

JOINT VENTURE SELECTION COMMITTEE (JVSC)

**SELECTION OF JOINT VENTURE PARTNER FOR THE COMMERCIALIZATION OF THE
INFORMATION AND COMMUNICATIONS TECHNOLOGY INFRASTRUCTURE PROJECT
IN NEW CLARK CITY (NCC)**

BID BULLETIN NO. 4

In connection with the ongoing Selection of Joint Venture partner for the development of Information and Communications Technology Infrastructure Project in NCC, we are hereby issuing this bid bulletin to inform interested Private Sector Participants (PSPs) of the following:

Responses to the Queries from the Prospective Bidders

Item No.	Questions/Clarifications from the Prospective Bidders	Clarification/Answer
1	For purposes of providing interested PSPs a better understanding and intent of BCDA for NCC ICT Infrastructure pre-selection tender, may we request the JVSC to share additional information on the NCC Masterplan to prospective bidder/s prior eligibility submission	Please see the BCDA supplied information uploaded in the Data Room.
2	May we request clarification from the JVSC with regard to the plan of incorporating the joint venture between BCDA and the selected PSP in a new company, will it be required to secure a Certificate of Public Convenience and Necessity (CPCN) in order to legally operate and maintain the assets implemented?	<p>No, the JV will not be required to obtain a Certificate of Public Convenience and Necessity (CPCN). The CPCN is required only for the operation of telecommunication services.</p> <p>The JV will only commercialize (<i>i.e.</i>, design, construct, and lease out) passive ICT infrastructure assets. Leasing out of passive ICT infrastructure assets does not qualify as operation of telecommunications services. Thus, a CPCN from the National Telecommunications Commission (NTC) will not be required.</p> <p>To date, the NTC has not imposed any authorization or permit requirement for owning or leasing passive ICT infrastructure assets.</p> <p>Prospective PSPs are also encouraged to seek the advice of their</p>

		respective legal counsels with respect to this issue.
3	Will the JV company own and control the assets (Passive and Active)?	<p>The JV company will own the assets that are contributed to it by BCDA and the JV Partner during the term of the JVA.</p> <p>The scope of the JV is limited to only passive ICT infrastructure. Active assets are neither a part of the tender scope nor JV company's responsibilities.</p>
4	With regard to the Neutral Hosting Site / Meet Me Room, will the joint venture of BCDA and PSP be responsible for installing telco active equipment?	<p>No, each telco will be responsible for installing its active equipment.</p> <p>The JV may wish to offer additional services to support telcos, but these would be optional.</p>
5	May we inquire if the JVSC foresees any conflict of interest of a telco forming a joint venture partnership with BCDA for the design, construction, and implementation of this project against the same telco participating in a future bid or procurement activity by BCDA in reference to Section 47.2 of the GPRA IRR?	<p>We do not anticipate a conflict of interest especially given the independent operation requirement. More details will be provided in IPSP Vol. 2.</p> <p>Additionally, being the JV Partner in this Project is not among the conflict of interest circumstances covered under Section 47.2 of the GPRA IRR. A bidder has a general conflict of interest under Section 47.2 of the GPRA IRR if it has a relationship that puts it in a position to have access to BCDA's information and influence on its decisions. In this case, however, we do not foresee such a scenario occurring, as the JV will operate entirely independently from BCDA.</p>
6	Does the nominee/contractor need to be part of the Consortium to inherit its qualifications? i.e., PCAB license.	<p>A Contractor is not required to be a Consortium Member.</p> <p>Please refer to sections 3.2.2 and 3.2.4 of IPSP Vol. 1 – Eligibility Documents for more details.</p>
7	Is there a limit of contractors with PCAB AAA Large B license the PSP can nominate?	Yes, to qualify for construction experience, only one (1) entity shall be nominated whether it is a contractor or consortium member or PSP. In this

		<p>regard, only the entity nominated to fulfill the Construction Experience Requirements shall be required to fulfill the PCAB requirement.</p> <p>Please refer to Section 3.2.4 of the IPSP Volume 1 for more details.</p> <p>Withdrawal, Substitution, and addition of Contractors is subject to the Lock-Up Rules in Sec. 13, ISPS Vol. 1 – Eligibility Documents.</p>
8	Is the nominated contractor of the PSP required to provide supporting documents such as copies of the original contract agreement, notice of award of the project, certificate of project completion, etc., as required in the Annexes?	Yes, any nominated contractor for design and/or construction experience should submit all required documents to qualify.
9	May we know what BCDA will contribute to the JV?	BCDA will contribute in-kind equity in the forms of right of way, existing and additional passive ICT facilities. BCDA contribution will be defined in more detail to eligible bidders in the second stage of the Competitive Selection Process.
10	Does BCDA own the property where the NCC will be established?	Yes, BCDA owns the land in NCC.
11	Can BCDA grant the right to lease for free with respect to the property that they own or operate?	BCDA can grant the right to lease for free as the lease rate is set by BCDA. However, please note that the right being granted here for the Project is a non-exclusive right of way for conduct of the JV business.
12	As the proposed joint venture structure between PSP and BCDA will be incorporated, may we know if BCDA will be contributing assets and equity, or infuse funds in the joint venture?	BCDA will contribute in-kind equity in the forms of right of way, existing and additional passive ICT facilities.
13	What will be the composition of the SPV? Will it be BCDA and the winning JV partner, or BCDA only?	If the PSP is a Consortium, an SPV is to be formed firstly among the consortium members. If the PSP is not a consortium, it shall establish a wholly owned subsidiary to serve as the SPV that will be the JV Partner.

