



REPUBLIC OF THE PHILIPPINES

PHILIPPINE STATISTICS AUTHORITY

SUPPLEMENTAL PRE-QUALIFICATION BID BULLETIN NO. 06-2015

PROJECT: CIVIL REGISTRY SYSTEM-INFORMATION TECHNOLOGY PROJECT PHASE II

TO ALL PROSPECTIVE BIDDERS:

After considering the queries, clarifications and recommendations as contained in Supplemental Pre-qualification Bid Bulletins (SPQBB Nos. 1-5), the PBAC hereby decides to revise the Instruction to Prospective Bidders (ITPB) with the corresponding revised annexes (attached).

All terms, conditions and instructions to bidders which are inconsistent with this revised ITPB are hereby superseded and modified accordingly.

Please be reminded that the submission of Qualification Documents will be on December 18, 2015, Friday, between 9:00 AM to 1:00 PM at the PSA Conference Room, 17th Floor, Cyberpod Centris Three Building, Centris, EDSA, Diliman, Quezon City. Prospective Bidders who will submit the Qualification Documents after 1:00 PM on December 18, 2015 shall be disqualified.

The PBAC will start the proceedings on the Opening of the Qualification Documents immediately after 1:00PM, at the same venue.

For your guidance and information.

Issued this 4th day of December 2015.

A handwritten signature in blue ink, appearing to read 'Josie B. Perez'.

JOSIE B. PEREZ

Vice Chairperson, PBAC
and Deputy National Statistician
Censuses and Technical Coordination Office

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Republic of the Philippines
Philippine Statistics Authority

PPP for the
CIVIL REGISTRY SYSTEM – INFORMATION TECHNOLOGY
PROJECT PHASE II
(CRS-ITP2)

Amended and Restated Instructions to Prospective Bidders
(ITPB)

[December 4, 2015]

With Assistance from PPP Center and ICTO



DISCLAIMER

The information contained in the Invitation Documents, Information Memorandum and any other information, whether verbal or written, provided by the Philippine Statistics Authority (PSA), or any of its employees or advisors, or on behalf of the PSA, is provided to Prospective Bidders on the terms and conditions set out in the Invitation Documents and such other terms and conditions subject to which such information is provided.

The Invitation Documents are not an agreement and are neither offers nor invitations by the PSA to the Prospective Bidders or any other person. The PSA, their employees and advisors are not bound by any of the contents of the Invitation Documents or Information Memorandum. The purpose of the Invitation Documents and Information Memorandum is to provide interested parties with information that may be useful to them in making their Bids pursuant to the Invitation Documents. The Invitation Documents and Information Memorandum include statements that reflect various assumptions and assessments arrived at by the PSA in relation to the Project. Such assumptions, assessments and statements do not purport to contain all the information that each Prospective Bidder may require. The Invitation Documents and Information Memorandum may not be appropriate for all persons, and it is not possible for the PSA, their employees or advisors to consider the investment objectives, financial situation and particular needs of each party who reads or uses the Invitation Documents and Information Memorandum. The assumptions, assessments, statements and information contained in the Invitation Documents, Information Memorandum and associated documents may not be complete, adequate, accurate or correct. Each Prospective Bidder should therefore, conduct its own investigations and analysis and should check the completeness, adequacy, accuracy, correctness, and reliability of the assumptions, assessments, statements and information contained in the Invitation Documents and Information Memorandum and obtain independent advice from appropriate sources.

Information provided in the Invitation Documents and the Information Memorandum is on a wide range of matters, some of which may depend upon interpretation of law. The information given is not intended to be an exhaustive account of statutory requirements and should not be regarded as a complete or authoritative statement of law. The PSA accept no responsibility for the accuracy or otherwise for any interpretation or opinion on law expressed herein.

The PSA, their employees and advisors make no undertaking, assurance, representation or warranty and shall have no liability to any person, including any Prospective Bidder, under any law, statute, rules or regulations, principles of restitution or unjust enrichment or otherwise, for any loss, damages, cost or expense that may arise from or be incurred or suffered on account of anything contained in the Invitation Documents, Information Memorandum or other information provided to Prospective Bidders, including the completeness, adequacy accuracy, correctness, and reliability of the Invitation Documents, Information Memorandum and any assessment, assumption, statement or information contained therein or deemed to form part of the Invitation Documents, Information Memorandum or arising in any way from participation in the Bidding Process.

The PSA also accept no liability of any nature, whether resulting from negligence or howsoever caused, arising from reliance of any Prospective Bidder upon the statements

contained in the Invitation Documents or Information Memorandum.

The PSA may, in its absolute discretion, but without being under any obligation to do so, amend, update, or supplement the information, assessments or assumptions contained in the Invitation Documents or Information Memorandum. However, the PSA, their employees and advisors shall not be liable to any Prospective Bidder (including the Winning Bidder) in respect of any failure to (i) disclose or make available any information, documents or data; (ii) amend, update, or supplement the Invitation Documents or Information Memorandum; or (iii) provide any information regarding any inaccuracy, error, omission, defect or inadequacy in the Invitation Documents or Information Memorandum.

The issuance of the Invitation Documents or Information Memorandum does not imply that the PSA are bound to select a Pre-qualified Bidder or to appoint the Winning Bidder, as the case may be, for the Project, the PSA reserves the right to reject all or any of the Prospective Bidders or Bids without assigning any reason whatsoever.

Each Bidder shall bear all its costs associated with or relating to the preparation and submission of its Bid including but not limited to preparation, copying, postage, delivery fees, and expenses associated with any demonstrations or presentations which may be required by the PSA or any other costs incurred in connection with or relating to its Bid. All such costs and expenses will remain with the Bidder. The PSA shall not be liable in any manner whatsoever for the same or for any other costs or other expenses incurred by a Bidder in preparation or submission of the Bid, regardless of the conduct or outcome of the Bidding Process.

Each Bidder shall accede to the bid parameters, terms and obligations provided therein. In no case shall any Bidder be allowed to modify the bid parameters even if, in its opinion, it offers better terms than that provided herein.

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Republic of the Philippines

PHILIPPINE STATISTICS AUTHORITY (PSA)

Civil Registry System Information Technology Project Phase II (CRS-ITP2)

INSTRUCTIONS TO PROSPECTIVE BIDDERS

1. Introduction

1.1. The Project

The PSA invites Prospective Bidders to apply to pre-qualify to bid, to finance, design, install, operate, and maintain the CRS-ITP2 ("**The Project**") pursuant to a two-stage public bidding process in accordance with the Philippine Republic Act No. 6957, as amended by Republic Act No. 7718 ("**BOT Law**") and its Revised Implementing Rules and Regulations (2012) ("**Revised IRR**"), the applicable provisions of which are deemed incorporated herein by reference.

The PSA is primarily responsible for the implementation of the objectives and provisions of the Philippine Statistical Act of 2013 or otherwise known as Republic Act No. 10625. Under this law, the National Statistics Office (NSO) and three other statistical agencies were merged and the personnel, assets, contracts and responsibilities of these merged agencies were transferred to the new PSA. The PSA plans, develops, prescribes, disseminates and enforces policies, rules and regulations and coordinates government-wide programs governing the production of official statistics and general-purpose statistics. The PSA is also responsible for the implementation of the provisions of the Civil Registry Law or Act No. 3753 as well as provision of civil registration services to the public.

Under Rule 9 (c) (vii), Article 13 of the Implementing Rules and Regulations of Republic Act No. 10625, the PSA shall be responsible for the civil registry document management and archiving, policy advocacy and research on civil registration matters, court decrees and legal instruments affecting civil registry documents, administrative correction of civil registry documents, outlet and customer services and other civil registration concerns. Further, Article 25 of the same IRR states that "Civil Registration System (CRS) outlets shall be established in all administrative regions of the country, and as may be necessary each province shall have at least one (1) CRS outlet to provide copy issuance service of civil registry documents enrolled in the CRS database".

The current Civil Registry System-Information Technology Project (CRS-ITP) is a Build-Transfer-Operate project of the former NSO. It is an IT project which aims to improve the issuance of copies and certifications of civil registry documents through the imaging of the civil registry documents and the computerization of the issuance process. The CRS-ITP also aims to make the civil registry services available nationwide through the CRS outlets. Two major objectives of the CRS are to: (a) efficiently organize, manage and maintain a complete and accurate database of civil registry documents and information; and (b) overcome attempts

on falsification and fabrication of civil registry documents. The project is being undertaken at no cost to the Philippine Government.

The CRS-ITP2 is the Successor Project of the CRS-ITP. The Project is designed to modernize the civil registry operations of the PSA. It aims to collect, access, store, maintain and manage civil registry documents and the specimen signatures of all city and municipal registrars using imaging technology. The CRS-ITP2 will also include production of vital statistics and makes the civil registry services available nationwide through the CRS outlets and other authorized partners.

The Project comprises the following:

- Takeover of operations of current CRS-ITP
- Development of new system for CRS-ITP2 services
- Establishment and site preparation for outlets
- Migration of current CRS-ITP production databases
- Document conversion of civil registry documents
- Operation and maintenance of CRS-ITP2 system
- Setup and maintenance of CRS-ITP2 Disaster Recovery Site (DR Site)
- Construction of CRS Building/Facility

The project is envisaged to be implemented under Build Transfer & Operate (BTO) mode with a Concession Period of 12 years, including the development period of two (2) years. The Project Information Memorandum describes the Project further and its indicative contract terms in greater detail.

The documents which govern the process to be followed for Pre-qualification are:

- Invitation to Pre-Qualify and Bid;
- Instructions to Prospective Bidders and its Annexes; and
- Project Information Memorandum

References to “Invitation Documents” shall mean these three (3) documents collectively, and any supplemental notices and bid bulletins issued by the Pre-qualification, Bids and Awards Committee (“PBAC”) from the date of the first publication of the Invitation to Pre-qualify and bid until the Qualification Documents Submission Date.

2. Definitions

The following words or terms shall have the following meanings in these Instructions to Prospective Bidders and other Invitation Documents:

- a) **“Affiliate”** means in relation to a person, a person who is effectively Controlled by or Controlling the other person or is associated with such other person under common ownership and Control. For this purpose, the term “person” includes natural persons, partnerships, corporations, joint ventures, trusts, associations, organizations or other entities (whether or not having a separate legal personality).

- b) **"Bid"** means the offer submitted by a Pre-qualified Bidder to the PBAC to undertake the Project, consisting of the Pre-qualified Bidder's Bid Proposal.
- c) **"Bidder"** means any partnership, corporation, Consortium or joint venture which participates in the Bidding Process
- d) **"Bid Proposal"** means the bid letter, Bid Security, additional requirements for Consortiums with new members, technical proposal and financial proposal to be submitted by the Pre-qualified Bidders pursuant to the Instructions to Bidders that will be released by the PBAC after Pre-qualification.
- e) **"Bid Proposals Submission Date"** means the day to be set by the PBAC for the submission of the Bid Proposals.
- f) **"Bid Security"** means the instrument to be provided by the Pre-qualified Bidder to guarantee that it shall comply with all its obligations under the Instructions to Bidders and, if declared the Winning Bidder, that it shall comply with all the Post-Award Requirements, execute the Concession Agreement, and that the Winning Bidder or the special purpose corporation it shall form for the Project, as required in the Instructions to Bidders, shall thereafter accede to the Concession Agreement.
- g) **"Bidding Documents"** refers to the following documents to be made available to the Pre-qualified Bidders during the second stage of the bidding process: (1) Instructions to Bidders, which will give detailed information about the requirements for the preparation of Bid Proposals; (2) Draft Concession Agreement; and (3) Minimum Performance Standards and Specifications.
- h) **"Bidding Process" or "Bidding"** means the process beginning from the publication of the Invitation to Pre-qualify and Bid until the signing of the Concession Agreement, as described in Section 4.
- i) **"BOT Law"** means Republic Act No. 6957, as amended by Republic Act No.7718, entitled "An Act Authorizing the Financing, Construction, Operation and Maintenance of Infrastructure Projects by the Private Sector and for Other Purposes" and the "Revised Implementing Rules and Regulations of Republic Act No. 6957, as amended by Republic Act No. 7718."
- j) **"Concession Agreement"** means the contract to be executed between the PSA and the Winning Bidder or a legal entity formed by the Winning Bidder, if required.
- k) **"Concessionaire"** means the counter-party of the PSA under the Concession Agreement and which will undertake the Project.
- l) **"Conflict of Interest"** is defined in Section 18.2.
- m) **"Consortium"** means an unincorporated association of natural or juridical persons bound by contract or law, solidarily undertaking by mutual written agreement a common enterprise which is to participate in the Bidding Process.
- n) **"Consortium Member"** means any of the natural or juridical persons comprising a Consortium, each having a definite interest in the common undertaking, solidarily liable in the Bid and whose interest will be converted into an equity participation in

the corporation that will become the Concessionaire if the Consortium is awarded and accepts the Project.

- o) **“Contractor”** means an entity which may be engaged by the Concessionaire to undertake the contracted work, in accordance with the Concession Agreement.
- p) **“Control”** means, for the purpose of defining an Affiliate, the power to direct or cause the direction of the management policies and actions of a corporate body, whether through: (i) ownership of at least fifty percent (50%) plus one (1) of either or a combination of the following: (i.a) the total outstanding voting shares, or (i.b) the voting rights, in another entity, or (ii) the ability to elect a majority of the members of the other entity’s board of directors, or (iii) any legal agreement or legal agreements, including a voting trust or other voting agreements.

In determining ownership of shares in a corporation, shares held both directly and indirectly will be counted.

For purposes of identifying a Qualification Requirements through an Affiliate of a Prospective Bidder or a Consortium Member, only agreements entered into more than one year before the Qualification Documents Submission Date will be considered.

For purposes of determining the existence of a Conflict of Interest, only agreements which are in effect during the Bidding Process will be considered.

- q) **“Corrupt, Fraudulent, Coercive, Undesirable, and Restrictive Practices”** are each defined in Section 18.1.
- r) **“Day”** means a calendar day, unless otherwise specified.
- s) **“Financial Qualification Requirements”** refers to the Qualification Requirements that must be met by a Prospective Bidder, as provided in Section 12.3.
- t) **“Hardware Products”** means servers, desktops, printers, scanners, networking equipment, and other hardware products and accessories required for successful completion of the project in line with terms of bidding documents.
- u) **“Installation”** means making the Hardware Products operational with required licensed software, and customized solutions as per the Project requirements.
- v) **“ISO”** means the International Organization for Standardization.
- w) **“Lead Member”** means, for a Prospective Bidder which bids as a Consortium, the Consortium Member having the largest equity interest in the Consortium, which should not be less than thirty four percent (34%), and which should be designated in writing as such by the other Consortium Members.
- x) **“Legal Qualification Requirements”** refers to the Qualification Requirements that must be met by a Prospective Bidder, as provided in Section 12.1.
- y) **“Managed Services”** means proactive management of an ICT (Information and Communication Technology) asset by a third party typically known as a Managed Service Provider (“MSP”), on behalf of a customer.

