



BID BULLETIN NO. 004

Competitive Selection Process, Series of 2026

Supply of 15 MW RE Base Load Power Supply Requirement to Negros Electric and Power Corp.

Subject: TPBAC Responses to the Additional Comments and Questions on the Terms of Reference and Instructions to Bidders

Negros Electric and Power Corp. Third-Party Bids and Awards Committee (TPBAC) hereby issues this Bid Bulletin to summarize its responses to the additional comments and questions submitted by prospect bidders in relation to the Terms of Reference and Instructions to Bidders. Kindly refer to the attached file.

Please be guided accordingly.

For further inquiries, kindly contact the BAC Secretariat at cspsecretariat@negrospower.ph.

Issued this 14th day of July 2026 in Bacolod City, Philippines.

Approved by:

NIEL V. PARCON

Chairperson

Third-Party Bids and Awards Committee

NEGROS ELECTRIC AND POWER CORP.

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Competitive Selection Process, Series of 2026

TPBAC Responses to the Comments and Questions on the Terms of Reference and Instructions to Bidders (GENERAL COMMENTS)

Source	Provision	Provision Description	Questions / Clarifications / Comments/ Suggested Amendment	TPBAC Response
			As part of our assessment and due diligence, may we request NEPC's historical load profile (hourly/daily load data) for the past 12-month period?	Yes. (provided via email on July 10, 2026)
Draft PSA	General Comment		Please confirm that the PSA provisions can still be negotiated between the winning bidder and Negros Power.	PSA will be subject to negotiation with the winning bidder.
Draft PSA	General Comment		We request to specify the acceptable paper size(s) to be used for all submissions to ensure consistency across all documents.	Any size of paper is acceptable to TPBAC.
Draft PSA	General Comment	Secretary Certificate	Please confirm that the Secretary Certificate previously submitted by EDC as part of the Expression of Interest Documents shall be deemed sufficient compliance with this requirement.	For the PSA, a separate Secretary Certificate should be submitted by the winning bidder
General Comment			Kindly confirm whether there are any existing or anticipated transmission network congestion constraints within Negros Power's franchise area that may affect the delivery and dispatch of baseload power from generating facilities located outside the franchise area.	Based on our knowledge we don't know existing congestion or constraints in the transmission network within Negros Power's franchise.
General Comment			We respectfully request confirmation on whether Bidders may still submit additional clarifications or queries after the Pre-Bid Conference.	Yes, a second pre-bid conference will be conducted.
General Comment			Please confirm that Bidders may still submit additional clarifications.	Yes, a second pre-bid conference will be conducted.
General Comment			Requesting for an hourly profile for the 15MW Baseload RE requirement.	Yes. (provided via email on July 10, 2026)
PSA Comments	PSA Negotiations		Will the Winning Bidder and Negros Power still conduct a "contract negotiations" prior to actual execution of the PSA?	PSA will be subject to negotiation with the winning bidder.
PSA Comments	Delivery Date		Does Negros Power have any intention to require the Winning Bidder to supply power prior to 26 January 2027 should the ERC be able to issue either a Provisional Authority (PA) or an Interim Relief (IR) prior to the said date?	The target delivery date is on January 26, 2027 or date of issuance by the ERC of a , Interim Relief, Provisional Authority, or Final Authority as applicable, whichever comes later



Competitive Selection Process, Series of 2026

Supply of 15 MW Renewable Energy Baseload Power Supply Requirement to Negros Electric and Power Corp.

TPBAC Responses to the Comments and Questions on the Terms of Reference and Instructions to Bidders

