BANGLADESH POWER DEVELOPMENT BOARD (BPDB)

BID DOCUMENT

FOR

IMPLEMENTATION OF

"50 MW±10% GRID CONNECTED WIND POWER PROJECT"

ON BUILD, OWN AND OPERATE (BOO) BASIS

AT

(A site Near to Cox's Bazar 132/33 kV Grid Substation, Cox's Bazar)

June, 2019
BID DOCUMENT FOR SELECTION OF THE PROJECT SPONSOR FOR IMPLEMENTATION OF 50MW±10% GRID CONNECTED WIND POWER PROJECT ON BOO BASIS AT A SITE NEAR TO COX'S BAZAR 132/33 kV GRID SUB-STATION, COX'S BAZAR.

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Section I

NOTICE AND INVITATION

BANGLADESH POWER DEVELOPMENT BOARD (BPDB)

NOTICE FOR THE ISSUANCE OF BID DOCUMENTS FOR SELECTION OF THE PROJECT SPONSORS FOR IMPLEMENTATION OF GRID CONNECTED WIND POWER PROJECTS HAVING 150 MW±10% CAPACITY IN AGGREGATE EACH OF 50 MW±10% CAPACITY ON A BUILD, OWN AND OPERATE (BOO) BASIS AT THREE (3) SITES IN BANGLADESH.

Invitation Ref. No. Date: .05.2019

Having been authorized by the Government of the People's Republic of Bangladesh ("GOB"), Bangladesh Power Development Board (BPDB) intends to select a potential sponsor (the "Project Sponsor") to develop Grid Connected Wind Power Project on “Build, Own and Operate” (BOO) basis for the period of 20 years at the following sites that will be arranged by the Project Sponsor at its own cost and responsibility near respective Grid Substation (the ‘Project’):

<table>
<thead>
<tr>
<th>Package No.</th>
<th>Site</th>
<th>Grid Sub-station</th>
<th>Net Plant Capacity (MW)</th>
<th>Type of the Plant</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Near to Kachua 132/33 kV Grid Substation, Chandpur</td>
<td>Kachua 132/33 kV Grid S/S, Chandpur</td>
<td>50 MW±10%</td>
<td>Grid Connected Wind Power Plant</td>
</tr>
<tr>
<td>3.</td>
<td>Near to Inani, Cox's Bazar</td>
<td>Cox’s Bazar 132/33 kV Grid S/S, Cox’s Bazar</td>
<td>50 MW±10%</td>
<td>Grid Connected Wind Power Plant</td>
</tr>
</tbody>
</table>

The Project Sponsor will be selected through a competitive bidding process from their (i) Qualification Statement and (ii) Comprehensive Proposal (Technical, Commercial & Financial Proposal and Tariff Proposal) submitted against the Qualification Statement and Request for Proposal respectively. The selected Project Sponsors will be required to arrange the necessary land, financing and to execute the key project documents for the Projects.

Bangladesh Power Development Board (BPDB) seeks to qualify interested power project developers who have previous experience in implementing grid connected power projects, and invites interested developers to submit (i) Qualification Statement and (ii) Comprehensive Proposal (Technical, Commercial & Financial Proposal and Tariff Proposal) in accordance with the criteria set forth in the Qualification Documents and Request for Proposal respectively. Interested developers intending to submit a (i) Qualification Statement and (ii) Comprehensive Proposal (Technical, Commercial & Financial Proposal and Tariff Proposal) to Bangladesh Power Development Board
(BPDB) should check BPDB’s website on a regular basis to ensure that they are familiar with any amendments or modifications to the Qualification Documents and Request for Proposal, which amendments or modifications shall be binding on the Bidders and their (i) Qualification Statement and (ii) Comprehensive Proposal (Technical, Commercial & Financial Proposal and Tariff Proposal) if such amendments or modifications are posted on BPDB’s website not later than 72 hours prior to the Bid Date.

