



**COMPETITIVE SELECTION PROCESS THROUGH AN OPEN BIDDING  
 FOR 10-12MW LONG-TERM (2024-2033) BASELOAD POWER SUPPLY**

**SUPPLEMENTAL BID BULLETIN NO. 02-2023**

DATE : June 17, 2023  
 TO : All Prospective Bidders and Observers  
 SUBJECT: **Responses to Prospective Bidders' Inquiries/Clarification**

The BLCI TPBAC hereby issues this Supplemental Bid Bulletin No. 02-2023 to answer all queries, clarifications, requests or suggestions of the prospective Bidders and provide vital information and updates on the issued Bidding Documents.

REFERENCE ITEM	CLARIFICATIONS / INQUIRIES OF GENCO	ANSWERS
<b>CEBU ENERGY DEVELOPMENT CORPORATION (CEDC)</b>		
<b>Generic</b>	We would like to clarify if there will be a Fuel Cap stipulated in the Final TOR?	There's no Fuel Cap.
<b>Generic</b>	For documents which are certified true copies, is it required that the issuing government agency certify the copies (e.g. SEC for Articles of Incorporation and By-Laws)? Or will it suffice if the custodian of the original documents in Bidder's records certify them (e.g. Corporate Secretary for Articles of Incorporation and By-Laws)?  We request that the custodian of these public documents should be able to certify the same since most government agencies are working on a skeletal force and the request may take time.	All documents submitted must be certified by the Authorized Representative, and duly notarized as reflected in ITB-Annex D-3.  The first and last pages of each document submitted shall be signed by the bidder's authorized representative/s. Any interlineations, erasures, alterations or overwriting shall be valid only if they are signed or initialed by the bidder's Authorized Representative.  During post-qualification, if applicable, all reportorial requirements shall be verified if indeed submitted to and/or duly acknowledged by the governing/regulating body, as part of Due Diligence.
<b>Generic</b>	Will a notarized certification suffice?	
	If a document that is a regulatory reportorial requirement is part of the submission, is there a need to show proof that it was acknowledged (receipted) by the requiring entity? For submissions done electronically (e.g. via email), will proof of sending of the email suffice considering that there are some entities that do not acknowledge receipt thereof?	
<b>Generic</b>	In lieu of the stamped CTC of the DOE Submission, does it suffice to provide the proof of submission via email?	

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<b>Generic</b>	Requested some parts of the draft PSA which are not negotiable to BLCI's part?	The draft PSA is designed to be consistent with the TOR and FITB, and will be reviewed by and subject to negotiation between both parties (BLCI and the Winning Bidder) prior to approval/ signing. However, the contents of the PSA shall, as much as possible, stick to and not deviate substantially from the terms of the final bid documents of this transaction.
<b>Eligible Bidders (ITB-6.1)</b>	Will a joint venture/consortium between 2 or more entities be allowed to participate?  Please elaborate the phrase "must exhibit control" and what suffices to prove control.	Joint venture and consortium are allowed provided that one of the parties to that agreement, or its Holding/Parent Company (in case of assigned Subsidiary/affiliate) was able to pay the Bidding Document Fee of P250k.  Control, as defined in the FITB, refers to the control over the generating capacity offered in response to this transaction. It may either come from the following: (1) ownership; (2) subsidiary; (3) affiliate; (4) Joint Venture Agreement; (5) Consortium; (6) Service Agreement; and (7) Contractual relationship.
<b>Due Diligence (ITB-11.2)</b>	May we request for a list of Contestable Customers (750 KW and up) who have not migrated, as well as a list prospective CCs (500 KW up to 749 KW) for the entire Contract Duration, if available.	Yes, please see attached list of Contestable Customers.
<b>ERC (ITB 13.2.7)</b>	Can the bidder submit PAO in lieu of COC?	Yes, Provisional Authority to Operate (PAO) is allowed.
<b>ITB 14.1.7</b>	May we know the purpose of this requirement since per ITB, there is no outage allowance for the entire contract duration.  The System Operator does not release certification on the actual outage data of power plants. We suggest to submit the GOMP approved by NGCP instead.	Should the required data/information under this provision be reflected in that report (GOMP) covering the period as required, such report will suffice. Otherwise, if it only provides the forecast data, it will be insufficient.
<b>ITB -15.2A</b>	Please clarify the basis of the reference price; Can this be adjusted to the latest available billing month?	May 2023 reference prices shall be used instead of March 2023.  The basis for initially using March 2023 is that it is the nearest fuel index to the average fuel indices from January 2023 to April 2023.
<b>ITB-15.2C</b>	For clarity, please confirm that during the PSA implementation, the base fuel price will be the delivered fuel price in March 2023, and will be indexed and adjusted based on reference fuel market price?	Yes, except that May 2023 reference prices shall be used instead of March 2023.

