

REQUIRED ELIGIBILITY DOCUMENTS KIT CCP ASSET DEVELOPMENT PROGRAM (ADP)

This Required Eligibility Documents Kit (RED Kit) describes the procedures that will be followed in connection with applying for and in acquiring Eligibility to participate in the Asset Development Program (ADP) involving certain properties/lots owned by the Cultural Center of the Philippines (CCP).

The ADP is being carried pursuant to the provisions of Presidential Decree (PD) No. 15, as amended, "Creating the Cultural Center of the Philippines, Defining Its Objectives, Powers and Functions and For Other Purposes", as amended.

CCP reserves the right to amend or supplement this RED Kit at any time prior to the deadline for submission of Required Eligibility Documents (REDs), it being understood that the CCP and the CCP BAC for ADP shall be held free and harmless from any liability or damage which might occur or be incurred by the Interested Proponent(s) as a result of such supplement or amendment.

The CCP BAC shall administer the RED Kit. Interested Proponents understand further that any decision of and/or action taken by the CCP BAC is recommendatory to the CCP Board and is not final while, on the other hand, the approval by the CCP Board on any aspect of the ADP is final.

The CCP is making available this RED Kit to provide Interested Proponents ample time to prepare their REDs for submission. This RED Kit is also made available to ensure transparency and fairness in the conduct of the ADP.



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BACKGROUND

1.1 Purpose and Objectives. The purposes and objectives of CCP as defined in Section 2 of PD No. 15, as amended, are:

- To construct, establish and maintain a national theater, a national music hall, an art gallery and such other buildings and facilities as are necessary or desirable for the holdings of conferences, seminars, concerts and the like;
- To bring into the country foreign artists whenever in the opinion of the Center, performance by such artists would enhance the country's cultural development;
- To awaken the consciousness of our people to our cultural heritage, and to encourage them to assist in its preservation, promotion, enhancement and development;
- To cultivate and enhance public interest in, and appreciations of, distinctive Philippine arts in various fields;
- To discover, assist and develop talents, connected with Philippine cultural pursuits and create greater opportunities for individual and national, self-expression in cultural affairs;
- To encourage the organization of cultural groups, associations or societies and the holding or staging of cultural exhibitions, performances and similar activities.



1.2 Rationale of the ADP. The CCP is embarking on the ADP to spur the re-development of its 62-hectare property into a modern center for business and economic activity with arts and culture as a focal point.

Through the initiative of former First Lady Imelda R. Marcos, the CCP was established in 1966 by President Ferdinand E. Marcos through E.O. No. 20 which decreed the 21-hectare reclaimed land on Manila Bay as the site of its first building and E.O. No. 30 creating the Cultural Center of the Philippines as “a trust for the benefit of the Filipino people, for the purpose of preserving and promoting Philippine culture in all its varied aspects”. The first building (CCP Tanghalang Pambansa or Main Building) was inaugurated on September 8, 1969. On October 5, 1972 President Marcos issued Presidential Decree No. 15, as amended, which defined the nature, mandate and powers of the CCP as a non-stock, non-municipal public corporation which enjoys autonomy of policy and operations. PD No. 15, as amended, also granted ownership of the CCP Complex land to CCP but stipulated that its properties, real and personal, belong to and shall be managed exclusively by the corporation for the benefit of the Filipino people.

The CCP Complex is an 87-hectare property of reclaimed land along Roxas Boulevard fronting Manila Bay. The reclamation of this property came in several stages beginning in the late 1950's until its completion in the late 1970's. Of the 87 hectares, the CCP presently owns approximately 62 hectares while the rest of the land belongs to the GSIS (Philippine Plaza, Coconut Palace, and Gloria Maris Restaurant), Bangko Sentral ng Pilipinas (PICC) and the Privatization Management Office (Star City).

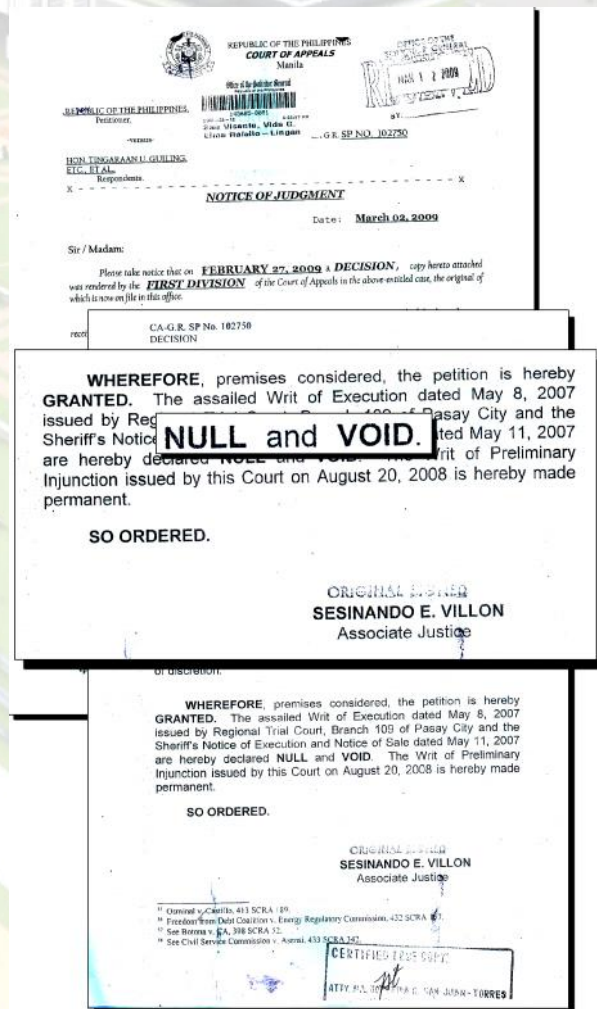


The CCP Tanghalang Pambansa otherwise known as CCP Main Building

The ownership of thirty-five (35) hectares of the CCP's approximately 62 hectare property was contested by private developers in a legal battle that spanned more than 30 years. In the year 2000, the Supreme Court decided with finality that the CCP owns and has jurisdiction over these 35 hectares of open land.

A writ of execution dated May 08, 2007 was issued in relation to Civil Case 2229-P, wherein the judgment debtor is the Republic of the Philippines ("ROP") and not the CCP. However, judgment was sought to be satisfied through issuing a Writ of Execution/ Notice of Levy to CCP. The letter of the Solicitor General re Notice of Levy is clear that this is for the satisfaction of a monetary obligation wherein ROP, and not CCP is the judgment debtor. Hence, it is ROP's assets which will be used in satisfaction of the obligation and not the land of CCP per se. Moreover, the Writ of Execution and the Rules of Court are clear that in case the judgment debtor (ROP) could not satisfy its obligation, then ROP's personal property and if, insufficient, levy on its real properties should be made. It does not per se have to be CCP's land.

