



# **CLARK ELECTRIC DISTRIBUTION CORPORATION**

Bldg. N2830 Bayanihan Street, Clark Freeport Zone, Philippines 2023  
(045) 599-3146; (045) 599-7091; (045) 599-3469  
www.clarkelectric.ph

## **INVITATION TO BID**

### **I. BACKGROUND OF CLARK ELECTRIC DISTRIBUTION CORPORATION (CEDC) POWER REQUIREMENT**

In compliance with the Department of Energy (DOE) Department Circular No. 2018-02-0003 on Competitive Selection Process (CSP), the CEDC, through its Third-Party Bids and Awards Committee (TPBAC), is conducting a CSP for the procurement of 25 MW (mid-merit) of contract capacity to be supplied for a term of five (5) years commencing on December 26, 2020. The CSP is conducted to seek the most advantageous price and contract terms for the supply of 25 MW to CEDC's franchise area for the period 2021 to 2025.

### **II. INTERESTED POWER GENERATORS**

Power generators interested to participate in this CSP may acquire the Bidding Documents from August 21, 2020 until September 11, 2020, upon payment of a non-refundable Participation Fee in the amount of Php 75,000 (inclusive of VAT and net of creditable withholding tax). In addition, interested participants will be required to submit the accomplished Expression of Interest and Confidentiality Undertaking in the form and substance made available on CEDC's website.

Only the power generators who comply with the above-mentioned requirement shall be allowed to participate in this CSP and be issued the Bidding Documents.

In light of the imposition of ECQ/MECQ/GCQ and the continuous need to comply with social distancing requirements and other public health measures in the receiving, processing and submission of documents:

- The payment shall be made electronically or thru bank transfers.
- Submission of expression of interest and confidentiality undertaking shall be submitted via email and hard copies (to follow) which will be sent thru courier.
- Issuance of bidding documents shall as well be provided electronically to bidders.

### **III. TERMS OF REFERENCE**



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Below are the minimum contract requirements of CEDC for the supply of 25 MW for the period 2021 to 2025. The TOR indicated herein are non-negotiable and Bidders must be able to meet all the minimum contract requirements:

TERMS OF REFERENCE	
Contract Terms	Minimum Contract Requirements of CEDC
Contract Term:	Five (5) years (starting from December 26, 2020 until December 25, 2025)
Contract Capacity	25MW (firm and dispatchable)
Availability	Mondays to Saturdays excluding national holidays (Trading Interval: 0901H to 1900H)
Plant Description	Mid-Merit
Date of Commencement of Supply	December 26, 2020, subject to ERC approval
Tariff Structure	Straight energy fee (in Php/kWh), inclusive of line rental and VAT
Form of Payment	Philippine Peso
Supply of Power	<ul style="list-style-type: none"> <li>Power Supplier shall not be entitled to any planned/scheduled or forced outage allowances.</li> <li>In the event of Power Supplier's failure to deliver the supply of power to CEDC, due to circumstances not falling under Force Majeure, Power Supplier shall be responsible to source the supply from its portfolio of plants or WESM provided that the price that shall be passed on to CEDC shall be the Generation Charge or WESM rate, whichever is lower</li> </ul>
Replacement Energy	In the event of Power Supplier's failure to deliver the Contract Capacity due to a circumstance not falling under Force Majeure Event, Power Supplier shall be responsible to source the supply from its portfolio of plants or WESM provided that the price that shall be passed on to CEDC shall be the Generation Charge or WESM rate, whichever is lower.



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Force Majeure	<ul style="list-style-type: none"> <li>• CEDC shall not be required to make any payment with respect to (i) any Contract Capacity that is unavailable due to an Event of Force Majeure or (ii) any Contract Capacity that CEDC does not need due to an Event of Force Majeure.</li> <li>• An event of force majeure is an extraordinary event which cannot be foreseen or which though foreseen, cannot be avoided ("Event of Force Majeure"). The event must render it impossible for a Party to fulfil its obligation in a normal manner despite the exercise of due care. An Event of Force Majeure shall not excuse either Party from exercising due care to prevent it or minimize its effects.</li> </ul>
Bid Security	Php 35,000,000.00
Reduction in Contract Capacity	The Contract Capacity may be reduced equivalent to the reduction in the demand of captive customers of CEDC by reason of the implementation of Retail Competition and Open Access, the Renewable Energy Law, or other Laws and Legal Requirements.
Penalties	If Power Supplier fails to provide replacement energy, CEDC may source the replacement energy from WESM and Power Supplier shall shoulder the difference between the Generation Charge and WESM rate.
Grounds for Termination of PSA	<ul style="list-style-type: none"> <li>• Failure to deliver or pay for the Contract Capacity.</li> <li>• Expiry of the PSA.</li> <li>• Change in law.</li> </ul>



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### **IV. INDICATIVE SCHEDULE**

The schedule and process for the CSP is as follows:

<b>ACTIVITY</b>	<b>DATE</b>
Invitation to Bid	1st Publication: 21 Aug. 2020
	2nd Publication: 28 Aug. 2020
Issuance of the CSPP/Bid Documents	21 Aug. to 11 Sept. 2020; 8:00 AM to 5:00 PM
Deadline for submission of queries (prior to Pre-Bid Conference)	17 Sept. 2020; 5:00 PM
Pre-Bid Conference	22 Sept. 2020; 10:00 AM
Deadline of Issuance of Bid Bulletins, if any	28 Sept. 2020; 5:00 PM
Deadline for Submission of Bids	05 Oct. 2020; 2:00 PM
Opening and Evaluation of Bids	05 Oct. 2020; 3:00 PM
Post-qualification	06 Oct. 2020
Declaration of Winning Bidder	14 Oct. 2020
Signing of PSA	16 Oct. 2020
Joint Filing of PSA	19 - 22 Oct. 2020

Any amendment to the Schedule will be announced through Bid Bulletins.

Unless otherwise expressly specified in writing, all meetings and conferences are to be conducted online thru Microsoft Teams application (MSTeams). MSTeams Meeting Invites shall be forwarded to the e-mail addresses registered through the Expression of Interest Form.

### **V. COMMUNICATION**

In accordance with the specified deadlines herein, submission of Bids must be addressed to:

**Ms. Albee Alliana Recio**

Chairman, Third Party Bids and Awards Committee (TPBAC)  
Bldg. N2830 Bayanihan Street, Clark Freeport Zone  
Email: cedc.tpbac@clarkelectric.ph




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All other communications regarding this CSP must be addressed to the TPBAC Secretariat whose contact details are as follows:

**Mr. Daren M. Arceo**

Secretariat, Third Party Bids and Awards Committee (TPBAC)  
Bldg. N2830 Bayanihan Street, Clark Freeport Zone  
Email: [cedc.tpbac@clarkelectric.ph](mailto:cedc.tpbac@clarkelectric.ph)  
Telephone No.: (045) 599 3146 loc. 113

  
**Albee Alliana Recio**  
Chairman, TPBAC