



GOVERNMENT OF BERMUDA
MINISTRY OF PUBLIC WORKS
MINISTRY OF ECONOMIC DEVELOPMENT

Request for Qualifications

**Project: Development of a 6MW_{AC}
Solar PV Facility at the Finger Point
Location**

St. David's Island, Bermuda

17 August 2016

Request for Qualifications

Overview of the Opportunity

The Government of Bermuda (“the Government”), represented by the Ministry for Public Works and the Ministry of Economic Development, is making available a Government owned property located on a portion of the narrow peninsula known as the Finger on St. David’s Island in Bermuda for a solar photovoltaic (PV) power generation facility. This approximately 15-acre property will be leased to the selected independent power producer (IPP), for a period just short of 21 years.

The selected IPP will be responsible for designing, building, financing, and operating and maintaining a 6MW_{ac} utility-scale solar PV facility and the interconnection line connecting the facility to a pre-identified substation. The IPP will be able to sell the energy produced to the Bermuda Electric Lighting Company (BELCO) on a per-kilowatt-hour basis for a period of 20 years. In addition, the IPP will be responsible for decommissioning the facility and restoring the site to a pre-agreed state at the end of the lease term. In future, the Government may consider procuring an additional 10MW_{ac} to 12MW_{ac} of solar PV power, through a separate procurement process, for the Finger’s remaining area.

Overview of Request for Qualifications Process

The Government is inviting interested and qualified parties to submit their qualifications application as outlined in this Request for Qualification (RFQ). The IPP that is awarded the Power Purchase Agreement (PPA) through the procurement process will secure its proposed tariff for 20 years.

The RFQ is the first stage of the procurement process, and is designed to identify qualified Proponents. The Government is looking for a combination of proven experience and performance, and financial soundness. Proponents will be screened on a pass or fail basis. In selecting a preferred proponent, the Government reserves the right to take all of these factors into consideration.

Proponents must demonstrate a successful track record in developing and operating solar PV projects, with a combined capacity of at least 10MW, and with at least one successful installation of 3MW or more on a single site. The proponents (or at least one partner in a Consortium) must also submit audited financial statements for the last three years, showing positive profits for each of these years.

Only those proponents who successfully respond to the RFQ and meet the qualifications criteria outlined will be invited to participate in the final solicitation process, the request for proposals (RFP).

The RFP solicitation process will be launched by the Government at a later date based upon the information received in response to this RFQ. The qualified Proponents will be given access to a Virtual Data Room and are encouraged to visit the website (<https://www.gov.bm/procurement/development-utility-scale-solar-pv-bermuda>) at their expense as part of their due diligence process, prior to the RFP submission date.

The qualified Proponents responding to the RFP will be evaluated on the basis of their proposal being compliant with RFP requirements, and the price offered for energy on a per-kilowatt-hour

basis. Some key requirements for submitting a compliant RFP application include: (i) posting a bid bond in the stipulated amount, and (ii) agreeing to stand by the labour content requirements.

The Government invites Proponents capable of meeting the qualification criteria set out in this RFQ document to submit their qualifications application. The completed application must be sealed, labelled, and deposited in accordance with the requirements of this RFQ, and by the deadline stipulated herein.

Timeline of Request for Qualifications

The following timeline is provided for planning purposes, but is subject to change at the Government's discretion:

Government issues RFQ:	17 August, 2016
Deadline for clarification questions on RFQ:	31 August 2016, 5PM ADT
Qualifications submission deadline:	14 September 2016, 5PM ADT

Disclaimer

The Government is issuing this RFQ solely for use by prospective proponents in preparing and submitting qualifications applications (as defined below).

Neither the Government nor any of its respective consultants or advisors:

- (a) makes any representation or warranty (express or implied) as to the accuracy or completeness of the information contained herein or in any other document made available to a prospective Proponent (at any time);
- (b) shall have any liability for this RFQ or for any other written or oral communication transmitted to a prospective Proponent; or
- (c) will be liable to reimburse or compensate a prospective Proponent for any costs or expenses incurred by a prospective Proponent in evaluating or acting upon this RFQ or otherwise in connection with the potential transaction(s) contemplated herein or otherwise.

This RFQ constitutes an invitation to submit a qualification application. It does not constitute a solicitation to invest, or otherwise participate in, any project.