		Thereafter, such SPV will form a joint venture with BCDA.
14	Will the winning JV be entitled to offsetting of the contribution for the IRU set-up?	The winning PSP is only allowed to lease the fiber to data transmission providers, <i>i.e.</i> , this is not an infeasible right of use. However, may we request you to further clarify your question.
15	As part of our due diligence, may we know if BCDA owns the property including the right of way, and therefore will the other partners be assured of free lease in exchange for partner's contribution?	Please refer to the response in question #11.
16	Upon consummation of the joint venture of the PSP and BCDA, may know what is BCDA's proposed plan on the existing or current infrastructure (manholes and fiber) installed by telcos used during the recent South East Asian Games (SEA Games)?	Existing passive assets including conduits and manholes constructed by BCDA (excluding fibers laid, which is done by each telco), used during the SEA games will be contributed to the JV as in-kind equity from BCDA.
17	Assuming that BCDA can perform and it does not require a franchise, will the last mile be operated by BCDA?	No, the JV will commercialize the passive ICT infrastructure including the last mile.
18	Who will set up the network for the last mile?	In-parcel and in-building last mile (passive) may be set up by the developer or if requested by the developer, by the JV partner.
19	What will be the arrangement between telcos and BCDA with respect to the network access points and the last mile? Will the O&M be done by BCDA?	The JV will be responsible for the fiber from the Meet-me-Room (MMR) to the network termination point in the lettable units. Telcos will not be installing any fiber and will limit their equipment to active equipment in the MMR and Customer Premises.
20	When the Dark Fiber is lit up, will it be BCDA who will maintain and operate it?	The JV will undertake the repair and maintenance of all duct and fiber installed within NCC.
21	Will there be a designee or nominee telco partner that will undertake the operation and maintenance of the lit system, the MMR, and the last mile?	Please refer to the qualification requirements of the IPSP Vol 1. These are set to select a JV Partner, which can perform all required tasks of the JV.

22	How will BCDA JV PSP to O&M without a telco license?	Commercialization of passive ICT infrastructure does not require a telco license.
23	What equipment will be hosted in the Meet Me Room? Will it be telco equipment or not?	The JV will lease co-location space to telcos to install active equipment and any fiber cable connection to their national backhaul network.
24	If there are templates to be filled out, may we kindly request for the softcopy of the forms?	The softcopy of IPSP Vol. 1 – Forms and Annexures is available in the data room. Data room access will be granted upon purchase of the documents from BCDA and subject to compliance with the requirements in Bid Bulletin No. 1 s. 2023.
25	May we request for a consolidated checklist of eligibility requirements and BCDA's JV Guidelines?	<p>The Eligibility Requirements are set out in IPSP Vol. 1 – Eligibility Requirements and in IPSP Vol. 1 – Forms and Annexures.</p> <p>The BCDA JV Guidelines can be accessed here:</p> <p>https://www.bcda.gov.ph/sites/default/files/documents/BCDA%20JV%20Guidelines%20for%20publication.pdf</p>
26	After shortlisting, can the lead member of the eligible bidder still withdraw without penalty?	<p>Yes, the Lead Member of the Eligible PSP can withdraw after shortlisting however, this will result in the following:</p> <ul style="list-style-type: none"> i) <u>Disqualification of the Eligible PSP</u> – If done after shortlisting (declaration of being an Eligible PSP) but prior to the Proposals Submission Date (<i>i.e.</i>, deadline for submission of the technical and financial proposals) ii) <u>Forfeiture of the Eligible PSP's Proposal Security and, consequently, the disqualification of the Eligible PSP</u> – if done after the submission of the proposal and after the

		Proposals Submission Date
		For non-consortiums, similar rules apply i.e., an Eligible PSP is not obligated to proceed to the second stage but if the withdrawal is done after the submission of the proposal and after Proposals Submission Date, Proposal Security will be forfeited.
27	Can the lead member of the eligible bidder re-assign the asset?	There is no asset concerned during the bidding process.
28	May we know what are the options of the PSP in the event that any of the members of the joint venture/consortium of the PSP decides to withdraw?	Please refer to Sections 13.2.1 and 13.2.4 of the IPSP Volume 1. The PSP must inform the JVSC in the event of withdrawal of any Consortium Member. The Lead Member, however, is not allowed to withdraw or be substituted.

This Bid Bulletin No. 4 is being issued to amend, revise, modify and update previous postings/issuances pertaining to the items discussed above related to the subject disposition.

For your guidance and information.

Issued this 2nd day of January 2024.

