

Response to queries on RFQ of Large Scale Solar Photovoltaic Plant (3-14 March 2016)

| No | Date of submission of queries | Questions From RFQs Purchasers | Answers |
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| Q1 | 3-Mar-16 | <p>A. Based on one of the RFQ Participant Prerequisites requirement (item b) which is <i>;with experience in operation of large solar PV facilities of not less than 1 MW_{ac}, or power plant of not less than 1 MW or electrical installation with capacity and voltage level of not less than 1 MW and 11 kV</i>, can it be cumulative (that is, combining multiple projects)?</p> <p>B. With reference to question no 1 above, can a company be considered as having experience in operation of large solar PV facilities if it currently employs a staff with prior experience in operation of large solar PV facilities</p> <p>C. To be qualified, for example, we as a technical partner that have experience in operation of large solar PV facilities enter into a JV with the RFQ participant that have financial capabilities but no experience in operation of large solar PV, can this partnership be qualified</p> <p>D. Can 2 companies but with common shareholders submit 2 separate applications or can 1 company submit 2 applications?</p> | <p>A. Not cumulative. Voltage level of at least one of the installations must be not less than 11kV.</p> <p>B. Please refer to the para 5.2 of the RFQ for more details. The company must have the technical and financial capabilities /experiences or support from relevant organisations with such capabilities.</p> <p>C. Please refer to para 5.2(b) under Technical Capability of the RFQ: “.....In the case of an RFQ Participant which is a consortium, the criteria in paragraph (a) and (b) above can be met by one or more members of the consortium (or a Group member of that consortium party). It need not be met by all members of the consortium.”</p> <p>D. Only one submission acceptable. Two companies having the same shareholders submitting two applications is tantamount to the same company submitting two applications.</p> |
| Q2 | 4-Mar-16 | <p>A. Company A does not satisfy prerequisite 4.2 (b) with experience in operation of large solar PV facilities of not less than 1 MW_{ac}, or power plant of not less than 1 MW or electrical installation with capacity and voltage level of not less than 1 MW and 11 kV,</p> <p>B. If Company A forms consortium with a company that has experience (Company B), and Company B also submit RFQ as a standalone company,</p> <p>Can consortium of Company A and Company B send in another RFQ submission?</p> | <p>A. A participant must comply with the minimum technical experience/capability requirements as specified in the RFQ.</p> <p>B. Only one submission allowed from the same entity.</p> <p>Whether an entity is participating on its own and/or partnering with another entity, the aggregated capacity of the submissions which an entity has equity interest, shall not exceed 50MW</p> |

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| Q3 | 3-Mar-16 | In reference to the RFQ attached, could you please advise if it is possible to buy the tender documentation on-line? | The RFQ document is not available for sale on-line. Foreign company must form a consortium with one or more local companies. As such you can send your local partner/representative, if any, to buy the document. |
| Q4 | 4-Mar-16 | Company X has purchased (receipt no. 075246) a copy of the Request for Qualification : Large Scale Solar Photovoltaic Plant (Reference No. RFQ:ST(IP/JPIKSE/PI)19/1/4). We humbly request that Appendix A, B and C is made available to us in Microsoft Word format for us to process accordingly | Softcopy will not be provided. |
| Q5 | 4-Mar-16 | <p>A. Referring to item 4.2 (a) An RFQ participant must not be a FiT approval holder under the renewal energy act 2011. Does this requirement applies to the company (RFQ participant) or the shareholder of the company must not be a FIT approval holder? We have provided example cases to help out on the explanation so that we have a better understanding:-</p> <p>Example 1: Company A is a existing company where one of the shareholders is a FiT Approval holder. Does company A qualify as a RFQ participant? if Yes, can the two companies with the common shareholder participate in the RFQ? (Please refer Attachment A, in last page of this questionnaire).</p> <p>Example 2: Company B is currently a FIT holder under the Renewable Energy Act 2011. We understand from the requirement of the RFQ applicant, Company B does not qualify as a RFQ applicant, is this understanding correct?</p> <p>B. Referring to item 4.2 (b) An RFQ participant must have experience in operation of large solar PV facilities of not less than 1 MWac or power plant of not less than 1 MW or electrical installation with capacity and voltage of not less than 1 MW and 11 kV, our questions for this criteria are:-</p> <p>a. Power plant of not less than 1 MW – does this requirement limit to only Solar or this requirement covers other installation types like Biogas, Biomass, Hydro etc</p> | <p>A. Please refer to the Clarification on FiaH dated 7 March 2016 published on the ST website. Two companies with the same shareholders are not allowed to submit two RFQ.</p> <p>B. Please refer 4.2b) Participant must have experience in operation of large solar PV facilities of not less than 1MWac Or power plant of not less than 1 MW or electrical installation with capacity and voltage level of not less than 1MW and 11kV a. Any type of <u>power plant</u></p> |

