

NTPC Green Energy Limited

(A wholly owned Subsidiary of NTPC Ltd., a Government of India Enterprise)



Invites

Expression of Interest

(Eoi)

From

Any Indian/Global Company

For

forming a consortium with NTPC Green Energy Limited regarding the Development of Offshore Wind Projects in India

DOCUMENTS OF EoI

This EOI document comprises the following sections:

- (i) Section I : EoI Information
- (ii) Section II : Introduction
- (iii) Section III : Instructions to the Applicants
- (iv) Section IV : Consideration of Response
- (v) Section V : Application Form and Annexures
- (vi) Section VI : Abbreviations, Definition of terms
- (vii) Section VII : Sample Forms, Formats and Undertakings for EoI Submission

Section - I
Eoi Information

DETAILED NOTICE INVITING EXPRESSION OF INTEREST (EoI)

EoI No. NGEL/OFFSHORE/EoI-01/2023-24

Date:10.07.2023

NTPC Green Energy Limited is Inviting Expression of Interest from Indian/Global Company for forming a consortium with NTPC Green Energy Limited regarding the Development of Offshore Wind Projects in India.

1. NTPC Green Energy Limited (NGEL), the wholly owned subsidiary of NTPC Ltd. formed for developing Green Energy Projects, is exploring various opportunities in the Offshore Wind Project domain. Recently, MNRE has published a Strategy Paper and is looking for allocating different blocks of Coastal Regions at Gujarat and Tamil Nadu amounting to 37 GW under different models namely Model 1,2,3 and 4 from 2023-2030. Accordingly, NGEL, intends to invite Expression of Interest (EoI) from Indian/Global company to form a consortium and set up Offshore Wind projects in India.
2. In this regard, NGEL Invites Expression of Interest (EoI) from any Indian/Global Company (hereinafter called APPLICANT).
3. DOWNLOAD INFORMATION AND TIMELINES FOR SUBMISSION OF EoI
 - a. Interested APPLICANTs may download the documents of EoI from
www.ntpctender.com & <https://eprocurrentpc.nic.in>
 - b. Last date for queries/ seeking clarifications : 31.07.2023
 - c. Last date for submission of EoI : 14.08.2023
 - d. Date of opening of EoI response : 16.08.2023

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4. For consideration of EoI, APPLICANTS are required to email a softcopy of EoI, completed in all respect, till the last date for submission of EOI to the following address:

To: samyaksarangi@ntpc.co.in; ssenthilkumar01@ntpc.co.in;

CC to: vishaljain@ntpc.co.in

Designation (Dept.)

NTPC Green Energy Limited,
NETRA Building, E-3, Ecotech-II
Udyog Vihar, Greater Noida
Gautam Buddha Nagar - 201306

Applicant may also choose to submit the response to EoI, completed in all respect, till the last date for submission of EOI at the NTPC e-tendering portal at <https://epro-curentpc.nic.in>.

5. NGEL reserves the right to accept or reject any or all applications, cancel/withdraw the EoI process without assigning any reason whatsoever and in such case, APPLICANT shall not have any claim against NGEL arising out of such action. NGEL bears no responsibility or liability of any kind in reference to the EoI.

Section - II
Introduction

1. INTRODUCTION

- a) NTPC Limited (www.ntpc.co.in) is India's largest power generation company. According to Platts, it is the world's second largest Independent Power Producer (IPP) (2019). With a market capitalization of approx. 1.77 trillion, the company is listed on the Indian stock exchange.
- b) NTPC Limited generates approximately 600 billion units of electricity per year through its network of gas, coal, hydro, and renewable energy-based power plants totalling approximately 72 GW capacity spread across the country. Furthermore, NTPC intends to reach a capacity of 130 GW by 2032.
- c) As India's largest power generator, NTPC Limited wishes to play a key role in the country's transition to renewable energy, particularly through the development of Offshore Wind Projects through NGEL.
- d) NGEL, a wholly owned subsidiary of NTPC Ltd. formed to develop Green Energy Projects, is looking into various Offshore Wind Project opportunities. NTPC intends to reach a renewable energy capacity of 60 GW by 2032.

2. INTENT OF THE EXPRESSION OF INTEREST (EoI)

- a) NGEL intends to form a consortium of companies with the successful bidder for the development of Offshore Wind Projects with NGEL as the Lead Member.
- b) Presently, there are no Offshore Wind Projects in India. Hence, NGEL desires to collaborate with a partner who has extensive prior knowledge and experience of offshore wind project development across the globe.
- c) Further, forming of a consortium with the successful bidder would lead NGEL to gather experience in the further development of offshore wind projects and contribute to its goal of 60 GW of renewable energy capacity by 2032.
- d) In the long term, the consortium will also help NGEL to develop in-house expertise and subsequently develop solutions in the execution and O&M of the offshore wind energy projects.

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- e) The interested applicants will specify the details mentioned in Section-V of this document.
- f) The qualification and selection criteria of the bidders is mentioned in Section-IV of this document.
- g) The Bidder shall for each criteria i.e., Compulsory, technical and financial, upload a separate single scanned file containing all the relevant documents duly signed and stamped on each page by the authorized signatory as mentioned in Section IV of this document.

h) **Compulsory criteria**

The Bidder shall upload a single document for Compulsory Criteria containing scanned copies of the relevant documents for the establishment of credentials as per evaluation methodology duly signed and stamped on each page by the authorized signatory.

i) **Technical criteria**

The Bidder shall upload a single document for Technical Criteria containing scanned copies of the relevant documents for the establishment of credentials as per evaluation methodology duly signed and stamped on each page by the authorized signatory.

j) **Financial criteria**

The Bidder shall upload a single document for Financial Criteria containing scanned copies of the relevant documents for the establishment of credentials as per evaluation methodology duly signed and stamped on each page by the authorized signatory.

- k) Based on the techno-commercial feasibility of responses in the EOI, the consortium of companies may be formed with the successful bidder with NGEL as the lead member for the development of Offshore Wind Projects.

NGEL reserves the right to form the consortium amongst the shortlisted bidder-identified through this Eoi Process based on the responses received or through a separate process.

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- l) The intellectual property generated from the projects (a first of its kind in India) will be co-owned by NGEL and the successful bidder. The same may be monetized separately during the commercialization of the technologies.
- m) The applicant must submit an expression of interest for setting up a Consortium with NGEL for the development of Offshore Wind Projects only.
- n) The key roles and responsibilities of the stakeholders under the projects shall include but not be limited to the following:

NGEL's Role:

- i. Agreed capital contribution for the development of the Offshore Wind project (from Inception to Decommissioning) NGEL shall provide milestone funding based on mutually agreed milestones.
- ii. Role as the lead member or owner of the project.
- iii. After winning the bid for upcoming Offshore wind projects in India, exploration of possibilities for incorporating of joint venture Company (if envisaged) for implementation of the project(s), subject to all relevant approvals (including from respective boards of parties, DIPAM, NITI Aayog as may be required) and on such terms and conditions as may be agreed mutually will be taken up.

Applicant's Role:

- i. Agreed to capital contribution for the development of the Offshore Wind project (from Inception to Decommissioning).
- ii. Agreed use of credentials by NGEL or the independent company (in which NGEL is the lead member) for participating in the offshore wind projects bid.
- iii. After winning the bid for upcoming Offshore wind projects in India, exploration of possibilities for incorporating of joint venture Company (if envisaged) for implementation of the project(s), subject to all relevant approvals (including from respective boards of parties, DIPAM, NITI Aayog as may be required) and on such terms and conditions as may be agreed mutually will be taken up.

