



BIDDING
FOR CONTRACT CAPACITY OF 170 MW (NET), EFFECTIVE 26 FEBRUARY 2022

BID BULLETIN NO. 4

To all Interested Bidders:

1. The Bid Submission Deadline and Opening of Document Submissions on 2 February 2022 will be conducted fully online via Zoom. For the physical submission of the Original Copy box of the Document Submissions, the venue indicated in the in the TOR/Invitation to Bid (published on 23 and 29 December 2021) and Instructions to Prospective Bidders (dated 23 December 2021) (IPB) will still be at the Lobby, Lopez Building, Meralco Center, Ortigas Ave., Pasig City. However, in consideration of the necessary health and safety precautions, the receipt, handling, and custody of the Original Copy boxes and Reserve Price envelope after the Bid Submission Deadline and return by the TPBAC's authorized bank custodian, respectively, may, upon the TPBAC's sole discretion, be delegated to any member of the TWG present at the venue.
2. A Checklist of Document Submissions, summarizing the Document Submissions of the Bidders as prescribed under Section 3 of the IPB and its Annexes, as amended or clarified by the Bid Bulletins, is set out in ANNEX A;
3. The House Rules containing the guidelines and rules to be observed during the Bid Submission Deadline and Opening of Document Submissions are set out in ANNEX B;
4. The instructions to upload to a cloud-based folder the Document Submissions of the Interested Bidders, as well as the Zoom registration details, designated meeting IDs, passcodes, links, and such other information necessary to join the virtual/online Bid Submission Deadline and Opening of Document Submissions shall be provided by the TPBAC Secretariat to the emails of the Interested Bidders' authorized representatives on or before 9:00 A.M. of 31 January 2022; and
5. The Interested Bidder's authorized representative/s (indicated in the latest Expression of Interest) or designated persons authorized through, and possessing, Special Powers of Attorney, who will submit the Original Copy box should submit on or before 4:00 P.M. of 1 February 2022 to the Safety and Security Office of MERALCO (c/o the TPBAC Secretariat's e-mail) the details of the vehicle make, plate number, driver, and passenger/s) and shall:
 - a. Bring his/her original vaccination card and must be fully vaccinated (i.e. at least 14 days from the last dose) on the day of the event. For clarity,

to avoid delay or prevention of entry to the MOC, the driver of the vehicle, despite not being tasked to disembark and submit the original copy box, is required to bring also his/her original vaccination card and must be fully vaccinated (i.e. at least 14 days from the last dose) on the day of the event; and

- b. Accomplish truthfully MERALCO's online health declaration form (QR code and link below) prior to entry. Incorrect declarations may delay or prevent entry to the MOC.



<https://tinyurl.com/MERALCOHealthDeclaration>

For your guidance and information.

Issued on 26 January 2022.

Third Party Bids and Awards Committee ("TPBAC")

Manila Electric Company

(sgd)

Atty. Ferdinand A. Domingo

Chairman



CHECKLIST OF DOCUMENT SUBMISSIONS*
FOR CONTRACT CAPACITY OF 170 MW (NET), EFFECTIVE 26 FEBRUARY 2022

Bidder	
Nominated Power Plant/s (name/description/location)	

Summarized below are the Document Submissions prescribed under Section 3 of the Instructions to Prospective Bidders and its Annexes, as amended or clarified by the Bid Bulletins (collectively, the "IPB") issued by the Third Party Bids and Awards Committee, relating to Meralco's Competitive Selection Process for Contract Capacity of 170 MW (net), effective 26 February 2022, and to be uploaded to a cloud-based folder no later than 9:00 A.M. of 2 February 2022, and the original copy of which be submitted on between 8:00 A.M. to 9:00 A.M. of 2 February 2022.

The following are the general guidelines on the form of the Document Submissions as provided by the IPB, and Bid Bulletins:

- (a) For documents which must be certified as a true and correct copy, all the pages must be certified. In the alternative, a certification page may be attached to the document (1) clearly identifying the document to which it is attached (including the name of the document, the issuer and the date of issue), and (2) attesting under oath that such document, including the number of pages of such document, is a true and correct copy of the original, which certification must be under oath and notarized (Section 2.1(h));
- (b) Assistant Corporate Secretary will be allowed to certify documents in lieu of the Corporate Secretary (Pre-Bid Conference open forum);
- (c) Qualification Documents shall be prepared and written in the English language. All documents issued or executed in a foreign country, kindly refer to Section 2.7 of the IPB;
- (d) Each set of the Qualification Documents, Technical Proposal or Bid Price should contain a table of contents (Section 3.4.1(a));
- (e) Whenever possible, the Document Submissions must be printed in standard letter size (8 1/2"x11") and bound together in ring binders or folders of appropriate size. Documents must be paginated and text must be of 11- or 12-font size. In one set of Document Submissions (e.g. Envelope 1), all pages are to be paginated from 1 to xxx, for the ease of monitoring by the TPBAC. As such, all pages are again to be paginated from 1 to yyy for the other set of Document Submissions (e.g. Envelope 2) (Section 3.4.1(b));
- (f) If the same document is a required attachment in more than one Annex, the original set must contain at least one original of the document. A simple photocopy of the same document may be attached to the subsequent Annex(es) and will be considered as an original for this purpose (Section 3.4.1(c));
- (g) All documents shall be properly organized and sequenced in the same order these appear in Sections 3.1, 3.2, and 3.3. The first page of the individual documents shall be properly labelled with a document tab or separator for easy distinction of individual documents. For electronic copies, the filename format to use, as much as possible, should be the document title and preceded by the bidder's shorthand or acronym identification (e.g. "MERALCO Articles of Incorporation," "MERALCO Environmental Compliance Certificate dated NNN," "MERALCO AFS 2020," etc.). (Section 3.4.1(d));
- (h) Electronic copies of all documents submitted in each Document Submission (i.e. Envelope 1, Envelope 2 and Envelope 3) shall be in PDF format, with the exception of the Financial Evaluation Workbook which is to be submitted in both soft copy and hard copy format, and the Interested Bidder shall submit such electronic copies on three (3) USB/thumb flash memory drives, to be attached/taped to the original copy set of each Document Submission (Section 3.4.1(e));

- (i) All prices shall be expressed in Philippine Pesos (PHP). The Bidder may write down the prices in words (handwritten will be allowed) to re-confirm the total amounts/figures reflected in the Financial Evaluation Workbook (Section 3.4.1(f));
- (j) The Proposed Price and LCOE shall be calculated up to the fourth (4th) decimal place (Section 3.4.1(g));
- (k) Bidders shall submit offers that comply with the requirements of this IPB. Alternative Bids or conditional Bids with modified terms other than the IPB terms shall not be accepted (Section 3.4.1(h));
- (l) If a requirement is deemed not applicable by the Bidder, a write-up should be submitted to explain the non-applicability. However, for any write-up/explanation, the Bidder must know that it is a calculated and known risk on its part that it is submitting to the TPBAC's exercise of discretion in allowing/disallowing the explanation provided in the said write-up as to why a particular bid requirement was deemed inapplicable by the said Bidder (Bid Bulletin No. 2);
- (m) The authorized representative/s of the Interested Bidder/s who submitted the Original Copy shall be required to sign over the sealed flap of its Envelope 3 before placing it inside the sealed container box of its Document Submissions (Section 4.4.3);
- (n) Subject to some allowed revisions issued in various Bid Bulletins to address specific circumstances of a bidder, Bidders shall submit one (1) complete original set, clearly marked on each page as "ENVELOPE 1-QD-ORIGINAL," "ENVELOPE 2-TP-ORIGINAL," and "ENVELOPE 3-BID-ORIGINAL," as applicable, and numbered continuously, and taped/attached to the said set are three (3) USB/thumb flash memory drives containing the electronic copies/scanned files (PDF format) of the contents of the said original set; and for electronic copies to be submitted or uploaded to the cloud-based online repository/folder assigned to the Interested Bidder, all the scanned copies (PDF format) of the original set (described immediately above) shall be placed in a password-protected zip folder (.zip file), with a file name " ENVELOPE 1-QD-ORIGINAL," "ENVELOPE 2-TP-ORIGINAL," and "ENVELOPE 3-BID-ORIGINAL," as applicable. For the Original Copies, each set shall be placed in a sealed enveloped marked as follows:

MANILA ELECTRIC COMPANY

170 MW CSP

[QUALIFICATION DOCUMENTS (ENVELOPE 1) – ORIGINAL]

[TECHNICAL PROPOSAL (ENVELOPE 2) – ORIGINAL]

BID (ENVELOPE 3) – ORIGINAL]

[STATE NAME, ADDRESS, AND E-MAIL ADDRESS OF BIDDER]

Pursuant to the Disclaimer of the IPB, the TPBAC reserves the right to waive any minor defects in the Document Submissions of any party.