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| | <p>b. Electrical installation with capacity and voltage of not less than 1 MW and 11 kV – does this requirement mean the RFQ applicant has experience in 1 MW or more electrical installation say for example building of PPU/PMU, factories with load usage of 1 MW or more at 11 kV?</p> <p>c. Does experience of Solar PV installations of 1 MW DC input be considered? as the installation voltage is at 11 kV but due to inverter limitations, the AC output does not meet the 1 MWac requirement</p> <p>d. The RFQ applicant has experience in constructing and operating 2 units of 500 kWac Solar plants at 11 kV interconnection voltage, can the experience be considered as combined at 1 MW ac?</p> <p>C. Does ST accept if the ultimate shareholders is carry the experience of developing the power plant not less than 1MW and 11kV interconnection with the support letter from the Service Provider & contractor?</p> <p>D. Appendix C- Form 1 Company details:</p> <p>a. The company information will be provided into the form. Does ST required to have the supporting documents of the company such as; Form 9, 24, 44, 49, M&A and etc?</p> <p>b. If the information of shareholders & directors is more than space given, can we use the copy of page of 26 of document to provide the information?</p> <p>c. Can we get all the form of all Appendix form in the *.pdf format file. Do ST accept the submission with the handwriting?</p> <p>E. Appendix B- Capacity of interest:</p> <p>a. Can the applicant apply for more than 1 of capacity of interest?</p> | <p>b. Experience In operation of an electrical installation, not just in construction of a substation</p> <p>c. Can be considered depending on the details of the installation AND if the export voltage is $\geq 11kV$.</p> <p>d. Can be considered depending on the details of the installation AND if the export voltage is $\geq 11kV$.</p> <p>C. NO</p> <p>D.</p> <p>a. You can provide if you wish to. However, in the RFP stage, more details on the company will be essential.</p> <p>b. Please prepare your own forms for submission based on the format provided.</p> <p>c. You are advised to submit any information in clearly readable type-written format.</p> <p>E.</p> <p>a. Refer Clause 3. ...A participant can offer one or more plants at different sites provided that the aggregated export capacity of all the plants shall not exceed 50MWac..</p> |
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| | | <p>F. Appendix B- Proposed connection to an existing Interconnection facility or substation;</p> <p>a. What is the document required to submit to proposed connection to an existing Interconnection Facility or substation, if known?</p> <p>b. Can the applicant propose more than one of the connection to an existing interconnection facility or substation?</p> <p>c. Can the applicant propose for interconnection at a station that is not listed in the RFQ? Example: Negeri Sembilan category for 30-50 MW, it is only stated that the interconnection points of 132 kV is at Sendayan / Linggi</p> <p>Can we propose for connection to PMU Chembong since there is a 132 kV line there ?</p> <p>d. Preference or "Reserve" of interconnection point; will there be any rule that for the power system study at a certain station which have been done by Applicant A and that station cannot be restudied again by Applicant B, as this rule is applied for FiT system.</p> | <p>F.</p> <p>a. You are advised to provide the name/location/details of the inter connection facility.</p> <p>b. Yes</p> <p>c. Refer to 4.4</p> <p><i>..However, the Bidder can also propose other appropriate connection points which are more suitable provided that such interconnection is technically feasible, acceptable to the utility, with no obstruction from any person and the cost of in the interconnection and any other incidental cost associated with the interconnection are borne by the Successful Bidder..</i></p> <p>d. At this stage no power system study is required. We do not understand how a proposed interconnection point can be "reserved" by a party participating in the bidding exercise except the interconnection point is its own facility.</p> |
| Q6 | 7-Mar-16 | <p>A. In the advertisement notice as published on ST website (www.st.gov.my), it is mentioned that applicant is invited "to participate in a pre-qualification process for both bidder and proposed or offered site (if any) in accordance with criteria set forth in RFQ document". However, in the RFQ document Page 9, item 4.2(d), one of the prerequisite is RFQ Participants must be "able to demonstrate that the land(s) required for the proposed solar PV plants are readily available for the right to use." We request for further clarification on the statement "proposed or offered site (if any)" in the advertisement notice and the required documents for submission.</p> <p>B. Is it allowed for a company to participate if its' existing subsidiaries or parent company or holding company is a FIA Holder?</p> | <p>A. Please refer to the submission required as in the Appendix A, No 2. "Land Search/Rights to Use/Registered owner of the proposed site"</p> <p>B. Please refer to the Clarification on FiaH dated 7 March 2016 published on the ST website</p> |

