MINISTRY OF INFRASTRUCTURE AND ENERGY

INVITATION FOR QUALIFICATION
FOR THE SELECTION OF ONSHORE WIND PROJECTS
THAT WILL RECEIVE SUPPORT MEASURES,
AT LOCATIONS IDENTIFIED BY DEVELOPERS

SUBJECT: Answers to the requests for clarification on the Bidding Procedure Documents

Dear Bidders,

Please find below answers to most of the requests for clarification submitted so far. Contracting Authority is further reviewing a number of selected requests and will publish additional replies shortly.

Request 1:

In connection to QC2 Technical Criteria, Previous Experience, what is the date when the calculation of the last five (5) years starts?

Answer to Request 1 [Updated 17 January 2022]:

For the purposes of demonstrating QC2, a plant must have reached its commercial operation date after 12 June 2015.

For the purposes of demonstrating QC1, each plant must have reached its commercial operation date after 12 June 2012.

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Request 2:

In connection to QC2 Technical Criteria, Previous Experience, if the documents that prove the experience and meet the conditions required in the paragraph mentioned below are over 5 years old, are they considered valid and sufficient for qualification?

Answer to Request 2:

The documentary evidence can't be older than the plants themselves. Furthermore, documentary evidence needs to be authenticated or certified in accordance with the formality requirements of Appendix 4/1 of the Bidding Documents.

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Request 3:

In connection to QC2 Technical Criteria, Previous Experience, the Albanian version of the KPC requires experience in solar power plants, while the English version requires experience in wind power plants. Which of these two variants should we consider as criteria?

Answer to Request 3:

The QC2 criteria requires for Prospective Bidders to have experience in the development and operation of onshore wind power generation plants, with at least one plant with a capacity of 20 MW or more. The Albanian version of the RfQ Documents will be amended accordingly.

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Request 4:

We are re sending this request for clarification in reference to a qualification procedure for a Public Procurement Procedure by the Albanian Ministry of Infrastructure and Energy announced on date 15.06.2021 and published on MIE's website on date 22.06.2021, titled "Invitation for Qualification for the Selection of Onshore Wind Projects that will Receive Support Measures, at Locations Identified by Developers", *item 3.1. Questions, Clarifications and Amendments.*

We'd appreciate it if you could clarify the following statement on Appendix 4/1 Specific Qualification Criteria, QC1 and QC2:

"Experience in the development and operation of power generation plants…"

The way we understand this statement is that a bidder must have experience in both development and operation of power plants, but not necessarily both processes (development and operation) have to be related to one particular power plant. So, if a bidder has experience in developing plant A and operating plant B this criteria should be considered fulfilled.

Answer to Request 4 [Updated 12 January 2022]:

In connection to QC1 and QC2 requirements, the Contracting Authority clarifies the following:

- Development and operation experience can be demonstrated separately through different plants (e.g. Bidder developed Plant A and operated Plant B)

- For each plant, a commissioning certificate is essential to show that a plant actually became operational

- For each plant, Bidder should provide at least one document to show its role as developer

- For operation experience, either direct (in-house) or indirect (outsourced) O&M is acceptable experience.

To better reflect the above, Appendix 4/1 of the Bidding Documents is amended as follows:

Qualification Criteria - Technical These criteria are assessed on a Pass / Fail basis.	**Required Documents / Forms** Supporting documents to justify the Prospective Bidder's capacity. For a consortium member to contribute towards satisfaction of the Technical and Financial Criteria, it must have a minimum shareholding of 20% in the consortium.
QC1: Technical Criteria 1 – Past Experience 1 Experience in the development and operation of power generation plants from renewable sources (wind, sun, hydro, biomass, etc.) comprising a minimum of two plants with a cumulative capacity of 30 MW or more. Each plant must have reached its commercial operation date after 12 June 2012. The Prospective Bidder may choose to demonstrate development experience and operation experience separately through different plants. In this case, the Prospective Bidder must demonstrate: i) experience in developing a minimum of two plants with a cumulative capacity of 30 MW or more; and ii) experience in operating a minimum of two plants with a cumulative capacity of 30 MW or more.	**DQC1:** In case of a Consortium, this experience criterion must be fully met by one Consortium member (subject to meeting the minimum shareholding). For each plant presented as past experience for QC1, the Prospective Bidder must provide: • Form A2, as per this Appendix • A valid certificate of commissioning or other equivalent document • Evidence of development and/or operation (see guidance below this table)

QC2: Technical Criteria 2 – Past Experience 2	DQC2:
Experience in the development and operation of onshore wind power generation plants, with at least one plant with a capacity of 20 MW or more. Each plant must have reached its commercial operation date after 12 June 2015. The Prospective Bidder may choose to demonstrate development experience and operation experience separately through different plants. In this case, the Prospective Bidder must demonstrate: i) experience in developing at least one plant with a capacity of 20 MW or more; and ii) experience in operating at least one plant with a capacity of 20 MW or more.	In case of a Consortium, this experience criterion must be fully met by one Consortium member (subject to meeting the minimum shareholding). For each plant presented as past experience for QC2, the Prospective Bidder must provide: • Form A2, as per this Appendix • A valid certificate of commissioning or other equivalent document • Evidence of development and/or operation (see guidance below this table)

For each plant presented to demonstrate experience of **development** for the purposes of QC1 or QC2, the Prospective Bidder must provide at least one of the following documents showing the Prospective Bidder in the role of developer:

- Development contract for the plant
- Preliminary or final land agreement for the sale and/or surface rights acquisition of land parcels related to the construction of the plant
- Permit issued by a relevant public body for the construction of the plant
- Grid connection agreement related to the electric grid connection of the plant
- Proof of winning bids related to the development and construction of the plant

For each plant presented to demonstrate experience of **operation** for the purposes of QC1 or QC2, the Prospective Bidder must provide:

- O&M contract, asset management contract or other types of operation contracts for the plant, showing the Prospective Bidder either as the service provider or as the buyer of the service.
    - In the case where the Prospective Bidder was the main O&M contractor to a project company but outsourced the O&M services to a third party, the Prospective Bidder should provide the main O&M contract between itself and the project company.

Please note that the above documents must be submitted complete of all their sections, including any attachments.

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Request 5:

We approach you in regard to the current auctioning process for wind energy. We plan to start developing a wind energy project above the Kalimash tunnel near Kukes. However, due to the constraint criteria for roads the project would be partly within a no-go area (according to the wind siting package).

To our understanding these computer generated maps cannot cover all details and in this specific case we would consider the area as a regular suitable project area on a mountain ridge. Before going into site specific planning we would appreciate your perspective and advice.

Answer to Request 5:

The wind Siting Study is a high-level analysis of the Albanian territory, providing indications at large scale, including a constraint criterion for major roads, to inform bidders and technical, and environmental and social submissions. In this specific case, geotechnical and hydrogeological investigations would need to exclude interference with the Kalimash tunnel. Description and outcomes of in depth-studies shall be submitted as part of the Project design (Ref. Section E in Appendix 7 of the RFQ)".

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Request 6:

In connection to APPENDIX 7, (9) Minimum Technical Specifications, a. Wind measurement campaign "minimum duration of one year, including an entire winter season (November to April)" could you please clarify what is the meaning of the period November to April ? Is it continuous period like from 2021 November to 2022 April, **OR** can it also start on December 2021 and ends November 2022?

Answer to Request 6:

Measurements must be conducted continuously, also during the winter period, for the entire year. It is possible to start in December 2021 and to end in November 2022 or the (extended) RfP submission deadline, but it would be preferable to consider the same winter season (without interruptions) because climatic conditions could differ. We note that the Contracting Authority is considering to extend the RFP submission deadline and will communicate shortly a formal decision.

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Request 7:

Pursuant to sections 1.16 and 3.1.1 of the "*Invitation for qualification for the selection of onshore wind projects that shall receive support measures, at locations identified by developers*", we are adressing the following request for clarification to the Ministry of Infrastructure and Energy:

Reference is made to Appendix 7 – '*Minimum technical specifications'*, Clause 2.a '*Usage of Met-Mats for the measurement campaign'.*

The referred to Clause recommends usage of Met-Mats for the collection of respective wind data, as a basis for deciding on the WTG. Considering the technology developments and the terrain where we are planning the campaign, we assess as a reliable alternative the usage of LIDAR technology for the wind measurement. The selected LIDAR technology is accepted by DNV GL as a Stage 3 Bankable Lidar; fully IEC Classified to IEC 61400-12-1: 2017.

