

For the Joint ADP Committee's consideration and approval, please. Thank you
JOINT ASSET DISPOSITION PROGRAM COMMITTEE (Joint ADP-Com)

**COMPETITIVE CHALLENGE FOR THE LONG-TERM LEASE AND DEVELOPMENT
OF THE MILE-HI PROPERTY WITHIN THE JOHN HAY SPECIAL ECONOMIC ZONE**

Bid Bulletin No. 3, S. 2025
(05 June 2025)

In connection with the Competitive Challenge for the long-term lease and development of the Mile-Hi Property within the John Hay Special Economic Zone, the BCDA-JHMC Joint Asset Disposition Committee is hereby issuing this Bid Bulletin No. 3 to respond to queries raised by Interested Proponents, further clarify certain provisions, and amend certain provisions in the Terms of Reference (TOR).

Query/Request	Response
<p>1. Compliance with 50% Operational Requirement in Year 1</p> <p>In reference to the requirement that at least 50% of the development must be operational within the first year from contract signing, may we inquire whether this timeline is strictly enforced, or if any consideration may be given to phased or adjusted implementation due to technical or regulatory constraints?</p>	<p>We reiterate the provision of Article II, Section 4 (c) which requires that <i>"at least fifty percent (50%) of the proposed development is completed and partially open for commercial operations one (1) year after contract signing, subject to actual ground verification."</i> Should there be any delay in the implementation due to technical or regulatory constraints, such delay shall be evaluated based on actual and confirmed events and occurrences.</p>
<p>2. Summary of Completed Projects</p> <p>In reference to the requirement to submit a Summary of Completed Similar Projects, may we kindly ask:</p>	<p>Article VII, Section 2.2 (c) requires the Interested Bidders to submit <i>"a summary of the Proponent's (or in the case of a joint venture/consortium, of the member which meets the Technical Capability requirement) completed projects which are in the nature of similar development, including description, area of development, nature of the entity's participation, status of the project and the project cost"</i>.</p>

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<p>What specific documents or formats should we provide to adequately demonstrate that our past project meets the TOR's criteria of a retail or commercial development with at least 3,000 sqm gross floor area and a total cost of at least PHP135 million?</p> <p>RELATED QUESTION:</p> <p>Documentation for Previous Projects</p> <p>The TOR requires proof of similar completed projects. Kindly clarify what specific documents are required as evidence – e.g., certificates of completion, occupancy permits, photos, contracts, or other supporting materials?</p>	<p>In relation thereto, Interested Bidders are advised to submit said Summary of Completed Projects Similar to the Proposed Development for the Mile Hi Property in the format provided in Annex A hereof:</p> <p>The duly filled up form shall form part of the Eligibility Documents.</p> <p>During the post-qualification process, the Bidder with the Highest-Ranked Bid will be required to submit a certified true copy of any of the following documents to support the statements contained in the Summary of Completed Projects:</p> <p>(1) Certificate of Completion; (2) Occupancy Permit; and (3) Contract.</p> <p>In line with this, a Revised Checklist of Documents and a Revised Eligibility Statement are herewith attached to this Bid Bulletin as Annexes B and C, respectively. These revised forms supplant the forms provided in the TOR.</p>
<p>3. Clarification on the Escrow Account Requirement</p> <p>Can we withdraw the amount in escrow during construction? Amount to be used for construction of the project.</p>	<p>As stated in Article V, Section 1 (i) of the TOR, the Performance Security in the form of a <u>bank guarantee</u> or an <u>escrow account</u> is required to be submitted within thirty (30) calendar days from the BCDA Board's approval of the development plan. Thus, Lessee is given the option whether to secure and submit to BCDA a bank guarantee or establish an escrow account specifically to finance the construction and development of the project. Either way, both instruments serve the same purpose, i.e., to guarantee the availability of funds for the project.</p> <p>Further, as stated in Bid Bulletin No. 1, s. 2025 dated 23 May 2025, BCDA and the Lessee shall discuss in detail and agree on the terms of the drawdowns or release of funds in escrow once</p>