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| Q7 | 7-Mar-16 | <p>A. Given RFQ Participant requirement: (Clause 4.2)</p> <p>(a) Not FiT approval holder under the RE Act 2011.</p> <p>(b) With experience in operation of large scale solar PV facilities of not less than 1MW ac or power plant of not less than 1MW or electrical installation with capacity and voltage level of not less than 1MW and 11KV;</p> <p>(c) With knowledge of the legal and regulatory requirements and electricity supply industry practices in Malaysia;</p> <p>(d) Able to demonstrate that the land(s) required for the proposed solar PV plant(s) are readily available for the right to use.</p> <p>(e) A local company of which the Malaysia equity interest in such local company is at least 51%; or</p> <p>(f) A consortium of legal entities which includes a minimum of one local company and which has Malaysian equity interest in the consortium of at least 51%.</p> <p>So I would like to clarify for Clause 4.2 (b)</p> <p>1. The definition of the "consortium" member, is it meaning that each consortium member must own the Equity interest in a legal entity? Or that is qualify if the consortium member only binding with service and operation contract, letter of intent and etc will do?</p> <p>a. For example</p> <p><u>Case 1 (Consortium with Binding contract)</u></p> <p>i. If A <u>local company A (Solar Developer)</u> does not meet criteria (b), so local Company A consortium with <u>Company B (Multi National Company (MNC) Solar Service Provider/EPCC and this company B is meet criteria (b).</u></p> <p>ii. In consortium, <u>MNCs EPCC does not hold any share / Equity interest of Solar Developer</u>, but Solar Developer will <u>appoint MNCs EPCC a 21 years contract, to build, operate and maintain the solar PV plant, such as letter of intent, contract</u> and etc?.</p> | <p>A. The equity requirement is clearly stated in the RFQ, not just service and operation contract or EPC contract or other form of support. Each consortium member must have equity.</p> |
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| | | <p>iii. For this case, consortium between Solar Developer & MNCs EPCC could meet above all RFQ requirements (a) to (f), so the equity interest in the consortium for local Solar Developer (Company A) will be 100% for RFQ participant.</p> <p>i)Local Solar Developer: 100% ii)MNCs EPCC: 0% Total 100% for RFQ participant.</p> <p>May I clarify above case 1 is qualify ? If the answer for case 1 is not qualify, may I also clarify further is it the definition of Consortium shall be as below structure?</p> <p>Please advise for our understanding. <u>Case 2 (All consortium members must own the equity interest)</u></p> <p>i. If A <u>local company A (Solar Developer)</u> doesn't meet criteria (b), so local Company A consortium with <u>Company B (Multi National Company (MNC) Solar Service Provider/EPCC</u> and this <u>company B is meet criteria (b).</u></p> <p>ii. <u>MNCs EPCC will hold a 1% of Equity interest of Solar Developer (Company A)</u> to meet the definition of ?Consortium?</p> <p>iii. For this case, consortium between Solar Developer &MNC?s EPCC could meet above all RFQ requirements (a) to (f), so the equity interest in the consortium between local Solar Developer (Company A) and MNC?s EPCC (Company B) will be:</p> <p>i)Local Solar Developer: 99% ii)MNCs EPCC: 1% Total 100% for RFQ participant.</p> | |
| Q8 | 7-Mar-16 | <p>With refer to RFQ requirement item(a) <i>not Fit Approval Holder under the Renewal Energy Act 2011</i>, please clarify the following;</p> <p>Mr. A has >51% share in Company I which is a FIT Approval. Can Company II in which Mr.A also has >51% share be qualified as an RFQ participant?</p> | <p>Please refer to the Clarification on FiaH dated 7 March 2016 published on ST website for further clarification.</p> |

