



REPUBLIC OF THE PHILIPPINES
PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE
Tanggapang Pampanguluhan sa Operasyong Pangkomunikasyon
Malacañang, Manila

BIDS AND AWARDS COMMITTEE

BIDDING DOCUMENTS

FOR

Procurement for the Supply and
Delivery of Two (2) units of
Motor Vehicles for Use of PCOO
Officials and Employees

(Procurement/Contract No. 2020-PCOO-I-006a)

Sixth Edition

26 January 2021

Table of Contents

Glossary of Acronyms, Terms, and Abbreviations	2
Section I. Invitation to Bid.....	5
Section II. Instructions to Bidders.....	10
1. Scope of Bid	11
2. Funding Information.....	11
3. Bidding Requirements	11
4. Corrupt, Fraudulent, Collusive, and Coercive Practices	12
5. Eligible Bidders.....	12
6. Origin of Goods	12
7. Subcontracts	13
8. Pre-Bid Conference	13
9. Clarification and Amendment of Bidding Documents	13
10. Documents comprising the Bid: Eligibility and Technical Components	13
11. Documents comprising the Bid: Financial Component	13
12. Bid Prices	14
13. Bid and Payment Currencies	14
14. Bid Security	15
15. Sealing and Marking of Bids	15
16. Deadline for Submission of Bids	15
17. Opening and Preliminary Examination of Bids	15
18. Domestic Preference	16
19. Detailed Evaluation and Comparison of Bids	16
20. Post-Qualification	16
21. Signing of the Contract	17
Section III. Bid Data Sheet	18
Section IV. General Conditions of Contract	21
1. Scope of Contract	22
2. Advance Payment and Terms of Payment	22
3. Performance Security	22
4. Inspection and Tests	22
5. Warranty	23
6. Liability of the Supplier	23
Section V. Special Conditions of Contract	24
Section VI. Schedule of Requirements	28
Section VII. Technical Specifications	29
Section VIII. Checklist of Technical and Financial Documents	31

Glossary of Acronyms, Terms, and Abbreviations

ABC – Approved Budget for the Contract.

BAC – Bids and Awards Committee.

Bid – A signed offer or proposal to undertake a contract submitted by a bidder in response to and in consonance with the requirements of the bidding documents. Also referred to as *Proposal* and *Tender*. (2016 revised IRR, Section 5[c])

Bidder – Refers to a contractor, manufacturer, supplier, distributor and/or consultant who submits a bid in response to the requirements of the Bidding Documents. (2016 revised IRR, Section 5[d])

Bidding Documents – The documents issued by the Procuring Entity as the bases for bids, furnishing all information necessary for a prospective bidder to prepare a bid for the Goods, Infrastructure Projects, and/or Consulting Services required by the Procuring Entity. (2016 revised IRR, Section 5[e])

BIR – Bureau of Internal Revenue.

BSP – Bangko Sentral ng Pilipinas.

Consulting Services – Refer to services for Infrastructure Projects and other types of projects or activities of the GOP requiring adequate external technical and professional expertise that are beyond the capability and/or capacity of the GOP to undertake such as, but not limited to: (i) advisory and review services; (ii) pre-investment or feasibility studies; (iii) design; (iv) construction supervision; (v) management and related services; and (vi) other technical services or special studies. (2016 revised IRR, Section 5[i])

CDA - Cooperative Development Authority.

Contract – Refers to the agreement entered into between the Procuring Entity and the Supplier or Manufacturer or Distributor or Service Provider for procurement of Goods and Services; Contractor for Procurement of Infrastructure Projects; or Consultant or Consulting Firm for Procurement of Consulting Services; as the case may be, as recorded in the Contract Form signed by the parties, including all attachments and appendices thereto and all documents incorporated by reference therein.

CIF – Cost Insurance and Freight.

CIP – Carriage and Insurance Paid.

CPI – Consumer Price Index.

DDP – Refers to the quoted price of the Goods, which means “delivered duty paid.”

DTI – Department of Trade and Industry.

EXW – Ex works.

FCA – “Free Carrier” shipping point.

FOB – “Free on Board” shipping point.

Foreign-funded Procurement or Foreign-Assisted Project– Refers to procurement whose funding source is from a foreign government, foreign or international financing institution as specified in the Treaty or International or Executive Agreement. (2016 revised IRR, Section 5[b]).

Framework Agreement – Refers to a written agreement between a procuring entity and a supplier or service provider that identifies the terms and conditions, under which specific purchases, otherwise known as “Call-Offs,” are made for the duration of the agreement. It is in the nature of an option contract between the procuring entity and the bidder(s) granting the procuring entity the option to either place an order for any of the goods or services identified in the Framework Agreement List or not buy at all, within a minimum period of one (1) year to a maximum period of three (3) years. (GPPB Resolution No. 27-2019)

GFI – Government Financial Institution.

GOCC – Government-owned and/or –controlled corporation.

Goods – Refer to all items, supplies, materials and general support services, except Consulting Services and Infrastructure Projects, which may be needed in the transaction of public businesses or in the pursuit of any government undertaking, project or activity, whether in the nature of equipment, furniture, stationery, materials for construction, or personal property of any kind, including non-personal or contractual services such as the repair and maintenance of equipment and furniture, as well as trucking, hauling, janitorial, security, and related or analogous services, as well as procurement of materials and supplies provided by the Procuring Entity for such services. The term “related” or “analogous services” shall include, but is not limited to, lease or purchase of office space, media advertisements, health maintenance services, and other services essential to the operation of the Procuring Entity. (2016 revised IRR, Section 5[r])

GOP – Government of the Philippines.

GPPB – Government Procurement Policy Board.

INCOTERMS – International Commercial Terms.

Infrastructure Projects – Include the construction, improvement, rehabilitation, demolition, repair, restoration or maintenance of roads and bridges, railways, airports, seaports, communication facilities, civil works components of information technology projects, irrigation, flood control and drainage, water supply, sanitation, sewerage and solid waste management systems, shore protection, energy/power and electrification facilities, national buildings, school buildings, hospital buildings, and other related construction projects of the government. Also referred to as *civil works or works*. (2016 revised IRR, Section 5[u])

LGUs – Local Government Units.

NFCC – Net Financial Contracting Capacity.

NGA – National Government Agency.

PhilGEPS - Philippine Government Electronic Procurement System.

Procurement Project – refers to a specific or identified procurement covering goods, infrastructure project or consulting services. A Procurement Project shall be described, detailed, and scheduled in the Project Procurement Management Plan prepared by the agency which shall be consolidated in the procuring entity's Annual Procurement Plan. (GPPB Circular No. 06-2019 dated 17 July 2019)

PSA – Philippine Statistics Authority.

SEC – Securities and Exchange Commission.

SLCC – Single Largest Completed Contract.

Supplier – refers to a citizen, or any corporate body or commercial company duly organized and registered under the laws where it is established, habitually established in business and engaged in the manufacture or sale of the merchandise or performance of the general services covered by his bid. (Item 3.8 of GPPB Resolution No. 13-2019, dated 23 May 2019). Supplier as used in these Bidding Documents may likewise refer to a distributor, manufacturer, contractor, or consultant.

UN – United Nations.

Section I. Invitation to Bid



REPUBLIC OF THE PHILIPPINES
PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE
Tanggapang Pampanguluhan sa Operasyong Pangkomunikasyon
Malacañang, Manila

INVITATION TO BID FOR

Procurement for the Supply and Delivery of Two (2) Units of Motor Vehicles for Use of PCOO Officials and Employees

1. The Presidential Communications Operations Office (PCOO), through the corresponding General Appropriations Act (GAA) indicated below, intends to apply the ABC to each of the following lots:

LOT NO.	ITEM DESCRIPTION	SOURCE OF FUNDS (GAA)	APPROVED BUDGET FOR THE CONTRACT (ABC)
1	One (1) unit of air-conditioned Passenger Van with minimum seating capacity 12 passengers (including driver), not less than 5-speed Automatic Transmission, Diesel type, minimum 65 Liters fuel capacity (Details under Section VII. Technical Specifications)	2020	PHP 2,164,200.00
2	One (1) unit of air-conditioned Multipurpose Van (MPV) with 2 compartments: a front cabin/cab with seating capacity of three (3) passengers (including driver) on a full width seat and rear deck/cabin with seating capacity (facing collapsible bench seats accessible through rear door/s) not exceeding 16 passengers, not less than 5-speed Manual Transmission, Diesel Type, minimum of 50 Liters fuel capacity (Details under Section VII. Technical Specifications)	2020	PHP 1,287,080.00

to payments under the contract for each lot. **Bids received in excess of the ABC for each lot shall be automatically rejected at bid opening.**

2. The PCOO now invites bids for the above Procurement Project. Actual delivery date of the Goods to be negotiated with the winning bidder provided the delivery period shall

not exceed sixty (60) calendar days from receipt of the Notice to Proceed. Bidders should have completed within three (3) years, from the date of submission and receipt of bids, a contract similar to the Project. The description of an eligible bidder is contained in the Bidding Documents, particularly, in Section II (Instructions to Bidders).

3. Bidding will be conducted through open competitive bidding procedures—via electronic or online means using a non-discretionary “pass/fail” criterion as specified in the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) 9184, otherwise known as the “Government Procurement Reform Act” and in accordance with the Revised PCOO Guidelines for Online Bidding under BAC Resolution No. 2020-0018-A, attached hereto as "Annex A".

Bidding is restricted to Filipino citizens/sole proprietorships, partnerships, or organizations with at least sixty percent (60%) interest or outstanding capital stock belonging to citizens of the Philippines, and to citizens or organizations of a country the laws or regulations of which grant similar rights or privileges to Filipino citizens, pursuant to RA No. 5183.

4. Interested bidders may obtain further information from the PCOO BAC Secretariat through the electronic mailing address given below, and inspection of the Bidding Documents at www.pcoo.gov.ph.
5. A complete set of Bidding Documents, in soft copy, may be acquired by interested Bidders starting on **26 January 2021** from the PCOO website and after payment of the applicable fees, in accordance to the guidelines on the purchase of Bidding Documents (under Annex B of PCOO BAC Resolution No. BAC Resolution No. 2020-0018-A) and in the following amount:

LOT NO.	APPLICABLE FEES
1	PHP 3,000.00
2	PHP 2,000.00

It may also be downloaded free of charge from the Philippine Government Electronic Procurement System (PhilGEPS) website and PCOO website, provided that bidders shall pay the applicable fee for the Bidding Documents not later than the submission of their bids.

The bidder shall include in the submission of their bid as a separate file, a clear scanned PDF copy of the proof of payment for the bidding documents.

6. The PCOO will hold a Pre-Bid Conference through video conference call using **Zoom** on **04 February 2021** at **10:00 A.M.** which shall be open to all prospective bidders who have successfully completed registration three (3) calendar days prior to the pre-bid conference using **Google Forms**.
7. Bids must be duly received and acknowledged by the BAC Secretariat in the electronic mailing address given below on or before **16 February 2021** at **9:00 A.M.**
8. All Bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in **ITB** Clause 18.

9. Bid opening shall be held through a video conference call using **Zoom** on **16 February 2021** at **10:00 A.M.** Bids will be opened in accordance to the PCOO Amended Guidelines for Online Bidding and in the presence of the bidders' representatives invited to join the the bid opening. **Late bids shall not be accepted.**
10. Bidders are advised to submit their bids in accordance with PCOO BAC Resolution No. 2020 – 0018-A. Also, GPPB forms and other bidding forms to be used are attached herein as "Annex C". Further to this, please be reminded of the following:

10.1 Should the bidder wish to participate in one or more lots, the Committee will allow the submission of the Legal and Technical Documents (Eligibility Requirements) in both password protected ZIP folder and PDF file only once. However, for suppliers who will bid on several lots, the labelling of the ZIP folder and PDF file in their Financial Requirements must clearly state the Lot number/s where they intend to participate taking into account that the Net Financial Contracting Capacity ("NFCC") and the Statement of Largest Completed Contract ("SLCC") should satisfy the total amount indicated in the Approved Budget of the Contract ("ABC");

10.2 The four (4) unique passwords for both Eligibility Requirements and Financial Requirements in the ZIP folders and PDF files shall still be complied with regardless if the bidder intends to participate in one or more lots;

10.3 In any case where the files submitted has exceeded the size limit of the email, the bidder may submit their bid via separate email/s provided that the subject line for each mail should indicate to which part of the several it corresponds to. (i.e., Part 1 of x). One set of passwords for the said components may be allowed in case of splitting, provided that the passwords for the Eligibility Requirements are separate and distinct from the Financial Requirements;

After the opening and evaluation of bids, the BAC, its staff and personnel, Secretariat and Technical Working Group (TWG), as well as Observers are prohibited from making or accepting any communication with any bidder regarding the evaluation of their bids until issuance of Notice of Award (NOA). However, the BAC, through its Secretariat, may ask in writing the bidder for clarification of its request in writing. All responses to requests for clarification shall be in writing.

