

RFS No: 01/UPNEDA-PM KUSUM-C2/FLS/2023, Dated: 14.04.2023

Pre Bid Meeting dated : 09.05.2023

Response to Queries

Name of Firm	Clause No	Clause	Query/Suggestion	UPNEDA's Response
1	2	3	4	5
RAVC Solutions Pvt Ltd	4.2.1 Technical Criteria, Page no 40	Bidder shall have experience of supply, installation, commissioning and O&M of grid connected solar power plants of total cumulative capacity of 1 MWp during the last three years in India with any govt. or private organization in India.	Technical Criteria: O&M experience should be optional. [Bidder shall have experience of supply, installation, commissioning and O&M of grid connected solar power plants of total cumulative capacity of 1 MWp during the last three years in India with any govt. or private organization in India.]	As stipulated in the RFS document.
	4.2.2 FINANCIAL ELIGIBILITY CRITERIA, Page no 40	4.2.2 FINANCIAL ELIGIBILITY CRITERIA: Following financial eligibility criteria (net-worth OR turnover) shall be met by Bidder or Lead member of Bidder, in case of consortium/ joint venture, based on audited annual financial statements. i) Annual Turnover: During the last three financial years (FY 2019-20, 2020-21 and 2021-22), the bidder should have average annual turnover of Rs. 2 Cr per MW of the capacity quoted.  ii) Net-Worth of the Bidder or Lead member, in case of Consortium/ JV, During the last three financial years (FY 2019-20,2020-21 and 2021-22), the Bidder should have positive net worth and minimum of Rs. 1 Cr per MW of capacity quoted in any one year.	Financial Eligibility Criteria: Average annual turnover requirement of Rs. 2 Cr per MW Turnover should be for any of the last 3 financial years. Net-Worth requirement of minimum of Rs. 1 Cr per MW should be done away with (Positive net worth of the bidder should better be asked).	As stipulated in the RFS document.
			3) Land acquisition: The land acquisition should be actively supported by the UPNEDA with minimum/no burden on Bidder/ SPG for identification and ensuring availability of the land.	As stipulated in the RFS document.
			New Companies with less than 3year's existence should also be allowed to participate.	As stipulated in the RFS document.
HFM Solar Power Private Limited	Clause D Step IV in section V , Page no-50	IV. From the list prepared in accordance with Clause II above, all the technically qualified Bidders shall be invited to match the RA L1 Tariff. Upon their due acceptance in writing of RA L1 Tariff, such Bidder(s) shall become Successful Bidder(s) along with Eligible Bidder with RA L1 Tariff and LOA shall be issued to them as per Work Allocation prescribed in this RFS.	SECI, NTPC and other govt bodies follow a bucket filling method in reverse auction, UPNEDA follows a process of matching the L1 post the reverse auction. It is pretty common for one of the bidders to submit an aggressive bid. In a process of matching the L1 price many bidders will not be interested in matching an unviable price. These may lead to a large amount of capacity going unutilized. will request deletion of matching of L1.	L1 bidder at each substation will be selected.
			Process is critical and slightly time consuming,post land confirmation, need time to pre and other documentions . Request for extention of last date of submission of documents by at least 10 days	-

