

COMPETITIVE CHALLENGE FOR THE
JOINT VENTURE DEVELOPMENT OF THE
BONIFACIO EAST PROPERTY
TAGUIG CITY

- Annexes of Volume I

EPF-1: NOTARIZED APPLICATION TO BE DECLARED ELIGIBLE AND BID

(To be submitted by the PSP)

[Letterhead]

Republic of the Philippines)
) s.s.

Notarized Application to be Declared Eligible

I, *(name)*, *(citizenship)*, of legal age, with office address at *(address)*, as the authorized representative of *(name of the PSP)*, a *(corporation/partnership or Consortium)* *(organized and existing under and by virtue of the laws of [place of incorporation/ registration] or organized by agreement among its Consortium Members)*, as indicated by the authorization certificate attached as [Annex EPF-2A (for a partnership or corporation) or Annex EPF-2B (for a Consortium)], after having been duly sworn according to law, hereby certify for and on behalf of *(name of the PSP)* that:

1. Capitalized terms used herein and not otherwise defined shall have the meanings assigned such terms in the Instructions to Private Sector Participants (**IPSP**).
2. In accordance with the IPSP and Volume 1 — Eligibility Documents for the Bonifacio East Project (**Project**), the *(name of PSP)*, a *(partnership/corporation/Consortium)* with business address at *(business address)* hereby applies to participate in the Bidding for the Project and submits its Eligibility Documents. The *(name of PSP)* also hereby accepts all the terms and conditions of the Tender Documents.
3. *(name of PSP)* confirms that all statements made and the information and documents provided in its Eligibility Documents, including statements made and information and documents provided by all Consortium Members, their Affiliates, and entities proposed to meet the Eligibility Requirements, in any of the Eligibility Documents are true and correct, and any misrepresentation or false statement made therein shall be a ground for its disqualification from the Bidding.
4. *(name of PSP)* submits the following foreign documents and affirms that, although such foreign documents have not yet been notarized and/or authenticated, such documents have been validly executed and their contents are true and correct, and should *(name of PSP)* be considered a Provisionally-Eligible PSP, *(name of PSP)* hereby undertakes to submit the exact same foreign documents, duly notarized and/or authenticated, no later than the prescribed period under Sections 2.9d and 2.9e of the IPSP and failure to do so shall be a ground for its disqualification from the Bidding Process:

Name of Foreign Document	Parties/Issuing Body	Date of Execution	Eligibility Document No.

5. *(name of PSP)* authorizes the BCDA to conduct any inquiries or investigations to verify the statements, documents, and information submitted in its Eligibility Documents, and to seek clarification from its clients and bankers regarding any technical and financial

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aspects. (*name of PSP*) also permits third parties to supply information required to verify statements and information submitted in its Eligibility Documents.

6. (*name of PSP*) acknowledges the right of the BCDA to reject its Eligibility Documents without assigning any reason and to cancel the Bidding at any time, without incurring any liability.
7. (*name of PSP*), including the entities it has proposed to meet the Eligibility Requirements under the IPSP, have not at any time engaged in any Corrupt Practice, Fraud, Collusion, Coercion, Undesirable Practice and Restrictive Practice, nor have a Conflict of Interest.
8. (*name of Bidder*) acknowledges that the NHA and BCDA is undertaking the Bidding in the performance of its function to ensure the provision of a critical basic necessity and that, therefore, the Project is of paramount public interest and importance and that the NHA, BCDA and the Government will suffer serious and irreparable damage on account of any breach by (*name of PSP*) of these undertakings, and agree that the breach of these undertakings shall result in (*name of PSP*)'s automatic disqualification from the Bidding, without prejudice to any other remedies, actions and claims under applicable laws.

For and on behalf of (*Name of PSP/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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**EPF-2A: NOTARIZED AUTHORITY TO APPLY TO BE DECLARED ELIGIBLE AND
DESIGNATION OF AUTHORIZED REPRESENTATIVE**

(To be submitted by a PSP which is a partnership or corporation)

[Letterhead]

Republic of the Philippines)
) s.s.

