

TECHNICAL SUPPORT OFFICE

Unit 2506 Raffles Corporate Center, F. Ortigas Jr. Road, Ortigas Center, Pasig City, Philippines 1605

NPM No. 06-2008

27 May 2008

HON. MELQUIADES A. ROBLES

Administrator

LIGHT RAIL TRANSIT AUTHORITY

Administration Building, LRTA Compound
Aurora Boulevard, Pasay City

Dear Sir:

In letter dated 18 April 2008, the Light Rail Transit Authority (LRTA) requests for confirmation of its position that a foreign bidder eligible to bid under Item 4.2 of the GUIDELINES IN THE DETERMINATION OF ELIGIBILITY OF FOREIGN SUPPLIERS, CONTRACTORS AND CONSULTANTS TO PARTICIPATE IN GOVERNMENT PROCUREMENT PROJECTS¹ (or the Guidelines) is not required to secure a license from the Philippines Construction Accreditation Board (PCAB).

As a background, your letter stated that the LRTA is conducting a re-bidding for the Electromechanical Works Contract Package for the LRT Line 1 North Extension Projects. Said works comprise of the following major sub-systems: (i) signaling, (ii) telecommunications, (iii) Automated Fare Collection System, and iv) trackworks. However, since it has been determined by the LRTA that no local contractor adequately possesses the technical expertise to do the entire contract package, LRTA posits that foreign contractors may be invited to join the bidding citing Item 4.2 of the Guidelines, which states:

4.2 In the procurement of infrastructure projects, foreign contractors may be eligible to participate in the bidding if they form a joint venture with local contractors; provided that their interest in or ownership of the joint venture shall not exceed twenty-five percent (25%). However, where the structures to be built require the application of techniques and/or technologies which are not adequately possessed by a person/entity which meets the seventy-five percent (75%) under Section 23.11.2 of the IRR-A, they may be eligible to participate in the bidding. (emphasis supplied)

It is the contention of your office that since only foreign contractors are deemed eligible to participate in accordance with the Guidelines, it would be incongruous to

¹ Government Procurement Policy Board Resolution No. 018-2005, published in the Official Gazette last 27 March 2005.

require from them the submission of a PCAB license as PCAB only grants licenses to local contractors for projects which are locally-funded.

Please note that your concern was raised during the 4th Regular Meeting of the GPPB held last 29 April 2008. It was suggested that it may be appropriate for LRTA to first determine the primary purpose of the contract. Accordingly, if LRTA determines that the said project treated in its entirety is, in fact, a procurement of goods, then the submission of a PCAB license would no longer be necessary as the same is only required for the procurement of infrastructure projects.

For your guidance, please note Section 5(p) of the Implementing Rules and Regulations Part A (IRR-A) of Republic Act No. 9184 (RA 9184) which specifically states that –

"p) Procurement. Refers to the acquisition of Goods, Consulting Services, and the contracting for Infrastructure Projects by the Procuring Entity. In case of projects involving mixed procurements, the nature of the procurement, i.e., goods, infrastructure projects, or consulting services, shall be determined based on the primary purpose of the contract. Procurement shall also include the lease of goods and real estate. With respect to real property, its procurement shall be governed by the provisions of R.A. 8974 and other applicable laws, rules and regulations." (emphasis supplied)

Finally, it must be underscored, however, that the determination of the nature of a procurement activity ultimately falls within the discretion of the procuring entity, appropriately guided by the provisions of RA 9184 and IRR-A. Keeping this in mind, your office is still in the best position to determine the primary purpose of your procurement activity.

We trust that this clarifies matters.

Very truly yours,

KUBY U. ALVARE

Executive Director III



DEPARTMENT OF BUBGET AND MANAGEMENT

TECHNICAL SUPPORT OFFICE

1

18 April 2008

GOVERNMENT PROCURMENT POLICY BOARD (GPPB)
Unit 2506, Raffels Corporate Center, Ortigas center
Pasig city

Attention:

Atty. RUBY U. ALVAREZ

Executive Director



The Light Rail Transit Authority (LRTA) is presently in the process of re-bidding the Electromechanical Works contract package for the LRT Line 1 North Extension Project. Among the major sub-systems comprising the said package are the following:

Signaling;

2) Telecommunications;

3) Automated Fare Collection System (AFCS); and

4) Trackworks

The scope work for each sub-system includes Design, Manufacturing, Supply, Installation, Testing and Commissioning. The said contract package involves techniques and/or technologies which are not adequately possessed by Filipino contractors.

Section 23.11.2 of the IRR-A of RA 9184 mentions Joint Ventures (JV) with 75% Filipino interest and 25% maximum foreign interest as among those that may be eligible to bid. Sections 23.6. h) and 23.11.2.2 require said Joint Ventures to have valid PCAB license as such JV.

The problem arises when the said JV applies for a PCAB license. Among the requirements to be submitted is the PCAB license of the foreign JV partner/member. This of course is impossible because a foreign contractor cannot be issued a PCAB license for a project that is fully domestically funded. Consequently, the said JV will in the end not be able to secure a JV PCAB license. Photocopies of the Application for Special License for a JOINT

The Application for Special License of Joint Venture requires the submission of, among others, the Special License of the foreign constructor partner (No. 6). The Application for Special License of Foreign Contractor requires, among others, the submission of the following:

[&]quot;Certification from the appropriate Tendering Agency that the project is foreign financed/internationally funded and that international bidding is required, or the participation of foreign contractors is allowed under the terms of the Bilateral Agreement entered into by and between the Philippine Government and the Foreign/International Financing Institution; or Certification that the project is to be implemented in accordance with the Expanded BOT Law or RA# 7718, or other laws of similar nature, and that other requirements, under existing laws, have been waived in the loan agreement, if any (PCAB Form 704)

VENTURE and Application for a Special License for a Foreign Contractor are hereto attached.

Thus, for the above contract package, no Joint Venture with foreign interest will be eligible to participate. The Filipino contractors intending to bid for the foregoing contract package will have to subcontract with a foreign company that has the technique and/or technologies required. This necessarily increases the contract price as subcontractors put premium on their participation. Also, since the foreign companies are not JV members they are not subject to the "joint and several liability" requirements compelling the local contractor to carry solely the high cost of the safety-related liability insurance coverage on work that is executed by a third party. In fact, the increase would be so dramatic that local contractors indicated their unwillingness to bid if the ABCs are not accordingly adjusted.

Faced with this predicament, LRTA finds refuge in the following provision of the Guidelines in the Determination of Eligibility of Foreign Suppliers, Contractors, and Consultants to Participate in Government Procurement Projects, Appendix J of the IRR-A of RA 9184, which states:

4.2 In the procurement of infrastructure projects, foreign contractors may be eligible to participate in the bidding if they form a joint venture with local contractors; provided that their interest in or ownership of the joint venture shall not exceed twenty-five percent (25%). However, where the structures to be built require the application of techniques and/or technologies which are not adequately possessed by a person/entity which meets the seventy five percent (75%) under Section 23.11.2 of the IRR-A, they may be eligible to participate in the bidding. (Underscoring supplied)

LRTA respectfully submits that the underscored sentence of the quoted provision is applicable to the above-mentioned contract package as it requires "techniques and/or technologies which are not adequately possessed by a person/entity which meet the seventy five percent requirement under Section 23.11.2 of the IRR-A". Thus, "foreign contractors may be eligible to participate in the bidding" of this contract package.

LRTA also submits that even as the foreign contractor will be required to meet other requirements, it should not be required to submit a PCAB license. This conclusion proceeds from the fact that a foreign contractor possessing the technique and/or technology will not be able to secure a PCAB license for an infrastructure contract that is fully domestically funded. The GPPB is aware of this and it would be inconsistent for the GPPB to declare that the foreign contractor "may be eligible" and then require a PCAB license it knows fully well the foreign contractor cannot obtain. It appears reasonable for the LRTA to conclude that a PCAB license for a foreign contractor will not be required in this case. And as long as the foreign contractor meets the other requirements, it will be eligible to bid for the package, or in the proper case, to enter into an alternative method of procurement with LRTA.

As time is of the essence, and since the foregoing package needs to be bid not later than the second week of May, 2008 if the May 2010 deadline of the President for the completion of the project is to be met, the LRTA earnestly seeks the confirmation by the GPPB of its reading or interpretation of the quoted provision and accordingly hereby requests the GPPB

to authorize the participation of foreign contractors in the bidding of the foregoing contract package even without the PCAB license, provided they meet the other requirements.

LRTA hopes to receive said confirmation and authorization not later than 25 April 2008. Thank you.

Very truly yours,

MELQUIADES K. ROBLES

Administrator $\sqrt{}$

REPUBLIC ACT No. 4566

AN ACT CREATING THE PHILIPPINE LICENSING BOARD FOR CONTRACTORS, PRESCRIBING ITS POWERS, DUTIES AND FUNCTIONS, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

Section 1. Title of Act. This Act shall be known as the "Contractors' License Law."

ARTICLE I Administration

Section 2. Composition of the Board. To carry out the purpose of this Act, there is hereby created a "Philippine Licensing Board for Contractors", under the office of the Board of Examiners, hereinafter referred to as the Board, consisting of a Chairman and two other members who shall be appointed by the President of the Philippines, with the consent of the Commission on Appointments.

Section 3. Qualifications of members. Each member of the Board shall be of recognized standing in his branch of the contracting business for ten years, or more, a citizen and resident of the Philippines for at least eight years immediately prior to his appointment, at least thirty-five years of age and possessed of a good moral character.

Section 4. Term of office. The Chairman and members of the Board shall hold office for a term of three years. The members of the Board first appointed shall hold office for the following terms: Chairman for three years; one member for two years; and the other member for one year.

Any member of the Board may be removed by the President of the Philippines for neglect or dereliction of duty, incompetence, malpractice, and unprofessional, unethical, immoral or dishonorable conduct: *Provided*, That in the course of investigation, the President of the Philippines shall have the power to suspend such member under investigation and designate a temporary member in his place.

Vacancies in the Board shall be filled for the period of the unexpired term only.

Section 5. Powers and duties of the Board. The Board is vested with authority to issue, suspend and revoke licenses of contractors, to investigate such violations of this Act and the regulations thereunder as may come to its knowledge and, for this purpose, issue subpoena and subpoena duces tecum to secure appearance of witnesses in connection with the charges presented to the Board, and to discharge such other powers and duties affecting the construction industry in the Philippines.

The Board may, with the approval of the President of the Philippines, issue such rules and regulations as may be deemed necessary to carry out the provisions of this Act, to adopt a code of ethics for contractors and to have an official seal to authenticate its official documents.

Section 6. Board meetings. The Board shall meet as frequently as is necessary to perform its duties, but it shall meet at least once a month. It may be convoked by the Chairman or upon written request of the two other members.

Section 7. Compensation. For every meeting attended, the Chairman of the board shall receive a per diem of fifty pesos, while the members thereof shall receive a per diem of twenty-five pesos each: *Provided*, That in no case will the total amount received by each of them exceed the sum of four hundred pesos for any one month.

Section 8. Annual report. The Board shall, at the end of each fiscal year, submit to the President of the Philippines and the Congress a detailed report of its activities and proceedings during the period covered by the fiscal year ended.

ARTICLE II Application of the Act

Section 9. Definition of terms. As used in this Act:

- (a) "Persons" include an individual, firm, partnership, corporation, association or other organization, or any combination of any thereof.
- (b) "Contractor" is deemed synonymous with the term "builder" and, hence, any person who undertakes or offers to undertake or purports to have the capacity to undertake or submits a bid to, or does himself or by or through others, construct, alter, repair, add to, subtract from, improve, move, wreck or demolish any building, highway, road, railroad, excavation or other structure, project, development or improvement, or to do any part thereof, including the erection of scaffolding or other structures or works in connection therewith. The term contractor includes subcontractor and specialty contractor.
- (c) A "general engineering contractor" is a person whose principal contracting business is in connection with fixed works requiring specialized engineering knowledge and skill, including the following divisions or subjects: irrigation, drainage, water power, water supply, flood control, inland waterways, harbors, docks and wharves, shipyards and ports, dams, hydroelectric projects, levees, river control and reclamation works, railroads, highways, streets and roads, tunnels, airports and airways, waste reduction plants, bridges, overpasses, underpasses and other similar works, pipelines and other system for the transmission of petroleum and other liquid or gaseous substances, land leveling and earth moving projects, excavating, grading, trenching, paving and surfacing work.

