

Development of International Seaport and Container Transshipment Terminal at Vizhinjam, Trivandrum, Kerala

Amendments to Request for Proposal (RFP) Vol 3 Draft License Agreement

S #	RFP Vol. No.	Reference	Existing Provision/ Clause/Article	Amended Provision/Clause/Article
1	3	DLA, Article 2.2; First Sentence	The License hereby granted commences from the Date of Award of License by the Licensor in favour of the Licensee and extends for a period of 30 years from the Date of Commercial Operation, during which the Licensee is authorised to implement the Project and to provide Project Facilities and Services in accordance with the provisions hereof.	The License hereby granted commences from the Date of Award of License by the Licensor in favour of the Licensee and extends for a period of 30 years from the Date of Commercial Operation, during which the Licensee is authorised to implement the Project and to provide Project Facilities and Services in accordance with the provisions hereof (<u>for avoidance of doubt the License Period of 30 years doesn't include the Construction Period</u>).
2	3	DLA, Article 3.4 (a); First Sentence	The Licensee agrees and undertakes at its cost, charges and expenses to prepare the DPR of the Project within 6 (six) Months from the Date of Award of License.	The Licensee agrees and undertakes at its cost, charges and expenses to prepare the DPR of the Project within 9 (nine) Months from the Date of Award of License.
3	3	DLA, Article 3.7 (iii);	subject to the issuance of the coastal regulatory zone approval/ environmental clearance from the Ministry of Environment and Forests, Government of India within 10 months from the Date of Award of the License without any delay in accordance with Clause 3.5, the Licensee shall achieve Financial Closure no later than twelve (12) months from the Date of Award of License, or in the event of a delay in issuance of the above referred clearance(s), within 2 months of receipt of such clearance(s) and make available in a timely manner all necessary financial and other resources required for construction and installation of the Project	subject to the issuance of the coastal regulatory zone approval/ environmental clearance from the Ministry of Environment and Forests, Government of India within twelve (12) months from the Date of Award of the License without any delay in accordance with Clause 3.5, the Licensee shall achieve Financial Closure no later than fourteen (14) months from the Date of Award of License, or in the event of a delay in issuance of the above referred clearance(s), within 2 months of receipt of such clearance(s) and make available in a timely manner all necessary financial and other resources required for construction and installation of the Project Facilities and Services. The

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			Facilities and Services. The Licensee shall ensure that the Lenders and the terms of the Financial Assistance shall be in accordance with Good Industry Practice;	Licensee shall ensure that the Lenders and the terms of the Financial Assistance shall be in accordance with Good Industry Practice;
4	3	DLA, Article 7.2 (c), Second Sentence	Notwithstanding anything contained in this Agreement; (i) the Licensor's obligation to commence the construction of the infrastructure facilities to be provided at the completion of the Construction Phase in the manner set out in Enclosure A.17.1 in Appendix 17 shall start only upon the Licensee obtaining the environment/CRZ clearance for the Project from the Ministry of Environment and Forest, Government of India and achieving Financial Closure;	Notwithstanding anything contained in this Agreement; (i) the Licensor's obligation of providing the infrastructure facilities at the completion of the Construction Phase in the manner set out in Enclosure A.17.1 in Appendix 17 shall start only upon the Licensee obtaining the environment/CRZ clearance for the Project from the Ministry of Environment and Forest, Government of India and achieving Financial Closure;