



Ministério da Indústria,
Comércio e Energia

Direção Nacional de Indústria, Comércio e Energia



Government of Republic of Cabo Verde

Ministry of Industry, Trade and Energy

**National Directorate of Industry, Trade and
Energy - Energy Service Direction**

REQUEST FOR EXPRESSIONS OF INTEREST (REOI)

Procurement Process for Independent Power Producers for two 5 MW Solar
Photovoltaic Power Plants in Sal and São Vicente island

Project Identification: SPV-5MW-SL2, SPV-5MW-SV1
Praia city, 30/12/2019

Project SPV-5MW-BV1
Rua do Funchal, CP nº 146/A, ASA, Cidade da Praia, República de Cabo Verde | T: (+238) 260 48 34

@mice.cv





- 1 This Request for Expressions of Interest (“REOI”) constitutes the formal invitation to Applicants to submit their detailed Expression of Interest, duly filled and signed as a formal response to this REOI in order to be considered for the evaluation for qualification of Bidders to participate in the Procurement Process for an Independent Power Producer for two sites: 5 MW Solar Photovoltaic Power Plant in Santa Maria, Sal island, Cabo Verde (hereinafter referred to as: Lot A “SPV-5MW-SL2”) and 5 MW Solar Photovoltaic Power Plant in Salamansa, São Vicente island, Cabo Verde (hereinafter referred to as: Lot B “SPV-5MW-SV1”)
- 2 This REOI has been published on the 31th December, 2019 on the following web-page www.energiasrenovaveis.cv . Interested Applicants may submit responses no later than 17h00 (Cabo Verde time) on the 31st January, 2020. All documents compiled in response to this REOI, thereafter collectively known as “Expressions of Interest” or “EOI”, must be delivered to *Direção Nacional de Indústria, Comércio e Energia* (DNICE) by registered courier or by hand, in a sealed envelope at the following address:

Ministério da Indústria, Comércio e Energia
Direção Nacional de Indústria, Comércio e Energia
To attention of Rito Evora AND Ariel Assunção
Rua do Funchal N°2, Achada de Santo António –
Praia, Cabo Verde

Alternatively, the EOI may be sent electronically in password protected PDF format to spv5mw.2020@mice.gov.cv by 17h00 on the 31st January, 2020 in local Cabo Verde time. Whether delivered by courier, by hand or electronically, each page constituting the EOI must be signed by the duly authorized representative. If delivered electronically, digital signatures will be acceptable.

- 3 Submitted responses to this REOI will be assessed in order to determine whether they are compliant responses. A compliant response is one that meets or exceeds the threshold requirement in respect of every applicable pre-qualification Criteria set out in this REOI.
- 4 The pre-qualification documents are considered mandatory and Failure to submit any of the documents as requested in the attached REOI for the participation in the Procurement Process will result in immediate disqualification of the application.
- 5 Expressions of Interest will only be considered by the Procurement Committee, in its sole discretion, if Applicants submitting the relevant Expressions of Interest evidence to
 - 5.1 Have the necessary expertise, and relevant experience to carry out the Project that is the subject matter of the relevant response, and
 - 5.2 Satisfy the minimum requirements specified in the attached REOI.





- 6 The received Expressions of Interest to this REOI will be evaluated by the Procurement Committee and a final shortlist of pre-qualified bidders that will be invited to submit a proposal will be published in accordance with the tentative tender timeline set out in Section 7 of this REOI.



Rito Evora
National Director of Industry, Trade and Energy



REQUEST FOR EXPRESSIONS OF INTEREST (REOI)

The Republic of Cabo Verde

Procurement Process for Independent Power Producers for two 5 MW Solar Photovoltaic Power Plants in Sal and São Vicente islands

1 Introduction

- 1.1 Under the scope of the Strategic Plan for Sustainable Development (“PDES”), Cabo Verde has developed a National Program for Sustainable Energy (“PNSE”) and a Power Sector Master Plan covering the period 2018-2040, which sets a target to achieve renewable energy penetration of more than 50% by 2030.
- 1.2 Current legislation foresees that any additional utility-scale Renewable Energy (RE) generation capacity should be provided by Independent Power Producers (IPPs) through a competitive tendering process.
- 1.3 To achieve the target for renewable energy generation, the Republic of Cabo Verde, herein represented by the Direção Nacional de Indústria, Comércio e Energia (DNICE) intends to launch an International Open Competitive Bidding Process mobilizing private sector developers, consortiums or joint ventures (each a “Developer”) to design, engineer, construct, commission, finance, own, operate and maintain two, 5 MW Solar Photovoltaic Power Plant as IPP (the “**Project**”) under a BOO (Build, Own, Operate) scheme on Sal and São Vicente Island through a transparent competitive bidding process (the “**Bidding Process**”) under the Decree-Law nº 1/2011, January 3rd, with the changes introduced by Decree-Law nº 18/2014, March 10th and Decree-Law nº 54/2018, October 18th.
- 1.4 Developers are invited to express their interest in the Projects. Developers will be given the freedom to submit tenders for both **Lot A and B or Lot A or Lot B individually**.
- 1.5 This REOI has been released by DNICE and constitutes the formal invitation to Applicants to submit their Expressions of Interest interested in participating in the tender for the Project.



