

**Request for Proposal
for
Setting up Wind Power projects
in
Madhya Pradesh**

Ref. No.: W01/336

Issue date: 24.5.2012

**(As per the provisions under Policy for implementation of Wind Power Projects
in Madhya Pradesh -2012)**

Issued by

**OFFICE OF THE COMMISSIONER
NEW AND RENEWABLE ENERGY
GOVERNMENT OF MADHYA PRADESH
Urja Bhawan, Near - 5 no. bus stop, Shivaji Nagar, Bhopal – 462016
Phone: 0755-2551438, 2556566, 2767270
Fax: 0755-2553122**

**OFFICE OF THE COMMISSIONER,
NEW AND RENEWABLE ENERGY,
MADHYA PRADESH**

NOTICE INVITING PROPOSALS

(Setting up Wind Power Projects in the state of Madhya Pradesh)

Ref. No.: W01/336

Issue date: 24.5.2012

The Government of Madhya Pradesh has notified "**Policy for implementation of Wind Power Projects in Madhya Pradesh -2012**" vide notification no. 44 dated 30th January, 2012 for the development of Wind Power projects in the state through private sector participation. In pursuance to the provisions under the clause 2 (Part A) of Policy, the Office of the Commissioner invites proposals on behalf of New and Renewable Energy Department, GoMP, for setting up Wind Power Projects at various sites identified by the prospective Developers

Prospective Developers are requested to submit their applications (separate for each site) in the prescribed formats at the following address by 05.00 pm on 03/07/2012:

Deputy Commissioner
Office of commissioner,
New and Renewable Energy ,
Government of Madhya Pradesh,
Urja Bhawan, Near - 5 no. bus stop, Shivaji Nagar,
Bhopal – 462016
Tel. No: 0755-2551438, 2556566, 2767270
Fax: 0755-2553122
E-mail ID: mpnred.wind@gmail.com

The Request for Proposal document along with application formats and details on selection procedure are available on the website: www.mprenewable.nic.in. Interested Developers may also obtain further information or any clarification at the address mentioned above during office hours.

DISCLAIMER

1. This Request for Proposal (RfP) document is not an agreement or offer by Government of Madhya Pradesh (GoMP) or any of its Departments and Agencies to the prospective Developers. The purpose of this RfP document is to provide interested parties with information to assist the formulation of their responses to RfP.
2. This RfP document does not purport to contain all the information each Developer may require and may not be appropriate for all persons. It is not possible for GoMP to consider the investment objectives, financial situation and particular needs of each Developer who reads or uses this RfP document. Certain Developers may have a better knowledge of the Project than the others. Each Developer should conduct his own

investigations, analyses and should check the accuracy, reliability and completeness of the information in this RfP document and obtain independent advice from appropriate sources.

3. Neither GoMP (or any of its Departments and Agencies) nor their employees or consultants make any representation or warranty as to the accuracy, reliability or completeness of the information in this RfP document.
4. Neither GoMP, its employees nor its consultants will have any liability to any Developer or any other person under the law of contract, tort, the principles of restitution or unjust enrichment or otherwise for any loss, expense or damage which may arise from or be incurred or suffered in connection with anything contained in this RfP document, any matter deemed to form part of this RfP document, the allotment of the project sites, the information supplied by or on behalf of GoMP or its employees, any consultants or otherwise arising in any way from the selection process for the Wind Power Projects.
5. By participating in this selection process, each of the Developer shall have acknowledged and accepted that he has not been induced to enter into such agreement by any representation or warranty, express or implied, or relied upon any such representation or warranty by or on behalf of GoMP or any person working in the selection process.
6. GoMP may in its absolute discretion, but without being under any obligation to do so, update, amend or supplement this RfP document.
7. Each Developer unconditionally agrees, understands and accepts that the GoMP reserves the right to accept or reject any or all Responses without giving any reason. Neither the GoMP nor its advisors shall entertain any claim of any nature, whatsoever, including without limitations, any claim seeking expenses in relation to the preparation of Responses.
8. Though adequate care has been taken while preparing the RfP document, the Developer shall satisfy himself that the documents are complete in all respects.