Table of Contents

	Page
Acronyms & Definitions	2
PART 1 – Qualification Procedures	3
Section I. Instructions to Proponents (ITP)	4
Section II. Qualification Data Sheet.....	13
Section III. Qualification Criteria and Requirements	15
Section IV. Application Forms	19
Section V. National Eligibility Conditions	19
PART 2 – Service Requirements	31
Section VI. Summary of Offering	32

Acronyms & Definitions

Acronym	Full Form
BELCO	Bermuda Electric Lighting Company
EFF	Environmental Fatal Flaw Analysis
EPC	Engineering Procurement and Construction
IPP	Independent Power Producer
ITP	Instructions to Proponents
MW	Megawatts
PV	Photovoltaic
QD	Qualification Document
QDS	Qualification Data Sheet
PPA	Power Purchase Agreement
RFP	Request for Proposals
RFQ	Request for Qualifications

PART 1 – Qualification Procedures

Section I. Instructions to Proponents (ITP)

Table of Clauses

- A. General 5
- B. Contents of the Qualification Document..... 7
- C. Preparing Applications 8
- D. Submitting Applications 10
- E. Procedures for Evaluating Applications 10
- F. Evaluating Applications and Qualifying Proponents 11

Section I. Instructions to Proponents (ITP)

A. General

1. **Scope of Application**
 - 1.1 In connection with the Request for Qualifications indicated in Section II. Qualification Data Sheet (QDS), the Government, as defined in the QDS, issues this Qualification Document (QD) to Proponents interested in qualifying for this Opportunity.
2. **Eligibility Criteria**
 - 2.1 The eligibility criteria shall be as set out in this clause.
 - 2.2 **A Proponent** shall be:
 - a private, public or government owned legal entity; or
 - any combination of them in the form of a Consortium with the formal intent, (as evidenced by a letter of intent), to enter into an agreement or under an existing agreement.

In the case of a Consortium, unless otherwise specified in the QDS:

- (i) all Partners shall be jointly and severally liable,
 - (ii) all Partners shall have an equity stake in the company providing the services being procured if selected as the IPP,
 - (iii) the limit to the number of Consortium partners is as specified in the QDS, and
 - (iv) the Consortium shall nominate a Lead Partner who shall have the authority to conduct all business for and on behalf of any and all the Partners of the Consortium during the qualification and bidding process and, in the event the Consortium is awarded the Contract, during contract execution.
- 2.3 **Nationality.** A Proponent may have the nationality of any country, subject to the restrictions in Section V. National Eligibility Conditions. A Proponent shall be deemed to have the nationality of a country if the Proponent is a citizen, or is constituted, incorporated, or registered and operates in conformity with the provisions of the laws of that country, as evidenced by its Articles of Incorporation or Documents of Constitution, and its Registration Documents.

- 2.4 **Conflicts.** Proponents shall not have a conflict of interest. Proponents may be considered to have a conflict of interest under any of the conditions specified in the QDS. Proponents have an obligation to disclose any situation of actual or potential conflict that impact their capacity to serve the best interest of the Government, or that may reasonably be perceived as having this effect. Failure to disclose said situations may lead to rejection of the Application, Bid, or eventual termination of the Contract.
- 2.5 **Only one application.** A Proponent shall submit only one application in the Qualification process, either individually as a Proponent or as a Partner of a Consortium. No Proponent can be a Subcontractor to or for another Proponent or Consortium, while submitting an application individually or as a Partner of a Consortium in the same Qualification process. A Subcontractor in any application may participate in more than one application, but only in that capacity. It is also not necessary to identify any Subcontractors at this stage in the process. A Proponent who submits, or participates in, more than one application will cause all the applications in which the Proponent has participated to be disqualified.
- 2.6 **Other eligibility criteria.** The Proponent shall meet all other eligibility criteria set out in Section III. Qualification Criteria and Requirements.
- 2.7 **Evidence of continuing eligibility.** Proponents and all parties constituting the Proponent shall provide such evidence of their continued eligibility satisfactory to the Government, as the Government shall reasonably request.
3. **Eligible Goods and Related Services**
- 3.1 All goods and related services to be supplied under the Contract to be financed by the Government shall have as their origin any country, in accordance with Section V. National Eligibility Conditions
4. **Avoidance of Fraud and Corruption**
- 4.1 The Government requires that Proponents, Suppliers, and Contractors, observe the highest standard of ethics during the procurement and execution of such contracts. In pursuit of this policy, the Government:
- (a) Defines, for the purposes of this provision, the terms set forth below as follows:
- (i) “corrupt practice” means the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence the action of a public

official in the procurement process or in contract execution;

- (ii) “fraudulent practice” means a misrepresentation or omission of facts in order to influence a procurement process or the execution of a contract;
 - (iii) “collusive practice” means a scheme or arrangement between two or more Proponents, with or without the knowledge of the Borrower, designed to establish bid prices at artificial, non-competitive levels; and
 - (iv) “coercive practice” means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the procurement process or affect the execution of a contract;
- (b) will reject a proposal for award if it determines that the Proponent recommended for award has, directly or through an agent, engaged in corrupt, fraudulent, collusive or coercive practices in competing for the Contract in question;
 - (c) will sanction a firm or individual, including declaring them ineligible, either indefinitely or for a stated period of time, to be awarded a Government-financed contract if it at any time determines that they have, directly or through an agent, engaged, in corrupt, fraudulent, collusive or coercive practices in competing for, or in executing, a Government-financed contract

B. Contents of the Qualification Document

5. Sections of the Qualification Document

- 5.1 The document for the qualification of Proponents (hereinafter “Qualification Document”) consists of PARTS 1 and 2 which comprise all the sections indicated below, and should be read in conjunction with any Addendum issued in accordance with ITP 7.

