



Bureau of Energy Efficiency
Ministry of Power, Government of India

This Expression of Interest (EoI) Document is for Project Management Agency for assisting Central and State Government organizations in implementing energy efficiency projects through BEE empanelled ESCOs on performance contracting mode

20 day of July 2009

Bureau of Energy Efficiency
4th Floor, Sewa Bhavan, R.K. Puram
New Delhi -110066, India

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LETTER OF INVITATION

Advertisement

This Expression of Interest (EoI) Document is for Project Management Agency having thorough knowledge on the ESCO performance contracting business for assisting Central and State Government organizations in implementing energy efficiency projects through BEE empanelled ESCOs on performance contracting mode .The Government of India set up Bureau of Energy Efficiency (BEE) (Website: <http://www.bee-india.nic.in>) on 1st March 2002 under the provisions of the Energy Conservation Act, 2001. The mission of the Bureau of Energy Efficiency is to assist in developing policies and strategies with a thrust on self-regulation and market principles, within the overall framework of the Energy Conservation Act, 2001 with the primary objective of reducing energy intensity of the Indian economy. This will be achieved with active participation of all stakeholders, resulting in accelerated and sustained adoption of energy efficiency in all sectors .Interested bidders may download the EoI document from the website <http://www.bee-india.nic.in> or may obtain the same from BEE, 4th Floor, Sewa Bhavan, R.K. Puram, New Delhi -110066, on payment of Rs. 1000/- (Rupees one thousand only), from **20.07.09** upto **27.07.09** between 1000 hrs and 1700 hrs on working days. The payment will be accepted in the form of crossed demand draft drawn of any scheduled bank, payable at New Delhi in favor of BEE, New Delhi. In case of downloading the EOI document, intimation in writing must be sent to this effect to BEE on the email address or postal address mentioned below.

Last Date for Submission of EoI: 1500 hours (IST) on **10.08.09** You may contact Shri Sanjay Seth , Energy Economist, BEE (Tel:(+91)-11-2617-9658, Fax:(+91)-11-2617-8352 Email: sseth@beenet.in) for any clarification

Dr. Ajay Mathur

Director General, BEE

Critical Information

Availability of Invitation for EoI	20.07.09 upto 27.07.09 between 1000 hrs and 1700 hrs
Last date for receipt of Queries	1500 hours on 31.07.09.
Last date for receipt of EOI	1500 hours on 10.08.09
Time and Date of opening of EOI	1600 hours on 10.08.09
Place of opening of EOI	Conference Room BEE 4th Floor, Sewa Bhavan, R.K. Puram, New Delhi -110066 India
Contact Person for queries	Sanjay Seth Energy Economist , BEE 4th Floor, Sewa Bhavan, R.K. Puram, New Delhi -110066 India Tel:(+91)-11-2617-9658, Fax:(+91)-11-217-8352 Email: sseth@beenet.in
Contact Person for submission of EOI	Sameer Pandita Project Engineer, BEE 4th Floor, Sewa Bhavan, R.K. Puram, New Delhi -110066 India Tel:(+91)-11-2617-9699 spandita@beenet.in

2. BACKGROUND INFORMATION

2.1 About BEE

The mission of Bureau of Energy Efficiency (BEE) is to develop policy and strategies with a thrust on self-regulation and market principles, within the overall framework of the Energy Conservation Act (EC Act), 2001 with the primary objective of reducing energy intensity of the Indian economy. This will be achieved with active participation of all stakeholders, resulting in accelerated and sustained adoption of energy efficiency in all sectors.

The Energy Conservation Act came into force in March 2002. The setting up of Bureau of Energy Efficiency (BEE) provides a legal framework for energy efficiency initiatives in the country.

The Act empowers the Central Government (and in some instances the State Governments) to:

- (i) Notify energy intensive industries, other establishments, and commercial buildings as designated consumers.
- (ii) Establish and prescribe energy consumption norms and standards for designated consumers.