**Disclaimer: The Checklist of Document Submissions is being provided for the sole purpose of reference and convenience of the Bidders only. No reliance can be made on the said checklist and its issuance (including its contents) does not relieve Bidders of their responsibility to examine all the Bidding Documents and comply with the provisions of the IPB. In the event of a conflict or discrepancy between the checklist of Document Submissions and the IPB, the latter shall prevail.*

ENVELOPE 1 – QUALIFICATION DOCUMENTS

Bid Documents		Page No. in the set	Form	Notes	Yes	No	Comments
1	<p>One (1) Electronic copy uploaded to the cloud-based folder</p> <p>One (1) Original copy</p> <p>Three (3) Electronic copies contained in a USB/thumb flash memory drive, attached/taped to the set of the Original copy</p>			Each page shall be marked as "Envelope 1-QD-Original".			
2	TABLE OF CONTENTS (Sec. 3.4.1(a))			All pages must be numbered consecutively.			
3	EXPRESSION OF INTEREST (EOI), CONFIDENTIALITY UNDERTAKING (CU), AND ACKNOWLEDGEMENT AND CONSENT FORM FOR DATA PRIVACY			<p>For the electronic copies, it is a mere resubmission of the latest EOI, CU and Acknowledgement and Consent Form for Data Privacy already submitted to the TPBAC Secretariat, for ease of reference and proper compilation of the TPBAC.</p> <p>More importantly, this is the only opportunity for the Bidders to submit the hard copy of said documents to the TPBAC (placed in Envelope 1 and inside the Original Copy box).</p>			
4	<p>APPLICATION TO QUALIFY AND PARTICIPATE IN THE BIDDING (Sec. 3.1.1)</p> <p><i>Attachment:</i></p> <p>Authority to Participate in the Bidding and Designation of Authorized Representative</p>		<p>Annex QD-1</p> <p>Annex QD-1A</p>	Annexes QD-1 and QD-1A should be notarized.			
5	<p>COMPANY INFORMATION (Sec. 3.1.2)</p> <p><i>Attachments:</i></p> <p>(a) SEC Certificate of Incorporation;</p> <p>(b) Articles of Incorporation and By-Laws or Articles of Partnership;</p> <p>(c) Latest General Information Sheet, stamped "received" by the SEC;</p> <p>(d) Diagram of the corporate structure of the Bidder, and a copy of the shareholders' agreement, pooling agreement, voting trust agreement or equivalent document, if applicable to explain the diagram or if the Bidder is a partnership or consortium.</p>		Annex QD-2	<p>(subject to some allowed revisions issued in various Bid Bulletins to address specific circumstances of a bidder (e.g. partnership entity, IPPA, etc.))</p> <p>For the Attachments, the required notarized certifications must be followed.</p> <p>For Attachment (a), only the one pager Certificate of Registration, usually attached with the Articles of Incorporation need be submitted. If it forms part together with Attachment (b), this will be acceptable.</p> <p>For Attachment (b), if the Articles of Incorporation has been</p>			

