REQUEST FOR EXPRESSION OF INTEREST 2020 EOI 002 FOR THE SOLARIZATION OF UNHCR DEEP FIELD COMPOUNDS
CLARIFICATIONS 05
DATE ISSUED: 12 JANUARY 2021

No	Request for clarification	Clarification
1	Is having project experience in Africa a rigid criterion for consideration? Could (company name is deliberately hidden by UNHCR) reference comparable deep field / off-grid project experience and still be considered for this tender?	No, in line with the technical minimum requirements set out in Annex A, a company/consortium without experience in Africa can meet the minimum requirements if it has developed, constructed and commissioned ten (10) captive or mini/micro grid solar PV projects on an IPP basis with a minimum capacity of 70 kW each in Low and Lower-Middle Income countries as defined by the World Bank. In such case, reference projects can be located in any Low and Lower-Middle Income countries as defined by the World Bank.
2	Do you already have an idea of the number of projects considered and their respective sizes? Are you looking for 1 company to provide the service in all 3 countries, or will you consider companies that can provide in only 1 country?	As stipulated in Section 7 of the EOI Cover Letter, up to ten (10) UNHCR sites located in Kenya, Ethiopia and Uganda are presently considered, with an individual solar PV size ranging from 50kW to 500kW and an estimated total solar PV capacity of up to 1,800kW. Bidders can be either a single company or a consortium of companies. As stated in Section 7 of the EOI Cover Letter, prequalified companies/consortia will be expected to bid on all the sites eventually selected for the RFP. If a company/consortium is successful in its bid, the contract for all the sites included in the RFP will be awarded to this successful bidder.
3	Annex A requirement 2: is this mandatory even in circumstances where a company meets requirement 1?	Yes.
4	Would you or someone on your team be available for a short call so that we may better understand the technical minimum requirements?	As stipulated in Section 9.3 of the EOI Cover Letter, requests for clarifications shall only be submitted via email. Individual phone calls are not permitted by UNHCR procurement policies.
5	Does the tender have a budget cap?	No. As described in Section 7 of the EOI Cover Letter, the project is expected to be implemented on an independent power producer (IPP) basis, where the IPP is responsible for the financing of the investment required for the project.
6	Which are the criteria of evaluation? Is there any mechanism to balance financial proposals with technical proposals?	As indicated in Section 8 of the EOI Cover Letter, interested companies/consortia will be evaluated according to their experience, expertise, capability and financial resources. The detail of the criteria and their respective weight in the evaluation score are confidential and will not be communicated publicly. As stipulated in Section 9.2 of the EOI Cover Letter, financial offers are not required at this stage so the evaluation for this EOI stage will only consider the above-mentioned parameters.
7	Are consortia preferred than single applicants?	No.
8	Is UNHCR financing the entire CAPEX?	No. Please refer to Section 7 of the EOI Cover Letter. "This EOI is an invitation for specialized companies/consortia to express interest in providing solar electricity as a service through the: a. Design; b. Financing; c. Engineering, procurement and construction (EPC); d. Operations and maintenance (O&M); and e. Asset ownership; of the required energy infrastructure using a Build-Operate-Transfer model." Interested companies/consortia are thus expected to finance the capital investment required for the project.
9	After commissioning of the project, is UNHCR the sole owner of the assets?	No. As described in Section 7 of the EOI Cover Letter, the project is expected to be implemented on an independent power producer (IPP) basis, where the IPP is the owner of the assets until the term of the power purchase agreement (PPA).
10	Can we have some insight into the terms of the PPA? Are general terms and conditions already defined?	The PPA will form part of the documentation that will be distributed to prequalified companies/consortia during the RFP stage. For preliminary information, please refer to Section 4 and 10 of the EOI Cover Letter.
11	Whereas the project will be implemented by an IPP who will own the asset for the term of PPA, who will be the Buyer of the power that is generated? Will (national electric utility company - company name is deliberately hidden by UNHCR) come into play as Buyer?	No. The project is solely dedicated to self-consumption and UNHCR will be the Buyer of all the electrical output.

