



INVITATION TO BID – SECOND ROUND
RENEWABLE ENERGY CONTRACT CAPACITY OF 200 MW (NET), COD 2024

BID BULLETIN NO. 2

To all Interested Bidders:

1. The Bid Submission Deadline and Opening of Pre-Qualification Document Submissions (Qualification Documents and Technical Proposals) on 10 January 2023 will be conducted fully online via Zoom. For the physical submission of the Original Copy box of the Document Submissions, due venue unavailability, the venue indicated in the in the TOR/Final Invitation to Bid (published on 9 and 16 November 2022) and Instructions to Prospective Bidders (dated 9 November 2022) (IPB) will be changed to the **Lobby, MERALCO PowerTech 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 Bid 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 Pre-Qualification Document Submissions (Qualification Documents and Technical Proposals) 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 Pre-Qualification Document Submissions (Qualification Documents and Technical Proposals) shall be provided by the TPBAC Secretariat to the emails of the Interested Bidders' authorized representatives on or before **5 January 2023**; 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 9 January 2023** 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. Wear the appropriate personal protective equipment (i.e. face mask).

For your guidance and information.

Approved on 15 December 2022.

Third Party Bids and Awards Committee ("TPBAC")
Manila Electric Company

(sgd)

Atty. Ferdinand A. Domingo
Chairman



CHECKLIST OF DOCUMENT SUBMISSIONS*
RENEWABLE ENERGY CONTRACT CAPACITY OF 200 MW (AC, NET), COD MARCH 2024

Bidder	
Nominated Power Plant (name/description/location)	
Offered Contract Capacity	

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 **Second Round** Competitive Selection Process for the Contract Capacity of **200 MW (net), COD March 2024**, and to be uploaded to a cloud-based folder no later than **9:00 A.M. of 10 January 2023**, and the original copy of which be submitted on between **8:00 A.M. to 9:00 A.M. of 10 January 2023**.

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) Qualification Documents shall be prepared and written in the English language. All documents issued or executed in a foreign country (Section 2.7);
- (c) Each set of the Qualification Documents, Technical Proposal or Bid Price should contain a table of contents (Section 3.4.1(a));
- (d) 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));
- (e) 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));
- (f) 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 2021," etc.). (Section 3.4.1(d));
- (g) 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));
- (h) 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));

- (i) The Headline Rate and LCOE shall be calculated up to the fourth (4th) decimal place (Section 3.4.1(g));
- (j) 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));
- (k) 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;
- (l) 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 Bid Price and Bid Security (Envelope 3) before placing it inside the sealed container box of its Document Submissions (Sec. 4.2.1);
- (m) Subject to some allowed revisions issued in various Bid Bulletins to address specific circumstances of a bidder (e.g. consortium), 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

200 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	<p>TABLE OF CONTENTS (Sec. 3.4.1(a))</p>			All pages must be numbered consecutively.			
3	<p>EXPRESSION OF INTEREST (EOI), CONFIDENTIALITY UNDERTAKING (CU), AND ACKNOWLEDGEMENT AND CONSENT FORM FOR DATA PRIVACY</p>			<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>Attachment:</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>Attachments:</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>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 amended several times, only the most recent amended AOI need be submitted.</p> <p>GIS – e-mail acknowledgement of the SEC would suffice as</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; and			a substitute of the SEC stamp "received." Diagram of the corporate structure – only up to Affiliates engaged in the power industry.			
6	CERTIFICATION THAT NOMINATED POWER PLANT IS UNCONTRACTED (Sec. 3.1.2(f))		Annex QD-3	Annex QD-3 should be notarized.			
7	BIDDER'S CERTIFICATION OF ABSENCE OF UNSATISFACTORY PERFORMANCE RECORD, OUTSTANDING DISPUTE OR UNSETTLED DISPUTE, OR DUE AND DEMANDABLE FINANCIAL OBLIGATION/S (Sec. 3.1.3) Attachments: (a) List of the Bidder's Counterpart(ies)/Financial Lenders (b) Counterparty's Certification of Absence of Unsatisfactory Performance Record, Outstanding Dispute or Due and Demandable Financial Obligation/s		Annex QD-4 Annex A of Annex QD-4 Annex QD-4-A	Annexes QD-4 should be notarized. Annexes QD-4-A should be notarized.			
8	CERTIFICATION REGARDING TECHNICAL QUALIFICATION (REFERENCE PLANT) (Sec. 3.1.4) Attachments: (a) Proof that the Bidder or any of its direct shareholders with Controlling interest, Affiliate or Ultimate Parent has satisfactorily undertaken the development, construction, and/or operation or maintenance of a Reference Plant, whether in the Philippines or elsewhere. (b) In respect of any Reference Plant, proof that the Reference Plant is capable of generation of electricity of at least 50 MW (AC, net), which must be supported by an official document [GCMR] of the Bidder's Reference Power Plant as submitted by the Bidder to the ERC, showing that it attained a simple monthly average of at least 87.67% PCF over a 3-month consecutive period of operations within the most recent forty-two (42) month period of operations, certified as a true copy by the corporate secretary, in which		Annex QD-5 Certification regarding Technical Qualification	The Certification regarding Technical Qualification (Reference Plant), to be used as the cover page of all attachments in Annex QD-5, should be notarized.			