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	the Contract is signed. While the Escrow Agreement shall only be between the Lessee as Principal and the Escrow Agent, it must be included in the Escrow Agreement that BCDA shall be regularly provided with a copy of the quarterly financial statements of the escrow fund.
<p>4. Construction-related Technical Requirements</p> <p>We would like to request clarification on the applicable standards and submission requirements regarding technical aspects such as the Sewage Treatment Plant (STP), Storm Drainage Plan (SDP), sewerage system, water supply, electrical connections, and other infrastructure requirements.</p>	<p>The technical requirements and submission standards for infrastructure components such as the Sewage Treatment Plant (STP), Storm Drainage Plan (SDP), sewerage system, water supply, electrical connections, and related systems shall conform to all applicable laws, rules, and regulations. These include, but are not limited to, the National Structural Code of the Philippines (NSCP), National Building Code of the Philippines (PD 1096), Fire Code of the Philippines, Sanitation Code, Revised National Plumbing Code, and the Philippine Electrical Code.</p> <p>Compliance with these codes shall guide the design, installation, and submission requirements of the corresponding technical documents and plans.</p>
<p>5. Additional Required Attachments or Statements</p> <p>Other than the documents explicitly listed in the TOR and its annexes, are there any additional attachments, declarations, or statements required as part of the submission package?</p>	<p>Please refer to the Revised Checklist of Documents attached to this Bid Bulletin as Annex B</p>
<p>6. Bid Security – Form and Proof of Payment</p> <p>The TOR mentions a need for “proof of payment” of the bid security. Do we submit the</p>	<p>Per Article VII, Section 3 of the TOR, the Bid Security, in the form of a manager’s check or cashier’s check, shall be submitted along with the Final Bid Letter.</p>

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<p>manager's check with the bid or do you require us to deposit the amount before the deadline and provide the deposit slip as proof of payment. If so, which bank account do we deposit the payment?</p>	<p>In this regard, please refer to the attached Revised Checklist of Documents which supplants the form provided in the TOR.</p>
<p>7. Substitute for Tax Clearance Certificate</p> <p>In the event that we are unable to secure the BIR Tax Clearance Certificate in time, is there an alternative document that may be accepted in lieu thereof? Additionally, must the certificate specifically be issued in 2024, or would a valid certificate from an earlier period be acceptable?</p>	<p>There is no substitute document for the BIR Tax Clearance Certificate.</p> <p>Additionally, please be reminded that the Tax Clearance Certificate is required to be presented during the Post-qualification process as provided in Article VII, Section 2.1 (g) of the TOR, which reads:</p> <p><i><u>"g. Timely and Complete Payment of Taxes. The Proponent (and all its joint venture/consortium members) should have no tax liabilities in the Philippines. A Tax Clearance Certificate issued by the Bureau of Internal Revenue (BIR) National Office or, for foreign corporations, the equivalent document duly authenticated by the Philippine Consulate based in the foreign company's domicile, shall be required as part of the post qualification process."</u></i> (underscoring supplied)</p> <p>Hence, during the post-qualification process, the Bidder with the Highest Ranked Bid must present a Tax Clearance Certificate issued by the BIR certifying that it has no tax liabilities as of the issuance of such certificate this year, 2025.</p>
<p>8. Documents</p> <p>Do you need a Certified true copy of the documents (GIS, Secretary Certificate, SEC Registration) or is a certified copy enough?</p>	<p>Bidders are required to submit SEC certified true copies of their SEC Certificate of Registration, General Information Sheet (GIS), and Articles of Incorporation and By-Laws and any amendments thereto.</p>

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	As for the Secretary's Certificate, the Bidders must submit the original and a certified true copy. The original must be contained in the " First Set: Eligibility Documents " and the certified true copy in the " Second Set: Eligibility Documents ".
<p>9. Request for Extension of Deadlines</p> <p>We would like to request for an extension of the deadline to submit queries and requests for clarifications on the TOR and the Contract of Lease from 06 June 2025 to 13 June 2025 and the deadline for submission of eligibility documents and financial proposals from 19 June 2025 to 03 July 2025.</p>	<p>The Joint ADP Committee hereby extends the deadline for submission of queries or requests for clarification from 06 June 2025 to 13 June 2025. In relation thereto, please be advised of the changes in the schedule of subsequent activities as follows:</p> <p>Last day of issuance of Bid Bulletin: 20 June 2025</p> <p>Deadline for submission of Eligibility Documents and Financial Proposals: 26 June 2025, 12:00 noon</p>

The clarifications herein issued effectively amend, modify, or revise the provisions of the TOR that are inconsistent or contradictory thereto.