12	We will send in the EOI as a consortium comprising three companies. If we qualify for the bidding process we will set up a joint venture among all the three companies of the consortium. Is that aligned with UNHCR's procurement process (that is, the entity eventually bidding for the RFP will be created after sending in the EOI)?	Yes. This is in accordance with the procurement rules of this tender. Per Section 6 of the EOI Cover Letter, interested companies that intend to form a consortium for the purpose of this EOI are only requested to include a letter of association among the consortium members in their joint EOI submission. The letter of association shall confirm that the consortium members have designated one party to act as lead company. If the consortium is pre-qualified through the EOI stage, the consortium members will be required to enter a joint venture agreement, which will be submitted along with the proposal during the RFP stage. After RFP submission, the designation of which lead company is identified to represent the joint venture will not be altered without the prior written consent of UNHCR. If a joint venture's proposal is selected for award, the contract will be awarded to the joint venture, in the name of its designated lead company. The lead company will sign the contract for and on behalf of all other members.
13	Regarding to the track record of the requirement, there is 'IPP basis'. According to my understanding, there are two IPP models, one is Solar Power Purchase Agreement (PPA), another is Solar Lease Agreement. Would you please clarify, both PPA and Solar lease will be deemed as IPP basis?	Yes. Both are considered IPP models. Projects developed under either of these two approaches are eligible to demonstrate that the company/consortium complies with the technical minimum requirements and to form part of the evaluation process.
14	Question related to Annex A (Technical minimum requirements): "Minimum track-record (mandatory): One (1) solar PV project in combination with storage and diesel backup developed, constructed and commissioned on an IPP basis with minimum installed capacity of 70 kW." If a bidder does not have one project meeting all these criteria, but he can meet with combination of multiple project experience, can he be considered qualified? For example, the bidder has one project with experience as EPC contractor without financing, and another project experience in IPP with financing experience, can he provide the two projects experience as qualification?	This will be assessed on a case-by-case basis. If the evaluation team determines that the involvement of the company/consortium in several reference projects of comparable project size, technology and business model demonstrates its ability to provide clean energy as a service as contemplated by this EOI, it shall be possible to meet the minimum requirement through a combination of reference projects.
15	Questions related to Annex A (Technical minimum requirements) and EOI Cover Letter Section 7 (Requirements): "Minimum track-record (mandatory): One (1) solar PV project in combination with storage and diesel backup developed, constructed and commissioned on an IPP basis with minimum installed capacity of 70 kW." And "…of the required energy infrastructure using a Build-Operate-Transfer model for up…" Does it mean BOT experience in energy infrastructure project can be considered as IPP experience? For example, If a bidder has experience in Build-Operate-Transfer (BOT) model of electricity transmission project, would that be considered qualified experience of Independent Power Project 'IPP basis' experience?	No. IPP stands for Independent Power Producer so infrastructure projects which do not involve any power generation activity, such as a transmission project, will not be considered for the evaluation process.
16	It seems like (company name is deliberately hidden by UNHCR) that has microgrid project experience only in remote/low-income portions of the United States (e.g. Puerto Rico, rural Alaska) would not be qualified for this opportunity?	That is correct. Such experience would not be considered sufficient to meet the technical minimum requirements.

17	Some sites are very closed to electrified cities. Is it sure that the national grid will not reach those sites in the next years? Are the refugees camps already established? We don't see them on Google Maps. What are the main elements of demand in those sites? The capacity looks high for only administrative buildings.	In fact, some of the sites are already connected to the grid. Additional sites may also have the possibility to connect during the term of the envisaged PPA. However, such connections to the national grid do not guarantee adequate power supply and service remains highly unreliable in some of these locations. The proposed solar systems will be sized accordingly and the PPA will include provisions related to the potential presence or arrival of the grid at participating sites. Yes. Although distinct from the actual sites hosting refugee communities, the compounds considered for solarization under this tender all support existing UNHCR operational sites. The RFP will include energy audits and functional specifications for each site, which will detail the characteristics of the demand at each location. Many of the sites comprise staff accommodation in addition to administrative buildings.
18	Can we implement the project with different legal entities (1 per country)?	Yes. In case of award to a company that is not part of a consortium, the registration of distinct local subsidiaries may be beneficial to the project or required for compliance with local regulatory requirements (e.g. tax, licensing, etc.). However, such implementing entities should all be clearly linked to a single legal entity which will act as sole counterparty to UNHCR and sign the PPA.