Each Bidder shall submit only one Bid for each Package either by itself, or as a member of a Bidder consortium. A Bidder or a member of a consortium Bidder who submits or participates in more than one Bid for the respective Package shall be disqualified and all the Bids submitted by such Bidder shall not be considered for evaluation. Each Bidder or any member of a consortium Bidder shall be entitled to participate in the bidding process for maximum 2 (two) Packages.

The Proposals of those Bidders will be considered for evaluation only whose Qualification Statements demonstrate that they meet all the criteria set forth in the Qualification Documents. The Qualification Documents and Request for Proposal (and any amendments thereto) for each Package will be available at the BPDB website: http://www.bpdb.gov.bd/bpdb_new/index.php/site/page/305c-b67b-aa1b-b2c6-8659-f3f9-9c32-af64-847c-1891. Interested developers intending to submit Qualification Statements along with Proposals to BPDB should check BPDB’s website on a regular basis to ensure that they are familiar with any amendments or modifications to the Qualification Documents and Request for Proposals, which amendments or modifications shall be binding on the Bidders and their Qualification Statements and Proposals if such amendments or modifications are posted on BPDB’s website prior to the Bid Date.

Bidders should submit to Bangladesh Power Development Board (BPDB) their (i) Qualification Statement and (ii) Comprehensive Proposal (Technical, Commercial & Financial Proposal and Tariff Proposal), together with a non-refundable processing fee of Bangladesh Taka 2,00,000 (two hundred thousand) for each Package in the form of bank draft/pay order encashable at any scheduled bank in Bangladesh, made payable to “Secretary, Bangladesh Power Development Board (BPDB). The Bidder shall also provide the Bid Security in the form of an irrevocable and unconditional bank guarantee in the format and language as provided in Annex C, Exhibit I, Attachment I-2 (entitled “Form of Bid Security”) of the Request for Proposal payable to BPDB upon presentation to a bank in Bangladesh amount of USD 2,50,000.00 (Two lac fifty thousand United States Dollar) for each Package. The Bid Security will be returned to the Bidders not meeting the criteria as mentioned in the Qualification Documents.

BPDB reserves the right to accept or reject any Bid, to waive minor informalities in Bids received, and to annul the bidding process (tendering process) and reject all Bids at any time without thereby incurring any liability to the affected Bidders or any obligation to inform the affected Bidders of the grounds for BPDB’s actions or decisions.

The Pre-bid meeting is scheduled to be held in BPDB Board Room, 14th Floor, Bidyut Bhaban, 1 Abdul Gani Road, Dhaka at 10 A.M. on 30.05.2019. The deadline for submission of the Bid is scheduled on 30.06.2019 (the "Bid Date"). Any requests for additional information and/or questions concerning Qualification Documents and Request for Proposal shall be submitted in the following address in writing not later than 20 (twenty) Days before the Bid Date.

Completed (i) Qualification Statement and (ii) Comprehensive Proposal (Technical, Commercial & Financial Proposal and Tariff Proposal) in one original and two copies (not facsimile or email) along with non refundable processing fee and Bid Security for each Package shall be submitted in the following address on or before 30.06.2019 before 12:00 noon:

Secretary
Bangladesh Power Development Board (BPDB)
WAPDA Building (1st Floor),
Motijheel C/A, Dhaka-1000.
Bangladesh.
Fax No.: 880-2-9564765, 880-2-9551344
Tel. No.: 880-2-9554209, 880-2-9567350
Email: secretary@bpdb.gov.bd

Yours truly,
(Saiful Islam Azad)
Secretary
Bangladesh Power Development Board

Enclosure: Bid document along with (i) Qualification Documents, (ii) Request for Proposal, (iii) Power Purchase Agreement and (iv) Implementation Agreement.
SECTION II

SELECTION OF THE PROJECT SPONSOR FOR IMPLEMENTATION OF 50 MW±10% GRID CONNECTED WIND POWER PROJECT ON BOO BASIS AT A SITE NEAR TO COX'S BAZAR 132/33 kV GRID SUBSTATION, COX'S BAZAR.