Bid Documents		Page No. in the set	Form	Notes	Yes	No	Comments
	(e) if the Bidder is under a partnership or consortium, the Bidders should submit an agreement showing that their liability in this Bidding and the resulting Power Supply Agreement shall be solidary for the parties thereto.			<p>amended several times, only the most recent amended AOI need be submitted.</p> <p>GIS – e-mail acknowledgement of the SEC would suffice as a substitute of the SEC stamp “received.”</p> <p>Diagram of the corporate structure – only up to Affiliates engaged in the power industry.</p>			
6	CERTIFICATION THAT NOMINATED POWER PLANT IS UNCONTRACTED (Sec. 3.1.2(f))		Annex QD-3	Annex QD-3 should be notarized.			
7	<p>BIDDER’S CERTIFICATION OF ABSENCE OF UNSATISFACTORY PERFORMANCE RECORD, OUTSTANDING DISPUTE, OR DUE AND DEMANDABLE FINANCIAL OBLIGATION/S (Sec. 3.1.3)</p> <p><i>Attachments:</i></p> <p>(a) List of the Bidder’s Counterpart(ies)/Financial Lenders</p> <p>(b) Counterparty’s Certification of Absence of Unsatisfactory Performance Record, Outstanding Dispute or Due and Demandable Financial Obligation/s</p>		<p>Annex QD-4</p> <p>Annex A of Annex QD-4</p> <p>Annex QD-4-A</p>	<p>Annexes QD-4 should be notarized.</p> <p>Annexes QD-4-A should be notarized.</p>			
9	<p>STATEMENT OF FINANCIAL CAPABILITY (Sec. 3.1.5)</p> <p><i>Attachments:</i></p> <p>(a) Audited (parent and consolidated, if applicable) financial statements of the Bidder or any of its direct shareholders representing Controlling interest, Affiliates or Ultimate Parent for the last three (3) years (the latest of which must not be earlier than for the year ending December 31, 2020) duly stamped “received” by the Bureau of Internal Revenue (“BIR”) or SEC, or the equivalent thereof in a foreign country; <u>and</u></p> <p>(b) copy of the most recent quarterly financial statements</p>		Annex QD-5	<p>The Statement of Financial Capability, to be used as the cover page of all attachments in Annex QD-6, should be notarized.</p> <p>(Subject to some allowed revisions issued in various Bid Bulletins to address specific circumstances of a bidder)</p> <p>Attachment (a) must be certified as a true copy by (i) the BIR or SEC, or the equivalent thereof in a foreign country; or (ii) the chief financial officer or treasurer, in which case, it must be under oath and notarized.</p> <p>Attachment (b) must be certified as a true copy by the chief financial officer or treasurer, and must be under oath and notarized.</p>			

Bid Documents		Page No. in the set	Form	Notes	Yes	No	Comments
				For Attachment (b), All available quarterly FS after the most recent Audited FS should be submitted. For example, if the latest AFS is for the year ending December 2020, then quarterly FS for 1st to 3rd [or 4th, if available] quarters of 2021 should be submitted. (Bid Bulletin No. 2)			

ENVELOPE 2 – TECHNICAL PROPOSAL

Bid Documents		Page no. in the set	Form	Notes	Yes	No	Comments
1	<p>One (1) Electronic copy uploaded to the cloud-based folder</p> <p>One (1) Original copy</p> <p>Three (3) Electronic copies contained in a USB/thumb flash memory drive, attached/taped to the set of the Original copy</p>			Each page shall be marked as "Envelope 2-TP-Original".			
2	TABLE OF CONTENTS (Sec. 3.4.1(a))			All pages must be numbered consecutively.			
3	<p>TECHNICAL PROPOSAL (NOMINATED POWER PLANT) (Sec. 3.2)</p> <p><i>Attachments:</i></p> <p>(a) Technical characteristics of the Plant showing evidence of compliance to the technical requirements stated in the Invitation to Bid's Terms of Reference Table ("TOR Table");</p> <p>(b) The Nominated Power Plant must be covered by a Certificate of Compliance (COC) or Provisional Authority to Operate (PAO) from the ERC at the start of the Operations Effective Date of the PSA, to be submitted by the Interested Bidder which shall be certified as a true copy by (i) the ERC; or (ii) the corporate secretary, in which case it must be under oath and notarized;</p> <p>(c) The Nominated Power Plant must be registered as a direct member of the WESM and a copy of its Market Participation Agreement for the Nominated Power Plant, which shall be certified as a true copy by (i) the PEMC and/or IEMOP; or (ii) the corporate secretary, in which case it must be under oath and notarized, must be submitted;</p> <p>(d) The Nominated Power Plant must be covered by a valid Transmission Service Agreement (TSA) or a Distribution Wheeling Service Agreement (DWSA), if embedded, which shall be duly certified by the National Grid Corporation of the Philippines (NGCP) or applicable distribution utility, or the corporate secretary, in which case it must be under oath and notarized;</p> <p>(e) The Nominated Power Plant must be covered by a Fuel Supply Agreement (FSA), which shall be duly certified by corporate secretary, in which case it must be under oath and notarized; and</p>		Annex TP-1 (Amended by Bid Bulletin No. 4)	<p>The Certification regarding Technical Proposal (Nominated Power Plant), to be used as the cover page of all attachments in Annex TP-1, should be notarized.</p> <p>(Subject to some allowed revisions issued in various Bid Bulletins to address specific circumstances of a bidder (e.g. partnership entity, IPPA, etc.))</p> <p>(for attachment b., see Bid Bulletin No. 2 - The TPBAC may, at its sole discretion on justifiable grounds, allow an application for the renewal of the COC/PAO to be submitted, provided that the Bidder could not use an unsuccessful renewal as a reason for non-performance of its obligations under the PSA. The Bidder is advised to include a write-up explanation when submitting a mere application for COC renewal/PAO extension, which should include a discussion of the status of such application and any recent developments. Including a certification issued by the ERC which states that the COC/PAO is being evaluated for renewal or extension is also recommended to support such write-up explanation.)</p>			

Bid Documents		Page no. in the set	Form	Notes	Yes	No	Comments
	(f) If applicable, the Certificate of Registration issued by the Board of Investments (BOI), which shall be certified as a true copy by (i) the BOI; or (ii) the corporate secretary, in which case it must be under oath and notarized.						

