

**MINISTRY OF NEW AND RENEWABLE ENERGY  
GOVERNMENT OF INDIA**



**Guidelines for Tariff Based Competitive Bidding Process for Grid Connected  
Power Projects Based on Renewable Energy Sources**



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# **Guidelines for Tariff Based Competitive Bidding Process for Grid Connected Power Projects Based on Renewable Energy Sources**

## **1. Introduction**

### **1.1. Power from Renewable Energy Sources in India**

With a view to addressing India's energy security challenge and to promote ecologically sustainable growth of power for making India's economic development energy-efficient, it is considered imperative to pioneer a graduated shift from economic activity based on fossil fuels to one based on non-fossil fuels and from reliance on non-renewable and depleting sources of energy to renewable sources of energy.

- **Solar Energy Potential**

India is endowed with vast solar energy potential to the tune of 5,000 trillion kWh per year of solar insolation over its land mass, with most parts receiving 4 – 7 kWh per square meter per day. The technologies for conversion of solar energy into electricity are primarily solar thermal and solar photovoltaic which can effectively be used to harness the solar potential in India.

### **1.2. Objectives of the Guidelines**

Promotion of competition in the electricity industry in India is one of the key objectives of the Electricity Act, 2003. Power purchase costs constitute the largest cost element for distribution licensees. Competitive procurement of electricity by the distribution licensees is expected to reduce the overall cost of procurement of power and facilitate development of power markets. Internationally, competition in wholesale electricity markets has led to reduction in prices of electricity and in significant benefits for consumers.

Section 61 & 62 of the Act provide for tariff regulation and determination of tariff of generation, transmission, wheeling and retail sale of electricity by the Appropriate Commission. As per proviso of Section 61 read with Section 178(2) of the Electricity Act, 2003, the Terms and Conditions for Tariff determination from Renewable Energy Sources Regulations, 2009 were framed by the Central Electricity Regulatory Commission (CERC) in September, 2009. Further, section 63 of the Act states that –

*“Notwithstanding anything contained in section 62, the Appropriate Commission shall adopt the tariff if such tariff has been determined through transparent process of bidding in accordance with the guidelines issued by the Central Government.”*

These guidelines have been framed to cover grid connected Renewable Energy Sources (excluding wind power) under the above provisions of section 63 of the Act. The specific objectives of these guidelines are as follows:

1. Promote competitive procurement of electricity from Renewable Energy Sources by distribution licensees;
2. Facilitate transparency and fairness in procurement processes;
3. Facilitate reduction of information asymmetries for various Bidders;
4. Protect consumer interests by facilitating competitive conditions in procurement of electricity;
5. Enhance standardization and reduce ambiguity and hence time for materialization of projects;
6. Provide flexibility to sellers on internal operations while ensuring certainty on availability of power and tariffs for buyers.

## **2. Scope of the Guidelines**

- 2.1. Section 10 of the Electricity Act provides that a generating company may supply electricity to any licensee in accordance with the Act and rules and regulations made there under and may, subject to the regulations made under sub-section (2) of Section 42, supply electricity to any consumer. The National Tariff Policy, formulated by the Ministry of Power, has specific guidance on purchase tariff for power generated from renewable energy sources:

*Section 6.4 "... It will take some time before non-conventional technologies can compete with conventional sources in terms of cost of electricity. Therefore, procurement by distribution companies shall be done at preferential tariffs determined by the Appropriate Commission.*

*Such procurement by Distribution Licensees for future requirements shall be done, as far as possible, through competitive bidding process under Section 63 of the Act within suppliers offering energy from same type of non-conventional sources. In the long-term, these technologies would need to compete with other sources in terms of full costs."*

These guidelines are being issued under the provisions of Section 63 of the Electricity Act, 2003 for procurement of electricity by distribution licensees (Procurer) for:

- (a) long-term procurement of electricity for a period of 7 years and above;
- (b) Medium term procurement for a period of up to 7 years but exceeding 1 year.

