



BID BULLETIN 007

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
INVITATION TO BID				
1	Invitation to Bid 6.6 MW RPS Technical Requirements	For RE plants that is under development, the plant must present its Certificate of Confirmation of Commerciality and Service Contract Agreement with the DOE.	Based on our inquiry to the DOE, the Certificate of Confirmation of Commerciality only applies to wind projects, not for solar. Should the SEOC suffice in the case of solar plants?	Confirmed.
INSTRUCTIONS TO BIDDERS				
2	ITB Section 5	Bidding schedule, based on the table. Bid documents will be available until October 10, 2024.	Would it be possible if a new bidder can submit its letter of intent to participate before October 10, 2024? If such bidder participates would MORE TPBAC disclose to all bidder the updates.	Bidders may submit EOI documents until October 10, 2024 to participate in the opening of bids. MORE is not obligated to disclose the participants for this CSP, but shall announce the participants during the Opening of Bids.

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3	<p>Section 15: Financial Proposal Requirement</p> <p>Annex C: Financial proposal form</p>	Fuel Fee	<p>We would like to ask for clarification on the requirements for fuel fee:</p> <p>a. How will actual fuel be translated into an indexation formula? Please illustrate.</p> <p>b. What indices are the bidders allowed to nominate? Are bidders allowed to nominate multiple indices?</p> <p>c. Will non-fuel commodity costs be considered in the fuel fee?</p> <p>d. For PSA implementation, will the fuel fee will be based on actual fuel or the indexation formula? If it will be based on the indexation formula, can the bidders just submit an indexation formula instead of actual fuel?</p> <p>e. For the fuel formula that will form part of the financial proposal, how will the bidders manifest this in the offer, are we required to provide a separate document or attachment? can the bidders prescribe their own form containing the fuel fomula?</p>	<p>a. The bidder shall provide the formula using a fuel index and a base fuel during the Opening of Bids to arrive at a fuel fee on the date of delivery. A supplemental Bid Bulletin will be released to explain this further.</p> <p>b. Examples are but not limited to: (1) Newcastle, (2) HBA, (3) ICI, (4) PH CPI, (5) Forex. Indices used must be independently verifiable by MORE. Yes, bidders may nominate multiple indices as may be applicable.</p> <p>c. As long as it is included in the fuel fee formula.</p> <p>d. The indexation formula will be implemented in the PSA. For evaluation purposes, the bidder must input the nominated fuel fee and the indexation formula with the base index used.</p> <p>e. The financial proposal shall contain the committed fuel fee (in Php / kWh). The bidder shall also submit an illustration on how it is able to arrive to its committed fuel fee which shall contain the ff.:</p> <ol style="list-style-type: none"> 1. Fuel indexation formula 2. Base fuel 3. Base index / indices (referenced at the time of the Bid Opening). <p>A supplemental Bid Bulletin will be released to explain this further.</p>
4	General Inquiry		<p>As previously confirmed by TPBAC via email, we would like to formally raise our initial query on whether a Secretary's Certificate issued by the Assistant Corporate Secretary is acceptable.</p>	Confirmed.
5	Section 16	Bid Security	<p>Would like to request TPBAC to formally include SBLC as another form of Bid Security in the FITB</p>	Confirmed.

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6	Section 13.2	<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> <ul style="list-style-type: none"> a. Internal department owning the document; b. Representatives authorized by the management to certify the documents in accordance with the Secretary's Certificate submitted by the bidder; or c. Issuing government agency. <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>We would like to confirm that the Corproate Secretary or the Assistant Corporate Secretary may issue certified true copies or authenticate the following documents:</p> <ol style="list-style-type: none"> 1. Certificate of Registration 2. Latest AOI and BL 3. Latest GIS 	Confirmed.
7	Section 15.3, Item c	<p>Fuel Fee. Bidders shall input only one (1) value for the actual Fuel Fee for the reference period of August 2024. Input value shall be in four (4) decimal places. The Fuel Fee will be part of the Variable Fee. Bidders will be required to submit proof to verify the actual submitted Fuel Fee based on their applicable indices. Bidders shall provide proof of the indices and computations used, which may include but not limited to actual Power Bills, ERC Decisions, or sworn declarations during the post-qualification process.</p>	<p>To Clarify and as discussed during the Pre-Bid Conference, fuel components offered by the Bidders will be treated as actual commitments to be used in the implementation of the contract, that being said, do the bidders still need to submit proof of actual fuel, as required under item c, Section 15.3? If not, can the TPBAC reflect this in the FITB.</p>	No. We will reflect in the FITB accordingly.