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<b>ITB-15.2d</b>	Could there be also a provision for movements in ForEx and US CPI?	All price components must be in Philippine Peso, while only the Philippine CPI shall be used to escalate Fixed Cost No. 2 and Variable Cost No. 1.
<b>ITB-28</b>	Will the TPBAC provide an Abstract of Bids to all participating Bidders indicating the individual bids submitted by each in accordance with ITB-Annex C-1?	Abstract of Bids will be provided after the Submission and Opening of Bids.
<b>Annexes</b>	Can the TPBAC provide the Interested Bidders with the editable copies of the relative?	Please see attached draft excel file of the Bid Proposal Form and draft Word files of the other Annexes. Bidders may submit their test data (dummy numbers) for verification.  Note: The final excel file of the Bid Proposal Form will be provided together with the FITB.
<b>FORCE MAJEURE (TOR Page 20)</b>	FM includes ability to deliver or accept. Hence, grid outage is an FM event. a. What does "establish plans" for operating power plant during FM mean? b. The plans should include local or widespread electrical blackout; does this include CNP? What does "local or widespread electrical blackout" mean or entail?	It means close coordination and joint efforts are expected between the Seller and BLCI to still ensure continuous supply despite any Force Majeure event.
<b>REPLACEMENT POWER (TOR Page 20)</b>	RP is obligation of Seller. a. If buyer sources, at what price? Does supplier only pay price differential? b. If by "islanding" what is meant is that the entire province is isolated from the Visayas grid, please clarify if this is not an instance wherein Bohol cannot accept energy falling under the definition of FM; If not, can we be provided with a definition for "islanding".	As far as this Transaction is concerned, "Islanding" refers to the situation when the entire Bohol Province is isolated from the grid, but no declaration of market suspension. In this case, Seller is still required to deliver Replacement Power.  Needless to state, Replacement power is not required when there is market suspension due to isolation from the grid. Hence, Bidder is not required to put up an in-island plant.
<b>REPLACEMENT POWER (TOR Page 20)</b>	1. On Replacement Power, is it correct to assume that LR will be to the account of the Buyer?	Line Rental is on the account of the Buyer in both normal or abnormal conditions.
<b>TOR</b>	Is there a Fuel Cap?	There's no Fuel Cap.
<b>TOR</b>	Does Zero Outage only apply to Scheduled and Unscheduled Outages but not to Force Majeure Event?	Yes

