

ADOPTING THE GUIDELINES GOVERNING THE 3RD OPEN AND COMPETITIVE SELECTION PROCESS (OCSP3) IN THE AWARD OF RENEWABLE ENERGY SERVICE CONTRACT, AND FOR OTHER PURPOSES

WHEREAS, Article XII, Section 2 of the 1987 Philippine Constitution provides that all forces of potential energy and other natural resources within the Philippine territory belong to the State, thus the exploration, development and utilization shall be under the full control and supervision of the State;

WHEREAS, Republic Act (RA) No. 7638, as amended, otherwise known as “The Department of Energy Act of 1992”, mandates the Department of Energy (DOE) to prepare, integrate, coordinate, supervise, and control all plans, programs, projects, and activities of the Government relative to energy exploration, development, utilization, distribution, and conservation;

WHEREAS, RA No. 9513 or the “Renewable Energy Act of 2008” and its Implementing Rules and Regulations (IRR) encourages the DOE to promote the accelerated development of renewable energy (RE) resources;

WHEREAS, Section 13 of Department Circular No. 2019-10-0013 entitled the “*Omnibus Guidelines governing the award and administration of Renewable Energy Contracts and the registration of Renewable Energy Developers*”, provides for the procedures in applying for RE Contracts under an Open and Competitive Selection Process (“OCSP”);

WHEREAS, the DOE has identified Pre-Determined Areas (PDA) for geothermal and hydropower resource development and utilization;

WHEREAS, the exploration, development and utilization of these PDAs for RE resources would significantly contribute in the energy supply requirements of the Philippines.

NOW THEREFORE, for and in consideration of the foregoing premises, the DOE hereby orders the following procedures to govern the OCSP for RE resources:

Section 1. Scope of Coverage. This Circular shall govern the determination of the legal, financial and technical qualifications of RE Applicants, the evaluation of their Applications, and the award of RE Contracts.

Section 2. Responsibilities of the Renewable Energy Management Bureau (REMB). The REMB shall be the lead unit of the DOE in carrying out the responsibilities under this Circular.

Section 3. Enhanced Participation of LGUs or DUs in RE Contracts. The conduct of OCSP and award of RE Contracts under this Circular shall encourage Applications with endorsements from their local government units or those to be undertaken by distribution utilities within their franchise areas.

Section 4. Information, Education and Communication Activities. Pursuant to Section 31, Rule 10 of the IRR of the RE Act, the DOE, together with National Renewable Energy Board, shall conduct a comprehensive information, education and communication activities that are designed to increase the awareness and appreciation of RE industry and the public in general of this Circular.

Section 5. Separability Clause. If for any reason, any provision of this Circular is declared unconstitutional or invalid by a court of competent jurisdiction, the other parts or provisions not affected thereby shall remain in full force and effect.

Section 6. Repealing Clause. The provisions of other circulars, orders, issuances, rules and regulations, which are inconsistent with the provisions of this Circular are hereby repealed, amended, superseded or modified accordingly.

Section 7. Effectivity. This Circular shall take into effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation. Copies of this Circular shall be filed with the University of the Philippines Law Center – Office of the National Administrative Register.

Issued at Energy Center, Bonifacio Global City, Taguig City.

ALFONSO G. CUSI
Secretary

GUIDELINES GOVERNING THE 3rd OPEN AND COMPETITIVE SELECTION PROCESS (OCSP3) IN THE AWARD OF RENEWABLE ENERGY (RE) SERVICE CONTRACTS

1. Eligibility Criteria for RE Applicants. –

- 1.1. The RE Applicant must be a Filipino or, if a corporation, must be a Filipino corporation at least sixty percent (60%) of its capitalization owned and controlled by Filipinos, duly registered with the Securities and Exchange Commission (SEC) and organized or authorized for the purpose of engaging in renewable energy exploration, development and utilization.
- 1.2. In case the RE Applicant is a joint venture or consortium, the partners of the joint venture or members of the consortium shall organize themselves as a corporation registered under the Corporation Code of the Philippines and shall comply with the nationality requirements as provided for in the preceding paragraph.
- 1.3. In relation thereto, the RE Applicant shall comply with Commonwealth Act No. 108 or the “Anti-Dummy Law” on the appointment of officers in the corporation.

PRE-OCSP

2. Procedure for the Conduct of the OCSP. –

2.1. Launch and Publication

Invitation to prospective RE Applicants shall be published at least once a week for two (2) consecutive weeks, in at least two (2) newspapers of general circulation. The same invitation shall, likewise, be posted on the DOE website.

2.2. Pre-Submission Conference for RE Applicants

- 2.2.1. A Pre-Submission Conference shall be held on the date and venue set by REMB, to apprise prospective RE Applicants of the Pre-Determined Areas (PDA) subject of the current OCSP round, the OCSP requirements, and to clarify and address possible questions and issues on the OCSP requirements and process.

Attendance in the Pre-Submission Conference is optional on the part of the prospective RE Applicants.