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Request for Proposal for Setting up Wind Power projects in Madhya Pradesh

SECTION 1

1. INTRODUCTION

- The Government of Madhya Pradesh has notified “***Policy for implementation of Wind Power Projects in Madhya Pradesh -2012***” (hereinafter referred to as “Policy”) vide notification no. 44 dated 30th January, 2012 for the development of Wind Power (hereinafter referred to as “Projects”) projects in the state through private sector participation. The Policy document is available on the website mprenewable.nic.in.

In pursuance to the provisions under the clause 2 (Part A) of Policy, the Office of the Commissioner invites proposals on behalf of New and Renewable Energy Department, GoMP, for setting up Wind Power Projects at various sites identified by the Prospective Developers. The application formats and details on procedure are available on the website: www.mprenewable.nic.in. If the Prospective Developer is interested in applying for more than one project, separate applications along with project fee for each project shall be submitted. However, total cumulative proposal upto maximum of 100 MW shall only be considered from any developer if proposal is on Government land. The Developer can apply for any capacity if his application is for setting project on private land. The applications in the prescribed formats shall be received at the below mentioned office on all working days from 11:00 AM to 05:00 PM.

***Deputy Commissioner,
Office of the Commissioner,
New and Renewable Energy ,GoMP,
Urja Bhawan, Near - 5 no. bus stop,
Shivaji Nagar, Bhopal – 462016***

Tel. No: 0755-2551438, 2556566, 2767270

Fax: 0755-2553122

E-mail ID: mpnred.wind@gmail.com

Interested Developers may obtain further information or any clarification at the address mentioned above. Last date for submission of completed application is up to 05.00 PM on 03/07/2012 (3rd July 2012).

SECTION 2

2. INFORMATION AND INSTRUCTIONS TO DEVELOPERS

2.1 Eligibility for participation

As specified under clause 1.2 (Part A) of the Policy, any Individual/Firm /Society/Organization/Registered Company etc. (also referred to as “Applicant/Developer”) may submit application for project development.

2.2 Submission of Response to RfP by the Applicant/ Developer

2.2.1 The information and documents in Response to RfP will be submitted by the Applicant/ Developer as per the formats specified in Section- 4 (Formats for Response to RfP) of this document;

2.2.2 Strict adherence to the formats wherever specified, is required. Wherever, information has been sought in specified formats, the Developers shall refrain from referring to brochures/pamphlets. Non-adherence to formats and/or submission of incomplete information may be a ground for declaring the Response to RfP as non-responsive. Each format has to be duly signed and stamped by the authorized signatory of the Applicant/ Developer;

2.2.3 The Applicant/ Developer should designate one person to represent it in dealing with the New and Renewable Energy Department, GoMP. The person should be authorized to perform all tasks including, but not limited to providing information, responding to enquires, signing of Response to RfP etc. The Developer should submit, along with Response to RfP, a Power of Attorney (hereinafter referred to as “PoA”) as per the format 4.4, authorizing the signatory of the Response to RfP.

2.3 Receipt and opening of Responses to RfP

2.3.1 The Response to RfP, placed in a sealed envelope (*Main Envelope*) duly superscribed "***Application for the allotment of Wind Power project***", must be delivered to the address hereunder on or before *05.00 pm* on *03/07/2012*. The Responses to this RfP will be opened on *04/07/2012* at *11.30 am*, in the presence of the Developer’s representative who wish to attend. If the last date of receipt of the Responses to RfP is a public holiday at the place of submission of Response to RfP, it shall be received on the next working day at the same time and venue.

