

## NOTICE OF CANCELLATION

### Procurement of Supply and Delivery of Diesel Oil for Malaya Thermal Power Plant (Project Reference No. 2021-PB-DO-MTPP-010-01)

12 May 2021

Notice is hereby issued for the CANCELLATION of the above-mentioned Project due to the successful negotiated sale and privatization of the Malaya Thermal Power Plant last 07 May 2021. Hence, the Project will no longer be required since the said power facility will be turned over to the winning party.

The said cancellation is pursuant to Clause 12 of the Invitation to Bid which provides that PSALM reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract at any time prior to contract award in accordance with Sections 35.6 and 41 of the 2016 revised IRR of RA No. 9184, without thereby incurring any liability to the affected bidder or bidders.

Further, the Reservation Clause under Section 41 of the 2016 Revised Implementing Rules and Regulations (IRR) of RA 9184 provides as follows:

*“The HOPE reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract in the following situations:*

xxx                      xxx                      xxx

*For any justifiable and reasonable ground where the award of the contract will not redound to the benefit of the GOP, as follows:*

xxx                      xxx                      xxx

*(iii) if the project is no longer necessary as determined by the HOPE xxx.”*

Bidders who have paid the Bidding Document Fee may request for refund from the BAC Secretariat.

  
**IMMACULADA C. MAURICIO**  
Chairperson  
Bids and Awards Committee