BIDDING

RENEWABLE ENERGY CONTRACT CAPACITY OF 350 MW (AC, NET), EFFECTIVE MARCH 2025 TO INCREASE BY 150 MW (AC, NET), EFFECTIVE MARCH 2026

BID BULLETIN NO. 1

To all Interested Bidders:

1. As a reminder, pursuant to the Supplemental Notice No. 1 issued last 6 June 2024, the BAC-PSA shall conduct the Pre-Bid Conference at **10:00 A.M. to 12:00 P.M. on 14 June 2024** through virtual/online conferencing.

2. The House Rules containing the guidelines and rules to be observed during the Pre-Bid Conference are set out in **ANNEX A**.

3. A matrix showing the amendments to the Bid Requirements (posted on 25 May 2024) and Instructions to Prospective Bidders (dated 25 May 2024) is provided herein as **ANNEX B.**

4. The Zoom registration details, designated meeting IDs, passcodes, links, and other information necessary to join the virtual/online Pre-Bid Conference shall be provided by the BAC-PSA Secretariat to the designated emails of the Interested Bidders' authorized representatives on or before **4:00 P.M. of 11 June 2024** and the **deadline for registration is at 4:00 P.M. of 13 June 2024.**

For your guidance and information.

Issued on 10 January 2024.

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

(sgd)
Lawrence S. Fernandez
Chairman

ANNEX A

HOUSE RULES
PRE-BID CONFERENCE
350 MW (AC, net, effective March 2025) to increase by 150 MW (AC, net, effective March 2026) renewable energy mid-merit supply requirement ("500 MW RE Mid-merit Requirement Effective March 2025")
14 June 2024, 10:00 A.M.
Zoom Virtual Meeting

For the orderly and efficient conduct of the Pre-Bid Conference for MERALCO's Competitive Selection Process for **500 MW RE Mid-merit Requirement Effective March 2025**, the Bids and Awards Committee for competitive selection process for the procurement of power supply agreements ("BAC-PSA") adopts the following House Rules:

1. The entire proceedings shall be under the direction and control of the BAC-PSA. The BAC-PSA Chairperson, or in his absence, the Vice-Chairperson, shall preside over the Pre-Bid Conference.

2. The BAC-PSA Secretariat shall act as the Secretary of the Pre-Bid Conference. The BAC-PSA Secretariat shall be in charge of documenting and recording the proceedings.

3. Only the Interested Bidders' authorized representatives as indicated in the Expression of Interest submitted within the registration period before the Pre-Bid Conference are allowed to attend and participate therein. Each of the Interested Bidders are allowed to designate a maximum of three (3) authorized representatives as indicated in their respective Expressions of Interest.

   Convergence of the Interested Bidders' authorized representatives in one venue or using one Zoom account is allowed provided that they are all the duly authorized representatives of one Interested Bidder.

4. Only identified entities/interested consumers that/who met the requirements in the Invitation to Participate as CSP Observer uploaded in Meralco's website are allowed to attend the Pre-Bid Conference as CSP Observers.

5. No individual, except for the BAC-PSA Secretariat, shall be allowed to take video or audio recordings of the proceedings. Only the video/ audio recording of the BAC-PSA shall be considered as the official recording of the Pre-Bid Conference. Upon a valid and reasonable written request made by an Interested Bidder or a CSP Observer, the BAC-PSA may grant access/viewing of the official recording subject, but not limited to, the following conditions: (i) access/viewing of the official recording shall only be inside a data room to be provided over a specified period to the requesting Interested Bidder or CSP Observer, (ii) the Interested Bidder or CSP Observer shall identify which portion of the records is to be accessed or viewed

and provide explanation why there is a need to access or view the same, and (iii) if the requesting Bidder or CSP Observer was absent, due to justifiable reasons.

6. Pursuant to Section 2.2(b) of the Instructions to Prospective Bidders, the BAC-PSA shall prioritize the discussion of the advance queries submitted by the Interested Bidders on or before **1:00 P.M. of 11 June 2024** to the BAC-PSA Secretariat through the following e-mail address: BACPSASecretariat@meralco.com.ph and using the queries/comment matrix template made available on Meralco's website. If time permits, the BAC-PSA may entertain and discuss additional questions raised by the Interested Bidders during the Pre-Bid Conference. The additional questions must be posted in the chat box. Only the Interested Bidders' authorized representatives are allowed to submit queries or comments.