19	Can we be in consortium for 1 country and not for others (for example we would like to be in a consortium for Uganda where we have a JV with our partner, to be alone in Ethiopia where we already are developing our activities by our own and that our partner goes alone in Kenya)?	No. Please refer to Section 7 of the EOI Cover Letter. The companies/consortia pre-qualified for the RFP stage will have to submit a single proposal to bid on all the sites eventually selected for the RFP. From UNHCR's perspective, there will be one entity bidding and contracting for all sites. Such a proposal will thus either be submitted as a single company or as a consortium. If the bidder is a consortium, consortium members are free to define the details of their envisaged collaboration and how to regulate their respective involvement (e.g. one entity only being responsible for Kenya, etc.) internally. This shall be set out in the joint venture agreement, which will be submitted along with their proposal during the RFP stage.
20	Can we change the legal entity during the process (if the mother companies remains the same)?	Yes. Interested companies/consortia are able to amend the entity they wish to use for the purpose of this project until RFP submission. After RFP submission, the entities will not be altered without the prior written consent of UNHCR.
21	Can a candidate do 2 applications (1 alone and 1 as a consortium)?	No.
22	At what moment should we apply as a consortium? Can we apply as consortium then alone? Or alone, then as a consortium?	Since the EOI does not require a fully binding consortium agreement, interested companies can choose to form a consortium at any time until RFP submission. However, the basic principle should be substantial continuity from the EOI to the RFP i.e. the RFP bidder must be one of the evaluated EOI submissions. A company that pre-qualifies as part of a consortium will likely not be able to bid on its own during the RFP stage since the EOI evaluation that will have led to such pre-qualification will be established based on thecombined experience of all consortium members. Such a request would have to be examined on a case-by-case basis. A company that meets the minimum requirements of the EOI and pre-qualify on its own will have the possibility to form a consortium with other pre-qualified companies/consortia until RFP submission.
23	Who will be the Counterparty/the Buyer? UNHCR East Africa or Green Fund?	The Green Fund is not a legal entity. It forms part of UNHCR and has no separate legal personality. UNHCR is a single legal entity, which does not comprise any subsidiaries or related legal entities. The Buyer will be the Office of the United Nations High Commissioner for Refugees with its headquarters at 94 rue de Montbrillant, 1202, Geneva, Switzerland..
24	Will the tariff of electricity be the same for all sites in a specific country?	The details of the envisaged tariff structure will be set out in the RFP documentation.
25	Could you please defined what is the meaning of “captive” used in Annex A for the Minimum Track Record requirements (as in “…captive or mini/micro grid solar PV projects…”)?	A captive power plant is an electricity generation facility used by a single energy user (typically industrial or commercial) for its own energy consumption. Captive power plants can operate off-grid or they can be connected to the power grid.
26	Could you please clarify if, in Annex A, the “700 kW of cumulative installed capacity of captive or mini/micro grid solar PV projects developed, constructed and commissioned on an IPP basis in Africa” are to be fulfilled in maximum 10 projects or more are allowed?	As stated in Section 8 of the EOI Cover Letter, a maximum of ten (10) reference projects should be listed in the form in order to demonstrate that the company/consortium complies with the technical minimum requirements detailed in Annex A. It is therefore not possible to present more than ten (10) projects in Annex B for that purpose.

27	Could you precise if the Annex B (excel file) is only dedicated to detailed projets references for the first point of the Minimum Track-record (alternatively/at least one) as detailed in Annex A? Else, is it allowed to add column in the file to present as well the project reference selected for the point 2 - Minimum track-record (mandatory)?	The reference projects presented in Annex B should demonstrate that the interested company/consortium meets both technical minimum requirements.
28	Could you precise to which technology the minimum installed capacity of 70kW refers to? Can it be the sum of the overall project install capacity all technology included?	The minimum installed capacity of 70kW refers to the size of the solar photovoltaic system.
