Appendix 3: **Revised Annex “C” (Including Additional Prescribed Forms)**

**ANNEX “C”**

**LIST OF EDs TO BE SUBMITTED**

**ON OR BEFORE 12NN OF FEBRUARY 05, 2020**

**JVSC Room, 7th Floor, TIEZA Building**

**Tower 1, Double Dragon, Pasay City**

| No. | **Eligibility Document** | **S\*** | **NS\*\*** |
| --- | --- | --- | --- |
|  | Ten (10) **sets of** hard copies **(bound, arranged in order of this checklist, and marked by tabs)** |  |  |
|  | Flashdrive containing scanned copies of the EDS submitted – **to be placed together with or inside the envelope containing the original documents** |  |  |
|  | All pages of the original EDs shall be initialed by the person or persons authorized to sign and submit the EDs. |  |  |
|  | If the Eligible Proponent is a consortium, all pages of the original EDs shall be initialed by the authorized representative(s) of each of the members of the consortium. |  |  |
|  | Notarized Statement **in the form of Annex “M”** containing the following:   * + Name of Interested Proponent   + Profile of the Interested Proponent   + If a legal entity, statement regarding the ownership, shareholdings (amounts subscribed and paid up), Board of Directors, Senior Corporate Management and other related business interests |  |  |
|  | If a legal entity, certified true copies of the following corporate documents of the Interested Proponent or its equivalent in another jurisdiction:  If a corporation or partnership:   * + SEC Certificate of Registration   + Latest GIS   + **Articles of Incorporation and Corporation By-laws**   If a single proprietorship:   * + DTI Registration or its equivalent in another jurisdiction   **Note: In case of Consortium, each Consortium member shall submit these documents.** |  |  |
|  | Certified true copy of a valid and current Mayor’s Permit **or its equivalent document, at least as of December 2019**  **Note: In case of Consortium, each Consortium member shall submit these documents.** |  |  |
|  | Notarized Statement **in the form of Annex “N”**:   1. The Interested Proponent or its affiliates (or in case of a consortium, any of the consortium members or its affiliates) have successfully developed at least one (1) project in the Golf Course/Resort and/or Hotel Hospitality or Real Estate or Tourism Recreation Facilities Management Business or similar or related projects (e.g. golf course, hotel, convention center, tourism facilities, etc.) for the last twenty-five (25) years as of 31 December 2018, with a minimum aggregate cost of Php 250,000,000; 2. The Interested Proponent have successfully operated at least one (1) project in the Golf Course/Resort and/or Hotel Hospitality or Real Estate or Tourism Recreation Facilities Management Business or similar or related projects (e.g. golf course, hotel, convention center, tourism facilities, etc.) with a minimum of ten (10) years of period of operation; and 3. List of awards/citations garnered, if any, as a hotel or venue operator, event manager or event organizer.   Each award must be accompanied by a copy of the said award/citation or certification.  The entity(ies), whose experience is being submitted in fulfillment of this requirement, should submit a certified true copy of its relevant management and operation contracts or any supporting documents sufficient to establish the assertion and information summarized in this document. In the absence of a copy of the contract, the Interested Proponent may submit a certified true copy of the final project completion report or similar report signed indicating the information that establishes the required experience. |  |  |
|  | Certification **in the form of Annex “L”** regarding the following:  a. The project manager to be assigned to the project by the Interested Proponent and their qualifications including educational attainment, licenses held, years/extent of experience and projects handled, awards/citations garnered, if any.  b. List of other key managers to be deployed by the Interested Proponent to the proposed development, and their qualifications including educational attainment, licenses held, years/ extent of similar experience and projects handled, and awards/citations garnered, if any. |  |  |
|  | Audited Financial Statements for the past three consecutive calendar years **(i.e., years 2016, 2017 and 2018)**, stamped “Received” by the BIR or its duly accredited authorized institutions or its equivalent in another jurisdiction.  **Note: In case of Consortium, each Consortium member shall submit these documents.** |  |  |
|  | Notarized **Statement** **in the form of Annex “O”** showing the Net Worth of the Interested Proponent. |  |  |
|  | **T**ax returns **for the immediate past three (3) consecutive calendar years (i.e., years 2016, 2017 and 2018),** which must be stamped “Received” by the BIR or its equivalent under the BIR EFPS or its equivalent in another jurisdiction  **Note: In case of Consortium, each Consortium member shall submit these documents.** |  |  |
|  | Certified List **in the form of Annex “Q”** of the Interested Proponent’s:  - Bankers, and  - Total credit facilities  **The Authorized Representative or the Treasurer of the entity fulfilling the Financial Capability requirements shall certify the list.** |  |  |
|  | A notarized certification **in the form of Annex “H”** from a domestic universal/commercial bank, or an international bank with a subsidiary/branch in the Philippines, or any international bank recognized by the BSP, attesting that the Proponent:  1) is one of its current clients, and  2) is in good financial standing  **3) has the capability to raise/obtain loans of at least Two Hundred Fifty Million Pesos (PhP250,000,000) in relation to the Project or with reference to a prospective major investment or development project** |  |  |