2.2.2. Any statement made at the Pre-Submission Conference shall neither modify nor amend the terms of the OCSP Guidelines unless such statement is specifically identified in writing as an amendment thereto and issued as a Supplemental OCSP Bulletin.

2.2.3. The Supplemental OCSP Bulletin, if any, shall be posted on the DOE website within seven (7) days from the conduct of Pre-Submission Conference.

3. RE Contract Application. –

3.1. Applications may be submitted a day immediately following the publication date until the last day of submission, which shall be sixty (60) calendar days from the date of first publication, and shall be subject to the following requirements:

3.1.1. The RE Applicant shall submit to the DOE a Letter of Intent (LOI) following the prescribed format (Annex A) together with the documentary requirements (RE Application) in accordance with the prescribed Checklist of Requirements (Annex B);

3.1.2. Each RE Application shall cover only one PDA as published;

3.1.3. The RE Application must be in both paper and electronic (flash drive in Portable Data Format) copies, which shall use Times New Roman in 12-point font size, and employ single line spacing. Figures and maps shall be printed and submitted in a document that is not smaller than A3 size. For legibility, figures and maps shall be submitted at a larger scale (1 : 10,000) as appendices;

3.1.4. A non-refundable application fee shall be paid by each RE Applicant, along with the submission of RE Application. All payments may be made in cash, manager/company check, and payable to “*Department of Energy*” or by wire/bank transfer. All wire/bank transfers should be net of all applicable bank and financial charges.

a) For Hydropower projects, the application fee per project shall be Php 50,000.00, if the estimated capacity of less than 50 MW, and Php100,000.00, for 50 MW and above, respectively.

b) For Geothermal projects, the application fee shall be Php100,000.00 per project.

c) No RE Application shall be accepted unless it is accompanied by a proof of payment of the application fee.

d) Only those RE Applicants who have duly paid the application fee shall be given access to the available data of the project being applied for.

4. Filing Process. –

- 4.1. The RE Applicant shall submit its Application per project containing three (3) sets of documentary requirements as enumerated in Annex “B” hereof. Each Application must contain one set of original documents and two photocopies thereof. These documents shall be placed separately in sealed envelopes designated to contain the legal (Envelope A), financial (Envelope B), and technical (Envelope C) documents, respectively. All envelopes shall be properly labeled following the sample shown in Annex “C” hereof.
- 4.2. All RE Applications shall be properly labelled and identified by indicating therein, in the respective envelopes the Project/ Area number and Project name, as identified below:

Geothermal Energy		
<i>Project/Area No.</i>	<i>Project Name</i>	<i>Potential Capacity (MW)</i>
1	Mt. Labo Geothermal Project (<i>High Temperature System</i>)	30
2	Daklan Geothermal Project (<i>High Temperature System</i>)	27
3	Itogon Geothermal Project (<i>High Temperature System</i>)	9
4	Puting Lupa Geothermal Project (<i>Intermediate Temperature System</i>)	17
5	Maricaban Island Geothermal Project (<i>Intermediate Temperature System</i>)	4

Hydropower Energy		
<i>Project/Area No.</i>	<i>Project Name</i>	<i>Potential Capacity (MW)</i>
1	Amlan (Plant C) Hydroelectric power project	0.8
2	Amlan (Plant A) Hydroelectric power project	3.2
3	Hilabangan (Upper Cascade) Hydroelectric power project	4.8
4	Hilabangan (Lower Cascade) Hydroelectric power project	3
5	Maninila (Lower Cascade) Hydroelectric power project	4.5
6	Maninila ((Upper Cascade) Hydroelectric power project	3.1
7	Tibiao Hydroelectric power project	2.1
8	Dalanas Hydroelectric power project	3
9	Sibalom (Middle Cascade) Hydroelectric power project	4

10	Aklan River Lower East Tributary Hydroelectric power project	3
11	Aklan River Middle West Tributary Hydroelectric power project	2.4
12	Aklan River Upper West Tributary Hydroelectric power project	2.4
13	Vera Falls Hydroelectric power project	0.3
14	Palali Hydroelectric power project	0.2
15	Coyaoyao (Upper Cascade) Hydroelectric power project	0.2
16	Dapnan Hydroelectric power project	1.4
17	Diduyon Hydroelectric Power Project	320
18	Balintingon Hydroelectric Power Project	30

- 4.3. If the envelopes are not properly sealed and marked as required, the DOE will not assume any responsibility for the misplacement or premature opening of the Proposal.
- 4.4. A brief summary of proposed financial commitments (Annex D) shall be included in the Financial Documents.
- 4.5. Descriptions of Work Program and Track Records / Experiences shall be included in the Technical Documents (Annexes E and F, respectively).
- 4.6. The Application may be sent by courier, registered mail or personal delivery, stamped received by the Records Management Division, and shall be addressed to:

REMB Supervising Assistant Secretary
Department of Energy
 Energy Center, Rizal Drive
 Bonifacio Global City
 Taguig City, 1632

- 4.7. Applications shall be received on the time and place specified in the Invitation to Submit Applications (ITSA). Applications submitted and/or received after the deadline shall not be accepted.

