



BID BULLETIN NO. 009

Competitive Selection Process, Series of 2026
Supply of 20 MW Baseload and 15 MW RE Baseload Power Supply Requirements
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 24th day of August 2026 in Bacolod City, Philippines.

Approved by:

NIEL V. PARCON

Chairperson

Third-Party Bids and Awards Committee

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DOCUMENT SECTION/SOURCE	PROVISION	PROVISION DESCRIPTION	QUESTIONS / CLARIFICATIONS / COMMENTS / SUGGESTED AMENDMENT	TPBAC RESPONSE
Instruction to Bidders	Indices	Instruction to Bidders Section 15.3 b. Variable Price Components xxx Input values shall be in four (4) decimal places. Prices are escalated on the subsequent years for the period of five years. Escalation rates in this Financial Form are fixed by the TPBAC for the purpose of bid evaluation. Escalation will be based on actual indices upon the implementation of the PSA. xxx c. Fuel Fee xxx The bidder shall also submit a fuel indexation formula with an explanation on how to derive the actual fuel fee during the implementation of the PSA. The fuel indexation formula shall have the applicable index used, the base fuel, base fuel index (referenced at the date of the Bid Opening). xxx	For TPBAC's consideration to use the latest available references - July 2026 PH CPI, US CPI, ForEx and fuel indices, as the base indices in the FITB, which shall remain binding during the PSA implementation. For reference: Escalation Factor = Actual Monthly Index / July 2026 Index	Denied. Escalation rates in the Financial Forms are fixed for the purposes of Bid Evaluation only, in this case all power suppliers have the same indices. For Index Based Fuel Fee: a. Using the same index as the existing customers: we require the submission of the actual fuel billing for the month of August 2026 covering the supply period July 26 to August 25 for your other customers to ensure the index used is consistent what is being billed to other customers. b. For a different index other than the one being used for the existing customers: the committed index should be used for our evaluation purposes to determine the lowest levelized cost but such different index should be consistently applied through out the entire duration of the contract upon implementation.
Instruction to Bidders	Latest Articles of Incorporation	Bidder must submit certified true copy of latest Articles of Incorporation and By-Laws or Articles of Partnership, whichever is applicable. Said documents must indicate therein that the primary purpose of the entity is <u>power generation</u>.	For the submission of latest Articles of Incorporation, may we confirm if the Bidder should submit the Original AOI together with the Amended AOI?	A bidder is no longer required to submit the original Articles of Incorporation if it has already submitted the latest or amended Articles of Incorporation.
Instruction to Bidders	The submission of Certificate of Compliance (COC) or Provisional Authority to Operate (PAO) shall constitute sufficient compliance for the DENR environmental requirements in the TOR.	Instruction to Bidders Section 14.1.1 b. Certificate of Compliance issued to the Bidder or the owner of the Nominated Power Plant by the ERC. Alternatively, the Bidder may submit a certified true copy of the Certificate of Compliance Application stamped "received" by the ERC or a Provisional Authority to Operate (PAO). A bidder may submit certified true copy of its PAO Application provided that Bidder must submit the PAO during postqualification. For IPPAs, Bidder must submit a Certification containing the following information issued by the appropriate authorities: (1) Award as IPP Administrator, (2) Capacity Awarded, and (3) Duration and period of the contract. The submission of Certificate of Compliance (COC) or Provisional Authority to Operate (PAO) shall constitute sufficient compliance for the DENR environmental requirements in the TOR.	It was mentioned in the provision that the submission of COC or PAO shall constitute compliance for the DENR environmental requirements in the TOR. Since there are no requirements from the DENR that is needed to be submitted in accordance with the Instruction to Bidders and Annex A checklist, may we confirm with TPBAC how will the Bidder comply with this requirement? Is there any document needed to be submitted for this requirement?	For documents that are not applicable to the Bidder, a single consolidated document listing all non-applicable requirements is acceptable.
General Comment	Discrepancy between Checklist and FITB	In case there are discrepancies between the Checklist and Final Instruction to Bidders	May we confirm that in case there are discrepancies between the Checklist and the Final Instruction to Bidders, the Bidder should follow the Final Instruction to Bidders including the order or sequence for the submission of requirements?	The Final Instruction to Bidders will prevail.
Section 13 / Page 16	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.;	Regarding the Tax Clearance requirement: our application and payment for the new TCC are already in process, but TCC issuance is still pending. May we temporarily submit proof of our application and payment receipt, along with our most recent TCC, while we wait for the official document?	The bidder may temporarily submit a certified true copy of the proof of application and payment receipt, provided that the complete documents are submitted prior to the issuance of the Notice of Award.
Section 13 / Page 16	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.;	It was confirmed in Bid Bulletin 007 that the AFS required is 2025. May we also confirm that bidders can submit the email acknowledgement from the BIR/SEC given that the past submissions have been all online, instead of the stamped received requirement?	Yes.
Annexes	Annex D-2	1. I am the authorized representative of [Bidder's Name] as per Board Resolution No. __, dated ____, submitted in accordance with this bidding;	We noticed that the template refers to the Board Resolution No. and that the following blank is a date. Please confirm that this form requires the date of the Board Resolution, and not the corresponding Secretary's Certificate date. Kindly confirm as well that there's no need to specify the corresponding Secretary's Certificate date?	Yes.