I, *(name of corporate secretary or equivalent officer)*, after having been duly sworn according to law, hereby depose and state that:

1. I am a *(Filipino/_____)* citizen, of legal age and a resident of ;
2. Capitalized terms used herein and not otherwise defined shall have the meanings assigned such terms in the Instructions to Private Sector Participants (**IPSP**).
3. I am the duly elected *(corporate secretary or equivalent officer)* of *(name of PSP)* (the **PSP**), a *(corporation/partnership)* organized and existing under and by virtue of the laws of *(the Philippines)*;
4. At a *(regular/special)* meeting of the *(board of directors/partners)* of the PSP, held on *(date)* at *(place)*, in which meeting a quorum was present and acting throughout, the following resolutions were unanimously passed and approved:

RESOLVED, AS IT IS HEREBY RESOLVED, that *(name of PSP)* (the **PSP**) be, and is, authorized to submit an application to be declared eligible for the Bonifacio East Project (**Project**) and to submit the Eligibility Documents for the Project;

RESOLVED FURTHER, that *(name of representative)* be and is hereby appointed as the authorized representative of the PSP during the bidding process, authorized to execute, sign, submit and receive documents for, and otherwise act in the name of, the PSP;

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

4. These resolutions have not been revoked, amended or modified and remain valid and binding on the PSP; and
5. The above resolutions are in accordance with the records of the PSP.

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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EPF-2B: NOTARIZED AUTHORITY TO PARTICIPATE IN THE CONSORTIUM AND APPLY TO BE DECLARED ELIGIBLE, AND DESIGNATION OF LEAD MEMBER AND AUTHORIZED REPRESENTATIVE

(To be submitted by each Consortium Member in case the PSP is a Consortium)

[Letterhead of Bidder]

Republic of the Philippines)
) s.s.

I, (*corporate secretary or equivalent officer*), after having been duly sworn according to law, hereby depose and state that:

1. I am a (*Filipino*) citizen, of legal age and a resident of [];
2. Capitalized terms used herein and not otherwise defined shall have the meanings assigned such terms in the Instructions to Private Sector Participants (**IPSP**).
3. I am the duly elected (*corporate secretary or equivalent officer*) of (*name of Consortium Member*), a (*corporation/partnership*) organized and existing under and by virtue of the laws of (*the Philippines*);
4. At a regular/special meeting of the (*board of directors/partners*) of (*name of Consortium Member*), held on (*date*) at (*place*), in which meeting a quorum was present and acting throughout, the following resolutions were unanimously passed and approved:

RESOLVED, AS IT IS HEREBY RESOLVED, that (*name of Consortium Member*) be, and is, authorized to participate, through a Consortium consisting of the following Members and their respective nationalities and committed percentage interests in the Consortium, in the Bidding for Bonifacio East Project (**Project**) and to submit the Eligibility Documents for the Project;

Name of Consortium Member	Nationality	% Interest

RESOLVED FURTHER, that (*name of 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 Bidding for the Project;
- (b) designates (*name of authorized representative of Consortium*) as the authorized representative of the Consortium during the Bidding 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;

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

RESOLVED FINALLY, that the (*name of Consortium Member*) shall maintain its percentage interest in the Consortium in accordance with its bid, the IPSP, Volume I —Eligibility Documents, its Annexes, and the JV Agreement, and thereafter shall comply with the requirements and restrictions on changes in ownership as stated in the JV Agreement.

4. These resolutions have not been revoked, amended or modified and remain valid and binding on (*name of Consortium Member*); and
5. The above resolutions are in accordance with the records of (*name of Consortium Member*).

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*).

Notary Public

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EPF-3A: BUSINESS STRUCTURE

(To be submitted by a PSP which is a partnership or corporation)

Capitalized terms used herein and not otherwise defined shall have the meanings assigned such terms in the Instructions to Private Sector Participants (**IPSP**).

1. Name of PSP:
2. Contact Information of PSP

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

3. Information of the EPC Contractor

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

4. Entity/ies which fulfills the Construction Experience Requirement

a. Same as EPC Contractor?	___ Yes ___ No If the answer is yes, leave the subsequent rows in this table blank.
b. Name of Entity	
c. Relationship to PSP	
d. Address	
e. Website	
f. Contact Person	
i. Telephone	
ii. Fax	
iii. E-mail	

5. Affiliates, if any, of the Entity which fulfills the Construction Experience Requirement, whose completed projects are being submitted as evidence of that entity's construction experience.

a. Name	
b. Address	

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c. Contact Person	
d. Telephone	
e. Email	

6. Entity which fulfills the Financial Capability Requirement

a. Name of Entity	
b. Relationship to Prospective Private Sector Participant	
c. Address	
d. Website	
e. Contact Person	
i. Telephone	
ii. Fax	
iii. E-mail	

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

a. Name	
b. Address	
c. Contact Person	
d. Telephone Number	
e. Email	

For and on behalf of
(Name of PSP)

Signature of Authorized Representative
Name, Title, Date

✓

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EPF-3B: BUSINESS STRUCTURE
For a PSP which is a Consortium

(To be submitted by a PSP which is a Consortium)

Capitalized terms used herein and not otherwise defined shall have the meanings assigned such terms in the Instructions to Private Sector Participants (IPSP).