JOINT VENTURE SELECTION COMMITTEE

[SIGNED]

HEDDA LOURDES Y. RULONA
Chairperson

[SIGNED]

VIRGIL M. ALVAREZ
Vice Chairperson

[ON LEAVE]

MARIA SOLEDAD C. SAN PABLO
Member

[SIGNED]

RYAN S. GALURA
Member

[SIGNED]

CHRISTIAN T. DULDULAO
Member

Expanding Economic Growth

Clark Freeport and Special Economic Zone

- Located in Central Luzon Region
- Only 90 km away from Manila

New Clark City

23,351.46 acres (9,450 hectares)

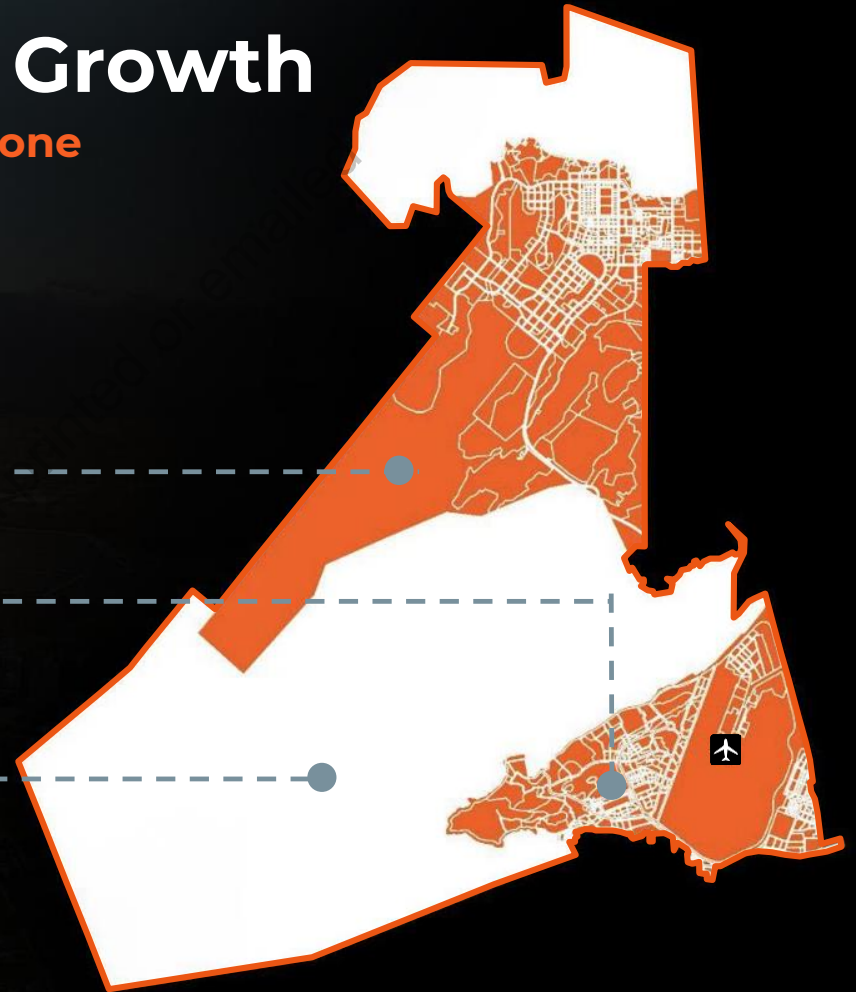
Clark Freeport Zone

Mixed-use Area **5,189.21 acres** (2,100 hectares)

Civil Aviation Complex **5,683.42 acres**
(2,300 hectares)

Sub-zone

44,478.97 acres (18,000 hectares)





BY THE NUMBERS

1st **Smart, Green & Resilient**
Metropolis in the Philippines

Land Size

9,450 hectares

Land Rights

[Owned by BCDA]

Projected Population

1 Million+

Projected Employment

200,000+ workers

Open Spaces & Forest Reserves

60%++

6,000+ hectares of forests, public spaces and parks

SJ SURBANA
JURONG

AECOM



Foreign, Commonwealth
& Development Office

NIPPON KOEI



Locators Map

New Clark City, Tarlac

As of December 2023

Industrial Locators

1	Filinvest Mixed Use & Industrial Development
2	Provincial Government of Tarlac (PGT)

Institutional Locators

3	PUP
4	TUP
5	NGAC Phase 1A
6	Nat'l Academy of Sports
7	UP Satellite Campus
8	PH Science High School
9	BSP Complex
10	Virology Institute of the Phils