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| Q9 | 4-Mar-16 | <p>1 Definitions RFQ Participant</p> <p>A. If a participant submits an RFQ as a consortium, and the consortium is qualified to participate in the RFP process, can the consortium membership be changed during the RFP stage?</p> <p>B. Can a participant form a consortium with a qualifier after the RFQ result,</p> <p>a) In the case the participant is qualified</p> <p>b) In the case the participant is not qualified</p> <p>2 Section 3</p> <p>“A participant can offer one or more plants at different sites provided that the aggregated export capacity of all the plants shall not exceed 50WM”</p> <p>A. How is the aggregated export capacity calculated, particularly if the participant intends to submit multiple plants with majority and minority stakes at different plants?</p> <p>B. Is it the intention of EC to cap each participant’s aggregated export capacity at the RFQ stage or would EC cap it at RFP submission stage?</p> <p>C. How many RFQs should a participant submit if the participant would like to propose:</p> <p>a. Alternate site’s for a plant</p> <p>b. Multiple plants at multiple sites</p> <p>D. Are sites declared in an RFQ committed or can the participant select a different and better site post RFQ?</p> <p>E. Are participants required to purchase one RFQ document for each RFQ submission (assuming multiple RFQ submissions are required in question 3 above)?</p> <p>3 Appendix B – Form of Cover Letter</p> <p>Capacity of interest:</p> <p>1MW - < 5MW</p> <p>5MW - < 30MW</p> <p>30MW – 50MW</p> <p>Will there be quota allocations for each group of capacity of interest, and if so how would these quota allocations be made?</p> | <p>A. NO. Please refer to para 6.11.</p> <p>B. NO. Please refer to para 6.11.</p> <p>A. Please refer to : “ A participant can offer one or more plants at different sites provided that the aggregated export capacity of all the plants shall not exceed 50WM”</p> <p>B. The purpose of this RFQ process is to assess company’s technical and financial capabilities. The submission should not exceed the limit as stated in the RFQ</p> <p>C. Please refer : “ A participant can offer one or more plants at different sites provided that the aggregated export capacity of all the plants shall not exceed 50WM”</p> <p>D. Provided such site has not been selected by other participant.</p> <p>E. A participant must purchase one RFQ for each submission.</p> <p>3. To be informed in RFP</p> |
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| Q10 | 8-Mar-16 | A | Can a company/ member in a Consortium (RFQ participant) with equity participate with other RFQ participants? Is there any limitation in the RFQ participation? | A. We do not encourage multiple participation. Please note that this program is to provide opportunity to a wider spectrum of entities with the required technical and financial capabilities. Depending on the response to the RFP , no two entities with the same shareholder in the shareholding of the entities will be awarded with more than one successful RFP. |
| | | B | Can a company/ member in a Consortium (RFQ participant) with no equity participate with other RFQ participants? Is there any limitation in the RFQ participation? | B. The equity requirement is clearly stated in the RFQ , not just service and operation contract or EPC contract or other form of support. Each consortium member must have equity |
| | | C | Can a company be a member in a Consortium (RFQ participant) without having any equity | C. The equity requirement is clearly stated in the RFQ , not just service and operation contract or EPC contract or other form of support. Each consortium member must have equity. |
| Q11 | 8-Mar-16 | A | Clause 4.2 (a) As already clarified in ST website, existing Fiah may be considered based on the conditions stated. However, I wish to clarify further whether can one Fiah/participant submit multiple application under multiple consortium. | A.No multiple submissions from one participant is allowed. |
| | | B | As Clause 6.1 requires the participant to submit 2 hardcopies and a soft copy of the RFQ, so is it a requirement to purchase the RFQ in order to participate or can a submission be made using a copy of the RFQ? a. If available, we wish to request a softcopy of appendix b,c and its forms. | B. Yes. It is a requirement to purchase the RFQ in order to participate. Please prepare your own forms for submission based on the format provided. You are advised to submit any information in clearly readable type-written format. a. We do not provide soft copy. |
| | | C | Is the lease agreement required to be signed before the submission or just a lease agreement template to be signed? Can a signed MoU be sufficient as an alternative to the lease agreement? | C. A signed MoU is sufficient as an alternative at this RFQ stage |
| | | D | in Appendix B, a. Is the form to be printed under a company letter head? b. What is the RFQ no to state? Does it refer to purchase RFQ no? | D. a. Forms not necessary to be printed with company's letterhead. However, the forms must be signed by the authorised person(s) with the company's stamp. b. RFQ number on the front page of the document no you purchased |
| | | E | Clause 6.10 changes of RFQ submission... What is the period limit by which the changes allowed? Is it limited to 5 days after RFQ's submission dateline? | E. Yes 5 days after closing of RFQ |
| | | F | Clause 6.11 changes in consortium. What is the period limit by which the changes allowed? Is it limited to 5 days after RFQ's submission dateline? | F. Yes 5 days after closing of RFQ |

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| Q12 | 8-Mar-16 | <p>A Do you need CTC (Certified true copy) for all of our audited account?</p> <p>B Do you need our company profile?</p> <p>C Do you need our registration form such as form 24,44,49 and etc.?</p> <p>D May I request a meeting with you or your team either on the 9th - 3pm (Wednesday) or 11th - 3pm (Friday)</p> | <p>A. Yes</p> <p>B. Please fill in information as needed in the Forms in Appendix C. You are encouraged to provide more details.</p> <p>C. You can provide if you wish to. However, in the RFP stage, more details on the company will be essential.</p> <p>D. Please send questions to email only.</p> |
| Q13 | 9-Mar-16 | <p>A Can we have Appendix B and Appendix C forms in softcopy (MS word)?</p> <p>B In page 27, item 18 e), form 10 is not in the RFQ. Kindly forward.</p> | <p>A. We do not provide soft copy.</p> <p>B. Please provide details if relevant.</p> |
| Q14 | 9-Mar-16 | <p>A Under clause 6.4, each RFQ participant is only allowed to submit 1 application.</p> <p>i. Does this mean that different companies with similar ultimate parent company are allowed to submit more than 1 application? If the answer to a) is no, will ST issue an announcement to clarify this matter?</p> <p>B ST has asked for Group corporate structure up to ultimate parent company with equity structure for each participant/consortium member. This limits the information of the applicant/consortium member to just the effective shareholding of the parent company.</p> <p>i. Does ST mean to ask for the ultimate beneficial individual shareholder or just the parent company interest in the participant/consortium member?</p> <p>ii. An individual shareholder may have shares in many companies. 2 or more RFQ participant/consortium member may have this individual shareholder as a shareholder. Would the application for these 2 or more RFQ be disqualified as clause 6.4 does NOT state this?</p> <p>iii. If the answer to ii) is no, will ST issue an announcement to clarify this matter?</p> | <p>A. Two companies with the same shareholders are not allowed to submit two RFQ</p> <p>B.</p> <p>i. Ultimate beneficial shareholder. Please note that this program is to provide opportunity to a wider spectrum of entities with the required technical and financial capabilities. Depending on the response to the RFP, no two entities with the same shareholder in the shareholding of the entities will be awarded with more than one successful RFP</p> <p>ii. Two companies with the same shareholders are not allowed to submit two RFQ.</p> <p>iii. No</p> |