1. Name of Consortium:

2. Consortium Members:

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

3. Contact Information of Consortium Members:

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

a. Member	
b. Address	
c. Website	
d. Contact Person	
i. Telephone	
ii. Fax	
iii. E-mail	

a. Member	
b. Address	
c. Website	
d. Contact Person	
i. Telephone	
ii. Fax	
iii. E-mail	

a. Member	
b. Address	
c. Website	
d. Contact Person	
iv. Telephone	
v. Fax	
vi. E-mail	

4. Information of the EPC Contractor

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

5. Entity/ies which fulfills the Construction Experience Requirement

a. Same as EPC Contractor?	<input type="checkbox"/> Yes <input type="checkbox"/> No If the answer is yes, leave the subsequent rows in this table blank.
b. Name of Entity	
c. Relationship to PSP	
d. Address	
e. Website	
f. Contact Person	
i. Telephone	
ii. Fax	
iii. E-mail	

6. Affiliates, if any, of the Entity which fulfills the Construction Experience Requirement, whose completed projects are being submitted as evidence of that entity's construction experience.

a. Name	
b. Address	
c. Contact Person	
d. Telephone	
e. Email	

7. Entity which fulfills the Financial Capability Requirement

a. Name of Entity	
b. Relationship to PSP	
c. Address	
d. Website	

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e. Contact Person	
iv. Telephone	
v. Fax	
vi. E-mail	

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

a. Name	
b. Address	
c. Contact Person	
d. Telephone Number	
e. Email	

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

Signature of Authorized Representative
(Name, Title and Date)

5

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EPF-3C: CONSORTIUM AGREEMENT

(To be submitted by a PSP which is a Consortium, to be executed by all Consortium Members)

Consortium Agreement

This Consortium Agreement is made and entered into this ___ day of _____ 2018 at _____, by and between:

[Name of Lead Member], a corporation/partnership duly incorporated under the laws of the [] and having its registered office at [address] represented by [insert name];

[Name of Consortium Member], a corporation/partnership duly incorporated under the laws of the [] and having its registered office at [address] represented by [insert name]; and

[Name of Consortium Member], a corporation/partnership duly incorporated under the laws of the [] and having its registered office at [address] represented by [insert name] (collectively, the "**Consortium Members**").

RECITALS:

- A. The Consortium Members are interested to participate, as a Consortium, in the eligibility for the Bonifacio East Project (**Project**).
- B. It is a condition under the IPSP, Volume I —Eligibility Documents and Annexes, that the Consortium Members hereto enter in to this Consortium Agreement.

THEREFORE, IT IS AGREED BETWEEN THE PARTIES AS FOLLOWS:

- 1. Capitalized terms used herein and not otherwise defined shall have the meanings assigned such terms in the IPSP.
- 2. The Consortium is being formed to apply for eligibility for the Project and, if declared as the Winning PSP, to undertake the same.
- 3. The following are the Consortium Members, with their respective roles and participation:

Name of Entity	Capital Contribution	Percentage of Capital Contribution as to the Whole

- 4. The Consortium Members designate (*name of Lead Member*) as Lead Member of the Consortium with the authority to represent Consortium during the Bidding for the Project and for such purpose shall have the authority, in the name of the Consortium, to execute, sign, submit and receive any and all documents related to the Bidding, including the JV Agreement with BCDA.

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5. The Consortium Members jointly and severally bind themselves for all of the obligations of the Consortium under the JV Agreement and/or the EPC Agreement (as may be applicable).

For and on behalf of (Name of Lead Member)

By:

(Name, Designation and Signature of Authorized Representative)

For and on behalf of (Name of Consortium Member)

By:

(Name, Designation and Signature of Authorized Representative)

For and on behalf of (Name of Consortium Member)

By:

(Name, Designation and Signature of Authorized Representative)

ACKNOWLEDGEMENT

Republic of the Philippines)
_____) S.S.