1.0 PROJECT BACKGROUND

1.1 The Government of The People’s Republic of Bangladesh (“GOB”) has adopted a strategy for the development of the power sector which envisages private participation in the sector. As part of that strategy, the GOB decided that some renewable energy like wind generation capacity will be installed and operated by the private sector. The Project Sponsor will be selected through a competitive solicitation.

1.2 In line with this strategy, GOB has decided to implement a grid connected 50 MW±10% wind power project on Build, Own and Operate (“BOO”) basis under private sector power generation policy of Bangladesh and will sign an Implementation Agreement (IA) supporting the project. BPDB will sign Power Purchase agreement (PPA) as power purchaser. The project site location will be at a site Near to Cox's Bazar 132/33 kV Grid Substation, Cox's Bazar arranged by Project Sponsor.

1.3 The project site location for this new IPP will be near to Cox's Bazar 132/33 kV Grid Substation, Cox's Bazar and will be arranged by the Project Sponsor at its own cost and responsibility. To evacuate power from the plant, required interconnection transmission line will be constructed by Project Sponsor. The Project Sponsor will be required to construct GIS bay and arrange land for bay (if required).

1.4 The Project Sponsor will be required to arrange the necessary financing and to execute the Project Agreements for the Project within the specified period therefore.

2.0 PROJECT DEVELOPMENT PROCESS

Bangladesh Power Development Board (BPDB) intends to select the Project Sponsor to develop the Project on a Build, Own and Operate (“BOO”) basis. The Project Sponsor will be responsible for financing, designing, constructing, insuring, owning, operating and maintaining the Project. The process for the development of the Project, including selection of the Project Sponsor, shall include the following elements:

2.1 The Bidder shall submit:

- Envelope-I: the Qualification Statement against Qualification Documents & the Technical, Commercial and Financial Proposal against Request for Proposal attached with this document. Technical, Commercial and Financial Proposal of those Bidders will be considered for evaluation only whose Qualification Statements demonstrate that they meet all the criteria set forth in the Qualification Documents attached to this Bid Document.
- Envelope-II: The Tariff Proposal against Request for Proposal attached to this document. Envelope-II of those Bidders will be considered for evaluation only whose Technical, Commercial and Financial Proposal demonstrate that they meet all the criteria set forth in the Technical, Commercial and Financial Proposal attached to this Bid Document. The Project Sponsor will be selected based on the evaluation of the submitted Bid.

2.2 The Project Sponsor will establish a Company in the Peoples Republic of Bangladesh. The Company will sign the (i) Implementation Agreement with GOB and PGCB (ii) Power Purchase Agreement (PPA), with Bangladesh Power Development Board (BPDB) and other contracts required for the construction, operation and maintenance of the Project, by the date specified in the Request for Proposal.

2.3 The Project Sponsor will be responsible for the arrangement of the financing for the Project. The Project Sponsor will be required to commit a minimum equity investment in the Project of 20% of the total capital cost for the project.

3.0 SCOPE OF WORK

Detailed scope of work has been provided in the Request for Proposal. The scopes of work in brief are as follows:

3.1 The Company will be responsible for design, selection and procurement of necessary equipment and materials, construction, commissioning, testing, insurance, operation and maintenance of the Project at its own risk.

3.2 The Company will be required to arrange the necessary financing, execute the Project Agreements, and construct the proposed plant and overall project management as required to develop, construct and operate the Project. The Company shall also obtain necessary permits for importation of materials and equipment into Bangladesh, construction of the Project and for the Project’s operations in accordance with the laws of Bangladesh.

3.3 The Company shall also perform the following tasks:

3.3.1 Study and implement mitigation measures for the Project to comply with Bangladesh environmental laws and regulations, and the Asian Development Bank's and World Bank's environmental guidelines or any internationally accepted Environmental Guideline.

3.3.2 Comply with the pre-agreed commitments for the Project at the expiration (or termination) of the Project Agreements.

