



## INVITATION TO BID

### I. RATIONALE

DECORP, through its Third Party Bids and Awards Committee (TPBAC), will be conducting a Competitive Selection Process (CSP) for the supply of 20 MW Baseload with Load Following Contracted Capacity power requirement for a term of ten (10) years commencing on October 26, 2022 until October 25, 2032. This contract capacity for the said term was based on DECORP's Power Supply Procurement Plan (PSPP) contained in its approved Distribution Development Plan.

### II. GOVERNING RULES

The TPBAC shall conduct this CSP in accordance with the following rules:

1. DOE Circular No. DC2015-06-0008, "Mandating All Utilities to Undergo Competitive Selection Process in Securing Power Supply Agreements"
2. DOE Circular No. DC2018-02-0003, "Adopting and Prescribing the Policy for the Competitive Selection Process in the Procurement by the Distribution Utilities of Power Supply Agreement for the Captive Market"
3. RA 9184, Government Procurement Reform Act

### III. PRE-QUALIFICATION

Power generators who are interested to participate in this CSP may obtain the bidding documents starting September 27, 2021 until October 8, 2021 upon payment of a non-refundable bid documents fee of PhP75,000.00 (inclusive of VAT and net of creditable withholding tax). Official Receipt of payment must be presented during the Pre-bid Conference. Also, interested bidders shall submit the following documents to the TPBAC Secretariat during business hours (7:00 AM – 4:00 PM):

1. Notarized Letter of Intent (LOI) to participate, signed by a duly authorized representative, indicating the following:
  - (a) Full name of the company
  - (b) Complete address
  - (c) Contact numbers
  - (d) Name of principal contact
  - (e) Email address and mobile number of principal contact
  - (f) Scanned copy of Deposit Slip (Bid Documents Fee)

#### 2. Confidentiality Undertaking

Only power generators who comply with the above requirements will be allowed to participate in the CSP and be issued the Bidding Documents.

Due to the various COVID-19 health protocols:

- (a) The payment of the bid documents fee shall be through bank transfer.
- (b) Submission of LOI and Confidentiality Undertaking shall be through email.
- (c) Bidding documents shall also be given electronically to the interested participants.

### IV. TERMS OF REFERENCE

The following are DECORP's minimum contract details for the supply of 20 MW Baseload with Load Following Contracted Capacity requirement to its captive customers for the period October 26, 2022 to October 25, 2032:

	<b>Subject</b>	<b>Description</b>
1	<b>Contract Capacity</b>	20 MW Baseload with Load Following Contracted Capacity, with 50% minimum nomination, for a period of ten (10) years commencing on October 26, 2022, subject to the approval of the Energy Regulatory Commission (ERC) of the Power Supply Agreement (PSA) which shall be jointly filed by DECORP and the Winning Bidder.
2	<b>Bid Security</b>	All Prospective Bidders shall furnish, as part of its bid, a bid security amounting to PhP50,000,000.00 in the form of cash or Cashier's/Manager's Check, Bank draft/guarantee or irrevocable Letter of Credit or Surety Bond in favor of DECORP. Such bid security in the prescribed form will be returned to unsuccessful bidders, without interest, after the PSA is awarded to the Winning Bidder.
3	<b>Monthly</b>	Equivalent energy at 100% of the Contracted Capacity.

	<b>Maximum Energy</b>	
4	<b>Start of Supply</b>	Supply shall commence on October 26, 2022, subject to the approval of the Energy Regulatory Commission (ERC). In the event that DECORP will require the Winning Bidder to procure replacement power due to the failure of the Winning Bidder to deliver the supply on the Start of Supply Date, the Winning Bidder shall shoulder the replacement cost in excess of the contract price or the ERC-approved rate.
5	<b>Term of PSA</b>	Ten (10) years from 26 October 2022 to 25 October 2032.
6	<b>Receiving Point</b>	NGCP Metering Points of DECORP.
7	<b>Replacement Power</b>	Winning bidder shall provide replacement power to DECORP at a cost lower or equal to the contract price during planned or forced outages/shutdowns including <i>force majeure</i> .
8	<b>Payment Currency</b>	Philippine Peso.
9	<b>Tariff Structure</b>	Straight Energy Fee (in PhP/kWh).
10	<b>Taxes</b>	Prospective Bidders shall indicate all applicable taxes including future taxes, fees, and imposts.
11	<b>Reduction in Contract Capacity</b>	The Contract Capacity must have a carving out provision due to the Retail Competition and Open Access, RA No. 9513 or the Renewable Energy Act of 2008, or other laws, and legal requirements to which DECORP is required to comply.
12	<b>Grounds for Termination</b>	The following are the grounds for termination of the PSA: <ul style="list-style-type: none"> <li>● Event of default</li> <li>● Non-fulfillment of conditions to effective date</li> <li>● <i>force majeure</i> events</li> <li>● Expiration of term</li> <li>● Upon mutual agreement</li> <li>● Change in circumstances</li> </ul>

## V. SCHEDULE OF CSP ACTIVITIES

<b>Activity</b>	<b>Date</b>
Publication of the Invitation to Bid	1st Publication: September 27, 2021 2nd Publication: October 4, 2021
Issuance of the Bid Documents	September 27 – October 8, 2021
Deadline for the Submission of Queries/Comments	October 18, 2021
Pre-bid Conference	October 29, 2021
Deadline for Issuance of Bid Bulletins, if any	November 29, 2021
Deadline for the Submission of Bids	December 15, 2021 at 9:00AM
Opening and Evaluation of Bids	December 15, 2021 at 10:00AM
Post-qualification	December 29, 2021
Declaration of Winning Bidder	January 12, 2022
Signing of the PSA	January 31, 2022
Filing of the PSA	February 21, 2022

Any change in the CSP schedule of activities shall be made through Bid Bulletins.

For further clarification, please contact Gemma M. Recel, TPBAC Secretariat, at DECORP, VFL Building, A.B. Fernandez West, Dagupan City at (075) 522-278 or 522-2940; or by e-mail to [bids@decorp.com.ph](mailto:bids@decorp.com.ph).

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