5. Modification and Withdrawal of Applications. –

- 5.1. The RE Applicant may modify its Application after it has been submitted: *Provided*, that the modification is made only once and received by the REMB on or before the deadline prescribed for the submission of Applications. The RE Applicant shall not be allowed to retrieve its original Application, but shall be required to submit a modified Application with complete documentary requirements in accordance with the filing procedure prescribed in Item 4 above. The REMB shall automatically disregard the original Application upon its timely receipt of the modified Application. Modified Applications received after the deadline shall not be considered and shall be returned to the RE Applicant unopened.

- 5.2. The RE Applicant may, in writing, withdraw its Application for any reason, provided that the withdrawal is received by the REMB prior to the deadline prescribed for submission of Applications.
- 5.3. Applications requested to be withdrawn shall be returned unopened to the RE Applicant. The RE Applicant that has withdrawn its Application shall not be permitted to submit another Application, directly or indirectly, for the same project.
- 5.4. The RE Applicant which withdrew its Application, as provided in items 5.2 and 5.3 herein, shall have no right to raise questions on matters relating to the conduct of the OCSP.

6. Opening, Evaluation, Selection, and Award of RE Applications. –

- 6.1. The DOE shall open the Applications at exactly 1300H, on the last day of the submission of RE Applications. The RE Applicants or their duly authorized representatives are encouraged to attend the opening of the Applications.

The REMB shall open the Applications in public to determine each Applicant's compliance with the documentary requirements. For this purpose, RE Applications containing Envelopes A, B, and C shall be opened simultaneously and the REMB shall only determine the completeness of the documents submitted by each Applicant against the checklist of required documents (Annex "B"). Only complete Applications shall be allowed to undergo legal, technical and financial evaluation.

- 6.2. Applications with incomplete documents shall be automatically disqualified during the opening of RE Applications. No additional documents shall be accepted after the deadline for submission of RE Applications.
- 6.3. RE Applicants shall be duly informed by the REMB Supervising Assistant Secretary whether their Application passed the completeness check and shall be subjected to further legal, technical and financial evaluations. Applicants who were disqualified for submitting incomplete documents shall likewise be informed by the REMB Supervising Assistant Secretary of the fact of their disqualification and the reasons therefor.
- 6.4. A processing fee of PhP 23,850.00 per hydropower project and PhP 6.50 per hectare for geothermal projects shall be paid by the RE Applicant that passed the completeness check within three (3) calendar days from receipt of the Order of Payment. The processing fee may be paid in cash, manager/company check, and payable to "*Department of Energy*" or by wire/bank transfer. All wire/bank transfers should be net of all applicable bank and financial charges.

- 6.5. RE Applications which passed the completeness check shall be evaluated based on the following criteria:

Legal Qualification	Pass/Fail
Work Program	40%
Technical Qualification	20%
Financial Qualification	40%

The technical and financial components of the Application which have been certified by Legal Services to have passed the legal evaluation shall be subjected for comparison/ranking based on the point system set herein (Annex G).

- 6.6. The REMB shall complete the evaluation process within ten (10) working days from the date of the opening of the Applications.
- 6.7. The highest ranked RE Application that meets the legal, technical, and financial requirements shall be selected.
- 6.8. The RE Application that fails to obtain the minimum point requirement per criterion, shall not qualify even if the Applicant is the sole participant for the project/site.
- 6.9. After a complete review and evaluation of the legal, technical, and financial qualifications of the RE Applications, the REMB Director, through its Supervising Assistant Secretary and Undersecretary, shall transmit to the DOE Secretary a written endorsement of the selected RE Application.
- 6.10. Based on the written endorsement of the REMB, the DOE Secretary may approve the application and issuance of the corresponding RE Contract.
7. **Failure of OCSP.** – The OCSP, with respect to any or all PDAs included therein, shall be declared a failure when any of the following circumstances exists:
- 7.1. No RE Application was received by the DOE within the period allotted;
- 7.2. No RE Application passed the legal requirements; or
- 7.3. When one or more RE Applications passed the legal requirements but after the evaluation of technical and financial proposals, none of such RE Applications were able to meet either the technical or financial requirements.

In any of the foregoing cases, the PDA shall be opened for Direct Applications. To initiate the change of mode of awarding RE Contracts from OCSP to Direct Application for the relevant areas, the DOE shall include in the announcement of the result of the OCSP the area/s which shall be open for Direct Application, indicating thereat when the new application process shall commence.

8. *Timeline.* –

- 8.1. The timeline for the OCSP3 and awarding of RE Contracts is provided in Annex “H” hereof.

Republic of the Philippines
DEPARTMENT OF ENERGY
Energy Center, Rizal Drive corner 34th Street
Bonifacio Global City, Taguig City
Metro Manila

REMB Supervising Asst. Secretary
Department of Energy

Dear Asst. Secretary:

We wish to express our intent to apply for RE Contract for the development of Geothermal/Hydropower Project Area no. 1 with an estimated potential capacity of ____ MW.