- z) **“Minimum Performance Standards and Specifications”** means the set of minimum performance or functional standards and specifications that the Concessionaire must comply with in undertaking the Design, Operation and Maintenance of the Project.
- aa) **“Net worth”** shall mean the sum of subscribed and paid up equity, including additional paid-in capital, and unrestricted retained earnings. Unrestricted retained earnings means the amount of accumulated profits and gains realized out of the normal and continuous operations of the company after deducting therefrom distributions to stockholders and transfers to capital stock or other accounts, and which is: (1) not appropriated by its Board of Directors for corporate expansion projects or programs; (2) not covered by a restriction for dividend declaration under a loan agreement; (3) not required to be retained under special circumstances obtaining in the corporation such as when there is a need for a special reserve for probable contingencies (as defined in SEC Memorandum Circular No. 11-08, December 5, 2008); and (4) not otherwise covered by any other legal restriction on the ability of the company to distribute or otherwise apply its equity.
- bb) **“Outstanding Dispute”** refers to any pending judicial, administrative or alternative dispute resolution proceeding, including suspension or blacklisting proceedings, between the Prospective Bidder, any Consortium Member, their Affiliates that are directly involved in the Projector Contractor proposed by the Bidder or Consortium, on the one hand, and any government agencies, in connection with any information technology or construction-related project or contract, or other project or contract having similar scope of work as the Project.
- cc) **“PBAC”** means the Pre-qualification, Bids and Awards Committee for the Project created under PSA Special Order No. 2015-8NS-883, dated August 07, 2015, pursuant to the BOT Law.
- dd) **“Pre-qualification”** means the first stage of the Bidding Process involving the submission, opening and evaluation of the Qualification Documents submitted by the Prospective Bidders.
- ee) **“Pre-qualified Bidder”** means a Prospective Bidder which passed Pre-qualification.
- ff) **“Private Partner share per transaction”** refers to the amount paid by PSA to the Private Partner per transaction from the collected user fee.
- gg) **“Project”** is defined in Section 1.1.
- hh) **“Project Email”** means crsitp2.pbac@psa.gov.ph.
- ii) **“Prospective Bidder”** means any partnership, corporation, or consortium which participates in the Bidding Process by applying to pre-qualify to bid.
- jj) **“PSA”** means Philippine Statistics Authority.
- kk) **“Qualification Documents”** means the documents to be submitted by the Prospective Bidder during the Pre-qualification stage as provided in Section 13.
- ll) **“Qualification Documents Submission Date”** means December 18, 2015.

- mm) **“Qualification Requirements”** means the criteria which a Prospective Bidder must meet in order to pre-qualify to submit a Bid for the Project, as described in Section 12, and includes Legal Qualification Requirements, Technical Qualification Requirements and Financial Qualification Requirements.
- nn) **“SEC”** means the Securities and Exchange Commission of the Republic of the Philippines.
- oo) **“Similar Magnitude”** is defined as projects which involve technical requirements as specified in Section 12.2. The minimum contract value of such projects should be PhP750,000,000.00 (Seven Hundred Fifty Million Pesos).
- pp) **“Software Development”** means project management, specifications, design, programming, testing, installation and training associated with a specific application development project.
- qq) **“Software Development Life Cycle”** is defined as an organized way to determine customer needs and user requirements such that technology can be applied through systems development and help customers and users perform their jobs more effectively and efficiently. The process ends with maintenance and sustainment activities but includes a way to use feedback for continuous improvement of processes and systems.
- rr) **“Systems Integration”** means the process of creating a complex information system that may include designing or building a customized architecture or application, and integrating, or deploying, it with new or existing hardware, packaged and custom software, and communications.
- ss) **“System Maintenance and Technical Helpdesk Support”** means updating software, security enhancements, license and certificate renewals, adding new functions, fixing bugs, and solving problems. It generally provides for overall support and maintenance of a software product, including applications. Support may include telephone assistance as well.
- tt) **“Technical Qualification Requirements”** refers to the Qualification Requirements that must be met by a Prospective Bidder, as provided in Section 12.2.
- uu) **“Transaction”** refers to client's availment of a specific service available from the Project.
- vv) **“Unsatisfactory Performance”** means any of the following:
 - 1) within the last five (5) years prior to the Qualification Documents Submission Date -
 - (a) failure to satisfactorily perform any of its material obligations on any contract, as evidenced by a final judicial pronouncement or arbitration award or an agreement by way of settlement and compromise wherein there is an acknowledgment of the failure.;
 - (b) with Outstanding Dispute with government agencies or entities to whom the Prospective Bidder has a contract with;
 - (c) expulsion from any project or contract, provided, that where the expulsion

- (i) results from an act of all or some of the other parties to such project or contract pursuant to the relevant project agreements, or
- (ii) results from the mutual agreement of the parties to the project or contract, or
- (iii) results from a final court or arbitral judgment, or
- (iv) results from agreements by way of settlement and compromise, in all cases there being no fault on the part of the expelled party, as evidenced by a final judicial pronouncement or arbitration award, such expulsion shall not be deemed as an incident of Unsatisfactory Performance;
- (d) termination or suspension of any of its projects or contracts due to a breach of its obligations, as evidenced by a final judicial pronouncement or arbitration award or an agreement by way of settlement and compromise wherein there is an acknowledgment of the breach; or
- (e) material violation of laws and/or regulations applicable to any of its projects or contracts, including but not limited to environmental, health, safety, labor and social welfare laws and regulations, as evidenced by a final judicial pronouncement or arbitration award or an agreement by way of settlement and compromise wherein there is an acknowledgment of the violation.

The references to “judicial pronouncement” and “arbitral award” above are not limited to those promulgated in the Philippines or by Philippine courts or entities.

- 2) Inclusion in a blacklist issued by any governmental agency of the Philippines or in the Debarred and Cross-Debarred Firms & Individuals list of major international financial institutions such as, but not limited to, the World Bank, European Bank for Reconstruction and Development, Asian Development Bank, Inter-American Development Bank and African Development Bank Group, whether as an individual contractor, partnership, corporation, or any other juridical entity, or as a member of a joint venture or consortium
- 3) Involvement in any Corrupt, Fraudulent, Coercive, Undesirable, or Restrictive Practice or having Conflicts of Interest.

- ww) **"User fee"** refers to the amount paid by the client for a transaction.
- xx) **"Winning Bidder"** means the Pre-qualified Bidder determined by the PBAC as having the best complying qualified Bid and issued a Notice of Award as described in Section 4(d).
- yy) **"Year"** means a calendar year, unless otherwise specified.
- zz) **"Image and Document System Solutions"** refers to the use of computer system and software to store, manage, facilitate retrieval and monitor access of the electronic documents and images of paper-based information captured through the use of a document scanner.
- aaa) **"Civil Works"** refers to the design and construction of a building including site development.
- bbb) **"Set-Aside Deposit"** means the amount referred to in Section 12.3, which amount

shall be deposited by the Prospective Bidder with a domestic universal/commercial bank or an international bank with a subsidiary/branch in the Philippines or any international bank recognized by the *Bangko Sentral ng Pilipinas* and which amount shall not be withdrawn by the Prospective Bidder for the duration of the Bidding Process.

- ccc) “**Auditor**” means an external independent auditor who must be a reputable international auditing company with presence and operations in at least ten jurisdictions, including the Philippines. For the purpose of determining presence and scope of operations, an auditor’s partner firms in other jurisdictions will be considered.
- ddd) “**Authorized Issuer**” means (a) an Auditor or (b) the Project Owner/Client of the entity proposed to meet the particular qualification requirement (*i.e.* Systems Integration Experience and Image and Document Management System Solutions Experience), provided that if Project Owner/Client is the Prospective Bidder itself, a Consortium Member or their Affiliate, the Authorized Issuer may only be an Auditor.
- eee) “**Project Owner/Client**” means the entity which bid out, commissioned, procured, awarded, or received the infrastructure, assets or services under the reference project.

3. PBAC

3.1. Role of the PBAC

The PBAC created under PSA Special Order No. 2015-8NS-883 (issued on August 7, 2015) shall be responsible for all aspects of the pre-bidding and bidding process for the Project. The PBAC is responsible for interpreting the rules regarding the bidding.

4. Outline of the Bidding Process

The table below contains the indicative schedule for the bidding process:

Milestone	Party Responsible	Indicative Timeline
Publication of Invitation to Pre-Qualify and Bid	PSA	11-Sep-15 to 27-Sep-15
Issuance of the Instructions to Prospective Bidders	PSA	18-Sep-15
Pre- Qualification Conference	PSA	9-Oct-15
Submission of Pre-Qualification Queries	Bidders	18-Sep-15 to 8-Dec-15
Qualification Documents Submission	Bidders	18-Dec-15 (up to 1:00p.m.)

Milestone	Party Responsible	Indicative Timeline
Date		
Opening of Qualification Documents	PSA	18-Dec-15
Notification of the results of evaluation of the Qualification Documents	PSA	12-Jan-16
Issuance of Instructions to Bidders, Draft Concession Agreement & Draft MPSS	PSA	19-Jan-16
Pre-Bid Conference	PSA	26-Jan-16
Submission of queries/comments on the Instructions to Bidders, Draft Concession Agreement & Draft MPSS	Bidders	19-Jan-16
One-on-One Meetings	PSA	To Be Decided
Issuance of Final CA and MPSS	PSA	18-Mar-16
Bid Proposals Submission Date	Bidders	18-Apr-16
Opening of Technical Proposals	PSA	18-Apr-16
Notification of the results of evaluation of the Technical Proposals	PSA	10-May-16
Opening of Financial Proposals	PSA	11-May-16
Issuance of Notice of Award	PSA	1-June-16
Posting of Notice of Award and Bid Results	PSA	28-June-16
Submission of Post- Award Requirements	Winning Bidder/s	Within twenty (20) calendar days from official receipt by Winning Bidder of the Notice of Award
Issuance of Notice of Complete Compliance with all Post- Award Requirements	PSA	Within five (5) calendar days from receipt of Post-Award Requirements
Signing Date of Concession		Within five (5) calendar days

Milestone	Party Responsible	Indicative Timeline
Agreements and Compliance with other requirements		from receipt by the winning bidder of the notice from the PSA of compliance to Post-Award Requirements

The actual schedule may be changed by the PBAC at any time, without incurring any liability to the Prospective or Pre-qualified Bidders. Prospective and Pre-qualified Bidders shall be notified by the PBAC of any changes in the indicative milestone dates through bid bulletins.

The international competitive public bidding for the Project will be conducted in accordance with the procurement rules and procedures for public bidding set out in Republic Act No. 6957, as amended by Republic Act No. 7718 (“**BOT Law**”), its Revised Implementing Rules and Regulations (2012) (“**Revised IRR**”), the applicable provisions of which are deemed incorporated herein by reference.

The general procedure for the Bidding will be as follows:

- a) The PSA will conduct a Pre-qualification Conference for interested parties and Prospective Bidders to clarify any part of the Invitation Documents and to answer any relevant questions from interested parties and Prospective Bidders. The Pre-qualification Conference will be held **on date and venue to be decided by PBAC**. Additional details of the Pre-qualification Conference, if any, will be provided for in a bid bulletin to be issued by the PBAC.
- b) The PBAC will conduct the Pre-qualification of Prospective Bidders. Prospective Bidders will be asked to apply to pre-qualify to bid by submitting their Qualification Documents, as described in greater detail in this document, on December 18, 2015, the Qualification Documents Submission Date. After reviewing the documents, the PBAC will determine which of the Prospective Bidders fulfill the Qualification Requirements and inform all Prospective Bidders who are pre-qualified within twenty days of the Qualification Documents Submission Date. Only Pre-qualified Bidders will be invited and allowed to submit a Bid for the Project.
- c) After Pre-qualification is completed, the PBAC will announce the Bid Proposals Submission Date, which will not be less than ninety (90) days after the Prospective Bidders are notified that they have pre-qualified to bid for the Project. The PBAC will also announce the date, time, and location of the pre-bid conference, to which all Pre-qualified Bidders will be invited, which should not be later than sixty (60) days before submission of bids. Pre-qualified Bidders will be invited to give comments regarding the Project and the Bidding Process during the pre-bid conference. In addition, the PBAC will make arrangements for Pre-qualified Bidders who wish to have one-on-one discussions with it. Pre-qualified Bidders will be asked to bid for the Project by submitting their Bid Proposals - which will include technical and financial proposals, a Bid Security, as well as other supporting documents on the Bid Proposals Submission Date. The PBAC shall issue the Instructions to Bidders to all Pre-qualified Bidders. The Instructions to Bidders shall provide in detail the form and required contents of the Bid

Proposals and the detailed procedures to be followed for submission, bid evaluation, and post-bid requirements. The draft Concession Agreement shall likewise be provided to all Pre-qualified Bidders to give each the opportunity to comment on the draft. The PSA may consider these comments in refining the draft Concession Agreement leading up to the issuance of the final draft Concession Agreement on which the Pre-qualified Bidders must base their Bids. This will ensure that binding unconditional Bids are submitted on the basis of the final Concession Agreement.

- d) After submission of Bid Proposals, the PBAC will first review Qualified Bidders' technical proposals and evaluate them on a pass/fail basis. Qualified Bidders will be informed as to whether their technical proposals were rated "passed". The PBAC will return the unopened financial proposals and Bid Securities of Qualified Bidders whose technical proposals do not pass the evaluation.

Financial Proposals of Qualified Bidders whose Technical Proposals were rated "passed" will be opened and evaluated at a later date. For the Financial Proposal, the evaluation shall involve the assessment and comparison of the financial proposals of the Bidders, based on the financial bid parameter and criteria to be specified by the PBAC in the Instructions to Bidders. The Bidder with the **lowest percentage of Private Partner Share per Transaction** will be evaluated as the highest ranked bidder.

The Pre-qualified Bidder whose Technical Proposal is rated passed and who submits the best Financial Proposal will be determined. PBAC will reserve the right to verify for accuracy and authenticity of the statements, information and documents provided by such Bidder in its Pre-qualification and bid submissions. If the accuracy and authenticity of its submissions is established, such Pre-qualified Bidder will be designated as the **Winning Bidder** and, within three (3) days from the completion of the evaluation of its Financial Proposal, the PBAC will recommend to the PSA National Statistician that the Winning Bidder be issued Notice of Award. Within three (3) days from the PBAC recommendation, the PSA National Statistician shall approve the award and within five (5) days from the approval thereof, the PSA National Statistician shall issue the Notice of Award to the Winning Bidder. This Notice of Award shall indicate the requirements that have to be submitted before the signing of the Concession Agreement.

