

**Updated Summary of Comments and/or Clarification from Prospective Bidders
With Responses from the SBAC for Bid Bulletin 5**

Reference Document and Original Provision	Comment/Clarification/Requested Revision	Response/Action
<i>From FirstGen</i>		
<p>1. ITB-12. Class "A" Documents</p> <p>(ii.9) end user's acceptance or official receipt(s) or sales invoice issued for the contract if completed, which shall be attached to the statements.</p>	<p>Generators do not require an <i>end users acceptance</i> from their customers for the receipt of power. Once the bill is issued and the Customer pays the bill, that is already considered accepted. May we clarify if this item still apply?</p>	<p>In the point of view of the Government of the Philippines, such requirement is necessary to ensure that a "satisfactory" service was rendered by the Bidder in their past projects. While the SBAC still considers the said document as necessary and requests the Bidders to prepare the said document, <u>the inclusion of the document in the requirement will be subject to the deliberation and decision of the SBAC.</u> Any decision will be made in relation to this inquiry will be posted in the next Supplemental Bid Bulletin.</p> <p>UPDATED RESPONSE:</p> <p>Considering that such document is necessary to ensure a satisfactory service is rendered by the Bidder to its previous customers, the Bidder may submit only a list of its past customers along with updated contact details for the post-qualification evaluation of the TWG.</p>
<p>2. Evaluation of Bids</p> <p>1.3 The Winning Bidder shall submit their acknowledgment of the receipt of the Notice of Award to the SBAC and pay the Winning Bidder's Fee.</p>	<p>May we clarify that we can submit a Standby Letter of Credit as Winning Bidder's Fee. If ever, may we know the expiration of the SBLC and the terms?</p>	<p>In relation to this inquiry, Bidders are hereby requested to refer to <u>Item 33, entitled Performance Security, of the Instruction to Bidders.</u></p>
<p>3. Technical and Financial Proposal</p> <p>a. Price Components</p> <p>d. Price Indexation</p>	<p>We would like to request that the price components for non-fuel variable costs, such as variable operation and maintenance costs indexed to a basket of price indices (other than Philippine CPI and US CPI), and un-indexed non-fuel variable costs, such</p>	<p>In view of the conflicting responses from GenCos or Bidders with regards to this item, a final decision will be issued by the SBAC on July 12 during the Workshop with the TWG and through a Supplemental Bid Bulletin.</p>

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	<p>as administration fees, be retained as part of the evaluation methodology.</p>	<p>UPDATED RESPONSE:</p> <p>The SBAC, on its July 12 SBAC Meeting, resolved to retain Variable Costs 3&4 in the computation of the base price in the evaluation methodology specified in the Evaluation Framework.</p>
<p>4. Annex B – Checklist</p>	<p>We would like to confirm if the bid documents to be submitted should be original documents or certified true copies are acceptable.</p>	<p>Bidders may submit certified true copies (CTCs) of supporting documents or requirements, but accomplished forms must be submitted in original copy.</p>
<p>5. Computation of Net Financial Contracting Capacity (NFCC)</p> <p>Section 23.5.1.4 provides that if the prospective bidder submits a computation of its NFCC, the NFCC must be at least equal to the ABC based on the given computation: $NFCC = [(Current\ assets\ minus\ current\ liabilities)\ (15)]\ minus\ the\ value\ of\ all\ outstanding\ or\ uncompleted\ portions\ of\ the\ projects\ under\ ongoing\ contracts,\ including\ awarded\ contracts\ yet\ to\ be\ started\ coinciding\ with\ the\ contract\ to\ be\ bid.$</p>	<p>Do the Generator’s ongoing and future contracts have to be deducted from the assets considering that the money is going to the Generator?</p>	<p>Subject for the discussion and decision of the SBAC. Decision shall be issued on the succeeding Supplemental Bid Bulletin.</p> <p>UPDATED RESPONSE:</p> <p>As a rule, ongoing projects and projects awarded but not yet started are deducted from the NFCC.</p>

