

No.15/01/2010/Trans
Government of India
Ministry of Power

...
Shram Shakti Bhavan, Rafi Marg,
New Delhi, the 7th March, 2011

To

1. Power / Energy Secretaries of all State Governments / UTs
2. Chairman, State Power Utilities / SEBs

Sub: Standard Bidding Documents, viz. Request for Qualifications(RfQ), Request for Proposal (RfP) and Transmission Service Agreement (TSA) for procurement of Transmission Services through tariff based competitive bidding –amendment reg.

Sir/Madam,

I am directed to refer to this Ministry's letter of even number dated 7th May, 2010 regarding amendments in the Standard Bidding Documents (SBDs), and to say that the further amendments made in the SBDs viz. Request for Qualifications (RfQ), Request for Proposal (RfP) and Transmission Service Agreement (TSA) with the approval of competent authority are enclosed.

2. The above changes are also posted on this Ministry's website :
www.powermin.nic.in

Yours faithfully,



(Arun Kumar)

Director (Trans)

Telefax: 23717753

A. Proposed Amendment in Standard Request for Qualification (RFQ) Document

S. No.	Clause No. of Standard RFQ	Existing Provision	Proposed Modification
1.	2.1.2 (Technical Requirement)	<p>Experience of development of projects (not necessarily in the power sector) in the last ten (10) years with aggregate capital expenditure not less than Rs. Crore or equivalent USD (calculated as per provisions in Clause 3.1.3.1). However, the capital expenditure of at least one project should be equivalent to at least Rs. Crore or equivalent USD (calculated as per provisions in Clause 3.1.3.1).</p> <p>For this purpose, capital expenditure incurred on projects that have been commissioned/completed at least seven (7) days prior to the last date for submission of Response to RFQ shall be considered. The capital expenditure discussed above shall be as reflected in the audited books of accounts of the Technically Evaluated Entity. In case a Lead Member, as the case may be.</p>	<p>Experience of development of projects (not necessarily in the power sector) in the last five (5) years with aggregate capital expenditure not less than Rs. Crore or equivalent USD (calculated as per provisions in Clause 3.1.3.1). However, the capital expenditure of each project shall not be less than Rs. Crore or equivalent USD (calculated as per provisions in Clause 3.1.3.1).</p> <p>For this purpose, capital expenditure incurred on projects that have been commissioned/completed at least seven (7) days prior to the last date for submission of Response to RFQ shall be considered. The capital expenditure discussed above shall be as capitalized and reflected in the audited books of accounts of the Technically Evaluated Entity. In case a Lead Member, as the case may be.</p>
2.	2.1.2 [Square Bracket]	<p>[Required aggregate capital cost of projects to be calculated @ Rs 0.50 Crore per km for total transmission line length (including all 765 kV, 400 kV and other lines irrespective of conductors per phase, substations, switching stations, transformers etc.) of the Project]</p> <p>[Individual project experience to be calculated @ Rs 0.06 Crore per km for total transmission line length of the Project]</p>	<p>[Required aggregate capital cost of projects to be calculated @ Rs 1.75 Crore per km for total transmission line length (including all 765 kV, 400 kV and other lines irrespective of conductors per phase) and @ Rs 0.15 Crore per MVA for substations of the Project. However, the minimum requirement of aggregate capital cost of projects shall be Rs. 500 Crore.]</p> <p>[Individual project experience to be calculated @ Rs 0.35 Crore per km for total transmission line length and @ Rs 0.03 Crore per MVA for Sub-station of the Project.]</p>