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The Applicants may express their interest in respect of their offerings along with other inputs as indicated in relevant Annexures/formats.

The response(s) received in the EoI will be utilized by NGEL for shortlisting parties for further forming a consortium to jointly execute the Offshore Wind projects (Inception to Decommissioning) in India.

3. Business Opportunity for NGEL for going into Consortium

- a) NGEL's entry into the offshore Wind Project Segment of Renewable Energy Projects.
- b) NGEL's foray into Offshore Wind Projects will be one of India's first Offshore Wind Project with state of art technologies.
- c) The consortium will help NGEL to develop in-house expertise and subsequently develop solutions in the execution and O&M of the offshore wind energy projects.
- d) Offshore wind will help to achieve NGEL's renewables target of 60GW by 2032.

4. Business Opportunity for Successful Bidder for going into Consortium

- a) NTPC Ltd. is India's Largest Power Producer and Public Sector Enterprise under the aegis of the Ministry of Power, India. Successful Bidder can have knowledge sharing regarding Power Sector Scenario in India.
- b) Considering India's ease of doing business, Successful Bidder will get an opportunity to enter the Renewable Energy Business foray in India and establish its footprint all over India through its project.
- c) Successful Bidder's entry into the Indian Market through offshore Wind Project Segment of Renewable Energy Projects.
- d) The consortium will help Successful Bidder to develop technical expertise and exposure to Indian Power Industry.
- e) The consortium will help Successful Bidder to develop a strategy to further establish itself as a renewable power producer in India.

Section - III
Instructions to the Applicants

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1. The Applicants should note that:

- a. Language of the responses to EoI or any query/ clarifications/ correspondences shall be in English only. In case any document is submitted in a language other than English, a certified English translation from an approved translator shall be required to be submitted by the Bidder.
- b. For expression of interest, the Application Form and Annexures given in Section-V shall be duly filled and sent to NGEL by the APPLICANT in soft copy.
- c. Applicants should go through Section-I to Section-IV thoroughly before filling and submitting the application form and annexures in Section-V.
- d. Applicants shall mention the name and contact details of two persons, with complete address, phone number and email id.
- e. NGEL, may at its sole discretion, ask for additional information/ documents and/or seek clarifications from the applicant (s) after the deadline for submission of response, inter alia, for the purpose of removal of inconsistencies or infirmities in their responses.

2. Enquiries and clarifications

Any clarifications on the EoI may be sought to the following via email:

To: samyaksarangi@ntpc.co.in; ssenthilkumar01@ntpc.co.in

CC to: vishaljain@ntpc.co.in

3. Corrigendum:

At any time before the last date of submission of EoI, NGEL may, for any reason, whether at its own initiative or in response to a clarification requested by an Applicant, modify the EoI document. The amendment and corrigendum will be posted on the website and will be binding on the Applicants and the Applicant will give due consideration to the same, while they submit their EoI, and would invariably enclose documents/ information, as required, on account of the amendment, as a part of the EoI. NGEL may, at its discretion, extend the deadline for the submission of EoI.

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4. Preparation of the response to Eol

The application of Eol consists of the following:

- (a) Section-V of this document

5. Validity of the responses

The applicant shall submit the responses which shall remain valid up to twelve (12) months after the response Deadline ("Response Validity"). NGEL reserves the right to reject any response, which does not meet the validity requirement.

NGEL may solicit the applicant's consent for an extension of the period of validity of the response. The request and the response in this regard shall be in writing. In the event any Applicant refuses to extend its response validity as requested by NGEL, NGEL shall terminate the processing of such Applicant's responses. An Applicant accepting NGEL request for validity extension shall not be permitted to modify its response.

6. Submission of the response to Eol

The responses to the Eol are to be submitted in soft copy at the NTPC e-tendering portal at <https://eprocurerntpc.nic.in> or via below email format

To: samyaksarangi@ntpc.co.in; ssenthilkumar01@ntpc.co.in

CC to: vishaljain@ntpc.co.in

Ref. Eol No.

Dated

Envelope: Original / Copy # ____

Due date of Opening: _____

Submitted to:

Name, designation & address of the concerned officer of NGEL

Submitted by:

Name, address & contact no. of the applicant

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All the pages of the response should be digitally signed by the authorized signatory in whose favour the Power of Attorney is issued.

The responses to the EoI should be submitted within the deadline at the address provided in the Section-I of this EoI.

7. Opening of responses to the EoI

The responses to the EoI shall be opened as per the time schedule 1500 HRS IST at the date as mentioned in Section-I and will be communicated to the Applicants via email.

In the event of any of the above dates falling on a day which is not a working day, or which is a public holiday, the responses shall be opened on the next working day at the same venue and time.

8. Costs and expenses towards response to EoI

The Applicants shall be responsible for all the costs associated with the preparation of the response and participation in discussions and finalization & execution of the documents related to this EoI, NGEL shall not be responsible in any way for such costs, regardless of the conduct or outcome of this shortlisting/ selection process.

9. Confidentiality

The Applicants undertake to hold in confidence this EoI and any document related or pursuant to this EoI and not to disclose the terms and conditions of the transaction contemplated hereby to third parties, except:

- (a) To their professional advisors.
- (b) To their officers, contractors, employees, agents or representatives, financiers, who need to have access to such information for the proper performance of their activities.
- (c) Disclosures required under applicable Law, without the prior written consent of the other parties of the concerned agreements.

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Provided that the applicant (s) agrees and acknowledges that NGEL may at any time, disclose the terms and conditions of this Eol and any document related or pursuant to this Eol to any person, to the extent stipulated under the applicable Law.

10. Disclaimer

- (a) This Expression of Interest (Eol) has been prepared by NGEL Ltd. for a response from Indian/Global Company for shortlisting of Bidder to forming a consortium with NTPC Green Energy Limited regarding the Development of Offshore Wind Projects
- (b) In submitting an expressed Eol in response to the Eol, the Applicants certify that it understands, accepts, and agrees to the disclaimers mentioned herewith. Nothing contained in any other provision of the Eol nor any statements made orally or in writing by any person or party shall have the effect of negating or superseding any of the disclaimers set forth herewith.

Section-IV

Consideration of Response

RESPONSIVENESS/EVALUATION METHODOLOGY

1. RESPONSIVENESS METHODOLOGY

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The responses submitted by Applicants shall be scrutinized to establish interest in forming a consortium with NTPC Green Energy Limited regarding the Development of Off-shore Wind Projects. Responses shall be deemed non-responsive for the following reasons:

- a) Responses that are incomplete, i.e., not accompanied by any of the applicable formats inter alia covering letter, power of attorney, applicable undertakings, provided in more details at annexure in Section-V.
- b) Responses not signed by authorized signatory and/or stamped in the manner indicated in this Eol;
- c) Material inconsistencies in the information/ documents submitted by the applicant
- d) An Applicant submitting more than one response to this Eol either itself or through an affiliate or subsidiary company.
- e) Response validity being less than that required as per Clause 5 of section-III of this Eol.
- f) Response being conditional in nature;
- g) Response not received by the response Deadline;
- h) Response having Conflict of Interest;
- i) Applicant delaying in the submission of additional information or clarifications sought by NGEL, as applicable;
- j) Responses which do not fulfill the Compulsory Criteria.
- k) Bidders who do not comply with the terms and conditions of O.M. issued by the Department of Expenditure, Indian Ministry of Finance, vide No. F.7/10/2021-PPD dated 23.02.2023 and subsequent amendments and clarifications thereto. In line with the O.M. issued by the Department of Expenditure, Ministry of Finance, vide No. F.7/10/2021-PPD dated 23.02.2023 and subsequent amendments and clarifications thereto, the Bidder shall meet the following criteria for its bid to be considered for evaluation under the EOI.
 - i. Any bidder from a country which shares a land border with India will be

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eligible to bid in this tender only if the bidder is registered with the Competent Authority (as defined in the OM as referred above).

