

## ANNEX B

### PUBLIC-PRIVATE PARTNERSHIP CENTER OF THE PHILIPPINES PROCUREMENT OF INDEPENDENT CONSULTANT FOR THE NAIA PROJECT

#### CHECKLIST OF ELIGIBILITY REQUIREMENTS STAGE 1 – SHORTLISTING OF PROSPECTIVE BIDDERS

**Name of Bidder:** \_\_\_\_\_

The SBAC shall check the submitted documents of each Bidder against this checklist to ascertain if they are all present, using a non-discretionary “pass/fail” criterion pursuant to Section 30 of the 2016 revised IRR of RA No. 9184.

| Tab # | Form No. | Description   | Duly Signed by the Authorized Representative | Duly Notarized | Password-protected                  | P<br>A<br>S<br>S<br>E<br>D | F<br>A<br>I<br>L<br>E<br>D |
|-------|----------|---|--|----------------|-------------------------------------|----------------------------|----------------------------|
| 1     | EF 1     | <p><b>Legal Documents</b></p> <p>Eligibility Documents Submission Form (use PPP Center-prescribed Form)</p> <p><b>Notes:</b></p> <p>a. <i>The Eligibility Documents Submission Form shall be signed by the bidder or its authorized representative/s, otherwise the submission shall be considered “failed”.</i></p> <p>b. <i>If bidding as a Joint Venture (JV), all partners must submit the document.</i></p>  | <input checked="" type="checkbox"/>          |                | <input checked="" type="checkbox"/> |                            |                            |
| 2     |          | <p><b>Applicable to Local Bidder</b></p> <p>Valid PhilGEPS Certificate of Registration under Platinum Membership, including Annex “A” showing the following documents:</p> <p>a. Registration Certificate (SEC, DTI or CDA)</p> <p>b. Valid Mayor’s/Business Permit and</p> <p>c. Current Tax Clearance Certificate (TCC). The TCC refers to the clearance issued by the Accounts Receivable Monitoring Division (ARMD) or appropriate office of the Philippine Bureau of Internal Revenue, which is valid for bidding purposes, attesting that the taxpayer has no outstanding Final Assessment Notice and/or delinquent account.</p> <p><b>Notes:</b></p> <p>a. <i>The PhilGEPS Certificate of Registration and the documents listed under Annex “A” must be valid on the date of opening of eligibility documents, otherwise the submission shall be considered “failed”. For expired eligibility documents in Annex A, bidders are not allowed to submit an updated/renewed TCC, business/ mayor’s permit and registration certificate. Bidders should update the eligibility documents under Annex A of the PHILGEPS Certificate of Registration through the PHILGEPS website; and</i></p> |  |                | <input checked="" type="checkbox"/> |                            |                            |

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|  | <p>b. <i>If bidding as a JV, all partners must submit the document.</i></p>  |  |  |  |  |
|  | <p><b>Applicable to Foreign Bidder</b><br/> Valid PhilGEPS Certificate of Registration under Platinum Membership, including Annex "A" showing the following documents:</p> <ul style="list-style-type: none"> <li>a. Registration Certificate</li> <li>b. Valid Mayor's/Business Permit or equivalent document issued in the Bidder's country of incorporation; and</li> <li>c. Current TCC issued by the Philippine Bureau of Internal Revenue. The TCC refers to the clearance issued by the Accounts Receivable Monitoring Division (ARMD) or appropriate office of the Philippine Bureau of Internal Revenue, which is valid for bidding purposes, attesting that the taxpayer has no outstanding Final Assessment Notice and/or delinquent account.</li> </ul> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>a. <i>Foreign Consultant refers to an individual, sole proprietorship, partnership, corporation or joint venture other than those provided under Section 24.3.1 of the IRR of R.A. 9184, as per Appendix 9 – Guidelines in the Determination of Eligibility of Foreign Suppliers, Contractors, and Consultants to Participate in Government Procurement Projects, of the 2016 Revised Implementing Rules and Regulations of Rep. Act No. 9184;</i></li> <li>b. <i>The PhilGEPS Certificate of Registration and the documents listed under Annex "A" must be valid on the date of opening of eligibility documents, otherwise the submission shall be considered "failed". For expired eligibility documents in Annex A, bidders are not allowed to submit an updated/renewed TCC, business/ mayor's permit and registration certificate.</i></li> <li>c. <i>Prospective bidders who are not yet registered with PHILGEPS are advised to seek PHILGEPS guidance on the acceptable equivalent documents for Class A eligibility documents to be submitted to PHILGEPS for purposes of issuance of PHILGEPS Certificate of Registration under Platinum Membership.</i></li> <li>d. <i>The above documents or its equivalent document/s may be substituted by the appropriate equivalent documents in English, if any, issued by the country of the bidder concerned. Otherwise, it must be accompanied by a translation of the documents in English issued by the relevant foreign government agency, the foreign government agency authorized to translate documents, or a registered translator in the foreign bidder's country; and shall be apostilled<sup>3</sup> in apostille countries or authenticated by the appropriate Philippine foreign service establishment/post or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines; and</i></li> <li>e. <i>If bidding as a JV, all partners must submit the document.</i></li> </ul> |  |  |  |  |