Recreation/ Parks

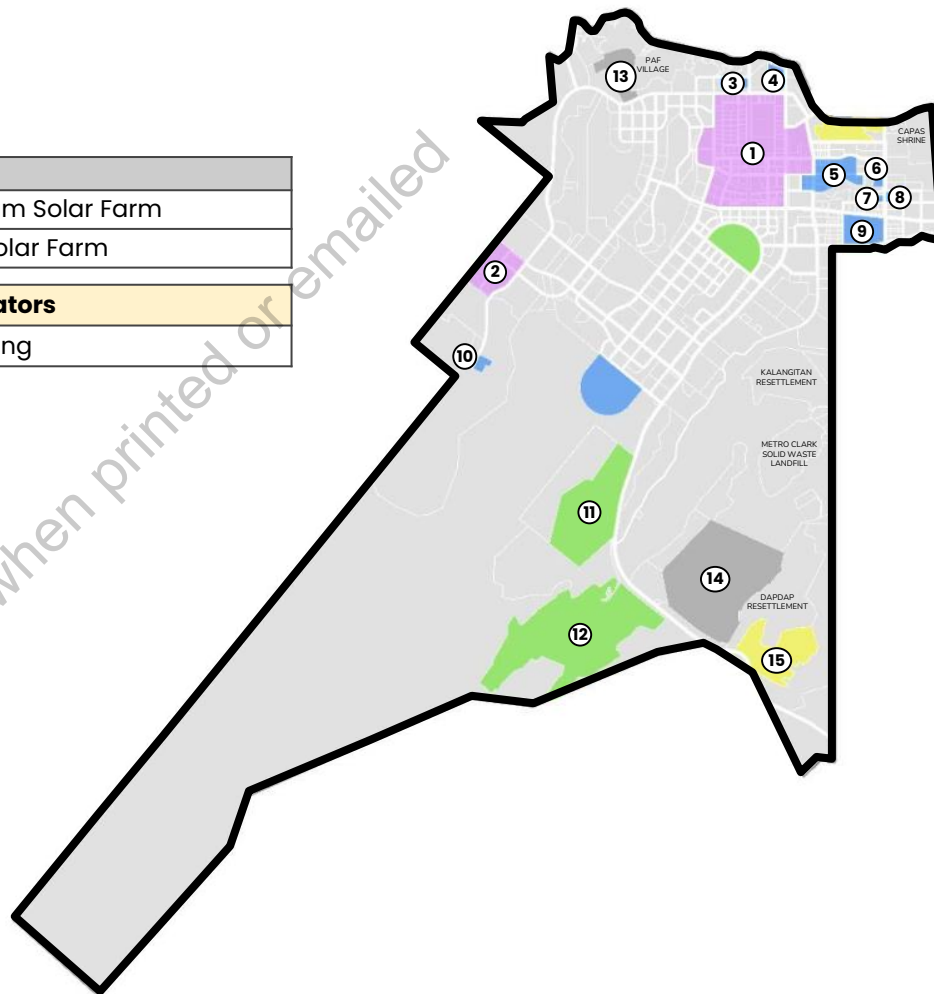
11	Skyblue Golf Course Resort Ph1
12	Hann Lux Mountain Resort Ph1

Infrastructure

13	Sindicatum Solar Farm
14	Sunray Solar Farm

Residential Locators

15	PAF Housing
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NCC Locator Details

Type	Locator		Land Area (Has)	Status (as of December '23)
Industrial/ Mixed Use	1	Filinvest Mixed Use & Industrial Development	288	Operational
	2	Provincial Government of Tarlac (PGT)	47	Construction Q2 2024
Institutional	3	PUP	7.58	Design Stage Construction Q3 2024
	4	TUP	20.8	Construction Q2 2024
	5	NGAC Phase 1A	40	Operational
	6	Nat'l Academy of Sports	5.98	Operational by Q12024
	7	UP Satellite Campus	3.84	On-going Construction
	8	PH Science High School	4.80	On-going Construction
	9	BSP Complex	29.22	Site clearing and pre-construction, Construction Q1 2025
	10	Virology Institute of the Phils	5	On-going Construction
Recreation/ Parks	11	Sky Blue NCC Golf Course & Resort	250	On-going Construction
	12	Hann Luxury Mountain Reserve	450	On-going Construction
Infrastructure	13	Sindicatum Solar Farm	38	Pre-construction Ongoing Operation Q4 2025
	14	Sunray Solar Farm	259.97	Pre construction on-going
Residential	15	PAF Housing	85	Site Development for procurement in Q1 2024

New Clark City

Road Hierarchy

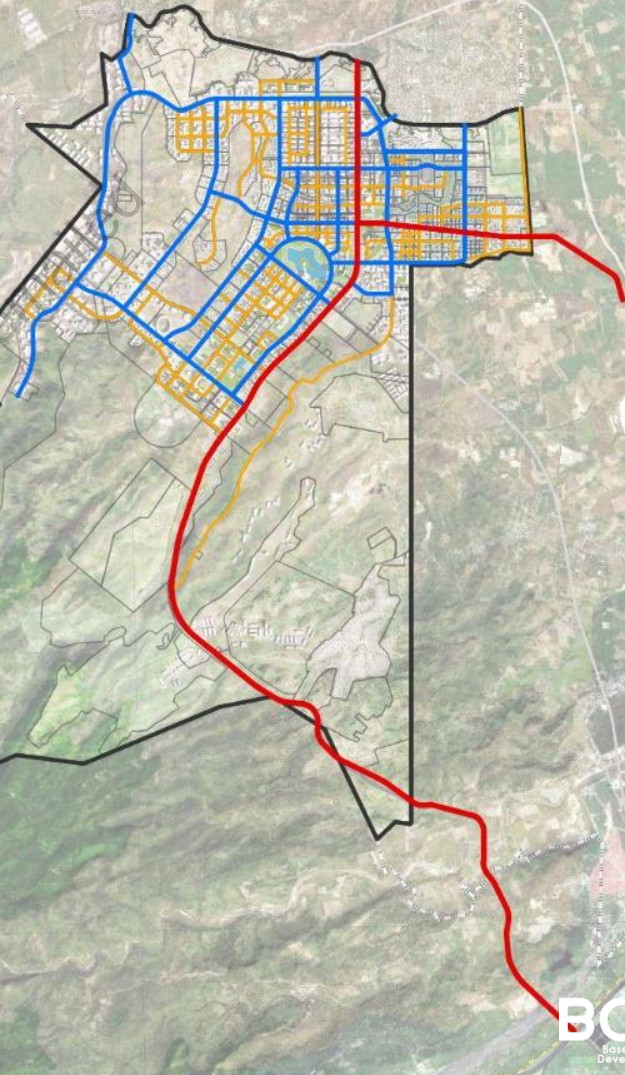
The NCC Master Plan organizes traffic to prioritize road safety through its well-planned road hierarchy. The road hierarchy properly classifies the different road functions and provides seamless transition between classifications.