(d) A "general building contractor" is a person whose principal contracting business is in connection with any structure built, being built, or to be built, for the support, shelter and enclosure of persons, animals, chattels or movable property of any kind, requiring in its construction the use of more than two unrelated building trades or crafts, or to do or superintend the whole or any part thereof. Such structure includes sewers and sewerage disposal plants and systems, parks, playgrounds and other recreational works, refineries, chemical plants, and similar industrial plants requiring specialized engineering knowledge and skill, powerhouse, power plants and other utility plants and installations mines and metallurgical plants, cement and concrete works in connection with the abovementioned fixed works.

A person who merely furnishes materials or supplies under section eleven without fabricating them into, or consuming them in the performance of the work of the general building contractor does not necessarily fall within this definition.

(e) A "specialty contractor" is a person whose operations pertain to the performance of construction work requiring special skill and whose principal contracting business involves the use of specialized building trades or crafts.

Section 10. Public personnel. This Act shall not apply to an authorized representative of the Republic of the Philippines or any incorporated town, city, province, or other municipal or political corporation or subdivision of the Republic of the Philippines.

Section 11. Finished products. This Act shall not apply to any sale or installation of any finished products, materials or articles or merchandise, which are not actually fabricated into and do not become a permanent and fixed part of the structure.

Section 12. Personal property. This Act shall not apply to any construction, alteration, improvement of repair of personal property.

Section 13. Minor work. This Act shall not apply to any work or operation on one undertaking or project by one or more contracts, with an aggregate contract price of less than ten thousand pesos for the labor, materials and all other items.

This exemption, however, shall not apply in any case wherein the work or construction is only part of a larger or major operation, whether undertaken by the same or a different contractor, or in which a division of the operation is made in contracts of amounts less than ten thousand pesos for the purpose of evading or otherwise violating the provisions of this Act.

Section 14. Architects and engineers. This Act shall not apply to a registered civil engineer or a licensed architect acting solely in his professional capacity.

Section 15. Material men. This Act shall not apply to any person who only furnishes materials or supplies without fabricating them into, or consuming them in the performance of, the work of the contractor.

ARTICLE III Classifications

Section 16. Classification. For the purpose of classification, the contracting business includes any or all of the following branches.

- (a) General engineering contracting;
- (b) General building contracting; and
- (c) Specialty contracting.

Section 17. Power to classify and limit operations. The Board may adopt reasonably necessary rules and regulations to effect the classification of contractors in a manner consistent with established usage and procedure as found in the construction business, and may limit the field and scope of the operations of a licensed contractor to those in which he is classified to engage, as respectively defined in section nine. A license may make application for classification and be thus classified in more than one classification if the licensee meets the qualification s prescribed by the Board for such additional classification or classifications. No additional application or license fee shall be charged for qualifying or classifying a licensee in additional classifications.

Section 18. Incidental work. Nothing in this Act shall prohibit a specialty contractor from taking and executing a contract involving the use of two or more crafts or trades, if the performance of the work in such crafts or trades, other than in which he is licensed, is only incidental or supplemental to the performance of work in the said craft or trade for which he is licensed.

ARTICLE IV Licensing

Section 19. Examinations required. In accordance with the rules and regulations promulgated by it, the Board may investigate, classify and qualify applicants for contractors' licenses by written or oral examination, or both.

Section 20. Qualifications of applicants for contractors' licenses. The Board shall require an applicant to show at least two years of experience in the construction industry, and knowledge of the building, safety, health and lien laws of the Republic of the Philippines and the rudimentary administrative principles of the contracting business as the Board deems necessary for the safety of the contracting business of the public.

For the purpose of this section, a partnership, corporation, or any other organization may qualify through its responsible managing officer appearing personally before the Board who shall prove that he is a bona fide responsible officer of such firm and that he exercises or is in a position to exercise authority over the contracting business of his principal or employer in the following manner: (1) to make technical and administrative decisions; and, (2) to hire, superintend, promote, transfer, lay off, discipline or discharge employees.

Section 21. Notice of disassociation required. If the individual who has qualified under the preceding section ceases for any reason whatsoever to be connected with the licensee under this Act, or if any individual who has been denied a license, or whose license had been revoked or suspended, or has filed to secure the restoration of his license if it has been suspended, or has been a responsible managing officer or employee of any partnership, corporation, firm or association whose application for a license has been denied, revoked, or suspended, or who has failed to secure the restoration of its license if it has been suspended, shall in anyway become associated with or be employed by a licensee, the licensee shall notify the Board in writing ten days from such cessation, association or employment. Such notice may entitle the license concerned to remain in force within reasonable period as determined by the rules prescribed by the Board.

Section 22. Failure to notify in case of disassociation. If the license fails to notify the Board within the ten-day period in accordance with the preceding section, his license shall be ipso facto suspended. Such license may be restored, however, upon the filing of an affidavit, executed by the licensee or the duly authorized responsible managing officer of the licentiate firm, with the Board, to the effect that the person originally appearing for examination on behalf of the licensee has been replaced by another individual, that this individual has been qualified by examination, that he can comply with the provision of this section and that he has not had his license suspended or revoked or that he has not been connected with a licensee whose license has been suspended or revoke due to the lack of a good character required of an applicant for a license.

Section 23. Issuance of licenses. Upon the payment of the corresponding fee and the filing of the application, and after examination and investigation as may be required, the Board within fifteen days after the approval of the application shall issue a license to the applicant permitting him to engage in business as a contractor under the terms of this Act for the remaining part of the fiscal year.

Section 24. Death. A surviving member or members of a licensed partnership by reason of death shall be entitled to continue in business under such license until the expiration date thereof, if an application for permission is made to the registrar within thirty days after the death of the deceased member, and approved by the Board.

Section 25. No examination required. Contractors actively engaged in the construction industry at the effectivity of this Act and licensed as such for the last five years, may upon application, be issued license without necessity of examination.

ARTICLE V Records

Section 26. Publication of list. The Board shall publish, at least once a year in a newspaper of general circulation, a list of the names and addresses of contractors, registered under this Act and of the licenses issued, suspend or revoked, and such further information with respect to this Act and its administration that it deems proper.

Copies of such lists may also be furnished by the Board upon request to any firm or individual upon payment of a reasonable fee as fixed by the Board.

Section 27. Changes. All licenses shall report to the Board all changes of personnel, name, style or addresses recorded under this Act within thirty days after the changes are made.

ARTICLE VI Disciplinary Action

Section 28. Causes for disciplinary action. The following shall constitute causes for disciplinary action:

- (a) Willful and deliberate abandonment without lawful and/or just excuse of any construction project or operation engaged in or undertaken by the licensee as a contractor;
- (b) Willful material and substantial departure from or disregard of plans and/or specifications in any material respect, and prejudicial to another without consent of the owner or the person entitled to have the particular construction project or operation completed in accordance with such plans and/or specifications or their duly authorized representations;
- (c) Willful misrepresentation of a material and substantial fact by an applicant in obtaining a license;
- (d) Aiding or abetting an unlicensed person to evade the provisions of this Act, or knowingly combining or conspiring with an unlicensed person, or allowing one's license to be used by an unlicensed person, or acting as agent or partner, or associate, or otherwise of an unlicensed person with the intent to evade the provisions of this Act.
- (e) Failure to comply the provisions of this Act;
- (f) The doing of any willful or fraudulent act by the licensee as a consequence of which another is injured or damaged; and

(g) The participation by a licensee in the performance by any partnership, corporation, firm, or association of which he is a responsible managing partner, employee or officer, of any act or omission constituting a cause for disciplinary action under this Act.

ARTICLE VII Disciplinary Proceedings

Section 29. Jurisdiction. The Board shall, upon its own motion or upon the verified complaint in writing of any person, investigate the action of any contractor and may suspend or revoke any license if the holder thereof has been guilty of or has committed any one or more of the acts or omission constituting causes for disciplinary action.

Section 30. Prescription. All accusations or charges against licensees shall be filed within one year after the act or omission alleged as the ground therefor, except that with respect to an accusation alleging a violation of subsection (c) of section twenty-eight the accusation may be filed within two years after the discovery by the Board of the alleged facts constituting the fraud or misrepresentation.

Section 31. Restoration or renewal of licenses. After suspension of the license upon any of the grounds set forth in this Act, the Board may lift such suspension upon proof of compliance by the contractor with the requirements and conditions set forth by the Board.

After revocation of a license upon any of the grounds set forth in this Act, it shall be renewed or reissued within a period of one year after the final decision of revocation upon proper showing that all losses caused by the act or omission for which the license was revoked have been fully satisfied and that all conditions imposed by the decision of revocation have been complied with.

Section 32. Jurisdiction. The lapsing or suspension of a license by operation of law, by order or decision of the Board or other competent authority, or the voluntary surrender of a license shall not deprive the Board of jurisdiction to proceed with any investigation of or action or disciplinary proceedings against such license, or to render a decision suspending or revoking it.

ARTICLE VIII Enforcement and Penalties

Section 33. Enforcement by officers of the law. It shall be the duty of all duly constituted law enforcement officers of the national, provincial, city and municipal government or any political subdivisions thereof, to enforce the provisions of this Act and report to the Board any violation of the same.

Section 34. Enforcement by the Board. Should any contractor not licensed by the Board engage on attempt to engage in the business of contracting, the Board shall have the right

to institute the proper action in court and secure a writ of injunction without bond, restraining the said contractor.

Section 35. Penalties. Any contractor who, for a price, commission, fee or wage, submits or attempts to submit a bid to construct, or contracts to or undertakes to construct, or assumes charge in a supervisory capacity of a construction work within the purview of this Act, without first securing a license to engage in the business of contracting in this country; or who shall present or file the license certificate of another, give false evidence of any kind to the Board, or any member thereof in obtaining a certificate or license, impersonate another, or use an expired or revoked certificate, or license, shall be deemed guilty of misdemeanor, and shall, upon conviction, be sentenced to pay a fine of not less than five hundred pesos but not more than five thousand pesos.

ARTICLE IX Miscellaneous Provisions

Section 36. License required in biddings. All architects and engineers preparing plans and specifications for work to be contracted in the Philippines shall include in their invitation to bidders and in their specifications a copy of this Act, or such portions thereof as are deemed necessary to convey to the invited bidder, whether he is a resident of the Philippines or not, the information that it will be necessary for him to have a license before his bid is considered.

Section 37. Individual License. It is unlawful for any person who is a responsible managing partner, officer or employee of a licensed partnership, corporation, firm, association or other organization to individually engage in the constructing business of individually act in the capacity of a contractor within this jurisdiction without having a license in good standing to so engage or act.

Section 38. Joint licenses. It is unlawful for any two or more licensees, each of whom has been issued a license to engage separately in the capacity of a contractor, to jointly submit a bid or otherwise act in the capacity of a contractor without first having secured an additional license for acting in the capacity of such a joint venture or combination in accordance with the provisions of this Act as provided for an individual, partnership or corporation.

ARTICLE X Fees

Section 39. Fee. The amount of fees prescribed by this Act shall be as follows:

- (a) Fifty pesos for an original license;
- (b) Sixty pesos for examination of an applicant;
- (c) Fifty pesos for an annual renewal.

ARTICLE XI Renewal of Licenses

Section 40. Renewal. A license may be renewed by the filing of a renewal application with the registrar not later than June thirtieth of each fiscal year, accompanied by the annual renewal fee. A license renewed thereafter shall be subject to an additional fee of Twenty Pesos.

Section 41. Non-renewal of licenses. No license which has been under suspension for more than a year immediately preceding the filing of an application for renewal shall be renewed.

ARTICLE XII Special Provisions

Section 42. Separability Clause. If any provisions of this Act is held unconstitutional, the other provisions shall not be affected thereby.

Section 43. Repeal. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Section 44. Effectivity. This Act shall take effect upon its approval.

Approved: June 19, 1965



Application for Special License of JOINT VENTURE with the PHILIPPINE CONTRACTORS ACCREDITATION BOARD



The following pertinent documents and information are to be submitted in support of the special license application of **JOINT VENTURE** – a cooperative arrangement between licensed constructor (all Filipinos, all non-Filipinos, or a combination of Filipinos and non-Filipinos) to jointly perform a single specific undertaking/projects with each of the partners contributing to the performance.

