



Regd. Office: NHPC Office Complex, Sector-33, Faridabad-121003(Haryana)
CIN: L40101HR1975GOI032564

CLARIFICATION NO. 1

Date: 07.11.2024

Name of Work: RfS for Selection of Solar Power Developers for Supply of 1200MW power from ISTS connected Solar Power Projects on ‘anywhere in India’ basis under Tariff Based Competitive Bidding (TBCB).					
Tender ID: 2024_NHPC_825552_1					
Sl. No	Clause No.	Page No.	Description as per Tender Specification	Bidders Queries	NHPC's Reply / Clarification
1	3.9.2.xii of RfS	39	The SPGs will be required to apply for connectivity at the identified substation, as mentioned in the Covering Letter (Format 6.1), within 30 days of issuance of LoAs , and shall furnish copies of the application, complete in all respect, to NHPC within 15 days of date of filing of application....	<p>As per the provision 5.8 of GNA Regulation, 2022, application of connectivity requires mention of specific date from which connectivity is sought.</p> <p>As per clause 3.14 of the rfs, while all efforts will be made to execute the PPA within 90 (Ninety) days of the date of issue of Letter of Award, it is possible that PPA signing may get delayed.</p> <p>In this scenario where there is a delay in PPA signing, the IPP has to bear the GNA costs as per the date mentioned in the connectivity application.</p> <p>Therefore, it is requested that application of connectivity be linked with Effective date of PPA instead of LoA in line with tenders issued by other REIA's</p>	Please refer sl no. 1 of Corrigendum 2
2	3.9.1 of RfS	36	The cells and modules used in the Project shall be sourced only from the models and manufacturers included in the “Approved List of Models and Manufacturers” as published by MNRE and updated as on the date of commissioning of the Project.	<p>Domestic solar cell manufacturing capacity presently is at ~6 GW, largely focused on PERC. Cell manufacturing based on high efficiency and new technologies like TOPCon and HJT are yet to be stabilized, and is inadequate to meet the demand for solar modules. Its estimated that much of these new technologies are likely to achieve COD in 2025 and 2026 and may require manufactures to go through learning curve before they can operate at designed capacity.</p> <p>Therefore, in order to encourage IPPs in early commissioning and use of superior technologies to lower LCOE, use of modules as approved in the ALMM list may be considered.</p> <p>Additionally, as the list of cells included in the ALMM list is not available, the IPPs will be exposed to pricing related risk for solar cells and therefore quote a higher tariff.</p> <p>In view of the above, it is requested that the said clause may be revised as follows:</p> <p>The modules used in the Project shall be sourced only from the models and manufacturers included in the “Approved List of Models and Manufacturers” as published by MNRE and updated as on the date of commissioning of the Project.</p>	Please refer sl no. 2 of Corrigendum 2
3	Introduction (Para 1.1), 3.13 and Article 4.1.n (SPG's Obligation) of PPA	8 & 45	<p>Introduction 1.1</p> <p>.....NHPC shall be an intermediary nodal agency for procurement of power supplied by the SPGs and sale of such power to the Buying Entity(ies) entirely on back-to-back basis, based on due performance by the SPGs as well as the Buying Entity(ies)</p> <p>3.13 PAYMENT SECURITY MECHANISM (PSM) CHARGES & SUCCESS CHARGES</p> <p>As part of the Payment Security Mechanism as brought out in the PPA, the SPG shall undertake to pay PSM Charges @ Rs. 0.02/kWh to NHPC, by offering commensurate discount in the monthly tariff payment being made by HPC or any amount in any form as per guidelines issued by MNRE/MOP. An undertaking to this effect needs to be submitted in the Covering letter to be submitted by the bidders as per Format 6.1. The modalities for operation of the payment Security Fund shall be as per the guidelines issued by MoP/MNRE from time to time</p>	<p>As per RfS, SPG has to pay PSM Charges @ Rs. 0.02/kWh to NHPC. We understand that NHPC will use this PSM corpus to ensure that the IPPs are protected from payment delays/defaults from buying entity.</p> <p>Therefore, it is requested to remove the mention of performance of buying entity in the introduction 1.1</p>	Please refer Clause 10.4.9 of PPA (Page 189)
4	1.1 of RfS	8NHPC shall be an intermediary nodal agency for procurement of power supplied by the SPGs and sale of such power to the Buying Entity(ies) entirely on back-to-back basis, based on due performance by the SPGs as well as the Buying Entity(ies)	<p>As per our discussion during the Pre bid meeting dated 21 Oct 2024, it is our understanding that as per Payment Security Mechanism, the developer will be eligible for coverage from the Payment Security Fund on agreeing to payment of PSM charges (INR 0.02 kWh).</p> <p>Please confirm our understanding.</p>	