Further, any bidder (including bidder from India) having specified Transfer of Technology (ToT) arrangement with an entity from a country which shares a land border with India, will be eligible to bid only if the bidder is registered with the same competent authority (as defined in the OM as referred above).

- ii. “Bidder” in this reference, means any person or firm or company, including any member of a consortium, every artificial juridical person not falling in any of the descriptions of bidders stated hereinbefore, including any agency branch or office controlled by such person, participating in this EOI.
- iii. “Bidder from a country which shares a land border with India” for the purpose of this clause, means:
 - a. An entity incorporated, established or registered in such a country; or
 - b. A subsidiary of an entirely incorporated, established or registered in such a country, or
 - c. An entity substantially controlled through entities incorporated, established or registered in such a country; or
 - d. An entity whose beneficial owner is situated in such a country, or
 - e. An Indian (or other) agent of such an entity; or
 - f. A natural person who is a citizen of such a country; or
 - g. A consortium where any member of the consortium falls under any of the above.
- iv. In support of the above, the Bidder shall be required to submit necessary Undertaking, as per Format of the EOI.
- v. Other provisions of the referred OM dated 23.02.2023, except SI. 17 of the OM, will also be applicable for this EOI. Any interpretation of the above clauses will be made in line with the referred OM, including subsequent amendments and clarifications thereto.

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- l) All bids that shall meet the responsive check requirements set out above in this section of the EoI document shall be considered as responsive. In case of non-submission of relevant details as above, the responses may be considered as "non-responsive", at the sole discretion of NGEL and will not be considered further.

2. EVALUATION METHODOLOGY

The Bidder/Applicant would be ranked on a single stage basis, where the bidder must fulfill the compulsory criteria and then evaluation of technical and financial criteria will be done and the ranking will be decided based on the score described below: -

- a) The details mentioned in compulsory criteria shall have to be met by the bidder for further evaluation of technical and financial criteria.
- b) The technical and financial criteria will have the details regarding the bidder's organization, consortium memberships, legal criteria's, net worth and average turnover for the previous 3 years.
- c) Each bidder will submit a single compulsory, technical and financial criteria bid.

Calculating scores:

$$S_T = (T/T_H) * 100$$

Where,

S_T - Bidder Technical criteria score

T- Technical score of the respective bidder.

T_H - Highest technical score acquired by a bidder under the bid.

$$S_F = (F/F_H) * 100$$

Where,

S_F - Bidder Financial Criteria Score

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F- Financial score of the respective bidder

F_H- Highest financial score acquired by a bidder under the bid.

$$S=(S_T*0.7) + (S_F*0.3)$$

Where,

S – Final Score of a bidder

NOTE: -

- 1) The highest-scoring bidder is ranked as H1 bidder.
- 2) 1st Tiebreaker: Company scoring higher marks on technical score
- 3) 2nd Tiebreaker: Company scoring higher marks on the financial score
- 4) 3rd Tiebreaker: Bidder proposing Highest Equity % contribution
- 5) Only those Bidder whose final score is above 60 marks will be considered for shortlisting.

Bidder shall be considered for consortium based on the ranking.

COMPULSORY CRITERIA: -

The following criteria will qualify the bidder regarding the bidder's organization, legal, safety, environmental and quality assurance, which are considered as the basic compulsory qualifications required by the bidder. The bidder who 'Pass' in all the compulsory qualification criteria's will only be considered eligible for the technical evaluation. The scoring would be such that each criterion will be considered "PASS" if satisfactory certificate/ Letter/Policy is provided and will be considered "FAIL" if not provided.

Sl. No	Criteria	Description	Pass/ Fail
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1	Commissioned at least 200MW of offshore wind energy capacity globally	Copies of commissioning/installation certificate, issued in the name of bidder/ member/ affiliate by the competent governmental authority and/ or counterparty	
2	Have in place an environmental policy specific to offshore Wind Project infrastructure as per international practices.	Copy of the policy	
3	Have in place a health and safety policy specific to offshore Wind Project infrastructure as per international practices.	Copy of policy	
4	Have in place a quality assurance policy specific to offshore Wind Projects as per international practices.	Copy of Quality assurance certificate by an accredited body	
5	Along with its Affiliate, not been a willful defaulter to any lender, and there is no major litigation pending or threatened against the Bidder or any of its Affiliates which are of a nature that could cast a doubt on the ability or the suitability of the Bidder to undertake the Project.	Undertaking to this effect in Section VII	
6	Have in place a policy, and undertake to comply with requirements with regard to: (a) Anti-bribery; (b) Antifraud; (c) Anti-slavery; and (d) Anti-collusion.	Copy of the policy/ies and undertakings in the formats set forth in Section VII	
7	Along with its Affiliates, not been a willful defaulter with any tax laws, and there is no major tax litigation pending or threatened against the Bidder or any of its Affiliates which are of a nature that could cast a doubt on the ability or the suitability of the Bidder to undertake the Project.	Undertaking to this effect in Section VII	
8	Along with its Affiliates, not in breach of the national security	Undertaking to this effect in Section VII	
9	Decommissioning plan for the Project	Copy of the decommissioning plan	
10	Health, safety and accident record	Copy of health, safety and accident records	
11	Environmental clearance plan	Copy of Submit plan for securing environmental clearances	

Technical and Financial Criteria:

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Sl. No	Criteria	Description	Max Marks
Technical Criteria			
1	Experience in commissioning offshore Wind Project infrastructure	10 marks would be given to any entity having experience in offshore wind infrastructure projects	10
2	Total capacity (MW) of offshore wind commissioned	Minimum 200 MW 3 marks: 200MW to 400 MW 6 marks: greater than 400MW to 600 MW 10 marks: greater than 600MW to 800 MW 12 marks: greater than 800MW to 1000 MW 15 marks: greater than 1000 MW developed	15
3	Managing marine surveys for offshore wind development	Number of offshore wind resource assessment campaigns (with offshore measurement) completed	Maximum marks 4 (1 mark for each campaign completed)
		Number of offshore geotechnical campaigns completed	Maximum marks 2 (1 mark for each campaign completed)
		Number of geophysical campaigns completed	Maximum marks 2 (1 mark for each campaign completed)
		Number of met ocean measurement campaigns completed	Maximum marks 2 (1 mark for each campaign completed)
4	Commissioning offshore wind transmission system (no. of offshore transmission systems commissioned)	Commissioned minimum 50 MW 1 mark: 1 system commissioned with at least 50 MW 2 marks: 2 systems commissioned with at least 50 MW capacity 3 marks: 3 systems commissioned with at least 50 MW capacity 4 marks: 4 systems commissioned with at least 50 MW capacity 5 marks: More than 4 systems commissioned, each of at least 100 MW capacity.	5
5	Years of experience in owning or operating offshore wind energy projects	Minimum 3 years' experience in offshore wind projects 2 marks: Experience greater than 3 years to 5 years 4 marks: Experience greater than 5 years to 7 years 6 marks: Experience greater than 7 years to 9 years 8 marks: Experience greater than 9 years to 10 years 10 marks: Experience greater than 10 years	10
6	Experience of project management team in offshore wind projects	Minimum 5 years' post qualification experience in relevant field.	4
7	Operation and management experience	Score involves taking the following factors: • Port facility (warehouse experience) • Experience in SCADA systems and monitoring units	2 marks: upto 500 MW cumulative capacity offshore wind turbine O&M experience 4 marks: Greater than 500 MW to