A. Legal	•		
[]2. Ger []3. Join []	accomplished and notarized application feral Information Sheet (PCAB Form 902) t Venture Agreement, which includes, amount of the project by title, ow 3.2 Stipulation as to the specific role/partner/s, capital contribution, profit 8	ong others, the following: wher/tendering agency and loc participation of constructor pa closs sharing and joint liability	ation. artner/s and non-constructor of partners.
[] 4. Cop dis	3.3 Joint Resolution of all partners approbehalf of the joint venture by of "Invitation to Bid" or "Instruction to Bid seminated by the owners/tendering agency 4.1 Deadline for submission of Intent/Intendeding;	Iders" or "Notice to Bidders" poyshowing the following:	ublished in newspapers or
[] [] 5. Co [] 6. Co	4.2 Funding, 4.3 Required License Category, Project I/Oy of valid PCAB License and Registration by of Special License of Foreign Construct 6-addressed and self-stamped letter form/	Kind and Size Ranges for Government Project of ear or-Partner.	ch Filipino Constructor Partner
A. B. ₄Finaı	ncial, Technical and Track Record		₹
[] 8. <u>Fo</u> dur [] 9. For cor [] [] 10. Tra ver []	Joint Venture previously issued special ling the last three (3) years (PCAB Form 9) Joint Venture applying for license categor istructor-partner only: 9.1 Financial Statements/Pre-Operating their combined financial resources (the joint venture. 9.2 Technical Personnel Partners' statement under oath contanominated sustaining technical personicity venture. ck Record/projects relevant to the project nature or each constructor partner (if not presoned to the project owner or in case of subcontrations of Subcontract, from the prime/main contant (10.3 For privately-owned projects only: Cetal Tax Withheld (Form 1743.1/1743.750 contract/subcontract.	py, project kind/s, size range/s y, project kind/s, size range/s Balance Sheet/Partners' State pre-operating balance sheet) sining the names and other deformed to be assigned in the implement/s applied for undertaken actionsly submitted) ment/s duly authenticated by the prime/main contract ompletion from tendering agentaticated. Private Copy of Certificated	different from that of lead ement under oath containing to be committed/invested in tails of their respective elementation of the project of the and completed by the joint the tendering agency or for. cy or project owner, or in case of the of Creditable Income
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Revised 05/17/04



Application for Special License Issued to JOINT VENTURE with the PHILIPPINE CONTRACTORS ACCREDITATION BOARD



In behalf of	
(Name of Joint Ver	
I respectfully request that said company be issue bidding for and/or undertake the construction of	ed a Special License to participate in the the project described below:
Project Title :	
Loan Agreement No.:	
Date "Notice to Bidders" was published o received	
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Date of Bidding :	
	Authorized Managing Officer
	(Signature over printed name)
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	Until December 31, 20

GENERAL INFORMATION SHEET (For Special License of a Joint Venture/Consortium of Contractors)

٨.	CONTRACTORS IDENTIFIC							
	Registered Name of Joint Ventu	ıre/Consortiu	m:					
	Address of Firm in the Philippines:		····	Tel. f	lo.			
	If provincial based, contact addres	s in Manila, if	any:	Tel. N	No.			
3.	JOINT VENTURE/CONSOR	RTIUM PART	NERS					
					Capital Si Voting shares	Non-voting shares		
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	Authorized Managi	ng Officer				Sign	ature/Date	

LIST OF COMPLETED/ON-GOING CONSTRUCTION PROJECT(S) In the Philippines during the last three (3) years

TITLE OF PROJECT / LOCATION TENDERING AGENCY/PROJECT OWNER	DATE CONTRACT WAS SIGNED SCHEDULED COMPLETION	LENDING INSTITUTION (e.g. IBRD, ADB, OECF) LOAN AGREEMENT	PER CENT (%) COMPLETED ACTUAL DATE	
(e.g. DPWH, MWSS, NIA, etc.)	DATE	NO.	COMPLETED	
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Department of Trade and Industry Construction Industry Authority of the Philippines PHILIPPINE CONTRACTORS ACCREDITATION BOARD 2nd Floor, Jupiter I Building, #56 Jupiter Street, Bel-Air Village, Makati City, Philippines 1209 Tel./Fax Nos. (632) 8979336; (632) 895-4220

I	Date	:		
•	То	;		
		Subject:		
	This is For ap followin	proved applic	that the above subject applications, your license is now	cation/s has/have been approved/disapproved. ready for release upon compliance with the
		Payment of	☐ Additional License Fee ☐ Back Fees ☐ ARC Registration Fee TOTAL Instead of cash, payment ma	P
			(CIAP)	
		Submission of	of : '	
			nant is not the RAR/AMO, the represented RAR/AMO.	sentative will be required to submit an authorization
	PCAB payme from F	office or you ent and the ab	n may request the DTI region ove required documents toget will then send the license and	I requirements and claim your license from the nat or provincial office nearest you to accept ther with the corresponding mailing fees to and Official Receipt for the above fees to said DTI
	For dis	sapproved app	olications, please see attached	Notice of Disapproval.
	Please	e be guided ac	cordingly,	•
В.	Public	Assistance Do		
 oe fil	led up	by the applicant		
		Contractors A dg., 56 Jupiter S	Accreditation Board St., Bel-Air Makati City, Ph	ilippines
		·		

						AFFIDA	VIT				
, I, _ epose ar	nd say:				, <i>E</i>			pino, married/ worn to in acc			
1.	That	ı	am	the	Propri	etor/Author	ized	Managing	Officer	(AMO)	
					(Na	me of Firm)				
2.	contrac	to tra ctor's l	nsact licens	e or ar	ny applio	PCAB; i.e, cation relat	prese ed the	, whose pict nt for pre-so reto, file/folk application o	reening my ow-up, sub	applicatio mit docum	n f
							(Si	gnature over	Printed Na	ame)	
								HOME /MAILI	NG ADDRESS	- Activities	
3.								any or all ac s stated here		tation mad	le
4.	That I		take t	o notify	PCAB	in the ever	it that f	this appointr	nent is mod	dified, ame	nd
								AFF	IANT		
UBSCRI ommuni	BED and ty Tax Co	d swori ertifica	n to be te No.	efore me	e this	day of issued a	at	, 20_ on_	, affiant e	xhibited his	/he
oc No. age No ook No.				·							

you transact with PCAB)

				Al	FIDAVIT				
Ι, _				, o , after	f legal age, F having beer	ilipino, marr sworn to in	ied/sin	gle with po	stal address law, hereby
se ar	nd say:								
1.	That	l am		orized	Managing	Officer ;	(AN	IO) of	
			(Name of fi	irm)					
, 2.	whose for pre file/foll	picture a -screenin	estated firm nd signature g its applicat ubmit docun the like	appear	below, to tr ontractor's l	ansact bus icense or a	iny ap	plication re	elated ther
		1				(Signature	over F	Printed Nar	me)
						HOME /	MAILING	ADDRESS	
	by the	above re	are that we a epresentative ndertakes to oked	in conn	ection with	he function	ns stat	ed herein.	
					nagar y y damatain		AFFIAI	NT	
SCRI muni	BED and ty Tax C	d sworn to ertificate I	before me thi	s	_day of issued at	<u> </u>	_, 20_ on	_ affiant ex	hibited his/l
e No. k No.		·							

(Note: Please submit original and one duplicate to PCAB. Keep another copy for presentation everytime you transact with PCAB)



PCAB Form No. 700 APPLICATION FOR SPECIAL CONTRAC By a FOREIGN CONTRACTOR with the PHILIPPINE CONTRACTORS ACCREDITATION BOARD



7			ACTORS ACCREDITA		BEFARTMENT OF TRADE AND BOOMER FM 34 1 F F S M F S
Chapklist of	roquiromonte	for Special License App			
The following	pertinent docu	ments and information are	to be submitted in sup	port of the license appli-	cation:
A. LEGAL	, por			.,	·*
	Duly accomplished	d and notarized application for	or Special License by Fore	eign Contractor (PCAB For	m 701)
[] 2. (General Informati	on Sheet (PCAB Form 702);			
	of the corporation	Registration, Articles of Inco and By-Laws and subseque	rporation or Partnership, s nt amendments thereto by	showing construction as on the Securities and Exchai	ne of the primary purposes nge Commission (SEC) for
[] 4. E	Board Resolution to act for and in b	nership applicant; authorizing its Authorized Ma ehalf of the company, and de	fining the scope and/or lin	nitations of the powers of t	he RAR/AMO
·	the home	ppointment paper/contract of empountry of the RAR; rance for newly nominated Fi			
á	and longer, or cei country of the RA	tified true copy of NBI Cleara R;	nce Equivalent of RAR du	ily authenticated by the Ph	il. Embassy in the home
		aking of the RAR/AMO (PCA			
[]/. /	Allen Certificate d Authoriticated din	f Registration and current wo loma and/or transcript of reco	rking visa of the KAK; ards as well as PRC ID/col	rtificate of registration or ec	nuivalent (for new
	RAR professiona		ilda da Well da i TVO IDIGO	mode of registration of oc	quiraient (ioi non
[]9.E i	Board Resolution in behalf of the fo such agent cannot are to be a such a su	appointing and authorizing the reign contractor applicant, and the found at his address of r	d authorizing PCAB, in the ecord, or upon cessation (e absence of the Filipino R of business of the foreign o	esident Agent, or where contractor in the
[]10. C	Original or certifie	cept summons or legal proced true copy of valid Contracto	r's License/Permit/Authori	ity issued by the appropriat	te government agency
[]11. C	Certification from	d by the Philippine Embassy i the appropriate Tendering Ag	ency that the project is for	reign financed/international	lly funded and that
i	international bidd	ing is required, or the particip ed into by and between the Pl	ation of foreign contractor	s is allowed under the term	ns of the Bilateral
(Certification that t	the project is to be implement	ed in accordance with the	Expanded BOT Law or R/	A# 7718, or other laws of
	similar nature, an (PCAB Form 704	d that other requirements, un	der existing laws, have be	en waived in the loan agre	eement, if any
[]12. (Òriginal or certifie	d true copy of "Invitation to B		s" or "Notice to Bidders" or	original ad/clipping
		lied for showing the date of b trantee from the parent comp		bsidiary of a foreign contra	actor.
[]14.	Self-addressed &	self-stamped letter form/noti	ce. (PCAB Response Forr	m)	
B. FINANC	CIAL				
d (diskette / CD (com PCAB Financial S application forms)	Statements dated within the pact disc) containing the firm statement Forms A & B down to be submitted with the follow	i's Audited Balance Sheet loadable from the DTI web wing supporting documen	& Income Statement in the site at <u>www.dti.gov.ph</u> toge nts, <u>if applicable:</u>	prescribed template ether with the perlinent
	in the	d companies, copy of the Anr Audited Income Statement in al copy of Bank Certification/I he balance sheet date;	mediately preceding the f	filing of application, if applic	cable;
	[] 15.3 List of	5.2.1 Authorization to deposi Construction and/or Transpo	rtation/Delivery Vehicles/E	o. 705); Equipment/Machineries/Pla	ant owned by the company
	[]1	gistered in its name (PCAB F 5.3.1 Certified true copy of the or registrable construct	ne LTO Certificate of Registion and/or transportation/o	delivery vehicles reported;	
[] 16.		5.3.2 Certified true copy of D BIR & other agencies (PCAE	Deed of Sale for non-regis	trable construction equipm	ent/machineries.
C. TECHN					
[] 17.	List of STEs (P [] 17.1 Nomin	CAB Form No. 708) supporte ated Sustaining Technical Er	d by the following docume nployee (STE) affidavit/s (ents for each STE: (PCAB Form No. 709) with	passport size picture/s
	of the	nominated STE/s; 1.1 Certified true copy of val	id PRC ID of STE as licen	sed professional or origina	l Certification of Good
	[] 17	Standing for those awaiting 1.2 Original NBI Clearance/s	ng issuance of new or rend s of STE/s	ewed PRC ID	
	[]17.	1.3 Special PRC Permit, Alie fidavit/s of Construction Expension	en Certificate of Registration Frience (PCAB Form No. 7	710);	
	F. L. 17.3 Person	al Appearance Form duly acc PCAB or the nearest DTI reg	complished and signed by	the STE/s appearing betor	re the designated officer
D. TRACK	(RECORD Copy of single I	argest relevant construction o	contract or subcontract ag	reement completed and/or	Change Order/
,	Supplemental A	Agreement, if any, certified trundertaken outside of the Phili	ie by the Project Owner or ppines, the aforesaid doci	r Prime Contractor for sub- uments must be duly authe	CONTROL WOLK:
[] 19.	Philippine Emb	assy or Consulate Office in th	e country where project is a certified true by the Proj	s located; iect Owner or Prime Contra	actor for sub-contract work
	If project was e	undertaken outside the Philipp insulate office in the country vivided projects only: Certified	omes, the aforesaid docur where project is located:	nents must be duly authern	ticated by the 1 milphine
	1743 750/2307	vined projects only: Certified) stamped received by the Bl onse Form (self-address	R for each contract/subcol	ntract.	`
MOTEC: 4 Th	o DAD/AMO mijet ei	on each and every page of the app	lication forms and supporting o	documents.	
	For NEW RAR/AMO:	Personal Appearance/interview by ce Room 4 th Fir. Jupiter I Bldg., 56 uled date may be deemed as aban	Juniter St., Bel-Air Village, Mak	kati City. Warning: Failure	
				<u>-</u>	
DO NOT	FILL (For PCAE), of pages submi	use only) tted:	Checklisted	by:	Date
Remarks					
Revised 06/28/03					