|   |       | Technical Documents   |                                     |  |                                     |  |
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| 3 | EF 2  | Statement of all on-going and completed government and private contracts, including contracts awarded but not yet started as well as, contracts where works have been completed but not yet accepted for the past 5 years and 10 years, respectively.   | <input checked="" type="checkbox"/> |  | <input checked="" type="checkbox"/> |  |
| 4 | EF 2A | <p>Statement of all ongoing government and private contracts for the past five (5) years up to the date of opening of eligibility documents, including all contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid (Use PPP Center-prescribed form). The statement shall include, for each contract, the following:</p> <ol style="list-style-type: none"> <li>Name of the client, contact person, address, contact nos., and description of project;</li> <li>Contract reference (e.g., Notice of Award/ Purchase Order/ Job Order/ Contract Agreement) and date;</li> <li>Amount of contract and percentage of accomplishment; and</li> <li>Value of outstanding contracts.</li> </ol> <p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>For bidders who have no ongoing government and/or private contracts, kindly indicate in their statement "NONE" to comply with the requirement. Bidders will be rated "failed" if no document is submitted or if the document submitted is incomplete or patently insufficient (per GPPB NPM 094-2013 dated 2013-12-19).</li> <li>The number of ongoing contracts shall be used as basis for the rating of <b>Workload Capacity</b> [see Clause 9.2 of the Eligibility Data Sheet (EDS)]; and</li> <li>If bidding as a JV, the Statement shall be submitted by any of the JV partners.</li> <li>Bidders shall disclose all information of the contract in their Statement using the prescribed form. All contracts even those that include non-disclosure agreements (NDA) or confidentiality clauses are required to be disclosed (per GPPB NPM no. 014-2014). Otherwise, pursuant to GPPB Resolution No. 20-2012 (<a href="https://www.gppb.gov.ph/wp-content/uploads/2023/05/GPPBResolution-No.-29-2012.pdf">https://www.gppb.gov.ph/wp-content/uploads/2023/05/GPPBResolution-No.-29-2012.pdf</a>), failure to include an immaterial ongoing contract or failure to disclose complete information in the statement of contracts shall result in the disqualification of the bidder for non-compliance with the eligibility requirement under Sections 23.1 or 24.1 of the revised IRR and blacklisting under Section 65.3 (a) or (b) of the revised IRR.</li> <li>Alternatively, for ongoing contracts subject to non-disclosure agreement (NDA), bidders must submit an affidavit stating that ongoing contract/s is/are covered by a Non-Disclosure Agreement (NDA), hence the non-inclusion on the list.</li> </ol> | <input checked="" type="checkbox"/> |  | <input checked="" type="checkbox"/> |  |
| 5 | EF 2B | Statement of all completed government and private contracts for the past 10 years up to the date of opening of eligibility documents, whether similar or not similar in nature and complexity to the contract to be bid (Use PPP Center-prescribed form). The statement shall include, for each contract, the following:  | <input checked="" type="checkbox"/> |  | <input checked="" type="checkbox"/> |  |

