

**PHILIPPINE PORTS AUTHORITY
PPA Building, A. Bonifacio Drive, South
Harbor, Port Area, Manila**

ELIGIBILITY DOCUMENTS

Contract Name

**CONSULTANCY SERVICES FOR THE
CONDUCT OF FEASIBILITY STUDIES AND
FORMULATION OF MASTER PLANS AT
SELECTED PORTS**

Contract Number

HO-BAC-EP-CON-001-2021

**NAME AND ADDRESS OF
APPLICANT-FIRM/CONTRACTOR: _____**

Republic of the Philippines
PHILIPPINE PORTS AUTHORITY
BIDS AND AWARDS COMMITTEE (BAC)

This is to acknowledge receipt from BAC-Secretariat (Philippine Ports Authority), the Eligibility Documents for the following project:

**CONSULTANCY SERVICES FOR THE CONDUCT OF FEASIBILITY STUDIES
AND FORMULATION OF MASTER PLANS AT SELECTED PORTS**

1. Eligibility Documents Submission Form
2. Eligibility Criteria
3. Eligibility Data Sheet (EDS)
4. Checklist of Eligibility Requirements
5. Statement of Ongoing and Completed Projects (FORM I)
6. Statement on Consultant's Nationality and Confirmation as Registered Professionals (FORM II)
7. Joint Venture Agreement (FORM III)

Name of Consultant: _____

RECEIVED BY:

(Signature over printed name)

Official Receipt No. _____

Date: _____

Date: _____

ELIGIBILITY DOCUMENTS SUBMISSION FORM

(Date)

(Name and Address of the Procuring Entity)

Gentlemen:

In connection with your Request for Expression of Interest dated 10 June 2021 for the Consultancy Services for the Conduct of Feasibility Studies and Formulation of Master Plans at Selected Ports, (Name of Consultant) hereby expresses interest in participating in the eligibility and short listing for said Project and submits the attached eligibility documents in compliance with the Eligibility Documents therefore.

In line with this submission, we certify that:

- a) (Name of Consultant) is not blacklisted or barred from bidding by the GOP or any of its agencies, offices, corporations, or LGUs, or autonomous regional government, including foreign government/foreign or international financing institution; and
- b) Each of the documents submitted herewith is an authentic copy of the original, complete and all statements and information therein are true and correct.

We acknowledge and accept the Procuring entity's right to inspect and audit all records relating to our submission irrespective of whether we are declared eligible and short listed or not.

We further acknowledge that failure to sign this Eligibility Document Form shall be a ground for our disqualification

Yours sincerely,

Signature
Name and Title of Authorized Signatory
Name of Consultant
Address

1. Eligibility Criteria

- 1.1. The following persons/entities shall be allowed to participate in the bidding for Consulting Services:
 - (a) Duly licensed Filipino citizens/sole proprietorships;
 - (b) Partnerships duly organized under the laws of the Philippines and of which at least sixty percent (60%) of the interest belongs to citizens of the Philippines;
 - (c) Corporations duly organized under the laws of the Philippines and of which at least sixty percent (60%) of the outstanding capital stock belongs to citizens of the Philippines;
 - (d) Cooperatives duly organized under the laws of the Philippines; or
 - (e) Persons/entities forming themselves into a joint venture, *i.e.*, a group of two (2) or more persons/entities that intend to be jointly and severally responsible or liable for a particular contract: Provided, however, That Filipino ownership or interest thereof shall be at least sixty percent (60%). For this purpose, Filipino ownership or interest shall be based on the contributions of each of the members of the joint venture as specified in their JVA.
- 1.2. 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 **EDS**.
- 1.3. If the Request for Expression of Interest allows participation of foreign consultants, prospective foreign bidders may be eligible subject to the conditions stated in the **EDS**.
- 1.4. Government owned or –controlled corporations (GOCCs) may be eligible to participate only if they can establish that they (a) are legally and financially autonomous, (b) operate under commercial law, and (c) are not attached agencies of the Procuring Entity.

2. Eligibility Requirements

- 2.1. The following eligibility requirements, together with the Eligibility Documents Submission Form, shall be submitted on or before the date of the eligibility check specified in the Request for Expression of Interest and Clause 5 for purposes of determining eligibility of prospective bidders:
 - (a) Class “A” Documents –

Legal Documents
 - (i) PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 of the IRR. For procurement to be performed overseas, it shall be subject to the Guidelines to be issued by the GPPB.