2.4 Method of submission

2.4.1 The Response to RfP is to be submitted in a sealed envelope (*Main Envelope*) which should be transcribed in the following manner:

"Application for the allotment of Wind Power project"

To,
Deputy Commissioner,
Office of the Commissioner,
New and Renewable Energy,
(Government of Madhya Pradesh)
Urja Bhawan, Near - 5 no. bus stop,
Shivaji Nagar, Bhopal – 462016

“Name of the Developer”

- 2.4.2 The *Main Envelope* shall contain the following documents :
- Covering letter as per Format- 4.1;
 - Power of Attorney as per Format- 4.4; and
 - Separate sealed envelope: *Detail Envelope*.
- 2.4.3 The *Details Envelope* duly superscribed **“Part B - Technical Details of Wind Power site”** shall include the following documents:
- The Applicant details as per Format 4.2; and
 - The technical details of the sites as Format 4.3 .
- 2.4.4 The sealed envelope (*Applicant details and Technical Details*) along with the Covering Letter (*Format 4.1*) and Power of Attorney (*Format 4.4*) should be enclosed in Main Envelope and submitted in sealed form to the Office of Commissioner (New and Renewable Energy , GoMP) within the specified time limit;
- 2.4.5 The Applicant/ Developer has the option of sending his Response to RfP by courier/registered post/speed post or submitting in person so as to reach at the designated address by the time and date stipulated in this RfP. Responses submitted by telex/ telegram/ fax/ email shall not be considered under any circumstances. The New and Renewable Energy Department, GoMP shall not be responsible for any delay in receipt of Response. Any Response to RfP received by GoMP after the time and date for submission of the Responses stipulated in the RfP shall not be opened and returned unopened;
- 2.4.6 No change or supplemental information to the Response to RfP already submitted will be accepted after the scheduled date and time of submission of Response to RfP. Notwithstanding the above, the GoMP reserves the right to seek additional information from the Developer, if found necessary, during the course of evaluation of Response to RfP; and

- 2.4.7 If the envelopes are not closed and not superscribed as per the requirement, the GoMP will assume no responsibility for its misplacement or premature opening.

2.5 Response preparation cost

- 2.5.1 The Applicant/ Developer shall be responsible for all the costs associated with the preparation and submission of the Response to RfP and participation in discussions. The GoMP shall not be responsible in any way for such costs, regardless of the conduct or outcome of the selection process for setting up of projects as per the guidelines given in this RfP document.

2.6 Applicant/ Developers may note that:

- 2.6.1 All the information and documents in Response to RfP should be submitted in English language only;
- 2.6.2 Applicant/ Developer shall mention the name, designation, telephone number, fax number, email address of the authorized signatory and complete address of the Applicant/ Developer in the covering letter;
- 2.6.3 All pages of the response submitted must be initialed and stamped by the authorized signatory on behalf of the Applicant/ Developer;
- 2.6.4 If Applicant/ Developer is interested in applying for more than one project, separate applications for each project shall be submitted;
- 2.6.5 Projects applied should be at safe distance as technically required from the existing Wind Turbine Generators (WTGs) and the proposed WTGs. If the proposal is found to be not at the safe distance then the proposal will not be considered.
- 2.6.6 Applicant/ Developer may refer the available data regarding the locations of the existing/ under commissioning/ registered/ under registration wind power projects and available wind resource data of the State will be available on website www.mprenewable.nic.in. The applicant/ developer to note that these data are for assistance only before applying they verify the actual field details.

2.7 Clarification on RfP document

- 2.7.1 The New and Renewable Energy Department, GoMP will not enter into any correspondence with Developer, except to furnish clarification on this RfP, when necessary. Developer may seek clarifications about the RfP in writing up to fifteen (15) days prior to the last date of submission of Response to RfP;

2.7.2 The Developers may seek clarifications with respect to this document from:

***Deputy Commissioner,
Office of the Commissioner,
New and Renewable Energy ,GoMP,
Urja Bhawan, Near - 5 no. bus stop,
Shivaji Nagar, Bhopal – 462016
Tel. No: 0755-2551438, 2556566, 2767270
Fax: 0755-2553122
E-mail ID: mpnred.wind@gmail.com***

2.7.3 At any time, Commissioner New and Renewable Energy (NRE) may, for any reason, whether at its own initiative or in Response to clarification requested by any Applicant/ Developer may modify the RfP by issuance of addendum/modification/errata and /or revised document. Such document shall be made available on the website. In order to ensure that Applicants/ Developers have reasonable time to take the modification into account in preparing their Response to RfP, or for any other reasons, the Commissioner (NRE) may at its discretion, extend the due date for submission of Response to RfP; and

2.7.4 All modifications shall become part of the terms and conditions of this RfP. No interpretation, revision or communication regarding this RfP is valid, unless made in writing.