We kindly ask for clarification and confirmation that such technology is accepted by your side and that a potential rewording of Clause 2.a to allow for ICE classified technologies being permittable for the required measurement campaign will be possible.

Answer to Request 7:

The Contracting Authority confirms that DNV GL is accepted for use in bankable / finance-grade wind speed and energy assessment with either no or limited on-site met mast comparison under conditions characterized by simple orography, with no reliefs or any element that could significantly affect the wind speed profiles.

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Request 8:

We would kindly ask you for clarification regarding the requirement of *"Evidence that the Proposed Site is not located in areas defined as "constraints" or "no go areas" in the Wind Siting Study in Appendix 15"* at page 37 of the RFQ documents.

Answer to Request 8:

The documents should include cadastral maps issued by the Albanian Cadaster where the proposed Site is located. Evidence that the proposed Site is outside of no-go areas described in the Siting Study can be provided by overlaping the Site location with the No-go Areas map (included in the GIS package available on MIE's website). To clarify, the Wind Siting Study is a high-level analysis of the Albanian territory, providing indications at large scale in order to guide and support Prospective and Pre-Qualified Bidders in the selection of sites. "Constraints" and "no-go areas" are synonymous, as defined in the Wind Siting Study, par. 2.4, "criteria are distinguished between conditions that prevent from achieving the study goals (Constraints) and characteristics that the candidate site/area may fulfil at various degrees of suitability (Indicators). […] Constraints usually represent extremely sensitive areas or conditions of natural, human and technical concern where the feasibility is technically unachievable, or the environmental or socio-economic impact of the project would be unacceptable (e.g. Protected areas constraint: a plant cannot be located within specific protected areas). Constraints in a siting model are simply overlapped and merged to generate a map of areas where siting is prevented, called Constraints map".

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Request 9:

In consideration of building an wind turbine close to no-go areas, do we need to position the turbine center, the foundation or the total turbine including blades outside the "no-go areas"?

Answer to Request 9:

The total turbine, including the area swept by blades, shall be placed outside the "no go areas".

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Request 10:

I am writing to you with reference to the document published by the Ministry of Infrastructure and Energy of the Republic of Albania, relating to the pre-qualification phase (ie KPK) for the Construction and Management of a wind power plant, encouraged by the Albanian Government, as the company for which I work would be interested in participating in this call for tenders.

In this document, in its Albanian language version, in Annex 14 (pg. 77) the study for the environmental impact is required as a document necessary for the pre-qualification in the first phase (KPK). Previously in chapter 10 paragraph v), where the documents required for the second phase (KPP) are listed, the same document relating to the environmental study is reported. Could you therefore clarify if the document relating to the environmental study is to be presented during the first phase (KPK) or during the second (KPP)?

Answer to Request 10:

There is a typo in the Albanian version of the RFQ. The English version of Appendix 14 states that the ESIA must be submitted at the RFP stage, not the RFQ stage. This is being reflected and an amended RFQ document in Albanian version will be published shortly.

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Request 11:

In connection to part 1.1.2. Qualification Criteria, we need clarification on QC1 and QC2 for qualification at the RFP stage relating to the following:

- i. Is it sufficient for the candidate for qualification to meet only one of the technical criteria KK1 or KK2?
- ii. Or do you have to meet both KK1 and KK2 criteria at the same time?

Answer to Request 11:

Prospective Bidder must meet both QC1 and QC2. Please note that QC1 and QC2 have been amended since the initial publication, so the Prospective Bidder should refer to the latest versions. Please refer to Answer to Request 4 for further details.

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Request 12:

While reading through the tender document you provided, a few questions arose which we kindly ask you to answer.: Are there any requirements how old wind measurement data for the respective location have to be?

Answer to Request 12:

As a general rule data collected after 2005 will be considered useful (installation of met masts with heights above 40 metres started around 2005). In any case the wind consultant's opinion on the validity of such wind data for present day windfarm design will prevail. Please refer to the Appendix 7 of the amended RFQ document for further details.

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Request 13:

Qualification Criteria (QC): For the Qualification Criteria it is necessary to fulfil the technical and economic criteria by the company. Is it allowed to team up with a partner and to apply as a Joint Venture? What are the regulations if a subsidiary (where the parent company has a 100% stake in the subsidiary) applies for the tender that cannot meet the requirements (e.g. the subsidiary was founded in 2020), but the parent company can fulfil the financial and technical criteria?

Answer to Request 13:

A Prospective Bidder may take the form of a Consortium. Please read the RFQ carefully, especially Section 3.14 and Appendix 4. In the situation described where the subsidiary is unable to meet the requirements by itself, the Contracting Authority would expect the parent company to be the Prospective Bidder.

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Request 14:

When do the conference for prospective bidders take place? Is a registration necessary?

Answer to Request 14:

The Prospective Bidders` Conference took place on 24 November 2021. Contracting Authority may decice to organise another conference at its own discretion, later in the tender process to present in more details the project agreements and clarify further on the RFP requirements.

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Request 15:

Deployment of two or more met-masts for a wind-farm site, preferably one met-mast for every 5–8 turbines or 10–20 MW capacity. We understand that the lower number is for a complex terrain and the higher number for a simple terrain. Is this a suggestion or a requirement?

Answer to Request 15:

The lower number is for simple terrain while the higher number applies to complex terrain. As for the measurement campaign: each campaign has to be approved by a qualified wind consultant (for example members of the MEASNET (Measuring Network of Wind Energy Institutes) network or other equivalent standard). The same wind consultant will evaluate the complexity of the terrain and, as a consequence, the number of met masts needed (and their location). In Albania, the majority of terrains of interest for windfarm development are expected to be complex.

The website WWW.MEASNET.COM provides a list of companies (Name and locations) qualified, referenced and well known in the field of wind measurement and windfarm design (layout, micrositing, etc ....). Please refer to the Appendix 7 of the amended RFQ document for further details on the qualification of the wind consultant.

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Request 16:

Deployment of two or more met-masts for a wind-farm site, preferably one met-mast for every 5–8 turbines or 10–20 MW capacity. We understand that the lower number is for a complex terrain and the higher number for a simple terrain. Who will determine if the terrain is complex?

Answer to Request 16:

The lower number is for simple terrain while the higher number applies to complex terrain. As for the measurement campaign: each campaign has to be approved by a qualified wind consultant (for example members of the MEASNET (Measuring Network of Wind Energy Institutes) network or other equivalent standard). The same wind consultant will evaluate the complexity of the terrain and, as a consequence, the number of met masts needed (and their location). In Albania, the majority of terrains of interest for windfarm development are expected to be complex.

The website *www.measnet.com* provides a list of companies (Name and locations) qualified, referenced and well known in the field of wind measurement and windfarm design (layout, micrositing, etc ....). Please refer to the Appendix 7 of the amended RFQ document for further details on the qualification of the wind consultant.

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Request 17:

Deployment of two or more met-masts for a wind-farm site, preferably one met-mast for every 5–8 turbines or 10–20 MW capacity. We understand that the lower number is for a complex terrain and the higher number for a simple terrain. Can we assume 1 met mast for 8 turbines with each turbine having 4 MW capacity?

Answer to Request 17:

In general, yes, if terrain is flat with no trees. If the turbines are placed on two different hills or mountains two met masts are strongly recommended to take account of shear effects from the valleys and trees. Please refer to the Appendix 7 of the amended RFQ document for further details on the qualification of the wind consultant (key information are resumed below).

The lower number is for simple terrain while the higher number applies to complex terrain. As for the measurement campaign: each campaign has to be approved by a qualified wind consultant (for example members of the MEASNET (Measuring Network of Wind Energy Institutes) network or other equivalent standard). The same wind consultant will evaluate the complexity of the terrain and, as a consequence, the number of met masts needed (and their location). In Albania, the majority of terrains of interest for windfarm development are expected to be complex.

The website *www.measnet.com* provides a list of companies (Name and locations) qualified, referenced and well known in the field of wind measurement and windfarm design (layout, micrositing, etc ....).

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Request 18:

Deployment of two or more met-masts for a wind-farm site, preferably one met-mast for every 5–8 turbines or 10–20 MW capacity. We understand that the lower number is for a complex terrain and the higher number for a simple terrain. How many months of measurement is needed for each met mast?