- e) The Winning Bidder will have to comply with all the requirements stated in the Notice of Award within twenty (20) days from receipt of the Notice of Award. Failure to comply with the requirements in the Notice of Award within the prescribed twenty (20)-day period will result in the forfeiture of the Bid Security and the cancellation of the Notice of Award. Within five (5) days from the receipt by the PBAC of all the requirements indicated in the Notice of Award, the PSA National Statistician shall determine and notify the Winning Bidder of its compliance with all the requirements in the Notice of Award. Within five (5) days from receipt by the Winning Bidder of such notice, the Winning Bidder will have to enter into the Concession Agreement with the PSA. Failure by the Winning

Bidder to enter into the Concession Agreement within the timeframe specified in the Invitation to Bidders will result in the forfeiture of the Bid Security and the cancellation of the Notice of Award.

5. Responsibility of Prospective Bidders

Notwithstanding any information given in the Invitation Documents and any additional communications from the PSA, or the PBAC, including any notices and bid bulletins, it is the sole responsibility of the Prospective Bidder to:

- a) be fully acquainted with the laws, requirements, terms, and conditions of the Pre-qualification process;
- b) examine all the Invitation Documents, including all instructions, annexes, forms, schedules, terms, specifications, and drawings, and verify the correctness, accuracy, completeness, and reliability of the information contained in these documents;
- c) familiarize itself with the constitution, all existing laws and regulations of the Philippines, whether national or local, that may affect the Pre-qualification process and the Project; and
- d) determine and satisfy itself, at its own cost and risk, and by such means as it considers necessary and desirable, as to all matters pertaining to the execution of the Project, and any risks and contingencies that may affect the Project.

The Prospective Bidders (including any Consortium Members or Affiliates) shall not be entitled to and shall not make any claim against the PSA, or any other associated party, whether on the basis of contract, quasi-delict or delict, for damages, extensions of time or payments on the grounds:

- of any misunderstanding or misapprehension in respect of the Invitation Documents and the Project; or
- that incorrect or insufficient information relating to the Invitation Documents and the Project was given to them by the PSA, or any other associated party.

By submitting Qualification Documents, a Prospective Bidder shall be presumed to have fully examined and accepted all the terms and conditions in all of the Invitation Documents.

6. Costs and Expenses of Participation

Interested parties and Prospective Bidders shall bear all costs associated with or resulting from their participation in the Bidding Process including the preparation and submission of their Qualification Documents, and all possible losses or damages resulting thereto. The PSA shall not be held responsible or liable in any way for such costs, losses or damages incurred by any Prospective Bidder (whether incurred by it directly or indirectly, or by its Advisers, Contractors, Affiliates or other persons), regardless of the results of the Bidding.

7. Queries and Supplemental Notices

All parties who obtain the Invitation Documents must send any queries on any aspect of these documents in writing, by personal delivery, e-mail or fax, to the Head of the PBAC, and copied to the PBAC Secretariat, Public-Private Partnership Center (PPP Center), and the Project Email at the following addresses and, e-mail addresses. Documents may also be faxed to the following fax numbers:

Chairperson of the PBAC

Attention: Deputy National Statistician Estela T. De Guzman
 Address: 11th Floor, One Cyberpod Centris
 EDSA cor. Quezon Ave., Brgy. Pinyahan, Quezon City,
 Philippines
 E-mail: e.deguzman@psa.gov.ph
 Telephone: (02) 462 6600 (loc. 823)

PBAC Secretariat

Attention: Joseph P. Cajita
 Address: 11th Floor, One Cyberpod Centris
 EDSA cor. Quezon Ave., Brgy. Pinyahan, Quezon City,
 Philippines
 E-mail: crsitp2.pbac@psa.gov.ph
 Telephone: (+63 2) 374 -8281
 Fax: (+63 2) 374-8259

PPP Center

Attention: Undersecretary Cosette V. Canilao
 Address: Public-Private Partnership Center
 8th Floor, One Cyberpod Centris
 EDSA cor. Quezon Ave., Pinyahan, Quezon City,
 Philippines
 E-mail: cvcanilao@ppp.gov.ph
 Telephone: (+63 2) 727 -7960 or 725- 0204
 Fax: (+63 2) 726 -6221

Project Email

crsitp2.pbac@psa.gov.ph

Prospective Bidders must use the template below for all of its queries/comments:

Date:	[Insert Date of Submission]
Prospective Bidder Name:	[Insert Prospective Bidder Name]

Topic	[Name of	Query/Comment	Proposed Redraft(if any)
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	Document & Section # of Document]		

Although the PBAC will attempt to respond to all reasonable queries received up to ten (10) days before the Qualification Documents Submission Date, it is under no obligation to do so. Responses to queries and any modifications to the Bidding Documents will be made on a non-attributable basis and shall be in writing and provided to Prospective Bidders through supplemental notices or bid bulletins issued by the PBAC. All supplemental notices and bid bulletins issued by the PBAC shall be deemed to be incorporated in and made an integral part of this ITPB and/or the relevant Bidding Documents.

8. Ownership of Documents

All documents submitted in response to the Invitation to Pre-qualify to Bid, including the Qualification Documents and their attachments, shall become the property of the PSA and any information obtained by the PSA from such documents may be reasonably used by them subject to the confidentiality clause in Section 11 (*Confidentiality*).

9. Language and Foreign Documents

The Qualification Documents, and all correspondence and documents relating to the Invitation Documents and the Bid, shall be prepared and written in the English language. Any printed literature or document furnished by Prospective Bidders written in another foreign language shall be accompanied by an English translation certified by a translator that the English translation is a complete and accurate translation of the original. The certification issued by the translator shall be authenticated by the Philippine Consular office having jurisdiction over the place where the certification is issued. In case of conflict, the English translation shall prevail.

- a. All documents issued or executed in a foreign country must be authenticated before a Philippine consular official at the Philippine Consulate nearest the place of issue or execution.
- b. If the document was issued by a foreign authority, the Prospective Bidder should also submit a certified true copy of such document issued by such foreign authority, in addition to the authentication by the relevant Philippine consular official in item a above.
- c. If the document is a foreign law or regulation, the Prospective Bidder should submit (a) a certified true copy of such law or regulation issued by the competent government authority in addition to the authentication by the relevant Philippine consular official in item a above, or (b) a certification from the embassy or the consular office of the relevant foreign country in the Philippines that such law is an accurate copy of the foreign law.

For documents issued or executed outside of the Philippines, notarization made separately before a notary public, civil officer or other person authorized under foreign law to administer oaths or to authenticate signatures shall be allowed, provided that, the notarized document must be authenticated before a Philippine consular official at the relevant Philippine Consulate.

For each instance in the Instructions to Prospective Bidders where authentication by a Philippine consular official is required, the form, including language, of the authentication shall be subject to the forms and rules applicable in the relevant Philippine consular office in item a above.

For purposes of the Pre-qualification, the PBAC will accept photocopies of documents/certifications that are required to be authenticated by the relevant Philippine consular official in no. 1 above if such are accompanied by proof that such documents/certifications have been submitted to and received by the Philippine Consulate nearest the place of issue/execution with a copy of the receipt issued by the Philippine Consulate evidencing payment of the fee for the authentication, subject to the submission of identical documents in original form duly notarized and authenticated before a Philippine consular official in item a above on the Bid Proposals Submission Date.

10. Waiver of Rights to Enjoin Project

By participating in the Bidding Process, Prospective Bidders thereby waive any right they may have to seek and obtain a writ of injunction or prohibition or restraining order against the PSA, or the PBAC to prevent or restrain the holding of a bidding or any proceedings related thereto, the negotiation, award and execution of the contract to the Winning Bidder, and the carrying out of the awarded Concession Agreement. Such waiver shall, however, be without prejudice to the right of a disqualified or losing Bidder to question the lawfulness of its disqualification or the rejection of its Bid Proposal by appropriate administrative or judicial processes not involving the issuance of a writ of injunction or prohibition or restraining order.

11. Confidentiality

Information relating to the examination, clarification, evaluation and comparison of Pre-qualification Documents shall not be disclosed to any of the Prospective Bidders or other persons not officially involved in the Bidding Process; *provided* that, the PSA, including the PBAC, shall not have the obligation to keep any information submitted by a Prospective Bidder confidential after award of the Project.

12. Qualification Requirements

Prospective Bidders must fulfill all the Legal, Technical, and Financial Qualification Requirements listed below.

12.1. Legal Qualification Requirements

The Prospective Bidder must be either:

- a) A partnership or corporation registered with the Philippine Securities and Exchange Commission (“SEC”) or in case of a foreign entity, it must be registered with the appropriate government agency in the foreign country where the foreign entity was registered for recognition or creation of its juridical personality or capacity. The Prospective Bidder must certify that it and its Affiliates whose projects and experience are being submitted as evidence of fulfillment of the requirements in Section 12.2 have no Unsatisfactory Performance record; or
- b) A consortium whose members must be partnerships or corporations registered with the SEC or in case of a foreign entity, the appropriate government agency in the foreign country where the foreign entity was registered for recognition or creation of its juridical personality or capacity; each Consortium Member must certify that it and its Affiliates whose projects and experience are being submitted as evidence of fulfillment of the requirements in Section 12.2 have no Unsatisfactory Performance record; and if the Prospective Bidder is a Consortium and becomes the Winning Bidder, it will have to show proof of incorporation prior to the execution of the Concession Agreement. “Proof of incorporation” means mandatory registration with the Securities and Exchange Commission. In addition, an ICT company shall only be allowed to participate in one Consortium in the bidding except where the ICT company is the exclusive source of a particular “solution” that is indispensable or necessary for undertaking the Project. The project proponent shall clearly specify/list the names, business addresses, and other data/information required for membership in the Consortium formed for the purpose. Any change or addition to the membership of a Consortium is permissible, provided that the proposed new members/partners will have to be pre-qualified by the PSA prior to any such change or addition.

Companies with ongoing or existing contracts with the government shall be required to disclose the names and positions of personnel comprising its staff complement, including the experts/consultant working on public sector-participated (“PSP”) ICT government project(s).

If an Affiliate of a Prospective Bidder or Consortium Member is proposed to meet either the Technical Qualification Requirements or Financial Capability Requirements, such proposed entity must remain an Affiliate of such Prospective Bidder or Consortium Member during the lock-up period set out in Section 18.3.

12.2. Technical Qualification Requirements

12.2.1 On Information Technology

a. Firm Experience

To qualify to bid for the Project, the Prospective Bidder must meet the following technical criteria:

1) Nature of Business

The Prospective Bidder should be in the Information Technology/ IT consulting / IT Integration/ IT Solutions/ Managed Services business continuously in operation for at least five (5) years as of 31 August 2015. Information regarding the same should be provided using the form in Annex QD 2 along with the required attachments under Section 13.3(b)(ii).

2) ISO or CMMi Certification

The Prospective Bidder or a related entity, as described below, should be ISO 20000 or ISO 27001 certified or with at least CMM or CMMi level 3.

The related entity that fulfils this requirement may be:

- *If the Prospective Bidder is a partnership or corporation:*
 - i. The Prospective Bidder itself; or
 - ii. An Affiliate of the Prospective Bidder; or
- *If the Prospective Bidder is a consortium:*
 - i. A Consortium Member with at least twenty percent (20%) interest in the Consortium; or
 - ii. An Affiliate of the Consortium Member with at least twenty percent (20%) interest in the Consortium

Relevant certificate and information for the same should be attached by the Prospective Bidder in line with the form provided in **Annex QD 4 to 6**.

b. IT Experience

The Prospective Bidder, or a related entity, as described below, should have the following experiences:

- 1) Systems Integration: The Prospective Bidder must demonstrate that it has substantial experience with systems integration projects thereby showing its capacity and capability to successfully implement the Project. The Prospective Bidder or a related entity as described below should provide at least two client references for implementation of integrated projects along similar lines involving at least the following aspects of software development life cycle, using the form in Annex QD7-A along with documentary evidence:
 - software development – The Prospective Bidder or a related entity must satisfactorily demonstrate that it has requisite experience and the capacity for project software development and,
 - system maintenance and technical helpdesk support – The Prospective Bidder or a related entity must satisfactorily demonstrate that it has requisite experience and the capacity for system maintenance and technical helpdesk support required in the project.

The two client references submitted by the Prospective Bidder or a related entity should meet the following requirements:

- The Prospective Bidder or a related entity should have successfully completed the software development for each of these two projects and also provided technical and helpdesk support for at least five (5) years for both the projects.
- The completion date of software system development should be within the last ten (10) years from the Qualification Documents Submission Date.
- The minimum contract value for each of these two projects should be at least PhP 750,000,000.00 per project.

Further, each of the two projects listed above should have all the following components:

- (i) Database setup
- (ii) Web based Application Server
- (iii) Workflow Management System
- (iv) Document Management System
- (v) Web portal
- (vi) Electronic Forms

The related entity that fulfils this requirement may be:

- *If the Prospective Bidder is a partnership or corporation:*

- i. The Prospective Bidder itself; or
- ii. An Affiliate of the Prospective Bidder
- *If the Prospective Bidder is a Consortium:*
 - i. The Lead Member; or
 - ii. An Affiliate of the Lead Member

2) Image and Document Management System Solutions Experience

The Prospective Bidder must demonstrate that it has substantial experience with Image and Document Management System projects thereby showing its capacity and capability to successfully implement the Project. The Prospective Bidder or a related entity as described below should provide at least one client reference for implementation of integrated projects along similar lines involving at least the following aspects of software development life cycle, using the form in Annex QD 7-B along with documentary evidence:

- (i) IT solution was able to handle at least 100 Million documents or records database size in a single enterprise
- (ii) Experience at least five (5) years in implementing image document management system
- (iii) Capability to transact, operate and interconnect with at least 25 remote branches
- (iv) Experience handling 40,000 transactions per day.

The related entity that fulfils this requirement may be:

- *If the Prospective Bidder is a partnership or corporation:*
 - i. The Prospective Bidder itself; or
 - ii. An Affiliate of the Prospective Bidder
- *If the Prospective Bidder is a Consortium:*
 - i. A Consortium Member with at least twenty percent (20%) interest in the Consortium; or
 - ii. An Affiliate of the Consortium Member with at least twenty percent (20%) interest in the Consortium.

c. Key Personnel

The Prospective Bidder, Consortium Members, their Affiliates must have among their collective personnel, or undertake to engage individuals with the required qualification and experience described below. The Prospective Bidder has to submit at least one and a maximum of two (2) CVs of personnel in each of the following categories, containing the relevant qualifications. The relevant experience of the professional staffs mentioned above is also required to be submitted in the format provided in **Annex QD 8-A** and **Annex QD 8-B**. Further, it is clarified that one person's CV cannot be submitted for two different positions.

The Prospective Bidder shall identify its nominated Key Personnel and each of the nominated Key Personnel is required to submit a Notarized Statement of

Willingness to Participate In, and Capacity to Undertake the Requirements of the Project in the format provided in **Annex QD 8-C**.

