

**JAPAN INTERNATIONAL COOPERATION AGENCY (JICA)**

**DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS  
REPUBLIC OF THE PHILIPPINES**

**THE DETAILED DESIGN STUDY  
ON  
UPGRADING INTER-URBAN HIGHWAY SYSTEM  
ALONG THE PAN-PHILIPPINE HIGHWAY  
(PLARIDEL, CABANATUAN AND SAN JOSE BYPASSES)**

**PREQUALIFICATION DOCUMENTS**



**PHASE I INITIAL STAGE**

**PLARIDEL BYPASS**

**CONTRACT PACKAGE I**

**December 2002**

**KATAHIRA & ENGINEERS INTERNATIONAL  
YACHIYO ENGINEERING CO., LTD**

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**PART I**

**INSTRUCTIONS AND CONDITIONS FOR  
PREQUALIFICATION**

## **SECTION 1**

### **INTRODUCTION**



## **PART 1 INSTRUCTIONS AND CONDITIONS FOR PREQUALIFICATION**

### **SECTION 1.0: INTRODUCTION**

#### **1.1 Project Background**

The Project for Upgrading Inter-Urban Highway System Along Pan-Philippine Highway includes the construction of three (3) bypasses, namely, Plaridel, Cabanatuan and San Jose Bypasses. The road section from Sta. Rita, Plaridel to San Jose of the Pan-Philippine Highway starts at about 40 kilometer north of Metro Manila and extends for about 123.5 kilometers. It is located in Region III and within the economic influence area of Metro Manila. Along the highway, small and medium size urban centers are situated at about 10 kilometers interval, and urbanization is expanding along the highway as a ribbon type development. In urban sections, the traffic function of the highway is being seriously affected due to slow and disorderly moving traffic such as tricycles and jeepneys.

#### **1.2 Plaridel Bypass**

The Plaridel Bypass will traverse at the eastside of the existing Pan-Philippine Highway. It starts at 500 meters north of the Burol Interchange of the North Luzon Expressway and ends at Barangay Maginaw in the town of San Rafael Bulacan. The Plaridel Bypass have a total length of 22.65 kilometers and traverses five municipalities in Bulacan, namely, Balagtas, Guiguinto, Plaridel, Bustos and San Miguel. Most of these areas where the bypass will traverse are rice fields with some residential areas in other locations. The proposed short span bridges mostly cross small streams and rivers with meandering behavior, both upstream and downstream. The river flow velocity is relatively slow to mild and a network of irrigation canals along the area, where at least two (2) of these bridges are crossing said canals. Widths of access road about 4 meters wide are provided in these irrigation canals.

#### **1.3 Major Work Item**

The Plaridel Bypass is divided in four (4) contract packages and Contract Package 1 (Phase I, Initial Stage) which start at Station 33+025 to Station 39+625 calls for the construction of the following major items of work:

- (a) Earthworks, consisting of clearing and grubbing, removal of structures and obstruction, excavation including disposal of unsuitable and or unclassified materials, embankment and subgrade preparation.
- (b) Construction of North Luzon Expressway and Plaridel Bypass Interchange. Substructure shall be of concrete bored piles and superstructure shall be of PC hollow slab girder.
- (c) Construction of PCC pavement and asphalt concrete surface courses including aggregate subbase course.

- (d) Drainage system including the installation of RC pipe culvert, RC box culverts, wingwalls, headwalls, and lined ditch, slope protection and other drainage structures.
- (e) Miscellaneous structures consist of concrete curb and gutter combination, sidewalk, road and project information and regulatory signs, curb and pavement markings, guardrails, fences, post, street and bridge lighting system, landscaping and others.

#### **1.4 Estimated Construction Duration and Implementation Schedule**

The construction is scheduled to commence in the last quarter of year 2006, and 28 months has been allocated for completion of the civil works for Phase 1 Initial Stage, Contract Package I. For more detailed information refer to Part 1, Section 4 of this Prequalification Documents

## **SECTION 2**

### **INSTRUCTION TO APPLICANTS**

## **SECTION 2.0: INSTRUCTIONS TO APPLICANTS**

### **2.1 Scope of Bid**

- 2.1.1 The Government of the Philippines through the Department of Public Works and Highway, hereinafter referred to as "DPWH" has received an Overseas Development Assistance (ODA) Loan and intends to apply the proceeds of said loan to payments under the contract for which these Prequalification Documents are issued. Disbursement of the Loan will be subject in all respects, to the terms and conditions of the Loan Agreement with the Bank, including disbursement procedures and the "Guidelines for Procurement under the said ODA Loans". No party other than DPWH shall derive any rights from the Loan Agreement or have any claim to the Loan proceeds. The above Loan Agreement will cover only a part of the anticipated cost of the proposed contract. As for the remaining portion, the GOP through the DPWH will take appropriate measures for its financing.
- 2.1.2 The Bank requires all bidders and contractors, as well as the DPWH, under contracts funded by the Bank's ODA Loans should observe the highest standard of ethics during the procurement and execution of such contracts. In pursuance of this policy, the Bank
- (a) Will reject a proposal for award if it determines that the bidder recommended for award has engaged in corrupt or fraudulent practices in competing for the contract in question;
  - (b) Will recognize a contractor as ineligible, for a period determined by the Bank, to be awarded a contract funded by Bank if it at any times determines that the contractor has engaged in corrupt or fraudulent practices in competing for, or in executing, another contract funded by the Bank or other funding institution.
- 2.1.3 The DPWH intends to prequalify contractors to bid under the Bank's procedures for International Competitive Bidding for the contract of the Project for Upgrading Inter-Urban Highway System Along Pan-Philippine Highway, the details thereof is as stipulated in Sub-Section 1.2 of the Instructions and Conditions for Prequalification.
- 2.1.4 It is expected that the Invitations to Bid will be made in the first quarter of 2005.
- 2.1.5 Prequalification is open only to firms and voluntarily formed joint ventures meeting the conditions for eligibility as set out under Sub-Section 2.3 to these Instructions to Applicants.
- 2.1.6 General information on the climate, hydrology, topography, access to site, transportation and communication facilities, medical facilities, Project layout, expected construction period, facilities, services provided by DPWH and other relevant data is set out in Part 1, Section 4.0 General Information of this Prequalification Documents.
- 2.1.7 The work is a combination of unit and lump-sum price contract, that payments will be made only for the actual quantities of work accomplished, and any work performed in excess of what is specified or shown in the drawings, or ordered by the DPWH will

not be paid.

## **2.2 Submission of Applications**

### **2.2.1 Notification of Intention to Prequalify / Apply for Eligibility and to Bid**

The Applicant who secured Prequalification Document shall notify PBAC by mail or facsimile of his intention to submit the application statement forms or withdraw from the exercise, one (1) week before the deadline for submission. Such notification shall be received by the DPWH/PCAB at his office (address as indicated for receipt hereunder). In addition, such notification shall be on the Applicant's official letterhead signed by the authorized representative.

### **2.2.2 Submittals and Labeling of Documents**

2.2.2.1 The applicant shall submit one (1) original and two (2) duplicate copies of the completed Prequalification Documents (See Section 5: Prequalification Forms) including all addenda, if any and all attachment required. Prequalification Documents must be properly marked and shall be submitted in two (2) separate sealed envelopes.

2.2.2.2 Submission of applications for prequalification must be delivered by hand, courier or registered mail to the Chairman of PCAB, not later than 5:00 PM ( Philippine Standard Time) on or before \_\_\_\_\_, the specified deadline for submission. The envelope shall be marked as follows:

**The Chairman  
Prequalification, Bids and Awards Committee  
Department of Public Works and Highways  
Bonifacio Drive, Port Area, Manila**

**Attention: The Project Manager  
PBAC-TWG  
DPWH**

## **CONTRACTORS CONFIDENTIAL APPLICATION STATEMENT FOR PREQUALIFICATION**

### **UPGRADING INTER-URBAN HIGHWAY SYSTEM PROJECT**

### **PHASE I OF INITIAL STAGE, PLARIDEL BYPASS, CONTRACT PACKAGE I**

**Submitted By: \_\_\_\_\_**  
**( Name and Address of Applicant)**

### **2.2.3 Language and Method of Filing**

Prequalification Documents shall be accomplished in the English language and if any original documents submitted in another language, a certified translation in the English language with authentication by a notary public and endorsement of corresponding Embassy or Consulate in the Philippines or by the respective Philippine Embassy where in the project is located.

### **2.2.4 Forms and Presentation of Documents**

Applicant shall accomplished and present the Prequalification Documents as follows:

- (a) Applicant should accomplish all the Prequalification Questionnaires/Forms as contained in Section 5: Prequalification Forms, and shall provide all certificates and documents required.
- (b) Applicants should arrange the Prequalification Documents with separators and index tabs in accordance with the sequence suggested herein. Topsy-turvy documents shall be ground for outright rejection of documents or cause for disqualification.
- (c) The Prequalification Documents shall be completed in ink or typed and no changes shall be made to the wordings printed thereon. If any mistake is made in accomplishing a form, a new form or sheet shall be used for complete documentation. Any correction in the documents will not be accepted even if corrections are made by means of write over and initialed by the person signing the Prequalification Documents.
- (d) Prequalification Documents submitted on forms or in a format other than that prescribed in the aforesaid statement may be considered non-complying.

### **2.2.5 Additional Information**

- (a) If any Applicant wishes to submit additional information to accurately demonstrate his capability and/or to support his record of previous work, the Applicant may attach such supplementary information to the Prequalification Documents and clearly label the same as "Additional/Supplementary Information", separate from the main documents.
- (b) Authorized person, stating that the contents are true and correct shall authenticate Xerox copies of any certificate to support the application.

**2.2.6 Failure to provide information that is essential to evaluate the Applicant's qualifications, or to provide timely clarification or substantiation of the information supplied, may result in the disqualification of the Applicant.**

**2.2.5 No clarificatory meeting will be held in connection with this prequalification. If the Applicant has any queries, it should be sent in writing and should be received by the Chairman of the Prequalification, Bid and Award Committee at the address given above, later than 10 (ten) days before the date given in Paragraph 2.2.2.**

## **2.3 Eligible Bidders**

- 2.3.1 The invitation to prequalify is open to any bidder and voluntarily formed joint venture from all countries and areas. Foreign Contractor Applicants should be licensed in their own country/area and duly certified by their respective local Embassies/Consulates in conformance with existing laws. Local Contractors should hold valid PCAB "AAA" License and classified by the Inter-Agency Committee on Registration as Large B for Roads and Bridges and other similar structures.
- 2.3.2 In case of Joint Venture, the lead firm and member partners must submit all requirements to satisfy the provisions as stipulated in Section 2.5 of this Instruction to Applicant.

## **2.4 Prequalification Criteria**

- 2.4.1 The prequalification of Applicants will be based on meeting the following criteria relative to Applicant's general and particular experience, past performance on similar contracts, personnel and equipment capabilities, financial position, and litigation history as demonstrated by the Applicant's responses in the forms attached to the letter of application (specific requirements for joint ventures are given under paragraphs 2.5.1 and 2.5.2 below). The DPWH reserves the right to waive minor deviations if they do not materially affect the capability of an applicant to perform the contract.
- 2.4.2 Prequalification will be dependent on the Applicant's submission of the required duly completed Application Forms and Attachments thereto as prescribed in Section 5.0 of these Prequalification Documents and will also be dependent on assessment by DPWH by passing each and every prequalification criteria set down in Section 3: Evaluation Procedure and Criteria of this Instruction and Condition for Prequalification.

## **2.5 Joint Ventures**

- 2.5.1 Joint ventures must comply with the following requirements:
- (a) As a minimum qualification requirement:
    - (i) The Lead Partner shall meet not less than 40% of the criteria given in paragraphs 3.4.2 and 3.4.3 (d) below; and
    - (ii) Each of the other partners shall meet individually not less than 25% of the criteria given in Paragraphs 3.4.2 and 3.4.3(d) below; and
    - (iii) The joint venture must satisfy collectively the entire criteria given Paragraphs 3.4.3(d) and 3.6, for which purpose the relevant figures for each of the partners shall be added together to arrive at the joint venture's total capacity; and

- (iv) Individual members of the joint venture must each satisfy the requirements of Paragraphs 3.4.3 (b) and 3.4.3(d) below.
  - (b) Formation of a joint venture after prequalification, and any change in a prequalified joint venture will not be allowed.
  - (c) Any subsequent bid following successful prequalification shall be signed so as to legally bind all partners, jointly and severally, and any such bid shall be submitted with a copy of the joint venture agreement, in the format shown in Application Forms 4A, 4A1 and Annex 10, providing the joint and several liabilities with respect to the contract.
- 2.5.2 The prequalification of a joint venture does not necessarily prequalify any of its partners individually or as a partner in any other joint venture or association. In the case of dissolution of a joint venture, each one of the constituent firms may prequalify if it meets all the prequalification requirements, subject to the written approval of DPWH.

## **2.6 Conflict of Interest**

The Applicant (including all members of a joint venture) shall not be associated, nor have been associated in the past, with the consultant or any other entity that has prepared the design, specifications, and other prequalification and bidding documents for the Project, or with an entity that was proposed as Engineer for the contract. Any such association may result in the disqualification of the Applicant.

## **2.7 Updating Prequalification Information**

Prequalified applicants will be required to update the financial information used for prequalification at the time of submitting their subsequent bids and to confirm their continued compliance with the prequalification criteria. A bid will be rejected if, at the time of bid evaluation, the Applicant no longer meets the prequalification thresholds.

## **2.8 General**

- 2.8.1 Only firms and joint ventures that have been prequalified under this procedure will be invited to bid. A qualified firm or a member of a qualified joint venture may participate in only one bid for the contract. If a firm submits more than one bid, singly or in joint venture, all bids involving that party will be rejected. This rule may not apply in respect of bids that include specialist subcontractors who are used by more than one bidder.
- 2.8.2 Bidders will be required to provide bid security denominated in Philippine Pesos, in an amount equivalent to a percentage of the total Bid Price, in accordance with the schedule given below:
- ♦ Cash, Manager's Check, Cashier's Check, Irrevocable Letter of Credit, or Bank Draft – One Percent (1%) of the total Bid Price; or
  - ♦ Bank Guarantee confirmed by the local bank (in the case of foreign bidder bonded by a foreign bank) – One and a Half Percent (1½%) of the total Bid Price; or



- Surety Bond issued by Government Service Insurance System (GSIS) duly accredited by the Office of the Insurance Commission – Two and a Half Percent (2½%) of the total Bid Price.

2.8.3 The successful bidder will, following award of the contract, also be required to provide performance security in the form to be supplied as an example within the bidding documents.

2.8.4 The DPWH reserves the right to:

- (a) Amend the scope and value of any contract to be bid, in which event the contract will only be bid among those prequalified bidders who meet the requirements of the contract as amended;
- (b) Reject or accept any application;
- (c) Cancel the prequalification process and reject all applications.

2.8.5 DPWH shall neither be liable for any such actions nor be under any obligation to inform the Applicant of the grounds for the actions taken thereon.

2.8.6 Applicants will be advised by the DPWH in writing, by fax or by electronic mail, and within 60 days of the date for submission of applications (reference Paragraph. 2.2.2 above), of the result of their application and of the names of the prequalified applicants, without being assigned any reason for DPWH's decision.

\*\*\*\*\*

## **SECTION 3**

### **EVALUATION PROCEDURE**

## **SECTION 3.0: EVALUATION PROCEDURE AND CRITERIA**

### **3.1 General**

The duly accomplished prequalification applications submitted by the Applicants should be the basis on which the DPWH determines the eligibility and competence of each applicant to prequalify and bid for the proposed contract.

### **3.2 Objectives of Evaluation**

3.2.1 The primary objectives of the prequalification procedures are as follows:

- (a) To ensure that invitations to bid are extended only to technically and financially qualify bidders, and to prevent unqualified bidders from winning the bid as a results of superficial evaluation.
- (b) To limit the number of bidders in advance, to a manageable size for the DPWH in conducting bidding procedure and evaluation, when a large number of bidders are expected to participate.

3.2.2 The prequalification procedure shall be conducted strictly in order to ensure quality in the procurement process.

### **3.3 Evaluation Procedure**

#### **3.3.1 Stage 1: Preliminary Screening**

The Prequalification Document submitted by each bidder would be assessed as to its completeness and conformity to the required format with pass or fail criteria. In case of no submission or missing documents which is deemed important, such applicant will be disqualified at this stage.

#### **3.3.2 Stage 2: Minimum Requirements**

Prequalification Documents shall be examined whether submitted documents comply with the minimum requirement by using pass or fail criteria. The Prequalification Documents usually indicate the minimum qualification requirements for annual turnover and successful project experience of similar nature and complexity. An Applicant will be disqualified if it does not satisfy any of the minimum requirements.

#### **3.3.3 Stage 3: Detailed Evaluation**

Scoring points evaluation shall be conducted for each item of general experience, personnel capabilities, equipment capabilities and financial positions. The scoring shall be done by following abovementioned criteria based on absolute evaluation. Minimum scores for each criterion will be set that must be reached by the Applicant to be prequalified. In addition, an overall minimum score that is higher than the sum of the minima for the individual criteria shall be established. Applicants that barely satisfy the prequalification criteria and have an overall weakness shall not be

prequalified. Applicants that barely satisfy one or two criteria and score above the overall minimum score by virtue of scoring well above the minimum for other criteria shall not be prequalified.

### **3.4 Evaluation Criteria**

The following criteria shall be used in evaluating the submitted Prequalification Documents submitted by the Applicant:

#### **3.4.1 Criteria for Stage 1:Preliminary Screening**

Prequalification Documents of each Applicant shall be assessed for compliance using pass/fail assessment based on the following criteria.