Source	Provision	Provision Description	Questions / Clarifications / Comments / Suggested Amendment	TPBAC Response
Terms of Reference/ Invitation to Bid	Plant Location	The generating capacities shall come from anywhere in the Luzon, Visayas, or Mindanao group of islands in the Philippines connected to the Grid.	Please confirm whether bidders may offer a portfolio of generating plants, including conventional power plants, to fulfill NEPC's baseload requirement. This is for RE Baseload requirement.	Denied. All generating facilities included in the portfolio should be qualified Renewable Energy facilities and comply with applicable DOE and ERC requirements.
Terms of Reference/ Invitation to Bid	Contract Capacity and/or Contract Energy	Section 14.1.2 For TOR1, the Bid Offer capacity shall be 20 MW dependable capacity. For TOR2, the bidder shall offer a minimum of 5MW (AC, net). In the event that the Winning Bidder is unable to fully meet the required capacity of 15 MW, in whole or in part, the remaining uncontracted capacity shall be awarded to the next Lowest Levelized Rate, and so on, until the required capacity is satisfied. Bidders are allowed to submit Bid Offers to either or both TORs.	For TOR 2, may we seek clarification on the award process in the event that multiple bidders are required to satisfy the 15 MW requirement? For example, if the lowest bidder offers 5 MW and the next lowest bidder offers 15 MW, how will the TPBAC allocate the remaining 10 MW requirement? Specifically, will the next lowest bidder be required to accept a reduced contract capacity of 10 MW, or will such bidder be allowed to decline the award since a reduced contract capacity is not contemplated in their offer?	1. The TPBAC shall rank bidders based on merit orders of their levelized cost offer (Php/kWh), subject to the minimum capacity requirement of 5 MW per bid. Awards shall be made starting from the lowest evaluated bid until the required total capacity is fully satisfied. To Illustrate: Bidder 1: levelized rate at Php 5.00 /kWh with offered capacity of 5MW Bidder 2: levelized rate at Php 6.00/kWh with offered capacity of 15MW Allocation (merit order): Bidder 1 is fully accepted first (lowest cost): 5 MW awarded Remaining requirement: 10 MW Bidder 2 is then awarded the remaining 10 MW out of 15 MW offered. 2. The bidders are not allowed to decline due to a reduced contract capacity.
Terms of Reference/ Invitation to Bid	REC Credits	The Supplier shall provide the equivalent REC credits to Negros Power beginning at the supply delivery date.	In case that the REC credited to NEPC's account does not meet the equivalent credits, we request guidance on how and when should the RECs be transferred to NEPC's account.	This is subject to negotiation with the winning bidder
Instructions to Bidders	Annex A - Checklist for Bid Proposal Requirements	SEC Certificate of Registration Articles of Incorporation and By-Laws or Articles of Partnership GIS COC or PAO Mayor's Permit BIR Registration Tax Clearance AFS	Please confirm if Certified True Copies with <u>certification using electronic signatures using Adobe PDF or DocuSign</u> are acceptable for all bidding documents <u>(including the original set)</u> , except for the Financial Proposal Forms, which will use wet signatures.	Yes, it is acceptable, except for the financial proposal which should be with wet signature.
Instructions to Bidders	Annex A - Checklist for Bid Proposal Requirements	Certification of Submission of original or CTC.. 3. Each of the documents submitted by [Bidder's Name] in satisfaction of the bidding requirements is an original or authentic copy of the original, complete, and all statements and information provided therein are true and correct;	Please confirm if proposed additional language as qualifier on representations under Annex D2 of TOR 2 is acceptable. "3. Each of the documents submitted by [Bidder's Name] in satisfaction of the bidding requirements is an original or authentic copy of the original, is complete, and all statements and information provided therein are true and correct to the best of my knowledge and based on available records. "	Denied. We will maintain the original provision.
Instructions to Bidders	Bid Security	Equivalent to three (3)-month contract cost of the proposed power supply agreement computed using the bid price offered by the Bidder	Requesting to consider a lower amount of Bid Security as per ERC Resolution 7, series of 2026 As per Section 10, Appendix B of ERC Resolution No. 7, Series of 2026, "The amount shall be equivalent to at least one (1)-month contract cost but in no case be higher than the three (3)-month contract cost of the proposed power supply agreement computed using the bid price offered by the Bidder. If forfeited, the Bid Security shall be used by the DU in purchasing power covering the period affected by the delay in the bidding process, which it shall not recover from consumers;	Denied. We will maintain the original provision.

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Instructions to Bidders	Bid Security	Section 16.2 2. Bank draft/ guarantee or standby / irrevocable letter of credit issued by a Universal or Commercial Bank: Provided, however, that it shall be confirmed or authenticated by a Universal or Commercial Bank, if issued by a foreign bank;	Suggest to allow the Bidders to use its own template for posting Bid Security through standby / irrevocable letter of credit	The bidders are allowed to use its own template for SBLC
Instructions to Bidders	Bidding Design	For TOR2, the bidder's capacity may come from one or more power plants, with a minimum capacity offer of 5 MW (AC, net). In the event that the Winning Bidder is unable to fully meet the required capacity of 15 MW, in whole or in part, the remaining uncontracted capacity shall be awarded to the next Lowest Levelized Rate, and so on, until the required capacity is satisfied. The Levelized Rate shall be computed using the uniform Financial Proposal Template (Annex C-2) provided as part of the bidding documents.	Please clarify if there's a minimum MW increment required should a bidder opt to increase its offered capacity beyond the level covered by its paid participation fee.	The bidder may offer a minimum 5MW Capacity, moreover the bidder may not increase its offered capacity beyond its paid Bid Processing fee.
Instructions to Bidders	Bidding Design	3.9.1.2. For TOR2, the bidder's capacity may come from one or more power plants, with a minimum capacity offer of 5 MW (AC, net). In the event that the Winning Bidder is unable to fully meet the required capacity of 15 MW, in whole or in part, the remaining uncontracted capacity shall be awarded to the next Lowest Levelized Rate, and so on, until the required capacity is satisfied. The Levelized Rate shall be computed using the uniform Financial Proposal Template (Annex C-2) provided as part of the bidding documents.	Please confirm that should the total offered Capacities of interested Bidders fall below the required minimum Contract Capacity of 15MW, the Qualified Bidder/s with the lowest bid offer/s have an option to increase their Offered Contract Capacity.	No. The qualified bidder may not increase beyond their offered capacity, incase the total 15MW requirement is not fully met.
Instructions to Bidders	Legal Requirements	Section 13.1 8. Certification and other documents: a. A Secretary's Certificate showing authority to participate in this bidding, the name, address, and contact details, including telephone number(s), fax number(s), email address(es) of the authorized representative(s) of the bidder who has/have authority to sign the documents required in this proposal.	Please confirm that Bidder may submit the initially submitted Secretary's Certificate that was part of the Expression of Interest Documents and include a separate document as an annex indicating the name(s), address(es), and contact detail(s), including telephone number(s), fax number(s), email address(es) of the authorized representative(s).	Acceptable.
Instructions to Bidders	Legal Requirements	5. Certified true copy of the updated Mayor's Permit, BIR registration, latest Tax Clearance, latest Audited Financial Statement (AFS) which shall be stamped received by the BIR and for the year 2026 or later;	Please confirm that the AFS requirement is as of December 31, 2025.	Yes, the AFS that must be submitted is for the year 2025.
Instructions to Bidders	Portfolio of Plants		Please confirm that for TOR 2 (15MW RPS), the " Portfolio of Plants " referred to should be a Renewable Energy (RE) facility, such that the contracting entity must at least be an RPS-eligible plant, with any additional nominated facilities likewise being RE plants. Additionally, we would like to confirm that for the additional plant , only the technical requirements (GCMR, COC/PAO) of the nominated power plant/s is/are required?	The Bidder shall submit the corresponding GCMR, COC, and any other relevant documents necessary to establish that the additional generating facility included in its portfolio is a Renewable Energy (RE) facility.