Position	Minimum Qualifications and Type of Experience Required
1. Project Manager	<ul style="list-style-type: none"> • Must have handled an IT project costing at least P100,000,000. • Ten (10) years of recent and verifiable IT project management experience. • Possession of a Bachelor's Degree
2. Systems Architect	<ul style="list-style-type: none"> • Must have background in enterprise systems design and implementation. • Ten (10) years of recent and verifiable IT experience including five (5) years in managing staff. • Degree or postgraduate on computer science/engineering, information management systems, business information systems or software development.
3. Facilities and Operations Manager	<ul style="list-style-type: none"> • Ten (10) years of recent and verifiable IT facilities and operations experience including five (5) years of experience working in supervisory level managing IT staff. • Possession of Bachelor's Degree in Information Technology or related field.
4. Data Center Operations Manager	<ul style="list-style-type: none"> • Ten (10) years of recent and verifiable data center operations experience including five (5) years of experience working in supervisory level managing IT staff. • Possession of Bachelor's Degree in Information Technology or related field.
5. Application Development Manager	<ul style="list-style-type: none"> • Ten (10) years of recent and verifiable software development experience including five (5) years of experience working in supervisory level managing IT staff. • Possession of Bachelor's Degree in Information Technology or related field.

Position	Minimum Qualifications and Type of Experience Required
6. Business Analyst	<ul style="list-style-type: none"> • Five (5) years of demonstrated experience in business process design in information technology and modeling in a team setting.

12.2.2 On Civil Works

a. Civil Works Experience

Managed or supervised construction of at least a seven-storey building. The actual construction may be subcontracted. The actual entity that will construct the CRS facility must possess the following:

- PCAB license for large category AAA
- ISO 9001:2008 certification
- not included in a blacklist issued by Construction Industry Authority of the Philippines (CIAP) or any other foreign entity counterpart.

One client reference submitted by the Prospective Bidder or a related entity or nominated Contractor should meet the following requirements:

- The Prospective Bidder or related entity or nominated Contractor should have successfully completed the construction of at least seven-storey building.
- Certification of the completed project.

The Prospective Bidder or a related entity or nominated Contractor should fill and submit the form in Annex QD 7- C along with documentary evidence.

The related entity that fulfills this requirement may be:

- *If the Prospective Bidder is a partnership or corporation:*
 - i. The Prospective Bidder itself; or
 - ii. An Affiliate of the Prospective Bidder;
- *If the Prospective Bidder is a Consortium:*
 - i. A Consortium Member; or
 - ii. An Affiliate of the Consortium Member

The Prospective Bidders not qualifying the criteria specified in 12.2.1 (items a, b, and c) and 12.2.2 above shall be summarily rejected.

12.3. Financial Qualification Requirements

To qualify to bid for the Project, the Prospective Bidder or a related entity:

- (a) must have (1) a net worth of at least Seven Hundred Million Pesos (PhP700,000,000) or equivalent as of its latest audited financial statements, which must be dated not earlier than 31 December 2014 or (2) a Set-Aside Deposit equivalent to the said amount; and
- (b) provide a testimonial letter from a domestic universal/commercial bank or an international bank with a subsidiary/branch in the Philippines or any international bank recognized by the Bangko Sentral ng Pilipinas attesting that the Prospective Bidder or a related entity is banking with them and that they are in good financial standing and is qualified to obtain credit accommodations from such banks for at least PhP850,000,000.00 to finance the project.

The related entity that fulfils this requirement may be:

- *If the Prospective Bidder is a partnership or corporation:*
 - i. The Prospective Bidder itself; or
 - ii. An Affiliate of the Prospective Bidder; or
- *If the Prospective Bidder is a Consortium:*
 - i. A single Consortium Member with at least twenty percent (20%) interest in the Consortium; or
 - ii. An Affiliate of a Consortium Member with at least 20% interest in the Consortium

A single entity - whether the Prospective Bidder, Nominated Member, or an Affiliate of either - must meet the Financial Qualification Requirements in their entirety. For example: either (i) the Prospective Bidder or its Affiliate, or (ii) the nominated Consortium Member or its Affiliate, must, by itself and not along with any other entity, fulfill the net worth requirement.

Each entity which is proposed to meet the Financial Qualification Requirements must also submit a Certification of Absence of Unsatisfactory Performance Record (Annex QD 3), but only in relation to the last two paragraphs of the definition of “Unsatisfactory Performance” which deal with:

- i. Inclusion in a blacklist issued by any governmental agency of the Philippines or in the Debarred and Cross-Debarred Firms & Individuals list of major financial institutions such as, but not limited to, the World Bank, European Bank for Reconstruction and Development, Asian Development Bank, Inter-American Development Bank and African Development Bank Group, whether as an individual Contractor, partnership, corporation or any other juridical entity, or as a member of a joint venture or consortium; and
- ii. Involvement in any Corrupt, Fraudulent, Coercive, Undesirable, or Restrictive Practice or having Conflicts of Interest.

13. Qualification Documents

13.1 General Rule

In all instances in these Instructions to Prospective Bidders where a “certified true copy” of a document is required, such certification may be executed by a duly authorized representative of the entity required to submit such document.

13.2 Exception

For the following documents, namely:

1. SEC Certificate of Incorporation or its equivalent in the case of a foreign entity,
2. ISO 20000 certification or ISO 27001 certification or CMM Level 3 or CMMi Level 3 Certification

The certified true copies must be issued by the relevant authority issuing such certificate or license.

13.3 Qualification Documents Submission

On the Qualification Documents Submission Date, the Prospective Bidder must submit its application to pre-qualify to bid. The application to pre-qualify to bid consists of the following Qualification Documents, using the relevant forms in the Annexes:

- a. Business Plan - using the form in **Annex QD 1-A** for partnerships or corporations, or **Annex QD 1-B** for Consortiums. For Consortiums, this document must show the Lead Member and all Consortium Members, the proposed equity interest of each Consortium Member, and the total percentage interest of all Consortium Members must be one hundred percent (100%). The Business Plan must also indicate the entities which fulfill the Technical and Financial Qualification Requirements in Sections 12.2 and 12.3, and any Affiliates of these entities whose projects, experience, or financial capability are being submitted to comply with the Qualification Requirements.

If an Affiliate will be used to comply with any of the Technical Qualification Requirements or the Financial Qualification Requirements, evidence of affiliation must be submitted as in the document mentioned in Section 13.3.b(ii)(a).

- b. Basic Information Sheet - using the form in **Annex QD 2**.
 - (i) To be submitted by all entities listed in all sections of the Business Plan (Annex QD 1-A or Annex QD 1-B).

- (ii) Required attachments: for all entities submitting this form:
 - (a) Certified true copy of its latest General Information Sheet, stamped “received” by the SEC or for a foreign entity, the equivalent document submitted to and acknowledged by the appropriate government agency equivalent to the SEC in the foreign country where the foreign entity was registered for recognition or creation of its juridical personality or capacity. The certification may come from either the SEC or its equivalent in a foreign country, or the entity’s corporate secretary. If it comes from the entity’s corporate secretary, the certification must be under oath and notarized; and for a foreign entity, it need not be submitted to and acknowledged by a government agency of the foreign jurisdiction, and is only required to be certified by the authorized representative of the foreign entity, under oath and notarized, and thereafter authenticated by a Philippine consular officer if executed abroad.
 - (b) Certified true copy of SEC Certificate of Incorporation or for a foreign entity, the equivalent document submitted to and acknowledged by the appropriate government agency equivalent to the SEC in the foreign country where the foreign entity was registered for recognition or creation of its juridical personality or capacity. The SEC Certificate of Incorporation or the equivalent document for a foreign entity must be certified by the SEC or its equivalent in a foreign country.
 - (c) Certified true copy of latest Articles of Incorporation or for a foreign entity, the equivalent document submitted to and acknowledged by the appropriate government agency equivalent to the SEC in the foreign country where the foreign entity was registered for recognition or creation of its juridical personality or capacity. The Articles of Incorporation may be certified either by the SEC or its equivalent in a foreign country, or by the entity’s corporate secretary. All certifications by the entity’s corporate secretary must be under oath and notarized.
 - (d) Certified true copy of latest By-Laws or for a foreign entity, the equivalent document submitted to and acknowledged by the appropriate government agency equivalent to the SEC in the foreign country where the foreign entity was registered for recognition or creation of its juridical personality or capacity. The By-Laws may be certified either by the SEC or its equivalent in a foreign country, or by the entity’s corporate secretary. All certifications by the entity’s corporate secretary must be under oath and notarized.
- c. Notarized Certification of Absence of Unsatisfactory Performance Record - using the form in Annex QD3.

- (i) To be submitted by all entities listed in all sections of the Business Plan (Annex QD 1-A or Annex QD 1-B).

All entities which are proposed to meet any of the Technical Qualification Requirements or Financial Qualification Requirements must submit a Certification of Absence of Unsatisfactory Performance Record.

- d. Certified True Copy of Valid ISO 20000 certificate or ISO 27001 certificate – Annex QD 4a, 4bas applicable.

- (i) To be submitted by the entity which is proposed to meet the Technical Qualification Requirements in Section 12.2, as identified in the Business Plan (Annex QD - 1A or Annex QD-1B).

- e. Certified True Copy of Valid ISO 9001:2008 certificate Annex QD 4c as applicable.

- (i) To be submitted by the entity which is proposed to meet the Civil Works Experience Requirements in Section 12.2, as identified in the Business Plan (Annex QD - 1A or Annex QD-1B).

- f. Certified True Copy of Valid PCAB License -Annex QD 5 as applicable.

- (i) To be submitted by the entity which is proposed to meet the Civil Works Experience Requirements in Section 12.2, as identified in the Business Plan (Annex QD - 1A or Annex QD-1B).

- g. Certified True Copy of Valid CMM Level 3 or CMMi Level 3 Certification – Annex QD 6.

- (i) To be submitted by the entity which is proposed to meet the Technical Qualification Requirements in Section 12.2, as identified in the Business Plan (Annex QD - 1A or Annex QD-1B).

- h. Systems Integration Experience - using the form in Annex QD7-A

- (i) To be submitted by the entity which fulfills the Systems Integration experience requirement in Section 12.2.1(b)(1), as identified in the Business Plan (Annex QD 1-A or Annex QD 1-B).

- (ii) Required attachments:

- (a)notarized certificate of project completion or that the project is ongoing or in operation from the project’s owner/client;

- When the original certificate of project completion issued by the project owner/client or its authorized representative is not notarized or issued under oath, the PBAC, will accept a copy of the original certificate or project completion, *provided* it is

accompanied by a notarized certification issued by the relevant officer of the project owner that such copy is a true and faithful reproduction of the original certificate of project completion.

- The name of the certificate of project completion is not controlling. Any certificate, regardless of its name, shall be accepted if the significance of the certificate's issuance to the entity which is now being proposed to meet a particular Technical Qualification Requirement is that such entity would be allowed to commence commercial operations of the project.
- A certificate of project completion issued by authorized representative of the project owner is acceptable.

(b) if the project was completed by an Affiliate of the entity which fulfills the Systems Integration requirement, evidence of such affiliation as in the document mentioned in Section 13.3.b(ii)(a);

(c) A notarized certificate executed by the Authorized Issuer for the minimum contract value for each of these two projects should be at least PhP 750,000,000.00 for each project following the format in Annex QD 7-A

i. Key Personnel (This is a list of qualified key personnel who fulfill the requirements of Section 12.2b) - using the form in Annex QD8-A and Annex QD8-B.

j. Notarized Statement of Financial Capability - using the form in Annex QD9.

(i) To be submitted by the entity which fulfills the Financial Capability Requirements in Section 12.3 as identified in the Business Plan (Annex QD 1-A and Annex QD 1-B).

(ii) Required Attachments:

(a) Certified true copy of audited financial statements dated not earlier than 31 December 2014, stamped "received" by the Bureau of Internal Revenue or for foreign entities, the appropriate government agency equivalent to the Bureau of Internal Revenue in the foreign country where the foreign entity was registered for recognition or creation of its juridical personality or capacity. The certification may be issued by an officer of the entity proposed to meet the Financial Qualification Requirements, in which case the certification must be under oath and notarized.

(b) If the Prospective Bidder will use an Affiliate or an Affiliate of the nominated Consortium Member to comply with the Financial Qualification Requirements in Section 12.3, attach evidence of such affiliation as in the document mentioned in Section 13.3.b(ii)(a).

(c) A testimonial letter from a domestic universal or commercial bank duly licensed by the *Bangko Sentral ng Pilipinas* attesting that the

Prospective Bidder or the nominated Consortium Member in case of a Consortium, or any of their Affiliates, is banking with them and that it is in good financial standing and/or qualified to obtain credit facilities from such bank.

- k. Notarized Application to Pre-qualify to Bid – using the form of Annex QD10.
 - (i) To be submitted by the Prospective Bidder.
- l. Authority to Apply to Pre-qualify and Designation of Authorized Representative
 - (i) For Partnerships or Corporations: Notarized Authority to Apply to Pre-qualify and Designation of Authorized Representative - using the form in **Annex QD 11-A**.
 - (ii) For Consortiums: Consortium Member’s Notarized Authority to Participate in Consortium and Apply to Pre-qualify, and Designation of Lead Member and Authorized Representative of Consortium - using the form in Annex QD 11-B.
- m. Image and Document Management System Solutions Experience - using the form in Annex QD 7-B
 - (i) To be submitted by the entity which fulfills the Image and Document Management System Solutions Experience in Section 12.2.2(b.2), as identified in the Business Plan (Annex QD 1-A or Annex QD 1-B).
 - (ii) Required attachments:
 - (a) notarized certificate of project completion or that the project is ongoing or in operation from the project’s owner/client;
 - When the original certificate of project completion issued by the project owner/client or its authorized representative is not notarized or issued under oath, the PBAC, will accept a copy of the original certificate or project completion, provided it is accompanied by a notarized certification issued by the relevant officer of the project owner that such copy is a true and faithful reproduction of the original certificate of project completion.
 - The name of the certificate of project completion is not controlling. Any certificate, regardless of its name, shall be accepted if the significance of the certificate’s issuance to the entity which is now being proposed to meet a particular Technical Qualification Requirement is that such entity would be allowed to commence commercial operations of the project.

- A certificate of project completion issued by authorized representative of the project owner is acceptable.
- (b) if the project was completed by an Affiliate of the entity which fulfills the Image and Document Management System Solutions Experience requirement, evidence of such affiliation as in the document mentioned in Section 13.3.b(ii)(a);
 - (c) A notarized certificate executed by the Authorized Issuer for the minimum document database size for a single enterprise of at least 100 million records following the format in Annex QD 7-B.
- n. Civil Works Experience- using the form in Annex QD 7-C.
- (i) To be submitted by the entity which fulfills the Civil Work Experience as identified in the Business Plan (Annex QD 1-A or Annex QD 1-B)
 - (ii) Required attachments:
 - (a) Signed letter or certificate from the client or project owner on client/project owner's letterhead, stating the detailed scope of the involvement in the project and declaration of satisfactory project completion.
 - (b) If the project was or is being undertaken by an Affiliate of the entity with fulfills the experience requirement, evidence of such affiliation.
 - (c) A notarized certificate executed by the Authorized Issuer for the total cost value of the building project following the format in Annex QD 7-C.