Application for SPECIAL CONTRACTORS LICENSE By a FOREIGN CONTRACTOR with the PHILIPPINE CONTRACTORS ACCREDITATION BOARD



In behalf of			
	(Name of Applican	<u>t)</u>	
I respectfully request that			prequalify for, bid on and
undertake the construction			proquanty for, ord on and
undertake the construction	for the specific project	described below.	
Phone I also A Tribba			
Project Title	: <u></u>	-	
		·	
			
Project Location			
Implementing Age			
State if project is c	overed by:		
[] Bilateral	Agreement calling for	international competi	tive bidding
[] Expande	ed BOT Law or other e	xisting laws of similar	nature
Funded by	•		
Loan Agreement N		<u>.</u>	
Date "Notice to Bio	ders' was published o	r date 'Invitation to Bi	dders' was received
by the applicant	·	- date minden to be	440,0 1,40100000
Date of Bidding	· 		
Special License Co	ategory and Classificat	ion/s applied for:	
	egory	Classification	
Cal	egory	Classification	
			•
			•
D : UK: 1 10			
	ize Range applied for:		
Pro	ject Kind	<u>Size Range</u>	
	•		
·			•
•			
The documents and infor	mation in support of th	nis license application	n as per attached checklist
are hereby submitted. I h	ereby declare that all t	the information and d	ocuments contained in this
			n fully aware that I shall be
personally held liable for a			
personally field habit for a	iny misrepresentation	that may be lound not	TOTAL
•		•	
Signature over printed name of		tive (RAR)/	Date Signed
Authorized Managing	Officer (AMO)		
Republic of the Philippine	s)		
	_) s.s.		
CHRCCHIRC AND CWO	Mita hafara mathia	day of	20 at
SORSCRIBED AND SWOL	(N to before the this	uay or	munity Tay Certificate
SUBSCRIBED AND SWOI	, armant e	exhibited to the his Com	20
No	issued at	OII	20
DOC. NO			
PAGE NO;			
BOOK NO;			
SERIES OF		NOTAR	Y PUBLIC
SEKIES OF			mber 31, 20
		Omin Door	

GENERAL INFORMATION

For Special License by a Foreign Contractor

lame of Firm:				
Office Address in the	Philippines:	Te	el. No.:	
	, F F ···············			•
a and a second		-	.l. B.l	
Office Address in the	e Home Country:	16	el. No.:	
Type of Organization				
SEC Registration No.	[] Corporation Date Registered:	[] Partnership SSS Employer's		
oce registration no.	Date Registered.	333 Employer 3	1.0. 10.	٧.
		<u> </u>		
MATERIA (CTO OVILLE	0. DED <i>0 /</i> 0553055		10.1	
WNERS/STOCKH	OLDERS/OFFICER	(For Corporati	on and Partner Capital	
Name	Position	Nationality		
				
. AFFILIATION W	ITH OTHER LICE	NSED CONTRA	CTORS	
Name o	f Affiliated Firm/	5	Nature	of Affiliation
				:

		CERTIFIED COF	RRECT BY:	
		CERTIFIED COF	RRECT BY:	
	· ·	CERTIFIED COF	RECT BY:	

Republic of the Philippines) Province of				Passport size picture of AMO
Municipality of) 5.5.			of Alvio
I, (Suman and residing in the Philiphaving duly sworn in accord 1. That I am the Resident A 2. That I possess the follow	me, First Name, Middle I ippines at dance with law depos lien Representative/Autt empov	e and say: norized Managii vered to render	(Nation	of legal age, rality) and administrative decisions.
NAME OF SCHOOL	ADDRESS		DEGREE EARNED	INCLUSIVE DATE OF ENROLLMENT
1				
That I possess at least ty POSITION	vo (2) years of experienc COMPANY NAME AND NATURE OF BUSINESS	e in the constr		DATES OF
(use additional sheet if necessary) 4. That I possess knowledg rudimentary administrati and from the following tr	ve principles of constru	ction contractir	n laws of the Republic ng from my work expe	of the Philippines & the riences in item 3 above
TRAINING/SEMINAR	CONDUCTED	BY	ADDRESS	TRAINING
or any act of omission lia frat I have not been con Section 4.2); That I am fully aware the therefrom shall cause my That I authorize the PCA PCAB may consider appreciate the period of the period	ble for disciplinary action nvicted by a court of control at my failure to notify P of disqualification to be a B to verify and investigation of perjury that all inform	n by myself or inpetent jurisdic CAB of my disa Resident Alien ate any or all in	in collaboration with an tion of any offense involu- association from my pre Representative or Auth aformation in this instr	ument from whatever sources
FURTHER, AFFIANT SA	AYETH NAUGHT.			
			Affiant	
exhibited his/her Commi	sworn to before munity Tax Certificate	e this No	day of issued	, 200affiant aton
Doc. No; Page No; Book No; Series of 200	- '		Notary P	

CERTIFICATION

This is to certify that the project	
funded under Loan Agreement Nobidding or is covered by the BOT Law.	, is subject to international competitive
This is to further certify that the followen waived in the loan agreement:	owing requirements under existing laws have
Specific Requirement Waived	Provision in the Loan Agreement waiving the requirement
<u> </u>	
	•
· · · · · · · · · · · · · · · · · · ·	·
	Certifying Officer / Position (Signature over Printed Name)
	Name of Agency
	 Date

THE MANAGER	
	
Subject: Account#	<u> </u>
Sir:	. ,
Please provide the Philippine Contractors Accre Department of Trade and Industry, any information	editation Board (PCAB), a government agency under the on they need regarding the subject account with your bank.
I am applying for a contractor's license from PCA bank deposits and other assets of an applicant.	AB and part of their evaluation process is the verification of
This will serve as your authorization to release at the above subject account.	ny information that may be requested by PCAB regarding
Thank you.	
	Very truly yours,
	Signature over Printed Name of RAR/AMO
	Company Name
,	Date

Revised 03/31/04

Note: To be submitted in two (2) copies.

A. LIST OF DELIVERY AND TRANSPORTATION EQUIPMENT OWNED BY AND REGISTERED IN THE NAME OF THE COMPANY ASOF THE BALANCE SHEET DATE

	COMPL	ETE DESCR	RIPTION		ACQUI	SITION	воок
Plate No.	Chassis No.	Engine No.	M.V. File No.	CR No.	Date	Cost	VALUI
						₽	₽
			-			_	
				<u> </u>			
· · · · · · · · · · · · · · · · · · ·							
TOTA	1	<u> </u>	<u> </u>			₽	₽

B. LIST OF MACHINERIES/PLANTS AND OTHER CONSTRUCTION EQUIPMENT OWNED BY THE COMPANY AS OF THE BALANCE SHEET DATE

COMPLETE	SERIAL NO.	ACQUI	SITION	воок
DESCRIPTION	SERIAL NO.	Date	Cost	VALUE
			₽	<u>₽</u>
1				
TOTAL			P	₽

AUTHORIZATION

The Philippine Contractors Accreditation Board (PCAB) is hereby authorized to verify and secure information and/or copies of documents submitted by or in the name of the firm to any or all of the following agencies relative to its application filed with the PCAB:

- 1. Bureau of Internal Revenue
- 2. Securities and Exchange Commission
- 3. Land Registration Authority
- 4. Land Transportation Office
- 5. Social Security System

Name of Applicant Firm	
By:	
Signature over Printed Name of RAR/AN	1 0
Date:	

LIST OF NOMINATED SUSTAINING TECHNICAL EMPLOYEES OF THE COMPANY

	PRC	REGISTRA	TION	Date	Position
	Number	Date Issued	Profession	Employed mm/dd/yy	in the Firm
1					
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May be reproduced if necessary				Revised 03/31/04	

Signature over Printed Name of RAR/A	MO
Company Name	
Date Signed	

Republic of the Philippines) Province of) Municipality of) S.S.	Passport size Picture of STE
STE AFFIDAVIT	
I, LAST NAME FIRST NAME COMPLETE MIDDLE NAME	_, Filipino, of legal age,
born on /_ /_ /_ / _ / single/married to	
MMDDYY	having duly sworn in
accordance with law depose and say:	
1) That I am duly licensed and holder of PRC reg	gistration no.
valid up to (copy of my PRC is attached at the bac 2) That I hold a Bachelor's Degree in given on	ck hereof);
at given on	
 3) That my Tax Identification Number (TIN) and Social Security No. are /_ and /_/_/_/_/_/_/_/_/_/_/_/_/_/ respectively; 4) That I am not presently employed in any government office or government confice or government of the corporation, nor a full time instructor, nor working abroad; 5) That I am full-time employee of	/_/_/-/_/_/-/_/-/_/_/ vernment owned/controlled
 6) That I am not a holder of a contractor's license; 7) That I am not involved in any construction malperformance suggestive of or malpractice or any act of emission liable for disciplinary action by mystany other person; 8) That I have not been convicted by a court of competent jurisdiction of a turpitude; 9) That I am fully aware that my failure to notify the PCAB of my disast employer within 30 days therefrom shall cause my disqualification employee or authorized managing officer or a license applicant with PCA. 10) That I authorize the PCAB to verify and investigate any or all inform 	f negligence, incompetence self or in collaboration with my offense involving moral association from my present to be sustaining technical B;
whatever sources PCAB may consider appropriate. 11) That I am executing this affidavit to attest to the truth of the foregoing.	ation in this arridavit from
FURTHER AFFIANT SAYETH NAUGHT.	
Affiant	
SUBSCRIBED and sworn to before me thisday ofhis/her Community Tax Certificate No issued at	, 200 affiant exhibited on
Doc. No	00

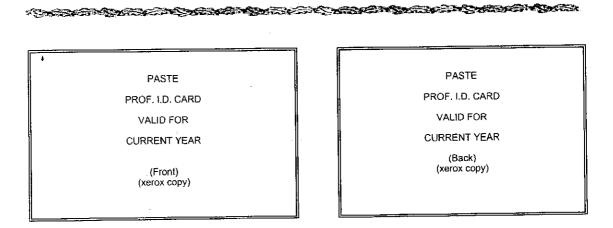
INSTRUCTIONS ON FILLING UP PCAB FORM NO. 709

QUALIFICATION REQUIREMENTS OF SUSTAINING TECHNICAL EMPLOYEE

- 1. A technology professional, such as engineer or architect, duly licensed by the Professional Regulation Commission.
- 2. Holder of a Professional I.D. valid for current year.
- 3. Possesses at least three (3) years of experience in implementation of construction to which he is to be nominated
- 4. A full-time employee of the nominating contractor, not associated professionally or by employment with any other party, particularly a party engaged in construction or construction-related activities
- 5. Have none of the following disqualifications:
 - a) Involvement, in any capacity, in any construction malperformance of grave consequence, suggestive of his negligence, incompetence and/or malpractice;
 - b) Involvement, by himself or in collaboration with any other person or firm, in any act or omission liable for disciplinary action of which he is or the other person or firm was found guilty by the Board;
 - c) Conviction by a court of competent jurisdiction of any offense involving moral turpitude; and
 - d) If formerly a Sustaining Technical Employee or an Authorized Managing Officer of any construction firm but disassociated therefrom, failure to notify the Board of his disassociation in accordance with paragraph 5 and 6 of the Affidavit of Undertaking.
- 6. Not a holder of a Contractor's License.