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|  |  | <p>a. Name of the client, contact person, address, contact nos., and description of project;</p> <p>b. Contract reference (e.g., Notice of Award/ Purchase Order/ Job Order/ Contract Agreement) and date;</p> <p>c. Amount of contract and percentage of participation;</p> <p>d. Contract Duration; and</p> <p>e. Date of Completion.</p> <p>For the purpose of rating the criteria for <b><u>Relevant Experience of the Consultant</u></b>, bidders should identify and highlight similar completed contracts for the past 10 years up to the date of opening of eligibility documents. Please refer to Clause 9.1 of EDS on the definition of similar contract).<br/>Each identified similar completed contract/s shall be supported by the following documents:</p> <p>1. Copies of contracts with the following details:</p> <p>(i) Name of the organization(s) or client(s);</p> <p>(ii) Contract amount and duration;</p> <p>(iii) Scope of service provided by the bidder; and</p> <p>(iv) Client's contact name(s), address(es), phone number(s)/e-mail address(es).</p> <p>2. Contract/Agreement can be any or all of the following:</p> <p>(i) Contract/Job Order/Purchase Order/Notice of Award/Notice to Proceed/ Sales Invoice/Official Receipt or any other duly executed document proving/showing the name/nature of project or project description and contract cost; and</p> <p>(ii) Proof of Completion and/or Acceptance for the aforesaid similar completed contract/s, such as, but not limited to, any of the following:</p> <ul style="list-style-type: none"> <li>• Certificate of Completion and/or Acceptance, or</li> <li>• Certificate of Satisfactory Performance</li> </ul> <p><b>Notes:</b></p> <p>a. As part of post-qualification, the SBAC will validate the submitted documents of the bidder. As such, the bidder shall ensure that the submitted similar completed contract/s can be verified by the SBAC's duly authorized representatives by providing updated contact details of its client/s;</p> <p>b. If bidding as a JV, the Summary shall be submitted by any of the JV partners.</p> <p>c. For any project, the bidder may append a more detailed description of the project, to aid the Procuring Entity in determining whether the project fulfills the requirements stated in the Eligibility Data Sheet, Section 9.2, items 1 and 2. Such appendix should not exceed two pages per project.</p> |  |  |  |  |
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| 6 | EF 3  | <p>Statement of the Consultant specifying its nationality and confirming that those who will actually perform the services are registered professionals authorized by the appropriate regulatory body to practice those professions and allied professions.</p> <p><b>Notes:</b></p> <p>a. <i>The Curriculum Vitae (CV) for each of the nominated key staff as identified below (use PPP Center-prescribed CV template) shall be attached to this Statement. The CV shall be used for the purpose of rating the criteria for <b>Qualifications of Key Personnel</b> in terms of educational qualifications, length of professional experience and required experience on eligible assignments. Please refer to the TOR on the qualification requirements for personnel.</i></p> <p>b. <i>The CV should highlight the qualification requirements in the Terms of Reference and the Detailed Evaluation Criteria for Shortlisting;</i></p> <p>c. <i>The CV should be signed by the nominated key personnel;</i></p> <p>d. <i>The CV must be supported with:</i></p> <p style="padding-left: 40px;"><i>i. Current and valid Professional Identification Card or License issued by the Professional Regulation Commission (PRC or applicable licensing body); or</i></p> <p style="padding-left: 40px;"><i>ii. If expired, submit a copy of the recently expired PRC ID/License; or proof of application of renewal; or proof of payment for the application of renewal.</i></p> <p>e. <i>During post-qualification stage, the bidder with the Highest Rated Bid will be required to submit photocopy of the following:</i></p> <p style="padding-left: 40px;"><i>i. Current and valid Professional Identification Card or License issued by the Professional Regulation Commission (PRC or applicable licensing body); or</i></p> <p style="padding-left: 40px;"><i>ii. If expired, submit a copy of the recently expired PRC ID/License; or proof of application of renewal; or proof of payment for the application of renewal</i></p> <p>f. <i>If bidding as a JV, the Summary shall be submitted by any of the JV partners.</i></p> |  |  | ☑ |  |  |
| 7 |       | <b>Curriculum Vitae For Proposed Professional Staff</b>  |  |  |   |  |  |
|   | EF 3A | IC Leader  |  |  | ☑ |  |  |
|   | EF 3B | Leader, MIOW Duties  |  |  | ☑ |  |  |
|   | EF 3C | Leader, CAAP Works (CW) Duties   |  |  | ☑ |  |  |
|   | EF 3D | Leader, O&M Duties/Airport Operations Specialist   |  |  | ☑ |  |  |
|   | EF 3E | Multidisciplinary Engineering Peer Reviewer  |  |  | ☑ |  |  |
|   | EF 3F | Baggage Engineering Peer Reviewer  |  |  | ☑ |  |  |

