



BIDDING
CONTRACT CAPACITY OF 400 MW (NET), EFFECTIVE SEPTEMBER 2025

BID BULLETIN NO. 5
(20 August 2024)

To all Interested Bidders:

1. In an Order (dated 17 August 2024) issued by Branch 267 of the Regional Trial Court of Taguig City, which was received by MERALCO on 19 August 2024 (the "RTC Order"), **the Temporary Restraining Order (TRO)** issued in favor of plaintiffs Prime Energy Resources Development B.V., UC38 LLC, Prime Oil and Gas, Inc., and PNOC Exploration Corp., that enjoined MERALCO from conducting its competitive selection processes (CSP), which includes this Bidding for 400 MW mid-merit supply requirement, effective August 26, 2025 ("400 MW CSP"), **was rendered without force and effect. The Complaint for Injunction filed by the plaintiffs-applicants was also dismissed.**

Given this development, the MERALCO DU endorsed the RTC Order to the Bids and Awards Committee for Power Supply Agreements (BAC-PSA) and directed the BAC-PSA to resume all upcoming CSP activities for the 400 MW CSP (and for 600 MW baseload supply requirement, effective August 26, 2025), without further delay.

In view of the foregoing, please be advised of the resumption of all upcoming CSP activities starting with the previously scheduled Pre-Bid Conference, which is now scheduled **between 10:00 A.M. to 12:00 P.M. on 29 August 2024.**

With the resumption of the CSP activities, there is a need to update/amend the other Bidding schedule for this Bidding. As such, unless otherwise provided by the BAC-PSA, the following schedule of the Bidding, as summarized in Section 1 of the Instructions to Prospective Bidders ("IPB") dated 18 June 2024, as amended by previous Bid Bulletins, is updated/amended as follows:

"xxx xxx xxx

SECTION 1. BIDDING SCHEDULE

Unless otherwise provided by the BAC-PSA, the indicative schedule for the Bidding is as follows:

Milestone	Responsibility	Date
xxx	xxx	xxx
Pre-Bid Conference	BAC-PSA & Bidders	1 August 2024 10:00 A.M to

		<u>12:00 P.M., 29 August 2024</u>
Deadline for submission of queries or comments of the Bidders on the Bidding Documents	Bidders	8 August 2024 <u>5 September 2024</u>
Deadline to respond to queries or comments on the Bidding Documents	BAC-PSA	19 August 2024 <u>16 September 2024</u>
Deadline for Bidders to: (i) transfer or assign, or purchase/investment/acquisition of rights and interest as a Bidder in this bidding; (ii) increase Offered Contract Capacity; and (iii) change indicated Nominated Plants	Bidders	On or before 4:00 PM, 27 August 2024 <u>24 September 2024</u>
Qualification Documents, Technical Proposals, and Bid Prices Submission Deadline ("Bid Submission Deadline")	Bidders	8:00 AM to 9:00 AM, 3 September 2024 <u>1 October 2024</u> (Original Copy)
Opening of Pre-Qualification Document Submissions (Qualification Documents and Technical Proposals) Pre-Qualification Evaluation	BAC-PSA & Bidders	9:30 AM, 3 September 2024 and/or 4 September 2024 <u>1 October 2024 (and 2 October 2024, if necessary)</u> and such other day/s determined by BAC-PSA
Opening of Bid Prices Notification of Best Bid	BAC-PSA & Bidders	On 3 September 2024 and/or 4 September 2024 <u>1 October 2024 (and 2 October 2024, if necessary)</u> , depending if the Opening of Pre-Qualification Document Submissions and Pre-Qualification Evaluation is concluded on 3 September 2024 and/or 4 September 2024 <u>1 October 2024 (and 2 October 2024, if necessary)</u> .
xxx	xxx	xxx

The above schedule may be changed by the BAC-PSA at any time, without incurring any liability to the Bidders. Bidders shall be notified by BAC-PSA of any changes in the indicative schedule through bid bulletins. All references to dates shall refer to Philippine time.

xxx xxx xxx''

In addition, the schedules of the Bidding indicated in the Invitation to Bid (published and posted starting 18 June 2024) and Bid Requirements (posted starting 18 June 2024) will likewise be updated/amended to reflect the aforementioned changes. A matrix showing the amendments to the Invitation to Bid (published and posted starting 18 June 2024), Bid Requirements (posted on 18 June 2024) and Instructions to Prospective Bidders (dated 18 June 2024) is provided herein as **ANNEX A.**

2. To reiterate our advisory from Bid Bulletin No. 1 (dated 3 July 2024), the Pre-Bid Conference, now scheduled on **29 August 2024**, will be conducted through virtual/online conferencing. The House Rules containing the guidelines and rules to be observed during the Pre-Bid Conference is hereby re-adopted;
3. The Zoom registration details, designated meeting IDs, passcodes, links, and such other information necessary to join the virtual/online Pre-Bid Conference shall be provided by the BAC-PSA Secretariat to the emails of the Interested Bidders' authorized representatives on or before **22 August 2024. The deadline for registration** of the Interested Bidders' authorized representatives is at **4:00 P.M. of 28 August 2024.**

For your guidance and information.