Enclosed is the notarized Letter of Authority for individual and Board Resolution for corporation (if applicable) for reference.

Thank you.

Very truly yours,

Signature over printed name

Applicant or Authorized representative

Address:

Email address:

Facsimile No.

Mobile No:

Republic of the Philippines
DEPARTMENT OF ENERGY
Energy Center, Rizal Drive corner 34th Street
Bonifacio Global City, Taguig City
Metro Manila

CHECKLIST OF REQUIREMENTS FOR RENEWABLE ENERGY (RE) CONTRACT APPLICATION

1. Legal Requirements	Document Format
1.1. Individual or Proprietorship	
1.1.1. Birth Certificate issued by the Philippine Statistics Authority	Original or PSA Certified Copy
1.1.2. Current Business Permit	Certified True Copy
1.1.3. Department of Trade and Industry (DTI) Registration (if applicable)	Certified True Copy
1.1.4. Special Power of Attorney to Negotiate and Enter into RE Contract with DOE (if applicable)	Original Copy
1.2. Corporation / Joint Venture / Consortium / Cooperative	
1.2.1. By-Laws (BL) and Articles of Incorporation (AOI), and BL and AOI of its corporate stockholders	Original SEC-Certified or CDA-Certified or NEA-Certified
1.2.2. Board Resolution authorizing its representative to negotiate and enter into RE Contract with DOE	Original Copy
1.2.3. Latest General Information Sheet (GIS) and latest GIS of its corporate stockholders	Certified True Copy of SEC-Received
1.2.4. Current Business Permit	Certified True Copy
1.2.5. Organizational Chart of the Company	Certified True Copy
1.3. Local Government Units	
1.3.1. Council Resolution approving the proposed project and authorizing its representative to negotiate and enter into RE Contract with DOE	Original Copy
1.4. Passport ID or any valid government-issued ID of the authorized representatives, i.e., signatory and witness under the RE Contract	Certified True Copy
2. Technical Requirements	
2.1. Work Program in Gantt Chart and Narrative Form	Digital and Print Copy
2.2. Experience or Track Record of the Company (annex F-1 & F-2)	
2.2.1. Performance track record in geothermal and / or hydropower exploration and development	Digital and Print Copy
2.2.2. Professional background and experiences of management officials	Digital and Print Copy
2.3. Curriculum vitae of key management and technical personnel (annex F-3)	

2.3.1. Duly notarized resume, eligibility, records of personal achievement and work related skills of key management and technical personnel	Digital and print copy
2.4. Curriculum vitae of technical consultants (annex F-3)	
2.4.1. Duly notarized resume, eligibility, records of personnel achievement and work related skills of key management and technical personnel	Digital and print copy
2.4.2. Corresponding notarized contracts	Digital and print copy
2.5. List of existing company-owned and leased equipment (including its parent, predecessor or affiliated company) appropriate to the project with corresponding description.	
2.5.1. With duly notarized proof of ownership and / or contract of lease	Digital and print copy
3. Financial Requirements	
3.1. Latest Annual Report and/or Audited Financial Statements (FS) for the last two (2) years from the filing date and latest Unaudited FS duly signed by the responsible official such as the President and/or Chief Finance Officer if the Audited FS is more than six (6) months old at the time of filing	Original or certified true copy
3.2. Bank certification to substantiate the cash balance in the Audited FS or unaudited FS	Original Copy
3.3. Projected Cash Flow Statement for next two (2) years, except for geothermal and large hydro resources which should be five (5) years, showing the fund sources and uses of funds for the particular offered area, other applied RE areas, existing service/operating contracts with DOE and other existing business, if applicable, with supports from either of the following:	Original Copy
3.3.1. Sales Agreement/Purchase Order of buyer for projected revenues on existing operations	Certified True Copy
3.3.2. Sworn Letter of Commitment from stockholders for additional equity/cash infusion	Original Copy
3.3.3. Bank approved loan/credit line earmarked for the proposed operation	Certified True Copy
3.4. For applicants with insufficient funds to finance the proposed operations:	
3.4.1. Newly organized corporation (existing for two (2) years or less from date of registration with SEC) should be supported by parent company's financial documents per items 3.1 and 3.2 above and Letter of Guaranty from the by the parent company to fund the work program.	
3.4.2. Subsidiary corporation (existing for more than two (2) years from date of registration with SEC) should be supported by the following:	