In addition to this, pursuant to the mandatory accreditation of service and repair shops with the Department of Trade and Industry (DTI) under Presidential Decree 1572 (also known as "Accreditation Law"), the bidder is required to submit a certified true copy of the DTI Accreditation Certificate as an eligibiity requirement which shall form part of the technical documents in the First Envelope. (See Sec.VIII. Checklist of Technical and Financial Documents)

11. The PCOO reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract at any time prior to contract award in accordance with Section 41 of RA 9184 and its IRR, without thereby incurring any liability to the affected bidder or bidders.
12. For further information, please refer to:

Name of Officer : **Atty. Mark Anthony C. De Leon**

Name of Office : Office of the Bids and Awards Secretariat

Address : Basement Level, New Executive Building, J.P. Laurel Street, Malacañang Complex, Manila

Mobile No. : (0975) 2165183
Website Address : pcoo.gov.ph
Email address : bac1@pco.gov.ph

(ORIGINALLY SIGNED)
Usec. Marvin R. Gatpayat
Chairperson, Bids and Awards Committee

CERTIFICATION

<i>Schedule of Requirements and Technical Specifications are in conformity with the requirements of the following end-users:</i>	<i>Procurement Project is covered by the Annual Procurement Plan:</i>
<p>(ORIGINALLY SIGNED) <u>Atty. Anna Farinah B. Mindalano</u> Office of the Secretary (OSEC)</p> <p>(ORIGINALLY SIGNED) <u>Samuel N. Siroy</u> Motorpool Section- General Services Division</p>	<p>(ORIGINALLY SIGNED) <u>Ma. Alma A. Francisco</u> Budget Officer V</p>

Reviewed by: (ORIGINALLY SIGNED) <u>Atty. Mariko Iwaki</u> BAC Secretariat	Draft approved for release by: (ORIGINALLY SIGNED) <u>Atty. Mark Anthony C. De Leon</u> Head, BAC Secretariat
Prepared by: (ORIGINALLY SIGNED) <u>Ma. Carolina I. Carbonell</u> Technical Working Group	



REPUBLIC OF THE PHILIPPINES
PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE
Tanggapang Pampanguluhan sa Operasyong Pangkomunikasyon
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BIDS AND AWARDS COMMITTEE

BAC RESOLUTION NO. 2020 – 0018-A

SUBJECT : RESOLUTION RECOMMENDING THE AMENDMENTS TO THE GUIDELINES FOR THE ELECTRONIC SUBMISSION OF BIDS IN ACCORDANCE WITH GPPB RESOLUTION 09-2020 (PROCUREMENT GUIDELINES ON ONLINE BIDDING) VERSION 2

DATE : 19 NOVEMBER 2020

WHEREAS, on 16 March 2020, the President signed Proclamation No. 929 declaring a State of Calamity throughout the Philippines for a period of six (6) months or up to 12 September 2020, and further providing for the implementation of "Enhanced Community Quarantine (ECQ)" over the entire Luzon;

WHEREAS, a Memorandum from the Executive Secretary dated 16 March 2020 with the subject "Further guidelines for the management of the Coronavirus disease 2019" implemented among others, work from home arrangement for the Executive Branch and the suspension of mass public transport services and other businesses that do not render critical services;

WHEREAS, given the exceptional circumstances brought about by the COVID-19 pandemic, particularly the ECQ and the suspension of mass public transport services, the procurement activities set by this Committee were indefinitely suspended;

WHEREAS, on 15 May 2020 the Government Procurement Policy Board (GPPB) published Resolution No. 09-2020 entitled **"Approving Measures For The Efficient Conduct Of Procurement Activities During A State Of Calamity Or Implementation Of Community Quarantine Or Similar Restrictions"** which confirms, adopt, and approve measures, as recommended by the GPPB-TSO, for the efficient conduct of all procurement activities, regardless of procurement modality, during the State of Calamity;

WHEREAS, in the aforementioned resolution, the GPPB allowed the (i) submission of procurement related documents, except for the submission and receipt of bids, through electronic mail or facsimile subject to the submission of the printed copies as soon as practicable, as determined by the Bids and Awards Committee (BAC); and (ii) use of other forms of digital or electronic signature in all procurement related documents. For this purpose, Procuring Entities shall establish their **respective internal rules** to ensure the security, integrity and authenticity of the documents electronically submitted and the use of digital or electronic signature.

WHEREAS, on 19 November 2020, this Committee issued BAC Resolution No. 2020 – 0018-A recommending the adoption of guidelines for the electronic submission of bids (the “Guidelines”), which was subsequently approved by the Authorized Representative of the Head of Procuring Entity (“HoPE”);

WHEREAS, there is a need to amend the Guidelines to allow the use of other video teleconferencing software as the need arises, and to allow suppliers to submit their bids in separate emails if necessitated by the file size limitations for email attachments;

NOW, THEREFORE, for and in consideration of the foregoing, this Committee RESOLVES, as it is HEREBY RESOLVED, to recommend to the HoPE the adoption of the following amended guidelines on electronic submission of bids, wherein for ease of reference, the amendments have been highlighted:

I. ADVERTISEMENT/POSTING OF INVITATION TO BID:

For Prospective Bidders or Suppliers:

For pending procurement activities, the Secretariat will prepare a Bid Bulletin for approval of the BAC and for issuance to the suppliers to inform them of the following:

- a. Resumption of procurement activities through electronic means in accordance with GPPB Resolution No. 09-2020;

- b. The requirement of pre-registration via Google Forms for those interested to join the PCOO procurement activities such as the pre-bid conference and the submission of bids.
- c. Other relevant details such as the manner and procedure for pre-registration.

The Secretariat shall post the Bid Bulletin on the 1) PhilGEPS Website, 2) PCOO Website and 3) PCOO Bulletin board.

II. NOTICES

For BAC members/Observers/End-users:

The Secretariat will send notices to the BAC Members and End-user representative via the official e-mail of the Secretariat. The Secretariat will send Notice to Observers via the official e-mail of the Secretariat at least five (5) Calendar days before the date of the scheduled procurement activity. This is required, otherwise, the proceeding shall be considered null and void. ¹

III. PROCEDURE IN THE PRE-REGISTRATION OF SUPPLIERS:

1. Interested suppliers must register through **Google Forms** at least three (3) calendar days before the date of the pre-bid conference by disclosing the following information:
 - a) Name of the Company
 - b) e-mail address
 - c) title of the procurement project
 - d) name of owner/ representative²
 - e) PhilGEPs registered office/company address
 - f) landline and mobile number/s
 - g) authority to represent the company (special power of attorney [SPA] or secretary's certificate)
2. Once registration is complete and filled in, the Secretariat will send to the email address provided by the prospective bidder an acknowledgement of receipt and an invitation to join the meeting in the prescribed video teleconference ("VTC") platform indicating the

¹ Section 13.3, Rule V of the 2016 IRR of RA 9184

² the company representative must submit a scanned copy of SPA or Secretary's Certificate

date and time of the pre-bid conference. The pre-registration is required for the Secretariat to monitor the persons allowed to enter in the video teleconference and for records purposes.

Only those-suppliers duly registered shall be allowed to attend. In case there will be more than one (1) representative for each prospective bidder, each representative shall fill out the pre-registration form.

3. The Secretariat shall also provide the Bidder's kit to the prospective bidders to inform them of the house rules to be observed and the step-to-step process during the online bidding.

IV. PRE-BID CONFERENCE PROPER:

1. The BAC, with the assistance of the Secretariat, shall conduct the pre-bid conference through video conferencing using ***the prescribed VTC platform***.
2. The Secretariat will be the sole administrator in the prescribed VTC platform and only the appointed person from the Secretariat can allow the entry of the participants in the pre-bid conference and in the subsequent bidding activities. The video conference via the prescribed VTC platform will be recorded and minutes of the meeting will also be prepared.
3. Decisions of the BAC amending any provision of the Bidding Documents shall be issued in writing through a Supplemental/Bid Bulletin posted at least seven (7) CD before the bid opening and e-mailed to all suppliers who registered for the pre-bid conference.
(Section 22.4 of the RIRR of 2016)

V. PROCEDURE FOR THE DEADLINE FOR SUBMISSION OF BIDS, OPENING AND EVALUATION OF BIDS:

Per **GPPB Resolution 09-2020**, the GPPB-TSO, for the efficient conduct of all procurement activities, *regardless of procurement modality*, during a nationally or locally declared State of Calamity:

“ENJOIN PEs to maximize the use of existing rules under RA No. 9184, its IRR and related issuances on the conduct of procurement activities, particularly those meant to streamline, simplify and expedite the conduct of procurement and address the challenges and disruptions brought by calamities and crisis such as the COVID-19 pandemic, such as **use of videoconferencing, webcasting and similar**

technology in the conduct of any of the meetings and determination of quorum by the BAC¹⁵ and use of digital signatures in procurement related documents;¹⁶

In order to complement these, **ALLOW** the (i) submission of procurement related documents, except for the submission and receipt of bids, **through electronic mail or facsimile subject to the submission of the printed copies as soon as practicable, as determined by the Bids and Awards Committee (BAC); and (ii) use of other forms of digital or electronic signature in all procurement related documents.** For this purpose, PEs shall establish their respective internal rules to ensure the security, integrity and authenticity of the documents electronically submitted and the use of digital or electronic signature.”

In light of the unavailability of the online bidding facility under the modernized Philippine Government Electronic Procurement System (PhilGEPS), **AUTHORIZED** the online or electronic submission and receipt of bids for procurement modalities where **a two-envelope procedure or sealed price quotation is required.** The BAC shall decide whether to allow the online or electronic submission and receipt of bids based on the PE’s procurement needs and capabilities.

Bid submission shall be done through any electronic means available to the PEs, provided that the same:

- a. uses a **two-factor security procedure consisting of an archive format compression and password protection to ensure the security, integrity and confidentiality of the bids submitted;**
- b. allows access to a **password-protected Bidding Documents on opening date and time.** The passwords for accessing the file will be disclosed by the Bidders only during the actual bid opening which may be done in person or face-to-face through videoconferencing, webcasting or similar technology; and
- c. capable of **generating an audit trail of transactions** to ensure the security, integrity and authenticity of bid submissions.

For this purpose, the highest official managing the Information Technology- EDP shall issue a Certification describing the electronic system or procedure to be used by the PE for the electronic submission and receipt of bids and a statement that the same is compliant with the foregoing requirements.”

[Boldface supplied]

As such:

- 1) All prospective bidders are enjoined to submit the financial and eligibility requirements in password protected PDF files via the Secretariat's official email address. The bidder will send in a single email two compressed folders (in .ZIP file format) which shall both be password protected. One zip folder shall contain the scanned original copy of the **Legal and Technical Requirements** in a password protected PDF file. Both ZIP

folder and PDF file shall be assigned the file name “**PCOO Bidding No.____; (Name of Bidder); Legal and Technical Documents**”. The second zip folder shall contain the scanned original copy of the **Financial Requirements** in password protected PDF. Both ZIP folder and PDF file shall be assigned the file name “**PCOO Bidding No.____; (Name of Bidder); Financial Documents**”. The four (4) passwords shall be unique for both folders and files, respectively. In case that the files of the bidder exceed the size limit for email attachments, the bidder may submit the required bidding documents over separate email/s messages. The bidder shall comply with the foregoing measures for securing and compressing their submissions. The subject line for each of the email messages should indicate to which part of the several it corresponds to (e.g., part 1 of x). All attachments submitted in separate emails for the Eligibility and Financial Requirements shall still contain unique passwords for the ZIP folder and the PDF files respectively and shall be submitted on or before the deadline of submission of bids.