Thank you for your continued interest in the BCDA's Asset Disposition Program.


MARK P. TORRES
Chairperson

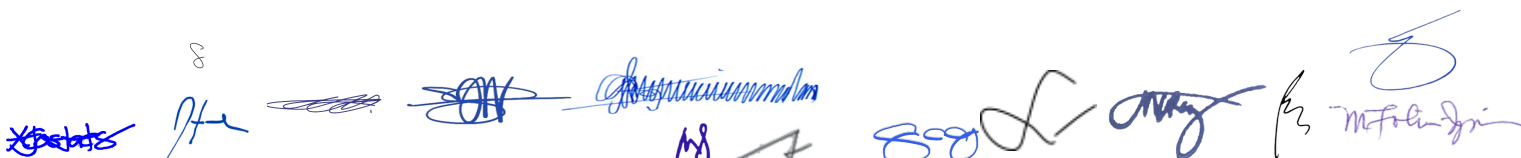

JANE THERESA G. TABALINGCOS
Vice Chairperson


MARY GRACE C. PEREZ
Member


LEAH C. QUISOBEN-MAGUILAO
Member


RANDY S. VIACRUSIS
Member


MARICEL C. SANTOS
Member



**SUMMARY OF COMPLETED PROJECTS SIMILAR
TO THE PROPOSED DEVELOPMENT FOR THE MILE-HI PROPERTY**

Retail and/or commercial establishment with a total gross floor area of at least **three thousand (3,000) square meters** and a project cost of no less than **One Hundred Thirty-five Million (Php135,000,000.00)**, adjusted to current prices, excluding the cost of the land.

Project Name:		Location:
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:		

N.B. To support the statements contained in this **Summary**, a certified true copy of any of the following documents shall be submitted during the post-qualification process:

- (1) Certificate of Completion
- (2) Occupancy Permit
- (3) Contract

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CHECKLIST OF DOCUMENTS
(IF BIDDER IS A CORPORATION)

Reference in the TOR	Document	Remarks
Eligibility Documents		
Annex F-1 in TOR	Duly Notarized Eligibility Statement	Mark as A
Annex G-1 in TOR	Proponent's Profile	Mark as A-1
	Summary of Completed Projects Similar to the Proposed Development	Mark as A-2
	SEC-certified true copies of its SEC Certificate of Registration , together with the General Information Sheet (GIS) for the latest applicable calendar or fiscal year. For foreign corporations, the equivalent document duly authenticated by the Philippine Consulate based in the foreign company's domicile.	Mark as B
	SEC-certified true copies of its Articles of Incorporation and By-Laws and any amendments thereto . For foreign corporations, the certified copies of the original Articles of Incorporation duly filed in the country of incorporation and duly authenticated by the Philippine Consulate based in the foreign company's domicile, and translated in English, if necessary.	Mark as C
	Audited Financial Statements (AFS) for the past three (3) calendar or fiscal years , and its Income Tax Return (ITR) for the previous calendar or fiscal year , of which both the AFS and ITR must be stamped "Received" by the Bureau of Internal Revenue (BIR), or for foreign corporations, the equivalent documents duly authenticated by the Philippine Consulate based in the foreign company's domicile.	Mark as D
	A Board Resolution or Secretary's Certificate of the Proponent, expressly authorizing their participation in the bidding process, and appointing their authorized representative/s for this purpose. For foreign corporations, the required document should be duly authenticated by the Philippine Consulate based in the foreign company's domicile, and translated in English, if necessary.	Mark as E
Financial Proposal		
Annex H-1	Final Bid Letter	Mark as F
	Bid Security in the form of a manager's check or a cashier's check	Mark as G

ANNEX B-2

CHECKLIST OF DOCUMENTS

(IF BIDDER IS A CONSORTIUM / UNINCORPORATED JOINT VENTURE)