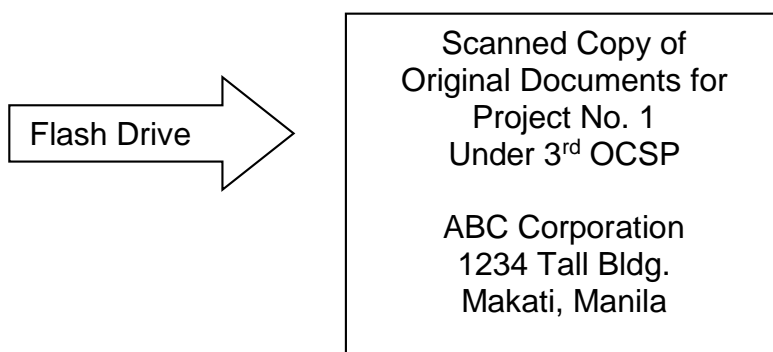
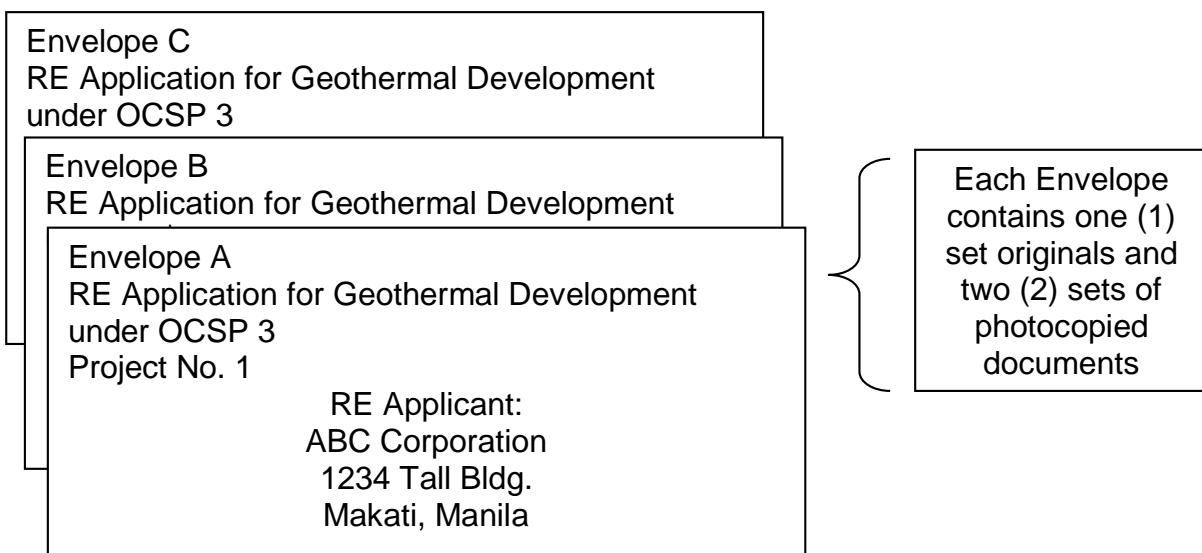
Annex B
Checklist of Requirements

a) Notarized Letter of Guaranty from the majority shareholder/s and Original Bank proof of capacity to satisfy the said Guaranty Certification; or	Original Copy
b) Parent company's financial documents per items 1 and 2 above and Letter of Guaranty by the parent company to fund the work program/plan	Original Copy
i. In case of domestic parent company, the Letter of Guaranty should be duly notarized.	Notarized copy
ii. In case of foreign parent company, the documents shall be duly authenticated by the Philippine Consulate Office that has jurisdiction over the said parent company.	Consularized copy

RE Application for Geothermal Development under OCSP3
Project No. 1
RE Applicant:
ABC Corporation
1234 Tall Bldg.
Makati, Manila

REMB Supervising Assistant Secretary
Department of Energy
Energy Center, Rizal Drive
Bonifacio Global City
Taguig City, 1632

The RE Application shall contain three (3) envelopes A, B and C containing legal, technical, and financial documents, respectively and set of scanned files of the original documents saved in flash drive.



Highlights of Contract Term, Fiscal Incentives and Required Financial Commitment

RE Applicant: Nature of application: Location: Area No.:	Hydropower Service Contract
Contract Term Pre-Development Stage Development Stage	5 years 25 years from the Effectivity of the Contract + renewable for not more than 25 years
Signature Bonus (one-time payment)	PhP5.00/kW
Development Assistance (in kind and one-time payment)	PhP5.00/kW; 1MW & below are exempted from DA
Training Assistance Program (annual, cumulative)	PhP5.00/kW; 1MW & below are exempted from TA
Income Tax	Income Tax Holiday for 7 years
Corporate Income Tax	Reduced Corporate Tax Rate of 10% after Income Tax Holiday for 7 years
Government Share	1 % of gross income
Importation	Duty-free importation of equipment, machinery, spare parts and materials directly, actually and exclusive used for hydropower operation, for 10 years from registration

All financial commitments shall be quoted in Philippine Peso (PhP).

Highlights of Contract Term, Fiscal Incentives and Required Financial Commitment

RE Applicant: Nature of application: Geothermal Service Contract Location: Area No.:	
Contract Term Pre-Development Stage Development Stage	7 years 25 years from Effectivity of the Contract + renewable for not more than 25 years
Signature Bonus (one-time payment)	PhP 100,000.00
Development Assistance (in-kind and onetime payment) Pre-Development stage Development stage	Minimum of Php 200,000.00 Minimum of Php 500,000.00
Training Assistance Program Pre-Development Stage Development Stage	Minimum of PhP 200,000.00 per year, cumulative Minimum of PhP 500,000.00 per year, cumulative
Income Tax	Income Tax Holiday for 7 years
Corporate Income Tax	Reduced Corporate Tax Rate of 10% after Income Tax Holiday for 7 years
Government Share	1.5% of gross income
Importation	Duty-free importation for equipment, machinery, spare parts and materials directly, actually and exclusive used for geothermal power operation, 10 years

All financial commitments shall be quoted in Philippine Peso (PhP).