Technical Documents

- (ii) Statement of the prospective bidder of all its ongoing and completed government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid, within the relevant period provided in the EDS. The statement shall include, for each contract, the following:
 - (ii.1) the name and location of the contract;
 - (ii.2) date of award of the contract;
 - (ii.3) type and brief description of consulting services;
 - (ii.4) consultant's role (whether main consultant, subconsultant, or partner in a JV)
 - (ii.5) amount of contract;
 - (ii.6) contract duration; and
 - (ii.7) certificate of satisfactory completion or equivalent document specified in the EDS issued by the client, in the case of a completed contract;
 - (iii) Statement of the consultant specifying its nationality and confirming that those who will actually perform the service are registered professionals authorized by the appropriate regulatory body to practice those professions and allied professions in accordance with Clause 1.2, including their respective curriculum vitae.
- (b) Class "B" Document --

If applicable, the Joint Venture Agreement (JVA) in case the joint venture is already in existence, or duly notarized statements from all the potential joint venture partners in accordance with Section 24.1(b) of the IRR of RA 9184.

- 2.2. The eligibility requirements or statements, the bids, and all other documents to be submitted to the BAC must be in English. If the eligibility requirements or statements, the bids, and all other documents submitted to the BAC are in foreign language other than English, it must be accompanied by a translation of the documents in English. The documents shall be translated by the relevant foreign government agency, the foreign government agency authorized to translate documents, or a registered translator in the foreign bidder's country; and shall be authenticated by the appropriate Philippine foreign service establishment/post or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines.

However, for Contracting Parties to the Apostille Convention, the documents shall be authenticated through an apostille by the Competent Authority, as defined in Clause 2.2 of Part I., Section II., except for countries¹ identified by the DFA, will still require legalization (red ribbon) by the relevant Embassy or Consulate.

The English translation shall govern, for purposes of interpretation of the bid.

¹As of May 14, 2019: Austria, Finland, Germany and Greece

- 2.3. Prospective bidders may obtain a full range of expertise by associating with individual consultant(s) and/or other consultants or entities through a JV or subcontracting arrangements, as appropriate. However, subconsultants may only participate in the bid of one short listed 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.

3. Format and Signing of Eligibility Documents

- 3.1. Prospective bidders shall submit their eligibility documents through their duly authorized representative on or before the deadline specified in Clause 5.
- 3.2. Prospective bidders shall prepare an original and copies of the eligibility documents. In the event of any discrepancy between the original and the copies, the original shall prevail.
- 3.3. The Eligibility Documents Submission Form shall be signed by the duly authorized representative/s of the Bidder. Failure to do so shall be a ground for the rejection of the eligibility documents.
- 3.4. Any interlineations, erasures, or overwriting shall be valid only if they are signed or initialed by the duly authorized representative/s of the prospective bidder.

4. Sealing and Marking of Eligibility Documents

- 4.1. Prospective bidders shall enclose their original eligibility documents described in Clause 2.1, in a sealed envelope marked "ORIGINAL – ELIGIBILITY DOCUMENTS". Each copy thereof shall be similarly sealed duly marking the envelopes as "COPY NO. ____ - ELIGIBILITY DOCUMENTS". These envelopes containing the original and the copies shall then be enclosed in one single envelope.
- 4.2. The original and the number of copies of the eligibility documents as indicated in the **EDS** shall be typed or written in ink and shall be signed by the prospective bidder or its duly authorized representative/s.
- 4.3. All envelopes shall:
- (a) contain the name of the contract to be bid in capital letters;
 - (b) bear the name and address of the prospective bidder in capital letters;
 - (c) be addressed to the Procuring Entity's BAC specified in the **EDS**;
 - (d) bear the specific identification of this Project indicated in the **EDS**; and
 - (e) bear a warning "DO NOT OPEN BEFORE..." the date and time for the opening of eligibility documents, in accordance with Clause 5.
- 4.4. Eligibility documents that are not properly sealed and marked, as required in the bidding documents, shall not be rejected, but the bidder or its duly authorized representative shall acknowledge such condition of the documents as submitted. The BAC shall assume no responsibility for the misplacement of the contents of the improperly sealed or marked eligibility documents, or for its premature opening.

5. Deadline for Submission of Eligibility Documents

Eligibility documents must be received by the Procuring Entity's BAC at the address and on or before the date and time indicated in the Request for Expression of Interest and the **EDS**. In case the deadline for submission of bids fall on a non-working day duly declared by the president, governor, or mayor or other government official authorized to make such declaration, the deadline shall be the next working day.