- 2) Upon receipt before the deadline of the email/s containing the compressed folders, the BAC Secretariat shall send an email of acknowledgement receipt and shall generate a Bid receipt page/document which can be saved or printed by the bidder, as proof of the official time of receipt of bids; Late Bids shall not be accepted and shall no longer be included in the opening of bids.
- 3) The Secretariat shall download the files in a PCOO issued computer/laptop device so that the audit trail shall be preserved. The Secretariat Head shall designate the official representative of the Secretariat (as administrator) and an alternate who are the only personnel allowed to access the said password protected files for safekeeping and record purposes.
- 4) Should a prospective bidder choose to modify the submitted bid, the following rules shall apply:

“Bidders shall send another Bid equally secured, properly identified, and labelled as a “**modification**” of the one previously submitted. The time indicated in the latest Bid receipt page generated shall be the official time of submission. Bids submitted after the deadline shall not be accepted.” (**GPPB Resolution 09-2020**)

Section 26, R.A 9184 (Revised):

GPPB Resolution No. 09-2020, dated 7 May 2020

Approving measures for the efficient conduct of Procurement Activities during a state of calamity, or implementation of Community Quarantine or similar restrictions

Republic Act no. 9184

Guidelines for Emergency Procurement under Republic Act No. 11469 or the Bayanihan to Heal as One Act dated 6 April 2020.

“For online or electronic bid submission, where a bidder modifies its Bid, it **shall not be allowed to retrieve its original Bid**, but shall only be allowed to **send another Bid equally secured and properly identified. (GPPB Resolution 09-2020)**

In the case of electronic submission, to be labelled as a **“modification,”** of the one previously submitted. The time indicated in **the latest Bid receipt page generated shall be the official time of submission.** Bids submitted after the deadline shall not be accepted.”

[Boldface supplied.]

5) In case of modification of bids, the bidder shall use the following file names for the folders and files:

- A. **“PCOO Bidding No.____; (Name of Bidder); Legal and Technical Documents – Modification”**
- B. **“PCOO Bidding No.____; (Name of Bidder); Financial Documents-Modification”**

The Secretariat shall record the last document submitted by the prospective bidder as the official document for the opening of bids, provided it is submitted on or before the deadline.

VI. BID OPENING PROCESS:

Sec. 29, R.A, 9184:

The BAC shall open the bids immediately after the deadline for the submission and receipt of bids. The time, date, and place of the opening of bids shall be specified in the Bidding Documents.

GPPB Resolution No. 09-2020:

For electronic bid submission, the passwords for accessing the Bidding Documents will be disclosed by the Bidders **only during the actual bid opening which may be done in person or face-to-face videoconferencing, webcasting or similar technology.**

[Boldface supplied.]

The BAC, with the assistance of the Secretariat and Technical Working Group (“TWG”), shall conduct the bid opening via the prescribed

GPPB Resolution No. 09-2020, dated 7 May 2020

Approving measures for the efficient conduct of Procurement Activities during a state of calamity, or implementation of Community Quarantine or similar restrictions

Republic Act no. 9184

Guidelines for Emergency Procurement under Republic Act No. 11469 or the Bayanihan to Heal as One Act dated 6 April 2020.

VTC platform. Bidders are encouraged to attend the bid opening online. The passwords for the folders and the files shall be disclosed by the bidders only during the bid opening.

For bidders who are present, the Secretariat will ask the bidder in the chat box of the prescribed VTC platform room for the corresponding password during the bid opening itself. The official representative of the bidder shall respond promptly in the same chat box with the passwords when prompted.

If a bidder is unable to attend the bid opening and his bid is about to be opened, the Secretariat will ask for the passwords via text message to the official representative of the bidder who shall respond promptly with the password. Bidders are given a minimum of five (5) minutes to respond with the password. If the bidder does not respond with the password within five (5) minutes from prompting, the BAC shall move on to the next bid, if any. If there are no other bids to be considered, the Secretariat shall ask again via text message for the password and the BAC shall give the bidder at least another five (5) minutes to respond. If the bidder does not respond within the allotted time, his bid will longer be considered.

The bidder shall first disclose the password for the first password-protected compressed folder containing the eligibility documents and the Secretariat shall extract the eligibility documents therein. The Secretariat shall upload the said extracted file to Google Drive and share by email an online link to such file to all BAC, Secretariat and TWG Members. After sharing such link, the Secretariat will ask the bidder for the password to the eligibility documents in the same procedure described above.

If the bidder is considered **passed** on his eligibility requirements, together with any other bidders who are considered passed on their eligibility requirements, his second password-protected compressed folder containing his financial documents and the files contained therein shall be opened and shared in the same manner as the passwords of the eligibility documents as described above. In no case will a bidder disclose the passwords for his financial folder and files prior to being declared eligible based on the evaluation of his eligibility documents.

The bidders are given only three attempts to disclose their password per compressed folder and PDF file to open the documents. Should the bidder fail to provide the correct password after the third attempt, their bid will no longer be considered. The Secretariat shall take and print a screenshot of such inquiries and responses to form part of the records and all incidents should be recorded in the minutes.

VII. BID EVALUATION:

1. Only eligible bids shall be evaluated.
2. In consideration of the limited access to financial institutions, regulatory and other offices, as well as the implementation of government restrictions on transport and travel, the following alternate documentary requirements shall be acceptable for procurement activities:

2.1 Unnotarized Bid Securing Declaration;

2.2 Expired Business or Mayor's permit with Official Receipt of renewal application, subject to submission of Business or Mayor's permit after award of contract but before payment;

GPPB Resolution No. 09-2020, dated 7 May 2020 page 5 of 17

2.3 Unnotarized Omnibus Sworn Statement subject to compliance therewith after award of contract but before payment; and

2.4 Performance Securing Declaration (PSD) in lieu of a performance security to guarantee the winning bidder's faithful performance of obligations under the contract, subject to the following:

2.4.1. Similar to the PSD used in Framework Agreement, such declaration shall state, among others, that the winning bidder shall be blacklisted from being qualified to participate in any government procurement activity for one (1) year, in case of first offense or two (2) years, if with prior similar offense, in the event it violates any of the conditions stated in the contract. A copy of the PSD form is attached hereto as Annex "A";

2.4.2. An unnotarized PSD may be accepted, subject to submission of a notarized PSD before payment, unless the same is replaced with a performance security in the prescribed form, as stated below; and

2.4.3. The end-user may require the winning bidder to replace the submitted PSD with a performance security in any of the prescribed forms under Section 39.2 of the 2016 revised IRR of RA No. 9184 upon lifting of the State of Calamity, or community quarantine or similar restrictions, as the case may be.

2.4.4. The BAC shall determine or validate the existence of the State of Calamity, or implementation of community quarantine or similar restrictions and may require the submission of documentary proof for this purpose."

GPPB Resolution No. 09-2020, dated 7 May 2020

Approving measures for the efficient conduct of Procurement Activities during a state of calamity, or implementation of Community Quarantine or similar restrictions

Republic Act no. 9184

Guidelines for Emergency Procurement under Republic Act No. 11469 or the Bayanihan to Heal as One Act dated 6 April 2020.

3. The BAC Secretariat shall record the proceedings and prepare the minutes of the meeting in the conduct of the opening and evaluation of bids.

VIII. POST-QUALIFICATION:

1. The TWG shall conduct post-qualification measures based on the documents submitted by the bidders. Only those with complete and sufficient requirements shall be considered for purposes of awarding the contract.

The TWG, as it may deem necessary, require the manual submission of the documents submitted by the bidders for proper identification and evaluation.

RESOLVED, FINALLY that on the basis of the foregoing, the BAC-I **RECOMMENDS** to the HoPE to adopt the foregoing guidelines on the electronic submission of bids in accordance with the GPPB Resolution 09-2020.

RESOLVED, in Malacañang, Manila, on 19 November 2020.

Usec. MARVIN R. GATPAYAT
Chairperson

Usec. FEDUCIA MIA M. REYES-LUCAS
Alternate Chairperson

(ORIGINAL SIGNED)

Asec. OMAR V. ROMERO
Vice-Chairperson

Atty. MARK WAYNE E. EUBANK
Alternate Vice-Chairperson

(ORIGINAL SIGNED)

(ORIGINAL SIGNED)

Asec. ANA MARIA PAZ B. RAFAEL
Member

Atty. TARA TRIZTINA C. RAMA
Alternate Member

GPPB Resolution No. 09-2020, dated 7 May 2020

Approving measures for the efficient conduct of Procurement Activities during a state of calamity, or implementation of Community Quarantine or similar restrictions

Republic Act no. 9184

Guidelines for Emergency Procurement under Republic Act No. 11469 or the Bayanihan to Heal as One Act dated 6 April 2020.

(ORIGINAL SIGNED)

Dir. EUGENE A. EARLE JR.
Member

(ORIGINAL SIGNED)

MA. ALMA A. FRANCISCO
Alternate Member

(ORIGINAL SIGNED)

JOSE L. ORGIMEN JR.
Member

☐ Approved

☐ Disapproved, based on the following valid, reasonable, and justifiable ground/s³:

(ORIGINAL SIGNED)

Asec. RYAN L. UY
*Authorized Representative of the
Head of the Procuring Entity*

³ **Section 41 of the 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184.**

GPPB Resolution No. 09-2020, dated 7 May 2020

Approving measures for the efficient conduct of Procurement Activities during a state of calamity, or implementation of Community Quarantine or similar restrictions

Republic Act no. 9184

Guidelines for Emergency Procurement under Republic Act No. 11469 or the Bayanihan to Heal as One Act dated 6 April 2020.

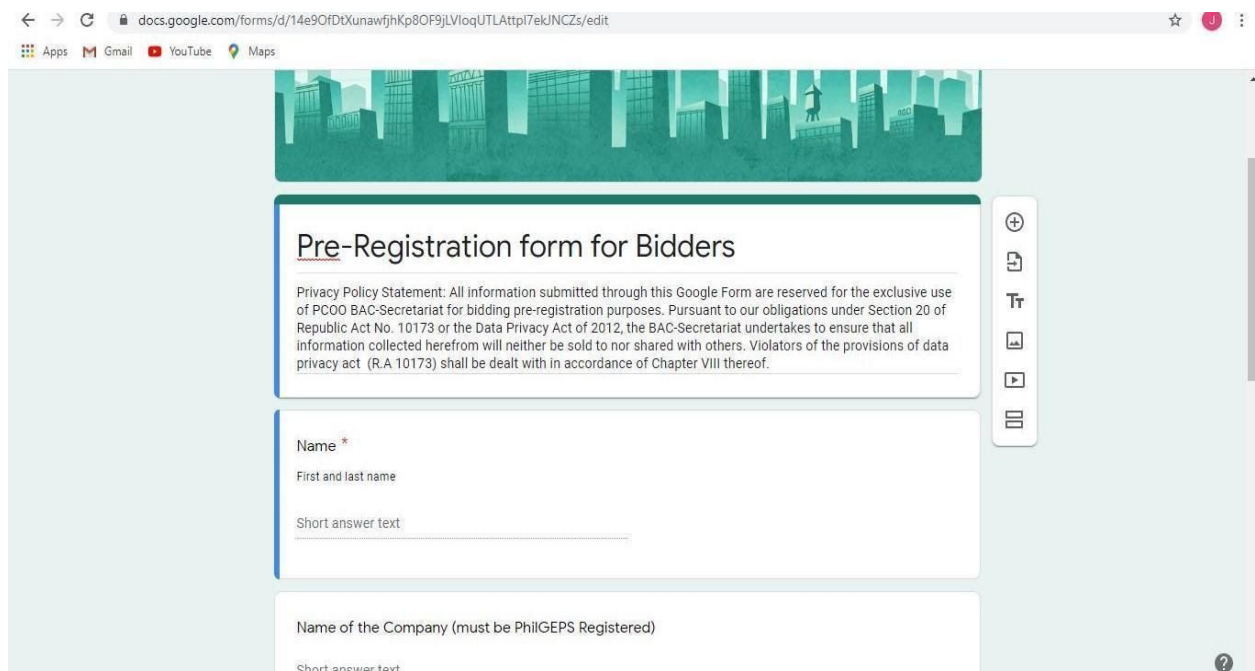
BIDDER'S KIT FOR PCOO PROCUREMENT GUIDELINES IN ADOPTING ELECTRONIC SUBMISSION OF BIDS ver.2

(GPPB Resolution no. 09-2020)

I. Pre-Bid Conference

Step 1: Register by completing the information required in the Google forms which can be accessed here:
https://docs.google.com/forms/d/14e9OfDtXunawfjhKp8OF9jLVloqUTLAttpI7ekJNCZs/viewform?edit_requested=true

Once completed, submit the form to the Secretariat and wait for an acknowledgement by e-mail.