Explanation: For the purpose of these Guidelines, the term 'Procurer(s)' shall mean, as the context may require, the distribution licensee(s), or the authorized representative of the licensee(s) or a Special Purpose Vehicle (SPV) constituted for the purpose of carrying out the bidding process. SPV shall be a company established under the Indian Companies Act 1956, authorized by the distribution licensee(s) to perform all tasks for carrying out the bidding process in accordance with these Guidelines. The distribution licensee(s) may also entrust initial project preparation activities (proposed to be undertaken before completion of the bidding process) to the SPV. The SPV may be transferred to the successful Bidder selected pursuant to the bidding process.

- 2.2. The guidelines shall apply for procurement of power requirements through competitive bidding, through the following mechanisms:
  - (i) Where the location or technology of Renewable Power project is not specified by the Procurer (**'Case 1- RE'**);
  - (ii) Location specific Renewable, which the Procurer intends to set up under tariff based bidding process (**'Case 2- RE'**).
- 2.3. Unless explicitly specified in these guidelines, the provisions of these guidelines shall be binding on the Procurer. The process to be adopted in the event of any deviation proposed from these guidelines is specified later in these guidelines under para 6.9.
- 2.4. Procurement by more than one distribution licensee through a combined bidding process shall be permitted and in such a case the Procurers shall have the option to conduct the bidding process through an authorized representative. The authorized representative may be one of the Procurers or for 'Case 2- RE', a special purpose vehicle (SPV) may be incorporated for such purpose. For such combined procurement, each Procurer shall provide the necessary information required as per these guidelines. To ensure standardization in evaluation of bids, the payment security and other commercial terms offered to the Bidders by the various Procurers shall not vary. The price offered by the Bidders shall also be the same for the distribution licensees inviting the bid.

In case of combined procurement where the distribution licensees are located in more than one State, the Appropriate Commission for the purpose of these bidding guidelines shall be CERC. All obligations on part of the Procurers for the bidding process shall be considered to be met only when each and every Procurer meets such obligations set out in the Request for Proposal (RFP). This shall, however, not preclude the Bidder from waiving such stipulation if the Bidder finds it reasonable to do so, and the same shall not be construed to be violation of these guidelines.

- 2.5. The following Energy sources are covered in the guidelines:
  1. Solar Photovoltaic (PV)

2. Solar thermal
3. Biomass
4. Geo-Thermal
5. Tidal
6. Cogeneration (non-fossil)
7. Hybrid among Renewable Energy Sources

### **3. Preparation for Inviting Bids**

**3.1** To expedite the bidding process, the following conditions shall be met by the Procurer:

3.1.1 The Standard Bid Documents (SBD) shall be prepared and issued by the Central Government in accordance with these guidelines. The documents for inviting bids shall be prepared in accordance with these guidelines and SBD. In such cases, intimation shall be sent by the Procurer to the appropriate Regulatory Commission about initiation of the bidding process. The approval of the appropriate Regulatory Commission shall be obtained unless the bid documents are as per the SBD issued by the Central Government.

3.1.2 Approval of the Appropriate Commission shall be sought in the event of the deviations from the bidding conditions contained in these guidelines and SBD, following the process described in para 6.9 of these guidelines.

**3.2(I) In 'Case 1- RE' procurement, to ensure serious participation in the bidding process and timely completion of commencement of supply of power, the Bidder, in case the supply is proposed from a power station to be set-up, should be required to submit along with its bid, documents in support of having completed specific actions for project preparatory activities in respect of matters mentioned in (i) to (v) below.**

- i) **Site identification and land acquisition:** Requirement of land would be considered as indicated in the proposal filed with the competent authority for according No Objection Certificate (NOC) for the project. In case of land to be acquired under the Land Acquisition Act 1894 or its equivalent, the Bidder shall submit copy of notification issued for such land under Section 6 of the Land Acquisition Act 1894 or its equivalent. In all other cases, the Bidder shall furnish documentary evidence in the form of certificate by concerned and competent revenue / registration authority for allotment of the land.
- ii) **Environmental clearance for the power station:** Proposal for obtaining NOC should have been submitted to the competent authority responsible for according final approval at the time of submission of RFP bid.

- iii) **Forest Clearance (if applicable) for the land for the power station:** The Bidder should have submitted the requisite proposal to the concerned administrative authority responsible for according final approval in the Central/State govt., as the case may be.
- iv) **Water linkage:** For Solar Thermal and Hybrid Power Projects, the Bidder shall have acquired approval from the concerned State irrigation department or any other relevant authority for the quantity of water required for the power station.
- v) **Technology Tie-up:** The Bidder shall be required to provide technology tie-up for renewable power project.