Primary Road


Secondary Road


Internal Road

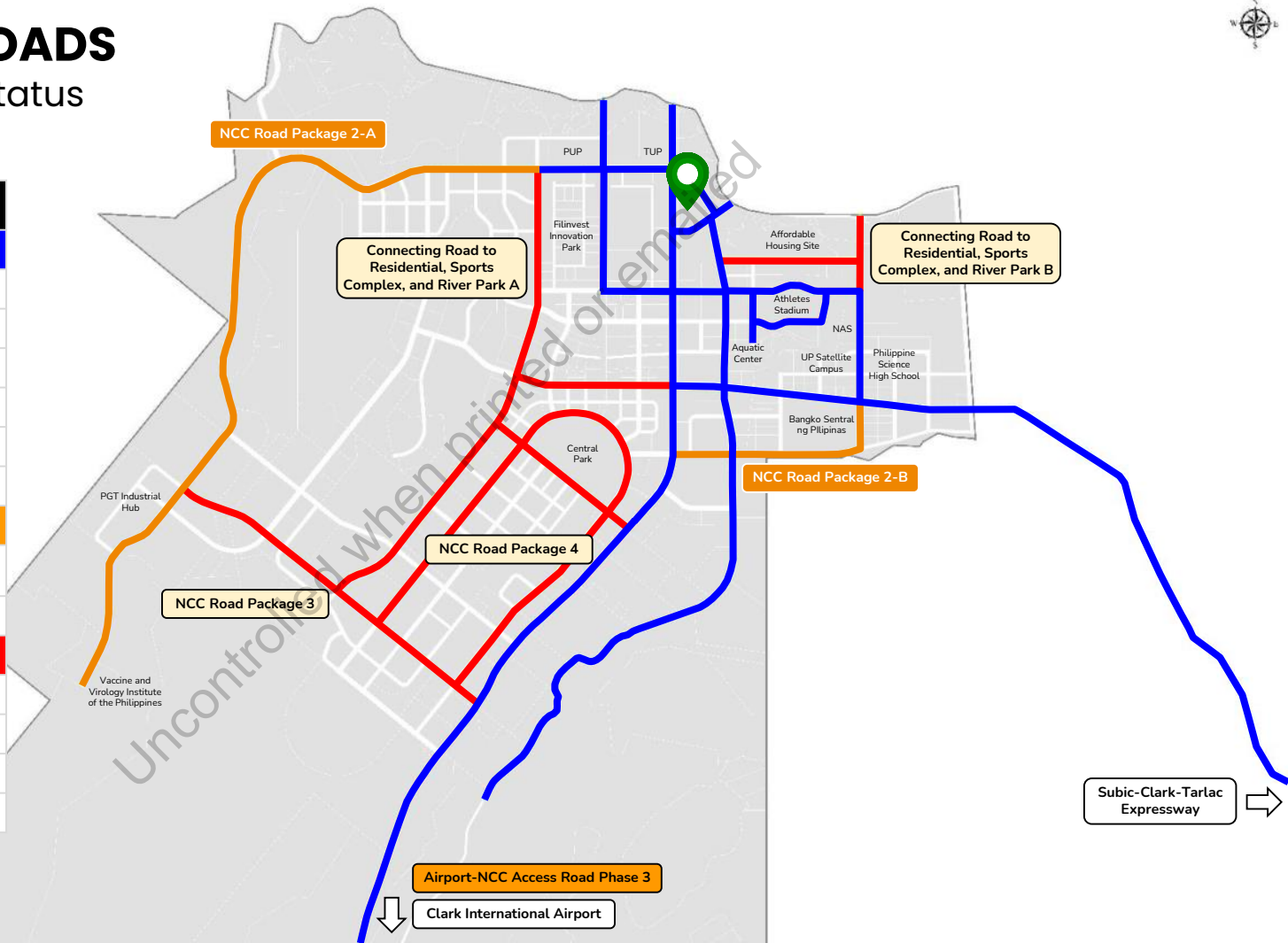
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NCC ACCESS ROADS

Road Construction Status

Status	Length (km)
Completed Roads	41.48
NCC-SCTEX Access Road	12.00
Airport-NCC Access Road Phase 1	5.33
Airport-NCC Access Road Phase 2	8.80
Clark-Bamban-Capas Access Road	5.00
NCC Connecting Road Package 1	5.81
Airport-NCC Spur Access Road	4.54
Ongoing construction	13.80
Airport-NCC Access Road Phase 3 Constructed: 3.80km (66.7%) Target completion: January 23, 2024	5.70
NCC Connecting Road Package 2	8.1
For Procurement	19.00
NCC Connecting Road Package 3	7.00
NCC Connecting Road Package 4	6.00
Connecting Road to Residential, Sports Complex, and River Park	6.00
TOTAL	74.28