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		<ul style="list-style-type: none"> • Possibilities of logistics access and availability • Experience with O&M vessels • Manpower fleet. 	1000 MW cumulative capacity offshore wind turbine O&M experience 6 marks: Greater than 1000 MW cumulative capacity offshore wind turbine O&M experience	
8	Minimum work programme for Offshore Wind Project	Offshore wind resource assessment	Maximum marks: 2 (Programme should envisage assessment being carried out using any of these measurement technologies: <ul style="list-style-type: none"> • Met Mast (anemometer) • LIDARs • Floating LIDARs) 	10
		Offshore geotechnical	Maximum marks: 4 (Programme should envisage carrying out all of these technical requirements: <ul style="list-style-type: none"> • Cone penetration tests, Seabed frame • Boreholes with sampling; • Boreholes, blind drilling; • CPTs, down the hole; • Boreholes with PS-logging, selected boreholes; • Seismic CPTs, selected location; • Laboratory testing, classification tests; • Laboratory testing, advance soil tests; • 3D integrated ground model) 	
		Offshore geophysical	Maximum marks: 3 (Programme should envisage carrying out all of these technical requirements: <ul style="list-style-type: none"> • Geological survey • Bathymetric mapping • Grab sampling • Seismic investigation • Screening of ferrous object using magnetometer) 	
		Met ocean assessment (using met ocean model)	Maximum Marks 1	
Financial Criteria				
1	Net-Worth	Minimum value INR 1250 crore 2 marks: Net-Worth greater than INR 1250 crore to INR 2500 crore 4 marks: Net-Worth greater than INR 2500 crore to INR 3,000 crore		10

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		6 marks: Net-Worth greater than INR 3,000 crore to INR 4,000 crore 8 marks: Net-Worth greater than INR 4,000 crore to INR 5,000 crore 10 marks: Net-Worth greater than Rs 5,000 crore	
2	Annual turnover of last 3 (three) Financial Years (i.e., FY 2020-21, 2021-22, 2022-23)	Minimum INR 500 crore 2 marks: Turnover greater than INR 500 crore to INR 1,000 crore 4 marks: Turnover greater than INR 1,000 crore to INR 1,500 crore 6 marks: Turnover greater than INR 1,500 crore to INR 2,500 crore 8 marks: Turnover greater than INR 2,500 crore to INR 3,500 crore 10 marks: Turnover greater than INR 3,500 crore	10
3	Plan for meeting funding requirements for the Project	Marks would be awarded based on the experience and satisfactory plan provided	5
4	Fund raising experience	1 mark: Fund raising experience greater than INR 500 crore to INR 1,000 crore 2 marks: Fund raising experience greater than INR 1,000 crore to INR 3,000 crore 3 marks: Fund raising experience greater than INR 3,000 crore to INR 4,000 crore 4 marks: Fund raising experience greater than INR 4,000 crore to INR 5,000 crore 5 marks: Fund raising greater than INR 5,000 crore	5
TOTAL SCORE			100

Documents to be submitted

A. Compulsory and Technical Criteria

- i. Copies of commissioning/ installation certificate, issued in the name of Bidder / Affiliate by the competent governmental authority and/ or counterparty with respect to offshore wind infrastructure projects
- ii. Details of the management team along with the team member's qualifications and experience and organization structure (including the technical and administrative officials)
- iii. Plans to be submitted:
 - (a) Minimum work programme, comprising offshore wind resource assessment, offshore geotechnical, offshore geophysical, and met ocean assessment (using met ocean model);
 - (b) Operation and management support plan. (Documents proving experience may also be provided, if relevant)
- iv. Transportation and installation testing certificates should be submitted for proving the offshore wind transmission experience.

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- v. Copy of contract/ completion certificate/ commissioning document issued by third party agency/ certification agency OR documents issued by OISD/ regulatory / statutory authority regarding consent to establish and consent to operate.
- vi. Marine survey completion certificate/ letter issued by the concerned governmental authority.

Note:

Bidders are required to submit above documents to satisfactorily establish their meeting the compulsory and techno-commercial criteria in the EOI.

All bidder, who are required to submit the details of the past experiences, shall submit all the documents, in support of compulsory and technical criteria Requirements (such as copy of Purchase Orders/ Work Orders/ Contract Agreements/ Client Certificates etc.), duly certified and verified for authenticity from Independent Statutory Auditor of their Company or specified Third-Party Inspection Agency (TPIA).

Further, wherever information can be drawn from books of accounts, records and other relevant documents, Bidders can also submit a certificate issued by their Independent Statutory Auditor certifying the data required for meeting the compulsory and technical criteria Requirements.

Such bidder shall be required to submit duly certified and verified documents from their Statutory Auditors or specified TPIA in support of meeting compulsory and technical criteria requirement along with a certificate regarding verification of authenticity of documents as per the format placed at Annexure-3A (Undertaking from Statutory Auditor) and/ or Annexure-3B (Undertaking from TPIA). All the documents submitted by the bidder in support of meeting compulsory and technical criteria requirement shall be digitally signed by the Statutory Auditor and/ or specified TPIA.

In case documents are certified & verified for authenticity through TPIA, the verification and certification of authenticity of documents is acceptable from any of the following TPIAs:

- 1) Société Générale de Surveillance / SGS India Pvt. Ltd.(SGS)**
- 2) Gulf Lloyds Industrial Services (India) Pvt. Ltd (GLISPL)**
- 3) International Certification Services (ICS)**

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- 4) TUV Rheinland (India) Pvt. Ltd.
- 5) TÜV SÜD South Asia Pvt. Ltd.
- 6) TUV India Pvt. Ltd. (TÜV Nord Group)
- 7) Intertek India Pvt. Ltd.
- 8) Moody International (India) Pvt. Ltd.
- 9) RINA India Pvt. Ltd.
- 10) **Competent Inspectorate and Consultants LLP**

The following website may be referred for contact details of above ten (10) TPIAs:

http://nabcb.qci.org.in/accreditation/reg_bod_inspection_bodies.php

Any document pertaining to reference works/ plants in support of compulsory and technical criteria, which is not certified by specified TPIA or Statutory Auditor of the bidder as per the format enclosed with the bidding documents, shall not be considered verified/ certified for the purpose of evaluation, and the bid shall be liable for rejection.

The Bidder shall be responsible to get their documents/ credentials in support of compulsory and technical criteria verified & certified by their Statutory Auditor(s) and/ or specified TPIAs. All the costs pertaining to third party verification and certification (including those by statutory auditors) shall be borne by the Bidder. Employer shall have no liability (financial or otherwise) towards the same and shall not be liable for any claim/ dispute between the bidder and TPIA and/ or Statutory Auditor.

In the cases where appointment of Statutory Auditor is not mandatory as per statute under which bidder has been incorporated, the option of certification from specified TPIA shall only be considered for such bidder. If any of the Submitted Reference work executed by Bidder are **directly awarded to them by NTPC or Subsidiary / JV companies of NTPC**; then **for those reference works only**, Bidder shall not be required to submit Client Certificate (s) or Certificate of authenticity from Independent Statutory Auditor or specified TPIA.