|  | A notarized board resolution duly certified by the Interested Proponent’s Corporate Secretary expressly authorizing:   1. the Interested Proponent’s participation in the PPCP, 2. nominating, appointing and authorizing a representative to negotiate, communicate, represent, sign and execute contracts and other documents in relation to this ED Kit and TOR, and 3. **nominating, appointing and authorizing an alternate representative to negotiate, communicate, represent, and sign documents in relation to this ED Kit and TOR, with the exemption of signing and executing the JV Contract** 4. the TIEZA or the JVSC to verify all documents submitted;   **Note: In case of Consortium, each Consortium member shall submit the respective notarized Board Resolution.** |  |  |
|  | A letter **in the form of Annex “P”** signed by the authorized signatory of the Interested Proponent authorizing the TIEZA, the JVSC or its duly authorized representative(s) to verify all the documents submitted. |  |  |
|  | Notarized Certificate of No-Arrears in the form of Annex “F”  **Note: This letter should be accompanied by notarized Corporate Secretary’s Certificate issued by the corporation authorizing, through a duly executed Board Resolution, the said Authorized Representative to execute such document. This requirement may be complied with in the same Corporate Secretary’s Certificate required under the Undertakings of Consortium (Annex B) if there are sufficient provisions stated in the Board Resolution to effect the same.**  **In case of a consortium, each consortium members must submit a notarized Corporate Secretary’s Certificate authorizing, through a duly executed Board Resolution, he said Authorized Representative to execute such document. This requirement may be complied with in the same Corporate Secretary’s Certificate required under the Undertakings of Consortium (Annex B) if there are sufficient provisions stated in the Board Resolution to effect the same. Furthermore, this requirement may be complied with by duly executed and appropriate Special Power of Attorney issued by the consortium members to the Authorized Representative.** |  |  |
|  | Notarized Certificate of Non-Aggression in the form of Annex “G”.  **Note: This letter should be accompanied by notarized Corporate Secretary’s Certificate issued by the corporation authorizing, through a duly executed Board Resolution, the said Authorized Representative to execute such document. This requirement may be complied with in the same Corporate Secretary’s Certificate required under the Undertakings of Consortium (Annex B) if there are sufficient provisions stated in the Board Resolution to effect the same.**  **In case of a consortium, each consortium members must submit a notarized Corporate Secretary’s Certificate authorizing, through a duly executed Board Resolution, he said Authorized Representative to execute such document. This requirement may be complied with in the same Corporate Secretary’s Certificate required under the Undertakings of Consortium (Annex B) if there are sufficient provisions stated in the Board Resolution to effect the same. Furthermore, this requirement may be complied with by duly executed and appropriate Special Power of Attorney issued by the consortium members to the Authorized Representative.** |  |  |
|  | Notarized Acceptance of Criteria and Waiver of Rights in the form of Annex “D”  **Note: This letter should be accompanied by notarized Corporate Secretary’s Certificate issued by the corporation authorizing, through a duly executed Board Resolution, the said Authorized Representative to execute such document. This requirement may be complied with in the same Corporate Secretary’s Certificate required under the Undertakings of Consortium (Annex B) if there are sufficient provisions stated in the Board Resolution to effect the same.**  **In case of a consortium, each consortium members must submit a notarized Corporate Secretary’s Certificate authorizing, through a duly executed Board Resolution, he said Authorized Representative to execute such document. This requirement may be complied with in the same Corporate Secretary’s Certificate required under the Undertakings of Consortium (Annex B) if there are sufficient provisions stated in the Board Resolution to effect the same. Furthermore, this requirement may be complied with by duly executed and appropriate Special Power of Attorney issued by the consortium members to the Authorized Representative.** |  |  |
|  | Omnibus Sworn Statement in the form of Annex “J”. |  |  |
|  | A commitment, in the form of Annex “E”, to advise the JVSC of any material change to the information contained in the LOI and the EDs submitted |  |  |
|  | A declaration of any legal or other impediments which may affect the Proponent’s ability to participate in the proposed ADP or a certification to be submitted by the Proponent stating the absence of such legal impediments (Annex “I”) |  |  |
|  | A notarized Certificate **from the Corporate Secretary of the Lead Member** that each of the documents submitted in satisfaction of the eligibility requirements is an authentic and original copy, or a true and faithful reproduction or copy of the original, complete, and that all statements and information provided therein are true and correct |  |  |
|  | **Annex “K”: Registration Form** |  |  |
|  | **If the Interested Proponent is a consortium, in addition to the above requirements, the following should also be submitted:** |  |  |
|  | Annex B: Undertakings of a Consortium  **Note: This letter should be accompanied by notarized Corporate Secretary’s Certificate issued by the corporation authorizing, through a duly executed Board Resolution, the said Authorized Representative to execute such document.**  **In case of a consortium, each consortium members must submit a notarized Corporate Secretary’s Certificate authorizing, through a duly executed Board Resolution, he said Authorized Representative to execute such document.** |  |  |
|  | A duly notarized Memorandum of Agreement or Understanding |  |  |
|  | The respective Board Resolutions of the members of the Consortium approving the inclusion of the member in the Consortium |  |  |
|  | A statement containing a brief description of the consortium and identifying the lead member of the consortium |  |  |
|  | A letter in the form Annex “B” undertaking that if awarded the contract, the members shall bind themselves to be jointly and severally responsible for the obligations of the consortium under the contract |  |  |