

**Addendum to the Replies to Queries raised for 1400 MW Solar Power Tender**

S. No.	Clause No.	Existing Clause	Bidder's Query	MSEDCL Reply
1.	Definitions of RFS	SCOD: Shall mean the date as declared by the successful bidder in the PPA shall not exceed 13 (Thirteen) months from the date of the execution of PPA.	The developers of solar PV projects have been facing huge challenges in the state of Maharashtra in relation to the land acquisition process by way of cost of land, time required in land acquisition, obtaining ROW for transmission etc. As it can be appreciated the 13 months period provided in the standard bid document is insufficient primary due to the process time of the land acquisition. Therefore we request MSEDCL to consider 18 months for SCOD instead of 12 months. We wish to convey that the proposed 18 months is still less than the standard time of 21 months considered by MNRE and SECI in the standard bid documents for solar PV projects. It is also pertinent to note that the recent bids of 500 MW invited by Gujarat Urja Vikas Nigam Ltd (Refer clause 3.10.b.i of RFS no. GUVNL / 500 MW / Solar (Phase II-R) dated 28.06.2018) and 750 MW SECI Rajasthan bid (Refer clause 15 (v) of RFS No. SECI/C&P/SPD/ RFS/ RJ/ 082018 Dated: 03.08.2018) also set precedence of providing at least 12 months from PPA signing for completing the land acquisition and minimum of 21 months from PPA signing for completion of the Projects. Relevant extracts of the pages of both these bids enclosed as Annexure 1 and 2 to this letter. As known to the utility, the Ministry of Finance has notified imposition of Safeguard Duty ("SGD") for a period of 24 months effective from July 30, 2018. The SGD shall be 25%	<p>Considering the request of the bidder and the small size of the individual capacities of the projects, the SCOD for the plant is revised to 15 months which can be achievable.</p> <p>However, the bidder has to consider the Safeguard duty impact accordingly while quoting the tariff rate.</p> <p>In view of the revision, the definition of SCOD is revised as follows:</p> <p><i>"SCOD shall mean the date as declared by the successful bidder in the PPA shall not exceed <del>13 (Thirteen)</del> <b>15 (Fifteen)</b> months from the date of the execution of PPA".</i></p>

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			on the Solar Cells/ panels till Jul 29, 2019 and thereafter gets reduced to 20%. Also the proposed 18 months would help the utility potentially to discover the lower tariff as the panels would attract a lower slab of SGD if procured post July 2019.	
2.	Sec 3, Clause 3.14 of RfS	The Projects shall be commissioned within a period of 13 (thirteen) months from the date of execution of the PPA	<p>Please amend this clause in line with the latest MoP bidding guidelines to provide 21 months for the Commissioning from the date of execution of PPA.</p> <p>This is in accordance with Amendment to the Guidelines for Tariff Based Competitive Bidding Process for Procurement of Power from Grid Connected Solar PV Power Project, which is stated as under:</p> <p>"The Projects shall be commissioned within a period of 21 (twenty one) months from the date of execution of the PPA."</p>	<p>Considering the request of the bidder and as the project size is 2 to 10 MW only i.e small capacities with connectivity on 11 kV or 22 kV, the SCOD for the plant is revised to 15 months which can be achievable.</p> <p>However, the bidder has to consider the Safeguard duty impact accordingly while quoting the tariff rate.</p>
3.	Sec 3, Clause 3.14 of RfS	The Projects shall be commissioned within a period of 13 (thirteen) months from the date of execution of the PPA	<p>Bidders would have to take impact of Safeguard Duty in tariff for 13 months commissioning time frame. The timelines should be inline with the MNRE Guidelines. Moreover, commissioning within 21 months will go beyond the cut-off date of Safeguard Duty which is July 2020. This will enable Bidders to quote competitive tariff without impact of Safeguard Duty.</p> <p>Request to modify the said clause as below:</p> <p>"The Projects shall be commissioned within a period of 21 (twenty one) months from the date of execution of the PPA"</p>	<p>In view of the revision, the clause 3.14 (1) of RfS is revised as follows:</p> <p><i>"The Projects shall be commissioned within a period of <del>13 (thirteen)</del> <b>15 (Fifteen)</b> months from the date of execution of the PPA".</i></p>

Considering the above revision the other clause of RfS and PPA will be revised accordingly:

Sr. No	Clause Ref.	Original Clause	Revised Clause
1.	RfS, Format 6.1 (1)	In token of our acceptance to the RfS, and PPA along with the amendments and clarifications issued by MSEDCL, the same have been digitally signed by us and enclosed with the response to RfS. We shall ensure that the PPA is executed as per the provisions of the RfS, and provisions of PPA shall be binding on us. Further, we confirm that the Project shall be commissioned within <b><u>13 months</u></b> of the date of execution of PPA.	In token of our acceptance to the RfS, and PPA along with the amendments and clarifications issued by MSEDCL, the same have been digitally signed by us and enclosed with the response to RfS. We shall ensure that the PPA is executed as per the provisions of the RfS, and provisions of PPA shall be binding on us. Further, we confirm that the Project shall be commissioned within <b><u>15 months</u></b> of the date of execution of PPA.
2.	PPA, Definition	“Scheduled COD” or “Scheduled Commercial Operation Date” means {insert date} (not exceeding <b><u>13 (Thirteen)</u></b> months from the date of execution of PPA.	“Scheduled COD” or “Scheduled Commercial Operation Date” means {insert date} (not exceeding <b><u>15 (Fifteen)</u></b> months from the date of execution of PPA.
3.	PPA, Clause 3.3.1 & 4.1.5	The Projects shall be commissioned within a period of <b><u>13 (thirteen)</u></b> months from the date of execution of the PPA.	The Projects shall be commissioned within a period of <b><u>15 (Fifteen)</u></b> months from the date of execution of the PPA.