6. Late Submission of Eligibility Documents

Any eligibility documents submitted after the deadline for submission and receipt prescribed in Clause 5 shall be declared "Late" and shall not be accepted by the Procuring Entity. The BAC shall record in the minutes of submission and opening of eligibility documents, the Bidder's name, its representative and the time the eligibility documents were submitted late.

7. Modification and Withdrawal of Eligibility Documents

7.1. The prospective bidder may modify its eligibility documents after it has been submitted; provided that the modification is received by the Procuring Entity prior to the deadline specified in Clause 5. The prospective bidder shall not be allowed to retrieve its original eligibility documents, but shall be allowed to submit another set equally sealed, properly identified, linked to its original bid marked as "ELIGIBILITY MODIFICATION" and stamped "received" by the BAC. Modifications received after the applicable deadline shall not be considered and shall be returned to the prospective bidder unopened.

7.2. A prospective bidder may, through a letter of withdrawal, withdraw its eligibility documents after it has been submitted, for valid and justifiable reason; provided that the letter of withdrawal is received by the Procuring Entity prior to the deadline prescribed for submission and receipt of eligibility documents.

7.3. Eligibility documents requested to be withdrawn in accordance with this Clause shall be returned unopened to the prospective bidder concerned. A prospective bidder that withdraws its eligibility documents shall not be permitted to submit another set, directly or indirectly, for the same project. A prospective bidder that acquired the eligibility documents may also express its intention not to participate in the bidding through a letter which should reach and be stamped by the BAC before the deadline for submission and receipt of eligibility documents.

8. Opening and Preliminary Examination of Eligibility Documents

8.1. The BAC will open the envelopes containing the eligibility documents in the presence of the prospective bidders' representatives who choose to attend, at the time, on the date, and at the place specified in the **EDS**. The prospective bidders' representatives who are present shall sign a register evidencing their attendance.

In case the submitted eligibility envelopes cannot be opened as scheduled due to justifiable reasons, the BAC shall take custody of the said envelopes and reschedule the opening on the next working day or at the soonest possible time through the issuance of a Notice of Postponement to be posted in the PhilGEPS website and the website of the Procuring Entity concerned.

8.2. Letters of withdrawal shall be read out and recorded during the opening of eligibility documents and the envelope containing the corresponding withdrawn eligibility documents shall be returned unopened to the withdrawing prospective bidder.

- 8.3. The eligibility documents envelopes and modifications, if any, shall be opened one at a time, and the following read out and recorded:
- (a) the name of the prospective bidder;
 - (b) whether there is a modification or substitution; and
 - (c) the presence or absence of each document comprising the eligibility documents vis-à-vis a checklist of the required documents.
- 8.4. The eligibility of each prospective bidder shall be determined by examining each bidder's eligibility requirements or statements against a checklist of requirements, using non-discretionary "pass/fail" criterion, as stated in the Request for Expression of Interest, and shall be determined as either "eligible" or "ineligible." If a prospective bidder submits the specific eligibility document required, he shall be rated "passed" for that particular requirement. In this regard, failure to submit a requirement, or an incomplete or patently insufficient submission, shall be considered "failed" for the particular eligibility requirement concerned. If a prospective bidder is rated "passed" for all the eligibility requirements, he shall be considered eligible to participate in the bidding, and the BAC shall mark the set of eligibility documents of the prospective bidder concerned as "eligible." If a prospective bidder is rated "failed" in any of the eligibility requirements, he shall be considered ineligible to participate in the bidding, and the BAC shall mark the set of eligibility documents of the prospective bidder concerned as "ineligible." In either case, the BAC chairperson or his duly designated authority shall countersign the markings.

9. Short Listing of Consultants

- 9.1. Only prospective bidders whose submitted contracts are similar in nature and complexity to the contract to be bid as provided in the EDS shall be considered for short listing.
- 9.2. The BAC shall draw up the short list of prospective bidders from those declared eligible using the detailed set of criteria and rating system to be used specified in the EDS.
- 9.3. Short listed consultants shall be invited to participate in the bidding for this project through a Notice of Eligibility and Short Listing issued by the BAC.

10. Protest Mechanism

Decision of the Procuring Entity at any stage of the procurement process may be questioned in accordance with Section 55 of the IRR of RA 9184.