Sl. No	Clause No.	Page No.	Description as per Tender Specification	Bidders Queries	NHPC's Reply / Clarification
5	1.1 of RfS	8	This document is for selection of Solar Power Generators (SPGs) for setting up Grid connected Solar-PV Power Projects of aggregate capacity of 1200 MW and additional capacity upto 1200MW with “Greenshoe Option” on the land to be identified & arranged by the SPGs in anywhere in India. The solar power produced by the selected SPGs from their respective Solar-PV Power Projects will be purchased by NHPC and would be sold to the State Utilities/ Discoms/any other Beneficiaries.	Please specify if any Discom/Buying Entity has been identified for this bid.	Discom / Buying Entity shall be identified after discovery of tariff post e-Reverse Auction
6	3.1 of RfS	39	The declared annual CUF shall in no case be less than 21%.	Requesting NHPC to amend declared annual CUF 19%	Bid Conditions shall prevail.
7	3.3 of RfS	29	BID PROCESSING FEE: For 50 MW Rs. 3 Lakh + Applicable GST@18% Above 50 MW up to 100 MW Rs. 5 Lakh + Applicable GST@18% Above 100 MW up to 250 MW Rs. 10 Lakh + Applicable GST@18% Above 250 MW up to 500 MW Rs. 20 Lakh + Applicable GST@18% Above 500 MW Rs. 30 Lakh + Applicable GST@18%	NHPC kindly confirm that bidder can deduct the TDS from the payment of Bid processing fees as per applicable TDS rules	It shall be governed by applicable Income tax rules. In case of TDS deduction, the bidder shall be required to submit the documentary proof of deduction.
8	3.9.1 of RfS	36	The cells and modules used in the Project shall be sourced only from the models and manufacturers included in the “Approved List of Models and Manufacturers” as published by MNRE and updated as on the date of commissioning of the Project. The bidders are advised to take cognizance of the O.M. dated 09.03.2021 issued by MNRE, on the subject of “Imposition of Basic Customs Duty (BCD) on Solar Cells & Modules/Panels”, while preparation of their response to this RfS. The above O.M. and its associated orders issued by the Ministry of Finance will be applicable on this tender and imposition of taxes/duties as laid out in the above OM, will not be considered under “Change in Law” under the PPA.	Do SPG need to consider ALMM Cells? If yes, then requesting NHPC to share ALMM list for cells	Please refer sl no. 2 of Corrigendum 2
9	1.5 of RfS	8	NHPC shall enter into PPA with successful SPGs for a period of 25 years from the date as per the provisions of PPA. The Bidders will be free to avail fiscal incentives like Accelerated Depreciation, Concessional Customs and Excise Duties, Tax Holidays etc. as available for such projects. The same will not have any bearing on comparison of bids for	Kindly confirm if bidder is allowed to avail the benefits related to Carbon credits and I-RECs.	It shall be governed by Rules, Guidelines regulations issued by GOI / CERC from time to time. May also Refer Clause A, C & 6.8 of PSA (Page 220 & 237)
10	3.1(b) of RfS	20	The Successful Bidder(s) intending to execute PPA for the Greenshoe Capacity shall have to meet the eligibility criteria for the capacity intended to be entered into PPA under “Greenshoe Option”. Successful Bidder(s) shall have to comply with the same by making submissions required in accordance with Section 3 of the RfS within a period of 14 days from the conclusion of the e-reverse auction.	Kindly confirm that under this clause, the referred requirement is the financial criteria only.	Bidder understanding is in line with the bid document conditions.
11	3.3 of RfS	29	Prospective bidders interested to participate in the bidding process are required to submit their offer on-line on the website http://eprocure.gov.in/eprocure/app along with a non-refundable processing fee as mentioned below through Demand Draft in favour of “NHPC Limited” payable at Faridabad only:	We kindly request NHPC to incorporate provisions for payment of processing fees through NEFT/RTGS: Prospective bidders interested to participate in the bidding process are required to submit their offer on-line on the website http://eprocure.gov.in/eprocure/app along with a non-refundable processing fee as mentioned below through Demand Draft in favour of “NHPC Limited” payable at Faridabad only or through NEFT/RTGS in the account of NHPC:	Currently payment of processing fee through NEFT/RTGS is not available. Bid document condition shall prevail.
12	3.8.3 Notes -6 of RfS	33	A Company/Consortium would be required to submit Annual Audited Accounts for the last Financial Year in accordance to Note 8 below alongwith net worth, annual turnover and PBDIT certificate (as applicable) from Statutory Auditor with Unique Document Identification Number (UDIN) to demonstrate fulfillment of criteria. In case, bidder is seeking qualification based on networth as on the day not more than seven (07) days prior to the due date of bid submission, it shall submit a certificate from Statutory Auditor certifying the availability of Net worth on the date not more than seven (07) days prior.....	We request to allow the said issuance from Practicing Chartered Accountant also: A Company/Consortium would be required to submit Annual Audited Accounts for the last Financial Year in accordance to Note 8 below alongwith net worth, annual turnover and PBDIT certificate (as applicable) from Statutory Auditor/ Chartered Accountant with Unique Document Identification Number (UDIN) to demonstrate fulfillment of criteria. In case, bidder is seeking qualification based on networth as on the day not more than seven (07) days prior to the due date of bid submission, it shall submit a certificate from Statutory Auditor/ Chartered Accountant certifying the availability of Net worth on the date not more than seven (07) days prior.....	Bid document condition shall prevail.
13	3.9.1 of RfS	36	The cells and modules used in the Project shall be sourced only from the models and manufacturers included in the “Approved List of Models and Manufacturers” as published by MNRE and updated as on the date of commissioning of the Project	ALMM Mandate has not been passed for Solar Cells.: The cells and modules used in the Project shall be sourced only from the models and manufacturers included in the “Approved List of Models and Manufacturers” as published by MNRE and updated as on the date of commissioning of the Project	Please refer sl no. 2 of Corrigendum 2
14	3.13 of RfS	45	As part of the Payment Security Mechanism as brought out in the PPA, the SPG shall undertake to pay PSM Charges @ Rs. 0.02/kWh to NHPC, by offering a commensurate discount in the monthly tariff payment being made by NHPC or any amount in any form as per guidelines issued by NRE/MOP. An undertaking to this effect needs to be submitted in the Covering letter to be submitted by the bidders as per Format 6.1. The modalities for operation of the Payment Security Fund shall be as per the guidelines issued by MoP/MNRE from time to time.	Kindly confirm if the PSM mentioned under this clause are mandatory to consider or if RPD can choose to not pay the PSM charges applicable.	Its mandatory to make payment of PSM charges as per the modalities / guidelines being finalized by MOP/MNRE (Refer Clause 6.3 of Solar bidding guidelines)