PART 1 Qualification Procedures

- Section I. Instructions to Proponents (ITP)
- Section II. Qualification Data Sheet (QDS)
- Section III. Qualification Criteria and Requirements
- Section IV. Application Forms
- Section V. National Eligibility Conditions

PART 2 Service Requirements

- Section VI. Summary of Offering

- 5.2 The Government accepts no responsibility for the completeness of the Qualification Document and its Addenda unless they were obtained directly from the Government.
- 5.3 The Proponent is expected to examine all instructions, forms, and terms in the Qualification Document and to furnish all information or documentation required by the Qualification Document.
- 6. Clarification of Qualification Document**
- 6.1 A prospective Proponent requiring any clarification of the Qualification Document shall contact the Government in writing at the Government's email address indicated in the QDS. The Government will respond to any request for clarification, provided that such request is received no later than fourteen (14) days after the RFQ has been issued. The Government shall include its responses on its website, including a description of the inquiry, without identifying its source. Should the Government deem it necessary to amend the Qualification Document as a result of a clarification, it shall do so following the procedure under ITP 7 and in accordance with the provisions of ITP 17.2.
- 7. Amendment of Qualification Document**
- 7.1 At any time prior to the deadline for submission of applications, the Government may amend the Qualification Document by issuing addenda.
- 7.2 Any addendum issued shall be part of the Qualification Document and shall be communicated in writing to all who have obtained the Qualification Document from the Government and posted on the its website.
- 7.3 To give Proponents reasonable time to take an addendum into account in preparing their applications, the Government may, at its discretion, extend the deadline for the submission of applications.

C. Preparing Applications

- 8. Cost of Applications**
- 8.1 The Proponent shall bear all costs associated with the preparation and submission of its application. The Government will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the qualification process.
- 9. Language of Application**
- 9.1 The application, as well as all correspondence and documents relating to the qualification exchanged by the Proponent and the Government, shall be written in English. Supporting documents and printed literature that are part of the

application may be in another language, provided they are accompanied by an accurate translation of the relevant passages in English, in which case, for purposes of interpretation of the application, the translation shall govern.

- 10. Documents Comprising the Application**
- 10.1 The application shall comprise the following:
- (a) Application Submission Form, in accordance with ITP 11;
 - (b) documentary evidence establishing the Proponent’s eligibility to prequalify, in accordance with ITP 12;
 - (c) documentary evidence establishing the Proponent’s qualifications, in accordance with ITP 13; and
 - (d) any other document required as specified in the QDS.
- 11. Application Submission Form**
- 11.1 The Proponent shall prepare an Application Submission Form using the form furnished in Section IV. Application Forms. This Form must be completed without any alteration to its format.
- 12. Documents Establishing the Eligibility of the Proponent**
- 12.1 To establish its eligibility in accordance with Section II. Qualification Data Sheet, the Proponent shall complete the eligibility declarations in the Application Submission Form and Form ELI (eligibility) 1.1, included in Section IV. Application Forms.
- 13. Documents Establishing the Qualifications of the Proponent**
- 13.1 To establish its qualifications to perform the contract(s) in accordance with Section III. Qualification Criteria and Requirements, the Proponent shall provide the information requested in the corresponding Information Sheets included in Section IV. Application Forms.
- 14. Fee – N/A**
- 14.1 To establish eligibility, the Applicant will be required to pay a fee in the amount and form specified in the QDS.
- 15. Signing of the Application and Number of Copies**
- 15.1 The Proponent shall prepare one original of the documents comprising the application as described in ITP 10 and clearly mark it “ORIGINAL”. The original of the application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Proponent.
- 15.2 The Proponent shall submit physical and electronic copies of the signed original application, in the number specified in the QDS, and clearly mark them “COPY”. In the event of any discrepancy between the original and the copies, the original shall prevail.