2.8 Right to reject the proposal

2.8.1 The Commissioner (NRE) reserves the right to reject any or all the proposals or annul the process without assigning any reason. The Commissioner (NRE) shall not bear any liability, whatsoever, in this regard; and

2.8.2 Non submission and/or submission of incomplete data/information required under the provisions of RfP shall not be construed as waiver on the part of Commissioner (NRE) of the obligation of the Applicant/ Developer to furnish the said data/information unless the waiver is in writing.

SECTION 3

3. EVALUATION OF RESPONSE TO RfP AND ALLOTMENT

3.1 The evaluation process comprises the following three steps:

- Step I: Responsiveness check
- Step II: Compliance with submission requirements
- Step III: Evaluation of Response to RfP

3.1.1 Step I: Responsiveness check:

The Response submitted by the Applicant/ Developer shall be initially scrutinized to establish “Responsiveness”. Any of the following conditions shall cause the Response to RfP to be “Non-responsive”:

- Response to RfP that is incomplete
- Response to RfP not received by the schedule date and time
- Response to RfP not signed by the authorized signatory and/or stamped in the manner indicated in this RfP
- All pages of the Response to RfP submitted but not initialed by the authorized signatories on behalf of the Developer
- Response to RfP not including the covering letter as per format 4.1
- Response to RfP contains material inconsistencies in the information and documents submitted by the Applicant/ Developer
- Information not submitted in formats specified in the RfP
- Response to RfP having conflict of interest
- Applicant/ Developer delaying in submission of additional information or clarifications sought by the Commissioner (NRE).
- If the Applicant/ Developer makes any misrepresentation as specified in the clause 3.2

3.1.2 Step II: Compliance with submission requirements:

Each Applicant’s/ Developer’s Response to RfP shall be checked for compliance with the submission requirements set forth in this RfP before the evaluation of Response to RfP is taken up.

3.1.3 Step III: Evaluation of Response to RfP

- Evaluation of Response to RfP will be carried out considering the information and documents furnished by the Applicants/ Developers as required under this RfP;

- The proposal shall be matched in terms of existing/under execution and proposed Wind Turbine Sites of GoMP or already registered or under registration projects for the purpose of safe distance from the proposed WTG to that of these sites. For the purpose, safe distance shall be taken as 7 times the rotor diameter in direction of wind and 4 times the rotor diameter in direction perpendicular to the wind. If the proposed WTGs are not at the safe distance as provided here in above then the site shall not be allowed for development;
- For the purpose it is required that applicant/ developer provides the tentative micro-siting of the proposed WTGs so that evaluation of the safe distance is carried out ;and
- In case the applicants/ developers make cumulative proposal of more than 100 MW on Government land then proposal upto 100 MW shall only be considered.

3.2 Misrepresentation by the Applicant/ Developer

3.2.1 If the Applicant/ Developer conceals any material information or makes a wrong statement or misrepresents facts or makes a misleading statement in Response to RfP of Bid, as the case may be, in any manner whatsoever, in order to create circumstances for the acceptance of its Response to RfP/Bid, the Commissioner (NRE), reserves the right to reject such Response to RfP/Bid, and or cancel the Letter of Allotment, if issued.

3.3 Disposition of Response to RfP

3.3.1 Response to RfP found to be Non-responsive as per Clause 3.1.1, due to any of the conditions mentioned therein, shall be liable for rejection.

3.3.2 Commissioner (NRE) reserves the right to interpret the Responses to RfP in accordance with the provisions of this RfP document and make its own judgement regarding the interpretation of the same. In this regard, the Commissioner (NRE) shall have no liability towards any Applicant/ Developer and no Applicant/ Developer shall have any recourse to Commissioner (NRE) with respect to the selection process.

