



**NORTHERN NEGROS ELECTRIC COOPERATIVE, INC.
(NONECO)**

Bo. Tortosa, Manapla, Negros Occidental
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CORPLAN 1010

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BID BULLETIN NO. 017

(NONECO Competitive Selection Process (CSP) for the Procurement of 20 MW Baseload, 5 MW Peaking, and 7 MW Intermediate RPS Power Supply)

In compliance with Section 6 of the FITB issued by the Northern Negros Electric Cooperative, Inc. (NONECO) Bids and Awards Committee (BAC) for the Competitive Selection Process (CSP) for the Supply of 20 MW Baseload, 5 MW Peaking, and 7 MW RPS of NONECO for the period 2026–2035, this Bid Bulletin No. 017 is hereby issued.

This is to inform all prospective bidders that there has been apparent confusion regarding the proper interpretation of **Section 12.1(b) of the Instructions to Bidders (ITB)**, particularly when read in conjunction with previous Bid Bulletins issued by the BAC.

For clarity, Section 12.1 of the ITB provides:

12.1 Conflict of Interest – “All Bidders found to have conflicting interests shall be disqualified to participate in this CSP, without prejudice to the imposition of appropriate administrative, civil, and criminal sanctions. A Bidder may be considered to have conflicting interests with another Bidder in any of the events described in paragraphs below:

xxx

(b) A Bidder has a relationship, directly or through third parties, that puts it in a position to have access to information about or influence on the Bid of another Bidder or influence the decisions of NONECO BAC regarding this CSP.”

The above provision **does not automatically disqualify two (2) or more Bidders solely on the basis that they share common controlling shareholders**. Disqualification under Section 12.1 (b) will only arise if it is established by proof that is sufficient and convincing to the NONECO BAC that such relationship places one Bidder in a position to (i) gain access to confidential information relating to the Bid of another Bidder, (ii) exert influence over the Bid of another Bidder, or (iii) affect the independent decision-making of the NONECO BAC.

This clarification recognizes the principle that each corporation has a **separate and distinct juridical personality** and is presumed to act independently in the conduct of its business. Common ownership or control does not, by itself, constitute a conflict of interest under Section 12.1 (b).



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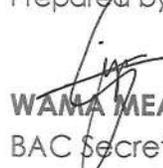
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Hence, Bidders with common controlling shareholders may both participate and submit bids, provided that no circumstances exist and established by sufficient and convincing proof that could justify the NONECO BAC in disqualifying a bidder on the ground of conflict of interest.

Please be advised that this issuance is a **clarification only** and **does not amend** any part of the final CSP Documents. Except for this clarification, no other revisions have been made to the CSP Documents.

Bidders are further reminded that the **submission, opening, and evaluation of bids shall proceed as scheduled on 28-29 August 2025.**

Prepared by:


WAMA MEA D. LIPA
BAC Secretariat

Approved by:


ENGR. ROEL F. SALGADO
Chairman, BAC