3.	2.1.3.1 (A)- Net Worth	Net worth should be equal to at least Rs. Crore or equivalent USD (calculated as per provisions in Clause 3.1.3.1) computed as the Net worth based on unconsolidated audited annual accounts (refer to Note below) of any of the last three (3) financial years immediately preceding the last date of submission of Response to RFQ.	Net worth shall be not less than Rs. Crore or equivalent USD (calculated as per provisions in Clause 3.1.3.1) computed as the Net worth based on unconsolidated audited annual accounts (refer to Note below) of any of the last three (3) financial years, as provided in Clause 2.2.3, immediately preceding the last date of submission of Response to RFQ.
4.	2.1.3.1 (A) [Square Bracket]	[To be specified at Rs. 0.30 Crore per km of the total transmission line length of the Project (including all 765 kV, 400 kV and other lines irrespective of conductors per phase, substations, switching stations, transformers etc.) up to 500 km and; Rs. 0.20 Crore per km of the total transmission line length of the Project greater than 500 km. The minimum requirement for above 500 km transmission line shall be Rs.150 crore.]	[To be specified at Rs. 0.875 Crore per km of the total transmission line length of the Project (including all 765 kV, 400 kV and other lines irrespective of conductors per phase) and @Rs. 0.075 Crore per MVA for substations. However, the minimum requirement of Network shall be Rs.250 Crore.]
5.	Clause 2.2.3	The Response to RFQ shall contain unconsolidated/ consolidated audited annual accounts (consisting of unabridged Balance Sheet, Profit and Loss Account, profit appropriation account, Auditors Report, etc.), as the case may be, of Bidding Company or each Member in Consortium including Lead Member for the last three (3) financial years immediately preceding the last date for submission of Response to RFQ for the purpose of calculation of Internal Resource Generation and Network.	<i>Insert as second paragraph to Clause 2.2.3:</i> In case the annual accounts for the financial year immediately preceding the last date of submission of Response to RFQ is not audited, the Bidder shall give an undertaking to this effect duly certified by its statutory auditor. In such a case, the Bidder shall provide the audited annual accounts for 3 (three) years preceding the financial year as above for which the annual accounts has not been audited.
6	Format 4.7D (i) Financial Capability (Attachment 1)	2. In addition to providing ----- --- audited accounts.	To be deleted

B. Proposed Amendment in Standard Request for Proposal (RFP) Document

S. No.	Clause No. of Standard RFP	Existing Provision	Proposed Modification
1.	DEFINITIONS	<p>"Bid Bond" shall mean the unconditional and irrevocable bank guarantee for Rupees(Rs.....) only [Bid Bond would be computed on the basis of Rs. 3 lakhs per km for the total Transmission Line length (including all 765 kV, 400 kV and other lines irrespective of conductors per phase, substations, switching stations, transformers etc.) of the Project, , to be submitted along with the Bid by the Bidder under Clause 2.20 of this RFP, as per the format prescribed in Annexure 2;</p>	<p>"Bid Bond" shall mean the unconditional and irrevocable bank guarantee for Rupees(Rs.....) only [Bid Bond would be computed on the basis of Rs. 3.5 lakhs per km for the total Transmission Line length (including all 765 kV, 400 kV and other lines irrespective of conductors per phase) and Rs. 0.3 lakhs per MVA for substations, of the Project], to be submitted along with the Bid by the Bidder under Clause 2.20 of this RFP, as per the format prescribed in Annexure 2;</p>
2.	2.21.1	<p>Within thirty (30) days from the date of issue of the Letter of Intent, the Selected Bidder, on behalf of the TSP, will provide to the Long Term Transmission Customers the Contract Performance Guarantee for an aggregate amount of Rs.Cr ores (Rupees) only [BPC to insert value both in numbers and figures] [Contract Performance Guarantee would be computed on the basis of Rs. 6 lakhs per km for the total Transmission Line length (including all 765 kV, 400 kV and other lines irrespective of conductors per phase, substations, switching stations, transformers etc.) of the Project], which shall bethe banks listed in Annexure-12.</p>	<p>Within thirty (30) days from the date of issue of the Letter of Intent, the Selected Bidder, on behalf of the TSP, will provide to the Long Term Transmission Customers the Contract Performance Guarantee for an aggregate amount of Rs.Crores (Rupees) only [BPC to insert value both in numbers and figures] [Contract Performance Guarantee would be computed on the basis of Rs. 9 lakhs per km for the total Transmission Line length (including all 765 kV, 400 kV and other lines irrespective of conductors per phase) and Rs. 0.75 lakhs per MVA for substations of the Project], which shall bethe banks listed in Annexure-12.</p>

3	2.16.2 (6th event in the Table)	[Issue of RFP Date + 105 Days]	Issue of final RFP Project Documents	[Issue of RFP Date + 128 Days]	Issue of final RFP Project Documents
---	------------------------------------	--------------------------------	--------------------------------------	--------------------------------	--------------------------------------