Reference in the TOR	Document	Remarks
Eligibility Documents		
Annex F-1 in TOR	Duly Notarized Joint Eligibility Statement	Mark as A
Annex G-1 in TOR	Proponent's Profile (all members of the consortium should submit their respective Proponent's Profiles)	Mark as A-1
	Summary of Completed Projects Similar to the Proposed Development (to be submitted by the member which meets the Technical Capability requirement)	Mark as A-2
	Duly notarized Joint Venture Agreement/ Consortium Agreement, signed by all members	Mark as A-3
	SEC-certified true copies of each member's SEC Certificate of Registration , together with the General Information Sheet (GIS) for the latest applicable calendar or fiscal year. For foreign corporations, the equivalent document duly authenticated by the Philippine Consulate based in the foreign company's domicile.	Mark as B
	SEC-certified true copies of each member's Articles of Incorporation and By-Laws and any amendments thereto . For foreign corporations, the certified copies of the original Articles of Incorporation duly filed in the country of incorporation and duly authenticated by the Philippine Consulate based in the foreign company's domicile, and translated in English, if necessary.	Mark as C
	Audited Financial Statements for the past three (3) calendar or fiscal years , stamped "Received" by the Bureau of Internal Revenue (BIR), and its Income Tax Return for the last calendar or fiscal year , of all members of the Consortium. For foreign corporations, the equivalent documents duly authenticated by the Philippine Consulate based in the foreign company's domicile.	Mark as D
	A Board Resolution or Secretary's Certificate from each consortium member, expressly authorizing its participation in the bidding process, and appointing their authorized representative/s for this purpose. For foreign corporations, the required document should be duly authenticated by the Philippine Consulate based in the foreign company's domicile, and translated in English if necessary.	Mark as E
Financial Proposal		
Annex H-1	Final Bid Letter	Mark as F
	Bid Security in the form of a manager's check or a cashier's check	Mark as G

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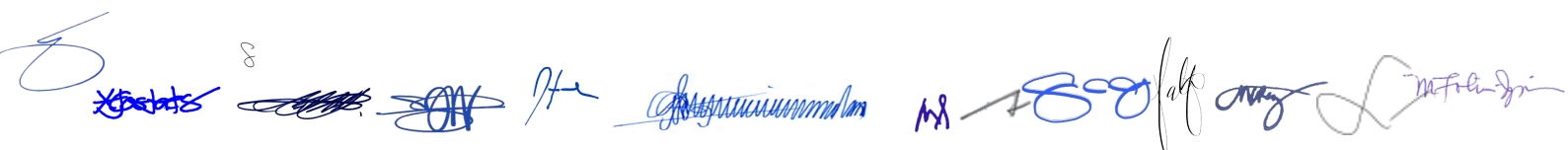
ANNEX C-1
(FOR CORPORATIONS)

REPUBLIC OF THE PHILIPPINES
CITY OF _____) s.s.

ELIGIBILITY STATEMENT

I, (name of the authorized representative), of legal age, (*nationality*), and with office address at _____, under oath, hereby depose and say THAT:

1. The (*name of Corporation*) (Proponent) intends to participate in the Competitive Challenge conducted by the Bases Conversion and Development Authority (BCDA) for the long-term lease of the 6,647-square meter Mile Hi Property located within Camp John Hay, Baguio City.
2. I am the (*designation*) of the Proponent, duly authorized to make this Statement for and on its behalf;
3. In compliance with the Eligibility Requirements, the Proponent's Profile is hereto attached and marked as Annex **A-1**;
4. In compliance with the Eligibility Requirements, a Summary of Competed Projects similar in nature to the proposed development is hereto attached and marked as Annex **A-2**
5. In compliance with the Documentary Requirements, the following documents are hereto attached:
 - a. Securities and Exchange Commission (SEC) Registration Certificate together with the General Information Sheet (GIS) of the Bidder for the latest applicable calendar or fiscal year;
 - b. Board Resolution/Secretary's Certificate /Special Power of Attorney authorizing its participation in the bidding process and appointing its authorized representative for this purpose, or, for sole proprietorships, a valid government-issued identification card of the proprietor with photo, whichever of the aforementioned is applicable.
6. The Proponent, its parent company or subsidiaries or affiliates with common controlling shareholdings, if any, is not considered in default of its financial or other obligations, in any past or current project being undertaken with BCDA or its subsidiaries, at the day of submission of bids, as determined by BCDA;
7. The Proponent, its parent company or subsidiaries or affiliates with common controlling shareholdings, if any, has not filed any case impinging on BCDA, and/or their affiliates and subsidiaries' performance of their mandate;
8. The Proponent has no pending or unpaid tax liabilities in the Philippines;
9. The Proponent accepts the Terms of Reference, qualification criteria, and the terms and conditions set by BCDA;