7. In accordance with Section 2.8 of the Instructions to Prospective Bidders, the Pre-Bid Conference will be conducted through a hybrid of virtual video/audio conferencing using the Zoom application. As such, the guidelines before and during the Pre-Bid Conference are as follows:

   A. Before the Pre-Bid Conference through virtual video/audio conferencing:

      1) Registration is required to receive the videoconferencing details for the Pre-Bid Conference.

      2) On or before **11 June 2024 at 4:00 P.M.**, a link will be sent to the email addresses of the authorized representatives of Interested Bidders and qualified CSP Observers ("Participants") for registration to the Pre-Bid Conference.

      3) The deadline for registration is on **13 June 2024 at 4:00 P.M.**.

      4) Only the registered email addresses will be allowed to join the Zoom Meeting for the Pre-Bid Conference. Further, only one device per email address will be allowed to connect.

      5) Confirmation of the registration with a link to the Zoom Meeting will be sent to those who successfully registered starting **14 June 2024 at 8:00 A.M.**

   B. During the Pre-Bid Conference through virtual video/audio conferencing:

      1) The respective authorized representative/s of the Participants must be in the waiting room of the Zoom Meeting at **9:45 A.M. on 14 June 2024** in order for their attendance to be considered.

      2) At **10:00 A.M**. **on 14 June 2024**, the BAC-PSA Secretariat will start admitting the Participants into the Zoom Meeting. Shortly after, a roll call of the registered and authorized representatives of the Participants will be conducted by the BAC-PSA Secretariat.

      3) Those who are admitted in the Zoom Meeting but not included in the list of authorized representative/s of the Participants will be removed by the BAC-PSA Secretariat from the Zoom Meeting.

4) Participants must use the following display credentials throughout the Pre-Bid Conference: "*Company Name/Consumer Group/Community Group/Civil Society Organization (as applicable) – Surname, First Name*".

5) Participants shall ensure that their names and the name of the company, group or organization that they are representing, if any, 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 BAC-PSA Secretariat to unmute.

7) Participants shall be required to turn on their respective video cameras during the entire duration of the Pre-Bid Conference.

8) **Authorized representatives of the Interested Bidders should raise their questions or comments directly in the chat box at any time during the Pre-Bid Conference following the prescribed format: "Company name - Question/Comment". If time permits, questions or comments in the chat box will be read by the BAC-PSA Secretariat during the Open Forum segment**.

9) An authorized representative of the Interested Bidder may be allowed to speak only when recognized by the BAC-PSA Secretariat and only the designated speaker of the Interested Bidder shall be allowed to speak on behalf of the Interested Bidder. However, the designated speaker of the Interested Bidder may request permission from the BAC-PSA for another authorized representative of the Interested Bidder to speak or raise a question.

10) If necessary, the BAC-PSA and/or its Technical Working Group ("BAC-PSA TWG") may move to a breakout room for a caucus.

8. All Participants must observe the House Rules provided herein. The BAC-PSA Secretariat may give warnings to Participants who do not observe the House Rules by indicating the same in the chat box. The BAC-PSA Secretariat shall flag to the BAC-PSA Chairperson and recommend the removal from the Zoom Meeting of Participants who continue to disregard the House Rules and who disrupt the Pre-Bid Conference despite warnings.

9. The BAC-PSA Chairperson may appoint any member of the BAC-PSA or BAC-PSA TWG to answer questions raised by the Interested Bidders.

10. The BAC-PSA may request assistance from the BAC-PSA TWG and/or the BAC-PSA Secretariat to perform such functions as may be necessary at the discretion of the BAC-PSA.

11. No provision, term, or condition in the bidding documents shall be modified by statements made at the Pre-Bid Conference unless such statements are confirmed in writing and contained in a notice/bid bulletin issued by the BAC-PSA. The notices and/or bid bulletins that amends the Bidding Documents, if any, shall be duly

acknowledged by each Bidder prior to the submission of its bid and shall be so indicated in the bid, following the form to be provided by the BAC-PSA in the notices and/or bid bulletins that amend the Bidding Documents.

