

BID BULLETIN 003

COMMENTS and QUERIES on the Bid Documents
*Supply of 20 MW Baseload and 6.6 MW RPS Power Supply Requirement
of MORE Electric and Power Corporation*

Item	Section	Provision	Question/Comment	TPBAC Response
TERMS OF REFERENCE				
1	Invitation to Bid, Item 5	Indicative Schedule of Activities	Timelines should adhere to provisions in the ERC guidelines, particularly from Notice of Award to PSA Signing/Execution (20 days), and from PSA Signing/Execution to Technical Pre-filing (15 days)	We will adjust the timelines, esp. NOA to Execution, considering the timeline in the preparation of documents for pre-filing
2	Invitation to Bid, Item 2 - RP		Clarification on the replacement power - winning bidder will provide RP in compliance with the zero outage allowance (if indeed zero outage allowance); but should exclude RP during force majeure	Replacement power during FM is not required. However, we will still require replacement power despite the allowed outage allowance, but we will not require that it should come from your nominated plant.
3	Invitation to Bid, Item 3 - OA		Given that the contract is classified as physical, shouldn't there be allowances for outages?	We will still require replacement power despite the allowed outage allowance, but we will not require that it should come from your nominated plant.

Item	Section	Provision	Question/Comment	TPBAC Response
4	Electricity Fees	The fuel fee will be based on the actual fuel cost billed to their existing customers and we will require that the indexation formula that will result to the fuel fee as submitted in the financial offer.	May we include future fuel supplier on the offered fuel cost? In our case, our current billed fuel is higher but our supplier committed to provide us with cheaper fuel in the incoming CSPs	<p>Yes, as long as you will make good on your committed fuel rate subject to indexation with your offered fuel rate as the base price.</p> <p>Sample Formula: $Fuel\ Fee_{DelivDate} = Base\ Fuel \times \frac{Index_{DelivDate}}{Index_{Base}} + Constant$</p> <p><i>Fuel Fee_{DelivDate}</i> - Fuel fee at delivery date <i>Base Fuel</i> - Base fuel constant that varies with the index used <i>Index_{DelivDate}</i> - index used at delivery date - Index can be the current month, previous month, or running average of the prev. month, depending on the fuel formula provided by the bidder <i>Index_{Base}</i> - base index used in the bid, reckoned in August 2024 Constant - any constant that does not vary with indices</p> <p>The above formula is an illustrative example; a bidder may use any applicable indices and formula, as long as it will arrive in the Fuel Fee as committed in its bid.</p>
INSTRUCTIONS TO BIDDERS				
5	Section 6.5	A Bidder shall not have a conflict of interest. All Bidders found to have a conflict of interest shall be disqualified. A Bidder will be considered to have conflicting interests if a Bidder's Officer or any authorized representative is related by consanguinity or affinity up to the fourth civil degree to any member of the MORE Power TWG, TPBAC and Secretariat.	Will the TPBAC provide the list of names of the members of the MORE Power TWG, TPBAC and Secretariat?	Please refer to Annex D-3.
6	Section 2	Reserve Price refer to the predetermined price equivalent to the ceiling of the Total Price for TOR 1 component of the bidding (20MW with Fuel-Cost Pass Through) which will only be revealed by the TPBAC during the Opening of Bids;	Is the reserve price VAT inclusive? Additionally, will MORE Power take into account the current Line Rental conditions in the region when setting the reserve price?	Yes, it is VAT inclusive. Yes, it will be embedded in the reserve price. Similarly, it should also be embedded in your price offer.
7	Section 29	Finalization and Signing of Contract	Please include in the CP to sign the PSA all documentary requirements needed for the technical prefilling package (Appendix D2 of the 2023 CSP Guidelines).	We will take note of this comment.