Before me this ____ day of _____ 2018, at _____, personally appeared the following:

Name	Identification Document Presented	Date and Place of Issue

having been presented to me their above-stated identification documents and known to me to be the same persons who executed the foregoing Consortium Agreement consisting of ____ pages, including this page on which this Acknowledgement is written, signed on the signature page thereof by the Parties and on each page by their instrumental witnesses, and acknowledged to me that the same is their free and voluntary act and deed, and that of the corporation or entity they respectively represent.

WITNESS MY HAND AND SEAL this __day of _____ 2018 in _____, Philippines.

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(Handwritten signatures and initials)

EPF-4: BASIC INFORMATION SHEET

(To be submitted by all entities listed in all sections of the Business Structure.)

Required attachment:

- (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 legal personality or capacity.

The certification may come from either the SEC or its equivalent in a foreign country, the entity's corporate secretary, or any officer of the entity duly authorized to make such certification. If it comes from the entity's corporate secretary or duly authorized officer, the certification must be under oath and notarized. If the certification is issued or notarized outside the Philippines, it must be authenticated before a Philippine consular official at the Philippine consulate nearest the place of issue.

If in a particular foreign jurisdiction there is no document equivalent to the GIS, an officer of the entity registered in such foreign jurisdiction may instead submit a notarized certification stating that there is no document equivalent to the GIS in the foreign country where it is registered. The notarized certification should also provide the information required under the GIS.

- (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 legal personality or capacity. The SEC Certificate of Incorporation or the equivalent document for a foreign entity must be certified by the SEC, its equivalent in a foreign country, or the entity's corporate secretary, or any officer of the entity duly authorized to make such certification. If it comes from the entity's corporate secretary or duly authorized officer, the certification must be under oath and notarized. If the certification is issued or notarized outside the Philippines, it must be authenticated before a Philippine consular official at the Philippine consulate nearest the place of issue. If in a particular foreign jurisdiction the Certificate of Incorporation is issued by the registrar of the corporation, then the JVSC will accept a certified true copy of the Certificate of Incorporation issued by the registrar of the corporation.
- (3) Certified true copy of the 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 legal personality or capacity. The Articles of Incorporation or the equivalent document for a foreign entity may be certified either by the SEC, its equivalent in a foreign country, or the entity's corporate secretary, or any officer of the entity duly-authorized to make such certification. If it comes from the entity's corporate secretary or duly authorized officer, the certification must be under oath and notarized. If the certification is issued or notarized outside the Philippines, it must be authenticated before a Philippine consular official at the Philippine consulate nearest the place of issue.

- (4) Certified true copy of the 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 legal personality or capacity. The By-Laws or the equivalent document for a foreign entity may be certified either by the SEC, its equivalent in a foreign country, or the entity's corporate secretary, or any officer of the entity duly authorized to make such certification. If it comes from the entity's corporate secretary or duly authorized officer, the certification must be under oath and notarized. If the certification is issued or notarized outside the Philippines, it must be authenticated before a Philippine consular official at the Philippine consulate nearest the place of issue.

If an officer other than the Corporate Secretary certifies the General Information Sheet, Certificate of Incorporation, Articles of Incorporation or By-Laws, a notarized certification authorizing such officer to certify the aforementioned documents must be submitted.

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. EPC Contractor or not? (please check one)	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. Affiliate of an entity listed in the Business Structure	<input type="checkbox"/> Yes, Affiliate of _____ <input type="checkbox"/> No
6. Place of Incorporation or Registration	
7. Year of Incorporation or Registration	
8. Principal Purposes or Businesses	

9. Shareholder or Partner Information

Name of Shareholder or Partner	Nationality	Percentage of shareholding interest

(Insert rows as necessary)

10. Information on Beneficial Owners Who Own More than 5% Beneficial Interest

Name of Beneficial Owner	Nationality	Percentage total of Beneficial ownership

(Insert rows as necessary)

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For and on behalf of (Name of Entity)

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

(Signature of Authorized Representative)
(Name, Title, and Date)

(Signature of Authorized Representative)
(Name, Title, and Date)

**EPF-5: NOTARIZED CERTIFICATION OF ABSENCE OF UNSATISFACTORY
PERFORMANCE RECORD**

(To be submitted by the authorized representative of the PSP and the entities listed in all sections of the Business Structure.)

