



16. Non-Financial Bids were publicly downloaded at 12.30 PM on 16/12/2021 by the above Committee at UPNEDA's head office at Gomti Nagar, Lucknow in the presence of representatives of bidding company who chose to attend. Since out of two bids, both the bidders submitted offer for two projects for total capacity 125 MW, accordingly as per provision in the bidding guidelines, evaluation of the bids for allocation of two projects having total capacity 125 MW was carried out by Bid Evaluation Committee.

17. As per evaluation, bids submitted by both the bidders for three projects were found to be technically responsive as follows:

Sr. No.	Name of Bidder	Bid received for total Capacity (MW)	No. of Projects for which Bid technically evaluated and found responsive
1	M/s. SJVN Ltd., New Delhi	125	02 (125 MW)
2	M/s. ABREL SPV-2 Mumbai	125	02 (125 MW)

18. The financial bids of the above technically qualified bidders were downloaded and opened on 28.12.2021 in presence of Bid evaluation committee and are tabulated as follows:

Sr. No.	Bidders ID	Name of Bidders	Bid Projects (Location) Capacity (MW)	Quoted Tariff in Financial Offer (before e-RA) in Rs./kWh	Rank
1	ETS-IN-2019-RS0000062	M/s. SJVN Ltd., New Delhi	75 MW at Gurhah Project 50 MW at Gujrai Project	2.99	1
2	ETS-IN-2021-RS0000128	M/s. ABREL SPV-2 Mumbai	75 MW at Gurhah Project 50 MW at Gujrai Project	2.99	1

19. Both the bidders were found to be eligible for participation in e-Reverse Auction which was carried out on 28.12.2021 firstly for Project Gurah district Jalaun (75 MW) at 3.15 PM. Final tariff received after e-Reverse Auction for allocation of Gurah Project (75 MW) is as follows:



Sr. No. & Rank	Bidders ID	Name of Bidders	Quoted Tariff in Financial Offer (before e-RA) in Rs./kWh	Final Tariff after e-RA (Tariff for 25 years) in Rs./kWh
1	ETS-IN-2019-RS0000062	M/s. SJVN Ltd., New Delhi	2.99	2.98
2	ETS-IN-2021-RS0000128	M/s. ABREL SPV-2 Mumbai	2.99	2.99

20. Both the bidders were found to be eligible for participation in e-Reverse Auction which was carried out on 28.12.2021 for Project Gujrai district Kanpur Dehat (50 MW) at 4.15 PM. Final tariff received after e-Reverse Auction for allocation of Gujrai Project (50 MW) is as follows:

Sr. No. & Rank	Bidders ID	Name of Bidders	Quoted Tariff in Financial Offer (before e-RA) in Rs./kWh	Final Tariff after e-RA (Tariff for 25 years) in Rs./kWh
1	ETS-IN-2019-RS0000062	M/s. SJVN Ltd., New Delhi	2.99	2.98
2	ETS-IN-2021-RS0000128	M/s. ABREL SPV-2 Mumbai	2.99	2.99

21. The Evaluation Committee recommended for approval of fixed tariff quoted by two bidding companies for 25 years for the projects (Location):

Sr. No.	Name of Bidders	Project Name	Bid Project Capacity (MW)	Quoted Tariff in Financial Offer (before e-RA) in Rs./kWh	Final Tariff after e-RA (Tariff for 25 years) in Rs./kWh
1	M/s. SJVN Ltd., New Delhi	Gurah District Jalaun	75	2.99	2.98
2	M/s. SJVN Ltd., New Delhi	Gujrai District Kanpur Dehat	50	2.99	2.98

22. The fixed tariff approved for total project capacity 125 MW is tabulated hereunder:

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Sr. No.	Name of Bidders	Project Name	Allocated Project Capacity (MW)	Final Tariff after e-RA (Tariff for 25 years) in Rs./kWh
1	M/s. SJVN Ltd., New Delhi	Gurah District Jalaun	75	2.98
2	M/s. SJVN Ltd., New Delhi	Gujrai District Kanpur Dehat	50	2.98

23. UPNEDA issued LOA dated 05.01.2022 to the above bidding company and the selected Solar Project Developer was directed to deposit Contract Performance Guarantee (CPG) of required amounts and enter into PPA with UPPCL (Procurer) within 30 days of issuance of Letter of Intent. After submission of CPG by the firm M/s SJVN Ltd., New Delhi to UPNEDA, PPA's for procurement of 75 MW Power from Gurah Project Jalaun and for 50 MW Project Gujrai, Kanpur Dehat were signed by UPPCL on 30.02.2022.

