



National Power Corporation

SUPPLEMENTAL /BID BULLETIN NO. 1

to the Bid Documents for the:
**SUPPLY AND DELIVERY OF OIL-BASED FUEL TO SPUG POWER PLANTS AND
BARGES FOR CY 2022**

PR NO. HO-FMG22-001 / REF. NO. PB211206-JC(PB2)

10 JANUARY 2022

All prospective bidders and authorized copy holders of the Bid Documents of the above mentioned project are hereby informed of clarifications and changes as follows:

1. BID SUBMISSION/OPENING

FROM	TO
17 January 2022 9:30 A.M. Kanao Function Room	26 January 2022 9:30 A.M. Kanao Function Room

2. SECTION VII, PART III – SCHEDULE OF MONTHLY FUEL REQUIREMENTS, PACKAGE 7 – CAMARINES SUR AND PACKAGE 20 – DAVAO/GENERAL SANTOS

DELETE

(b) Fuel cargo shall be transferred to NPC Hauler's barge or tanker at delivery point.

3. SEE ATTACHED FILE FOR THE REVISED SECTION VII, PART IV – BID PRICE PROPOSAL FORM FOR PACKAGE 20 (DAVAO/GENERAL SANTOS)

4. NATIONAL POWER CORPORATION'S RESPONSES FOR THE FOLLOWING REQUEST FOR CLARIFICATIONS:

- a. With reference to NPCSF-GOODS-03, we refer to the value of the Statement of the Bidder's Single Largest Completed Contract (SLCC) as one of the eligibility requirements "whose value, adjusted to current prices using the Philippine Statistics Authority (PSA) consumer price index, must be at least 25% of the ABC of the largest item where he/she is going to bid."

We would like to manifest that the bid documents expressly state that the ABC for this bidding is PhP 632,567,627.00 as may seen in Section I of such bid documents. We note, further, that Section 23.4.1.3 of the 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184 (updated as of 31 March 2021) (the "IRR"), states that in the case of Expendable Supplies, such as diesel oil, the SLCC must be at least 25% of the ABC. We understand that the goods subject of this bidding is considered Expendable Supplies because these goods are consumed in use, and therefore, the minimum 25% SLCC applies.

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In view of the above foregoing, we expressly manifest that the supplier must comply with the 25% SLCC against the total ABC of PhP 632,567,627.00 under PR No. HO-FMG22-001-PB2 as posted. Thus, the required value of the SLCC should be based on that ABC alone amounting to PhP 632,567,627.00 without any qualification as interpreted for the IRR.

Lastly, the minimum SLCC of 25% of the ABC mentioned above will show the true capability of the bidder to make the bid and perform the contract if awarded.

Response: GPPB NPM 123-2013 stated that "In the case of a procurement activity that is divided into several lots, where each lot may result in a separate contract, the ABC for each lot becomes the reference of such requirement. However, since the eligibility criteria only seek to filter suitable bidders from those unfit to perform the contract, it is not necessary for a bidder to present a corresponding SLCC for each lot that it participates in. Verily, requiring a bidder to submit and identify one SLCC per lot or per bidding will result in the procuring entity verifying whether the SLCC presented for a particular lot or bidding has not yet been used for another bidding activity of other procuring entities - a task that is not only arduous, but also inconsequential in establishing a bidder's experience."

- b. With reference to Section VIII – Bidding Forms under Eligibility Documents (Class A), where a "Committed Line of Credit (CLC)" at least equal to ten percent (10%) of the ABC, issued by a Universal or Commercial Bank; if the Bidder opted to submit a Committed Line of Credit (CLC), the bidder must submit a granted credit line valid/effective at the date of bidding." We wish to clarify the duration up to when the CLC is valid.

Response: Section III – Bid Data Sheet, ITB Clause 19.5 states that "The Committed Line of Credit (CLC) must be at least equal to ten percent (10%) of the ABC to be bid, issued by a Universal or Commercial Bank. If the Bidder opted to submit a CLC, the bidder must submit a granted credit Line valid/effective at the date of opening. The Committed Line of Credit (CLC) shall be valid for one (1) year plus six (6) months extension.

In the event that the bidder cannot submit a CLC with a validity of more than one (1) year, which is not sufficient to cover the entire duration of the project, the CLC should be accompanied by a notarized acceptable Letter of Undertaking. The Letter of Undertaking shall be signed by the bidder and/or the issuing bank stating that "one (1) month prior to the expiration of the submitted CLC, it shall automatically be renewed/extended and remain valid until the completion of the project."

- c. We request using MOPS reference for the Diesel Oil: Gasoil, 0.005% Sulfur in US\$/Bbl. Pursuant to R.A. 8749 also known as "Clean Air Act of 1999" wherein it requires diesel oil to be euro 4 compliant in which the toxic sulfur that comes out of the combustion engine should be only 0.005% sulfur.

Response: NPC Power Plants are stationary gensets and the fuel requirement is Industrial Diesel Oil based on Philippine National Standard PNS/DOE QS 013:2017. Our diesel oil specifications refer to Industrial Diesel Oil with 0.3 % maximum sulfur content wherein the nearest MOPS reference index is 0.25 % sulfur content. The 0.005 % sulfur (Euro IV) is Automotive Diesel Oil (ADO). Further, Rule XXXVI. Section 3, Fuel Specifications of R.A. 8749 states that the maximum sulfur content for Industrial Diesel Fuel is 0.3% max. This was

further supported by PNS/DOE QS 013:2017 which defines the standard specifications of Industrial Diesel Oil (IDO) in the Philippines.