The Commissioner (NRE) shall evaluate Response to RfP using the process specified in Clause 3.1, at its sole discretion. The Commissioner (NRE) decision in this regard shall be final and binding.

3.4 Allotment of project sites

3.4.1 Private Land: Proposed site on private land shall be allotted to the developer provided the technical requirement of safe distance from existing or proposed

wind turbine generators of Government or registered projects or applied projects is maintained.

3.4.2 Government land :

3.4.2.1 In case of a single application for a particular site with no matching or overlapping technical governing parameters, the further allotment process shall be undertaken in accordance with the provisions under the Policy;

3.4.2.2 In case of submission of applications by more than one Applicant/ Developer for the same site and are within the technical safe distance of each other then the project site allotment will be done based on competitive bidding;

3.4.2.3 The bidding will be on premium basis and site shall be registered in the name of Applicant/ Developer offering maximum premium for development of the project in accordance with the provisions of clause 2 (Part A) of the Policy;

3.4.3 In case of evaluation of proposal is made in favour of the applicant/ developer the further action as per the provision of the Policy shall be taken up for letter of allotment (LOA); and

3.4.4 On receipt of LOA, the applicant shall act as per the provisions and milestones specified in the Policy.

SECTION 4

4. FORMATS FOR RESPONSE TO RfP

The following formats are required to be included in the Applicant's Developer's Response to RfP.

- Format for the Covering Letter
- Format for details of Applicant/Developer
- Format for the Technical Details of the site
- Format for Power of Attorney

Applicant/ Developer may use additional sheets to submit the information for its detailed Response.

4.1.Format for Covering Letter

(FROM APPLICANT TO DEPUTY COMMISSIONER, NEW AND RENEWABLE ENERGY , MP)

(On letterhead of Applicant)

(Address of Applicant)

Letter Ref. No. :

Date: *(dd-mm-yyyy)*

To,
The Deputy Commissioner,
Office of the Commissioner,
New and Renewable Energy , MP,
Urja Bhawan, Near - 5 no. bus stop,
Shivaji Nagar, Bhopal – 462016

Sub: Application in Response of RfP for setting up Wind Power Project in Madhya Pradesh as per the provisions under “*Policy for implementation of Wind Power Projects in Madhya Pradesh -2012*”

Ref: *RfP No.* _____, *Dated:* _____

Kind Attention: *(Deputy Commissioner)*

Dear Sir,

We, having reviewed and fully understood in detail all the information provided in the RfP document, hereby submit our application in full compliance with the provisions specified in the RfP document for setting up Wind Power project of capacity _____(MW) near _____Village of _____ Taluka at _____ District, in the State of Madhya Pradesh.

We are enclosing herewith the following information with duly signed formats as desired by you for your consideration:

S.No.	Documents as required under RfP document	Enclosed (Yes/No)
1	Details of Applicant <i>(as per Format 4.2)</i> Checklist of supporting documents - _____ - _____ - _____	<i>(Yes/No)</i>
2	Technical Details of site <i>(as per Format 4.3)</i> Checklist of supporting documents - _____ - _____ - _____	<i>(Yes/No)</i>
3	Power of Attorney <i>(as per Format 4.4)</i>	<i>(Yes/No)</i>

We understand that the allotment of the project shall be as per the details mentioned in the RfP document and the provisions under the “*Policy for implementation of Wind Power Projects in Madhya Pradesh -2012*”. We agree to abide by the provisions under the abovementioned Policy and the procedures laid down under the RfP document issued by Commissioner (NRE).

We declare that the information as submitted by us in this application and in the subsequent formats is true to the best of our knowledge. In case any information given by us in this application or attached documents is found to be incorrect at any point of time, we understand that the Commissioner (NRE) or any other department authorized by them may reject our Response to RfP/Bid, and/or cancel the Letter of Allotment, if issued.

Yours truly,

(Signature)

(Name of the authorized person for Applicant)

(Designation of the authorized person)

(Address of the authorized person)

(Contact details of the authorized person: telephone no. , fax no.)

