



REQUEST FOR PROPOSALS (RfP16/01286)

Development of the ESCO Market in Moldova through facilitating the energy service contracts

Clarification Questions and Answers (as of 22 June – 07 July 2016)

Question1: Is an EPC model contract available that has already been discussed with/approved by the City's legal department?

Answer1: There is a model developed by the ESCO Moldova project that will be used to sign the EPCs. It was presented to the Chisinau Municipality, and they accepted the model.

Q2: Is the contract available only in Romanian or also in English language?

A2: The contract is available only in Romanian.

Q3: Is further contract development a task for the Consultant (not explicitly mentioned in the detailed description)?

A3: The consultant will be using the model provided by ESCO Moldova project to elaborate the final contract which will be signed by Municipality and the Energy Service Company.

Q4: How many projects are on the 'comprehensive list'?

A3: The number of total projects to be implemented is 20, 15 in the public sector and 5 in the residential.

Q5: Have the 20 projects already been selected from this list and approved, or is this still to happen? The List referred to in the ToR refers only to the 20 buildings (which will be subject of this Project)? Or is there a longer list, where the Consultant shall select 20 buildings (with highest efficiency potential)?

A5: The target buildings were approved by the Project Board and will be presented to the consultant. In case one or more buildings will be considered not suitable, the consultant will be provided with additional lists of buildings.

Q6: Have all 20 energy audits already been made, or is this partly still to happen?

A6: The process is on-going.

Q7: According to the ToR: “The Energy Audits for all buildings [...] will be presented for guidance”. Are these audits available in the form of complete documents, including current energy consumption, energy certificates and the proposed energy efficiency measures?

A7: These are complete documents elaborated based on the local legislation and comprise all information about the building, its energy consumption and potential measures to be taken to reduce it.

Q8: Will the energy audits receive a third party quality check before the assignment? Or is this expected to be done by the Consultant?

A8: The Energy Efficiency Agency, which is the state authority in the field, will endorse the energy audits. Nevertheless, the consultant is expected to take a proactive attitude and cooperate with the energy auditors and Energy Efficiency Agency (EEA) to get a suitable energy audit.

Are there any rulings / communications from relevant national authorities on the following issues:

Q9: Accounting of investments in EPC projects in public budgets (activation in public budget)?

A9: Public institutions in R. of Moldova can sign long term procurement contracts. The project, in cooperation with EEA is in the process of clarifying all details about it.

Q10: Can payments under EnPC (ESCO rates) be considered as operational expenses, even though they include the refinancing of the ESCO investments?

A10: The project, in cooperation with EEA is working on this issue and probably it will be clarified before the beginning of the assignment.

Q11: Classification of EPC as public debt?

A11: The project, in cooperation with EEA is in the process of clarifying all details regarding this issue. This will be the responsibility of the Project and EEA.

Q12: Transfer of ownership of installations: Have taxation issues already been addressed / cleared with the Ministry of Finance?

A12: The project, in cooperation with EEA is in the process of clarifying all details regarding this issue.

Q13: Has the City of Chisinau / the Local Council passed a resolution to enter into (up to) 20 EPC projects?

A13: No resolution is required.

Q14: Does the City intend to contribute own funds (building subsidy) to the projects to allow for additional measures (e.g. building envelope), which cannot be financed through the ESCO alone within an EPC?

A14: No.

Q15: As the clearing of all these framework issues is not addressed in the tender and the scope of work: Who will be responsible of clearing upcoming issues concerning these framework conditions? The City? UNDP? Or the consultant? If the consultant is to support this process, the respective effort needs to be calculated and paid for.

A15: UNDP/ESCO Moldova project is in the process of clarifying all framework conditions for EPCs to function as smooth as possible. For this purpose, a wide range of actors have been involved, such as Ministry of Economy (responsible for energy policies in the country). Ministry of Finance, Fiscal Inspectorate, Public Procurement Agency, Energy Efficiency Agency, Energy Efficiency Fund and others if required. Nevertheless, the consultant will be directly responsible to facilitate the process for the first 20 EPCs, it is expected the consultant provide advice to the project team on mitigation measures. Please consult the ToR at pt. 6 Activities associated with technical advisory for project implementation under “Detailed description of activities”, page 27.

Q16: Will the bidding ESCOs be expected to finance 100% of the investments? Or will there be additional funds available (from City budget or third parties) to cover parts (or the entire?) investment costs?

A16: Yes, the current agreement is to ensure the ESCOs access to finance (soft loans) provided by the Energy Efficiency Fund.

Q17: What if, during the auction, no ESCOs or just a single ESCO company will participate? In this case, shall the Consultant be deemed to have fulfilled his milestone?

A17: This is not a standard situation which has limited probability to happen. The consultant is also expected to provide on the job training for all market stakeholders, which will most probably be organized as training sessions, including to private sector. If during the training sessions, the consultant assesses a low interest of the private sector to participate at the tenders, it is expected that mitigation measures will proposed to the project team.

Q18: Please indicate what advance payment can be made and under what conditions.

A18: According to Request for proposal no advance payments are allowed.

Q19: Please confirm that the list of buildings has not been modified as per former RfP version.

A19: The list of buildings has not been modified.

Q20: Is there any back up plan in the case that a majority of buildings was not found suitable for ESCO model so that the collaboration with Energy Efficiency Agency and the Municipality are not affected in excess?

A20: The selected buildings are the ones having the biggest energy efficiency potential. In any case, we have extra 5 buildings selected.

Q21: Could UNDP consider to extend the deadline of the proposal submission?

A21: Due to time constraints, UNDP cannot extend the deadline of the mentioned RfP. Shall any changes arise; all interested companies will be informed accordingly.