<p>6. 4.d. Capacity Utilization Factor.</p> <p>The Capacity Utilization Factor (CUF) shall be computed as follows:</p>	<p>The formula does not seem to account the FM on the nomination, may we suggest the formula be revised as follows:</p> $\text{CUF} = \frac{Q_{\text{normal}} + Q_{\text{FM}}}{[CC \times (H_T - E_{H_F} - E_{H_T})] + Q_{\text{FM}}} \times 100\%$ <p>where,</p> <p>Q_{normal} = Energy delivered by the SELLER for the Billing Period during normal days, in kWh;</p> <p>Q_{FM} = Energy delivered by the SELLER for the Billing Period during events of Force Majeure, in kWh;</p> <p>CC = Contracted Capacity in kW;</p> <p>HT = Total number of hours in Billing Period;</p> <p>E_{H_F} = The sum of the duration, in Equivalent Hours, of Events of Force Majeure</p> <p>E_{H_T} = The sum of the duration, in Equivalent Hours, of Events of Transmission Line Failure.</p>	<p>Subject for the discussion and decision of the SBAC. Decision shall be issued on the succeeding Supplemental Bid Bulletin.</p>
7.	<p>May we confirm if the Minimum Take or Pay of UPLB or total nomination for the month is 65%, same as the price table.</p>	<p>UPDATED RESPONSE:</p> <p>The SBAC, on its July 12 SBAC Meeting, resolved to adapt the recommended formula for the Capacity Utilization Factor (CUF) and include it in the updated version of the Evaluation Framework.</p> <p>UPLB assures GenCos a monthly CUF of 65%.</p>
<p>From SMC Global</p>		
1. SF-Goods-13B	<p>Regarding the form SF-Goods-13B, it was discussed that bidders should give the first page and annex of the contract with our customers. I had a</p>	<p>Subject for the discussion and decision of the SBAC. Decision shall be issued on the succeeding Supplemental Bid Bulletin.</p>

	<p>meeting with the Management and they disagree on giving out these info.</p> <p>What can be the alternative for this?</p>	<p>UPDATED RESPONSE:</p> <p>On matters concerning the completion of SF-Goods-13B and 13A, the SBAC, after considering comments and suggestions from Bidders present during the July 12 Workshop and SBAC Meeting, resolved to implement the following in filling out the said standard forms:</p> <p>1. SF-Goods-13A:</p> <ul style="list-style-type: none"> • For the contracts to be listed, use those with at least 50% of the ABC completed • For Value of Outstanding Works Undelivered, use the best estimate. • For the % of accomplishment, specify the percentage of year delivered over total contracted or percentage in total contract cost or ABC • For the supporting documents: <ul style="list-style-type: none"> ➤ For contracts and/or notice to proceed, the SBAC resolved to require the contract without interest on rates. Bidders may opt to block out or detach an annex containing the rates as long as the submitted copy contains the capacity or volume contracted and the responsibilities of the SELLER. ➤ For notice to proceed, the SBAC resolved to require the document only if applicable and available. ➤ For the certificate of accomplishment, the SBAC resolved to accept certificates issued by the Bidder or its duly
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		<p>authorized representative provided that a certificate signed by its customer or its customer's duly authorized representative shall be provided within the period of one (1) week after the date of opening of bids.</p> <p>2. SF-Goods-13B:</p> <ul style="list-style-type: none">• For d. Amount of Award, Bidders are required to make the best estimate• For a – c, use/specify proper dates• For the supporting documents:<ul style="list-style-type: none">➤ On contracts, the SBAC and TWG are only interested on the details of the contract including parties, responsibilities of the SELLER, and the contracted capacity. The rates are NOT necessarily indicated to protect the contract(s)'s confidentiality.➤ For certificate of completion, the SBAC resolved to accept certificates issued by the Bidder or its duly authorized representative provided that a certificate signed by its customer or its customer's duly authorized representative shall be provided within the period of one (1) week after the date of opening of bids.➤ For certificate of acceptance, the SBAC resolved to require the document ONLY if applicable or available.
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2. SF-Goods-13B	Also for SF-Goods-13b, can we give expired contracts of our Distribution Utilities customers?	Item 13B requires the list of <u>completed contracts</u> similar in nature to this procurement. Should these “expired” contracts refer to contracts completed by the GenCo in the past, they may be included in the list.
3.	Do we need to give a specific plant or will the list of customers will be enough for this?	A list of customers will be enough in the list that will be provided in SF-Goods-13B.
4. Technical and Financial Proposal a. Price Components d. Price Indexation	Our management agrees to remove Variable Cost 3 & 4.	In view of the conflicting responses from GenCos or Bidders with regards to this item, a final decision will be issued by the SBAC on July 12 during the Workshop with the TWG and through a Supplemental Bid Bulletin. UPDATED RESPONSE: The SBAC, on its July 12 SBAC Meeting, resolved to retain Variable Costs 3&4 in the computation of the base price in the evaluation methodology specified in the Evaluation Framework.
5. Technical and Financial Proposal a. Price Components	What if for other RES - iba yung type of fuel nila? But UPLB decided to go with Global Coal.	Subject for the discussion and decision of the SBAC. Decision shall be issued on the succeeding Supplemental Bid Bulletin. UPDATED RESPONSE: Fuel type is not limited to coal only. Aside from the option to choose from Renewable and Non-Renewable, Bidders may also choose from Oil and Natural Gas.
6. 4.4 Evaluation Framework	Is your 3.8/kwh inclusive of tax? Just to clarify, our offer won't have tax yet right?	The Base Price of <u>3.8 PhP/kWh</u> is <u>tax inclusive</u> . The offered price of GenCos are subject to Evaluation Framework 4.4 Price After Tax.
7.	What is the purpose of getting the historical outages of the powerplant if guaranteed supply?	UPLB, as a government institution, requires such data for the purpose of ensuring that the Bidder shall be of faithful performance once it is awarded with the contract and that it has the ability to perform its duties and obligations once awarded