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<b>Generic</b>	Is there a possibility to have another pre-bid conference and move the submission and opening of bids to a later date?	<p>No, there's no compelling reason to set another pre-bid conference.</p> <p>Release of FITB will be moved to June 23, 2023 instead of June 21, 2023, while the Submission and Opening of Bids will be moved to July 7, 2023 instead of June 28, 2023, subject to DOE approval.</p> <p>We cannot extend further as we need to allocate enough time for application with ERC and subsequent approval, considering that the delivery date is already on December 26, 2023.</p>
<b>Generic</b>	Will the bidders be allowed to ask questions via email after the Pre Bid Conference?	<p>The deadline for submission of inquiries pertaining to the substantial contents of the FITB was on June 14, 2023, at 11:59pm only.</p> <p>Afterwhich, BLCI will only entertain minor inquiries and concerns (via email) that would address clarifications on and/or clerical errors in the FITB. But nothing shall affect the substantial terms/contents of the FITB or this Transaction.</p>
<b>Generic</b>	Is it ok to have ground(s) for termination of contract?	That will be reflected in the draft PSA.
<b>Generic</b>	What does "the financial proposal shall include the ER 1-94 obligations" mean?	Requirements of DOE - ER 1-94 shall already be considered in the price offer. No separate item must be billed to the BLCI.
<b>Annex-C</b>	Can we request for excel file of Annex C?	<p>Please see attached draft excel file of the Bid Proposal Form and draft Word files of the other Annexes. Bidders may submit their test data (dummy numbers) for verification.</p> <p>Note: The final excel file of the Bid Proposal Form will be provided together with the FITB.</p>
<b>Generic</b>	Does replacement power not limit to IEMOP only?	<p>Yes, Replacement Power during the following circumstances (as provided in the TOR) may come from sources other than IEMOP:</p> <ul style="list-style-type: none"> <li>. Delay on the availability of supply from the power plant;</li> <li>. Power plant is on scheduled or unscheduled outage; and</li> <li>. Bohol province is on "islanding condition" (isolation from the grid without market suspension).</li> </ul>



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<b>FIRST NATGAS POWER CORPORATION</b>		
<b>Generic</b>	Can you specify in the Bid Bulletin the phrase "Seller is not bound in the replacement power"?	Definitions for Replacement Power and Islanding will be added in the FITB.
<b>Generic</b>	Is there a template PSA? If yes, when will this be released to the Bidders?	The draft PSA will be provided together with the release of FITB that was moved to June 23, 2023 instead of June 21, 2023.
<b>Generic</b>	Upon release of the draft PSA, is there a time to comment?	No. The provisions in the PSA will be subject to negotiation between BLCI and the Winning Bidder.
<b>Generic</b>	We would like to confirm that the VAT and Income Tax Payments from Oct 2022-March 2023 will suffice.	Yes, VAT and Income Tax Payments from Oct 2022-March 2023 will suffice.
<b>Generic</b>	Can we submit the receiving copy of the GIS filed in 2023 but the confirmation of which we have yet to receive from SEC?	Bidders may initially submit the 2022 GIS duly acknowledged by SEC. During post-qualification, the 2023 GIS duly acknowledged by SEC will be required as part of Due Diligence.
<b>ITB-13.3.2f</b>	Can we submit the copies of the plant's GCMR for the last 5 years in lieu of the requirement?	Should the required data/information under this provision be reflected in that report (GCMR) covering the period as required, such report will suffice.
<b>ITB-13.5.2</b>	Is the template applicable for this provision refers to ITB-ANNEX D3: Certification on the submission of original or certified true copies of documents and authorization for TPBAC to verify for the said documents?	Yes, ITB Annex D3 will address ITB-13.5.2.
<b>ITB-13.6</b>	Do we need to provide writeup for N/A Items?	It's optional but highly suggested to provide reason of its non-applicability. The TPBAC will assess the veracity of the declared non-applicability - should it be found valid/reasonable, it will be marked "PASSED", otherwise, "FAILED".
<b>ITB-14.1.7</b>	Can we submit the copies of the plant's GCMR for the last 5 years in lieu of the requirement?	Should the required data/information under this provision be reflected in that report (GCMR) covering the period as required, such report will suffice.
<b>ITB-14.1.8</b>	Can we submit AFS in lieu of the requirement?	Considering that the requirement refers to an existing power plant, the AFS will suffice.

