible subject to certain terms & conditions.
110.	Smith Island project			Permission for eating joints/classified restaurants	The eating joints/classified restaurants at the Project Site are part of the project. However, necessary license under FSSAI is required to be obtained for operation of the same.

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111.	Smith Island project			Liquor Licence	In the meeting held under the chairmanship of MD, ANIIDCO on 14.09.2018 it has been decided that UT Administration shall provide upfront bar license, which will be deemed to be approved as soon as the fire clearance and clearance from SP (CID) is granted. Further, the Administration shall commence the public consultation/objection process for the prescribed 15 days upon the issuance of Request for Proposal (RFP) documents for these projects.
112.	Smith Island project			Clarifications on Tree Cottages (competitive development) on beach to be built by forest department	The proposed tree cottages are departmental project of Forest Department for day visit.
113.	Smith Island project			Leasing on beach front at forest land	There is no proposal for leasing of beach front at the forest land.
114.	Aves Island project			Light house usage by concessionaire. Whether it will be part of the project.	Light house is not part of the project, however the concessionaire shall allow access of the staff for its operation/maintenance.

Responses to the pre application queries are subject to disclaimer mentioned in RFQ document.