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| | | C | <p>We have some clients who are interested to participate in the RFQ.</p> <p>a. Will each of them need to purchase a RFQ and their particulars registered with ST or can we buy on their behalf.</p> <p>b. If a client buys a RFQ but submits uses another company to submit the RFQ, do they have to inform ST, if RFQ purchase is registered ?</p> | C. Only company registered with ST (as details specified in the form during purchase) can submit the RFQ. |
| Q15 | 10-Mar-16 | A | For Form 2 & 4 – the experience to list only for installation >1MW, right? | A. Of not less than 1MW. |
| | | B | For Form 3 & 5 – to list experience for current works meaning on-going installation for project >1MW, right | B. Of not less than 1MW. |
| Q16 | 10-Mar-16 | | It mentioned that land search/right to use /registered owner, does this mean any of this? | Yes, any of these. |
| Q17 | 11-Mar-16 | A | Must a consortium member be one of the shareholders of the RFQ Participant? Can they be an independent working consortium partnership based on contractual basis? In specific to EPCC, financing and also Q&M. | A. The equity requirement is clearly stated in the RFQ , not just service and operation contract or EPC contract or other form of support. Each consortium member must have equity. |
| | | B | As one of the shareholder is a Fortune 500 foreign State owned listed company, their preference is to become part of the shareholders (for compliance reasons) upon confirmation of the project. Can ST accept a signed letter of intent from them or a signed agreement pertaining to the partnership agreement? Any best advice or guidelines that your side can provide specific to this point? | B. NO |
| | | C | As Clause 6.1 requires the participant to submit 2 hard copy and a soft copy of the RFQ, so is it a requirement to do the submission of the actual purchased RFQ forms in order to participate or we can submit based on the copies of the purchased RFQ. If available, we wish to request a softcopy of appendix b,c and its forms or if not can we just create our own copies in line with the actual RFQ for the purpose of submission? | C. Please submit the forms in type written and readable manner according to the format of the forms in the RFQ. Soft copy will not be provided. |
| | | D | Is the lease agreement required to be signed before the submission or just a lease agreement template to be signed. Can a signed MoU be sufficient as an alternative to the lease agreement? | D. A signed MoU will be sufficient during this RFQ stage. |

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| | | E | <p>in Appendix B,</p> <p>a) Is the form to be printed under a company letter head?</p> <p>b) What is the RFQ no to state? Does it refer to purchase RFQ no</p> | <p>E.</p> <p>a. Forms not necessary be printed with company's letterhead. However, the forms must be signed by the authorised person(s) with the company's stamp.</p> <p>b. RFQ number on the front page of the document</p> |
| Q18 | 11-Mar-16 | <p>A</p> <p>a. Is there any minimum percentage shareholder require for solar EPC company with owner /client inside the MOU? For example, EPC solar company hold 1%, balance 99% hold by owner/client</p> <p>B</p> <p>a. Is there any maximum number of applicant for EPC Solar Company with owner or client for the RFQ?</p> <p>b. Is there any maximum capacity (MW) for EPC Solar Company with owner or client for the RFQ since EPC solar company only hold minimum shareholder inside the MOU?</p> <p>C</p> <p>Experience In Solar PV / Electrical</p> <p>a. 1MWac solar PV refer to one project site?</p> <p>b. If we had done maintenance solar pv 400kWac & 800kWac but each at different site, is it consider we have experience more than 1MWac for o&m?</p> <p>D</p> <p>Template Tender.</p> <p>If we refer to tender form 2,3,4 & 5, column to fill up very narrow, can we provide new page using A3 paper but using the same template?</p> | <p>A.</p> <p>The equity requirement is clearly stated in the RFQ , not just service and operation contract or EPC contract or other form of support. Each consortium member must have equity.</p> <p>B.</p> <p>a. We have no restrictions on this matter. All depends on the capabilities of the company to complete the projects in time.</p> <p>b. Whether an entity is participating on its own and/or partnering with another entity, the aggregated capacity of the submissions which an entity has equity interest, shall not exceed 50MW. However, depending on the response of the RFP , If the same shareholder (legal or natural person) submit multiple RFP submissions under different entities and the submissions are successful in the short-listing, only one of the submissions will be selected for offer</p> <p>C.</p> <p>a. Yes</p> <p>b. Can be considered depending on the details of the installation AND if the export voltage is $\geq 11kV$.</p> <p>D. Please submit the forms in type written and readable manner according to the format of the forms in the RFQ.</p> | |

