

**Bids and Awards Committee for Consulting Services (BAC-C)**

**PROCUREMENT OF CONSULTING SERVICES FOR THE DETAILED ENGINEERING  
DESIGN (DED) OF CLARK INTERNATIONAL AIRPORT AIRSIDE EXPANSION  
PROJECT (RUNWAY 3)**

**Bid Bulletin No. 02**

This Bid Bulletin clarifies queries/questions raised during the Pre-eligibility Conference held on 23 May 2025 and written clarifications received through email pertaining to the above-cited Consulting Services.

**I. QUERIES/QUESTIONS BY THE PROSPECTIVE BIDDERS**

**a. Queries/Questions raised during the Pre-eligibility Conference**

Queries/Questions	Clarifications/Responses
<p>1. Requesting clarifications on foreign corporations, particularly Item 1.2 of Section II of the Bidding Documents:</p> <p><i>“When the types and fields of Consulting Services involve the practice of professions regulated by law, those who will actually perform the services shall be Filipino citizens and registered professionals authorized by the appropriate regulatory body to practice those professions and allied professions specified in the Eligibility Data Sheet (EDS).”</i></p> <p>and Item 2.3 of Section II of the Bidding Documents:</p> <p><i>“Prospective bidders may obtain a full range of expertise by associating with individual consultant(s) and/or other consultants or entities through a Joint Venture (JV) or</i></p>	<p>To reconcile both provisions, Item 1.2 Section II refers to the “natural persons” who will actually perform the services (key personnel) while Item 2.3 pertains to the firm/entity or the consultant itself who will join the bidding.</p> <p>In Item 1.2, if the practice of profession is regulated by law, then the required services must be performed by a Filipino citizen. If the practice of a profession is not regulated by law (i.e. team leader), foreign citizens are allowed.</p> <p>In Item 2.3, foreign consultants may join provided that they enter into a joint venture with a Filipino entity.</p> <p>If the foreign consultant will enter into a joint venture with a Filipino corporation, they can subcontract a maximum of twenty percent (20%) of the Services of the project to the Filipino consultants.</p>

<p><i>subcontracting arrangements, as appropriate. However, subconsultants may only participate in the bid of one shortlisted consultant. Foreign Consultants shall seek the participation of Filipino Consultants by entering into a JV with, or subcontracting part of the project to, Filipino Consultants."</i></p>	
<p>2. Does the 60/40 refer to the share of the JV partners in the contract?</p>	<p>The 60-40 sharing refers to the ownership or interest of each JV partner. The JVA should clearly state that the Filipino ownership or interest over the joint venture is at least sixty percent (60%) <b>regardless of the form of contribution</b> by which such ownership or interest was obtained.</p>
<p>3. What if we participate in the bidding as an unincorporated JV?</p>	<p>Unincorporated JVs are allowed to participate in the bidding.</p> <p>If the foreign consultant and the Filipino consultant will participate in the bidding as an unincorporated joint venture, the 60-40 requirement must be shown in the JVA (in case the joint venture is already in existence), or in the duly notarized statements from all the potential joint venture partners.</p> <p>Both the foreign consultant and Filipino consultant must register with PhilGEPS.</p>
<p>4. Regarding the foreign specialists, we need to satisfy the documentary requirements as to their professional regulation. Can we submit counterpart documentation for foreign specialists the same way that we require Professional Regulation Commission (PRC) licenses? Are these documents supposed to be</p>	<p>Yes, any counterpart document/s equivalent to the PRC license may be submitted, subject to detailed evaluation.</p> <p>For Contracting Parties to the Apostille Convention, the documents shall be authenticated through an apostille by the competent authority. Considering that it will take time to secure apostilled documents, the</p>



