



### CLARIFICATION # 1

#### **RFO Reference No. 25-4001 for “Support to the Establishment and Operationalization of the Energy Storage Corporation (ESCorp) in Kosovo”**

Regarding the Request for Offers (RFO) for the "Support to the Establishment and Operationalization of the Energy Storage Corporation (ESCorp) in Kosovo" Procurement Reference No. 25-4001, we wish to inform you that, in accordance with Section II: Data Sheet (DS) under ITO 8.1 - Clarification of the RFO, MCA-Kosovo has received several inquiries seeking clarification. We would like to provide the following responses to those questions:

<b>Quest. No.</b>	<b><u>Question</u> Points of Clarification requested by the interested Consultants</b>	<b><u>Clarification</u> Response from MCA-Kosovo</b>	<b><u>Amendment of the RFO</u> YES/NO</b>
1.	In accordance with the instructions outlined in the attached Request for Proposals, we would appreciate your clarification on whether this tender is expected to proceed as planned, given the foreign assistance freeze.	Any change to the procurement process will be communicated in due time	No.
2.	We would appreciate any updates on the status of the program and whether it is progressing as planned.  Given recent developments regarding U.S. funding policies, it would be helpful to know if these broader shifts have had any impact on the ESCorp initiative.	Please refer to the answer provided in Question #1.	No.
3.	In light of recent developments, we would	Please refer to the answer provided to Question #1.	No.

	appreciate your clarification on whether the procurement process is proceeding as planned or if there have been any changes.		
4.	Whether fund suspension that may affect MCC is expected to impact the project in object and, if so, what is the timeline expected for the tender next steps.	Please refer to the answer provided to Question #1.	No.
5.	Following the latest developments, could you kindly confirm whether they are still ongoing?	Please refer to the answer provided to Question #1.	No.
6.	Regarding ITO 1.3, a Pre-Offer Conference was held via Webinar on January 27, 2025, at 14:00 hrs (Kosovo local time). Could you confirm whether notes or minutes from the conference will be made available to prospective Offerors who were unable to attend?	<p>The Pre-Offer Conference minutes were sent by email to all the Offerors who had registered with the Procurement Agent through the RFO registration form as indicated in the Specific Procurement Notice</p> <p>The Pre-Offer conference material is also available in the link where you have downloaded the RFO.</p> <p>For convenience the same link can be <a href="#">accessed here</a>.</p>	No
7.	According to ITT 4.2, the total contract duration is 24 months, with Phase 1 lasting 3 months and Phase 2 extending 21 months beyond that. Given that the last deliverable (excluding reporting) is scheduled for week 69, could you clarify what tasks and activities are expected to be carried out during the remaining 30+ weeks of the contract period?	Please note that the deliverables due date are indicative. Moreover, the selected offeror is required to submit a detailed Project Design and Implementation Plan outlining all key activities and milestones to ensure structured project execution and timely delivery within the designated period of contract duration of 24 month. The period of remaining 30+weeks is anticipated to provide flexibility for the selected offeror to complete the deliverables based on the Project Design to be developed.	No

8.	Could you confirm whether there is a maximum reimbursement limit for study visits? If so, could you provide details on the applicable cap and eligible expenses?	<p>At this stage, there is no total predefined maximum reimbursement limit for study visits. The final decision regarding reimbursement will be made during the implementation phase and will be determined collaboratively between the consultant, client, and beneficiary (ESCorp).</p> <p>Please note that the applicable rates for per diems, hotel stays (lodging), and other eligible expenses will follow the official rates in effect at the time.</p>	No.
9.	Would it be permissible (even beneficial) that Consultant's consortium in this phase; Support to the Establishment and Operationalization of the Energy Storage Corporation (ESCorp) in Kosovo is structured with Consortium member(s) which would later be interested party in bidding and potentially providing technology solution and project implementation from technology and energy solutions perspective (e.g. battery storage solution, equipment, installation, etc.)?	<p>Please refer to the RFO, Section I, Instructions to Offerors, clause 5.8 Conflict of Interest.</p> <p>In addition, Section VI of the General Conditions of Contract, clause 32 provides the rules and procedures related to Conflict of Interest.</p>	No.
10.	Key expert 2 – BESS expert: Could you explain in detail the profile that you are asking for BESS Expert? An expert in batteries' technologies? An expert in establishing the operative requirements for the energy storage devices (charge, discharge and sizing the energy storage level)?	For specific details please refer to the Section III of the RFO.	No.
11.	Submission of the proposal: if we understand correctly, proposals should be submitted via The File Request Link specified in ITO 17.1. c)? Is there need for additional pre-registration of the interested parties?	Proposals should be submitted via the File Request Link. For submission of offers there is no additional registration.	No

