BIDDING
CONTRACT CAPACITY OF 600 MW (NET), EFFECTIVE SEPTEMBER 2025

BID BULLETIN NO. 6
(19 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-applicants 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 600 MW baseload supply requirement, effective August 26, 2025 ("600 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) today and directed the BAC-PSA to resume all upcoming CSP activities for the 600 MW CSP (and for 400 MW mid-merit 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 Bid Submission Deadline, which is now scheduled **between 8:00 A.M. to 9:00 A.M. of 27 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 11 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

Qualification Documents, Technical Proposals, and Bid Prices Submission Deadline **("Bid Submission Deadline")**	Bidders	~~On or before 9:00 AM, 2 August 2024 (uploading of soft copy files)~~ 8:00 AM to 9:00 AM, ~~2 August 2024~~ **27 August 2024** (Original Copy)
Opening of Pre-Qualification Document Submissions (Qualification Documents and Technical Proposals) Pre-Qualification Evaluation	BAC-PSA & Bidders	9:30 AM, ~~2 August 2024~~ **27 August 2024 and/or 28 August 2024** and such other day/s determined by BAC-PSA
Opening of Bid Prices Notification of Best Bid	BAC-PSA & Bidders	On ~~2 August 2024~~ **27 August 2024 and/or 28 August 2024, depending** if the **Opening of Pre-Qualification Document Submissions and** Pre-Qualification Evaluation is concluded on **27 August 2024 and/or 28 August 2024.** ~~the same day or not earlier than five (5) days after issuance of a Bid Bulletin announcing the Pre-Qualification Evaluation's result~~
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 11 June 2024) and Bid Requirements (posted starting 11 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 11 June 2024), Bid Requirements (posted

on 11 June 2024) and Instructions to Prospective Bidders (dated 11 June 2024) is provided herein as **ANNEX A.**

2. To reiterate our advisory from Bid Bulletin No. 4 (dated 24 July 2024), the Bid Submission Deadline and Opening of Pre-Qualification Document Submissions (Qualification Documents and Technical Proposals), now scheduled on **27 August 2024,** will be conducted mainly online via Zoom. For the physical submission of the Original Copy box of the Document Submissions, due to venue unavailability, the venue indicated in the Invitation to Bid, Bid Requirements and Instructions to Prospective Bidders (IPB), will be changed to the **14th Floor, Lopez Building, Meralco Center, Ortigas Ave., Pasig City**. The receipt, handling, and custody of the Original Copy boxes and Reserve Price envelope after the Bid Submission Deadline and return by the BAC-PSA's authorized bank custodian, respectively, may, upon the BAC-PSA's sole discretion, be delegated to any member of the TWG present at the venue;

3. The (i) House Rules containing the guidelines and rules to be observed during the Bid Submission Deadline and Opening of Pre-Qualification Document Submissions (Qualification Documents and Technical Proposals); and (ii) 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 are hereby re-adopted;

4. Pursuant to Bid Bulletin No. 4 directing all Interested Bidders to submit the ERC CSP Guidelines-required "Sworn Acknowledgment on the Bid Bulletins," we hereby release as **ANNEX B** the updated form/template of the ERC CSP Guidelines-required "Sworn Acknowledgment on the Bid Bulletins," for Interested Bidders to accomplish, state and acknowledge that:

    a. The amendments by the BAC-PSA through the following Bid Bulletins in this Bidding were released to, and duly received by, the Bidders at least fifteen (15) days before the Bid Submission Deadline on **27 August 2024**:

        i. Bid Bulletin No. 1 (dated 26 June 2024);
        ii. Bid Bulletin No. 2 (dated 8 July 2024);
        iii. Bid Bulletin No. 3 (dated 18 July 2024);
        iv. Bid Bulletin No. 4 (dated 24 July 2024); and
        v. Bid Bulletin No. 5 (dated 1 August 2024).

    b. The amendments by the BAC-PSA via Bid Bulletin No. 6 (dated 19 August 2024) in this Bidding was released to, and duly received by, the Bidders;

    c. Bidders agree that the Bid Bulletins, including the amendments to the Bidding Documents subject of said Bid Bulletins, have/had been duly considered in the preparation of the Bidder's bid; and

    d. The foregoing considered, the Bidders expressly consent to the conduct of the Bid Submission on **27 August 2024**.