For _____ *(Name & Address of the Applicant*)*

Note:

** With seal*

4.2. Format for Details of Applicant/Developer

S.NO.	DESCRIPTION	DETAILS
1.	<p>Name of the Applicant Individual/Firm /Society/Organization/Registered Company etc</p> <p><u>Registered office address:</u> Telephone no.: Fax no.: Web site:</p> <p><u>Correspondence address:</u> Telephone no: Fax no:</p>	
2.	Name of the chief executive officer/ Managing Director	
3.	Type of the Applicant (<i>Individual/Hindu Undivided Family/Partnership/Pvt. Ltd. Co./Public Ltd. Co./ Society/ Co- operative Society/Others– please specify</i>)*	
4.	Name of directors/partners of the organization (<i>if applicable</i>)	
5.	Name and address for correspondence with Authorized Representative# of Applicant	

	Telephone no.: Fax no.: Email:	
6.	Details on current business of the Applicant	
7.	Whether Applicant has experience in Wind power projects? (yes/no)^	
8.	Whether the Applicant or any of its promoter(s)/director(s)/ associates are blacklisted by any central government or state government/ department/ agency in India? (yes/no)≠	
9.	Any other information	

Note:

** Attested copies of:*

- *Registration certificate/Incorporation proof*
- *Partnership deed, in case of partnership firm*
- *Copy of Bye Laws of Society/Co-operative Society along with list of members*
- *In case of individual, declaration on non-judicial stamp paper of relevant value, duly notarized, to the effect that he is applying for the project as a sole proprietary*

#Enclose attested copy of Power of Attorney as per Format – 4.4

^If yes, then please furnish details

≠Enclose Affidavit on non-judicial stamp paper of relevant value certifying that Applicant/Promoter(s)/Director(s) of Applicant are not blacklisted

4.3. Format for technical details of site

S.NO.	DESCRIPTION	DETAILS
1.	Project Location i. Village (nearest) ii. Tehsil iii. District iv. Approach by Road v. Nearest Railway Station vi. Whether in forest area (yes*/no)	
2.	Proposed Project Capacity (MW)	
3.	Proposed number of WTGs with individual capacity (kW).	
4.	Type of Land on which project is proposed (Revenue/Forest/ tribal or private) **	
4.	Tentative micro-siting plan of proposed wind farm on survey of India map in scale 1:30000 giving coordinates of WTGs	
7.	Details w.r.t power evacuation (proposed) i. Name of the nearest substation ii. Distance of nearest substation from project site iii. Capacity of substation iv. Voltage at which project is proposed to be connected	

Note:

** Give details

* In case of revenue land give survey number and in case of private land furnish the land ownership record with registration or agreement with the owner for land use.

Use separate sheets, if required

4.4. Format for Power of Attorney

POWER OF ATTORNEY

Know all men by these presents, We.....(*name and address of the registered office*) do hereby constitute, appoint and authorise Mr / Ms.....(*name and residential address*) who is presently employed with us and holding the position of as our attorney, to do in our name and on our behalf, all such acts, deeds and things necessary in connection with or incidental for the project including signing of all documents in our Response to Request of Proposal for allotment of Wind Power site of _____ capacity (*MW*) in District _____ of Madhya Pradesh in the country of India, including submission of all documents and providing information / Responses to State Government, representing us in all matters before State Government, and generally dealing with State Government in all matters in connection for the said Project.

We hereby agree to ratify all acts, deeds and things lawfully done by our said attorney pursuant to this Power of Attorney and that all acts, deeds and things done by our aforesaid attorney shall and shall always be deemed to have been done by us.

For (Insert name of the Applicant/ Developer on whose behalf PoA is executed)

_____ (**Signature**)

Name:

Designation:

Accepted

Specimen signatures of attorney attested

(Signature of Notary Public)

_____ (**Signature**)

(Name, Designation and Address of the Attorney)

Place :.....

Date:.....

Note:

(1) *The mode of execution of the Power of Attorney should be in accordance with the procedure, if any, laid down by the applicable law and the charter documents of the executants(s) and when it is so required the same should be under common seal affixed in accordance with the required procedure.*

(2) *In case the applicant is individual then separate declaration to this effect shall be required to be submitted.*