Item	Section	Provision	Question/Comment	TPBAC Response
8	Section 13.1, Item 4	Certified true copy of the Certificate of Compliance issued by the ERC to the Bidder or the owner of the Nominated Power Plant of the Bidder. Alternatively, the Bidder may submit a certified true copy of the Certificate of Compliance Application stamped "received" by the ERC or a Provisional Authority to Operate (PAO). A bidder may submit certified true copy of the PAO Application provided that Bidder must submit the PAO during post-qualification.	For bidders that are under Independent Power Producer Administrator (IPPA), we would like to clarify if a COC, PAO or certificate of compliance issued in favor of the owner of the nominated plant suffice this requirement? Can the bidder also submit a certified true copy of certification issued by PSALM to support the bidders IPPA status?	Confirmed.
9	Section 13.1, Item 5	Certified true copy of the updated Mayor's Permit, BIR registration, latest Tax Clearance, latest Audited Financial Statement (AFS) which shall be stamped received by the BIR and for the year 2022 or later;	Would like to confirm if the bidder may submit its 2023 AFS?	Confirmed.
10	Section 13.1, Item 6	Company profile highlighting experience and expertise of the company and/or technical capability/qualifications of key officers, technical staff, and management team/consultants. The bidder may provide its own template which must include, at the minimum, the organizational chart, technical expertise, and qualifications of personnel.	Can the bidder submit an authenticated copy or certified true copy of the documents required in this item?	Confirmed.
11	Section 13.1, Item 8.a	a. A Secretary's Certificate showing authority to participate in this bidding, the name, address, and contact details, including telephone number(s), fax number(s), email address(es) of the authorized representative(s) of the bidder who has/have authority to sign the documents required in this proposal.	Does the Secretary's Certificate mentioned in this item refer to the same certificate submitted by bidders with their Expression of Interest, despite the missing required details? If not, do bidders need to issue a new Secretary's Certificate that includes the required details? Alternatively, does this item pertain to two separate documents: (1) the Secretary's Certificate and (2) the Expression of Interest, both of which are part of the Expression of Interest submission?	There is no need for as long as the initial Sec Cert authorizes the representatives to represent the bidder's company. One Sec Cert will suffice for both items for as long as the initial Sec Cert authorizes the representatives to represent the bidder's company.

Item	Section	Provision	Question/Comment	TPBAC Response
12	Section 13.2, Item b	<p>For the original submission, original or Certified True Copy (CTC) are acceptable. The duplicate or second copy of the proposal may contain photocopies of the original. For Certified True Copy (CTC), EACH page must be certified as true copy by either of the following:</p> <p>a. Internal department owning the document;</p> <p>b. Representatives authorized by the management to certify the documents in accordance with the Secretary's Certificate submitted by the bidder; or</p> <p>c. Issuing government agency.</p> <p>Authority of the internal department owning the document or the document custodian certifying the documents need not be specified in a Secretary's Certificate.</p>	<p>Can the bidder issue a new Secretary's Certificate authorizing the Authorized Representative(s) to certify the bid documents and fulfill other requirements for this CSP activity?</p> <p>Please note that Section 13.1, Item 8 of the ITB states:</p> <p>'Bidders may submit a single Board Resolution or Secretary's Certificate for all annexes, provided that the authority granted to the representative(s) includes all required authorizations specified in the annexes.'</p> <p>Based on the wording of this provision, bidders may provide more than one Secretary's Certificate.</p>	<p>Yes, the bidder may provide another Sec Cert authorizing the representatives by the management to certify the documents in accordance with the Secretary's Certificate submitted by the bidder.</p>
13	Section 13.2	<p>For the original submission, original or Certified True Copy (CTC) are acceptable.</p>	<p>Can the TPBAC confirm if the Original Submission referred to in this section is the same as Envelope A (ORIGINAL) as referred to in Section 20</p>	<p>Confirmed.</p>
14	Section 13.3	<p>All pages of the documents submitted must be signed. For Certified True Copy (CTC) of original documents, electronic signature is acceptable except for the Financial Proposal Forms which must bear wet signatures.</p>	<p>To Clarify:</p> <p>CTC Should be signed (wet or e-signature) on every page by:</p> <p>(1) the internal department,</p> <p>(2) the Authorized Representative with a supporting Secretary's Certificate, or</p> <p>(3) the Issuing Government Agency?</p> <p>Is the Authorized Representative required to sign each and every page of the bid or just the Financial proposal and Annexes provided by MORE?</p>	<p>Yes, the authorized representative is required to sign every page either electronically or wet signature. However, the financial proposal forms must bear wet signatures.</p>
15	Section 13.4	<p>c. Issuing government agency.</p>	<p>To clarify, below documents issued by the following are acceptable?</p> <p>Certificate of Registration-SEC Articles of Incorporation and By-Laws-SEC GIS-SEC AFS-SEC IPPA Certificate(CTC)-PSALM</p>	<p>Confirmed.</p>

