

V.O.CHIDAMBARANAR PORT TRUST  
MARINE DEPARTMENT  
TUTICORIN-628 004

CORRIGENDUM TO TENDER FOR “MANNING, OPERATION & MAINTENANCE OF OIL SPILL  
RESPONSE EQUIPMENT FOR VOCPT FOR A PERIOD OF FIVE YEARS AND EXTENDABLE BY  
TWO YEARS

**Tender No.:** M-64/AE(M)/AMC/OSRE/2016

Sl. No.	Tender Page No:	Existing Entry	Corrigendum Issued (Read as)
1	19 (1.45)	<p><u>JOINT VENTURE / CONSORTIUM:</u></p> <ul style="list-style-type: none"> <li>• Applicant must be a member of consortium having not less than 26% of the share.</li> <li>• Lead member to have done at least one work of similar nature not less than 40% of the total value of work.</li> <li>• Financial average annual turnover can be fulfilled collectively by considering only of those members of the JV/Consortium.</li> <li>• Technical / Experience if the whole contract is done on behalf of another contractor by way of work order / Power of attorney, full work value can be considered for qualifying criteria.</li> <li>• Legally binding agreement should be jointly &amp; severally liable. After tender submission, change of JV members not allowed.</li> <li>• Minimum holding of each partner/member should be 26%.</li> </ul>	<p><u>JOINT VENTURE / CONSORTIUM:</u></p> <p><b>1.45JOINT VENTURE- CONSORTIUM.</b> The Bidder may be a single entity or a group of entities (hereinafter referred to as Consortium), coming together for providing the Services. The term Bidder used hereinafter would therefore apply to both a single entity and a consortium.</p> <p><b>1.45.1</b> Proposals submitted by a consortium shall furnish the following details:</p> <ul style="list-style-type: none"> <li>i. The proposal shall contain the details of each member of the consortium.</li> <li>ii. The party who has purchased the "Tender document" must be a member of J.V./ Consortium</li> <li>iii. Lead Member shall be nominated as being in charge and this authorization shall be evidenced by submitting a power of attorney signed by duly authorized signatories of all the Consortium members. The Proposal shall be signed by the duly authorized signatory of the Lead member and shall be legally binding on all the members of the Consortium</li> <li>iv. All members of the Consortium shall be liable jointly and severally for the services to be provided during the Period of contract till the completion of the duties of selected bidder in accordance with the terms and conditions of this Tender. A copy of the undertaking to be submitted by bidder is annexed at Form-VIII</li> <li>v. For the purpose of evaluating the qualification of consortium meeting the minimum eligibility criteria, Port will consider combined credentials of Joint venture members.</li> <li>vi. Signed copy of memorandum of understanding between the members of consortium shall be submitted clearly indicating the responsibilities of each of the members of the consortium.</li> <li>vii. One of the members shall be nominated as being in charge, designated as 'Lead member', and this authorization shall be evidenced by a power of attorney signed by legally authorized</li> </ul>

			<p>signatories of all the members.(Power of attorney/s to be enclosed).</p> <p>viii.The lead member of the consortium shall be authorized to incur liabilities and receive instructions for and on behalf of any and all the members of the Consortium and the entire execution of the assignment. NOTE: Payments, as due, shall be released only in favour of 'Lead member' of the consortium.</p> <p>ix. All members of the Consortium shall be liable jointly and severally for the execution of the services in accordance with the terms and conditions stipulated in the Tender document. A declaration to this effect signed by authorized signatories of all the members shall be enclosed to the proposal in the format provided at Form-IX.</p> <p>x. In the event of default by any member in the execution of assignment or part thereof, the lead member will have the authority to assign the apportioned work to any other member acceptable to the Port so as to ensure satisfactory completion of the services.</p> <p>xi. Power of attorney for authorized signatory be made as per format Annexure - X</p>
2.	5 Notice inviting Tender	<ul style="list-style-type: none"> <li>• Last date of Receipt of Tender : 15.00hrs on 09.11.2016.</li> <li>• Date of Opening of Tender : 15.30hrs on 09.11.2016</li> </ul>	<ul style="list-style-type: none"> <li>• Last date of Receipt of Tender : 15.00hrs on 16.11.2016.</li> <li>• Date of Opening of Tender : 15.30hrs on 16.11.2016</li> </ul> <p><u>Note:</u> Necessary correction may be made as above, Wherever the last date for receipt / opening of Tender is mentioned in the tender document.</p>

All other Terms and conditions remains the same.

Encl.: Annexure - VIII , IX & X

DEPUTY CONSERVATOR

**MEMORANDUM OF UNDERSTANDING**

**(IN CASE OF CONSORTIUM)**

**(To be executed on Non-judicial Stamp Paper of proper value)**

Know all men by these presents that we, -----

and ----- (persons and Companies name) (herein after collectively referred to "the consortium / Joint venture") for execution of tender.

Whereas the V.O.Chidambaranar Port Trust (herein after referred to as "the Employer") has invited tenders from the interested parties for ----- (hereinafter referred to as "the contract").

Whereas the members of the consortium / joint venture are interested in bidding of the work of ----- in accordance with the terms and conditions of the tender.

This Joint Venture agreement is executed to undertake the work and role and responsibility of the firms are ----- (role and responsibilities of each firm for administrative arrangement for management and execution of contract) and ----- (name of the person) of (name of the firm) and -----(name of the person) and ----- (name of the firm) are the authorized representative of respective firms.