2 Description of the Project

- 2.1 Project Site: the project sites for Lot A and Lot B are expected to be within the highlighted areas of Sal and São Vicente shown below in Figure 1 and Figure 2 respectively. Detailed coordinates of the final Project sites within the ZDERs will be made available to the Bidders as part of the Request for Proposals ("RFP").



Figure 1: Lot A Expected Project site within Area of Santa Maria, Sal



Figure 2: Lot B Expected Project site within Area of Salamansa, São Vicente

- 2.2 Solar Conditions: According to the technical consultant's (3E) solar data, the global annual radiation at Sal **Lot A** is expected to be 2084 kWh/m² and for São Vicente **Lot B** is expected to be 1985 kWh/m². The area of both Lot A and Lot B is situated outside zones of major cloud development. No measurement of solar irradiation is available.
- 2.3 Delivery Point: the delivery point for the connection of the Project for both Lot A and Lot B is under investigation. Details on the delivery point, its technical connection conditions as well as any specifications of the connections will be made available to the Bidders during the tendering stage. The Project Company will be obligated to construct and commission the interconnection facilities to the metering and delivery point as part of the Project. The interconnection point will be defined at the RFP stage. The voltage level on both locations is 20 kV.
- 2.4 The Project will be implemented through the award of an implementation agreement between the Government of Cabo Verde, and a company to be established under the Laws of Cabo Verde (the "Project Company"). A power-purchase agreement (the "PPA") with a maximum length of 25 years will be established between the Project Company and the Operator of the Transmission and Distribution Grid being the sole off-taker of the electrical energy generated and delivered by the Project. The intention is to create a sufficiently bankable PPA and the Government of Cabo Verde is open to discussing payment guarantees providing the required level of guarantees to fulfil this intention. The intention is to create a sufficiently bankable PPA and the Government of Cabo Verde is open to discussing payment guarantees and securities to fulfil this intention.
- 2.5 Each lot under the Project is expected to reach commercial operation by the end of March 2022 at the latest.

3 Application Requirements

- 3.1 The Applicants may be single business entities, joint ventures or consortia or other combination of business entities including arrangements with qualified technical operators or other subcontract arrangements.



- 3.2 The Applicant must have demonstrable experience in developing solar photovoltaic projects involving technology and capacity similar to those proposed to be developed under this Project and in similar contexts to Cabo Verde. The Applicant may designate a technical operator, hereby known as “Key Subcontractor”, to demonstrate this experience.
- 3.3 Each Applicant, or if the Applicant consists of more than one business entity, shall be a business entity duly organized under the laws of its country of origin.
- 3.4 An Applicant shall not have a conflict of interest. All Applicants found to have a conflict of interest shall be disqualified. Applicants (or any member of an Applicant) may be considered to have a conflict of interest with one or more parties in this EOI and subsequent tender process, if they:
- have controlling members in common; or
 - any Applicant (or any member of an Applicant) or its Key Subcontractor use their qualifications in more than one EOI to meet the requirements of the REOI in this tender process. Such participation by an Applicant (or any member of an Applicant) in more than one EOI will result in the disqualification of all EOIs in which the party is involved;
- 3.5 Other reasons for exclusion of an Applicant from pre-qualification to participate in the tender process for the Project are, if the Applicant (or any member of an Applicant)
- it is bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
 - it has been convicted of an offence concerning their professional conduct by a judgment which has the force of res judicata; (i.e. against which no appeal is possible)
 - it has been guilty of grave professional misconduct proven by any means which the Ministry of Industry, Commerce and Energy can justify;
 - it has been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organization or any other illegal activity detrimental to Cabo Verde’s financial interests.

4 Instructions to Applicant

- 4.1 This REOI is available on the following web-page: www.energiasrenovaveis.cv
- 4.2 It is compulsory to submit the EOI in accordance with the requirements of this REOI.
- 4.3 Potential Applicants are requested to register at DNICE, mailing their contact data to the E-Mail address set out in section 4.8. The contact data shall include:
- Applicant Name and Contact Person
 - Address
 - Telephone number
 - Fax number
 - E-Mail Address
 - Company Website

The information above should be made available for both a designated primary and secondary contact. Any incoming and outgoing communication to either the primary or secondary contact shall be considered valid and official communication.

Procurement Committee will send any clarifications and addenda concerning the REOI to these contact(s). The Applicant is required to confirm receipt of any E-Mail from DNICE immediately.



In case that an Applicant should change its contact details, the Applicant is required to inform the Procurement Committee about such change immediately. The Procurement Committee does not take any responsibility if any communication or clarification does not reach the Applicant due to a change in contact data.