The image is a screenshot of a Google Forms interface. At the top, there is a teal header with a city skyline illustration. The form title is 'Pre-Registration form for Bidders'. Below the title is a privacy policy statement: 'Privacy Policy Statement: All information submitted through this Google Form are reserved for the exclusive use of PCOO BAC-Secretariat for bidding pre-registration purposes. Pursuant to our obligations under Section 20 of Republic Act No. 10173 or the Data Privacy Act of 2012, the BAC-Secretariat undertakes to ensure that all information collected herefrom will neither be sold to nor shared with others. Violators of the provisions of data privacy act (R.A 10173) shall be dealt with in accordance of Chapter VIII thereof.' There are two text input fields. The first is labeled 'Name *' with a sub-label 'First and last name' and a 'Short answer text' input line. The second is labeled 'Name of the Company (must be PhilGEPS Registered)' with a 'Short answer text' input line. On the right side of the form, there is a vertical toolbar with icons for adding, deleting, and other form editing functions. The browser's address bar at the top shows the Google Forms URL.

Step 2: Join the scheduled Pre-Bid Conference by clicking the link provided by the Secretariat through e-mail to enter the Google Meet by clicking **“Join Now”**. Please make sure that you allow access to the microphone and the camera.

Step 3: Kindly wait for the Secretariat to confirm your entry in the prescribed video teleconference (“VTC”) platform to participate in the pre-bid conference.

Step 4: See file attached as "Annex A" for the House Rules to be observed during the conduct of procurement activities.

II. Submission of Bids

Step 1: Scan the original copy of the **Legal and Technical Requirements** and save as a PDF assigned with the file name "**PCOO Bidding No.____; (Name of Bidder); Legal and Technical Documents**". Place/set a password on the PDF file. Save the password-protected PDF file to a ZIP file. Place/set another password on the ZIP file.

Step 2: Scan the original copy of the **Financial Requirements** and save as a PDF assigned with the file name "**PCOO Bidding No.____; (Name of Bidder); Financial Documents**". Place/set a password on the PDF file. Save the password-protected PDF file to a ZIP file. Place/set another password on the ZIP file.

Important: Passwords shall bear a unique combination for each file and folder. Same passwords for all files are not allowed. Thus, there shall be **four (4) sets of passwords with unique combination**. For details on how to save files in PDF format and to place passwords please see file attached as "Annex B".

NOTE: In case that the files of the bidder exceed the size limit for email attachments, the bidder may submit the required bidding documents over separate email/s messages. The bidder shall comply with the foregoing measures for securing and compressing their submissions. The subject line for each of the email messages should indicate to which part of the several it corresponds to (e.g., part 1 of x). All attachments submitted in separate emails for the Eligibility and Financial Requirements shall still contain unique passwords for the ZIP folder and the PDF files respectively and shall be submitted on or before the deadline of submission of bids.

Step 3: Submit your bids via e-mail to (bac1@pco.gov.ph) on or before the deadline for bid submission.

Step 4: After submission, wait for the acknowledgement by the BAC Secretariat of the a) receipt of the compressed file (ZIP file) containing the bids b) proof of the date and time of receipt of the bid to ensure submission prior to the deadline and c) the invitation with the access link to the video conference of the bid opening with date and time thereof.

Important: In case of any modification of bids, the original bid submitted shall not be retrieved but a modified bid shall be submitted to the Secretariat provided that it is equally secured by passwords, properly identified and submitted on or before the deadline. The bidder shall use the following file names for the folders and files:

- A. "**PCOO Bidding No.____; (Name of Bidder); Legal and Technical Documents – Modification**"
- B. "**PCOO Bidding No.____; (Name of Bidder); Financial Documents-Modification**"

Important: LATE Bids or those bids submitted after the deadline will **NOT** be considered in the bid opening.

III. Opening and Evaluation of Bids

Step 1: Open e-mail and access the link provided by the Secretariat to enter the Google Meet by clicking **“Join Now”**. Make sure that you allow access to the microphone and the camera. Wait for confirmation from the Secretariat to enter the meeting room.

Step 2: When prompted, disclose in the chat box the password to the first password protected ZIP folder. Wait for the Secretariat to upload the extracted file to Google drive. Afterwards, the Secretariat will prompt you to disclose the password for the PDF document containing the Legal and Technical requirements. If you are present, the Secretariat will ask in the chat box of the Google Meet video conferencing room for the corresponding passwords during the bid opening itself.

If you are not present in the online meeting in Google Meet, the Secretariat will send you an inquiry for such passwords via text message to your registered mobile number. You are given a minimum of five (5) minutes to respond. Should you not respond with the password when prompted, the BAC shall move on to the next bid, if any. If there are no other bids to be considered, the Secretariat shall ask again via text message for the password and you are given another five (5) minutes to respond. Should you fail to respond within the allotted time, your submitted bid will longer be considered.

Under no circumstances should you disclose such passwords BEFORE the scheduled bid opening.

Step 3: Should the Legal and Technical requirements be declared as **"PASSED"**, you will be prompted to disclose the password for the second password protected ZIP folder, and subsequently the password for the PDF document containing the financial requirements in the same manner as the passwords of the eligibility documents as described above. You must respond promptly.

Under no circumstances should you disclose such passwords prior to being declared eligible based on the evaluation of his eligibility documents.

Important: Only **three attempts** are given to disclose your password per ZIP folder and PDF file to open the documents. Should you fail to provide the correct password after the third attempt, the submitted bids shall **NOT** be accepted during the bid opening

* For inquiries and other concerns, you may reach the BAC Secretariat through this email address: bac1@pco.gov.ph or mobile number at: **09352481213**.

Stay safe and warm regards!

BAC Secretariat

PRESIDENTIAL COMMUNICATIONS

OPERATIONS OFFICE


ANNEX "A"

Basic House Rules to be observed during BAC Meetings

1. Kindly place your microphone on mute when not speaking.
2. Please raise your hand, and wait to be recognized before you speak (remember to toggle off mute).
3. Turn on video for confirmation of your identity.
4. Meetings will start on time. You are advised to enter the VTC room 30 minutes to resolve technical issues, if any.

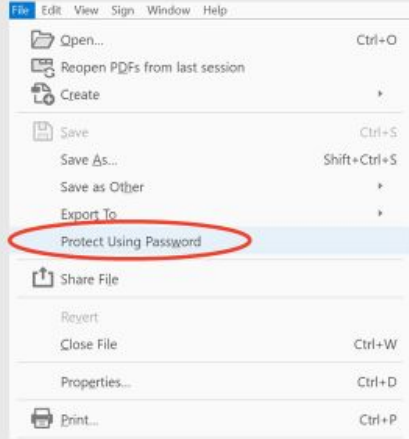
ANNEX “B”


SECURING YOUR FILE



How to Add Password in PDF File


1. Open the PDF file
2. Click the file and choose **“protect using password.”**






How to Add Password in PDF File

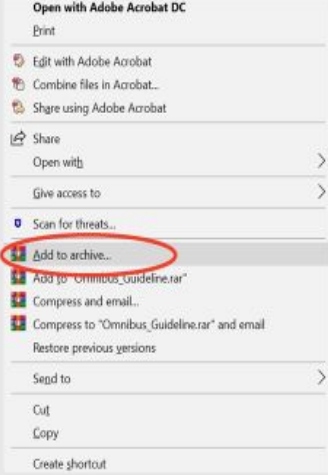
3. In the protect using password dialog box, type your **password twice** and choose **“apply”** at the lower right side of the dialog box.






How to Add Password in ZIP File

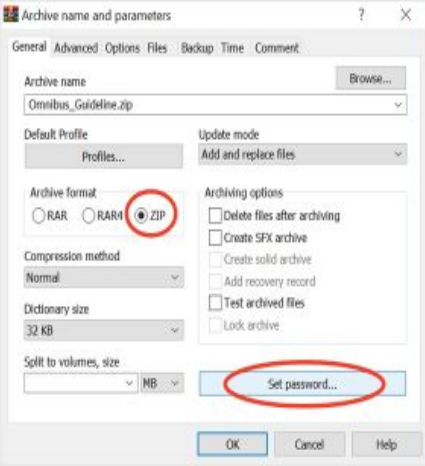
1. Right click the file.
2. Choose **"add to archive."**

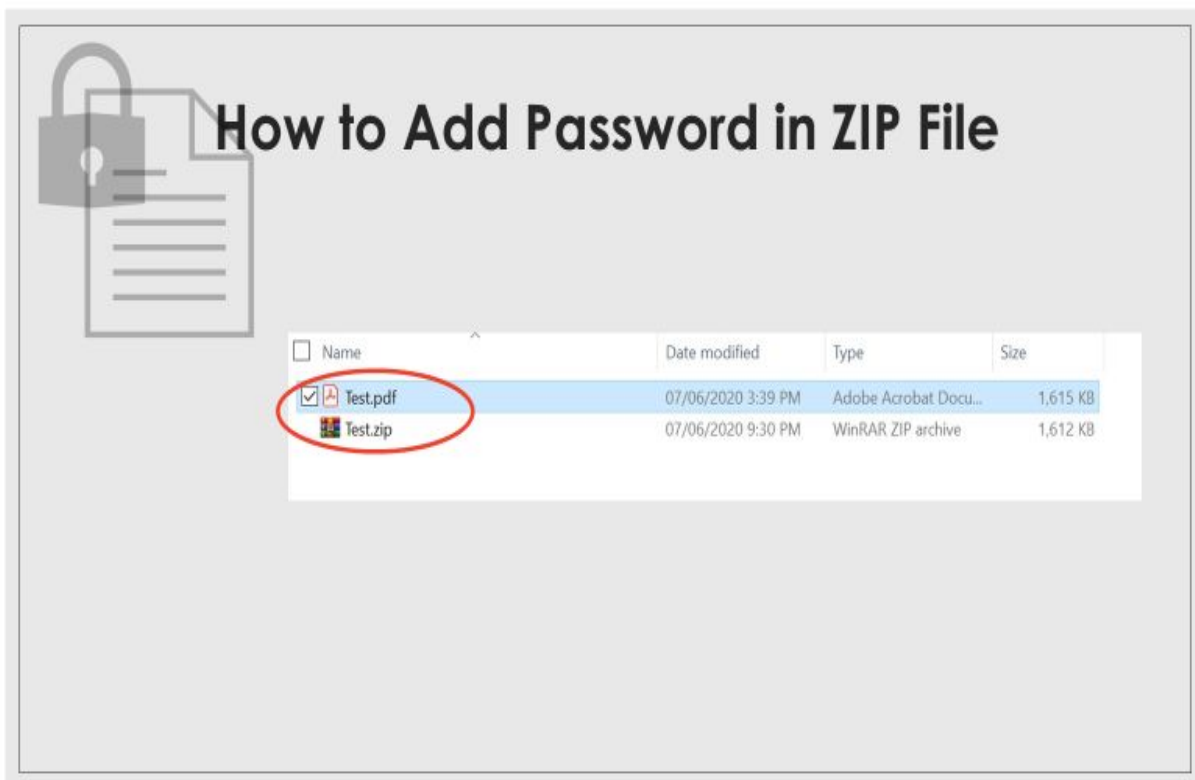





How to Add Password in ZIP File

3. In the Archive name and parameters dialog box, choose **"radio button ZIP"** and click **"set password."**



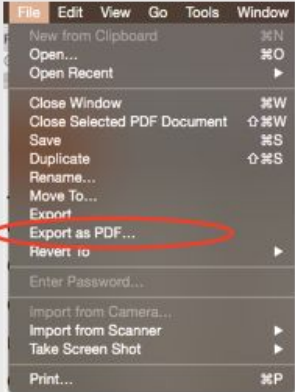


SECURING YOUR FILE (MAC)