Eligibility Data Sheet

| Eligibility Documents | |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.2 | Conduct of Feasibility Studies and Formulation of Master Plans. |
| 1.3 | No further instructions. |
| 2.1 (a)(ii.) | The statement of all ongoing and completed government and private contracts shall include all such contracts within five (5) years prior to the deadline for the submission and receipt of eligibility documents. |
| 2.1(a)(ii).7) | <p>Certificate of satisfactory completion of completed contracts (i.e. Copy of Contract/Agreement, Notice of Award and Notice to Proceed.</p> <p>The Consultant shall likewise submit the following:</p> <ul style="list-style-type: none"> a. Xerox copy of the valid Professional Regulation Commission's (PRC) License of the personnel to be assigned to the project b. Current Professional Tax Receipt (PTR) of the following personnel: <ul style="list-style-type: none"> 1. Civil Engineer 2. Geodetic Engineer 3. Electrical Engineer c. The personnel pledged/assigned/committed in one project cannot be the same personnel pledged/assigned/committed in another PPA project. d. A personnel pledged/assigned/committed in one (1) PPA project cannot be the same personnel pledged/assigned/committed in another PPA project. |
| 4.2 | Each prospective bidder shall submit ONE (1) original and SIX (6) copies of their duly accomplished Eligibility Documents, properly labeled, book bound and hard bound with index tabs. Screw-bound, ring-bound and combo-bound documents are not acceptable. Failure to comply with the said requirements shall be a ground for ineligibility. |
| 4.3(c) | Head Office Bids and Awards Committee for Engineering Projects and Consultancy Services (HO-BAC-EP-CON) |
| 4.3(d) | HO-BAC-EP-CON 001-2021 |

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|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5. | <p>The address for submission of eligibility documents is:</p> <p>Bids and Awards Committee (BAC) Office 5th Floor, PPA Building, A. Bonifacio Drive South Harbor, Port Area, Manila</p> <p>The deadline for submission of eligibility documents is:</p> <p>18 June 2021 at 9:00 a.m.</p> |
| 8.1 | <p>The place of opening of eligibility documents is:</p> <p>7th Floor, PPA Building, A. Bonifacio Drive South Harbor, Port Area, Manila</p> <p>The date and time of opening of eligibility documents is:</p> <p>18 June 2021 at 10:00 a.m.</p> |
| 9.1 | <p>Similar contracts shall refer to Conduct of Feasibility Studies and Formulation of Master Plans.</p> |
| 9.2 | <p>Eligibility of prospective bidders shall be checked using a non-discretionary “pass/fail” criteria. Short listing of eligible consultants will be done based on the following criteria:</p> <ul style="list-style-type: none"> a) Applicable experience of the consultant and members in case of joint ventures, considering both the overall experiences of the firms or, in the case of new firms, the individual experiences of the principal and key staff, including the times when employed by other consultants. b) Qualification of personnel who may be assigned to the job vis-à-vis extent and complexity of the undertaking; and c) Current workload relative to capacity. <p>Only five (5) eligible bidders shall make up the shortlist. The evaluation procedure to be adopted shall be Quality-Cost Based Evaluation (QCBE). The technical proposal shall carry 80% weight in the bid evaluation (with a minimum qualifying mark of 70%) while the financial proposal is 20%.</p> <p>All particulars relative to Eligibility Statements and Screening, Bid Security, Performance Security, Pre-Bidding Conference(s), Evaluation of Bids, Post-Qualification and Award of Contract shall be governed by the pertinent provisions of R.A. 9184 and its 2016 Revised Implementing Rules and Regulation (IRR).</p> |

H.O. - BIDS AND AWARDS COMMITTEE - EP-CON
CHECKLIST OF ELIGIBILITY REQUIREMENTS
CONSULTANCY SERVICES FOR THE CONDUCT OF FEASIBILITY
STUDIES AND FORMULATION OF MASTER PLANS AT SELECTED PORTS
CONTRACT NO. : HO-BAC-EP-CON 001-2021
18 June 2021 - Function Room, 7th Floor, 10:00 A.M.
Approved Budget for the Contract = P 26,371,062.81

