

- The bidder should provide an undertaking that during the last Five (5) years it has neither failed to perform on any agreement (as evidenced by imposition of penalty by an arbitral or judicial or regulatory authority or a judicial pronouncement or arbitration award against the bidder) nor has been expelled from any project or agreement or have had any agreement terminated for breach of contract by such bidder.
3. The bidders are required to submit the required supporting documents along with the bid.
 4. Two separate sealed bids clearly marked as “**Technical**” and “**Financial**” are required to be submitted which may be placed in one outer envelope clearly mentioning in bold letters on top of the envelope “**Quotation for Consultancy to frame draft OERC Distribution (Conditions of Supply) Code and draft OERC (Licensees’ Standards of Performance) Regulations.**” The bids may be addressed to **Secretary, OERC, Bidyut Niyamak Bhavan, Plot No. 4, Chunokoli, Shailashree Vihar, Bhubaneswar-751021 so as to reach by 1730 hours on 25th October 2022.** Bidders will be required to make a presentation before the Commission on the plan and methodology proposed by them.
 5. It may be noted that the proposal would be evaluated by the OERC and selection of the Consultant will be based on both Technical and Financial Evaluation.

By the Order of the Commission

Encl: As stated.

**Sd/-
SECRETARY**

TERMS OF REFERENCE (TOR)

Consultancy for framing draft OERC Distribution (Conditions of Supply) Code and draft OERC (Licensees' Standards of Performance) Regulations.

1. Introduction and Objective:

The Commission had framed OERC Distribution (Conditions of Supply) Code, 2004 under Section 181 (2) (t), (v), (w), (x) read with Part VI of Electricity Act, 2003 and Orissa Electricity Reform Act, 1995 (Act 2 of 1995), which was effective from 21.05.2004. The Commission had amended that regulation several times. Subsequently due to certain amendments at Central level, amendment of CEA (Measures relating to safety and Electric supply) Regulations and recommendations of Forum of Regulators (FoR), the Commission had framed OERC Distribution (Conditions of Supply) Code, 2019 which was effective from 11.10.2019. Similarly, the Commission had framed OERC (Licensees' Standards of Performance) Regulations, 2004 under Section 57, 58 and 59 read with Section 181 (za) and (zb) of the Electricity Act 2003, which was effective from 21.05.2004. The above Regulations requires amendment because of the Electricity (Rights of Consumers) Rules, 2020 framed by Ministry of Power (MoP), Government of India and certain other Guidelines issued by MoP and FoR.

In view of the above, it is necessary to frame new versions of the (i) OERC Distribution (Conditions of Supply) Code amending the existing OERC Distribution (Conditions of Supply) Code, 2019 and (ii) OERC (Licensees' Standards of Performance) Regulations, 2004 and align with various Regulations/ Rules framed by CEA, CERC, MoP, recommendations of FoR, etc. keeping in mind the state specific conditions. Therefore, the Commission desires to engage reputed independent agency /firm /organization /institution as consultant having expertise in the field of drafting Rules, Policies, Regulations, etc. and to assist the Commission in such matters. The Commission, therefore, invites proposals from such firms with the following scope of work.

2. Scope of work:

- a) To prepare draft Regulations amending the existing OERC Distribution (Conditions of Supply) Code, 2019 in line with Electricity (Rights of Consumers) Rules, 2020; various Regulations/ Rules/ Guidelines framed by CEA, CERC, MoP, GoI and recommendations of FoR, etc. considering state specific conditions;
- b) To prepare draft Regulations amending the existing OERC (Licensees' Standards of Performance) Regulations, 2004 as per Electricity (Rights of Consumers) Rules, 2020; various Regulations/ Rules/ Guidelines framed by CEA, CERC, MoP, GoI and recommendations of FoR, etc. considering state specific conditions;
- c) Comments received from various stakeholders on those draft Regulations as mentioned at (a) & (b) above are to be compiled and presented to the Commission;
- d) Draft Statement of Reasons (SoR) are to be prepared separately for both the Regulations as stated in (a) & (b) above;