C. Proposed Amendment in Standard Transmission Service Agreement (TSA)

S. No.	Clause No. of Standard TSA	Existing Provision	Proposed Modification
1.	3.1.1	The Selected Bidder on behalf of the TSP will provide to the Long Term Transmission Customers the Contract Performance Guarantee for an aggregate amount of Rs. Crores (Rupees Crores only) [BPC to insert value both in numbers and figures] [Contract Performance Guarantee would be computed on the basis of Rs. 6 lakhs per km for the total Transmission Line length (including all 765 kV, 400 kV and other lines irrespective of conductors per phase, substations, switching stations, transformers etc.) of the Project], which shall be provided and above shall be rounded up).	The Selected Bidder on behalf of the TSP will provide to the Long Term Transmission Customers the Contract Performance Guarantee for an aggregate amount of Rs. Crores (Rupees Crores only) [BPC to insert value both in numbers and figures] [Contract Performance Guarantee would be computed on the basis of Rs. 9 lakhs per km for the total Transmission Line length (including all 765 kV, 400 kV and other lines irrespective of conductors per phase) and Rs. 0.75 lakhs per MVA for substations of the Project], which shall be provided and above shall be rounded up).
2.	3.3.3	If the Long Term Transmission Customers elect to terminate this Agreement as per the provisions of Article 3.3.2, the TSP shall be liable to pay to the Long Term Transmission Customers an amount of Rupees Crores (Rs.) [Amount to be inserted in words and figures by the BPC] [Amount to be computed on the basis of Rs. 8 lakhs per km for the total Transmission Line length (including all 765 kV, 400 kV and other lines irrespective of conductors per phase, substations, switching stations, transformers etc.) of the Project] only as liquidated damages. The Long Term Transmission Customers of the notice period.	If the Long Term Transmission Customers elect to terminate this Agreement as per the provisions of Article 3.3.2, the TSP shall be liable to pay to the Long Term Transmission Customers an amount of Rupees Crores (Rs.) [Amount to be inserted in words and figures by the BPC] [Amount to be computed on the basis of Rs. 9 lakhs per km for the total Transmission Line length (including all 765 kV, 400 kV and other lines irrespective of conductors per phase) and Rs. 0.75 lakhs per MVA for substations of the Project] only as liquidated damages. The Long Term Transmission Customers of the notice period.

3.	Schedule-9 of TSA	Appendix III of Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2004	Appendix IV of Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009
4.	4.1 b (i)	<p>i. the Grid Code, the grid connectivity standards applicable to the Transmission Line and the sub-station as per the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007 and as amended from time to time and following Regulations as and when notified by CEA:</p> <ul style="list-style-type: none"> • CEA (Technical Standards for construction, operation and maintenance of Electrical Plants and Electric Lines) Regulation, 2008. • CEA (Safety requirements for construction, operation and maintenance of transmission lines) Regulation, 2008. • CEA (Grid Standards for operation and maintenance of transmission lines) Regulation, 2006. • CEA (Safety and electricity supply) Regulation, 2008; 	<p>i. the Grid Code, the grid connectivity standards applicable to the Transmission Line and the sub-station as per the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007, Central Electricity Authority (Technical Standards for Construction of Electrical Plants and Electric Lines) Regulations, 2010, Central Electricity Authority (Grid Standards) Regulations, 2010 and as amended from time to time and following Regulations as and when notified by CEA:</p> <ul style="list-style-type: none"> • Central Electricity Authority (Safety requirements for construction, operation and maintenance of electrical plants and electric lines) Regulations, 2008. • Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2007;
5.	5.1.1	The TSP, at its own cost and expense, shall be responsible for designing, constructing, erecting, completing and commissioning each Element of the Project by the Scheduled COD in accordance with the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007, Prudent Utility Practices and following regulations as and when notified by CEA	The TSP, at its own cost and expense, shall be responsible for designing, constructing, erecting, completing and commissioning each Element of the Project by the Scheduled COD in accordance with the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007, Central Electricity Authority (Technical Standards for Construction of Electrical Plants and Electric Lines) Regulations, 2010, Central Electricity Authority (Grid Standards) Regulations, 2010, Prudent Utility Practices and following regulations as and when notified by CEA

		<ul style="list-style-type: none"> • CEA (Technical Standards for construction, operation and maintenance of Electrical Plants and Electric Lines) Regulation, 2008 • CEA (Safety requirements for construction, operation and maintenance of transmission lines) Regulation, 2008 • CEA (Grid Standards for operation and maintenance of transmission lines) Regulation, 2006 • CEA (Safety and electricity supply) Regulation, 2008 and other applicable Laws 	<ul style="list-style-type: none"> • Central Electricity Authority (Safety requirements for construction, operation and maintenance of electrical plants and electric lines) Regulations, 2008 • Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2007 and other applicable Laws
6.	7.1.1	The TSP shall be Central Electricity Regulatory Commission (Open Access in Inter-state Transmission) Regulations, 2004, Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006, and the Central Electricity Authority Grid Standards of Operation and Maintenance of Transmission Lines (as and when it comes into force) as amended from time to time and provisions of this Agreement.	The TSP shall be Central Electricity Regulatory Commission (Open Access in Inter-state Transmission) Regulations, 2004, Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006, and the Central Electricity Authority (Grid Standards) of Operation and Maintenance of Transmission Lines Regulations, 2010 as amended from time to time and provisions of this Agreement.