Name:

Enrollment No:

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES

End Semester Examination – December, 2018

Course : International Contracts & Agreements (PIUI -8003) Semester – III
Programme : MBA –UISC
Time : 3 Hrs
Instruction : Marks : 100

Section A----20 Marks

Attempt all Questions

S No.		Marks	CO
Q-1	Performance Guarantee in tenders is ________________.	**2**	**CO1**
Q-2	Security deposits in tenders is_______________.	**2**	**CO1**
Q-3	Earnest money in tendor is_______________	**2**	**CO1**
Q-4	What do you mean by Reverse Bidding ?	**2**	**CO2**
Q-5	All aggreements are contracts - (T/F)	**2**	**CO1**
Q-6	Write down the full form of the following abbreviations: a. DBFOM b. NIT c. FIDIC d. DBFOT e. BOT f. NHAI g. RFP h. RFQ i. EMD j. CAG	**(1x10)**	**CO1**

Section B—20 Marks			
	Attempt all Questions		
Q-1	Analyze the built-own-lease-transfer (BOLT): “A Public private partnership model that bridge gap of Infrastructure in Urban areas?	**5**	**CO2**
Q-2	Evaluate the twelve prevalent (PPP) engagement model in India ?	**5**	**CO2**
Q-3	Evaluate and Discuss about Technical and commercial Evaluation of tender bidding process	**5**	**CO2**
Q-4	Analyze various types of financing options involved for any types of Infrastructure Project.	**5**	**CO2**

Section C—30 Marks			
	Attempt all Questions		
Q-1	Compare the different public, private partnetship models in social infrastructure?	**5**	**CO2**
Q-2	What are the FIDIC forms of contract ,explain all 9 choices of fidic form of contracts?	**5**	**CO2**
Q-3	What are the main chapters that are written down in a Concessionaire Agreements?	**5**	**CO2**
Q-4	Analyze the sailent features of indian contract act-1872	**5**	**CO2**
Q-5	Evaluate advantages and disadvantages of the BOT and BOOT models offer?	**5**	**CO3**
Q-6	Analyze the selection process in a competitive tender of BOT project with the flow chart?	**5**	**CO3**

Section D—30Marks			
	Attempt all Questions		
Q-1	Analyze the General Conditions of Contract for the supply of plant and the execution of contract works (all 40 numbers).	**15**	**CO3**
Q-2	In an indication of a revival of interest in Indian roads sector France's Vinci Construction is in talks with at least one infrastructure firm to acquire its concession. "We are looking at acquiring the concessions of those developers who are looking to exit. While we have been present in the engineering, procurement and construction space in India since 2010, we are looking at expanding our portfolio. We are in talks with one or two companies for acquiring their concession," said Thomas Bigueure, head of Vinci Concessions India Pvt. Ltd, the Indian arm of the French firm. He declined to name the firms or the concessions as the talks are underway. This comes at a time when Indian infrastructure developers, who had earlier bid aggressively for securing road contracts, are now claiming declining viability of highway projects. GMR infrastructure Ltd and GVK Power and Infrastructure Ltd walked out of their agreements with National Highways Authority of India (NHAI) earlier this year, the agency that oversees construction and maintenance of roads. The French construction and concession firm which operates 5,500km of roads in France, with interests in roads, highways, stadiums and airports has been bidding for Indian highway projects in equal partnership with Hindustan Construction Co. Ltd (HCC) but have been unable to secure any such project. In response to a question about Vinci Construction entering a sector which others have been exiting, Bigueure said, "There is nothing wrong with the projects. We have the appetite. Maybe they bid too high. The kind of aggressive bidding that happened is not sustainable. It is a good opportunity to		**CO3**

	find the right projects. We are looking at project specific opportunities. There are clearance problems but they are project-specific.” A case in point being GMR Infrastructure which won the concession for the ` 6,000 crore Kishangarh-Udaipur- Ahmedabad highway wherein it agreed to pay a so-called premium payment—the money developers pay NHAI for building a highway and collecting toll from users of ` 636 crore in the first year. The payout would have increased 5% for the subsequent years over a 26-year period of the premium payment. GMR Infrastructure and GVK Power and Infrastructure walked out of their agreements with NHAI earlier this year. The distressed infrastructure developers hit by a funding crunch and high borrowing costs in the face of slowing economic growth, and delays in securing mandatory government approvals have sought easier payment terms. However, this effort has been rejected by India’s law ministry last week with it turned down a proposal by the ministry of road transport and highways for restructuring premium payments. This also comes in the backdrop of NHAI’s inability to meet the target to build 9,500 km of roads set by the ministry of road transport and highways and its own internal target of 3,000 km last fiscal. In the fiscal year ending 31 March, the government awarded only around 1,000 km of road construction projects, about one-tenth of its target of 9,500 km. In an attempt to ease the anxieties over the road sector, the Economic Survey presented earlier this year said exit routes for promoters need to be eased to allow them to sell equity to raise money for new projects. Vinci Concession India clocked revenue of €200 million in the last fiscal and is currently involved in active bids for highway projects. Of the global revenue of €38.6 billion, concessions contribute €6 billion with the balance generated from the construction business. “We have participated in bids along with HCC. We are getting		

