

Sl. No.: \_\_\_\_\_

Uttarakhand Electricity Regulatory Commission

**Bid for Engagement of Consultants**

**for assistance in**

**Analysis of ARR/ Tariff Proposals of UPCL/PTCUL/UJVNL for**

**2011-12**

**Terms of Reference (TOR)**

**October 2010**

**Notice Inviting Bid for Engagement of Consultants for Providing Assistance to the Commission in Analysis of ARR/ Tariff Proposal of Distribution Licensee UPCL/ Transmission Licensee PTCUL/ and Generation Tariff Determination of UJVNL**

**TERMS AND CONDITIONS**

**1. The Client**

- 1.1. The name of the client is: **Uttarakhand Electricity Regulatory Commission (Commission or UERC)**
- 1.2. The **Uttarakhand Electricity Regulatory Commission** is a body corporate set up by the Government of Uttarakhand under the Uttaranchal (UP Electricity Reform Act) Adaptation and Modification Order, 2002 (Adaptation Order). Some of the responsibilities assigned to the Commission are: -
- a. To determine tariff for electricity including wholesale, bulk or retail and for the use of transmission facilities in the State of Uttarakhand.
  - b. To issue and regulate the licensees for transmission, bulk supply, distribution or supply of electricity in the State of Uttarakhand.
  - c. To regulate power purchase and procurement process of the licensees and transmission utilities including the price at which the power shall be procured from generating companies/stations etc. in the State of Uttarakhand.
  - d. To promote competition efficiency and economy in the activities of the electricity industry in the State of Uttarakhand.
  - e. To regulate the operation of power system in the State of Uttarakhand.
- 1.3. The Commission has notified its Conduct of Business Regulations and has issued Tariff Orders on ARR and Tariff Proposals for the distribution and transmission licensee in the State viz. Uttarakhand Power Corporation Limited (UPCL), and PTCUL respectively and also for Uttarakhand Jal Vidyut Nigam Limited (UJVNL), the state owned generating company in Uttarakhand. The Conduct of Business Regulations and Tariff Orders are available on Commission's website [www.uerc.in](http://www.uerc.in).

**2. The Assignment**

- 2.1. The name, objectives, and description of the assignment is:
- (i) Assistance to the Commission in examination and analysis of Annual Revenue Requirement (ARR) and Tariff Proposals to be received from the distribution Licensee, viz. UPCL, the transmission Licensee, viz. PTCUL and the generating Company, viz. UJVNL for determination of the generation tariff for its main hydro generating stations, namely Dhakrani, Dhalipur, Chibro, Khodri, Kulhal, Ramganga, Chilla, Tiloth, Khatima and Maneri Bhali-II, of (or their legal successors, if any) for the year 2011-12.

2.2 The **scope of work for the assignment** shall include:

- (i) Examination of Petitions/ARR and to check its completeness with regard to Commission's Regulation on the subject, required inputs as per the formats and finding out the information gap.
- (ii) Analysis of petitions for ARR and Tariffs proposed by applicants and data verification from the records of the licensees and generating company and by interacting with the licensees and Generating Companies during technical sessions.
- (iii) Assistance to the Commissions in the public process.
- (iv) Preparation of draft report based on the consultant's recommendations and after incorporation of submissions made by stakeholders.
- (v) Incorporation of changes/modifications suggested by the Commission into the draft report proposed by the consultant.
- (vi) Assistance to the Commission in defending the Tariff Orders in Appellate Tribunal or any higher Appellate body.
- (vii) Any further assistance required by the Commission in this regard till the completion of assignment to the satisfaction of the Commission.

2.3 The assignment shall include the activities proposed to be undertaken by the consultant in the bid document and also assistance to the Commission in the activities related to the assignment, which may not be expressly indicated in the scope of work.

### 3. **Qualifications/eligibility of consultant**

3.1. The consultant must have a sound understanding of:

- (i) Technical aspects of power sector-generation, transmission and distribution,
- (ii) The economics of power sector-generation, transmission and distribution,
- (iii) Linkages of the assignment with financial analysis & accounting and tariff-determination of public utilities and analysis of regulatory policies.