In a Decision dated February 27, 2009 in CA-GR Sp No. 102750 regarding the validity of Writ of Execution the Court of Appeals declared the Writ of Execution as NULL and VOID and the Writ of Preliminary Injunction issued by the Court of Appeals dated August 20, 2008 is declared permanent. The Decision of the Court of Appeals clearly and

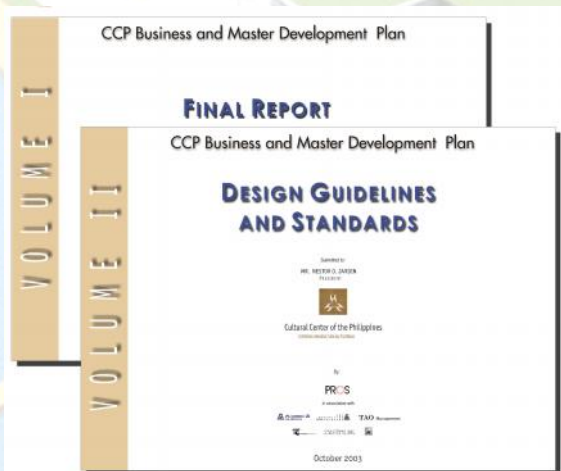


CA-GR Sp No. 102750 dated February 27, 2009

categorically states that the subject Writ of Execution does not conform to the decision sought to be executed, and that “to maintain otherwise would be to ignore the constitutional prohibition against depriving a person of his property without due process of law.” The Motion for Reconsideration filed by private respondents (Pasay City and RREC) was also denied by the CA in a Resolution promulgated on July 16, 2013. The Supreme Court, in its Decision (SC-G.R. Nos. 208205 and 208212) promulgated on 01 June 2016, rendered a Decision denying the Petition for Review of RREC and upholding the Court of Appeals Decision dated February 27, 2009 and Resolution dated July 16, 2013 in CA-G.R. SP No 102750.

The CCP relies largely on funds coming from the national government and from revenues it generates from operations and from leases and/or fees from its existing real properties. The CCP would like to aim for long-term viability and sustainability and minimize dependence on the National government for funding. The development of its real properties, most of which is idle land, is deemed the best strategy to achieve this long-term financial goal.

In order to maximize the potentials of the property and fulfill its mandate as the country’s center for arts and culture, the CCP decided in 2002 to embark on a major Asset Development Program that would involve private sector participation.



CCP Complex Business and Master Development Plan prepared by Planning Resources and Operations Systems, Inc. Consortium

Towards this end, the CCP conducted a public bidding to choose the company that would prepare the CCP Complex Master Development Plan. The consortium led by Planning Resources and Operations System (PROS) in association with AZ Development Managers, Inc., ECT Consulting Engineers, TAO Management, Transportas Consulting and Seastems, Inc. won the bid and proceeded to work with the CCP management

on the project. In 2004, they submitted a Master Development Plan that defined among other things the vision, objectives, strategies, guiding principles, land use plan and design guidelines for the development.

The CCP's vision for the CCP Complex is a product of a year-long series of workshops and consultations facilitated by PROS and participated in by members of the CCP Board and management, its resident artists, members of the arts and culture sector, representatives from concerned Government agencies, the media, the youth sector, and the other stakeholders within the CCP Complex. It reads:

“The CCP Complex shall be a center for arts and culture in Asia. Primarily, it shall be the centerpiece of artistic expression of the Filipino soul and spirit, created for the Filipino artist and all sectors of Philippine society. The CCP Complex shall be a major cultural, ecological, tourism and commercial landmark of the Philippines. It shall be a home for the Filipino artist and an urban oasis for the Filipino people.”

The development will be based on the principle of “commerce blending with culture and arts” where new artistic and cultural facilities will be built alongside with commercial facilities. This integration and complementation will mutually benefit the CCP and the developer as well as the general public as proven by many examples all over the world.

1.3 The Developer. Through the ADP, the CCP intends to invite, undergo a competitive selection process and select a Developer/Lessee and Partner that will develop, operate and maintain (DOM) certain CCP properties into a residential, commercial, mixed-use area with Culture and Arts as a focal point that will serve as an attractive location for world class investors and developers.

1.4 IAESLP. This Invitation to Apply for Eligibility and to Submit a Lease Proposal and to Develop/Operate/Maintain is open to all prospective Proponents as described herein within the prescribed period.

DEFINITION OF TERMS

The following terms shall have the meanings ascribed to below:

ADP

The Asset Development Program of the CCP aimed at transforming the current CCP Complex into a modern center for business and economic activity with culture and arts as the focal point. This will be achieved through a straight lease by the private sector in the development, operation and maintenance of certain properties (the "Developable Area") owned by the CCP. The ADP is also being carried pursuant to the provisions of Presidential Decree (PD) No. 15, as amended.

CCP BAC for ADP

The CCP Bids and Awards Committee for Asset Development Program formed by CCP to oversee the implementation of the ADP. The committee is composed of:

Regular Members:

- a) Chairman
- b) Secretary
- c) Member
- d) Member
- e) Member

Technical Working Group
(to be composed of five (5) members)

CCP

The Cultural Center of the Philippines.

CCP BOARD

The Board of Trustees of CCP

GOP

Government of the Philippines

IAESLP

Invitation to Apply for Eligibility and to Submit Lease Proposal



**INTERESTED
PROPONENT(S)**

The party who submitted a Letter of Interest (LOI) to participate in the ADP and paid the Php 25,000.00 non-refundable fee for the RED Kit.

LEASE PROPOSAL

The lease proposal to be submitted by a pre-qualified proponent to the CCP BAC for ADP containing his proposed offer of the lease amount and the plan to develop, operate and maintain the Developable Area as well as the other information required from such proposal.

**PRE-QUALIFIED
PROPONENT**

An Interested Proponent who submitted all the pre-qualification requirements provided in this RED Kit and has been declared “Pre-Qualified” by the CCP BAC for ADP.

REDS

Required Eligibility Documents. The required eligibility documents that should be submitted by an Interested Proponent applying for eligibility **on or before 2:00 p.m. of March 10, 2017.**

RED Kit

Describes the procedures that will be followed in connection with applying for and in acquiring Eligibility to participate in the Asset Development Program (ADP) involving certain properties/lots owned by the Cultural Center of the Philippines (CCP).

GENERAL INFORMATION

3.1 **Applicable Laws.** All laws governing the operation and implementation of the RED Kit will be deemed to be those of the GOP, such as, but not limited to, PD No. 15, as amended, Executive Order (EO) No. 423 dated 30 April 2005, Executive Order (EO) No. 301 dated 26 July 1987, Executive Order (EO) No. 109 dated 27 May 2002, the Philippine Constitution and other relevant laws, executive orders, rules and government issuances of the GOP.

3.2 **Publication/Issuance of IAESLP.** CCP shall publish once in a newspaper of general nationwide circulation in the Philippines the IAESLP inviting prospective Proponents to participate in the ADP. The IAESLP shall likewise be posted continuously for a period of seven (7) calendar days starting on the date of the advertisement, at the following: (1) website of CCP; (2) website of the CCP's service provider, if any and (3) in any conspicuous place within the premises of the CCP. Attached hereto as Annex "A" is a copy of the IAESJVP, as published.

3.3 **Application for Pre-qualification.** Interested Proponents shall be subjected to Pre-qualification screening in line with the provisions of Section 5 of this RED Kit.

Any advise provided by CCP and the CCP BAC for ADP shall be non-binding and shall not be construed in any way as favoring any particular party(ies) and the Interested Proponent hereby holds CCP and CCP BAC for ADP free and harmless from any suit or liability.