**(a) Formality of Application**

The documents shall be checked whether the Applicant has submitted all required documents as specified in the invitation for pre-qualification.

**(b) Completeness of Information**

The Prequalification Documents of each Applicant shall assessed if the submitted documents and its format are in conformity with the requirements and contain the required information.

**(c) Eligibility of Application**

A bidder including all members of a joint account venture and all subcontractors should be assessed if eligible as prescribed in Section 2.3. A bidder and all members of a JV and all subcontractors should not be affiliated with a firm or entity that has provided consulting services during the preparatory stages of the works or of the project of which the works form a part, or that has been hired (or is proposed to be hired) as Engineer for the Contract.

**(d) Legal Status of Application**

The commercial acceptability of the application will be based of the Applicant's proper legal entity with which the executing agency can enter into contract. If the Applicant is a joint venture the partners of the joint venture should be identified and the joint venture agreement properly documented

#### **3.4.2 Criteria for Stage 2: Minimum Requirements**

The purpose of Stage 2 evaluation is to examine whether submitted documents complied with the minimum qualification requirements by using pass or fail assessment criteria. The Applicant is required to demonstrate, in addition to the general requirements to be provided through the Application Forms the following minimum criteria:

- (a) The average annual turnover (defined as billing for works in progress and completed) of the Applicant as a Prime Contractor for the last five (5) years **must not be less than PHP 490 Million.**
- (b) Project experience is evidenced by the Applicant (or, in the case of a joint venture, the Lead Partner) as the Prime Contractor in the successful execution **of at least three (3) projects** of the nature and complexity comparable to the proposed contract within the last five (5) years.

### 3.4.3 Criteria for Stage 3: Detailed Evaluation

During Stage 3: Detailed Evaluation, the "scoring points evaluation" of Applicant's qualification shall be adopted based on the following criteria:

<u>Prequalification Criteria</u>	<u>Assigned Points</u>
1) <i>General Experience</i>	35
<ul style="list-style-type: none"> <li>• Project Experience of Similar Nature &amp; Complexity</li> <li>• Project Experience in the Country Concerned and Similar Countries</li> </ul>	
2) <i>Personnel Capabilities</i>	10
<ul style="list-style-type: none"> <li>• Experience of Prime Candidate and Alternative for Key Management</li> </ul>	
3) <i>Equipment Capabilities</i>	15
<ul style="list-style-type: none"> <li>• Type, Characteristic, Minimum Number and Availability of Equipment</li> <li>• Explanation of Site Organization, Quality/Safety Assurance System &amp; Environmental Consideration</li> </ul>	
4) <i>Financial Position</i>	40
<ul style="list-style-type: none"> <li>• Cash Flow Capacity</li> <li>• Soundness of Financial Position</li> </ul>	
<i>Total Points</i>	<u>100</u>

- (a) General Experience

Experience is of critical importance in the determination of whether an applicant has the necessary capability to undertake and complete the given work successfully.

The Applicant must provide information relative to particular project experience of

similar nature and complexity on Forms 5A and 5A1. In Form

**(i) Project Experience of Similar Nature and Complexity**

This factor is relatively simple to measure and is assessed on the basis of number of years of experience as a Main Contractor or Lead Partner in a Joint Venture. An applicant that has not been involved in the execution of civil works as a Main Contractor or Lead Partner in a JV for a period of at least two years is not qualified. The points are distributed for a range of values for the number of years of experience, with the maximum awarded for experience greater than 10 years.

**(ii) Project Experience in the Country Concerned and in Similar Countries**

The criteria for this factor are established in terms of the number of contracts of similar nature (type) and size (value) completed in the last 10 years of operations. An applicant that has not completed at least one such contract in the given period is not qualified. The points are distributed for a range of values for the number of contracts completed, with the maximum awarded for completion of more than four contracts.

**(b) Personnel Capabilities**

The Applicant must have suitably qualified personnel to fill the following positions. In Application Forms 3A the Applicant must supply information on a prime candidate and on an alternate for each position; both people must meet the experience requirements specified below:

<b>Position</b>	<b>Total Experience (years)</b>	<b>Experience in Similar Works (years)</b>	<b>Experience as Manager of Similar Works (years)</b>
Project Manager	20	10	5
Highway Engineer	15	10	5
Bridge Engineer	15	10	5
Drainage Engineer	15	10	5
Materials/Quality Control Engineer	15	10	5
Foreman	15	10	5

**(c) Equipment Capabilities.**

The Applicant should own, or have assured access to (through rental, lease, purchase agreement, availability of manufacturing equipment, or other means) the minimum essential plant/equipment requirements listed below, which must be in full working order at the date of submission of the prequalification application. The Applicant must demonstrate that, based on known commitments, the required key equipment will be available for use in the proposed contract. Application Forms 6 and 6a are required to be completed in connection with this requirement.

Equipment Type and Characteristics		Minimum Number Required
1	Concrete Batch Plant, 60 Cubic Meter./hour	1
2	Rock Crushing Plant, 60 –100 Tons/hour	1
3	Washing and Screening Plant, 100 Tons/hour	1
4	Asphalt Mixing Plant, 60 Tons/hour	1
5	Bulldozer, Crawler with Ripper, D6-D7	1
6	Bulldozer Crawler Type, D8	1
7	Motor Grader, 125 HP– 160 HP	2
8	Wheel Loader, 1.34 – 2.7 Cubic Meter	2
9	Dump Truck, 9– 14 Cubic Meter Capacity	10
10	Steel Drum Roller, 16 –20 Tons	2
11	Vibratory Roller, 10 –12 Tons	1
12	Pneumatic Roller, 24 Tons	1
13	Water Truck with Sprinkler, 3,000 gallons	1
14	Asphalt Distributor, 3,000 USG	1
15	Asphalt Paver/Finisher, 10 Feet Wide	1
16	Concrete Paver Finisher, 10 Feet Wide	1
17	Crawler Mounted Crane, 30 Tons	1
18	Crawler Mounted Crane, 61-70 Tons	2
19	Truck Mounted Crane, 50 Tons	2
20	Transit Mixer, 5.0 – 7.5 Cubic Meter	6
21	Backhoe Crawler Type, 0.60 – 1.50 Cubic Meter	3
22	Low Bed Trailer with Tractor, 60 – 70 Tons	1
23	Drilling Machine, 0.80 – 1.2 Meter Diameter	1
24	Equipment Set for Reverse Circulation Method	1
25	Prestressing Jack, 60 Tons	1
26	Flat Jack, 2 Tons	1
27	Pile Hammer, 7500 Kg/ m	1

The Applicant may also list alternative equipment, using Application Forms 7A and 7B that it proposes for the contract, together with an explanation of the proposal.

**(d) Financial Position**

The Applicant should demonstrate (using Application Form 8A, 8B, 8C, 8D) that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit and other financial means sufficient to meet the construction cash flow for a period of four (4) months during the duration of the proposed contract, estimated as **PHP 65 Million** equivalent, net of the Applicant's commitments for other contracts. The audited financial statements for the last five (5) years shall be submitted and must demonstrate the soundness of the Applicant's financial position, showing long-term profitability. The DPWH reserves the right to make inquiries with the Applicant's bankers should it be considered necessary.

### **3.5 Evaluation of Joint Ventures**

The evaluation of joint ventures and consortium shall be conducted in accordance with the Bank's guidelines for procurement. The sub-contractors or suppliers and manufacturers in charge of major critical components in the contract shall be subject to evaluation. Joint ventures or consortium or sub-contracting arrangement for major critical component announced at the time of prequalification, shall not be changed in principle. Any alteration shall be subject to the approval of DPWH prior to the deadline for submission of bids.

### **3.6 Consideration of Litigation History**

Litigation history of a bidder shall be considered in accordance with stipulations of the Bank's Procurement Guidelines. In addition the following past performance shall be considered:

- (a) Contract default history such as delay of time for completion for which the contractor is responsible.
- (b) Record of contract price and final contract amount

### **3.7 Review and Concurrence by the Bank**

The results of prequalification shall be subject to review and concurrence of the Bank, as stipulated in the loan agreement and the Prequalification Evaluation Report will be submitted to the Bank with the authorized signature of the Employer.

### **3.8 Particulars**

- 3.8.1 The prequalification applications submitted by the applicants will be evaluated by DPWH to determine using sound judgment and discretion, the eligibility and competence of each applicant.
- 3.8.2 Applicants will not be considered for prequalification unless they have demonstrated that they possess all of the following: (1) experience in the type and size of the work involved and, (2) ability to successfully complete such work, (3) qualified personnel and, (4) sufficient equipment available to satisfy the contract's needs, (5) together with sufficient net current assets or available working capital to execute the contract satisfactorily.
- 3.8.3 The DPWH reserves the right to investigate any statements or claims made by the applicants and to institute any appropriate action, legal or administrative, should it be discovered later that the prequalification was obtained through misleading, ambiguous or false statement or erroneous information.
- 3.8.4 Where, in the opinion of DPWH major discrepancies are found in the information submitted, the application shall be considered unsatisfactory and the applicant will not be eligible to prequalify until such discrepancies have been satisfactorily explained or resolved. The DPWH will not enter into any correspondence with



applicants except to seek clarification when necessary. In the case of minor discrepancies, the DPWH reserve the right to interpret figures as they deem proper and appropriate.

- 3.8.5 The DPWH will make the final selection of the applicants who will be prequalified and invited to submit bids for the proposed contract only after consultation with the Bank. Each applicant will then be informed of the result of his application, but there will be no explanation or discussion of the result.
- 3.8.6 A list of prequalified applicants will be made available to all those who submitted prequalification applications.
- 3.8.7 Notwithstanding the prequalification of an applicant, the DPWH reserves the right to review all prequalification statements and other relevant information before the award of a contract. Should such review uncover any misinterpretation within the prequalification statements or any change in the situation of the prequalified applicant such as would downgrade the substance of the prequalification statements, the DPWH will disqualify such previously prequalified applicant.
- 3.8.8 The decision of DPWH and the concurrence by the Bank on the prequalification or disqualification of an applicant will be final.

\* \* \* \*

## **SECTION 4**

### **GENERAL INFORMATION**

## SECTION 4: GENERAL INFORMATION

### 4.1 Location

The proposed Plaridel Bypass, Phase I Initial Stage, Contract Package I will traverse at the eastside of the existing Pan-Philippine Highway and is located on the Province of Bulacan. The project starts from Station 33+025 to Station 39+625 for a total of 6.6 kilometers.

### 4.2 Topography and Geography

4.2.1 The topography along the alignment of the proposed Plaridel Bypass is generally described as flat. A big portion of the area along the alignment are rice fields and other areas are residential or subdivisions. The vegetation includes isolated small to medium size tropical trees that are located mostly along creeks or rivers.

4.2.2 The project alignment is at the eastside of the Luzon Central Plain, which is about 150 kilometer long and 60 kilometers wide. The plain is composed of middle tertiary sediments, quaternary pyroclastics and lava flows, unconformable overlying cretaceous to lower tertiary basement rocks. The recent alluvial deposits covering the underlying rocks in the flat areas consist of silts, sand, unconsolidated and unsorted pebbles, cobbles and small boulders derived from older rocks

### 4.3 Climate and Meteorology

#### 4.3.1 General Climate

The general climate at the project site belongs to Type 1 of the classification defined by the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA). This climate type is characterized by two seasons, i.e., dry season from November to April and wet season during the rest of the year. The dry season is the period of the northeast monsoon and the wet season is that of the southwest monsoon. In the wet season, the southwest monsoon winds bring moist and unstable tropical air, generating cloudy skies with intermittent heavy showers and scattered thunderstorms.

#### 4.3.2 Meteorology

##### (a) Rainfall

Average rainfall recorded by PAGASA at the project site over a year period is summarized in the table below.

*Recorded at PAGASA San Jose Station)*

Month	Rainfall Monthly Average (mm/month)
Jan	3.74
Feb	3.72
Mar	5.70
Apr	13.81
May	293.95
Jun	562.58
Jul	722.50
Aug	1034.64
Sep	597.95
Oct	238.98
Nov	91.03
Dec	19.14
<b>Annual Data</b>	<b>3587.75</b>

(b) Typhoons

In the southwest monsoon period, frequent passage of typhoons is usual in the project area. Frequency of the typhoon passages is about twice a month from June to October.

(d) Seismicity

The geotectonic setting of the country makes it prone to various types of seismic related hazard. The high level of Seismicity within the archipelago, averaging about five detectable earthquake per day is attributed to the movements caused by the interaction of major tectonic plate boundaries along subduction zones and those generated from active faults.

For the proposed bypass project, the potential source of earthquake is the Digdig, San Jose and San Miguel Fault System, where ground shaking would be the type of seismic hazard likely to cause damage to the structure. The nearest source of earthquake based on past records is San Jose Fault, right next to San Jose Bypass, which registered a magnitude of 7.9, or Intensity 8. Other bypasses are far from the fault line with the nearest at Talavera River, which is about 20 kilometers from the fault.