How to Add Password in PDF File

1. Open the PDF file using Preview
2. Click file and choose **"Export as PDF"**



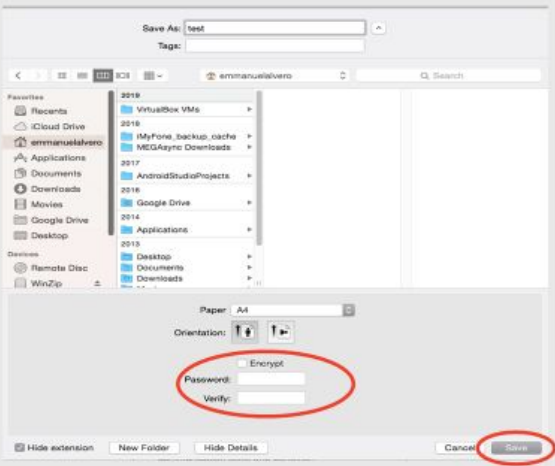
File	Edit	View	Go	Tools	Window
New from Clipboard					⌘N
Open...					⌘O
Open Recent					
Close Window					⌘W
Close Selected PDF Document					⇧⌘W
Save					⌘S
Duplicate					⇧⌘S
Rename...					
Move To...					
Export					
Export as PDF...					
Revert to					
Enter Password...					
Import from Camera...					
Import from Scanner					
Take Screen Shot					
Print...					⌘P



How to Add Password in PDF File

3. Click **"Show Details"**

4. Click **"Encrypt"** enter password in the dialog box and click **"Save"**

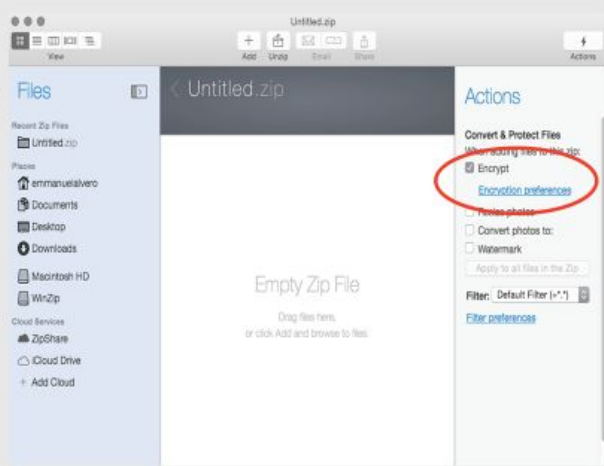


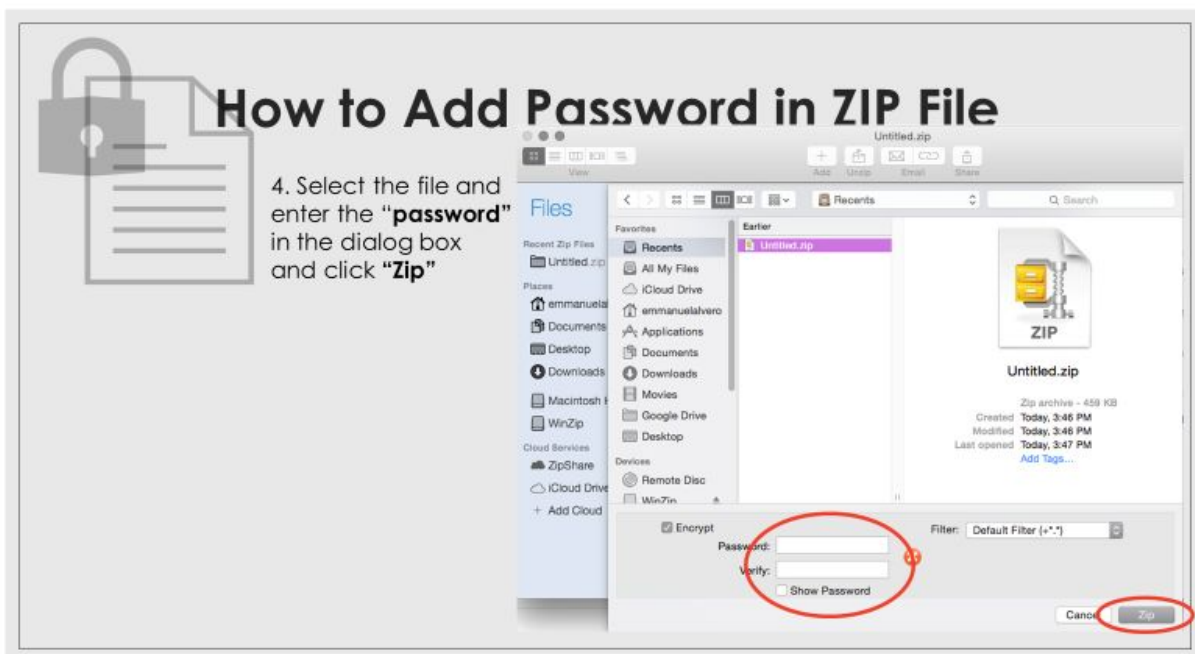
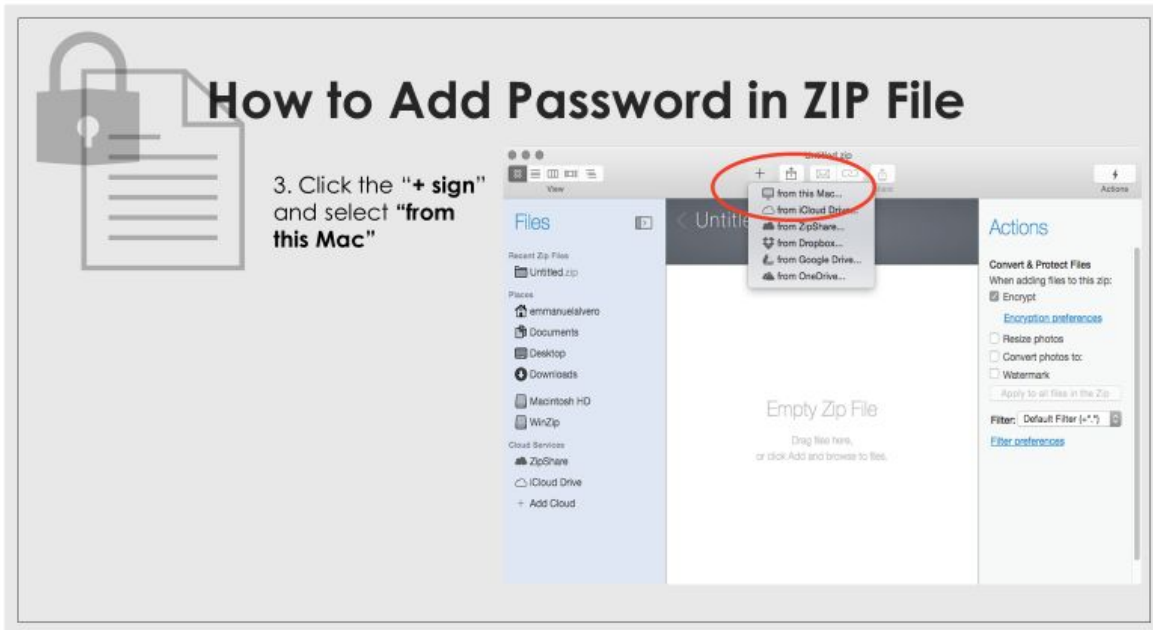


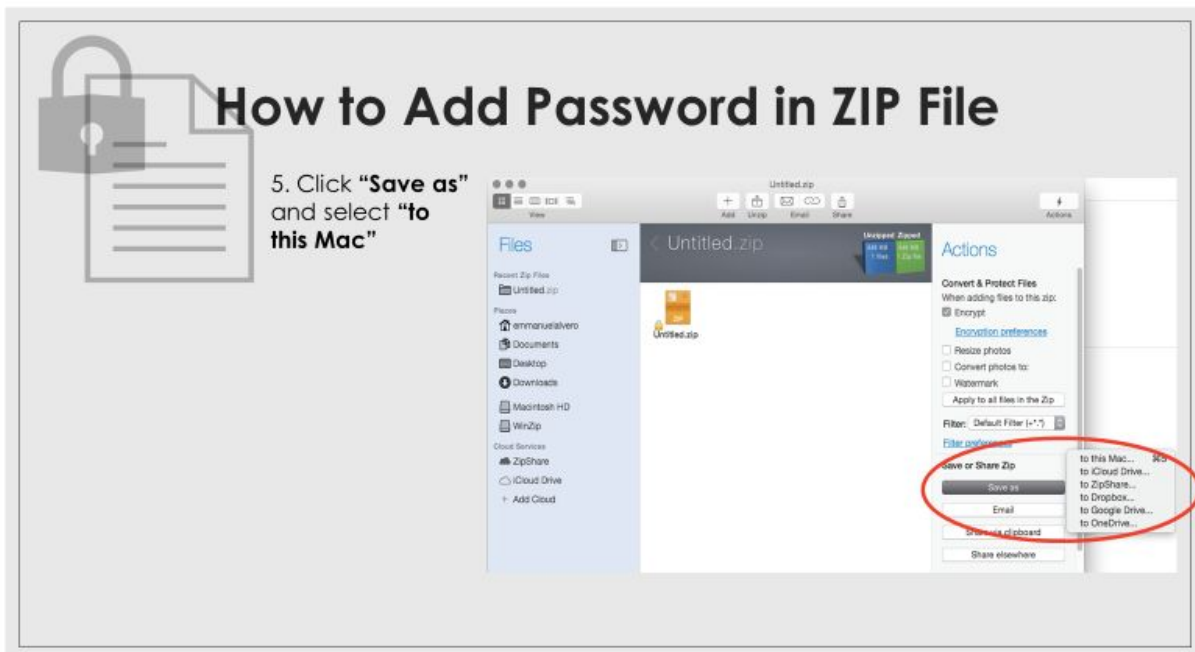
How to Add Password in ZIP File

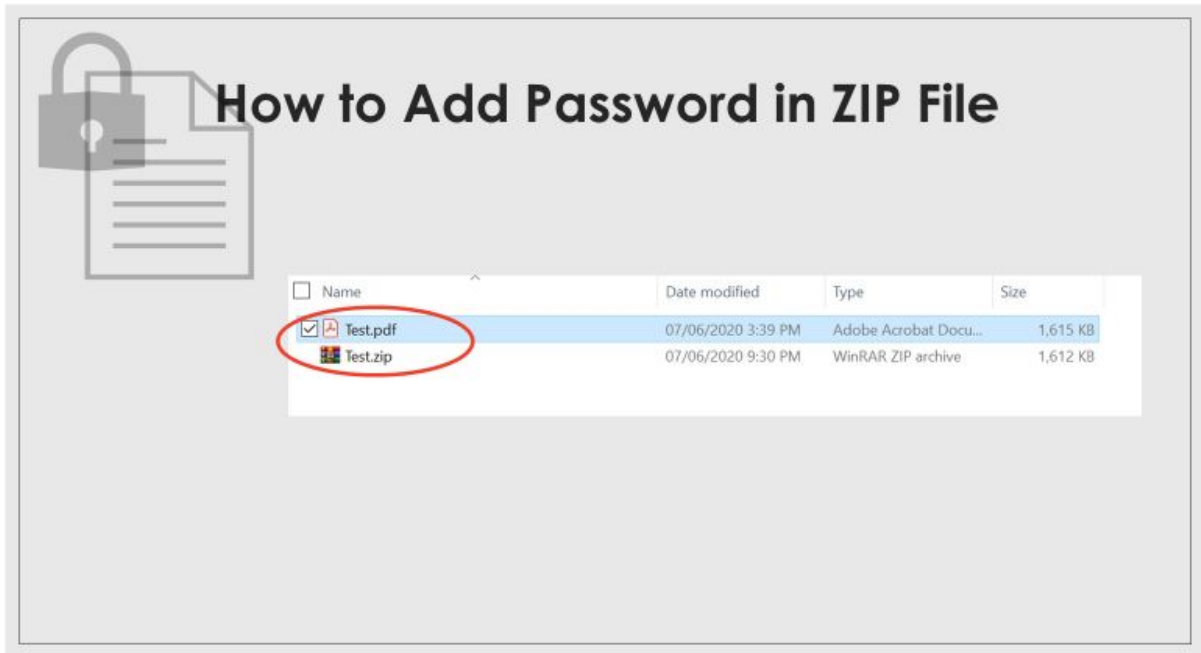
1. Open **"WinZip"**

2. Click the **"Checkbox"** beside **"Encrypt"**











REPUBLIC OF THE PHILIPPINES
PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE
Tanggapang Pampanguluhan sa Operasyong Pangkomunikasyon
Malacañang, Manila