12.	<p>We note that MCA-Kosovo has an active, separate tender out ("Design and Build of Utility Scale Battery Energy Storage Systems (BESS) and Transmission Connection Infrastructure") for a 45 MW FRR and a 125 MW MFES, the latter being the BESS which ESCorp will eventually operate and manage. Could MCA Kosovo please:</p> <p>(i) Clarify the envisaged timeline for completion of the construction of the MFES</p> <p>(ii) Confirm that the selected Company/Consortium for construction of the BESS through the "Design and Build of Utility Scale Battery Energy Storage Systems (BESS) and Transmission Connection Infrastructure" will be responsible for full construction, maintenance and operation of the 125 MW MFES during the duration of that Contract and until such time as works are completed and approved by MCA-Kosovo</p> <p>(iii) Clarify if it is envisaged that the Company/Consortium selected for the "Design and Build of Utility Scale Battery Energy Storage Systems (BESS) and Transmission Connection Infrastructure" and the selected Offeror for this tender, the "MCC Support to the Establishment and Operationalization of the Energy Storage Corporation (ESCorp) in Kosovo" will have direct coordination between them, or if coordination would go through MCA-Kosovo, the Ministry, ESCorp, or another entity/project?</p>	<p>There is no interdependency between of the following procurement activities:</p> <p>“Support to the Establishment and Operationalization of the Energy Storage Corporation (ESCorp)” and "Design and Build of Utility Scale Battery Energy Storage Systems (BESS) and Transmission Connection Infrastructure".</p> <p>Therefore, the selected Offeror shall support ESCorp in developing of specific deliverables under this Technical Assistance through a concept of interactive collaboration between the selected Offeror and ESCorp employees and MCA-Kosovo to ensure sustainability of the deliverables and business processes.</p>	No
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13.	<p>Exhibit 1 under Section 2.2 of the ToR in the RFO, titled “Business Processes of ESCorp”, lists, as the third bullet: “<u>BESS System Construction, Operation and Maintenance</u>” as one of the envisaged business processes of ESCorp</p> <p>Could MCA Kosovo clarify that ESCorp will not be responsible for (i) construction of the envisaged 125 MW BESS; and further, that ESCorp’s responsibilities relative to (ii) operation and (iii) maintenance of the BESS will commence following the full completion of all the tasks and works under the "Design and Build of Utility Scale Battery Energy Storage Systems (BESS) and Transmission Connection Infrastructure” Contract?</p>	<p>MCA-Kosovo will be the contracting authority and ESCorp will be beneficiary of 125 MW from "Design and Build of Utility Scale Battery Energy Storage Systems (BESS) and Transmission Connection Infrastructure". During the project construction ESCorp will support MCA-Kosovo. After project commissioning, ESCorp will operate and maintain BESS.</p>	No.
14.	<p>The RFO for this tender states that the selected Offeror will work closely with ESCorp, including with the Management Board, CEO and staff. Would MCA Kosovo be able to give an indication of the timeframe for the appointment of the members of the Management Board, CEO and staff?</p>	<p>The selection process for ESCorp Board is ongoing. In addition, the procurement process for an HR firm responsible for the recruitment of ESCorp employees is ongoing as well.</p>	No.
15.	<p>With reference to the Data Sheet, section ITO 17.1 c), we have at repeated test occasions been unable to access the File Request Links for the Technical Offer and the Financial Offer. The server response has been slow or non-working. In order not to jeopardize the submission of quality tenders and potentially delaying the procurement process, will you allow the option of submission by email using the address stated in ITO 17.1 g)</p>	<p>The offers can only be submitted to the dedicated pCloud links as indicated in the ITO 17.1.</p> <p>We advise to start uploading the documents with sufficient time in advance to avoid any delays or issues as the link will expire at the set date and time.</p> <p>The email address provided in ITO 17.1 g) and h) is only for the submission of the password in case the offerors choose to</p>	No

	and h)?	protect their offers with a password. No submission by email will be accepted for this procurement activity.	
16	With reference to Section VII. Special Conditions of Contract (SCC) Cl 18, please clarify if the Consultant will be tax exempted from taxes applied under Kosovo law (e.g. VAT, WHT). If not, please clarify administrative process for such taxes?	<p>As per Compact Agreement, Section 2.8, “MCC Funding shall be free from the payment of (i) any tariffs, customs duties, import taxes, export taxes, and other similar charges on any goods, works or services introduced into Kosovo in connection with the Program; (ii) sales tax, value added tax, excise tax, property transfer tax, and other similar charges on any transactions involving goods, works or services in connection with the Program; (iii) taxes and other similar charges on ownership, possession or use of any property in connection with the Program; and (iv) taxes and other similar charges on income, profits or gross receipts attributable to work performed in connection with the Program and related social security taxes and other similar charges on all natural or legal persons performing work in connection with the Program <b>except</b> in the case of this clause (iv): (1) natural persons who are citizens or permanent residents of Kosovo and (2) legal persons formed under the laws of Kosovo (but excluding MCA-Kosovo and any other entity formed for the purpose of implementing the Government’s obligations hereunder)”</p> <p>The mechanisms that the Government shall use to implement the tax exemption required by Section 2.8(a) for certain principal Taxes are set forth in Annex V of the Program Implementation Agreement ( <a href="#">pia-kosovo-compact.pdf</a>).</p>	No
17	We acknowledge that many of the tasks to be performed by the Offeror will be subject to a significant amount of third party documentation. Please clarify whether the documents from MCC,	Majority of the documents are available in English, other documents that are not available in English may be translated	No.