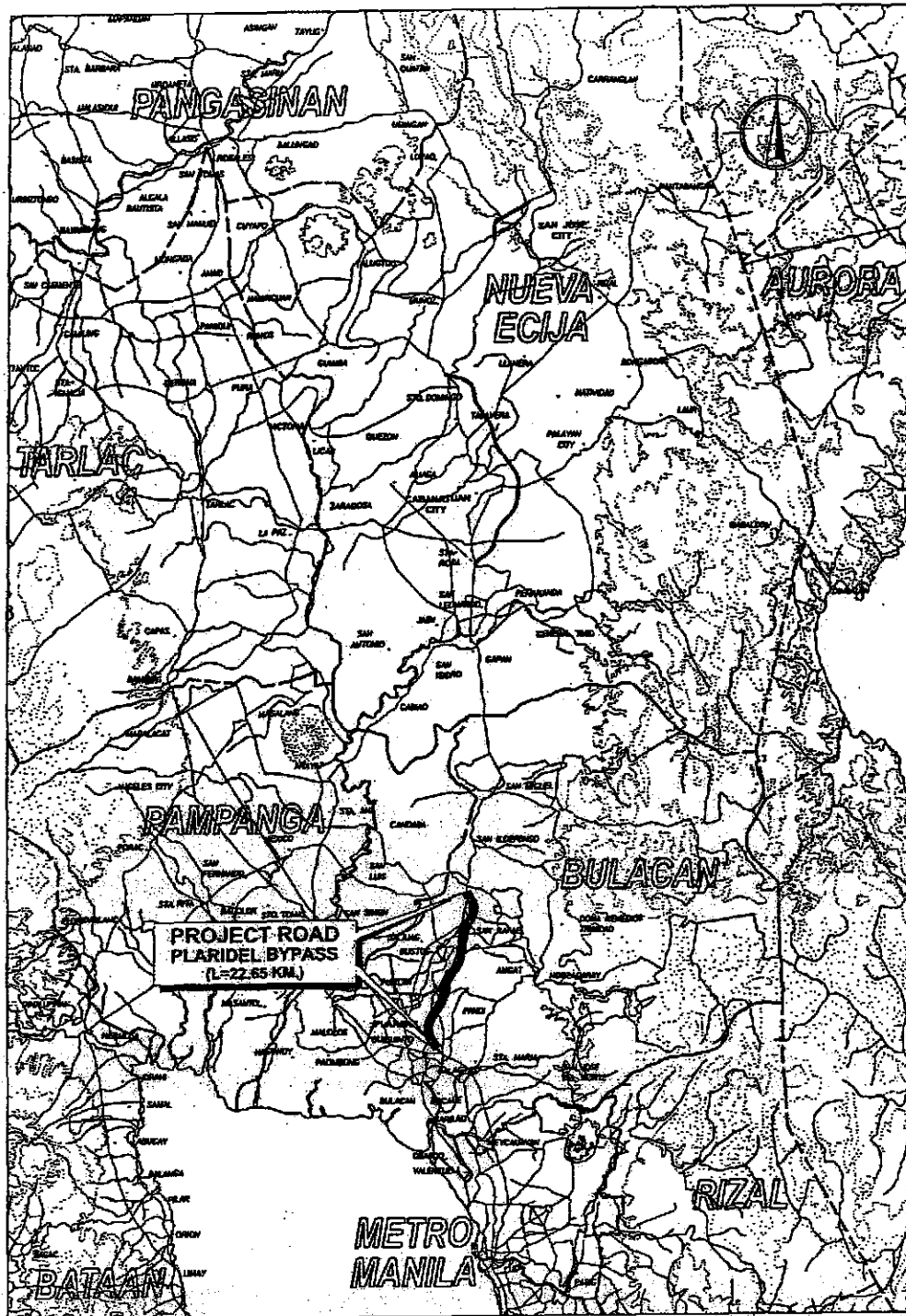
#### **4.4 Drawings and Schedules**

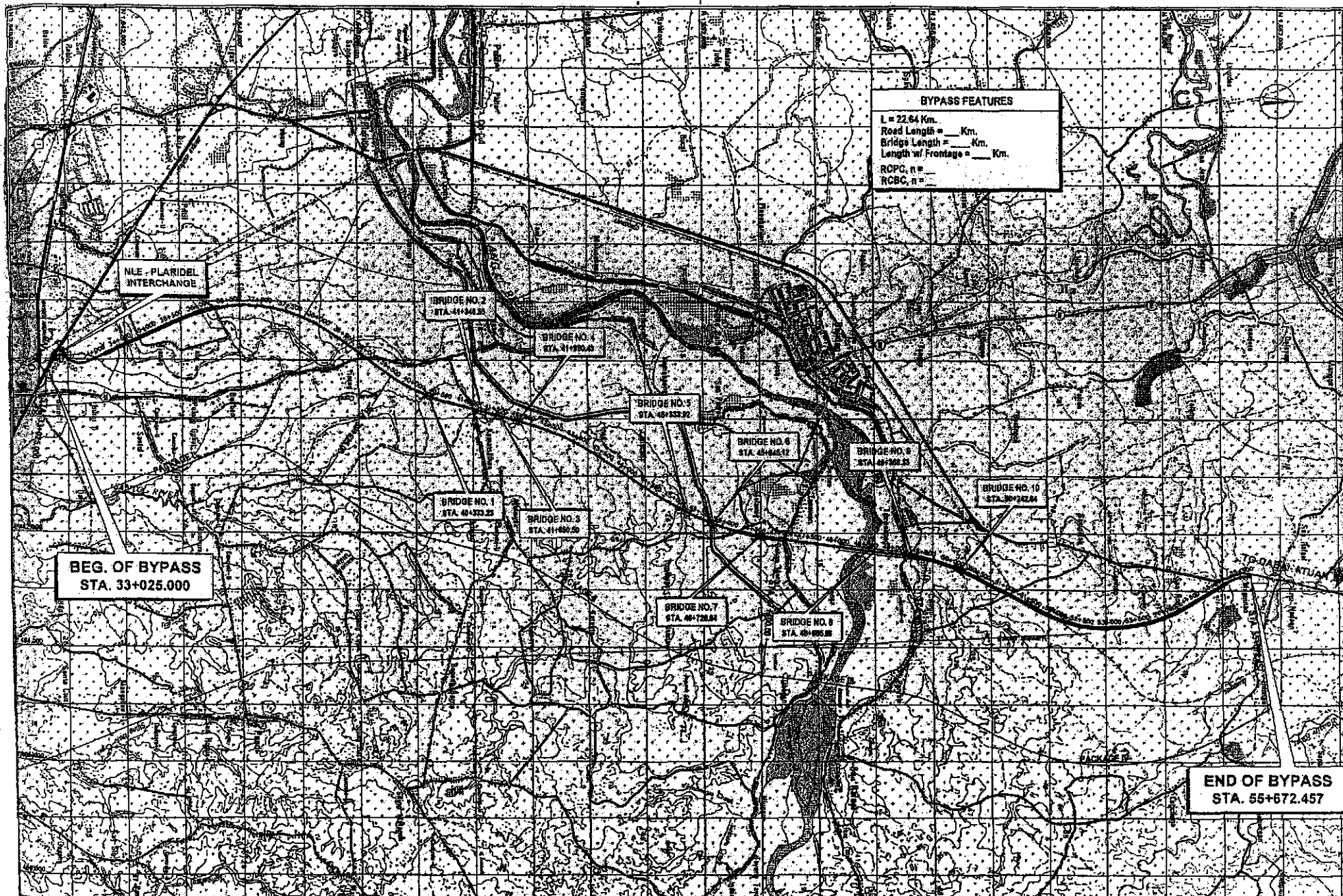
The following drawings and implementation schedule are provided to the applicants to enable them to gain a better understanding of the scope and nature of the civil work comprised within the contract:

- (a) Location Map
- (b) General Layout Plan
- (c) Typical Sections of Roads and Interchange
- (d) Implementation Schedule

\*\*\*\*\*

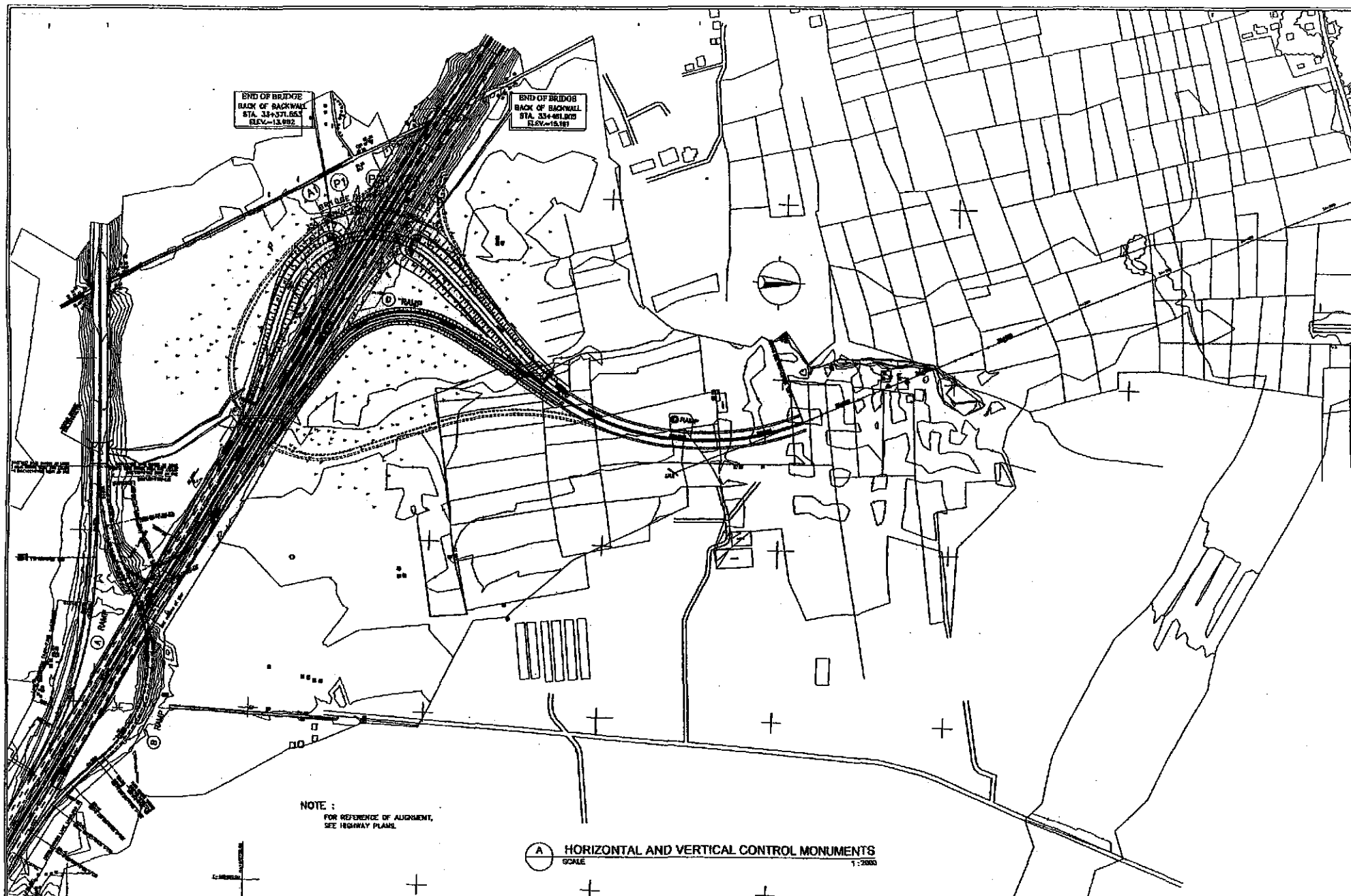




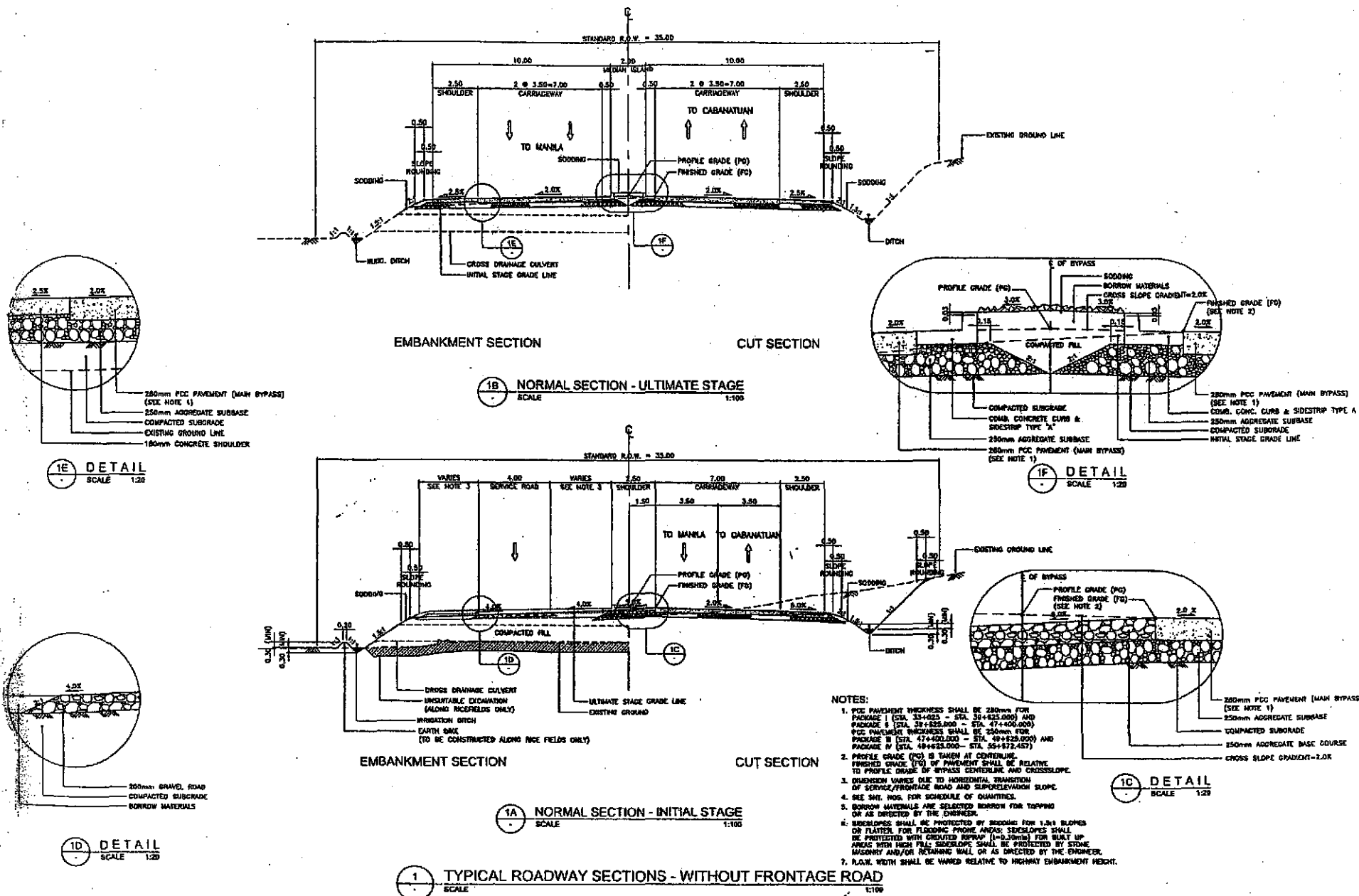






<b>JICA</b> JAPAN INTERNATIONAL COOPERATION AGENCY KATAHIRA & ENGINEERS INTERNATIONAL YEO YACHIO ENGINEERING CO., LTD.		DATE: _____ DRAWING: _____ CHECKED: _____ SUBMITTED: _____		YOUNG LEADER: _____ PROJECT MANAGER: _____ DESIGNER: _____ CHECKER: _____ REVIEWER: _____		RECOMMENDED BY: _____ RECOMMENDED BY: _____ RECOMMENDED BY: _____ RECOMMENDED BY: _____ RECOMMENDED BY: _____		OFFICE OF THE SECRETARY DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS BUREAU OF DESIGN PLARIDEL BYPASS		PROJECT AND LOCATION: DETAILED ENGINEERING DESIGN ON UPGRADING INTER-URBAN HIGHWAY SYSTEM ALONG THE PAN-PHILIPPINE HIGHWAY PLARIDEL BYPASS		SCALE: 1:40,000 FULL SIZE A1		SHEET CONTENTS: PROJECT ROAD GENERAL ALIGNMENT AND FEATURES		SHEET NO. 1 GP-06	
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<b>JICA</b> JAPAN INTERNATIONAL COOPERATION AGENCY <b>KATAHIRA &amp; ENGINEERS</b> U.E.I. INTERNATIONAL		DATE: _____ DESIGNED: _____ CHECKED: _____ SUBMITTED: _____	SIGNATURE: _____ P. P. DE JESUS A. R. JAVIER M. BACH TEAM LEADER	REPUBLIC OF THE PHILIPPINES DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS BUREAU OF HIGHWAYS DIVISION OF BRIDGES DIVISION OF HIGHWAYS DIVISION OF HIGHWAYS DIVISION OF HIGHWAYS	PROJECT AND LOCATION: THE DETAILED DESIGN STUDY ON UPGRADING INTER-URBAN HIGHWAY SYSTEM ALONG THE PAN-PHILIPPINE HIGHWAY (Palarod, Cebu-Makabayan and San Jose Bypasses) PLARDEL BYPASS - CONTRACT PACKAGE I	SCALE: AS SHOWN FULL SIZE A1	SHEET CONTENTS: INTERCHANGE RAMP HORIZONTAL AND VERTICAL CONTROL MONUMENTS	SHEET NO. 2 RB-05
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<div> JAPAN INTERNATIONAL COOPERATION AGENCY</div> <div> KATAURA &amp; ENGINEERS INTERNATIONAL</div> <div> YEO YACHIO ENGINEERING CO., LTD.</div>		<table><tr><th></th><th>DATE</th><th>SIGNATURE</th></tr><tr><td>DESIGNED</td><td></td><td></td></tr><tr><td>CHECKED</td><td></td><td></td></tr><tr><td>SUBMITTED</td><td></td><td></td></tr></table> <div>TEAM LEADER</div>		DATE	SIGNATURE	DESIGNED			CHECKED			SUBMITTED			<div> REPUBLIC OF THE PHILIPPINES DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS</div> <div><div>P.A.E. - P.E.O.</div><div><div>Prepared by:</div><div>SHAMUS S. TAYANOS Project Engineer</div></div><div><div>Reviewed by:</div><div>EDUARDO M. ALARCON Chief Highway Engineer</div></div><div><div>Checked by:</div><div>CELESTINO S. REYES Inspector IV (CE)</div></div><div><div>Approved by:</div><div>EDUARDO V. VERA Undersecretary</div></div><div><div>Official Seal for Signature/Stamping</div><div>CARMIN A. SORIANO/CHS Secretary</div></div></div> <div><div>PROJECT AND LOCATION :</div><div>DETAILED DESIGN ENGINEERING ON UPGRADING INTER-URBAN HIGHWAY SYSTEM ALONG THE PAN-PHILIPPINE HIGHWAY</div></div> <div><div>SCALE :</div><div>AS SHOWN  FULL SIZE A1</div></div> <div><div>SHEET CONTENTS :</div><div>TYPICAL ROADWAY SECTIONS NORMAL SECTIONS WITHOUT FRONTAGE ROAD (INITIAL AND ULTIMATE STAGE)</div></div> <div><div>SHEET NO. :</div><div>RP-10</div></div>
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SUBMITTED															



## **SECTION 5**

### **PREQUALIFICATION FORMS**

## **SECTION 5**

### **PREQUALIFICATION FORMS**

#### **5.1 ARRANGEMENT/SEQUENCE OF DOCUMENTS**

1. Cover Sheet
2. Table of Contents
3. Checklist of Required Documents
4. Confidential Application Statement for Prequalification
5. Annexes

#### **5.2 FORMS AND ANNEXES**

Application for prequalification shall include the following forms and annexes and each document shall be clearly and accurately accomplished:

- **Letter of Application** PRE C Form 1
- **Affidavit of Application** PRE C Form 2
- **Statement of Applicant**
  - A. General Information PRE C Form 3A
  - B. Legal Aspect PRE C Form 3B
  - C. Technical Capabilities
    - C.1 General Experience
      - C.1.1 Annual Turnover (All CW) PRE C Form 4A
      - C.1.1a Annual Turnover (JV Summary) PRE C Form 4A1
      - C.1.2 Current Contract Commitment PRE C Form 4B
    - C.2 Particular Experience
      - C.2.1 Similar Road Projects Completed PRE C Form 5A
      - C.2.1a Details of Similar Road Project PRE C Form 5A1
      - C.2.2 Similar Bridge Projects Completed PRE C Form 5B
      - C.2.2a Details of Similar Bridge Project PRE C Form 5B1
      - C.2.3 Project Experience in the Country Concerned and in Similar Countries PRE C Form 5C

<b>C.3 Personnel Capabilities</b>		
C.3.1	Organizational Chart	PRE C Form 6A
C.3.2	Key Engineering Personnel	PRE C Form 6B
C.3.3	Key Personnel Bio-Data	PRE C Form 6C
C.3.4	List of Subcontractor	PRE C Form 6D
<b>C.4 Equipment Capabilities</b>		
C.4.1	List of Equipment Owned	PRE C Form 7A
C.4.2	List of Equipment to be Leased	PRE C Form 7B
C.4.3	Site Organization, Quality / Safety Assurance System & Environmental Considerations	PRE C Form 7C
<b>D. Financial Position</b>		
D.1	Financial Capability Summary Sheet	PRE C Form 8A
D.2	Financial Statement	PRE D Form 8B
D.3	Auditor's or Accountant's Certificate	PRE C Form 8C
D.4	Credit Line Commitment	PRE C Form 8D
<b>E. Litigation History</b>		PRE C Form 9
<b>• Annexes to Application</b>		
Annex 1	Certification/Written Authority from the Owner or Governing Board of the Applicant to the person who made the prequalification statement.	
Annex 1a	Written Authority from the Owner or Governing Board of Joint Venture or Partner by the person of the principal Applicant who made the application and certified copy of the appointment/designation as the principal Applicant from the owner or governing board of joint Venture or Partnership, if contractor is a joint venture or partnership	
Annex 2	Power of Attorney and/or Notarized Certificate for Signatory	

Annex 3	Certified True Copy of his Appointment/ Designation and Authority of Person Designated to Manage the Affairs of the Applicant's Organization.
Annex 4	Certified True Copy of Appointment of Officially Designated Liaison Officer Duly Issued by the Person Authorized to Sign the Prequalification Document
Annex 5	Certified True Copy of Contractor's License Valid for the current Year or Certified Copy of Renewal, Issued by PCAB.
Annex 6	Certified True Copy of Certificate as Bonafide Contractor from Respective Embassy /Consulate( If Applicant is a foreign contractor).
Annex 7	Certified True Copy of Certificate of Registration of Business Name( If Applicant is a Sole Proprietorship).
Annex 8	Certified True Cope of Deed or Articles of Partnership and Partnership Agreement ( If Applicant is a partnership)
Annex 9	Certified Copy of Articles of Incorporation and By-Laws ( If Applicant is a Corporation
Annex 10	Certified Copy of Joint Venture Agreement and Articles of Joint Venture Agreement ( If Applicant is a Joint Venture)
Annex 10a	Certified Copy of Memorandum of agreement, in the Absence of Joint Venture Agreement ( If Applicant is a Joint Venture)
Annex 11	Certified True Copy of PCAB Joint Venture License per Republic Act No. 4566( For Local to Local Joint Venture, to be submitted prior to award)
Annex 12	Certified True Copy of PCAB Special License of Joint Venture(For Foreign to Foreign Joint Venture, to be submitted prior to award)
Annex 13	Certified True Copy of PCAB Special License of Joint Venture (For Foreign to Local Joint Venture, to be submitted prior to award)
Annex 14	Certified True Copy of Contractor's Securities and Exchange Commission (SEC) Current and Valid Registration Certificate, if applicable.
Annex 15	Certified True Copy of Certification of Current Valid Value Added Tax (VAT) Registration, if applicable
Annex 16	Certified True Copy of Certificates of Completed Projects by Owner.