ENVELOPE 3 – BID PRICE AND BID SECURITY

Bid Documents		Page no. in the set	Forms	Notes	Yes	No	Comments
1	<p>One (1) Electronic copy uploaded to the cloud-based folder</p> <p>One (1) Original copy</p> <p>Three (3) Electronic copies contained in a USB/thumb flash memory drive, attached/taped to the set of the Original copy</p>			Each page shall be marked as "Envelope 3-BID-Original".			
2	TABLE OF CONTENTS (Sec. 3.4.1(a))			All pages must be numbered consecutively.			
3	BID LETTER (Sec. 3.3(a))		Annex BID-1	Annex BID-1 should be notarized.			
4	BID SECURITY (Sec. 3.3(b))		<p>Annex BID-2</p> <p>ANNEX A to Annex BID-2: DEMAND FOR SIGHT PAYMENT</p>	<p>(Subject to some allowed revisions issued in various Bid Bulletins to address specific circumstances of a bidder)</p> <p>Annex BID-2 should be notarized.</p> <p>The Bid Security shall be equivalent to Three Million Pesos (PhP3,000,000.00) multiplied by MegaWatt (MW) of Offered Contract Capacity, in the form of an irrevocable standby letter of credit issued by issued by one or more Allowed Bank.</p> <p>No combination of forms of the Bid Security (i.e., combination of irrevocable standby letters of credit and manager's check) will be allowed.</p> <p>This Bid Security requirement may be complied with by the Interested Bidder directly, or, provided the Bid Security format in the IPB is followed, through any of its direct shareholders representing Controlling interest, Affiliates, or Ultimate Parent</p> <p>The Bid Security shall initially be valid for sixty (60) days from the Bid Submission Deadline (i.e. <u>until April 3, 2022</u>). The Bid Security's validity may be for more than sixty (60) days but should not be less than the said period.</p>			
5	<p>FINANCIAL EVALUATION WORKBOOK ("FEW") (Sec. 3.3(d) and (e))</p> <p>See pages 25 to 26 of the IPB.</p> <p>(a) A soft copy of the Bidder's duly accomplished Financial Evaluation Workbook submitted as an electronic</p>						

Bid Documents		Page no. in the set	Forms	Notes	Yes	No	Comments
	<p>copy file uploaded to the cloud-based folder and contained in USB/thumb flash memory drive (attached to the Original Copy).</p> <p>(b) Print outs of the relevant worksheets, as reflected in the Financial Evaluation Workbook of the Bidder and signed by the Bidder's authorized representative:</p> <p>i. Headline Rate Worksheet;</p> <p>ii. Base Rates Table Worksheet; and</p> <p>iii. Bid Security Worksheet.</p>						
6	<p>ACKNOWLEDGEMENT AND ACCEPTANCE OF THE POWER SUPPLY AGREEMENT TEMPLATE (Sec. 3.3(c))</p>		Annex BID-3				

**HOUSE RULES
BID SUBMISSION AND OPENING
OF DOCUMENT SUBMISSIONS
CONTRACT CAPACITY OF 170MW (net)
EFFECTIVE 26 FEBRUARY 2022**

2 February 2022
Zoom Virtual Meeting

To supplement the procedure provided under the Instructions to Prospective Bidders, as amended by the Bid Bulletins, (collectively, the "IPB") for the Competitive Selection Process for Contract Capacity of 170MW (net), effective 26 February 2022, the Third-Party Bids and Awards Committee ("TPBAC") adopts the following House Rules for the Submission, Opening and Evaluation of Document Submissions (the "Proceedings"):