Direct designated consumers to:

- (a) Designate or appoint certified energy manager in charge of activities for efficient use of energy and its conservation.
- (b) Get an energy audit conducted by an accredited energy auditor in the specified manner and intervals of time.
- (c) Furnish information with regard to energy consumed and action taken on the recommendation of the accredited energy auditor to the designated agency.
- (d) Comply with energy consumption norms and standards, and if not so, to prepare and implement schemes for efficient use of energy and its conservation.
- (e) Prescribe energy conservation building codes for efficient use of energy and its conservation in commercial buildings

State Governments to:

Amend the energy conservation building codes to suit regional and local climatic conditions Direct owners or occupiers of commercial buildings to:

- (a) Comply with the provisions of energy conservation building codes
- (b) Direct mandatory display of label on notified equipment and appliances
- (c) Specify energy consumption standards for notified equipment and appliance.
- (d) Prohibit manufacture, sale, purchase and import of notified equipment and appliances not conforming to standards.

The Energy Conservation Act, 2001 defines the powers of the State Government to facilitate and enforce efficient use of energy and its conservation. The State Governments have to designate State Designated Agencies in consultation with the Bureau of Energy Efficiency to coordinate, regulate and enforce the provisions of the Act in the State. Thus the State Designated Agencies are the strategic partners for promotion of energy efficiency and its conservation in the country.

2.2 Organization:

BEE is a multi disciplinary body with a sanctioned strength of 19 personnel.

Functions of BEE

Under the provisions of the Energy Conservation Act, 2001, Bureau of Energy Efficiency has been established with effect from 1st March, 2002 by merging into it, the erstwhile Energy Management Centre, being a society registered under the Societies Registration Act, 1860, under the Ministry of Power.

The mission of the Bureau of Energy Efficiency is to assist in developing policies and strategies with a thrust on self-regulation and market principles, within the overall framework of the Energy Conservation Act, 2001 with the primary objective of reducing energy intensity of the Indian economy. This will be achieved with active participation of all stakeholders, resulting in accelerated and sustained adoption of energy efficiency in all sectors.

BEE co-ordinates with designated consumers, designated agencies and other organization; recognizes, identifies and utilizes the existing resources and infrastructure, in performing the functions assigned to it under the E.C Act, 2001. The Act provides for regulatory and promotional functions:

The major functions of BEE include:

- (i) Develop and recommend to the Central Government the norms for processes and energy consumption standards.
- (ii) Develop and recommend to the Central Government minimum energy consumption standards and labeling design for equipment and appliances.
- (iii) Develop and recommend to the Central Government specific energy conservation building codes.
- (iv) Recommend the Central Government for notifying any user or class of users of energy as a designated consumer.
- (v) Take necessary measures to create awareness and disseminate information for efficient use of energy and its conservation.

3. PROJECT OVERVIEW

3.1 Project Objective/Scope of Work

Bureau of Energy Efficiency intends to hire a Project Management Agency having thorough knowledge on the ESCO performance contracting business for assisting Central and State Government organizations in implementing energy efficiency projects through BEE empanelled ESCOs on performance contracting mode. This agency would be retained initially for a period of 2 years.