Answer to Request 18:

A minimum of twelve months, including an entire winter season with calibrated anemometers and full data registration (i.e. no broken instruments) is required. Please refer to the Appendix 7 of the amended RFQ document for further details on the qualification of the wind consultant (key information are resumed below).

The lower number is for simple terrain while the higher number applies to complex terrain. As for the measurement campaign: each campaign has to be approved by a qualified wind consultant (for example members of the MEASNET (Measuring Network of Wind Energy Institutes) network or other equivalent standard). The same wind consultant will evaluate the complexity of the terrain and, as a consequence, the number of met masts needed (and their location). In Albania, the majority of terrains of interest for windfarm development are expected to be complex.
The website WWW.MEASNET.COM provides a list of companies (Name and locations) qualified, referenced and well known in the field of wind measurement and windfarm design (layout, micrositing, etc ....).

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Request 19:

Deployment of two or more met-masts for a wind-farm site, preferably one met-mast for every 5–8 turbines or 10–20 MW capacity. We understand that the lower number is for a complex terrain and the higher number for a simple terrain. What should be the data availability per met mast?

Answer to Request 19:

Minimum 98%. . A good wind measurement campaign will require a minimun of 51,500 valid data measurements out of a total of 53,136 recorded data for a year (98%), assuming an average 10 minute wind measurement (as standard for most data loggers) or 6 recorded wind measurements each hour. Please refer to the Appendix 7 of the amended RFQ document for further details on the qualification of the wind consultant (key information are resumed below).

The lower number is for simple terrain while the higher number applies to complex terrain. As for the measurement campaign: each campaign has to be approved by a qualified wind consultant (for example members of the MEASNET (Measuring Network of Wind Energy Institutes) network or other equivalent standard). The same wind consultant will evaluate the complexity of the terrain and, as a consequence, the number of met masts needed (and their location). In Albania, the majority of terrains of interest for windfarm development are expected to be complex.

The website *www.measnet.com* provides a list of companies (Name and locations) qualified, referenced and well known in the field of wind measurement and windfarm design (layout, micrositing, etc ....).

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Request 20:

Deployment of two or more met-masts for a wind-farm site, preferably one met-mast for every 5–8 turbines or 10–20 MW capacity. We understand that the lower number is for a complex terrain and the higher number for a simple terrain. Shall we have the met mast installation registration and a report by our company?

Answer to Request 20:

The met mast characteristics, instrumentation, and installation shall be in accordance with specifications established by a qualified wind consultant, such as, for example members of the MEASNET network. An installation report for each met mast shall be approved by a qualified wind consultant. Please refer to the Appendix 7 of the amended RFQ document for further details on the qualification of the wind consultant (key information are resumed below).

The lower number is for simple terrain while the higher number applies to complex terrain. As for the the measurement campaign: each campaign has to be approved by a qualified wind consultant (for example members of the MEASNET (Measuring Network of Wind Energy Institutes) network or other equivalent standard). The same wind consultant will evaluate the complexity of the terrain and, as a consequence, the number of met masts needed (and their location). In Albania, the majority of terrains of interest for windfarm development are expected to be complex.

The website *www.measnet.com* provides a list of companies (Name and locations) qualified, referenced and well known in the field of wind measurement and windfarm design (layout, micrositing, etc ....).

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Request 21:

Deployment of two or more met-masts for a wind-farm site, preferably one met-mast for every 5–8 turbines or 10–20 MW capacity. We understand that the lower number is for a complex terrain and the higher number for a simple terrain. Shall the measurements be done by an independent company such as; DNV, UL, Windguard? Or shall the installation reports be prepared by an an independent company?

Answer to Request 21:

The wind measurement campaign can be performed also by the developer on its own, provided that the instrumentation used and the installation report are approved by a qualified wind consultant. The windfarm layout, even for only 4 or 5 turbines in line, will have to be approved by a qualified wind consultant even if drafted in house by the developer using commercial wind siting software such as, for example, WASP. It is strongly advised to involve a qualified wind consultant since the beginning of the wind measurement campaign because this warrants that collected data will have a quality considered

bankable by financing institutions. In clarification of the RFQ documentation, a Technical Annex (Appendix 7) has been provided to update and clarify the detailed requirements that the wind measurement campaign and Energy Yield Report must satisfy.

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Request 22:

If the shareholders of the company are individuals, can we use the experience and financials of the parent company who is owned by these individuals?

Answer to Request 22:

From the question, the relationships between "the company", "the parent company" and the "individuals" are unclear. As a general point, the Contracting Authority would expect the parent company to be the Prospective Bidder in order for the parent company's experience and financials to be considered. Please refer to the RFQ Appendix 4 for details.

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Request 23:

<u>Qualification Criteria QC1 and QC2</u>

QC1 requires proved experience in the development and operation of power generation plants from renewable sources (wind, sun, hydro, biomass, etc.) comprising a minimum of two plants with a cumulative capacity of 30 MW or more. Each plant must have reached its commercial operation date no more than 10 years before the Qualification Application Submission Deadline.

QC2 requires proved experience in the development and operation of onshore wind power generation plants, with at least one plant with a capacity of 20 MW or more. Each plant must have reached its commercial operation date no more than 5 years before the Qualification Application Submission Deadline.

If a Prospective Bidder, or Consortium member is able to show experience, in the last 5 years, in development/operation of:

- One wind generation plant of 20 MW or more; and
- One wind generation plant of 10 MW or more.

Can the same documents be used for the satisfaction of both QC1 and QC2, or in any case the power generation plants for QC1 must be different from those of QC2?

Answer to Request 23:

A relevant onshore wind plant can be considered as past experience for both QC1 and QC2.

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Request 24:

Qualification Criteria QC1 and QC2

QC1 requires proved experience in the development and operation of power generation plants from renewable sources (wind, sun, hydro, biomass, etc.) comprising a minimum of two plants with a cumulative capacity of 30 MW or more. Each plant must have reached its commercial operation date no more than 10 years before the Qualification Application Submission Deadline.

QC2 requires proved experience in the development and operation of onshore wind power generation plants, with at least one plant with a capacity of 20 MW or more. Each plant must have reached its commercial operation date no more than 5 years before the Qualification Application Submission Deadline.

In case the qualification application is submitted by joint venture (defined in the tender as "consortium") of companies, and one of the members of the consortium has no development and operation of onshore wind power generation plants in the last 5 years. Is it sufficient that only one member of the joint venture (or "consortium") fulfil the technical criteria which is mentioned in QC1 and QC2? Or is it necessary for all members of the consortium to fulfill the technical criteria in QC1 and QC2?

Answer to Request 24:

Please refer to the rules as stated in DQC1 and DQC2. In case of a Consortium, QC1 must be fully met by one Consortium member (subject to meeting the minimum shareholding) and QC2 must be fully met by one Consortium member (subject to meeting the minimum shareholding), which may or may not be the same as the Consortium member meeting QC1.

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Request 25:

Qualification Criteria QC3

In case the qualification application is submitted by joint venture (defined in the tender as "consortium") of companies, and the QC3: Economic Criteria is met by only one of the members of the consortium, ***are all consortium members required to submit the relevant documentation*** (i.e. audited Balance Sheets and/or Financial Audit Reports of the last 3 financial years and auditor's certificate specifying the Net Worth of the Prospective Bidder and Form A1 attached to the RFQ Documents), ***or it is sufficient to provide these documents only with respect to the member of the consortium that meets the QC3 qualification criteria?***

If all members a consortium are required to submit their financial documentation, and one of the members of the consortium has been incorporated for less than 3 years, ***is it allowed for this member to provide the documents relevant only for actual the years since its incorporation, provided that QC3: documentation and criteria are met in full by the other members of the consortium?***

Answer to Request 25:

If a Consortium member meets the minimum shareholding requirement and can satisfy the QC3 (Economic Criteria) on its own, then it is sufficient for only that Consortium member to provide the documents described in DQC3.

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Request 26:

Prospective Bidder's Group Companies

1.1.2 Part II – Qualification Criteria of the RFQ Documents provides that qualification criteria QC1 and CQ2 may also be demonstrated by Prospective Bidder's Group Companies.

"Prospective Bidder's Group Companies", herein, is considered every entity which is directly or indirectly under Control of the Prospective Bidder.