If the Bidder is a trading licensee, it shall have executed exclusive power purchase agreement(s) for the quantity of power offered in its Bid and shall provide a copy of the same as part of its Bid. In such a case, the Bidder shall ensure that the entity with whom it has executed the exclusive Power Purchase Agreement (PPA) for supply of power under the bidding process has completed the project preparatory activities as mentioned in (i) to (v) above. Furthermore, the Bidder shall be responsible for procuring from the entity developing the power station and submitting in its Bid, all the documentary evidence to establish that the project preparatory activities as in (i) to (v) above have been completed. In case of supply being proposed from an existing power station, the Bidder should submit evidence in the form of a declaration sent to RLDC/SLDC, as the case may be, in support of commercial operation of the power station.

(II) **In 'Case 2- RE'** procurement, to ensure timely commencement of supply of electricity being procured and to convince the Bidders about the irrevocable intention of the Procurer, it is necessary that various project preparatory activities are completed in time. For long-term procurement for projects for which pre-identified sites are to be utilized, the following project preparatory activities should be completed by the Procurer or authorized representative of the Procurer, simultaneously with bidding process adhering to the milestones as indicated below:

- (i) **Site identification and land acquisition:** If land is required to be acquired for the power station, the notification under section 6 of the Land Acquisition Act, 1894 or its equivalent should have been issued before the publication of RFP. If the provisions of section 17 of the Land Acquisition Act, 1894 or its equivalent regarding emergency have not been applied, the Award under the Land Acquisition Act or its equivalent should have been declared before the PPA becomes effective.
- (ii) **Environmental Clearance for the Power Station:** Application to competent authority for grant of No Objection Certificate (NOC) should

have been submitted before issuance of RFP and the NOC should be in place before the PPA becomes effective.

- (iii) **Forest Clearance (if applicable) for the land for the power station:** Requisite proposal for the forest clearance should have been submitted before the concerned administrative authority responsible for according final approval in the Central/ State Govt., as the case may be, before the issue of RFP.
- (iv) **Water linkage:** For Solar Thermal and Hybrid Power Projects, approval from the concerned State Irrigation Department or any other relevant authority for the quantity of water required for the power station should have been obtained.
- (v) **Requisite solar radiation, hydrological, geological, meteorological and seismological data etc. necessary for preparation of Detailed Project Report (DPR), where applicable:** The data should be made available to the Bidders during the RFP stage i.e. at least 30 days prior to the submission of the RFP Bid. The Bidder shall be free to verify geological data through its own sources, as the geological risk would lie with the project developer.

**3.3** It is recommended that the Procurer should obtain the transmission clearances necessary for receiving power at the delivery points prior to inviting bids. However, this shall not be a binding condition for the bidding process. Unless otherwise specified in the bid documents, it shall be the responsibility of the Procurer to obtain transmission linkage for evacuation and inter-State transmission of power (where applicable).

**3.4** In the case of projects under 'Case 2- RE' from which more than one distribution licensees located in different States intend to procure power by carrying out bidding process through a SPV, the PPA and other required project agreements (such as escrow agreement, hypothecation agreement and other project specific agreements) may be entered into between the concerned parties prior to the last date of submission of the RFP bids with the proviso that these agreements shall be effective from the date of acquisition of the SPV by the successful Bidder.

**3.5** All the expenditure incurred by the Procurer/ Authorised Representative in the process of selection of the developer in accordance with the provisions of these guidelines shall be recovered from the developer who is finally identified and assigned the task of developing that project. The amount to be recovered shall be indicated in the RFP document so that Bidders can take that amount into consideration in the tariff to be quoted by them. The land for the project site or the SPV, as the case may be, shall be transferred to the successful Bidder. The price of land or acquisition price of SPV, as the case may be, shall be intimated to the Bidders at least 15 days before the due date for submission of RFP bids.

**3.6 Technology:**

The Bidding process may be technology neutral i.e. bidders shall be free to choose technology **or alternatively** Procurers may conduct the technology specific bidding process, specifying the technology in the Bid document.