<p>apostilled? Do you require it in the eligibility stage, or can it be in the latter part?</p>	<p>BAC will evaluate it during the post-qualification stage.</p>
<p>5. Will associate firms (subcontractors, not a joint venture) be evaluated?</p> <p>Can we add associate firms after the eligibility stage?</p>	<p>We are accepting incorporated and unincorporated JVs. In the case of an unincorporated JV, the companies need not be registered with the SEC of the Philippines at the time of the bidding; instead, you have to submit a duly executed JV agreement signed by all concerned parties explicitly stating that they will jointly undertake the project and assume joint and several liability to the Procuring Entity.</p> <p>As for the subcontracting, subcontractors will be evaluated. Page 102 of the Manual of Procedures for the Procurement of Consulting Services states: <u>"A subconsultant must comply with the eligibility criteria and the documentary requirements specified in the BDS.</u> In the event that any subconsultant is found by the Procuring Entity to be ineligible, the subcontracting of such a portion of the Services shall be disallowed."</p> <p>As to whether subcontractors may be disclosed after the eligibility stage, it is allowed pursuant to Section 1 of the Instructions to Bidders under the Bidding Documents which provides that: <u>"The Consultant may identify the subconsultant to whom a portion of the Consulting Services will be subcontracted at any stage of the bidding process or during contract implementation."</u></p>
<p>6. Will the JV, its members, and individual project experience be evaluated as one, or will the lead firm's experience have more weight than the other member?</p>	<p>All members of the JV shall be evaluated.</p> <p>Furthermore, as provided in Section 14.1 of the Terms of Reference (TOR), "In case of Joint Venture (JV), at least one (1) member of the firm <b>should have at least twenty (20) years of business operation</b> involving detailed engineering design of aeronautical facilities,</p>

	particularly aprons, taxiways, and runways (with a length of at least 3.2 km and currently operational), and shall be designated as the <b>lead partner.</b> "
7. For an unincorporated JV (e.g., a local firm and a foreign firm), if the foreign firm is not registered in the Philippines, would it still meet the 60/40 requirement?	If a local corporation and a foreign corporation intends to enter into an unincorporated JV for purposes of joining this procurement, it is required that the foreign firm must register with PhilGEPS. The 60/40 requirement must still be present in the JV, as shown in their JVA.
8. If the bidder has a sub-consultant, will the experience of the subconsultant be evaluated for eligibility and scoring, assuming that the subconsultant's scope is no more than 30.00%?	Subcontractors will be evaluated. Page 102 of the Manual of Procedures for the Procurement of Consulting Services states: " <u>A subconsultant must comply with the eligibility criteria and the documentary requirements specified in the BDS.</u> In the event that any subconsultant is found by the Procuring Entity to be ineligible, the subcontracting of such portion of the Services shall be disallowed."  As to whether subcontractors may be disclosed after the eligibility stage, it is allowed pursuant to Section 1 of the Instructions to Bidders under the Bidding Documents which provides that: "The Consultant may identify the subconsultant to whom a portion of the Consulting Services will be subcontracted at <u>any stage of the bidding process or during contract implementation.</u> "
9. Are we required to purchase the bidding documents prior to submission of eligibility documents?	No, it is not required to purchase the bidding documents during the Eligibility Stage.  Only shortlisted bidders are allowed to purchase the Bidding Documents.
10. Is there any possibility of an extension for the submission deadline of the eligibility documents?	Yes. Pursuant to Bid Bulletin No. 1, the deadline for submission of eligibility documents will be on <b>18 June 2025 (Wednesday)</b> .
11. In order to prepare an EOI satisfying all the requirements in the REI for this significant Project, we would like	Pursuant to Bid Bulletin No. 1, the deadline for submission of eligibility documents will be on <b>18 June 2025 (Wednesday)</b> .