3.2. Legal framework governing the power sector.

3.3. Consultants who can commit full time manpower deployment exclusively for the assignment of the Commission, as and when required, will be eligible for consideration.

3.4. Bidders can either be a consultant or a consortium, which more than one consultant may constitute with another/others for submitting their proposals. Where the bid is submitted by a consortium, the written consent of each member of the consortium to participate in the bid on the basis of joint and several liability to the Commission for the performance of the services shall be provided along with the bid.

3.5. **Consultants shall not be hired for any assignment that would be in conflict with their prior or current obligations to other clients or that may place them in a position of not being able to carry out the assignments objectively and impartially. The consultant shall have to give an undertaking to this effect.**

3.6. The majority of the key professional staff proposed must be regular employees of the firm(s). No alternative to key professional staff may be proposed.

## 4. Procedure for bidding

### 4.1. Collection and submission of bid documents

#### 4.1.1. Collection of bid document

A set of bid-documents and terms and conditions of bid may be purchased by any interested eligible Consultant on payment of a non-refundable fee of Rs.500/- (Rupees Five Hundred) through cash or demand draft in favour of Secretary, UERC payable at Dehradun. The set will be available at the Commission's office from 1000 hrs. to 1700 hrs. on days specified below in para 4.2.1 and may also be downloaded from Commission's website [www.uerc.in](http://www.uerc.in), in which case the fee of Rs. 500/- should be paid alongwith the proposal.

#### 4.1.2. Contact Person

The address for collecting tender documents, submission of proposal and requesting clarifications is:

Pankaj Prakash, Secretary, Uttarakhand Electricity Regulatory Commission, The Institution of Engineers (I) Building, 1st Floor, Near ISBT, Majra, Dehradun- 248002.  
Phone-09760695205, Fax-0135-2641314,  
E-mail: [uttaranchalerc@rediffmail.com](mailto:uttaranchalerc@rediffmail.com)

#### 4.1.3. Submission of bids

- (i) Proposals must be submitted not later than 1500 hrs. on 11-11-2010. Separate Technical and Financial proposals are required for the assignment. One Separate sealed cover each shall be submitted for the Financial (3 Copies) and Technical Bids (3 Copies). The envelopes should mention name of assignment and nature of Bid (Technical/Financial) at the Top and the name of the submitting bidder at left hand corner of the envelope. The bids shall be in the enclosed formats (Form 1 to 9).
- (ii) The Technical bids shall not indicate any particulars of the Financial bids otherwise the bids shall be liable to be rejected. All Technical documents like literature, catalogues etc. shall be placed in the same sealed cover.
- (iii) The proposal shall clearly indicate the names and designations of the persons who shall be available to the Commission on full time basis alongwith the time schedule of availability of other team members showing the exact times of their availability for each assignment.
- (iv) Each page of bid should be numbered and signed by the authorized signatory with the seal of the firm and the forwarding letter must indicate the details of the enclosures attached.
- (v) Proposals and all connected documents and subsequent reports (in case of selection as Consultant) should be submitted in ENGLISH only.
- (vi) Consultants are required to state local cost in the Indian currency only.
- (vii) Proposals must remain valid 60 days after the last date for submission.

## 4.2. The Bid Schedule

4.2.1. The Bid Schedule shall be as under:

1.	Sale of bid-documents	21.10.2010 to 09.11.2010 between 1000 hrs. to 1700 hrs. on all working days
2.	Last Date of Receipt of Bid Proposals	11.11.2010 upto 1500 hrs.
3.	Opening of Technical Bids	11.11.2010 at 1600 hrs.
4.	Opening of Financial Bids	To be intimated later.

4.2.2. The technical bids shall be opened at 1600 hrs. on 11.11.2010 at the office of Secretary, UERC by the Evaluation Committee in the presence of bidders, who wish to participate.