D. Submitting Applications

- 16. Sealing and Identification of Applications**
- 16.1 The Proponent shall enclose the original and the copies of the application in a sealed envelope that shall:
- (a) bear the name and address of the Proponent on the envelope;
 - (b) be addressed to the Government, in accordance with ITP 17.1;
 - (c) bear the specific identification of this qualification process indicated in the QDS 1.1; and
 - (d) follow any other instructions specified in the QDS.
- 16.2 The Government will accept no responsibility for not processing any envelope that was not identified as required.
- 17. Deadline for Submission of Applications**
- 17.1 Proponents may submit their applications by mail or by hand. Applications shall be received by the Government at the address and no later than the deadline indicated in the QDS. A receipt will be given for all applications submitted.
- 17.2 The Government may, at its discretion, extend the deadline for the submission of applications by amending the Qualification Document in accordance with ITP 7, in which case all rights and obligations of the Government and the Proponents subject to the previous deadline shall thereafter be subject to the deadline as extended.
- 18. Late Applications**
- 18.1 Any application received by the Government after the deadline for submission of applications prescribed in ITP 17 will be returned unopened to the Proponent.
- 19. Opening of Applications**
- 19.1 The Government shall prepare a record of the opening of applications that shall include, at a minimum, the name and address of the Proponent. A copy of the record shall be made available on the website.

E. Procedures for Evaluating Applications

- 20. Confidentiality**
- 20.1 Information relating to the evaluation of applications, and recommendation for qualification, shall not be disclosed to Proponents or any other persons not officially concerned with

such process until the notification of qualification is made to all Proponents.

20.2 From the deadline for submission of applications to the time of notification of the results of the qualification in accordance with ITP 27, any Proponent that wishes to contact the Government on any matter related to the qualification process may do so, but only by email.

21. Clarification of Applications

21.1 To assist in the evaluation of applications, the Government may, at its discretion, ask any Proponent for a clarification of its application which shall be submitted within a stated reasonable period of time. Any request for clarification, and all clarifications, shall be in writing.

21.2 If a Proponent does not provide clarifications of the information requested by the date and time set in the Government's request for clarification, its application may be rejected.

22. Responsiveness of Applications

22.1 The Government may reject any application which is not responsive to the requirements of the Qualification Document.

23. Sub-contractors

23.1 Key Subcontractors are those who will perform certain activities under the Project, but unlike partners in a consortium or a single Proponent, will not have an equity stake in the Project Company.

23.2 Although it is not required to identify Subcontractors at this stage, proponents wishing to do so shall clearly identify the Subcontractors and specify the activity(is) or parts of the Services to be subcontracted, based on the Scope of Services. They will include this information in the Application Submission Form, and Form ELI-1.1 under Section IV, Application Forms. Such Subcontractor(s) shall meet the corresponding qualification requirements, if specified in Section III, Qualification Criteria and Requirements.

23.3 Key Subcontractors will not, if specified in the QDS, be used to meet requirements under Section III. Qualification Criteria and Requirements.

F. Evaluating Applications and Qualifying Proponents

- 24. Evaluation of Applications**
- 24.1 The Government shall use the factors, methods, criteria, and requirements defined in Section III. Qualification Criteria and Requirements to evaluate the qualifications of the Proponents. The use of other methods, criteria, or requirements shall not be permitted. The Government reserves the right to waive minor deviations in the qualification criteria if they do not materially affect the capability of a Proponent to perform the service being procured.
- 24.2 Only the qualifications of subcontractors that have been identified in the application may be considered in the evaluation of a Proponent.
- 25. Government's Right to Accept or Reject Applications**
- 25.1 The Government reserves the right to accept or reject any application, and to annul the qualification process and reject all applications at any time, without thereby incurring any liability to Proponents.
- 26. Qualifying Proponents**
- 26.1 All Proponents whose applications have met or exceeded ("passed") all the specified threshold requirements will, to the exclusion of all others, be qualified by the Government.
- 27. Notification of Qualification**
- 27.1 Once the Government has completed the evaluation of the applications, it shall notify all Proponents in writing of the names of those Proponents who have been qualified.
- 28. Request for Proposals (RFP)**
- 28.1 After the notification of the results of the qualification, the Government will issue at a future date an RFP to all the Proponents that have been qualified.
- 29. Changes affecting Proponents' eligibility and qualifications**
- 29.1 Any change in the structure, formation, specified personnel or qualifications of a Proponent after being qualified and invited to bid shall be subject to a written approval of the Government prior to the deadline for submission of bids. Such approval shall be denied if as a consequence of the change the Proponent no longer substantially meets the qualification criteria set forth in Section III. Qualification Criteria and Requirements, or if in the opinion of the Government, a substantial reduction in competition may result. Any such changes shall be submitted to the Government not later than ten (10) calendar days after the date of the RFP.