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B. Financial Criteria

A Bidding Company would be required to submit annual audited accounts for the 3 (three) Financial Years immediately preceding the last date for Bid submission, i.e., Financial Year 2020-21, 2021-22 and 2022-23, or as on the day at least 7 (seven) days prior to the Bid submission deadline, along with Net-Worth and annual turnover from a practicing Chartered Accountant/ statutory auditor to demonstrate fulfilment of the criteria. Provisional annual accounts shall not be acceptable.

Note: In case of foreign Bidders, in the event the Bidder is unable to furnish the audited annual accounts for the previous Financial Year as per the prevalent norm in the respective country, the Bidder shall submit the annual audited accounts of the last Financial Year for which the audited accounts are available. This, however, would be acceptable, subject to the condition that the last date of response to this EoI falls on or within the deadline for completion of audit of annual accounts of companies, as stipulated by the laws/ rules of the respective country, and the Bidder shall submit the corresponding documentary evidence against the same. In case the annual accounts or provisional accounts as on the day at least 7 (seven) days prior to the Bid submission deadline, are submitted in a language other than English, a certified English translation from an approved translator shall be required to be submitted by the Bidder. For meeting the above commercial eligibility criteria, if the data is provided by the Bidder in a foreign currency, equivalent Indian Rupees of Net Worth and other financial parameters will be calculated by the Bidder using Reserve Bank of India's reference rates prevailing on the date of closing of the accounts for the respective Financial Year. In case of any currency for which the Reserve Bank of India reference rate is not available, Bidders shall convert such currency into US Dollar (USD) as per the exchange rates certified by their banker prevailing on the relevant date and used for such conversion. After such conversion, Bidder shall follow the procedure/ submit document as elaborated above.

Note: Wherever applicable, audited accounts for the last 3 (three) Financial Years preceding the last date for Bid submission, i.e., Financial Year 2020-21, 2021-22 and 2022-23 will be required to be submitted for meeting the qualification requirements. In case the audited annual accounts of FY 2022-23 are not available, then, audited annual accounts of FY 2019-20 can be considered.

Section-V

Application Form & Annexures

(GLOBAL INVITATION FOR EXPRESSION OF INTEREST)

Annexure-1

FORMAT FOR COVERING LETTER CUM UNDERTAKING

(The covering letter should be on the Letter Head of the Applicant)

Date : _____

Place : _____

To,

NTPC Green Energy Limited,
NETRA Building, E-3, Ecotech-II
Udyog Vihar, Greater Noida
Gautam Buddha Nagar – 201306
Uttar Pradesh, India

Sub.: (INVITATION FOR EXPRESSION OF INTEREST)

Ref.: Eol No. _____, dated _____ (the "Eol")

Dear Sir,

We, the undersigned [insert name of the "Applicant"] having read, examined and understood in detail the (INVITATION FOR EXPRESSION OF INTEREST).

We confirm that neither we nor any of our Parent Company/ Affiliate/ Ultimate Parent Company has submitted response other than this response directly or indirectly in response to the aforesaid Eol.

1. We give our unconditional acceptance to the Eol, issued by NGEL, as amended. In token of our acceptance of the Eol, the same has been signed & stamped by us and enclosed in the response. We hereby confirm that the provisions of the Eol shall be binding on us.
2. We have submitted our response strictly as per provisions and formats of the Eol, without any deviations, conditions and without mentioning any assumptions or notes.
3. We hereby unconditionally and irrevocably agree and accept that the decision made by NGEL in respect of any matter regarding or arising out of the Eol shall be binding on us. We hereby expressly waive any and all claims in respect of the Eol process. We confirm that there are no litigations or disputes against us, which

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materially affect our ability to participate or function under the obligations with regard to EoI.

4. Self-Evaluated Score Sheet as per the table in Annexure-4
5. Minimum Agreed Capital contribution to be done by the applicant for projects to be executed by the Consortium (in percentage) of the total cost. (The Maximum agreed capital contribution must be limited to 49% which has to be in accordance with their share in project equity)- in%
6. Details of the contact person are furnished below:
Name :
Designation:
Address:
Contact numbers:

email id:
7. We are enclosing herewith the entire response containing duly signed formats in electronic format sent via email to: XYZ@ntpc.co.in as per the EoI for consideration.
8. It is confirmed that our response is consistent with all the requirements of submission as stated in the EoI and subsequent communications from NGEL, if any
9. The information submitted in our response is complete, strictly as per the requirements stipulated in the EoI and is correct to the best of our knowledge and understanding. We would be solely responsible for any errors or omissions in our response.
10. We confirm that all the terms and conditions of our response are valid for acceptance for a period of twelve (12) months from the response Deadline.
11. We confirm that we have not taken any deviation so as to be deemed "Non-Responsive" as stipulated in Section-IV of this EoI.
12. We understand that you are not bound to accept any response you receive.

We remain,

Yours sincerely

(Name, Designation and Signature of Authorized Person in whose name Power of Attorney is issued

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Annexure-2

INFORMATION TO BE SUBMITTED BY APPLICANT

(Note: Documents in support of meeting the respective requirement shall be submitted by the applicant.)

1. Name of the Company:
2. Legal status of the Company:
3. Brief description of the Company including details of its business groups/subsidiaries/affiliates:
4. Existing Manufacturing facilities – Locations, Capacity
5. Date of Incorporation:
6. Date of Commencement of Business:
7. Full address including Telephone nos. / Fax nos.:
 - a. Registered Office:
 - b. Head Office:
 - c. Address for communication:
 - d. Contact Details:
 - e. Office Address in India, if any:
8. Documents to be enclosed:
 - Compulsory Criteria – All documents related to Section-IV, Clause-2
 - Technical Credentials – All documents related to Section-IV, Clause-2
 - Financial Credentials – All documents related to Section-IV, Clause-2
 - Self-evaluated score sheet
9. Any other documents considered relevant.

(Sign & Company Seal)

Authorized signatory

(GLOBAL INVITATION FOR EXPRESSION OF INTEREST)

Annexure 3A

Undertaking from Independent Statutory Auditor

(On letter head digitally signed by a person duly authorized to Sign on behalf of the Statutory Auditor)

Bid Ref. No:

Date:

To,

NTPC Green Energy Limited

Plot No. 3E, Ecotech-II, Udyog Vihar

4th Floor, NTPC NETRA Bldg.

Greater Noida, Distt. Gautam Budh Nagar

Uttar Pradesh, India, Pin – 201306

Subject: Authentication of veracity of documents submitted by M/s in support of meeting the compulsory and *technical* criteria Requirements

Ref: EOI no.

Name of the EOI:

Dear Sir,

M/s. (hereinafter called Bidder) having Registered office at..... intend to participate in above referred tender of NGEL.

We, M/s has been appointed as Statutory Auditor for the Bidder i.e.

M/s..... (Relevant documents on our appointment attached)

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The tender condition stipulates that the bidder shall submit supporting Documents pertaining to **compulsory and technical criteria** Requirement duly verified and certified by Statutory Auditor.

In this regard, it is hereby confirmed that we have examined the following documents, which are also attached with this letter. The same has been verified from the Original Documents and/ or Client for authenticity.

We hereby confirm that the following documents are found to be genuine and authentic.

