

**Terms and conditions for supply of 50 MW and part thereof on Short Term basis
from December 2007 to May 2008**

1. Quantum

The quantum of power requirement from December 2007 to May 2008 is minimum of 50 MW and part thereof round the clock, during peak hours and off peak hours. The bidders from Karnataka are exempted from minimum capacity, but not less than 1(one) MW

Dec 07	23 MU
Jan 08	30 MU
Feb 08	37 MU
Mar 08	33 MU

Further the requirement will be revised depending on the power situation in Karnataka. The first lot of bids will be opened on 10.12.2007 at 4.00 PM. For any further power requirement, the bid received subsequently will be opened in phased manner i.e. 1st Friday, 2nd Friday, 3rd Friday after month and so on at 4.00 PM.

2. Tariff

Single part tariff at delivery point in Rs. / Kwh, for clarity, other taxes like income tax or any other cess/levies shall not be payable.

3. Delivery Point

The Delivery Point shall be Seller Periphery i.e. point of inter connection between Seller transmission system and CTU system i.e. point of PGCIL system in the respective region. In case, injection point is within Karnataka State , the point of delivery will be inter - connection point between Seller & STU System.

4. Open Access charges and Transmission Losses

All applicable Open Access charges as notified by appropriate authorities from time to time including RLDC /SLDC charges, Regional/Inter regional transmission charges and transmission losses beyond delivery point shall be borne by the ESCOMs of Karnataka and all above open access charges up to delivery point shall be borne by the Seller. Bidder or his representative shall have to book the transmission corridor after making advance payment in full for the contracted period and contracted quantum, same shall be reimbursed by ESCOMs

5. Scheduling

ESCOMs of Karnataka shall schedule this power in full except in case of transmission constraints / Force Majeure. The Scheduling and dispatch of the power shall be coordinated with respective RLDC/SLDC as per the relevant provisions of IEGC by the Bidder or his representative. The ESCOMs of Karnataka shall schedule atleast 75% of contracted capacity in terms of energy in a month, scheduling of not less than 50% of capacity in energy terms on any day basis.

6. Billing

For supply of power during the month, the selected bidder has to raise the provisional bills on monthly basis based on the RLDC / SLDC data available on website. After receipt of REA of the previous month (Regional Energy Accounting) from the RPC (Regional Power Committee) of the respective region, adjustment of bills will be made towards the difference in the subsequent supplementary bill. Further 10% of the bill amount will be deducted towards security deposit which will be refunded on successful completion of the contract.

7. Rebate for prompt payment by ESCOMs

The Rebate shall be 2% on the power purchase bill, if full payment is made within due date and the same will be deducted in the power purchase bill before making payment.

8. Payment

The due date for Payment shall be within 15 days from the date of presentation of bill. In the event 16th day being a Bank Holiday, the next working day will be the due date for payment.

9. Surcharge:

If payment is not made on or before the due date, a surcharge @ 1.25% per month shall be applied for balance outstanding amount.

10. Payment Security Mechanism

The ESCOMs of Karnataka shall provide the Payment Security Mechanism in the form of Bank Guarantee equivalent to one month billing excluding open access charges.

11. Force Majeure

Any restriction imposed by RLDC of exporting and importing region, intervening region on scheduling of power due to transmission constraints shall be treated as a Force Majeure without any liability for payment on either parties subject to submission of documentary evidence from RLDC / RPC.

12. Change in Law

In case of Change in Law under restriction imposed by regulator (Central or State) or a Government (Central or State) or Appellate Tribunal on any aspects for sale or purchase of power the same shall be binding on both the parties.

13. Formats

- a) Covering Letter: Format I Enclosed as Annexure 1
- b) Price Bid: Format II Enclosed as Annexure II

14. Bid Submission

Interested bidder shall submit the bid (one original + 2 copies) along with Demand Draft of Rs. 15,000/- (Rupees Fifteen Thousand only) drawn in favour of Additional Director (Projects), PCKL, Bangalore. The document in sealed superscripted envelopes shall be submitted on or before 10.12.2007, 3.00 PM. Submission of subsequent bids shall be on **every Friday, 3.00 PM** and bids will be opened on the same day at 4.00 PM. EMD of the qualified bidder shall be retained until successful completion of the contract

Transcript on the envelope shall be as below.