- |           |  |
|-----------|--|
| Annex 16a | Supporting Documents for List of Project Completed Beyond Contract Time/ Terminated/or Rescinded.  |
| Annex 17  | Letter from the Applicant Informing DPWH of his Key Personnel Nominees for Project Manager, Highway Engineer, Bridge Engineer, Drainage Engineer, Materials and Quality Control Engineer and others.   |
| Annex 18  | Certificates of Employment of Key Engineering staff such as Project Manager, Highway Engineer, Bridge Engineer, Drainage Engineer, Materials and Quality Control Engineer.   |
| Annex 19  | Supporting Documents of Applicant's Proof of Ownership of Each Equipment that will be Pledge Exclusively for the Project.  |
| Annex 20  | Supporting Documents of Contractor's Pledges for Lease or Purchase of Additional Equipment   |
| Annex 21  | Certified True Copy of the Applicant's Latest Income Tax Return Filed in the Bureau of Internal Revenue (BIR) or its Equivalent in his Country / Area.   |
| Annex 22  | Certified Copy of Audited Financial Statement for the Last Five (5) years as Reflected in his Income Tax Return  |
| Annex 23  | Litigation History of Applicant Including Each Partner of JV   |
| Annex 24  | A Sworn Statement that the Applicant has no relative either by consanguinity of affinity, within the fourth civil degree in DPWH who has something to do with Prequalification, processing / approval of contract and/or project implementation, and that no official / employee of the Department, his/her spouse and unemancipated children have either direct or indirect financial or material interest in his construction firm (for Local Contractors) |
| Annex 25  | Written Authority for DPWH to Verify Applicant's Documents   |

### **5.3 Legal Requirements**

Applicants are required to submit the information described below:

#### **5.3.1 Documentation**

Filipino Contractor(s) have to present authentic license issued by the Philippine Contractors Accreditation Board (PCAB), while Foreign Contractors have to present license certified by each concerned Embassy. For Joint Venture or Consortium, an application of Special Joint Venture License from PCAB should also be presented.

#### **5.3.2 Forms**

The prescribed forms are as shown in Form 3B of the Prequalification Documents.



**5.3.3 Supporting Documents (Where Applicable)**

- (a) Inter-Agency committee Registration and Classification :Annex 4A
- (b) Construction Industry Authority of the Philippines Certification that the Applicant is not included in the master list of blacklisted / suspended Contractor: Annex 4B.
- (c) Securities and Exchange Commission Registration Certificate. Annex 14  
Article of Partnership or Incorporation: Annexes 8 & 9
- (d) Joint Venture Agreement: Annex 10
- (e) Application for Special Joint Venture License particular for the Project: Annexes 11, 12 & 13

**5.4.1 Statements**

- (a) Power of Attorney for person signing the Prequalification documents duly notarized: Annex 2
- (b) Certification as bonafide Contractor form respective embassy/consulate, for foreign contractor: Annex 6

**5.4 Technical Capabilities**

Prescribed forms are shown in Forms 4A, 4A1, 4B, 5A, 5A1, 5B, 5B1, 5C, 6A, 6B, 6C, 6D, 7A, 7B and 7C. Applicants are required to submit the information described below.

**5.4.1 Experience of the Applicant**

- (a) General Experience (completed and On-going Civil Works)

Please attach the information relative to all major civil work projects in which you have completed and undertaken for the last five years. The information should include annual turnover of the Applicant or each member of the Joint Venture. This information is to be provided on Form 4A all civil works and Form 4A1 for Joint Venture Summary. For current contract commitment information is to be provided on Forms 4B.

Satisfactory evidence in the form of copies of Certificates endorsed by the project owners and/or the engineering firms supporting this information should be submitted.

- (b) Particular Experience
  - (i) Particular Experience (Similar Projects Carried Out)

Please attach the information concerning experiences on highways/road projects and bridge construction works of the same or similar nature (within the

Philippines and overseas) completed by your firm for the last ten (10) years. The information is to be provided on Forms 5A, 5A1, 5B and 5B1 otherwise mark "Not Applicable" in the form. Satisfactory evidence such as Certificate of Completion endorsed by the project owners and/or the engineering firms, which attest information concerning particular experience, should be submitted.

**(ii) Particular Experience (On-going Projects)**

Please attach the information relative to project experience in the country concerned and in similar countries. The information is to be provided on Form 5C.

**5.4.2 Equipment**

The list of minimum essential construction equipment for this project is given in Paragraph 3.4.3(c). Based on this list, the Applicant shall prepare the list of construction equipment pledged to be used exclusively for the Project. Per Department Order No. 80, S-1990, this list shall include major materials testing equipment in running condition owned by Applicant, supported with proofs of ownership (Annex 19). The list is to be provided on Forms 7A and 7B.

**5.4.3 Personnel Capabilities**

- (a) Submit certified copy of the Project Organization that the Applicant intends to use to execute this Project, if awarded the Contract. Indicate in the chart the name of the Project Manager, Highway Engineer, Bridge Engineer, Drainage Engineer, Materials and Quality Control Engineer, Foreman and other Key Engineering Personnel (Form 6A).
- (b) Key Engineering Personnel and Number of Technical (Engineering) Personnel from Project Manager down to Foreman, (Form 6B).
- (c) Bio-data or Resume of Nominated Key Personnel (Form 6C)
- (d) Submit copies of the following:
  - (i) Letter from the Applicant informing of his nominee for Key Engineering Staffs such as Project Manager, Highway Engineer, Bridge Engineer, Drainage Engineer, Materials and Quality Control Engineer and Foreman (Annex 17)
  - (ii) Letter from the nominee for Project Manager, Highway Engineer, Bridge Engineer, Drainage Engineer, Materials and Quality Control Engineer, etc. informing that his services has been engaged by Applicant for the Project (Annex 18)

**5.5 Financial Position**

Applicants are required to submit the information described below.

**5.5.1 Documentation**

Audited Financial Statement for the last five (5) years as reflected in his Income Tax Return duly filed and received by his respective Internal Revenue Agency: Refer to Annex 22

**(a) Forms**

The general prescribed forms are shown in Form 8B of the Prequalification Documents.

**(b) Supporting Statements**

- (i) Auditor's or Accountant's Certificate. Refer to Form 8C**
- (ii) Statement from a Bank(s) licensed by the Bangko Sentral ng Pilipinas committing to provide Credit Line Commitment. Refer to Form 8D.**

## **PART II**

### **APPLICANT'S CONFIDENTIAL STATEMENT FORMS FOR PREQUALIFICATION**

**INDIVIDUAL CHECKLIST OF REQUIRED DOCUMENTS FOR CONTRACTOR'S  
CONFIDENTIAL APPLICATION STATEMENT FOR PREQUALIFICATION**

Name of Contractor: \_\_\_\_\_

Address : \_\_\_\_\_

**CONTRACTOR'S CONFIDENTIAL APPLICATION STATEMENT FOR PREQUALIFICATION**

Fill up all blanks for the following; (if applicable, mark with check ( )); if not, mark (N/A)).

( ) **Letter of Application (Form 1)**

( ) **Affidavit of Applicant (Form 2)**

**Statement of Applicant :**

( ) **A. General Information (Form 3A)**

( ) **B. Legal Aspects (Form 3B)**

**C. Technical Aspects**

( ) **C.1 General Experience (Forms 4A, 4A1 & 4B)**

( ) **C.2 Particular Experience (Forms 5A, 5A1, 5B, 5B1 & 5C)**

( ) **C.4 Organization (Forms 6A, 6B, 6C, 6D)**

**C.3 Equipment (Forms 7A, 7B, 7C)**

( ) **D. Financial Aspects (Forms 8A, 8B, 8C, 8D)**

( ) **E. Litigation History (Form 9)**

**Annexes:**

( ) **Annex 1** Certification / Written Authority from the Owner or Governing Board of the Contractor to the person who made the prequalification statement.

( ) **Annex 1A** A Written Authority form the Owner Governing Board of the joint venture of partner by the person of the principal contractor who made the application and Certified Copy of the appointment/designation as the principal contractor from the owner or governing board of joint venture or partnership, if contractor is on joint venture or partnership.

( ) **Annex 2** Power of Attorney and/or Notarized Certificate for Signatory.

- ( ) Annex 3 Certified true copy of Appointment/Designation and Authority of the person designated to manage the affairs of firm's organization
- ( ) Annex 4 Certified true copy of Appointment of the officially designated Liaison Officer duly issued by the person authorized to sign the prequalification documents.
- ( ) Annex 5 Certified true copy of Contractor's License valid for the current year or Certified Copy of Renewal, issued by PCAB.
- ( ) Annex 6 Certified true copy of Certificate of Bonafide Contractor from respective Embassy/Consulate, if Applicant is a Foreign Contractor.
- ( ) Annex 7 Certified true copy of Certificate of Registration of Business Name, if Applicant is a sole proprietorship.
- ( ) Annex 8 Certified true copy of Deed or Articles of Partnership and Partnership Agreement, if Applicant is a partnership.
- ( ) Annex 9 Certified copy of Articles of Incorporation and By-Laws, for Corporation (Annex 9)
- ( ) Annex 10 Certified copy of Joint Venture Agreement and Articles of Joint Venture, if Applicant is a Joint Venture.
- ( ) Annex 10A Certified copy of Memorandum of Agreement, in the absence of Joint Venture Agreement, if Applicant is a joint venture.
- ( ) Annex 11 Certified true copy of PCAB Joint Venture License per Republic Act No. 4566, for Local to Local Joint Venture, *(to be submitted prior to award)*.
- ( ) Annex 12 Certified true copy of PCAB Special License of Joint Venture for foreign to foreign joint venture, *(to be submitted upon award)*.
- ( ) Annex 13 Certified true copy of PCAB Special License of Joint Venture, for foreign to local joint venture, *(to be submitted prior to award)*.
- ( ) Annex 14 Certified true copy of Contractor's Securities and Exchange Commission (SEC) Current and Valid Registration Certificate, if applicable.
- ( ) Annex 15 Certified true copy of Certification of Current Valid Value Added Tax (VAT) Registration, if applicable.
- ( ) Annex 16 Certified true copy of Certificates of Completed Projects by Owner.
- ( ) Annex 17 Letters from the Contractor informing DPWH of his Key Personnel nominees for Project Manager, Highway Engineer, Bridge Engineer, Drainage Engineer, Materials and Quality Control Engineer, etc.
- ( ) Annex 18 Certificates of Employment of Key Engineering Staff i.e., Project Manager, Highway Engineer, Bridge Engineer, Drainage Engineer, Materials and Quality Control Engineer, etc.

- ( ) Annex 19 Supporting documents of Contractor's Proof of Ownership of Each Equipment that will be pledged exclusively for the project.
- ( ) Annex 20 Supporting documents of Contractor's pledges for lease or purchase of additional equipment.
- ( ) Annex 21 Certified true copy of the Contractor's Latest Income Tax Return filed in the Bureau of Internal Revenue (BIR) or its equivalent in his country / area.
- ( ) Annex 22 Certified copy of Audited Financial Statement for the last five (5) years as reflected in his Income Tax Return.
- ( ) Annex 23 Litigation History of Applicant(s) including each partner of JV.
- ( ) Annex 24 A sworn statement that the Contractor has no relative either by consanguinity or affinity, within the fourth civil degree in DPWH who has something to do with prequalification, processing / approval of contract and/or project implementation, and that no official / employee of the Department, his/her spouse and unemancipated children have either direct or indirect financial or material interest in his construction firm (for Local Contractors)
- ( ) Annex 25 Written Authority for DPWH to verify Contractor's Documents.

Attested by:

Checklist by:

\_\_\_\_\_  
**(Contractor)**  
 (Name in Print & Signature)

\_\_\_\_\_  
 (Designation)

\_\_\_\_\_  
 (Date)

\_\_\_\_\_  
**(DPWH)**  
 (Name in Print & Signature)

\_\_\_\_\_  
 (Designation)

\_\_\_\_\_  
 (Date)

## **LETTER OF APPLICATION**



**SPECIMEN LETTER OF APPLICATION\***

*[\* Actual letter to be written on the letterhead paper of the Applicant or the Lead Partner responsible for a joint venture, showing the full postal address, telephone number, fax number, telex number, and cable address, etc.]*

Date : \_\_\_\_\_

To : The Chairman  
Prequalification, Bids and Award Committee  
Department of Public Works and Highway  
Bonifacio Drive, Port Area, Manila

Gentlemen,

1. Being duly authorized to represent and act on behalf of \_\_\_\_\_ (hereinafter referred to as "the Applicant") as evidenced by Power(s) of Attorney (see Annex 2), and having reviewed and fully understood all of the prequalification information provided, the undersigned hereby applies for the Applicant to be prequalified as a bidder by your Agency for the construction work of \_\_\_\_\_ (Name of Project).
2. Attached to this letter are copies of original documents detailing:<sup>1</sup>
  - (a) The Applicant's (or each joint venture partner's) corporate/legal status;
  - (b) The principal place of business of the Applicant or of each joint venture partner; and
  - (c) The place of incorporation (for applicants or joint venture partners who are corporations), or the place of registration and the nationality of the owners (for applicants or joint venture partners who are partnerships or individually owned firms), together with all other relevant fully completed Application Forms.

<sup>1</sup> For applications by joint ventures, all the information requested in the prequalification documents is to be provided for the joint venture (if it already exists), and separately for each party to the joint venture. The Lead Partner must be clearly identified, and all other partners in the joint venture must countersign the letter of application in endorsement of the contents of the submitted documents.

3. Your Agency and its authorized representatives are hereby authorized to conduct any inquiries or investigations to verify the statements, documents and information submitted in connection with this application, and to seek clarification from the Applicant's (or each joint venture partner's) bankers and clients regarding any financial and technical aspects. This Letter of Application will also serve as authorization to any individual or authorized representative of any institution referred to in the supporting information to provide such information deemed necessary and as requested by your Agency to verify statements and information provided in this application (such as the resources, experience and competence of the Applicant or each joint venture partner).
4. Your Agency and its authorized representatives may contact the following persons for further information:

(a) Name of Applicant or Lead Partner \_\_\_\_\_

(i) General and managerial inquiries

Contact 1	Telephone No.
Contact 2	Telephone No.

(ii) Personnel inquiries

Contact 1	Telephone No.
Contact 2	Telephone No.

(iii) Technical inquiries

Contact 1	Telephone No.
Contact 2	Telephone No.

(iv) Financial inquiries

Contact 1	Telephone No.
Contact 2	Telephone No.

(b) Name of Partner<sup>2</sup> \_\_\_\_\_

(i) General and managerial inquiries

Contact 1	Telephone No.
Contact 2	Telephone No.

(ii) Personnel inquiries

Contact 1	Telephone No.
Contact 2	Telephone No.

<sup>2</sup> An application by a joint venture must provide equivalent information for each partner to the application (partner meaning a party required to countersign the joint venture letter of application).

(iii) Technical inquiries

Contact 1  
Contact 2

Telephone No.  
Telephone No.

(iv) Financial inquiries

Contact 1  
Contact 2

Telephone No.  
Telephone No.

5. This application is made with the full understanding that:

- (a) Following submission of bids by prequalified applicants, all information submitted for prequalification will be subject to review, to ensure that the bidders still meet the original conditions set for prequalification.
- (b) Your Agency reserves the right to:
  - (i) amend the scope and value of any contracts bid under this project (and, in such event, bids will only be called from prequalified bidders who meet the revised requirements); and
  - (ii) reject or accept any application, cancel the prequalification process, and reject all applications.
- (c) Your Agency shall not be liable for any such actions as are referred to in (b)(i) and (ii) above and shall be under no obligation to inform the Applicant of the grounds for such actions.