1. Doc ref. no. dated (name of Documents)
2. Doc ref. no. dated (name of Documents)
3.

All the aforesaid documents have been **digitally signed** by us as a certificate of authenticity.

*Further, we have examined the books of accounts, records, and other relevant documents, along with other necessary information and explanations furnished by M/s. _____ (bidder) and hereby certify following:

.....

This certificate is issued at the request of M/s (Bidder) for the purpose of participating in tender/s.

Thanking you,

** Strike off, whichever is not applicable.*

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Annexure-3B

Undertaking from Third Party Inspection Agency

(On letter head digitally signed by a person duly authorized to Sign on behalf of the TPIA)

Ref.: _____

Date: _____

To,

NTPC Green Energy Limited

Plot No. 3E, Ecotech-II, Udyog Vihar

4th Floor, NTPC NETRA Bldg.

Greater Noida, Distt. Gautam Budh Nagar

Uttar Pradesh, India, Pin – 201306

Dear Sir,

**Subject: Authentication of veracity of documents submitted by M/s in support
of meeting the compulsory and *technical* criteria Requirements**

Ref: EOI no:

Name of the EOI:

M/s. (hereinafter called Bidder) having Registered office at
..... intend to participate in above referred tender of NTPC REL.

The tender condition stipulates that the bidder shall submit supporting Documents pertaining to compulsory and *technical* criteria Requirement duly verified and certified by a specified independent Third Party Inspection Agency as per the list mentioned in the EOI documents.

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In this regard, it is hereby confirmed that we have examined the following documents, which are also attached with this letter. The same has been verified from the Original Documents and / or Client for authenticity.

We hereby confirm that the following documents are found to be genuine and authentic.

1. Doc ref. no. dated (name of Documents)
2. Doc ref. no. dated (name of Documents)
3.

All the aforesaid documents has been digitally signed by us as a certificate of authenticity. We further confirm that we neither have any vested interest in aforesaid EOI nor have any conflict of interest in respect of above tender.

This certificate is issued at the request of M/s (Bidder) for the purpose of participating in the subject tender/s.

Thanking you,

** Strike off, whichever is not applicable.*

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Annexure-4

Self-Evaluated score sheet

Sl. No	Compulsory Criteria	Description	Self Evaluated Pass/Fail	Supporting document reference
1	Commissioned at least 200MW of offshore wind energy capacity globally	Copies of commissioning/installation certificate, issued in the name of bidder/ member/ affiliate by the competent governmental authority and/ or counterparty		
2	Have in place an environmental policy specific to offshore Wind Project infrastructure as per international practices.	Copy of the policy		
3	Have in place a health and safety policy specific to offshore Wind Project infrastructure as per international practices.	Copy of policy		
4	Have in place a quality assurance policy specific to offshore Wind Projects as per international practices.	Copy of Quality assurance certificate by an accredited body		
5	Along with its Affiliate, not been a willful defaulter to any lender, and there is no major litigation pending or threatened against the Bidder or any of its Affiliates which are of a nature that could cast a doubt on the ability or the suitability of the Bidder to undertake the Project.	Undertaking to this effect in Section VII		
6	Have in place a policy, and undertake to comply with requirements with regard to: (a) Anti-bribery; (b) Antifraud; (c) Anti-slavery; and (d) Anti-collusion.	Copy of the policy/ies and undertakings in the formats set forth in Section VII		
7	Along with its Affiliates, not been a willful defaulter with any tax laws, and there is no major tax litigation pending or threatened against the Bidder or any of its Affiliates which are of a nature that could cast a doubt on the ability or the suitability of the Bidder to undertake the Project.	Undertaking to this effect in Section VII		

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8	Along with its Affiliates, not in breach of the national security	Undertaking to this effect in Section VII		
9	Decommissioning plan for the Project	Copy of the decommissioning plan		
10	Health, safety and accident record	Copy of health, safety and accident records		
11	Environmental clearance plan	Copy of Submit plan for securing environmental clearances		

Technical and Financial Criteria:

Sl. No	Criteria	Description	Max Marks	Self Evaluated Marks	Documents reference
Technical Criteria					
1	Experience in commissioning offshore Wind Project infrastructure	10 marks would be given to any entity having experience in offshore wind infrastructure projects	10		
2	Total capacity (MW) of offshore wind commissioned	Minimum 200 MW 3 marks: greater than 200 MW to 400 MW 6 marks: greater than 400 MW to 600 MW 10 marks: greater than 600 MW to 800 MW 12 marks: greater than 800 MW to 1000 MW 15 marks: greater than 1000 MW developed	15		
3	Managing marine surveys for offshore wind development	Number of offshore wind resource assessment campaigns (with offshore measurement) completed	Maximum marks 4 (1 mark for each campaign completed)	10	
		Number of offshore geotechnical campaigns completed	Maximum marks 2 (1 mark for each campaign completed)		
		Number of geophysical campaigns completed	Maximum marks 2 (1 mark for each campaign completed)		
		Number of met ocean measurement campaigns completed	Maximum marks 2 (1 mark for each campaign completed)		
4	Commissioning offshore	Commissioned minimum 50 MW 1 mark: 1 system commissioned with at	5		

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	wind transmission system (no. of offshore transmission systems commissioned)	least 50 MW 2 marks: 2 systems commissioned with at least 50 MW capacity 3 marks: 3 systems commissioned with at least 50 MW capacity 4 marks: 4 systems commissioned with at least 50 MW capacity 5 marks: More than 4 systems commissioned, each of at least 100 MW capacity.			
5	Years of experience in owning or operating offshore wind energy projects	Minimum 3 years' experience in offshore wind projects 2 marks: Experience greater than 3 years to 5 years 4 marks: Experience greater than 5 years to 7 years 6 marks: Experience greater than 7 years to 9 years 8 marks: Experience greater than 9 years to 10 years 10 marks: Experience greater than 10 years	10		
6	Experience of project management team in offshore wind projects	Minimum 5 years' post qualification experience in relevant field.	4		
7	Operation and management experience	Score involves taking the following factors: <ul style="list-style-type: none"> • Port facility (warehouse experience) • Experience in SCADA systems and monitoring units • Possibilities of logistics access and availability • Experience with O&M vessels • Manpower fleet. 	2 marks: Upto 500 MW cumulative capacity offshore wind turbine O&M experience 4 marks: greater than 500 MW to 1000 MW cumulative capacity offshore wind turbine O&M experience 6 marks: greater than 1000 MW cumulative capacity offshore wind turbine O&M experience	6	
8	Minimum work programme for Offshore Wind Project	Offshore wind resource assessment	Maximum marks: 2 (Programme should envisage assessment being carried out using any of these measurement technologies: <ul style="list-style-type: none"> • Met Mast (anemometer) 	10	

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			<ul style="list-style-type: none"> • LIDARs • Floating LIDARs) 			
		Offshore geotechnical	<p>Maximum marks: 4 (Programme should envisage carrying out all of these technical requirements:</p> <ul style="list-style-type: none"> • Cone penetration tests, Seabed frame • Boreholes with sampling; • Boreholes, blind drilling; • CPTs, down the hole; • Boreholes with PS-logging, selected boreholes; • Seismic CPTs, selected location; • Laboratory testing, classification tests; • Laboratory testing, advance soil tests; • 3D integrated ground model) 			
		Offshore geophysical	<p>Maximum marks: 3 (Programme should envisage carrying out all of these technical requirements:</p> <ul style="list-style-type: none"> • Geological survey • Bathymetric mapping • Grab sampling • Seismic investigation • Screening of ferrous object using magnetometer) 			
		Met ocean assessment (using met ocean model)	Maximum Marks 1			
Financial Criteria						
1	Net-Worth	<p>Minimum value INR 1250 crore 2 marks: Net-Worth greater than INR 1250 crore to INR 2500 crore 4 marks: Net-Worth greater than INR 2500</p>		10		