**Bids and Awards Committee-Power Supply Agreements (BAC-PSA)
Manila Electric Company**

(sgd)

Lawrence S. Fernandez
Chairman

AMENDMENTS TO THE INVITATION TO BID (published and posted starting 18 June 2024)

Item	Reference / Subject Matter of Amendment	Amendments
1	page 11 <i>(Updated/amended schedule, in addition to amendments released via Bid Bulletin no. 3)</i>	<p>[...]</p> <p>After the Expression of Interest Deadline, Interested Bidders may increase their indicated Offered Contract Capacity and/or change their indicated Nominated Plant/s no later than 4:00 P.M. of 27 August 2024, 24 September 2024, subject to the Interested Bidder’s simultaneous payment of the additional proportionate Participation Fee and submission of a new Expression of Interest form reflecting the said change/s.</p> <p>The BAC-PSA shall conduct a Pre-Bid Conference at 1:00 P.M. to 3:00 P.M. of 1 August 2024 10:00 A.M. to 12:00 P.M. of 29 August 2024 through virtual video conferencing. Prior to the Pre-Bid Conference, Interested Bidders are requested to submit advance queries or requests xxx xxx</p> <p>[...]</p> <p>In order to qualify to bid, an Interested Bidder shall submit to the BAC-PSA Secretariat, on or before 9:00 A.M. of 3 September 2024 between 8:00 A.M. to 9:00 A.M. of 1 October 2024 (the “Bid Submission Deadline”) at the 14th Floor, Lopez Building, MERALCO Center, Ortigas Ave., Pasig City, by uploading to the cloud-based online repository/folder assigned to the Interested Bidder, three (3) separate envelopes containing and password-protected zip folder (.zip file) containing the scanned copies (.pdf file) of the original copy and electronic copies of its (a) Qualification Documents (Envelope 1) to demonstrate its compliance with all the Legal and Financial Qualification Requirements; (b) Technical Proposal (Envelope 2); and (c) Bid Price (Envelope 3), which includes the Bid Security equivalent to three (3)-month contract cost of the proposed PSA computed using the bid price offered by the Interested Bidder. As part of the Bid Submission Deadline, between 8:00 A.M. to 9:00 A.M. of 9 August 2024, the Interested Bidder shall submit at the Lobby, Lopez Building, MERALCO Center, Ortigas Ave., Pasig City the Original Copy of all the said documents, including the latest original copy of the Expression of Interest, Confidentiality Undertaking and Acknowledgement and Consent Form for Data Privacy, all placed in a sealed box. Immediately after the Bid Submission Deadline, the BAC-PSA Secretariat shall begin to switch the Interested Bidder/s’ ability to edit/write/upload to the cloud-based online repository/folder to the read-only mode and the original copies of all documents submitted may no longer be replaced.</p>

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		Thereafter, the opening, assessment and evaluation of the said bid submissions will proceed at <u>9:30 A.M. of 1 October 2024</u> 3 September 2024 , through virtual video conferencing, [...]

AMENDMENTS TO THE BID REQUIREMENTS (posted on 18 June 2024)