4.0 PHYSICAL FACILITIES OF THE PROJECT

4.1 The Project consists of a grid connected 50 MW±10% wind power project with all the required support facilities.

4.2 Site: The Bidder will arrange the Site near to Cox's Bazar 132/33 kV Grid Substation, Cox's Bazar of PGCB at its own cost and responsibility. Bidder
must furnish the Mouza Map with demarcation, Digital Survey Map along with Longitude and Latitude for at least 1 (one) acre of proposed land. However, as a minimum requirement, the Bidder (or, in the case of a consortium, any Member of the consortium) must furnish the relevant documents in support of the ownership (only the commitment letter(s) in non-judicial stamp paper(s) from the land owners mentioning mouza, dag & khatian no. for providing land to the Bidder, if the Bidder is awarded for the Project) of at least 1 (one) acre of land alongside. Site survey, soil testing and studies of cooling and process water availability and environmental impact assessment studies will have to be performed by the selected Project Sponsor. The Project Sponsor will be responsible for ensuring that the Project design and construction meet the requirements of the actual site conditions. The site development including site leveling, filling to the final elevation (if required), soil compaction, and river bank protection will be performed by the Project Sponsor at its own cost. The Bidder must follow the guidelines of GoB regarding the development of site.

4.3 The Company shall be responsible for construction of the interconnection lines between the Cox's Bazar 132/33 kV Grid Substation, Cox's Bazar and the Project. Switching and design standards should be as per Functional Specification. Protection and other related equipment shall be provided by the Company. The Project Sponsor will be required to construct GIS bay and arrange land for bay (if required).

5.0 PROPOSED PROJECT TIMETABLE (BPDB reserve the right to change the timetable)

<table>
<thead>
<tr>
<th>Event</th>
<th>Day number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issuance of the Bid Document</td>
<td>0</td>
</tr>
<tr>
<td>Opening of Envelope-I (Qualification Statement against Qualification Document &amp; Technical, Commercial and Financial Proposal)</td>
<td>Issuance of Bid Document+45 Days</td>
</tr>
<tr>
<td>Evaluation of Envelope-I</td>
<td>Issuance of Bid Document+80 Days</td>
</tr>
<tr>
<td>Notification to Responsive Bidders</td>
<td>Issuance of Bid Document+100 Days</td>
</tr>
<tr>
<td>Opening of Envelope II (Tariff Proposal of Responsive Bidders against Request for Proposal)</td>
<td>Issuance of Bid Document+105 Days</td>
</tr>
<tr>
<td>Evaluation of Envelope II (Tariff Proposal against Request for Proposal)</td>
<td>Issuance of Bid Document+115 Days</td>
</tr>
<tr>
<td>Issue of Letter of Intent to successful Bidder</td>
<td>Issuance of Bid Document+130 Days</td>
</tr>
<tr>
<td>Signing of Project Agreements (Project Effective Date)</td>
<td>30 (thirty) days from Letter of Intent (&quot;Project Effective Date&quot;)</td>
</tr>
<tr>
<td>Required Commercial Operation Date</td>
<td>18 (eighteen) months from Project Effective Date</td>
</tr>
</tbody>
</table>
6.0 STATUTORY REGULATORY ORDER (SRO)

The Bidders will take into consideration the fiscal incentives of SRO 211, SRO 212, SRO 354, SRO 355, SRO 246, SRO 73, SRO 100, SRO 68 annexed to RFP while preparing the Bid.

7.0 CLARIFICATIONS AND AMENDMENTS OF BID DOCUMENT

7.1 Clarifications

a. Bidders may seek clarification from Bangladesh Power Development Board (BPDB) on the Bid Document by submitting a request for clarification in writing to BPDB at the address given in this Bid Document. Although BPDB will attempt to respond to all reasonable queries, it is under no obligation to do so, and may elect not to respond to any query or request for clarification at its sole discretion.

b. All queries from Bidders to which Bangladesh Power Development Board (BPDB) has responded will be posted along with the response of BPDB on the website of BPDB on an unattributed basis. Any query to be considered by BPDB for a response must be received from Bidders at least 20 (twenty) Days before the Bid Date.