Scope of Work

1. The Agency in consultation with the BEE shall be required to prepare a comprehensive project management plan to assist state and central government organisations of India to manage various projects for implementation on the performance contracting mode in the country through BEE empanelled ESCOs .
2. The Agency would in consultation with BEE develop a Monitoring & evaluation methodology for various Energy Efficiency projects based upon IPMV protocols.
- 3 The Agency would develop guidelines to streamline the ESCO projects in the country and to benchmark deliverables expected out of projects implemented on the performance contracting mode in various states of the country
4. The Agency in consultation with the BEE would be required to prepare standard template tender documents for the state and central government organisations, assist the state governments evaluate the bids received from BEE empanelled ESCOs
5. The Agency in consultation with BEE shall develop a comprehensive software platform for receipt of energy audit requests online and maintaining a database of all such requests from the state and government organisations. This tool should be capable of reporting the expected energy savings from each project and verifiable annual savings from completed projects implemented on performance contracting mode. The agency would provide comprehensive quarterly progress reports to BEE enlisting the status of various ESCO projects and expected energy savings from each of the projects being managed by this agency in different states of the country.
6. The Agency would assist BEE in evaluating and identifying innovative financial alternatives to support ESCO based Energy Efficiency project implementation on performance contracting.
7. The Agency would assist the central and the State government organisations in assessing baselines for their projects, monitor the quality of audit reports through periodic evaluation of the projects being undertaken by these ESCOs .The agency would also provide solutions to improve quality of the projects implemented through ESCOs.
- 8 .The short listed agency would be required to station at least one energy professional in the BEE office with adequate knowledge of performance contracting with a minimum 3 years of experience .

4. INSTRUCTIONS TO THE BIDDER

4.1 Procedure for Submission of EoI

The Bidder should submit their responses to EoI in accordance to the objectives indicated in para 3.1 under scope of work . The document of EoI should be page numbered and appropriately flagged and contain the list of contents with page numbers. Different copies must be bound separately. The deficiency in documentation may result in the rejection of the Bid.

The soft copy of the EoI should be submitted, in the form of a non-re-writeable CD (Compact Disc). The sealed covers should be super scribed with the wordings “Agency for assisting ESCO projects”. The sealed cover should also indicate clearly the name, address and telephone number of the Bidder to enable the proposal to be returned unopened in case it is declared "Late".

Bidder must ensure that the information furnished by him/her in respective CDs is identical to that submitted by him/her in the original paper document. In case of any discrepancy observed in the contents of the CDs and original paper documents, the information furnished on original paper document will prevail over the soft copy.

4.2 Contents of the EoI

The Bidder is expected to examine all instructions, forms, terms & conditions and Statement of Work in the EoI documents. Failure to furnish all information required or submission of an EoI Document not substantially responsive to the EoI in every respect will be at the Bidder’s risk and may result in the rejection of the EoI.

4.3 Language of Bids

The Bids prepared by the Bidder and all correspondence and documents relating to the bids exchanged by the Bidder and BEE, shall be written in the English language, provided that any printed literature furnished by the Bidder may be written in another language so long the same is accompanied by an English translation in which case, for purposes of interpretation of the bid, the English translation shall govern.

4.4 Confidentiality

BEE requires that recipients of this document to maintain its contents in the same confidence as their own confidential information and refrain from any public disclosure whatsoever.

4.5 Disclaimer

BEE and/or its officers, employees disclaim all liability from any loss or damage, whether foreseeable or not, suffered by any person acting on or refraining from acting because of any information including statements, information, forecasts, estimates or projections contained in this document or conduct ancillary to it whether or not the loss or damage arises in connection with any omission,

negligence, default, lack of care or misrepresentation on the part of BEE and/or any of its officers, employees.

4.6 Authorized Signatory (Bidder)

The "Bidder" as used in the EoI shall mean the one who has signed the EoI document forms. The signatory should be the duly Authorized Representative of the Bidder, for which a certificate of authority will be submitted. All certificates and documents (including any clarifications sought and any subsequent correspondences) received hereby, shall, as far as possible, be furnished and signed by the Authorized Representative.

The power or authorization, or any other document consisting of adequate proof of the ability of the signatory to bind the Bidder shall be annexed to the bid. BEE may reject outright any proposal not supported by adequate proof of the signatory's authority.

4.7 Contact details of the Bidder

Bidder who wants to receive BEE's response to queries should give their contact details to BEE. The Bidder should send their contact details in writing at the BEE's contact address indicated in Para 1.2 of this document.