Item	Section	Provision	Question/Comment	TPBAC Response
16	Section 13.3	All pages of the documents submitted must be signed. For Certified True Copy (CTC) of original documents, electronic signature is acceptable except for the Financial Proposal Forms which must bear wet signatures.	To confirm, should all pages be signed by both the Authorized Representative and the Certifying person or government agency? or 1 signature is enough? Additionally, does this mean that all documents, including the entire eligibility requirements—legal, financial, and technical—need to be signed?	One signature is enough. Yes, every page should be signed.
17	Section 16	Bid Security	We would like to confirm if a Stand By Letter of Credit is an acceptable form of Bid Security?	Confirmed.
18	Section 16	Bid Security	We would like to confirm that the Bid Security submitted should be valid for a period of 90 days from the date of opening of bids, and may be extended for another 30 day, or a total of 120 days?	Confirmed, it may be extended for a maximum of 30 days.
19	Section 19.3	However, the Bidders may opt to provide additional flash drives as back-up.	We would like to confirm if bidders can submit 2 flash drives in the same folder; 1 original and 1 as a back-up.	Confirmed.
20	Instruction to Bidder Section 2	Levelized Rate refers to the discounted price over the duration of a three-year period from the date of delivery of electricity using the prevailing discount rate and is based on August 2024. This only pertains to TOR 1 (Fuel Cost Pass-through).	For confirmation if 3 years or 5 years (based on contract term?)	Five (5) years. We will revise accordingly.
21	Instruction to Bidder Section 2	Reserve Price refer to the predetermined price equivalent to the ceiling of the Total Price for TOR 1 component of the bidding (20MW with Fuel-Cost Pass Through) which will only be revealed by the TPBAC during the Opening of Bids	May we know what will be the basis assumption on how MORE will determine the Reserve Price.	It is a single rate based on prevailing factors affecting generation rate which already includes VAT and Line Rental.
22	Instruction to Bidder Section 14.1.1	Latest Monthly Operations Report (MOR) received by the DOE (December 2022 MOR or later);	Kindly clarify how many monthly report required, example is latest 3 months?	Only the latest MOR will suffice this requirement.
23	Instruction to Bidder Section 14.1.2	The Bid Offer capacity shall be a minimum of 10 MW for TOR 1 and 3.3 MW for TOR 2.	Should there be a multiple winning bidder to be announce, is there a minimum MW block a bidder can accept?	We will revise the ITB regarding this requirement. For TOR 1, bidder shall offer a minimum of 10 MW, and increments in multiples of 5 MW. For TOR 2, bidder shall offer a minimum of 3.3 MW and increments in multiples of 1 MW.
24	Instruction to Bidders 15.3 Financial Proposal	Fuel Fee. Bidders shall input only one (1) value for the actual Fuel Fee for the reference period of August 2024	This is inconsistent with the details in the Annex C which is referenced to July 2024	We will revise the ITB accordingly. The actual fee shall be replaced by a committed fuel fee, which in essence, is the fuel fee referred by Item 4 of this Bid Bulletin.
25	Instruction To Bidders Section 24 Opening Of Bids	24.8 Only TOR 1 shall have a Reserve Price which shall be made public during the bid opening.	We are requesting TPBac to announce the Reserve Price before the bid opening for everyone's guide and information.	The TPBAC shall reveal the Reserve Price prior to the opening of the second financial envelopes of eligible bidders.

Item	Section	Provision	Question/Comment	TPBAC Response
26	Instruction to Bidders 4. Instruction to Bidders	Expression of Interest Documents via email at cspsecretariat@morepower.ph, provided that proof is submitted that the physical documents have been mailed to MORE	When do we need to provide the Expression of Interest? In the Instruction to Bidders, it is mentioned that it will be included in the Legal Documents (Bid Documents)	The EOI submitted to the CSP Secretariat needs to be resubmitted again as part of the bid submission during the Opening Of Bids.
DRAFT PSA				
27	PSA - Schedule 4	Contracted Period	1) Please update the definition 2) ERC please clarify if PA approval already merit the start of cooperation period.	The contracted period shall start on the delivery date after the PA of the ERC.

All terms, conditions, and Instructions to Bidders inconsistent with this Bid Bulletin are hereby superseded and modified accordingly.
For the information and guidance of all concerned.
Issued this 10th day of September 2024 in Iloilo City, Philippines.

Approved by:



NIEL V. PARCON
Chairperson
Third-Party Bids and Awards Committee