- 4.4 Applicants may submit responses to this REOI no later than 17h00 on the 31st January 2020 at the local time in Cabo Verde (the “Deadline for Submission of EOI”). Late submissions will not be considered for evaluation and remain unopened. No appeals will be considered.
- 4.5 The EOI may be submitted either by a) by hand or courier or b) by email. If by hand or courier, a hard copy and electronic copy of the EOI should be set out to the address set out in section 4.6 as one (1) printed original, clearly marked “ORIGINAL” and one (1) copy, marked “COPY”. If by email, a PDF copy of the EOI should be sent out to the email address in 4.7 with the subject “EOI SUBMISSION FOR SPV-5MW-SL2 / SPV-5MW-SV1”
- 4.6 Each of the hard copies shall be accompanied by electronic copies in form of one (1) CD-ROM or one (1) memory stick. The electronic copies shall include exact copies of the written submission and indexed in the same manner as the written submission. In case of any discrepancy of the electronic copies and the printed original, the latter will prevail.
- 4.7 If submitted by hand or courier, the EOI must be delivered to DNICE, in a sealed envelope at the following address:

Ministério da Indústria, Comércio e Energia
Direção Nacional de Indústria, Comércio e Energia
To attention of Rito Evora AND Ariel Assunção
Rua do Funchal Nº2, Achada de Santo António –
Praia, Cabo Verde

- 4.8 If submitted by email, the EOI must be compiled in a password-protected PDF and sent to the following Email address only:

spv5mw.2020@mice.gov.cv

- 4.9 Applicants are requested to read and review the REOI carefully. Should an Applicant require clarification on any aspect of the REOI, the Applicant should address its written enquiry to the following Email address:

spv5mw.2020@mice.gov.cv

The clarification requests should be submitted at the latest 10 (ten) calendar days prior to the Deadline for Submission of EOI.

The Procurement Committee will communicate any clarifications by electronic mail to the Applicants at the latest 7 (seven) calendar days prior to the Deadline of Submission of EOI. No further responses to clarification requests will be given once the latest submission date for clarification requests has passed.



- 4.10 The Expression of Interest should be written in both Portuguese and English. Similarly, any documentation to meet the Key Requirements should be both in Portuguese and English, unless, by their very nature or origin, they are written in a different language, in which case the interested party must accompany them with a duly legalized translation into English and Portuguese. The duly legalized translation shall prevail over the original documents.
- 4.11 Each Applicant shall bear all costs and expenses associated with the preparation of its Expression of Interest.
- 4.12 By submitting an Expression of Interest, each Applicant releases the Procurement Committee and its advisers, irrevocably, completely and unconditionally, from any and all liability for claims, losses, damages, costs, expenses or any other liabilities in any way related to, or arising from the review of, and associated decision-making process regarding, its eligibility and qualifications for the Project and acknowledges and agrees to the terms of this REOI.

5 Contents of the Expression of Interest

- 5.1 The EOI shall consist of the following sections:

| Section of EOI | Contents of Section | REOI reference | REOI Form |
|-----------------------|---|---------------------|-------------------------------------|
| Letter of Application | Letter of Expression of Interest with attached signed Mandatory Information | Section 5.2 of REOI | Appendix A |
| Section 1 | Executive Summary | Section 5.3 of REOI | |
| Section 2 | Applicant's Organizational Information | Section 5.4 of REOI | Appendix B REOI Forms 1, 2 and 3 |
| Section 3 | Technical Capability | Section 5.5 of REOI | Appendix C REOI Forms 4 and 5 |
| Section 4 | Experience with BOO(T) Projects | Section 5.6 of REOI | Appendix D REOI Forms 6 and 7 |
| Section 5 | Financial Information | Section 5.7 of REOI | Appendix E REOI Form 8 |
| Section 6 | Technical Information | Section 5.9 of REOI | |
| Section 7 | Other Information | Section 5.9 of REOI | |

- 5.2 **Letter of Application:** The Applicant (and in case of a joint venture or consortium, the lead member), shall duly complete and sign the Letter of Application in the form set out in Appendix A (Form of Letter of Application) to this REOI. The signatory shall be authorized by Power of Attorney from the Applicant. The Applicant shall attach to its Letter of Application the duly filled out and signed form of Mandatory Information. In case that the Applicant is a consortium or a joint venture, each member of the Applicant shall provide this Mandatory Information. Failure to complete and sign this form by the Applicant (or each member of the Applicant as case may be) will lead to disqualification.

- 5.3 **Executive Summary:** The Executive Summary shall provide a brief description of

- The Applicant's qualifications for the Project including relevant experience as elaborated in section 5.5 and section 5.6
- The Applicant's corporate structure, history and financial condition.
- If the Applicant is a joint venture or consortium,



- the identification of the lead member;
 - the identification of the Key Subcontractor (if applicable);
 - the identification of other members forming part of the Applicant;
 - levels of participation of the members (i.e. expected shareholding in the future project company to be established for the execution of the project)
- Technical capabilities and experience in BOO and/or BOT Projects in the energy sector and in relevant contexts such as in sub-Saharan Africa or island economies.
 - Other key points that the Applicant may wish to emphasize in the EOI.

The Executive Summary should not exceed 15 pages.