4.8 Documents Comprising the EOI

The proposal prepared by the Bidder shall comprise the following components:

EoI Form 1 : EoI Letter Proforma (refer Para 5.1)

EoI Form 2 : Minimum Eligibility (refer Para 5.2)

EoI Form 3 : Prior Experience (refer Para 5.3)

EoI Form 4 : Declaration Letter (refer Para 5.5)

Registered Power of Attorney executed by the Bidder in favour of the Principal Officer or the duly Authorized Representative, certifying him/her as an

authorized signatory for the purpose of this EOI.

BEE shall not be responsible for non-receipt / non-delivery of the EoI due to any reason whatsoever. Bidders are advised to study the EoI document carefully. Submission of EoI shall be deemed to have been done after careful study and examination of the EoI document with full understanding of its implications.

5. SELECTION PROCESS

5.0 Cost of Bidding

The bidder shall bear all costs associated with the preparation and submission of the bid. The Purchaser (ie BEE) will, in no case, be responsible or liable for the costs, regardless of the conduct or outcome of the bidding process.

5.1 Pre-Qualification Criteria

The bidder called “Agency” hereafter must have following qualifications

- a.** The Agency must have a thorough knowledge on performance contracting business through ESCOs including implementation of Energy Efficiency contracts mainly performance contracting.
- b.** The Agency must also have good knowledge of the techno- commercial aspects of the ESCO projects based on performance contracting.
- c.** Agency should be capable of identifying & evaluating innovative financing mechanisms for EE projects implemented through ESCO on performance contracting.
- d.** Agency must have a sound understanding and experience in preparation of RFPs, EOIs and bid evaluation pertaining to ESCO projects on performance contracting.
- e.** Agency must have a sound understanding of developing baselines under the performance contracting mode in line with the IPMV protocols.
- f.** The Agency must have offices with adequate infrastructural setup in at least 4 metros in the country to coordinate and manage implementation of EE projects based on performance contracting in the various parts of the country and should be capable of taking assignments of short notices under authorization from BEE.
- g.** The Agency must have had a turnover of more than Rs 50 Crs within each of the last three financial years ie . 2006-07,2007-08,2008-09 .This turnover would be independent of the turnover of any joint venture company extending financial support to the agency until or unless a proof of joint venture /MoU is furnished .
- h.** The Agency should have sufficient number of Energy professionals having adequate experience of implementation of EE projects. The Agency should have on their rolls at least 2 BEE certified Energy auditors in each of their offices located in the country.
- i.** The Agency should have adequate competence in providing comprehensive project management software solutions if so desired by BEE .

5.2 Preliminary Scrutiny

Preliminary scrutiny of the proposals will be made to determine whether they are complete, whether the documents have been properly signed, and whether the bids are generally in order. Proposals not conforming to such preliminary requirements will be prima facie rejected.

5.3 Evaluation of Proposals

The proposals would be evaluated on the basis of the pre-qualification criteria and Bidder's prior experience in the areas mentioned above. However, BEE in its sole/absolute discretion can apply whatever criteria deemed appropriate in determining the responsiveness of the EoI submitted by the respondents.

5.4 AMENDMENT OF BID DOCUMENTS

- a) At any time, prior to the date of submission of Bids, the BEE may, for any reason, whether at its own initiative or in response to a clarification requested by a prospective bidder, modify bid documents by amendments.
- b) The amendments shall be notified in writing or by FAX / E-mail to all prospective bidders on the address intimated at the time of purchase of the bid document from the BEE and these amendments will be binding on them.
- c) In order to afford prospective bidders a reasonable time to take the amendment into account in preparing their bids, BEE may, at its discretion, extend the deadline for the submission of bids suitably.

5.5 BID PRICES

The bidder shall provide the Technical and Financial Bids separately in two separately sealed envelopes which are further enclosed in a single envelope .The bidder shall give the total lumpsum retainership price in Indian Rupees as under

- The Bidder shall submit their quote for retainer ship as a lump sum for 2 years excluding taxes.
- Any other form of financial bid submission other than lump sum retainer ship fee would make the bid non-responsive

5.6 PERFORMANCE SECURITY

To ensure due performance of the contract, performance security amounting to **Ten percent of the value of the contract** shall be retained by BEE .This Performance security shall be released on satisfactory completion of all the contractual obligations of the contract period .