If the Civil Works Project is to be undertaken by a nominated Contractor, the entity which fulfills the Civil Works Experience Requirement whose experience is being submitted as evidence of that entity's operation and maintenance experience.

14. One Prospective Bidder, One Submission

Each Prospective Bidder may submit only one application to pre-qualify to bid. A Prospective Bidder may not be a member of another Consortium, nor have an Affiliate which is a member of another Consortium. No Consortium Member may be a member of more than one Consortium, nor have an Affiliate which is a member of another Consortium.

To ensure a level playing field and a competitive Bidding Process, there are restrictions on the extent of affiliation and ownership between Prospective Bidders and members of different Consortia. These are described in greater detail in Section 18.2.

15. Format of Submission of Qualification Documents

Each page of each Qualification Document, including any required attachments, shall be initialed on the right margin by the Prospective Bidder's authorized representative as identified in the form in Annex QD11-A or Annex QD11-B.

Qualification Documents must be printed either in standard A4 paper and bound together in ring binders or folders of appropriate size. Documents must be paginated and text must be at least of 12-font size (Arial, Calibri or Verdana).

Prospective Bidders shall submit the Qualification Documents in the following form:

- One (1) complete original set, clearly marked on each page as "ORIGINAL";
- Four (4) photocopies clearly marked on each page as "COPY NO. ___"; and
- Five (5) readable compact discs (CD-R/DVD) or removable USB storage, each containing electronic files of all of the Qualification Documents in both Portable Document Format (.pdf) and Microsoft Word (.doc) formats, and electronic files of all of the attachments of each Qualification Document in Portable Document Format (.pdf).

The submission of one (1) original document that is certified, notarized and authenticated, and which serves as the equivalent of two (2) or more documents, shall be considered sufficiently compliant with the requirements of Section 15. The use of photocopies of this same document in other parts of the original set should be acceptable.

Apart from the exception above, the general rule is that the original set should consist of original versions of the Qualification Documents.

Each set of the Qualification Documents should contain a table of contents. Each set of the Qualification Documents must be placed in an envelope. The five (5) CDs/DVDs/removable USB storage should also be placed in an envelope. Each of the five (5) envelopes containing the Qualification Documents and the envelope containing the five (5) CDs/DVDs/removable USB storage must be sealed and appropriately addressed and marked as follows:

<p>PHILIPPINE STATISTICS AUTHORITY</p> <p>Civil Registry System - Information Technology Project Phase II (CRS-ITP2)</p> <p>QUALIFICATION DOCUMENTS</p> <p><i>[NAME AND ADDRESS OF PROSPECTIVE BIDDER]</i></p> <p>DO NOT OPEN BEFORE DECEMBER 18, 2015</p>
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All five (5) sets of the Qualification Documents and the envelope containing the CDs/DVDs/removable USB storage shall be placed in one or, if necessary, more sealed outer envelope(s) or box.

If any of the envelopes are not properly sealed and/or marked as instructed above, the PBAC shall not assume any responsibility for the loss of the Qualification Documents.

16. Procedures for Submission and Opening of Qualification Documents on the Qualification Documents Submission Date

On the Qualification Documents Submission Date, Prospective Bidders are required to submit their Qualification Documents to:

Pre-qualification, Bids and Awards Committee of

Philippine Statistics Authority Civil Registry System - Information Technology Project Phase II(CRS-ITP2)

The Qualification Documents must be submitted between 9:00a.m. to 1:00p.m. on the Qualification Documents Submission Date. The date and time of submission shall be recorded through the use of Philippine Standard Time from the website of the Department of Science and Technology (<http://www.dost.gov.ph/>). Each set of the Qualification Documents submitted shall be numbered in the order received and stamped with the time of receipt. In addition, the receipt of each set of Qualification Documents will be recorded in a register in the order of receipt specifying the date, time and name of the Prospective Bidder submitting the same.

Prospective Bidders who submit Qualification Documents after 1:00p.m. on the Qualification Documents Submission Date shall be disqualified.

Immediately after 1:00p.m. on the Qualification Documents Submission Date, the PBAC will begin the opening proceedings by announcing the names of the Prospective Bidders who have submitted Qualification Documents and any such other details as the PBAC may consider appropriate. The PBAC will then proceed with opening the envelopes of each Prospective Bidder, one at a time, in the order in which the same were received. The duly authorized representatives for each Prospective Bidder who attend the opening proceedings shall sign the register confirming their attendance.

17. Evaluation of Qualification Documents

The PBAC shall examine the Qualification Documents over a period of no longer than twenty

(20) days after the Qualification Documents Submission Date. The detailed evaluation of the compliance by the Prospective Bidder with the Legal, Technical and Financial Qualification Requirements for the Project shall be based solely upon the Qualification Documents submitted. The PBAC reserves the right to seek clarification from Prospective Bidders on the form and contents of their Qualification Documents. The PBAC also reserves the right to make inquiries with any person, government authority, client organization, Consortium Member, officer, director, employee or other agent of any Prospective Bidder or Affiliate of any of these entities for the purpose of clarifying any matter included in its Qualification Documents.

All submitted information and any clarifications requested by the PBAC shall be assessed against the criteria for qualification as set out in Section 12 and the documents required in Section 13 and rated on a “pass-or-fail” basis. The overall rating for the evaluation will be “qualified” if each criterion is rated passed and each required Qualification Document and attachment is completely submitted. The Prospective Bidder will be disqualified if any criterion is rated failed or if any required Qualification Document or attachment is missing.

18. Other Grounds for Disqualification

In addition to the grounds for disqualification described in Section 17, a Prospective Bidder may also be disqualified from participation in the Bidding for any of the following reasons:

- a. late submission of the Qualification Documents or any part thereof;
- b. material or willful misrepresentation in the Pre-qualification process;
- c. any Corrupt, Fraudulent, Collusive, Coercive, Undesirable or Restrictive Practices in the Pre-qualification process;
- d. any form of politicking or other lobbying with respect to the Pre-qualification process;
- e. illegal conduct or attempt to influence the PBAC’s evaluation of the Qualification Documents or the Pre-qualification process;
- f. any Conflict of Interest that would give it any unfair advantage in the Pre-qualification process;
- g. failure to comply with any of the terms, conditions and instructions of the Invitation Documents;
- h. any Outstanding Dispute with government as defined under Section 2;
- i. Withdrawal of any member of the Consortium or shareholder resulting in lack of legal, technical, and financial capability of the remaining Consortium Members or shareholders and subject to Section 18.3 hereof; or
- j. Other grounds for rejection or disqualification of Prospective Bidders under the Philippine BOT Law, the Revised IRR, the NEDA Guidelines, and all other applicable laws.

The grounds for disqualification in this Section 18 shall also apply to all Consortium Members (in case the Prospective Bidder is a Consortium), and any Affiliates or Contractors proposed by the Prospective Bidder to fulfill any of the Qualification Requirements.

18.1 Corrupt, Fraudulent, Collusive, Coercive, Undesirable and Restrictive Practices

For purposes of this Section 18.1, the following terms shall have the meanings as follows:

- a. ***"Corrupt Practice"*** means any of the prohibited acts and omissions punishable under Republic Act No. 3019 (**"Anti-Graft and Corrupt Practices Act"**), Act No. 3815 (**"Revised Penal Code"**), Republic Act No. 6713 (**"Code of Conduct and Ethical Standards for Public Officials and Employees"**), Republic Act No. 7080 (**"Plunder Law"**) and other applicable laws and relevant rules and procedures, by which a person improperly and unlawfully enriches or benefits himself or others, or induces others to do so, and includes the offering, giving, receiving, or soliciting of anything of value to influence the action of any person connected with the Bidding Process;
- b. ***"Fraudulent Practice"*** means any hoax, delusion, falsification, scheme, artifice, dishonesty, trickery, deceit, cheating and the like, especially when involving misrepresentation, omission, concealment, suppression, non-disclosure or disclosure of incomplete facts, in order to influence the Bidding Process;
- c. ***"Collusive Practice"*** means a scheme or arrangement between two or more Prospective Bidders, with or without the knowledge of the government, designed to establish financial offers or prices at artificial, non-competitive levels;
- d. ***"Coercive Practice"*** means impairing or harming, or threatening to impair or harm, directly or indirectly, or exercising undue influence upon any person or property in order to influence any person's participation in the Bidding Process, or affect the execution of the Concession Agreement;
- e. ***"Undesirable Practice"*** means (i) establishing contact with any person connected with or employed or engaged by the PSA or the PPP Center with the objective of canvassing or lobbying or (ii) in any manner influencing or attempting to influence the Bidding Process; and
- f. ***"Restrictive Practice"*** means any act, scheme, plan or agreement such as forming a group, clique, cartel, trust, syndicate, combine, pool and the like or arriving at any understanding or arrangement among Prospective Bidders, Consortium Members, or the Affiliates of any of these entities, with the objective of restricting, subverting or manipulating a full and fair competition in the Bidding Process.

Aside from being disqualified from the Bidding, any person found to be engaging in any Corrupt, Fraudulent, Collusive, Coercive, Undesirable or Restrictive Practices

shall incur civil and criminal liability under the applicable laws and regulations and shall be prohibited from participating in any bidding conducted by the PSA.

18.2 Conflict of Interest

- a. Prospective Bidders and Consortium Members (if the Prospective Bidder is a Consortium), including their Affiliates, must not have any Conflict of Interest. The assessment of the existence of a Conflict of Interest shall be based on the specific facts of each case.
- b. Without limiting the generality of what would constitute a Conflict of Interest, any of the following shall be considered a Conflict of Interest because they constitute overt acts or situations which indicate collusion between two or more Bidders:
 - (i) A Prospective Bidder, any Consortium Member, or any of their Affiliates (of either a Prospective Bidder or of the Consortium Member) is a member of another Consortium, or an Affiliate of a member of another Consortium.
 - (ii) A Prospective Bidder, any Consortium Member, or any of their Affiliates (of either a Prospective Bidder or of the Consortium Member) has ownership interest of at least thirty-three and one third percent (33 1/3%) in any other Prospective Bidder, any Consortium Member of any other Prospective Bidder.
 - (iii) A member of the board of directors, partner, officer, employee, professional advisor or agent of a Prospective Bidder, any Consortium Member, or any of their Affiliates (of either the Prospective Bidder or any of its Consortium Members) who is directly involved in the Bidding Process for the Project, is also directly involved in any capacity related to the Bidding Process for the Project, for another Prospective Bidder, any Consortium Member of any other Prospective Bidder, or any of their Affiliates (of either the Prospective Bidder or any of its Consortium Members), during the course of the Bidding Process; provided, however, that in relation to professional advisors, there shall be no Conflict of Interest if prior written disclosure is submitted by such professional advisor to its client Prospective Bidders and the PBAC, together with a conflict management plan which must be approved in writing by the PBAC.
 - (iv) For purposes of this Section 18.2 (b).(iii), and without limiting the discretion of the PBAC to determine what constitutes Conflict of Interest, “direct involvement” shall mean actual participation in the deliberations and decision-making for the Bidding Process that would give the director, partner, officer, employee knowledge/information regarding the Bid Proposals of the Prospective Bidders and that will allow such director, partner, officer, employee to influence the Bid Proposals. For the avoidance of doubt, the matters listed under 18.3.b.(ii) shall not be considered Collusive Practice as defined under 18.1.

- c. Without limiting the generality of what constitutes Conflict of Interest, any of the following shall be considered a Conflict of Interest because of engagement by the PSA, the PPP Center or the ICTO for the Project:
 - (i) A Prospective Bidder, any of its Consortium Members, any of its proposed Contractors, or any Affiliate of any of these entities, has been directly engaged as a consultant by the PSA, the PPP Center or the ICTO in the preparation of any Bidding Documents or the design, or technical specifications of the Projects or in connection with the Bidding Process, or
 - (ii) Prospective Bidder, any of its Consortium Members, any of its proposed Contractors, or any Affiliate of any of these entities, for the purpose of its participation in the Bidding Process of the Projects, engages any legal, financial, or technical advisor that the PSA, the PPP Center or the ICTO engaged in relation to the Projects, or anyone who is or was an employee of the PSA, the PPP Center or the ICTO less than one (1) year before his or her engagement in relation to the Projects by the Prospective Bidder, any of its Consortium Members, any of its proposed Contractors, or any Affiliate of any of these entities.
- d. If at any time prior to the signing of the Concession Agreement, any Prospective Bidder, Consortium Member, or any Affiliate of any of these entities, is found to have a Conflict of Interest as defined in this Section 18.2 (Conflict of Interest), it shall be disqualified from further participating in the Bidding Process. If the Conflict of Interest involves another Prospective Bidder, then both Prospective Bidders shall be disqualified.
- e. A Contractor may be proposed by more than one Prospective Bidder provided that such Contractor is not a Prospective Bidder, Consortium Member or Affiliate of any Prospective Bidder or Consortium Member.

18.3 Lock-Up Rules

The following rules (“**Lock-Up Rules**”) shall apply from the Qualification Documents Submission Date to the Bid Proposals Submission Date (“**Qualification Period**”):

- a. Corporation & Partnership
 - (i) For a Pre-qualified Bidder which is a corporation or partnership, no restrictions shall be imposed on the ownership structure of such a Pre-qualified Bidder.
 - (ii) However, if a Pre-qualified Bidder which is a corporation or a partnership proposes an Affiliate to meet any of the Qualification Requirements, the proposed Affiliate must remain as such in accordance with the criteria for Affiliates as provided in Section 5.3 of these Instructions to Prospective Bidders.

b. Consortium

(i) A Consortium Member may leave the Consortium (“**Withdrawal**”), subject to the following conditions:

- A Consortium Member proposed to meet the Qualification Requirements cannot Withdraw from the Consortium, except in the event of a Substitution as provided in paragraph (b)(ii).
- Any Consortium Member not proposed to meet the Technical Qualification Requirements or Financial Qualification Requirements may Withdraw from the Consortium.

(ii) A Consortium Member may be replaced by another entity not previously identified in the Consortium’s Business Plan (Annex QD 1-B) (“**Substitution**”), subject to the following conditions:

- Any Consortium Member, except the Lead Member, can be substituted by another entity.
- If the Consortium Member leaving the Consortium is the only entity which is proposed to meet the Financial Capability Qualification Requirement, then the substitute should meet the particular Financial Capability Qualification Requirement, which such Consortium Member was proposed to meet, and the Legal Qualification Requirements.
- If the Consortium Member leaving the Consortium is the only entity which is proposed to meet a particular Technical Qualification Requirement (other than Systems Integration Experience), then the substitute should meet the particular Technical Qualification Requirement, which such Consortium Member was proposed to meet, and the Legal Qualification Requirements.
- The substitute should not be any of the entities identified in Annex QD 1-B (Business Plan) of another Pre-qualified Bidder. For the avoidance of doubt, Pre-qualified Bidders shall not include those Prospective Bidders that failed to pre-qualify to bid for the Project.

(iii) Any Consortium Member, whether or not they are proposed to meet the Technical or Financial Qualification Requirements, can increase or reduce its committed percentage equity interest in the Concessionaire as specified in Annex QD 1-B (Business Plan).