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		with the contract. The data of historical outages will also serve as UPLB's proof to auditing entities such as COA that UPLB entered into a contract with a GenCo that has a reputable record on outages, thus procuring at a manner that is most advantageous to the GOP.
8.	When can we send the letter of intent to have a clarificatory workshop with UPLB? And to whom shall we address it to?	The clarificatory workshop will be held on Wednesday, July 12, 9:00AM at the Executive Conference Room, 3F Main Library Building, UPLB.
<i>From Masinloc Power Partners Co. Ltd.</i>		
1.	What is the index value for ?	Please provide further details for the inquiry.
2.	Base Prices are already subject to a _{local} , why are the total gencost and total energy also subject to it?	The Main objective is to levelize the cost. However, the subject is still subject to the discussion of the SBAC. Decision shall be issued on the succeeding Supplemental Bid Bulletin. UPDATED RESPONSE: The original equation is retained.
3.	Bid Data Sheet to supersede the Philippine Bidding Document.	The Bid Data Sheet shall supersede all contents of the Philippine Bidding Document.
4.	Is CIF inclusive in VC2 or pass-thru?	Please refer to the new version of the Technical Bid Form. CIF is already removed in the new TBF.
<i>From Phinma Energy</i>		
1. Standard Form Number: SF-GOOD-13a	<input type="checkbox"/> As per discussion during the second pre-bid please amend this requirement. Below is the suggested amendment: List of Ongoing Government & Private Contracts with at least five (5) customers/buyers having an average demand of four (4) MW for the last two (2) years, including contracts awarded but not yet started	Noted as discussed in the 2 nd Pre-Bid Conference. Please refer to the Updated PBD and Evaluation Framework for the amendments.

	<input type="checkbox"/> Please indicate that the supporting documents (i.e. Notice of Award / or Contract) may only be the first page and the signatory/ notary page	
2. Standard Form Number: SF-GOOD-13a	<input type="checkbox"/> As per discussion during the second pre-bid please amend this requirement. Below is the suggested amendment: Statement of Government & Private Contracts completed which are similar in nature with at least five (5) customers/buyers having an average demand of four (4) MW for the last two (2) years. Please indicate that the supporting documents (e.g. Notice of Award / or Contract) may only be the first page and the signatory / notary page	Noted as discussed in the 2 nd Pre-Bid Conference. Please refer to the Updated PBD and Evaluation Framework for the amendments.
3.BDS 5.1	Please include the Licensed Retail Electricity Supplier as one of the eligible entities to supply.	Noted as discussed in the 2 nd Pre-Bid Conference. Please refer to the Updated PBD and Evaluation Framework for the amendments
4.BDS 12.1 (a)	Please include required credentials for a Retail Electricity Supplier to be able to become eligible.	Noted as discussed in the 2 nd Pre-Bid Conference. Please refer to the Updated PBD and Evaluation Framework for the amendments
5. 12.1(b) Item no. 1	<p>Since for this transaction the Supplier is requested to cover the Replacement Power at contract price, may we request the removal of this requirement? Also, based on our previous requests, NGCP has declined issuing the said certificate.</p> <p>Furthermore, the certification request is outside the authority of the RES, for NGCP to recognize such request it should be the GenCo who shall procure such document</p>	<p>Subject for the discussion and decision of the SBAC. Decision shall be issued on the succeeding Supplemental Bid Bulletin.</p> <p>UPDATED RESPONSE:</p> <p>GenCos and IPPs are still required to submit such document. RES and Wholesale Aggregators are no longer obliged to submit this document. For more info please refer to the Bid Data Sheet of the updated PBD.</p>