## 5. Method of Selection of bidder

5.1. The method of selection is: QCBS (Quality & Cost Based System).

5.2. The evaluation of bids shall be done by an Evaluation Committee as may be constituted by the Commission.

### 5.3. Technical Evaluation

5.3.1. The Technical evaluation will be done on the basis of the following criteria with maximum marks of 100 for each criterion. The weights for each factor of the criteria shall be as follows: -

a.	The Consultant relevant experience	0.30
b.	The quality of methodology	0.25
c.	Qualifications and competence of the key-staff for the assignment	0.40
d.	Extent of transfer of knowledge to Commission staff	0.05

5.3.2. The minimum qualifying total score, for the technical bid shall be 65. The financial bids of only those bidders shall be opened whose score is 65 or above in technical bids. After technical evaluation is completed the Commission shall inform those consultants whose proposals did not meet the minimum qualifying mark or were considered non responsive to the terms of reference and the Financial proposals will be returned unopened after completing the selection process. Selected bidders, who have scored more than qualifying score, shall be informed about the date of opening of financial bids and they may attend the opening of financial bids at the office of the Secretary, UERC.

### 5.4. Financial Evaluation

5.4.1. The financial proposals of the technically qualified Consultants will be opened by the Evaluation Committee in presence of those consultants or their representatives whose bids are shortlisted for financial evaluation.

5.4.2. The proposal with lowest evaluated cost will be given a financial score of 100 and other proposals given financial scores that are inversely proportional to their prices.

5.4.3. Evaluation of financial bids will lead to selection of consultant after adding of scores in technical and financial proposals with respective weightages, which shall be 0.70 for technical bid and 0.30 for financial bid.

#### **5.5. Engagement of consultant**

5.5.1. The Commission will discuss the detailed work plan with the bidder with highest score. Any suggestions that the bidder has made to improve the TORs, staffing details, activities to be undertaken by the consultants, reporting etc., as also the inputs required from the Commission to ensure satisfactory implementation of the assignment will then be discussed with this bidder and finalized. These discussions will be on the strict understanding that the amount quoted in the Bid document will not be increased for any reason whatsoever.

5.5.2. Having selected Consultants, amongst other things, on the basis of an evaluation of the proposed key professional staff, the Commission shall award a contract on the basis of the staff named in the proposal and, prior to the award of contract, will require assurances that this staff will be actually available. The Commission will not consider substitutions during the contract period except in cases of genuine hardship subject to the satisfaction of the Commission.

5.5.3. The successful bidder shall enter into a contract with the Commission in the prescribed format and shall commence the assignment as per schedule assigned by the Commission.

5.5.4. The successful bidder shall furnish a "Performance Bank Guarantee" equal to 10% of the value of contract, which shall be valid for 60 days after the completion of the assignment.

5.5.5. If the Consultant, finally selected for award of contract on basis of above procedure, fails to enter into a contract within the time limit as may be prescribed by the Commission, the Commission will invite the consultant who has scored the second highest score on consideration of Financial and Technical bids for award of the contract.

#### **6. Other conditions**

6.1. The Commission may hold weekly review meetings fortnightly, or more frequently if so needed, with the Consultant during which senior/key personnel of Consultant shall be present.

6.2. The consultant shall not utilize or publish or disclose or part with any statistics, data/proceeding or information collected for the purpose of Commission, without the express written consent of the Commission. The consultant shall be duly bound to hand over the entire record of assignment to the Commission before the expiry of the contract.

6.3. The Commission reserves the right to award the assignments to one or more bidders on the basis of the selection criterion or reject any bid or to cancel the assignment(s) without assigning any reasons for the same. Failure to provide all information or conceal any information material to award of contract shall be at bidders own risk and may result into rejection of the proposal.

Pankaj Prakash  
Secretary to the Commission

**TECHNICAL PROPOSAL SUBMISSION FORM** **Form 1**  
(To be placed alongwith Form 2-7 in the sealed cover containing technical bid)

To,

**Uttarakhand Electricity Regulatory Commission**  
**The Institution of Engineers (I) Building, 1<sup>st</sup> Floor, Near ISBT, Majra,**  
**Dehradun-248002,**  
**Uttarakhand.**

Sir,

We, the undersigned, offer to provide the consulting services for the following assignment in accordance with your advertisement/letter dated .....

“ \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_”

We are hereby submitting our proposal for the assignment, which includes the Technical Proposal and the Financial Proposal sealed under separate envelopes. Each page of the proposal has been signed by the Authorized Signatory.

