



IBAAAN ELECTRIC CORPORATION
 Metro-Rei Business Park, Palindan,
 Ibaan, Batangas
 Tel.no: (043) 311-2390
 Cel.no.: 0949-722-4771 / 0939-924-9478
 0920-893-0256

"Your Partner to a Brighter Tomorrow"

Invitation to Bid Procurement of Power Supply for Ibaan Electric Corporation (IEC)

1. Bid Information

Ibaan Electric Corporation (IEC) is a duly franchised distribution utility servicing the whole municipality of Ibaan, Batangas, Barangay Adya, and Barangay Salaban of Lipa City and San Jose Batangas respectively.

Ibaan Electric Corporation (IEC) is in need of a qualified bidder that can provide 6.91MW up to 10.92MW of power to commence on April 26, 2023 for the start of supply that shall be subject to the approval of the Energy Regulatory Commission.

2. Terms of Reference (TOR)

Ibaan Electric Corporation (IEC), through its Third Party Bids and Award Committee (TPBAC), is inviting proposals with this terms of reference.

TERMS OF REFERENCE	DESCRIPTION	REQUIREMENT	
Area to be served		Grid	
Type of Contract	Firm	Baseload	
Contract Capacity and Annual Contracted Energy	Minimum	6.91 MW*	32,601.27 MWH**
	Maximum	10.92 MW	67,472.02 MWH
	Year	MW***	MWH
	2023-2024	8.79	48,589.24
	2024-2025	9.33	52,586.99
	2025-2026	9.86	57,214.07
	2026-2027	10.39	61,919.04
	2027-2028	10.92	67,472.02
	* - Minimum for the period of April 26, 2023- April 25, 2024. ** - Total Energy for the period of April 26, 2023- December 25, 2023 *** - Maximum per contract period (i.e. April 2023-April 2024)		
Supply Type	Open Technology (Conventional or Renewable Energy)	Any existing or operational power plant capable of supplying Baseload requirement. The power plant shall be compliant with the prevailing DENR's emission and environmental standard. If the source is renewable energy, then the supplier must be able to satisfy the requirements of the renewable energy law. Bidders may supply using 100% - Renewable Energy; or a combination of conventional and renewable sources at a minimum 20% Renewable.	
Technical Parameters	Delivery Point	The Receiving Point shall be at IEC Metering Nodes located at IEC Substation in Palindan, Ibaan, Batangas	
	Plant Capacity	The minimum dependable generating capacity of the Bidder shall be no less than the minimum contracted capacity of IEC.	
	Performance & Eligibility Requirements	Bidder must submit its Company Profile and technical capability/qualifications of key officers, technical staff, and management team/consultants. Bidder shall have available capacity on or before the Commercial Operation Date (COD). Bidder shall submit Certificate of Compliance issued by the ERC. The Bidder shall submit technical specifications of generator set specifically the brand name. The Bidder shall submit technical specifications of the power plant, for the safe and reliable operation of its distribution network. Technical Specification must consider the capacity. The Bidder shall submit the list of accredited contractors in case of their power failures or outages.	
Delivery Period	The Delivery Period shall be effective on the first delivery following the compliance of all the requirements and approval of the ERC.		
Contract Period	6.91 MW - 10.92 MW	The PSA shall take effect on April 26, 2023, 00:00H and shall remain effective for a period of five (5) years.	
Cost and Tariff Structure	Price Offer shall be the delivered cost at IEC receiving points. Tariff components shall be broken down into the following:		