3.4 **RED Kit.** As one of the requirements to be considered for eligibility, an Interested Proponent must have submitted a Letter of Interest, purchased the RED Kit and paid the non-refundable fee of Php 25,000.00 **on or before 5:00 p.m. of February 24, 2017.** A Proponent who did not purchase the RED Kit and did not pay the non-refundable fee of Php 25,000.00 shall not be allowed to submit the REDs.

3.5 **Interested Proponents' Initial Meeting.** The CCP will hold preliminary meetings/conferences with Interested Proponents individually or as a group to discuss the RED Kit and other clarifications. Only Interested Proponents shall be informed by CCP of the schedule and venue of the meeting or conference through contact numbers submitted to CCP and allowed to attend the scheduled meeting or conference.

3.6 **Clarifications and Supplemental Notices.** An Interested Proponent may submit a written request for clarification to the CCP on or before **5:00 p.m. of February 24, 2017** as to the meaning of any data or requirements or any part of this RED Kit. Any and all clarifications to this document by Interested Proponents should be addressed only to the Chairman of the BAC for ADP .

Any substantive interpretation given by the CCP shall be issued in the form of a Supplemental Notice, and furnished to all Interested Proponents. The CCP may, at its discretion, also issue Supplemental Notices to all Interested Proponents at any time for purposes of clarifying any provisions of this RED Kit **on or before March 1, 2017** to allow Interested Proponents to consider the same in the preparation of their REDs. Receipt of all Supplemental Notices shall be duly acknowledged by each Interested Proponent prior to the submission of its REDs. Unless covered later on by Supplemental Notices, verbal clarifications will not form part of this RED Kit and shall not be binding on the CCP or the CCP BAC for ADP.

3.7 **Amendment of the RED Kit.** It is understood and Interested Proponents hereby agree that the information and/or procedures contained in this RED Kit may be amended or replaced at any time, at the CCP BAC for ADP's discretion, without giving prior notice or providing any reason it being understood that CCP and the CCP BAC for ADP shall be held free and harmless from any liability or damage which might occur or be incurred by the Interested Proponent(s) as a result of such supplement or amendment. Should any of the information and/or procedures contained in this RED Kit be amended or replaced, the CCP BAC for ADP will inform and send a Supplemental Notice to all Interested Proponents. To ensure that all Interested Proponents are informed of any amendments, Interested Proponents are requested to include in their LOIs their contact persons as well as contact telephone numbers, email and postal addresses, and to call the CCP BAC Secretariat from time to time to update itself of any changes in this RED Kit.

3.8 **Correspondence with the CCP BAC for ADP.** As appropriate, all correspondence with the CCP BAC for ADP should be addressed for the attention of:

The Chairman
CCP Bids and Awards Committee for ADP
Office of the Vice President for Administration
Administrative and Finance Building
Cultural Center of the Philippines
CCP Complex, Pasay City

3.9 **Deadline for Submission of REDs.** The deadline for submission of REDs is at **2:00 p.m. of March 10, 2017**. REDs should be submitted to the CCP BAC for ADP at the:

Office of the Vice President for Administration
Administrative and Finance Building
Cultural Center of the Philippines
CCP Complex, Pasay City

Immediately after said deadline, the CCP BAC for ADP shall start the opening of the envelopes and start the evaluation of each of the documents submitted to determine the completeness of the REDs submitted by Interested Proponents.

GENERAL RULES

In general, the participation of an Interested Proponent in the ADP shall be governed by the following:

4.1 Due Diligence. Each Interested Proponent shall be solely responsible for conducting its own due diligence investigation of CCP, the ADP and all matters relating to this RED Kit which may, in any manner, affect the Interested Proponent's participation in the ADP. CCP shall not be responsible for any erroneous interpretation or conclusion by the Interested Proponent out of data furnished or indicated in this RED Kit including any Supplemental Notice(s) issued by the CCP, and hereby holds CCP and the the CCP BAC for ADP free and harmless from any liability resulting therefrom. Failure of the Interested Proponent to so examine and inform itself and conduct its own due diligence shall be at its sole risk and no relief for error or omission will be given.

No verbal agreement or conversation with, nor any verbal clarification from, any officer or employee of CCP and the CCP BAC for ADP shall affect or modify any of the terms and conditions contained in this RED Kit or be construed in any manner as to have affected or modified the terms and conditions contained in this RED Kit or be construed as any form of a binding agreement, warranty or representation. Only Supplemental Notice(s) to this RED Kit that are set down in writing, signed by the Chairman of the CCP and circulated to Interested Proponents by the CCP

The CCP BAC should be relied upon and considered as authorized by the CCP. Neither the CCP nor the CCP BAC for ADP may make any representation or warranty concerning any matter affecting the ADP or this RED Kit.

4.2 Submission of REDs. Interested Proponents are required to submit the REDs indicated in Article 5 and in Annex "D" of this RED Kit within the deadline indicated in this RED Kit otherwise they shall not be pre-qualified, not allowed to purchase the Terms of Reference and not allowed to submit Lease Proposals.

4.3 Failed Bidding. There shall be a failure of bidding should any of the following instances occur:

- a) No prospective bidder(s) is/(are) eligible;
- b) No bids or proposals are received;
- c) No prospective bidder(s) is/(are) able to comply with technical requirements; or
- d) No successful negotiation on the financial terms/proposal.

The Chairman of the CCP BAC for ADP shall announce the failure of bidding.

In the event of a failed bidding brought about by instances stipulated under items a, b, c, and d, above, the ADP, at the sole discretion of CCP, shall be subjected to another bidding.

4.4 Failed Second Bidding. In the event that there is a second failed competitive selection brought about by instances stipulated under items a, b, c, and d above, the CCP BAC for ADP may pursue limited negotiations.

4.5 Limited Negotiations. In the event Limited Negotiations are allowed due to a failed bidding brought about by an instance under item 4.3 (a, b, c, and d, above), the CCP shall set the timetable of the various activities for the limited negotiations. The CCP may terminate the limited negotiations should the party it is negotiating with fail to observe the said timetable.

No clause or stipulation in this RED Kit shall be construed however, as limiting the option of the CCP to pursue a lease undertaking.

PRE-QUALIFICATION

5.1. **Pre-qualification of Interested Proponents.** Interested Proponents intending to participate in the eligibility process should at least have the following qualifications:

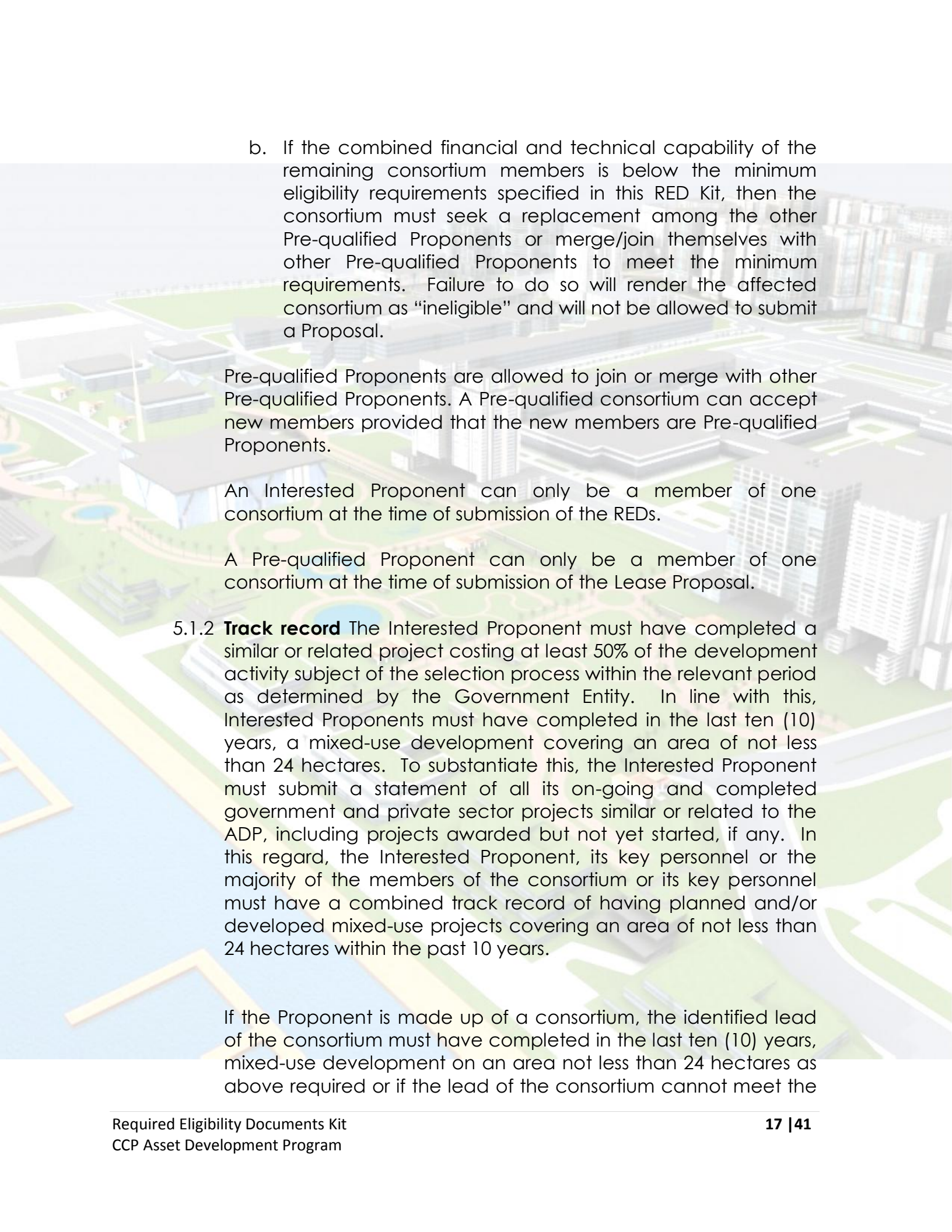
5.1.1 **Legal Entity.** The Interested Proponent must be a duly registered and existing corporation or partnership, the stockholder base and/or capitalization thereof should comply with existing Philippine laws. The Interested Proponent must submit documents to show that he possesses all the authority, licenses and clearances needed for the pursuit of his business.

If the Interested Proponent is a consortium/conglomerate (whether formally incorporated with the Securities and Exchange Commission or by virtue of an agreement among members) consisting of separate entities/corporations, the combined ownership of the Interested Proponent/conglomerate/consortium should not result in a violation of existing Philippine laws. The consortium, through a letter to the CCP BAC for ADP, should identify the lead institution that controls a sizeable portion of the consortium. Further, if the Interested Proponent is a consortium, each member of the consortium must have submitted the Letter of Interest and must have submitted the REDs.

After the consortium has been pre-qualified and in the event that the lead institution is changed, the consortium should identify the new lead institution through a letter to the CCP BAC for ADP. The new lead institution can be an existing member of the consortium or can be a non-member but in any case, the new lead institution should be a Pre-qualified Proponent.

If a member of a Pre-qualified Proponent Consortium decides to drop out of its consortium, the following shall apply:

- a. If the combined financial and technical capabilities of the remaining consortium members are beyond the minimum eligibility requirements specified in this RED Kit, then the consortium will not be required to seek a replacement from among the other Pre-qualified Proponents.

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- b. If the combined financial and technical capability of the remaining consortium members is below the minimum eligibility requirements specified in this RED Kit, then the consortium must seek a replacement among the other Pre-qualified Proponents or merge/join themselves with other Pre-qualified Proponents to meet the minimum requirements. Failure to do so will render the affected consortium as “ineligible” and will not be allowed to submit a Proposal.

Pre-qualified Proponents are allowed to join or merge with other Pre-qualified Proponents. A Pre-qualified consortium can accept new members provided that the new members are Pre-qualified Proponents.

An Interested Proponent can only be a member of one consortium at the time of submission of the REDs.

A Pre-qualified Proponent can only be a member of one consortium at the time of submission of the Lease Proposal.

- 5.1.2 **Track record** The Interested Proponent must have completed a similar or related project costing at least 50% of the development activity subject of the selection process within the relevant period as determined by the Government Entity. In line with this, Interested Proponents must have completed in the last ten (10) years, a mixed-use development covering an area of not less than 24 hectares. To substantiate this, the Interested Proponent must submit a statement of all its on-going and completed government and private sector projects similar or related to the ADP, including projects awarded but not yet started, if any. In this regard, the Interested Proponent, its key personnel or the majority of the members of the consortium or its key personnel must have a combined track record of having planned and/or developed mixed-use projects covering an area of not less than 24 hectares within the past 10 years.

If the Proponent is made up of a consortium, the identified lead of the consortium must have completed in the last ten (10) years, mixed-use development on an area not less than 24 hectares as above required or if the lead of the consortium cannot meet the

24-hectare requirement, that the combined track record of the developments of the members of the consortium meets the 24 hectare requirement, provided that each member of the consortium must have completed a mixed-use development on an area not less than 3 hectares.

5.1.3 **Personnel.** The key managers to be assigned by the Interested Proponent to the project must have at least 10 years of relevant experience in projects of similar scope/scale and the project manager to be assigned to the project by the Interested Proponent must have at least 10 years of relevant experience in projects of comparable scope/scale.

5.1.4 **Net Worth and Financial Capability.** The Interested Proponent must submit:

5.1.4.1 **Audited Financial Statements.** Interested Proponents must submit their Audited Financial Statements for the past three (3) consecutive calendar years. If the Interested Proponent is a Filipino, the audited Financial Statements to be submitted must be **stamped "Received"** by the Bureau of Internal Revenue (BIR) or its duly accredited authorized institutions, or its equivalent in another jurisdiction.

5.1.4.2 **Income Tax Returns.** Interested Proponents must submit their latest tax returns **stamped "Received"** by the BIR, if the Interested Proponent is a Filipino, or its equivalent in the BIR Electronic Filing and Payment System or its equivalent in another jurisdiction.

In addition to the above, the Interested Proponent:

5.1.4.3 **Net Worth.** Interested Proponents must have a minimum net worth (in case of a consortium, the total net worth of all the members combined) of **Php 2.0 Billion** (or its equivalent in US\$ based on the Exchange Rate prevailing at the time of the submission of the REDs). Further, it must submit a statement certifying that the Interested Proponent has a minimum net worth of Php 2.0 Bn or in case of a consortium a total net worth of Php 2.0 Bn.

5.1.4.4 **Financial Support.** Interested Proponents must submit:

- a) a list of its bankers and total credit facilities, and,
- b) a letter 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 one of its current clients, and is in good financial standing

5.1.5 **No Arrears.** The Interested Proponent or any of its principal stockholders shall not be in arrears or has not defaulted with its financial obligation to CCP or its subsidiaries regarding any past or current projects being undertaken with CCP or its subsidiaries.