If you meet the above requirements, kindly accomplish this affidavit. Erasure must be properly initialled.

All statements are subject to verification and any false statement or willful misrepresentation of a material fact in obtaining a license shall be grounds for disapproval of this application.



This is to certify that I have verified with PRC the abovestated professional eligibility/registration of the Sustaining Technical Employee, Affiant herein, and found the same to be true and correct.

			_	
Signature ov	er Printed	Name	of the	RAR/AMO
Dat	te:			

Photo			PCAB F	orm No. 710
Republic of the Philippines)				
Province of)	•			
Municipality of) S.S.			-	
•				
AFFIDAVIT OF STE CONSTRUCTION EXP	ERIENCE			
I,	single/married,	Filipino, of legal age	e, with postal	address at
	, ;	naving been duly swo	rn in accordar	nce with law
depose and say that the projects enumerated	below constitute	my full & complete cons	illuction expend	311CG.
NAME and	Work	Nature/Scope of	PRO	
COMPLETE ADDRESS of EMPLOYER/ NAME & LOCATION of PROJECTS	Classification (GE, GB, SP)	Work Assignment (Proj. Engr.)	DURA (mm/c	
UNDERTAKEN	(GE, GD, St)	(i roj. Engr.)	From	To
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,			<u> </u>	
That I authorize the PCAB to verify and inv	estigate any or all	information in this affi	davit from wha	tever sources
PCAB may consider appropriate;				1
That I am executing this affidavit to attest to t	he truth of the fore	egoing.		
FURTHER AFFIANT SAYETH NAU	GHT.			
		Affiant		
SUBSCRIBED and sworn to before me	this day o	of	_, 200 affia	ınt exhibited
SUBSCRIBED and sworn to before me his/her Community Tax Certificate N	٧o	issued at	<u> </u>	on
·				
Doc. No;	•			
Page No;		N	otary Public	
Book No. ;		Until 1	December 200)
Series of 200				

Revised 03/31/04

.

Name:		Sex:	
Address:			,
'rofession:	PRCR	eg	
Nominating Firm:			
Contractor's License No.:	.		
nereby confirm the following:	•		
The veracity of the information reflected Experience (PCAB Form Nos. 107 & 108, firm;	on the STE Affida copies attached) the	avit and Affidav at I executed in	it of Constru favor of the a
That I am fully aware that my failure to r stated nominating firm and any misrep disqualification as sustaining technical en applicant with PCAB per Board Resolution	presentation in the aployee, or authorize	attached forms ed managing off	s shall cause
That I have been previously connected wi	th the following com	panies:	
Previous Employers	Date of Employment	Date of Resignation	Position
			
			,
Other Remarks:			
		<u> </u>	
		STE's Signature	3
	Date Signed:	STE's Signature	
	Identification		Presented:
	<i>Identification</i>	n Documents P	Presented:
	<i>Identification</i> 1. PRC ID valid unti	n Documents P	resented:
ersonal Appearance and Presentation f Two (2) Identification Documents ttested by PCAB designated staff or	<i>Identification</i> 1. PRC ID valid unti	n Documents P	resented:
ersonal Appearance and Presentation f Two (2) Identification Documents ttested by PCAB designated staff or OTI Regional/Provincial Staff	<i>Identification</i> 1. PRC ID valid unti	n Documents P	resented:
ersonal Appearance and Presentation f Two (2) Identification Documents ttested by PCAB designated staff or	<i>Identification</i> 1. PRC ID valid unti	n Documents P	resented:



Department of Trade and Industry Construction Industry Authority of the Philippines PHILIPPINE CONTRACTORS ACCREDITATION BOARD 2nd Floor, Jupiter 1 Building, #56 Jupiter Street, Bel-Air Village, Makati City, Philippines 1209 Tel./Fax Nos. (632) 8979336; (632) 895-4220

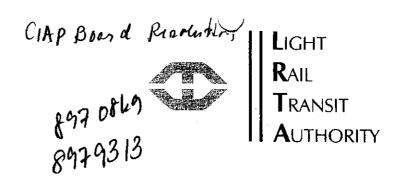


	*		
To,	•	· · · · · · · · · · · · · · · · · · ·	
	Subject:		
		that the above subject emplication/s has/have been approved	d/disapproved
		that the above subject application/s has/have been approved	
		cations, your license is now ready for release upon compli	ianoc with the
followi	ng:		
	Payment of		
		☐ Additional License Fee ₽	
		□ Back Fees ₽	
		☐ ARC Registration Fee ₽	
		Instead of cash, payment may be made in check (cash, payment may be made in cash, payment may be made in	ashier's check
	•	manager's check or PMO) addressed to the Constru Authority of the Philippines (CIAP)	uction Industry
	Submission (of ;	
			 .
à	from the RAR/A		
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		Passport size (Signature over	Printed Name)								
		Picture of Representative									
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		 That we are aware that we are responsible/liable for any of made by the above representative in connection with the function. That the firm undertakes to notify PCAB in the event that this amended or revoked. 	ons stated herein.								
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(Note: Please submit original and one duplicate to PCAB. Keep another copy for presentation everytime you transact with PCAB)



DEPARTMENT OF PURENT AND MANAGEMENT COVERNMENT PROCUREMENT POLICY BOARD

TECHNICAL SUPPORT OFFICE

18 April 2008

GOVERNMENT PROCURMENT POLICY BOARD (GPPB)
Unit 2506, Raffels Corporate Center, Ortigas center
Pasia city

Attention:

Atty. RUBY U. ALVAREZ

Executive Director

Dear Madam:

The Light Rail Transit Authority (LRTA) is presently in the process of re-bidding the Electromechanical Works contract package for the LRT Line 1 North Extension Project. Among the major sub-systems comprising the said package are the following:

- 1) Signaling;
- 2) Telecommunications;
- 3) Automated Fare Collection System (AFCS); and
- 4) Trackworks

The scope work for each sub-system includes Design, Manufacturing, Supply, Installation, Testing and Commissioning. The said contract package involves techniques and/or technologies which are not adequately possessed by Filipino contractors.

Section 23.11.2 of the IRR-A of RA 9184 mentions Joint Ventures (JV) with 75% Filipino interest and 25% maximum foreign interest as among those that may be eligible to bid. Sections 23.6. h) and 23.11.2.2 require said Joint Ventures to have valid PCAB license as such JV.

The problem arises when the said JV applies for a PCAB license. Among the requirements to be submitted is the PCAB license of the foreign JV partner/member. This of course is impossible because a foreign contractor cannot be issued a PCAB license for a project that is fully domestically funded. Consequently, the said JV will in the end not be able to secure a JV PCAB license. Photocopies of the Application for Special License for a JOINT

¹ The Application for Special License of Joint Venture requires the submission of, among others, the Special License of the foreign constructor partner (No. 6). The Application for Special License of Foreign Contractor requires, among others, the submission of the following:

[&]quot;Certification from the appropriate Tendering Agency that the project is foreign financed/internationally funded and that international bidding is required, or the participation of foreign contractors is allowed under the terms of the Bilateral Agreement entered into by and between the Philippine Government and the Foreign/International Financing Institution; or Certification that the project is to be implemented in accordance with the Expanded BOT Law or RA# 7718, or other laws of similar nature, and that other requirements, under existing laws, have been waived in the loan agreement, if any (PCAB Form 704)

VENTURE and Application for a Special License for a Foreign Contractor are hereto attached.

Thus, for the above contract package, no Joint Venture with foreign interest will be eligible to participate. The Filipino contractors intending to bid for the foregoing contract package will have to subcontract with a foreign company that has the technique and/or technologies required. This necessarily increases the contract price as subcontractors put premium on their participation. Also, since the foreign companies are not JV members they are not subject to the "joint and several liability" requirements compelling the local contractor to carry solely the high cost of the safety-related liability insurance coverage on work that is executed by a third party. In fact, the increase would be so dramatic that local contractors indicated their unwillingness to bid if the ABCs are not accordingly adjusted.

Faced with this predicament, LRTA finds refuge in the following provision of the Guidelines in the Determination of Eligibility of Foreign Suppliers, Contractors, and Consultants to Participate in Government Procurement Projects, Appendix J of the IRR-A of RA 9184, which states:

4.2 In the procurement of infrastructure projects, foreign contractors may be eligible to participate in the bidding if they form a joint venture with local contractors; provided that their interest in or ownership of the joint venture shall not exceed twenty-five percent (25%). However, where the structures to be built require the application of techniques and/or technologies which are not adequately possessed by a person/entity which meets the seventy five percent (75%) under Section 23.11.2 of the IRR-A, they may be eligible to participate in the bidding. (Underscoring supplied)

LRTA respectfully submits that the underscored sentence of the quoted provision is applicable to the above-mentioned contract package as it requires "techniques and/or technologies which are not adequately possessed by a person/entity which meet the seventy five percent requirement under Section 23.11.2 of the IRR-A". Thus, "foreign contractors may be eligible to participate in the bidding" of this contract package.

LRTA also submits that even as the foreign contractor will be required to meet other requirements, it should not be required to submit a PCAB license. This conclusion proceeds from the fact that a foreign contractor possessing the technique and/or technology will not be able to secure a PCAB license for an infrastructure contract that is fully domestically funded. The GPPB is aware of this and it would be inconsistent for the GPPB to declare that the foreign contractor "may be eligible" and then require a PCAB license it knows fully well the foreign contractor cannot obtain. It appears reasonable for the LRTA to conclude that a PCAB license for a foreign contractor will not be required in this case. And as long as the foreign contractor meets the other requirements, it will be eligible to bid for the package, or in the proper case, to enter into an alternative method of procurement with LRTA.

As time is of the essence, and since the foregoing package needs to be bid not later than the second week of May, 2008 if the May 2010 deadline of the President for the completion of the project is to be met, the LRTA earnestly seeks the confirmation by the GPPB of its reading or interpretation of the quoted provision and accordingly hereby requests the GPPB

to authorize the participation of foreign contractors in the bidding of the foregoing contract package even without the PCAB license, provided they meet the other requirements.

LRTA hopes to receive said confirmation and authorization not later than 25 April 2008. Thank you.

Very truly yours,

MELQUIADES K. ROBLES

Administrator

Construction Industry Authority of the Philippines Executive Summary

Introduction

- 1. The Construction Industry Authority of the Philippines (CIAP) was created in November 28, 1980 by virtue of Presidential Decree 1746 (as amended by Executive Order (EO) 679 dated April 21, 1981, EO 768 dated January 19, 1982, EO 1008 dated February 4, 1985, EO 133 dated February 27, 1987). It is mandated to promote, accelerate and regulate the growth and development of the construction industry in conformity with national goals. It exercises jurisdiction and supervision over its implementing arms:
 - a. the Philippine Construction Accreditation Board (PCAB);
 - b. the Philippine Overseas construction Board (POCB);
 - c. the Philippine Domestic Board (PDCB); and
 - d. the Construction Industry Arbitration Commission (CIAC).
- 2. As one of the implementing arms, PCAB exercises the powers, duties and functions of the defunct Philippine Constructors Licensing Board, among which are to develop and implement a rational and credible system for the licensing/registration and accreditation of construction contractors, and issue, suspend and revoke licenses and/or registration certificates of construction contractors. Relative to these functions, it collects the costs of registration fees and undertakes income-generating activities as may be necessary in the execution of its functions and responsibilities. All collections by PCAB are remitted to the National Treasury.

