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**JOINT VENTURE SELECTION COMMITTEE**

**BID BULLETIN NO. 2019-03**

**(Queries and Replies from the Interested Proponents' Conference  
For the Development and Management of Balicasag Island Dive Resort)**

Last 18 December 2019, an Interested Proponents' Conference for the Development and Management of Balicasag Island Dive Resort (BIDR) was held at the TIEZA Premises, attended by the TIEZA Joint Venture Selection Committee (JVSC) and its Technical Working Group (JVSC-TWG), representatives from the Public-Private Partnership Center, and representatives from Interested Proponents.

The Interested Proponents' Conference although not explicitly provided in the TIEZA Joint Venture Guidelines (JVG), is a mechanism considered by the JVSC for this competitive selection to assist the Proponents to fully comprehend the requirements of the Eligibility Documents Kit.

Below are the inquiries from Interested Proponents and the reply of the JVSC:

Query		Reply
	<i>Registration Form</i>	
1	Section 3.2.4 of the ED Kit requires the submission of the Registration Form provided by TIEZA. Since the "List of EDs to be Submitted," attached as Annex "C" to the ED Kit, does not include the Registration Form, kindly confirm when the duly accomplished Registration Form should be submitted.	<i>A Bid Bulletin will be issued for the Registration Form which shall be submitted along with the Eligibility Documents.</i>
2	Section 3.2.4 of the ED Kit states that only the names indicated in the Official Receipt ("OR") issued by TIEZA shall be allowed to submit the EDs. Can an Interested Proponent, named in the OR, form a consortium with another entity which is not indicated in the OR? Similarly, can an Interested Proponent, which is a consortium, add a consortium	<i>A Bid Bulletin shall be issued to allow Interested Proponents (whether individual entity or consortium) to form a consortium with another entity not indicated in the Official Receipt, as long as it becomes part of the Consortium applying for eligibility prior to 10 January 2020.</i>



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	member which is not indicated in the OR?	
	<i>Project Scope</i>	
3	Section 5.1.2 of the ED Kit identifies the Memorandum of Understanding with the Philippine Navy for the establishment of a joint underwater sports and aqua marine development center. May we request a copy.	<i>Interested Proponents requested the responsibilities and roles of TIEZA and the Philippine Navy in the MOU.</i>  <i>The MOU shall be attached with the TOR.</i>
4	Section 5.2 of the ED Kit describes the Project Scope as including the upgrade and expansion of existing facilities of the BIDR. In this connection, will the demolition and/or alteration of all or portions of existing infrastructure facilities specified in clause 5.1.1 be allowed?	<i>Yes, the demolition and alteration of all or portions of existing assets or facilities within the BIDR is allowed. Section 5.2 of the ED Kit explicitly provides the JV partner the authority to develop the BIDR as it deems proper in order to upgrade the facility of the Asset, improve efficiency in operations and create significant contribution to a thriving and sustainable tourism in the area.</i>
5	Clause 5.4 specifies the term of the JV Contract to be 25 years to commence from the date of signing/execution. Is this term extendable and for how long?	<i>Renewal of the JV Contract is possible subject to the fulfillment of the conditions as provided and discussed in the Terms of Reference (TOR).</i>
6	Is the BIDR within the scope of the NIPAS established under RA 7586 or otherwise subject to any other special rules or regulations of the DENR and/or the National Commission on Indigenous People?	<i>Although a small part of the BIDR is considered as a Marine Sanctuary, it is nevertheless not within the coverage of the protected areas enumerated under the National Integrated Protected Areas System Act of 1992.</i>  <i>Likewise, the BIDR is not subject to any laws concerning indigenous cultural communities or indigenous peoples.</i>
7	We note that Presidential Proclamation No. 1801, declaring certain islands as tourist zones and marine reserves under the administration and control of the PTA (now	<i>By virtue of Proclamation No. 1801 by then President Marcos, the whole of the Balicasag Island was declared as a Tourist Zone thereby placing the island under the Management of the PTA – TIEZA's predecessor. However, the same law requires that any development within the island requires a Presidential approval to which PTA contends to have been secured for the development of the BIDR.</i>