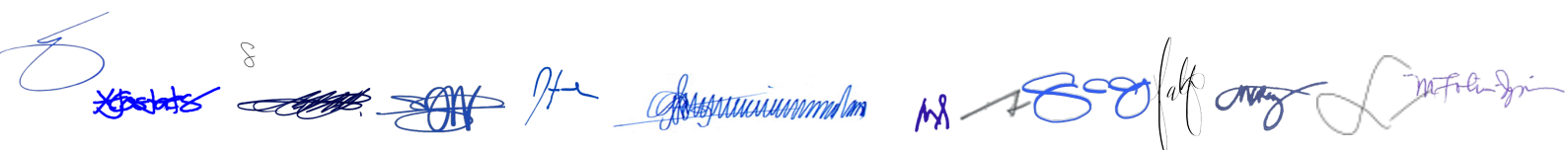
10. The Proponent, if awarded the Contract of Lease, commits to comply with the: (1) Contract of Lease, (2) Development Plan, and (3) all other pertinent government standards such as, but not limited to, the Comprehensive Integrated Master Development Plan (CIMDP) for Camp John Hay and subsequent amendments thereto, National Building Code, the Fire Code, and other relevant laws, rules, regulations, and issuances of the agencies of the National Government and the Local Government, for the duration of the contract period;
11. The Proponent commits to abide by the decision of the Joint ADP Committee for JHSEZ, waives its right to seek legal remedies against BCDA and its subsidiaries, and holds its Board of Directors, Officers and staff, consultants, and authorized representatives/personnel free and harmless from any liability, costs, and expenses, suit or allegation arising from its participation in this bidding process;
12. All information in this statement, including attachments and enclosures thereof, is true and correct. Any falsity, error, or misrepresentation shall constitute grounds for disqualification from this bidding or revocation of the award as determined by BCDA;
13. The Proponent, its Directors, Officers, and staff or any representative thereof, shall not attempt to establish any contact with any of BCDA Directors, Officers, staff, consultants, and authorized representatives/personnel on matters concerning the bidding from the date of the submission of their bids up to the conclusion of the bidding process, except for clarifications on Proposal which must be in writing and addressed to the Joint ADP Committee for JHSEZ, through its Chairperson.

The Proponent, its Directors, and Officers have neither given nor offered, nor will it give nor offer, directly or indirectly, any bribe or other improper payment or advantage to any Directors, Officers, staff, consultants, and authorized representatives/personnel of the BCDA and JHMC, or engage in any of the acts prohibited under R.A. 3019, otherwise known as the Anti-Graft and Corrupt Practices Act, as amended.

Violation of any of the foregoing shall be a ground for the disqualification from the bidding or revocation of the award, if any, without prejudice to damages that BCDA may recover for any loss or damage that may result therefrom.

14. The Proponent is not involved in any money laundering activity as defined by the Anti-Money Laundering Act of 2001 (R.A. 9160) and as further governed by RA 10365.
15. The Proponent authorizes BCDA or its authorized representatives to conduct investigation and verification of the statements, documents and information submitted relative to our bid.

For this purpose, the Proponent hereby authorizes any public office, or any person or firm to furnish pertinent information deemed necessary and requested by BCDA to verify statements and information provided in this statement.

A series of handwritten signatures and initials in blue and black ink are located at the bottom of the page. The signatures are varied in style, some appearing to be names and others as initials or stylized marks.

IN FAITH WHEREOF, I have hereunto affixed my signature this _____ day of _____ 2025 at _____, Philippines.