Work Program (WP) - Detailed proposal on how the geothermal prospect will be developed. The proposal must adopt a seven (7) year Pre-Development Work.

The WP shall contain the different exploration strategies and methodologies in delineating geothermal resources at depth. It shall be in detailed narrative format and the schedule of activities in Gantt Chart showing minimum expenditure on annual basis for each activity with respect to the area specified in the Application, duly signed by the authorized technical personnel. The minimum work program must include the following:

1. Secure Permits and Licenses

- 1.1. Stakeholders Consultations (with LGUs, communities, etc.)
- 1.2. Certification Precondition (CP) or Certificate of Non-Overlap (CNO) from National Commission on Indigenous Peoples (NCIP)
- 1.3. Certificate of Non-Coverage (CNC) for surface studies including slimhole drilling from Dept of Environment and Natural Resources (DENR)
- 1.4. Environmental Compliance Certificate (ECC) for slimhole drilling and construction activities
- 1.5. Forest Land-Use Agreement (FLAg)/Special Land-Use Permit (SLUP) for area applied in public domain for Drilling and construction activities
- 1.6. Grid System Impact Study and Interconnection Agreement (TRANSCO/NGCP)
- 1.7. Energy (Electricity) Sale Agreement

2. Conduct Feasibility Study

- 2.1. Review and evaluation of existing data
- 2.2. Semi-detailed to detailed surface exploration (Geological survey, geochemical survey, geophysical survey)
- 2.3. Resource assessment study
- 2.4. Drilling works preparation
- 2.5. Drilling of exploratory wells and/or work over of existing wells
- 2.6. Well testing
- 2.7. Environmental Study
- 2.8. Fluid Collection and Reinjection System
- 2.9. Power Plant Design
 - 2.9.1. Technology Description and Assessment
 - 2.9.2. Major Electrical Component-Technical Specification
 - 2.9.3. Plant Layout
 - 2.9.4. Civil Works
 - 2.9.5. Construction Planning
- 2.10. Transmission Facilities Design
- 2.11. Financial Analysis
- 2.12. Power Plant Target Commissioning

Work Program - Detailed proposal on how the hydropower resource area will be developed and implemented. The proposal must adopt a five (5) year Pre-Development Work.

For development stage proposal, the RE applicant should indicate the detailed pre-construction activities, construction timeline and target testing/commissioning date.

The program must be described in narrative form with schedule of activities and estimated expenditures. The activities should briefly describe the strategy and approach, methodology, time frame, among others, by which the RE Proponent would carry out to explore and develop the hydropower resource. It shall be in detailed narrative format and the schedule of activities in Gantt chart showing minimum expenditure on annual basis for each activity with respect to the area specified in the Proposal, duly signed by the authorized technical personnel. The minimum activities under the Work Program shall be the following:

1. For Pre-Development Stage Proposal

- 1.1. Secure Permits and Licenses
 - 1.1.1. LGU
 - 1.1.2. Certificate of Non-Overlap (CNO) or Certification PreCondition (CP) from NCIP
 - 1.1.3. Environmental Compliance Certificate (ECC) from DENR
 - 1.1.4. Water Rights from NWRB

- 1.2. Comprehensive Feasibility Study
 - 1.2.1. Hydrological/ Flood Studies
 - 1.2.2. Topographic Survey
 - 1.2.3. Geological Study
 - 1.2.4. Preliminary Civil Design
 - 1.2.5. Preliminary EME Design
 - 1.2.6. Preliminary Design of Electrical Facilities
 - 1.2.7. Financial / Economic Studies
 - 1.2.8. Socio-Environmental Study
 - 1.2.9. Market Studies (Power-Supply Demand)

- 1.3. Conduct Detailed Engineering Design
 - 1.3.1. Geotechnical Study
 - 1.3.2. Hydrological/Hydraulics Study
 - 1.3.3. Survey/Finalization of access road and transmission route
 - 1.3.4. Quotation/detailed design of EME/Electrical Facilities
 - 1.3.5. Final Scheme of Development and Detailed Design of Civil Structure
 - 1.3.6. Detailed Cost Estimate/Financial Study

2. For Development Stage Proposal

- 2.1. Pre-construction activities
 - 2.1.1. Secure Permits and Licenses
 - a) LGU resolution of support
 - b) Certificate of Non-Overlap (CNO) or Certification PreCondition (CP) from NCIP