5.4 Applicant Organizational Information: The Section shall comprise the following:

- Applicant Information (EOI Form 1): The Applicant, and each of its constituent members (if applicable), shall submit the information as required in EOI Form 1. This includes contact data for each member of the Applicant, as well as copies of company registration certificates and other relevant documents of constitution.
- Applicant Summary (EOI Form 2): If the Applicant is a joint venture or consortium, it shall submit the completed EOI Form 2 along with a Memorandum of Understanding or a draft joint venture or consortium agreement, signed by the duly authorized representatives of the joint venture or consortium members.
- Organizational Structure (EOI Form 3): In this section, the Applicant shall provide:
 - A company profile, describing the Applicant and, if a joint venture or consortium, the company profiles of each member;
 - A description and/or organizational chart of the organizational and corporate and ownership structure of the Applicant such as identity (including nationality) of material shareholders (whether direct or intermediate), levels of shareholding and ultimate parent company, subsidiaries, as well as positions of directors, key personnel and their functions. Material shareholding is defined as holding more than a cumulative of five percent (5%) of subscribed shares in the Applicant as a whole or any of its constituent members (directly or indirectly). In the case of a joint venture or consortium such information is required from each member;
 - A copy of the Applicant's corporate deed (or certificate) of incorporation (or equivalent documentation from the Applicant's jurisdiction). In the case of a joint venture or consortium such copy is required from each member;
 - Members of the Applicant who have no shareholding in the Applicant are expected to provide the requisite information on organizational structure listed above except for shareholding structure.

5.5 Technical Capability: In Section 3 of the EOI, the Applicant shall provide project reference on each solar photovoltaic power project or other renewable energy projects that the Applicant or any of its member has designed, developed, constructed and/or operated within the last seven (7) years. The project reference shall include the information requested in EOI Forms 4 and 5. Plants or projects which are currently under construction may also be included as project references. The qualifications on technical capability may be met by a nominated Key Subcontractor.

The Applicant should include project references of similar nature, size, and complexity under similar climatic conditions to the Project that the Applicant has successfully designed, developed, constructed and/or operated within the last seven (7) years. Information on operational readiness of each projects to date should be made available. The Applicant must submit at least two (2) references for solar photovoltaic power plants with at least 5 MW capacity that have been constructed within the last five years and that are operational for at minimum of two years. At least one (1) reference should be in a relevant geography or economy. Relevant geographies or economies include sub-Saharan Africa or other small island economies.



The Applicant shall also include any other relevant information concerning its technical capability that the Applicant believes would assist the Procurement Committee in assessing the Applicant's qualifications. For example, information on regional power projects may be considered relevant qualifications.

For each of the projects listed in EOI Form 4, a separate EOI Form 5 shall be accomplished.

- 5.6 **Experience in developing and financing BOO(T) Projects:** The Applicant shall demonstrate its ability and experience in successfully developing BOO(T) projects. This includes the ability to obtain sufficient funds to develop, design, construct, commission, own and operate the Project including successful handover for BOT projects. Development of renewable energy projects is preferred and preferably involving solar photovoltaic power projects under BOO(T) scheme(s) that have an operational track record. In the case of a joint venture or consortium, at minimum, the member of the Applicant who is expected to meet the financial requirements is expected to demonstrate this requirement.

The Applicant shall illustrate its previous successful experience in raising sufficient debt participation and substantial equity participation by providing in Section 4 of its EOI all relevant data in order to demonstrate experience with BOO(T) projects, preferably of similar nature, size, investment volume and complexity as the Project, designed, developed and/or constructed during the last seven (7) years. This may also include plants or projects which are currently under construction. The Applicant must submit at least two (2) references for solar photovoltaic energy plants of similar size than the Project to demonstrate its experience. The Applicant should submit at least one (1) reference for solar photovoltaic energy plants with at least two years of operations post commercial operation date.

The Applicant shall use the format as set out in EOI Form 7 for each BOO(T) project reference. The Applicant may also include any other relevant information concerning the Applicant's BOO(T) experience, which the Applicant believes will support the Procurement Committee in assessing the Applicant's qualifications.



5.7 Financial Information: In Section 5 of the EOI, the Applicant shall provide the following:

- The financial data as requested in EOI Form 8 including:
 - a summary table in respect of financial performance data extracted from the financial statements in the format set out in EOI Form 8;
 - a letter from its primary creditor(s) that the Applicant is in good standing.
- The Applicant shall submit copies of audited financial statements (consolidated balance sheets, consolidated income statement and where available, consolidated cash flow statement including all related notes, and income statements) for the last 3 years. Where an Applicant has less than three years of incorporation, the Applicant must submit the aforementioned information for the period of incorporation.
- The Applicant is expected to demonstrate an average annual turnover of 2 million Euros over the past three years. In the case of a joint venture or consortium, the requirement may be met either a) individually by the lead member or expected majority shareholder if different from the lead member or b) jointly by the members of the consortium who are expected to be shareholders in the joint venture.
- At minimum, the member of the Applicant fulfilling the financial requirement shall provide all the information required in EOI Form 8. In case the member of the Applicant is a Key Subcontractor, it shall at minimum provide information on EOI Form 8 pertaining to the balance sheet.

