

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. 7

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

Responses to the Queries from the Prospective Bidders

	Query	Response
1.	<p>Will the system be passive for the entire 25 years?</p> <p>If yes, will there be an O&M across the system while it is passive? If there is an O&M across, will there be a designee entity to undertake such and will it be the Telco entity?</p>	<p>Yes, the Project scope will only involve passive infrastructure over the 25-year term.</p> <p>During this term, the JV, and no other designee entity, will be responsible for the commercialization, and as necessary, expansion, repair, and maintenance of the passive infrastructure.</p>
2.	<p>When the system is already active/lighted up with capacity, will the JV nominate/appoint a Telco designee to undertake the O&M, provided that the Telco nominee, who is a member of the JV, will treat all Telcos equally?</p>	<p>No. A Telco designee will not be appointed to undertake O&M of the JV's passive infrastructure. As mentioned, the JV itself will be responsible for the commercialization, and as necessary, expansion, repair, and maintenance of the passive infrastructure. The JV will not be operating a telecommunications business. Thus, under existing rules, a Certificate of Public Convenience and Necessity (CPCN) is not required for the Project at the moment.</p> <p>Further, the JV must implement the Project under an Open Access Model, i.e., passive ICT infrastructure services must be provided to Lessees (including the Data Transmission Providers) on a wholesale, non-discriminatory basis, such that all Lessees receive the same pricing and terms and conditions, regardless of location within NCC.</p>
3.	<p>Is the Customer Telco, who happens to be a member of the JV, be expected to pay the lease for the IRU, or will there be another payment mechanism?</p>	<p>All customers of the JV, regardless of any affiliation to the JV or JV Partner, will pay for the JV's passive infrastructure services in accordance with the published reference offer.</p>

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		<p>JV must implement the Project under an Open Access Model, i.e., passive ICT infrastructure services must be provided to Lessees (including the Data Transmission Providers) on a wholesale, non-discriminatory basis, such that all Lessees receive the same pricing and terms and conditions, regardless of location within NCC.</p>
4.	<p>Will there be a conflict of interest for a Telco forming a JV with BCDA to build the passive ICT infrastructure and at the same time that same Telco being a Customer (lessee of the relevant conduit allocated to such particular telco) of the JV?</p>	<p>No. A conflict of interest will not arise for as long as the JV Partner does not engage in Anti-Competitive Behavior.</p> <p>JV must implement the Project under an Open Access Model, i.e., passive ICT infrastructure services must be provided to Lessees (including the Data Transmission Providers) on a wholesale, non-discriminatory basis, such that all Lessees receive the same pricing and terms and conditions, regardless of location within NCC.</p>
5.	<p>May we clarify if the bidder's authorized representative can certify these documents (listed below) as true copies of the original? Certified true copy of the following documents: - GIS - SEC Registration, By-laws - Articles of Incorporation - Audited Financial Statement</p>	<p>The request is granted. The relevant portions of Items (1), (2), (3), and (4) of Section 4.1.4(a) and of Eligibility Form 4 ("<u>EF-4</u>") of IPSP Volume 1 are revised to read as follows:</p> <p>The certification may come from 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, or the authorized representative of the PSP. If it comes from the entity's corporate secretary, or the entity's duly authorized officer, or the authorized representative of the PSP, the certification (using the form in Annex EF-8 of IPSP: Volume 1 – Forms and Annexures) must be under oath and notarized. If the certification is issued or notarized outside the Philippines, the certification must comply with the requirements in Section 2.9.</p> <p>The last paragraph of Section 4.1.4(a) and of the required attachments in EF-4 of IPSP Volume 1 are also revised to read:</p> <p>If an officer <u>of the entity</u> other than the Corporate Secretary <u>or if the authorized representative of the PSP</u> certifies any of the foregoing documents, a notarized certification <u>by the Corporate Secretary of</u></p>