*An Applicant who is not part of a joint venture should not include paragraphs 6 and 7 below in their letter of application and, instead, should re-number para. 8 as para. 6.*

6. Appended to this letter of application are the details of the participation of each partner in the joint venture **(either:** "as evidenced by the attached Joint Venture Agreement" **or:** "(see the duly completed declaration of cooperation (Annex 10 and Annex 10A), which specifies the financial commitments in terms of the percentage of the value of the contract to be undertaken by each partner)"). The respective responsibilities for the execution of the contract in respect of each participant (including specialist subcontractors) are given on individually completed Application Forms 1.

7. The undersigned confirms that if the Applicant submits a bid, that bid, as well as any resulting contract, will be:

- (a) signed so as to legally bind all partners, jointly and severally;
- (b) submitted with a joint venture agreement providing the joint and several liability of all partners in the event the contract is awarded to the Applicant.

8. The undersigned Applicant declares that the statements made and the information provided in the duly completed application are complete, true and correct in every detail, in full knowledge that the Applicant will be held liable, criminally and/or civilly, for any misrepresentation or false statement made.

Signed:

Name: \_\_\_\_\_

For and on behalf of: \_\_\_\_\_  
(Name of Applicant or Lead Partner)

We, the undersigned, being the partners (other than the Lead Partner) to the joint venture for which the Applicant is submitting this letter of application, declare that the statements made and the information provided in the submitted application are complete, true and correct in every detail. We make this declaration in full knowledge that the Applicant will be held liable, criminally and/or civilly, for any misrepresentation or false statement made therein and that we shall be held jointly and severally liable therefor.

Signed:

Name: \_\_\_\_\_

For and on behalf of: \_\_\_\_\_  
(Name of partner(s))<sup>3</sup>

<sup>3</sup> All partners to the joint venture are required to countersign the letter of application.

## **AFFIDAVIT OF APPLICANT**

Name of Applicant

### AFFIDAVIT OF APPLICANT

I hereby certify that all information in this Contractor's Confidential Application Statement for Prequalification, including all information in the forms attached and in the annexes and enclosures to this statement, are true and correct, and I hold myself liable, criminally and/or civilly, for any misrepresentation or false statement made therein.

In faith whereof, I have hereto affixed my signature this \_\_\_\_\_ day of \_\_\_\_\_, 200\_ at \_\_\_\_\_.

\_\_\_\_\_  
(Affiant)

REPUBLIC OF THE PHILIPPINES)  
PROVINCE/CITY OF \_\_\_\_\_)

SUBSCRIBED AND SWORN TO before me this \_\_\_\_\_ of \_\_\_\_\_, 200\_ at \_\_\_\_\_ affiant exhibited to me his Community Tax Certificate No. \_\_\_\_\_ issued on \_\_\_\_\_ at \_\_\_\_\_.

Notary Public  
PTR No. \_\_\_\_\_  
Until December 31, 200\_

Doc. No. \_\_\_\_\_  
Page No. \_\_\_\_\_  
Book No. \_\_\_\_\_  
Series of \_\_\_\_\_

DRY SEAL

## **STATEMENT FOR PREQUALIFICATION**

## STATEMENT OF APPLICANT

### A. GENERAL INFORMATION

1. Name of Contractor : \_\_\_\_\_

2. Address and Liaison

- a. Office Address : \_\_\_\_\_
- b. Telephone No. : \_\_\_\_\_
- c. Cable Address : \_\_\_\_\_
- d. FAX/Telex No. : \_\_\_\_\_
- e. E-mail Address : \_\_\_\_\_

3. In the case of Foreign Contractor

- a. Philippine Address : \_\_\_\_\_
- b. Telephone No. : \_\_\_\_\_
- c. Fax No. : \_\_\_\_\_
- d. E-mail Address : \_\_\_\_\_

4. Type of Contractor's Organization (Please check)

- |  |  |
|--|--|
| <input type="checkbox"/> Sole Proprietorship | <input type="checkbox"/> Corporation   |
| <input type="checkbox"/> Partnership         | <input type="checkbox"/> Joint Venture |

5. Person Managing the Affairs of Contractor's Organization

- a. Name : \_\_\_\_\_
- b. Designation : \_\_\_\_\_
- c. Certified copy of his appointment/designation & authority (Annex 2).

6. Person officially designated as Liaison Officer

- a. Name : \_\_\_\_\_
- b. Designation : \_\_\_\_\_
- c. Certified copy of his appointment/designation & authority (Annex 3).



**7. Key Personnel Proposed to the Project**

1.	Title of Position : <b>Project Manager</b>
	Name of Prime Candidate
	Name of Alternate Candidate
2.	Title of Position : <b>Highway Engineer</b>
	Name of Prime Candidate
	Name of Alternate Candidate
3.	Title of Position : <b>Bridge Engineer</b>
	Name of Prime Candidate
	Name of Alternate Candidate
4.	Title of Position : <b>Drainage Engineer</b>
	Name of Prime Candidate
	Name of Alternate Candidate
5.	Title of Position : <b>Materials and Quality Control Engineer</b>
	Name of Prime Candidate
	Name of Alternate Candidate
6.	Title of Position : <b>Construction Foreman</b>
	Name of Prime Candidate
	Name of Alternate Candidate

**8. Present Number of Technical and Non-Technical Personnel Employed**

**a. Number of Personnel on Payroll**

In Home Country : \_\_\_\_\_  
Outside Home Country : \_\_\_\_\_

**b. Table of Existing Key Personnel**

PARTICULARS	NUMBER OF PERSONNEL / YEARS WITH FIRM		
	LESS THAN 5 YEARS	5 TO 20 YRS.	OVER 20 YEARS
<b>A. Technical Personnel</b>			
<b>B. Other Technical Staff</b>			
<b>C. Non-Technical Staff</b>			

**9. PCAB License Category / : \_\_\_\_\_**

**Classification : \_\_\_\_\_**

**B. LEGAL REQUIREMENT**

1. Date when Contractor's Organization was Registered : \_\_\_\_\_  
\_\_\_\_\_
2. Place of Registration : \_\_\_\_\_  
\_\_\_\_\_
3. Certified Copy of Contractor's License for the Current Year (Annex 5).
4. Certified Copy of Contractor's Latest Income Tax Return (Annex 21).

5. If Contractor is a Sole Proprietorship :

a. Certified Copy of Certificate of Registration of Business Name (Annex 7)

b. Name of Owner : \_\_\_\_\_

c. Capital Stock :

Authorized \_\_\_\_\_ Paid up \_\_\_\_\_

6. If Contractor is a Partnership :

a. Certified copy of Deed of Articles of Partnership (Annex 8).

b. Partners :

<u>NAME</u>	<u>VALUE OF CONTRIBUTION</u>
_____	_____
_____	_____
_____	_____
_____	_____

c. Capital Stock :

Authorized \_\_\_\_\_ Paid-up \_\_\_\_\_

7. If Contractor is a Corporation :

a. Certified copy of Articles of Incorporation (Annex 9)

b. Stockholders and other financially interested entity in the Corporation owning 5% or more of the stocks and other interest, as certified by the Securities and Exchange Commission :

<u>NAME</u>	<u>TYPE OF STOCK AND/OR INTEREST</u>	<u>VALUE</u>	<u>EXTENT OF FINANCIAL CONTROL (%)</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

- c. Members of Governing Board of the Corporation, as Certified by the Corporate Secretary :

<u>NAME</u>	<u>DESIGNATION</u>
_____	_____
_____	_____
_____	_____

- d. Capital Stock :

Authorized \_\_\_\_\_ Paid-up \_\_\_\_\_

8. If Contractor is a Joint Venture :

- Written Authority from the owner or governing board of Joint Venture by the person of the principal Contractor who made the application together with certified copy of the appointment/designation as the principal Contractor from the owner or governing board of Joint Venture, if Contractor is on Joint Venture (Annex 1-A).
- Certified copy of Agreement & Articles of Joint Venture (Annex 10).
- Certified copy of Memorandum of Agreement, in the absence of Joint Venture Agreement, if Applicant intends to form a Joint Venture in this Project (Annex 10-A).
- Certified copy of application for Joint Venture License (Annexes 11, 12 & 13: where applicable).
- Contractor - Members of Joint Venture :

<u>NAME</u>	<u>EXTENT OF PARTICIPATION</u>
_____	_____
_____	_____
_____	_____

9. Certified copy of the Contractor's Securities & Exchange Commission (SEC)
10. Current and Valid Registration Certificate, if applicable. (Annex 14)
11. Certified Copy of Certification of Current Valid VAT Registration (Annex 15)
12. Power of Attorney and/or Notarized Certificate for signatory. (Annex 2)
12. Litigation History (Annex 16)
13. In the case of a Foreign Contractor:
  - a. Certificate of Foreign Contractor from his Embassy or Consulate that he is a bonafide Contractor (Annex 6)
  - b. If any, extent of Filipino ownership of the assets of Contractor's organization: \_\_\_\_\_, percent (\_\_\_\_ %).
14. A sworn statement that the Contractor has no relative either by consanguinity or affinity, within the fourth civil degree in DPWH who has something to do with prequalification, processing/approval of contract and/or project implementation, and that no official/employee of the Department, his/her spouse and unemancipated children have either direct or indirect financial or material interest in his construction firm (for Local Contractors). (Annex 24)

### C.1.1 ANNUAL TURNOVER (ALL CWs)

The Applicant is required to provide the information against the items shown below. The information supplied must be the annual turnover of the Applicant (or each partner of a joint venture) for the last five (5) years, in terms of the amounts billed to clients for each year for work in progress or completed, converted to United States dollars (US\$) at the rate of exchange at the end of the period reported.

Where the Applicant is a partner in a joint venture, a separate sheet is to be used for each partner.

Name of Applicant or Partner in a Joint Venture:

Annual Turnover Data <sup>5</sup>		
Year	Turnover	US\$ equivalent
1996		
1997		
1998		
1999		
2000		

<sup>4</sup> To be completed by the Applicant (a separate sheet being required for each joint venture partner). Specialist subcontractor's details are not to be included.

<sup>5</sup> The total value of annual turnover shall be for construction work (and/or equipment, goods and services similar to those to be used in this project) in terms of work billed to clients, in US\$ equivalent, converted at the rate of exchange at the end of the period reported.

**C.1.1A ANNUAL TURNOVER (JV SUMMARY)**

Names of all Partners of a Joint Venture	
1. Lead Partner	
2. Partner	
3. Partner	
4. Partner	
5. Partner	

Annual Turnover Data <sup>6</sup>						
	Application Form 2 Page No.	1996	1997	1998	1999	2000
1. Lead Partner						
2. Partner						
3. Partner						
4. Partner						
5. Partner						
<b>Total</b>						

<sup>6</sup> The total value of annual turnover shall be for construction work (and/or equipment, goods and services similar to those to be used in this project) in terms of work billed to clients, in US\$ equivalent, converted at the rate of exchange at the end of the period reported. Specialist subcontractor's details are not to be included.

Name of Applicant or Partner of a Joint Venture

# C.1 GENERAL EXPERIENCE RECORD

## C.1.2 CURRENT CONTRACT COMMITMENTS / WORKS IN PROGRESS

Page \_\_\_\_ of \_\_\_\_

Applicant and each partner of a Joint Venture should provide information on their current commitments on all contracts that have been awarded, or for which a letter of award or acceptance has been received, or for contracts approaching completion, but for which full completion certificate has yet to be issued.

Ref.No.	Name of Project /Location	Owner	Contract Amount 1/	Participation 2/	Date Started	Target Completion	STATUS 3/			Outstanding Works	
							% WA	% TE	% S	Amount	Percent
1											
2											
3											
4											
5											
-											
n											

- Note: 1. Indicate amount in Million Peso using the foreign exchange rate of the Bangko Sentral ng Pilipinas prevailing on the date of Contract Award and in parenthesis is the currency denomination in country where the project is being undertaken.
2. Indicate whether Applicant's participation is a sole contractor, percentage sharing in a Joint Venture or subcontractor. For Subcontractor submit attachment of certified copy of subcontracting agreement with proof that the Applicant-Subcontractor as recognized or acceptable to the Project Owner. For Partner in a Joint Venture in addition to the submission of copy of Notice of Award and/or Notice to Proceed duly certified as true copy by the Owner, submit a certified copy of Joint Venture Agreement
3. Indicate the latest Percentage Work Accomplished (%WA), Time Elapsed (%TE) and Slippage (%S): a month prior to the deadline for submission of duly accomplished Prequalification Statement.



**Name of Applicant or Partner of a Joint Venture**

## C.2 PARTICULAR EXPERIENCE RECORD

### C.2.1 SIMILAR ROAD PROJECTS COMPLETED

[illegible]

Note: 1) List of project completed in the last 10 years, beginning with the latest project.

- 1) List of project completed in the last five years, beginning with the latest project.
  - a. Largest three (3) similar road project relevant to the project bidding. (Please attached copy of the Contract Bill of Quantities, Certificate of Completion and/or Acceptance). Attachment at Annex 16
- 2) Indicate contract amount as revised (but without escalation cost) in Million Pesos.
  - a. If original is in foreign currency, indicate exchange rate used.
  - b. If subcontractor or a partner in a joint venture, indicate also value for which the participant is responsible, in (parenthesis).
- 3) Indicate whether Applicant's participation is a sole contractor, subcontractor or percentage sharing in a Joint Venture.
- 4) Indicate whether the Project was completed ahead of schedule, on schedule or behind schedule, etc.

Name of Applicant or Partner to Joint Venture
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## C.2 PARTICULAR EXPERIENCE RECORD

### C.2.1a DETAILS OF SIMILAR ROAD PROJECTS COMPLETED

(Use a separate sheet for each contract)

1.	Reference No.	Source of Fund (ADB, JBIC, etc.)
	Name of contract	
	Country	
2.	Name of employer	
3.	Employer address	
4.	Nature of works and special features relevant to the contract for which the Applicant wishes to prequalify. Please indicate at least the magnitude/scope of the following work items: Pavement Works (either Portland cement concrete pavement or asphalt concrete pavement): Improvement works of existing drainage structures: Slope protection works: Earthworks: Sub-base /Base, Surface Courses:	
5.	Contract role (check one) Sole contractor      Management Contractor      Subcontractor      Partner in a joint venture	
6.	Value in specified currencies at completion • Total Contract Amount : _____ (name of currency) • Sub-Contractor Amount (if the role was sub contractor): _____ (name of currency) • Responsible Contract Amount (if the role was partner in a joint venture) : _____ (name of currency) _____ (percentage of share)%	
7.	Equivalent value Peso	
8.	Date of award Date started	
9.	Date of completion (Actual / Contract)	
10.	Contract/subcontractor duration (years and months) _____ years      _____ months	
11.	Specified Requirements (Indicate standards (AASHTO, ASTM, etc.) applied in the quality control)	

- Note:
- The above all items shall be evaluated for the pre-qualification.
  - Please attach copy of certificate of completion and/or acceptance. In case original document is not in English language, a certified translation in the English language with authentication by a Notary Public and duly endorsed the same by the corresponding Embassy or Consulate in the Philippines. (Name of Contract, Name of Employer with the signature, Contract Amount and Completion Date shall be clearly indicated in these certificates.) Annex 16

<b>Name of Applicant or Partner of a Joint Venture</b>
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## C.2 PARTICULAR EXPERIENCE RECORD

### C.2.2 SIMILAR BRIDGE PROJECTS COMPLETED

[illegible]

Note: 1) List of project completed in the last 10 years, beginning with the latest project.

- a. Largest three (3) similar bridge project relevant to the project. (Please attached copy of the Contract Bill of Quantities, Certificate of Completion and/or Acceptance). Attachment at Annex 16
- 2) Indicate contract amount as revised (but without escalation cost) in Million Pesos.
  - a. If original is in foreign currency, indicate exchange rate used.
  - b. If subcontractor or a partner in a joint venture, indicate also value for which the participant is responsible, in (parenthesis).
- 3) Indicate whether Applicant's participation is a sole contractor, subcontractor or percentage sharing in a Joint Venture.
- 4) Indicate whether the Project was completed ahead of schedule, on schedule or behind schedule, etc.

Name of Applicant or Partner to Joint Venture

## C.2 PARTICULAR EXPERIENCE RECORD

### C.2.2a DETAILS OF SIMILAR BRIDGE WORKS COMPLETED

Use a separate sheet for each contract.