Section II. Qualification Data Sheet

A. General

ITP 1.1	<p>The Government representatives are: Ministry of Public Works and the Ministry of Economic Development</p> <p>The Opportunity Name is: Request for Solar Energy Developers Qualifications</p>
ITP 2.2	<p>(i) The parties in a Consortium shall be jointly and severally liable</p> <p>(ii) The maximum number of partners in the Consortium shall be: three (3)</p>
ITP 2.5	<p>Conditions of Proponents to be considered conflicts of interest include:</p> <p>(i) Consulting the Government on this Procurement</p> <p>(ii) BELCO and/or an affiliate of the Ascendant Group</p> <p>If any of these conditions hold, and the Proponent wishes to bid, it must include in the qualification application a Firewall Agreement that has been approved by the Government before the RFQ submission deadline.</p>
ITP 2.5	<p>Subcontractors shall be allowed to participate in multiple applications</p>

B. Contents of the Qualification Document

ITP 14.1	<p>There is no Application Fee</p>
ITP 6.1	<p>For clarification purposes, the Proponents may only contact the Government via the following email address:</p> <p>Email: airportsolarproject@gov.bm</p> <p>Clarification questions received after 31 August 2016, 5PM ADT, will not be addressed.</p>

C. Preparing Applications

ITP 10.1(d)	<p>The Proponent shall submit with its application the following additional documents: any information the Proponent may deem relevant for meeting qualification requirements outlined in Section III.</p> <p>However, no Application shall contain:</p> <p>(i) prices or price schedules or any other reference to rates and prices for undertaking the Project. Any Applications containing any such price information will be rejected and the relevant Proponent disqualified</p> <p>(ii) general marketing materials, brochures and the like. The Government may disqualify a Proponent on this basis.</p>
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ITP 15.2	There shall be one original hard copy application, marked “Original.” The Proponent must also submit six (6) hard copies of the application, marked “Copies” and an electronic copy on a USB flash drive. Email submissions of the application will not be considered.
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D. Submitting Applications

ITP 17.1	For application submission purposes only , the Government’s address is: Attention: Jeane Nikolai Ministry of Economic Development 3 rd Floor Government Administration Building 30 Parliament Street Hamilton HM12 Bermuda Tel.+1 (441) 296 1574 (for use in relation to application submission only) The deadline for application submission is: Date: 14 September 2016 Time: 5 PM ADT
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E. Procedures for Evaluating Applications

ITP 23.3	Subcontractors will not be used to meet requirements under Section III. Qualification Criteria and Requirements.
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Section III. Qualification Criteria and Requirements

This section contains all the methods, criteria, and requirements that the Government shall use to evaluate applications on a pass or fail basis. The information to be provided in relation to each requirement and the definitions of the corresponding terms are included in the respective Application Forms.

Table of Contents

Eligibility.....	16
Financial Performance.....	17
Experience.....	18

No.	Subject	Requirement	Single Entity	Consortium			Sub-contractor	Submission Requirements
				All Partners Combined	Each Partner	One Partner (not necessarily Lead)		
1. Eligibility								
1.1	Eligibility and Nationality	Eligibility in accordance with ITP 2.2. Nationality in accordance with ITP 2.3.	Must meet requirement	Existing or intended Consortium must meet requirement	Must meet requirement	N / A	Must meet requirement	Form ELI-1.1, with requested attachments
1.2	Conflict of Interest	No conflicts of interest in ITP Sub-Clause 2.4; or Government Approved Firewall Agreement	Must meet requirement	Existing or intended Consortium must meet requirement	Must meet requirement	N / A	Must meet requirement	Application Submission Form; Government Approved Firewall Agreement
1.3	Pending Litigation	All pending litigation shall in total not represent more than 20 % of the Proponent's net worth and shall be treated as resolved against the Proponent for the purposes of this criterion	Must meet requirement	N / A	Must meet requirement	N / A	N / A	Form CON - 1.3

No.	Subject	Requirement	Single Entity	Consortium			Sub-contractor	Submission Requirements
				All Partners Combined	Each Partner	One Partner (not necessarily Lead)		
2. Financial Performance								
2.1	Financial Performance	Submission of audited financial statements for the last three (3) years to demonstrate the current soundness of the Proponent's financial position and in particular that it has had in each year: a) Assets in excess of liabilities b) Positive net profit after tax c) Total assets in excess of US\$2 million d) Total annual turnover in excess of US\$2 million	Must meet requirements	Not necessary	Not necessary	Must on its own (not combined with other partners) meet requirements	N/A	Form FIN-2.1, with attachments
2.2	Financial Qualifications	Annual revenue in either 2014, 2015, or 2016 in excess of US\$1 million from the construction of solar PV generation facilities, or from the sale of electricity generated from solar PV facilities	Must meet requirement	Not necessary	Not necessary	Must on its own (not combined with other partners) meet requirement	N/A	Form FIN-2.2, with attachments if needed