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8	Annex A Checklist for Bid Proposal Requirements	1.1.5 ...audited financial statement stamped received by the BIR;	Given that BIR accepts online submission, would an email confirmation of receipt from BIR acceptable?	Confirmed.																																
9		A Board Resolution or Secretary's Certificate showing authority of representative(s) to participate in this bidding and who has/have authority to sign documents required in this proposal. The name(s), address(es), and contact detail(s), including telephone number(s), fax number(s), email address(es) of the authorized representative(s) may be annexed to the Board Resolution or Secretary's Certificate or set forth in a separate document.	In consideration of the Data Privacy act, would it be possible for a bidder to leave bank the addresses, contact details, phones numbers, fax and emails of the authorized representative.	We require the addresses, contact details, phone numbers, fax and emails of the authorized representative. Rest assured that the information provided by the bidders will be secured in compliance with the Data Privacy Act.																																
10	Bid Bulletin No.5 Annex C-1	<p>Fuel Fee w/o escalation and tab note "...offered fuel fee should be based on actual fuel supported by actual power bills and shall translated to an indexation formula using the base price of Aug 2024</p> <table border="1"> <thead> <tr> <th colspan="4">A. FUEL FEE</th> </tr> <tr> <th>FUEL FEE (W/O ESCALATION)</th> <th>PHP/KWH</th> <th></th> <th>0.0000</th> </tr> </thead> <tbody> <tr> <td>TOTAL GENERATION RATE VAT EXC</td> <td></td> <td></td> <td>0.0</td> </tr> <tr> <td>Rate of Return</td> <td></td> <td></td> <td>3.0</td> </tr> <tr> <td>PRESENT VALUE RATE, VAT EXC</td> <td></td> <td></td> <td></td> </tr> <tr> <td>ANNUAL GENERATION COST at PV, VAT EX.</td> <td>PHP</td> <td></td> <td></td> </tr> <tr> <td>TOTAL GENERATION COST, VAT EX.</td> <td>PHP</td> <td></td> <td></td> </tr> <tr> <td>LEVELIZED RATE, VAT EXC.</td> <td>PHP/KWH</td> <td></td> <td>0.0</td> </tr> </tbody> </table>	A. FUEL FEE				FUEL FEE (W/O ESCALATION)	PHP/KWH		0.0000	TOTAL GENERATION RATE VAT EXC			0.0	Rate of Return			3.0	PRESENT VALUE RATE, VAT EXC				ANNUAL GENERATION COST at PV, VAT EX.	PHP			TOTAL GENERATION COST, VAT EX.	PHP			LEVELIZED RATE, VAT EXC.	PHP/KWH		0.0	<p>Please clarify, based on our understanding and as discussed during pre-bid conference thru BB#4, that bidder has to provide the base rate without any restriction to a specific month. Since the base fuel fee will be committed rate.</p>	<p>Confirmed. We will revise the Financial Proposal Form accordingly.</p>
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11		Escalation Rates, double asterisk on the Escalation Rates says Fuel Fee reference period in July 2024 <table border="1"> <thead> <tr> <th>Reference Parameters</th> <th>Unit</th> <th>Base (August 2024)</th> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> </tr> </thead> <tbody> <tr> <td>No. of Days</td> <td>days</td> <td></td> <td>365</td> <td>365</td> <td>365</td> <td>366</td> <td>365</td> </tr> <tr> <td>Annual Contracted Energy</td> <td>kWh</td> <td></td> <td>175,200,000</td> <td>175,200,000</td> <td>175,200,000</td> <td>175,680,000</td> <td>175,200,000</td> </tr> <tr> <td>PH CPI</td> <td></td> <td>126.6000</td> <td>130.3980</td> <td>134.3099</td> <td>138.3392</td> <td>142.4894</td> <td>146.7641</td> </tr> <tr> <td>US CPI</td> <td></td> <td>314.5400</td> <td>320.8308</td> <td>327.2474</td> <td>333.7924</td> <td>340.4682</td> <td>347.2776</td> </tr> <tr> <td>FOREX</td> <td>PHP/USD</td> <td>58.4845</td> <td>59.3618</td> <td>60.2522</td> <td>61.1560</td> <td>62.0733</td> <td>63.0044</td> </tr> </tbody> </table> Escalation Rates PHP CPI Escalation Rate* 3.00% US CPI Escalation Rate* 2.00% FOREX Escalation Rate* 1.50% Fuel Escalation 3.00%	Reference Parameters	Unit	Base (August 2024)	Year 1	Year 2	Year 3	Year 4	Year 5	No. of Days	days		365	365	365	366	365	Annual Contracted Energy	kWh		175,200,000	175,200,000	175,200,000	175,680,000	175,200,000	PH CPI		126.6000	130.3980	134.3099	138.3392	142.4894	146.7641	US CPI		314.5400	320.8308	327.2474	333.7924	340.4682	347.2776	FOREX	PHP/USD	58.4845	59.3618	60.2522	61.1560	62.0733	63.0044	Please clarify, same as above.	We will revise the Financial Proposal Form accordingly.
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12	Bid Bulletin 005	Financial Proposal Form (rev. 1)	Could the TPBAC and TWG schedule individual one-on-one meetings or walkthrough with the bidders to assist them in understanding how to properly complete the financial bid form?	We may conduct an online conference to all participating bidders to discuss the Financial Proposal Form in detail. The schedule will be published through a supplemental Bid Bulletin.																																																
13	Bid Bulletin 005	Financial Proposal Form (rev. 1), Fuel Fee (cell E4)	Can the TPBAC Clarify if the Bidders will only provide the actual fuel fee for evaluation purposes and submit a separate document for the fuel formula that will be part of the PSA?	The financial proposal shall contain the committed fuel fee (in Php / kWh). Along with the financial proposal form, the bidder shall also separately submit an illustration on how it is able to arrive to its committed fuel fee which shall contain the ff.: 1. Fuel indexation formula 2. Base fuel 3. Base index / indices (referenced at the time of the Bid Opening). A supplemental Bid Bulletin will be released to explain this further.																																																
14	Annex C: Financial proposal form	Fuel Fee	We would like to clarify the basis for the 3% fuel escalation in the financial proposal form. We suggest that the inflation should be dependent on the nominated indices from the bidders.	The 3% escalation is only an assumed value for the purpose of evaluation. In any case, this is applied uniformly to all bidders for fairness.																																																