Guidelines on the Purchase of Bidding Documents

Pursuant to a Memorandum dated 14 August 2020 issued by the Presidential Security Group (Task Force) on the Mandatory RT-PCR Test for All Civilian Workers/Employees, “All personnel inside Malacañang Complex including all dependents, tenants or civilian workers must undergo RT-PCR test to detect all those infected with COVID 19”, Suppliers are hereby advised of the following guidelines on the purchase of bidding documents:

- I. Suppliers may purchase the bidding documents from the start of the advertisement of the project until before the deadline for the submission of bids from 9:00 AM to 3:00 PM, Mondays to Fridays only (excluding holidays).
- II. Suppliers will have to present a PCR or swab test with a **NEGATIVE** result for Covid-19 in order to be allowed entry by the PSG into the Malacañang Complex, and consequently the New Executive Building, in order to purchase the bidding documents;
- III. A body temperature check at the gate shall also be conducted by the PSG and the supplier is required to wear face mask and face shield inside the premises at all times;
- IV. Suppliers who are not able to present a PCR or swab test with a negative result for Covid-19, may make prior arrangements with Ms. Mercelita H. Tambis or her representative from the PCOO’s Cash Section at 0917-1744509 or cashsection@pco.gov.ph and purchase the bidding documents at the Gate 2 entrance, Malacañang Complex;
- V. Suppliers must notify the Cash Personnel ahead of time should he intend to purchase the bidding documents and before going to the Malacañang Complex. This is to ensure that the designated Cash Personnel is on stand-by at Gate 2 during the official business hours;
- VI. The Bidder shall accomplish the Bid Purchase Form (as attached hereto) and shall be required to submit the form and pay the applicable fee as provided in the Invitation to Bid. The Cash Personnel will issue an Official Receipt after payment.
- VII. The Official Receipt shall be included as an attachment in the *Eligibility Documents (First Envelope)* and shall be presented during the Opening and Evaluation of Bids as proof of payment for the bidding documents.



REPUBLIC OF THE PHILIPPINES
PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE
Tanggapang Pampanguluhan sa Operasyong Pangkomunikasyon
Malacañang, Manila

Bid Purchase Form

Procurement Project and Contract Number	
Company Name	
Company Address	
Representative	
Designation of the Representative	
Phone Number	
Email Address	
Bid Price	

**Please include this purchase form on the legal and technical documents to be submitted to the BAC along with the official receipt.*

Price Schedule for Goods Offered from Within the Philippines
[shall be submitted with the Bid if bidder is offering goods from within the Philippines]

For Goods Offered from Within the Philippines

Name of Bidder _____ Project ID No. _____ Page ____ of ____

1	2	3	4	5	6	7	8	9	10
Item	Description	Country of origin	Quantity	Unit price EXW per item	Transportation and all other costs incidental to delivery, per item	Sales and other taxes payable if Contract is awarded, per item	Cost of Incidental Services, if applicable, per item	Total Price, per unit (col 5+6+7+8)	Total Price delivered Final Destination (col 9) x (col 4)

Name: _____

Legal Capacity: _____

Signature: _____

Duly authorized to sign the Bid for and behalf of: _____

Price Schedule for Goods Offered from Abroad
[shall be submitted with the Bid if bidder is offering goods from Abroad]

For Goods Offered from Abroad

Name of Bidder _____ Project ID No. _____ Page ____ of ____

1	2	3	4	5	6	7	8	9
Item	Description	Country of origin	Quantity	Unit price CIF port of entry (specify port) or CIP named place (specify border point or place of destination)	Total CIF or CIP price per item (col. 4 x 5)	Unit Price Delivered Duty Unpaid (DDU)	Unit price Delivered Duty Paid (DDP)	Total Price delivered DDP (col 4 x 8)

Name: _____

Legal Capacity: _____

Signature: _____

Duly authorized to sign the Bid for and behalf of: _____

Omnibus Sworn Statement (Revised)

[shall be submitted with the Bid]

REPUBLIC OF THE PHILIPPINES)
CITY/MUNICIPALITY OF _____) S.S.

AFFIDAVIT

I, [Name of Affiant], of legal age, [Civil Status], [Nationality], and residing at [Address of Affiant], after having been duly sworn in accordance with law, do hereby depose and state that:

1. *[Select one, delete the other:]*

[If a sole proprietorship:] I am the sole proprietor or authorized representative of [Name of Bidder] with office address at [address of Bidder];

[If a partnership, corporation, cooperative, or joint venture:] I am the duly authorized and designated representative of [Name of Bidder] with office address at [address of Bidder];

2. *[Select one, delete the other:]*

[If a sole proprietorship:] As the owner and sole proprietor, or authorized representative of [Name of Bidder], I have full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached duly notarized Special Power of Attorney;

[If a partnership, corporation, cooperative, or joint venture:] I am granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached [state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate, Board/Partnership Resolution, or Special Power of Attorney, whichever is applicable);];

3. [Name of Bidder] is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board, **by itself or by relation, membership, association, affiliation, or controlling interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on Blacklisting;**

4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;

5. [Name of Bidder] is authorizing the Head of the Procuring Entity or its duly authorized representative(s) to verify all the documents submitted;

6. *[Select one, delete the rest:]*

[If a sole proprietorship:] The owner or sole proprietor is not related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical

Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

[If a partnership or cooperative:] None of the officers and members of *[Name of Bidder]* is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

[If a corporation or joint venture:] None of the officers, directors, and controlling stockholders of *[Name of Bidder]* is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

7. *[Name of Bidder]* complies with existing labor laws and standards; and
8. *[Name of Bidder]* is aware of and has undertaken the responsibilities as a Bidder in compliance with the Philippine Bidding Documents, which includes:
 - a. Carefully examining all of the Bidding Documents;
 - b. Acknowledging all conditions, local or otherwise, affecting the implementation of the Contract;
 - c. Making an estimate of the facilities available and needed for the contract to be bid, if any; and
 - d. Inquiring or securing Supplemental/Bid Bulletin(s) issued for the *[Name of the Project]*.
9. *[Name of Bidder]* did not give or pay directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel or representative of the government in relation to any procurement project or activity.
10. **In case advance payment was made or given, failure to perform or deliver any of the obligations and undertakings in the contract shall be sufficient grounds to constitute criminal liability for Swindling (Estafa) or the commission of fraud with unfaithfulness or abuse of confidence through misappropriating or converting any payment received by a person or entity under an obligation involving the duty to deliver certain goods or services, to the prejudice of the public and the government of the Philippines pursuant to Article 315 of Act No. 3815 s. 1930, as amended, or the Revised Penal Code.**

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of ____, 20__ at _____, Philippines.

[Insert NAME OF BIDDER OR ITS AUTHORIZED REPRESENTATIVE]

[Insert signatory's legal capacity]

Affiant

[Jurat]

[Format shall be based on the latest Rules on Notarial Practice]

Contract Agreement Form for the Procurement of Goods (Revised)
[Not required to be submitted with the Bid, but it shall be submitted within ten (10) days after receiving the Notice of Award]

CONTRACT AGREEMENT

THIS AGREEMENT made the ____ day of _____ 20____ between [name of PROCURING ENTITY] of the Philippines (hereinafter called “the Entity”) of the one part and [name of Supplier] of [city and country of Supplier] (hereinafter called “the Supplier”) of the other part;

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly [brief description of goods and services] and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of *[contract price in words and figures in specified currency]* (hereinafter called “the Contract Price”).

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract referred to.
2. The following documents as required by the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184 shall be deemed to form and be read and construed as integral part of this Agreement, viz.:
 - i. Philippine Bidding Documents (PBDs);
 - i. Schedule of Requirements;
 - ii. Technical Specifications;
 - iii. General and Special Conditions of Contract; and
 - iv. Supplemental or Bid Bulletins, if any
 - ii. Winning bidder’s bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;

Bid form, including all the documents/statements contained in the Bidder’s bidding envelopes, as annexes, and all other documents submitted (e.g., Bidder’s response to request for clarifications on the bid), including corrections to the bid, if any, resulting from the Procuring Entity’s bid evaluation;
 - iii. Performance Security;
 - iv. Notice of Award of Contract; and the Bidder’s conforme thereto; and
 - v. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the PBDs. **Winning bidder agrees that additional contract documents or information prescribed by the GPPB that are subsequently required for submission after the contract execution, such as the Notice to Proceed, Variation Orders, and Warranty Security, shall likewise form part of the Contract.**

3. In consideration for the sum of *[total contract price in words and figures]* or such other sums as may be ascertained, *[Named of the bidder]* agrees to *[state the object of the contract]* in accordance with his/her/its Bid.
4. The *[Name of the procuring entity]* agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines on the day and year first above written.

[Insert Name and Signature]

[Insert Name and Signature]

[Insert Signatory's Legal Capacity]

[Insert Signatory's Legal Capacity]

for:

for:

[Insert Procuring Entity]

[Insert Name of Supplier]

Acknowledgment

[Format shall be based on the latest Rules on Notarial Practice]

Bid Securing Declaration Form

[shall be submitted with the Bid if bidder opts to provide this form of bid security]

REPUBLIC OF THE PHILIPPINES)
CITY OF _____) S.S.

BID SECURING DECLARATION **Project Identification No.: *[Insert number]***

To: *[Insert name and address of the Procuring Entity]*

I/We, the undersigned, declare that:

1. I/We understand that, according to your conditions, bids must be supported by a Bid Security, which may be in the form of a Bid Securing Declaration.
2. I/We accept that: (a) I/we will be automatically disqualified from bidding for any procurement contract with any procuring entity for a period of two (2) years upon receipt of your Blacklisting Order; and, (b) I/we will pay the applicable fine provided under Section 6 of the Guidelines on the Use of Bid Securing Declaration, within fifteen (15) days from receipt of the written demand by the procuring entity for the commission of acts resulting to the enforcement of the bid securing declaration under Sections 23.1(b), 34.2, 40.1 and 69.1, except 69.1(f), of the IRR of RA No. 9184; without prejudice to other legal action the government may undertake.
3. I/We understand that this Bid Securing Declaration shall cease to be valid on the following circumstances:
 - a. Upon expiration of the bid validity period, or any extension thereof pursuant to your request;
 - b. I am/we are declared ineligible or post-disqualified upon receipt of your notice to such effect, and (i) I/we failed to timely file a request for reconsideration or (ii) I/we filed a waiver to avail of said right; and
 - c. I am/we are declared the bidder with the Lowest Calculated Responsive Bid, and I/we have furnished the performance security and signed the Contract.

IN WITNESS WHEREOF, I/We have hereunto set my/our hand/s this ____ day of *[month]* *[year]* at *[place of execution]*.

