**SAMPLE FORM 3**

**Acceptance of Terms of Reference**

Republic of the Philippines )

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ) S.S.

x-------------------------------------x

I, *(name),* *(citizenship),* of legal age, with office address at *(address),* as the *(position/designation)* of *(name of Prospective Bidder)*, a *(corporation/partnership)* organized and existing under and by virtue of the laws of the Philippines hereby declare, represent and warrant, for and on behalf of *(name of Prospective Bidder)* in relation to the “Invitation to Bid for the Supply of \_(bid capacities)\_\_\_ to Negros Electric and Power Corp.” as published on \_\_\_\_\_\_\_\_\_\_\_ in \_\_\_\_\_\_\_\_\_\_\_ (“Invitation”), that –

1. *[name of Prospective Bidder]* has duly received the Terms of Reference (“TOR”) containing the terms and conditions for the bidding for the supply of ­­­\_\_\_\_MW of power to Negros Electric and Power Corp. (“Negros Power”) as set out in the Invitation (“Bidding”).
2. *[name of Prospective Bidder]* has read and understood each and every section and page of the TOR and accepts and agrees to observe, be bound by, and comply with, the terms and conditions of the TOR and any amendment, supplement or modification thereto, including all bid bulletins, any and all clarificatory issuances and the decisions rendered by the Third Party Bids and Awards Committee (“TPBAC”) of Negros Power.
3. *[name of Prospective Bidder]* has fully informed itself and understood all the conditions and matters affecting or that could affect its bid.
4. *[name of Prospective Bidder]* unconditionally and irrevocably waives any and all claims and causes of actions against Negros Power, the TPBAC or its members, in the event that the Bidding is suspended or terminated by the TPBAC for any reason.
5. *[name of Prospective Bidder]* unconditionally and irrevocably waives and right to seek and obtain a writ of injunction or prohibition or restraining order against Negros Power, the TPBAC or its members sought to prevent or restrain the Bidding or any proceedings related and incidental thereto, the declaration of the winning bidder, and the execution of the related Power Supply Agreement.
6. *[name of Prospective Bidder]* shall at all times comply with Philippine Law.
7. *[name of Prospective Bidder]* unconditionally and irrevocably waives any defect, deviation or infirmity in the Bidding conducted by the TPBAC up to and including the date hereof.
8. By submitting a bid, *[name of Prospective Bidder]* acknowledges that is has reviewed, is fully acquainted with, and unconditionally accepts the terms, procedure and conditions set out under the TOR, and any bid bulletin that may be issued by the TPBAC.

For and on behalf of *(Name of Prospective Bidder)*

By:

*(Name, Designation and Signature of Authorized Representative)*

**SUBSCRIBED AND SWORN TO** before me this \_\_\_\_\_ day of \_\_\_\_\_\_ 2025 at \_\_\_\_\_\_\_\_\_\_\_\_\_, affiant exhibiting to me his/her \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ issued at \_\_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

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