7.2 Amendments

a. At any time prior to the Bid Date, BPDB may issue Addenda which may delete, modify, or extend any part of this Bid Document (Qualification Document and Request for Proposal).

b. Bidder’s late receipt of any Addendum or failure to receipt of any Addendum shall not relieve Bidder of being bound by such Addendum.

8.0 LANGUAGE OF BID

The Bid and all related correspondence and documents shall be written in the English language. Supporting documents and printed literature furnished by Bidder with the Bid may be in any other language provided they are accompanied by an appropriate translation of pertinent passages in the English language. Supporting materials which are not translated may not be considered. For the purpose of interpretation and evaluation of the Bid, the English language translation shall prevail.

9.0 EXTENSION OF BID DATE

In order to afford Bidders reasonable time in which to take a clarification or Addenda into account in preparing their Bid, or any other reasons BPDB may, at its discretion, extend Bid Date.
10.0 BID VALIDITY

10.1 The Bid shall remain valid for a period of Eight (8) months. Any Bid offering less than the Bid validity period shall be rejected.

10.2 Prior to expiration of the original Bid validity period, BPDB may request one or more of the Bidders for a specified extension in the period of validity. The request and the responses for any extensions to the original Bid validity period shall be made in writing. A Bidder may refuse the request. A Bidder agreeing to the request will not be permitted to modify its Bid, but will be required to extend the validity of its Bid Security accordingly. The provisions of following Article, regarding release and forfeiture of Bid Security shall continue to apply during the extended Bid validity period.

11.0 BID SECURITY

11.1 Each Bidder shall furnish, as part of the submission of its Qualification Statement, a Bid Security in the required amount. Any Bid not accompanied by an acceptable Bid Security shall be rejected by BPDB as non-responsive.

11.2 The Bid Security shall be in the form, contained in Annex C, Exhibit I, Attachment I-2 of Request for Proposal (Technical, Commercial and Financial requirement), entitled “Form of Bid Security”. The Bid Security shall be valid for nine (9) months from the Bid Date, unless extended as per request of Bangladesh Power Development Board (BPDB).

11.3 If any Bidder is not qualified in Qualification Statement or if any Bidder's Technical, Commercial and Financial Proposal is determined to be non-responsive, the Bid Security will be returned to such Bidder. Envelope-I of the Tariff Proposal of all Responsive Bidders qualified in Envelope-I (Technical, Commercial and Financial requirement) will be evaluated and ranked and the Bid validity period of their Bids will be extended, if necessary. The Bid Security of all Responsive Bidders will remain in effect until the execution of the Project Agreement by the successful Bidder. The Bid Security of all the remaining unsuccessful Bidders will be returned upon the Bidder. The Bid Security of successful Bidder will be returned when that Bidder has executed the Project Agreements and has provided the required Performance Security Deposit. Bid security of all other responsive bidders will be returned after signing of the Project Agreements.

11.4 The Bid Security must have a validity period of not less than nine (9) months. The successful Bidder or the Project Sponsor shall extend the Bid Security so that the Bid Security must always remain valid up to the submission of Performance Security Deposit (PSD). The Bid Security shall be forfeited without any notice, demand, or other legal process if any of these conditions occur.

11.4.1 the Bidder withdraws its Bid during the Bid validity period;
11.4.2 the Bidder’s Bid contains any false statement or material misinterpretation; or
11.4.3 the Project Sponsor or the Company fails to sign the Project Agreements within thirty (30) days or other date as notified by The Entity following the date of issuance of the Letter of Intent; or

11.4.4 the Project Sponsor or the Company fails to furnish the Performance Security Deposit (PSD) before signing of the Project Agreements.

11.4.5 If at any time prior to the submission of PSD the Bid Security will expire within thirty (30) Days and the Company does not extend the period of effectiveness of the Bid Security for a period of not less than three (3) Months.

12.0 COST OF PREPARING OF BID

Bidders shall bear all costs associated with the preparation and submission of their Bids and the finalization and execution of the agreements comprising the Security Package, including any travel to Bangladesh and Site visits and gathering of information and other investigation, review and analyses. Bangladesh Power Development Board (BPDB) will in no case be responsible or liable for these costs, regardless of the conduct or outcome of the evaluation process.