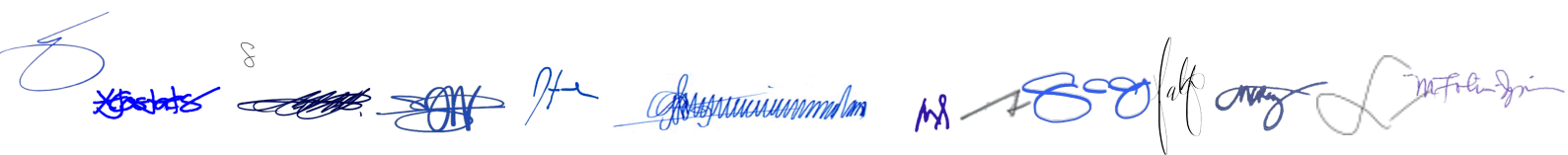
Affiant

SUBSCRIBED AND SWORN TO before me this _____ day of _____ 2025, affiant exhibiting to me his competent evidence of identity (e.g. Passport, Driver's License, etc.) _____ issued at _____, Philippines on _____, 2025.

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Series of 2025.

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ANNEX C

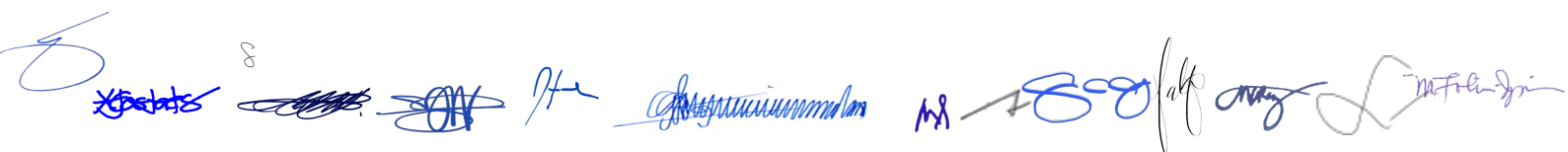
(FOR UNINCORPORATED JOINT VENTURES / CONSORTIUM)

REPUBLIC OF THE PHILIPPINES
CITY OF _____) s.s.

JOINT ELIGIBILITY STATEMENT

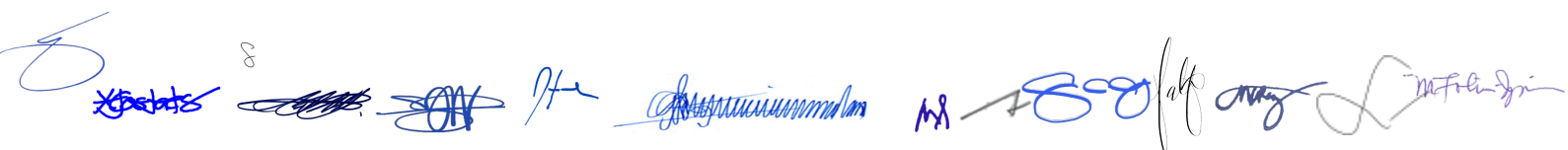
I, (name of the authorized representative of the Consortium), of legal age, (nationality), and with office address at _____, under oath, hereby depose and say THAT:

1. The Consortium of (*name of Corporation 1*) and (*name of Corporation 2*) (Proponent) intends to participate in the Competitive Challenge conducted by the Bases Conversion and Development Authority (BCDA) for the long-term lease of the 6,647-square meter Mile Hi Property located within Camp John Hay, Baguio City.
2. I am the (*designation*) of the Proponent, duly authorized to make this Statement for and on its behalf;
3. In compliance with the Eligibility Requirements, the Proponent's Profiles of (*name of Corporation 1*) and (*name of Corporation 2*) are hereto attached and marked as Annex **A-1**;
4. In compliance with the Eligibility Requirements, a Summary of Competed Projects similar in nature to the proposed development is hereto attached and marked as Annex **A-2**;
5. In compliance with the Eligibility Requirements, attached as Annex **A-3** is the duly signed and notarized Joint Venture Agreement / Consortium Agreement which: (i) briefly describes the joint venture/consortium, the individual members of the joint venture/consortium, and the nature and extent of the participation of each member; (ii) identifies the authorized representative / lead member by all the members to represent the joint venture/consortium and sign any and all documents related to this Competitive Challenge including the Contract of Lease with BCDA; and (iii) states that all the members of the consortium shall be jointly and severally liable for the obligations of the joint venture/consortium under the Contract;
6. In compliance with the Documentary Requirements, the following documents are hereto attached:
 - a. Securities and Exchange Commission (SEC) Registration Certificates of each member, together with the corresponding General Information Sheets (GIS) for the latest applicable calendar or fiscal year;
 - b. Board Resolution/Secretary's Certificate from each member of the consortium authorizing their participation in the bidding process as part of the joint venture/consortium, and appointing each of their authorized representatives for this purpose;