“Bid for supply of 50 MW and part thereof under Bid Specification No. 01/STPP/2007-08.”

The bid shall be submitted to
Joint Director (Projects),
Power Company of Karnataka Ltd.,
No. 401, 4th floor,
KPTCL, Kaveri Bhavan,
Bangalore – 560 009.

Contact No:

080-22107490 (Office)
94483-65063 (Mobile)

16. Bid Evaluation

The lowest landed cost at delivery point shall be the criteria for selection of bidder. The selection process will be continued till such time the power requirement is met. The landed cost at delivery point is sum of quoted tariff at delivery point and all open access charges as per para 4 above..

17. Agreement

The Selected bidder shall enter into an agreement with the ESCOMs of Karnataka State within 7 days from the date of issue of Letter Of Award.

**Joint Director (Projects)
PCKL, Bangalore.**

Covering Letter

To
The Joint Director (Projects),
PCKL, Kaveri Bhavan,
KPTCL Complex,
Bangalore -9.

Sub: Bid for Supply of Power of 50 MW and part thereof as in Bid Specification No: ----

Dear Sir,

We, the undersigned Bidder read the terms and conditions in detail for supply of power ----- MW on short term basis.

1) EMD (Performance Guarantee)

We have enclosed a EMD of Rs. -----[Rs. ---- only], in the form of bank guarantee no. _____ dated _____ from a _____ (insert name of bank) and valid up to _____.

2) Acceptance

We hereby unconditionally and irrevocably agree and accept that the decision made by the Procurers/ESCOMs regarding any matter or arising out of the terms and conditions of the bid shall be binding on us. We hereby expressly waive any and all claims in respect of Bid process.

3) Familiarity with Relevant Indian Laws & Regulations

We confirm that we have studied the provisions of relevant Indian laws and regulations as required to enable us to quote for this Bid.

4) Contact Person

Details of contact person as required is furnished as under:

Name:

Designation:

Company:

Address:

Phone Nos:
Fax Nos:
E-mail address:

We are enclosing herewith Envelope I containing duly signed formats duly sealed, in 1 original + two copies (duly attested).

Dated on this _____ day of _____ of 20

Thanking you,
We remain,

Yours faithfully,

Name and Signature of Authorised Person with rubber seal of the company.

Annexure - II

Quoted Tariff for each type of Fuel based on Contracted Capacity committed by the Bidder

Name of the Generating Company
Location
Name of the Region
Name of the Inter Regional Links
Name of the SLDC

Bid for supply of power from ----- to Procurer/ Authorized Representative
Name of the Generating station/Bidder
Location:
Contracted Capacity in MW:
Delivery Point

All charges shall be rounded off to two (2) decimal places.

Particulars	Round the clock			Peak Hours (6.00 to 10.00 & 18.00 to 22.00 Hrs)			Off Peak Hours (Other than peak hours)			
	Month	Period	MW	Price	Period	MW	Price	Period	MW	Price

Information on Short term Open access charges

Name of the Injecting Utility

(Amount in Rs.)

Name of the Injection Utility		
Name of drawal utility		
Links		
Contracted Capacity		
MW days		
Time period	From	To
Month		
Delivery period in Hrs.		

Short term open access charges		
Name of intervening region	Applicable rate	ST / rate / MW
Name of inter regional links	Applicable rate	ST / rate / MW
Name of intra regional links	Applicable rate	ST / rate / MW
Name of RLDC involved	Operating charges	
Name of SLDC involved		
Application fees		

Note :

- 1) Quoted tariff in Rs. / kWh shall be upto two (2) decimal point.

Name and Signature of Authorized Person with rubber seal of the company.