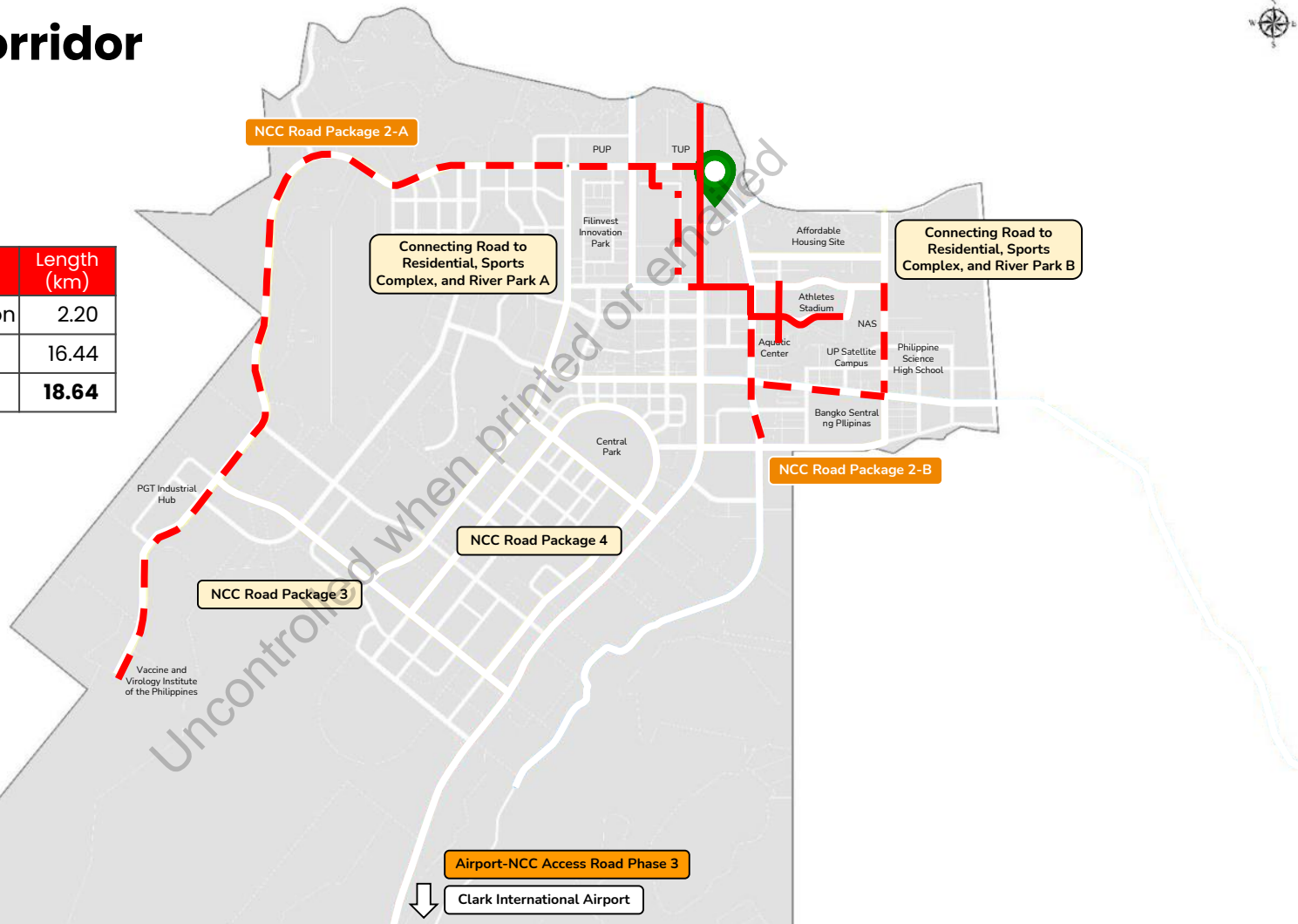


NCC Utility Corridor

Power Line



NCC Power Supply Infrastructure (Phase 1)		Length (km)
	Completed construction	2.20
	Ongoing construction	16.44
TOTAL		18.64