As a reminder Control shall refer to the possibility of exercising decisive influence on an undertaking, natural or legal person, on the basis of shareholding or voting rights, contracts or any other means, either separately or in combination, and having regard to the considerations of fact and law involved.

Could you please clarify if the definition of Prospective Bidder's Group Companies will include also sister companies of the prospective bidder – i.e. the definition to include also "*Prospective Bidder's Group Companies shall also include an entity that is controlled by the same entity that controls the Prospective Bidder*".

Answer to Request 26:

The definition of Prospective Bidder's Group Companies cannot be extended in the way described in the question. In the situation described, the Contracting Authority would expect the parent company to be the Prospective Bidder.

The ultimate company exercising control can be a direct or indirect shareholder. It needs however to prove that it exercises effective control over decision-making bodies of all the companies involved and be a Consortium Member with at least 20% shareholding in the Consortium.

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Request 27:

Original and certified documentation

Section 5, par. 5.2.4 of the RFQ Documents provides that the Prospective Bidders application documentation shall be submitted in original, as per requirements provided under these Qualification Documents.

On the other hand, Appendix 4 of the RFQ Documents provides that "All documents comprising the Qualification Documents must be submitted in original or copies certified by a notary public"

Please clarify which of the above prevails, and if Prospective Bidders are allowed to submit notary certified true copies of the Qualification Documents.

Answer to Request 27:

The Prospective Bidders may submit documents in original which would be preferable. However, they may submit certified true copies of the Qualification Documents provided that they comply with the Authentication, Legalisation and Translation Requirements, as provided under Appendix 4 of the RFQ Documents and mandatory requirements of the Albanian legislation.

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Request 28:

Language

Section 1, par. 1.13 "Language" of the RFQ Documents provides that "……. the language of the Qualification Applications shall be in Albanian or English language. If the documentation is submitted in English, the Bidder is obliged to submit also a certified and notarized translation into Albanian language. In case of discrepancy the Albanian translation will be used to interpret information and any ambiguities….."

On the other hand, Appendix 4 of the RFQ Documents provides that "Documents in foreign (non-Albanian) language must be accompanied by the Albanian language translated version, which translation must be certified before a notary public and legalised or apostilled in accordance with the Legalisation and Apostille requirements set forth by the Applicable Laws and the Albanian Ministry of Foreign Affairs.

Could you please confirm that documents in foreign (non-Albanian) language, other than the English language, need to be translated and certified only in Albanian language, ***and no*** translation/certification also in English language is required.

Answer to Request 28:

Qualification documents in foreign language, other than English, need to be translated in Albanian language, which is the official language in the Republic of Albania. Translation in English language is not mandatory, but may be helpful to the review of the submissions by the independent international advisors. .

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Request 29:

Award criteria

Section 1 Request For Qualification Notice of the RFQ Documents, provides that:

"……Participation in this tender process is restricted to Projects with a minimum capacity of 10 MW and a maximum capacity of 75 MW. Through this tender process, the MIE will select Projects totalling 100 MW that will receive support measures as described below. The Contracting Authority may decide at a later stage to increase the total tendered capacity to 150MW".

Moreover, Section 10 Further Information On The Rfp (2nd) Stage, par **10.1 Requirements at the RFP stage** of the RFQ Documents, provides that:

……The technical, environmental and social criteria will be evaluated on a pass/fail basis; then the Financial Bids (i.e. price) will be used to select the Projects that will receive support measures."

Part of the technical criteria are the "energy yield".

Assuming that the cumulative bids of all Qualified Bidders in the RFP, will exceed the total of 100 MW (or 50MW, if later increased by MIE), ***could you please clarify if the lowest offered price will be the only criteria for award of a project, despite the proposed installed capacity and/or the energy yield? Will the proposed installed capacity and/or the energy yield be weighted somehow in the evaluation process?***

Answer to Request 29:

At the RFP stage, the technical, environmental and social criteria will be evaluated on a pass/fail basis. The Projects that pass all of the criteria will then be ranked on the basis of the Financial Bids (i.e. from lowest to highest price) and selected for award. Tie-breaker rules will be defined in the RFP in case identical prices are offered.

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Request 30:

RFP Documentation – Development Permit

Section 10 Further Information On The Rfp (2nd) Stage, par **10.1 Requirements at the RFP stage** of the RFQ Documents, provides that Qualified Bidders must submit:

(iii) Development permit issued by the competent authority, in accordance with Law No. 107/2014 "On Territorial Planning and Development", as amended ("Law 107/2014"), and the decision of the Council of Ministers No. 408, dated 13 May 2015 "On the approval of the Regulation of the Territory Development", as may be amended ("DCM 408").

Considering that at the RFP stage Qualified Bidder have no certainty that their project will be awarded, and that based on art. 38 of Law No. 107/2014 "*On Territorial Planning and Development*", as amended, the issuance of a development permit causes the permanent change of the category of land, ***Kindly consider if it is appropriate to obtain a development permit at the RFP state.***

Answer to Request 30:

The development permit will be a pass/fail requirement at the RFP stage. Therefore, Pre-qualified bidders must obtain a development permit. The Contracting Authority has liaised with the Agency for Territorial Development to clarify this procedure and is available to help Bidders in discussions with the Agency.

***

Request 31:

<u>RFP Documentation – Land Title</u>

Section 10 Further Information On The Rfp (2nd) Stage, par**10.1 Requirements at the RFP stage** of the RFQ Documents, provides that Qualified Bidders must submit:

(vii) Evidence that the Pre-Qualified Bidder has right of ownership or exclusive real right to occupy, use and enjoy the proposed site, with a view to design, construct, install, operate and maintain the project, submitted **in a form satisfactory for the issuance of a construction permit and duly registered with the relevant local** directorate(s) of the State Cadastre Agency; and

(viii) Evidence that sufficiently demonstrates availability of land for right of way as required for the construction and operation of the transmission line for connecting the Project to the grid by TSO approval and in accordance with the applicable laws No. 43/2015 as amended “On Power Sector”, and no 7/2017 “On promotion of energy from Renewable sources”.

With respect to item (vii) the contracts regarding the ownership/usage of land must be definitive, and registered and State Cadastre Agency, while item (viii), it is sufficient to submit contractual arrangements/promises or letters of agreement "in principle".

Considering that at the RFP stage Qualified Bidder have no certainty that their project will be awarded, and that definitive contracts are required only for the issuance of a construction permit (which is at a later stage i.e. after the signing of the PDA), could you please clarify that the right of ownership or exclusive real right to occupy, use and enjoy the proposed site, with a view to design, construct, install, operate and maintain the project, may be also demonstrated by arrangements/promises or letters of agreement "in principle", and not by definitive agreements, registered at the x State Cadastre Agency?

Answer to Request 31:

With respect to the Proposed Site (item vii of paragraph 10.1 of the RFQ Documents), the Contracting Authority confirms that rights over the land can be demonstrated by definitive agreements that have or acquire a binding legal effect if the Pre-Qualified Bidder is selected at the RFP stage as a Selected Bidder. To this purpose, these agreements do not have to become effective from the signing date, but may comprise conditions precedent with a binding effect if the project is selected successful. The agreements should also contain provisions that demonstrate that land owners or persons having rights over the selected land cannot unilaterally terminate or divest themselves from the agreements if the Pre-Qualified Bidder is selected at the RFP stage as a Selected Bidder.

Agreements could be registered as a charge in the State Cadastre Agency, without a need to obtain final registration of the transfer of ownership title or final transfer of the right of use.

Contracting Authority remains available to provide further clarifications on this point and support Prospective Bidders in resolving any issue with the State Cadastre Agency or the Agency for Territorial Development on the above.

With respect to the right of way required for the construction of the transmission line (as required by item viii of paragraph 10.1 of the RFQ Documents), the Contracting Authority confirms that the Pre-Qualified Bidder(s) may submit as evidence contractual arrangements/promises or letters of agreement "in principle", and not definitive agreements. These should also contain clauses demonstrating that the persons having rights over the right of way cannot unilaterally terminate or divest themselves from the agreements if the Pre-Qualified Bidder is selected at the RFP stage as a Selected Bidder.

Contracting Authority stresses that regardless of the process for acquiring the necessary land rights or property, the developer should in any case maintain compliance with the Applicable requirements for ESIA as outlined in Appendix 14 of the RFP documents, including the preparation of a Land Acquisition and Resettlement Plan for the proposed site, transmission line and any other associated facilities as referred under Section 10.1. (vii) and (viii) and Appendix 14, in particular 3.10 Environmental and Social Management Plan of Appendix 14.