#### **4. Tariff Structure**

- 4.1** For procurement of electricity under these guidelines, tariff shall be paid and settled for each payment period (not exceeding one month). The tariff structure shall comprise of fixed and escalable components which shall form the basis for bidding.
- 4.2** Tariffs shall be designated in Indian Rupees only. Foreign exchange risks, if any, shall be borne by the seller. Transmission charges in all cases shall be borne by the Procurer.
- 4.3** Tariff shall be paid based on actual generation, as per charges quoted in Rs/kwh by the Bidder. The tariffs shall comprise of fixed and escalable component. At the bid evaluation stage, ratio of minimum and maximum tariff (including both the non-escalable component and the escalable component incorporating escalation as per index being used for the purpose of evaluation) over the term of the Power Purchase Agreement (PPA) shall not be less than 0.7 to avoid excessive front loading or back loading during the period of contract. The indices to be adopted for the escalation of the escalable component shall be as notified by CERC from time to time. The normative availability for renewable energy sources i.e. Solar PV, Solar Thermal, etc. shall be the Capacity Utilization Factors (CUF) and for the Renewable energy sources requiring primary fuel such as bio-mass etc. shall be Plant Load Factor (PLF), indicated by CERC in the “CERC (Terms and Conditions for Tariff determination from Renewable Energy Sources) Regulations, 2009”, as amended or re-enacted from time to time. Higher CUF may be allowed to accommodate Solar Projects having thermal storage. For conventional component, in case of Hybrid power procurement, the normative availability for such conventional power shall be as per the latest CERC regulation in this regard.
- 4.4** The range of CUF/PLF, as the case may be, will be indicated in the Bidding Document. In case availability is less than the range of CUF/PLF indicated, penalty at the rate to be specified in the bidding document by the procurer(s) shall be applicable for the shortfall in availability below such predetermined level. The maximum contracted capacity will correspond to the maximum CUF/PLF range specified in the bidding document. In case the availability is more than the maximum CUF/PLF range specified, seller will be free to sell it to any other entity provided first right of refusal will vest with the procurer(s).
- 4.5** Any change in law impacting cost or revenue from the business of selling electricity to the Procurer with respect to the law applicable on the date which is

seven (7) days before the last date for RFP bid submission shall be adjusted separately. In case of any dispute regarding the impact of any change in law, the decision of the Appropriate Commission shall apply.

- 4.6** Adequate payment security shall be made available to the Bidders. The payment security may constitute:
- (i) Letter of Credit (LC)
  - (ii) Letter of Credit (LC) backed by credible escrow mechanism.

In the case the seller does not realize full payment from the Procurer by the due date as per payment cycle, the seller may after seven (7) days, take recourse to payment security mechanism by encashing the LC to the extent of short fall or take recourse to escrow mechanism. The Procurer shall restore the payment security mechanism prior to the next date of payment. Failure to realize payment even through payment security mechanism shall constitute an event of payment default. RLDC/ SLDC will assist the developer in case there is any default in the payment by any distribution licensee(s). For this, the share of power of the defaulting distribution licensee(s) could be regulated if the payment becomes over due for more that a pre-determined period.

- 4.7** Notwithstanding the tariff structure provided at clause 4.1 & 4.3, the bidding process for procurement of power from renewable energy sources may also be carried out on the basis of the following:
- (i) discount offered on the tariff approved/notified for the same by Appropriate Commission; **or**
  - (ii) fixed tariff valid for a period specified by the procurer(s).

## **5. Bidding Process**

- 5.1** For long-term or medium term procurement, a single stage process i.e. Request for Proposal (RFP) shall be adopted for the bidding process under these guidelines. Procurer or authorized representative shall prepare bid documents (RFP) in line with these guidelines and SBD.
- 5.2** The Procurer shall publish a RFP notice in at least two national Newspapers and company website to accord wide publicity. For the purpose of issue of RFP minimum conditions to be met by the Bidder shall be specified by the Procurer in the RFP notice.
- 5.3** Procurer shall provide only written interpretation of the tender document to any Bidder and the same shall be made available to all other Bidders. All parties shall rely solely on the written communication.
- 5.4** The standard documentation to be provided by the Procurer in the RFP shall

include:

- i. Definitions of Procurer's requirements including:
  - a) Quantum of electricity proposed to be bought in MW. To provide flexibility to the Bidders, this may be specified as a range within which the bids would be accepted;
  - b) Term of contract proposed: As far as possible in 'Case 2- RE' bidding, it is advisable to go for contract coinciding with the life of the Project, in case of long term procurement. In 'Case 1- RE', the Procurer shall be free to specify the term of the contract for a specific bidding process;
  - c) Normative availability requirement to be met by the Seller;
  - d) Expected date of commencement of supply;
  - e) Point where electricity is to be delivered;
  - f) Financial requirements to be met by the Bidder;
  - g) Structure of tariff to be detailed by Bidders;

ii. **Payment security to be made available by the Procurer:**

The payment security indicated in the bidding documents could be modified based on feedback received during the bidding process.

iii. **Bid evaluation methodology to be adopted by the Procurer including the discount rates for evaluating the bids.**

The bids shall be evaluated for the levellised tariffs based on the components of the tariff quoted by the Bidder. The tariff may feature separate non-escalable (fixed) and escalable (indexed) components. The index to be adopted for escalation of the escalable component shall be specified in the RFP.

The rate for discounting the combination of fixed and escalable charges for computing the levellised tariff shall be as notified by CERC keeping in view prevailing rate for 10 year Government of India securities. This rate is to be specified in the RFP.

In case of bidding process being carried out on the basis of clause **4.7(i)**, the tariff arrived after discount offered on the approved tariff of Appropriate Commission will be fixed for the term of the PPA.

In case of bidding process being carried out on the basis of clause **4.7(ii)**, the bids shall be evaluated on the tariff quoted by the bidder and this tariff will be fixed for the term of the PPA.

- iv. The RFP shall provide the maximum period within which the selected Bidder must commence supplies after the PPA becomes effective, subject to the obligations of the Procurer being met. The model PPA which forms

a part of the RFP documents shall also specify the liquidated damages that would apply in the event of delay in supplies.

- v. Period of validity of offer of Bidder;
- vi. Other technical, operational and safety criteria to be met by Bidder, including the provisions of the IEGC/ State Grid Code, relevant orders of the Appropriate Commission, etc., as applicable.
- vii. Following shall be notified and updated by the CERC every six months:
  - 1. Discount rate to be used for bid evaluation.
  - 2. Escalation for escalable component of tariff and normative transmission charges (For the purpose of evaluation)

5.5 Model PPA proposed to be entered with the selected Bidder which shall include necessary details on:

- Risk allocation between parties;
- Technical requirements, as may be required;
- Force majeure clauses as per industry standards;
- Default conditions and cure thereof, and penalties;
- Payment security proposed to be offered by the Procurer.

The model PPA proposed in the bidding documents may be amended based on the inputs received from the interested parties, and shall be uploaded on the website of the Procurer.

- 5.6 The Procurer may, at his option, require demonstration of financial commitments from lenders at the time of submission of the RFP bids. This would accelerate the process of financial closure and delivery of electricity.
- 5.7 The Procurer or the seller may exercise exit option subject to the condition that the new party satisfies all conditions of RFP and also undertakes to accept all the obligations and responsibilities of the PPA.
- 5.8 In case the Bidders seek any deviations and the Procurer finds that the deviations are reasonable, the Procurer shall obtain approval of the Appropriate Commission before agreeing to the deviations. The clarification/revised-bidding document shall be uploaded on the website of the Procurer informing about the deviations and clarifications. Wherever revised bidding documents/amendments are issued, the Procurer shall provide Bidders at least thirty (30) days after issue of such documents for submission of bids.

