

Clarification-1, dated 04.09.2013 on RFQ document for selection of Bidder as Transmission Service Provider (TSP) to establish Transmission System for NRSS – XXIX through tariff based competitive bidding process.

S. No	Clause No.	Reference Clause	Bidders Query	Response to Query
1	4.10	Authorization for use of Technical / Financial Capability of M/s..... (Insert name of Parent / Affiliate) by M/s (Insert name of Bidding Company / Member of Bidding Consortium)	If the Board of the TEE passes a resolution authorizing a committee of board directors to subsequently authorize power of attorney , approve and issue common seal at RFQ stage for all RECTPCL PPP projects being participated by the bidding company , would such authorizations and approvals given by the committee of directors suffice for the TEE to issue 4.10 or should the TEE obtain resolutions from the full board for each project RFQ before issuing 4.10 to the bidding company	Provisions of RFQ shall apply.
2	2.1.2	In case of a Bidding Consortium, the technical requirement should be met by the Lead Member of the Consortium or its Affiliate/Parent	If a Company (A) holds more than 26% equity in the bidding company (F) via multiple subsidiaries (B,C,D,E) none of whom may hold 26% individually in Bidding company as depicted in the diagram below. Can such a company still qualify as the TEE or FEE of the bidding company (F) given that the bidding company still remains in indirect control of such company	Provisions of RFQ shall apply.
3	Definitions	Affiliate	Company A owns more than 26% each in Company B and company C. Company B in	No.

			turn owns more than 26% in company D as depicted in the diagram below. Can company D being the bidding company use the technical /financial qualifications of its affiliate company C.	
4	2.2.6.4	Change from Bidding Company to Bidding Consortium	If two separate entities A&B qualify in the RFQ stage and post qualification B decides not to bid for RFP, can A change from a bidding company to a bidding consortium (with A being the lead member and meeting all the qualification requirements as per RFQ clause 2.2.6.4) with B being a member of such a consortium meeting the prorata net worth qualification requirement?	Yes. Provided that the Bidder continues to meet the relevant provisions of the RFQ & RFP in this regard.
5	2.2.6.4	Change from Bidding company to bidding consortium	In continuation with the question above, if B is disqualified at the RFQ stage can A convert from a Bidding company to a bidding consortium with A being the lead member with all the required qualifications and B being a member of such a consortium with the pro-rata net worth qualification requirement as per clause 2.2.6.4 or does disqualification of B forbids it from being eligible to apply as a consortium member (non lead) with A	Provisions of RFQ shall apply.
6	2.1.7	RFQ Clause 2.1.7	Generally the TSA is signed by the SPV (under control of	The Bidder is required to meet the

			<p>RECTPCL) with the LTTCs before the bid submission by the bidders. In the context of RFQ clause 2.1.7 , does the bidding company /consortium have to continue meeting the RFQ qualifications:</p> <p>a) Till the date of TSA signing between SPV and LTTCs</p> <p>Or</p> <p>b) Till the date of acquisition of SPV by the bidding company and execution of the share purchase agreement?</p>	<p>qualifications till the time of acquisition of the SPV.</p>
7	4.7 D ii	<p>Technical Capability (Attachment 2), Note 2: For each project listed in the table, the Bidder shall furnish an executive summary including the following information...</p>	<p>As per the note, the table should list the details of multiple projects. Our interpretation is that the columns labeled Year 1 to Year 5 is a typo which should be replaced by Project 1 to Project 5. Please clarify if our interpretation is correct. If not do we have to populate a separate table with last 5 years data for each project</p>	<p>i) The table requires the Bidder to submit particulars of the relevant project(s) in the last five (5) years.</p> <p>ii) As per Note 2, the Bidder is required to submit an executive summary for each such project as listed in the table with respect to the information sought in the format.</p>