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SPBL ENERGY PVT. LTD		CUF= capacity utilization factor of SPP (assumed at 19% or more)		As stipulated in the RFS document.
		Procurer, in any Contract Year, shall not be obligated to purchase additional energy above 21% CUF on annual basis during the PPA period from the SPG at the PPA tariff of that year. However, the excess energy generated by SPG above 21% CUF may be procured by Procurer at 75% of the PPA tariff as per Article 4.3 of PPA	Change requested for Broader range 15% - 21% and for higher than 21% the tariff should be as at par with normal range of CUF and in furtherance the Term 'MAY' buy should be replaced to 'WILL' buy any generated power over the stipulated limit.	As stipulated in the RFS document.
		JV of a maximum of two entities/ members is allowed under this RFS.	JV of Three may please be allowed and in addition one Member may be a Manufacturer of Solar Modules. This will promote faster and effective supply chain with better technological edge and better guarantees post commissioning	As stipulated in the RFS document.
		1.2 Procurement of required land or getting land on lease for 27 years for installation of the solar power plant for feeder level Solarization, the SPG shall identify the project land preferably within the distance of Five KM radius of the respective 33/11 KV sub-station, get ownership of land or its lease rights and make necessary arrangement including clearances for the transmission line between sub-station and the solar power plant.	Procurement/Lease of Land may please be removed from the scope of SPG as it will Lead to delay in the Project, instead this may be replaced by facilitation of Gram Sabha Lands and Water Body Lands by Local Authorities and this will Lead to generation of revenue for Gram Sabhas and the Govt. To further reducing their cost of Power Purchase, Or otherwise to have more transparency the Govt. Should decide the Max. Rental per Acre for each specific area as per the prevailing Circle/Market rate analysis and if the Farmers are ready to give land at the recommended rates the SPG will be in obligation to take the Farmers land or otherwise the Land will be provided by the Authorities at the said rates.	Land procurement/leasing is in scope of SPG as stipulated in the RFS document.
		1.3 For avoidance of any doubt, it is re-stated that the SPG shall be solely responsible and make arrangements for land and associated infrastructure for development of the Project and for Connectivity with the 33/11 kv sub-station for confirming the evacuation of power by the Scheduled Commissioning date or COD, whichever is earlier, and all clearances. The SPG will be responsible for Design, construction of bay and related switchgear at interconnecting sub-station where the plant is connected to the grid and metering is done at his own cost as per UPERC regulations/	This incorporation will lead to better/competitive tariffs and faster implementation of scheme on the ground level.  But the Authority to clear as to which feeder is 11 KV and which is 33 KV.	As stipulated in the RFS document.
		3.6. Bidder must note that for evaluation of qualification against Financial Eligibility Criteria, following conditions shall be applicable:	In case of JV the Financial Eligibility Criteria may please be Changed to Cumulative of All the Partners of the JV i.e. Jointly the Partners should qualify financially, and any one Partner can be appointed as the Lead Partner and should be given to act upon the behalf of the Consortium. This will facilitate the Overseas Companies to have a local partner with Powers to act on day to day basis on behalf of the JV/SPV	As stipulated in the RFS document.
		a) Bidder shall establish network and turnover as required under this RFS.  b) In-case members/ Lead Member of Consortium/ JV has referred its Affiliate to meet the Financial Eligibility criteria, then the same relationship with the Affiliate by the Bidder shall continue at least for the period of First Operational Year (equity lock-in period). Further, affiliate of lead member or member of consortium/ N shall furnish the details, as sought in RFS		As stipulated in the RFS document.
		In case of the Project being implemented through an SPV incorporated by the successful bidder, the PBG shall be furnished in the name of the SPV, except for the case as indicated in Bid.	Sometimes the banks take longer to give BG in the name of SPV/Jv in that case BG may be taken from the company individually which will later be replaced by the BG in name of SPV/JV	As stipulated in the RFS document.
		Declaration of COD shall only be done upon the successful visit by the Synchronization/Commissioning Committee.	The Synchronization/ Commissioning Committee shall on intimation of Commissioning visit the site within 15 days of such intimation , otherwise the same may be deemed to be successfully commissioned	As stipulated in the RFS document.