12. After the conduct of the Pre-Bid Conference, a summary of the proceedings shall be issued to the Interested Bidders.

Approved on **10 June 2024.**

AMENDMENTS TO THE INVITATION TO BID / TERMS OF REFERENCE TABLE (published and posted starting on 25 May 2024)

Item	Reference / Subject Matter of Amendment	Amendments
1	Force Majeure *Deletion of the sentence because inconsistent with the previous bullet as Force Majeure shall only be claimed when there is no supply available from the WESM or any other source.*	• An Event of Force Majeure shall mean any circumstance not within the reasonable control, directly or indirectly, of the Party affected, but only and to the extent: xxx xxx xxx • For clarity, Power Supplier shall not be allowed to claim Force Majeure in case there is supply available from the WESM or any other source. • ~~*In case of an Event of Force Majeure affecting Power Supplier, Parties may agree that Meralco shall have the option to require Power Supplier to make available the Contract Capacity and deliver the Associated Energy from WESM and/or any other source, and MERALCO shall pay Power Supplier at the Contract Price.*~~ For avoidance of doubt and notwithstanding any other provision of the PSA, the MEOT shall be reduced proportionally and Meralco shall not be required to make any payments in respect of (i) any Contract Capacity and Associated Energy that is unavailable due to an Event of Force Majeure, or (ii) any Contract Capacity and Associated Energy that Meralco cannot receive or deliver to its customers due to an Event of Force Majeure. In respect of item (ii) in the foregoing sentence, Power Supplier shall not be required to supply Meralco and may freely sell the Contract Capacity or the affected portion thereof to interested parties, including the WESM.

AMENDMENTS TO THE BID REQUIREMENTS (posted on 25 May 2024)

Item	Reference / Subject Matter of Amendment	Amendments
1	Title *New*	Bid Requirements RENEWABLE ENERGY CONTRACT CAPACITY OF 350 MW (AC, NET), **EFFECTIVE** ~~COD~~ MARCH 2025 TO INCREASE BY 150 MW (AC, NET), **EFFECTIVE** ~~COD~~ MARCH 2026 […]
2	p.11, Technical Qualification Requirements *Typographical correction*	2. Technical Qualification Requirements (a) The Bidder, whether directly or through any of its direct shareholders representing Controlling interest, Affiliates or Ultimate Parent must submit: (i) list of power plants undertaken over the last ten (10) years; (ii) list of electricity generation plants that it has operated for the last five (5) years; **or** ~~and~~ (iii) proof /documentation of track record for the last five (5) years of power plants operated by it; […]
3	p.13, Financial Qualification Requirements *Clarification for those with Nominated Plants already in commercial operation*	3. Financial Qualification Requirements (a) The Bidder must show satisfactory evidence that it has the financial capacity to fulfill its obligations with Meralco. This requirement may be complied with by the Bidder directly or through any of its direct shareholders representing Controlling interest, Affiliates or Ultimate Parent. As evidence thereof, the Bidder or any of its direct shareholders representing Controlling interest, Affiliates or Ultimate Parent, or in case of an unincorporated joint venture or consortium, each entity or party thereto, must: (i) xxx (ii) **if the Nominated Plant is already in commercial operation, the consolidated financial statements must show an Unrestricted Net Worth equivalent to Seven Million Pesos (PhP7,000,000.00) multiplied by MegaWatt (MW) of Offered Contract Capacity, or, if the Nominated Plant is not yet in commercial operation**, the consolidated financial statements must show, as a general rule, an Unrestricted Net Worth of at least 30% of the Project Cost (defined below) ("Required Unrestricted Net Worth") based on its submitted financial statements.
4	p.14, Technical Proposal (Envelope 2)	Technical Proposal (Envelope 2)