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 on any of its projects and contracts. "Unsatisfactory Performance" means any of the following:

- a. Within the last five (5) years:
 - (i) failure to satisfactorily perform any of its material obligations on any contract, as evidenced by the imposition of a judicial pronouncement or arbitration award;
 - (ii) expulsion from any project or contract;
 - (iii) termination or suspension of any of its projects or contracts due to breach of its obligations; or
 - (iv) 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;
- b. Inclusion in a blacklist issued by any governmental agency of the Philippines or in the Debarred and Cross-Debarred Firms & Individuals list posted in the World Bank website (www.worldbank.org/debarr), whether as an individual contractor, partnership or corporation or as a member of a joint venture or consortium; or
- c. Involvement in any Corrupt Practice, Fraud, Collusion, Coercion, Undesirable Practice or Restrictive Practice or having Conflicts of Interest, as defined in the IPSP.

[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

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**EPF-6A: ACCEPTANCE OF CRITERIA AND WAIVER OF RIGHTS TO ENJOIN
ACTIVITY**

(To be submitted by a PSP which is a partnership or corporation)

[Letterhead]

Republic of the Philippines)
) s.s.

I, *(name of corporate secretary or equivalent officer)*, after having been duly sworn according to law, hereby depose and state that:

1. I am a *(Filipino)* citizen, of legal age and a resident of [];
2. Capitalized terms used herein and not otherwise defined shall have the meanings assigned such terms in the Instructions to Private Sector Participants (**IPSP**).
3. I am the duly elected *(corporate secretary or equivalent officer)* of *(name of PSP)* (the **PSP**), a *(corporation/partnership)* organized and existing under and by virtue of the laws of *(the Philippines)*;
4. At a *(regular/special)* meeting of the *(board of directors/partners)* of the PSP, held on *(date)* at *(place)*, in which meeting a quorum was present and acting throughout, the following resolutions were unanimously passed and approved:

RESOLVED, that *(name of PSP)* (the **PSP**) accept, as it hereby accepts, the qualification criteria established by the Joint Venture Selection Committee for the Bonifacio East Project (JVSC –Bonifacio East Project);

RESOLVED, FURTHER, that the PSP waive, as it hereby waives, any right to seek and obtain a writ of injunction or prohibition or restraining order against NHA and/or BCDA or the JVSC –Bonifacio East Project to prevent or restrain the qualification proceedings related to the competitive challenge, the award of the contract to the Winning PSP, and the carrying out of the awarded contract.

4. These resolutions have not been revoked, amended or modified and remain valid and binding on the PSP; and
5. The above resolutions are in accordance with the records of the PSP.

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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**EPF-6B: ACCEPTANCE OF CRITERIA AND WAIVER OF RIGHTS TO ENJOIN
ACTIVITY**

(To be submitted by a PSP which is a Consortium)

[Letterhead]

Republic of the Philippines)
) s.s.

I, (name of authorized representative of Consortium), after having been duly sworn according to law, hereby depose and state that:

1. I am a (Filipino) citizen, of legal age and a resident of [];
2. Capitalized terms used herein and not otherwise defined shall have the meanings assigned such terms in the Instructions to Private Sector Participants (IPSP).
3. I am the duly authorized representative of (name of PSP) (the **PSP**), a Consortium organized by agreement among its Consortium Members;
4. The following resolutions were unanimously agreed upon by the Consortium Members:

RESOLVED, that (name of PSP) (the **PSP**) accept, as it hereby accepts, the qualification criteria established by the Joint Venture Selection Committee for the Bonifacio East Project (JVSC –Bonifacio East Project)

RESOLVED, FURTHER, that the PSP waive, as it hereby waives, any right to seek and obtain a writ of injunction or prohibition or restraining order against NHA and/or BCDA or the JVSC –Bonifacio East Project to prevent or restrain the qualification proceedings related to the competitive challenge, the award of the contract to the Winning PSP, and the carrying out of the awarded contract.

4. These resolutions have not been revoked, amended or modified and remain valid and binding on the PSP; and
5. The above resolutions are in accordance with the records of the PSP.

Place, Date of Execution.