- d. In the event of non-payment after 60 days submission of an invoice or claim by the Supplier, the Supplier may temporarily hold deliveries to plant until the payment is settled. Under Section VI – Technical Specifications, Part IV, payment due date is at the end of the following month for deliveries made the previous month.

Response: As stated in the Section VI – Technical Specifications, TS-8.4 Delayed/Prompt Payment, "Except when due to force majeure as specified in GCC 22, non-payment of accounts in full on its due date shall be subject to interest corresponding to average 91-day T-Bill rate prevailing on due date as issued by BSP.

- e. Pursuant to new GPPB Resolution No. 26-2019, dated 30 October 2019 Annex 7.4 Delivery should be done at the end of the week.


For uniformity of the MOPS week on week price adjustments, may we recommend following the Tuesday to Monday price cycle, wherein deliveries from Tuesday of the current week to next week's Monday is based on MOPS week on week price adjustments.

Response: This was already coordinated and consulted by NPC to GPPB but no response received yet. Thus, NPC has no any other recourse but to follow the existing GPPB guidelines.

All other terms and conditions shall remain the same.

For the information and guidance of all authorized copy holders of the Terms of Reference (TOR) and prospective bidders.

For the Bids and Awards Committee:


ATTY. ROGEL T. TEVES
Vice President, PES and
Chairman, Bids and Awards Committee

NATIONAL POWER CORPORATION
OIL-BASED FUEL REQUIREMENTS FOR JANUARY TO DECEMBER 2022
BID PRICE PROPOSAL FORM

SPUG POWER PLANTS AND BARGES
Schedule I - Diesel Oil

PLANT NAME	Quantity Kiloliters	Fuel Type	Mode of Delivery	Source (Ex-Refinery / Terminal Depot / EPZA)	Delivery Point (Yes/No)	Bid Php/Liter	Discount Php/Liter	Biofuel Cost Php/Liter	Fuel Marking Fee Php/Liter	Excise Tax Php/Liter	Delivery Cost Php/Liter	E-VAT (12%) Php/Liter	Delivered Price Php/Liter	Total Contract Price PhpPesos
A	B	C	D	E (see notes)	F	G	H	I	J (see notes)	K (see notes)	L	M (see notes)	N (see notes)	O = B x N x 1000
DIESEL OIL														
MINDANAO														
Eastern Mindanao														
Package 20 - Davao / General Santos	960													
Per Plant														
1 Talicud DP	492	DO	Tank Truck (a)						0.08148	6.0000				
Per Lot - General Santos	468	DO	Tank Truck (a)						0.08148	6.0000				
2 Balut DP														
3 Sarangani Island														

NOTES (Letters refer to the column above):

E - Bidder should indicate the location of the Local Source - Ex-Refinery, Ex-Terminal or Ex-Depot.

F - In column for Delivery Point, indicate "YES" if fuel shall be delivered at the delivery point as specified in Section VII, Part II - Table of Delivery Points for Bidding.

Indicate "NO" if different from said Section VII, Part II or an alternative delivery point, which shall be non-complying and disqualified.

G - Bid as submitted by the Bidder.

H - Discount refers to the total deductions given by the prospective supplier.

I - Cost of 100% Biodiesel (FAME) that will be mixed with base Diesel Oil pursuant to R.A. 9367, the Biofuels Act of 2006 and its IRR.

J - Fuel Marking Fee pursuant to DOF-BIR-SOC Joint Memorandum Order No. 1-2020 dated 28 August 2020. Fuel Marking Fee = Php 0.06884 / liter (VAT inclusive)

K - Excise Tax pursuant R.A. 10963, "Tax Reform for Acceleration and Inclusion (TRAIN) Law" and BIR Revenue Regulations No. 2 - 2018.

M - Amount of E-VAT at twelve percent (12%) pursuant to R.A. 9337 and BIR Revenue Regulation No. 18-2005.

E-VAT = $[(0.98 \times \text{Bid} - \text{Discount}) + (0.02 \times \text{Biofuel Cost}) + \text{Fuel Marking Fee} + \text{Excise Tax} + \text{Delivery Cost}] \times 0.12$ [Note: Round off to four (4) decimal places]

N - Delivered Price = $(0.98 \times \text{Bid} - \text{Discount}) + (0.02 \times \text{Biofuel Cost}) + \text{Fuel Marking Fee} + \text{Excise Tax} + \text{Delivery Cost} + \text{E-VAT}$. [Note: Round off to four (4) decimal places]

O - Total Contract Price, Pesos = Delivered Price x Quantity [Note: Round off to zero (0) decimal places]

The Total Contract Price should not be greater than the Approved Budget for Contract (ABC) indicated in Section VII, Part I, of the Bid Documents. Otherwise, the bid shall be disqualified outright.

Bidders are required to submit bids to all the power plants/barges under the package. An incomplete submission of bid for the package shall be non-responsive and disqualified outright.

(a) To be transferred to drums at delivery point.

(b) Fuel cargo shall be transferred to NPC Hauler's barge or tanker at delivery point

Signature over Printed Name
Authorized Representative

Company Name

Date