	there with our last bid falling short by 10% of the winning bid," said Bigueure. The French firm also plans to bid for the Goa airport project. "While partnering with a local partner makes sense to understand a new market, ours is not an exclusive arrangement with HCC," said Bigueure. India's infrastructure growth has hit the skids. As many as 103 central government infrastructure projects mainly roads, highways and railways, costing more than ` 150 crore each have been delayed by 4-20 years, according to data compiled until March by the ministry of statistics and programme implementation. The delays have led to costs rising by about 85%, or about ` 70,000 crore, over what had been estimated originally for these projects. This comes at a time when the 12th Five-Year Plan (2012-17) envisages new infrastructure investment of about ` 56.3 trillion between 2012 and 2017 owing to the urgent need to upgrade India's shoddy and inadequate roads, ports and utilities to boost flagging economic growth.		
	Questions		
(a)	Discuss the anxieties over the road sector which needs to be eased?	**5**	
(b)	Why are foreign investors bidding for Indian road projects? Discuss.	**10**	

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Section A—20 Marks

Attempt all Questions

S No.		**Marks**	**CO**
Q-1	FIDIC contracts are for ________________.	**2**	**CO1**
Q-2	Force measure is in tenders is due to _______________.	**2**	**CO1**
Q-3	Price Variation clause is for time delay (T/F)	**2**	**CO1**
Q-4	Subletting of contarct is a normal practice in work contact (T/F)	**2**	**CO1**
Q-5	Maintenance of Cash Flow of the Contactor is goodpractice of a successful project (T/F)	**2**	**CO1**
Q-6	Write down the full form of the following abbreviations: a. ADB b. BOO c. PPP d. DBFOT e. BOOST f. BOLT g. DBFOM	**(1x10)**	**CO1**

	h. RFQ i. PGD j. SD		

	Section B—20 Marks		
	Attempt all Questions		
Q-1	Evaluate the sensitivity and risk analysis in infrastructure projects	**5**	**CO2**
Q-2	Analyze the difference between Affermage & lease contract ?	**5**	**CO2**
Q-3	Evaluate the process of finalizing the tender bidding process in two part tender	**5**	**CO2**
Q-4	Analze the policies/Regulatory framework in Built-Own-Lease-Transfer (BOLT) Model?	**5**	**CO2**

	Section C—30 Marks		
	Attempt all Questions		
Q-1	Analze the policies/Regulatory framework in Built-Own-Lease-Transfer (BOLT) Model?	**5**	**CO2**
Q-2	Analysis the selection process in the competitive tender of BOT project with the flow chart?	**5**	**CO2**
Q-3	How will you be able to decide that you can go for a PPP projects?	**5**	**CO2**

Q-4	Evaluate advantages and disadvantages of the BOLT and BOOT models offer?	**5**	**CO3**
Q-5	Discuss the strategy and policy for reduce travel demand.	**5**	**CO3**
Q-6	Analyze and draw the flow chart for stimulation model of the Economic cost associated with BOT projects in detail?	**5**	**CO3**

Section D—30 Marks			
	Attempt all Questions		
Q-1 **(a)**	Analyze critically Taking a case study of big infrastructure project as national highway project in two phases one from Dehradun to Haridwar and second phase from Haridwar to Muzzafarnagar. Critically analyze the time delay and cost over-run in these project.	**7.5**	**CO3**
(b)	Analyze critically, Taking the case study of renovation of a complete hydro power project Dakharani in Uttrakhand , the time delays in project renovation from the start of the feasibility report to execution stage of the project.	**7.5**	
Q-2	Analyze the essential elements of a valid contract and critically describe all important features of the present applicable Indian contract . Also describe all the essential general condition of the contract?	**15**	**CO3**

The End