A. GENERAL GUIDELINES

1. The Proceedings shall be under the direction and control of the TPBAC. The TPBAC Chairperson, or in his absence, the Vice-Chairperson, shall preside over the Proceedings.
2. The Head of the Secretariat shall act as the Secretary of the Proceedings. The Secretariat shall be in charge of documenting and recording the Proceedings.
3. Only the Interested Bidders that timely submitted its submissions (represented by their authorized representative/s named in their latest Expression of Interests ("EOI") submitted at least five (5) days before the Bid Submission Deadline (as defined below) are allowed to attend and participate in the opening of the submissions and Bid, together with the Department of Energy ("DOE") and Energy Regulatory Commission ("ERC") observers invited by the TPBAC.
4. No individual, except for the Secretariat, shall be allowed to video, audio record, or take photographs of the Proceedings. A copy of the official recording may be given to the requesting Interested Bidder only upon request and approval of the TPBAC pursuant to Section 2.6 (Confidentiality) of the IPB.
5. In accordance with Section 4 of the IPB, the Proceedings will be conducted through a full virtual video/audio conferencing using the Zoom application, in order to comply with the government-mandated and Meralco's policy of health precaution or safety requirements.

The guidelines before and during the Proceedings are as follows:

- A. Before the Proceedings through virtual video/audio conferencing -
 - 1) Registration is required for all participants, including the Bidders' authorized representatives, to receive the videoconferencing details for the Proceedings that will be conducted through Zoom.
 - 2) Only the registered email addresses of the Bidder's authorized representatives, as stated in their latest EOI, will be allowed to join the Zoom meeting for the Proceedings. Thus, such email address must be the one used to register, and it should have a Zoom account to be able to join the conference. Only one device per email address will be allowed to connect.
 - 3) On **31 January 2022**, the registration link will be sent to the email addresses of the authorized representatives of Bidders and DOE/ERC observers ("Participants") who have registered for the Proceedings.
 - 4) The **deadline for registration is at 4:00 P.M. of 1 February 2022**. A confirmation link will be sent to registered Participants after the deadline and successful registration.

B. During the Proceedings through virtual video/audio conferencing -

- 1) The Participants must be in the waiting room of the Zoom Meeting by **7:50 A.M. of 2 February 2022** in order for their attendance to be registered and considered.
- 2) At 8:00 A.M., the TPBAC Secretariat will start admitting into the Zoom Meeting the DOE/ERC observers; the TPBAC, TPBAC representative/s and Technical Working Group ("TWG") members; authorized bank representative/s; and the Bidder's authorized representatives that successfully registered, subject to the applicable removal of access after the 9:00 A.M. deadline (as described below).
- 3) Only Bidders that meet the Bid Submission Deadline will be allowed to attend the Zoom meeting for the Opening of Bids.
- 4) At 9:00 A.M., a roll call of the registered and authorized representatives of the Bidders and Observers will be conducted by the TPBAC Secretariat of the Bidders who were able to meet the Bid Submission Deadline.

Bidders who were not able to meet the Bid Submission Deadline or did not submit a bid will be removed from the Zoom Meeting.

- a) Since only Bidders' authorized representatives can join the Proceedings, only a maximum of three (3) individuals per Interested Bidder may join the conference. Convergence of Participants in one venue or using one Zoom account is allowed provided that they are all EOI-indicated authorized representatives of one Bidder.
- b) During the roll call, the Bidders' authorized representatives must designate one (1) of its authorized representatives as speaker for the Interested Bidder. As a rule, only the designated speaker may speak on behalf of the Bidder.
- c) Those who are admitted in the Zoom Meeting but not included in the list of authorized representative/s of the Bidders will be removed by the Secretariat from the Zoom Meeting.
- 4) The Participants must use the following display credentials throughout the Proceedings: "Company Name Initials - Surname, First Name";
- 5) Participants shall ensure that their names and the name of the company they are representing are properly reflected on their respective accounts;
- 6) Participants shall be required to mute themselves during the entire duration of the Zoom Meeting unless prompted by the Secretariat to unmute. Only those recognized by the TPBAC or TPBAC Secretariat may be allowed to speak;
- 7) Participants shall be required to turn on their respective video cameras during the entire duration of the Proceedings;
- 8) If necessary, the TPBAC and TWG may declare a recess of the proceedings and move to a breakout room for a caucus; and
- 9) All Participants must observe the House Rules provided herein. The Secretariat may give warnings to Participants who do not observe the House Rules by indicating the same in the chat box. The Secretariat shall flag to the TPBAC Chairperson and recommend the removal of Participants who continue to disregard the House Rules and/or disrupt the Proceedings from the Zoom Meeting despite warnings.