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		<p><u>the relevant entity</u> authorizing such officer <u>of the entity or authorized representative of the PSP</u> to certify the aforementioned documents <u>and stating that such officer or authorized representative has access to or custody of the originals of the aforementioned documents of the relevant entity</u> must be submitted.”</p>																																																					
6.	<p>If the developer will request the JV to setup the network for the last mile inside the building, will the developer pay the JV as an additional scope?</p>	<p>Yes, in these cases where developers will enlist the JV to install fiber and conduits to every lettable unit within their buildings, the cost for this scope will be for the account of the developer.</p> <p>However, these activities are not part of the obligations of the JV. These would be separate business activities under a separate contract between the JV and the developer.</p>																																																					
7.	<p>For those confirmed locators and upcoming locators, can we have a copy of their latest site development plans or require them to do so?</p>	<p>The request is noted. Information on this request will be released in the second stage.</p>																																																					
8.	<p>Since NCC Road package 2-A is already on-going construction and has 2 identified locators, can we already identify the land use around road package 2-A?</p>	<table border="1"> <thead> <tr> <th colspan="4" data-bbox="756 1142 1469 1167">North and West Sides of Road Package 2-A</th> </tr> <tr> <th data-bbox="756 1167 902 1199"></th> <th data-bbox="902 1167 1227 1199">Land Use</th> <th data-bbox="1227 1167 1373 1199">Size (sqm)</th> <th data-bbox="1373 1167 1469 1199">FAR</th> </tr> </thead> <tbody> <tr> <td data-bbox="756 1199 902 1230" rowspan="3">Industrial</td> <td data-bbox="902 1199 1227 1230">General Industrial</td> <td data-bbox="1227 1199 1373 1230">481,684.00</td> <td data-bbox="1373 1199 1469 1230">0.4</td> </tr> <tr> <td data-bbox="902 1230 1227 1262">I2 - Light Industrial Zone</td> <td data-bbox="1227 1230 1373 1262">789,400.30</td> <td data-bbox="1373 1230 1469 1262">0.5</td> </tr> <tr> <td data-bbox="902 1262 1227 1293">Research and Development</td> <td data-bbox="1227 1262 1373 1293">281,996.60</td> <td data-bbox="1373 1262 1469 1293">3</td> </tr> <tr> <td data-bbox="756 1293 902 1356" rowspan="2">Civic and Institutional</td> <td data-bbox="902 1293 1227 1356">Civic and Institutional</td> <td data-bbox="1227 1293 1373 1356">473,560.80</td> <td data-bbox="1373 1293 1469 1356">1</td> </tr> <tr> <td data-bbox="902 1356 1227 1388">Residential</td> <td data-bbox="1227 1356 1373 1388">Med-Density Residential Zone</td> <td data-bbox="1227 1356 1373 1388">160,895.80</td> <td data-bbox="1373 1356 1469 1388">1.5</td> </tr> <tr> <td data-bbox="756 1388 902 1419">Commercial</td> <td data-bbox="902 1388 1227 1419">Neighborhood Level Commercial</td> <td data-bbox="1227 1388 1373 1419">41,288.70</td> <td data-bbox="1373 1388 1469 1419">2</td> </tr> <tr> <th colspan="4" data-bbox="756 1440 1469 1465">South and East Sides of Road Package 2-A</th> </tr> <tr> <th data-bbox="756 1465 902 1497"></th> <th data-bbox="902 1465 1227 1497">Land Use</th> <th data-bbox="1227 1465 1373 1497">Size (sqm)</th> <th data-bbox="1373 1465 1469 1497">FAR</th> </tr> <tr> <td data-bbox="756 1497 902 1528">Industrial</td> <td data-bbox="902 1497 1227 1528">General Industrial</td> <td data-bbox="1227 1497 1373 1528">1,944,306.10</td> <td data-bbox="1373 1497 1469 1528">0.4</td> </tr> <tr> <td data-bbox="756 1528 902 1560" rowspan="2">Residential</td> <td data-bbox="902 1528 1227 1560">High-Density Residential Zone</td> <td data-bbox="1227 1528 1373 1560">412,638.00</td> <td data-bbox="1373 1528 1469 1560">3</td> </tr> <tr> <td data-bbox="902 1560 1227 1591">Low-Density Residential</td> <td data-bbox="1227 1560 1373 1591">380,162.00</td> <td data-bbox="1373 1560 1469 1591">0.8</td> </tr> <tr> <td data-bbox="756 1591 902 1654" rowspan="2">Civic and Institutional</td> <td data-bbox="902 1591 1227 1654" rowspan="2">Civic and Institutional</td> <td data-bbox="1227 1591 1373 1654">42,933.90</td> <td data-bbox="1373 1591 1469 1654">2</td> </tr> </tbody> </table>	North and West Sides of Road Package 2-A					Land Use	Size (sqm)	FAR	Industrial	General Industrial	481,684.00	0.4	I2 - Light Industrial Zone	789,400.30	0.5	Research and Development	281,996.60	3	Civic and Institutional	Civic and Institutional	473,560.80	1	Residential	Med-Density Residential Zone	160,895.80	1.5	Commercial	Neighborhood Level Commercial	41,288.70	2	South and East Sides of Road Package 2-A					Land Use	Size (sqm)	FAR	Industrial	General Industrial	1,944,306.10	0.4	Residential	High-Density Residential Zone	412,638.00	3	Low-Density Residential	380,162.00	0.8	Civic and Institutional	Civic and Institutional	42,933.90	2
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		9.	<p>In relation to the commercial plan/forecast of NCC in the coming years, can we request for the development road map and particular timing on when it will be offered to the lessee?</p>	<p>Please refer to Bid Bulletin No. 4 and the Supplemental Project Brief in the data room.</p>																																																			

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10.	Will BCDA be able to share the upcoming zoning and forecast of upcoming structures/buildings with average capacity per zone?	Please refer to Bid Bulletin No. 4 and the Supplemental Project Brief in the data room.

This Bid Bulletin No. 7 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 25th day of January 2024.

JOINT VENTURE SELECTION COMMITTEE

[SIGNED]

HEDDA LOURDES Y. RULONA

Chairperson

[SIGNED]

VIRGIL M. ALVAREZ

Member

[SIGNED]

MARIA SOLEDAD C. SAN PABLO

Member

[SIGNED]

RYAN S. GALURA

Member

[SIGNED]

CHRISTIAN T. DULDULAO

Member