<p>to cordially solicit your kind acceptance to extend the proposal preparation period for another two (2) weeks, that is until 23 June 2025. This would enable us to prepare proofs and supporting documents which should be attached to the EOI.</p>	
<p>12. Item 1.1 (e) of Section II. <i>Eligibility Documents</i></p> <p>Could you please confirm, in case of an “unincorporated” JV between a Filipino company and a foreign company, how to calculate the percentage of Filipino ownership or interest which is based on the “contribution” of each of the members of the JV?</p> <p>Since this is an unincorporated JV, there is no payment of capital money or equity investment which is applicable to incorporate JV, and which makes Filipino contribution obvious.</p> <p>Can the 60% or more share of the to-be-signed contract attributed to a locally registered firm meet this requirement? Or share of the stake of each JV participant (e.g. company A is locally registered company, but 40% stakes is owned by foreign company and 60% is owned by Filipino person) shall be taken into consideration?</p>	<p>Yes. The 60-40 requirement must be reflected in the JVA or in duly notarized statements. In determining the 60-40 requirement, the overall ownership and interests of the parties shall be examined under the terms and conditions in the JVA.</p> <p>What is essential is that a contract embodying the agreement of partnership of the co-ventures and defining their rights and obligations under such agreement is submitted.</p>
<p>13. Eligibility Form (EF) No. 6</p> <p>Could you please confirm if it is allowed to use electronic signatures for the proposed professional staff and wet signatures for Authorized representatives of the JV considering</p>	<p>Yes. E-signature is acceptable.</p>

the collection and delivery time for such documents here to the Philippines?	
<p>14. EF No. 7</p> <p>Could you please confirm that the sentence written below can be modified in the case that the members of the Project are Filipino and foreigners?</p> <p>1. The members of the Project Team below are all Filipino in Nationality.</p> <p>Can you please provide the format of EF No. 7, which can be used when the Consultant proposes the foreign experts for this assignment?</p> <p>Current format of EF No. 7 restricts the participation of foreign experts in this project.</p>	<p>For EF7, you may delete item 1 and revise item 2 to: <i><b>"The members of the Project Team are professionals who can actually perform the Services in accordance with the eligibility requirements"</b></i>.</p>
<p>15. Instructions to Bidders (ITB) Clause 10.1(c) of Section III. <i>Bid Data Sheet (BDS)</i></p> <p>Japan has an institution called the Civil Aviation College, which operates under the jurisdiction of the Ministry of Land, Infrastructure, Transport and Tourism, rather than the Ministry of Education, Culture, Sports, Science and Technology under which usual colleges and universities are controlled.</p> <p>The degree obtained there is different from a typical bachelor's degree, but it is widely recognized in Japan as an equivalent qualification as this institute offers a very specialized education related to aviation. In this</p>	<p>You may submit the equivalent document, subject to further detailed evaluation.</p>



<p>context, would it be acceptable to treat the degree from this college as a bachelor's degree when proposing personnel in this eligibility document?</p>	
<p>16. ITB Clause 10.1(c) of Section III. <i>BDS</i></p> <p>Some positions require a licensed Civil Engineer (e.g. Team Leader/ Project Manager, Deputy Project Manager/ Aerodrome Specialist and so on). If Japanese experts are nominated to these positions, would it be acceptable to treat Japan's Professional Engineer qualification, which is a national qualification system of engineers, as a licensed Civil Engineer?</p> <p>In the pre-eligibility conference, it was announced that apostille to foreign PRC can be obtained in the post evaluation stage not in the first EOI. Is this understanding correct?</p>	<p>Yes, any counterpart document/s equivalent to the PRC license may be submitted.</p> <p>For Contracting Parties to the Apostille Convention, the documents shall be authenticated through an apostille by the Competent Authority. Considering that it will take time to secure apostilled documents, the BAC will evaluate it during the post-qualification stage.</p>
<p>17. ITB Clause 10.1(c) of Section III. <i>BDS</i></p> <p>Though Ninoy Aquino International Airport is an airport in the Philippines, would it be acceptable to count this project as an international aerodrome project?</p>	<p>Yes, considering that the NAIA complies with the ICAO standards. Nonetheless, the prospective bidder may include aerodrome projects outside the Philippines.</p>
<p>18. REI</p> <p>Would you please clarify when it is necessary to purchase Bidding Documents in the amount of Php50,000.00? Would it be the stage of Eligibility or Proposals?</p> <p>In the case of JV, would it be acceptable that only JV lead company</p>	<p>No, it is not required to purchase the bidding document during the Eligibility Stage. Only shortlisted bidders are allowed to purchase the Bidding Documents.</p> <p>Yes, in the case of a Joint Venture (JV), it is acceptable that only the lead company purchases the Bidding Documents. It is not required for all JV members to purchase the Bidding Documents separately.</p>