6. The TPBAC may request assistance from the TWG and/or the Secretariat to perform such functions as may be necessary, at the discretion of the TPBAC.

B. **SUBMISSION OF BIDS**

1. The TPBAC shall only receive the Original Copy box of the Document Submissions of the Bidders between **8:00 A.M. until 9:00 A.M. of 2 February 2022** ("Bid Submission Deadline"). In accordance with Section 2.2 of the IPB, Interested Bidders shall submit to the TPBAC their Document Submissions by submitting original hard copies, which includes three (3) USB/thumb flash memory drives containing the electronic copies/scanned files (PDF format) of the contents of the said original set, inside a properly labeled sealed box. The soft copies of the Document Submissions stored in the USBs shall be in the form of a .zip folder protected by a password (similar to the uploaded copy in the cloud-based folder).
2. The Bidder shall ensure that it will deliver the Document Submissions at the designated venue for submission at the Lopez Lobby, Lopez Building, Meralco Center, Meralco Ave, Pasig City. For the submission, the Bidder shall ensure that the authorized representative (or a designated person authorized through, and possessing, a Special Power of Attorney executed by any of the Bidder's authorized representatives) on board the Bidder's authorized vehicle with the Document Submissions, enters the designated queue on or before the Bid Submission Deadline. The designated queue shall begin at the Lopez Lobby vehicle drop-off area.

For this purpose, the Bidder shall submit to the TPBAC by **4:00 P.M. of 1 February 2022** the vehicle details (e.g., vehicle make, plate number) of the authorized vehicle which will be used to deliver the Document Submissions at the designated venue, and the name of the authorized representative or the designated person (authorized through, and possessing, a Special Power of Attorney from any of the Bidder's authorized representative) who will personally submit the Bidder's Document Submissions.

3. Before or at 9:00 A.M., Bidders whose authorized representatives (or designated persons authorized through, and possessing, Special Powers of Attorney) are present inside their authorized vehicle which contains the Document Submissions and is inside the designated queue area, will be given queuing numbers. Fixed and roving cameras shall be set at designated areas to ensure full view of the queuing and during submission.
4. Only Bidders who were issued queuing numbers on or before 9:00 A.M. shall be allowed to register; submit their Document Submissions at the registration table; **and** be allowed inside the Zoom virtual meeting for the Opening of the Bids. Late submissions shall be rejected and returned unopened to the concerned Bidder. As long as the Bidder is in queue by 9:00 A.M. and whose representative possesses a queue number, the submission will be considered as having been made within the deadline. Only Bidder's authorized representatives (or designated persons authorized through, and possessing, Special Powers of Attorney) shall disembark from the vehicle to place the sealed box at the non-contract receiving table beside its vehicle. After submission, the Bidders' authorized representatives (or designated persons authorized through, and possessing, Special Powers of Attorney) will be directed to leave the venue.
5. For the purpose of monitoring the Bid Submission Deadline, the Philippine standard time as provided in <https://oras.pagasa.dost.gov.ph/widget.shtml> shall be followed.
6. The envelopes or boxes, containing the original documents, of Bidders will be marked received by the TPBAC by indicating therein "Received" and the time of receipt. After the submission has been recorded, the sealed boxes will be placed in front of the TPBAC/TWG's table within clear view of the Zoom meeting video camera or video recording.
7. The TPBAC Secretariat shall prepare a list of Bidders which have submitted their respective Document Submissions on or before the Bids Submission Deadline and late submissions, if any, and submit such list to the TPBAC for evaluation and/or approval.
8. For clarity, the Bidder's duly registered authorized representatives will be allowed to enter the Zoom meeting venue for the Opening of Bids only after their Document Submissions are timely received by the TPBAC (and have duly registered themselves).

C. RETURN BY THE BANK CUSTODIAN OF THE RESERVE PRICE ENVELOPE

1. The return by the bank custodian, Asia United Bank (AUB), of the custody of the sealed Reserve Price envelope to the TPBAC is scheduled between **9:00 to 9:30 A.M. of 2 February 2022.**
2. The sealed Reserve Price envelope will be placed by the bank custodian on the non-contact receiving table outside the venue but followed by and within clear view of the Zoom meeting video camera or video recording. The bank custodian shall issue a certification on the safekeeping of the sealed Reserve Price envelope, which shall be read or shown to the Bidders.
3. After the turnover, the bank custodian will leave the venue. The sealed Reserve Price envelope shall be placed on a book stand or table in front of the TPBAC/TWG's table in full view of all of the Bidders or the Zoom meeting camera for the whole duration of the Proceedings.