13.0 ENTITLEMENT FOR PARTICIPATION IN THE BIDS

Each Bidder shall submit only one Bid for each Package as mentioned in the “Notice and Invitation” either by itself, or as a member of a Bidder consortium. A Bidder or a member of a consortium Bidder who submits or participates in more than one Bid for the respective Package shall be disqualified and all the Bids submitted by such Bidder shall not be considered for evaluation. Each Bidder or any member of a consortium Bidder shall be entitled to participate in the bidding process for maximum 2 (two) Packages as mentioned in the “Notice and Invitation”.

The equity holders/directors/shareholders/partners ascribed in the Constitutional Documents (Memorandum of Association and Articles of Association) of any entity shall not be allowed to participate in more than two Bids. If one or more entity are the equity holders of the entity participated as a Bidder in this bidding process will be required to submit the Constitutional Documents (Memorandum of Association and Articles of Association) of that/those entities. The same condition shall also be applicable for the aforesaid entities for participating in the bidding process.

14.0 FORMAT AND SIGNING OF BID

14.1 If the Qualification Statement and the Proposal consists of more than one volume, Bidder must clearly number the volumes and provide an indexed table of contents for each volume. All documents should be securely bound.

14.2 The Bid shall be typed or written in indelible ink Each sheet shall be initialed by a person or persons duly authorized to sign for the Bidder and bind the Bidder to the Bid and any resulting agreement and contract. The Bid shall be signed by a person or persons duly authorized to bind the Bidder to the Bid. All pages of the Bid where entries or amendments have been made shall be initialed by the person or persons signing the Bid.

14.3 The Bid shall be without alternations, interlineations, or erasures, except as necessary to accord with instructions issued by Bangladesh Power
Development Board (BPDB) or to correct errors made by Bidder. All such corrections shall be initialed by the person or persons signing the Bid.

15.0 SEALING AND MARKING OF BID

15.1 Bid shall be comprised of Envelope-I and Envelope-II.

15.2 One (1) original of Envelope-I and Envelope-II in separate sealed envelope plus two (2) copies of Envelope-I and Envelope-II in separate sealed envelope must be submitted to The Entity on or before the Bid Date. Envelope-I shall contain Qualification Statement & Technical, Commercial and Financial Proposal and Bid Security in response to Qualification Document and Request for Proposal (Technical, Commercial and Financial requirement) in a single envelope and Envelope-II shall contain Tariff Proposal in a single envelope.

The original of the completed Bid (Envelope-I and Envelope-II) is to be clearly marked “Original of Bid”, and other completed copies are to be clearly marked “Copy of Bid”. In the event of any discrepancy between the original and any copy, the original shall prevail.

15.3 The envelopes or boxes containing the Bid must be addressed to Bangladesh Power Development Board (BPDB) as follows:

Secretary
Bangladesh Power Development Board (BPDB)
WAPDA Building (1st Floor),
Motijheel C/A, Dhaka-1000,
Bangladesh.
Fax No. : 880-2-9564765, 880-2-9551344
Tel. No. : 880-2-9554209, 880-2-9567350
Email: secretary@bpdb.gov.bd

15.3.1 The envelope or box must indicate the name and address of Bidder to enable the Bid to be returned unopened in case it is declared late or otherwise unacceptable.

15.3.2 The envelope or box must bear the same label as on the cover envelope or box. Each envelope or box shall be sealed.

Below the address mentioned above, the following must be written in bold letters:
16.0 BID SUBMISSION PROCEDURE AND TIMING

The Bid (not facsimile or email) along with non refundable processing fee and Bid Security shall be submitted in the following address on or before 12:00 Noon local time (BST) in Dhaka, Bangladesh, on 30.06.2019 (the “Bid Date”):

Secretary
Bangladesh Power Development Board (BPDB)
WAPDA Building (1st Floor),
Motijheel C/A, Dhaka-1000
Bangladesh.
Fax No. : 880-2-9564765, 880-2-9551344
Tel. No. : 880-2-9554209, 880-2-9567350
Email: secretary@bpdb.gov.bd

All inquiries pertaining to this document shall be directed to Bangladesh Power Development Board (BPDB) at the address above not later than 20 (twenty) days before the Bid Date.