## **6. Bid Submission and Evaluation**

- 6.1. To ensure competitiveness, the minimum number of qualified Bidders should be at least two other than any affiliate company or companies of the Procurer. If the number of qualified Bidders is less than two, and Procurer still wants to continue

- with the bidding process, the same may be done with the consent of the Appropriate Commission.
- 6.2. Formation of consortium by Bidders shall be permitted. In such cases the consortium shall identify a lead member and all correspondence for the bidding process shall be done through the lead member. The Procurer may specify technical and financial criteria, and lock in requirements for the lead member of the consortium, if required.
  - 6.3. The Procurer shall constitute committee for evaluation of the bids (Evaluation Committee) with at least one member external to the Procurer's organization and affiliates. The external member shall have expertise in financial matters / bid evaluation. The Procurer shall reveal past associations with the external member - directly or through its affiliates - that could create potential conflict of interest.
  - 6.4. Bidders shall be required to submit separate technical and price bids. Bidders shall also be required to furnish necessary bid-guarantee along with the bids. Adequate and reasonable bid-guarantee shall be called for to eliminate non-serious bids. The bids shall be opened in public and representatives of Bidders desiring to participate shall be allowed to remain present.
  - 6.5. The technical bids shall be evaluated to ensure that the bids submitted meet eligibility criteria set out in the RFP documents on all technical evaluation parameters. Only the bids that meet the technical criteria set out in the RFP shall be considered for further evaluation on the price bids.
  - 6.6. The price bid shall be rejected, if it contains any deviation from the tender conditions for submission of price bids.
  - 6.7. In the case of procurement **under 'Case 1- RE'**
    - i. The Bidder shall quote the price of electricity at the interconnection point, i.e., being the point where the electric lines of the power station connect to inter/ intra State transmission network. For the purposes of standardization in the process of bid evaluation, the tariffs shall be compared at the delivery point, i.e., the interface with the State Transmission Utility (STU) network in the Procurer's State where power is delivered to the Procurers. For generation source in the State of the Procurer, the delivery point shall be the generation switchyard. Bid evaluation shall duly consider normative transmission charges, if any, from the injection point, i.e., the Central Transmission Utility (CTU) interface point, to the delivery point with respective escalations provided by the CERC. Transmission losses from the interconnection point to the delivery point, as specified by the Appropriate Commission shall also be considered for evaluation and reflected in the final levellised tariff;
    - ii. Actual transmission charges, as specified by the Appropriate Commission, from the injection point to the delivery point shall be borne by the Procurers.

Charges up to the injection point shall be borne by the Bidder.

- 6.8. The Bidder, who has quoted lowest levelled tariff as per evaluation procedure, shall be considered for the award. The Evaluation Committee shall have the right to reject all price bids if the rates quoted are not aligned to the prevailing market prices.

6.9. **Deviation from Process Defined in the Guidelines**

In case there is any deviation from these guidelines, the same shall only be with the prior approval of the Appropriate Commission. The Appropriate Commission shall decide on the modifications to the bid documents within a reasonable time not exceeding 90 days.

6.10. **Arbitration**

Where any dispute arises claiming any change in or regarding determination of the tariff or any tariff related matters, or which partly or wholly could result in change in tariff, such dispute shall be adjudicated by the Appropriate Commission.

All other disputes shall be resolved by arbitration under the Indian Arbitration and Conciliation Act, 1996.

6.11. **Sharing of CDM Benefits**

The proceeds of carbon credit from approved CDM project shall be shared between generating company and concerned beneficiaries in the following manner, namely

- a) 100% of the gross proceeds on account of CDM benefit to be retained by the project developer in the first year after the date of commercial operation of the generating station ;
- b) In the second year, the share of the beneficiaries shall be 10% which shall be progressively increased by 10% every year till it reaches 50%, where after the proceeds shall be shared in equal proportion, by the generating company and the beneficiaries.

The above shall be in consonance with the CERC (Terms and Conditions for Tariff determination from Renewable Energy Sources) Regulation, 2009, as amended from time to time.

6.12. **Time Table for Bid Process**

In the bidding process, a minimum period of 75 days shall be allowed between the issuance of RFP documents and the last date of bid submission. The timetable for the bidding process is indicated in Annexure-I. In normal circumstances, the bidding process is likely to be completed in a period of 150 days for both "Case 2- RE" and 'Case 1- RE'.

The Procurer may give extended timeframe than indicated in the Annexure-I and this shall not be construed as deviation to the Guidelines.