[Authorized Representative]

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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EPF-7A: AUTHORIZATION LETTER

(To be submitted by a PSP which is a partnership or corporation)

[Letterhead]

Republic of the Philippines)
) s.s.

I, *(name of corporate secretary or equivalent officer)*, after having been duly sworn according to law, hereby depose and state that:

1. I am a *(Filipino)* citizen, of legal age and a resident of [];
2. Capitalized terms used herein and not otherwise defined shall have the meanings assigned such terms in the Instructions to Private Sector Participants (**IPSP**);
3. I am the duly elected *(corporate secretary or equivalent officer)* of *(name of PSP)* (**PSP**), a *(corporation/partnership)* organized and existing under and by virtue of the laws of *(the Philippines)*;

RESOLVED, that *(name of PSP)* (the **PSP**) be, and is hereby, authorized to submit an unsolicited proposal for the Bonifacio East Project (**Project**) and to submit the qualification documents for the Project;

RESOLVED FURTHER, that the PSP authorize, as it hereby authorizes, the JVSC –Bonifacio East Project or its duly authorized representative/s to verify all of the documents submitted and to check or review at any time during the bidding process, including:

- (a) any relevant information of the undersigned entity;
- (b) its technical and financial proposal;
- (c) any change in the eligibility or proposal documents; and
- (d) any change in the situation of the undersigned entity that affects the substance of its proposal.;

RESOLVED, FINALLY, that the PSP acknowledge and accept, as it hereby acknowledges and accepts, JVSC –Bonifacio East Project’s right to inspect and audit all records relating to our submission irrespective of whether the PSP is declared eligible or not.

4. These resolutions have not been revoked, amended or modified and remain valid and binding on the PSP; and
5. The above resolutions are in accordance with the records of the PSP.

Place, Date of Execution.

[Corporate Secretary or equivalent officer]

(Handwritten signatures and initials)

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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EPF-7B: AUTHORIZATION LETTER

(To be submitted by a PSP which is a Consortium)

[Letterhead]

Republic of the Philippines)
) s.s.

I, (name of corporate secretary or equivalent officer), after having been duly sworn according to law, hereby depose and state that:

I, (name of authorized representative of Consortium), after having been duly sworn according to law, hereby depose and state that:

1. I am a (Filipino) citizen, of legal age and a resident of [];
2. Capitalized terms used herein and not otherwise defined shall have the meanings assigned such terms in the Instructions to Private Sector Participants (IPSP).
3. I am the appointed representative of (name of PSP) (the PSP), a Consortium organized by agreement among its Consortium Members;
4. The following resolutions were unanimously agreed upon by the Consortium Members:

RESOLVED, that (name of PSP) (the PSP) be, and is hereby, authorized to submit an unsolicited proposal for the Bonifacio East Project (Project) and to submit the qualification documents for the Project;

RESOLVED FURTHER, that the PSP authorize, as it hereby authorizes, the JVSC –Bonifacio East Project or its duly authorized representative/s to verify all of the documents submitted and to check or review at any time during the bidding process, including:

- (a) any relevant information of the undersigned entity;
- (b) its technical and financial proposal;
- (c) any change in the eligibility or proposal documents; and
- (d) any change in the situation of the undersigned entity that affects the substance of its proposal.;

RESOLVED, FINALLY, that the PSP acknowledge and accept, as it hereby acknowledges and accepts, JVSC –Bonifacio East Project's right to inspect and audit all records relating to our submission irrespective of whether the PSP is declared eligible or not.

4. These resolutions have not been revoked, amended or modified and remain valid and binding on the PSP; and
5. The above resolutions are in accordance with the records of the PSP.

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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EPF-8: NOTARIZED CERTIFICATION RELATING TO ELIGIBILITY DOCUMENTS
(To be submitted by the PSP)

[Date]

Bases Conversion and Development Authority

BCDA Corporate Center
2nd Floor, Bonifacio Technology Center
31st St., corner 2nd Avenue
Bonifacio Global City, Taguig
1634

Subject: **CERTIFIED TRUE COPY**

Gentlemen:

The undersigned certifies that each of the following documents submitted by [Name of PSP] in satisfaction of its legal, technical, and financial 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 written therein are true and correct:

1. [List down each document with a specific description of such document]
- 2.

We also acknowledge and accept JVSC -Bonifacio East Project's or its authorized representatives' right to inspect and audit all records relating to our submission irrespective of whether we are declared eligible or not.