Item	Reference / Subject Matter of Amendment	Amendments
	Clarification, typographical correction, and an additional requirement for those with Nominated Plants already in commercial operation.	The Interested Bidder must identify the proposed power plant/s that it or its direct shareholder representing Controlling interest is the developer of, owner of, **or administrator of,** and Controls, and has sufficient authority to enter into the offtake agreement with Meralco, which must be capable of supplying the Offered Contract Capacity to Meralco for the Required Contract Period, provided that it must be a mid-merit renewable energy source power plant ("Nominated Plant"). For clarity, Power Supplier should be able to declare as bilateral contract quantity to the WESM the energy nomination of Meralco during its peak hours and that the Nominated Plant must have separate delivery points for each power plant generating unit as registered with the Wholesale Electricity Sport Market (WESM), which Delivery Points should be interconnected with the Luzon, Visayas or Mindanao grid upon **Operations Effective Date (OED)** ~~Commercial Operations Date (COD)~~ of the power plant/s and which power plant/s must be able to export power to the Luzon grid upon **OED** ~~(COD)~~. xxx xxx xxx (n) If the Nominated Plant is already in commercial operation, items (b) to (m) above will not be required, instead, Bidder must submit the Nominated Plant's: 1. Certificate of Compliance (COC) xxx; 2. Registration as a direct member of the WESM xxx; 3. **Fuel Supply Agreement, if available, otherwise a Fuel Procurement Plan containing a narrative description of strategies and plans for ensuring long-term availability of fuel and regulatory compliance on fuel inventory and specification, which shall be certified as a true copy by the corporate secretary/assistant corporate secretary, in which case it must be under oath and notarized; and** 4. Transmission Service Agreement (TSA) xxx.

AMENDMENTS TO THE INSTRUCTIONS TO PROSPECTIVE BIDDERS (dated 25 May 2024)

Item	Reference / Subject Matter of Amendment	Amendments
1	Section 3.1.5 *Clarification for those with Nominated Plants already in commercial operation*	3.1.5 Notarized Statement of Financial Capability, where **if the Nominated Plant is already in commercial operation, the consolidated financial statements must show an Unrestricted Net Worth equivalent to Seven Million Pesos (PhP7,000,000.00) multiplied by MegaWatt (MW) of Offered Contract Capacity, or, if the Nominated Plant is not yet in commercial operation,** the consolidated financial statements must show an Unrestricted Net Worth of at least 30% of the Project Cost ("Required Unrestricted Net Worth") based on its submitted financial statements, using the form in Annex QD-8, together with the following attachments: […]
2	Section 3.2 *Clarification and an additional requirement for those with Nominated Plants already in commercial operation.*	3.2. TECHNICAL PROPOSAL The Interested Bidder must identify the proposed power plant/s that it or its direct shareholder representing Controlling interest is the developer of, owner of, **or administrator of,** and Controls, and has sufficient authority to enter into the offtake agreement with Meralco, which must be capable of supplying the Offered Contract Capacity to Meralco for the Required Contract Period, provided that it must be a mid-merit renewable energy source power plant ("Nominated Plant"). xxx. […] (p) If the Nominated Plant is already in commercial operation, items (b) to (o) above will not be required, instead, Bidder must submit the Nominated Plant's: 1. Certificate of Compliance (COC) xxx; 2. Registration as a direct member of the WESM xxx; 3. **Fuel Supply Agreement, if available, otherwise a Fuel Procurement Plan containing a narrative description of strategies and plans for ensuring long-term availability of fuel and regulatory compliance on fuel inventory and specification, which shall be certified as a true copy by the corporate secretary/assistant corporate secretary, in which case it must be under oath and notarized; and**

Item	Reference / Subject Matter of Amendment	Amendments
		4. Transmission Service Agreement (TSA) xxx. […]
3	ANNEX TP-1 *Additional requirement for those with Nominated Plants already in commercial operation*	**ANNEX TP-1** **TECHNICAL PROPOSAL** **(NOMINATED PLANT)** Required attachments: xxx xxx xxx 15. If the Nominated Plant is already in commercial operation, items (3) to (14) above will not be required, instead, Bidder must submit the Nominated Plant's: a. Certificate of Compliance (COC) xxx; b. Registration as a direct member of the WESM xxx; c. **Fuel Supply Agreement, if available, otherwise a Fuel Procurement Plan containing a narrative description of strategies and plans for ensuring long-term availability of fuel and regulatory compliance on fuel inventory and specification, which shall be certified as a true copy by the corporate secretary/assistant corporate secretary, in which case it must be under oath and notarized; and** d. Transmission Service Agreement (TSA) xxx.