Financial Highlights

- 4. For the CY 2005, the Agency reported collections totaling P26.76 million from registration fees of construction companies, balance of arbitration fees from settled cases, and other miscellaneous sources, indicating a decrease of 7% from its CY 2004 income of P28.66 million. These were all remitted to the National Treasury.
- 5. Also, the Agency reported additional collection from arbitration fees in the amount of P18,854,572.70 held in trust and a total disbursement of P11,567,911.85 for the year. Out of the total disbursement, the amount of P10,205,796.04 was expended for arbitrators and other related administrative expenses, and the P956,599.97 representing balances of filing fee and administrative fee from resolved/settled/dismissed cases from January to December 31, 2004 and the amount of P405,515.84 bank interest income for the year 2003-2004 were remitted to the National Treasury.

6. For the year 2005, the CIAP's reported results of operations and financial condition are summarized below:

Sources and Application of Funds

Particulars	2005 (in million pesos)	2004 (in million pesos)	Increase/ (Decrease) (in million pesos)	Percentage	
A. Major sources of funds					
Annual Appropriation-GAA (RA No. 9336, the General Appropriations Acts of 2005)	33.97	33.02	0.95	2.88%	
Subsidy from National					
Government					
Notice of Cash Allocation	32.22	35.17	(2.95)	(8.39%)	
Tax remittance Advice	2.25	2.36	(0.11)	(4.66%)	
Continuing Appropriations	0.48	0.21	0.27	128.57%	
B. Application of Funds					
Expenses					
Personal Services	21.70	21.03	0.67	3.19%	
MOOE	13.42	13.47	(0.05)	(0.37%)	
Acquisition of PPE	none	none			

Financial Condition

Accounts	2005 (in million pesos)	2004 (in million pesos)	Increase/ (Decrease) (in million pesos)	Percentage
Total Assets				
Cash	32.12	24.60	7.52	30.57%
Receivables	0.86	1.10	(0.24)	(21.82%)
Inventories	1.67	1.73	(0.06)	(3.47%)
Prepayments	1.51	1.52	(0.01)	(0.66%)
PPE	5.39	12.56	(7.17)	(57.09%)
Other	0.07	0.07	0.00	0.00%
Total Liabilities				
Current Liabilities	1.90	1.26	0.64	50.79%
Deferred Credits	32.47	25.29	7.18	28.39%
Equity	7.26	15.05	(7.79)	(51.76%)

7. It should be noted that the decrease of 52% in the Government Equity as compared to the previous year's figure was due to the donated IT and Office Equipments to Imus Vocational and Technical School in Cavite which amounted to P6.40M.

Scope of Audit

8. For the year 2005, the audit of CIAP was focused on ascertaining the propriety and legality of receipts and disbursements, the reliability of financial statements and the related reports, the adequacy of books of accounts and subsidiary records, with the end in view of rendering an opinion that the financial statements present fairly the financial position, results of operations and cash flows for the year ended, and determining the extent of compliance with existing laws, rules and regulations.

Audit Opinion on the Financial Statements

9. The Auditor rendered an unqualified opinion on the fairness of the presentation of the financial statements of the Agency as of December 31, 2005.

Summary of Observations and Recommendations

- 10. It is significant to note that most of the errors/adjustments involved minimal amounts, which bear no material effect to the overall financial statements. Furthermore, audit observations have been immediately acted upon by the Management, except for the following:
 - a. The CIAP disbursed P 270,748.00 for the reimbursement of the insurance premium paid by the employees and the December insurance premium totaling P33,544.00 to Fortune Medicare, Inc., which is not in accordance with COA Resolution No. 2005-001 dated February 3, 2005 and other pertinent regulations.

We recommended that the CIAP comply with the provisions of COA Resolution No. 2005-001 dated February 3, 2005, Public Sector Labor-Management Council Resolution No. 04, s. 2002, and the Supreme Court Decision prohibiting the procurement of private health insurance and services for government personnel unless otherwise appropriated. Since there is no legal basis for disbursement of public funds for payment of private healthcare services, the employees should be ordered to return the amount of P270,748.00 paid to them and the December premium amounting to P33,544.00 issued directly to Fortune Medicare, Inc.

b. Year-end balance of Cash-in-Bank Local Currency, Current Account maintained for the Philippine Domestic Construction Board (PDCB) amounting to P204,248.16 had been dormant for five years and remained unreconciled with the bank balance of P166,728.31 or a discrepancy of P37,519.85.

We recommended that the Accountant reconcile the book and the bank balances of sub-accounts under Cash in Bank- LCCA, and remit the cash balances due for remittance to the National Treasury.

c. Account Due from NGAs (136) was overstated by P41,050.60 due to failure in/erroneous recording of office and IT supplies already delivered and received from the Procurement Services.

We recommended that the Accountant make adjustments of the accounts Due from NGAs, Office Supplies Inventory, and Other Supplies Inventory, to take up the unrecorded supplies already received from the Procurement Services, and adjust the amount recorded in excess of the delivered semi-expendable supplies to correct the overstatement of the receivable due from the Procurement Service. Likewise, the delivery of supplies paid in advance to the Procurement Services (PS) be properly monitored. The Supply Officer must call the attention of the PS for the undelivered items and oblige PS to deliver on the agreed date, otherwise, PS should refund the advance payments.

d. Advance payment to the Procurement Service (PS) for the purchase of office and IT supplies amounting to P51,425.05 was recorded as Other Deferred Credits instead of Due from National Government Agencies (NGAs) as prescribed in the NGAS Manual. Consequently, undelivered supplies amounting to P6,358.25 were not monitored and recorded as receivables.

We recommended that the CIAP Accountant strictly adhere to the provisions of the NGAS manual in recording advances to other government agencies to ensure the proper accounting of all financial transactions of the agency. Also make an adjustments to take up the unrecorded receivables of P6,358.25 from the Procurement Service.

e. The accounts Accumulated Depreciation-IT Equipments and Motor Vehicles were overstated/understated by P74,841.63 and P138,227.31 respectively due to the error in booking up the correct amount of depreciation for 2004 for each account and the unrecorded 2005 provisions for Accumulated Depreciation-Motor Vehicles.

We recommended that the Head, Accounting Section adjust the books to reflect the correct balance of Accumulated Depreciation of IT Equipment and Motor Vehicles and to properly present the accounts in the financial statements.

Implementation of Prior Year's Recommendations

11. Of the five prior year's recommendations, four were fully implemented, and the remaining one was not implemented and is reiterated in Part II of this report.



Application for Special License of JOINT VENTURE with the PHILIPPINE CONTRACTORS ACCREDITATION BOARD



The following pertinent documents and information are to be submitted in support of the special license application of **JOINT VENTURE** – a cooperative arrangement between licensed constructor (all Filipinos, all non-Filipinos, or a combination of Filipinos and non-Filipinos) to jointly perform a single specific undertaking/projects with each of the partners contributing to the performance.

A. Legal	, .				
[] 2. General Information Sheet (PCAB Fo [] 3. Joint Venture Agreement, which inclu [] 3.1 Identification of the project b [] 3.2 Stipulation as to the speci partner/s, capital contribution [] 3.3 Joint Resolution of all partr behalf of the joint venture [] 4. Copy of "Invitation to Bid" or "Instruct disseminated by the owners/tendering".	des, among others, the following: y title, owner/tendering agency and location. fic role/participation of constructor partner/s and non-constructor n, profit & loss sharing and joint liability of partners. hers appointing an Authorized Managing Officer (AMO) to act on to Bidders" or "Notice to Bidders" published in newspapers or ng agency showing the following:				
bidding; [] 4.2 Funding Source, Loan Agree [] 4.3 Required License Category,	gistration for Government Project of each Filipino Constructor Partner Constructor-Partner.				
A. B. Financial, Technical and Track Rec	ord				
 [] 8. For Joint Venture previously issued special license/s only: List of completed and/or on-going projects during the last three (3) years (PCAB Form 903) [] 9. For Joint Venture applying for license category, project kind/s, size range/s different from that of lead constructor-partner only: [] 9.1 Financial Statements/Pre-Operating Balance Sheet/Partners' Statement under oath containing their combined financial resources (pre-operating balance sheet) to be committed/invested in the joint venture. [] 9.2 Technical Personnel Partners' statement under oath containing the names and other details of their respective nominated sustaining technical personnel to be assigned in the implementation of the project of the joint venture. [] 10. Track Record/projects relevant to the project kind/s applied for undertaken and completed by the joint venture or each constructor partner (if not previously submitted) [] 10.1 Copy of Contract/Subcontract Agreement/s duly authenticated by the tendering agency or project owner or in case of subcontract, by the prime/main contractor. [] 10.2 Copy of Certificate of Acceptance/Completion from tendering agency or project owner, or in case of subcontract, from the prime/main contractor. [] 110.3 For privately-owned projects only: Certified True Copy of Certificate of Creditable Income Tax Withheld (Form 1743.1/1743.750/2307) stamped received by the BIR for each contract/subcontract. 					
NOTE: Original signature of Authorized Mincluding supporting documents.	anaging Officer on each and every page of application forms				
DO NOT FILL. FOR PCAB USE ONLY					
Total No. of pages submitted	Checklisted by: Date				
Remarks:	· .				

Revised 05/17/04



Application for Special License Issued to JOINT VENTURE with the PHILIPPINE CONTRACTORS ACCREDITATION BOARD



In behalf of	
(Name of Joint Ver I respectfully request that said company be issue	
bidding for and/or undertake the construction of	the project described below:
Project Location : Funded by : Loan Agreement No.: Date "Notice to Bidders" was published or received by the applicant :	r Date "Invitation to Bidders" was
I hereby certify that the information and docume and correct of my own personal knowledge. I held liable for any misrepresentation that my be	ents contained in this application are true am fully aware that I shall be personally
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	Authorized Managing Officer (Signature over printed name)
Republic of the Philippines)	(Signature over printed harne)
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Community Tax Certificate No. on20	Issued at
DOC. NO; PAGE NO;	
BOOK NO; SERIES OF	NOTARY PUBLIC
	Until December 31, 20

GENERAL INFORMATION SHEET (For Special License of a Joint Venture/Consortium of Contractors)

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LIST OF COMPLETED/ON-GOING CONSTRUCTION PROJECT(S) In the Philippines during the last three (3) years

TITLE OF PROJECT / LOCATION	DATE CONTRACT WAS SIGNED	LENDING INSTITUTION (e.g. IBRD, ADB, OECF)	PER CENT (%) COMPLETED	
TENDERING AGENCY/PROJECT OWNER (e.g. DPWH, MWSS, NIA, etc.)	SCHEDULED COMPLETION DATE	LOAN AGREEMENT NO.	ACTUAL DATE COMPLETED	
			1	<u></u>

CERTI	FIED TRUI	E AND CO	RRECT:	
\$ Signature of I	Representa	itive over	printed na	– me





Department of Trade and Industry Construction Industry Authority of the Philippines PHILIPPINE CONTRACTORS ACCREDITATION BOARD 2nd Floor, Jupiter I Building, #56 Jupiter Street, Rel-Air Village, Makati City, Philippines 1209 Tel/Fax Nos. (632) 8979336; (632) 895-4220

	(to be f	illed up by PCA	B)					
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	То	:						
		Subject:		· · · · · · · · · · · · · · · · · · ·				
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		Submission of :						
		Note: If claimant is not the RAR/AMO, the representative will be required to submit an authorization from the RAR/AMO.						
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· · · · · ·	, af	, of legal age, Fil ter having been	ipino, married/single with postal address at sworn to in accordance with law, hereby
depose an	od say:		
1.	That I am the Authorized	d Managing	Officer (AMO) of
	(Name of firm)		
2.	for pre-screening its application fo	ear below, to tra r contractor's lic	ed Insact business with PCAB; i.e, present cense or any application related thereto, es/license in connection with the said
•		(\$	Signature over Printed Name)
			HOME /MAILING ADDRESS
	by the above representative in co	nnection with th	
4.	That the firm undertakes to notify amended or revoked.	PCAB in the o	event that this appointment is modified
			AFFIANT
SUBSCRI Communi	IBED and sworn to before me this ty Tax Certificate No	day of issued at	, 20 affiant exhibited his/her on
Page No Book No			

Republic of the Philippines) s.s.