<p>purchases the Bidding Documents? Or all JV members have to purchase the Bidding Documents respectively?</p>	
<p>19. We have reviewed the Secretary's Certificate included in the EOI documents and noticed that it appears to be intended for corporations.</p> <p>In this regard, we would like to respectfully request if your good office could provide us with the appropriate template for partnerships.</p>	<p>In case of partnerships, Special Power of Attorney shall be used. Please refer to page 269 of the Bidding Documents for the format of the Special Power of Attorney for joint ventures, and page 270 for the format of the Special Power of Attorney for partnerships.</p>

**b. Queries/Questions sent via Email**

Queries/Questions	Clarifications/Responses
<p>1. For us to better prepare for the bid, we would like to request you share with us:</p> <ul style="list-style-type: none"> <li>the presentation material displayed during the tender briefing; and</li> <li>the editable format of all the tender submission forms in the tender documents.</li> </ul>	<p>Please refer to Item II and Item V(B) of Bid Bulletin No. 1 for the link to the presentation during the pre-eligibility conference and the editable format for the eligibility documents.</p>
<p>2. Would the subconsultant's project reference and key personnel be evaluated during the shortlisting process?</p> <p>If yes, are the bidders allowed to change their subconsultant and their personnel during the RFP stage?</p>	<p>Yes, once the bidder identifies its subconsultant at any stage of the bidding process, it will be evaluated by the BAC. Should the subconsultant fail to comply with the eligibility requirements, the eligibility of the bidder will not be affected. However, the bidder shall assume the responsibility of the subconsultant.</p> <p>In case the bidder changes their subconsultant anytime during the bidding process, the same will be tantamount to modification of bids which is not allowed under the procurement law.</p>



	A subconsultant identified during the bidding stage may be changed during the implementation of this Contract, subject to compliance with the required qualifications and the prior written approval of the Procuring Entity.
3. It was discussed that 30.00% of the contract amount can be subcontracted, could you confirm?	A maximum of twenty percent (20%) of the Services may be subcontracted by the Consultant. [Page 102, <i>Manual of Procedures for the Procurement of Consulting Services</i> ]
4. For an unincorporated JV (e.g, a local firm and a foreign firm), if the foreign firm is not registered in the Philippines, would it still meet the 40/60 requirement?	Yes, so long as the 60-40 requirement is shown in the JVA (in case the joint venture is already in existence), or in the duly notarized statements from all the potential joint venture partners.
5. We respectfully request an extension for the submission of the proposal for the above project to allow us to prepare and provide the required information accurately and comprehensively.	Pursuant to Bid Bulletin No. 1, the deadline for submission of eligibility documents will be on 18 June 2025 (Wednesday).
6. We would like to request an extension for the submission of EOI. We highly value this opportunity and kindly as for a two-week extension, if possible, from the original deadline of submission of 06 June 2025. We would like to propose a new deadline of submission on 20 June 2025 to ensure that we meet your expectations, maintain a high level of quality, and secure all necessary internal approvals.	Pursuant to Bid Bulletin No. 1, the deadline for submission of eligibility documents will be on 18 June 2025 (Wednesday).
7. On Item No. 9 <i>Manning Requirement</i> of the Terms of Reference (TOR)  Some key personnel are required to be licensed holders. Does the license issued by a foreign government to allow its nationals to practice his/her	Yes, but the equivalent license is subject to further evaluation.