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| CONSULTANTS | |
| CLASS "A" DOCUMENTS | |
| LEGAL DOCUMENTS | |
| 1. PHILGEPS Certificate of Registration and Membership (Platinum) | |
| TECHNICAL DOCUMENTS | |
| 1. Statement of the prospective bidder of all its ongoing and completed government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid, within five (5) years prior to the deadline for the submission and receipt of Eligibility Documents | |
| 2. Statement of the consultant specifying its nationality and confirming that those who will actually perform the service are registered professionals authorized by the appropriate regulatory body to practice those professions and allied professions, including their respective curriculum vitae | |
| a. Consultant's copy of the valid PRC license of the personnel to be assigned to the project | |
| b. Current Professional Tax Receipt (PTR) of the following personnel | |
| 1. Civil Engineer | |
| 2. Geodetic Engineer | |
| 3. Electrical Engineer | |
| CLASS "B" DOCUMENT | |
| 1. If applicable, valid Joint Venture agreement (JVA), in case the joint venture is already in existence a duly notarized statements from all the potential joint venture partners in accordance with Section 24.1(b) of the IRR of R.A. 9184. | |
| REMARKS: | |

FORM I**STATEMENT OF ONGOING AND COMPLETED PROJECTS**

List of Ongoing and Completed Government and Private Contracts, Including Contracts Awarded but not yet Started, if any, whether Similar or Not Similar in Nature and Complexity to the Contract to be Bid within the last FIVE (5) years prior to the deadline for the Submission and Receipt of Eligibility Documents

Name of Consultant : _____
Business Address : _____

| Name and Location of the Contract | Date of Award of the Contract | Type and Brief Description of Consulting Services | Consultant's Role | Amount of Contract | Contract Duration | Certificate of Satisfactory Completion or Equivalent Document Issued by the Client, in the case of a Completed Contract |
|-----------------------------------|-------------------------------|---------------------------------------------------|-------------------|--------------------|-------------------|-------------------------------------------------------------------------------------------------------------------------|
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| 9 | | | | | | |

Attachments:

1. Notice of Award and / or Contract/Notice to Proceed Issued by the Owner
2. Certificate of Satisfactory Completion of the Contract Issued by the Client

Submitted by:

Name of Representative of Bidder

Position

Date: _____

FORM II

**STATEMENT ON CONSULTANT'S NATIONALITY AND
CONFIRMATION AS REGISTERED PROFESSIONALS**

(Date)

JAY DANIEL R. SANTIAGO

General Manager

Philippine Ports Authority

PPA Bldg., A. Bonifacio Drive, South Harbor, Port Area, Manila

Attention : The Chairperson
Bids and Awards Committee
BAC-EP-CON

Dear Sir:

In compliance with the requirements of the Philippine Ports Authority Bids and Awards Committee for Engineering Projects and Consultancy Services (BAC- EP-CON) for the bidding for the Consultancy Services for the Conduct of Feasibility Studies and Formulation of Master Plans at Selected Ports, we consultants (owners, principals, partners and key staff) hereby certify and confirm that:

- ☐ We are all Filipino citizens wishing to participate in the above-said bidding.
- ☐ We will actually perform the services as required and we are registered professionals authorized by the appropriate regulatory body to practice our professions and allied professions. Attached are our respective curriculum vitae
- ☐ We possess the required professional license issued by the Professional Regulation Commission or other appropriate regulatory body.

Very truly yours,

Name of Authorized Representative
Position
Name of the Consultant

JOINT VENTURE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

That this JOINT VENTURE AGREEMENT is entered into By and Between _____, of legal age, (civil status), owner/proprietor of _____ and a resident of _____.

- and -

_____, of legal age, (civil status), owner/proprietor of _____ a resident of _____.

THAT both parties agree to join together their manpower, equipment, and what is needed to facilitate the Joint Venture to participate in the Eligibility, Bidding and Undertaking of the hereunder stated project to be conducted by the Philippine Ports Authority.

NAME OF PROJECT
CONSULTANCY SERVICES FOR THE
CONDUCT OF FEASIBILITY STUDIES
AND FORMULATION OF MASTER
PLANS AT SELECTED PORTS

CONTRACT AMOUNT
₱ 26,371,062.81

That both parties agree to be jointly and severally liable for the entire assignment.

That both parties agree that _____ and/or _____ shall be the Official Representative of the Joint Venture, and is granted full power and authority to do, execute and perform any and all acts necessary and/or to represent the Joint Venture in the bidding as fully and effectively and the Joint Venture may do and if personally present with full power of substitution and revocation.

THAT this Joint Venture Agreement shall remain in effect only for the above stated Project until terminated by both parties.

Done this _____ day of _____, in the year of our Lord _____.

Signed in the presence of: _____

(ACKNOWLEDGMENT)