

**ODISHA ELECTRICITY REGULATORY COMMISSION
PLOT NO. 4, CHUNOKOLI, SHAILASHREE VIHAR,
BHUBANESWAR-751021**

No. OERC/RA/DSM REG. – 31/2020/1000

Dated- 22/09/2022

PUBLIC NOTICE

The Commission proposes to engage reputed Consultant(s) to frame draft Regulations on OERC Distribution (Conditions of Supply) Code and OERC (Licensees' Standards of Performance) Regulations. Expression of Interest (EoI) in this regard is available in Commission's Website www.orierc.org.

Interested bidders may submit their bids to the Secretary, OERC, Bidyut Niyamak Bhavan, Plot No. 4, Chunokoli, Shailashree Vihar, Bhubaneswar- 751021 on or before 25th October 2022.

By Order of the Commission

**Sd/-
SECRETARY**

**ODISHA ELECTRICITY REGULATORY COMMISSION
PLOT NO. 4, CHUNOKOLI, SHAILASHREE VIHAR,
BHUBANESWAR-751021**

Email – oriere@gmail.com; Website – www.oriere.org

File No.: OERC- RA/ENGE.CONSUM/1/2013/1001

Dated: 22nd September 2022

Public Notice for Expression of Interest

Sub: Expression of Interest (EoI) and submission of bids for Consultancy to frame draft OERC Distribution (Conditions of Supply) Code and draft OERC (Licensees' Standards of Performance) Regulations.

1. Odisha Electricity Regulatory Commission proposes to engage reputed Consultant(s) to frame draft Regulations on the aforementioned subject. The Terms of Reference (TOR) of the proposed assignment including formats for application are **enclosed**.
2. Techno Commercial offers are invited from reputed Consultants for the above assignment. The Consultants are desired to meet the following Eligibility Criteria for submission of bids:
 - The bidder must provide the Self-attested copy of the Certificate of Incorporation / Registration Certificate/ Certificate of Commencement of Business;
 - The Bidder should provide self-attested copy of valid PAN Number and Goods and Service Tax Identification Number (GSTIN);
 - The bidder should have experience of more than 5 years in providing consultancy services to Indian power sector (copies of work orders to be submitted);
 - The bidder must have experience of successful completion of at-least Two (2) assignments providing Consultancy Support to State Government agencies/ utilities/ SERCs/ CERC/ JERCs in matters relating to regulatory regime (Work Order/ Letter of Award (LoA)/ Contract Agreement/ Completion Certificate/ payment receipt needs to be provided);
 - The bidder must provide an undertaking that it is not banned /delisted/ black listed / debarred either by Central Government / State Government / Union Territory / PSU / Government Department in India, or any entity controlled by them, from participating in any assignment as on the date of submission of proposal; and

- The bidder should provide an undertaking that during the last Five (5) years it has neither failed to perform on any agreement (as evidenced by imposition of penalty by an arbitral or judicial or regulatory authority or a judicial pronouncement or arbitration award against the bidder) nor has been expelled from any project or agreement or have had any agreement terminated for breach of contract by such bidder.
3. The bidders are required to submit the required supporting documents along with the bid.
 4. Two separate sealed bids clearly marked as “**Technical**” and “**Financial**” are required to be submitted which may be placed in one outer envelope clearly mentioning in bold letters on top of the envelope “**Quotation for Consultancy to frame draft OERC Distribution (Conditions of Supply) Code and draft OERC (Licensees’ Standards of Performance) Regulations.**” The bids may be addressed to **Secretary, OERC, Bidyut Niyamak Bhavan, Plot No. 4, Chunokoli, Shailashree Vihar, Bhubaneswar-751021 so as to reach by 1730 hours on 25th October 2022.** Bidders will be required to make a presentation before the Commission on the plan and methodology proposed by them.
 5. It may be noted that the proposal would be evaluated by the OERC and selection of the Consultant will be based on both Technical and Financial Evaluation.

By the Order of the Commission

Encl: As stated.

**Sd/-
SECRETARY**

TERMS OF REFERENCE (TOR)

Consultancy for framing draft OERC Distribution (Conditions of Supply) Code and draft OERC (Licensees' Standards of Performance) Regulations.

1. Introduction and Objective:

The Commission had framed OERC Distribution (Conditions of Supply) Code, 2004 under Section 181 (2) (t), (v), (w), (x) read with Part VI of Electricity Act, 2003 and Orissa Electricity Reform Act, 1995 (Act 2 of 1995), which was effective from 21.05.2004. The Commission had amended that regulation several times. Subsequently due to certain amendments at Central level, amendment of CEA (Measures relating to safety and Electric supply) Regulations and recommendations of Forum of Regulators (FoR), the Commission had framed OERC Distribution (Conditions of Supply) Code, 2019 which was effective from 11.10.2019. Similarly, the Commission had framed OERC (Licensees' Standards of Performance) Regulations, 2004 under Section 57, 58 and 59 read with Section 181 (za) and (zb) of the Electricity Act 2003, which was effective from 21.05.2004. The above Regulations requires amendment because of the Electricity (Rights of Consumers) Rules, 2020 framed by Ministry of Power (MoP), Government of India and certain other Guidelines issued by MoP and FoR.