## **7. Contract Award and Conclusion**

- 7.1. The PPA shall be signed with the selected Bidder/SPV consequent to the selection process in accordance with the terms and conditions as finalized in the RFP bid documents.
- 7.2. For cases referred to in clause 3.4 of these Guidelines, the PPA and other project documents may be executed by the SPV and the concerned parties prior to the last date of submission of RFP bids.
- 7.3. After the conclusion of bidding process, the Evaluation Committee constituted for evaluation of RFP bids shall provide appropriate certification on conformity of the bidding process evaluation according to the provisions of the RFP document. The Procurer/ Authorized Representative shall provide a certificate on the conformity of the bidding process to these guidelines.
- 7.4. For the purpose of transparency, the Procurer shall make the bids public by indicating all the components of tariff quoted by all the Bidders, after signing of the PPA or PPA becoming effective, whichever is later. While doing so, only the name of the successful Bidder shall be made public and details of tariffs quoted by other Bidders shall be made public anonymously. The Procurer shall also make public the PPA signed in accordance with clause 7.1.
- 7.5. For above purpose, full details shall be posted on the website of the Procurer for at least thirty days.
- 7.6. The signed PPA along with the certification certificates provided by the evaluation committee and by the Procurer as provided in clause 7.2 shall be forwarded to the Appropriate Commission for adoption of tariffs in terms of Section 63 of the Act.

## Annexure-I:

### Time Table for "Case 2- RE" Bid Process

Sl. No.	Event	Activities to be completed before Event	Elapsed Time from Zero date
1.	Issuance of RFP	<ul style="list-style-type: none"> <li>- Land: Section.6 notification under the Land Acquisition Act, 1894 should have been issued for land of power station.</li> <li>- Environmental clearance: Application to competent authority for grant of No Objection Certificate (NOC) should have been submitted</li> <li>- Forest Clearance (if applicable): Requisite proposal for forest clearance for the land for the power station should have been submitted before the concerned authority responsible for according final approval.</li> <li>- Water linkage should be available, for Solar Thermal &amp; Hybrid Power Projects.</li> <li>- Data: For preparation of DPR, following data should be available:- Requisite solar radiation, hydrological, geological, meteorological and seismological data etc. ( <b>To be provided 30 days prior to the last date of submission of RFP bids</b>).</li> </ul>	Zero date
2.	Bid clarification, conferences etc .		-
3.	Final clarification and revision of RFP		*
4.	RFP bid submission		75 days
5.	Evaluation of bids and issue of (Letter of Intent) LOI		105 days

Sl. No.	Event	Activities to be completed before Event	Elapsed Time from Zero date
6.	PPA becomes effective. Signing of Agreements: i) Power purchase agreement, escrow agreement, hypothecation agreement and any other agreement as applicable (if these have not been already signed under clause 3.4). ii) Signing of share purchase agreement and transfer of SPV, if applicable.	<ul style="list-style-type: none"> <li>- If the provisions of section 17 of the Land Acquisition Act, 1894 regarding emergency have not been applied, the Award for the power station land under Land Acquisition Act should have been declared.</li> <li>- Environmental clearance: NOC from competent authority should have been obtained</li> </ul>	120 days

\*In case of any change in RFP document, the Procurer shall provide Bidders additional time in accordance with clause 5.8.

**Note :** It is clarified that if the Procurer gives extended time for any of the events in the bidding process, on account of delay in achieving the activities required to be completed before the event, such extension of time shall not in any way be deviation from the these Guidelines.

## Time Table for 'Case 1- RE' Bid Process

Sl. No.	Event	Elapsed Time from Zero date
1.	Date of issue of RFP	Zero date
2.	Bid clarification, conferences etc. & revision of RFP	**
3.	RFP Bid submission	45 days
4.	Evaluation of bids and issue of LOI	75 days
5.	PPA becomes effective: Signing of Agreements: i) Power purchase agreement, escrow agreement, hypothecation agreement and any other agreement as applicable (if these have not been already signed under clause 3.4). ii) Signing of share purchase agreement and transfer of SPV, if applicable.	90 days

\*\* In case of any change in RFP document, the Procurer shall provide Bidders additional time in accordance with clause 5.8.

Note: It is clarified that if the Procurer gives extended time for any of the events in the bidding process, on account of delay in achieving the activities required to be completed before the event, such extension of time shall not in any way be deviation from these Guidelines. However, if the bidding process under Case-1 procurement is likely to take more than 300 days, approval of the Appropriate Commission shall be obtained in accordance with clause 6.9.