

Tender Amendment/ Clarification Document

Date: 11 May 2018

Sub: Amendments/ Clarifications to the “RfS for Purchase Of Power Through Competitive Bidding Process (Followed By E-Reverse Auction) For 200 Mw Grid-Connected Solar Photovoltaic Power Projects To Be Set Up In The State Of Odisha,”

Ref: RfS No. GRIDCO/Odisha/200 MW/Solar/01 dated 29-Mar-2018.

- (1) GRIDCO had floated RfS for Purchase of Solar Power through Competitive Bidding Process (Followed By E-Reverse Auction) For 200 MW Grid-Connected Solar Photovoltaic Power Projects To be Set Up In The State Of Odisha (Document No. RfS No. GRIDCO/Odisha/200 MW/Solar/01 dated 29-Mar-2018, (the “RfS”). GRIDCO received queries from various potential Bidders in response to the Tender. Further, as indicated in the Tender, a pre-bid meeting was held at Bhubaneswar on 11 April 2018 at 11:30 Hrs.
- (2) Based on the deliberations with stakeholders, various amendments/ clarifications are made to the Tender as indicated in this Tender Amendment/ Clarification Document (the “Amendment Document”).
- (3) This Amendment Document shall now be considered as an integral part of the Tender. All terms and conditions applicable to the Tender shall now be applicable to this Amendment Document. Any amendments indicated in this Amendment Document shall supersede all relevant terms and conditions/ clauses of the Tender.
- (4) The Bidder shall understand, duly sign and seal each page of this Amendment Document and submit as per the method indicated in the Tender.

Yours faithfully,
For and on behalf of GRIDCO

Sd/-
Director Commercial
(GRIDCO)

Attachments:

1. List of Amendments
2. Consolidated Response to Tender Queries

Attachment 1

List of Amendments / Clarifications

Sr.	Query	Proposed by Developers	GRIDCO Reply
1	Treatment of Capacity Utilization (CUF) limits	Minimum CUF of 15 %	<u>Clause 4.1 of the PPA :</u> GRIDCO at any time during a Contract year shall be obliged to purchase any energy from the developer within the range of 1.340 – 1.638 MU/MW/year calculated at CUF of (17±10) % at the applicable tariff. Energy from the developer beyond CUF of 17+10 %, will be purchased at the applicable tariff less 10 %.
2	Pass-through of Anti-dumping and other similar levies	Period of pass-through shall be from the date of bid submission up to date of clearance of PV cells/ modules from the relevant port or SCOD	<u>Clause 1.2.3 of RfS :</u> Pass-through in the quoted tariff due to any change in the statutory laws like anti-dumping duty or any safeguard duty on Solar PV modules shall be applicable for any such imposition between the time period of due date of submission of Bid and date of Bill of Entry or SCOD whichever is earlier, based on the guidelines to be issued by MNRE / SECI.
3	Generation Loss due to transmission grid failure foreign company	If availability of grid is less than 98 %, then the Developer shall be compensated for the Generation Loss for the difference between 'Assured Availability' and actual grid availability.	<u>New Clause in the PPA :</u> Generation loss for availability of Grid less than 98 % shall be allowed as per the MoP, GoI Resolution dated 03.08.2017.
4	Qualification of Foreign Companies for bidding	Foreign Companies may be allowed to bid either individually or as a Member of a Bidding Consortium.	<u>Clause no. 3.4.1 (ii) of RfS :</u> Foreign companies are allowed to bid either individually or as a member of a bidding consortium provided they undertake to form a 100 % subsidiary company incorporated in India before Financial Closure. Net worth will be applicable as per amendment no. 14.
5	Payment Security Mechanism (PSM)	Payment Security Mechanism shall be in addition to the 1-month LC	<u>New Clause 7.3 of the PPA :</u> Default Escrow arrangement will be provided by GRIDCO under PSM.
6	Provision of details of evacuation bay to Bidders	Sub-station wise Bay details	<u>As Annexure to the RfS :</u> Bay availability details is being uploaded as part of this corrigendum.
7	Submission of STU consent letter with bid	If GRIDCO wants to retain this requirement, GRIDCO/ OPTCL may facilitate issuance of such letters in a time-bound manner	<u>Format 6.7 of the RfS :</u> STU consent letter shall be submitted on or before the Financial Closure.