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	1. Capital Recovery Fee (CRF) in P/kW	CRF shall be fixed for the entire duration of the contract period and shall be in Philippine Currency.
	2. Fixed O&M in P/kW	
	3. Variable O&M in P/kWh	No Take-or-Pay (Based on actual energy delivered)
	4. Raw Materials used in P/kWh (As may be applicable)	No Take-or-Pay (Based on actual energy delivered) Inclusive of Handling & Freight Costs
	All Bidders must specify the source of the base fee adjustment factor used such as CPI and Forex. All Bidders must comply with the requirements under DOE Circular No. DC2021-09-0030, Annex B, Section 3., Cost and Tariff Structure.	
Payment Modalities	Refer to Section 4 of Annex B of the DC2021-09-0030.	
Outage Allowance	Scheduled Outages	Maximum of 144 Hours per year.
	Unscheduled Outages	Maximum of 330 Hours per year
	All Scheduled Outages must be schedule and declared twelve (12) months in advance. There will be no carry over of any unutilized outage allowance from a calendar year to the succeeding years.	
Replacement Power	All Bidders shall provide the Replacement Power up to the contracted capacity during the period. In the event of failure of the Bidder to provide the replacement power, IEC shall be allowed to find replacement power but shall be for the account of the Supplier, subject to the payment of administrative fee of Php 0.35/kWh.	
Grounds for Contract Termination and Force Majeure	<p>IEC may terminate the agreement by written notice to the Bidder in cases of:</p> <ul style="list-style-type: none"> • Events of Default; • Expiration of Cooperation Period; • Failure to achieve COD; • Mutual Agreement by both parties; • Changes in the circumstances as agreed under the PSA; • If the Bidder fails to supply for a period of sixty (60) days for reason/s wholly attributable to its faults and/or negligence, provided that the Bidder fails to take reasonable action or remedy to solve its inability to deliver capacity and energy; • Events of Force Majeure: <p>“Force Majeure” shall mean any event not within the reasonable control, directly or indirectly, of the Party affected, but only if and to the extent that (i) such event, despite the exercise of reasonable diligence, cannot be or be caused to be prevented, avoided or removed by the Party affected, (ii) the Party affected has taken all reasonable precautions, due care and reasonable alternative measures in order to avoid the effect of such event on the Party’s ability to perform its obligation, and to mitigate the consequences thereof, and (iii) such event is not the direct or indirect result of a Party’s negligence or the failure of such Party to perform any of its obligations. An event of Force Majeure shall include, but not be limited to, any of the following:</p> <p>(a) acts of nature, war or acts of the public enemy, whether war be declared or not;</p> <p>(b) public disorders, civil disturbance, insurrection, rebellion, sabotage, acts of terrorism, riots, violent demonstrations, blockade, revolution, expropriation, requisition, confiscation, nationalization, export or import restriction or other restrictions, rationing or allocations imposed by any Governmental Authority;</p> <p>I any effect of unusual elements, including fire, volcanic eruption, landslide, earthquakes, floods, lightning, typhoons, tsunami, perils of sea, or other unusual natural calamities;</p> <p>(d) strikes or lockouts or other collective or industrial action by workers or employees other than non-manual personnel (provided, that any Party that seeks to invoke such a strike or labor action as a Force Majeure must first utilize all reasonable efforts to maintain performance utilizing management personnel);</p> <p>I air crash, train wrecks or accidents of navigation or breakdown or injury of vessels, accidents to airports, harbors, docks, canals or other assistance to or adjuncts of airline, shipping or navigation; pandemic, epidemic or quarantine, including failures or delays in transportation;</p> <p>(f) radioactive contamination or ionizing radiation;</p> <p>(g) any System Emergency;</p> <p>(h) Transmission failure and System Operator Curtailment, except line congestions on the existing facilities of the Buyer to the Grid or acts of any third party that may materially affect the capability of Buyer to draw power from the NGCP grid, which is unforeseen and could not reasonably be expected or is beyond the control of the affected party. Or</p> <p>(i) unavailability or insufficiency of alternate energy in the system.</p> <p>The Bidder may terminate the agreement by written notice to IEC when IEC;</p> <ul style="list-style-type: none"> • Discontinues operation • Declares bankruptcy; or <p>Any financial obligation of IEC is not paid when due within any applicable grace period.</p>	