Bid Documents		Page No. in the set	Form	Notes	Yes	No	Comments
	<p>case it must be under oath and notarized. If the Reference Plant is located outside of the Philippines, the Bidder must provide any equivalent or similar official document like the GCMR which is submitted to or issued by that foreign country's regulatory body or agency, and such document must be certified as a true copy by the corporate secretary, in which case it must be under oath and notarized.</p> <p>(c) Proof that the Reference Plant is covered by a Certificate of Compliance (COC) or Provisional Authority to Operate (PAO) from the ERC, as submitted by the Bidder as a certified true copy by (i) the ERC; or (ii) the corporate secretary, in which case it must be under oath and notarized. If the COC/PAO is not available as of Bid Submission Deadline, the Bidder must submit an application for a COC/PAO pending before the ERC or any other official document coming from the ERC confirming the Reference Plant's authority to operate at least 50 MW (AC, net). If the Reference Plant is located outside of the Philippines, it must have the license or permit equivalent to the ERC's COC/PAO (e.g. a certification issued by that foreign country's regulatory body or agency for the power industry that the Reference Plant is licensed or authorized to operate a power plant - a self-certification issued by the Reference Plant's developer, owner or operator will not be accepted);</p> <p>(d) In respect of a Reference Plant located in Luzon or Visayas, it must be registered as a direct member of the WESM and submit a copy of its Market Participation Agreement for the Reference Power Plant, which shall be certified as a true copy by (i) the Philippine Electricity Market Corporation and/or Independent Electricity Market Operator of the Philippines; or (ii) the corporate secretary, in which case it must be under oath and notarized. If the Reference Plant is located outside of the Philippines, it must submit the equivalent of these documents if in a foreign country and such document must be certified as a true copy by the corporate secretary, in which case it must be under oath and notarized; and</p>						

Bid Documents		Page No. in the set	Form	Notes	Yes	No	Comments
	<p>(e) Proof that the Reference Plant is 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. If the Reference Plant is located outside of the Philippines, the Bidder must submit the equivalent of these documents if in a foreign country and such document must be certified as a true copy by the corporate secretary, in which case it must be under oath and notarized;</p> <p>(f) If applicable, proof that the Reference Plant is covered by a valid Fuel Supply Agreement, which shall be duly certified by the corporate secretary, in which case it must be under oath and notarized. If the Reference Plant is located outside of the Philippines, the Bidder must submit the equivalent of these documents if in a foreign country and such document must be certified as a true copy by the corporate secretary, in which case it must be under oath and notarized; and</p> <p>(g) 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.; and</p> <p>(f) Tabular presentation of the details of the Reference Plant</p>						
9	<p>STATEMENT OF FINANCIAL CAPABILITY (Sec. 3.1.5)</p> <p>Attachments:</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, 2021) duly stamped "received" by the Bureau of</p>		Annex QD-6	<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>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>			