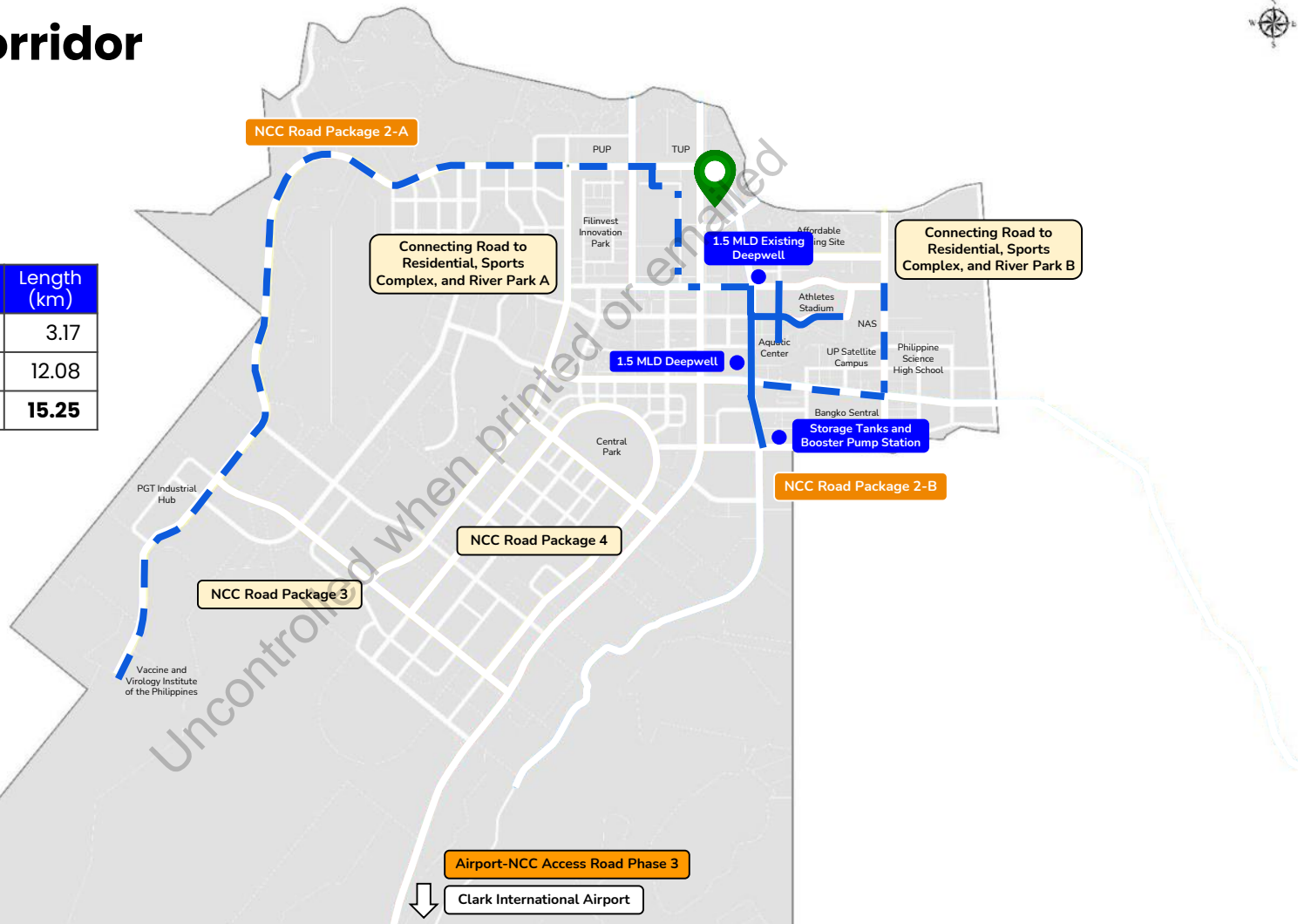


NCC Utility Corridor

Water Line



NCC Water Supply Infrastructure (Phase 1)		Length (km)
	Complete construction	3.17
	Ongoing construction	12.08
TOTAL		15.25