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| Q19 | 11-Mar-16 | <p>A Item 4.2 (a) Is it allow if one of the consortium member is a Feed in Approval Holder ("FiAH")? If not allow, is it possible then for FiAH to use its subsidiary or parent company to participate as a consortium member for the bid?</p> <p>B For the land, is it sufficient if participant provide one of the document listed in the checklist (example : only provide registered owner of the proposed site) for its submission or all information as stated in the RFQ (ie "Land Search/Right to use/registered owner of the proposed Site").</p> <p>C Is it acceptable if the bidder provide a letter of support from the landowner as a proof of "right to use" for RFQ submission. Or else what of proof is required by EC?</p> <p>D Is it allowable for the participant to change site location during RFP stage .</p> <p>E In the RFQ: " A participant can offer 1 or more plants at different sites provided that the aggregated export capacity of all plants shall not exceed 50 MWac".</p> <p>We would like to clarify, the following: 1) Is participant allowed to submit multiple RFQ submission with different consortiums?</p> <p>Example: 1st Submission: Participant+Co. A - 30 - 50 MW; 2nd Submission: Participant+Co.B - 30 - 50MW; 3rd Submission: Participant only - 30 - 50 MW</p> <p>2) Do participant require to purchase separate RFQ for each of its submission?</p> <p>3) Is it possible for participant to submit 1st Submission, 2nd Submission and 3rd Submission under the same MW category (i.e 30-50 MW)</p> | <p>A. Please refer to the Clarification on FiaH dated 7 March 2016 published on</p> <p>B. Yes to this point of RFQ stage.</p> <p>C. Acceptable at this RFQ stage.</p> <p>D. Can be considered with valid reason and such site has not been selected by other participants.</p> <p>E.</p> <p>1) Whether an entity is participating on its own and/or partnering with another entity, the aggregated capacity of the submissions which an entity has equity interest, shall not exceed 50MW.</p> <p>However, depending on the response of the RFP, If the same shareholder (legal or natural person) submit multiple RFP submissions under different entities and the submissions are successful in the short-listing, only one of the submissions will be selected for offer.</p> <p>2) Each entity must purchase and submit one RFQ.</p> <p>3) Refer to answer in Question 1 and Question 2.</p> |
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| | | <p>F. How will EC pre-qualified bidder who have submitted multiple submission under the same MW category? Example; Category 5-30 MW, Consortium A submitted 2 sites of 10MW and 8 MW respectively. Will Consortium A be able to be prequalified for both project subjected that aggregated capacity does not exceed 50 MW?</p> <p>G. App. A - Doc. Checklist Under the checklist the bidder is required to submit seven (7) forms as part of its RFQ bid submission. However we notice that in the RFQ document EC have made reference to other forms within the appendices. Is this forms is not required as part of RFQ submission?</p> | <p>F. Refer Para 3 of the RFQ "A participant can offer one or more plants at different sites provided that the aggregated export capacity of all the plants shall not exceed 50MW_{ac}"</p> <p>G. Please submit the relevant applicable Forms. For information for which the format of submission is not provided, please prepare appropriate details .</p> |
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Response to queries on RFQ of Large Scale Solar Photovoltaic Plant (14-17 March 2016)

| No | Date of submission of queries | Questions From RFQs Purchasers | Answers |
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| Q20 | 15-Mar-16 | Mohon maklumbalas tuan/puan sekiranya tarikh penyerahan RFQ telah dipanjangkan ke 31 Mac 2016. | Dipohon merujuk kepada notis pemanjangan tarikh pembelian dan penyerahan RFQ di website ST. Penyerahan RFQ dipanjangkan kepada 1 April 2016. |
| Q21 | 14-Mar-16 | <p>A It is stated in the RFQ that 1 participant can only do 1 submission. May I know is the definition of "participant" restricted to the applicant only or it is extended to the shareholders of the applicants as well? Can each shareholder do multiple submissions using different companies. Example: First submission is done using XYZ Sdn Bhd. AAA Sdn Bhd is one of the shareholder of XYZ Sdn Bhd. Let's say AAA Sdn Bhd is one of the shareholder for another company, UVW Sdn Bhd, can UVW Sdn Bhd do the submission as well without being disqualified?</p> <p>B Is ultimate shareholder restricted by the "1 participant 1 submission" requirement as well?</p> <p>C In event a participant would like to use an experienced EPCC as its "technical partner" to show the technical capability, is there any requirements in order for the EPCC to be recognised by ST as the participant's technical partner?</p> <p>D Further from Q3 above, can 1 EPCC become the "technical partner" of multiple participants? Example: EPCC-X is the technical partner of ABC Sdn Bhd. At the same time, EPCC-X is also the technical partner of XYZ Sdn Bhd. However, EPCC-X does not hold any share or interest in ABC Sdn Bhd and XYZ Sdn Bhd.</p> | <p>A. A participant means a legal entity participating in the RFQ. Two companies having the same shareholders submitting two applications is tantamount to the same company submitting two applications.</p> <p>B. Yes</p> <p>C. Partner with the technical capability must be a shareholder of the consortium. Each consortium member must have equity.</p> <p>D. Whether an entity is participating on its own and/or partnering with another entity, the aggregated capacity of the submissions which an entity has equity interest, shall not exceed 50MW. However, depending on the response of the RFP, if the same shareholder (legal or natural person) submit multiple RFP submissions under different entities and the submissions are successful in the short-listing, only one of the submissions will be selected for offer</p> |