The said "Sworn Acknowledgment on the Bid Bulletins" must be submitted (i) on or before **4:00 P.M. of 22 August 2024** to the BAC-PSA (c/o the BAC-PSA Secretariat's e-mail) **and** (ii) included in Envelope 1 (Qualification Documents) of the Interested Bidder's Document Submissions to be submitted at the Bid Submission Deadline.

5. 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 Pre-Qualification Document Submissions (Qualification Documents and Technical Proposals) shall be provided by the BAC-PSA Secretariat to the emails of the Interested Bidders' authorized representatives on or before **21 August 2024. The deadline for registration is at 4:00 P.M. of 22 August 2024**; and

6. 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 22 August 2024** to the Safety and Security Office of MERALCO (c/o the BAC-PSA Secretariat's e-mail) the details of the vehicle make, plate number, driver, and passenger/s).

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 11 June 2024)

Item	Reference / Subject Matter of Amendment	Amendments
1	page 11 *(Updated/amended schedule, in addition to amendments released via Bid Bulletin no. 3)*	[…] In order to qualify to bid, an Interested Bidder shall submit to the BAC-PSA Secretariat, ~~on or before 9:00 A.M.~~ **between 8:00 A.M. to 9:00 A.M.** of **27 August 2024** ~~2 August 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 2 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.~~ Thereafter, the opening, assessment and evaluation of the said bid submissions will proceed at **9:30 A.M. of** ~~2 August 2024~~ **27 August 2024,** through virtual video conferencing, […]

AMENDMENTS TO THE BID REQUIREMENTS (posted on 11 June 2024)

Item	Reference / Subject Matter of Amendment	Amendments
2	pages 3-5 *(Updated/amended schedule, in addition to amendments released via Bid Bulletin no. 3)*	[…] (e) **Between 8:00 A.M. to 9:00 A.M.** ~~On or before 9:00 A.M.~~ of **27 August 2024** ~~2 August 2024~~ (the "Bid Submission Deadline"), the Interested Bidders shall submit to the BAC-PSA, **at the 14th Floor, Lopez Building, MERALCO Center, Ortigas Ave., Pasig City,** their Document Submissions ~~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 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 2 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.~~ xxx xxx xxx 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 ~~2 August 2024~~ **27 August 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.

Item	Reference / Subject Matter of Amendment	Amendments
		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. **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.** […] 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. **If the Opening of Bid Prices will not be held on 27 August 2024 and/or 28 August 2024, t**he CSP Observers shall be informed/invited by the BAC-PSA of the **next** schedule and venue of the Opening of Bid Prices, at least five (5) days before the said date. […]

AMENDMENTS TO THE INSTRUCTIONS TO PROSPECTIVE BIDDERS (dated 11 June 2024)

<table>
<tr><th>Item</th><th>Reference / Subject Matter of Amendment</th><th>Amendments</th></tr>
<tr><td>1</td><td>Section 1

(Updated/amended schedule, in addition to amendments released via Bid Bulletin no. 3)</td><td>xxx xxx xxx

SECTION 1. BIDDING SCHEDULE

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

<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>Qualification Documents, Technical Proposals, and Bid Prices Submission Deadline

(“Bid Submission Deadline”)</td><td>Bidders</td><td><s>On or before 9:00 AM, 2 August 2024 (uploading of soft copy files)</s>

8:00 AM to 9:00 AM,

<s>2 August 2024</s>

<u>27 August 2024</u> (Original Copy)</td></tr>
<tr><td>Opening of Pre-Qualification Document Submissions (Qualification Documents and Technical Proposals)

Pre-Qualification Evaluation</td><td>BAC-PSA & Bidders</td><td>9:30 AM,

<s>2 August 2024</s>

<u>27 August 2024 and/or 28 August 2024</u>

and such other day/s determined by BAC-PSA</td></tr>
</table>
</td></tr>
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<table>
<tr><th>Item</th><th>Reference / Subject Matter of Amendment</th><th>Amendments</th></tr>
<tr><td></td><td></td><td>
<table>
<tr><td>Opening of Bid Prices