If negotiations are proposed by the Commission at any stage we undertake to negotiate on the basis of the proposed staff. Our Proposal is binding upon us and subject to the modifications resulting from contract negotiations.

We understand that you are not bound to accept any Proposal you receive.

Yours sincerely,

Encl.: As above.

Authorized Signatory:  
Name and Title of Signatory:  
Name of the Firm:  
Address:



**FIRM'S REFERENCES**  
**Relevant services carried out in the last five years**  
**that best illustrate qualifications**

(Using the format below, provide information on each reference/assignment for which your firm/entity, either individually as a corporate entity or as one of the major companies within an association, was legally contracted.)

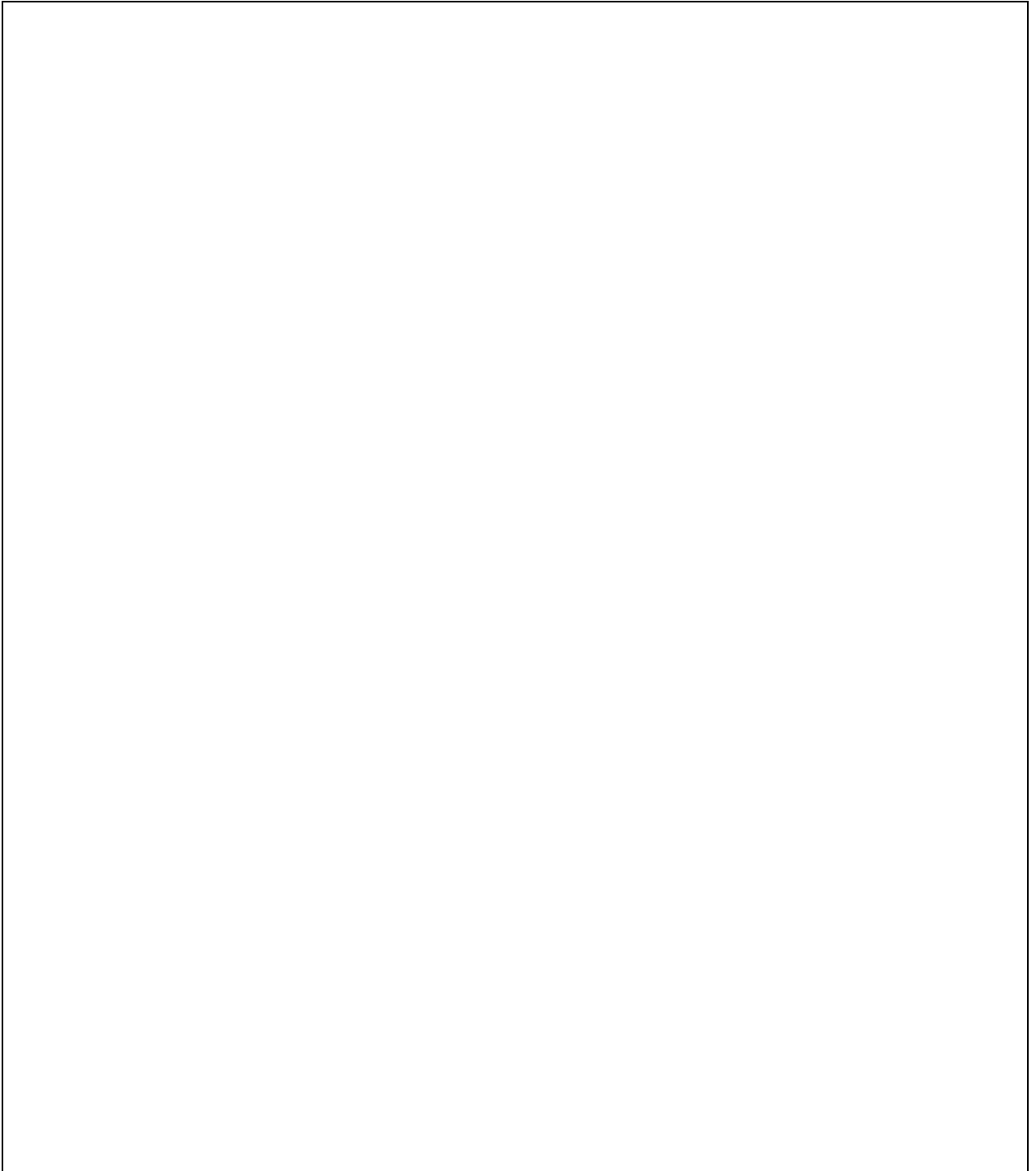
1. Assignment Name:	
2. Name & address of the client:	
3. (i) Professional Staff including Senior Staff (Project Director/Coordinator, Team Leader) Provided by Your Firm/entity (attach profiles).  (ii) No. of Staff-weeks; duration of assignment	
4. Start Date and Completion Date (Month/Year):	
5. Details of Associated Consultants, if any:	
6. No. of Months of Professional Staff Provided by Associated Consultants	
7. Approx. Value of Services (in Current Indian Rs.):	