If the Interested Proponent is a consortium, said consortium and/or any of its members, and their affiliates or subsidiaries, and any principal stockholder therein shall not be in arrears or has not defaulted with its financial obligation to CCP or its subsidiaries regarding any past or current project being undertaken with CCP or its subsidiaries.

If the Interested Proponent is a corporation, said corporation and/or its principal stockholder shall not be in arrears or has not defaulted with its financial obligation to CCP or its subsidiaries regarding any past or current project being undertaken with CCP or its subsidiaries. The Interested Proponent must submit a notarized certification in the form of **Annex "G"**.

5.1.6 **Non-Aggression.** The Interested Proponent or any of its principal stockholders must not be involved in any previous or on-going litigation against the CCP or its subsidiaries or against or materially affecting CCP assets or properties.

If the Interested Proponent is a consortium, said consortium and/or any of its members, their affiliates or subsidiaries, and its principal stockholders must not be involved in any previous or on-going litigation against the CCP or its subsidiaries.

If the Interested Proponent is a corporation, said corporation and/or its principal stockholder must not be involved in any previous or ongoing litigation against CCP or its subsidiaries or against or materially affecting CCP assets or properties. The Interested Proponent must submit a notarized certification in the form of **Annex "H"**.

5.1.7 **RED Kit.** As one of the requirements to be considered for eligibility, the Interested Proponent must have purchased the RED Kit and have paid the non-refundable fee of Php 25,000.00 on or before **5:00 p.m. of February 24, 2017.** A Proponent who has not purchased the RED Kit and has not paid the non-refundable fee of Php 25,000.00 shall not be allowed to submit REDs.

5.1.8 **Consortium.** In the case of consortium, the Interested Proponent consortium shall pay the P25,000.00 non-refundable fee for the RED Kit but all members shall also individually submit the legal, technical and financial REDs to determine the overall capability of the consortium for the undertaking.

5.1.9 **Acceptance of Criteria and Waiver of Rights to Enjoin Bidding Activity.** In addition to the above, Interested Proponents shall be required to submit, as part of their qualification documents, a notarized statement (**Annex "E"**) stipulating that the Interested Proponent:

- (i) has accepted the terms of this RED Kit;
- ii) has accepted the pre-qualification criteria established by the CCP BAC for ADP; and,
- (iii) waives any right it may have to seek and obtain a writ of injunction or prohibition or restraining order against the CCP or the CCP BAC for ADP to prevent or restrain the qualification proceedings related thereto, the award of the contract to a Winning Proponent, and the carrying out of the awarded contract. Such waiver shall, however be, without prejudice to the right of a disqualified or losing pre-qualified Proponent to question the lawfulness of its disqualification by appropriate administrative or judicial processes not involving the issuance of a writ of injunction or prohibition or restraining order.

5.2 Documentary Requirements. Interested Proponents intending to be pre-qualified should submit the following:

5.2.1 Letter of Interest (**Annex "C"**) plus payment of the non-refundable Php 25,000.00 fee to get a copy of the RED Kit Fee **on or before 5:00 p.m. of February 24, 2017.**

5.2.2 REDs specified in Section 5 and in Annex “D” of the RED Kit **on or before 2:00 p.m. of March 10, 2017.**

In applying for eligibility, the Interested Proponent shall submit three (3) sets of documents, as follows:

- 1 set containing Certified True Copies (**CTC**) of documents, and,
- 2 sets of photocopies (certified to be faithful reproductions of the first set of the REDs)

All sets shall be accompanied by a checklist (**Annex “D”**) of all REDs submitted.

If there is any ambiguity or inconsistency between Section 5 and Annex “D”, Interested Proponents are advised that the requirements listed in Annex “D” shall prevail or be controlling.

In the event that some of the REDs submitted are reproductions or certified true copies, the Interested Proponents hereby agree and authorize the CCP and the CCP BAC for ADP and its authorized representatives to compare such reproductions or certified true copies to the originals thereof. The Representative of the interested proponent may be required to bring and show the original for comparison during the evaluation period.

5.3. Additional Information. CCP may, in its discretion, require any additional information from any Interested Proponent. CCP may, in its discretion, also waive any required information not applicable to a given Interested Proponent but are required in general from all Interested Proponents.

5.4. Disqualification. An Interested Proponent will be disqualified if, for any reason, such Interested Proponent:

5.4.1 did not possess the general qualifications of Interested Proponents outlined in Article 5, Section 1 above;

5.4.2 did not submit or submitted beyond the deadline for submission of REDs specified in Section 5 and Annex “D” or any other information reasonably required by the CCP;

5.4.3 is prohibited from entering into a contract with the CCP;

5.4.4 there exists under Philippine laws any legal impediment to be awarded as Winning Proponent.

5.4.5 has made an assignment for the benefit of creditors, petition or apply to any tribunal for a receiver or a trustee for itself or of any substantial part of its property, commence any judicial or other legal proceedings by reason of its financial difficulties under any reorganization, arrangement, readjustment of debt, dissolution, or liquidation law or statute or any jurisdiction, whether now or hereafter in effect; or there shall be commenced against such party any such proceeding which shall remain un-dismissed for a period of sixty (60) days, or such party shall by any act indicate its consent to, approval of, or acquiescence in, any such proceeding or the appointment of any receiver of or trustee for it or any substantial part of its property, or shall suffer any such receivership or trusteeship to continue un-discharged for a period of sixty (60) calendar days; or there shall be any reorganization, arrangement, readjustment of debt, dissolution, or liquidation with respect to such party which does not involve a judicial proceeding;

5.4.6 fails to comply with any of the provisions in this RED Kit.

5.5 Deadline to Submit REDs. Proponents are given up to **2:00 p.m. of March 10, 2017** to submit the REDs in a sealed envelope addressed to:

The Chairman
CCP Bids and Awards Committee for ADP
Office of the Vice President for Administration
Finance and Administration Building
Cultural Center of the Philippines
CCP Complex, Pasay City

5.6 Signing and Marking of REDs. In applying for eligibility, the Interested Proponent shall submit three (3) copies of the REDs – one (1) set containing the Certified True Copies and two (2) sets of photocopies, certified to be faithful reproductions of the originals. Each copy shall be accompanied by a checklist of all documents submitted in the form of Annex “D”.

Interested Proponents shall prepare the Certified True Copy of the REDs as described in Section 5 and **Annex “D”** of this RED Kit, and clearly mark each **“CTC-REDs”**.

In addition, each Interested Proponent shall submit two (2) sets of photocopies **certified** as faithful reproductions of the Set 1 of REDs to be submitted and clearly mark them as **“COPY NO.1-REDs** and **COPY NO. 2 -REDs”**. In the event of any discrepancy between the Certified True Copy and the copies, the CTCs shall prevail.

Changes or erasures in any document shall only be valid if said changes or erasures are signed or initialed by the person authorized to sign the REDs.

5.7 Sealing of REDs. Interested Proponents shall enclose and seal the CTC copy of the REDs in an envelope marked **“CTC-REDs”**. Each copy of the REDs shall be similarly sealed duly marking each envelope as **“COPY NO.1-REDs** and **COPY NO.2 -REDs”**. These envelopes shall then be bound and submitted to the CCP BAC for ADP.