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NCC Utility Corridor

Sewer Line

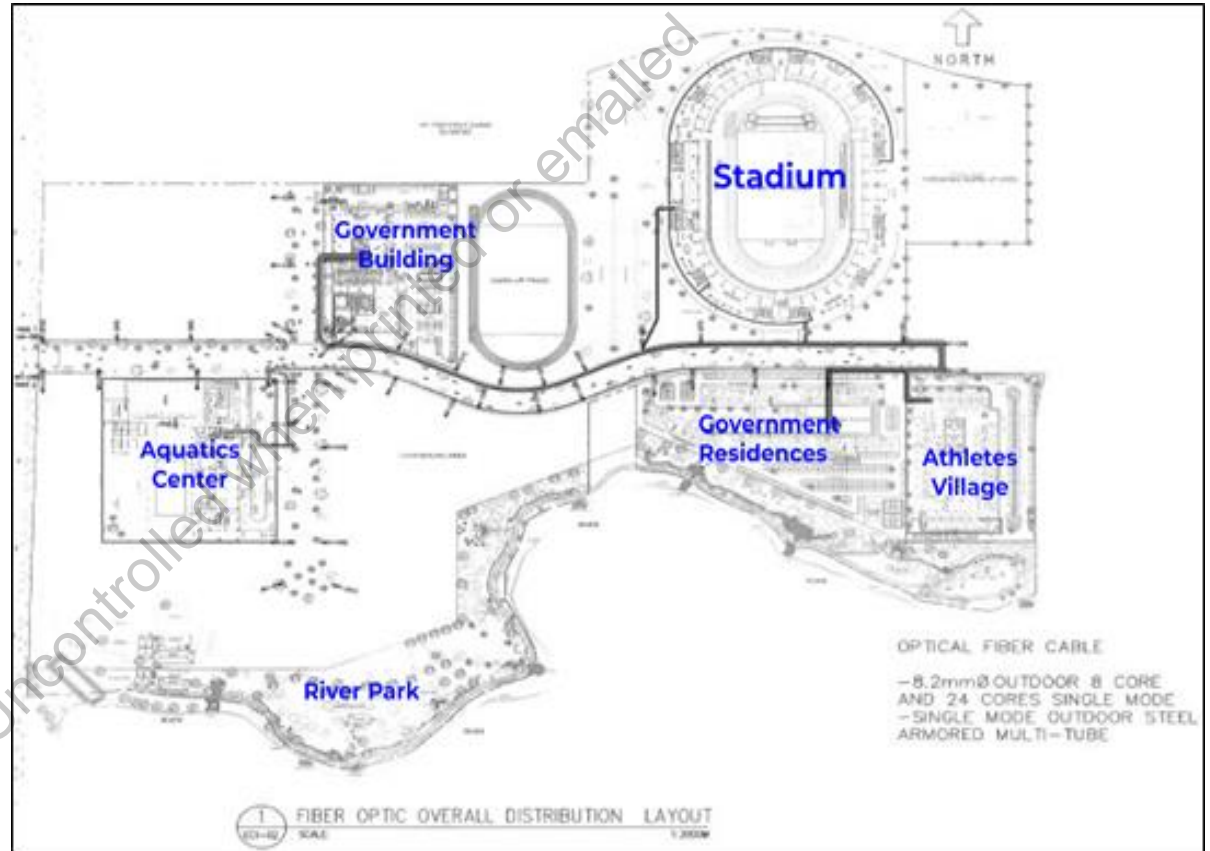


NCC Wastewater Infrastructure (Phase 1)		Length (km)
	Complete construction	1.26
	Ongoing construction	12.51
TOTAL		13.77



FIXED ICT Infrastructure in NGAC Phase 1

- ICT assets created for the SEA Games in 2019.
- Underground conduit infrastructure are presently connected to the network operations center located in the government building.



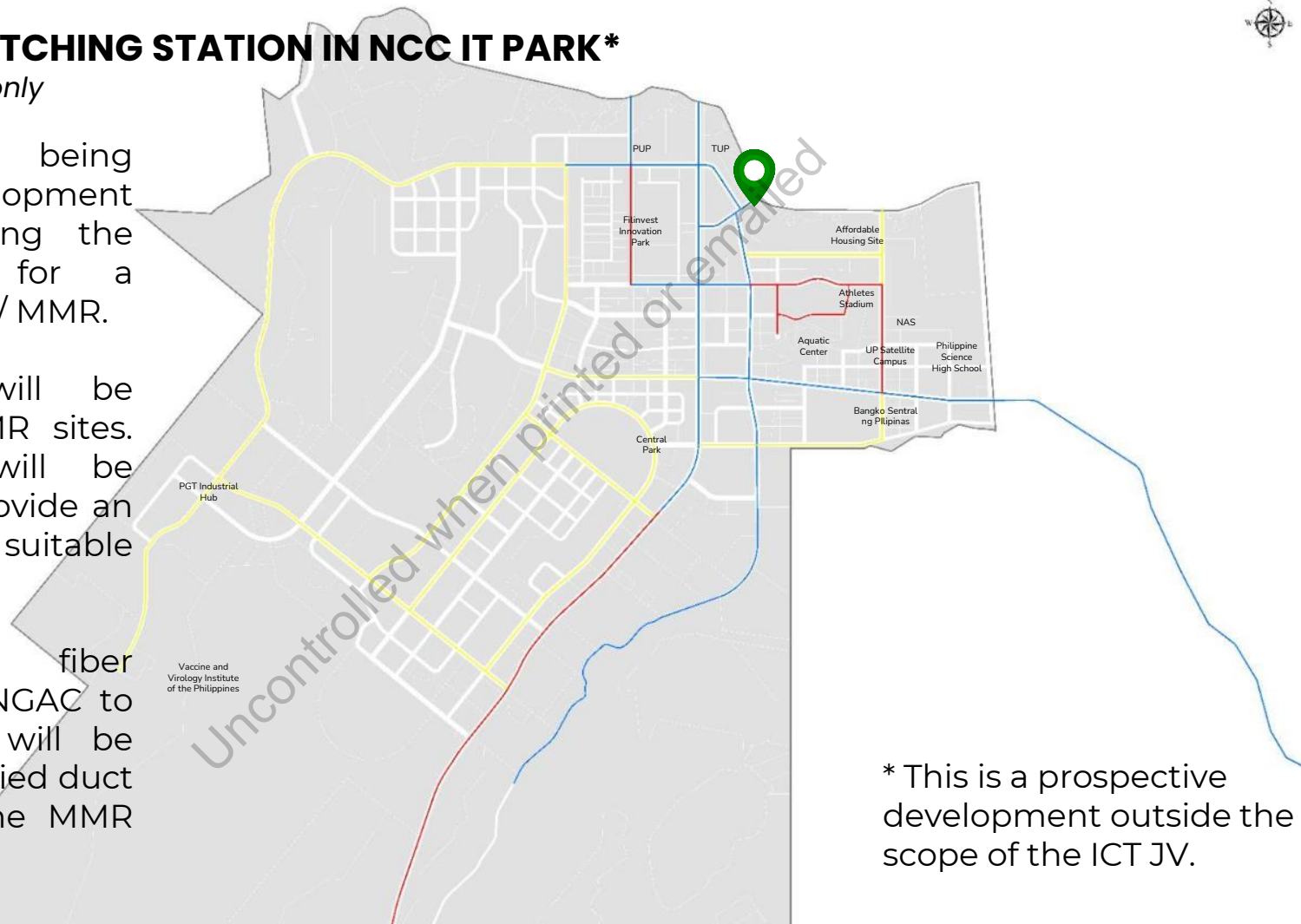
PROPOSED SWITCHING STATION IN NCC IT PARK*

Indicative location only

An IT Park is being planned for development in NCC, including the potential site for a switching station / MMR.

Other areas will be identified as MMR sites. The ICT JV will be responsible to provide an MMR at a suitable location.

Existing aerial fiber connecting the NGAC to Capas highway will be transferred to buried duct connecting to the MMR once available.



* This is a prospective development outside the scope of the ICT JV.