No.	Subject	Requirement	Single Entity	Consortium			Sub-contractor	Submission Requirements
				All Partners Combined	Each Partner	One Partner (not necessarily Lead)		
3.	Eligibility							
3.1	Specific Experience	<p>Construction or equity financing of solar PV plants. Must meet at least one of the following criteria:</p> <ul style="list-style-type: none"> a) Has been the EPC contractor for a combined capacity of at least 10MW, and with at least one successful installation of 3MW or more on a single site anywhere in the world of solar PV generation successfully completed in the last 5 years, and currently still operating; b) Has been, within the last five years, an equity investor holding at least a 40% equity stake in solar PV projects with a capacity of at least 10MW, and with at least one successful installation of 3MW or more on a single site anywhere in the world of solar PV generation successfully completed in the last 5 years, and currently still operating. 	Must meet requirement	N/A	Not necessary	Must alone meet requirement a) or b)	N/A	Form EXP-3.1

Section IV. Application Forms

Table of Forms

Application Submission Form.....	20
Proponent Information Form (ELI-1.1).....	23
Pending Litigation Form (CON-1.3).....	24
Financial Performance Form (FIN-2.1).....	25
Financial Qualifications Form (FIN-2.2).....	27
Specific Technical Experience Form (EXP-3.1).....	28

Application Submission Form

Used to demonstrate compliance with Criteria 1.2 Conflict of Interest

Date: *[insert day, month, year]*

Proponent's Party Legal Name: *[insert full name]*

Title: **RFQ – Development of 6MW Solar PV at the Finger**

Page *[p]* of *[insert total]* pages

To:.....*[insert full name of Government]*.....

We, the undersigned, apply to be qualified for the referenced Opportunity and declare that:

- (a) Our legal name is*[insert]*.....
- (b) Our Consortium Partners are *[insert or write 'none']*.
- (c) Our Subcontractors are *[insert or write 'none']*/We have chosen not to declare Subcontractors for this stage
- (d) We have examined and have no reservations on the Qualification Documents, including Addendum(s) No(s)., issued in accordance with Instructions to Proponents (ITP) Clause 7: *[insert the number and issuing date of each addendum]*.
- (e) We (including any Consortium Partners and Subcontractors or Suppliers for any part of the contract resulting from this qualification process) meet the eligibility criteria in ITP 2,
- (f) We will at all times comply with the laws of Bermuda
- (g) The following is a complete and accurate list of commissions, gratuities, or fees that have been paid, or are to be paid, with respect to the qualification process, the corresponding bidding process or execution of the Contract:

<u>Name of Recipient</u> <i>[insert full name for each occurrence]</i>	<u>Address</u> <i>[insert street, number, city, country]</i>	<u>Reason</u> <i>[indicate reason]</i>	<u>Amount</u> <i>[specify amount, US\$ equiv.]</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

[If none has been paid or is to be paid, indicate "none"]

- (h) We understand that you may cancel the qualification process at any time and that you are neither bound to accept any application that you may receive nor to invite the qualified

Proponents to bid for the contract subject of this qualification, without incurring any liability to the Proponents

- (i) We unconditionally and irrevocably waive any defect, fault or deviation in the qualification and tender process conducted by the Government
- (j) The Government and its authorized representatives are hereby authorized to conduct any inquiries or investigations to verify the statements, documents, and information submitted in connection with this application, and to seek clarification from our bankers and clients regarding any financial and technical aspects. This Application Submission Form will also serve as authorization to any individual or authorized representative of any institution referred to in the supporting information to provide such information deemed necessary and as requested by you to verify statements and information provided in this application, such as the resources, experience, and competence of the Proponent
- (k) the Government and its authorized representatives may contact the following persons for further information:¹

General and managerial inquiries	
Contact 1	Address and communication facilities
Contact 2	Address and communication facilities

Technical inquiries	
Contact 1	Address and communication facilities
Contact 2	Address and communication facilities

Financial inquiries	
Contact 1	Address and communication facilities
Contact 2	Address and communication facilities

Signed *[insert signature(s) of authorized representative(s) of the Proponent]*

¹ Applications by Consortia should provide on a separate sheet equivalent information for each partner (not required for subcontractors).

Name *[insert full name of person signing the application]*,

In the Capacity of *[insert capacity of person signing the application]* for *[insert full name of Proponent]*.

Address *[insert address: street, number, town/city, country]*

I hereby warrant that I am duly authorized to sign the application for and on behalf of *[insert name of Proponent]*.

Signed *[insert signature(s) of an authorized representative(s) of the Proponent]*

Name *[insert full name of person signing the application]*

Dated on *[insert date]* day of *[insert month]*, *[insert year]*.