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		<p>crore to INR 3,000 crore 6 marks: Net-Worth greater than INR 3,000 crore to INR 4,000 crore 8marks: Net-Worth greater than INR 4,000 crore to INR 5,000 crore 10 marks: Net-Worth greater than Rs 5,000 crore</p>			
2	Annual turnover of last 3 (three) Financial Years (i.e., FY 2020-21, 2021-22, 2022-23)	<p>Minimum INR 500 crore 2 marks: Turnover greater than INR 500 crore to INR 1,000 crore 4 marks: Turnover greater than INR 1,000 crore to INR 1,500 crore 6 marks: Turnover greater than INR 1,500 crore to INR 2,500 crore 8 marks: Turnover greater than INR 2,500 crore to INR 3,500 crore 10 marks: Turnover greater than INR 3,500 crore</p>	10		
3	Plan for meeting funding requirements for the Project	Marks would be awarded based on the experience and satisfactory plan provided	5		
4	Fund raising experience	<p>1 mark: Fund raising experience greater than INR 500 crore to INR 1,000 crore 2 marks: Fund raising experience greater than INR 1,000 crore to INR 3,000 crore 3 marks: Fund raising experience greater than INR 3,000 crore to INR 4,000 crore 4 marks: Fund raising experience greater than INR 4,000 crore to INR 5,000 crore 5 marks: Fund raising greater than INR 5,000 crore</p>	5		
TOTAL SCORE			100		

Section-VI

Abbreviations, Definitions of Terms

Following terms used in the documents will carry the meaning and interpretations but not limited to as described Below:

1. "ACT" or "ELECTRICITY ACT, 2003" shall mean the Electricity Act, 2003 and include any modifications, amendments and substitution from time to time.
2. "AFFILIATE" shall mean a company that, directly or indirectly, (i) controls, or (ii) is controlled by, or (iii) is under common control with, a company developing a Project or a Member in a Consortium developing the Project and control means ownership, directly or indirectly, of more than 50% (fifty percent) of the voting shares of such company or right to appoint majority Directors.
3. "BID" or "PROPOSAL" shall mean the documents submitted by the Bidder towards meeting the compulsory, technical and financial qualifying requirements, along with the bid submitted by the Bidder as part of its response to the EoI.
4. "BIDDER" shall mean Bidding Company submitting the Bid. Any reference to the Bidder includes Bidding Company including its successors, executors and severally, as the context may require; foreign companies participating in the bidding process shall be registered as companies as per the rules of their country of origin.
5. "COMPANY" shall mean a body corporate incorporated in India under the Companies Act, 2013 or any law in India prior thereto relating to companies, as applicable, or a company incorporated in a foreign country under the laws of such country.
6. "CONTROL" shall mean the ownership, directly or indirectly, of more than 50% (fifty percent) of the voting shares of such Company or right to appoint majority Directors.

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7. "CONTROLLING SHAREHOLDING" shall mean more than 50% of the voting rights and paid-up share capital in the Company/ Consortium.
8. "DAY" shall mean calendar day.
9. "EQUITY" shall mean Net Worth as defined in Companies Act, 2013.
10. "GUIDELINES" shall mean "Guidelines for offshore wind power Assessment Studies and Survey" issued time to time by the Indian Ministry of New and Renewable Energy including subsequent amendments and clarification thereof, if any, issued until the last date of bid submission of this EoI.
11. "GROUP COMPANY" of a Company means: -
 - i. a Company which, directly or indirectly, holds 10% (Ten Percent) or more of the share capital of the Company or;
 - ii. a Company in which the Company, directly or indirectly, holds 10% (Ten Percent) or more of the share capital of such Company or;
 - iii. a Company in which the Company, directly or indirectly, has the power to direct or cause to be directed the management and policies of such Company whether through the ownership of securities or agreement or any other arrangement or otherwise or;
 - iv. a Company which, directly or indirectly, has the power to direct or cause to be directed the management and policies of the Company whether through the ownership of securities or agreement or any other arrangement or otherwise or;
 - v. a Company which is under common control with the Company, and control means ownership by one Company of at least 10% (Ten Percent) of the share capital of the other Company or power to direct or cause to be directed the management and policies of such Company whether through the ownership of securities or agreement or any other arrangement or otherwise;
 - vi. Provided that a financial institution, scheduled bank, foreign institutional investor, Nonbanking Financial Company, and any mutual fund, pension funds and sovereign funds shall not be deemed to be Group Company, and its

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shareholding and the power to direct or cause to be directed the management and policies of a Company shall not be considered for the purposes of this definition unless it is the Project Company developing the Project.

12. "JOINT CONTROL" shall mean a situation where a company has multiple promoters (but none of the shareholders has more than 50% of voting rights and paid-up share capital).
13. "LEAD MEMBER OF THE BIDDING CONSORTIUM" or "LEAD MEMBER": There shall be only one Lead Member, having the shareholding of not less 51% in the Bidding Consortium.
14. "MONTH" shall mean calendar month.
15. "NET-WORTH" shall mean the Net-Worth as defined in section 2 of the Indian Companies Act, 2013.
16. "PAID-UP SHARE CAPITAL" shall mean the paid-up share capital as defined in Section 2 of the Indian Companies Act, 2013.
17. "OFFSHORE WIND POWER PROJECT" is the offshore located wind turbine based electrical power generation project defined by single point of injection into the grid at interconnection/metering point at onshore ISTS substation or in case of sharing of transmission lines, by separate injection at offshore pooling substation point. Each offshore wind power project must also have separate control systems and metering.
18. "PROJECT LOCATION" shall mean the offshore wind project area /sea-bed area anywhere globally where the offshore wind power Project is being implemented.
19. "PROMOTER" shall mean Promoter as defined in the Indian Companies Act, 2013.
20. "SELECTED BIDDER" or "SUCCESSFUL BIDDER" shall mean the Bidder selected pursuant to this EoI. as per the EoI terms and Conditions.
21. "WEEK" shall mean calendar week.

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22. “OFFSHORE WIND POWER PROJECT” or “OFFSHORE WIND POWER GENERATING SYSTEMS/ STATIONS” means the wind power project that uses wind energy for conversion into electricity through a wind turbine generator in Offshore Regions.

23. “DIPAM” shall mean Department of Investment and Public Asset Management, Ministry of Finance, Government of India.

24. “NITI Aayog” shall mean National Institution for Transforming India, Government of India.

Section-VII

Sample Forms, Formats and Undertakings for EoI Submission

(GLOBAL INVITATION FOR EXPRESSION OF INTEREST)

UNDERTAKING REGARDING WILLFUL DEFAULTER

(To be submitted on the letterhead of the Bidder)

We hereby provide this undertaking to NTPC Green Energy Limited, in respect to our response to EoI No. dated, that M/s (*insert name of the Bidder*), or any of its Affiliates is:

(a) not a willful defaulter to any lender, and that there is no major litigation pending or threatened against M/s (*insert name of the Bidder*) or any of its Affiliates which are of a nature that could cast a doubt on the ability or the suitability of the Bidder to undertake the Project;

(b) not a willful defaulter with any tax laws, and there is no major tax litigation pending or threatened against M/s (*insert name of the Bidder*) or any of its Affiliates which are of a nature that could cast a doubt on the ability or the suitability of the Bidder to undertake the Project; and

(c) not in breach of the national security of India.