7. Each member of the Joint Venture/Consortium, and their respective parent companies or subsidiaries or affiliates with common controlling shareholdings, if any, is not considered in default of its financial or other obligations, in any past or current project being undertaken with BCDA or its subsidiaries, at the day of submission of bids, as determined by BCDA;
8. Each member of the Joint Venture/Consortium, their respective parent companies or subsidiaries or affiliates with common controlling shareholdings, if any, has not filed any case impinging on BCDA, and/or its affiliates and subsidiaries' performance of its mandate;
9. Each member of the joint venture/consortium has no pending or unpaid tax liabilities in the Philippines;
10. The Joint venture/Consortium and all the members thereof accepts the Terms of Reference, qualification criteria, and the terms and conditions set by BCDA;
11. The Joint Venture/Consortium, if awarded the Contract of Lease, commits to comply with the: (1) Contract of Lease, (2) Development Plan, and (3) all other pertinent government standards such as, but not limited to, the Comprehensive Integrated Master Development Plan (CIMDP) for Camp John Hay and subsequent amendments thereto, National Building Code, the Fire Code, and other relevant laws, rules, regulations, and issuances of the agencies of the National Government and the Local Government, for the duration of the contract period;
12. The Joint Venture/Consortium, and each and every member thereof, commit to abide by the decision of the Joint ADP Committee for JHSEZ, waive their right to seek legal remedies against BCDA and its subsidiaries, and hold the BCDA Board of Directors, Officers and staff, consultants, and authorized representatives/personnel free and harmless from any liability, costs, and expenses, suit or allegation arising from its participation in this bidding process;
13. All information in this statement, including attachments and enclosures thereof, is true and correct. Any falsity, error, or misrepresentation shall constitute grounds for disqualification from this bidding or revocation of the award as determined by BCDA;
14. The Joint Venture/Consortium, and the respective Directors, Officers, and staff or any representative of each member of the Joint Venture/Consortium, shall not attempt to establish any contact with any of BCDA Directors, Officers, staff, consultants, and authorized representatives/personnel on matters concerning the bidding from the date of the submission of their bids up to the conclusion of the bidding process, except for clarifications on Proposal which must be in writing and addressed to the Joint ADP Committee for JHSEZ, through its Chairperson.

The Joint Venture/Consortium, and the respective Directors, Officers, and staff or any representative thereof, have neither given nor offered, nor will it give nor offer, directly or indirectly, any bribe or other improper payment or advantage to any Directors, Officers, staff, consultants, and authorized representatives/personnel of the BCDA and JHMC, or engage in any of the

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acts prohibited under R.A. 3019, otherwise known as the Anti-Graft and Corrupt Practices Act, as amended.

Violation of any of the foregoing shall be a ground for the disqualification from the bidding or revocation of the award, if any, without prejudice to damages that BCDA may recover for any loss or damage that may result therefrom.

15. The Proponent is not involved in any money laundering activity as defined by the Anti-Money Laundering Act of 2001 (R.A. 9160) and as further governed by RA 10365.
16. The Proponent authorizes BCDA or its authorized representatives to conduct investigation and verification of the statements, documents and information submitted relative to our bid.

For this purpose, the Proponent hereby authorizes any public office, or any person or firm to furnish pertinent information deemed necessary and requested by BCDA to verify statements and information provided in this statement.

IN FAITH WHEREOF, I have hereunto affixed my signature this ____ day of _____ 2025 at _____, Philippines.

Affiant

SUBSCRIBED AND SWORN TO before me this ____ day of _____ 2025, affiant exhibiting to me his competent evidence of identity (e.g. Passport, Driver's License, etc.) _____ issued at _____, Philippines on _____, 2025.

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