



**NEW MANGALORE PORT AUTHORITY
ADMINISTRATION DEPARTMENT**

CORRIGENDUM

N.I.T. No25/6/2023/ERS-5

Date:- 21.12.2023

Sub:- Service Contract for Office Management and allied works for period of 3 years at New Mangalore Port Authority

Ref:- Tender ID : 2023_NMPT_783750

The under mentioned clauses in Tender ID : 2023_NMPT_783750 has been amended/substituted as below:

- Clause no.2.19 (d) may be read as

2.19 (d) SETTLEMENT OF DISPUTES:

i) AMICABLE SETTLEMENT/ CONCILIATION AND SETTLEMENT COMMITTEE

Disputes of any kind arising between the Board of NMPA and the Contractor in connection with, or arising out of the Contract or the execution of the contract whether during the execution of the contract or after the completion and whether before or after repudiation or termination of the Contract, including any dispute as to any opinion, decision, instruction, determination, certificate, payment, or valuation under the contract, the matter in dispute shall in the first place, be referred in writing to the Secretary NMPA or his nominee/representative and an attempt shall first be made by all the parties to settle such disputes amicably by serving a copy of such reference in writing to the other party and such reference shall state that it is made pursuant to this clause.

If the Contractor believes that a decision taken by the Secretary or Secretary's Representative was either outside the authority given to the Secretary or Secretary's Representative by the Contract or that the decision was wrongly taken or there is no decision within a calendar month, the decision shall be referred to the Conciliation Settlement Committee (CSC) to be Constituted by the Indian Ports Association as per the guidelines dated 24.09.2021 within 30 days of the notification of the Secretary or Secretary's Representative decision or upon expiry of a calendar month as the case may be.

Unless the Contract has already been repudiated or terminated, the Contractor shall, in every case, continue to proceed with the Works with all due diligence and the Contractor and the Principal Employer shall give effect forthwith to every such decision of the Secretary unless and until the same shall be revised, as hereinafter provided, in a CSC or an arbitral award.

Provided that, unless the parties otherwise, have exhausted the above remedies under the amicable Settlement proviso and the CSC, the parties shall not invoke arbitration before the expiry of Thirty days after the day on which the notice of failure to settle such dispute was given by the CSC.