8	Treatment of residual capacity during bucket-filling process of bidding	Bidder shall be given option to surrender its capacity and the next lowest Bidder shall be given the option to offer this remaining capacity at the tariff quoted by that Bidder.	<p><u>Clause 4.4.2 of the RfS :</u> During Bucket filling process of reverse auction, if the residual capacity out of maximum capacity of 200 MW falls short of quoted capacity of the eligible bidder, the maximum capacity shall be enhanced by 10 % up to 220 MW to accommodate minimum 50 % of his quoted capacity at the quoted tariff subject to minimum capacity of 10 MW and in multiples of 5 MW at one location. If this accommodation does not materialize, bidder shall be allowed to surrender its capacity and the next lowest Bidder shall be given the option to offer this remaining capacity at the tariff quoted by that Bidder. This process will continue in the order of the ascending order of the quoted tariff.</p>
9	Purchase of power at the time of early commissioning (more than 3 months before SCOD)	In the original RfS, this was not allowed to protect GRIDCO’s planning	<p><u>Clause 3.13.1 of the RfS :</u> The Solar project developer may advance the CoD from 18 months to 15 months in which case GRIDCO shall be obliged to take the power at the applicable tariff. Clause 2.1.40 of RfS confirms this.</p>
10	Duration of PBG value and validity	amount may be reduced to Rs. 20 Lakh/ MW in line with MoP guidelines and the PBG Validity may be reduced	<p><u>Clause 3.9.1 of the RfS :</u> Performance Bank Guarantee (PBG) of Rs. 20 Lakh /MW instead of Rs. 40 Lakh/MW is to be submitted prior to signing of the PPA. However, the PBG is to remain valid for 33 months from the date of signing of the PPA.</p>
11	Payment time frame to Developer	Payment within 7 days, 1% rebate, 0 Payment from 8-30 days, no rebate on Payment beyond 30 days, interest @ 18% p.a.	<p><u>Clause 7.2.2 7& 7.2.3 of the PPA :</u> 2 % rebate for the payment made by GRIDCO within 7 working days. For payment from 8th day to 30th day, no rebate is allowed. For late payment beyond a period of 30 days, reduced rate of interest of 15 % per annum (instead of 18 %) shall be levied on the outstanding amount for the period of delay beyond 30 days.</p>
12	Shareholding and Lock-in Period	In RfS the Lock-in Period is 3 years. This may be reduced to 1 year in line with MoP guidelines.	<p><u>Clause 3.4.1 of the RfS :</u> Lock-in Period shall be 1 year as per MoP, GoI Resolution dated 03.08.2017.</p>

<p>13 Using balance sheet of Parent/ Affiliate towards calculation of Net Worth</p>	<p>In case of a Bidding Consortium, the Member claiming relevant net worth for meeting the Financial Criteria must have a minimum equity stake of 26% in the Bidding Consortium (the "Financial Member"). The Financial Member shall be required to maintain an equity stake of 26% in the Project Company during the lock-in period.</p>	<p><u>Clause 3.6.2 of the RfS :</u> The net worth of the Consortium member with minimum equity stake of 26 % in the bidding consortium will be calculated proportionately based on the equity stake of the parent company in the consortium.</p>
<p>14 Financial Closure needs to be achieved in 9 months from Lol issuance.</p>	<p>Financial Closure should to be achieved in 9 months from PPA signing/ OERC approval. As effective date is PPA signing, the timeline should be linked with the PPA signing, not with Lol.</p>	<p><u>Clause 3.12.1 of the RfS :</u> Financial Closure shall be 8 Months from the date of signing of PPA.</p>
<p>15 <u>"Green Shoe Option"</u></p>	<p>GRIDCO reserves the right to award additional capacity up to 100 MW over & above the original tender quantity of 200 MW or up to 220 MW as the case may be, under 'Green Shoe Option' at L1 rate discovered during the reverse auction process, to be offered for acceptance to the qualified bidders of the reverse auction process, subject to fulfillment of minimum 10 MW capacity and multiples of 5 MW at a single location.</p>	
<p>16</p>	<p>The last Date & time for Online Submission of Response to RfS and all documents physically at GRIDCO office, Bhubaneswar is hereby further extended up to 7th June 2018, 17 :00 Hrs.</p>	

Attachment 2

**Consolidated Response
to
Tender Queries**