Record of Proceedings

24. The Commission held the hearing on 28.06.2022. On a specific query of Commission with regard to approval of deviation in the bidding documents released by UPNEDA vis-à-vis Standard Bidding Document floated by MNRE, Ms. Kalra informed the Commission that specific approval from the Commission with regard to inclusion of clause of non-consideration of "Imposition of Basic Customs Duty (BCD) on Solar PV Cells & Modules/Panels" under "Change in Law" under the PPA in RFP were not taken before reinviting bids. Ms. Kalra further submitted that the Tariff quoted by the firms is with the Ceiling limit of Rs. 3.00/kWh. Ms. Kalra further submitted that even if the specific clause would not have been included in the RFP, it would not have affected the Tariff quoted by the firms which participated in the bidding. The representative for UPNEDA and UPPCL jointly requested the Commission to adopt the tariff and approve the SJVN PPA dated 03.02.22.

Commission's View

25. The following activities have been carried out by UPNEDA for bidding:

Sr. No.	Activity	Date
1	Publication of NIT, RFP and Rfp Documents	09.09.2021
2	Conduction of Pre-Bid Meeting	-
3	Submission and Opening of Response to the RFP by Bidders	16.12.2021
4	Evaluation of Technical Proposal	17.12.2021
5	Opening and Evaluation of Financial Proposal of Technically Qualified Bidders	28.12.2021
6	Conducting e-reverse auction	28.12.2021



Sr. No.	Activity	Date
7	Issue of Letter of Intent to Successful Bidders	05.01.2022
8	Signing of PPA of total 125 MW	03.02.2022

26. LOIs were issued on 05.01.2022 within 20 days from the extended date of submission and opening of Response to the RfS by bidders against normal period of 88 days as given in the Bidding Guidelines. Subsequently, PPA dated 03.02.2022 was signed with successful bidder M/s SJVN Ltd. Within 30 days from the issuance of LOI.

27. As per Clause (10.2) of the Bidding Guidelines after the conclusion of Bidding Process, evaluation committee has provided a certificate of conformity of the bid process evaluation according to provisions of RfS document. Procurer has also provided a certificate of conformity of the bid process. As per Clause (10.3) of the Bidding Guidelines, full details of the successful bidders have been posted on UPNEDA's website www.upneda.org.in and procurer's website www.uppcl.org.

28. The Commission observed that UPNEDA has not sought prior approval of the Commission before making deviations in the Bidding Guidelines under RfP and has conducted the bidding Process. UPNEDA management is directed to take prior approval of such deviations, if any, in future.

29. The Commission, with the above observation at para 21 above, adopts the tariff as given below, based on the conformity certificate of evaluation committee and procurer that the tariff has been discovered through transparent competitive bidding process under Section 63 of the Electricity Act, 2003:

Sr. No.	Name of Bidders	Project Name	Allocated Project Capacity (MW)	Final Tariff after e-RA (Tariff for 25 years) in Rs./kWh
1	M/s. SJVN Ltd., New Delhi	Gurah District Jalaun	75	2.98
2	M/s. SJVN Ltd., New Delhi	Gujrai District Kanpur Dehat	50	2.98
Total			125	



30. The Commission also approves the PPA dated 03.02.2022 with SJVN Ltd. at the adopted tariff of Rs. 2.98 per unit.

Accordingly, the Petition is disposed of in terms of above.

(Vinod Kumar Srivastava)

Member (Law)

(Kaushal Kishore Sharma)

Member

(Raj Pratap Singh)

Chairman

Place: Lucknow

Dated: 21.07.2022