



ENERGY COMMISSION OF SABAH

Aras 10, Plaza Shell, 29, Jalan Tunku Abdul Rahman,
88000 Kota Kinabalu, Sabah, Malaysia

Web: www.ecos.gov.my Email: info@ecos.gov.my

Phone: +6088 205 574 Fax: +6088 205 741

OPEN BID STATEMENT REQUEST FOR PROPOSAL (RFP) FOR THE SELECTION OF QUALIFIED DEVELOPERS

ECoS would like to invite companies or consortia that are interested and have extensive experience in implementing projects related to energy generation, including project financing and power plant operation, to participate in the competitive bidding process according to the criteria set out in the Request for Proposal (RFP) document for the following projects:

Number and Bid Title	Bid Document Price	Place and Date of Bid Documents for Sale	Bid Closing Date	Bid Briefing
RFP OPEN BIDDING ECoS/JPIP/RFP/LSS2024 LARGE SCALE SOLAR POWER PLANTS FOR SABAH Power Plant For System Size 1MWa.c. to 15MWa.c.	RM2,000.00 /Set (Non-returnable)	RFP Documents can only be purchased via online. ECoS will send a copy of the document and a link to the online Bid Briefing via e-mail after confirmation of payment. Procedures for purchasing documents can be obtained by visiting www.ecos.gov.my/LSS-SABAH2024 The RFP document will only be sold starting on 27 May 2024 (Monday) until 26 June 2024 (Wednesday) 05:00 pm.	23 September 2024 (Monday), no later than 12:00 noon	The bid briefing will be held on the 1 st July 2024 via online. Only bidders who have purchased the RFP Document will receive a link via e-mail to attend the bid briefing session. All bidders are encouraged to attend the briefing, but it is not compulsory.

Eligibility Requirements / Field Code / Registration

DEVELOPER

Pre-Requisites of Bidders

A Bidder shall be:

- able to demonstrate ability to finance the Project with sufficient equity and secure the remaining portion of the financing from a local bank or financial institution;
- with experience in development, implementation and operation of large solar PV plant projects, power plant projects or electrical installation works;
- with experience and conversant with the legal and regulatory requirements and practices of the electricity supply industry in Sabah;
- able to demonstrate that the lands required for the proposed LSS Plant(s) and the Interconnection Facilities are readily available for the right to use. Documental proof shall be submitted to substantiate the commitment and approval of such right to use;
- able to identify the Plant Sites and conduct its own study and investigation and confirm with the Electricity Utility Company on the access to the Utility Power System. The capacity of the LSS Plant and voltage level which can be connected to the Utility Power System and other interconnection arrangements, includes any technically justifiable upgrading or modification to the existing Utility Power System required by the Electricity Utility Company for the interconnection; and
- either:
 - sole entity, which can be a Sabah-based company¹ or a Sabah Government-Linked Company (GLC)²; or
 - A Consortium of Companies, where the equity ownership of the Sabah-based company or Sabah GLC within the consortium must be at least 30%, and the equity ownership of foreign companies must not exceed 30%.

¹ Business entity either sole proprietor or partnership incorporated in Sabah under the Companies Act 2016 or any predecessor legislation, holding a valid trading license registered with local authority in any district in Sabah, and with a minimum of 51% equity ownership owned by individuals of Sabah origin. The latter shall be verified through the marking "H" in front of their respective identification cards.

² Sabah Government Linked Companies are Companies that are either wholly owned or partially owned by the Sabah State Government or its agencies.

Technical and Financial Capabilities of Bidders

(i) Technical Capability

A Bidder (or any company in joint venture) should meet the following criteria:

(a) Demonstrated experience (or the experience of a member in its Group) in the successful delivery (meaning development and implementation, which include design, procurement, construction, testing, commissioning and putting into commercial operation) of at least:

- Experience in the development of one (1) power station project with a capacity of 1 MW and above; or
- Experience in the development of two (2) 11kV or 33kV medium voltage electrical installation projects

(ii) Financial Capability

A Bidder (or any company in joint venture) shall meet the following criteria:

(a) Demonstrated experience, as Project sponsor, in raising at least RM10 million (or its equivalent, based on current prevailing exchange rates, in other currencies) or greater in total financing (debt and equity) for at least one infrastructure project in the last five (5) years; and

(b) The Bidder shall provide a description of the Project, the role of the Bidder in obtaining the financing, a summary of the amounts and types of financing raised (including the equity and quasi-equity) contributed by the Bidder. The bidder shall provide:

- (i) Term Sheet from bank; and
- (ii) Proof of fund-raising experience within the past 5 years of minimum RM 10 million; and
- (iii) Paid-up capital of minimum RM1 million (for joint venture bid, combined total of all consortium members).