(Signature & Name of the Authorized Signatory)

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UNDERTAKING REGARDING ANTI-BRIBERY

We hereby provide this undertaking to NTPC Green Energy Limited in respect to our response to EoI *vide* EoI No. dated, that M/s (*insert name of the Bidder*), its Affiliates, and our/ their directors, officers, employees, agents, and anyone acting on its/ their behalf:

- i. will comply with the Indian Prevention of Corruption Act, 1988*, and other laws in India applicable to offences relating to or resulting in corruption and bribery and resolutions available in case of occurrence of corruption or bribery (e.g., Indian Penal Code, 1860, Prevention of Money Laundering, 2002, Central Vigilance Commission Act, 2003, and the Lok Ayukta Acts of various states);
- ii. have not corruptly offered, paid, promised to pay, or authorized the payment, and will not corruptly offer, pay, promise to pay, or authorize the payment of any money, or offer, give, promise to give, or authorize the giving of anything of value to a public official, to any political party or official thereof or any candidate for political office, or to any person, while knowing or being aware of a high probability that all or a portion of such money or thing of value will be offered, given or promised, directly or indirectly, to any official, to any political party or official thereof, or to any candidate for political office, for the purpose of:
 - a) influencing any act or decision or inaction of the public official, political party, party official, or candidate for political office or securing any improper advantage; or
 - b) inducing such public official, party, party official, or candidate to use his, her, or its influence with a foreign government or instrumentality thereof to affect or influence any act or decision of such government or instrumentality; or
 - c) to assist in obtaining or retaining business for or with or directing business to, any person.
- iii. have not made and will not make any facilitating or “grease” payments;
- iv. have not offered, promised, or paid, and will not offer, promise, or pay, any bribe or kickback to any employee or other member of a commercial enterprise to induce or reward improper performance;
- v. will instruct and adequately train its directors, officers, employees, agents, and anyone acting on its behalf to adhere to these requirements regarding illegal, improper, or facilitating payments in connection with all services provided.

* Include reference, as applicable, to the US Foreign Corrupt Practices Act and/ or the UK Bribery Act.

(Name and Signature of the Authorized Signatory)

(GLOBAL INVITATION FOR EXPRESSION OF INTEREST)

UNDERTAKING REGARDING ANTI-FRAUD

We hereby provide this undertaking to NTPC Green Energy Limited in respect to our response to EoI *vide* EoI No. dated that:

- i. M/s (*insert name of the Bidder*) is not bankrupt or being wound up, having its affairs administered by the courts, has not entered into an arrangement with creditors, has not suspended business activities, is not the subject of proceedings concerning the foregoing matters, and is not in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- ii. M/s (*insert name of the Bidder*) is solvent and, in a position, to continue doing business for the period stipulated in the contract after contract signature, if selected as the successful Bidder;
- iii. persons having powers of representation, decision making or control over the Bidder have not been convicted of an offence concerning their professional conduct by a final judgment;
- iv. persons having powers of representation, decision making or control over the Bidder have not been the subject of a final judgment or of a final administrative decision for fraud, corruption, involvement in a criminal organization, money laundering, terrorist-related offences, child labour, human trafficking or any other illegal activity;
- v. M/s (*insert name of the Bidder*) is in compliance with all its obligations relating to the payment of social security contributions and the payment of taxes in accordance with the national legislation or regulations of the country in which the Bidder is established;
- vi. M/s (*insert name of the Bidder*) is not subject to an administrative penalty for misrepresenting any information required as a condition of participation in a procurement procedure or failing to supply such information;
- vii. M/s (*insert name of the Bidder*) has declared to NTPC Green Energy Limited any circumstances that could give rise to a conflict of interest or potential conflict of interest in relation to the current procurement action;
- viii. M/s (*insert name of the Bidder*) has not granted and will not grant, has not sought and will not seek, has not attempted and will not attempt to obtain, and has not accepted and will not accept any direct or indirect undue or illegal benefit (financial or otherwise) arising from a procurement contract or the award thereof (other than reflected in the contract amount);
- ix. M/s (*insert name of the Bidder*) has zero tolerance for sexual exploitation and abuse and has appropriate procedures in place to prevent and respond to sexual exploitation and abuse; and

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- x. M/s (*insert name of the Bidder*) understands that a false statement or failure to disclose any relevant information which may impact upon the NTPC Green Energy Limited's decision to award a contract may result in the disqualification of the Bidder from the bidding exercise and/ or the withdrawal of any offer of a contract. Furthermore, in case any contract has already been entered into, the contract may be rescinded with immediate effect, in addition to any other remedies which may be available under contract or by law.

(Name and Signature of the Authorized Signatory)

(GLOBAL INVITATION FOR EXPRESSION OF INTEREST)

UNDERTAKING REGARDING ANTI-SLAVERY

We hereby provide this undertaking to NTPC Green Energy Limited in respect to our response to EoI vide EoI No. dated, that M/s (insert name of the Bidder):

- i is committed to safeguarding the principles set out in the Immoral Traffic (Prevention) Act, 1956 against modern slavery and human trafficking;
- ii is committed to maintain the transparency in its business practices and working conditions in a bid to prevent people being treated as commodities and maintaining human dignity;
- iii shall ensure that its hiring and remunerative practices are continually compliant with the relevant legislative requirements;
- iv has zero tolerance towards slavery and human trafficking and shall communicate its modern slavery and human trafficking policy to all suppliers, contractors and business partners;
- v shall not support, deal with or partner with any such business knowingly involved in slavery or human trafficking;
- vi shall terminate its relationship with any employee or business found in breach of this statement;
- vii shall provide sufficient resources, internal training and make investments to ascertain that slavery or human trafficking is not taking place within the organization itself or any of its supply chains.

(Name and Signature of the Authorized Signatory)

(GLOBAL INVITATION FOR EXPRESSION OF INTEREST)

UNDERTAKING REGARDING ANTI-COLLUSION

In respect to our response to EoI vide EoI No. dated, M/s
(*insert name of the Bidder*) hereby certifies and confirms that:

- (i) in the preparation and submission of our Bid, we have not acted in concert or in collusion with any other Bidder or other person(s) and also not done any act, deed or thing which is or could be regarded as anti-competitive; and
- (ii) we have not proposed nor will proposal any illegal gratification in cash or kind to any person or agency in connection with the instant Bid.

(Name and Signature of the Authorized Signatory)

(GLOBAL INVITATION FOR EXPRESSION OF INTEREST)

UNDERTAKING REGARDING OM no. F.7/10/2021-PPD dated 23.02.2023

This is with reference to OM no. F.7/10/2021-PPD dated 23.02.2023 issued by Department of Expenditure, MoF, Govt of India.

We are hereby submitting the following declaration in this regard:

"I have read the clause regarding restrictions on procurement from a bidder of a country which shares a land border with India; I certify that this bidder is not from such a country or, if from such a country, has been registered with the Competent Authority. I hereby certify that this bidder fulfils all requirements in this regard and is eligible to be considered. [Where applicable, evidence of valid registration by the Competent Authority shall be attached.]"

We further declare that the above statement is true & correct. We are aware that if at any stage it is found to be incorrect, our response to the response to EOI will be rejected.

(Name and Signature of the Authorized Signatory)