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	TIEZA), covers the Balicasag Island. Kindly confirm if the provisions of the said Proclamation is still in effect in connection with the Project.	
9	Considering that BIDR is an asset of and currently being operated by TIEZA, kindly advise if the prospective JV Partner of TIEZA has to obtain permits and licenses to operate and manage the Project from the local government having territorial jurisdiction over it or any other government office or agency.	<i>Yes, it shall be the sole responsibility of the JV Partner to secure all the necessary governmental permits for the development and operations of the BIDR Project. TIEZA, however, as the government partner may extend assistance to the JV partner.</i>
10	Are there any encumbrances, liens, mortgages and liabilities pertaining to BIDR?	<i>After conducting due diligence and upon checking all available records by the TIEZA Legal Department, the BIDR is clear of any encumbrances, liens, mortgages, and liabilities.</i>
11	Is the BIDR or its management subject to any on-going litigation, labor dispute or other administrative proceeding?	<i>After conducting due diligence and upon checking all available records by the TIEZA Legal Department, the BIDR management is clear of any on-going litigation, labor dispute, or other administrative proceedings.</i>
	<i>Track Record and Key Personnel</i>	
12	May either or both of the technical requirements under Section 6.1.3.1 of the ED Kit be fulfilled by an Affiliate or a member of a Consortium?	<p><i>Yes, either or both technical requirements provided under the ED Kit may be fulfilled by an affiliate or any member of the consortium. The relevant provisions state, to wit:</i></p> <p><b><u>6.1.3 Track record of an Interested Proponent and its Key Personnel</u></b></p> <p><b><u>6.1.3.1 Track record of Interested Proponent</u></b></p> <p><b>Pass or Fail:</b></p> <p><i>To qualify to propose for the Project, the Interested Proponent must meet the following technical criteria:</i></p> <p><b>a. The Interested Proponent or any member of the Consortium, in the case of a Consortium, should have successfully developed at least 1 project in the Resort and/or Hotel Hospitality or Real Estate business for the last 10 years as of 31 December 2018, with a minimum</b></p>



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		<p>aggregate cost of PhP 110,000,000. Information regarding the same should be provided using the form in Annex C along with documentary evidence; and</p> <p>b. The Interested Proponent or any member of the Consortium, in the case of a Consortium, should have successfully operated at least 1 project in the Resort and/or Hotel Hospitality business, with a minimum of 10 years of experience with a net income for the last 5 years. Information regarding the same should be provided using the form in Annex C along with documentary evidence.</p>
13	<p>Section 6.1.3.2 of the ED Kit requires that the nominated Key Personnel be currently employed as regular employees. May we request the inclusion of consultants for this requirement? How about probationary employees?</p>	<p>ED Kit requires that the Key personnel should be currently employed by the Proponent, which can include consultants, but not probationary employees. If the engagement of a consultant is dependent on the result of the bidding, a sworn document to prove that the interested proponent shall undertake to hire the required personnel and that said person agrees to be hired may be allowed.</p> <p><u>6.1.3.2 Key Personnel</u> The Interested Proponent, Consortium Members, their Affiliates must nominate the personnel with following qualifications and experience. The Interested Proponent has to submit at least one and a maximum of two (2) CVs of personnel in each of the following categories, containing Education Qualification/ relevant certifications, is to be submitted. The relevant experience of the professional staffs mentioned above is also required to be submitted. Further, it is clarified that one person's CV cannot be submitted for two different positions. The Key Personnel need not be retained for the entire duration of the Project but should be currently employed as regular employees.</p>
14	<p>If the nominated Key Personnel is an employee of an Affiliate of a member of a Consortium, is the Affiliate required to separately submit its corporate documents?</p>	<p>No, the affiliate is no longer required to submit a separate corporate documents if the key personnel as required in the ED Kit is already an employee of the interested proponent's affiliate.</p>
15	<p>Section 6.1.4.2 and 6.1.4.3 require the submission of Audited Financial Statements and annual income tax returns for the past immediate three (3) consecutive calendar years. Since the date of</p>	<p>The years covered by the required audited financial statements are years 2016, 2017 and 2018.</p>