Bids submitted by facsimile, electronic mail, telex, or telegram will not be accepted.

Bids submitted by the Bidder to BPDB (except for Late Bids) shall become property of BPDB and shall not be returned to the Bidder under any circumstances.

17.0 LATE BIDS

Bids will not be received after the specific date and time for the submission of Bids no matter what the reason of delay may be.

18.0 WITHDRAWAL OF BID

18.1 Bidder may withdraw its Bid after Bid has been submitted to Bangladesh Power Development Board (BPDB), provided that the notice of withdrawal is received in writing by BPDB at least 48 hours prior to Bid Date.

18.2 No Bid may, under any circumstances, be withdrawn after the Bid Date.

18.3 Withdrawal of a Bid at any time, under any circumstance, during the period between the Bid Date and the expiration of the Bid validity period specified by Bidder will result in the forfeiture of the Bid Security.
19.0 PROPOSAL OPENING

19.1 Bangladesh Power Development Board (BPDB) will consider to evaluate Technical, Commercial and Financial Proposal of those Bidders against RFP whose Qualification Statements demonstrate that they meet all the criteria set forth in the Qualification Documents and evaluates Technical, Commercial and Financial Proposal's contents; and identifies the Responsive Bidders.

19.2 Bangladesh Power Development Board (BPDB) will open Envelope II Proposals of the Responsive Bidders only, in an open session at the time and date to be specified in the BPDB’s letter of invitation to the Envelope II Proposals opening to the Responsive Bidders. The Bidders’ representatives who are present shall sign a register as evidence of their attendance.

19.3 At Envelope I Bid opening, Bangladesh Power Development Board (BPDB) will examine Proposals to determine whether the requisite Proposal Securities have been furnished and whether the documents have been properly signed. BPDB will then read the information provided in the Annex A-2 Qualification Statement Form of the Qualification Documents.

20.0 DISPOSITION OF BIDS

20.1 Bangladesh Power Development Board (BPDB) reserves the right to reject any Bidder's (i) Qualification Statements, or Technical, Commercial and Financial Proposal and or (ii) Tariff Proposal, if such Bidder’s (i) Qualification Statement & Technical, Commercial and Financial Proposal and (ii) Tariff Proposal does not comply with the criteria described in Qualification Document and Request for Proposal without thereby incurring any liability to the Bidder. BPDB reserves the right not to award the Project to any Bidder, and may terminate the bidding process at any time without thereby incurring any liability to any Bidder. BPDB may at its sole discretion contact Bidder(s) and request clarifications or additions to, or modifications to the format of, any of the information or data submitted in the (i) Qualification Statements, & Technical, Commercial and Financial Proposal and (ii) Tariff Proposal. Any such requests for clarifications, additions or modifications and replies thereto are to be in writing.

19.2 Bangladesh Power Development Board (BPDB) reserves the right to contact third parties and verify the information provided by each Bidder in its (i) Qualification Statements & Technical, Commercial and Financial Proposal and (ii) Tariff Proposal at any time during or after the tendering process. Any (i) Qualification Statements, or Technical, Commercial and Financial Proposal and or (ii) Tariff Proposal determined to contain material miss-statements errors or omissions may be rejected or disqualified in The Entity's sole discretion.

21.0 EVALUATION COMMITTEE

Bangladesh Power Development Board (BPDB) shall appoint an evaluation
committee (the “Evaluation Committee”) which shall be in charge of examining each of the Qualification Statements Proposal submitted by Bidders.

22.0 SUBMISSION AND EVALUATION PROCEDURE

The procedure for opening and evaluating Qualification Statements and Proposals received from Bidders will be as follows:

22.1 Each Bidder shall submit its (i) Qualification Statement & Technical, Commercial and Financial Proposal and (ii) Tariff Proposal in three separate envelopes in response to Qualification Documents and Request for Proposal.