Contracting Authority highlights that any above-referenced agreement or arrangement on land acquisition and/or acquisition of rights of use, enjoyment, access of property as well as any related restriction, must be negotiated between the parties on voluntary basis and fair terms, complying for example with the relevant provisions of the EBRD Performance Requirement 5 *Land Acquisition, Involuntary Resettlement and Economic Displacement*, or equivalent requirements of other IFIs and Appendix 14 of the RFQ documents. This requires *inter alia* Prospective Bidders shall ensure that rights over land are procured in a way that is consistent with human rights requirements, providing a fair compensation and other incentives to affected parties, mitigating risks of asymmetry of information and bargaining power, identifying all informal users, where possible avoid resettlement or where unavoidable minimise resettlement or adopt appropriate measures to mitigate adverse effects on affected parties.

In case of mandatory easement or right of way over the land transferred to Prospective Bidders by the network operators for the purpose of installing transmission lines in accordance with the Albanian Civil or other mandatory transfer of rights if applicable, Prospective Bidders must ensure that any involuntary resettlement is implemented in accordance with for example the EBRD Performance Requirement 5 *Land Acquisition, Involuntary Resettlement and Economic Displacement*, or equivalent requirements of other IFIs and Appendix 14 of the RFQ documents. In particular, this implies avoiding or, when unavoidable, minimise, involuntary resettlement by exploring alternative project designs, or mitigate adverse social and economic impacts from land acquisition or restrictions on affected persons' use of and access to assets and land; restore or, where possible, improve the livelihoods and standards of living of displaced persons to pre-displacement levels improve living conditions among physically displaced persons.

For further details, please refer to Appendix *14 Terms of Reference for the Environmental and Social Impact Assessment Study*, in particular section 3.10 *Environmental and Social Management Plan, Land Acquisition and Resettlement Plan*.

***

Request 32:

How is it thought & predicted in the bid evaluation methodology, the case when ?

In RFQ documents; chapter 10, point 10.1, ii) states that the proposed location meets the other criteria set by DCM no. 349, dated 12.06.2018 "On the approval of support measures to promote the use of electricity from renewable sources of sun and wind , as well as the procedures for the selection of projects for their benefit ", as amended.

In this DCM, specifically: point 6, To ensure that bidders have the necessary capacity to carry out the project, the special commission will be based on the basic application and qualification criteria, which include, inter alia:
point d),
Criteria for determining the location:

The proposed location should be on barren land or land that is categorized not as fertile.

Answer to Request 32:

Qualification criteria in the RFQ document is already aligned with requirements of the DCM 349. The only criteria that bidders need to closely monitor is the one on the treatment of agricultural land as per DCM 349, which might be subject to an amendment to DCM 349.

***

Request 33:

I'd like to propose to the contracting authority to take into consideration a proposal for an amendment to the RFQ Documents pursuant to item 3.1.3. of the RFQ, as follows: QC1 requires for the Prospective Bidder to demonstrate: i) experience in developing a minimum of two plants with a cumulative capacity of 30 MW or more; and ii) experience in operating a minimum of two plants with a cumulative capacity of 30 MW or more. Meanwhile "Required Documents / Form" table for QC1 requires for the Prospective Bidder to provide evidence of development and/or operation (see guidance below this table). We understand that for the ministry of Infrastructure and Energy it is important that a qualified bidder has experience in developing, rather than operating, considering that development is a far more

extensive qualification than operating, which can be done by third parties. Subcontracting to third parties also does not demonstrate any bidder's experience in operation.

Answer to Request 33:

Through this Qualification Procedure, MIE wishes to shortlist Prospective Bidders who have the experience and resources to undertake design, financing, construction and operation of new onshore wind power plants. Demonstrating experience in both development and operation is an integral part of the Qualification Procedure. Therefore this request to amend QC1 cannot be accepted.

***

Request 34:

Considering that the intention of the Ministry of Infrastructure and Energy is to look for well-established and experienced developers who are able to design, secure funding, construct and develop, we request the amendment of QC1 and delete "and ii) experience in operating a minimum of two plants with a cumulative capacity of 30 MW or more." We request the same as above for QC2

Answer to Request 34:

Through this Qualification Procedure, MIE wishes to shortlist Prospective Bidders who have the experience and resources to undertake design, financing, construction and operation of new onshore wind power plants. Demonstrating experience in both development and operation is an integral part of the Qualification Procedure. Therefore this request to amend QC2 cannot be accepted.

***

Request 35:

In the auction documents published in the MIE website regarding RfQ phase, the QC1 requires experience of at least 3 plants meanwhile during the presentation you are mentioning only 2 plants. which is the correct number of plants that will be considered?

Answer to Request 35:

According to the English version of the RFQ, QC1 requires the experience of at least 2 plants. The Albanian version of the RFQ will be amended accordingly.

***

Request 36:

Is the authority expected to implement any procedure for the certification or commissioning of the measurement campaign, in terms of:
- The assessment of quality of wind data;
- The coordinates of the deployed masts;
- Measurement masts standards, if there is any more than a specific standard?

Answer to Request 36:

– No. It is bidder's responsibility to provide proper measurements and assessments, as certified by a third-party (i.e. wind consultant). A template for the met-mast installation to be fulfilled by bidders is provided here attached.
***

Request 37:

Given the fact that, the period between the invitation and the RFP Submission Deadline (15/6/2021 - 02/2023) is just 1.5year, most of the studies are supposed to last long (at least 1 year or more, Announcement of Pre-Qualified Bidders is planned for aug 2022 as the possible selected areas will probably pass/fail for many reasons, is there any extension of the current RFP Submission Deadline planed?

Answer to Request 37:

MIE encourages Prospective Bidders to start the required activities as soon as possible in order to be able to meet the RFP Submission Deadline in February 2023. The Ministry is reviewing requests to extend the RFP Submission Deadline and will communicate a final position shortly on the website.
***

Request 38:

In the auction documents published in the MIE website regarding RfQ phase, the QC1 requires experience of at least 1 photovoltaic plant meanwhile during the presentation you are asking experience of 1 wind pharm. which is the correct type of source that will be considered? PV or Wind?

Answer to Request 38:

QC1 requires experience in the development and operation of power generation plants from **renewable sources** (wind, sun, hydro, biomass, etc.) comprising a minimum of two plants with a cumulative capacity of 30 MW or more.
In case the question is actually directed at QC2, please see the Answer to Request 3.

***

Request 39:

Will ‘’Long Term Data’’ be required in order to apply MCP in feasibility report?

Answer to Request 39:

This question is not clear as the Contracting Authority does not understand what MCP stands for. Therefore, the Prospective Bidder is required to provide additional clarification on this question.

***

Request 40:

Can we use the data of an previously installed met-mast to complete the missing data of ours?

Answer to Request 40:

Yes, if both met masts are of professional quality. The approval of the met mast or a declaration by the wind consultant of suitability of the collected data for windfarm design purposes will make the data usable for development purposes.

***

Request 41:

How many KM away can the previously measured datas be from the site where the project will be developed?

Answer to Request 41:

The wind measurement data shall be from the same site where the windfarm shall be constructed.

***

Request 42:

Can we use Long Term Data (10 years of satellite data), for example, to complete 1 month of missing data?

Answer to Request 42:

No. The bid requirements clearly states that 98% data availability from the met mast is required. This means a tolerance margin of a maximum of one week of missing data during an entire year. Satellite or Meteo data is not a substitute of site wind measurements performed with a high met mast (i.e. 40 to 100 meters) due to different quality. This is true for flat terrain and even more for complex terrain as any good wind consultant will confirm.

***

Request 43:

Does the bird and bat observation report cover the project site? Or just the met-mast area?

Answer to Request 43:

The bird and bat study shall cover the entire windfarm area.

***

Request 44:

How will the ornithological monitoring report be determined for extension 50 MW?

Answer to Request 44:

The detailed design of the ornithological surveys will need to be defined by a qualified wildlife biologist and cover the likely extent of the area where the project will be developed. References to acceptable survey methodologies are provided in the RFQ.

