

Pre Bid Clarification - RFS for SOLAR PROJECT DEVELOPER(S) FOR SETTING UP TO 320 MW GRID CONNECTED GROUND MOUNTED SOLAR PV POWER PROJECTS ON BUILD-OWN-OPERATE BASIS AT JALANA, UTTAR PRADESH ON LAND AVAILABLE FOR 30 YEARS LEASE WITH UPNEDA.						
RFS No.: 01 /UPNEDA /JALANA SOLAR PROJECT/RFS /2024; Dated: 12.09.2024						
S. No.	Bidder	Ref. Clause	As per Tender	Queries/ Observation/ Suggestion by Bidders	Reply/ Clarification	
1	Bidder-1	Cl. No. 3.A	A. Technical Eligibility Criteria	We request UPNEDA to kindly allow the Bidder to Utilize Technical Experience of Parent/Ultimate Parent/Affiliate/Group Company in order to fulfill the Technical Eligibility Criteria.	Bidders are permitted to leverage the technical experience and financial capabilities of their Parent, Ultimate Parent, Affiliate, or Group Company to meet the technical and financial eligibility criteria. However, bidders must submit documentary evidence, such as legal documents, agreements, financial documents, board resolutions, or any other relevant documents, to substantiate that the technical experience and financial capabilities presented in the bid are derived from their Parent, Ultimate Parent, Affiliate, or Group Company.	
2		Cl. No. 3.B	II. The Annual turnover of the bidder shall be minimum INR 2 Crores (Rs 2,00,00,000 /-) per MW in any last 07 Financial years. Bidders shall submit the Audited balance sheet for the respective years.	We under that said requirement to fulfill in any 1 FY out last 7 Years. Kindly confirm/ clarify.	Your understanding is correct. The requirement stipulates that the bidder must have an annual turnover of a minimum of INR 2 Crores (Rs 2,00,00,000 /-) per MW in any one of the last 7 Financial Years. Bidders must provide the Audited Balance Sheet for the financial year in which this criterion is met.	
3		Cl. No. 3.B	Note: 1. For the Eligibility Criteria INR 4 Cr (Rs 4,00,00,000 /-) per MW is considered for evaluation.		We under that subject Note is applicable for Technical Eligibility Criteria but not for Financial. Kindly confirm/ clarify.	Bidder Under standing is correct. For Financial Eligibility criteria Clause no 3.B (i) (ii) shall prevail
4		-	Land Lease		In order to arrange Project Financing, it is required to Mortgage the Project Land to Lender. Hence, request UPNEDA to kindly allow the same to Bidder.	We regret to inform you that UPNEDA cannot permit the mortgaging of project land to lenders for the purpose of arranging project financing.
5		-	Corrigendum-3 Bid Due Date: 21-Oct-2024		We request UPNEDA to kindly provide us the Time extension for 4 weeks in order to prepare Best Techno-Commercial Offer for the subject Bid.	Last date of Bid submission Timeline extended up to 12.11.2024 Up to 06:00 P.M
6	Bidder-2	3.A	Bidder to provide work order and completion certificates in lieu of technical eligibility criteria.	Please allow the LOA/PPA as the criteria for fulfillment of the technical criteria. Bidder can use the credentials of its group company/subsidiary/affiliates	Bidder are allowed to furnish LOA/PPA for the fulfillment of the technical criteria.However, as per the eligibility criteria work order/LOA/PPA and completion certificates are required in lieu of technical eligibility criteria. Bidder can use the credentials of its group companies subject to Reply/Clarification given in the S.No-1	
7		3A	Bidder to provide work order and completion certificates in lieu of technical eligibility criteria.	Please clarify as the work order /completion certificates can be LOA or PPA.	Refer to Clarification/Reply of S.No 6	
8					We understand that the sub-lease and mortgage of land is allowed.	Not Allowed
9					We request UPNEDA to publish the name of UPPTCL SS nearest to the site.	Bidders should stay informed about the available margins for solar open access projects as published by UPPTCL.
10				General	We hereby request UPNEDA to extend the bid submission date atleast by 25 days , as we need to work on the site etc and the extended holidays due to festival season.	Last date of Bid submission Timeline extended up to 12.11.2024 Up to 06:00 P.M.
11					We understand that only lease charges are payable by the Developers. If any charges are applicable please clarify.	Yes Only Land Lease Charges are applicable in Rs /Acre/ Year for the quantity quoted.The Solar project will be developed on Build Own and Operate basis by the developer.
12					We understand that the lease deed can be executed the bidder's subsidiary company.	Lease deed will be signed with the Bidding Company.
13				Substation and evacuation details	Bidders should stay informed about the available margins for solar open access projects as published by UPPTCL.	
14	Bidder-3	Cl. No. 3.A	A. Technical Eligibility Criteria	Eligibility Criteria Clause-3 of the RFS mentions the financial and technical eligibility criteria for the bidder. However, the bidder being a Special Purpose Vehicle ("SPV") newly established for the purpose of the project financing may not be having any techno commercial strength. In view of the above, the RFS conditions may be modified such that technical and financial capability of parent/ultimate parent qualifies for bidding.	Allowed, Refer Reply/Clarification No-1	
15				Mortgage provisions Solar projects in India are project financed through a Special Purpose Vehicle (SPV) with a proportion of equity to debt structure for maximization of shareholders return. For the same reason, the project cannot be entirely equity financed and requires certain proportion of debt. The common industry practice is a structure of 30:70 /20:80 equity to debt structure. The current RFS published by UPNEDA doesn't cover the provision to mortgage the lease rights of land to lender, which is an essential component of broader security package that an SPV provides to the lender. In view of the above, the RFS may accommodate to mortgage the lease rights of land to lender.	Mortgage Provisions not allowed	
16				General	Extension of bid submission deadline Considering the festive season ahead and most of the offices in India may see long holidays, your good office is requested to extend the bid submission to timelines to at least by 4 weeks i.e. 15th November 2024.	Last date of Bid submission Timeline extended up to 12.11.2024 Up to 06:00 P.M.
17				Earnest money deposit Submitting the EMD via NEFT/RTGS/DD will become a deterrent for the applicant to utilize the cash in other important project related expenses, thereby impacting the overall working capital requirement of the project. Hence, the applicants should also be given provision to submit EMD via Bank Guarantee (BG) mode. In addition, it is requested that the following points be clarified by UPNEDA and stated in the addendum to the RFS I.Is the estimated value for EMD mean the same as the estimated costs mentioned in 3 (A) (d) of RFS. For instance, for a 25 MW project, the estimated cost is INR 100 Cr. Accordingly the EMD for the project shall be (2% of INR 100 Cr= INR 2 Cr). Request to clarify. II.Period of validity of EMD submitted. III.When will the EMD be returned to the applicant.	(i) EMD is Rs 3,87,738 /- as per the details mentioned in the tender.up.nic.in. (ii) Period of Validity of EMD shall be same as bid validity (i.e 90 Days),Bid Validity mentioned in the tender.up.nic.in (iii) The EMDs of all unsuccessful Bidders shall be returned and released by the UPNEDA within a period of thirty (30) days of the occurrence of Expiry of the Bid Validity/extended validity of Bid of unsuccessful Bidders. EMD Shall be accepted via NEFT/RTGS/DD as per the provisions of RFP.	