22.2 All submitted Bids will be properly safeguarded. Envelopes will not be opened except in the presence of the Chairman of the Bid opening committee.

22.3 Thirty minutes after the submission deadline (i.e., the Bid Date), Envelope-I of the Bid will in public be opened. The name of each Bidder will be read out. The name of all Bidders will also be posted on the website of The Entity.

22.4 Each page of the original version and at least one copy of each Qualification Statement, and the first page of each annex thereto, will be initialed by at least two Members of the Bid opening committee.

22.5 The Evaluation Committee shall evaluate each Bidder’s Qualification Statement of Envelope-I on a “pass” or “fail” basis. Bidders must meet all of the criteria set forth in Section H of the Qualification Document to “pass” the evaluation process to be qualified for evaluation process of Technical, Commercial and Financial Proposal. Envelope-II of the responsive bidders qualified Technical, Commercial and Financial Proposal will be evaluated thereafter to select the Project Sponsor.

22.6 The Evaluation Committee may request in writing any additional information in connection with any response in a Bidder’s (i) Qualification Statements & Technical, Commercial and Financial Proposal and (ii) Tariff Proposal. Each Bidder must designate a representative to receive these requests. This representative must provide a telephone number, email address and other address. No supplemental or other information will be accepted other than responses from the Bidders to clarifications which have been specifically requested by Evaluation Committee.

22.7 No Bidder or consortium Member may contact directly any Member of the Evaluation Committee to discuss on evaluation of the offers.
23.0 CONFIDENTIALITY

23.1 All Bids received by Bangladesh Power Development Board (BPDB) shall remain sealed in BPDB’s possession until the Bid opening. Except as may be required by law or by a court or governmental agency of appropriate jurisdiction, no information contained in or relating to the Bid shall be disclosed to any Bidder or other persons not officially involved in the process of examination and evaluation of Bids.

23.2 After opening of Bids, information relating to the examination, clarification, evaluation, and comparison of Bids and recommendations concerning the award of the Project shall not be disclosed to Bidders or other persons not officially involved with such process.

23.3 Any effort by a Bidder to influence Evaluation Committee in the process of examination, clarification, evaluation and comparison of Bids, and in decisions concerning award of the Project, may result in the rejection of Bidder’s Bid and forfeiture of the Bid Security.

23.4 Bangladesh Power Development Board (BPDB) will return neither the original nor the copies of any Bid submitted by a Bidder (except Late Bids).

24.0 CLARIFICATION/VERIFICATION OF BIDS

24.1 During the examination, evaluation, and comparison of Bids, evaluation committee may, at its discretion, ask the Bidders for clarification of their Bids; may invite meeting for clarification/confirmation and may verify the submitted documents. Evaluation Committee’s such request for clarifications and the Bidders’ responses shall be in writing and no change in the Tariff Charges or substance of the Bid should be sought, offered or permitted.

24.2 The Bidder is required to respond to Evaluation Committee’s request for additional information, clarification or verification within three (03) Days after the request has been made.

24.3 To assist in the examination, determination of responsiveness, evaluation and comparison of Bids, Evaluation Committee may also require the Bidder to attend clarification meetings to be held.

24.4 The Bidder shall be responsible for all costs associated with the submission of information additionally requested and with its preparation for and attendance of clarification meetings.

25.0 RANKING OF THE BIDDER

The ranking of the Bidders shall be based on the calculated Levelized Tariff Charge (mentioned in the RFP) of the responsive Bidders.
26.0 RIGHTS OF BPDB

BPDB reserves the right to accept or reject any Bid, to waive minor informalities in Bids received, and to annul the bidding process (tendering process) and reject all Bids at any time without thereby incurring any liability to the affected Bidders or any obligation to inform the affected Bidders of the grounds for BPDB’s actions or decisions.
SECTION-III

This Section includes the following documents:

(i) Qualification Documents & Request for Proposal (Technical, Commercial and Financial requirement)
   (Section A of Annex A-2 shall be read out during the opening of Envelope-I)

(ii) Request for Proposal (Tariff requirement)