profession suffice to meet this qualification?	
<p>8. On Item No. 9 <i>Manning Requirement</i> of the TOR</p> <p>The qualification criteria state that some key personnel should have experience in the detailed design of “international aerodrome projects”. (emphasis added)</p> <p>What is the definition of international aerodrome projects?</p> <p>Are projects within such an international airport as NAIA or Mactan/Cebu considered in this category?</p>	<p>Yes, considering that the NAIA complies with the ICAO standards. Nonetheless, the prospective bidder may include aerodrome projects outside the Philippines.</p>
<p>9. Item No. 5 of the EDS</p> <p>The services being bid out would require extensive preparation to come up with an ideal team of consultants with a complete sheet of eligibility document. We would therefore like to request for an extension of the deadline of submission of Eligibility Documents by two (2) weeks from 09 June 2025 (as amended) to 23 June 2025.</p>	<p>Pursuant to Bid Bulletin No. 1, the deadline for submission of eligibility documents will be on 18 June 2025 (Wednesday).</p>
<p>10. Would the sub-consultant’s personnel be able to take the team leader’s position?</p>	<p>No, only the nominated key personnel shall perform the responsibilities under the TOR.</p>
<p>11. Due to PhilGEPS’ registration being required during the eligibility stage, and it being a very lengthy process that can take months, even years, this will highly constrain foreign consultant’s participation in this tender. We propose to waive the PhilGEPS certification <b>during the eligibility submission.</b></p>	<p>No. PhilGEPS is required during the eligibility stage.</p>



<p>12. EF No. 6 <i>Curriculum Vitae for Proposed Professional Staff</i></p> <p>In the CV proforma, it is required to indicate details of the inclusive dates (month, day, and year). Since many of these details happened decades ago, the experts can no longer recall the exact dates of their involvement.</p> <p>Can we simply indicate the month and year of the inclusive dates?</p>	<p>Yes.</p>
<p>13. Eligibility Requirements 2.1 and 2.3</p> <p>Could you please confirm if the association (namely, subcontracting) firms (not JV firms) are not required to submit the Eligibility Forms including legal documents and technical documents aside from the CVs.</p>	<p>A subconsultant is required to comply with the eligibility criteria and submit the documentary requirements specified in the Bidding Documents. In the event that any subconsultant is found to be ineligible, the subcontracting of such a portion of the Services shall be disallowed. [Page 102, <i>Manual of Procedures for the Procurement of Consulting Services</i>]</p>
<p>14. Is it required for the association (namely, subcontracting) firms (not JV firms) to submit Special Power of Attorney?</p> <p>We understand that there are two (2) formats to be used. One is the Special Power of Attorney, which is used when a representative is authorized to act on behalf of a company.</p> <p>If it is required for the association (namely, subcontracting) firms (not JV firms) to submit Special Power of Attorney, would you please provide us the form for Partnership Authority, in which the Partnership Secretary grants authority to the</p>	<p>For clarification, if two or more entities will join the bidding, it is required that they enter into a joint venture/consortium.</p> <p>For joint ventures, please see page 90 of the Bidding Documents for Special Power of Attorney.</p> <p>For consortium, please see page 91 of the Bidding Documents for Special Power of Attorney.</p> <p>The bidder may make the necessary adjustments in the Special Power of Attorney, as may be applicable.</p>