Bid Documents		Page No. in the set	Form	Notes	Yes	No	Comments
	<p>Internal Revenue ("BIR") or SEC, or the equivalent thereof in a foreign country; <i>and</i></p> <p>(b) copy of the most recent quarterly financial statements</p> <p>If the Bidder's Unrestricted Net Worth is less than 30% of the Project Cost, the remaining percentage of the Project Cost that is not covered by the Unrestricted Net Worth should be covered by a debt Testimonial (discussed below) to be submitted by the Bidder (e.g. if 80% of the Project Cost is not covered by the Bidder's Unrestricted Net Worth, that 80% should be covered by a Testimonial [discussed below] to be submitted by the Bidder), provided that in order to exercise this option, the Bidder will be required to post an additional twenty-five percent (25%) of the Base Amount.</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> <p>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 2021, then quarterly FS for 1st to 3rd [or 4th, if available] quarters of 2022 should be submitted.</p>			
10	<p>STATEMENT ON PROJECT COST AND FINANCING PLAN (Sec. 3.1.6)</p> <p><i>Attachments:</i></p> <p>(a) Commitment Letter; and</p> <p>(b) Testimonial.</p>		<p>Annex QD-7</p> <p>Annex QD-7A</p> <p>Annex QD-7B</p>	<p>The Statement on Project Cost and Financing Plan, to be used as the cover page of all attachments in Annex QD-7, should be notarized.</p>			

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	<p>TABLE OF CONTENTS (Sec. 3.4.1(a))</p>			All pages must be numbered consecutively.			
3	<p>TECHNICAL PROPOSAL (NOMINATED POWER PLANT) (Sec. 3.2)</p> <p>Attachments:</p> <p>(a) Proof that the Bidder or its direct shareholder representing Controlling interest is the developer of, owner of, and Controls, the Nominated Power Plant and has sufficient authority to enter into the offtake agreement with Meralco;</p> <p>(b) 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>(c) Evidence of land acquisition, or legal possession of the proposed site/s of the Nominated Power Plant (i.e. including the Energy Storage System ["ESS"] component, if any) over the Required Contract Period, which, as a general rule, shows that the Bidder has acquired, or will be able to acquire ownership or legal possession of the right, title or interest therein.</p> <p>(d) The Bidder shall provide a description for the Nominated Power Plant, and of its use of a technology that complies with the prevailing emission standards under pertinent DENR issuances on emission and other environmental standards for power plants as well as the appropriate international codes and standards (e.g. IEC-International Electro-technical Commission, IEEE-Institute of Electrical and Electronics Engineers, ANSI-American National Standards Institute, ASME-American Society of Mechanical Engineers, ASNT-American Society for Non-destructive Testing, ASTM-American Society for Testing and Materials, BSI-British Standards Institute, ISO-International</p>		Annex TP-1	<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>Attachment (a) can be a resubmission of the Secretary's Certificate used as proof of Bidder's authority to enter into a PSA in the form of Annex QD-1A.</p> <p>For attachments (b) and (e), follow the suggested format provided in Annex TP-1.</p>			

Bid Documents	Page no. in the set	Form	Notes	Yes	No	Comments
<p>Organization for Standardization, NBS-National Bureau of Standards, USA, NACE-National Association of Corrosion Engineers, NEMA-National Electrical Manufacturers Association, PBC-Philippines Building Code, etc.), provided compliance with statutory and local Philippines laws and regulations shall take precedence over international standards.</p> <p>(e) The Bidder shall provide convincing proof that the technology of the Nominated Power Plant's individual component / novel use or arrangement is of proven design and technology, which means that a generating unit of the same technology for the said individual component / novel use or arrangement with at least 50 MW (AC, net) installed capacity, must have been engaged in reliable commercial operation for at least one (1) year in a 60 Hertz system ("Comparable Plant").</p> <p>The Comparable Plant will be considered to have been in "reliable" commercial operation for the purposes of this requirement if the TPBAC's independent engineer determines that the Comparable Plant taken as a whole, considering the submitted individual component / novel use or arrangement, has (i) attained a simple monthly average of at least [equivalent offered PCF percentage of the Bidder's Nominated Power Plant] PCF over a 3-month consecutive period of operations within the most recent forty-two (42) month period of operations, or (ii) can attain a simple monthly average of at least [equivalent offered PCF percentage of the Bidder's Nominated Power Plant] PCF over a 3-month consecutive period of operations.</p> <p>For this purpose, the Bidder's authorized representative should submit a notarized certification attaching as proof a certification, issued by the Comparable Plant's owner, operator, or manufacturer, or a certification from a reputable and capable international firm of engineers, that the Comparable Plant is of the same proven design and technology as the Bidder's Nominated Power Plant's individual component / novel use or arrangement, with at least 50 MW (AC, net) installed capacity and has been engaged in reliable commercial operation for at least one (1) year in a 60 Hertz system. For clarity and for this purpose only, when the certification from</p>						