Technical Proposal  
Format of Curriculum Vitae (CV) for proposed  
Professional staff

Form 3

1. Proposed Position	
2. Name of Firm	
3. Name of Staff and Nationality	
4. Profession	
5. Date Of Birth	
6. Years with Firm/ entity	
7. Membership in Professional Societies	
8. Details of task Assigned	
9. Key Qualifications & experience (a) Degree/ diploma (with specialization if any)  (b) Year of passing  (c) Institute/ College  (d) Area of expertise  (d) Details of Relevant experience	

Description of the methodology and  
Work plan for performing the assignment  
(Also mention any specific support required from the Commission)



Activity (work) schedule

(May include flow-diagram and/or PERT Chart for details)

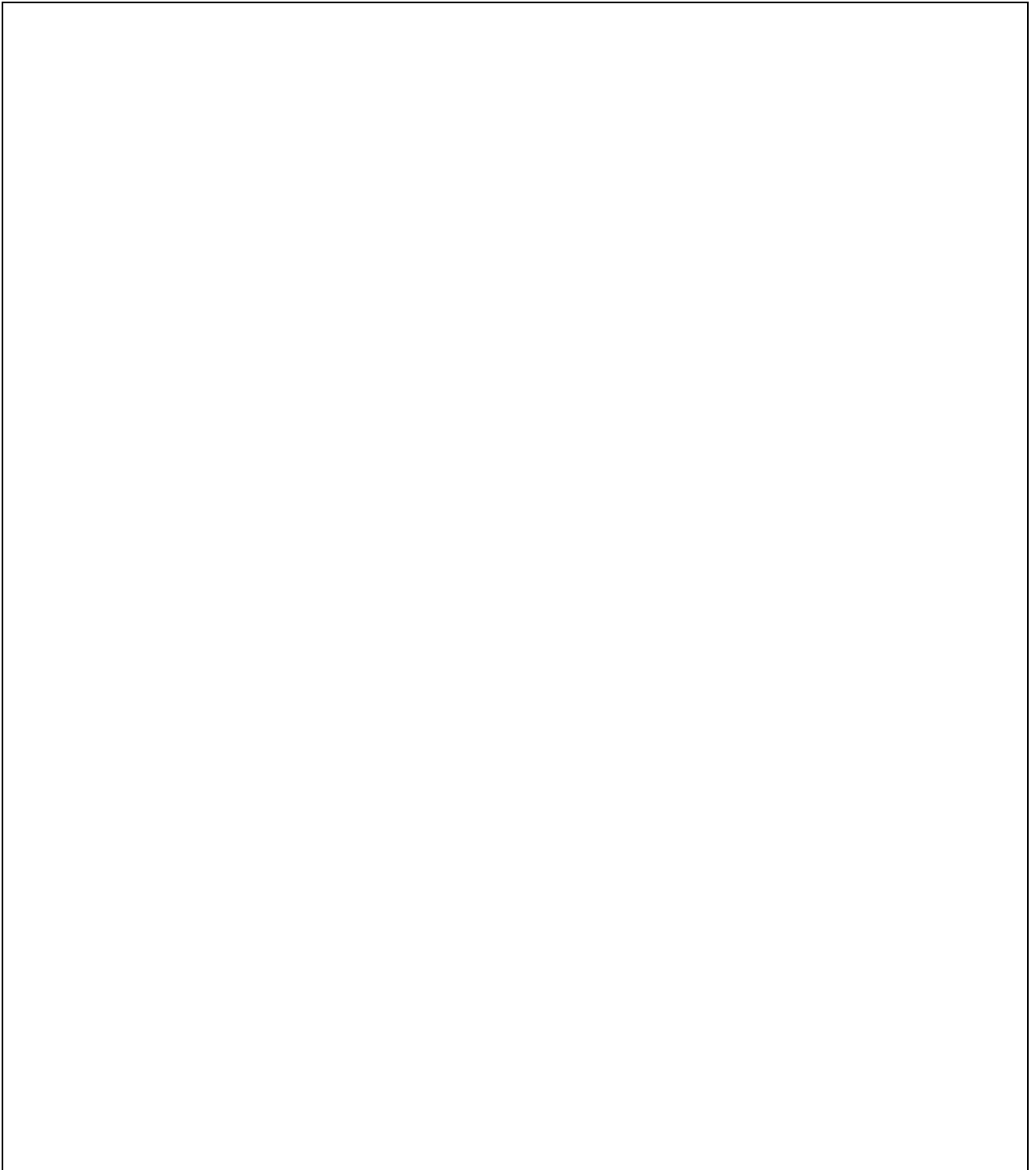
Assumed Zero Point: \_\_\_\_\_

TASK	Completion Date with reference to assumed zero point
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	

**TEAM COMPOSITION AND TASK ASSIGNMENTS**  
**Technical/Managerial Staff**

Name	Position	Task	Availability schedule (in weeks of the assignment)					
			1	2	3	4	5	.....
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								

Description of extent of transfer of knowledge and  
documents/ workings to Commission staff

A large, empty rectangular box with a thin black border, intended for the bidder to provide a detailed description of the extent of knowledge and document transfer to Commission staff. The box is currently blank.

**FINANCIAL PROPOSAL SUBMISSION FORM** **Form 8**  
(To be placed alongwith Form 9 in the sealed cover containing financial bid)

To:

**Uttarakhand Electricity Regulatory Commission  
The Institute of Engineers (I) Building, 1<sup>st</sup> Floor, Near ISBT, Majra,  
Dehradun-248002,  
Uttarakhand.**

Sir,