***

Request 45:

75 MW 1st best proposal, 25MW 2nd best proposal provider, what about 50 MW? Who will be the winner of 50MW? Is there a defined methodology ? for 50 MW (100MW + 50 MW)

Answer to Request 45:

The RFP will include information about how the "marginal bid" will be treated. Contracting Authority may also publish such information on the dedicated website before the launch of the RFP and therefore invites Prospective Bidders to regularly consult the updates on the website. Furthermore, the NECP adopted and notified to the Energy Community Secretariat, accessible at the link here indicates a target of 150MW of wind capacity to be added by 2024. The Energy Community Secretariat`s recommendation on the NECP available here has not affected this target. Contracting Authority is considering whether the auctioned capacity may be increased. Contracting Authority invites Prospective Bidders to closely monitor the website.

***

Request 46:

When we set up a project-specific SPV; Will it be sufficient to submit the financial documents of the parent company?

Answer to Request 46:

From the question, the relationship between the different entities is unclear. Please read the RFQ carefully, especially Appendix 4, for the documentary requirements.

***

Request 47:

If one consortia member meets QC3 in full, are other members of the consortium required to provide documents required for QC3?

Answer to Request 47:

Please see the Answer to Request 25

***

Request 48:

If one consortia member has been incorporated for less than 3 years, is it allowed for this member to provide the documents relevant only for actual the years since its incorporation, provided that QC3: documentation and criteria are met in full by the other members of the consortium?

Answer to Request 48:

Please see the Answer to Request 25.

***

Request 49:

Can a Prospective Bidder use the experience of an "entity that is controlled by the same entity that controls the Prospective Bidder"?

Answer to Request 49:

This question has been replied to. Please see the Answer to Request 26.

***

Request 50:

If all members a consortium are required to submit their financial documentation, and one of the members of the consortium has been incorporated for less than 3 years, is it allowed for this member to provide the documents relevant only for actual the years since its incorporation, provided that QC3: documentation and criteria are met in full by the other members of the consortium?

Answer to Request 50:

This is a repeat of Request 48. Please see the answer there.

***

Request 51:

Could you please clarify if the lowest offered price will be the only criteria for award of a project, despite the proposed installed capacity and/or the energy yield? Will the proposed installed capacity and/or the energy yield be weighted somehow in the evaluation process?

Answer to Request 51:

Please see the Answer to Request 29.

***

Request 52:

Is there any limitation of age of the wind measurement data? i.e. not older than XX years

Answer to Request 52:

Data collected before 2005 will not be considered acceptable for the calculation of the energy yield, unless a qualified wind consultant will certify their acceptability. Please refer to the amended Appendix 7 of the RFQ document for further details.

***

Request 53:

What about construction of new segments of access roads in terms of financing and timing for their realization!

Answer to Request 53:

Building/Upgrading of roads is part of any windfarm construction budget and timeline.

***

Request 54:

Role of IEC Lidar/Sodar: Can SODAR or LIDAR measurements be combined with the one year met mast measurement and reduce the number of mast measurements.

Answer to Request 54:

This evaluation is dependent on the qualified wind consultant's opinion about the applicability of this technique to the proposed site. As a general rule, LIDAR and SODAR are helpful for flat terrains but

not for complex terrains. The recommended approach is to first carry out a good wind measurement campaign and then look for correlation data at higher heights (as the one obtainable by LIDAR and SODAR). The aim of this technique should not be to reduce the number of met masts but to have additional data to reduce the uncertainty of wind production estimates.

***

Request 55:

Will you share the presentation after the end of the conference?

Answer to Request 55:

Yes, the presentation has been shared with all participants and is now available online at the MIE`s website dedicated page on wind auctions here.

***

Request 56:

If the Bidder has installed and measures with 1 met mast of 105m.height ,that technically covers a significant area of ca 1.8km2 ,for developing of eg.50MW with turbines (10*5MW) ,will be evaluated as less successful bidder than the one that has installed 5 met masts of 40m height?

Answer to Request 56:

A 105 meter wind measurement evaluation is certainly more accurate and valuable than one (or more) performed at a 40 meter height. Nevertheless, the bid is not evaluated on the basis on how much wind the site has but on the price of electricity generated by the windfarm, which is dependent not only on the wind resource at the site but also on other factors such as, for example, distance from the power line and quantity of earthworks (roads, etc …).

***

Request 57:

Please define the ‘’complex terrain’’ stipulation . We consider that due to the lack of official locations data, this definition should be determined by the Bidder and its technical team.

Answer to Request 57:

The “complex terrain” definition does not come from land maps (i.e. official locations data). This definition is dependent on the orography of the site and is generally given by the wind consultant. As a rule of thumb, all terrains different from flat plain land are to be considered complex because of wind shear effects. Mountain ranges are complex terrain in any case.

***

Request 58:

Can we have the GIS files with all the preliminary information used to come to no-go areas? Alternatively, one file for the no-go areas can be sent. We mean GIS files not just the PDF report.

Answer to Request 58:

The GIS data is being published on the website here..
In case of access issues, the Contracting Authority can assist in the provision of the GIS data, which can be sent directly to those that will request them, upon official request.

***

Request 59:

Finalizing my thoughts, as the completion of a wind project usually takes from 5 up to 10 years on average, 6 to 12 months for the site prospecting that means selection of the suitable place to gather wind measurements, waiting at least 6 months for the first good wind data, taking the fact that the wind is suitable, the EIA is being prepared for the next 1 to 2 years, along with the permitting process that may need more time, the current time frame is too short to accommodate all the above until the RFP submission date. This also means that all the government related authorities are going to respond in time and all the costs of the bidder have to be confronted beforehand.

Answer to Request 59:

Windfarm development is an activity that involves risk and that requires some expenses that may never be recovered if the project is not approved in a particular auction round (for example wind measurement, environmental impact study, etc. ….), but could potentially be re-used for applications in future auction rounds. In Albania the MIE is giving a clear indication that it wants to start windfarm development by providing incentives to private developers. The Ministry is reviewing requests to extend the RFP Submission Deadline and will communicate a final position shortly on the website.

***

Request 60:

WMC run ~10years ago are still valid for the purpose of the EYA criteria?

Answer to Request 60:

Yes for wind measurement data collection purposes if it is data collected by a professional met mast. The wind consultant would confirm whether this data is suitable for a micrositing design using present day wind turbines**.**

***

Request 61:

Certain official documents required for the Qualification Criteria are only accessible in digital format. Will digital copies of public and official documents be acceptable without notarization. Please note that notarization is not possible in our geography.

Answer to Request 61:

Yes, provided they possess the authentication requirements as per the Albanian Applicable Laws. Contracting Authority reserves the right to ask the Bidders for additional certification upon submission if so deems necessary during the evaluation process.

***

Request 62:

For energy yield assessment, you said it should be done by independent consultant. But turbine manufacturer has to do the load/turbulence analysis, etc. and it is better for the turbine manufacturer to do micrositing because they will be analysing load analysis as well. If the micrositing is done by independent consultant, turbine manufacturer might not be able to approve those locations because of turbulence, high wind shear, etc.

Answer to Request 62:

The usual practice is the following: It is the independent wind consultant that proposes a range of suitable turbines for a particular site and provides an energy yield assessment for the same. Most wind turbine manufacturers will want to know if a wind consultant study has been performed and which wind consultant undertook it before signing a contract for supply. They know that projects without a wind consulting study are not likely to get financed and are unlikely to sell turbines to entities that are unlikely to develop the project.
It is the developer that chooses the type of wind turbine based on energy yield assessment and other commercial considerations (price of supply, delivery time, etc ….).

***

Request 63:

With regards to the experience criteria, development activitites are often carried out by fully controlled subsidiaries (SPVs)of the Prospective Bidder. We assume that documentation from such SPVs (taking into consideration that they are fully controlled subsidiaries) be considered counting towards the Prospective Bidders Qualification Criteria. Can you please confirm this?

Answer to Request 63:

Yes, the experience of such fully controlled SPVs can be used to meet the qualification criteria, subject to the rules and documentary requirements in Appendix 4 of the RFQ.

***

Request 64:

Given that an EBRD-compliant land acquisition and ESIA processes last for at least 1 year, that the 1-year WMC must be ON-SITE and that it takes at least 6 months for the permits to be instructed, approved and issued, how can it be even possible to meet the deadline of Feb/2023?