Form ELI – 1.1

Proponent Information Form

Used to demonstrate compliance with Criteria 1.1 National Eligibility Criteria

Date: *[insert day, month, year]*

Proponent's Party Legal Name: *[insert full name]*

Title: **RFQ – Development of 6MW Solar PV at the Finger**

Page *[p]* of *[insert total]* pages

[The following form shall be filled in by the Proponent, each (i) Consortium Partner, and (ii) any nominated Subcontractor (optional)]

Legal name <i>[insert full legal name]</i>
Role in the Proponent organization: <i>[indicate: Lead Partner / Consortium Partner/ Subcontractor]</i>
Proponent's country of constitution: <i>[indicate country of constitution]</i>
Proponent's year of constitution: <i>[indicate year of constitution]</i>
Proponent's legal address in country of constitution: <i>[insert street name, number, town / city, country]</i>
Proponent's authorized representative information Name: <i>[insert full legal name]</i> Address: <i>[insert street name, number, town / city, country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address:..... <i>[insert e-mail address]</i>
Attached are copies of original documents of: <input type="checkbox"/> Articles of Incorporation or Documents of Constitution, and documents of registration of the legal entity named above. <input type="checkbox"/> In case of Consortium, letter of intent to form Consortium or Consortium agreement. <input type="checkbox"/> In the case of a Subcontractor, a statement of intent signed with the Proponent that you will be engaged to perform relevant specialized tasks

Form CON-1.3

Pending Litigation Form

Used to demonstrate compliance with Criteria 1.3 Pending Litigation

Legal Name:*[insert full name of entity]* Date: *[insert day, month, year]*
 Proponent's Party Legal Name: *[insert full name]*
 Title: ***RFQ – Development of 6MW Solar PV at the Finger***
 Page *[p]* of *[insert total]* pages

[The following form shall be filled in by the Proponent and each Consortium Partner]

<input type="checkbox"/> No pending litigation in accordance with Section III. Qualification Criteria and Requirements, Sub-Factor 1.3 <input type="checkbox"/> Pending litigation in accordance with Section III. Qualification Criteria and Requirements, Sub-Factor 1.3 as indicated below.			
Year	Outcome as Percent of Total Assets	Contract Identification	Total Contract Amount (current value, US\$ equivalent)
<i>[insert year]</i>	<i>[insert percentage]</i>	Matter Identification: <i>[indicate subject matter of litigation]</i> Name of Litigating Party: <i>[insert full name]</i> Address of Litigating Party: <i>[insert street/city/country]</i> Matter in dispute: <i>[indicate main issues in dispute]</i>	<i>[insert amount]</i>
<i>[insert year]</i>	<i>[insert percentage]</i>	Matter Identification: <i>[indicate subject matter of litigation]</i> Name of Litigating Party: <i>[insert full name]</i> Address of Litigating Party: <i>[insert street/city/country]</i> Matter in dispute: <i>[indicate main issues in dispute]</i>	<i>[insert amount]</i>

Form FIN-2.1

Financial Performance Form

Used to demonstrate compliance with Criteria 2.1 Financial Performance

[The following table shall be filled in by the Proponent and by at least one partner in a Consortium]

Legal Name: *[insert full name]*

Date: *[insert day, month, year]*

Proponent's Party Legal Name: *[insert full name]*

Title: ***RFQ – Development of 6MW Solar PV at the Finger***

Page *[p]* of *[insert total]* pages

Financial information in (US\$ equivalent in 000s)	Historic information for previous 3 years (US\$ equivalent '000s)		
	Year 1 ²	Year 2	Year 3
From Balance Sheet			
Total Assets			
Total Liabilities			
Current Assets			
Current Liabilities			
Net Worth			

² The most recent year must be no earlier than 2013

Provide copies of audited financial statements to support the figures in the tables above. The financial statements shall:

- a) reflect the financial situation of the legal entity that is the Proponent or Consortium Partner, and not sister or parent companies
- b) be audited and verified by a certified accountant, and include signed declaration of such attached
- c) be complete, including all notes to the financial statements
- d) correspond to accounting periods already completed
- e) be accompanied by a declaration from a legal representative of the Proponent stating that the above conditions have been complied with.

Form FIN-2.2

Financial Qualifications Form

Used to demonstrate compliance with Criteria 2.2 Financial Qualifications

[The following table shall be filled in for the Proponent or for at least one partner in a Consortium]

Legal Name: *[insert full name]*

Date: *[insert day, month, year]*

Proponent's Party Legal Name: *[insert full name]*

Title: ***RFQ – Development of 6MW Solar PV at the Finger***

Page *[p]* of *[insert total]* pages

From Income Statement³:

Total Revenue US\$ 000s					
<i>Of which: from sale of electricity from Solar Photovoltaic Generating Facilities</i>					
<i>Of which: from construction of Solar Photovoltaic Generating Facilities</i>					
Profits Before Taxes					
Profits After Taxes					

The figures shown above shall:

- a) reflect the financial situation of the legal entity that is the Proponent or Consortium Partner, and not sister or parent companies
- b) be complete
- c) correspond to accounting periods already completed
- f) be verified by a certified accountant, and include signed declaration of such attached
- d) be accompanied by a declaration from a legal representative of the Proponent stating that the above conditions have been complied with.

