

[LETTERHEAD]

ACCEPTANCE OF THE INSTRUCTION TO BIDDERS

_____, 2021

Third Party Bids and Awards Committee

PELCO 1 Main Office
Sto. Domingo, Mexico, Pampanga

Gentlemen:

We refer to the Instruction to Bidders for the procurement of 36MW Baseload Power Supply Agreement ("PSA") thru Competitive Selection Process ("CSP").

[**Name of Bidder** ("**Acronym**")] hereby declares, represents and warrants that:

1. [**Acronym**] has read and understood each and every section and page of the Final Instruction to Bidders, its provisions, terms and conditions and any amendment, supplement or modification thereto, as well as the Terms of Reference and all Supplemental Bulletins, and accepts and agrees to be bound and to fully abide by and comply with the terms and conditions thereof and any amendment, supplement or modification thereto as well as the decisions of the TPBAC;
2. [**Acronym**] waives any right it may have to seek and obtain a writ of injunction or prohibition or restraining order against PELCO 1 and TPBAC to prevent or restrain the bidding or any proceeding related thereto, the holding of any other bidding or any proceeding related thereto, the selection of the Winning Bidder and the execution of the Power Supply Agreement;
3. [**Acronym**] shall, at all times, comply with the Philippine Law;
4. [**Acronym**] unconditionally and irrevocably waives any defect, deviation, fault or infirmity in the Bidding and the whole process conducted by TPBAC; and

5. **[Acronym]** accepts that PELCO 1 reserves the right to annul or declare a failure of bidding and reject any and/or all Bids at any time prior to award of contract without incurring any liability to the affected Bidder/s or any obligation to inform the Bidder/s of the grounds for action, and to accept only Bid/s as may be considered most advantageous to PELCO 1.

[NAME OF BIDDER]

By:

[Signature]

[Name of Authorized Representative]

[Position/Designation]

Signed in the Presence of:

ACKNOWLEDGMENT