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Query		Reply
	submission of the EDs is on 10 January 2020, please confirm that the immediate past three years pertain to 2016, 2017, and 2018.co	
	<i>Prescribed Forms</i>	
16	In connection with the requirement for the submission of CVs for the Key personnel, will there be a prescribed format?	<i>A Bid Bulletin will be issued on the format.</i>
17	Can all the members of a Consortium appoint one and the same person as the Authorized Signatory for all of them	Yes.  <i>As defined in the subject ED Kit, an Authorized Person is the one authorized under a Special Power of Attorney or Secretary's Certificate, as the case may be, to represent the Interested Proponent.</i>
18	Section 7.4 of the ED Kit requires the marking of "each ED." Does this refer to all the pages or just the cover folder and/or envelope encasing each copy?	<i>The marking of the EDs shall pertain to all of its pages.</i>
19	Section 7.4 of the ED Kit also requires that all pages of the original EDs be initialed. How about the machine copies? Can the machine copies be made after the initials on the original?	<i>Machine copies can be made after initials have been indicated on the original copy of the EDs.</i>  <u>7.4 of ED Kit</u> <i>Signing and Marking of EDs. In applying for eligibility, the Interested Proponent must submit the following:</i>  <i>All pages of the original EDs to be submitted shall be initialed by the authorized person of the Interested Proponent to sign and submit the EDs.</i>
20	Kindly clarify if documents submitted would be returned to the Interested Proponents in the event of a "Failed" submission.	<i>Yes, all the documents submitted by an Interested Proponent shall be returned, unless a Motion for Reconsideration is subsequently filed.</i>
21	Please clarify how JVSC would inform the Interested Proponents if considered Eligible Proponents as per Section 9.2.	<i>A Letter shall be hand-delivered to Interested Proponents that submitted Eligibility Documents, informing them whether or not they are considered as Eligible Proponents.</i>



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	Query	Reply
22	Section 9.5 of the ED Kit refers to a clause 4.3 ( c ) which does not exist in the ED Kit.	<i>Content of Section 4.3 ( c ) is found in Section 4.6</i>  <u>9.5 of ED Kit</u> <i>Disqualification of Eligible Proponents. Eligible Proponents will be disqualified under the circumstances provided in Section 4.3 c.</i>
23	Will there be a prescribed format for the notarized statement of the name and profile of the Interested Proponent required as Item 1 of Annex C?	<i>A Bid bulletin will be issued on the format.</i>  <u>Item 1, Annex C:</u> <i>Notarized Statement containing the following:</i> - <i>Name of Interested Proponent</i> - <i>Profile of the Interested Proponent</i> - <i>If a legal entity, statement regarding the ownership, shareholdings (amounts subscribed and paid up), Board of Directors, Senior Corporate Management and other related business interests</i>
24	Item 2 of Annex C only lists the "SEC Certificate of Registration" and "Latest GIS" as the required corporate documents for a corporation. Considering this, will a corporation's Articles of Incorporation and corporate by-laws not be required?	<i>A Bid Bulletin shall be issued to request for the AOI and the by-laws.</i>
25	For the requirement of certified true copy of a valid and current Mayor's Permit under Item 3 of Annex C, please confirm that this pertain only to the Mayor's Permit for the year 2019 of the affected entities.	<i>The required Mayor's Permit should pertain to that as of December 2019.</i>
26	Will there be a prescribed format for the notarized statement under Item 4 of Annex C?	<i>A Bid Bulletin will be issued on the format.</i>  <u>Item 4, Annex C:</u> <i>Notarized Statement:</i> a. <i>That the Interested Proponent, (or, in the case of a consortium, majority of its members) and its key personnel or the majority of the members of the consortium or its key personnel have handled similar or related projects (e.g. hotel, convention center, tourism facilities, etc.) in the last ten (10) years</i> b. <i>List of all of its on-going and completed government and private sector projects in the</i>