5.7 TIME LINES FOR THE PROJECT

The project should be completed as per the provisions of the contract and within **the timelines stipulated in the contract** . Any delay in the completion of the work within the mentioned timelines shall attract a penalty of (0.5%) of the contract value for every week of delay subject to a maximum of 5% of the contract value .

5.8 ARIBITRATION

Any differences of any kind whatsoever arising out of or in connection with this contract whether during the progress of the work or after completion of the work shall be referred to arbitration as per the arbitration act 1996 with subsequent modifications and amendments thereof .The venue of arbitration shall be New Delhi .Further the parties shall bind themselves to the jurisdiction of the court at New Delhi exercising complete jurisdiction to exclusion of all other courts for any dispute touching upon the arbitration of this contract .

5.9 Clarifications Regarding the BID

Bidders may obtain any clarification on the bid from the officials of BEE as per the contact details under section 1 within the period of seeking queries indicated in section 1 of the bid document .

6 . PAYMENT TERMS

- a. Payment Terms as a percentage of quoted amount for undertaking this assignment shall be as under
 - i. 10 % as mobilizing advance at the time of signing the contract .
 - ii. 20 % upon submission of I& II quarterly progress reports ie 6 months .
 - iii. 20 % upon submission of III &IV quarterly progress reports ie 6 months
 - iv. 20 % upon submission of V & VI quarterly progress reports ie 6 months
 - v. 20% upon submission of VII &VIII quarterly reports ie 6 months
 - vi. 10 % upon acceptance of final report for entire 2 years at the end of the Project by the BEE
- b. payments shall only be released against invoices raised by the agency in line with the above payment terms indicated above .
- c. The Bidder shall be eligible for Rs 4000 (Rupees Four Thousand) per man-day and expenses towards transportation, boarding and lodging will be paid at actuals, if required to perform duties outside the jurisdiction of the offices as qualified in the PQ criteria.
- d. For all works pertaining to the areas where the agencies offices are located, no man-day /transportation costs would be eligible for payment

7. EOI FORMS

EoI is to be submitted in the following format along with the necessary documents as listed. The EoI shall be liable for rejection in the absence of requisite supporting documents. EoI should provide information against each of the applicable requirements. In absence of the same, the EoI shall be liable for rejection.

7.1 EoI Form 1: EoI Letter Proforma

The Director General,
Bureau of Energy Efficiency
4th Floor, Sewa Bhavan, R.K. Puram Sector-I
New Delhi -110066
India

Sir,

Sub:

This Expression of Interest (EoI) Document is for Project Management Agency having thorough knowledge on the ESCO performance contracting business for assisting Central and State Government organizations in implementing energy efficiency projects through BEE empanelled ESCOs on performance contracting mode.

The undersigned Bidders, having read and examined in detail all the EoI documents in respect of appointment of a Bidder for BEE, do hereby express their interest to provide Consultancy Services as specified in the scope of work

2. Correspondence Details

Our correspondence details are:

i.	Name of the Bidder	
ii.	Address of the Bidder	
iii.	Name of the contact person to whom all references shall be made regarding this tender	
iv.	Designation of the person to whom all references shall be made regarding this tender	
v.	Address of the person to whom all references shall be made regarding this tender	
vi.	Telephone (with STD code)	
vii.	E-Mail of the contact person	

viii.	Fax No. (with STD code)	
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3. Document forming part of EOI

We have enclosed the following:

EoI Form 2 : Minimum Eligibility

EoI Form 3 : Prior Experience

EoI Form 4 : Declaration Letter

EoI Form 5: Approach and Methodology

EoI Form 6 : CV of the Professionals working on this Project

Registered Power of Attorney executed by the Bidder in favor of the Principal Officer or the duly Authorized Representative, certifying him/her as an authorized signatory for the purpose of this EoI

Memorandum of Understanding (MoU) / Agreement prepared on a stamp paper of requisite value with the subcontractor clearly indicating their relationship. (Optional)

4. We hereby declare that our EoI is made in good faith and the information contained is true and correct to the best of our knowledge and belief.