- c) Environmental Compliance Certificate (ECC) from DENR
 - d) Water Rights from NWRB
 - e) Right of Way Permit/Land Owner Consent (Lease Contract/Deed of Absolute Sale, in case private land)
 - f) Forest Land-Use Agreement (FLAg)/Special Land-Use Permit (SLUP) for area applied in public domain
 - g) Grid Impact Study and Interconnection Agreement (Transco/NGCP/DUs)
 - h) Energy (Electricity) Sales Agreement
- 2.1.2. Review and re-evaluation of the Feasibility Study
 - 2.1.3. Review and Finalization of the Detailed Engineering Design
- 2.2. Construction, Testing, Commissioning, Operation, and Maintenance
- 2.2.1. Detailed Construction and Commissioning timeline
 - 2.2.2. Operation and maintenance activities including flood control protection/mitigation, watershed protection program, corporate social responsibility (CSR) activities, among others

The RE Applicant must submit a statement under oath and documentary proofs in support of such statement, all of which must be acceptable to DOE, to establish any one of the following:

1. Power Plant Operator

- 1.1. The RE Applicant (a) is a current operator of a power plant or (b) is partner in a consortium or corporation operating a power plant; or
- 1.2. If an Affiliate is the current operator of a power plant or has experience as a partner in a consortium or corporation operating a power plant, the RE Applicant should have entered into an agreement with such Affiliate in managing the power operations of the RE project.

2. Holder of a Renewable Energy (RE) Contract

- 2.1. The RE Applicant is a current holder of a RE Service Contract in good standing with the DOE; or
- 2.2. If an Affiliate which has a valid and current Service Contract, the RE Applicant should have entered into an agreement with such Affiliate in managing the power project.

For purposes of these Guidelines, an Affiliate shall mean any person that directly or indirectly controls, or is under common control with, or is controlled by, the RE Applicant. Control (including with correlative meanings, the terms “controlling”, “controlled by” and “under common control”) means the power directly or indirectly to direct or cause the direction of the management and policies of any corporation, partnership or other form of association, whether through the ownership of at least a majority of the outstanding voting capital stock, interlocking directorate, community of interest, or the power to elect at least a majority of the board of the relevant corporation, partnership or association.

The RE Applicant using an Affiliate to comply with the Technical qualification under these Guidelines, must submit a statement under oath naming the Affiliate, declaring that it is an Affiliate, and presenting documentary proof of how it is considered an Affiliate of the RE Applicant.

The Affiliate must also submit the following:

- a. Certificate of registration from the appropriate government agency
- b. Latest General Information Sheet (GIS) – SEC-certified; and
- c. By-Laws and Articles of Incorporation – SEC-certified

Company Name:	Country:
Address:	Date established:
Company Background: <i>(use separate sheet if necessary)</i>	
Name of Company's Corporate members:	Name of technical consultants/staff: <i>(pls indicate whether in-house or sub-contractor)</i>
List of on-going / completed similar projects:	
List of existing company owned and leased equipment/tools with corresponding description: <i>(use separate sheet if necessary)</i>	

Name and signature of
Authorized representative

Proposed Position: _____
Name of Firm/Company: _____
Name of Staff: _____
Profession: _____
Date of Birth: _____
Years with Firm/Entity: _____ Nationality: _____
Membership in Professional Societies: _____
Detailed Tasks Assigned: _____

Key Qualifications:

[Give an outline of staff member's experience and training most pertinent to tasks on projects. Describe degree of responsibility held by staff member on relevant previous projects and give dates and locations. Use about a half of a page.]

Education:

[Summarize college/university and other specialized education of staff members, giving names of schools, dates attended, and degrees obtained. Use about one quarter of a page.]

Employment Record:

[Starting with present position, list in reverse order every employment held. List all positions held by staff member since graduation, giving dates, names of employing organizations, titles of positions held, and locations of projects. For experience in last ten years, also give types of activities performed and client references, where appropriate. Use about two pages.]

Languages:

[For each language, indicate proficiency: excellent, good, fair, or poor in speaking, reading, and writing.]

Certification:

I, the undersigned, certify that to the best of my knowledge and belief, these data correctly describe me, my qualifications, and my experience.

Commitment:

I also commit to work for the Project in accordance with the time schedule as indicated in the contract once the firm is awarded the Project.

Date: _____
[Signature of staff member and authorized representative of the firm] Day/Month/Year

Full name of staff member: _____
Full name of authorized representative: _____

SUBSCRIBED AND SWORN to before me this ____ day of [month] [year] at [place of execution], Philippines. Affiant/s is/are personally known to me and was/were identified by

me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice

{A. M. No. 02-8-13SC). Affiant/s exhibited to me his/her *[insert type of government identification card used]*, with his/her photograph and signature appearing thereon, with no. _____

Witness my hand and seal this ____ day of *[month]* *[year]*.

NAME OF NOTARY PUBLIC

The REMB shall evaluate the RE Applications based on the criteria listed below. Evaluation of the RE Applications on technical and financial criteria shall proceed only after all the legal requirements have been complied with.