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15	Checklist of requirements	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.	Are bidders allowed to submit electronically signed documents for this requirement? if so, can the TPBAC reflect this in the FITB	Yes, this is consistent with Section 13.3 of the ITB.
16	Annex C_Financial Proposal Form (rev.1) C-2 Offered Capacity	Capacity Factor	Is the offered capacity factor based in AC net capacity. (ie., capacity factor = average delivered capacity / 6.6 MW)?	Confirmed.
17	Annex C_Financial Proposal Form (rev.1) C-2 Offered Capacity	Offered Capacity	If our power plant capacity is more than 6.6 MW, e.g., 8.0 MW., are we allowed to declare all of its hourly generation as long as it does not exceed 6.6 MW?	Confirmed.
DRAFT PSA				
18	General Inquiry		Is the winning bidder allowed to negotiate terms in the PSA? Likewise, will the TPBAC provide a period in the calendar of activities wherein the winning bidder and MORE Power can negotiate?	Yes, the PSA negotiation will be after the Notice of Award up to the signing of the PSA.
19	Section 2.1	Conditions Precedent for commencement of supply	Propose to have separate conditions for: a) Effective Date b) Commencement of Supply	We will take note of this comment and discuss the terms of the PSA with the winning bidder.
20	Section 5.2.1	Reduction in Contracted Capacity due to RCOA	Propose to delete Section 5.2.1 Affiliation by a supplier with the RES that contracted with the transferring contestable customer does not automatically translate to earnings by the Supplier. Affiliate RES could be sourcing from other generators. Unfair to penalize Supplier just by reason of affiliation when they're separate entities	We will take note of this comment and discuss the terms of the PSA with the winning bidder.

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21	Section 4.6 in relation to Schedule 1	Obligation during Outage in relation to Definition of Outage	Propose to distinguish between scheduled outages and unscheduled outages. Buyer should be responsible in procuring its own RP during scheduled outages	We will take note of this comment and discuss the terms of the PSA with the winning bidder.
22	Section 6.5	Billing Disputes	Can TPBAC confirm that DU will need to pay even the amount under protest, on due date?	We will take note of this comment and discuss the terms of the PSA with the winning bidder.
23	Article 10 Item b	Charges due to Change In Law	Article 10 item b seems to be incomplete. What happens after Seller sends a notice to Buyer? Suggest to make reference to 14.6	We will take note of this comment and discuss the terms of the PSA with the winning bidder.
24	Section 14.4.c.	Curing Period	Is the intention for the defaulting party to cure the default within OR afer the 30 day period? Language seems to imply that curing should be done afer	We will take note of this comment and discuss the terms of the PSA with the winning bidder.

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 27th day of September 2024 in Iloilo City, Philippines.

Approved by:



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