Answer to Request 64:

This is a kick-start for windfarm development in Albania. Greenfield projects (i.e. those starting wind measurement in December 2021) may participate in future bids if they cannot meet the deadline of the first bid. The Contracting Authority refers to the permitting deadlines as per Applicable Laws, which stipulate timeframes shorter than indicated in the request. Competent authorities are obliged to issue permits within deadlines set by Applicable Laws. The Contracting Authority remains available to support in resolving any issue with the competent authorities in connection to the auction process. The Ministry is reviewing requests to extend the RFP Submission Deadline and will communicate a final position shortly on the website.

***

Request 65:

It is stated that the auction will apply a "price only" criteria. What will happen in a case where the four best prices are associated with capacities of 60, 20, 75 and 20 MW? There are three outcomes:

- * Only two best
- * Two best + fourth best
- * Two best + offer of third best to reduce capacity

Which criteria will be selected in this case?

Answer to Request 65:

The RFP will include information about how the “marginal bid” will be treated or publish before on the website.
Please also note that the NECP adopted and notified to the Energy Community Secretariat, accessible at the link here indicates a target of 150MW of wind capacity to be added by 2024. The Energy Community Secretariat`s recommendation on the NECP available here has not affected this target. Contracting Authority is considering whether the auctioned capacity may be increased. Contracting Authority invites Prospective Bidders to closely monitor the website.

***

Request 66:

It is stated that the auction will apply a "price only" criteria. What will happen in a case where the four best prices are associated with capacities of 60, 20, 75 and 20 MW? There are three outcomes: (1) only the two best are selected (60+20=80MW), (2) two best plus fourth best (60+20+20=100MW) or (3) Two best plus third best is offered to reduce capacity (60+20+20-70=100-150MW). Which outcome will be selected in this case?

Answer to Request 66:

Please see Answer to Request 65.

***

Request 67:

Adding to the wind measurement question from Tracey above (sorry if I am mistaken the name). How can one design the wind mast site for the wind farm with 1-year of available time and no historical data? How to calculate the uncertainty and bias in wind farm prediction’s? What about the rougnhes coefficients, turbulences? Let alone choosing the turbine. Isn't this chicken or egg conundrum and deserved a more technical approach?

Answer to Request 67:

The lack of historical data has been a problem in any country that did not have a reliable meteo station grid. Meteo stations supply data is useful only for long term cross-correlation purposes. They are not substitutes for on-site measurements with windfarm quality met measurement masts (height between 40 to 100 meters high. Please refer to Appendix 7 of the amended RFQ for more detailed information about wind measurements.

***

Request 68:

In case of acceptance of measurements made before the launch of the Invitation for Qualification of June 2021, in order to guarantee that the rules are not changed so as to distort competition, are there to be expected any specific additional requirements for certification of older measurements, in terms of the: (1) standards of met masts; (2) site selection; (3) agreement with the land owners for the measurement campaign; (4) Approval from the Municipality (permits, etc); (5) age of measurement (how old can they be); (6) entities that have made, whether they have participate themselves in the bid, or the measurements are transferable?

Answer to Request 68:

Wind measurements are valuable data provided that they were carried out in a professional way (i.e. met mast height, booms, calibrated instruments, datalogger, etc …..) certified by a recognised wind consultant. If the wind consultant says that the already collected data (i.e. old site measured data) warrants a reliable production estimate with present day sized wind turbines, the data can therefore deemed to be of good quality and usable for bid purposes. Please refer to Appendix 7 of the amended RFQ for more detailed information about the treatment of "old data".

***

Request 69:

wind siting study: May you publish the Appendix B NoGo Areas and Appendix C Suitability Map as single data layers. Reason: the published data is hardly (impossibly) to correspond to the figures published in the report.

Answer to Request 69:

Published GIS data are already organized as separate layers, one for the No-Go Areas map and one for the Suitability Map. They are provided as raster files in both ESRI format (raster feature classes in the "Albania_Wind_Siting_results.gdb" geodatabase) and in QGIS format (raster in the "Albania_Wind_Siting_results" folder).
In order to visualize the layers with the same symbology used in the Appendices maps "Albania_Wind_Siting_results" project files have been provided (.mxd for ESRI and .qgs for QGIS).

For QGIS project file, the symbology used to represent the SUITABILITY raster does not match exactly the symbology of Appendix C. This is due to the palette colour that applies to the entire spectrum of suitability (from 0 to 100) instead of the min and max raster values.
In order to fix the issue, the following procedure should be followed:

1. Open in QGIS the "Albania_Wind_Siting_results.qgz" file
2. Right click on the SUITABILITY later and go to SIMBOLOGY tab
3. In the BAND VISUALIZATION menu, set min = 28.2 and Max = 90. Then click OK

GIS data are provided as separate layers.

***

Request 70:

How many met masts should be installed for 40-50 MW project? 1 met mast could be used as the main one and a second met mast or lidar/sodar can be installed for 3-6 months for the corelation.

Answer to Request 70:

The optimal number of met masts and the possibility of using LIDAR for correlation purposes for windfarm design purposes is dependent on the orography of the site. We suggest to involve a wind

consultant to evaluate the proper equipment for a wind measurement campaign. Please also refer to Appendix 7 of the amended RFQ for more detailed information.

***

Request 71:

All the requirements are based on projects financing, IFC standards. However, if the investor provides corporate guarantee, any commercial bank can support the project and they will not be asking for all these documents, i.e. birds/bats study.

Answer to Request 71:

The RFQ and RFP requirements have been designed following good international industry practice. It is the experience of the project team that reputable international banks will provide financing for a windfarm in the presence of all permitting (including an environmental impact study for which sufficient data on birds and bats will be available). The Albanian authorities are also in the process of continuously aligning national legislation to the EU acquis on environment. Therefore, for a project that will be developed in 2023-2024 and operated over a 15-years period from commercial operation date, it is important that all procedures are aligned with EU legislation, in particular on environmental matters.

***

Request 72:

Regarding land acquisition, we need the exact location of the turbines. However, this can only be ready after one year measurement and after micrositing. Thus, it won't be ready by RFP. Also, what happens if we need to change the turbine locations for some reason?

Answer to Request 72:

–Preliminary agreements for the land likely to be used for wind prospecting can be signed, and confirmed or changed once the final micrositing design is confirmed.

***

Request 73:

It seems that the migratory bird CORRIDORS have not been taken into consideration in the Wind Siting study, could you please confirm that the map at pages 35 and 36 delimitates areas suitable for wind projects in compliance with EBRD PR6?

Answer to Request 73:

The siting study has been prepared based on available data at the national level and this did not include reliable migration corridor data. Maps at pages 35 and 36 would not ensure full compliance with PR6, hence the request to the bidders to collect data on birds for one year. As such, the siting study indicates only potentially suitable areas and further detailed data should be collected by Prospective Bidders in the frame of the preparation of the ESIA and bird study. This study should be informed by relevant bibliographic and publicly available secondary data as well as by primary data collected during the bird study. Instructions and references to guidance and good industry practice in birds data collection is provided in Appendix *14 Terms of Reference for the Environmental and Social Impact Assessment Study* of the RFQ documents.

***

Request 74:

Is there going to be a system to register the installed met masts? Is there going to be database in MIE?

Answer to Request 74:

No, there is no such registry. The MIE will however provide Prospective Bidders the opportunity to submit information on the met masts on voluntary basis to pre-check accuracy and be provided any further clarification if needed. To this purpose a form and an example on met mast installation requirements have been published on the MIE`s dedicated website here, which instructs Prospective Bidders on the requirements to be met. Prospective Bidders may fill this form and return it to the Contracting Authority as soon as they wish, ahead of the RFP stage, seeking the Contracting Authority verify the accuracy of the met mat installation, as well as any further clarification on this matter.

***

Request 75:

When is it going to be announced if the total capacity will be 100 or 150 MW?

Answer to Request 75:

The total capacity will be officially announced shortly following adoption of the National Energy and Climate Plan (NECP) which contains the 2030 targets on renewable energy. NECP adopted and notified to the Energy Community Secretariat, accessible at the link here indicates a target of 150MW of wind capacity to be added by 2024. The Energy Community Secretariat`s recommendation on the NECP available here has not affected this target. Contracting Authority is considering whether the auctioned capacity may be increased. Contracting Authority invites Prospective Bidders to closely monitor the website.