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Instructions to Bidders	Post Qualification Evaluation	The proposal of the bidder with the lowest Levelized Rate should make good its proposal for the capacity factor. The capacity factor offered should be supported by certifications such as Certificate of Commerciality from the DOE, Feasibility Studies from independent sources, or standards or values set forth by the DOE or monthly operations report for existing plants. Should the actual capacity factor fall below the capacity factor offered by the Bidder, the Bidder shall bear provide the equivalent REC credits equivalent to the difference between the offered and the actual capacity factor.	We note that there are no other provisions that cover cases when there is REC shortfall and that the Bidder shall provide the equivalent REC credits equivalent to the difference between the offered and the actual capacity factor, please clarify how this will be evaluated as part of the post-qualification process.	The Supplier shall provide the equivalent REC credits to Negros Power based on its actual delivered energy.
Instructions to Bidders	Scope of Bidding	Section 4.2 The bid shall cover the power supply obligation for the franchise area of Negros Power in accordance with the TOR of this Bid Documents. The winning Bidder will enter into a PSA with Negros Power.	Please confirm that the power supply agreement is still negotiable with the Winning Bidder	PSA will be subject to negotiation with the winning bidder.
Instructions to Bidders	Technical Proposal Requirements	Section 14. 1. Certified true copies of submissions of the following: a. Latest Monthly Operations Report (MOR) received by the DOE (December 2025 MOR or later); and For submissions done online, electronic system generated email response of the issuing agencies or acknowledgment email response are acceptable in lieu of the stamped "received" requirement.	In lieu of the MOR requirement, please confirm that the Bidder can submit GCMR duly acknowledged by the ERC. The GCMR also shows details on relevant information such as the rated and dependable capacity of the plant, electricity generated and sold, ramp up and ramp down capabilities, scheduled and unscheduled outages, and required data to determine plant availability.	Yes, the GCMR with proof of submission stamped "received" by ERC. For submissions done online, electronic system generated email response of the issuing agencies or acknowledgment email response are acceptable in lieu of the stamped "received" requirement.
Instructions to Bidders	Legal Requirements	5. Certified true copy of the updated Mayor's Permit, BIR registration, latest Tax Clearance, latest Audited Financial Statement (AFS) which shall be stamped received by the BIR and for the year 2026 or later;	Please confirm that the AFS requirement is as of December 31, 2025.	Confirmed.
Instructions to Bidders	Technical Proposal Requirements	15.2 If the power plant offered is a new power plant, the Technical Proposal shall detail the plan on how the Bidder will carry out the development, financing, construction, connection to grid, operation, and maintenance of the power plant(s) to supply the baseload power requirement of Negros Power and the committed project milestones.	May we respectfully request a clarification on what specific criteria qualify a facility as a "new power plant" under this provision? Specifically, does this refer exclusively to greenfield projects that have not yet commenced construction	A New Power Plant refers to a power generation facility that is not yet operational and is currently under planning, construction, or pre-commissioning stages.
Draft PSA	Compensation, Payment, Billing	Compensation, Payment, Billing	We propose to consider additional clause to cover Billing disputes. "Billing Disputes (Protest Cut-off) Any dispute that Buyer may have on any invoice from Seller shall be made in writing and submitted to Seller within ten (10) Days from the date of the receipt by Buyer of such invoice Buyer shall specify the basis for disputing, protesting or questioning the invoice. The fact that the amount in an invoice is lower or higher than the amount in any previous billing statement does not by itself give rise to a dispute. Failure by Buyer to raise any dispute on any billing statement, which, with the exercise of proper or reasonable diligence on its part, could have been timely raised or brought to the attention of Seller in writing within the period stated above, shall constitute a waiver by Buyer of any claim on such billing statement."	PSA will be subject to negotiation with the winning bidder.