(Note: Please submit original and one duplicate to PCAB. Keep another copy for presentation everytime you transact with PCAB)



APPLICATION FOR SPECIAL CON TOR'S LICENSE By a FOREIGN CONTRACTOR with the PHILIPPINE CONTRACTORS ACCREDITATION BOARD Checklist of requirements for Special License Application by Foreign Contractor



The following	ing pertinent documents and information are to be submitted in su	ipport of the license application:
A. LEGAL		•
[] 1. [. Duly accomplished and notarized application for Special License by Fo	oreign Contractor (PCAB Form 701)
[] 2. (. General Information Sheet (PCAB Form 702);	
1 1 3. 5	. SEC Certificate of Registration, Articles of Incorporation or Partnership	showing construction as one of the primary purposes
	of the corporation and By-Laws and subsequent amendments thereto	by the Securities and Exchange Commission (SEC) for
	corporate or partnership applicant;	by the occurring and Exchange commission (OEO) for
	. Board Resolution authorizing its Authorized Managing Officer (AMO)/R	asident Alien Penrocentative (PAP) in the Philippines
	to act for and in behalf of the company, and defining the scope and/or	
	1. 4.1 Conv. of Appointment appointment of small authority and defining the scope and/or	minitations of the powers of the RAR/AWO
	[] 4.1 Copy of Appointment paper/contract of employment of RAR to current	position in the firm authenticated by the Philippine Embassy i
() = /	the home country of the RAR;	
	. Original NBI Clearance for newly nominated Filipino AMO and for RAR	
	and longer, or certified true copy of NBI Clearance Equivalent of RAR of	duly authenticated by the Phil. Embassy in the home
	country of the RAR;	•
[] 6. /	 Affidavit of undertaking of the RAR/AMO (PCAB Form No. 703); 	
[] 7. /	. Alien Certificate of Registration and current working visa of the RAR;	
[] 8. /	 Authenticated diploma and/or transcript of records as well as PRC ID/o 	ertificate of registration or equivalent (for new
	RAR professional);	
f 19. F	. Board Resolution appointing and authorizing the Filipino Resident Age	nt to accept summons and other legal processes
	in behalf of the foreign contractor applicant, and authorizing PCAB, in t	
	such agent cannot be found at his address of record, or upon cessation	
	Philippines, to accept summons or legal processes as if the same were	
	 Original or certified true copy of valid Contractor's License/Permit/Author 	
	duly authenticated by the Philippine Embassy in the home country of the	
	. Certification from the appropriate Tendering Agency that the project is f	
i	international bidding is required, or the participation of foreign contractor	ors is allowed under the terms of the Bilateral
,	Agreement entered into by and between the Philippine Government an	d the Foreign/International Financing Institution; or
(Certification that the project is to be implemented in accordance with the	e Expanded BOT Law or RA# 7718, or other laws of
	similar nature, and that other requirements, under existing laws, have t	
	(PCAB Form 704)	con warved in the loan agreement in any
	,	es" or "Niction to Biddorn" or original adialipaina
	Original or certified true copy of "Invitation to Bid" or "Invitation to Bidde	ers of Notice to bidders of original adverpping
	of the project applied for showing the date of bidding;	
	 Back-to-back guarantee from the parent company if the applicant is a s 	
[]14. \$	 Self-addressed & self-stamped letter form/notice. (PCAB Response Fo 	rm)
B. FINANC	NCIAL	
[l 15. A	5. Audited Financial Statements dated within the tast six (6) months imme	diately preceding the fiting of application, and a
d	 diskette / CD (compact disc) containing the firm's Audited Balance Shee 	et & Income Statement in the prescribed template
((PCAB Financial Statement, Forms A & B downloadable from the DTI we	bsite at www.dti.gov.ph_together with the pertinent
à	application forms) to be submitted with the following supporting docume	ents, if applicable:
	[] 15.1 For old companies, copy of the Annual Income Tax Return	certified true by the BIR, covering the income reported
	in the Audited Income Statement immediately preceding the	filing of application, if applicable
	[] 15.2 Original copy of Bank Certification/Bank Statement of account	int certified by Bank Manager of cash deposits
	as of the balance sheet date;	and defining by Barik Waringer or back deposite
		In 705).
	[] 15.2.1 Authorization to depository bank (PCAB Form N	10. 700),
	[] 15.3 List of Construction and/or Transportation/Delivery Vehicles	/Equipment/Machinenes/Plant owned by the company
	and registered in its name (PCAB Form No. 706);	
	[] 15.3.1 Certified true copy of the LTO Certificate of Reg	jistration and current Official Receipt of Registration
	or registrable construction and/or transportation	/delivery vehicles reported;
	[] 15.3.2 Certified true copy of Deed of Sale for non-regi	strable construction equipment/machineries.
[] 16.	6. Authorization to BIR & other agencies (PCAB Form No. 707);	
C. TECHN	• • • • • • • • • • • • • • • • • • • •	
		for and OTE
[] 17.	 List of STEs (PCAB Form No. 708) supported by the following document 	ients for each 51 E:
	[] 17.1 Nominated Sustaining Technical Employee (STE) affidavit/s	(PCAB Form No. 709) with passport size picture/s
	of the nominated STE/s:	
	[] 17.1.1 Certified true copy of valid PRC ID of STE as lice	nsed professional or original Certification of Good
	Standing for those awaiting issuance of new or re	
	[17.1.2 Original NBI Clearance/s of STE/s	
	[] 17.1.2 Original Not Clearance's to 312/s	tion and current working view for foreign STF. if any
	[] 17.2 STE Affidavit/s of Construction Experience (PCAB Form No.	riu),
	1 17.3 Personal Appearance Form duly accomplished and signed b	y the STE/s appearing before the designated officer
	of the PCAB or the nearest DTI regional / provincial office (I	PCAB Form No. 711);
D TRACK	CK RECORD	
D. INACK	 Copy of single largest relevant construction contract or subcontract a 	greement completed and/or Change Order/
[] 10.	Supplemental Agreement, if any, certified true by the Project Owner of	or Prime Contractor for sub-contract work.
	If project was undertaken outside of the Philippines, the aforesaid do	suments must be duly suthenticated by the
	if project was undertaken outside of the Philippines, the aforesaid do	is located:
	Philippine Embassy or Consulate Office in the country where project	is located,
[] 19.	9. Copy of Certificate of Completion/Acceptance certified true by the Pro	Dject Owner of Prime Contractor for Sub-contract Work.
	If project was undertaken outside the Philippines, the aforesaid docu	iments must be duly authenticated by the Philippine
	Embassy or Consulate office in the country where project is located;	
[] 20.	20. For privately owned projects only: Certified True Copy of Certificate	of Creditable Income Tax Withheld (Form 1743.1/
	1743,750/2307) stamped received by the BIR for each contract/subc	ontract,
E. Others	ers: PCAB Response Form (self-addressed and with sufficient	t stamps affixed)
110 Wet 0 1 70	The process of the configuration forms and supporting	rdocuments
2. F	The KAKAMO multistign each and every page of the application forms and supporting 2. For <u>NEW</u> RARIAMO: Personal Appearance/Interview by the Board on at the CIAP Conference Room 4 th Fir. Jupiter I Bidg., 56 Jupiter St., Bel-Air Village, Mi	p.m.
a	at the CIAP Conference Room 4th Fir. Jupiter I Bidg., 56 Jupiter St., Bel-Air Village, Mi to appear on scheduled date may be deemed as abandonment of application result	ing in disapproval
	to appear on scheduled date may be deemed as abandonment of application result	and an apply and
DO NOT	OT FILL (For PCAB use only)	
	No. of pages submitted: Checklisted	d by: Date



Application for SPECIAL CONTRACTORS LICENSE By a FOREIGN CONTRACTOR with the PHILIPPINE CONTRACTORS ACCREDITATION BOARD



In behalf of			
I respectfully request	(Name of Appli that said Company be is action of the specific pro	sued a Special License to p	requalify for, bid on and
Project Title			
[] Bil: [] Ex Funded by Loan Agreem Date " <i>Notice</i> by the applica Date of Biddia	Agency: ct is covered by: ateral Agreement calling panded BOT Law or other ent No.: to Bidders' was publishe	for international competitive er existing laws of similar nation of a competitive depth of the competitive er existing laws of similar nation of the competition of t	e bidding ature
Project Kind a	and Size Range applied <u>Project Kind</u>	for: <u>Size Range</u>	
are hereby submitted application are true a	d. I hereby declare that and correct of my own p	of this license application a all the information and doci ersonal knowledge. I am fo on that may be found herei	uments contained in this ully aware that I shall be
	ume of Resident Alien Repres naging Officer (AMO)	entative (RAR)/	Date Signed
Republic of the Phili	• • • •		
SUBSCRIBED AND S	SWORN to before me this	day of nt exhibited to me his Comm	20at
No.	issued at	on	20
DOC. NO. PAGE NO. BOOK NO. SERIES OF	; ;	NOTARY I Until Decemb	
		Char Decemb	

GENERAL INFORMATION

For Special License by a Foreign Contractor

lame of Firm:				
office Address in the	Philippines:	Te	el. No.:	
Office Address in the	Home Country:	Te	el. No.:	
ype of Organization	-	1 Partnership	[] Sole Proprieto	orshin
EC Registration No.	Date Registered:	SSS Employer's	I.D. No. TIN:	5/5/mp
WNERS/STOCKH	OLDERS/OFFICER	S (For Corporati		
Name	Position	Nationality	Capital Subscription	Paid-up Capital
AFFILIATION W	ITH OTHER LICEN	SED CONTRA	CTORS	
Name o	f Affiliated Firm/s		Nature of Af	filiation
	C	ERTIFIED COR	RECT BY:	

							Passport
Republic of the Philippines Province of)						size picture
Municipality of) S.S.						of AMO
		RAR/A	ΜΟ ΔΕ	FIDA	ViT		<u> </u>
					V 1 1		
I _r (Sur	aama F	int Name Middle	Nome'		_,(Nationa	ditu	_ of legal age,
and residing an one r	ասբբու	es al			(Nationa	<i>y)</i>	
having duly sworn in acc	ordano	e with law depos					
That I am the Residen		empov	vered to re	naging Ui nder gen	nicer or eral management ai	nd admini	strative decisions.
2. That I possess the follow	owing ec	ducational qualifica	tions:				USIVE DATE OF
NAME OF SCHOOL		ADDRESS		DEG	REE EARNED		NROLLMENT
							
	,			-1. 1.		- (C- 22	D. 4. 4555.
3. That I possess at least		years of experience PANY NAME AND	ce in the co 	nstructio	n industry as follow	s (Sec.20,	R.A. 4566): DATES OF
POSITION		RE OF BUSINESS	ADDR	LESS	JOB DESCRIPTION	N	EMPLOYMENT
	ļ -						
(use additional sheet if necessar	y)					- LL - DL "	:: 0 <i>t</i> l
4. That I possess knowle rudimentary administr	edge of I ative pri	the building, safety inciples of constru	y, neaitn, & ction contr	s hen law acting fro	is of the Republic C om my work experi	r the Phil ences in	ірріпеs & the item 3 above
and from the following					,		USIVE DATES OF
TRAINING/SEMINAR	ļ :	CONDUCTED	D BY		ADDRESS		TRAINING
					•		
		<u> </u>					
5. That I am not involve or any act of omission	d in any Jiable fo	construction malp	performano n by myseli	e sugges for in col	tive of negligence, llaboration with any	incompeti person (F	ence or malpractice Rule 4, Section 4,2)
6. That I have not been	convicte	d by a court of cor	npetent jur	isdiction	of any offense invol	ving mora	Il turpitude (Rule 4,
Section 4.2); 7. That I am fully aware	that my	/ failure to notify P	CAB of my	disassoc	iation from my pres	ent empl	oyer within 30 days
therefrom shall cause	my disar	ualification to be a	Resident A	dien Repr	esentative or Autho	rized Man	aging Officer;
That I authorize the PCAB may consider ap			ate any or	all inform	nation in this instru	ment fror	n wnatever sources
9. That I certify under pa	in of pe	rjury that all inform	nation on t	his affida	vit are true and corr	ect.	
FURTHER, AFFIANT	SAYET	H NAUGHT.					
			-		Affiant		
CHIPCODIDED ~	nd cwc	orn to hofora m	a thic		day of	. 2	00 affiant
exhibited his/her Com	na swc munity	Tax Certificate	No		issued	at	on
Doc. No;							
Page No:					-		
Book No; Series of 200				•	Notary Pu		
_					Until December	200	

CERTIFICATION

This is to certify that the projec	t
funded under Loan Agreement No bidding or is covered by the BOT Law.	, is subject to international competitive
This is to further certify that the for been waived in the loan agreement:	ollowing requirements under existing laws have
Specific Requirement Waived	Provision in the Loan Agreement waiving the requirement
	Certifying Officer / Position (Signature over Printed Name)
	Name of Agency
	Date

THE MANAGER	
	- -
	-
Subject: Account #	
Sir:	
	tation Board (PCAB), a government agency under the ney need regarding the subject account with your bank.
I am applying for a contractor's license from PCAB a bank deposits and other assets of an applicant.	and part of their evaluation process is the verification of
This will serve as your authorization to release any the above subject account.	information that may be requested by PCAB regarding
Thank you.	
	Very truly yours,
	Signature over Printed Name of RAR/AMO
	Company Name
;	
•	Date
Note: To be submitted in two (2) copies.	