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<b>ITB-14.1.9</b>	May we request BLCI to provide template for this requirement list of customer supply of the Power Plant?	No template. Bidder may provide their preferred format.
<b>ITB-35.2B</b>	We would like to request to remove ITB 35.2B in the conditions for forfeiture of Bid Security since the bidders don't have any control on this.	ITB-35.2b will be removed from the enlisted items in ITB-16.5d, reworded as follows:  <i>d) In case the Bidder is disqualified at any stage of the Transaction process as provided for in ITB-16.2, ITB-35.1, ITB-35.2 (a and c only), ITB-36, and ITB-40.</i>
<b>ITB-19.3, 19.4 &amp; ITB-20</b>	May we suggest that BLCI only require the USB containing digital copies of the prequal documents and proposal in the original envelop (Envelope A) only and no longer included in the envelopes containing photocopies of the documents?	A flash drive/USB containing digital copies of the pre-qualification documents and proposal will still be required in the Photocopy envelop (Envelope B), to address possible contingencies.
<b>ITB-20.2</b>	ITB-19 states bidders will have to submit two (2) photocopies of the pre-qualification documents, while ITB-20 only indicates one (1) photocopy. Do we only submit one copy?	Yes, bidders should submit one (1) photocopy only in addition to the original.
<b>ITB-27.8</b>	Will CPI in the Annuity Factor, PWGenPrice and Levelized Price Formula use the 4.03% RP CPI prescribed to escalate FC2 and VC1 (ITB-27.5)?	Yes.
<b>ITB-36</b>	We understand that items a, b, c, and g are grounds for disqualification. We would like to request the TPBAC to remove items a, b, c, and g as grounds for forfeiture of bid security.	Only items a, c and g are considered to be removed as grounds for forfeiture of bid security.
<b>ITB-43</b>	Is the template applicable for this provision refers to ITB-ANNEX D1: Acceptance of the Bidding Documents?	Yes, ITB Annex D1: Acceptance of the Bidding Documents template will address ITB-43.
<b>Generic</b>	Penalties. May we clarify what are the penalties and may we ask for a list of penalties applicable?	Penalties will be discussed/reflected in the draft Power Supply Agreement (PSA) to be provided along with the FITB.
<b>Generic</b>	May we request BLCI to allow the bidder to provide at least one (1) Certificate of Good Performance from its customers?	Only if the Bidder has one (1) existing customer only, then only one (1) Certificate of Good Performance may be submitted.
<b>Generic</b>	Is there a need to add write up?	No need to add a write-up.

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<b>Generic</b>	When do we receive copies of the draft PSA? Will there be a separate bid conference/consultation on the PSA?	The draft PSA will be provided together with the FITB on June 23, 2023.
<b>Annex-C</b>	We would like to request for excel copy of the bid form.	Please see attached draft excel file of the Bid Proposal Form.  Note: The final excel file of the Bid Proposal Form will be provided together with the FITB.
<b>Generic</b>	If June 28 is declared as a national holiday, will the bid opening date change?	Submission and Opening of Bids will be moved to July 7, 2023 instead of June 28, 2023, subject to DOE approval.
<b>Generic</b>	May we request for the release of the draft PSA prior to the release of the FITB?	The draft PSA will be provided together with the FITB on June 23, 2023.
<b>Generic</b>	Can the bidder assign its rights in the bidding to other entities/affiliates? In the event of the award of the PSA, can the winning bidder assign its rights in the PSA to other entities/affiliates?	A Bidder's subsidiary/affiliate may continue the bidding process but all assignments shall be made and honored prior to the Submission and Opening of Bids.
<b>ITB-39</b>	When to submit the requirements under ITB 39-1.6?	These must be submitted to the Secretariat at least thirty (30) minutes before the start of the Submission and Opening of Bids proper.
<b>ITB-18</b>	May we request for the exact period of validity of Bid Security?	Validity Period: July 7, 2023 until January 2, 2024 (180 days)  Bid Security must be valid from the date of Submission and Opening of Bids until the signing of the PSA with the Winning bidder, but in no case later than the expiration of the Bid Security validity period indicated in ITB-18.1.
<b>Generic</b>	May we request for the AFS for the last three (3) years and the load profile?	Please see attached BLCI's 3-year AFS and 8760 Load Curve.