5.8 Technical Information: In Section 7 of the EOI, the Applicant shall provide a brief (non-binding) description of the approach to the project, and the area that the Applicant will require for the Project. The description should not exceed five pages in length..

5.9 Other Information: In Section 7 of the EOI, the Applicant is free to submit any other information that the Applicant believes to be useful to the Procurement Committee in respect of the evaluation of the Applicant's corporate structure, organizational, technical, human resources, financial capability and experience.



6 Evaluation of Expressions of Interest

- 6.1 Duly completed and signed Letter of Expression of Interest: Applicant must duly complete Appendix A presented in this REOI and the same must be submitted along with all other relevant EOI documents as requested in Section 4 of this REOI. Failure to present the Letter of Expression of Interest completely or correctly of any part of Appendix A will result in the disqualification of the Applicant.
- 6.2 Duly completed and signed Attachment to the Letter of Expression of Interest (Mandatory Information) as per Appendix A to this REOI: Applicant must duly complete the Mandatory Information presented in this REOI and the same must be submitted. Failure to present the Mandatory Information completely or correctly of any part of the Mandatory Information will result in the disqualification of the Applicant.
- 6.3 Failure of the Applicant to provide any information requested under this REOI, including
- Executive Summary;
 - Applicant Organizational Information;
 - Applicant Technical Capability;
 - Applicant Experience with BOO(T) Projects; and
 - Applicant Financial Information
 - Applicant Technical Information
- will result in disqualification of the Applicant
- 6.4 Failure to provide references in accordance with the minimum requirements set forth in Sections 5.5 and 5.6 will result in the disqualification of the Applicant.

7 Pre-Qualification and Tendering Time Schedule

- 7.1 The tentative timeline for the tender process for the Project commences with the publication of this REOI document

| Item | Description | Date |
|------|--|--|
| 1 | Release of REOI | 31 th December 2019 |
| 2 | Deadline for submission of clarification questions | 10 calendar days prior to Deadline of Submission of EOI |
| 3 | Last response for clarification questions | 7 calendar days prior to Deadline of Submission of EOI |
| 3 | Deadline for Submission of Expression of Interest | 31 st January 2020 |
| 4 | Information to Shortlisted Applicants (Bidders) | 15 th February 2020 |
| 5 | Release of Request for Proposals | 16 th March 2020 |
| 6 | Pre-Bid Meeting | 6 th April 2020 |
| 7 | Deadline for submission of Bidder's clarification question | 14 calendar days prior to Deadline of Submission of Proposal |
| 3 | Last response for clarification questions | 7 calendar days prior to Deadline of Submission of Proposal |
| 8 | Final date of proposal submission | 15 th May 2020 |



- 7.2 Once pre-qualified, the Bidders will be notified by email that the Request for Proposal documents can be collected from DNICE under consideration of payment of a five hundred (500) Euro fee.
- 7.3 Upon submission of proposals, Bidders will be requested to submit a bid security of two thousand five hundred Escudos (CVE 2.500) per kWac of installed capacity together with the proposal [1 Euro € = 110,265 ECV].

8 Disclaimer

- 8.1 The DNICE reserves the right to amend, modify or withdraw this REOI or any part of it, or to terminate or amend any of the procedures, procurement processes or requirements detailed in this Request for Expression of Interest during the conduct of the Procurement Program, at any time, without prior notice and without liability to compensate or reimburse any person pursuant to such amendment, modification, withdrawal or termination.
- 8.2 The DNICE reserves the right to qualify or disqualify interested Applicants based on the merits of each EOI as discussed internally by the Procurement Committee, independent of the qualification criteria set forth in the REOI, upon due consideration of the number and quality of interested Applicants. Such right will be exercised without liability to compensate or reimburse any persons, and without obligation to inform Applicants of the reason for failure to qualify.



Appendix A Form of Letter of Expression of Interest

[Letterhead of the Applicant or partner responsible for leading a consortium, including registration number, full postal address, telephone, fax, and e-mail addresses]

Date: [•]

Procurement Committee

To attention of Rito Evora AND Ariel Assunção

Ministério da Indústria, Comércio e Energia

National Directorate of Industry, Commerce and Energy (DNICE)

Rua do Funchal Nº2, Caixa Postal Nº15, Achada de Santo António –
Praia, Cabo Verde

THE REPUBLIC OF CABO VERDE – DNICE

FOR:

Independent Power Producer for a 5 MW Solar Photovoltaic Power Plant in [Lot and Islandervadão], Cabo Verde.