	MCA Kosovo, KOSTT, the Contractor for the Design/Build BESS project, etc. will be in English, and if the selected Offeror is expected to translate the deliverables into Albanian?	by the Consultant for its own needs for performance of the project.	
18.	With reference to ITO 1.4: “ESCorp will host the venue for capacity building, training sessions and various development programs”, but please clarify. Where is this venue and how many trainees can be trained efficiently at the same time? When will the facility be available? Will ESCorp also cater for refreshments, lunches, training material to be produced and eventual transportation to/from each and all training sessions?	<p>The venue will be provided by MCA-Kosovo and will accommodate necessary number of trainees sufficiently. It is expected to be conducted in Prishtina.</p> <p>The Consultant is responsible for providing the training materials, refreshments, lunch and transportation (if needed) of trainees accordingly.</p>	No
19.	Does MCA-Kosovo foresee any specialized equipment and/or software to be used, or is it up to each tenderer to suggest?	MCA-Kosovo does not foresee any specialized equipment and/or software to be used. However, it is up to the offerors if they foresee any specialized equipment and software to be used to facilitate the implementation of this project. If there will be such a case, the offeror shall provide necessary equipment or software as part of their proposal.	No
20.	The Compliance with sanctions certifications form: please clarify which non-billable staff members this will have to be carried out for? Please also clarify what “vendor”, “supplier” and “grantee” means in this respect?	<p>As indicated in the Instructions for Completing the Compliance with Sanctions Certification Form of pages 50-52, the verification should be completed by the Offeror, and this will include the Offeror itself (whether one firm or all the firms forming a joint venture), the key personnel which the Offeror intends to hire for this service, any sub-consultant or any other supplier which will be contracted for any part of the service and that will be a recipient of MCC funding.</p> <p>If there is no supplier or vendor to be engaged for any part of the service, please indicate not applicable.</p>	No

		Grantees for this service is not applicable.	
21.	The US Foreign Policy is in a flux right now. What guarantees can you provide that this procurement will be carried out and that the MFES Activity will be fully financed and implemented?	Please refer to the answer provided to Question #1.	No.
<b>Other Questions raised during the Pre-Offer Conference</b>			
22.	Task4: Support in Developing Market Analysis and Forecast. What studies and information are currently available for the consultant to use? Do we understand correctly that studies for Kosovo are available but require extension to neighbouring countries? Presumably, many feasibility-related questions were addressed before selecting the target battery size.	<p>The following studies/documents will be provided for information purposes only to the selected offeror:</p> <ol style="list-style-type: none"> <li>1. Draft Business Model for ESCorp</li> <li>2. Draft Financial Model that employs only historical data on services and energy prices from KOSTT and HUPX</li> <li>3. "Follow-on Study –Kosovo Compact Energy Sector" <i>(to evaluate the application of Battery Energy Storage Systems (BESS) for power balancing and other applications).</i></li> </ol> <p>The Consultant shall conduct its own research and based on collected data, provide forecast for needs of services to be provided by ESCorp, such as aFRR, mFRR, arbitrage and other services.</p> <p>The market analysis and forecast shall be based on realistic data and plans for demand for ancillary services in Kosovo and region. The market analysis and forecast should include forecasts of volume of demand for services (aFRR, mFRR, arbitrage and other services) and related price forecast/estimation. The adopted forecast shall be used as the basis for the development of the financial model and consequently be transposed into the business plan for a period of five (5) years.</p>	No



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		<p>The respective tasks and deliverables are intended to support ESCorp in devising a strategy for allocation of services from its installed capacities (125MW/250MWh) and charging and discharging patterns in order to maximize the benefits.</p> <p>The battery sizing for ESCorp has been assessed in previous studies which determined that capacity for ESCorp BESS is about 125MW/250MWh.</p>	
23.	<p>The document mentions that consultants must provide references for two completed projects/contracts of similar size and complexity. Could you clarify what qualifies as "similar size and complexity"? Are there any specific metrics or benchmarks to follow?</p>	<p>The meaning of the expression size and complexity is related to:</p> <p>The evaluation of references will take into account a combination of size, nature, and complexity of past contracts. The assessment will focus on the overall relevance of the offeror's experience in reference to the scope of work, such as but not limited: support in establishment of company in kickstarting of operation in the electricity market (desirably balancing market), with associated rules and business processes similar to battery energy storage.</p>	<b>No.</b>
24.	<p>What does the new State Department directive mean for MCA-Kosovo?</p>	<p>Any change to the procurement process will be communicated in due time.</p>	No
25.	<p>How will ESCorp be financed before commencing operations? Do you foresee any risks of not securing adequate resources?</p>	<p>ESCorp financing will be covered by MCA-Kosovo for the duration of the Compact.</p>	No.
26.	<p>For Key Expert 3 (Legal and Regulatory): Do you envisage the expertise to cover only KS law or also European/Energy Community law?</p>	<p>For qualification of key experts, please refer to the qualification requirements in Section III.</p>	No

Drilon Potera

Signed by:  
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