



Bid Bulletin No. 009

SUPPLY OF POWER TO MORE ELECTRIC AND POWER CORPORATION Contact Capacity of 20MW (Phase 1) and 25MW (Phase 2)

After further consideration, MORE Power Third-Party Bids and Awards Committee hereby decides to include, revise, amend, and/or adopt the following provisions in the Final Instruction to Bidders (FITB):

Section	ITB/TOR Provision	Pre-bid Question	TPBAC Answer	Additional Clarification	TPBAC Answer
Section 13- Legal Requirements				<p>Our Tax Clearance will expire this August 5, 2021 and we are already in the process of securing a new Tax Clearance. However, we anticipate that the previous lengthy process of securing the Tax Clearance be further extended by the limitations on the physical working schedule of both our office and the Bureau of Internal Revenue ("BIR") which was brought about by the current pandemic. We are not confident that the Tax Clearance would be issued in time for the submission of requirements for the bid. Considering that the purpose of the Tax Clearance is to provide evidence that we have settled tax liabilities to the BIR, we would like to submit the following documents in lieu of the Tax Clearance:</p> <p>a. Acknowledgement receipt from the BIR for the application of Tax Clearance Certificate; b. Notarized Certificate of No Tax Liabilities from the Bidder; c. Value-Added Tax Returns for the last 6 months; and d. Income Tax Returns for the year 2020 and for the 1st quarter of 2021.</p>	We will allow submission of Acknowledgment Receipt from BIR of Application for Tax Clearance Certificate, provided that bidder submits Tax Clearance during post-qualification and before issuance of Notice of Award.
Section 15.2		Section 15.2 states that Base Fuel Cost shall be "actual price on December 2020". Please require the bidders to submit proof of compliance with this requirement during post-qualification. This is to prevent bidders from submitting bids based on overly optimistic fuel cost projections.	Yes, we will.	<p>1.) Kindly confirm that the December 2020 power bill will be submitted during post-qualification.</p> <p>2.) May we submit one (1) Power Bill only?</p> <p>3.) May we submit a redacted power bill due to the confidentiality of the document?</p>	<p>Power bill or any proof of fuel cost for December 2020 should be submitted during post-qualification.</p> <p>Due to the limitation of flights and challenges in courier services during this ECQ period, we highly encourage bidders to submit the supporting documents of your fuel cost IMMEDIATELY after the Bid Opening date.</p>
Section 19- Format and Signing of Proposals	The data entries in the Excel file shall be password-protected by the Bidder to avoid inadvertent modification of the Proposal. The USB flash drive shall be placed in a sealed envelope as provided for in Section 20.				Bidder's nominated password to protect the excel file of their financial proposal shall be sent via email to the Secretariat thirty (30) minutes before Bid Opening.

Annex E-1 Acceptance of Bidding Documents	a. Bidder has read and understood each and every section and page of the Bidding Documents, the provisions, terms and conditions thereof, and accepts and agrees to be bound and to fully abide by and comply with the terms and conditions thereof, as well as the decisions of the TPBAC, and to fully abide by and comply with any amendment, supplement, or modification to the Bidding Documents that may be issued thru Bid/Supplemental Bulletins.			Proposed Revision: Bidder has read and understood each and every section and page of the Bidding Documents, the provisions, terms and conditions thereof, and accepts and agrees to be bound and to fully abide by and comply with the terms and conditions thereof, as well as the decisions of the TPBAC, and to fully abide by and comply with any amendment, supplement, or modification to the Bidding Documents that may be issued thru Bid/Supplemental Bulletins. <i>Bidder shall cooperate and negotiate in good faith on the terms of the Power Supply Agreement;</i>	Denied. Proposed addition is not substantial but if approved, TPBAC will be required to revise the annex template which has been passed upon repeatedly by the body. That PSA is subject to further negotiations and that parties are expected to negotiate in good faith are settled. In Bid Bulletin No. 7 the TPBAC has categorically declared that parties will negotiate the final terms of the PSA not later than September 6, 2021.
Terms of Reference-Supply Type		1. Do we need to submit this? This is not included in Annex B - Checklist for Bid Proposal Requirements. 2. Will the Environmental Compliance Certificate (ECC) suffice for this requirement? 3. If yes, under what Folder do we include it?	Bid Bulletin No. 005 page 47 COC and monthly MOR are sufficient in lieu of ECC. To be included in Envelope 1.	As mentioned in Bid Bulletin No. 7, the checklist will prevail as provided in Annex B. With that, please confirm that the Bidders do not need to submit this since it is not included in Annex B - Checklist for Bid Proposal Requirements.	YES, just comply with the COC and MOR required in the Checklist under Annex B. It will be considered as compliance to the requirements of the TOR for Environmental Compliance Certificate and Technical parameters.
Terms of Reference-Technical Parameters		What documents should we submit to comply with the following: a. that the Minimum Generating capacity Bidder shall be no less than the contracted capacity b. no capacity of the plant shall be contracted under an agreement apart from power supply agreement resulting from this bidding. c. under what folder should we include this?	Bid Bulletin No. 005 page 41 Latest MOR. Envelope 1.	As mentioned in Bid Bulletin No. 7, the checklist will prevail as provided in Annex B. With that, please confirm that the Bidders do not need to submit this since it is not included in Annex B - Checklist for Bid Proposal Requirements.	YES, just comply with the COC and MOR required in the Checklist under Annex B. It will be considered as compliance to the requirements of the TOR for Environmental Compliance Certificate and Technical parameters.
General Query				In view of the recent quarantine status imposed by the government and the hard lockdown implemented by your LGU, the delivery of the hard copies of the Bid Proposal might be delayed due to the quarantine restrictions. With that, may we kindly request MORE Power to allow the Bidders to submit electronic copies for the Bid Opening on August 13, 2021 and the hard copies to be submitted once the Enhance Community Quarantine (ECQ) status is lifted.	Electronic submission will still not be allowed as we allowed airport to airport physical submission and not just through courier.

All terms, conditions and instructions to bidders specified in the Bidding Documents inconsistent with this Bid Bulletin are hereby superseded and modified accordingly.

For the information and guidance of all concerned.

Issued this 4th day of August 2021 in Iloilo City, Philippines.



NIEL V. PARCON

Chairperson
Third-Party Bids and Awards Committee