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<b>KEPCO SPC POWER CORP.</b>		
<b>Generic</b>	Request at least 14-day extension of the opening of Bids, from July 7, 2023 to July 14, 2023, instead due to conflict of schedules.	<p>Release of FITB will be moved to June 23, 2023 instead of June 21, 2023, while the Submission and Opening of Bids will be moved to July 7, 2023 instead of June 28, 2023, subject to DOE approval.</p> <p>We cannot extend further as we need to allocate enough time for application with ERC and subsequent approval, considering that the delivery date is already on December 26, 2023.</p>
<b>Generic</b>	Clarified what thus it means the phrase anytime "Anytime during Islanding Condition"	<p>As far as this Transaction is concerned, "Islanding" refers to the situation when the entire Bohol Province is isolated from the grid, but no declaration of market suspension. In this case, Seller is still required to deliver Replacement Power.</p> <p>Needless to state, Replacement power is not required when there is market suspension due to isolation from the grid. Hence, Bidder is not required to put up an in-island plant.</p>
<b>Generic</b>	Suggested for a 30-day extension. Supported by SEM-Calaca and First NATGAS	<p>Release of FITB will be moved to June 23, 2023 instead of June 21, 2023, while the Submission and Opening of Bids will be moved to July 7, 2023 instead of June 28, 2023, subject to DOE approval.</p> <p>We cannot extend further as we need to allocate enough time for application with ERC and subsequent approval, considering that the delivery date is already on December 26, 2023.</p>
<b>Generic</b>	On Fuel, we will propose to have it as complete pass-through based on actual cost supported with invoices	Fuel Cost shall be indexed and adjusted based on reference fuel market price.
<b>Generic</b>	"May 2023" as the reference month for being the most recent data.	May 2023 reference prices shall be used instead of March 2023.



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<b>ITB-ANNEX D-1</b>	We would like to clarify on the rationale behind this paragraph considering that the DOE Rules even provide for a "Protest Mechanism" in the resolution of protests pertinent to the conduct of the competitive selection processes by DU's. May we propose for the deletion of the fore-mentioned paragraph?	BLCI will stick to the template.
<b>Generic</b>	Ask the copy of the excel form of the table for the financial proposal	Please see attached draft excel file of the Bid Proposal Form and draft Word files of the other Annexes. Bidders may submit their test data (dummy numbers) for verification.  Note: The final excel file of the Bid Proposal Form will be provided together with the FITB.
<b>ITB 30.2</b>	What is the Capacity Credit Factor?	This is the factor multiplied to the total proposed capacity to come up with the Effective or Dependable Capacity. The Effective Capacity should be at least equal to the committed baseload demand (24/7).
<b>SEM-CALACA POWER CORPORATION</b>		
<b>Generic</b>	What is the basis of the Fuel price?	The Bidder can choose its own preferred index subject to submission of proof of contract with the Fuel Supplier.
<b>Generic</b>	Who will shoulder the line rental during normal condition?	Line Rental is on the account of the Buyer in both normal or abnormal conditions.
<b>Annex-C</b>	Clarified Item 4 of the financial proposal: What does Delivery date mean?	Commercial operation date of the plant offered.
<b>Annex-C</b>	Is the data inputted in FC1 & FC2, and variable 1 & 2 be the same as reflected in the PSA?	Yes
<b>ITB 16.5B</b>	May we request for the exact period of validity of Bid Security?	Validity Period: July 7, 2023 until January 2, 2024 (180 days)  Bid Security must be valid from the date of Submission and Opening of Bids until the signing of the PSA with the Winning bidder, but in no case later than the expiration of the Bid Security validity period indicated in ITB-18.1.



BOHOL LIGHT COMPANY, INC.  
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This Supplemental Bid Bulletin No. 02-2023 shall form part of the Bidding Documents. Any terms, conditions and provisions in the the Bidding Documents inconsistent with this Bid Bulletin are hereby amended, modified and superseded accordingly.

Issued this 17<sup>th</sup> day of June 2023 at BLCI Office, Ramon Enerio St., Poblacion III, Tagbilaran City, Bohol.

**CECILIA DIANNE D. PAÑA**  
Chairman, BLCI TPBAC