All **envelopes** should bear the following information:

- a. Name, Address and Contact Number of the Interested Proponent
- b. addressed to the:

The Chairman
CCP Bids and Awards Committee for ADP
Office of the Vice President for Administration
Finance and Administration Building
Cultural Center of the Philippines
CCP Complex, Pasay City

CCP or the CCP BAC for ADP shall not assume any responsibility for the misplacement or pre-mature opening of the REDs not sealed and marked as required.

5.8 Modification and Withdrawal of REDs. Interested Proponents are not allowed to modify their REDs after it has been submitted to the CCP BAC for ADP.

An Interested Proponent may withdraw his REDs by submitting a letter of withdrawal addressed to the CCP BAC for ADP. The CCP BAC for ADP will return the REDs being withdrawn by an Interested Proponent upon

receipt of the letter of withdrawal. However, said Interested Proponent shall no longer be allowed to re-submit his original or modified REDs and shall be construed as having waived his participation in the eligibility screening.

5.9 Late Submission. Any REDs submitted after the deadline for submission of REDs specified in this RED Kit shall be declared "Late" and shall not be accepted by the CCP BAC for ADP.

5.10 Opening and Preliminary Examination of REDs. Only the members of the CCP BAC for ADP and its authorized representatives may open the envelopes containing the REDs.

- a. The CCP BAC for ADP will open the envelopes containing the REDs in the presence of the Interested Proponents' representatives who choose to attend the proceedings specified in this RED Kit. The said representatives shall sign a register indicating their attendance.
- b. The envelopes containing the REDs shall be opened one at a time, and the names of the Interested Proponent and the documents submitted shall be read out and recorded.
- c. The completeness of the REDs of each Interested Proponent shall be determined by examining the submitted documents vis-à-vis the requirements of this RED Kit (as listed in Annex "D") and using a completeness / incompleteness criteria.

For each specific eligibility document required, the Interested Proponent shall be rated "**Submitted**" for each particular eligibility document. If he fails to submit any of the said specific eligibility document, he shall be rated "**Unsubmitted**" for that particular eligibility document.

If an Interested Proponent is rated "Submitted" for all the eligibility documents required, he shall be considered as "Complete" and he shall thereafter be evaluated for pre-qualification. The CCP BAC for ADP shall mark the set of REDs of the said Interested Proponent as "**Complete**".

If an Interested Proponent is rated "Unsubmitted" in any of the eligibility documents required, he shall be considered "**Incomplete**" and will not be allowed to participate further, neither will his REDs be

evaluated for pre-qualification. However, if the Interested Proponent submitted a document with deficiency he shall be given 72 hours to comply or satisfy the deficiency. Failure to do so will merit a rating of “Unsubmitted” and the CCP BAC for ADP shall mark the sets of REDs of the said Interested Proponent as “Incomplete” and will not be evaluated.

All the members of the CCP BAC for ADP shall sign on all the markings made on the envelopes.

d. The CCP BAC for ADP shall prepare the minutes of the proceedings of the opening of REDs.

5.11 Pre-Qualified and Ineligible. The CCP BAC for ADP shall within a period of fifteen (15) calendar days (with the exception of valid and reasonable grounds, such as but not limited to, force majeure and the like) after the deadline set for the submission of the REDs, complete the evaluation of the pre-qualification documents of the Interested Proponents rated as “Complete”, and determine which among them are “pre-qualified” and “ineligible”. Accordingly, the CCP BAC for ADP shall duly inform the pre-qualified Proponents within seven (7) calendar days after approval thereof. Ineligible Proponents shall be similarly given notice of such ineligibility, stating therein the grounds for ineligibility within the same period.

Those ineligible may appeal their ineligibility to the CCP BAC for ADP within seven (7) calendar days (should the 7th day fall on a weekend or official non-working holiday, the deadline shall be the following CCP business day) from receipt of the notice of ineligibility.

The CCP BAC for ADP shall act on the appeal within the thirty (30) calendar day period. The decision of the CCP BAC for ADP on the appeal shall be final and immediately executory. If the appeal is not resolved within said period, the appeal is deemed denied.

5.12 Disqualification of Pre-qualified Proponents. Pre-qualified Proponents will be disqualified if they had been pre-qualified on the basis of suppressed, undisclosed or false information, and/or had previously failed to satisfactorily perform or complete any contract undertaken by them with CCP or its subsidiaries, and/or involved in any litigation involving CCP or its subsidiaries or against or materially affecting CCP assets or properties.

TIMETABLE OF ACTIVITIES

ACTIVITIES	TIMETABLE
Publication and Issuance of IAESLP	January 22, 2017
Deadline for Submission of LOIs and payment of RED Kit Fee	5:00 p.m. February 24, 2017
Deadline for Submission for Clarificatory Questions	5:00 p.m. March 1, 2017
Distribution of Supplemental Notices	March 3, 2017
Deadline for Submission Opening of REDs (Venue of Opening of REDs – TBA)	2:00 p.m. March 10, 2017
Announcement of Pre-qualified Proponents	Within fifteen (15) days from Opening of REDs
Deadline for Appeals	Seven (7) days from receipt of the Notice of Ineligibility

**CULTURAL CENTER OF THE PHILIPPINES
INVITATION TO APPLY FOR ELIGIBILITY AND
TO SUBMIT A LEASE PROPOSAL
FOR ASSET DEVELOPMENT PROGRAM**

(As Published in the Philippine Daily Inquirer and Philippine Star on 22 January 2017)



CULTURAL CENTER OF THE PHILIPPINES

**INVITATION TO APPLY FOR ELIGIBILITY
AND TO SUBMIT A LEASE PROPOSAL
FOR ASSET DEVELOPMENT PROGRAM**

The Cultural Center of the Philippines (CCP) is inviting interested proponents to participate in CCP's Asset Development Program (CCP ADP) in accordance with the Master Development Plan. The ADP involves the long term lease and the development, operation and maintenance of 46.7 hectares of properties within the 62.4 hectares of CCP Complex.

Interested proponents must submit their Letters of Interest ("LOI") to CCP together with a non-refundable fee of Php 25,000.00 for the purchase of the Eligibility Documents. Those found to be eligible by the CCP Bids and Awards Committee for ADP (CCP BAC for ADP) must thereafter purchase the Information Kit for a non-refundable fee of P75,000.00. The Information Kit includes the Terms of Reference (TOR) for the ADP that outlines among others, the requirements that will enable proponents to participate in the ADP.

CCP BAC for ADP shall start accepting LOIs and payments for the Eligibility Documents by January 22, 2017. The deadline for submission of the LOI and the payment for the Eligibility Documents shall be until 5:00 p.m. of February 24, 2017. Deadline for submission of Required Eligibility Documents (REDs) shall be at 2:00 p.m. of March 10, 2017.

Only those found eligible shall be allowed to purchase the Information Kit. All payments should be in the form of cash or Manager's check issued by a branch of a universal or commercial bank operating within Metro Manila. If payment is by Manager's check, the check should be made payable to "Cultural Center of the Philippines".

CCP will hold preliminary meetings/conferences with interested proponents individually, or as a group, to discuss the eligibility requirements and other clarifications. Only interested proponents who have submitted their LOIs and payments for the Eligibility Documents shall be allowed to attend the scheduled meeting or conference, and they shall be informed of this schedule through their contact numbers.