1.	Reference No.	Source of Fund (ADB, JBIC, etc.)
	Name of contract	
	Country	
2.	Name of employer	
3.	Employer address	
4.	Nature of works and special features relevant to the contract for which the Applicant wishes to prequalify. Please indicate at least the magnitude/scope of the following work items:  Super Structure: Substructure: Foundation: Bridge Construction: Bridge Rehabilitation / Repair, etc.	
5.	Contract role (check one) Sole contractor    Management Contractor    Subcontractor    Partner in a joint venture	
6.	Value in specified currencies at completion • Total Contract Amount : _____ (name of currency) • Sub-Contractor Amount (if the role was sub-contractor): _____ (name of currency) • Responsible Contract Amount (if the role was partner in a joint venture) : _____ (name of currency) _____ (percentage of share)%	
7.	Equivalent value Peso	
8.	Date of award Date started	
9.	Date of completion (Actual / Contract)	
10.	Contract/subcontractor duration (years and months) _____ years                      _____ months	
11.	Specified Requirements (Indicate standards (AASHTO, ASTM, etc.) applied in the quality control)	

Note: a) The above all items shall be evaluated for the pre-qualification.  
 b) Please attach copy of certificate of completion and/or acceptance. In case original document is not in English language, a certified translation in the English language with authentication by a Notary Public and duly endorsed the same by the corresponding Embassy or Consulate in the Philippines. (Name of contract, name of employer with the signature, contract amount and completion date shall be clearly indicated in these certificates.) See Annex 16

Name of Applicant or Partner of a Joint Venture

## C.2 PARTICULAR EXPERIENCE

### C.2.3 PROJECT EXPERIENCE IN THE COUNTRY CONCERNED & IN SIMILAR COUNTRIES

Applicant and each partner of a Joint Venture should provide information on project experience in the country concerned and in similar countries for which full completion certificate has been issued

Ref.No.	Name of Project	Owner	Contract Amount 1/	Participation 2/	Date Started	Date Completed	Project Location
1							
2							
3							
4							
5							
.							
n							

- Note: 1. Indicate amount in Million Peso using the foreign exchange rate of the Bangko Sentral ng Pilipinas prevailing on the date of Contract Award and in parenthesis is the currency denomination in country where the project is being undertaken.
2. Indicate whether Applicant's participation is a sole contractor, percentage sharing in a Joint Venture or subcontractor. For Subcontractor submit attachment of certified copy of subcontracting agreement with proof that the Applicant-Subcontractor as recognized or acceptable to the Project Owner. For Partner in a Joint Venture in addition to the submission of copy of Notice of Award and/or Notice to Proceed duly certified as true copy by the Owner, submit a certified copy of Joint Venture Agreement

NAME OF APPLICANT

**C.3 CONTRACTOR'S ORGANIZATION**

**C.3.1 ORGANIZATIONAL CHART**

1. *Submit Certified Copy of the Project Organizational Chart that the Contractor intends to use to execute the Project if awarded the contract. Indicate in the chart the name of the Project Manager, Highway Engineer, Bridge Engineer, Drainage Engineer, Materials and Quality Control Engineer, Foreman and other Key Engineering Personnel*

*Attach the required Proposed Project Organizational Chart as stated above*

### C.3.2 KEY ENGINEERING PERSONNEL

[illegible]

Name of Applicant :

## C.3 CONTRACTOR'S ORGANIZATION

## C.3.3 KEY PERSONNEL BIO-DATA

Page \_\_\_ of \_\_\_

<b>Position</b>		<b>Candidate</b> Prime <input type="checkbox"/> Alternate <input type="checkbox"/>	
<b>Candidate Information</b>	1. Name of Candidate		2. Date of Birth
	4. Education and Degrees		3. Nationality
	5. Professional Qualifications/Specialty		
<b>Present Employment</b>	6. Name of Employer		Length of Service with the Firm
	Address of Employer		
	Telephone	Contact Person (Manager/Personnel Officer)	
	Fax	Job Title of Candidate	
	Telex	Years with present Employer	

Summarize professional experience over the last 20 years, in reverse chronological order. Indicate particular technical and managerial experience relevant to the project.

Inclusive Dates	Company	Position	Project	Relevant Technical and Managerial Experience

Please continue on separate sheets if necessary

(Name and Signature of Employee)

It is hereby certify that the above personnel is fluent in oral / written English and can be assigned to this project if the contract is awarded to our company.

(Place and Date)

(Applicant Authorized Representative)



Name of Applicant :

### C.3 CONTRACTOR'S ORGANIZATION

#### C.3.4 LIST OF SUBCONTRACTORS PROPOSED FOR THE PROJECT

Name / Address of Subcontractor	Description / Section of Works to Subcontracted	Approximate Amount (in Peso)	Name of Project / Description of Similar Works previously undertaken by the Subcontractor

*(Fill in this form is Subcontractor is proposed to undertake certain portion of the Project)*

#### C.4 EQUIPMENT CAPABILITIES

#### C.4.1 LIST OF EQUIPMENT OWNED

Page of

[illegible]

Note: 1) List only equipment in good operating condition pledged to be used exclusively for the project.  
(Please enumerate in category, starting from plants, earthmoving, compacting, lifting, excavating, asphaltting, concreting, hauling, etc.)

2) Indicate age of equipment from the date of manufacture.

3) **Attach Proof of Ownership for each equipment ( Annex 19)**

Name of Applicant or Partner of a Joint Venture

**C.4 EQUIPMENT CAPABILITIES****C.4.2 LIST OF EQUIPMENT PLEDGE TO BE LEASED**

Page      of

REFERENCE NO.	NAME OF OWNER / LESSOR	EQUIPMENT DESCRIPTION TYPE, MODEL, MAKE	QUANTITY	CAPACITY	AGE OR YEARS OF SERVICE

- Note: 1) List of Construction equipment in good operating condition which the Applicant pledges to lease or to purchase if awarded the contract.  
Please tabulate by Category, such as Plants, Earthmoving, Compacting, Lifting, Excavating, Asphaltting, Concreting, Hauling, etc.
- 2) Indicate name of owner or lessor and attach evidence to support the pledges to lease or purchase equipment in Annex 20.

*Name of Applicant*

#### **C.4 EQUIPMENT CAPABILITIES**

##### **C.4.3 SITE ORGANIZATION, QUALITY AND SAFETY ASSURANCE SYSTEM, AND ENVIRONMENTAL CONCERNS**

*The Applicants should provide explanation of his site organization, quality, safety assurance system and environmental concerns to include the following information:*

#### **A. SITE ORGANIZATION**

- (a) Organizational structure as one team, overall management, name of personnel and position, organizational chart and name of Sub-contractor.
- (b) Job description of position
- (c) Internal coordination mechanism
- (d) Home office support
- (e) Assignment time schedule of manpower, equipment and others

#### **B. SAFETY ASSURANCE**

- (a) Safety measures for doing works
- (b) Emergency Measures
- (c) Medical Facility and Staff

#### **C. ENVIRONMENTAL CONSIDERATIONS**

- (a) Environmental Organizations
- (b) Environmental mitigation measures on contaminated water, solid waste disposal, air quality, construction traffic, soil erosion, vibration and construction noise.

#### **D. QUALITY ASSURANCE**

- (a) Accreditation of quality system
- (b) Quality of management organization
- (c) Detailed procedures of quality control activities
- (d) Control of Sub-contractors

Name of Applicant or Partner of a Joint Venture:

# D.1 FINANCIAL CAPABILITY SUMMARY SHEET

Page 1 of 2

Applicants, including each member of a Joint Venture, should provide financial information to demonstrate that they meet the requirements stated in the Instruction to Applicants. Each Applicant or member of a Joint Venture must fill in this form. If necessary, use separate sheets to provide complete banker information. A copy of the audited sheets and statement of profit and losses should be attached.

<b>BANKER INFORMATION</b>	Name of Banker:	
	Address:	
	Contact Person and Title:	
	Telephone:	Fax: Telex:

Summarize actual assets and liabilities in U.S. dollar equivalent (at rates of exchange current at the end of each year) for the previous five (5) years. Based upon known commitments, summarize projected assets and liabilities in U.S. dollar equivalent for the next two (2) years, unless the withholding of such information is justified by the Applicant to the satisfaction of DPWH

SUMMARY OF ASSETS AND LIABILITIES							
Financial Information	Actual					Projected	
	1996	1997	1998	1999	2000	2001	2002
1. Total Assets							
2. Current Assets							
3. Total Liabilities							
4. Current Liabilities							
5. Sales							
6. Ordinary Profits							
7. Profit before Taxes							
8. Profit after Taxes							

Name of Applicant or Partner of a Joint Venture:

## D.1 FINANCIAL CAPABILITY SUMMARY SHEET

\* Specify proposed sources of financing to meet the cash flow demands of the project (as specified in the Instruction to Applicants), net of current commitment for other contracts.

SOURCE OF FINANCING	
NAME OF SOURCE	AMOUNT
1	
2	
3	
4	

Attach audited financial statements for the last five (5) years (for the applicant or each member of a joint venture).

Firms owned by individuals and partnerships shall submit their balance sheets certified by a registered accountant and supported by copies of tax returns, in cases wherein the existing laws in the Applicant's country does not require to maintain an audited balance sheet. The audited requirement may be waived provided that appropriate certification and/or adequate proof to this effect is submitted.

Applicants are requested to submit a bank reference letter from a reputable commercial bank to the effect that such bank certifies the financial capability of the applicants to meet their financial obligation to perform the said contract and consider to issue a specific line of credit when and if the contract is awarded to the applicant.

Name of Applicant or Partner of a Joint Venture

## D. FINANCIAL ASPECT

### D.2 FINANCIAL STATEMENT

(As of \_\_\_\_\_, 2000)

#### 1. TOTAL ASSETS

##### (1) Cash

a) On Hand	P	_____
b) In Bank		_____
c) Elsewhere	P	_____

##### (2) Assets Receivable

a) Due within 60 days	P	_____
b) Due 60 to 120 days		_____
c) Due after 120 days		_____
d) Past due		_____
Total	P	_____
Less: Reserved for estimated uncollectible notes	P	_____

##### (3) Accounts Receivable

a) From completed contract approved for payment	P	_____
b) Sums earned on uncompleted contracts as shown by Engineer's or Architects Estimates	P	_____
Less: Retention		_____
c) Other than "Contracts"	P	_____
Total	P	_____
Less: Reserve for Estimated uncollectible Notes	P	_____
	P	_____

Name of Applicant or Partner of a Joint Venture

# 1. TOTAL ASSETS (Continued)

## (4) Deposits for Bids or Other Guarantees

a) Recoverable within 90 days P \_\_\_\_\_

b) Recoverable after 90 days P \_\_\_\_\_

## (5) Inventory

a) Cost of Completed Contracts  
not yet approved for payment P \_\_\_\_\_

b) Cost of Construction in  
Progress (not included in  
Item 3(a) above) \_\_\_\_\_

c) Construction Materials in  
Stock \_\_\_\_\_ P \_\_\_\_\_

## (6) Furniture and Fixtures

Cost P \_\_\_\_\_  
Less: Reserve for Depreciation \_\_\_\_\_ P \_\_\_\_\_

## (7) Equipment

Cost P \_\_\_\_\_  
Less: Reserve for Depreciation \_\_\_\_\_ P \_\_\_\_\_

## (8) Real Estate Owned (Land and/or Building)

a) Used for this Business P \_\_\_\_\_

b) Used for other Purposes \_\_\_\_\_

c) Not used for Business  
Purposes (may be shown  
Total P \_\_\_\_\_

Less: Reserve for Depreciation \_\_\_\_\_ P \_\_\_\_\_

## (9) Investments (Itemized below)

a) \_\_\_\_\_  
b) \_\_\_\_\_ P \_\_\_\_\_

**TOTAL ASSETS P \_\_\_\_\_**



Name of Applicant or Partner of a Joint Venture

**2. TOTAL LIABILITIES**

**(1) Notes Payable**

- |    |   |   |       |
|----|---|---|-------|
| a) | To Banks "for Regular Conduct of Business"  | P | _____ |
| b) | To Banks "for Certified Checks"             |   | _____ |
| c) | To Others "for Regular Conduct of Business" |   | _____ |
| d) | To Others "for Equipment"                   |   | _____ |
| e) | To Others "for Sundry Purposes"             |   | _____ |
|    |   | P | _____ |

**(2) Account Payable**

- |    |          | <u>Net Due</u> |       | <u>Past Due</u> |       |
|----|----------|----------------|-------|-----------------|-------|
| a) | Business | P              | _____ | P               | _____ |
| b) | Others   |                | _____ | P               | _____ |

**(3) Accrued Liabilities (Itemized below)**

- |    |  |   |       |
|----|--|---|-------|
| a) |  | P | _____ |
| b) |  |   | _____ |
|    |  | P | _____ |

**(4) Long-Term Obligation (Itemized below and indicate assets pledged as security)**

- |    |  |   |       |
|----|--|---|-------|
| a) |  | P | _____ |
| b) |  |   | _____ |
|    |  | P | _____ |

**(5) Other Liabilities (Itemized Below):**

- |    |  |   |       |
|----|--|---|-------|
| a) |  | P | _____ |
| b) |  |   | _____ |
|    |  | P | _____ |

**(6) Reserve other than Depreciation**

- |    |  |   |       |
|----|--|---|-------|
| a) |  |   | _____ |
| b) |  |   | _____ |
|    |  | P | _____ |

**TOTAL LIABILITIES** P \_\_\_\_\_

Name of Applicant or Partner of a Joint Venture

### 3. NET WORTH

If Proprietorship or Partnership  
Proprietor or Partner Capital

_____	P	_____
_____	P	_____
Less : Personal Drawings		_____
Total	P	_____
Add : Net Income for the Period		_____

**TOTAL NET WORTH**

P \_\_\_\_\_

If Corporation or Joint Venture:

(a) Capital Stock

Preferred (Describe fully)

_____	P	_____
_____	P	_____
Total	P	_____
Add : Paid-in Surplus (if any)		_____

Total Capital Stock Paid-up

P \_\_\_\_\_

(b) Surplus Appropriated  
(Itemized below)

a)

P \_\_\_\_\_

b)

\_\_\_\_\_

c)

\_\_\_\_\_

Free (or undistributed surplus)

\_\_\_\_\_

Appraisal Surplus (if any)

\_\_\_\_\_

**TOTAL NET WORTH**

P \_\_\_\_\_

**TOTAL LIABILITIES AND NET WORTH**

P \_\_\_\_\_

Note: Attached certified copy of latest Financial Statements as reflected in his Income Tax Return duly filed with and received by the Bureau of Internal Revenue (Annex 22)

**D.3 AUDITOR'S OR ACCOUNTANT'S CERTIFICATE**

TO WHOM IT MAY CONCERN:

I/We certify that I/we have examined the books and account of:

\_\_\_\_\_  
(Name of Contractor)

\_\_\_\_\_  
(Business Address)

an individual proprietorship/partnership/association/corporation; have prepared the foregoing Financial Statement; and have verified the items appearing therein in accordance with approved accounting and auditing standards; and, in my/our opinion, the foregoing Financial Statement fairly reflects the true financial condition of the aforesaid Contractor as of the date stated above.

\_\_\_\_\_  
(Date of Certificate)  
(Certified Public Accountant)

\_\_\_\_\_  
(Name and Signature)

\_\_\_\_\_  
(Accountant's Office Address)

Registration No. \_\_\_\_\_

License No. \_\_\_\_\_

Date Effective: \_\_\_\_\_

From: \_\_\_\_\_

To: \_\_\_\_\_

**DRY SEAL**

*(Bank Letter Head)*

**CREDIT LINE COMMITMENT CERTIFICATE**

---

The Honorable Secretary of  
Department of Public Works and Highways  
Bonifacio Drive, Port Area  
Manila

Contract No./ Title: \_\_\_\_\_  
Bidder /Contractor : \_\_\_\_\_

This is to certify that (Name of bank), with business address at \_\_\_\_\_,  
Commits to provide \_\_\_\_\_ (Name of Contractor) \_\_\_\_\_ if awarded the above mentioned contract a credit line  
in the amount of PESOS : \_\_\_\_\_ (P \_\_\_\_\_), which shall be exclusively used to  
finance the above-mentioned contract.

The credit line shall be valid within fifteen (15) days after receipt by the Contractor of the Notice of  
Award, and shall be maintained until the Project is completed.

This certification is being issued in favor of the said contractor in connection with the  
prequalification requirements of the Department of Public Works and Highways for the above-mentioned  
contract. We are aware that any false statement issued by us makes us liable for perjury.

\_\_\_\_\_  
*(Name and Signature of the  
Authorized Representative)*

CONCURRED BY: \_\_\_\_\_  
*(Name and Signature of the Contractor's Authorized Representative)*

Name of Applicant or Partner of a Joint Venture
---

**E. LITIGATION HISTORY**

Applicants, including each of the partners of a joint venture, should provide information on any history of litigation or arbitration resulting from contracts executed in the last year (state number of years) or currently under execution. A separate sheet should be used for each partner of a joint venture
--

Year	Award FOR or AGAINST Applicant	Name of Client, Cause of Litigation, and Matter in Dispute	Disputed Amount (Current Value, Peso Equivalent)

## **ANNEXES**

### CERTIFICATION OF AUTHORITY

The undersigned Corporate Secretary of \_\_\_\_\_,  
 hereby certifies that a Regular Meeting of Board of Directors of the said corporation on \_\_\_\_\_  
 at \_\_\_\_\_,  
 where a legal quorum was present, the following resolution was unanimously approved :

"RESOLVED, as it is hereby resolved that  
 \_\_\_\_\_, be as  
 he is hereby authorized to sign and submit  
 prequalification statement, execute and deliver any and  
 all bid documents to any private and government  
 agencies."

This further certifies that the above resolution has not been amended nor repealed and  
 it is still in effect.

IN WITNESS WHEREOF, I have set my hand this \_\_\_\_\_ day of \_\_\_\_\_  
 at \_\_\_\_\_.

SUBSCRIBED AND SWORN TO BEFORE ME this \_\_\_\_\_ day of \_\_\_\_\_  
 \_\_\_\_\_, affiant exhibits to me his Residence Tax Certificate  
 No. \_\_\_\_\_ issued on \_\_\_\_\_ at \_\_\_\_\_

\_\_\_\_\_  
*Notary Public*

Doc. No. \_\_\_\_\_  
 Page No. \_\_\_\_\_  
 Book No. \_\_\_\_\_  
 Series of \_\_\_\_\_

**Certificate of Written Authority from the Owner or  
Governing Board of Joint Venture  
to Person of the Principal Contractor  
Who Made the Application**

**And**

**Certified True Copy of Appointment/  
Designation as the Principal Contractor  
from the Owner or Governing Board of  
Joint Venture**

***(Present original copy)***



**POWER OF ATTORNEY AND/OR NOTARIAL  
CERTIFICATE FOR THE SIGNATORY**

**AFFIDAVIT**

\_\_\_\_\_  
Applicant's Name : \_\_\_\_\_

Applicant's Address : \_\_\_\_\_  
\_\_\_\_\_

I/We hereby declare that all information herein contained is true and correct and I/we hold my/ourselves liable, criminally or civilly, for any misrepresentation or false statement made therein.