Item	Reference / Subject Matter of Amendment	Amendments
2	pages 3-5 <i>(Updated/amended schedule, in addition to amendments released via Bid Bulletin no. 3)</i>	<p>[...]</p> <p>(b) The BAC-PSA shall conduct a Pre-Bid Conference at 1:30 P.M. to 3:30 P.M. on 11 July 2024 <u>10:00 A.M. to 12:00 P.M. of 29 August 2024</u>. Prior to the Pre-Bid Conference, Interested Bidders are to submit advance queries or requests xxx xxx.</p> <p>[...]</p> <p>Transfer or assignment by, or purchase/investment/acquisition of rights and interest in, an entity that submitted the Expression of Interest, Confidentiality Undertaking and Acknowledgement and Consent Form for Data Privacy may only be exercised once on or before 4:00 P.M. of 27 August 2024 <u>24 September 2024</u> and on the condition that xxx xxx</p> <p>[...]</p> <p>(c) Bidders will then have until 4:00 P.M. of 8 August 2024 <u>5 September 2024</u> within which to submit written queries, or requests for clarifications or revisions to the Bidding Documents. Thereafter, the BAC-PSA shall respond or issue the necessary notices and bid bulletins to address said queries or comments, which shall be no later than 19 August 2024 <u>16 September 2024</u>.</p> <p>(d) An Interested Bidder may increase (but not decrease) its indicated Offered Contract Capacity and/or change its indicated Nominated Plant on or before 4:00 P.M. of 27 August 2024 <u>24 September 2024</u>, subject to the Interested Bidder’s simultaneous payment of the additional proportionate Participation Fee and submission of a new Expression of Interest form reflecting the said change/s.</p> <p>[...]</p> <p>(e) <u>Between 8:00 A.M. to 9:00 A.M. On or before 9:00 A.M. of 3 September 2024</u> <u>1 October 2024</u> (the “Bid Submission Deadline”), the Interested Bidders shall submit to the BAC-PSA, <u>at the 14th Floor, Lopez Building, MERALCO Center, Ortigas Ave., Pasig City,</u> their Document Submissions by uploading to the cloud-based online repository/folder assigned to the Interested Bidder, three (3) separate <u>envelopes containing</u> and password-protected zip folder (.zip file) containing the scanned copies (.pdf file) of <u>the original copy and electronic copies of</u> its (a)</p>

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		<p>Qualification Documents (Envelope 1) to demonstrate its compliance with all the qualification requirements; (b) Technical Proposal (Envelope 2); and (c) Bid Price (Envelope 3), which includes the Bid Security. As part of the Bid Submission Deadline, between 8:00 A.M. to 9:00 A.M. of 9 August 2024, the Interested Bidder shall submit, through its authorized representative/s indicated in the Expression of Interest or such authorized representative's duly authorized agent/attorney in fact (as evidenced by a notarized special power of attorney), at the Lobby, Lopez Building, Meralco Center, Ortigas Ave., Pasig City, the original copy of all the said documents, including the latest original copy of the Expression of Interest, Confidentiality Undertaking, and Acknowledgement and Consent Form for Data Privacy, all placed in a sealed box (the "Original Copy"). Immediately after the Bid Submission Deadline, the BAC-PSA Secretariat shall begin to switch the Interested Bidder/s' ability to edit/write/upload to the cloud-based online repository/folder to the read-only mode and the Original Copy of all documents submitted may no longer be replaced.</p> <p>xxx xxx xxx</p> <p>Thereafter, the opening of the Interested Bidder/s' (a) Qualification Documents (Envelope 1) and (b) Technical Proposal (Envelope 2) (where Envelopes 1 and 2 are collectively referred to as the "Pre-Qualification Documents") will proceed at 9:30 A.M. on 3 September 2024 1 October 2024, the process of which will be laid down in a separate bid bulletin or the house rules during the opening of the Pre-Qualification Documents (the "Opening of Pre-Qualification Documents"). During the Opening of the Pre-Qualification Documents, only when the Interested Bidder/s' name is called will it be instructed to email to the BAC-PSA Secretariat the password for the pertinent zip folder/file to be opened by the BAC-PSA.</p> <p>As a general rule, Interested Bidder/s should ensure that the uploaded electronic copy/ soft copy files of their Document Submissions are clear and complete as the BAC-PSA shall not be required to verify the contents of the Interested Bidder's electronic copy of the Document Submissions against the Original Copy. Instead, the opening of the Original Copy is subject to the BAC-PSA's sole discretion. <u>In case of conflict or discrepancies between the electronic copy/ soft copy files and the hard copies/Original Copy, the submitted electronic / soft copy files shall prevail and any verification with the hard copies/Original Copy is subject to the BAC-PSA's sole discretion.</u></p> <p>[...]</p>

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		<p>Subsequently, the BAC-PSA shall release, through a bid bulletin, the result of the Pre-Qualification Evaluation as to which Interested Bidder/s will be allowed to proceed to Stage 3 (hereinafter, "Qualified Bidder"), which is the opening of the Qualified Bidder/s' Bid Prices (Envelope 3) (the "Opening of Bid Prices"). The schedule and venue for the Opening of Bid Prices shall also be included in the said bid bulletin. <u>If the Opening of Bid Prices will not be held on 3 September 2024 and/or 4 September 2024 1 October 2024 (and 2 October 2024, if necessary),</u> the CSP Observers shall be informed/invited by the BAC-PSA of the schedule and venue of the Opening of Bid Prices, at least five (5) days before the said date.</p> <p>[...]</p>

