

BID DOCUMENT	SECTION AND/OR PAGE	COMMENTS / CLARIFICATIONS	RECOMMENDATION
TOR	Contract Price / Page 4	<p>Based on the TOR, the Lowest Complying Calculated Bid includes: (a) the Average Offered Price per kWh for the term of the PSA, (b) Line Rental, (c) Systems Loss, and (d) Transmission Charge.</p> <p>However, based on Annex 5, the Bidder only needs to indicate its Price Proposal in Php/kWh (a single number) every year for 10 years.</p> <p>Do we only indicate the Average Offered Price (i.e. "a") in submitting Annex A: Bid Proposal?</p> <p>This is also related to Section 22 of the TOR (Bid Evaluation).</p>	<p>AEC will calculate the Average Offered Price during evaluation of bids.</p>
TOR	Bid Evaluation / Page 14	<p>LCB is determined by:</p> <ul style="list-style-type: none"> a. The Average Offered Price per kWh for the term of the PSA; b. Discounts, if any; c. Line Rental, if any; d. Systems Loss, if any, and; e. Transmission Charge, if any. <p>Do we indicate all these price components? We suggest we removed "d" and "e" since different bidders may compute systems loss and transmission charge differently and the evaluation may not be able to apply.</p>	<p>LCB is determined by:</p> <ul style="list-style-type: none"> a. The Average Offered Price per kWh for the term of the PSA; b. Discounts, if any; c. Line Rental, if any; d. Systems Loss, if any, and; e. Transmission Charge, if any. <p>Items 'a' to 'c' will be provided by the bidder. Items 'd' to 'e' will be calculated by the AEC TPBAC.</p>
TOR	Bid Evaluation / Page 14	<p>Contract negotiations will take place with the Lowest Calculated Bid. If there is meeting of the minds on the terms and conditions of the RE PSA, the Contract will be awarded to that Lowest Calculated Bid.</p> <p>What will be the coverage of contract negotiation? Will this include further improvement in the price? Or is this just the completion of the Annexes in the current draft PSA.</p>	<p>Proposed terms more favorable to AEC than that provided in the RE PSA template will be considered.</p> <p>Proposed terms more onerous to AEC than that provided in the RE PSA template will not be entertained.</p>
TOR	Price Components	<p>Price/kWh at current prices, preferably without indexations, covering the following, as applicable:</p>	<p>Annual Price/kWh at current prices, preferably without indexations, covering the following, as</p>

		<p>1. Energy (Fuel) fee, if any; 2. Discount/s, if any; 3. Other proposed terms, if any.</p> <p>Since the Bid Proposal is an enumeration of annual rate already, we suggest that indexation and identification of components be removed already.</p>	<p>applicable: 1. Energy (Fuel) fee, if any; 2. Discount/s, if any; 3. Other proposed terms, if any. shall be in PhP/kWh.</p> <p>Indexation can be dispensed since this is pre-calculated in the offered price per contract year. Discounts and other proposed terms can be indicated in the PSA template. A new annex in the RE PSA template has been added as a placeholder for this purpose.</p>
TOR	Contract Energy per year, kWh / Page 7	<p>In the first folder, the Bidder is required to identify the Plant Details which include Contract Energy per year, kWh.</p> <p>Do we just indicate 35,697,000 kWh/year?</p>	Plant details refers to Total Capacity, Contracted Capacity and Available Capacity free for further contracting under this CSP.
TOR	Equivalent Contract Capacity, kW / Page 7	<p>In the first folder, the Bidder is required to identify the Plant Details which include Equivalent Contract Capacity per year, kW.</p> <p>Do we just indicate 13,000 kW?</p>	Plant details refers to Total Capacity, Contracted Capacity and Available Capacity free for further contracting under this CSP.
TOR	Legal Qualification Requirements / Page 8	<p>Section 10.1</p> <p>In submitting items f, g, h, i we suggest that Bidder submit an Omnibus Affidavit for simplicity.</p>	An Omnibus Affidavit is acceptable.
TOR	Section 9.1.1 on Guaranteed Plant Factor / Page 7	Instead of the Guaranteed Plant Factor, can we submit the historical plant factor for the existing plant?	Historical plant factor is acceptable.
TOR	10.2b of Technical Qualifications / Page 8	<p>To allow greater flexibility and participation of more bidders, we would like to request that Bidders who are not direct owners of the Nominated Plant that has Control over the Nominated Plant be allowed to participate in the bidding.</p> <p>As allowed in the other CSPs, Administrators who control, manage or administer the output or capacity of a power plant or portfolio of power plants, without necessarily owning and/or operate the power plants are allowed to participate in the bidding.</p>	<p>To ensure participation of Administrator, we suggest rewording of 10.2b of the TOR to read:</p> <p>In relation to the Nominated Power Plant, Bidder must provide evidence that the Bidder or its direct shareholders is the owner of, and or Controls, the Nominated Power Plant and has sufficient authority to enter into the power supply agreement with AEC.</p> <p>Administrators are allowed to bid; provided, they have the legal capacity and are duly authorized by the Owners to contract out the Available Capacity</p>