29	We note the table under section 5 of the Request for Expression of Interest related to the location of each site and the last paragraph section 7. Please confirm whether the UNHCR contemplates to implement a single PPA for all the sites, or a PPA per country of location of the sites, or a PPA per site? Depending on the foregoing, can different contracts be awarded to different bidders?	The most likely scenario is that UNHCR will enter a single PPA for all the sites with one preferred bidder. If a company/consortium is successful in its bid, it will be awarded all the sites. However, there is a possibility that UNHCR, for internal strategic reasons or country-level regulatory reasons, will decide to issue two or more RFPs covering these 10 sites (rather than a single RFP). In this scenario, the expectation remains that for each RFP, all bidders must bid on all the sites included within the RFP as issued, but different bidders may win the different RFPs based on the established technical and financial criteria.
30	We note that the list provided under section 5 of the Request for Expression of Interest is indicative. Please advise us on whether this list is now complete or whether the feasibility studies and due diligence are still ongoing.	The feasibility studies and due diligence are still ongoing. The final site selection will be made once this analysis is completed and the list will be confirmed at the RFP stage.
31	We note the requirement under section 6 of the Request for Expression of Interest whereby, upon the consortium successfully reaching the RFP phase, the lead company would have authority to legally bind the members of the consortium as well as item 12 of the Clarification 02 issued on 17 December 2020. Is it expected that, in case of award to the consortium, any contract to be signed would only be signed by the lead member of the consortium and not all consortium members? Is a signature of the contract awarded by all consortium members an approach that could be considered by UNHCR, without prejudice to any joint and several liability obligation towards the UNHCR which would be reflected in such contract?	If the bidder is a consortium, it will not be possible for all consortium members to be signatories to the contract. Under UNHCR procurement rules, one of the consortium members will have to be designated as lead company and will have to be duly vested with authority to legally bind the members of the joint venture jointly and severally.
32	Please clarify the "Project rights" paragraph under section 10 whereby the ownership may be changed after commissioning subject to UNHCR's and other approvals.	The basic principle is to avoid speculation whereby a company with little intention of fulfilling the contract sells the contract between the award and the commissioning of the project. The company/consortium that is selected through the RFP will be expected to effectively remain the majority owner/shareholder of the entity that will enter the PPA, site agreement, EPC contract, O&M contract, finance documents or other project agreements, permits and licences, as applicable.
33	With regard to Section 9.2 of the Cover Letter, the document states that “Interested companies/consortia should submit the following pre-qualification documents as part of their submission: 1. Company/consortium profile of maximum four (4) pages including...”Does the maximum of 4 pages refer to each member of the consortium, or 4 pages overall? We are forming a consortium with 4 companies, so I want to know whether we have space up to 16 pages or 4 pages overall.	The description of the consortium profile should be synthetized within the prescribed maximum of four (4) pages. If it's absolutely required, it is possible to include selected annexes to ensure all requested information is provided for each consortium member. If any, such annexes should be clearly referenced in the four (4) page summary and strictly relevant to the information requirements of Section 9.2 of the EOI cover Letter.
34	Annex C shall be filled in only by the “lead company” of the consortium, or by all the companies part of the consortium?	Annex C will have to be completed by all members of the consortium. While the lead entity will be duly vested with the authority to legally bind all members, the contract will ultimately be between the consortium, that is all members jointly, not only the lead entity. UNHCR needs the information provided via this form for all its partners, that is all members of the consortium.
35	Are we in compliance to submit audited financial statements for 2017,2018 & 2019?. We are just a week into 2021 and audited statements for fiscal year 2020 are still not ready?	Yes.
36	UNHCR Vendor registration has three levels namely; Basic, Level 1 & Level 2. What is the minimum registration requirement for this EOI?	There is no minumum registration requirement to participate in the EOI, i.e. participant does not have to be registered at all. Please submit your completed Annex C Vendor Registration Form. The 3 levels mentioned are the characteristic for UNGM registration wich is independent from UNHCR.
37	Regarding the content for the application submission, we have a request for clarification given the page limitation. Do you require a list of key directors and the structure of ownership/shareholding and other details of parent company for each member of the consortium or only the leading company?	The list of key directors and the structure of ownership/shareholding can be kept to a brief summary in the 4-page company/consortium profile requested in Section 9.2 of the Cover Letter. Additional details on company structure, ownership, and key management should be provided in Annex C (the Vendor Registration Form), which is required to be completed by every member of the consortium (please refer to Q34).
38	Regarding annex C, should each member of the consortium fill and sign the UNHCR vendor registration or only the leading company?	Please refer to Q34.