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		Bidder can be sole/ single bidder OR, Joint Venture (N) of up to 2 (two) members, with one of the members as a Lead Member	May please be replaced by JV of Three, as already requested above.	As stipulated in the RFS document.
		<p>Following financial eligibility criteria (net-worth OR turnover) shall be met by Bidder or Lead member of Bidder, in case of consortium/ joint venture, based on audited annual financial statements.</p> <p>i) Annual Turnover: During the last three financial years (FY 2019-20, 2020-21 and 2021-22), the bidder should have average annual turnover of Rs. 2 Cr per MW of the capacity quoted.</p> <p>ii) Net-Worth of the Bidder or Lead member, in case of Consortium/ JV, During the last three financial years (FY 2019- 20,2020-21 and 2021-22), the Bidder should have positive net worth and minimum of Rs. 1 Cr per MW of capacity quoted in any one year.</p> <p>As per MNRE, GOI OM no. 32/54/2018-SPV Division dated 24.02.2023, No financial experience required for Individual Farmers/group of farmers/co-operatives /panchayats/Farmer Producers Organisation (FPO)/ Water User associations (WUA) bidders</p>	<p>Financial years may please be considered as best 3 of last 5 or 7 years, as the years taken in SBD were the Corona period years, as Corona lockdown was from March'20 onward thus impacting 2020-21 and 2021-22. So from Financial year 2016-17 would give rise to more opportunities and hence more competition.</p> <p>Also as for Farmers, Panchayats etc. MSME'S and New Start up's should be given a relaxation in Financial Criteria, and for the Net Worth, the Net Worth of the Promoters/ Directors may please be taken for consideration, as the Banks also take the same for any Facilities to be provided to the Company, A certificate of the CA with UDIN can be taken for that purpose.</p>	As stipulated in the RFS document.
		Despite formation of SPV or Project Company, it is categorically stated that share with voting rights of Successful Bidder in SPV or Project Company shall not be less than 51% during 1 year as calculated from Commercial Operation Date of concerned Project.	Should be removed, as already an Undertaking for submission of Affidavit of Member to ACT on Behalf of Jv is being taken.	As stipulated in the RFS document.
		Provided further that the Consortium Agreement shall not be amended without the prior written approval of the Procurer/ Authorized Representative.	May be replaced by 'Consortium Agreement May be Amended after informing the Procurer/Authorized Representative.	As stipulated in the RFS document.
		In such cases, all the obligations and liabilities of the Successful Bidder as set out in the Bid Documents shall apply to the Affiliate.	Please Elaborate.	As stipulated in the RFS document.

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EVEN Recharge	4.2.2	Net worth	To be considered all parties / members of the consortium along with Director network	As stipulated in the RFS document.
	1.2	Land Acquisition	To be considered to be done by UPNEDA and Farmer association (as being done in other states like MP / Rajasthan and Maharashtra )	As stipulated in the RFS document.
		Technology use	Polycrystalline or Thin Film	As stipulated in the RFS document.
		Feeder Line	11/33 KV to be confirmed	As stipulated in the RFS document.
		evacuation confirmation	11/33 KV to be confirmed	As stipulated in the RFS document.
		Plant per substation	Incase of more than 1 feeder in same substation - the plant COD should be considered per feeder not per plant alone	As stipulated in the RFS document.
		Consortium	To Allow third party/OEM as a third partner / affiliate	As stipulated in the RFS document.
		Change in Consortium equity	Sale or change of partnership/equity to be dealt as FYI approvals need not be taken	As stipulated in the RFS document.
		CUF	change request for broader range 15%- 21% - for higher than 21% to be considered as at par with normal range of CUF as tariff and commitment to Buy the KWH	As stipulated in the RFS document.
		Annual T/o	to be considered as best of 3 from last 5 years due to corona impact	As stipulated in the RFS document.
		Experience	experience of supply, installation, commissioning and O&M of grid connected solar power plants of total cumulative capacity of 1 MWp during the last three years in India with any govt. or private organization in India.	As stipulated in the RFS document.
		MSME waivers	EmD and BG waiver as per MSME norms	As stipulated in the RFS document.
		Deemed generation	Incase of failure due to substation/ feeder or any challenges not attributable to Solar to be considered as deemed generator and consumed payable as per PPA tariff	As stipulated in the RFS document.
		Tariff Quote	how many days discom shut down considered in a year if any .	As stipulated in the RFS document.
		Time lIne	to be considered as a rference only final Decision is left to Bidder	As stipulated in the RFS document.
	CoD Certification and Joint Meter Reading	Total Time and each plant COD time line	As stipulated in the RFS document.	
	Time extension	Post CoD information by Developer to UPNEDA maximum of 15 days for certification is to be requested and confirmed else considered as closed milestone to start billing	As stipulated in the RFS document.	
	Request benefits to MSME- Startup	Requesting for 4 weeks for extension to bid process	As stipulated in the RFS document.	
		Vision Atmanirbhr India we request MSME -Startup encouragement in the tender as this is only focused to farmers benefits. Along with Farmer enouragement we request encouragement for growth for MSME organisations which are desirous to ensure success to Vision Green - Net Zero goals as INDIA vision.	As stipulated in the RFS document.	