Dear Sirs,

- (1) Being duly authorized to represent and act on behalf of **[insert name of Applicant]** (“the Applicant”) and having reviewed and fully understood the Request for Expressions of Interest and all documentation pertaining to the Procurement Program, the undersigned hereby applies to qualify the Applicant under the Procurement Program.
- (2) The Procurement Committee and/or its authorized representatives are hereby authorized to conduct any inquiry or investigation to verify the statements, documents, and information submitted in connection with this Expression of Interest, and seek clarification from third parties (including banks) regarding any financial and technical aspects. This letter will also serve as authorization to any individual or authorized representative of any institution, to provide such information deemed necessary to verify the statements and information provided in this application with regard to the resources, experience and competence of the Applicant.
- (3) This Expression of Interest is made under the full understanding that DNICE reserves the right to:
 - amend the scope and requirements of any contract under this Project, and in such event, tenders will only be invited from pre-qualified Applicants who meet the revised requirements;
 - reject or accept any Expression of Interest, or cancel this pre-qualification process, and reject all Expressions of Interest.

DNICE and the Procurement Committee shall not be liable for any such actions and shall be under no obligation to inform the Applicant on the grounds for such action.

- (4) We hereby declare that the responses to the Mandatory Information attached to this Letter of Expression of Interest have been duly completed and signed by the Applicant (or in case that the Applicant is a consortium or joint venture, by each member of the Applicant).



(5) All correspondence in relation to this Expression of Interest shall be addressed to:

Primary Contact

Name
Address
Phone and Fax Number
E-mail Address

Secondary Contact

Name
Address
Phone and Fax Number
E-mail Address

Signed: _____

Name: _____

For and on behalf of [name of Applicant of Lead Member of the consortium]

Attachment: Mandatory Information



Attachment to the Letter of Expression of Interest
MANDATORY INFORMATION

1. Disclosure

- 1.1 Please state if any Member or any individual who is director, officer, employee or shareholder of any Member is related up to the third degree of consanguinity to any employee of the National Directorate of Industry, Commerce and Energy (DNICE) or any other member of the Procurement Committee comprised of the Ministry of Industry, Commerce and Energy, the Concessionaire for Transmission and Distribution Grid, Multisectoral Regulatory Agency of the Economy (ARME) or any other Government official or person directly involved in this Procurement Process, who may have influence with the evaluation of the Bid Responses. **Y / N**

If so, state particulars:

.....
.....
.....
.....

- 1.2 Please state if any Member or any individual who is a director, officer, employee or shareholder of any Member is related up to the third degree of consanguinity to any Government official or person with the ability to influence the decision of the Procurement Committee with respect to the appointment of the Preferred Applicant. **Y / N**

If so, state particulars:

.....
.....
.....
.....

- 1.3 Please state if any national public entity, or a provincial public entity or a person employed by a national public entity, or a provincial public entity is a Contractor of, or is participating as a Member of the Applicant. **Y / N**

If so, state particulars:

.....
.....
.....
.....
.....

2. Statements

By this statement, we confirm that [INSERT COMPANY NAME] is not found in any of the following situations:

- a) it is bankrupt, subject to insolvency or winding-up procedures, where its assets are being administered by a liquidator or by a court, where it is in an arrangement with creditors, where its business activities are suspended, or where it is in any analogous situation arising from a similar procedure provided for under national laws or regulations;
- b) it has been established by a final judgment or a final administrative decision that the economic operator is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the law of the country in which it is established, with those of the country in which the



contracting authority is located or those of the country of the performance of the contract;

- c) it has been established by a final judgment or a final administrative decision that the economic operator is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the economic operator belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes a wrongful intent or gross negligence, including, in particular, any of the following:
 - (i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract;
 - (ii) entering into agreement with other economic operators with the aim of distorting competition;
 - (iii) violating intellectual property rights;
 - (iv) attempting to influence the decision-making process of the contracting authority during the procurement procedure;
 - (v) attempting to obtain confidential information that may confer upon it undue advantages in the procurement procedure;
- d) it has been established by a final judgment that the economic operator is guilty of any of the following:
 - i) fraud;
 - ii) corruption, as defined in the law of the country where the contracting authority is located, the country in which the economic operator is established or the country of the performance of the contract;
 - iii) participation in a criminal organisation;
 - iv) money laundering or terrorist financing;
 - v) terrorist-related offences or offences linked to terrorist activities, or inciting or aiding or abetting or attempting to commit such offences;
 - vi) child labor or other forms of human trafficking.
- e) the economic operator has shown significant deficiencies in complying with the main obligations in the performance of a contract financed by the [INSERT INSTITUTION], which has led to its early termination or to the application of liquidated damages or other contractual penalties or which has been discovered following checks, audits or investigations by an authorizing officer.

We confirm that the statements apply to each member of the Applicant including the Key Subcontractor if applicable.



3. Declaration

I, THE UNDERSIGNED

(NAME) _____

CERTIFY THAT THE INFORMATION FURNISHED IN THE PARAGRAPHS ABOVE IS TRUE AND CORRECT. I ACCEPT THAT THE PROCUREMENT COMMITTEE MAY DISQUALIFY MY BID RESPONSE IN RESPONSE TO THE RFQ AND RFP.