TOR	AFS / Page 9	<p>It is required that AFS must be stamped-received by the Bureau of Internal Revenue ("BIR"). On 20 May 2020, the BIR issued Revenue Memorandum Circular No. 49-2020 providing additional options in the acceptance and processing of income tax returns and its required attachments.</p> <p>The circular provides that any taxpayer may submit online thru the BIR eAFS System. Once filed, the eAFS System will acknowledge successful submission by issuing a system generated Transaction Reference Number and by sending an email to the system user. This Reference Number shall serve as the proof of submission by the taxpayer, in lieu of the manual "Received" stamping.</p>	<p>Last 2 years Audited Financial Statements stamped "Received" by the BIR or its duly accredited and authorized institutions, for the immediately preceding calendar year, showing, among others, the prospective bidder's total and current assets and liabilities. <u>Alternatively, Bidder can submit AFS submitted via the BIR eAFS System.</u></p> <p>AFS submitted via the BIR eAFS System is acceptable.</p>																												
TOR	Section 9.2.3 / Page 7	<p>On Line Rental Data</p> <p>For Plant operating less than 12-months, submission of WESM nodal prices should be from COD or whatever is available.</p> <p>Further, due to time constraint and the given pandemic, request of authorization from IEMOP on the WESM nodal prices may be a hurdle. Bidders should be allowed to submit data signed by its authorized representative since all data to be submitted by the bidder will still be subject to post-qualification.</p>	<p>For a newly-constructed RE plant operating less than 1 year, AEC will accept WESM nodal prices starting from its COD to the latest available.</p> <p>Further, AEC will accept nodal price data signed by Bidder's authorized representative, which will be subject to post-qualification.</p> <p>After post-qualification, Bidders' ranking could change if submitted data by Bidders is very far from the actual nodal prices/s.</p>																												
TOR	Section 9.2.3 / Page 7	<p>To facilitate computation of the Line Rental, may we request Nodal Prices of AEC node for the past 12-months.</p>	<table border="1"> <thead> <tr> <th colspan="2">AEC AVERAGE LOAD PRICE FROM OCTOBER 2020 TO SEPTEMBER 2021</th> </tr> <tr> <th>MONTH</th> <th>PRICE PER MWH</th> </tr> </thead> <tbody> <tr> <td>OCTOBER 2020</td> <td>1,992.26</td> </tr> <tr> <td>NOVEMBER 2020</td> <td>1,940.88</td> </tr> <tr> <td>DECEMBER 2020</td> <td>2,073.69</td> </tr> <tr> <td>JANUARY 2021</td> <td>2,640.96</td> </tr> <tr> <td>FEBRUARY 2021</td> <td>2,228.82</td> </tr> <tr> <td>MARCH 2021</td> <td>4,210.48</td> </tr> <tr> <td>APRIL 2021</td> <td>3,735.30</td> </tr> <tr> <td>MAY 2021</td> <td>7,729.45</td> </tr> <tr> <td>JUNE 2021</td> <td>6,505.84</td> </tr> <tr> <td>JULY 2021</td> <td>6,978.94</td> </tr> <tr> <td>AUGUST 2021</td> <td>4,575.46</td> </tr> <tr> <td>SEPTEMBER 2021</td> <td>3,319.36</td> </tr> </tbody> </table>	AEC AVERAGE LOAD PRICE FROM OCTOBER 2020 TO SEPTEMBER 2021		MONTH	PRICE PER MWH	OCTOBER 2020	1,992.26	NOVEMBER 2020	1,940.88	DECEMBER 2020	2,073.69	JANUARY 2021	2,640.96	FEBRUARY 2021	2,228.82	MARCH 2021	4,210.48	APRIL 2021	3,735.30	MAY 2021	7,729.45	JUNE 2021	6,505.84	JULY 2021	6,978.94	AUGUST 2021	4,575.46	SEPTEMBER 2021	3,319.36
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TOR	Bid Security / Page 10	Apart from manager's check, we request that we be allowed to submit SBLC as Security Deposit.	<p>a) Bidder shall furnish, as part of its Qualification Documents, a bid security. The Bid Security shall be in the form of a SBLC or manager's check issued by a reputable bank payable to Angeles Electric Corporation, in the amount of One Million Pesos (PHP1,000,000.00), (the "Bid Security"), valid for 180 days from date of Bid Submission Deadline.</p> <p>The Manager's Check Security Deposit shall be delivered to AEC on or before the deadline for the submission of bids addressed to the TPBAC Secretariat at AEC's main office located at Don Juan D. Nepomuceno corner Doña Teresa Avenue, Nepo Center, Angeles City.</p> <p>Manager's check is the only acceptable form of bid security to guarantee validity of bids.</p>
TOR	COC / Section 10.2.d / Page d	In lieu of the COC, we suggest that the Provisional Authority to Operate be an acceptable submission. The effect of the PAO is the same as that of the COC but were issued while waiting for the COC to be issued.	PAO is acceptable.
TOR	Qual Documents, Section 10.4 / Page 9	<p>There are requirements for submission indicated in Section 10.4 that are not listed in Sections 9.1 to 10.3?</p> <p>A good example is the submission of the copies of OR, EOI, NDA and CWT, section 10.4.I, among others.</p> <p>May we know which should we follow?</p>	OR, EOI, NDU and CWT are presumed to have been submitted already to the AEC TPBAC, which is why they are no longer listed in Sections 9.1 to 10.4 of the TOR.
PSA	Section 2.4, PPD / Page 2	<p>Is PPD a requirement?</p> <p>If this is part of the evaluation, where do we submit this in the bid submission documents? And will this be part of the evaluation?</p> <p>Annex 4 (Bid proposal) did not indicate a space to indicate PPD.</p>	Bidder may propose a PPD rate in Sec. 2.4 of the RE PSA template for AEC TPBAC evaluation.