In faith whereof, I have hereunto affixed my signature this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_.

Signed : \_\_\_\_\_

In the capacity of : \_\_\_\_\_

Duly authorized to sign for and on behalf of :

\_\_\_\_\_  
\_\_\_\_\_

*(Note:)*

1. *Duly Authorized Power of Attorney for the person signing this document issued by the legal representative (s) of the Applicant authorizing said person to sign and bind the Applicant shall be attached.*
2. *A certification from a Notary Public attesting to the authenticity and validity of the authority of the representative signing the Power of Attorney shall be attached.*

REPUBLIC OF THE PHILIPPINES)

CITY \_\_\_\_\_) S.S

**AFFIDAVIT**

I, \_\_\_\_\_, of legal age,  
Filipino, married, resident of \_\_\_\_\_,  
under oath depose and say :

1. THAT he is the Corporate Secretary of the \_\_\_\_\_,  
a corporation duly organized under the laws of the Republic of the Philippines;
2. THAT as Corporate Secretary, he is familiar with the books of the Corporation;
3. THAT personally and as a Corporate Secretary for and in behalf of the  
Corporation, he hereby certifies:
  - a. THAT \_\_\_\_\_, in his capacity as President  
and/or, \_\_\_\_\_, in his  
capacity as Exec. Vice President of the Corporation, is/are duly authorized  
to make the Contractor's Confidential Prequalification Statement;
  - b. THAT said Contractor's Confidential Prequalification Statement is made for  
the purpose of prequalifying the Corporation as a responsible Bidder of  
DPWH and its attached agencies, or by any government or private entity for  
its projects/contracts:
  - c. THAT any public official, engineer, architect, depository bank, or any other  
person, firm or Corporation herein named is hereby requested and  
authorized to furnish/supply by DPWH and its attached agencies, or by any  
government or private entity information they may find necessary to verify  
any item in said statement regarding the Corporation's competence and  
general reputation;
  - d. THAT said \_\_\_\_\_ and/or  
\_\_\_\_\_ is/are duly authorized  
by the Corporation to make these representations and to sign and file said  
Statement.
4. THAT he is executing this Affidavit for the purpose of attesting the truth of the  
foregoing facts.

IN WITNESS WHEREOF, I have set my hand this \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_ at \_\_\_\_\_.

\_\_\_\_\_  
Affiant

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, affiant  
exhibiting to me his Community Tax Certificate No. \_\_\_\_\_  
issued on \_\_\_\_\_ at \_\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

Doc. No. \_\_\_\_\_  
Page No. \_\_\_\_\_  
Book No. \_\_\_\_\_  
Series of \_\_\_\_\_

**ANNEX 4**

**CERTIFICATION OF APPOINTMENT**

**TO WHOM IT MAY CONCERN:**

This is to certify that Mr./Mrs. \_\_\_\_\_, has been appointed and officially designated as **LIAISON OFFICER** of \_\_\_\_\_ *(Name of Contractor)*

\_\_\_\_\_ for \_\_\_\_\_ *(Name of Project)*

Issued this date of \_\_\_\_\_, 200\_\_ for whatever purposes it may serve.

By :

\_\_\_\_\_  
*(Name and Signature of the  
Authorized Representative)*

Copy of Registration and Classification Issued  
By the Inter-Agency Committee

*(Present original copy)*

**Certification from the Construction Industry  
Authority of the Philippines (CIAP) that the Applicant is not  
Included in the Master List of Blacklisted / Suspended Contractors**

*(Present original copy)*

**Certified True Copy of Certificate of  
Registration and Renewal of Contractor's  
License for the Current Year**

*(Present original copy)*

(Letter Head of Embassy / Consulate)

\_\_\_\_\_  
To Whom It May Concern :

SUBJECT : **Certificate as Bonafide Contractor**

We are please to certify that \_\_\_\_\_ (Name of Contractor) is one of the active construction Contractors working in the Philippines and is currently executing \_\_\_\_\_ (Name of On-going Project), since his establishment in \_\_\_\_\_ as a General Contractor, has evolved into a large and highly diversified construction firm, enjoying position as one of the top ranking Contractors in \_\_\_\_\_ (Name of Country).

\_\_\_\_\_ (Name of Contractor) advance and dynamic approach into the business of the overseas market resulted in a brilliant success through his vigorous activities and good credit worthiness in international construction market, and eventually enhanced his reputation in many countries such as \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_.

We believe that \_\_\_\_\_ (Name of Contractor) has the ability to execute and complete various projects in compliance with the reasonable contract terms and conditions, and within the scope of his experience.

CERTIFIED BY :  
\_\_\_\_\_

Note :

To be submitted by Foreign Contractor secured from their respective Embassy/Consulate.



Republic of the Philippines  
Department of Trade and Industry  
Region \_\_\_\_\_  
Province of \_\_\_\_\_

**CERTIFICATE OF REGISTRATION**  
**OF**  
**BUSINESS NAME**

This is to Certify

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

as a business name, or firm or style was registered in this Office on \_\_\_\_\_  
by : \_\_\_\_\_ which will expire on \_\_\_\_\_  
\_\_\_\_\_, in accordance with the provisions of Act. No. 3883 of the  
Philippine Legislature approved on November 14, 1931, as amended by Act. No. 4147,  
approved on November 28, 1934, and Republic Act. No. 863, approved on June 16, 1953,  
and in compliance with the rules and regulations prescribed by the Department of Trade  
and Industry.

IN TESTIMONY WHEREOF, I have hereunto set  
my hand and caused the seal of the  
DEPARTMENT OF TRADE AND INDUSTRY to  
affixed \_\_\_\_\_ at

Philippines, this \_\_\_\_ day of \_\_\_\_\_.

**Note : THIS IS NOT A LICENSE TO ENGAGE IN ANY KIND OF BUSINESS (VALID ONLY AT THE  
BUSINESS ADDRESS INDICATED HEREIN)**

**Certified True Copy of  
Certificate Contractor's Deed or Articles  
of Partnership**  
*(Present original copy)*

**Certified True Copy of  
Articles of Incorporation and By-Laws**  
*(Present original copy)*

## JOINT VENTURE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

These Agreement entered into by and between:

\_\_\_\_\_, a Company duly organized and existing under and by virtue of the laws of the Philippines, with principal office at \_\_\_\_\_, and represented in this act by its Owner and General Manager, \_\_\_\_\_;

- and -

\_\_\_\_\_, a Company duly organized and existing under and by virtue of the laws of the Philippines, with principal office at \_\_\_\_\_, and represented in this act by its Owner and General Manager, \_\_\_\_\_ hereinafter referred to as \_\_\_\_\_  
(Indicate name of the joint venture )

- WITNESSETH -

WHEREAS, the parties are both duly licensed Contractors by the Philippine Contractors Accreditation Board:

WHEREAS, the parties believed that they can maximize their chances of prequalifying for the construction of the \_\_\_\_\_ (Name of Project) and can satisfactorily prosecute the Project should they be awarded a Contract by the Department of Public Works and Highways if they pool their financial, equipment and technical resources necessary for the above stated purpose under a joint venture agreement;

NOW, THEREFORE, and in consideration of the foregoing premise and the mutual covenants hereunder set forth, the parties have agreed to establish and constitute by and between themselves this Joint Venture Agreement for the exclusive purpose of prequalifying and participating in the aforesaid Project, and actually undertaking the construction thereof should a contract be successfully awarded, subject to the following terms and conditions;

1. For all intents and purposes, the Joint Venture entity established hereby is known as \_\_\_\_\_ Joint Venture;

2. We have nominated \_\_\_\_\_ (Name of the Lead Partner) as the Sponsor Firm of the Joint Venture for the purpose of this Bid.

3. \_\_\_\_\_ of \_\_\_\_\_ is hereby named, appointed, constituted as the sole representative for and in behalf of herein Joint Venture, and all Bids, Contracts and other documents whatsoever pertinent to the said Project shall be signed by him;

4. The Partner shall be jointly and severally liable for any and all obligations which the Joint Venture may incur in relation to the Contract which the said Joint Ventures may enter into with the Department of Public Works and Highways;

*(Indicate joint operation agreement indicating the work scope and responsibility of the respective member firms and proposed structure of the Joint Venture).*

5. The Parties hereby mutually bind each other to contribute to the Joint Ventures on an *(indicate the percentage share of each partner/member as shown below)*, all the necessary capital, equipment, technical personnel, management supervision, and other efforts and resources for the proper prosecution or implementation of the Project in the event that the Joint Venture is awarded the Contract for the said Project and further bind themselves at all times during the existing of the Joint Venture to extend to each other their respective fullest cooperation and best effort towards profitable construction of the Project in accordance with the approved Plans and Specifications to complete the same with approved work schedule;  
*(Indicate Approximate shares of member firms on the Entire Work:)*

Name of Member Firm	Percentage of Participation
_____	_____ %
_____	_____ %
_____	_____ %

6. It is hereby expressly agreed and understood that if the hereby Joint Venture fails to be prequalified or fails to be awarded the Contract, then this Agreement shall therefore cease, terminate and automatically become void and of no further effect or force whatsoever. In the event however that the Joint Venture is awarded the aforementioned contract, then this Agreement shall remain in full force and effects as of the date hereon until the final completion and acceptance of the Project by the Department of Public Works and Highways.

IN WITNESS WHEREOF, the parties hereto have their hand this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_.

\_\_\_\_\_  
(General Manager)

\_\_\_\_\_  
(General Manager)

SIGNED IN THE PRESENCE OF:

\_\_\_\_\_

REPUBLIC OF THE PHILIPPINES)  
CITY OF \_\_\_\_\_) S.S.

BEFORE ME, a NOTARY PUBLIC for and in the city of their Community Tax  
Certificates as above stated, known to me and to me known to be the same persons who  
executed the foregoing instrument and acknowledged that the same is their free and  
voluntary act and deed.

WITNESS MY HAND AND NOTARIAL SEAL on the place above-stated this  
\_\_\_\_\_ day of \_\_\_\_\_.

(SGD.) \_\_\_\_\_  
NOTARY PUBLIC

Doc. No. \_\_\_\_\_;  
Page No. \_\_\_\_\_;  
Book No. \_\_\_\_\_;  
Series of \_\_\_\_\_;

Certified True Copy of  
Memorandum of Agreement, in the Absence  
of Joint Venture Agreement

*(Present original copy)*

**Certified True Copy of Application for  
Joint Venture License  
Per Republic Act No. 4566**

***(Present original copy)***



**CERTIFICATE OF RENEWAL**

No. \_\_\_\_\_

To Whom It May Concern:

This is to certify that

\_\_\_\_\_

Originally issued Contractor's License No. \_\_\_\_\_ dated having met the requirements for annual renewal of Contractor's License in Accordance with the provisions of Republic Act No. 4566 as amended and its Implementing Rules and Regulations, is hereby authorized to engaged in the business of construction contracting in the Philippines for the period from \_\_\_\_\_ to \_\_\_\_\_, subject to limitations of category and classification stated hereunder :

PRINCIPAL CLASSIFICATION :

OTHER CLASSIFICATION/S

\_\_\_\_\_

\_\_\_\_\_

CATEGORY : \_\_\_\_\_

This certificate is valid only when signed below by the individual proprietor or the authorized managing officer of the licensee.

\_\_\_\_\_  
Proprietor or Authorized Managing  
Officer

Given at \_\_\_\_\_ on \_\_\_\_\_

FOR THE BOARD :

\_\_\_\_\_  
Executive Director

\_\_\_\_\_  
Board Secretary

**Certified True Copy of  
Application for Special License  
of Joint Venture for Foreign  
to Foreign Joint Venture**

*(Present original copy)*

**Certified True Copy of  
Application for Special License of  
Joint Venture for Foreign  
to Local Joint Venture  
*(Present original copy)***

**Certified True Copy of the  
Applicant's Security and  
Exchange Commission (SEC) Current  
and Valid Registration Certificate**

***(Present original copy)***

**Certified True Copy of  
Certification of Current Valid  
Value Added Tax (VAT) Registration**

***(Present original copy)***

**Certified True Copy of Certificates  
of Completed Projects by Owner**

**The Honorable Secretary**

Department of Public Works and Highways  
Bonifacio Drive, Port Area, Manila

Sir:

Supplementing our Confidential Application Statement for Prequalification for the (Name of Project) I/we have the honor to submit herewith and to certify to be true and correct, the following pertinent information:

1. That I/we have engaged and contracted the services of Mr. \_\_\_\_\_, to be the (Designation) of the said Project, who is a Civil Engineer with Professional License Certificate No. \_\_\_\_\_ issued on \_\_\_\_\_ and who has performed the duties in the construction of the projects enumerated in Annex \_\_\_\_\_;
2. The said Engineer shall be appointed and designated by us as our (Designation) to personally perform the duties of the said position in the above-mentioned Project, if and when the same is awarded in our favor.
3. That said Engineer shall employ the best care, skill and ability in performing his duties in accordance with the Contract Agreement, Conditions of Contract, Plans, Specifications, Special Provisions, and other provisions embodied in the proposed Contract.
4. That said Engineer shall be personally present at the job site to supervise the phase of the construction work pertaining to his assignment as (Designation), all the time.
5. That, in order to guarantee that said Engineer shall perform his duties properly and be personally present in the Project, he is hereby required to secure a certificate of appearance for DPWH Engineer at the end of every month.
6. That, in the event that I/we elect or choose to replace said (Designation) with another Engineer, DPWH/PMO will be accordingly notified by us in writing at least twenty one (21) days before making the replacement. The name of the proposed new (Designation), his qualifications, experience, list of projects undertaken and other relevant information, shall be submitted to DPWH/PMO for prior approval.
7. That any willful violation on my part of the herein conditions may prejudice my/our standing as a reliable Contractor in future bidding of the Department of Public Works and Highways.

Very truly yours,

(Authorized Representative of Applicant)

CONCURRED IN:

(Name of Engineer)

(Address)

### CERTIFICATE OF EMPLOYMENT

The Honorable Secretary  
Department of Public Works and Highways  
Bonifacio Drive, Port Area, Manila

I am (Name of Nominee) a Licensed Civil Engineer with Professional License No. \_\_\_\_\_ issued on \_\_\_\_\_ at \_\_\_\_\_.

I hereby certify that (Name of Applicant) has engaged my services as (Designation) on the contract for the (Name of Project) if awarded to him.

I had supervised the following projects as (Position) (mention only projects as that bid).

<u>NAME OF PROJECT</u>	<u>OWNER</u>	<u>COST</u>	<u>DATE COMPLETED</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

At present, I am supervising the following projects :

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

<u>NAME OF PROJECT</u>	<u>OWNER</u>	<u>COST</u>	<u>DATE COMPLETED</u>
------------------------	--------------	-------------	-----------------------

In case of my separation for any reason whatsoever from the above-mentioned Contractor, I shall notify the Department of Public Works and Highways at least twenty-one (21) days before the effective date of my separation.



I have read carefully and will abide by the conditions required of me in the Letter (Form 1) of the Contractor's Confidential Application Statement for Prequalification of the above Contractor.

As (Designation), I know I will have to stay in the Project all the time to supervise and manage the Project to the best of my ability, and am ware that I am authorized to handle only one (1) project at a time.

I do not allow the use of my name for the purpose of enabling the above-mentioned Contractor to qualify for the Project without any firm commitment on my part to assume the post of (Designation) therefore if the Project is awarded to him since I understand that to do so will be a sufficient ground for my disqualification as (Designation) and any future DPWH bidding or employment with any Contractor doing business with the Department of Public Works and Highways.

(Signature of Engineer)

DRY SEAL

Republic of the Philippines)  
\_\_\_\_\_

SUBSCRIBED AND SWORN TO before me this \_\_\_\_\_ of day of \_\_\_\_\_,  
200\_\_ affiant exhibiting to me his Community Tax Certificate No. \_\_\_\_\_ issued on  
\_\_\_\_\_ at \_\_\_\_\_.

Notary Public  
Until December 31, 200\_\_

Doc. No. \_\_\_\_\_;  
Page No. \_\_\_\_\_;  
Book No. \_\_\_\_\_;  
Series of \_\_\_\_\_;

Republic of the Philippines  
**DEPARTMENT OF TRANSPORTATION & COMMUNICATIONS**  
 LAND TRANSPORTATION OFFICE  
 East Ave., Quezon City

District Office \_\_\_\_\_

Official Receipt	MVRR	DATE
Owner's Copy	NO.	
RECEIVED FROM OWNER ( <i>Surname, First Name, and Middle Name</i> )		M.V.
FILE NO.		
COMPLETE ADDRESS (No. Street, City, Municipality, Province)		PLATE NO.
THE SUM OF (in words)		
VEHICLE ACQUIRED FROM		PREVIOUS O.R. NO.
ORIGINAL BOT DECISION NO. LATEST BOT ORDER NO.		CLASSIFICATION
DOC. NO.	DATE	BOC CP NO. BIR CP NO.
TYPE OF BODY	MAKE	SERIES
SERIAL/CHASSIS NO.	MOTOR NO.	YR. MODEL
TOTAL PISTON DISP. NO. OF CYL.		
GROSS WT.	NET CAPACITY	SHIP WT. FUEL COLOR
		CERT. OF COVER EXPIRY
DATE		
CHARGE		AMOUNT
1. MORTGAGE-ANNOTATION/RELEASE 2. TRANSFER 3. CHANGE CLASSIFICATION 4. ENGINE 5. TYPE 6. COLOR 7. LEGAL RESEARCH FUND 8. OTHER (Specify)		

COMPUTER TOTAL CASHIER By : > P

*Note : Foreign Contractor can use Certification of Department of Transportation and Communications in his country in lieu of the above form.*

The Honorable Secretary  
Department of Public Works and Highways  
Bonifacio Drive, Port Area, Manila

This is to certify that the undersigned Lessor has entered into an agreement for the lease of equipment listed in Form 6b of these prequalification statement and hereunder to, (Name of Contractor) if awarded the contract for (Name of Project).