Name of Company

*[Insert NAME OF BIDDER OR ITS AUTHORIZED
REPRESENTATIVE]*

[Insert signatory's legal capacity]

Affiant

[Jurat]

[Format shall be based on the latest Rules on Notarial Practice]

Bid Form for the Procurement of Goods

[shall be submitted with the Bid]

BID FORM

Date : _____
Project Identification No. : _____

To: *[name and address of Procuring Entity]*

Having examined the Philippine Bidding Documents (PBDs) including the Supplemental or Bid Bulletin Numbers *[insert numbers]*, the receipt of which is hereby duly acknowledged, we, the undersigned, offer to *[supply/deliver/perform]* *[description of the Goods]* in conformity with the said PBDs for the sum of *[total Bid amount in words and figures]* or the total calculated bid price, as evaluated and corrected for computational errors, and other bid modifications in accordance with the Price Schedules attached herewith and made part of this Bid. The total bid price includes the cost of all taxes, such as, but not limited to: *[specify the applicable taxes, e.g. (i) value added tax (VAT), (ii) income tax, (iii) local taxes, and (iv) other fiscal levies and duties]*, which are itemized herein or in the Price Schedules,

If our Bid is accepted, we undertake:

- a. to deliver the goods in accordance with the delivery schedule specified in the Schedule of Requirements of the Philippine Bidding Documents (PBDs);
- b. to provide a performance security in the form, amounts, and within the times prescribed in the PBDs;
- c. to abide by the Bid Validity Period specified in the PBDs and it shall remain binding upon us at any time before the expiration of that period.

[Insert this paragraph if Foreign-Assisted Project with the Development Partner:

Commissions or gratuities, if any, paid or to be paid by us to agents relating to this Bid, and to contract execution if we are awarded the contract, are listed below:

Name and address of agent	Amount and Purpose of Commission or gratuity
---------------------------	--

(if none, state "None")]

Until a formal Contract is prepared and executed, this Bid, together with your written acceptance thereof and your Notice of Award, shall be binding upon us.

We understand that you are not bound to accept the Lowest Calculated Bid or any Bid you may receive.

We certify/confirm that we comply with the eligibility requirements pursuant to the PBDs.

The undersigned is authorized to submit the bid on behalf of *[name of the bidder]* as evidenced by the attached *[state the written authority]*.

We acknowledge that failure to sign each and every page of this Bid Form, including the attached Schedule of Prices, shall be a ground for the rejection of our bid.

Name: _____

Legal capacity: _____

Signature: _____

Duly authorized to sign the Bid for and behalf of: _____

Date: _____



REPUBLIC OF THE PHILIPPINES
PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE
Tanggapang Pampanguluhan sa Operasyong Pangkomunikasyon
Malacañang, Manila

***Statement of ALL Ongoing Government and Private Contracts
(Including Contracts Awarded but not yet Started)***

NAME OF PROJECT :

BIDDER'S COMPANY NAME :

COMPANY ADDRESS :

ITEM NO.	a) Name of Contract b) Date of Contract c) Contract Duration	Owner's Name and Address/Party Contracting with Bidder	Kinds of Goods	a) Amount of Contract b) Value of Outstanding Contracts	Date of Delivery
GOVERNMENT					
	a) b) c)			a) b)	
PRIVATE					
	a) b) c)			a) b)	

Instructions:

1. Please indicate the correct and complete information required for each contract.
2. Date of Delivery indicates the projected date/s provided in their respective contracts
3. In case there are no ongoing contracts, pls. put N/A or None.

Submitted by : _____ Designation: _____ Date: _____
(Printed Name and Signature)



REPUBLIC OF THE PHILIPPINES
PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE
Tanggapang Pampanguluhan sa Operasyong Pangkomunikasyon
Malacañang, Manila

Statement of the Single Largest Completed Contract

NAME OF PROJECT :

BIDDER'S COMPANY NAME :

COMPANY ADDRESS :

a.) Name of Contract b.) Date of Contract c.) Contract Duration	Owner's Name and Address/Party Contracting with the Bidder	Kinds of Goods	Amount of Completed Contract	Date of Delivery

Instructions:

1. Please indicate the correct and complete information required for each contract.
2. Attach End-user's Acceptance OR Official Receipt(s) OR Sales Invoice issued for the Contract
3. If no completed contract, please put N/A or None.

Submitted by : _____
(Printed Name and Signature)

Designation : _____

Date : _____

Section II. Instructions to Bidders

1. Scope of Bid

The Procuring Entity, **Presidential Communications Operations Office (PCOO)** wishes to receive Bids for the **Procurement for the Supply and Delivery of Two (2) units of Motor Vehicles for Use of PCOO Officials and Employees** with Identification number **PCOO-2020-1-006a**.

The Procurement Project (referred to herein as "Project") is composed of **Two (2) lots**, the details of which are described in Section VII-Technical Specifications.

2. Funding Information

- 2.1. The GOP through the source of funding as indicated below in the amount corresponding to each lot, as follows:

Lot No.	Name/Identification of the Contract	Approved Budget for the Contract (ABC)
1	One (1) unit of air-conditioned Passenger Van (Details under Section VII. Technical Specifications)	PHP 2,164,200.00
2	One (1) unit of air-conditioned Multipurpose Van (MPV) (Details under Section VII. Technical Specifications)	PHP 1,287,080.00

- 2.2. The source of funding for each lot are as follows:

Lot No.	Source of Funds (GAA)
1	2020
2	2020

3. Bidding Requirements

The Bidding for the Project shall be governed by all the provisions of RA No. 9184 and its 2016 revised IRR, including its Generic Procurement Manuals and associated policies, rules and regulations as the primary source thereof, while the herein clauses shall serve as the secondary source thereof.

Any amendments made to the IRR and other GPPB issuances shall be applicable only to the ongoing posting, advertisement, or **IB** by the BAC through the issuance of a supplemental or bid bulletin.

The Bidder, by the act of submitting its Bid, shall be deemed to have verified and accepted the general requirements of this Project, including other factors that may affect the cost, duration and execution or implementation of the contract, project, or work and examine all instructions, forms, terms, and project requirements in the Bidding Documents.

4. Corrupt, Fraudulent, Collusive, and Coercive Practices

The Procuring Entity, as well as the Bidders and Suppliers, shall observe the highest standard of ethics during the procurement and execution of the contract. They or through an agent shall not engage in corrupt, fraudulent, collusive, coercive, and obstructive practices defined under Annex “I” of the 2016 revised IRR of RA No. 9184 or other integrity violations in competing for the Project.

5. Eligible Bidders

- 5.1. Only Bids of Bidders found to be legally, technically, and financially capable will be evaluated.
- 5.2.
 - a. Foreign ownership exceeding those allowed under the rules may participate pursuant to:
 - i. When a Treaty or International or Executive Agreement as provided in Section 4 of the RA No. 9184 and its 2016 revised IRR allow foreign bidders to participate;
 - ii. Citizens, corporations, or associations of a country, included in the list issued by the GPPB, the laws or regulations of which grant reciprocal rights or privileges to citizens, corporations, or associations of the Philippines;
 - iii. When the Goods sought to be procured are not available from local suppliers; or
 - iv. When there is a need to prevent situations that defeat competition or restrain trade.
- 5.3. Pursuant to Section 23.4.1.3 of the 2016 revised IRR of RA No.9184, the Bidder shall have an SLCC that is at least one (1) contract similar to the Project the value of which, adjusted to current prices using the PSA’s CPI, must be at least equivalent to **at least fifty percent (50%) of the ABC**.
- 5.4. The Bidders shall comply with the eligibility criteria under Section 23.4.1 of the 2016 IRR of RA No. 9184.

6. Origin of Goods

There is no restriction on the origin of goods other than those prohibited by a decision of the UN Security Council taken under Chapter VII of the Charter of the UN, subject to Domestic Preference requirements under **ITB** Clause 18.

7. Subcontracts

- 7.1. The Procuring Entity has prescribed that **Subcontracting is not allowed.**

8. Pre-Bid Conference

The Procuring Entity will hold a pre-bid conference for this Project on the specified date and time through **videoconferencing via Zoom** as indicated in paragraph 6 of the **IB**.

9. Clarification and Amendment of Bidding Documents

Prospective bidders may request for clarification on and/or interpretation of any part of the Bidding Documents. Such requests must be in writing and received by the Procuring Entity, either at its given address or through electronic mail indicated in the **IB**, at least ten (10) calendar days before the deadline set for the submission and receipt of Bids.

10. Documents comprising the Bid: Eligibility and Technical Components

- 10.1. The first envelope shall contain the eligibility and technical documents of the Bid as specified in **Section VIII (Checklist of Technical and Financial Documents)**.
- 10.2. The Bidder's SLCC as indicated in **ITB** Clause 5.3 should have been completed within **three (3) years** prior to the deadline for the submission and receipt of bids.
- 10.3. If the eligibility requirements or statements, the bids, and all other documents for submission to the BAC are in foreign language other than English, it must be accompanied by a translation in English, which shall be authenticated by the appropriate Philippine foreign service establishment, post, or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines. Similar to the required authentication above, for Contracting Parties to the Apostille Convention, only the translated documents shall be authenticated through an Apostille pursuant to GPPB Resolution No. 13-2019 dated 23 May 2019. The English translation shall govern, for purposes of interpretation of the bid.

11. Documents comprising the Bid: Financial Component

- 11.1. The second bid envelope shall contain the financial documents for the Bid as specified in **Section VIII (Checklist of Technical and Financial Documents)**.
- 11.2. If the Bidder claims preference as a Domestic Bidder or Domestic Entity, a certification issued by DTI shall be provided by the Bidder in

accordance with Section 43.1.3 of the 2016 revised IRR of RA No. 9184.

- 11.3. Any bid exceeding the ABC indicated in paragraph 1 of the **IB** shall not be accepted.
- 11.4. For Foreign-funded Procurement, a ceiling may be applied to bid prices provided the conditions are met under Section 31.2 of the 2016 revised IRR of RA No. 9184.

12. Bid Prices

- 12.1. Prices indicated on the Price Schedule shall be entered separately in the following manner:
 - a. For Goods offered from within the Procuring Entity's country:
 - i. The price of the Goods quoted EXW (ex-works, ex-factory, ex-warehouse, ex-showroom, or off-the-shelf, as applicable);
 - ii. The cost of all customs duties and sales and other taxes already paid or payable;
 - iii. The cost of transportation, insurance, and other costs incidental to delivery of the Goods to their final destination; and
 - iv. The price of other (incidental) services, if any, listed in e.
 - b. For Goods offered from abroad:
 - i. Unless otherwise stated in the **BDS**, the price of the Goods shall be quoted delivered duty paid (DDP) with the place of destination in the Philippines as specified in the **BDS**. In quoting the price, the Bidder shall be free to use transportation through carriers registered in any eligible country. Similarly, the Bidder may obtain insurance services from any eligible source country.
 - ii. The price of other (incidental) services, if any, as listed in Section VII (Technical Specifications).

13. Bid and Payment Currencies

- 13.1. For Goods that the Bidder will supply from outside the Philippines, the bid prices may be quoted in the local currency or trade able currency accepted by the BSP at the discretion of the Bidder. However, for purposes of bid evaluation, Bids denominated in foreign currencies, shall be converted to Philippine currency based on the exchange rate as published in the BSP reference rate bulletin on the day of the bid opening.

- 13.2. Payment of the contract price shall be made in **Philippine Pesos**.

14. Bid Security

- 14.1. The Bidder shall submit a Bid Securing Declaration or any form of Bid Security in the amount indicated in the **BDS**, which shall be not less than the percentage of the ABC in accordance with the schedule in the **BDS**.
- 14.2. The Bid and bid security shall be valid until **01 June 2021**. Any Bid not accompanied by an acceptable bid security shall be rejected by the Procuring Entity as non-responsive.

15. Sealing and Marking of Bids

Each Bidder shall submit one copy of the first and second components of its Bid.

The Procuring Entity may request additional hard copies and/or electronic copies of the Bid. However, failure of the Bidders to comply with the said request shall not be a ground for disqualification.