Sincerely,

Signature
Name and Title of Authorized Signatory
Name of Entity
Address

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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EPF-9: CONSTRUCTION EXPERIENCE REQUIREMENT

(To be submitted by the entity or entities nominated to fulfill the Construction Experience Requirements for the Bonifacio East Project as identified in the Business Structure.)

Required attachment for each entity submitting this form:

- (i) Notarized Certificate of Project Completion from the project's owner. A copy of the original Certificate of Project Completion will be accepted, provided that it is accompanied by a notarized certification issued by the relevant officer of the project owner or the relevant officer of the EPC Contractor that such copy is a true and faithful reproduction of the original Certificate of Project Completion.
- (ii) If the project was completed by an Affiliate of the entity which fulfills the Construction Experience Requirement, evidence of such affiliation.
- (iii) Certified true copy of a valid license issued by the PCAB for Large B Classification/License Category AAA, in the case of a Filipino entity or, in the case of a foreign entity, an equivalent license issued by an equivalent accreditation institution in the foreign entity's country of origin, provided that such foreign entity must secure a license and accreditation from the PCAB after the Winning PSP is awarded the Project.
- (iv) Certified true copy of a valid ISO 9001 certification (or its equivalent); and
- (v) Certified true copy of a valid ISO 14001 certification (or its equivalent).

Private Sector Participant:	
Entity which fulfills the requirement:	
Relationship to the Private Sector Participant:	

1. Relevant projects carried out in the last 10 years similar in nature and complexity to the Bonifacio East Project.

Note: Using the format below, provide information on each contract for which the nominated entity was legally contracted.

Contract Name:		Location of Contract:
Date of Award of Contract:		Product and Related Services Provided:
Name of Owner:		Entity's Role:
Address:		Duration of Contract:
Start Date (Month/Year):	Completion Date (Month/Year):	Contract Price/Value (in PhP):
Name of Associated Prospective JV Partners, if any:		
Narrative Description of Project:		

Description of Actual Participation in the Contract:

For and on behalf of (Name of Entity)

For and on behalf of (Name of Prospective Private Sector Participant/ if Consortium, Name of Consortium and Lead Member)

(Signature of Authorized Representative)
(Name, Title, and Date)

(Signature of Authorized Representative)
(Name, Title, and Date)

EPF-10: STATEMENT OF WILLINGNESS TO PARTICIPATE IN, AND CAPACITY TO UNDERTAKE THE CONSTRUCTION, AND COMMITMENT TO ENTER INTO AN AGREEMENT WITH THE JV PARTNER TO UNDERTAKE THE CONSTRUCTION

(To be submitted by each Consortium Member, EPC Contractor, or EPC Subcontractor proposed by the PSP to meet the Construction Experience Requirement.)

Name of Private Sector Participant: _____

Republic of the Philippines)
) s.s.

Statement of Willingness to Participate In, and Capacity to Undertake the Construction, and Commitment to Enter into an Agreement with the JV Partner to Undertake Construction

I, *(name)*, *(citizenship)*, of legal age, with office address at *(address)*, as the *(position/designation)* of *(name of Consortium Member / EPC Contractor / EPC Subcontractor)*, a *(corporation/partnership)* organized and existing under and by virtue of the laws of *(place of incorporation/registration)* hereby declare for and on behalf of *(name of Consortium Member / EPC Contractor / EPC Subcontractor)* that:

1. *(name of Consortium Member / EPC Contractor / EPC Subcontractor)* is willing to participate, through the *(name of PSP)* in the bidding for the Bonifacio East Project in accordance with the Tender Documents.
2. *(name of Consortium Member / EPC Contractor / EPC Subcontractor)* has the required experience and capacity to undertake the Construction for the Project in accordance with the terms and conditions of the EPC Agreement
3. Based on my personal knowledge or authentic documents, the information provided in Annexes EPF-5 and EPF-9 are true and correct.
4. If selected by *(name of PSP)*, *(name of Consortium Member / EPC Contractor / EPC Subcontractor)* shall formally enter into a contract with the JV Partner to undertake the Construction for the Project in accordance with the terms and conditions of the EPC Agreement.

Date and Place of Execution.

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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*).

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Handwritten mark: a signature.

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EPF-11: KEY PERSONNEL

(To be submitted by the entity or entities nominated to fulfill the Construction Experience Requirements for the Bonifacio East Project as identified in the Business Structure and employing the nominated key personnel.)