Revised 03/31/04

A. LIST OF DELIVERY AND TRANSPORTATION EQUIPMENT OWNED BY AND REGISTERED IN THE NAME OF THE COMPANY ASOF THE BALANCE SHEET DATE

	COMPLETE DESCRIPTION			ACQUISITION		воок	
Plate No.	Chassis No.	Engine No.	M.V. File No.	CR No.	Date	Cost	VALUI
						P	₽
	-						
TOTA	L					₽	₽

B. LIST OF MACHINERIES/PLANTS AND OTHER CONSTRUCTION EQUIPMENT OWNED BY THE COMPANY AS OF THE BALANCE SHEET DATE

E SERIAL NO. ACQUISITION		ACQUISITION	воок
SERIAL NO.	Date	Cost	VALUE
		₽	P
		P	P
	SERIAL NO.	SERIAL NO.	Date Cost P

Signature over	Printed Name of RAR/A	AMC
Con	npany Name	

AUTHORIZATION

The Philippine Contractors Accreditation Board (PCAB) is hereby authorized to verify and secure information and/or copies of documents submitted by or in the name of the firm to any or all of the following agencies relative to its application filed with the PCAB:

- i. Bureau of Internal Revenue
- 2. Securities and Exchange Commission
- 3. Land Registration Authority
- 4. Land Transportation Office
- 5. Social Security System

Name of Applicant Firm
By:
Signature over Printed Name of RAR/AMC
Signature over 1 inited Hame of KAIVABOO
Date:

LIST OF NOMINATED SUSTAINING TECHNICAL EMPLOYEES OF THE COMPANY

	PRC REGISTRATION			Date	Position
	Number	Date- Issued	Profession	Employed mm/dd/yy	in the Firm
					· · · · · ·
				•	
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				<u> </u>	
May be reproduced if necessary		,		Revised 03/31/04	

Signature over Printed Name of RAR/A	MO
Company Name	
Date Signed	

	Passport size
Republic of the Philippines) Province of) Municipality of) S.S.	Picture of STE
STE AFFIDAVIT	
LAST NAME FIRST NAME COMPLETE MIDDLE NAME	, Filipino, of legal age,
born on / _/ _/ _/ _/ single/married to	and residing at
accordance with law depose and say:	having duly sworn in
That I am duly licensed and holder of PRC regis	stration no.
valid up to (copy of my PRC is attached at the back 2) That I hold a Bachelor's Degree in given on	
atgiven on	
3) That my Tax Identification Number (TIN) and Social Security No. are /_/_ and / _/ _/ _/ _/ _/ _/ _/ _/ _/ _/ _/ _/ respectively;	
 That I am not presently employed in any government office or gove corporation, nor a full time instructor, nor working abroad; 	rnment owned/controlled
5) That I am full-time employee of(NAME OF FIRM)	;
 6) That I am not a holder of a contractor's license; 7) That I am not involved in any construction malperformance suggestive of or malpractice or any act of emission liable for disciplinary action by myse any other person; 	If or in collaboration with
 That I have not been convicted by a court of competent jurisdiction of any turpitude; 	
9) That I am fully aware that my failure to notify the PCAB of my disasse employer within 30 days therefrom shall cause my disqualification to	be sustaining technical
employee or authorized managing officer or a license applicant with PCAB; 10) That I authorize the PCAB to verify and investigate any or all informat whatever sources PCAB may consider appropriate.	ion in this affidavit from
11) That I am executing this affidavit to attest to the truth of the foregoing.	
FURTHER AFFIANT SAYETH NAUGHT.	
Affiant	
SUBSCRIBED and sworn to before me thisday ofhis/her Community Tax Certificate Noissued at	, 200 affiant exhibited on
Doc. No	<u></u>

. , .

INSTRUCTIONS ON FILLING UP PCAB FORM NO. 709

QUALIFICATION REQUIREMENTS OF SUSTAINING TECHNICAL EMPLOYEE

- A technology professional, such as engineer or architect, duly licensed by the Professional Regulation Commission.
- 2. Holder of a Professional I.D. valid for current year.
- 3. Possesses at least three (3) years of experience in implementation of construction to which he is to be nominated
- A full-time employee of the nominating contractor, not associated professionally or by employment with any
 other party, particularly a party engaged in construction or construction-related activities
- 5. Have none of the following disqualifications:
 - a) Involvement, in any capacity, in any construction malperformance of grave consequence, suggestive of his negligence, incompetence and/or malpractice;
 - Involvement, by himself or in collaboration with any other person or firm, in any act or omission liable for disciplinary action of which he is or the other person or firm was found guilty by the Board;
 - c) Conviction by a court of competent jurisdiction of any offense involving moral turpitude; and
 - d) If formerly a Sustaining Technical Employee or an Authorized Managing Officer of any construction firm but disassociated therefron, failure to notify the Board of his disassociation in accordance with paragraph 5 and 6 of the Affidavit of Undertaking.
- 6. Not a holder of a Contractor's License.

If you meet the above requirements, kindly accomplish this affidavit. Erasure must be properly initialled.

All statements are subject to verification and any false statement or willful misrepresentation of a material fact in obtaining a license shall be grounds for disapproval of this application.



PASTE
PROF. I.D. CARD
VALID FOR
CURRENT YEAR

(Front)
(xerox copy)

PASTE
PROF. I.D. CARD
VALID FOR
CURRENT YEAR
(Back)
(xerox copy)

This is to certify that I have verified with PRC the abovestated professional eligibility/registration of the Sustaining Technical Employee, Affiant herein, and found the same to be true and correct.

Signature over Printe	d Name of the RAR/AMO
Date:	

	Republic of the Philippines) Province of) Municipality of) S.S.		···	PCAB	Form No. 710
	AFFIDAVIT OF STE CONSTRUCTION EXPI	single/married,	Filipino, of legal ag having been duly swo my full & complete cons	in accorda	ance with law
	NAME and COMPLETE ADDRESS of EMPLOYER/ NAME & LOCATION of PROJECTS UNDERTAKEN	Work Classification (GE, GB, SP)	Nature/Scope of Work Assignment (Proj. Engr.)	DURA (mm/	JECT ATION dd/yy)
		e a the recommendation of the state of the s		From	То
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			:		
					,
	That I authorize the PCAB to verify and inv	anticata onu or oll	information in this offi	davit from who	tever sources
	PCAB may consider appropriate;	estigate any or an	mountation in this are	davit nom wik	ite ver som een
	That I am executing this affidavit to attest to t	he truth of the fore	egoing.		
	FURTHER AFFIANT SAYETH NAU	GHT.			
			Affiant		
		et in Anno			ant exhibited
	SUBSCRIBED and sworn to before me his/her Community Tax Certificate	uns day o lo	issued at		on
	Doc. No;				
	Page No;		N	otary Public	
	Book No; Series of 200;		Until	December 200)
	Pavicart 03/31/04				

SUSTAINING TECHNICAL EMPLOYEE (STE) PERSONAL APPEARANCE FORM (To be accomplished fully by the STE) Name: ______Address: _____ Sex: PRC Reg. Profession: Nominating Firm: Contractor's License No.: I hereby confirm the following: 1. The veracity of the information reflected on the STE Affidavit and Affidavit of Construction Experience (PCAB Form Nos. 107 & 108, copies attached) that I executed in favor of the above firm; 2. That I am fully aware that my failure to notify the PCAB of my disassociation from the abovestated nominating firm and any misrepresentation in the attached forms shall cause my disqualification as sustaining technical employee, or authorized managing officer, or a licensee applicant with PCAB per Board Resolution No. 401, Series of 2001. 3. That I have been previously connected with the following companies: Date of Date of Position **Previous Employers** Employment Resignation Other Remarks: STE's Signature Date Signed: _ Identification Documents Presented: 1. PRC ID No. _____ valid until _____ Personal Appearance and Presentation of Two (2) Identification Documents attested by PCAB designated staff or DTI Regional/Provincial Staff Signature over Printed Name/Position

DTI Office Address:

Date: _____



Address:

Department of Trade and Industry Construction Industry Authority of the Philippines PHILIPPINE CONTRACTORS ACCREDITATION BOARD 2nd Floor, Jupiter I Building, #56 Jupiter Street, Bel-Air Village, Makati City, Philippines 1209 Tel/Fax Nos. (632) 8979336; (632) 895-4220



(to be filled up by PCAB) То Subject: __ This is to inform you that the above subject application/s has/have been approved/disapproved. For approved applications, your license is now ready for release upon compliance with the following: ☐ Categorization Fee Payment of ☐ Additional License Fee ₽_____ ☐ Back Fees ☐ ARC Registration Fee TOTAL Instead of cash, payment may be made in check (cashier's check, manager's check or PMO) addressed to the Construction Industry Authority of the Philippines (CIAP) Submission of: __ If claimant is not the RAR/AMO, the representative will be required to submit an authorization from the RAR/AMO. You may pay and/or submit the above mentioned requirements and claim your license from the PCAB office or you may request the DTI regional or provincial office nearest you to accept payment and the above required documents together with the corresponding mailing fees to and from PCAB. PCAB will then send the license and Official Receipt for the above fees to said DTI office for you to claim. For disapproved applications, please see attached Notice of Disapproval. Please be guided accordingly, **Public Assistance Desk** (to be filled up by the applicant) Place stamps Philippine Contractors Accreditation Board here 2/F Jupiter I Bldg., 56 Jupiter St., Bel-Air Makati City, Philippines Name:

						Α	FFIDAVIT				
at nereby	l, _	, of legal age, Filipino, married/single with postal address , after having been sworn to in accordance with law, pose and say:									
								Managing			C
						(Name	of Firm)		,		
	2.	contra	ctor's	s licen:	se or ar	ny applicati	on related tl	, whose picton sent for pre-screater following mid application a	w-up, subn	nit docume	pea n fo ∍nts
				Passpo Pictu Represe				(Signature over	Printed Na	ame)	
		•						HOME /MAILI	NG ADDRESS		
		my re That	prese Lun	entativ	e in cor e to ne	nnection wi	th the functi	or any or all actions stated here	in.		
							 ;	AFF	IANT		
SUBS Comm	CR tuni	BED ar ty Tax (nd sw Certifi	orn to l icate No	oefore m	e this	day of _ issued at	, 20_ on _	, affiant e	exhibited hi	s/he
	lo.			_				otary Public Intil December 2	200		

Republ	ic o	f the P	hilipp	oines) s)	.5.							
							AFFIDAVIT					
at					·		, of legal age, Filipino, married/single with postal address after having been sworn to in accordance with law,					
hereby	de	oose a	nd sa	ау:								
	1.	That	1	am	the	Authorized	Managing	Officer ;	(AMO)	of		
					(Nan	ne of firm)						
	2.	whos for p there	e pio re-so to, fi	cture a creeni le/follo	ind sigi ng its	nature appea application submit docu	duly appointe ar below, to tra for contractor ments, receive	nsact busi 's license	or any	/ applic	ation related	
				Pic	oort size ture of sentativ			Signature	over Pri	nted Na	me)	
	3.	That	we	are a	ware t	hat we are	responsible/lia	able for a	MAILING A	ll acts/r	epresentation	
	4.	That	the	firm u			e in coπnection					
						•			AFFIAN	<u> </u>		
						me this	day of issued at				khibited his/her	
Page Book	No No	·		_				tary Public til Decemb		<u>-</u>		

(Note: Please submit original and one duplicate to PCAB. Keep another copy for presentation everytime you transact with PCAB)