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|    | EF 3G | IT/Systems Engineering Peer Reviewer   |  |  | <input checked="" type="checkbox"/> |  |  |
|    | EF 3H | Airport Planning Specialist  |  |  | <input checked="" type="checkbox"/> |  |  |
|    | EF 3I | Traffic Forecasting Specialist   |  |  | <input checked="" type="checkbox"/> |  |  |
|    | EF 3J | CNS/ATM Specialist   |  |  | <input checked="" type="checkbox"/> |  |  |
|    | EF 3K | Air Traffic Management Specialist  |  |  | <input checked="" type="checkbox"/> |  |  |
|    | EF 3L | Airport Security Specialist  |  |  | <input checked="" type="checkbox"/> |  |  |
|    | EF 3M | CapEx Specialist/Quantity Surveyor/Cost Engineer   |  |  | <input checked="" type="checkbox"/> |  |  |
|    | EF 3N | Airport Operations Specialist  |  |  | <input checked="" type="checkbox"/> |  |  |
|    | EF 3O | Opex and Revenue Specialist  |  |  | <input checked="" type="checkbox"/> |  |  |
|    | EF 3P | Civil Engineer   |  |  | <input checked="" type="checkbox"/> |  |  |
|    | EF 3Q | Electrical Engineer  |  |  | <input checked="" type="checkbox"/> |  |  |
|    | EF 3R | Mechanical Engineer  |  |  | <input checked="" type="checkbox"/> |  |  |
|    | EF 3S | Systems Engineer   |  |  | <input checked="" type="checkbox"/> |  |  |
|    | EF 3T | QA/QC Engineer   |  |  | <input checked="" type="checkbox"/> |  |  |
|    | EF 3U | H&S Engineer   |  |  | <input checked="" type="checkbox"/> |  |  |
|    | EF 3V | Environmental Compliance Engineer  |  |  | <input checked="" type="checkbox"/> |  |  |
|    |       | <b>Financial Documents</b>   |  |  | <input checked="" type="checkbox"/> |  |  |
| 9  |       | <p>Latest Audited Financial Statement (AFS) which should not be earlier than two (2) years from the date of bid submission, stamped "received" by the BIR or its duly accredited and authorized institution, or electronically received by the BIR AFS e- submission as shown by the proof of confirmation receipt from the BIR.</p> <p><b>Notes:</b></p> <p>a. The submitted AFS must be the latest AFS submitted to the BIR;</p> <p>b. AFS under submitted Annex A of PhilGEPS Certificate is acceptable provided that it is the latest AFS submitted to the BIR;</p> <p>c. Submission of a consolidated AFS is allowed, provided, that the data for the participating Bidder can be extracted to establish the financial capacity of the Bidder;</p> <p>d. Foreign bidders may submit electronic or email from the appropriate Tax Authority in foreign bidder's country of jurisdiction with express statement that the foreign bidder's AFS was received. Accordingly, the foreign bidder may submit the copy of the AFS and the copy of email confirmation/receipt from the appropriate tax authority from abroad; and</p> <p>e. If bidding as a JV, the AFS shall be submitted by any of the JV partners.</p> |  |  | <input checked="" type="checkbox"/> |  |  |
|    |       | <b>Class B Documents</b>   |  |  | <input checked="" type="checkbox"/> |  |  |
| 10 |       | <p>1. If bidding as a Formed JV, valid Joint Venture Agreement (JVA) showing, among others, the following:</p> <p>(i) Responsibility of each of the JV partners or its contributions to the JV;</p> <p>(ii) If one of the JV partners is a foreign entity, Filipino ownership or interest of the JV concerned;</p> <p>(iii) All partners to the JV shall be jointly and severally liable to the Procuring Entity; and</p> <p>(iv) JV partner who will receive the payment in case the contract is awarded to the JV.</p> <p><b>Notes:</b></p> <p>a. Bidders that submit JVA that lacks any of the enumerated provisions except for</p>   |  |  | <input checked="" type="checkbox"/> |  |  |