Bid Documents	Page no. in the set	Form	Notes	Yes	No	Comments
<p>the Comparable Plant’s owner, operator, or manufacturer, or a certification from a reputable and capable international firm of engineers is issued or executed in a foreign country, it need not be notarized, authenticated or apostilled; provided the certification executed by the Bidder’s authorized representative, which attaches the said owner, operator or manufacturer’s certification or the certification from a reputable and capable international firm of engineers, is duly notarized and/or authenticated or apostilled, as the case may be;</p> <p>(f) The Project’s Feasibility Study;</p> <p>(g) Details of the Project’s execution, where the Bidder shall provide a description on how it will carry out the development, financing, construction, interconnection, operation, and maintenance of the Nominated Power Plant, including but not limited to general information on the Nominated Power Plant and its key components, such as the design data (e.g., type, including specific fuel, number of units, and capacity), proposed plant site/s, and proposed interconnection site/s; the key project milestone schedule, if available; and the details on the development, engineering, procurement and construction plan of the Nominated Power Plant;</p> <p>(h) The Renewable Energy Service Contract/s (RESC) for the Nominated Power Plant executed with the DOE; or an application for RESC pending before the DOE, provided a certified true copy of the RESC must be submitted during Post-Qualification if the Bidder’s Bid Price is declared as the Best Bid;</p> <p>(i) The Environmental Compliance Certificate/s (ECC) issued by the Department of Environment and Natural Resources (DENR) for the Nominated Power Plant (i.e. including the ESS component), or application/s for ECC pending before the DENR (or an ECC that did not include the ESS component), provided that if the Bidder becomes the Winning Power Supplier, a certified true copy of the ECC (or the ECC that includes the ESS component) issued by the DENR must be submitted as required by the ERC;</p> <p>(j) The Grid Impact Study/ies (GIS) / System Impact Study/ies</p>			<p>There is no prescribed format for the Project Feasibility Study, but it should be the standard acceptable industry practice of preparing a Project Feasibility Study prior to developing or constructing a power plant.</p>			

Bid Documents		Page no. in the set	Form	Notes	Yes	No	Comments
	<p>(SIS) for the Nominated Power Plant, whichever is applicable, issued by NGCP; or application/s for GIS/SIS pending before the NGCP, provided a certified true copy of the GIS/SIS must be submitted during Post-Qualification if the Bidder's Proposed Price is declared as the Best Bid.</p> <p>(k) If applicable, the Certificate/s of Non-Overlap (CNO) and/or Free and Prior Informed Consent (FPIC) Certificate/s issued by the National Commission on Indigenous Peoples (NCIP) for the Nominated Power Plant, or application/s for the CNO and/or FPIC Certificate pending before the NCIP, provided that if the Bidder becomes the Winning Power Supplier, a certified true copy of the CNO and/or FPIC Certificate/s issued by the NCIP must be submitted as required by the ERC;</p> <p>(l) If applicable, the Water Rights Permit/s issued by the National Water Resources Board (NWRB) for the Nominated Power Plant, or application/s for the Water Rights Permit/s before the NWRB, provided that if the Bidder becomes the Winning Power Supplier, a certified true copy of the Water Rights Permit issued by the NWRB must be submitted as required by the ERC; and</p> <p>(m) 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.</p>						
4	PERFORMANCE GUARANTEES (NOMINATED POWER PLANT) <i>(Sec. 3.2(g))</i>		Annex TP-2	Annex TP-2 should be 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))		Annex BID-2	<p>Annex BID-2 should be notarized.</p> <p>The Bid Security, comprised of the Base Amount and any increments thereto required from the Bidder as a result of the applicable circumstances, equivalent to Seven Hundred Fifty Million Pesos (PhP750,000,000.00), in the form prescribed in the iPB.</p> <p>The Bid Security shall initially be valid for sixty (60) days from the Bid Submission Deadline (i.e. until March 11, 2023). 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 (Sec. 3.3(d) and (e))</p> <p>(a) A soft copy of the Bidder's duly accomplished Financial Evaluation Workbook submitted as an electronic 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> <ul style="list-style-type: none"> i. LCOE Result Worksheet; ii. Annual Caps Worksheet; iii. Base Rates Table Worksheet; iv. Bid Security Worksheet; and v. Performance Security Worksheet. 						