Interested proponents can direct their inquiries to:

Mr. Rodolfo G. Del Rosario
Chairman
CCP Bids and Awards Committee for ADP
Cultural Center of the Philippines
CCP Complex, Pasay City

or they can contact Felix S. Sayago at telephone numbers 8323655 or Roberto Camara at telephone number 5517248.

(Sgd.) RODOLFO G. DEL ROSARIO
Chairman
CCP Bids and Awards Committee for ADP

P.S. January 22, 2017

ANNEX "B"

Sample Form (Undertakings of Consortium)

Date _____

The Chairman
CCP Bids and Awards Committee for ADP
Office of the Vice President for Administration
Finance and Administration Building
Cultural Center of the Philippines
CCP Complex, Pasay City

Subject: **Asset Development Program**

Dear Sir:

In compliance with the requirements set forth in the RED Kit of the Asset Development Program (ADP) involving properties of the CCP located within the CCP Complex, we are pleased to submit a description of the consortium organized by (Names of the Members of the Consortium). The lead member of the consortium is _____.

_____ bind themselves to be jointly and severally liable to any obligations and commitments issued by our Consortium.

Submitted by : _____

Address : _____

Telephone nos. : _____

Authorized representative (Please enclose letter of authority)

Name & Signature : _____

Title/Position : _____

Date : _____

Sample Form (Letter of Interest)

Date

The Chairman
CCP Bids and Awards Committee for ADP
Office of the Vice President for Administration
Finance and Administration Building
Cultural Center of the Philippines
CCP Complex, Pasay City

Subject: **Asset Development Program**

Gentlemen:

As a duly authorized representative of our Company (*State the name of the company*), and in compliance with the requirements set forth in the RED Kit of the Asset Development Program (ADP), the undersigned hereby expresses its intention to participate in CCP's ADP.

Submitted by : _____
Address : _____
Telephone Nos. : _____
Authorized representative (Please enclose letter of authority)
Name & Signature : _____
Title/Position : _____
Date : _____

LIST OF REDs TO BE SUBMITTED
ON OR BEFORE 2:00 P.M. OF OCTOBER 14, 2016

	Provision No.	Required Eligibility Document	S*	NS**
1	Sec. 5, Item 5.1.1	Statement containing the following: <ul style="list-style-type: none"> - Name of Interested Proponent - Description of Interested Proponent including ownership, shareholdings (amounts subscribed and paid up), Board of Directors, Senior Corporate Management and other related business interests 		
2	Sec. 5, Item 5.1.1	Certified True Copies of the following corporate documents of the Interested Proponent or its equivalent in another jurisdiction: <ul style="list-style-type: none"> - SEC Certificate of Registration - Articles of incorporation/partnership and by-laws 		
3	Sec. 5, Item 5.1.1	Valid and Current Mayor's/Business Permit		
4	Sec. 5, Item 5.1.4.1 and 5.1.4.3	Audited Financial Statements for the past three (3) consecutive calendar years. If the Interested Proponent is a Filipino, the audited Financial Statements to be submitted must be stamped "Received" by the BIR or its duly accredited authorized institutions or its equivalent in another jurisdiction. The latest Audited Financial Statements should show that the Interested Proponent has a minimum net worth (in case of a consortium, the total net worth of all the members combined) of Php 2.0 Billion (or its equivalent in US\$ based on the prevailing Exchange Rate on the date of submission of REDs)		
5	Sec.5, Item 5.1.4.2	Latest tax returns; if the Proponent is a Filipino, tax returns must be stamped "Received" by the BIR		

		or its equivalent under the BIR EFPS or its equivalent in another jurisdiction		
6	Sec. 5, Item 5.1.4.4	List of the Interested Proponent's Bankers and total credit facilities		
7	Sec. 5, Item 5.1.4.4	A notarized 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 one of its current clients, and is in good financial standing		
8	Sec. 5, Item 5.1.2	Certified and notarized Statement (on a per project basis) of the Interested Proponent's ongoing and completed projects which are similar to the proposed development, which the Interested Proponent has undertaken in the last ten (10) years. The statement shall include, for each contract, the following: <ul style="list-style-type: none"> - The name and location of the project - Brief description of the project - Size in hectares - Project cost - Start date and completion date of the project 		
9		Summary of the Projects listed in Item 8 above in terms of: <ul style="list-style-type: none"> - The name of the project - Size in hectares - Project cost 		
10		List of projects with CCP or any of its subsidiaries which the Interested Proponent has commenced or undertaken, including description, status, investments made, and project costs, if any;		
11	Sec. 5, Item 5.1.3	The project manager to be assigned to the project by the Interested Proponent and their qualifications including educational attainment, licenses held, years/extent of experience and projects handled		

12	Sec. 5, Item 5.1.3	List of other key managers to be deployed by the Interested Proponent to the proposed development, and their qualifications including educational attainment, licenses held, years/extent of experience and projects handled		
13		A notarized board resolution duly certified by the Interested Proponent's corporate secretary expressly authorizing 1) the Interested Proponent's participation in the ADP, nominating, appointing and authorizing a representative to negotiate, communicate, represent, sign and execute contracts and other documents in relation to this RED Kit as well as the Tender Documents to be released to Pre-qualified Proponents, and 2) the CCP BAC for ADP to verify all documents submitted.		
14		A letter signed by the authorized signatory of the Interested Proponent authorizing the CCP, the CCP BAC for ADP or its duly authorized representative(s) to verify all the documents submitted		
15		Notarized Secretary's Certificate of the current top ten (10) stockholders of the Interested Proponent		
16	Sec. 5, Item 5.1.5	Notarized Certificate of No-Arrears in the form of Annex "G"		
17	Sec. 5, Item 5.1.6	Notarized Certificate of Non-Aggression in the form of Annex "H"		
18	Sec. 5, Item 5.1.4.3	Notarized Certificate showing the Net Worth of the Interested Proponent		
19	Sec. 5, Item 5.1.9	Notarized Acceptance of Criteria and Waiver of Rights to Enjoin Lease and Development Activity in the form of Annex "E"		
20		Notarized Secretary's Certificate that the Interested Proponent is not "blacklisted" or barred from participating in any government project or any of its agencies, offices, corporations or LGUs, including non-inclusion in the Consolidated Blacklisting Report issued by the government		

21		A commitment, in the form of Annex "F", to advise the BAC for ADP of any material change to the information contained in the LOI and the REDs submitted		
22		A declaration of any legal or other impediments which may affect the Proponent's ability to participate in the proposed ADP or a certification to be submitted by the Proponent stating the absence of such legal impediments		
23		A notarized Secretary's Certificate that each of the documents submitted in satisfaction of the eligibility requirements is an authentic and original/certified true copy, or a true and faithful reproduction or copy of the original/certified true copy, complete, and that all statements and information provided therein are true and correct		
		If the Interested Proponent is a consortium, in addition to the above requirements, the following should also be submitted:		
24		A duly notarized Memorandum of Agreement or Understanding		
25		The respective Board Resolutions of the members of the Consortium approving the inclusion of the member in the Consortium		
26	Sec. 5, Item 5.1.1	A statement containing a brief description of the consortium and identifying the lead member of the consortium		
27		A letter in the form Annex "B" undertaking that if awarded the contract, the members shall bind themselves to be jointly and severally responsible for the obligations of the consortium under the contract		

If the Interested Proponent is a consortium, each member must individually submit:

1. LOIs
2. Document numbers 1-23, 25 above

The Lead Member of the Consortium shall submit Document numbers 24, 26 and 27. Document numbers 24, 26 and 27 must be signed by the authorized signatories of all the members of the Consortium.