Signature _____

Date _____

Position _____

Name of Member _____

Name of Applicant _____



APPENDIX B

APPLICANT ORGANIZATIONAL INFORMATION

EOI FORM 1: APPLICANT INFORMATION

Name of Applicant [or member of a joint venture or consortium], to whom this form applies

Applicant information

[All individual firms and each member of a Consortium/joint venture applying for pre-qualification are required to complete the information in this form, on separate forms. Members who are not expected to be shareholders in the Project may choose not to fill-out the shareholder structure. Upon the discretion of the Applicant, parent company data may be added here as well.]

| | | |
|----|---|--------------------------------------|
| 1. | Name of firm | |
| 2. | Head office address | |
| | | |
| 3. | Telephone | Contact |
| 4. | Fax | E-Mail |
| 5. | Place of incorporation / registration | Year of incorporation / registration |
| 6. | Organizational structure, including shareholder and grouping structure and parent/holding company structure if applicable (Applicants shall use separate sheets to provide this information including comprehensive organization charts including legal entity names and relations) | |

The form shall be accompanied by copies of the deed or certificate of incorporation and the constituted documents, of the Applicant [each joint venture or consortium member].



EOI FORM 2 APPLICANT SUMMARY

Name of Applicant

Applicant Summary

| <i>Names of all members of joint venture or consortium</i> | <i>Name</i> | <i>Share</i> | <i>Fulfilment of Key Requirement</i> |
|---|--------------------|---------------------|---|
| 1. [Developer] | | | [Technical / Financial] |
| 2. [Member] | | | [Technical / Financial] |
| 3. [Member] | | | [Technical / Financial] |
| 4. [Member] | | | [Technical / Financial] |
| 5. [Key subcontractor, if applicable] | | | [Technical / Financial] |

In case of joint venture or consortium the form shall be accompanied by a memorandum of understanding or joint venture or consortium agreement of the members determining the lead developer, share and roles of each member, etc. and being signed by the member's duly authorized representatives.



EOI FORM 3: ORGANIZATIONAL INFORMATION

Name of APPLICANT [or member of a joint venture or consortium], to whom this form applies

Organizational Information

[The following information shall be provided for the Applicant and for each member of a joint venture or consortium on a separate form]

Please attach:

- Company profiles of the Applicant [or member of a joint venture or consortium]
- A description and / or organizational chart of the organizational and corporate and ownership structure(s) of the Applicant [or member of a joint venture or consortium] showing the parent companies, subsidiaries, as well as positions of directors, key personnel and their functions.
- [In case of a joint venture or consortium an organization chart of the foreseen joint venture or consortium showing the members, their foreseen tasks and their shares, role and responsibilities.]
- A photocopy of the corporate deed (or certificate) of incorporation (or equivalent documentation of the Applicant [or member of a joint venture or consortium]) detailing full name, date of incorporation and company registration status.
- Any other information deemed necessary by the Applicant



APPENDIX C – TECHNICAL EXPERIENCE OF APPLICANT

EOI FORM 4: TECHNICAL EXPERIENCE OVERVIEW

[The following EOI Form shall be filled in for the Applicant and for each member of a joint venture or consortium]

Name of Applicant to whom this form applies

Technical Experience Overview

Projects involving Renewable Energy Power Plant Projects that were/are designed, developed and/or constructed within the last seven (7) years or under construction.

| Name of project / Member owning the project | Date of COD* | Country / Location | Specific Role in the Project | Contracting/ Authority / Client | Type of Involvement of Applicant or Member ** |
|---|--------------|--------------------|------------------------------|---------------------------------|---|
| 1 | | | | | |
| 2 | | | | | |
| 3 | | | | | |
| 4 | | | | | |
| 5 | | | | | |
| | | | | | |
| | | | | | |
| Signature: | | | | | |
| For (Name of Company): | | | | | |

Note: Please add lines as needed

*) COD = Commercial Operation Date.

**) Please specify, in what capacity the member has implemented the project, e.g. as main developer, main contractor, member in a joint venture or consortium as leader or normal member, subcontractor, EPC-contractor, contractor for O&M, etc.



EOI FORM 5: DETAILS OF PROJECTS OF SIMILAR NATURE AND COMPLEXITY

Name of Applicant to whom this form applies

Details of Projects of Similar Nature and Complexity

[The following table shall be filled in for each reference project stated in EOI Form 4 each on a separate form. Wherever possible the Applicant shall provide References for the Project from the Project Owner]

| Experience No. ... : _____ [insert Project name] | |
|---|--|
| | Information |
| Contract Identification / Name of Project: | |
| Project location: | |
| Grid Condition:(off- grid, grid tied, Island Grid) | |
| Climatic Conditions at site (solar radiation, humidity, desert condition, close to sea, etc.) | |
| Owner of the project: | |
| Type of Contract: | |
| Award date: | |
| Contract term: | |
| Length of Power-Purchase Agreement / Guaranteed Feed-in-Tariff (if applicable): | |
| Dates of finishing the activity: | |
| Specify Role in Project: | |
| Total Contract Amount: | [Insert total contract amount in original currency and in EURO equivalent] |
| Share of Applicant in Contract (% of total contract amount): | |
| Total Investment Amount: | [Insert total contract amount in original currency and in EURO equivalent] |
| Amount of Initial Equity Investment; | |



| | |
|--|--|
| Experience No. ... : _____ <i>[insert Project name]</i> | |
| | Information |
| Share of Applicant in Initial Equity Required: | |
| Technical Information of Project: (cell technology, module type, mounting system, tracker etc.): | |
| Installed capacity of facility / number of units: | |
| Target Construction Period / Actual Construction Period: | |
| Commercial Operation Date: | |
| Years of Active Commercial Operation to Date: | |
| Contracting Agency's Name: Address: Telephone/fax number E-mail: | <i>[insert full name] [street / number / town or city / country] [insert telephone/fax numbers, including country and city area codes] [insert e-mail address, if available]</i> |
| Signature: | |
| For (Name of Company): | |