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| | | E | Are we allowed to propose more than 1 sites per submission or we can only propose 1 site per submission? | E. Yes, company can propose more than 1 site per submission. Please refer para 3. <i>..A participant can offer one or more plants at different sites provided that the aggregated export capacity of all the plants shall not exceed 50MWac..</i> |
| | | F | Demonstration of financial capability: what do you mean by “one infrastructure project”? | F. Please refer to 5.2 Technical and Financial Assessment, under Financial Capability. An infrastructure project is project involving infrastructure facilities. Please take note that this RFQ is for participants who are experienced in development and operation of power plants/electrical installations and not general business entities or general public. |
| | | G | Further to Q6 above, can the applicant use the paid up capital to prove the financial capability? | G. No. |
| | | H | Further to your clarification posted on ST website, can we confirm that existing FiAH is allowed to participate in this RFQ exercise as long as the proposed site is not extension of existing facility under FIT? | H. Please refer to the Clarification on FiaH dated 7 March 2016 published on the ST website. |
| | | I | Regarding the “Right to Use” of a proposed project site in event the RFQ participant is not the land owner, can we submit the Letter of Intent between the land owner and the RFQ participant to show that the land owner has given the consent to the participant to utilize the land? | I. Yes, you can. |
| | | J | What should we do in event the proposed interconnection point is not listed in Appendix D? | J. You can propose other connection point if suitable. |
| | | K | The forms shall be handwritten or typewritten? | K. You are advised to submit any information in clearly readable type-written format |
| Q22 | 15-Mar-16 | A | Kindly confirm CTC by Commissioner for Oath for audited account is acceptable? | A. Yes. |
| | | B | Just want to know for our costing purposes, what is the rate per kWh to be paid under this programme? | B. The project will be awarded to the lowest bid. |
| Q23 | 15-Mar-16 | A | We are participating this tender exercise together with ABC Sdn Bhd. Previously, ABC and XYZ has formed a SPV which is the FIT holder for 10 MW solar farm. For this exercise, we are going to form another consortium which consist of three parties A, B and C. Can we still participate in this exercise? | A. Please refer to the Clarification on FiaH dated 7 March 2016 published on the ST website. |
| | | B | Dato’ Sri XXX is the FIT holder for 1 mw solar farm. He is also the owner of Company A. Can Company A participate in this exercise? | B. Please refer to the Clarification on FiaH dated 7 March 2016 published on the ST website. The social position of a person is not relevant in the evaluation. |

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| Q24 | 15-Mar-16 | <p>Suppose Company X is participating in the RFQ with two consortiums, Consortium A and Consortium B.</p> <p>They have 10% share in Consortium A which is applying for 30MW, and 40% share in Consortium B which is applying for 20MW.</p> <p>Does this mean that Company X has reached the 50MW (30+20) limit? Or is their effective capacity only $(10\% \times 30) + (40\% \times 20) = 3 + 8 = 11\text{MW}$, so they can still apply for more?</p> | <p>Whether an entity is participating on its own and/or partnering with another entity, the aggregated capacity of the submissions which an entity has equity interest, shall not exceed 50MW. However, depending on the response of the RFP, if the same shareholder (legal or natural person) submit multiple RFP submissions under different entities and the submissions are successful in the short-listing, only one of the submissions will be selected for offer.</p> |
| Q25 | 16-Mar-16 | <p>We have signed the lease agreement with the land owners. Can we do the stamping after we get the quota? This is because the stamping is very costly over 22 years. We have about 10 lease agreements.</p> | <p>At this pre-qualification stage, as long as you can provide evidence on the rights to use the land during the project period is sufficient.</p> |
| Q26 | 16-Mar-16 | <p>Co B and Co C are the subsidiaries for Co A; which is the parent company in this scenario. Q1 : Consortium 1 with Co B inside , qualified? Bidding for Peninsular 30MW</p> <p>Q2 : Consortium 2 with Co B inside , qualified? Bidding for Peninsular 20MW</p> <p>Q3 : Consortium 3 with Co C inside , qualified? Bidding for Peninsular 20MW</p> <p>Q4 : Consortium 4 with Co C inside , qualified? Bidding for Sabah 40MW</p> | <p>Whether an entity is participating on its own and/or partnering with another entity, the aggregated capacity of the submissions which an entity has equity interest, shall not exceed 50MW. However, depending on the response of the RFP, if the same shareholder (legal or natural person) submit multiple RFP submissions under different entities and the submissions are successful in the short-listing, only one of the submissions will be selected for offer</p> |
| Q27 | 17-Mar-16 | <p>We have a piece of land near Benut, Johor, and there is TNB substation close by at Jalan Cenaran near Desaru. Is it possible include this substation as one of the connection points? If so please advise what is the allowable connected capacity of this substation.</p> | <p>If your interconnection is not at the connection points listed in Appendix D of the RFQ document, please perform your own studies.</p> |
| Q28 | 17-Mar-16 | <p>We would like to get a formal confirmation whether there are any minimum paid-up capital needed during the LSS RFQ stage? If no, when only do we need to produce the supporting document and how much should there be in the paid-up capital?</p> | <p>At this RFQ stage, we do not set the requirement for paid up capital. The details will be specified in the RFP later.</p> |
| Q29 | 17-Mar-16 | <p>May we know how many parties have purchased the RFQ document?</p> | <p>This question is not relevant to RFQ.</p> |