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Liquidated Damages	In case of default shall be equal to the present value of the Capacity Payment computed on a 365-day basis for the remaining term of the PSA. The Bidder shall specify its Discount Rate to be used.
Penalty	The Bidder shall be penalized in case of the following events or circumstances. <ul style="list-style-type: none"> • During any delay in the Commercial Operation Date • Failure of the Delivery of Power; • Failure in the Provision of the Replacement of Power; or Other Violations under the resulting PSA
Reduction of Contract Capacity	<ul style="list-style-type: none"> a. Loss of captive customers due to Retail Competition and Open Access (RCOA) and Green Energy Option Program (GEOP) b. Reduction of demand of the DU due to special circumstances beyond the control of the DU c. Capacity reduction on the implementation of Renewable Energy Law (RA 9513) and for RPS Compliance by year 2024 – 2027 (48 months) Similar policies or rules allowing end-users' choice of supplier.
Bidders Qualification	Refer to Section 13 of Annex B of DC2021-09-0030.
Regulatory Approvals	Must comply with the relevant pre-filing application requirements for approval of PSA (ERC Form No. LS-CL 001). All Bidders shall make the necessary adjustments in accordance with the directive of the ERC. Downward adjustment in the rates shall not be a ground for the termination of the contract and IEC should not be made to shoulder the incremental difference.
Bid Processing Fee	P 250,000.00

3. PRE-QUALIFICATION REQUIREMENTS:

- A. Parties intending to Bid ("Interested Bidders") shall be required to comply with the following Pre-Qualification requirements:
- a. Duly notarized Secretary Certificate authorizing participation in the bid.
 - b. Duly notarized letter of interest to participate in the bid in accordance with the terms set out in ITB.

3.1 LEGAL QUALIFICATION REQUIREMENTS

1. Notarized Application to Participate in the CSP
2. Business Structure
 - Corporation
 - Joint Venture
 - Affiliate
3. Notarized Corporate Authorizations and Designation of Authorized Representative
 - Corporation
 - Joint Venture
4. Affidavit of Disclosure of Relations
5. Basic Information Sheet
 - a. Certified True Copy of the Latest General Information Sheet (GIS) issued by SEC
 - b. Certified True Copy of Certificate of Registration
 - c. Articles of Incorporation and By-Laws
6. Certified True Copy of Valid Board of Investment Certificate of Registration
7. Certified True Copy of a Valid ISO Certification and OHSAS Certification
8. Certified True Copy of Valid Business Permit
9. Certified True Copy of Valid Bureau of Internal Revenue Certificate
10. Certified True Copy of Tax Clearance Certificate

11. Certified True Copy of Valid Social Security System Certificate
12. Omnibus Sworn Statement
13. Certificate of Satisfactory Performance of all its existing/ ongoing contracts falling from year 2018 to 2022 from the date of the bid opening by the buyer/customer or Certificate of Compliance issued by the ERC, if applicable
14. Experience and Technical capability/qualification of technical staff,

3.2 TECHNICAL QUALIFICATION REQUIREMENTS

1. Certified True Copy of a Valid Certificate of Compliance or Provisional Authority to Operate;
2. Certified True Copy of a Valid Environmental Compliance Certificate;
3. OHSAS Certification;
4. Notarized Statement of Completed Power Supply Contract (atleast 3 years);
5. Notarized Statement of Ongoing Power Supply Contract (if applicable)

3.3 FINANCIAL QUALIFICATION REQUIREMENTS

1. Certified True Copy of Audited Financial Statements (stamped "Received" by BIR)

- B. Payment of non-refundable bid processing fee of *Php 250,000.00*

For depository of bid processing fee

Account Name: Ibaan Electric Corporation
 Account Number: 00381-8011336
 Bank: BDO,9th Ave Branch



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4. Instruction to Bidders

All requests and submission of Competitive Selection Process (CSP) documents shall be addressed to the Third Party Bids and Award Committee (TPBAC) Chairman through the Secretariat at tpbac@ibaanelectric.com. Only the authorized representative/s of the prospective bidder are allowed to ask queries or submit documents through electronic mail.