***

Request 76:

For EYA, why does it have to be done by independent consultants? Lenders will have their LTA who will make the assessment anyway. Thus, the study by the turbine manufacturers should also be acceptable. This shouldn't be a criteria.

Answer to Request 76:

It is a standard for the wind development industry to have EYA data certified/reviewed/approved by independent wind consultants. It is highly unlikely that a financing institution (or the investment board of any big company) will accept data presented by a developer or wind turbine manufacturer without a review and opinion by an independent wind consultant. Moreover, most developers will require bank financing due to the significant capital investment required to build a windfarm.

***

Request 77:

In the presentations "Requirement Documentation..." you require the submission of an ESIA. Legislation in Albania does not require for such study level but a preliminary environment impact assessment and issuance of an Environmental Declaration from the National Environment Agency. At what legislation bases shall a bidder support the preparation, development and submission of an ESIA?

Answer to Request 77:

An ESIA study in accordance with internationally recognized requirements will be required by most reputable lenders and is good industry practice. It should also reflect the EU environmental acquis as listed in the ESIA Appendix 14 of the RFQ documents. The availability of an ESIA - prepared in line with the most stringent substantive criteria of the Albanian applicable law, the EU environmental acquis, and international financial institutions' (IFIs)' environmental and social standards and requirements (which are a reference source for many lenders) - in parallel with the feasibility study, will expedite the project development process as it will allow to proceed with the permitting and financing stages of the project in parallel (as the environmental documentation will be at the required standard).

The availability of an ESIA - prepared in line with the most stringent substantive criteria of the EU environmental acquis, and IFIs, in parallel with the feasibility study as per Appendix 7, is also meant to anticipate a higher standard of EU *acquis*, equivalent to that currently applicable in EU Member States, which will become binding with immediate effect on Albania in the short-term. More specifically, in the context of the Energy Community Treaty and EU Stabilisation and Association Agreement, the Albanian authorities are in the process of increasingly aligning national legislation to the EU *acquis* on environment. When adopted, higher standard of environmental *acquis* is expected to apply with immediate effect to long-term projects. Therefore, for a project that will be developed in 2023-2024 and operated over a 15-years period from commercial operation date, it is important that all requirements are aligned with the most stringent EU legislation on environmental matters.

The above will expedite the project development process as it will facilitate both the permitting and financing of the project in parallel (as the environmental documentation will be at the required standard). It will also provide legal certainty to developers.

Please refer to the ESIA Appendix 14 for further details on the concrete legal basis and standards that must observed.

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Request 78:

Will the bird and bat observation report be a draft before the WTG layout is clear?

Answer to Request 78:

The bird and bat study can be a draft before the micrositing and layout. The presence (stable or seasonal) of certain types of birds, especially soaring birds (raptors, vultures, storks, cranes, etc.) and the altitude and path of their flying routes are important information for windfarm siting. It is important to stress that the collection of birds and bats data in parallel with the wind measurement is meant to accelerate the development of the project, therefore the birds and bats surveys design needs to extend to the likely area of occupancy of the entire wind farm. Collection of bird data in parallel to wind data, following the methodologies referenced in ESIA Appendix 14 of the RFQ documents should ensure an adequate coverage of the areas potentially occupied by the WTG. Expert advice from a competent ornithologist should ensure that the data collection is representative of the potential area of influence of the project.

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Request 79:

Could you please clarify what is the validity period stated in the Qualification Procedure Documents? (reference Appendix 2 Declaration Form of Application of the RFQ, item C of the RFQ)

Answer to Request 79:The Qualification Application is valid for all Prospective Bidders at least until the date of Announcement of the Pre-Qualified Bidders. In addition, for those Prospective Bidders that are announced as Pre-qualified Bidders and who decide to make a valid submission in the RFP stage in accordance with the RFP requirements, the validity of the Qualification Application must be tied up to the validity of the RFP submission. This point is already reflected in the Appendix 2, item C of the RFQ documents. Validity of the RFP submission will be notified at the publication of the RFP documents.

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Request 80:

How will the energy disbalance managed in the PPA and in case, in the CfD agreement?

Answer to Request 80:

Balancing responsibility of Generator(s) will be managed in accordance with the Balancing Rules Decision of 1 May 2021 as amended and state aid law requirements, which allow for establishment of

balancing groups. PPA will contain specific provisions and a balancing mechanism aligned with the applicable rules. The CfD being a financially settled instrument, it will not contain balancing responsibility rules; in event of a CfD conversion, balancing responsibility will transition into a dedicated balancing services agreement. Detailed rules on balancing will be published as part of the contractual documentation before or at the RFP publication date latest.

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Request 81:

During the conference of the 24th November 2021, related to the wind auctions, we have been informed that the presentation of the conference will be available on the ministry's site. As we have not been able to find that presentation until now, we would like to receive it by email.

Answer to Request 81:

Please note that the presentation has been sent by email, as well as published on the MIE`s dedicated website here.

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Request 82:

Recapping after yesterday's conference I would like to know where to find in the site of the ministry the complete set of indicators as GIS files as stated yesterday in the conference and written in the TECHNICAL MEMORANDUM, Reference No. 19133659/13021 TM. "The Suitability map and the complete set of indicators and no-go areas are provided as GIS files". For your clarification, GIS file formats are shape files, geodatabase etc.

Answer to Request 82:

Please refer to Answers to Requests 58 and 69 above. The GIS data is being published on the website here. In case of access issues, the Contracting Authority can assist in the provision of the GIS data, which can be sent directly to those that will request them, upon official request.

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Request 83:

We have asked was about the GIS files used in the study. We have been able to locate the files in the announcement of 24th December 2020. Most of the files provided are geo.images that cannot be used as precise overlays to identify with accuracy all the information needed. Lastly the provided gdb.zip seems to be corrupted. We would like to have the original Vector files used to generate the images as accuracy is something we have to be certain.

Answer to Request 83:

Please refer to Answers to Requests 58 and 69 above. The GIS data is being published on the website here. In case of access issues, the Contracting Authority can assist in the provision of the GIS data, which can be sent directly to those that will request them, upon official request.

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Request 84:

In the meeting and regulation, we understood that it is obligatory to make 1-year measurements, including November and April, in the same winter period, in order to participate in the competition. Based on this issue, we understand that the measurement should start on ***31 October 2021 at the latest.*** In order not to cause any problems and injustice, we request your ministry and the commission to make a precise and clear statement about the last date to start the measurement. We think that this issue is important because it may lead to loss of rights and inequality between those who have started the measurement and those who have not yet started.

Answer to Request 84:

Measurements must be conducted continuously, also during the winter period, for the entire year. As mentioned in Request 6, it is possible to start in December 2021 and to end in November 2022 or in event of extension of the RFP submission deadline, start at a later date up to the extended RFP submission deadline. In any case, Prospective Bidder shall ensure that an entire year and winter period is covered by measurements. It would be preferable to consider the same winter season (without interruptions) because climatic conditions could differ. We note that the Contracting Authority is considering to extend the RFP submission deadline and will communicate shortly a formal decision.

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Request 85:

Although we were eligible in terms of all Technical and Financial Criteria regarding pre-conditions for qualification considering the date at which the Ministry published the RFQ in June 2021, the information that QC2- Past Experience criteria will be evaluated on the basis of the delivery date of the tender documents which was announced by the Ministry, has made xxx non-eligible in terms of time constrain, referring to Appendix 4 /1- QC2- Past Experience fail/pass conditions defined in Technical Criteria. The total capacity of two Wind Power Plants belonging to our company is 72 MW, and 65 MW of them were commissioned in the period of July to December 2016. After June 2021 which is pre-qualification announcement date, we became non-eligible in terms of qualification considering the 20 MW Wind Power Plant must have been developed and/or must have started operation within last 5 years referred in the tender specification 4 /1- QC2- Past Experience. We would like to emphasize that our company has sufficient experience and we meet all the criteria of the tender if the date of publication of the RFQ is considered instead of Deadline for Submission of Qualification Applications. We kindly request either the committee to re-evaluate possibility of replacing "Deadline for Submission of Qualification Applications" referring to Appendix 4 /1- QC2- Past Experience with RfQ publication date (15.06.2021) or starting date referring to Appendix 4 /1- QC2- Past Experience evaluation criteria with "June 2016".

Answer to Request 85:

This is a request for amendment, not clarification. Contracting Authority is considering requests for amendment and will communicate an amended version of the RFQ documents, if necessary.