We, the undersigned, offer to provide the consulting services for the following assignment in accordance with your advertisement/letter dated.....:

“ \_\_\_\_\_  
\_\_\_\_\_ ”

We are hereby submitting our Financial Proposals (Form 9) sealed under separate envelope for the above assignment. Our attached Financial Proposal is for the sum of ..... [Amount in words and figures] for this assignment. This amount is inclusive of our professional fee, profits and all taxes & levies which we have estimated at ..... [Amount in words and figures] for the assignment.

Our Financial Proposal shall be binding upon us subject to the modification resulting from Contract negotiations, made by the Commission at its discretion. Each page of the proposal has been signed by the Authorized Signatory:

We understand that you are not bound to accept any Proposal you receive.

Encl. Form 7

Yours sincerely,

Authorized Signatory:  
Name and Title of Signatory:  
Name of the Firm:  
Address:

**Financial proposal**  
**Summary of costs**

**Form 9**

**Note: 1.** The cost to be indicated separately for ARR and tariff proposal filed by UPCL as Distribution company, PTCUL the Transmission Licensee or their legal successor and Generation Tariff determination filed by UJVNL and for Assistance to the Commission in defending the Tariff Orders in Appellate Tribunal or any higher Appellate body.

Costs	Amounts (s) Rs.
Total (A+B) (in figures and words)	
Taxes Payable	
Total Amount of the Proposal (in figures and words)	

**Break-up of manpower costs**

Person's Name	No. of Weeks	Equivalent Months	Rate / Person/ month	Total
<b>Total (A)</b>				

**Break-up of other costs**

Expense Type	Total
Establishment Expenses*	
Travel Expenses*	
Communication Expenses*	
Other Overheads*	
<b>Total (B)</b>	

\* Please provide full details.