Bid Documents		Page no. in the set	Forms	Notes	Yes	No	Comments
6	ACKNOWLEDGEMENT AND ACCEPTANCE OF THE POWER SUPPLY AGREEMENT TEMPLATE		Annex BID-3				

HOUSE RULES
BID SUBMISSION AND OPENING
OF DOCUMENT SUBMISSIONS
RENEWABLE ENERGY CONTRACT CAPACITY OF 200 MW (AC, NET), COD MARCH 2024
10 January 2023
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 **Second Round** Competitive Selection Process for **RENEWABLE ENERGY CONTRACT CAPACITY OF 200 MW (AC, NET), COD MARCH 2024**, 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 **5 January 2023**, 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 9 January 2023**. 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 10 January 2023** 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 Pre-Qualification Document Submissions (Qualification Documents and Technical Proposals).
- 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 Document Submissions box of the Bidders between **8:00 A.M. until 9:00 A.M. of 10 January 2023** ("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 Lobby, Meralco PowerTech Building, Meralco Center, Ortigas 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 PowerTech Lobby vehicle drop-off area.

For this purpose, the Bidder shall submit to the TPBAC by **4:00 P.M. of 9 January 2023** 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 Pre-Qualification Document Submissions (Qualification Documents and Technical Proposals) only after their Document Submissions are timely received by the TPBAC (and have duly registered themselves).

C. TRANSFER OF CUSTODY OF ENVELOPE 3 TO THE BANK CUSTODIAN

1. The Transfer of Custody of Envelope 3 to Bank Custodian is scheduled between at **9:30 A.M. to 10:00 A.M. of 10 January 2023.**
2. As provided in Section 4.2.1 of the IPB, the authorized representative/s of the Interested Bidder/s which submitted the Originals of their Document Submissions shall be required to sign over the sealed flap of its Bid Price and Bid Security (Envelope 3) before placing it inside the sealed container box of its Document Submissions.
3. At 9:30 A.M., after the Opening Remarks, the TPBAC Chairman will immediately announce the opening of all boxes to pull out all the Envelope 3s and turn over its custody to the bank custodian. The Envelope 3s will be placed on the non-contact receiving table beside the vehicle of the bank custodian. The bank custodian will stand beside the vehicle during the transfer of custody.
4. After the turnover, the bank custodian will leave the venue and the opened boxes will be resealed and placed in the PowerTech Lobby in clear view of the Zoom meeting video camera or video recording.

D. OPENING AND EVALUATION OF BIDS

1. At **9:30 A.M. of 10 January 2023**, to start the Opening of Pre-Qualification Document Submissions (Qualification Documents and Technical Proposals), 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 Pre-Qualification Document Submissions (Qualification Documents and Technical Proposals). During the Opening of Pre-Qualification Document Submissions (Qualification Documents and Technical Proposals), 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 of Pre-Qualification Document Submissions (Qualification Documents and Technical Proposals) shall be in two (2) stages, Envelope 1: Qualification Documents and Envelope 2: Technical Proposals, 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 Document Submissions sealed box in order to get the USB thumb/flash memory drives containing the scanned soft copies of the Document Submissions and/or compare them with the originals 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 10 January 2023.

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 Document Submissions 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 document submissions 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. Wear the appropriate personal protective equipment (i.e. face mask).

Approved on 15 December 2022.