In case of another jurisdiction, the Proponent should submit the equivalent of a notarized document in said jurisdiction.

* *Submitted*

** *Not Submitted*

N.B. If any of the REDs are inapplicable to the Interested Proponent, please submit a notarized statement to such effect identifying such inapplicable document(s).

If there is any ambiguity or inconsistency between Section 5 and Annex “D”, Interested Proponents are advised that the requirements listed in Annex “D” shall prevail or be controlling.

Note: Individual members of the consortia should execute this document

ANNEX “E”

Sample Form (Waiver of Right to Seek Legal Remedies)

Date

The Chairman
CCP Bids and Awards Committee for ADP
Office of the Vice President for Administration
Finance and Administration Building
Cultural Center of the Philippines
CCP Complex, Pasay City

Subject: **Asset Development Program**

Sir:

As a duly authorized representative of (State the name of the company) (hereinafter the “Company”), and in connection with the Asset Development Program (“ADP”) of the Cultural Center of the Philippines (“CCP”), the undersigned, on behalf of the Company, hereby expressly and formally commits to abide by the decision of the CCP Joint Bids and Awards Committee for ADP (CCP BAC for ADP), and recognizes the sole right and discretion of the CCP BAC for ADP to determine Eligible Proponents and ultimately, the Winning Proponent.

Moreover, the Company expressly accepts the qualification criteria established by the CCP BAC for ADP and hereby waives any right it may have to seek and obtain the following legal remedies and/or obtain legal remedies concerning the following: a writ of injunction or prohibition or restraining order against the CCP or the CCP BAC for ADP to enjoin CCP from implementing the ADP, to prevent or restrain the qualification proceedings related thereto, the award of the contract to a successful private sector participant, and the carrying out of the awarded contract.

The Company understands that this waiver, however, shall be without prejudice to the right of a disqualified or losing private sector participant to question the lawfulness of its disqualification or the rejection of its proposal by appropriate administrative or judicial processes not involving the issuance of a writ of injunction or prohibition or restraining order.

Accordingly and in accordance with the Terms of Reference of the Asset Development Program (ADP) involving CCP properties located in the CCP Complex, this serves as a formal waiver by the Company of any right to file any form of legal remedy or action before any court, tribunal or administrative body to prevent CCP from proceeding with the ADP, and the awarding and executing a contract with the Winning Proponent determined by the CCP BAC for ADP.

Submitted by : _____

Address : _____

Telephone nos. : _____

Authorized representative (Please enclose letter of authority)

Name & Signature : _____

Title/Position : _____

Date : _____

ANNEX "F"

Sample Form (Commitment to Advise CCP BAC for ADP of Material Changes)

Date _____

The Chairman
CCP Bids and Awards Committee for ADP
Office of the Vice President for Administration
Finance and Administration Building
Cultural Center of the Philippines
CCP Complex, Pasay City

Subject: **Asset Development Program**

Sir:

With reference to the Asset Development Program (ADP) involving the properties of CCP located within the CCP Complex, this serves as a formal commitment to advise the CCP Bids and Awards Committee (CCP BAC for ADP) of any material change to the information contained in any documents that it has submitted to the CCP BAC for ADP.

Submitted by : _____

Address : _____

Telephone nos. : _____

Authorized representative (Please enclose letter of authority)

Name & Signature: _____

Title/Position : _____

Date : _____

Sample Form (Certification of No Arrears)

Date

The Chairman
CCP Bids and Awards Committee for ADP
Office of the Vice President for Administration
Finance and Administration Building
Cultural Center of the Philippines
CCP Complex, Pasay City

Subject: **Certification of No Arrears**

Gentlemen:

As a duly authorized representative of our Company/Consortium (State the name of the company/consortium), and in compliance with the requirements set forth in the RED Kit of the Asset Development Program (ADP), the undersigned hereby certifies to the following (please check/fill out applicable box):

- Our Company or any of its principal stockholders has not been involved with any transaction and/or dealing with the CCP or its subsidiaries regarding any past or current projects being undertaken with CCP or its subsidiaries, which would result in our Company or any of its principal stockholders to have any financial obligation to CCP, and hence, could not be in arrears or be considered to have defaulted in any financial obligation to CCP or its subsidiaries.

- Our Company or any of its principal stockholders is not in arrears and has not defaulted with its financial obligation to CCP or its subsidiaries regarding any past or current projects being undertaken with CCP or its subsidiaries. A certified list of our past and/or current projects with CCP or its subsidiaries is attached hereto.

- Our consortium and/or any of its members, and their affiliates or subsidiaries, or any principal stockholders of its members, and their affiliates or subsidiaries have not been involved in any transaction and/or dealing with the CCP or its subsidiaries regarding any past or current projects being undertaken with CCP or its subsidiaries, which would result in our consortium and/or any of its members, and their affiliates or subsidiaries, or any principal stockholders of its members, and their affiliates or subsidiaries to have any financial obligation to CCP, and hence, could not be in arrears or be considered to have defaulted in any financial obligation to CCP or its subsidiaries.

- Our consortium and/or any of its members, and their affiliates or subsidiaries, or any principal stockholders of its members, and their affiliates or subsidiaries are not in arrears or have not defaulted with its financial obligation to CCP or its subsidiaries regarding any past or current project being undertaken with CCP or its subsidiaries. A certified list of our past and/or current projects with CCP or its subsidiaries is attached hereto.

Submitted by : _____
Address : _____
Telephone Nos. : _____

Authorized representative (Please enclose letter of authority)
Name & Signature: _____
Title/Position : _____
Date : _____

Sample Form (Certification of Non-Aggression)

Date _____

The Chairman
CCP Bids and Awards Committee for ADP
Office of the Vice President for Administration
Finance and Administration Building
Cultural Center of the Philippines
CCP Complex, Pasay City

Subject: **Certification of Non-Aggression**

Gentlemen:

As a duly authorized representative of our Company (State the name of the company), and in compliance with the requirements set forth in the RED Kit of the Asset Development Program (ADP), the undersigned hereby expresses and certifies to the following (please check/fill out applicable box):

- Our Company or any of its principal stockholders is not involved in any previous or on-going litigation against the CCP or its subsidiaries against or materially affecting CCP assets or properties.
- Our consortium and/or any of its members, and their affiliates or subsidiaries, or any principal stockholders of its members, and their affiliates or subsidiaries have not been involved in any previous or on-going litigation against the CCP or its subsidiaries against or materially affecting CCP assets or properties.

Submitted by : _____
Address : _____

Telephone Nos. : _____

Authorized representative (Please enclose letter of authority)

Name & Signature : _____
Title/Position : _____
Date : _____

Sample Form (Bank Certification)

Date _____

The Chairman
CCP Bids and Awards Committee for ADP
Office of the Vice President for Administration
Finance and Administration Building
Cultural Center of the Philippines
CCP Complex, Pasay City

Subject: Bank Certification

Gentlemen:

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 RED Kit of the Asset Development Program (ADP) of the CCP, 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.

Name & Signature: _____
Title/Position : _____
Date : _____