Notification of Best Bid</td><td>BAC-PSA & Bidders</td><td>On ~~9 August 2024~~ <u>27 August 2024 and/or 28 August 2024, depending</u> if the <u>Opening of Pre-Qualification Document Submissions and</u> Pre-Qualification Evaluation is concluded on <u>27 August 2024 and/or 28 August 2024.</u> ~~the same day or not earlier than five (5) days after issuance of a Bid Bulletin announcing the Pre-Qualification Evaluation's result~~</td></tr>
<tr><td>xxx</td><td>xxx</td><td>xxx</td></tr>
</table>

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.
</td></tr>
<tr><td>2</td><td>Section 2.2 (b) to (e)

(Updated/amended schedule, in addition to amendments released via Bid Bulletin no. 3)</td><td>[…]
(e) <u>Between 8:00 A.M. to 9:00 A.M.</u> ~~On or before 9:00 A.M.~~ of <u>27 August 2024</u> ~~2 August 2024~~ (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~~</td></tr>
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Item	Reference / Subject Matter of Amendment	Amendments
		~~Bid Submission Deadline, between 8:00 A.M. to 9:00 A.M. of 2 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.~~ xxx xxx xxx 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 ~~2 August 2024~~ **27 August 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. […] 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. **If the Opening of Bid Prices will not be held on 27 August 2024 and/or 28 August 2024, t**he CSP Observers shall be informed/invited by the BAC-PSA of the **next** schedule and venue of the Opening of Bid Prices, at least five (5) days before the said date. […]

ANNEX B

REPUBLIC OF THE PHILIPPINES }
CITY OF _____ }

SWORN ACKNOWLEDGMENT ON THE BID BULLETINS

I, *(name), (citizenship),* of legal age, with office address at *(address)*, as the *(position/designation)* and duly authorized representative of ***(insert name of the Bidder)*** (the "**COMPANY**"), a *(corporation/partnership)* organized existing under and by virtue of the laws of the Republic of the Philippines, after having been duly sworn to in accordance with law, depose and state that:

1. The COMPANY is a prospective Bidder for MERALCO's Competitive Selection Process for its *(capacity)* MW power supply requirement (the "**CSP**");

2. Pursuant to Bid Bulletin No. 4 directing all Interested Bidders to submit the ERC CSP Guidelines-required "Sworn Acknowledgment on the Bid Bulletins," the undersigned acknowledges that:

    a. The amendments by the BAC-PSA through the following Bid Bulletins in this Bidding were released to, and duly received by, the Bidders at least fifteen (15) days before the Bid Submission Deadline on **27 August 2024**:

        i. Bid Bulletin No. 1 (dated 26 June 2024);
        ii. Bid Bulletin No. 2 (dated 8 July 2024);
        iii. Bid Bulletin No. 3 (dated 18 July 2024);
        iv. Bid Bulletin No. 4 (dated 24 July 2024); and
        v. Bid Bulletin No. 5 (dated 1 August 2024).

    b. The amendments by the BAC-PSA via Bid Bulletin No. 6 (dated 19 August 2024) in this Bidding was released to, and duly received by, the Bidders;

    c. Bidders agree that the Bid Bulletins, including the amendments to the Bidding Documents subject of said Bid Bulletins, have/had been duly considered in the preparation of the Bidder's bid; and

    d. The foregoing considered, the Bidders expressly consent to the conduct of the Bid Submission on **27 August 2024**.

3. I am executing this Sworn Undertaking to attest to the truth of the foregoing and for whatever purpose it may serve.

(Date and Place of Execution.)

By:

(Name, Designation, and Signature of the Company's Representative)

ACKNOWLEDGMENT

BEFORE ME, a Notary Public for and in _____ City, Philippines, this _____ day of _____, 20_____, personally appeared:

	Competent Evidence of Identity	Date of Issue/Expiry Date and Place Issued

known to me and to me known to be the same person who executed the foregoing instrument for and on behalf of the *(corporation/partnership)* that *(he/she)* represents, and that *(he/she)* acknowledged before me that the same is *(his/her)* free and voluntary act and deed, as well as that of the *(corporation/partnership)* that *(he/she)* represents, and that *(he/she)* is duly authorized to sign, execute and deliver the same.

This instrument, consisting of _____ pages, including the page on which this acknowledgment is written, has been signed on each and every page thereof by _____ and *(his/her)* witness/es, and sealed with my notarial seal.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the date and the place first above-written.

Doc. No._____;
Page No._____;
Book No._____;
Series of ___.