As whereas it is necessary under the tender conditions for the member of the consortium / joint venture to appoint and authorize one of them as Lead firm to do all acts, deeds and things in connection with the aforesaid tender.

We hereby nominate and authorize ----- as our constituted attorney in our name and on our behalf of do or execute all or any of the acts or things in connection with the execution of this Tender and thereafter to do all facts, deeds and things on our behalf and thereafter till the satisfactory completion of work.

And we hereby agree that all acts, deeds and things done by our said attorney shall be construed as acts, deeds and things done by us and we undertake to ratify and conform all and whatsoever that my said attorney shall do or cause to be done for us by virtue of the power hereby given.

In witness hereof we have signed this deed on this the ----- day of -----

SIGNED SEALED & DELEVERED

SIGNEDSEALED& DELEVERED

By with named-----

By with named-----

-----through its

----- through its

duly constituted attorneys

duly constituted attorneys

----- in the presence of

----- in the presence of

\*\*\*\*\*

**FORMAT FOR POWER OF ATTORNEY  
(IN CASE OF CONSORTIUM / JOINT VENTURE)**

Know all men by these presents that We, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
\_\_\_\_\_ and \_\_\_\_\_ (hereinafter collectively referred to as “the Consortium/joint venture”) hereby appoint and authorise \_\_\_\_\_ Ltd as our attorney.

Whereas the V.O.Chidambaranar Port Trust (V.O.CHIDAMBARANAR PORT TRUST ) (hereinafter referred to as “the Employer”) has invited applications from interested parties for \_\_\_\_\_  
\_\_\_\_\_ (hereinafter referred to as “the Contract”).

Whereas the members of the Consortium/joint venture are interested in bidding for this assignment in accordance with the terms and conditions of this Tender along with its amendments, addendum and related documents.

And whereas it is necessary for the members of the Consortium/joint venture to appoint and authorize one of them to do all acts, deeds and things in connection with the aforesaid Contract.

We hereby nominate and authorize \_\_\_\_\_ as our constituted attorney in our name and on our behalf to do or execute all or any of the acts or things in connection with making an application to the \_\_\_\_\_ V.O.CHIDAMBARANAR PORT TRUST , to follow up with the V.O.CHIDAMBARANAR PORT TRUST and thereafter to do all acts, deeds and things on our behalf until culmination of the process of bidding and thereafter till the license agreement is entered into with the successful bidder.

And we hereby agree that all acts, deeds and things done by our said attorney shall be construed as acts, deeds and things done by us and we undertake to ratify and conform all and whatsoever that my said attorney shall do or cause to be done for us by virtue of the power hereby given.

All the members of this consortium will be jointly and severally liable for execution of this assignment in all respects.

In Witness hereof we have signed this deed on this the \_\_\_\_\_ day of \_\_\_\_\_

For and on behalf of -----

For and on behalf of -----

For and on behalf of -----

**Power of Attorney for signing the document**

Know all men by these presents, We..... (name of the firm and address of the registered office) do hereby irrevocably constitute, nominate, appoint and authorise Mr./ Ms (name), ..... son/daughter/wife of ..... and presently residing at ....., who is presently employed with us/ the Lead Member of our Consortium and holding the position of ....., as our true and lawful attorney (hereinafter referred to as the “Attorney”) to do in our name and on our behalf, all such acts, deeds and things as are necessary or required in connection with or incidental to submission of our application for pre-qualification and submission of our bid for the “-----” proposed or being developed by the V.O.Chidambaranar Port Trust (the “Authority”) including but not limited to signing and submission of all applications, bids and other documents and writings, participate in Pre-Bid Agreement and other conferences and providing information/responses to the Authority, representing us in all matters before the Authority, signing and execution of all contracts including the Agreement and undertakings consequent to acceptance of our bid, and generally dealing with the Authority in all matters in connection with or relating to or arising out of our bid for the said Contract and/ or upon award thereof to us and/or till the entering into of the Agreement with the Authority.

AND we hereby agree to ratify and confirm and do hereby ratify and confirm all acts, deeds and things lawfully done or caused to be done by our said Attorney pursuant to and in exercise of the powers conferred by this Power of Attorney and that all acts, deeds and things done by our said Attorney in exercise of the powers hereby conferred shall and shall always be deemed to have been done by us.

IN WITNESS WHEREOF WE, ....., THE ABOVE NAMED PRINCIPAL HAVE EXECUTED THIS POWER OF ATTORNEY ON THIS ..... DAY OF ....., 2016.

For

.....

(Signature, name, designation and address)

Witnesses:

1.

(Notarised)

2.

Accepted

.....

(Signature)

(Name, Title and Address of the Attorney)

Notes:

*The mode of execution of the Power of Attorney should be in accordance with the procedure, if any, laid down by the applicable law and the charter documents of the executant(s) and when it is so required, the same should be under common seal affixed in accordance with the required procedure.*

- *Also, wherever required, the Bidder should submit for verification the extract of*

*the charter documents and documents such as a resolution/ power of attorney in favour of the person executing this Power of Attorney for the delegation of power hereunder on behalf of the Bidder.*

- *For a Power of Attorney executed and issued overseas, the document will also have to be legalised by the Indian Embassy and notarised in the jurisdiction where the Power of Attorney is being issued. However, the Power of Attorney provided by Bidders from countries that have signed the Hague Legislation Convention 1961 are not required to be legalized by the Indian Embassy if it carries a conforming Appostille certificate.*