6. 12.1(b) Item no. 2	<p>As per discussion during the second pre-bid please amend this requirement.</p> <p>Below is the suggested amendment:</p> <p>Statement of customers/buyers (DUs, Retail Electricity Suppliers (RESs), and Contestable Customers) with at least five (5) customers/buyers having an average demand of four (4) MW for the last two (2) years.</p>	<p>Noted as discussed in the 2nd Pre-Bid Conference. Please refer to the Updated PBD and Evaluation Framework for the amendments</p>
7. Technical Bid Form	<p>1. May we request that a Retail Electricity Supplier, sourcing from the WESM, be allowed to craft a pricing offer that may be indexed to the various economic and fuel indices provided in the bid docs.</p> <p>2. Since UPLB intends to be a Direct WESM member, in situations where a RES will source from the WESM, may we request that a RES should nominate a generator node, as a reference, for Bilateral Contract Quantities (supply) corresponding to the nominations of UPLB.</p> <p>3. May we request that the Bid Form be crafted in such a way that the pricing components already represent the base rates for the entire contract duration? The bid form is currently crafted such that there are five (5) sets of base inputs for each period (i.e. November 26, 2017-December 25, 2018; December 26, 2018-December 25, 2019; December 26, 2019-December 25, 2020; December 26, 2020-December 25, 2021; and December 26, 2021-December 25, 2022)</p> <p>4. Up to how many decimal places is required for each numeric input?</p>	<p>1. Please refer to the new version of the Technical Bid Form for this item.</p> <p>2. UPLB is already a Direct Member of the WESM. Please refer to the new version of the Technical Bid Form for this item.</p> <p>3. Please refer to the new version of the Technical Bid Form for this item.</p> <p>4. The clarificatory workshop will be held on Wednesday, July 12, 9:00AM at the Executive Conference Room, 3F Main Library Building, UPLB.</p> <p>UPDATED RESPONSE:</p> <p>5. Inputs require up to four (4) decimal places.</p>

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	<p>5. May we request for a workshop to verify and to fully understand the computations needed in the evaluation process.</p>	
	<p>Since, dispatch will be from 0 to 4MW, may we request the removal of this item.</p>	<p>Please refer to the new version of the Technical Bid Form for this item. This item is already removed.</p>
	<p>Since the minimum hourly nomination of UPLB is zero, may we request the removal of Pmin in the form?</p>	<p>Please refer to the new version of the Technical Bid Form for this item. This item is already removed.</p>
	<p>If the idea is for UPLB only to post security deposit only after a default payment, may we request the removal of this from the bid form and include it in the special terms of the contract.</p>	<p>Subject for the discussion and decision of the SBAC. Decision shall be issued on the succeeding Supplemental Bid Bulletin.</p> <p>UPDATED RESPONSE:</p> <p>The SBAC and the UPLB Administration resolved to post a payment equivalent to a one (1) month bill as a security bond if UPLB incurs a default in payment. For more information, please refer to the Key Contract Terms item no. 6 Guarantees.</p>

**Additional Comments and/or Clarification from Prospective Bidders
With Responses from the SBAC**

Reference Document and Original Provision	Comment/Clarification/Requested Revision	Response/Action
1. Checklist in Technical Bid Form	<p>May we be clarified on what checklist to use?</p> <p>The Checklist referenced as the Annex B or the Checklist included in the Technical Bid Form?</p> <p>The item no. III requirements are different.</p>	Please refer to the updated Philippine Bidding Document and the Technical Bid Form for the complete and updated list of requirements.
2.	<p>May we request for the following forms / templates:</p> <p>1. ITB Annex D-1. Acceptance of Bidding Documents</p> <p>2. ITB Annex D-2. Confidentiality Agreement and Undertaking</p>	Please refer to the updated Philippine Bidding Document and the Technical Bid Form for the complete and updated list of requirements.
3.	<p>May I also clarify if we can still ask questions until Monday? And will get the Clarificatory Workshop bid bulletin tomorrow?</p>	<p>Queries, clarifications, and comments will still be entertained until Monday. Supplemental Bid Bulletins, however, will no longer be issued in response to these queries. Instead, an e-mail or a set of e-mails will be sent to ALL Prospective Bidders to respond to these queries, comments and clarifications posted until Monday.</p>