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		<p><i>last ten (10) years involving hotel management, venue management, or event organizing, including projects awarded but not yet started, if any. The statement shall include, for each project, the following:</i></p> <ul style="list-style-type: none"> <li>- <i>The name and location of the project</i></li> <li>- <i>Brief description of the project</i></li> <li>- <i>Classification whether: local or international in nature, private or government project</i></li> <li>- <i>size of the facility in hectares or capacity</i></li> <li>- <i>Project cost</i></li> <li>- <i>Start date and completion date of the project; Each Project listed must be accompanied by a certification of completion or award.</i></li> </ul> <p><i>c. List of awards/citations garnered, if any, as a hotel or venue operator, event manager or event organizer. Each award must be accompanied by a copy of the said award/citation or certification.</i></p> <p><i>d. List of accreditations/certifications</i></p>
27	<p>Will there be a prescribed form for the notarized certificate showing the net worth of the Interested Proponent? Please confirm that this certificate will only be required for the entity that fulfills the Financial Capability requirement.</p>	<p><i>A Bid Bulletin will be issued on the format.</i></p> <p><i>Yes, submission can be by the entity/ entities fulfilling the Financial Capability requirement; it may be by one or some or all members.</i></p>
28	<p>Who will certify the list of the Interested Proponent's bankers and total credit facilities? Can this be certified by the Authorized Representative or the Treasurer of the entity fulfilling the Financial Capability requirement? Kindly confirm that this certified list pertains to the bankers and total credit facilities only of the entity fulfilling the Financial Capability requirement.</p>	<p><i>The Authorized Representative or the Treasurer of the entity fulfilling the Financial Capability requirements can certify the list.</i></p> <p><i>Individual submission needs to be certified by the Treasurer while consolidated submission needs to be certified by the Authorized Person.</i></p> <p><i>This certified list pertains to the bankers and total credit facilities of the entity/entities fulfilling the Financial Capability requirement.</i></p>
29	<p>Will the certified list required in Item 9 of Annex C be different</p>	<p><i>Item 9, Annex C:</i> <i>Certified List of the Interested Proponent's</i> <i>-Bankers</i></p>



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Query	Reply
<p>from the certification in the form of Annex H required under Item 10 of Annex C?</p>	<p><b>-Total Credit Facilities</b></p> <p><u>Item 10, Annex C—in the form of Annex H:</u> A Notarized Bank Certification from a domestic universal/commercial bank, or an international bank with a subsidiary/branch in the Philippines, or any international bank recognized by the BSP, attesting that the Proponent is 1)one of its current clients, and 2) is in good financial standing.</p> <p><b>Annex H</b> <b>Sample Form (Bank Certification)</b> Pursuant to the request of our client (State the name of the company), for the purpose of complying with the requirements set forth in the ED Kit of the Public-Private Cooperation Program (PPCP) of TIEZA, the undersigned hereby certifies that (State name of company) is a current and active client with an account with our bank and is a client in good financial standing.</p> <p>ITEMS 9 and 10 provides for different requirements and different documents.. Item 9 is a Certified List from the Interested Proponent's authorized signatory/ person while Item 10 is a Notarized Bank Certification from a domestic universal/commercial bank, or an international bank with a subsidiary/branch in the Philippines, or any international bank recognized by the BSP, attesting that the Proponent is 1)one of its current clients, and 2) is in good financial standing.</p>
<p>30 Paragraph 5 of Annex J provides an authorization for TIEZA and the JVSC to verify the documents submitted by an Interested Proponent. Is the letter required under Item 12 of Annex C a separate documentary requirement? Will there be a prescribed form for this?</p>	<p><u>Par 5, Annex J:</u> Omnibus Sworn Statement</p> <p><u>Item 12, Annex C:</u> A letter signed by the authorized signatory of the Interested Proponent authorizing the TIEZA, the JVSC or its duly authorized representative(s) to verify all the document submitted</p> <p>ANNEX J AND ANNEX C provide for different requirement and different documents.</p> <p>A Bid Bulletin will be issued on the format.</p>
<p><b>Initial Required Documents</b></p>	
<p>1 After going through the eligibility criteria, the Interested Proponent finds out that another company (whether affiliate or not) is better suited to undertake the project, can the</p>	<p>No. The ED Kit provides for dropping out of a consortium, joining or merging, but not assignment of right to apply for eligibility.</p> <p>Instead, Interested Proponents have until January 10, 2020 to submit final list of consortium members. There will be no payment of required fee or submission of Initial Required Documents from the new members.</p>