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|  |  | <p><i>responsibility/contribution of the JV partners, shall not be declared as ineligible or post-disqualified but shall be required to submit a valid JVA containing the lacking provisions within ten (10) calendar days from receipt of the NOA.</i></p> <p><i>b. The bidder is allowed to submit photocopy of the notarized JVA, subject to submission of the SIGNED, ORIGINAL AND NOTARIZED JVA within ten (10) calendar days from receipt of the NOA.</i></p> <p><i>c. Foreign partners are required to obtain a license to transact business in the country or Securities Exchange Commission (SEC) Certificate of Registration.</i></p> <p>2. If bidding as a JV TO BE FORMED, in the absence of a JVA, a NOTARIZED statement(s) from each/all the potential JV partners stating, among others, the following:</p> <p>(i) They will enter into and abide by the provisions of the JVA in the instance that their bid is successful; and</p> <p>(ii) Failure to enter into JVA in the event of a contract award shall be a ground for bid disqualification and subsequent forfeiture of the bid security.</p> <p><b>Notes:</b></p> <p><i>a. Bidders that submit Notarized Statements must submit a valid JVA that contains the following statements within ten (10) calendar days from receipt of the NOA.<br/>FAILURE TO SUBMIT A VALID JVA SHALL BE A GROUND FOR BID DISQUALIFICATION AND FORFEITURE OF THE BID SECURITY:</i></p> <p>(i) <i>Responsibility of each of the JV partners or its contributions to the JV;</i></p> <p>(ii) <i>IF ONE OF THE JV PARTNERS IS A FOREIGN ENTITY, Filipino ownership or interest of the JV concerned;</i></p> <p>(iii) <i>All partners to the joint venture shall be jointly and severally liable to the Procuring Entity; and</i></p> <p>(iv) <i>JV partner who will receive the payment in case the contract is awarded to the JV.</i></p> <p><i>b. The bidder is allowed to submit photocopy of the notarized JVA or statement/s from each/all the potential JV partners, subject to submission of the SIGNED, ORIGINAL AND NOTARIZED JVA within ten (10)</i></p> |  |  |  |  |
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|  |  | <p><i>calendar days from receipt of the NOA.</i></p> <p><i>c. The submission of technical and financial documents by any of the JV partners constitutes compliance.</i></p> <p>With regard to the form of the joint venture agreement ("JVA"), the GPPB explained that "neither a standard form is prescribed, nor specific terms and conditions should be spelled out in the JVA for it to be valid, only the requisites of a valid contract are required to exist. Thus, while there is no specific guideline in the execution of a JVA, the parties should consider appropriate stipulations and agreements to completely accomplish the endeavor, service or work subject matter of the JVA.</p> <p>The following are the minimum requirements of a valid JVA for purposes of complying with the requirements of Republic Act No. 9184 and its Implementing Rules and Regulations:</p> <ol style="list-style-type: none"> <li>1. Consent of the contracting parties and the authority of the signatories to the JVA (as evidenced by the execution of a Special Power of Attorney, Letter of Authority, or Secretary's Certificate which is attached to the Omnibus Sworn Statement);</li> <li>2. Object certain which is the subject matter of the contract (i.e., to enter into a joint venture to undertake the project);</li> <li>3. Cause of the obligation (i.e., to earn and divide profits);</li> <li>4. A statement of the capital contribution of each joint venture partner; and</li> <li>5. The respective rights and obligations of the parties to the joint venture must be defined and embodied in the JVA submitted.</li> </ol> <p>In the absence of a JVA, prospective joint ventures seeking to bid in the procurement of consulting services shall submit duly notarized statements from all the potential joint venture partners, attesting that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful. In this case, a copy of the valid JVA shall be submitted to the procuring entity within ten (10) calendar days from receipt by the bidder of the Notice of Award.</p> |  |  |  |  |
|  |  | <p>Proof of Appointment of Bidder's Authorized Representative/s</p> <ol style="list-style-type: none"> <li>a. Notarized Certificate issued by the Corporate Secretary (for Corporation/ Cooperative/ Joint Venture) or issued by the Managing Partner or President (for Partnership), attesting the appointment of the bidder's representative/s (Refer to Sample Form); OR</li> </ol>   |  |  |  |  |



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|  |  | <p>b. Notarized Special Power of Attorney, for Sole Proprietorship (Refer to Sample Form).</p> <p><b>Notes:</b></p> <p>a. <i>If bidding as a JV, which is already formed, JV can submit one notarized Certificate appointing bidder's representative/s;</i></p> <p>b. <i>If JV is not yet formed, all partners must submit the notarized Certificate;</i></p> <p>c. <i>The bidder is allowed to submit photocopy of the notarized Proof of Appointment, subject to submission of the SIGNED, ORIGINAL AND NOTARIZED Proof of Appointment within ten (10) calendar days from receipt of the Notice of Award (NOA), if the bidder's representative will be the one to sign the same on behalf of the winning bidder;</i></p> <p>d. <i>A Proof of Appointment that lacks the specimen signature or initials of the authorized representative/s shall be acceptable. However, the bidder shall submit the SIGNED, ORIGINAL AND NOTARIZED Proof of Appointment which contains the signature and/or initials of the authorized representative/s within ten (10) calendar days from receipt of the NOA; and</i></p> <p>e. <i>Bidder must ensure that they clearly indicate whether they are designating as authorized representatives "(ANY or ALL)" of the indicated representatives".</i></p> |  |  |  |  |
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**Note:** PPP Center shall not assume any responsibility regarding erroneous interpretations or conclusions by the Bidder out of the data furnished by PPP Center in relation to this bidding. The Bidder shall take the responsibility to ensure the completeness of its submission after taking the steps to carefully examine all the Bidding Documents and its amendments.