Managing Partner to represent the partnership in the bidding?	
<p>15. Section VI. TOR, Item No. 18. Manning Requirement</p> <p>Would it be acceptable for the association (namely, subcontracting) firms (not JV firms) to nominate the same individuals for key positions such as Navaid Specialist and Senior Safety Specialist across multiple bidding teams, considering that only one bidder will ultimately be awarded the project?</p>	<p>The different prospective bidders are <b>not allowed</b> to nominate the same individuals for purposes to ensure propriety and to avoid conflict of interest.</p> <p>Under page 35 of the Manual of Procedures for the Procurement of Consulting Services states that a consultant may be considered to have conflicting interests with another consultant in any of the following events:</p> <p>xxx</p> <p>A consultant has a relationship, directly or through third parties, that puts them in a position to have access to information about or influence on the bid of another consultant or influence the decisions of the Procuring Entity regarding this bidding process. This will include a firm or an organization who lends, or temporarily seconds, its personnel to firms or organizations which are engaged in consulting services for the preparation related to procurement for or implementation of the project, if the personnel would be involved in any capacity on the same project"</p>
<p>16. EF Nos. 5 and 6</p> <p>Is it required to submit the certificate of employment in the EOI stage?</p> <p>In the case of Independent Consultants who are not employed by a particular company, what kind of certificate is required instead of the certificate of employment?</p>	<p>No. Certificate of Employment is not required to be submitted.</p>
<p>17. Section VI. TOR, Item No. 14. Minimum Qualification of the Consultant</p>	<p>Yes. <b>At least one (1)</b> of the joint venture partners should have at least twenty (20) years of business operation. Item 14.1 of the TOR states that:</p>



<p>Could you please confirm if it is enough that one of the JV members has the following experience?</p> <p><i>"at least twenty (20) years of business operation involving detailed engineering design of aeronautical facilities, particularly aprons, taxiways, and runways (with a length of at least 3.2 km and currently operational)"</i></p> <p>Would you please clarify which of the following interpretations is correct regarding the required business operation and experience of detailed engineering design of runways?</p> <p>The experience of detailed engineering design of runways (with a length of at least 3.2 km and currently operational) need to have been completed within 20 years.</p> <p>or</p> <p>The company should have experience of at least twenty (20) years of business operation involving detailed engineering design of aeronautical facilities, particularly aprons, taxiways, and runways. Besides, the company should have the experience of runways (with a length of at least 3.2 km and currently operational), <b><u>regardless of when that runway project was completed.</u></b></p>	<p><b>"xxx at least one (1) member of the firm should have at least twenty (20) years of business operation involving detailed engineering design of aeronautical facilities, particularly aprons, taxiways, and runways (with a length of at least 3.2 km and currently operational), and shall be designated as the lead partner."</b></p> <p>The second interpretation is correct. The company should have experience of detailed engineering design of runways regardless of the time when the runway (with a length of at least 3.2 km and currently operational) was completed.</p>
<p><i>Other info:</i></p> <p>In case of JVs, is the foreign entity allowed to be the partner authorized to receive payment from the agency?</p>	<p>This will depend on the agreement of the JV partners.</p> <p>Registration is required for foreign entities after the Notice of Award.</p>

If yes, does it need to be registered in the Philippines if the JV is unincorporated?

## II. SCHEDULE OF PROCUREMENT ACTIVITIES\*


Activities		Time	Date	
1	Deadline for Submission of Eligibility Documents	9:00 AM	18 June 2025	
2	Opening of Eligibility Documents and Eligibility Check	01:00 PM	18 June 2025	
3	Eligibility Check and Shortlisting		19 June 2025	23 June 2025
4	Notification on the Results of Eligibility Check and Shortlisting		<b><u>30 June 2025</u></b>	

\* *subject to change*

All prospective bidders are also reminded to regularly check the PhilGEPS and BCDA's website for updates, advisories and postings of Bid Bulletin in relation to this procurement activity.

This Bid Bulletin shall be considered an integral part of the Bidding Documents for the afore-cited Consulting Services. All provisions and statements in the Bidding Documents for the Consulting Services inconsistent with this Bid Bulletin are either modified or rendered ineffective, as the case may be.

Issued this 11<sup>th</sup> day of June 2025.

  
**ENGR. RICHARD BRIAN M. CEPE**  
Vice Chairperson  
Bids and Awards Committee for Consulting Services