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Query		Reply
	<p>Interested Proponent transfer/ assign his ED Kit to another company?</p> <p>Is it okay if the purchaser of the ED Kit is not among the members of the consortium submitting the ED.</p> <p>Is there a documentary requirement for this?</p> <p>Is there a maximum number of members to the consortium?</p>	<p><i>There is no maximum number of members to the Consortium.</i></p>
	<b>Deadline for Submission</b>	
2	<p>Given that majority of the preparation period will be affected by the holidays, we kindly request for a 30-day extension of to submit Eligibility Docs</p> <p><b>Mayor's Permit</b> Mayor's Permit is usually only valid until 31 December. Business renewal will be in the month of January and depend on the efficiency of the local government units. It would be difficult to expect that the company's Mayor's Permit for 2020 will be ready for submission by 10 January 2020.</p>	<p><i>The JVSC reserves the right to approve or deny any request for extension of any submission deadlines. Nevertheless, interested proponents who intend to request for extension of a deadline may submit their official written request addressed to the JVSC and the JVSC shall issue a Bid Bulletin on its acceptance or denial.</i></p> <p><i>Mayor's Permit as of December 31, 2019.</i></p>
	<b>Clarifications</b>	
3	<p>Please clarify deadline for submitting requests for clarifications.</p> <p>Will minutes of this meeting be shared with all Interested Proponents or at least, will clarifications made</p>	<p><i>All questions addressed in this Interested Proponents' Conference are deemed resolved. Only matters which were not discussed or resolved can be subject of clarification until 12 noon of 2 January 2020.</i></p> <p><i>A Bid Bulletin shall be issued by the JVSC on matters discussed in this Conference.</i></p>



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Query		Reply
	during this meeting be posted as a bid bulletin?	
	<i>Amendments</i>	
4	Please confirm if any amendments have been made to the ED Kit.	<i>None so far</i>
	<i>Legal entity/ Consortium</i>	
5	Please confirm that in the case of consortium, each member has to submit their legal documents.	<i>A Bid Bulletin shall be issued to allow one set of documents of Initial Required Documents and Eligibility Documents for a Consortium Proponent, as long as eligibility requirements are complied.</i>
6	Please confirm that any changes in the composition of the consortium shall only involve Eligible Proponents.	<i>Eligible Proponents are allowed to join or merge with other Eligible Proponents on or before 28 January 2020. An Eligible consortium can accept new members provided that the new members are Eligible Proponents.</i>  <i>(Who can be eligible? Those who submitted Initial Required Documents: letter of intent + 100k, and then applied for eligibility)</i>
7	Please confirm if a copy certified by the corporate secretary will suffice or will it have to be certified by the issuer (SEC or equivalent for foreign companies)?	<i>Proof of the issuer's certification is necessary. If the copy certified by the issuer is not yet available at the time of submission, proof that application or payment for application was made to the issuer for certification/ authentication/ legalization/ apostillization shall be submitted on 10 January 2020.</i>  <i>(* To cover both apostille and non-apostille countries)</i>
8	For documents of foreign entities, are there any other requirements apart from consularization?	<i>None.</i>
9	As to Certifications of Completion or Award, Does this have to be certified true copy? Certified by whom?	<i>Authorized Representative of Client/ Corporate or Board Secretary</i>
	<i>Track Record/ Key Personnel</i>	
10	Please define similar projects. Page 38, Annex C, item 4(a) broadly defines "similar or related projects" as hotel, convention center, tourism facilities. Is there a minimum project cost requirement to this?	<u><i>Annex C</i></u>  <i>4. Notarized Statement:</i> <i>a. That the Interested Proponent, (or, in the case of a consortium, majority of its members) and its key personnel or the majority of the members of the consortium or its key personnel have handled similar or related projects (e.g. hotel, convention center, tourism facilities, etc.) in the last ten (10) years</i>