Name of Private Sector Participant: _____

Individuals with at least ten (10) years' experience in the construction supervision of at least three (3) projects enumerated under Section 3.2.1(c) of the IPSP, each with a project cost equivalent to at least **PhP6.56 Billion**, and the total project cost of all listed projects should be at least **PhP53.3 Billion**.

1. He or she must possess a relevant degree from a recognized institution and recognized professional qualification or license in a relevant civil or building engineering discipline.

a. Name	
b. Employer	
c. Position	
d. Nationality	
e. Date of Birth	

Key Experience (add columns as necessary):

Work Experience (project handled for the past ten (10) years)

Project Title, Description & Cost	Client	Position	Start Date	End Date

Educational Background:

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

Trainings/Seminars

Title/Description	Conducted by	Inclusive Dates	Venue	Involvement*

*Such as participant, speaker or trainer

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Individuals with at least ten (10) years of local or international experience of having had the overall responsibility for the development (*i.e.*, planning, coordination, integration, and/or implementation of the designing, engineering, and construction) of at least three (3) projects enumerated under Section 3.2.1(c) of the IPSP, each with a project cost of at least **PhP6.56 Billion**, and the total project cost of all listed projects should be at least **PhP53.3Billion**.

2. He or she must possess a relevant degree from a recognized institution and recognized professional qualification in engineering, finance or management.

a. Name	
b. Employer	
c. Position	
d. Nationality	
e. Date of Birth	

Key Experience (projects handled for the past ten (10) years). Add columns as necessary:

Project Title, Description & Cost	Client	Position	Start Date	End Date

Educational Background:

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

Trainings/Seminars

Title/Description	Conducted by	Inclusive Dates	Venue	Involvement*

*Such as participant, speaker or trainer

For and on behalf of (Name of Entity)

For and on behalf of (Name of Prospective Private Sector Participant/ if Consortium, Name of Consortium and Lead Member)

(Signature of Authorized Representative)
(Name, Title, and Date)

(Signature of Authorized Representative)
(Name, Title, and Date)

EPF-12: NOTARIZED STATEMENT OF FINANCIAL CAPABILITY

(To be submitted by the entity or entities which fulfill the Financial Capability Requirement as identified in the Business Structure.)

Required attachment for each entity submitting this form:

- (i) Notarized statement/certification from the a domestic universal/commercial bank or any international bank recognized by the Bangko Sentral ng Pilipinas attesting that the nominated entity is banking with them, is in good financial standing, and is qualified to obtain credit accommodations from such banks to finance the Project.
- (ii) Certified true copy of the latest audited financial statements that must be for a fiscal period ending not earlier than December 31, 2017, 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 creation or recognition of its juridical personality or capacity. The certification may be issued by an officer of the entity proposed to meet the Financial Capability Requirement, in which case the certification must be under oath and notarized. Alternatively, if the entity proposed to comply with the Financial Capability Requirements has made a deposit equivalent to the minimum equity required set aside or earmarked for the Project, a certification from the relevant bank that such a deposit has been made.
- (iii) If an Affiliate of the Prospective Private Sector Participant or the Lead Member is proposed to comply with the Financial Capability Requirements, attach evidence of such affiliation in the form of a Securities and Exchange Commission General Information Sheet or its equivalent.

Prospective Private Sector Participant	
Entity Proposed to Meet Financial Qualification Requirement	
Relationship with Prospective Private Sector Participant	

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Handwritten initials/signatures in blue ink.

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.

- (name of entity)* has a minimum net worth equivalent to at least **Php20.55 Billion** or its equivalent as of its audited financial statements which must be dated not earlier than December 31, 2017, a certified true copy of which is attached to this certificate. [*or in the alternative: (name of entity) has made a deposit equivalent to the minimum equity required set aside or earmarked for the Project*].
- The financial summary of *(name of entity)* from *(most recent fiscal year)* is as follows:

Financial Information	(Most Recent Fiscal Year)
(indicate last day of accounting year)	
1. Total assets	
2. Total liabilities	
3. Total net worth	
4. Profits before taxes	
5. Profits after taxes	

- (name of entity)* is a client in good standing in the following financial institutions (provide the names of at least two financial institutions):

Name of Financial Institution		
Address		
Contact Person		

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)*.

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