



Republic of the Philippines
DEPARTMENT OF TRANSPORTATION

PRE-QUALIFICATIONS, BIDS AND AWARDS COMMITTEE

Project: **NINOY AQUINO INTERNATIONAL AIRPORT PUBLIC-PRIVATE PARTNERSHIP (NAIA-PPP) PROJECT**

Bid Bulletin No.: 2023-03

To All Prospective Bidders:

In view of the creation of a Physical Data Room in accordance with Clause 1.3 of Section I. Bidding Process under the Instructions to Bidders (ITB), please see the attached Guidelines for the Physical Data Room for the NAIA-PPP Project.

For your information and guidance.

Issued this 14th day of September 2023.

ORIGINAL SIGNED

TIMOTHY JOHN R. BATAN

Chairperson

Pre-qualifications, Bids and Awards Committee

**GUIDELINES FOR PHYSICAL DATA ROOM
OF THE
NINOY AQUINO INTERNATIONAL AIRPORT PPP PROJECT**

1. Physical Data Room and Objective

- 1.1. There will be three (3) Physical Data Rooms ("Data Room") that may be accessed at NAIA, one at each of Terminals 1, 2 and 3, and will be open to the Bidders from September 15 until November 20. Access to and access visit to the Data Room must be endorsed by PBAC to the General Manager of MIAA.
- 1.2. The objective of providing the Data Room is to help the Bidders in the conduct of their due diligence review of the Project.

2. Request for Authority to Access the Data Room

- 2.1 Bidders are required to submit a formal written request through the Data Room, in accordance with the Instructions to Bidders, at least three (3) working days in advance of the intended access visit date.
- 2.2 The formal request shall specify:
 - 2.2.1 The access visit date requested;
 - 2.2.2 The names and contact details of authorized representatives constituting the Visit Team, which shall not exceed six (6) persons per Data Room;
 - 2.2.3 Checked list of items the Bidders want to view in the Data Room based on catalog of available documents. This catalog shall be made accessible to the Bidders on the VDR;
 - 2.2.4 Copy of a valid ID (Passport, Government ID Card, etc.,) for each person joining the access visit.
- 2.3 The formal request shall be addressed to the PBAC through the VDR. Only formal written requests made through the VDR, duly received by the PBAC shall be given due course.
- 2.4 Access visits to the Data Room shall normally only be allowed on weekdays from 9 am to 5 pm.
- 2.5 Request to access visit to Data Room from only the Bidders and their authorized representatives shall be entertained.
- 2.6 The provisions of the Non-Disclosure Undertaking previously signed by the bidders shall apply to the physical dataroom subject to the requirement to re-execute an amended Non-Disclosure Undertaking as may be instructed by the PBAC.
- 2.7 Bidders may conduct more than one (1) access visit but priority, in case of conflict of schedule, will be given to the Bidders who are requesting for access visit for the first time. In case of conflicting schedules of bidders both wishing to visit the dataroom for the first time, priority will be given based on who made the request first in the VDR.
- 2.8 One (1) access visit will provide bidder with access to all three (3) Data Rooms for an entire day, for a maximum of six (6) representatives per Data Room permitted for each Bidder, such that the last access visit must happen at least ten (10) days prior to the Bid Proposal Submission Date.
- 2.9 There shall be only one (1) bidder given access per day to all the Data Rooms.

2.10 Bidders shall be formally notified of the decision of MIAA on their request through their authorized representative. The decision of MIAA granting the request shall state the date and time of the access visit. The authorization may be altered or withdrawn at any time prior to the access visit at the discretion of MIAA, if the circumstances so demand. MIAA shall not be responsible for reimbursement of any costs/ expenses incurred by the visit team of the Bidders for such alternations/ withdrawals.

3. Rules and Regulations During the Access visit

3.1 Only access visits authorized by MIAA, through the Office of the General Manager, shall be allowed.

3.2 To ensure that the conduct of the access visit does not interfere with the normal operations of the NAIA, Bidders are required to follow the procedure for access visit that may be prescribed by MIAA.

3.3 The Visit Team members must all bring with them photographic ID issued by a government body in the Philippines, or an international passport.

3.4 The Visit Team shall comply with any conditions imposed related to the security passes issued.

3.5 Personal effects to be kept to a minimum to facilitate security screening during tour;

- Notebook and writing equipment.
- Wallet
- No Mobile phone
- No laptops
- No bulky items

3.6 The MIAA may designate personnels as custodians of the Data Room (the "Data Room Custodians"), who shall have been authorized to facilitate and oversee the access visit to the Data Room. There will be at least 3 to 4 custodians per Data Room.

3.7 Any request to view additional data during the access visit, outside of the checked list items provided by the Bidders as per Section 2.2.3 of this draft, shall not be allowed.

3.8 Should the Bidders have any query of reasonable relevance arising from the access visit to Data Room, the Bidders must send a formal written query to the PBAC, following the guidelines set forth in the ITB.

3.9 Bidders shall take full responsibility for their representatives. Authorized representatives of the Bidders shall be subject to security measures as MIAA deems fit. If any representative of the Bidders displays any untoward behavior or refuses to follow the guidelines or the reasonable instructions of the MIAA representative(s), MIAA reserves the right to cause the removal of such representative from the premises and the Bidder that such person represents will forfeit the privilege of conducting other access visits.

3.10 It may please be noted that the data/information (oral or written) that the Bidders may come across during the access visit shall be treated as confidential and it shall not be disclosed or parted with any third party.

3.11 Each Bidder shall bear the expenses to be incurred for its team during the access visit.

3.12 Each Bidder will be required to nominate one member of the team as the Team Leader for each access visit.

- 3.13 The Team Leader should be responsible for the conduct of the Visit Team members, for liaising with the MIAA or its staff and for resolving any issues, which may arise during the access visit.
- 3.14 MIAA shall not be liable, in any manner whatsoever, for any loss, expense, injury or damage suffered or likely to be borne by the Bidders or its Visit Team or its member because of their entry, access or presence at the premises of MIAA or the Data Room.
- 3.15 A Visit Team, who fails to comply with these guidelines or co-operate with any reasonable request made by the Data Room Custodians, may be denied further access to NAIA including the access to the Data Room or Meetings/Pre-bid Conferences with the PBAC.
- 3.16 To maintain order and uphold confidentiality during the access visit, the Data Room Custodians may prescribe such procedures for access to the Data Room to be complied with by all Bidders and their authorized representatives.