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	Will the JVSC consider instead requiring the proponent to submit a notarized statement to hire the key personnel once awarded the project in place of the 'regular employee' requirement?	<i>Annex C, Item 4.a refers to Projects similar/related to Hotel/Resort/Hospitality Industry or Real Estate Development.</i>  <i>Yes, but on the condition that the Interested Proponent shall also submit the nominated Key Personnel's conformity to be hired for the project.</i>
11	Can an Interested Proponent or a member of a consortium submit the project of 1 or more affiliates to comply with the technical requirements?  Will the JVSC re-consider some flexibility on the technical requirements (lower tenure) and/or possibility of allowing the Interested Proponent to compensate in other requirements?	<i>Yes.</i>  <i>No.</i>
	<i>LGU</i>	
12	LGU's Right of First Refusal under RA 9593 Sec. 54. Has this been given? Requesting for a copy.	<i>This is a Contractual JV wherein TIEZA still maintains control over the Asset, establishing mechanisms such as policy-setting (issuance of Minimum Performance Standards and Specifications), inspection, reportorial requirements, audit and power to review, revise and amend policies.</i>
13	What is the role of the LGU in this project? Will TIEZA assist in securing necessary LGU permits once project is awarded?	<i>LGU shall still issue permits and licenses. TIEZA may extend assistance in procuring permits and licenses.</i>
	<i>RA 9593</i>	
14	Given Sec. 54 or RA 9593 on cultural treasures and heritage sites that shall not be sold or in any way disposed of and shall be placed under the ownership of the TIEZA for their continued maintenance." Confirm that this is not considered cultural	<i>TIEZA Legal Department finds no record to show that the BIDR is a cultural or heritage site.</i>



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	treasures and heritage sites	
	<i>Regulatory Requirements</i>	
15	Are there any existing easement issues? Is the Asset compliant with the easement requirements under the Water Code? Is the LGU imposing any specific easement requirements similar to 20+5 in Boracay?	<i>There is none; the pool previously constructed was already demolished.</i>
	<i>Outstanding Dispute</i>	
16	Is there any outstanding dispute over the Asset or land where the Asset is located? If yes, may we request for details of this dispute	<i>No existing disputes over the 1.5 hectare. There are settlers on the Island but there are no formal claims from any of them.</i>
	<i>Asset- Incentives</i>	
17	Is BIDR an existing Tourism Enterprise Zone/ Enterprise or will it be one after the JV is executed? Will the JV entity be automatically eligible for TIEZA incentives?	<i>This needs to be applied as a tourism enterprise and should comply with TEZ requirements. There is no automatic designation or grant of incentives.</i>
	<i>Asset-Ownership</i>	
18	Can TIEZA provide proof of ownership over the Asset? Will TIEZA retain ownership of the Asset (i) during the life of the JVA (ii) after it expires?	<i>Source of rights: PD 564, RA 9593 and Memorandum of Understanding with the Philippine Navy.</i>  <i>There are no factors at the moment that will disrupt TIEZA's possession of the Asset. TIEZA retains control during the life of the JV Agreement and after it expires.</i>
	<i>MOA with Phil Navy</i>	
19	Will a copy of this be shared? Will the Winning Proponent need to enter into similar agreement with Philippine Navy for potential future developments in the Asset?	<i>Yes. It will be attached with the TOR.</i>  <i>No. Agreement is between TIEZA and Philippine Navy, and any development shall pass through TIEZA.</i>
	<i>Form of JV</i>	
20	Please confirm if it will be a Contractual or Incorporated JV?	<i>Contractual JV</i>
	<i>Tourism Infrastructure Support</i>	