TPBAC Secretariat: Engr. Daniel Vincent De La Rosa
 Ibaan Electric Corporation (IEC)
 Metro-Rei Business Park, Palindan, Ibaan, Batangas
 Mobile Phone: +639175582094

Interested Bidders may obtain the Bidding Documents upon receipt of proof of payment. Inquiries on the Pre-Qualification Requirements and shall be entertained up to December 12, 2022. Deadline for the submission of the Pre-Qualification Requirements is on 9:00 am of December 13, 2022 at Ibaan Electric Corporation Office located at Metro-Rei Business Park, Brgy. Palindan, Ibaan, Batangas.

The TPBAC shall notify the interested bidder whether it meets the Pre-Qualification requirements for timeliness, completeness and conformity on December 14, 2022.

Only Interested Bidders that have complied with the Pre-Qualification Requirements on time may be allowed to participate in the Bid to obtain all bidding documents including Bid procedures.

The TPBAC reserves the right to declare a failed bidding in the event that less than two (2) Prospective Bidders comply with the Pre-qualification Requirements.

Schedule of Bidding Activities

Item No.	Procurement Activity	Date / Time
1	Publication of Invitation for Pre-Qualification and to Bid in newspaper of general circulation and posting to DOE Web Portal	First Publication November 27, 2022 – December 3, 2022 Second Publication December 4, 2022 - December 10, 2022
2	Availability of Bidding Documents	December 2, 2022 - December 10, 2022 / Upon receipt of Non-Refundable fee
3	Pre-Qualification Inquiries	December 2, 2022 – December 12, 2022
4	Deadline of Submission of Pre-Qualification Documents	December 13, 2022 – 9:00 AM
5	Opening and Evaluation of Pre-Qualification Documents	December 13, 2022 – 10:00 AM
6	Issuance of Pre-Qualification Result	December 14, 2022
7	Pre-Bid Conference	December 19, 2022 – 9:00 AM- 5:00PM Venue: 3 rd Floor Annex A Metro Rei Business Park, Brgy. Palindan, Ibaan, Batangas
8	Issuance of Bid Bulletin and Final Instruction to Bidders	December 21, 2022
9	Deadline of Submission of Bids (Qualification, Technical and Financial)	January 23, 2023
10	Opening and Preliminary Evaluation of Qualification, Technical and Financial Documents	January 24, 2023
11	Due Diligence and Detailed Evaluation of Qualification Documents Issuance of Result of the Detailed Evaluation of Qualification Documents	January 25-26, 2023 January 27, 2023
12	Detailed Evaluation of Technical Documents Issuance of Result of the Evaluation of Technical Documents	January 30-31, 2023 February 1, 2023
13	Detailed Evaluation of Financial Documents Evaluation of Financial Documents	February 2-3, 2023 February 4, 2023



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14	Provisional Declaration of Winning Bidder (Subject to Post Qualification)	February 8, 2023
15	Post Qualification of lowest Calculated Bidder	February 9-11, 2023
16	Issuance of Notice of Award	February 13, 2023
17	Signing of Power Supply Agreement	February 20, 2023
18	Joint Filing of Application for Approval of PSA	March 20, 2023

Any amendment to the schedule will be announced through Bid Bulletins and communicated to the Prospective Bidders through email. Unless otherwise expressly specified in writing, all references to the times and dates shall refer to the Philippine Time.

For further information, Prospective Bidders shall communicate to the CSP Secretariat.

**THIRD PARTY BIDS AND AWARDS COMMITTEE
IBAAN ELECTRIC CORPORATION**

By:

MR. JOHN MICHAEL A. YAP
Chairman, TPBAC