AMENDMENTS TO THE INSTRUCTIONS TO PROSPECTIVE BIDDERS (dated 18 June 2024)

Item	Reference / Subject Matter of Amendment	Amendments																					
1	Section 1 <i>(Updated/amended schedule, in addition to amendments released via Bid Bulletin no. 3)</i>	<div>xxx xxx xxx</div> <div>SECTION 1. BIDDING SCHEDULE</div> <div>Unless otherwise provided by the BAC-PSA, the indicative schedule for the Bidding is as follows:</div> <table><tr><th>Milestone</th><th>Responsibility</th><th>Date</th></tr><tr><td>xxx</td><td>xxx</td><td>xxx</td></tr><tr><td>Pre-Bid Conference</td><td>BAC-PSA & Bidders</td><td>1 August 2024 10:00 A.M to 12:00 P.M., 29 August 2024</td></tr><tr><td>Deadline for submission of queries or comments of the Bidders on the Bidding Documents</td><td>Bidders</td><td>8 August 2024 5 September 2024</td></tr><tr><td>Deadline to respond to queries or comments on the Bidding Documents</td><td>BAC-PSA</td><td>19 August 2024 16 September 2024</td></tr><tr><td>Deadline for Bidders to: (i) transfer or assign, or purchase/investment/acquisition of rights and interest as a Bidder in this bidding; (ii) increase Offered Contract Capacity; and (iii) change indicated Nominated Plants</td><td>Bidders</td><td>On or before 4:00 PM, 27 August 2024 24 September 2024</td></tr><tr><td>Qualification Documents, Technical Proposals, and Bid Prices Submission Deadline (“Bid Submission Deadline”)</td><td>Bidders</td><td>8:00 AM to 9:00 AM, 3 September 2024 1 October 2024 (Original Copy)</td></tr></table>	Milestone	Responsibility	Date	xxx	xxx	xxx	Pre-Bid Conference	BAC-PSA & Bidders	1 August 2024 10:00 A.M to 12:00 P.M., 29 August 2024	Deadline for submission of queries or comments of the Bidders on the Bidding Documents	Bidders	8 August 2024 5 September 2024	Deadline to respond to queries or comments on the Bidding Documents	BAC-PSA	19 August 2024 16 September 2024	Deadline for Bidders to: (i) transfer or assign, or purchase/investment/acquisition of rights and interest as a Bidder in this bidding; (ii) increase Offered Contract Capacity; and (iii) change indicated Nominated Plants	Bidders	On or before 4:00 PM, 27 August 2024 24 September 2024	Qualification Documents, Technical Proposals, and Bid Prices Submission Deadline (“Bid Submission Deadline”)	Bidders	8:00 AM to 9:00 AM, 3 September 2024 1 October 2024 (Original Copy)
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		Pre-Qualification Evaluation		
		Opening of Bid Prices	BAC-PSA Bidders	& On 3 September 2024 and/or 4 September 2024 <u>1 October 2024 (and 2 October 2024, if necessary)</u> , depending if the Opening of Pre-Qualification Document Submissions and Pre-Qualification Evaluation is concluded on 3 September 2024 and/or 4 September 2024 <u>1 October 2024 (and 2 October 2024, if necessary)</u> .
		Notification of Best Bid		
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		The above schedule may be changed by the BAC-PSA at any time, without incurring any liability to the Bidders. Bidders shall be notified by BAC-PSA of any changes in the indicative schedule through bid bulletins. All references to dates shall refer to Philippine time.		
2	Section 2.2 (b) to (e) (Updated/amended schedule, in addition to amendments released via Bid Bulletin no. 3)	[...] (b) The BAC-PSA shall conduct a Pre-Bid Conference at 1:30 P.M. to 3:30 P.M. on 11 July 2024 <u>10:00 A.M. to 12:00 P.M. of 29 August 2024</u> . Prior to the Pre-Bid Conference, Interested Bidders are to submit advance queries or requests xxx xxx.		