(iv) In the event of a Withdrawal, Substitution or change in equity interest in the Concessionaire, the following requirements must be met:

- The Lead Member must always own the highest percentage of

outstanding equity interest in the Consortium.

- No Consortium Member, on its own or together with its Affiliates, shall own a greater percentage of equity interest in the Concessionaire than the Lead Member, on its own or together with its Affiliates.
- Any change in the composition of the Consortium or the shareholding structure of the Concessionaire must be approved by the PBAC.
- A Pre-qualified Bidder may only submit a single application with the PBAC during the Qualification Period for all changes in the composition of the Consortium or in the proposed equity structure of the Concessionaire. The application must be submitted to the PBAC at least forty-five (45) days before the Bid Proposals Submission Date. Together with its application, the Pre-qualified Bidder should submit the relevant Qualification Documents which should be revised to reflect the changes applied for.
- Notwithstanding the foregoing, in the event of a Withdrawal, the Pre-qualified Bidder may inform the PBAC of such Withdrawal on the Bid Proposals Submission Date.
- If the proposed change is not approved by the PBAC, the applying Pre-qualified Bidder may revert to the original Consortium composition or proposed Concessionaire shareholding structure, as provided in its Qualification Documents.

c. Key Personnel

The Pre-qualified Bidder may substitute any pre-qualified key personnel, provided that the substitute meets or exceeds the particular qualification requirement or necessary experience which such withdrawing key personnel was proposed to meet.

A Pre-qualified Bidder may only submit a single application with the PBAC during the Qualification Period for all proposed changes to its key personnel no later than forty-five (45) days before the Bid Proposal Submission Date. Together with this application, the Pre-Qualified Bidder should submit the relevant Qualification Documents revised to reflect the proposed substitution. If the Pre-qualified Bidder complied with all the Qualification Requirements and the other terms and conditions of the ITPB, and if, such change does not delay the submission of the Bid Proposal on the Bid Proposals Submission Date.

If the proposed substitution is not approved by the PBAC, the applying Pre-qualified Bidder shall retain the previously pre-qualified Key Personnel proposed to be substituted.

d. Consequence of Violation of Lock-Up Rules

Any violation of the Lock-Up Rules may be a ground for disqualification from the Bidding.

19. Notification of Results of Evaluation of Qualification Documents

The PSA, through the PBAC, shall determine which Prospective Bidders are pre-qualified or disqualified within twenty (20) days after the Qualification Documents Submission Date. The PBAC shall notify all Prospective Bidders as to whether they passed the Pre-qualification stage within five (5) days after the completion of the evaluation of the Qualification Documents (“**Notice of Pre-qualification**”). All Prospective Bidders which pass the Pre-qualification stage shall be known as Pre-qualified Bidders.

Pre-qualified Bidders will be allowed to purchase the following Bidding Documents immediately upon notification that they have been pre-qualified:

- Instructions to Bidders, which will give detailed information about the requirements for the preparation of Bid Proposals;
- Draft Concession Agreement;
- Minimum Performance Standards and Specifications.

20. Failure of Qualification Process

If only one Prospective Bidder submits its Qualification Documents, or if there is only one Pre-qualified Bidder after the evaluation of Qualification Documents, the PBAC shall proceed in accordance with the BOT Law.

21. Right to Reject Qualification Documents, Waive Minor Defects, and Not Proceed with the Bidding & Interpretation of Bidding Rules

The PBAC reserves the right to accept or reject all or any application to pre-qualify to bid without assigning any reason whatsoever.

The PBAC reserves the right to waive any minor defects in the bids, and accept the offer it deems most advantageous to government.

At any time, the PBAC reserves the right not to proceed with the Bidding Process and the execution of the Concession Agreement without prior notice or liability, and without any obligation to give any reason not to proceed.

22. General Conditions and Prohibitions

By submitting Qualification Documents and participating in the Pre-qualification process, the Prospective Bidder acknowledges and agrees that:

- a. it, including all Consortium Members, their Affiliates, and their respective officers, employees, agents and advisers, shall observe the highest standard of

ethics during the Bidding Process;

- b. it, including all Consortium Members, their Affiliates, and their respective officers, employees, agents and advisers, shall not commit any Corrupt, Fraudulent, Coercive, Undesirable and Restrictive acts or practices;
- c. it, including all Consortium Members, their Affiliates, and their respective officers, employees, agents and advisers, will not engage in any form of political or other lobbying with respect to the Project or attempt to influence the outcome of the Bidding Process;
- d. it accepts all the terms and conditions of the Invitation Documents; and
- e. the PBAC has the right to modify any of the Invitation Documents at any time, in accordance with Section 7.

23. Governing Law and Rules

The provisions of the BOT Law and other applicable Philippine laws shall govern all matters not specifically covered by the Instructions to Prospective Bidders and other Invitation Documents.

The following table contains a checklist of all the Qualification Documents:

Submission Checklist

Seq. No.	Document	Description	Present? Y/N or NA
1	Annex QD 1-A	Business Plan (for a prospective bidder which is a partnership or corporation)	
2	Annex QD 1-B	Business Plan (for a prospective bidder which is a Consortium)	
3	Annex QD 2	Basic Information Sheet	
4	Annex QD 3	Certification of Absence of Unsatisfactory Performance Record	
5	Annex QD 4-A	Certified true copy of valid ISO 20000 compliance	
6	Annex QD 4-B	Certified true copy of valid ISO 27001 compliance	
7	Annex QD 4-C	Certified true copy of ISO 9001:2008 compliance	
8	Annex QD 5	Certified true copy of valid PCAB License compliance	
9	Annex QD 6	Certified true copy of valid CMM Level 3 or CMMi Level 3 Certification	
10	Annex QD 7-A	Details of Systems Integration Experience	
11	Annex QD 7-B	Details of Image and Document Management System Solution Experience	
12	Annex QD 7-C	Details of Civil Works Experience	
13	Annex QD 8-A	Key personnel	

Seq. No.	Document	Description	Present? Y/N or NA
14	Annex QD 8-B	Curriculum vitae (CV) for proposed key personnel template	
15	Annex QD 8-C	Notarized Statement of Willingness to Participate In, and Capacity to Undertake the Requirements of the Project	
16	Annex QD 9	Notarized statement of financial capability	
17	Annex QD 10	Notarized application to pre-qualify to bid	
18	Annex QD 11-A	Notarized authority to apply to pre-qualify and designation of authorized representative	
19	Annex QD 11-B	Consortium member's notarized authority to participate in Consortium and apply to pre-qualify, and designation of Lead Member and authorized representative of Consortium	

24. Annexes

Annex QD 1-A

BUSINESS PLAN (FOR A PROSPECTIVE BIDDER WHICH IS A PARTNERSHIP OR CORPORATION)

1. Name of Prospective Bidder:

2. Contact Information of Prospective Bidder

Address	
Website	
Contact Person	
i. Telephone	
ii. Fax	
iii. E-mail	

3. Entity which fulfills the Systems Integration Experience Requirement

Name of Entity	
Relationship to Prospective Bidder	
Address	
Website	
Contact Person	
i. Telephone	

ii. Fax	
iii. E-mail	

4. Affiliate, if any, of the entity which fulfills the Systems Integration Experience Requirement whose experience is being submitted as evidence of that entity's operation and maintenance experience.

Address	
Website	
Contact Person	
i. Telephone	
ii. Fax	
iii. E-mail	

5. Entity which fulfills the Image and Document Management Systems Solutions Requirement

Name of Entity	
Relationship to Prospective Bidder	
Address	
Website	
Contact Person	
i. Telephone	
ii. Fax	
iii. E-mail	

6. Affiliate, if any, of the entity which fulfills the Image and Document Management Systems Solutions Experience Requirement whose experience is being submitted as evidence of that entity's operation and maintenance experience.

Address	
Website	
Contact Person	
i. Telephone	
ii. Fax	
iii. E-mail	

7. Entity which fulfills the Civil Works Experience Requirement

Name of Entity	
Relationship to Prospective Bidder	
Address	
Website	

Contact Person	
i. Telephone	
ii. Fax	
iii. E-mail	

8. Affiliate, if any, of the entity which fulfills the Civil Works Experience Requirement, whose financial capability is being submitted as evidence of that entity's financial capability.

Name	
Address	
Website	
Contact Person	
i. Telephone	
ii. Fax	
iii. E-mail	

9. A Contractor, if any, of the entity which fulfills the Civil Works Experience Requirement whose experience is being submitted as evidence of that entity's operation and maintenance experience.

Address	
Website	
Contact Person	
i. Telephone	
ii. Fax	
iii. E-mail	

10. Entity which fulfills the Financial Capability Qualification Requirement

Name of Entity	
----------------	--

Relationship to Prospective Bidder	
Address	
Website	
Contact Person	
iv. Telephone	
v. Fax	
vi. E-mail	

11. Affiliate, if any, of the entity which fulfills the Financial Capability Qualification Requirement, whose financial capability is being submitted as evidence of that entity's financial capability.

Name	
Address	
Website	
Contact Person	
i. Telephone	
ii. Fax	
iii. E-mail	

For and on behalf of (Name of Prospective Bidder)

(Signature of Authorized Representative)

(Name, Title, and Date)

Annex QD 1-B

BUSINESS PLAN (FOR A PROSPECTIVE BIDDER WHICH IS A CONSORTIUM)

Name of Consortium:

1. Consortium Members

	Lead Member	Consortium Member	Consortium Member	Consortium Member
Name				
Percentage of Interest in the Consortium				
Type of Legal Entity (corporation/ partnership)				

2. Contact Information of Consortium Members

a. Lead Member	
b. Address	
c. Website	
d. Contact Person	
i. Telephone	
ii. Fax	
iii. Email	

a. Consortium Member-1	
b. Address	
c. Website	
d. Contact Person	

i. Telephone	
ii. Fax	
iii. Email	

a. Consortium Member-2	
b. Address	
c. Website	
d. Contact Person	
i. Telephone	
ii. Fax	
iii. Email	

a. Consortium Member-3	
b. Address	
c. Website	
d. Contact Person	
i. Telephone	
ii. Fax	
iii. Email	

3. Entity which fulfills the Systems Integration Experience Requirement

Name of Entity	
Relationship to Prospective Bidder	
Address	
Website	

Contact Person	
i. Telephone	
ii. Fax	
iii. E-mail	

4. Affiliate, if any, of the entity which fulfills the Systems Integration Experience Requirement whose experience is being submitted as evidence of that entity's operation and maintenance experience.

Name of Entity	
Address	
Website	
Contact Person	
i. Telephone	
ii. Fax	
iii. E-mail	

5. Entity which fulfills the Image and Document Management System Solutions Experience Requirement

Name of Entity	
Relationship to Prospective Bidder	
Address	
Website	
Contact Person	
i. Telephone	
ii. Fax	
iii. E-mail	

6. Affiliate, if any, of the entity which fulfills the Image and Document Management

System Solutions Experience Requirement whose experience is being submitted as evidence of that entity's operation and maintenance experience.

Address	
Website	
Contact Person	
i. Telephone	
ii. Fax	
iii. E-mail	

7. Entity which fulfills the Civil Works Experience Requirement

Name of Entity	
Relationship to Prospective Bidder	
Address	
Website	
Contact Person	
i. Telephone	
ii. Fax	
iii. E-mail	

8. Affiliate, if any, of the entity which fulfills the Civil Works Experience Requirement whose experience is being submitted as evidence of that entity's operation and maintenance experience.

Address	
Website	
Contact Person	
i. Telephone	
ii. Fax	

iii. E-mail	
-------------	--

9. A Contractor, if any, of the entity which fulfills the Civil Works Experience Requirement whose experience is being submitted as evidence of that entity's operation and maintenance experience.

Address	
Website	
Contact Person	
i. Telephone	
ii. Fax	
iii. E-mail	

10. Entity which fulfills the Financial Capability Qualification Requirement

Name of Entity	
Relationship to Prospective Bidder	
Address	
Website	
Contact Person	
i. Telephone	
ii. Fax	
iii. E-mail	

11. Affiliate, if any, of the entity which fulfills the Financial Capability Qualification Requirement, whose financial capability is being submitted as evidence of that entity's financial capability.

Name	
Address	
Contact Person	
i. Telephone	
ii. Fax	
iii. E-mail	

For and on behalf of (Name of Consortium and Lead Member)

(Signature of Authorized Representative)

(Name, Title, and Date)

Annex QD 2

BASIC INFORMATION SHEET

- a. To be submitted by all entities listed in all sections of the Business Plan (Annex QD 1-A or Annex QD 1-B).
- b. Required attachments: For all entities submitting this form:
 1. Certified true copy of its latest General Information Sheet, stamped “received” by the SEC or for a foreign entity, the equivalent document submitted to and acknowledged by the appropriate government agency equivalent to the SEC in the foreign country where the foreign entity was registered for recognition or creation of its juridical personality or capacity. The certification may come from either the SEC or its equivalent in a foreign country, or the entity’s corporate secretary. If it comes from the entity’s corporate secretary, the certification must be under oath and notarized.
 2. Certified true copy of SEC Certificate of Incorporation or for a foreign entity, the equivalent document submitted to and acknowledged by the appropriate government agency equivalent to the SEC in the foreign country where the foreign entity was registered for recognition or creation of its juridical personality or capacity. The SEC Certificate of Incorporation, or the equivalent document for a foreign entity, must be certified by the SEC or its equivalent in a foreign country.
 3. Certified true copy of latest Articles of Incorporation or for a foreign entity, the equivalent document submitted to and acknowledged by the appropriate government agency equivalent to the SEC in the foreign country where the foreign entity was registered for recognition or creation of its juridical personality or capacity. The Articles of Incorporation may be certified either by the SEC or its equivalent in a foreign country, or by the entity’s corporate secretary. All certifications by the entity’s corporate secretary must be under oath and notarized.
 4. Certified true copy of latest By-Laws or for a foreign entity, the equivalent document submitted to and acknowledged by the appropriate government agency equivalent to the SEC in the foreign country where the foreign entity was registered for recognition or creation of its juridical personality or capacity. The By-Laws may be certified either by the SEC or its equivalent in a foreign country, or by the entity’s corporate secretary. All certifications by the entity’s corporate secretary must be under oath and notarized.