APPENDIX D – BOO(T) EXPERIENCE OF APPLICANT

EOI FORM 6: EXPERIENCE IN BOO(T) PROJECTS

Name of Applicant to whom this form applies

EXPERIENCE IN BOO(T) PROJECTS

BOO(T) Projects in the power generation sector, especially in the renewable generation sector designed, developed and/or constructed within the last seven (7) years or under construction.

| Name of project / Member owning the project | Type of technology | Date of COD | Country / Location / area | Type of activity involved in Project | Contracting Authority | Power purchaser | Length of PPA / FIT (if applicable) | Length of concession (if applicable) | Share of Applicant or member in project company |
|---|--------------------|-------------|---------------------------|--------------------------------------|-----------------------|-----------------|-------------------------------------|--------------------------------------|---|
| 1 | | | | | | | | | |
| 2 | | | | | | | | | |
| 4 | | | | | | | | | |
| 5 | | | | | | | | | |
| 6 | | | | | | | | | |
| | | | | Signature: | | | | | |
| | | | | For (Name of Company): | | | | | |

[Provide the following summary table in respect of each project in the power generation sector for which the Applicant or its members has developed a limited recourse financing package within the last seven (7) years]



EOI – FORM 7: DETAILS OF BOO(T) PROJECTS

[The following table shall be filled in for each reference project stated in EOI Form 4 each on a separate form]

Name of Applicant to whom this form applies

| | |
|--|--------------------|
| Experience No. ... : _____ [insert Project name] | |
| | Information |
| Name of Project: | |
| Location of Project: | |
| Type of Plant: | |
| Owner of the Plant: | |
| Date of Financial Closing: | |
| Date of Project Commercial Operation Date: | |
| Years of Commercial Operation | |
| Applicant's Role in the Project (pre and post completion): | |
| Project Budget / Plant Cost (EURO): | |
| Sources of Debt Funding: | |
| Sources of Equity Funding: | |
| Share of Applicant in Initial Equity Funding | |
| Current Share of Applicant in Project Equity | |
| Financing contributed by Applicant: | |
| Signature: | |
| For (Name of Company): | |



APPENDIX E:

EOI-FORM 8: FINANCIAL INFORMATION

Name of Applicant to whom this form applies

Financial Situation

[The following table shall be filled in for the Applicant (in case the Applicant is a joint venture or consortium, a separate form shall be used for each member of the Applicant. Financial information between 2016 – 2018 are expected to be supported by audited financial statements. Unaudited 2019 financial statements if available may be submitted at the discretion of the Applicant]

.....[Specify member of Applicant whose data are presented]

| Item | local currency | | | |
|-------------------------------------|----------------|------|------|------|
| | 2016 | 2017 | 2018 | 2019 |
| Turnover | | | | |
| Operating Profit | | | | |
| Net Interest Expense | | | | |
| Net Income | | | | |
| Profit after tax | | | | |
| Total Assets | | | | |
| Cash and Short Term Investments | | | | |
| Short Term Debt (< 1 Year Maturity) | | | | |
| Long Term Debt (> 1 Year Maturity) | | | | |
| Minority Interests | | | | |
| Shareholders' equity | | | | |
| Current Market Capitalization | | | | |

| Major Capex Items | local currency | | | |
|-------------------|----------------|------|------|------|
| | 2020 | 2021 | 2022 | 2023 |
| [Item A] | | | | |
| [Item B] | | | | |



| | | EURO equivalent | | | |
|--|-------------------------------------|-----------------|------|------|------|
| | Item | 2016 | 2017 | 2018 | 2019 |
| | Turnover | | | | |
| | Operating Profit | | | | |
| | Net Interest Expense | | | | |
| | Net Income | | | | |
| | Profit after tax | | | | |
| | Total Assets | | | | |
| | Cash and Short Term Investments | | | | |
| | Short Term Debt (< 1 Year Maturity) | | | | |
| | Long Term Debt (> 1 Year Maturity) | | | | |
| | Minority Interests | | | | |
| | Shareholders' equity | | | | |
| | Current Market Capitalization | | | | |

| | | EURO equivalent | | | |
|--|-------------------|-----------------|------|------|------|
| | Major Capex Items | 2020 | 2021 | 2022 | 2023 |
| | [Item A] | | | | |
| | [Item B] | | | | |

Enclosed please find copies of the audited financial statements for the above 3 years