Response to queries on RFQ of Large Scale Solar Photovoltaic Plant (up to 25 March 2016)

| No | Date of submission of queries | Questions From RFQs Purchasers | Answers |
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| Q30 | 14-Mar-16 | <p>A. Group corporate structure up to ultimate parent company with details on equity structure. -bolehkah pihak kami majukan shareholder structure bersama2 for 29a/29B sebagai supporting equity structure?</p> <p>B. Infrastructure project finance raising experience. -detail yang dipohon daripada pihak pemohon atau pihak SP?</p> | <p>A. You can provide if you wish to. However, RFQ have requested for the details of the RFQ participants shareholder structure as in Appendix A</p> <p>B. Experience from RFQ Participants as mentioned in Clause 5.2 <u>Financial Capability</u>.</p> |
| Q31 | 18-Mar-16 | In Appendix A item 12, in the case of consortium, can we submit a <u>Joint Venture Agreement</u> instead of LOI, MOU or heads of agreement? | A Joint Venture Agreement is acceptable. |
| Q32 | 18-Mar-16 | <p>A. Minimum paid up capital for the company?</p> <p>B. Must have CIDB license?, If yes, what is the minimum gred require?</p> <p>C. Must have ST License? If yes, what is the minimum gred require?</p> <p>D. Must have TNB license? If yes, what is the minimum gred require?</p> <p>E Referring to page 12, item 5.2 (a); - What is meant by alternative be met by a letter of support?</p> | <p>A. At this RFQ stage, we do not set the requirement for paid up capital.</p> <p>B. Please refer "<i>Clause 4.2 c) With knowledge of the legal and regulatory requirements and electricity supply industry practices in Malaysia;</i>" Must comply to all legal and regulatory requirements for implementing this project.</p> <p>C. If referring to Generating License, Generating License must be obtained from ST at later stage if project is awarded.</p> <p>D. Question is not clear. What does TNB license refer to?</p> <p>E. Letter of support to demonstrate your fulfillment on technical capability criteria as required by 5.2 <u>Technical Capability</u> (a).</p> |
| Q33 | 18-Mar-16 | <u>Financial Capability</u> - Can we confirm whether the requirement for the financial capability can be met by one of the members of the Consortium? | Yes, financial capability is responsibility of the RFQ participants . |

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| Q34 | 18-Mar-16 | <p>A. Refer to Form 2,3,4,5; Does constructing and maintaining 11kV or 33kV transmission line considered as an electrical installation delivery/operation?</p> <p>B. Refer to No.13; Our EPC partner is foreign, their audited accounts are all in German language. Do we need to translate it or lawyer letters are sufficient? OR only the Lead Member of the consortium's audited account is suffice? and does scanned documents accepted?</p> <p>C. Refer to Form 2 - 7; Do we need to provide any evidence/proof, such as Letter of Award, Letter of Completion OR filling up the form itself is sufficient?</p> <p>D. Refer to No.12; For an agreement between Consortium Members, do we need to state any equity shareholding in that agreement between the consortium members, if yes, is it possible to change the shareholding after the approval by ST?</p> <p>E. If the participant apply for a 50 MW capacity, will there be a possibility that ST will approve a lower capacity or reject the whole application due to lack of available capacity at that location?</p> <p>F. If there are more than 2 participant applies on the same piece of land, on what basis does the ST will choose the qualified participant? - e.g. Company ABC and Company XYZ, both receive the same letter of intent from the same owner for the same piece of land.</p> <p>G. Refer to No.15; What kind of corporation does ST accept? Is it referring to the main client, IPP owner, TNB, SEDA, or any other company?</p> <p>H. Refer to No.5; Do we need to provide company forms to show proof of the group corporate structure up to ultimate shareholder? OR a simple chart would be suffice?</p> | <p>A. Experience must be in line with criteria as described in <u>5.2 Technical Capability</u> for both installation, operation and maintenance experience.</p> <p>B. All documents must be in English. All consortium members must provide this if available. Certified True Copy is acceptable.</p> <p>C. Please fill in the form and provide supporting document as well.</p> <p>D. Must provide the equity in agreement as in Appendix C page 26. Please refer to clause 6.11 of the RFQ and Question 11 (F) dated 8th March 2016. Any change or substitution in Participant's Consortium must be notified to ST in writing within 5 days of closing of RFQ.</p> <p>E. This will be determined at the RFP stage.</p> <p>F. At this stage, RFQ Participants will be assessed based on <u>5.2 Technical and Financial Assessment</u> and participants must identify the land to be used for this project.</p> <p>G. From the main client or the owner of the assets.</p> <p>H. A chart showing the corporate structure suffice and you may provide supporting documents.</p> |
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| Q35 | 21-Mar-16 | We purchased the RFQ under one of our group subsidiary. Is it possible to make necessary amendment to update the registered company with ST into another subsidiary of the group instead for the RFQ submission? | Please come to ST office as soon as possible. |
| Q36 | 17-Mar-16 | Does holding company and subsidiary share the 50 MW. | Two companies with the same shareholders can only submit 1 submission and aggregated capacity allowed is 50MW |