CRITERIA	KEY ELEMENTS	WEIGHT PERCENTAGE
LEGAL DOCUMENTATION	Legal Documents	PASS/FAIL
WORK PROGRAM	- Literature Review - Resource exploration strategies and methodologies	40%
TECHNICAL QUALIFICATIONS	- Company performance - Qualifications of key Management and Technical Personnel - Technical resources	20%
FINANCIAL QUALIFICATIONS	- Available working capital - Sources of current funds - Other source of future funds	40%

The weight percentage will be equivalent to points; 40%=40points, 20%=20 points, *Additional point of 5% (5 points) if LGU endorsement is already secured.*

G-1. Criteria for Technical Evaluation for Geothermal Energy Projects

1. Work Program

Bid Criteria	Requirements	Maximum Point Score	Minimum Point Score
Literature Review	Review and evaluation of existing data	5	2
Resource Exploration Strategies and methodologies	Proposed Work Program commitment	20	8
	Schedule of activities	15	5
TOTAL		40	15

2. Technical Qualification

Bid Criteria	Requirements	Maximum Point Score	Minimum Point Score
Company performance	Company profile and records of present undertakings including its parent,	7	3

Annex G
Criteria for Evaluation

	predecessor or affiliated company		
Qualification of Key Management and Technical Personnel	Eligibility of Corporate members	3	1
	Eligibility and Experiences of Technical Personnel	8	3
Technical resources	List of existing company owned and/or leased equipment	2	-
TOTAL		20	13

The RE Application that fails to obtain the minimum point requirement per criterion, as shown above, shall not qualify even if the Applicant is the sole participant for the project/site.

G-2. Criteria for Technical Evaluation for Hydropower Projects

1. Work Program

A. Hydro Pre-Development Stage

Bid Criteria	Requirements	Maximum Point Score	Minimum Point Score
Government Permits and Clearances	Acquisition of Government permits and clearance	10	4
Comprehensive Feasibility Study	Hydrological/Flood Studies	15	9
	Topographic Survey		
	Geological Study		
	Preliminary Civil Design		
	Preliminary EME Design		
	Preliminary Design of Electrical Facilities		
	Financial/Economic Study		
	Socio-Environmental Study		
Detailed Engineering Design	Market Studies (Power-Supply Demand)	15	9
	Geotechnical Study		
	Hydrological/Hydraulic Study		
	Survey/Finalization of access road and transmission route		
	Quotation/detailed design of EME/Electrical Facilities		
	Final Scheme of Development and Detailed Design of Civil Structure		
Detailed Cost Estimate/Financial Study			

Total	40	22
--------------	-----------	-----------

B. Hydro Development Stage

Bid Criteria	Requirements	Maximum Point Score	Minimum Point Score
Government Permits and Clearances	Acquisition of Government permits and clearance	12	8
Comprehensive Feasibility Study	Review and Re-evaluation of the Feasibility Study	4	1
Detailed Engineering Design	Review and Finalization of the Detailed Engineering Design	9	5
Construction, Testing, Commissioning, and Operation and Maintenance	Detailed Construction and Commissioning timeline	10	6
	Operation and Maintenance	5	2
Total		40	22

2. Technical Qualification for Large Hydro and Run-of-River

Bid Criteria	Requirements	Maximum Point Score	Minimum Point Score
Technical Resources	List of existing company owned and leased equipment with corresponding description	5	3
Experience and Track Record of the Company	Records of present and past experiences including of its parent, predecessor or affiliated company	10	5
	Performance track record in hydropower exploration, development and production		
	Organization set-up and staffing pattern for administration, financial and technical		
Qualifications of Key Management and Technical Personnel	Professional background and experiences of management officials	5	3
	Resume of technical personnel and including their consultants with corresponding contract		
Total		20	11

G-3 CRITERIA FOR FINANCIAL EVALUATION

1. The minimum working capital (Liquid Assets less Current Liabilities) is 100% of the financial commitment for the first contract year of the proposed Work Program/Plan.
2. Liquid Assets shall consist only of cash, trade accounts receivables and short-term investments/placements. Credit line is not a Liquid Asset.
3. The available working capital for OCSP application shall be net of the fund requirements from other applied RE areas and existing energy service/operating contracts commitment for the current year.
4. In case of multiple RE Proposal, the RE Proponent should identify the prioritization of its applications.

Annex H
Timeline for OCSP 3 and Awarding of Service Contract

Activity	Venue	Tentative Dates
1. Online Public Consultation	Cluster 1 Cluster 2 Cluster 3	July 13, 14 & 16, 2020
2. Launching and Publication of OCSP3	Taguig City	August 17, 2020
3. Pre-submission conference	Taguig City	Within August 17, to September 7, 2020
4. Submission and Opening bid documents	Taguig City	Within August 17 to October 16, 2020
5. Complete legal, technical and financial evaluation	Taguig City	November 2, 2020
6. Endorsement of results for Concurrence of ASec and USec	Taguig City	November 2 to 9, 2020
7. Approval by the Secretary of the results of OCSP3	Taguig City	November 16, 2020
8. Pre-signing of RE Contract to Awarding/Signature of RE Contract	Taguig City	November 19 to December 11, 2020