1	Name of Entity																						
2	Type of Entity (please check one)	<input type="checkbox"/> Partnership <input type="checkbox"/> Corporation																					
3	Consortium Member or not (please check one)	<input type="checkbox"/> Yes <input type="checkbox"/> No																					
4	Affiliate of an entity listed in	<input type="checkbox"/> Yes, Affiliate of _____ <input type="checkbox"/> No																					
5	Place of incorporation or registration																						
6	Year of incorporation or registration																						
7	Principal Purposes or Businesses																						
8	Shareholder or Partner Information																						
	<table border="1"> <thead> <tr> <th>Name of Shareholder or Partner</th> <th>Nationality</th> <th>Percentage Total of Shareholding or Partnership Interest</th> </tr> </thead> <tbody> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> </tbody> </table>		Name of Shareholder or Partner	Nationality	Percentage Total of Shareholding or Partnership Interest																		
Name of Shareholder or Partner	Nationality	Percentage Total of Shareholding or Partnership Interest																					

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9

Information on Beneficial Owners who own more than 5% Beneficial Interest (Insert rows as necessary)

Name of Beneficial Owner	Nationality	Percentage Total of Beneficial Ownership

For and on behalf of (Name of Entity)

(Signature of Authorized Representative)

(Name, Title, and Date)

Annex QD 3

CERTIFICATION OF ABSENCE OF UNSATISFACTORY PERFORMANCE RECORD

- a. To be submitted by all entities listed in all sections of the Business Plan (Form QD-1A or QD-1B).

All entities which are proposed to meet any of the Technical Qualification Requirements or Financial Qualification Requirements must submit a Certification of Absence of Unsatisfactory Performance Record.

Prospective Bidder	
Entity which fulfills a Qualification Requirement	
Qualification Requirement	
Relationship to Prospective Bidder	

Republic of the Philippines)
) s.s.

Certification of Absence of Unsatisfactory Performance Record

I, *(name)*, *(citizenship)*, of legal age, with office address at *(address)*, as the *(position/designation)* of *(name of company represented)*, a *(corporation/partnership)* organized and existing under and by virtue of the laws of *(place of incorporation/registration)* hereby certify, for and on behalf of *(name of company represented)*, that *(name of company represented)* does not have any record of Unsatisfactory Performance, as defined in Section 2(vv) of the Instructions to Prospective Bidders, in any of its projects and contracts.

Date and Place of Execution.

For and on behalf of (Name of Entity)

(Signature of Authorized Representative)

(Name)

(Designation)

SUBSCRIBED AND SWORN TO before me this (____) day of *(month and year)* at *(place)*, affiant exhibiting to me his/her *(proof of identity acceptable under Philippine notarial regulations)*, issued at *(city)* on *(date)*.

Notary Public

Doc. No.: _____

Page No.: _____

Book No.: _____

Series of 2015.

Annex QD 4-A

CERTIFIED TRUE COPY OF VALID ISO 20000 COMPLIANCE

Note:

- a. *To be submitted by the entity which is proposed to meet the operation and maintenance Qualification Criteria requirement in Section 12.2, as identified in the business plan (Annex QD 1-A or Annex QD 1-B).*

Prospective Bidder	
Entity which fulfills the requirement	
Relationship to Prospective Bidder	

Annex QD 4-B

CERTIFIED TRUE COPY OF VALID ISO 27001 COMPLIANCE

Note:

- a. *To be submitted by the entity which is proposed to meet the operation and maintenance Qualification Criteria requirement in Section 12.2, as identified in the business plan (Annex QD 1-A or Annex QD 1-B).*

Prospective Bidder	
Entity which fulfills the requirement	
Relationship to Prospective Bidder	

Annex QD 4-C

CERTIFIED TRUE COPY OF VALID ISO 9001:2008 COMPLIANCE

Note:

- b. To be submitted by the entity which is proposed to meet the Civil Works Experience Qualification Criteria requirement in Section 12.2, as identified in the business plan (Annex QD 1-A or Annex QD 1-B).*

Prospective Bidder	
Entity which fulfills the requirement	
Relationship to Prospective Bidder	

Annex QD 5

CERTIFIED TRUE COPY OF VALID PCAB LICENSE COMPLIANCE

Note:

- a. *To be submitted by the entity which is proposed to meet the Civil Works Experience Qualification Criteria requirement in Section 12.2, as identified in the business plan (Annex QD 1-A or Annex QD 1-B).*

Prospective Bidder	
Entity which fulfills the requirement	
Relationship to Prospective Bidder	

Annex QD 6

**CERTIFIED TRUE COPY OF VALID CMM LEVEL 3 or CMMi LEVEL 3
CERTIFICATION**

Note:

- a. *To be submitted by the entity which is proposed to meet the Qualification Criteria requirement in Section 12.2, as identified in the business plan (Annex QD 1-A or Annex QD 1-B).*

Prospective Bidder	
Entity which fulfills the requirement	
Relationship to Prospective Bidder	

Annex QD 7-A

Details of Systems Integration Experience

- a. To be submitted by the entity which fulfills the Systems Integration Experience as identified in the Business Plan (Annex QD 1-A or Annex QD 1-B).
- b. Required attachments:

Required attachments for each project:

- (i) Signed letter or certificate from the client or project owner, provided on client/project owner’s letterhead, stating the detailed scope of involvement in the project and a declaration of satisfactory project completion or satisfactory performance in ongoing contract.
- (ii) If the project was or is being undertaken by an Affiliate of the entity which fulfills the experience requirement, evidence of such affiliation.

- 1. Entity which fulfills the Systems Integration Experience requirement in Section 12.2, as identified in Business Plan (Annex QD 1-A or Annex QD 1-B).

Prospective Bidder	
Entity which fulfills the requirement	
Relationship to Prospective Bidder	

- 2. Project demonstrating local or international experience in the System Integration projects–

The prospective bidder or a related entity as described below should provide at least **two client references** for implementation of integrated projects along similar lines involving at least the following aspects of software development life cycle, using the form along with documentary evidence:

- (i) software development – The Prospective Bidder or a related entity must satisfactorily demonstrate that it has requisite experience and the capacity for project software development and,
- (ii) system maintenance and technical helpdesk support – The Prospective Bidder or a related entity must satisfactorily demonstrate that it has requisite experience and the capacity for system maintenance and technical helpdesk support required in the project.

The client references submitted by the Prospective Bidder or a related entity should meet the following requirements

- The Prospective Bidder or a related entity should have successfully completed the software development for each of these two projects and also provided technical and helpdesk support for at least five years for both the projects.
- The completion date of software system development should be within the last ten (10) years from the Qualification Documents Submission Date.
- The minimum contract value for each of these two projects should be at least PhP 750,000,000.00 per project.

Each of the two projects listed above should have all the following components:

- i. Database setup
- ii. Web based Application Server
- iii. Workflow Management System
- iv. Document Management System
- v. Web portal
- vi. Electronic Forms

Please include a separate client reference, checklist and Authorized Issuer’s certificate for each client reference attached

Client Reference:

Name of Project*	
Location	
No. of offices covered	
Brief description of project	
Client	
Entity performing the project**	
Name of Entity which completed the project	
Minimum Contract Value of the Project (in million PhP) (Attach Authorized Issuer’s certificate)	
Start Date of software development period	
End Date of software development period	
Brief description of services performed during the software development period	
Start date of system maintenance and	

technical helpdesk support period	
End date of system maintenance and technical helpdesk support period	
Brief description of system maintenance and technical helpdesk support period	

*Please attach notarized Certificate of Project Completion or Ongoing project from client/owner.

**Must be the entity identified in #1 or an Affiliate. If an Affiliate, please attach evidence of such affiliation.

Checklist for Project

(A)	Does the project involve :		Amount (in million PhP)
	Database setup	() Y () N	
	Web based Application Server	() Y () N	
	Workflow Management System	() Y () N	
	Document Management System	() Y () N	
	Web portal	() Y () N	
	Electronic Forms	() Y () N	
(B)	5 years of successful System Maintenance and Technical Helpdesk Support	() Y () N	

For and on behalf of (Name of Entity that meets this Qualification Requirement)

For and on behalf of (Name of Prospective Bidder)

(Signature of Authorized Representative)

(Signature of Authorized Representative)

(Name, Title, Date)

(Name, Title, Date)

**Certificate from the Authorized Issuer
regarding System Integration Projects**

(on the Letterhead)

Based on its books of accounts and other published information authenticated by it, this is to certify that (name of the Prospective Bidder/ entity claiming the experience) is/ was a part of the project titled (title of the project) from (date) to (date).

We further certify that the total contract value as of(date) is PhP. million (Philippine Pesomillion).

Name of the firm:

Seal of the firm:

(Signature, name and designation of the authorized signatory)

Date:

Annex QD 7-B

Details of Image and Document Management System Solutions Experience

a) To be submitted by the entity which fulfills the Image and Document Management System Solutions Experience as identified in the Business Plan (Annex QD 1-A or Annex QD 1-B).

b) Required attachments:

Required attachments for each project:

(i) Signed letter or certificate from the client or project owner, provided on client/project owner's letterhead, stating the detailed scope of involvement in the project and a declaration of satisfactory project completion or satisfactory performance in ongoing contract.

(ii) If the project was or is being undertaken by an Affiliate of the entity which fulfills the experience requirement, evidence of such affiliation.

c) Entity which fulfills the Image and Document Management System Solutions Experience requirement in Section 12.2, as identified in Business Plan (Annex QD 1-A or Annex QD 1-B).

Prospective Bidder	
Entity which fulfills the requirement	
Relationship to Prospective Bidder	

Project demonstrating local or international experience in the Image and Document Management System Solutions Experience –

The prospective bidder or a related entity as described below should provide at least **one client reference** for implementation of image and document management systems project using the form along with documentary evidence.

The client reference submitted by the Prospective Bidder or a related entity should meet the following requirements:

- (i) IT solution was able to handle at least 100 Million documents database size in a single enterprise
- (ii) Experience at least five (5) years in implementing image document management system

- (iii) Capability to transact, operate and interconnect with at least 25 remote branches
- (iv) Experience handling 40,000 transactions per day

Please include a separate client reference, checklist and Authorized Issuer's certificate for each client reference attached

Client Reference:

Name of Project*	
Location	
No. of offices covered	
Brief description of project	
Client	
Entity performing the project**	
Name of Entity which completed the project	
Documents Database Size: Number of document/records loaded in the database	
Start Date of implementation of image and document management system period	
End Date of implementation of image and document management system period	
Number of Remote Branches Connected to the Database	
Average Transactions per day	

*Please attach notarized Certificate of Project Completion or Ongoing project from client/owner.

**Must be the entity identified in #1 or an Affiliate. If an Affiliate, please attach evidence of such affiliation.

Checklist for Project

(A)	Does the project involve :		
	At least 100 Million document/records loaded in the database	<input type="checkbox"/> Y <input type="checkbox"/> N	
	At least 25 remote branches	<input type="checkbox"/> Y <input type="checkbox"/> N	
	At least 40,000 transactions per day	<input type="checkbox"/> Y <input type="checkbox"/> N	
(B)	5 years of successful experience in implementing image and document management system by the Prospective Bidder / Consortium Member or Related Entity	<input type="checkbox"/> Y <input type="checkbox"/> N	

For and on behalf of (Name of Entity that meets this Qualification Requirement)

For and on behalf of (Name of Prospective Bidder)

(Signature of Authorized Representative)

(Signature of Authorized Representative)

(Name, Title, Date)

(Name, Title, Date)

**Certificate from the Authorized Issuer regarding
Image and Document Management System Solutions Experience
(on the Letterhead)**

Based on its books of accounts and other published information authenticated by it, this is to certify that (name of the Prospective Bidder/ entity claiming the experience) is/ was a part of the project titled (title of the project) from (date) to (date).

We further certify that the total number of document/records in the database as of(date) is

Name of the firm:

Seal of the firm:

(Signature, name and designation of the authorized signatory)

Date:

Annex QD 7-C

Details of Civil Works Experience

- a) To be submitted by the entity which fulfills the Civil Works Experience as identified in the Business Plan (Annex QD 1-A or Annex QD 1-B).
- b) Required attachments for the project:
 - (i) Signed letter or certificate from the client or project owner, provided on client/project owner’s letterhead, stating the detailed scope of involvement in the project and a declaration of satisfactory project completion.
 - (ii) If the project was or is being undertaken by an Affiliate of the entity which fulfills the experience requirement, evidence of such affiliation.
 - (iii) If the Civil Works Project is to be undertaken by a sub-Contractor, the entity which fulfills the Civil Works Experience Requirement whose experience is being submitted as evidence of that entity’s operation and maintenance experience.
- c) Entity which fulfills the Civil Works Experience requirement in Section 12.2, as identified in Business Plan (Annex QD 1-A or Annex QD 1-B).

Prospective Bidder	
Entity which fulfills the requirement	
Relationship to Prospective Bidder	

3. Project demonstrating local or international experience in the Civil Works Experience –

The prospective bidder or a related entity as described below should provide at least **one client reference** for implementation of civil works project using the form along with documentary evidence.

The client reference submitted by the Prospective Bidder or a related entity or sub-contractor should meet the following requirements:

- (i) PCAB license for large category AAA
- (ii) ISO 9001:2008 certification
- (iii) not included in a blacklist issued by Construction Industry Authority of the Philippines (CIAP) or any other foreign entity counterpart.

Please include a separate client reference, checklist and Authorized Issuer's certificate for each client reference attached

Client Reference:

Name of Project*	
Location	
No. of offices covered	
Brief description of project	
Client	
Entity performing the project**	
Name of Entity which completed the project	
Number of Storeys of building constructed	
Start Date of construction of building	
End Date of construction of building	

*Please attach notarized Certificate of Project Completion or Ongoing project from client/ owner.

**Must be the entity identified in #1 or an Affiliate. If an Affiliate, please attach evidence of such affiliation.

Checklist for Project

(A)	Does the project involve :		Amount (in million PhP)
	At least 7- storey building	<input type="checkbox"/> Y <input type="checkbox"/> N	
(B)	Not included in the blacklist issued by CIAP or any other foreign counterpart	<input type="checkbox"/> Y <input type="checkbox"/> N	

For and on behalf of (Name of Entity that meets this Qualification Requirement)

For and on behalf of (Name of Prospective Bidder)

(Signature of Authorized Representative)

(Signature of Authorized Representative)

(Name, Title, Date)

(Name, Title, Date)

**Certificate from the Authorized Issuer regarding
Civil Works Experience**

(on the Letterhead)

Based on its books of accounts and other published information authenticated by it, this is to certify that (name of the Prospective Bidder/ entity claiming the experience) is/ was a part of the project titled (title of the project) from (date) to (date).

We further certify that the total cost value of the building project is

Name of the firm:

Seal of the firm:

(Signature, name and designation of the authorized signatory)

Date:

Annex QD 8-A

KEY PERSONNEL

Name of Prospective Bidder:

The list of key personnel to be engaged for the project. This information should be provided for all key staff, such as team leaders, project managers, technical support staff, etc.