³ Income Statement from 2014, 2015, or 2016

Form EXP-3.1

Specific Technical Experience Form

Used to demonstrate compliance with Criteria 3.1 Specific Experience

[The following form shall be filled in for each Proponent, or a Consortium Partner, and shall be completed for each Solar PV Facility relied on]

Legal Name: *[insert full name]*

Date: *[insert day, month, year]*

Proponent's Party Legal Name: *[insert full name]*

Title: **RFQ – Development of 6MW Solar PV at the Finger**

Page *[p]* of *[insert total]* pages

Name of Solar Photovoltaic Generating Facility:

Firm's role: *[EPC contractor / x% shareholder]*

Location:

Generation Capacity: *(in MW_{AC} or MW_p)*

Year plant commenced commercial operation:

<i>USD '000s</i>	2011	2012	2013	2014	2015	2016 ⁴	Name of contractual counterparty
Revenue from EPC							
Revenue from electricity sales							
Percentage shareholding in ordinary equity of project company							

⁴ Can provide up to 2015, if 2016 data is not available

Brief Description of plant:

Project company that owns facility:

Legal name:

Address:

Representative:

Telephone number:

Email address:

Contractual counterparty:

Legal name of counterparty:

Address:

Representative we can contact:

Telephone number:

Email address:

To be accompanied by a declaration from an authorized representative (defining the authorized representative position) stating that the representations enclosed in this form are true.

Section V. National Eligibility Conditions

National Eligibility Conditions for the Provision of Goods, Works, and Services

1. The Government permits firms and individuals from all countries to offer goods, works, and services for Government-procured projects, with the following exception:
 - (a) At least 45 percent [45%] of the total labour costs must be sourced from Bermudian entities.

Guidelines for calculating local labour content, and templates for declaring local content according to the guidelines, will be provided to qualified Proponents.

PART 2 – Service Requirements

Section VI. Summary of Offering

Table of Contents

Schedule A: Services to be Procured.....	33
Schedule B: Conditions Expected to Apply to the Services and Procurement	34

Schedule A: Services to be Procured

The Government wishes to procure the supply of electricity generated from a solar PV generation facility (“the facility”) with a capacity of 6MW_{AC}. A storage component, to manage intermittency of the facility, is not required.

The Government will lease to the IPP approximately 15 acres of land on the Finger in St. David’s Island in Bermuda for constructing and operating the facility.

The IPP will also be responsible for building, operating, and maintaining the interconnection line from the Facility to the designated sub-station.

The image below shows an aerial satellite image of the Finger:



Schedule B: Conditions Expected to Apply to the Services and Procurement

Transaction Terms

While the terms of the transaction are yet to be finalized, the Government expects the following would apply:

- The successful IPP must arrange for the financing, design, construction, operation, and maintenance of the solar PV facility and an approximately 1.4-mile (2.25 km) line interconnecting the facility to a pre-determined substation. The IPP must comply with all relevant laws, licensing, and permitting requirements in Bermuda, at its own cost and risk;
- The successful IPP will be required to incorporate a Project Company in Bermuda, which will own the project assets, once the contract terms are agreed on with the Government and BELCO;
- The facility's interconnection point (a BELCO sub-station) will be identified in the RFP;
- The IPP will sell power to BELCO in accordance with the terms of a PPA. This PPA will also include the terms for interconnecting the facility. It will be issued as part of the RFP package;
- The PPA will be for a duration of 20 years;
- The price per kilowatt hour from this facility will be established through competitive tender.

Agreements and Conditions

The Government has indicated that it may offer the following agreements in support of this Opportunity:

- A Lease Agreement with the IPP, leasing a portion of the Finger (around 15 acres) for a period just short of 21 years, for the construction and operation of the facility;
- An Implementation Agreement with the IPP, setting out conditions offered by the Government for taxes, customs, immigration, facilitation of permits, and other matters needed for the successful realization of the Opportunity.

The Government will provide comprehensive information on the permits and licences required to build and operate the facility in the RFP. The following requirements will likely apply:

- At least 45 percent (45%) of the total value of labour during construction must be from Bermudian entities. The Operations and Maintenance contractor must also be Bermudian. Guidelines for calculating local content will be provided publicly, and templates for declaring local content according to the guidelines will be provided to qualified proponents; and

- A refundable bid bond, performance bond, and security deposit (for the Lease) is likely to be required.

The Government has also commissioned an environmental fatal flaw analysis (EFF) to identify any site-specific, environmental, interconnection, or geotechnical challenges. Based on the EFF's findings, the Government does not anticipate any challenges to arise from the Project site's environmental, interconnection, and geotechnical features that would prevent the Project from being implemented in a commercially and economically viable way.