Demonstrate with documentary proof that the Bidder is able to finance the Project with sufficient equity and secure the remaining portion of the financing from a local bank or financial institution with firm commitment and accompanied with detailed term sheet.

Local Interests and Participation

The Bidder is also reminded to promote local participation and the use of local products, service providers, suppliers and labour for the Project to be at least 20% from the solar development cost, excluding land cost. The Bidder shall provide information in the Bid Submission, identifying the extent to which the Bidder plans to use local products and employ Sabah consultant, contractors, suppliers and labour.

EPCC CONTRACTOR

All contractors engaged by the Bidder for this Project shall have a valid local contractor registration certificate (PPK) issued by CIDB, as civil contractor/ building contractor /electrical contractor or other relevant categories of contractors with registration grades appropriate for the financial values of the works. All civil works, building works, electrical works, mechanical and firefighting works and PV panels installation works shall be carried out by local contractors registered with CIDB and ECoS under the appropriate categories and grades only. A certified copy of the CIDB / ECoS registration certificate of each of the contractors shall be submitted with the Bid Submission.

CIDB

GRADE: G7

Category: B, M, E

Specialization: B04

M02, M21, M23

E04, E05, E10, E11, E17, E18, E21, E22, E24, E26, E27, E28, E32, E33, E35

ECoS

Electrical Contractor with Class PV (Grid Connected) or ECCPV(GC)

Bond

Bid Bond

A Bid Bond payable in Malaysia and in Malaysian Ringgit shall be furnished to ECoS with the Bid. For clarity, one Bid Bond shall be submitted for one (1) LSS Plant connected to one (1) Interconnection Point. The Bid Bond shall be to the value of: Ringgit Malaysia Two Hundred Thousand Only (RM 200,000.00) and in the form of a bank guarantee issued by a bank licensed to operate in Malaysia. The Bid Bond shall be valid for the Bid Validity Period. Any Bid not accompanied by a Bid Bond shall be automatically rejected as non-conforming to the RFP without further evaluation.

The Bid Bond of the Bidders shall be returned as soon as the expiration date of their Bids; or fourteen (14) days after the issuance of the Notification to Shortlisted Bidders; except in the case of the Shortlisted Bidders/Successful Bidders where the Bid Bond shall be returned after it has been replaced with a Substitute Bond.

Substitute Bond

A Successful Bidder shall be required, within fourteen (14) days of the Notification to Successful Bidder, to substitute the Bid Bond with a Substitute Bond. The value of the Substitute Bond shall depend on the bid capacity of the successful bidder as follows:

- i) 1.0 MW to less than 5.0 MW = RM 500,000.00
- ii) 5.0 MW to less than 10.0 MW = RM1,000,000.00
- iii) 10.0 MW to 15.0 MW = RM1,500,000.00

The Substitute Bond shall be payable in Malaysia and in the Malaysian Ringgit, and in the form of a bank guarantee issued by a bank licensed to operate in Malaysia.

The Substitute Bond shall have a period of validity as specified in the Notification to Successful Bidder. Failure to exchange the Bid Bond with the Substitute Bond within such period shall cause the selection of the Successful Bidder to be withdrawn.

Solar Power Purchase Agreement (SPPA)

Successful Bidders shall enter into a SPPA and any other relevant Project Document for a term of 25 years with the Electricity Utility Company for each Plant.

Specimen copies of Bid Documents can be checked at Level 10, Plaza Shell, 29, Jalan Tunku Abdul Rahman, Kota Kinabalu during office hours.

Bid Proposals must be placed in a sealed envelope, and marked with the **Title** and **No. Bid** on the top left of the envelope and should be placed in the Tender Box or sent to the following address:

**Bid Opening Committee,
Energy Commission of Sabah (ECoS),
Level 10, Plaza Shell, 29, Jalan Tunku Abdul Rahman,
88000 Kota Kinabalu, Sabah, Malaysia**

ECoS is not bound to accept the lowest Bid Proposal or any proposed bid. ECoS reserves the right to accept, reject or cancel all or part of the Proposal.

Proposals submitted after the closing date and time **will not be considered**.

Any inquiries are via e-mail: **LSS-SABAH2024@ecos.gov.my**

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