

Government of Karnataka

IDD/59/ITS/2009

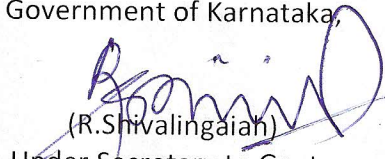
Karnataka Government Secretariat
Vikasa Soudha,
Bangalore Dated 19.05.2012.

NOTIFICATION

Ref: G.O. No. IDD 59 ITS 2009 dated 01.06.2010.

Government is hereby modifies the certain clauses of the "Guidelines for procurement of PPP projects through Swiss Challenge Route" issued vide GO No. IDD/59/ITS/2009 dated 01.06.2010, which is annexed to this Notification as Annexure.

By order and in the name of the
Government of Karnataka,


(R. Shivalingaiah)

Under Secretary to Govt.,
Infrastructure Development Department.

19/5

To,

The Compiler, Karnataka Gazette for publication in the extraordinary gazette and to supply 1000 copies to the Infrastructure Development Department.

Copy to:

1. The Principal Accountant General in Karnataka (Accounts) (Audit I & II), Bangalore.
2. All the Principal Secretaries / Secretaries to Government.
3. The Secretary, Department of Economic Affairs, Ministry of Finance, Government of India.
4. All the Heads of the Departments.
5. The Managing Director, KSIIDC, Khanija Bhavan, Race Course Road, Bangalore.
6. The Managing Director, iDeck, No.39, 5th Cross 8th Main, RMV Extn., Sadashivanagar, Bangalore.
7. The Under Secretary (Exp.I), Finance Department, Vidhana Soudha, Bangalore.
8. The Senior Director, PF & R Divn., Planning Department, MS Building II Stage, Bangalore.

9. The Director, Infrastructure Development Department.
10. Section Guard File / Spare Copies.

Copy for information to Personal Secretaries to:

1. The Principal Secretary to Hon'ble Chief Minister.
2. The PS to Chief Secretary to Government.
3. PS to Secretary, IDD / PA to Deputy Secretary – I & II, IDD/ Director, IDD / Under Secretary I & II, IDD.

Annexure

Modifications to the clauses of the "Guidelines for procurement of PPP projects through Swiss Challenge Route" issued vide G.O.No.IDD/59/ITS/2009 dated 01.06.2010 .

S.L.No of Para	Existing Para	Para to be added/modified
1	2	3
Foot note # 2 Para 4.3 viii page 8	The requirement of land, if any, for the project would be considered for acquisition / allotment at the Market rates / KIADB allotment rates wherever required.	The requirement of land, if any, for the project would be considered for acquisition / allotment at the market rates / KIADB allotment rates wherever required, which will be borne by the developer. In the event, if any Govt. land is available, the same will be provided on lease terms with market rates as the lease rent to developer. No land would be acquired and provided to developer for commercial development. Land requirements indicated by the developer for the project will be vetted by the Land Audit Committee and the same will be placed before SHLCC for approval.
Para 4.7 (ii)	The Proposal Initiator's role in the proposed concessionaire company and its ability to construct and / or operate the project shall be as per the qualification norms in the Model RFQ published by GOI and prescribed by GoK.	The Proposal Initiator's role in the proposed concessionaire company and its ability to construct and / or operate the project shall be as per the qualification norms in the Model RFQ Published by GOI and prescribed by GoK and the same can be moderated, if required by the competent authority under the guidance of SLSWA.
Para 4.7(vi) to be added	----	4.7 (vi) Proposal Initiator shall indicate in the detailed proposal, the bidding route to be followed exercising one of the following two options at the time of submission of the Proposal. a) Option one, If the competitive bidding process results in a superior proposal, the proposal initiator would be given an opportunity to match the competing counter proposal only if the proposal initiator's bid value is within 15% of the

		<p>superior bid value and be selected as the project concessionaire; provided that the composition of the bid value would be communicated through the bid documents.</p> <p>OR</p> <p>b) As a second option, if the competitive bidding process results in a superior proposal, then second and final round of financial bidding will be conducted between the original proponent and the best bidder with the minimum floor level set at best bid achieved in first option. The option once exercised at the time of submission of final proposal cannot be changed.</p>
Para 4.13	<p>If the competitive bidding process results in a superior proposal, the Proposal Initiator would be given an opportunity to match the competing counter proposal only if the Proposal Initiator's bid value is within 15% of the superior bid value and be selected as the project concessionaire; provided that the composition of the bid value would be communicated through the bid documents.</p>	<p>If the original proponent chooses option 4.7 (vi) (a) and if the competitive bidding process results in a superior proposal, the proposal initiator would be given an opportunity to match the competing counter proposal only if the proposal initiator's bid value is within 15% of the superior bid value and be selected as the project concessionaire; provided that the composition of the bid value would be communicated through the bid documents.</p>
Para 4.14	<p>If the Proposal Initiator declines to match the superior counter proposal, then the applicant that has made the superior proposal would be selected as the concessionaire.</p>	<p>If the original proponent chooses options 4.7 (vi) (b) and if the competitive bidding process results in a superior proposal, then second and final round of financial bidding will be conducted between the original proponent and the best bidder with the minimum floor level set at best bid achieved in first option.</p>
Para 4.15	<p>Upon such selection as in step 4.14 above of successful bidder other than the Proposal Initiator, GoK/ GoK Agency concerned shall cause/ arrange to reimburse to the Proposal Initiator, the cost of DPR as determined above and</p>	<p>Upon such selection as in step 4.13 or 4.14 above of successful bidder other than the Proposal Initiator, GoK/ GoK Agency concerned shall cause/ arrange to reimburse to the Proposal Initiator, the cost of DPR as determined above and recover the same from the</p>

	<p>recover the same from the successful bidder. In order to encourage competition in the bidding process, the superior bidder, in the event, the project is no offered to him⁸, would be reimbursed / compensated to an extent an amount not exceeding 0.1% of the cost of the project or Rs. 20 lakhs whichever is lesser".</p> <p>-----</p> <p>Footnote # 8: This would be available if the superior bid is better than the offer of the proposal initiator and that the project is not available to the superior bidder consequent upon the project proponent agreeing to match the superior bid.</p>	<p>successful bidder. In order to encourage competition in the bidding process, the superior bidder, in the event, the project is no offered to him⁸, would be reimbursed / compensated to an extent an amount not exceeding 0.1% of the cost of the project or Rs. 20 lakhs whichever is lesser".</p> <p>-----</p> <p>Footnote # 8: This would be available if the superior bid is better than the offer of the proposal initiator and that the project is not available to the superior bidder consequent upon the project proponent agreeing to match the superior bid.</p>
<p>Foot note # 10 Annexure V page 34</p>	<p>The competent committee/ agency would determine the 'Bid Value' Criteria for selection</p>	<p>The competent authority/ committee/ agency would determine the single bid parameter to be adopted as bid criteria.</p>