[illegible]

The Agreement for the lease of the aforecited equipment shall be effective the moment the said Contractor is declared the winning Bidder. The Contract of Lease shall be executed immediately after the award of the above-mentioned Project to the Contractor and a copy shall be furnished by the Contractor to the Department of Public Works and Highways within twenty-one (21) days after the award. It shall be responsibility to verify from the Contractor when the award is made by the Owner.

The above-mentioned equipment will not be pledged to other Contractors in any other project until the above-mentioned Project is completed or the equipment is authorized by the Department for withdrawal.

This certification is being issued in favor of \_\_\_\_\_ this \_\_\_\_\_ day  
of \_\_\_\_\_ 200\_\_, at \_\_\_\_\_.

CONCURRED IN :

(Contractor – Applicant \_\_\_\_\_)

(Affiant - Lessor)

\_\_\_\_\_  
Republic of the Philippines)

SUBSCRIBED AND SWORN TO before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_ affiant  
exhibiting to me his Community Tax Certificate No. \_\_\_\_\_ issued on \_\_\_\_\_ at  
\_\_\_\_\_.

Notary Public  
Until December 31, 200\_\_

Doc. No. \_\_\_\_\_;  
Page No. \_\_\_\_\_;  
Book No. \_\_\_\_\_;  
Series of \_\_\_\_\_;

**Certified True Copy of Contractor's  
Latest Income Tax Return issued by BIR  
or its Equivalent in His Country/Area.**

***(Present original copy)***

**Certified True Copy of the latest Audited Financial Statements for five (5) years as reflected in his Income Tax Return (duly filed with and received by the Bureau of Internal Revenue or its equivalent in his country/area.)**

***(Present Original Copy)***

### Litigation History

*Name of Applicant or Partner of a Joint Venture*

*Applicants, including each of the partners of a Joint Venture, should provide information on any history of litigation or arbitration resulting from contracts executed in the last five (5) years or currently under execution. A separate sheet should be used for each partner of a Joint Venture.*

Year	Award FOR or AGAINST Applicant	Name of Client, Cause of Litigation, and Matter in Dispute	Disputed amount (Current Value, Peso Equivalent)

REPUBLIC OF THE PHILIPPINES)  
CITY OF \_\_\_\_\_)

I, \_\_\_\_\_, of legal age, residing  
\_\_\_\_\_ after having been sworn to law,  
depose and state:

1. That I am a Sole Proprietorship duly registered with the appropriate government entity as evidenced by licenses attached herewith for the purpose of Prequalification to Bid.
2. That no official/s or incorporator/s of the corporation has/have relative/s in DPWH up to the fourth degree of consanguinity or affinity who has something to do with the Prequalification, bidding, award and approval of contracts.
3. That no official/employee of DPWH, his/her spouse and unemancipated children, has, either direct or indirect financial or material interest in our construction business, irrespective of where in DPWH such relative is employed.
4. That I am executing this affidavit in connection with my application for Prequalification for  
\_\_\_\_\_.

\_\_\_\_\_  
Proprietorship/Affiant

WITNESS:  
  
\_\_\_\_\_  
\_\_\_\_\_

SUBSCRIBED AND SWORN TO before me this \_\_\_\_\_ of day of \_\_\_\_\_, 200\_\_\_\_  
affiant exhibiting to me his Community Tax Certificate No. \_\_\_\_\_ issued on  
\_\_\_\_\_ at \_\_\_\_\_.

Notary Public  
Until December 31, 200\_\_\_\_

Doc. No. \_\_\_\_\_;  
Page No. \_\_\_\_\_;  
Book No. \_\_\_\_\_;  
Series of \_\_\_\_\_;



REPUBLIC OF THE PHILIPPINES)  
CITY OF \_\_\_\_\_)

I, \_\_\_\_\_, of legal age, residing  
\_\_\_\_\_ after having been sworn to law,  
depose and state:

5. That \_\_\_\_\_ is a corporation duly registered with the appropriate government entity as evidenced by licenses attached herewith for the purpose of Prequalification to Bid.
6. That no official/s or incorporator/s of the corporation has/have relative/s in DPWH up to the fourth degree of consanguinity or affinity who has something to do with the Prequalification, bidding, award and approval of contracts.
7. That no official/employee of DPWH, his/her spouse and unemancipated children has either direct or indirect financial or material interest in our construction business, irrespective of where in DPWH such relative is employed.
8. That I am executing this affidavit in connection with my application for Prequalification for \_\_\_\_\_.

\_\_\_\_\_  
Authorized Managing Officer

WITNESS:  
  
\_\_\_\_\_

SUBSCRIBED AND SWORN TO before me this \_\_\_\_\_ of day of \_\_\_\_\_, 200\_\_\_\_  
affiant exhibiting to me his Community Tax Certificate No. \_\_\_\_\_ issued on \_\_\_\_\_ at \_\_\_\_\_.

Notary Public  
Until December 31, 200\_\_\_\_

Doc. No. \_\_\_\_\_;  
Page No. \_\_\_\_\_;  
Book No. \_\_\_\_\_;  
Series of \_\_\_\_\_;

**LETTER AUTHORIZING DPWH TO  
VERIFY CONTRACTOR'S DOCUMENTS**

\_\_\_\_\_  
(Contractor's Letterhead)

\_\_\_\_\_  
Date

**THE HONORABLE SECRETARY**  
Department of Public Works and Highways  
Bonifacio Drive, Port Area  
Manila

Sir:

In connection with my/our Contract for the construction of the **Project for Upgrading Inter-Urban Highway System Along Pan-Philippine Highway, \_\_\_\_\_ Bypass, Phase \_\_\_\_ Initial Stage, Contract Package \_\_\_\_**, and pursuant to the provisions of the Instructions to Applicants for Prequalification, I/we hereby authorize you or your designated representative(s) to investigate, check or verify the authenticity, veracity and/or integrity of any or all of the duly accomplished Prequalification Statements and other pertinent documents attached therein that I/we submitted in connection with the said Project..

Very truly yours,

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name)

In capacity of \_\_\_\_\_

For (Contractor) \_\_\_\_\_

## **PART III**

## **APPENDICES**

**DEPARTMENT ORDER NO. 80  
SERIES OF 1990**

**Subject : INCLUSION OF THE MINIMUM MATERIALS TESTING  
EQUIPMENT IN THE PREQUALIFICATION OF CONTRACTORS**

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In consonance with PD 1594 and its Implementing Rules and Regulations as Amended 13 April 1988, relative to the prequalification of contractors, and Supplementary to Department Order No. 36, series of 1987, regarding minimum equipment requirements, henceforth, the evaluation of the contractor's technical capability and financial capacity by the Prequalification, Bids and Awards Committee shall include the minimum materials testing equipment to effectively ensure the incorporation of the right quality of materials in the projects.

This minimum materials testing equipment requirements shall be on a "per contractor" basis, and not on a "per project" basis, i.e., the equipment may be used to service several on-going projects of the contractors.

Annexes 1, 2 and 3 present the list of the Minimum Materials Testing Equipment for Small, Medium and Large Contractors, respectively, as categorized under Department Order No. 41, Series of 1987, which will form part of the evaluation of the Contractor's capability.

As such, the list of major materials testing equipment in running condition owned by the Contractor, supported with proofs of ownership, shall be added under Item 2 (Equipment) of the Technical Aspects, as indicated in the prescribed format for the Contractor's Confidential Prequalification Statement (Phase I).

This order shall take effect immediately.

**(SGD.) FIORELLO R. ESTUAR**  
Secretary

Attachment : as stated

**DEPARTMENT ORDER NO. 80 S.1990**

**MINIMUM MATERIALS TESTING EQUIPMENT  
FOR LARGE CONTRACTORS**

<u>ITEM NO.</u>	<u>QUANTITY</u>	<u>DESCRIPTION</u>
1	1	Sieve, Std., 200 mm, diameter opening 75 mm (3")
2	1 pc	-do- 63 mm (2-1/2")
3	1 pc	-do- 50 mm (2")
4	1 pc	-do- 37.5 mm (1-1/2")
5	1 pc	-do- 25.0 mm (1")
6	1 pc	-do- 19.0 mm (3/4")
7	1 pc	-do- 12.5 mm (1/2")
8	1 pc	-do- 9.5 mm (3/8")
9	1 pc	-do- 4.75 mm (No. 4)
10	1 pc	-do- 2.36 mm (No. 8)
11	1 pc	-do- 2.00 mm (No. 10)
12	1 pc	-do- 1.18 mm (No. 16)
13	1 pc	-do- 0.600 mm (No. 30)
14	1 pc	-do- 0.425 mm (No. 40)
15	1 pc	-do- 0.300 mm (No. 50)
16	1 pc	-do- 0.150 mm (No. 100)
17	1 pc	-do- 0.075 mm (No. 200)
18	1 pc	Pan, brass, 200 mm dia. x 50 mm deep
19	1 pc	Cover, brass, sieve
20	1 pc	Brush fine sieve
21	1 pc	Brush, wire sieve
22	1 pc	Balance, Heavy duty solution 20 kg. cap., 1 g. sensitivity
23	1 pc	Mortar, soil, porcelain, 125 mm dia.
24	1 pc	Pestle, soil, rubber tip
25	1 set	Liquid Limit Test Set, consisting of: 1 - Liquid Limit Device 1 - Mixing dish 1 - Spatula, flexible 1 - Graduated Cylinder, glass 100 ml 12 - Moisture Content can, 60 ml, tin
26	1 pc	Plate, Plastic Limit
27	1 unit	Balance, Triple Beam, 311 g. cap., 0.01 g sensitivity
28	1 unit	Balance, Triple Beam, 2610 g. cap., 0.01 g sensitivity

<u>ITEM NO.</u>	<u>QUANTITY</u>	<u>DESCRIPTION</u>
29	1 pc	Hammer, Modified Compaction
30	1 pc	Mold, Compaction, 101.6 mm diameter x 116.4 mm height
31	12 pcs	Moisture Content can, 225 ml, tin
32	1 pc	Concrete Measure, 0.014 cu. m. cap. (1/2 cu. ft.)
33	1 pc	Straight Edge, Steel 300 mm long
34	1 set	CBR Apparatus complete with accessories (Mechanical)
35	1 pc	Volumetric flask 500 ml cap. with stopper
36	1 set	Sand Absorption Cone and Tamper
37	1 set	Specific Gravity Test Set or Coarse Aggregate, consisting of : 1 - Semi-automatic precision balance 5 kg cap, 0.1 g sensitivity 1 - Wire basket
38	1 unit	Los Angeles Abrasion Machine complete with abrasive steel and #12 sieve
39	1 set	Field Density Test Set, consisting of: 1 - Sand Density Cone 1 - Jug, Glass or Plastic, 4 L capacity 1 - Density Plate 1 - Straightedge 1 - Spoon 1 - 25 mm Chisel, Steel 1 - 4 L Field Can 1 - Mallet, rubber 1 - Scoop, sand
40	1 set	Auger, Post Hole, with - m extension
41	1 pc	Cylinder, glass, double graduated, 500 ml cap.
42	3 pcs	Bowl, mixing, 250 mm dia. x 90 mm high
43	3 pcs	Pan, square, G.I. 600 mm x 600 mm x 75 mm
44	1 pc	Spade or Shovel
45	1 pc	Pickaxe
46	1 pc	Crowbar
47	1 unit	Oven, field, with temperature control
48	1 unit	Portable concrete mixer
49	1 set	Slump Test Set, consisting of : 1 - Slump Cone, complete with base and tamping rod 1 - Trowel, triangular or rectangular blade 90 mm x 180 mm 1 - Scale
50	12 pcs	Mold, Steel, cylinder, 150 mm x 300 mm
51	12 pcs	Mold, Steel, Beam, 150 mm x 150 mm x 500 mm

<u>ITEM NO.</u>	<u>QUANTITY</u>	<u>DESCRIPTION</u>
52	1 unit	Compression Machine, portable
53	1 unit	Concrete Beam Tester, Flexural Machine
54	1 set	Vertical Capping set, consisting of: <ul style="list-style-type: none"> <li>1 - Vertical Cylinder capper with capping plate, 150 mm dia.</li> <li>1 - Capping compound warmer pot, 4-L cap.</li> <li>1 - Capping ladle</li> <li>1 - Carton capping compound</li> </ul>
55	1 unit	Concrete Core Drilling Machine complete with accessories
56	1 pc	Thermometer, Metal, dial type, 0-250 C
57	1 unit	Extractor, Centrifuge or Reflux, 1500 g cap.
58	8-L	Carbon Tetrachloride
59	1 unit	Marshall Stability Apparatus complete with accessories



REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS  
OFFICE OF THE SECRETARY  
MANILA

PADAP. 1000.  
RECEIVED

Date: 10/8/93

September 30, 1993

DEPARTMENT ORDER )

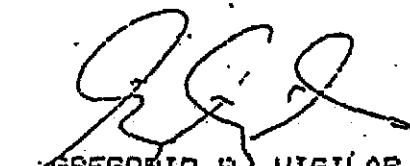
NO. 1710 7<sup>th</sup>  
SERIES OF 1993 9/30

SUBJECT: AUTHORITY OF BIDDERS &  
REPRESENTATIVES IN PUBLIC  
BIDDING

To preserve, protect and enhance the integrity of all processes relative to the conduct of biddings, simplified or public, all bidders should provide their representatives with proper authority on matters pertaining to submission/withdrawal of bids, attendance in pre-bid conferences, and opening and reading of bids.

To ensure compliance herewith, this requirement shall be incorporated in the Instructions to Bidders and in other bid documents.

For strict compliance.

  
GREGORIO R. VIGILAR  
Secretary





REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS  
OFFICE OF THE SECRETARY  
MANILA

11 June 1991

SECRET

DEPARTMENT ORDER NO.

Series of 1991

SUBJECT: AMENDING/CLARIFYING  
DEPARTMENT ORDER NO.  
0, SERIES OF 1991

In line with the concept of public bidding that bidders shall bid on equal footing, it is directed that the Prequalification, Bids and Awards Committee (PBAC) shall require contractor-applicants to submit, as an additional document for prequalification, a sworn statement wherein the contractor-applicant shall state that he has no relative within the fourth degree of relationship, whether by consanguinity or affinity, including "bi-lac," "lino" or "balac" in the DPWH who has something to do with prequalification, bidding, award and approval of contracts and that no official/employee of the Department, his/her spouse and unemancipated children have, either direct or indirect, financial or material interest in his construction business, irrespective of where in the DPWH such relative is employed.

If the contractor-applicant is a corporation or other juridical person, this requirement shall also apply if the controlling stockholders or managing partner (in case of corporation or partnership), as the case may be, has a relative in the DPWH within the prohibited degree of relationship above-mentioned. The sworn statement shall be executed by the person authorized to represent in the public bidding as evidenced by a board resolution in the case of a corporation, or a letter of authorization in the case of a partnership.

A controlling stockholder is any person who owns, directly or indirectly, the majority of the share of stocks sufficient to elect a director of a corporation.

This additional requirement shall be discussed during the pre-bid conference as among the documents to be contained in the first envelope mentioned in Clause 10.2(2) of the Implementing Rules and Regulations (IRR) of P.D. 1594.

Non-compliance by any contractor hereof shall be a ground for rejection of his bid and/or disqualification from obtaining an award of contract if it turns out that said contractor has a relative(s) referred to above, in addition to the corresponding sanctions that shall be imposed against the subject contractor pursuant to the provisions of the IRR of P.D. 1594 on misrepresentations.

This Order supercedes/amends Department Order No. 0 and such other Orders or portions thereof inconsistent herewith and shall take effect immediately.

*J. P. J.*  
JOSE P. JACOS  
Secretary

13



REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS  
OFFICE OF THE SECRETARY  
MANILA

017-14 141..  
1-24-91

PAOAT-IBRD, PMO

10 January 1991

RECEIVED

Date: 1/16/91

DEPARTMENT ORDER) SUBJECT: ADDITIONAL DOCUMENT REQUIREMENT  
IN THE PREQUALIFICATION OF  
CONTRACTORS

No. 8  
Series of 1991

In line with the concept of public bidding that bidders shall bid on equal footing, it is directed that the Prequalification, Bids and Awards Committee (PBAC) shall require contractor applicants, as an additional document for prequalification, a sworn statement that he has no relative, either by consanguinity or affinity, within the fourth civil degree in the Department of Public Works and Highways who has something to do with prequalification, processing/approval of contract and/or project implementation, and that no official/employee of the Department has, either direct or indirect, financial or pecuniary interest in his construction firm.

This additional requirement shall be discussed during the pre-bid conference as among the documents to be contained in the first envelope mentioned in Clause ID 10.2(2) of the Implementing Rules and Regulations (IRR) of P.D. No. 1594, and that non-compliance by any contractor hereof shall be a ground for rejection of his bid. In this connection, non-observance by PBAC members hereof shall be a ground for disciplinary action under existing rules and regulations. Contractors who have submitted such sworn statement which later on turns out to contain misrepresentations, shall be asked the corresponding sanction under the provisions of the IRR of P.D. No. 1594.

This Order shall take effect immediately.

*Jose P. Duran*  
JOSE P. DURAN  
Secretary