

### CRITERIA FOR JOINT VENTURE AGREEMENT

#### Persons/Entities forming themselves into a joint venture must satisfy the following;

1. At least 75% Filipino ownership or interest of the joint venture
2. Less than 75% of Filipino ownership may be eligible where the structures to be built require the application of techniques and/or technologies which are not adequately possessed by a person/entity meeting the 75% Filipino ownership requirement. Provided that, Filipino ownership or interest shall not be less than 25%. For this purpose, Filipino ownership or interest shall be based on the contributions of each of the members of the joint venture as specified in their JVA.

#### Requirements of Procuring Entity

1. Submission of Valid Joint Venture Agreement, by including on first envelope as part of eligibility requirement, such that its absence will be ground for outright rejection of bid.
2. RPG will not accept notarized statements from all potential joint venture partners, in lieu of Valid Joint Venture Agreement, stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful.
4. The deadline for the submission of Special Contractor's License for JVA issued by PCAB, intended for subject/specific project is the same deadline for the submission of required documents for Post-Qualification.
3. Each partner of the joint venture shall submit the legal eligibility documents.

##### Legal Eligibility Documents

1. SEC Registration Certificate ( For corporation )
2. DTI Registration ( For sole proprietorship )
3. Mayor's Permit issued by the city or municipality where the principal place of business of the prospective bidder is located

4. The submission of technical and financial eligibility documents by any of the joint venture partners constitutes compliance.

##### Technical

1. Statement of all completed government and private contracts within ten (10) years from the submission of bids. Purpose: For Checking against Similar and Single Largest Project ( RPG-BAC Form 7 & Form 7-A )
2. List of all on-going government & private contracts including contracts awarded but not yet started. Purpose: For Checking against NFCC ( see RPG-BAC Form 6 )
3. Valid PCAB License and Registration ( R.A. 4566 )

##### Financial

1. Audited Financial Statement for the preceeding years which should not be earlier than two (2) years from the date of bid submission, stamped "received" by BIR.
2. NFCC or Commitment (Credit Line Certificate, CLC) from a Universal or Commercial Bank to extend a credit line in favor of the prospective bidder if awarded the contract to be bid. ( For Bank Commitment refer to RPG-BAC Pattern/Form No. 9 )

5. The joint venture partner who submitted the aforementioned technical and financial eligibility documents must satisfy the following criterias;
  - a. That he/she is the duly named, appointed, constituted sole representative, signatory to all bid contracts and other documents pertinent to said project for and in behalf of the joint venture as defined on Joint Venture Agreement.
  - b. Sole representative to submit the 2<sup>nd</sup> envelope, containing the following;

##### ➤ Duly Signed Bid Form

##### ➤ Financial Information / Documents

1. Duly Signed Bid Form ( see RPG-BAC Form No 47 )
2. Duly Signed Bid Price in the Bill of Quantities ( BOQ ( see RPG-BAC Form No. 45 )
3. Duly Signed Detailed Estimates including unit prices of materials, labor rates and equipment rentals used
4. Duly Signed Summary of Bid Prices ( see RPG-BAC Form No. 54 )
5. Duly Signed Cash Flow by Quarter and Payment Schedule ( see RPG-BAC Form No. 25 )

6. Each bidder shall submit only one bid, either individually or as a partner in a Joint Venture (JV). A bidder that submits or participates in more than one bid, will cause all the bids with the bidder's participation to be disqualified. This shall be without prejudice to any applicable criminal, civil and administrative penalties that may imposed upon the persons and entities concerned.