In view of the above, it is necessary to frame new versions of the (i) OERC Distribution (Conditions of Supply) Code amending the existing OERC Distribution (Conditions of Supply) Code, 2019 and (ii) OERC (Licensees' Standards of Performance) Regulations, 2004 and align with various Regulations/ Rules framed by CEA, CERC, MoP, recommendations of FoR, etc. keeping in mind the state specific conditions. Therefore, the Commission desires to engage reputed independent agency /firm /organization /institution as consultant having expertise in the field of drafting Rules, Policies, Regulations, etc. and to assist the Commission in such matters. The Commission, therefore, invites proposals from such firms with the following scope of work.

2. Scope of work:

- a) To prepare draft Regulations amending the existing OERC Distribution (Conditions of Supply) Code, 2019 in line with Electricity (Rights of Consumers) Rules, 2020; various Regulations/ Rules/ Guidelines framed by CEA, CERC, MoP, GoI and recommendations of FoR, etc. considering state specific conditions;
- b) To prepare draft Regulations amending the existing OERC (Licensees' Standards of Performance) Regulations, 2004 as per Electricity (Rights of Consumers) Rules, 2020; various Regulations/ Rules/ Guidelines framed by CEA, CERC, MoP, GoI and recommendations of FoR, etc. considering state specific conditions;
- c) Comments received from various stakeholders on those draft Regulations as mentioned at (a) & (b) above are to be compiled and presented to the Commission;
- d) Draft Statement of Reasons (SoR) are to be prepared separately for both the Regulations as stated in (a) & (b) above;

- e) A presentation is to be made highlighting the proposed amendments with justification vis-à-vis the recent similar Regulations framed by other states and comments received from stakeholders.

3. Professional Experience of the Proposer:

The details of assignment(s) completed/ under progress along with completion certificate and value of project/ assignment shall be given by the proposer in the Format given at Annexure- I. The work considered so far relating to formulation of draft Regulations will be given maximum weightage.

4. Deliverables and Duration of Assignment:

The following are the deliverables:

- a) The assignment shall be completed within a period of 14 weeks from the date of award of consultancy; and
- b) The consultant will be required to submit:
 - i. Draft Regulations at the end of five weeks from the date of commencement of the assignment and present it to the Commission for consideration including a comparative statement with respect to provisions in similar Regulations of other States;
 - ii. Final version of the Draft Regulations at the end of seven weeks after incorporating the views of the Commission;
 - iii. Submit compilation of comments received from stakeholders and make presentation at the end of twelve weeks which includes the time given to stakeholders for submission of comments; and
 - iv. Final version of the Draft Regulations at the end of fourteen weeks after incorporating the views and comments of the stakeholders in consultation with the Commission.

5. Application and Evaluation Criteria:

- The Formats of application are at Annexure-I and Annexure-II for giving details of assignment(s) completed/ under progress and net worth/ turnover of the organization in last three (3) years.
- The Consultant is required to submit separate bids for Technical and Financial Offers, duly sealed in separate envelopes.
- For the selection of Consultant, the evaluation of bids will be done giving weightage to Technical component (70%) and Financial component (30%).

Weightage for Technical Parameters: Weightage for different technical parameters will be as follows:

Technical Parameters	Weightage
The Consultant's relevant experience in preparation of Draft Regulations/ Orders/ Policies/ Guidelines, etc.	50
The qualifications and experience of the key staffs	20
The quality of the plan and methodology proposed	30

Weightage for Financial parameters: Proposal/ bid with the lowest cost will be assigned a score of 100 and other proposals will be assigned scores with reference to the lowest bidder.

The total score will be obtained by adding weightage of the Technical and Financial scores.

ANNEXURE – I

DETAILS OF TECHNICAL PROPOSAL FOR EVALUATION OF BID

The proposal along with project deliverables to be submitted to Secretary, OERC

I. GENERAL INFORMATION:

01. Title of the Proposed Study:
02. Name and address of the Organization/Institution:
03. Name & Designation of the Key Person:
04. Contact address of the Key Person (email/fax/telephone):

II. TECHNICAL SPECIFICATIONS:

05. Detailed Approach & Methodology for undertaking the assignment:
06. Previous experience of the proposer in this or related field:

Sl. No.	Name of the Client	Description of project(s)/ assignment(s) completed & under progress	Duration of project(s)/ assignment(s) completed or under progress (Completion certificate to be enclosed in case of completed works)	Value of project(s)/ assignment(s) completed & under progress (in Rs.)
1.				
2.				

07. Details of the team members to be engaged in the project:
 - (i) Name:
 - (ii) Designation:
 - (iii) Field of major interest:
 - (iv) Education and Experience:
 - (a) Academic Qualifications

Degree	University	Subject/ Specialization	Year of Passing	Achievement

k

- (b) Work Experience

Institution/ Organization	Description of project(s)/ assignment(s) completed & present project/ assignment	Duration

III. ANY OTHER ADDITIONAL RELEVANT INFORMATION:

ANNEXURE – II

DETAILS OF FINANCIAL PROPOSAL FOR EVALUATION OF BID

I. GENERAL INFORMATION:

01. Title of the Proposed Study:
02. Name and address of the Organization/Institution:
03. Name & Designation of the Key Person:
04. Contact address of the Key Person (e-mail/fax/telephone):
05. Net-worth/Turnover of the Organization/Institution in past 3 years:

II. FINANCIAL PROPOSAL:

07. Amount proposed for :

SI No.	Activity (Refer Scope of Work inTOR)	Duration (inweeks)	Cost for Completion of assignment (in Rs.)
			Total

Note: Statutory fees or taxes, if any, to be specified in the offer and the proposed cost shall be inclusive of all taxes and fees.

(RUPEES _____)

Signature of the Head of the Consultancy Team