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	Query	Reply
21	When will this be decided?	<p><i>During Contract negotiations.</i></p> <p><i>Reference:</i></p> <ol style="list-style-type: none"> <li><i>A maximum of one percent (1%) of net revenue of the JV before distribution to the partners may be set aside for a fund which may be created in trust for the municipality/city. In the event that the site is located in two or more municipalities/cities, the sharing shall be based on the agreement of the local government units concerned. In the absence of or in case no such agreement has yet been executed between them, an escrow account shall be created where the TIS fund shall be deposited. The TIS Fund shall be released once the local government units concerned arrive at an agreement, and the TIS Fund shall be distributed in accordance with the terms of the agreement, of the local government units concerned.</i></li> <li><i>The fund created shall be used for the municipality or city's projects on:</i> <ol style="list-style-type: none"> <li><i>tourism infrastructure, including both construction and maintenance works;</i></li> <li><i>capacity building for tourism stakeholders and workers; or</i></li> <li><i>any other tourism, environmental and climate change mitigation project that would create positive impact on the community and contribute to national tourism goals.</i></li> </ol> </li> <li><i>The share provided for in this section shall be voluntary, to be given annually after closing of books for the year, and taking into consideration the nature, scope, and size of the project, and the projected revenues.</i></li> <li><i>Mechanisms for the disbursement and monitoring of the trust fund shall be created by TIEZA.</i></li> <li><i>The TIS shall not apply to JVAs where the TIEZA and the Local Government Unit are co-grantors.</i></li> </ol>
	<i>Operations-Employees</i>	
22	Will there be provisions for the transfer/absorption of employees?	<p><i>There is a Transition Plan being prepared for employees. Under the JVG,</i></p> <p><b><i>TIEZA Employees and Hirees.</i></b> <i>The following Guidelines shall apply with regard to the hiring and retention of employees:</i></p>



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Query		Reply
		<p>1. The retention, termination, or transfer of permanent TIEZA employees (e.g. transfer as part of the monitoring team, or transfer to other entities/offices) shall be in accordance with the rules or guidelines issued by the Authority, subject to applicable laws, rules, regulations, guidelines, and other issuances of the Governance Commission on Government-Owned and Controlled Corporations (GOCCs), the Commission on Audit (COA), and the Civil Service Commission (CSC).</p> <p>2. Subject to applicable COA rules, and labor laws and issuances, existing employees who opt to transfer to the new management shall be given priority in recruitment and hiring. They shall, however, be subject to an evaluation period, the length of which shall be provided in the TOR, to determine their merit, fitness, and qualification for the position.</p>
	<i>Revenue Share</i>	
23	When will this be disclosed?	<i>In the TOR.</i>
	<i>Asset-Financial Records</i>	
24	When will these be shared?	<i>In the TOR.</i>
	<i>Signing and Marking of EDs</i>	
1	Ten (10) hard copies Are these all original file? You are accepting photocopies together with original copy.	<p>1 original copy and 9 machine copies</p> <p>Reference: <b>7.4 Signing and Marking of EDs.</b> In applying for eligibility, the Interested Proponent must submit the following:</p> <ul style="list-style-type: none"> <li>- <b>TEN (10) copies (one original and nine machine copies) of his EDs.</b> Each copy shall be accompanied by a checklist of all documents submitted in the form of Annex "D".</li> <li>- a removable flashdrive containing scanned copies of the EDS submitted</li> </ul>
2	A statement containing a brief description of the consortium and identifying the lead member of the consortium. Is this notarized?	<i>The statement containing the brief description of the consortium and identifying the lead member of the consortium is required to be notarized.</i>





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	QUESTIONS FROM OPEN FORUM:	
1	Do the forms/submissions need to be paginated	Yes.
2	Can probationary employees' CV be submitted to fulfill the Key Personnel requirement?	No, probationary employees are not allowed.

All terms, conditions and instructions to proponents specified in the Eligibility Documents Kit inconsistent with this Bid Bulletin are hereby superseded and modified accordingly.

**For information and guidance of all concerned.**

**Issued this 27th day of December 2019.**

**ORIGINAL SIGNED**

**ATTY. KAREN MAE G. SARINAS-BAYDO**  
*Chairperson,*  
**TIEZA Joint Venture Selection Committee**