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		<p>[...]</p> <p>Transfer or assignment by, or purchase/investment/acquisition of rights and interest in, an entity that submitted the Expression of Interest, Confidentiality Undertaking and Acknowledgement and Consent Form for Data Privacy may only be exercised once on or before 4:00 P.M. of 27 August 2024 <u>24 September 2024</u> and on the condition that xxx xxx</p> <p>[...]</p> <p>(c) Bidders will then have until 4:00 P.M. of 8 August 2024 <u>5 September 2024</u> within which to submit written queries, or requests for clarifications or revisions to the Bidding Documents. Thereafter, the BAC-PSA shall respond or issue the necessary notices and bid bulletins to address said queries or comments, which shall be no later than 19 August 2024 <u>16 September 2024</u>.</p> <p>(d) An Interested Bidder may increase (but not decrease) its indicated Offered Contract Capacity and/or change its indicated Nominated Plant on or before 4:00 P.M. of 27 August 2024 <u>24 September 2024</u>, subject to the Interested Bidder’s simultaneous payment of the additional proportionate Participation Fee and submission of a new Expression of Interest form reflecting the said change/s.</p> <p>[...]</p> <p>(e) <u>Between 8:00 A.M. to 9:00 A.M.</u> On or before 9:00 A.M. of 3 September 2024 <u>1 October 2024</u> (the “Bid Submission Deadline”), the Interested Bidders shall submit to the BAC-PSA, <u>at the 14th Floor, Lopez Building, MERALCO Center, Ortigas Ave., Pasig City,</u> their Document Submissions by uploading to the cloud-based online repository/folder assigned to the Interested Bidder, three (3) separate <u>envelopes containing</u> and password-protected zip folder (.zip file) containing the scanned copies (.pdf file) of <u>the original copy and electronic copies of</u> its (a) Qualification Documents (Envelope 1) to demonstrate its compliance with all the qualification requirements; (b) Technical Proposal (Envelope 2); and (c) Bid Price (Envelope 3), which includes the Bid Security. As part of the Bid Submission Deadline, between 8:00 A.M. to 9:00 A.M. of 9 August 2024, the Interested Bidder shall submit, through its authorized representative/s indicated in the Expression of Interest or such authorized representative’s duly authorized agent/attorney-in-fact (as evidenced by a notarized special power of attorney), at the Lobby, Lopez Building, Meralco Center, Ortigas Ave., Pasig City, the original copy of all the said documents, including the latest original copy of the Expression of Interest, Confidentiality Undertaking, and Acknowledgement and Consent Form</p>

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		<p>for Data Privacy, all placed in a sealed box (the "Original Copy"). Immediately after the Bid Submission Deadline, the BAC-PSA Secretariat shall begin to switch the Interested Bidder/s' ability to edit/write/upload to the cloud-based online repository/folder to the read-only mode and the Original Copy of all documents submitted may no longer be replaced.</p> <p>xxx xxx xxx</p> <p>Thereafter, the opening of the Interested Bidder/s' (a) Qualification Documents (Envelope 1) and (b) Technical Proposal (Envelope 2) (where Envelopes 1 and 2 are collectively referred to as the "Pre-Qualification Documents") will proceed at 9:30 A.M. of 3 September 2024 1 October 2024, the process of which will be laid down in a separate bid bulletin or the house rules during the opening of the Pre-Qualification Documents (the "Opening of Pre-Qualification Documents"). During the Opening of the Pre-Qualification Documents, only when the Interested Bidder/s' name is called will it be instructed to email to the BAC-PSA Secretariat the password for the pertinent zip folder/file to be opened by the BAC-PSA.</p> <p>As a general rule, Interested Bidder/s should ensure that the uploaded electronic copy/ soft copy files of their Document Submissions are clear and complete as the BAC-PSA shall not be required to verify the contents of the Interested Bidder's electronic copy of the Document Submissions against the Original Copy. Instead, the opening of the Original Copy is subject to the BAC-PSA's sole discretion. <u>In case of conflict or discrepancies between the electronic copy/ soft copy files and the hard copies/Original Copy, the submitted electronic / soft copy files shall prevail and any verification with the hard copies/Original Copy is subject to the BAC-PSA's sole discretion.</u></p> <p>[...]</p> <p>Subsequently, the BAC-PSA shall release, through a bid bulletin, the result of the Pre-Qualification Evaluation as to which Interested Bidder/s will be allowed to proceed to Stage 3 (hereinafter, "Qualified Bidder"), which is the opening of the Qualified Bidder/s' Bid Prices (Envelope 3) (the "Opening of Bid Prices"). The schedule and venue for the Opening of Bid Prices shall also be included in the said bid bulletin. <u>If the Opening of Bid Prices will not be held on 3 September 2024 and/or 4 September 2024 1 October 2024 (and 2 October 2024, if necessary),</u> the CSP Observers shall be informed/invited by the BAC-PSA of the schedule and venue of the Opening of Bid Prices, at least five (5) days before the said date.</p> <p>[...]</p>