D. OPENING AND EVALUATION OF BIDS

1. At **9:30 A.M. of 2 February 2022,** to start the Opening of Bids, a roll call of Bidders' authorized representatives shall be conducted by the TPBAC Secretariat.
2. The TPBAC shall direct the opening and evaluation of the Document Submissions. During the Opening of the Pre-Qualification Documents, the Interested Bidder/s shall email to the TPBAC Secretariat the password for the pertinent zip folder/file to be opened by the TPBAC. The opening and evaluation of the Document Submission shall be in three (3) stages, Envelope 1: Qualification Documents, Envelope 2: Technical Proposals and Envelope 3: Bid Prices in this order with the assistance of TWG. Such documents shall be opened and evaluated based on the order of registration of the Bidders. The uploaded/soft copies to the cloud-based folder of the Document Submissions shall be opened for simultaneous review of the TPBAC and TWG. The opening of the Document Submissions of all bidders shall be shown to the Participants through the Screen Share feature to be facilitated by one of the TPBAC or TWG members. Upon the TPBAC's sole discretion, it may direct the opening of the Original Copy sealed box in order to get the USB thumb/flash memory drives containing the scanned soft copies of the Document Submissions and/or compare it with the original copies of the Document Submissions.
3. The Bidder's authorized representatives, particularly the designated speaker, whose Document Submissions are being opened and evaluated are expected to be ready to respond in case the TPBAC or TWG will have clarificatory questions (see next item immediately below).
4. During the opening and evaluation of the Document Submissions, the TPBAC may confer with the Bidder's authorized representatives to verify any deficiency, ambiguity or possible error in the Document Submissions. If the TPBAC determines that any required document or information in the Document Submissions is found to be incomplete or patently insufficient or otherwise "non-conforming," the TPBAC reserves the right to immediately reject the Document Submissions of the concerned Bidder and consider its Document Submissions as "FAILED".
5. No Bidder shall be allowed to raise questions or make manifestations during the opening and evaluation of the Qualification Documents, Technical Proposals, and Bids. The Bidders are requested, instead, to note down all questions and/or manifestations and submit it formally in writing to the TPBAC Secretariat following the proper remedy under the IPB.
6. At the end of each stage of evaluation, the TWG shall prepare a report for the TPBAC's evaluation and/or approval. The TPBAC shall announce the Bidders who have qualified after each stage and who are allowed to participate in the next stage, and any other information which it deems necessary. Bidders whose Document Submissions were found to have "FAILED" at a relevant stage, shall be required to leave the Zoom meeting.
7. The TPBAC shall take custody of the original and soft copies of the Document Submissions that have been considered as "PASSED" at the relevant stage. The unopened original and soft copies of the Documents

Submissions that have been considered as “FAILED” shall be returned to the concerned Bidder at a later time to be designated by the TPBAC.

8. No amendments by Bidders to Annexes and forms shall be allowed. Any amendment by the Bidder on the Annexes and forms, which have not been approved by the TPBAC through the Bid Bulletins, shall be a ground for disqualification.

E. REMINDERS FOR ENTERING THE MERALCO OPERATIONS CENTER (MOC) ON 2 FEBRUARY 2022.

The Interested Bidder’s authorized representative/s (indicated in the latest Expression of Interest) or designated persons authorized through, and possessing, Special Powers of Attorney, who will submit the Original Copy box shall:

1. Bear the risk of the traffic peak/rush hours going to the Meralco Center Gate 2 (located between The Medical City hospital complex and intersection of Meralco Ave. and Ortigas Ave.), as well the as possible closure of the left turn access going to Meralco Center Gate 2 if coming from EDSA or Meralco Ave;
2. Bring his/her original vaccination card and must be fully vaccinated (i.e. at least 14 days from the last dose) on the day of the event. For clarity, to avoid delay or prevention of entry to the MOC, the driver of the vehicle, despite not being tasked to disembark and submit the original copy box, is required to bring also his/her original vaccination card and must be fully vaccinated (i.e. at least 14 days from the last dose) on the day of the event; and
3. Accomplish truthfully MERALCO's online health declaration form (QR code and link below) prior to entry. Incorrect declarations may delay or prevent entrance to the MOC.



<https://tinyurl.com/MERALCOHealthDeclaration>

Approved on 26 January 2022.