Thanking you,
Yours faithfully

(Signature of the Bidder)

Name :
Designation :
Seal :
Date :
Place :
Business Address:

<p>Witness:</p> <p>Signature _____</p> <p>Name _____</p> <p>Address _____</p> <p>Date _____</p>	<p>Bidder:</p> <p>Signature _____</p> <p>Name _____</p> <p>Designation _____</p> <p>Company _____</p> <p>Date _____</p>
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7.2 EoI Form 2: Minimum Eligibility

(Relevant information may be submitted wherever applicable)]

1.1	Name of Firm/Company			
1.2	Year of Registration/Incorporation			
1.3	Year of Registration/Incorporation in India*			
1.4	Number of Employees in India as on March 31, 2009			
		FY 2006-07	FY 2007-08	FY 2008-09
1.5	Annual Turnover			
1.6	Annual Profits **			

*Enclose a copy of Registration document

**Enclose a copy of Audited Financial Statement with respect to information furnished in 1.5 and 1.6

Witness:

Signature

Name

Address

Date

Bidder:

Signature

Name

Designation

Company

Date

7.3 EoI Form 3: Prior Experience

[Using the format below, provide information on each assignment for which your firm, and each associate for this assignment, was legally contracted either individually as a corporate entity or as one of the major companies within an association, for carrying out consulting services similar to the ones requested under this assignment. The Bidder should give information about maximum of five projects covering the areas of design as indicated. Experience of sub-contractor including parent company may be stated only if the relevant Memorandum of Understanding (MoU) is submitted]

Name of Bidder/Firm:	
Assignment/job name:	
Nature of Assignment:	
Description of Project	
Approx. value of the contract (in Rupees):	
Country:	
Location within country:	
Duration of Assignment/job(months) :	
Name of Employer:	
Address and contact details:	
Total No of staff-months of the Assignment/job:	
Approx. value of the Assignment/job provided by your firm under the contract (in Rupees):	
Start date (month/year):	
Completion date (month/year):	
Name of associated Bidders, if any:	
No of professional staff-months provided by associated Bidders:	
Name of senior professional staff of your firm involved and functions performed.	
Description of actual Assignment/job provided by your staff within the Assignment/job:	

Note : Please attach Letter of Intent or Purchase Order or certificate of successful completion for each project, from the respective Client(s).

Witness:		Bidder:	
Signature	_____	Signature	_____
Name	_____	Name	_____
Address	_____	Designation	_____
	_____	Company	_____
Date	_____	Date	_____

7.4 EoI Form 4: Declaration Letter.

[Declaration of sub-contractor including parent company is also needed if the relevant Memorandum of Understanding (MoU) is submitted]

Declaration Letter on official letter head stating the following:

We are not involved in any major litigation that may have an impact of affecting or compromising the delivery of services as required under this contract

We are not black-listed by any Central / State Government / Public Sector Undertaking in India

Witness:		Bidder:	
Signature	_____	Signature	_____
Name	_____	Name	_____
Address	_____	Designation	_____
	_____	Company	_____
Date	_____	Date	_____

7.5 EoI Form 6 :

This would describe the Approach and Methodology, the shortlisted bidder intends to adopt for managing this project .This section would be given due weight age at the time of bid evaluation.

7.6 EOI Form 7:

This section will have list of CVs of all Professionals of the bidding consultancy who would work on this project. This section would be given due weight age at the time of bid evaluation. This section would also include a reference table enlisting Names Qualification, Years of Experience, and Field of Experience of each of these professionals. Experience in the Performance contracts would be preferable.