Professional Staff				
Name of Staff	Firm	Area of Expertise	Position Assigned	Task Assigned

Annex QD 8-B

CURRICULUM VITAE (CV) FOR PROPOSED KEY PERSONNEL TEMPLATE

Name of the Prospective Bidder: _____

1. Proposed Project Manager

Name	
Employer	
Position	
Nationality	
Date of Birth	

a) Key Experience (add more details as necessary)

	Project 1
Employer	
Position	
Project Contract Value (in million Php)	
Start Date	
End date	
Description of Project Undertaken	

	Project 2
Employer	
Position	
Project Contract Value (in million	

Php)	
Start Date	
End date	
Description of Project Undertaken	

	Project 3
Employer	
Position	
Project Contract Value (in million PhP)	
Start Date	
End date	
Description of Project Undertaken	

b) Educational background

College Degree	School:	Year Graduated:
Graduate Degree	School:	
Professional License	Year:	

Parameters			Comments
At least 10 years of IT Experience	Yes ()	No ()	
Handled IT project costing at least PhP 100 million	Yes ()	No ()	
Bachelors Degree	Yes ()	No ()	

For and on behalf of (Name of Prospective Bidder/if Consortium, Name of Consortium and Lead Member)

(Signature of Authorized Representative)

(Name, Title, and Date)

2. Proposed Systems Architect

Name	
Employer	
Position	
Nationality	
Date of Birth	

a) Key Experience (add more details as necessary)

	Project 1
Employer	
Position	
Project Contract Value (in million Php)	
Start Date	
End date	
Description of Project Undertaken	

	Project 2
Employer	
Position	
Project Contract Value (in PhP Mn)	
Start Date	
End date	
Description of Project Undertaken	

	Project 3
Employer	
Position	
Project Contract Value (in PhP Mn)	
Start Date	
End date	
Description of Project Undertaken	

b) Educational background

College Degree	School:	Year Graduated:
Graduate Degree	School:	
Professional License	Year:	
Parameters		Comments
At least 10 years of IT Experience	Yes ()	No ()
At least 5 years of Managing Staff	Yes ()	No ()
Degree or postgraduate on computer science/engineering, information management systems, business information systems or software development.	Yes ()	No ()

For and on behalf of (Name of Prospective Bidder/if Consortium, Name of Consortium and Lead Member)

(Signature of Authorized Representative)

(Name, Title, and Date)

3. Proposed Facilities and Operations Manager

Name	
Employer	
Position	
Nationality	
Date of Birth	

a) Key Experience (add more details as necessary)

	Project 1
Employer	
Position	
Project Contract Value (in million PhP)	
Start Date	
End date	
Description of Project Undertaken	

	Project 2
Employer	
Position	
Project Contract Value (in PhP Mn)	
Start Date	
End date	
Description of Project Undertaken	

	Project 3
Employer	
Position	
Project Contract Value (in PhP Mn)	
Start Date	
End date	
Description of Project Undertaken	

b) Educational Background

College Degree	School:	Year Graduated:
Graduate Degree	School:	
Professional License	Year:	

Parameters			Comments
At least 10 years of IT facilities and operations	Yes ()	No ()	
At least 5 years of experience working in supervisory level managing IT staff	Yes ()	No ()	
Bachelor's degree in IT or any related field	Yes ()	No ()	

For and on behalf of (Name of Prospective Bidder/if Consortium, Name of Consortium and Lead Member)

(Signature of Authorized Representative)

(Name, Title, and Date)

4. Proposed Data Center Operations Manager

Name	
Employer	
Position	
Nationality	
Date of Birth	

a) Key Experience (add more details as necessary)

	Project 1
Employer	
Position	
Project Contract Value (in million PhP)	
Start Date	
End date	
Description of Project Undertaken	

	Project 2
Employer	
Position	
Project Contract Value (in million PhP)	
Start Date	
End date	
Description of Project Undertaken	

	Project 3
Employer	
Position	
Project Contract Value (in million PhP)	
Start Date	
End date	
Description of Project Undertaken	

b) Educational background			
College Degree	School:	Year Graduated:	
Graduate Degree	School:		
Professional License	Year:		
Parameters			Comments
At least 10 years of Experience in data center operations		Yes ()	No ()
At least 5 years of experience working in supervisory level managing IT staff		Yes ()	No ()
Bachelor's Degree in Information Technology or related field		Yes ()	No ()

For and on behalf of (Name of Prospective Bidder/if Consortium, Name of Consortium and Lead Member)

(Signature of Authorized Representative)

(Name, Title, and Date)

5. Proposed Application Development Manager

Name	
Employer	
Position	
Nationality	
Date of Birth	

a) Key Experience (add more details as necessary)

	Project 1
Employer	
Position	
Project Contract Value (in million PhP)	
Start Date	
End date	
Description of Project Undertaken	

	Project 2
Employer	
Position	
Project Contract Value (in million PhP)	
Start Date	
End date	
Description of Project Undertaken	

	Project 3
Employer	
Position	
Project Contract Value (in million PhP)	
Start Date	
End date	
Description of Project Undertaken	

b) Educational background

College Degree	School:	Year Graduated:
Graduate Degree	School:	
Professional License	Year:	

Parameters			Comments
At least 10 years of software development experience	Yes ()	No ()	
At least 5 years of experience working in supervisory level managing IT staff	Yes ()	No ()	
Bachelor's Degree in Information Technology or related field	Yes ()	No ()	

For and on behalf of (Name of Prospective Bidder/if Consortium, Name of Consortium and Lead Member)

(Signature of Authorized Representative)

(Name, Title, and Date)

6. Proposed Business Analyst

Name	
Employer	
Position	
Nationality	
Date of Birth	

a) Key Experience (add more details as necessary)

	Project 1
Employer	
Position	
Project Contract Value (in million PhP)	
Start Date	
End date	
Description of Project Undertaken	

	Project 2
Employer	
Position	
Project Contract Value (in million PhP)	
Start Date	
End date	
Description of Project Undertaken	

	Project 3
Employer	
Position	
Project Contract Value (in million PhP)	
Start Date	
End date	
Description of Project Undertaken	

b) Educational background

College Degree	School:	Year Graduated:
Graduate Degree	School:	
Professional License	Year:	

Parameters			Comments
At least five (5) years of experience in business process design in information technology and modeling in a team setting	Yes ()	No ()	

For and on behalf of (Name of Prospective Bidder/if Consortium, Name of Consortium and Lead Member)

(Signature of Authorized Representative)

(Name, Title, and Date)

Annex QD 8-C

**NOTARIZED STATEMENT OF WILLINGNESS TO PARTICIPATE IN, AND
CAPACITY TO UNDERTAKE THE REQUIREMENTS OF THE PROJECT**

- (i) To be submitted by each of the Key Personnel nominated by the Prospective Bidder to fulfill the requirement that the Prospective Bidder, the Consortium Members, and their Affiliates have among their collective personnel or undertake to engage, individuals with the required qualifications and experience stated under 12.2.1 c.

Name of Prospective Bidder:

Name of Key Personnel:

Republic of the Philippines)
) s.s.

Notarized Statement of Willingness to Participate in, and
Capacity to Undertake the Requirements of the Project as
Nominated Key Personnel

I, *(insert name)*, *(insert citizenship)*, of legal age, with office address at *(insert address)*, as the *(nominated Key Personnel - position)* of *(insert name of Prospective Bidder)*, hereby declare that:

1. I am willing to participate in and assume all the attendant liabilities as the Key Personnel for *(position/designation)* of *(Name of Prospective Bidder)* in the bid for the CRS-ITP2 Project in accordance with the Instructions to Prospective Bidders.
2. I have the required qualifications and experience to qualify as the nominated Key Personnel for *(position/designation)* to undertake the requirements of the Project in accordance with the provisions of the Instructions to Prospective Bidders.
3. Based on my personal knowledge, all information provided in Annex QD 8-A and Annex QD 8-B with regard to my qualifications, experience and background are true and correct.
4. If selected by *(Name of Prospective Bidder)*, I shall formally enter into a contract with the Project Proponent to perform the obligations and assume the attendant liabilities as Key Personnel for *(position/designation)* for the CRS-ITP2 Project.

Date and Place of Execution.

(Name of Key Personnel)

For and on behalf of (Name of Entity)

(Signature)

(Signature of Authorized Representative)

(Name)

(Designation)

(Name)

(Designation)

For and on behalf of (Nominated Contractor)

(Signature of Authorized Representative)

(Name)

(Designation)

SUBSCRIBED AND SWORN TO before me this (____) day of (*month and year*) at (*place*),
affiant exhibiting to me his/her (*proof of identity acceptable under Philippine notarial regulations*), issued at (*city*) on (*date*).

Notary Public

Doc. No.: _____

Page No.: _____

Book No.: _____

Series of 2015.

Annex QD 9

NOTARIZED STATEMENT OF FINANCIAL CAPABILITY

- (i) To be submitted by the entity which fulfills the Financial Capability Qualification Requirement in Section 12.3, as identified in the Business Plan (Annex QD 1-A and Annex QD 1-B).

a. Required Attachments:

1. Certified true copy of audited financial statements dated not earlier than 31 December 2014, stamped “received” by the Bureau of Internal Revenue or for foreign entities, the appropriate government agency equivalent to the Bureau of Internal Revenue in the foreign country where the foreign entity was registered for recognition or creation of its juridical personality or capacity. The certification may be issued by an officer of the entity proposed to meet the Financial Qualification Requirements, in which case the certification must be under oath and notarized.
2. If the Prospective Bidder will use an Affiliate or an Affiliate of the nominated Consortium Member to comply with the Financial Qualification Requirements in Section 12.3, attach evidence of such affiliation.
3. A testimonial letter from a domestic universal/commercial bank or an international bank with a subsidiary/branch in the Philippines or any international bank recognized by the Bangko Sentral ng Pilipinas, attesting that the Prospective Bidder or a related entity is banking with them and that it is in good financial standing and is qualified to obtain credit accommodations from such banks of at least PhP 850,000,000.00 to finance the Project.

Prospective Bidder	
Entity which fulfills the requirement	
Relationship to Prospective Bidder	

Republic of the Philippines)
) s.s.

Notarized Statement of Financial Capability

I, *(name)*, *(citizenship)*, of legal age, with office address at *(address)*, as the *(position/designation) of (name of entity)*, a *(corporation/partnership)* organized and existing under and by virtue of the laws of *(place of incorporation /registration)*, after having been duly sworn according to law, hereby certify for and on behalf of *(name of entity)* that the information stated in this Notarized Statement of Financial Capability is true and that the attached documents are genuine and true copies of the original.

1. The *(name of entity)* has *(a)* a minimum net worth equivalent to at least Seven hundred million pesos (PhP 700,000,000) or its equivalent as of its audited financial statements for the most recent fiscal year, a certified true copy of which is attached to this certificate, or *(b)* a Set-Aside Deposit of the equivalent amount.

2. The financial summary of *(name of entity)* from is as follows:

Financial Information	20XX
(indicate last day of accounting year)	
1. Total Assets	
2. Total Liabilities	
3. Total Equity (sum of 4, 5, 6, 7, 8, 9, and 10)	
4. Subscribed and Paid Up Capital (at par)	
5. Additional Paid-In Capital	
6. Unrestricted Retained Earnings	
7. Retained Earnings Appropriated by the Board	
8. Retained Earnings Restricted under a Loan Covenant	
9. Retained Earnings Allocated as Contingencies Reserves	

10.	Retained Earnings Covered by any other Legal Restriction on Distribution or Application	
11.	Net Worth (sum of 4, 5, and 6)	
12.	Set-Aside Deposit for this Project (if any)	
13.	Profits Before Taxes	
14.	Profits After Taxes	

Date and Place of Execution.

For and on behalf of (Name of Entity)

(Signature of Authorized Representative)

(Name)
(Designation)

SUBSCRIBED AND SWORN TO before me this (____) day of (*month and year*) at (*place*), each affiant exhibiting to me his/her (*proof of identity acceptable under Philippine notarial regulations*), issued at (*city*) on (*date*).

Notary Public

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Process at any time, without incurring any liability, and accepts all the terms and conditions of the Instructions to Prospective Bidders and other Invitation Documents.

5. *(name of Prospective Bidder)*, including the entities it has identified to comply with the Qualification Requirements under the Instructions to Prospective Bidders, have not at any time engaged in any Corrupt, Fraudulent, Coercive, Undesirable, or Restrictive Practices, nor have a Conflict of Interest.

6. *(name of Prospective Bidder)* waives any right to and shall not seek or obtain any restraining order, writ of injunction or prohibition or any other form of coercive judicial, quasi-judicial or administrative writ, process or issuance against the PSA to restrain, prevent, suspend, or in any manner forestall, hinder or render inconvenient the Bidding Process. *(name of Prospective Bidder)* acknowledges that the PSA is undertaking this Bidding Process in the performance of their functions to ensure the provision of a critical basic necessity and that, therefore, the Project is of paramount public interest and importance and that the PSA will suffer serious and irreparable damage on account of any breach by *(name of Prospective Bidder)* of these undertakings, and agree that the breach of these undertakings shall result in *(name of Prospective Bidder)*'s automatic disqualification from the Bidding.

For and on behalf of *(Name of Prospective Bidder/Name of Consortium / List of Consortium Members)*

(Signature of Authorized Representative)

(Name)

(Designation)

SUBSCRIBED AND SWORN TO before me this (____) day of *(month and year)* at *(place)*, each affiant exhibiting to me his/her *(proof of identity acceptable under Philippine notarial regulations)*, issued at *(city)* on *(date)*.

Notary Public

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¹ Prospective Bidders are required to provide two authorized representatives

Place, Date of Execution.

[Corporate Secretary or Equivalent Officer]

SUBSCRIBED AND SWORN TO before me this (____) day of (*month and year*) at (*place*), each affiant exhibiting to me his/her (*proof of identity acceptable under Philippine notarial regulations*), issued at (*city*) on (*date*).

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RESOLVED FURTHER, that the (*Consortium Member*) in the exercise of its interest in the Consortium hereby:

- (a) designates (*name of Lead Member of Consortium*) as Lead Member of the Consortium with the authority to represent Consortium during the Pre-qualification of Prospective Bidders for the Project;
- (b) authorizes (*name of primary representative of Lead Member of Consortium*) and (*name of alternate representative of Lead Member of Consortium*) as representatives of the Consortium during the Bidding Process for the Project, and for such purpose shall have the authority to execute, sign, submit and receive documents for, and otherwise act in the name of the Consortium.

RESOLVED, FURTHER, that any and all acts done and/or performed by (*name of Lead Member of Consortium*), (*name of primary representative*) or (*name of alternate representative*) under and by virtue of this resolution be, as they are hereby, confirmed and ratified.

RESOLVED, FURTHER, that in the event the Consortium is declared as the Winning Bidder, the (*Consortium Member*) will cooperate with the other Consortium Members to register a domestic corporation with the Philippine Securities and Exchange Commission which corporation shall undertake to bind itself to be liable for the obligations of the Concessionaire under the Concession Agreement.

RESOLVED, FINALLY, that until the Concession Agreement has been awarded and the domestic corporation has been formed, the (*Consortium Member*) binds itself jointly and severally for all the obligations of the Prospective Bidder under the Instructions to Prospective Bidders and the obligations of the Pre-qualified Bidder under the Instructions to Bidders, and those of the Concessionaire under the Concession Agreement, as may be applicable.

4. These resolutions have not been revoked, amended or modified and remain valid and binding on the (*Consortium Member*); and

5. The above resolutions are in accordance with the records of the (*Consortium Member*).

Place, Date of Execution.

[Corporate Secretary or Equivalent Officer]