If the Procuring Entity allows the submission of bids through online submission or any other electronic means, the Bidder shall submit an electronic copy of its Bid, which must be digitally signed. An electronic copy that cannot be opened or is corrupted shall be considered non-responsive and, thus, automatically disqualified.

16. Deadline for Submission of Bids

- 16.1. The Bidders shall submit on the specified date and time through **online submission** as indicated in paragraph 7 of the **IB**.

17. Opening and Preliminary Examination of Bids

- 17.1. The BAC shall open the Bids in public at the time, on the date, and at the place specified in paragraph 9 of the **IB**. The Bidders' representatives who are present shall sign a register evidencing their attendance. In case videoconferencing, webcasting or other similar technologies will be used, attendance of participants shall likewise be recorded by the BAC Secretariat.

In case the Bids cannot be opened as scheduled due to justifiable reasons, the rescheduling requirements under Section 29 of the 2016 revised IRR of RA No. 9184 shall prevail.

- 17.2. The preliminary examination of bids shall be governed by Section 30 of the 2016 Revised IRR of RA No. 9184.

18. Domestic Preference

- 18.1. The Procuring Entity will grant a margin of preference for the purpose of comparison of Bids in accordance with Section 43.1.2 of the 2016 revised IRR of RA No. 9184.

19. Detailed Evaluation and Comparison of Bids

- 19.1. The Procuring BAC shall immediately conduct a detailed evaluation of all Bids rated “*passed*,” using non-discretionary pass/fail criteria. The BAC shall consider the conditions in the evaluation of Bids under Section 32.2 of the 2016 Revised IRR of RA No. 9184.
- 19.2. If the Project allows partial bids, bidders may submit a proposal on any of the lots or items, and evaluation will be undertaken on a per lot or item basis, as the case maybe. In this case, the Bid Security as required by **ITB** Clause 15 shall be submitted for each lot or item separately.
- 19.3. The descriptions of the lots or items shall be indicated in **Section VII (Technical Specifications)**, although the ABCs of these lots or items are indicated in the **BDS** for purposes of the NFCC computation pursuant to Section 23.4.2.6 of the 2016 revised IRR of RA No. 9184. The NFCC must be sufficient for the total of the ABCs for all the lots or items participated in by the prospective Bidder.
- 19.4. The Project shall be awarded as **One Project having several items grouped into several lots, which shall be awarded as separate contracts per lot.**
- 19.5. Except for bidders submitting a committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation, all Bids must include the NFCC computation pursuant to Section 23.4.1.4 of the 2016 revised IRR of RA No. 9184, which must be sufficient for the total of the ABCs for all the lots or items participated in by the prospective Bidder. For bidders submitting the committed Line of Credit, it must be at least equal to ten percent (10%) of the ABCs for all the lots or items participated in by the prospective Bidder.

20. Post-Qualification

- 20.2. Within a non-extendible period of five (5) calendar days from receipt by the Bidder of the notice from the BAC that it submitted the Lowest Calculated Bid, the Bidder shall submit its latest income and business tax returns filed and paid through the BIR Electronic Filing and Payment System (eFPS) and other appropriate licenses and permits required by law and stated in the **BDS**.

21. Signing of the Contract

- 21.1. The documents required in Section 37.2 of the 2016 revised IRR of RA No. 9184 shall form part of the Contract. Additional Contract documents are indicated in the **BDS**.

Section III. Bid Data Sheet

Bid Data Sheet

ITB Clause										
5.3	<p>For this purpose, contracts similar to the Project shall be:</p> <p>a. For this purpose, a contract shall be considered “similar” to the contract to be bid if it involves goods and services of the same nature and complexity as the subject matter of the project being procured. (GPPB Non-Policy Matter No. 159-2017)</p> <p>Supply and delivery of motor vehicles similar to this project shall constitute as "similar contract".</p> <p>b. Completed within three (3) years prior to the deadline for the submission and receipt of bids.</p>									
12	No further instruction.									
14.1	<p>The bid security shall be in the form of a Bid Securing Declaration, or any of the following forms and amounts:</p> <p>a. The amount of not less than the amount equivalent to two percent (2%) of the ABC, if bid security is in cash, cashier’s/manager’s check, bank draft/guarantee or irrevocable letter of credit; or</p> <p>b. The amount of not less than the amount equivalent to five percent (5%) of total ABC, if bid security is in Surety Bond.</p>									
19.3	<table><tr><th>LOT NO.</th><th>Name/Identification/Lot No. of the Contract</th><th>Approved Budget for the Contract (ABC)</th></tr><tr><td>1</td><td>One (1) unit of air-conditioned Passenger Van with minimum seating capacity 12 passengers (including driver), not less than 5-speed Automatic Transmission, Diesel type, minimum of 65 Liters fuel capacity (Details under Section VII. Technical Specifications) (Details under Section VII. Technical Specifications)</td><td>PHP 2,164,200.00</td></tr><tr><td>2</td><td>One (1) unit of air-conditioned Multipurpose Van (MPV) with 2 compartments: a front cabin/cab with seating capacity of three (3) passengers (including driver) on a full width seat and rear deck or cabin with seating capacity (facing collapsible bench seats accessible through rear door/s) not exceeding 16 passengers, not less than 5-speed Manual Transmission, Diesel Type, minimum of 50 Liters fuel capacity (Details under Section VII. Technical Specifications)</td><td>PHP 1,287,080.00</td></tr></table>	LOT NO.	Name/Identification/Lot No. of the Contract	Approved Budget for the Contract (ABC)	1	One (1) unit of air-conditioned Passenger Van with minimum seating capacity 12 passengers (including driver), not less than 5-speed Automatic Transmission, Diesel type, minimum of 65 Liters fuel capacity (Details under Section VII. Technical Specifications) (Details under Section VII. Technical Specifications)	PHP 2,164,200.00	2	One (1) unit of air-conditioned Multipurpose Van (MPV) with 2 compartments: a front cabin/cab with seating capacity of three (3) passengers (including driver) on a full width seat and rear deck or cabin with seating capacity (facing collapsible bench seats accessible through rear door/s) not exceeding 16 passengers, not less than 5-speed Manual Transmission, Diesel Type, minimum of 50 Liters fuel capacity (Details under Section VII. Technical Specifications)	PHP 1,287,080.00
LOT NO.	Name/Identification/Lot No. of the Contract	Approved Budget for the Contract (ABC)								
1	One (1) unit of air-conditioned Passenger Van with minimum seating capacity 12 passengers (including driver), not less than 5-speed Automatic Transmission, Diesel type, minimum of 65 Liters fuel capacity (Details under Section VII. Technical Specifications) (Details under Section VII. Technical Specifications)	PHP 2,164,200.00								
2	One (1) unit of air-conditioned Multipurpose Van (MPV) with 2 compartments: a front cabin/cab with seating capacity of three (3) passengers (including driver) on a full width seat and rear deck or cabin with seating capacity (facing collapsible bench seats accessible through rear door/s) not exceeding 16 passengers, not less than 5-speed Manual Transmission, Diesel Type, minimum of 50 Liters fuel capacity (Details under Section VII. Technical Specifications)	PHP 1,287,080.00								

20.2	<p>Within a non-extendible period of five (5) calendar days from receipt by the Bidder of the notice from the BAC that it submitted the Lowest Calculated Bid, the Bidder shall submit its latest Income and Business Tax returns filed and paid through the BIR Electronic Filing and Payment System (eFPS) and other appropriate licenses and permits required by law.</p> <p>Income and business tax returns, whether filed through Electronic Filing and Payment System (EFPS) or manually, are acceptable provided that the business tax returns were filed within the last six (6) months preceding the date of bid submission. (<i>GPPB Circular 02-2013, 26 April 2013</i>).</p>
21.2	No further instruction.

Section IV. General Conditions of Contract

1. Scope of Contract

This Contract shall include all such items, although not specifically mentioned, that can be reasonably inferred as being required for its completion as if such items were expressly mentioned herein. All the provisions of RA No. 9184 and its 2016 revised IRR, including the Generic Procurement Manual, and associated issuances, constitute the primary source for the terms and conditions of the Contract, and thus, applicable in contract implementation. Herein clauses shall serve as the secondary source for the terms and conditions of the Contract.

This is without prejudice to Sections 74.1 and 74.2 of the 2016 revised IRR of RA No. 9184 allowing the GPPB to amend the IRR, which shall be applied to all procurement activities, the advertisement, posting, or invitation of which were issued after the effectivity of the said amendment.

Additional requirements for the completion of this Contract shall be provided in the **Special Conditions of Contract (SCC)**.

2. Advance Payment and Terms of Payment

- 2.1. Advance payment of the contract amount is provided under Annex “D” of the revised 2016 IRR of RA No. 9184.
- 2.2. The Procuring Entity is allowed to determine the terms of payment on the partial or staggered delivery of the Goods procured, provided such partial payment shall correspond to the value of the goods delivered and accepted in accordance with prevailing accounting and auditing rules and regulations. The terms of payment are indicated in the **SCC**.

3. Performance Security

Within ten (10) calendar days from receipt of the Notice of Award by the Bidder from the Procuring Entity but in no case later than prior to the signing of the Contract by both parties, the successful Bidder shall furnish the performance security in any of the forms prescribed in Section 39 of the 2016 revised IRR of RA No. 9184.

4. Inspection and Tests

The Procuring Entity or its representative shall have the right to inspect and/or to test the Goods to confirm their conformity to the Project specifications at no extra cost to the Procuring Entity in accordance with the Generic Procurement Manual. In addition to tests in the **SCC, Section VII (Technical Specifications)** shall specify what inspections and/or tests the Procuring Entity requires, and where they are to be conducted. The Procuring Entity shall notify the Supplier in writing, in a timely manner, of the identity of any representatives retained for these purposes.

All reasonable facilities and assistance for the inspection and testing of Goods, including access to drawings and production data, shall be provided by the Supplier to the authorized inspectors at no charge to the Procuring Entity.

5. Warranty

5.1 In order to assure that manufacturing defects shall be corrected by the Supplier, a warranty shall be required from the Supplier as provided under Section 62.1 of the 2016 revised IRR of RA No. 9184.

5.2. The Procuring Entity shall promptly notify the Supplier in writing of any claims arising under this warranty. Upon receipt of such notice, the Supplier shall, repair or replace the defective Goods or parts thereof without cost to the Procuring Entity, pursuant to the Generic Procurement Manual.

6. Liability of the Supplier

The Supplier's liability under this Contract shall be as provided by the laws of the Republic of the Philippines.

If the Supplier is a joint venture, all partners to the joint venture shall be jointly and severally liable to the Procuring Entity.

Section V. Special Conditions of Contract

Special Conditions of Contract

GCC Clause	
1	<p>Delivery and Documents –</p> <p>For purposes of the Contract, “EXW,” “FOB,” “FCA,” “CIF,” “CIP,” “DDP” and other trade terms used to describe the obligations of the parties shall have the meanings assigned to them by the current edition of INCOTERMS published by the International Chamber of Commerce, Paris. The Delivery terms of this Contract shall be as follows:</p> <p>The delivery terms applicable to this Contract are delivered <i>to PCOO at the address below</i>. Risk and title will pass from the Supplier to the Procuring Entity upon receipt and final acceptance of the Goods at their final destination.</p> <p>Delivery of the Goods shall be made by the Supplier in accordance with the terms specified in Section VI(Schedule of Requirements).</p> <p>For purposes of this Clause the Procuring Entity’s Representatives at the Project Site are: 1) Atty. Anna Farinah B. Mindalano, End-user representative, Office of the Secretary at the 3rd Floor New Executive Bldg., Malacañang Complex, Manila for Lot 1 and 2) Mr. Samuel N. Siroy {End-user representative, Motorpool Section at the Basement Level, New Executive Bldg., Malacañang Complex, Manila.</p> <p>Incidental Services –</p> <p>The Supplier is required to provide all of the following services, including additional services, if any, specified in Section VI. Schedule of Requirements:</p> <ul style="list-style-type: none"> a. performance or supervision of on-site assembly and/or start-up of the supplied Goods; b. furnishing of tools required for assembly and/or maintenance of the supplied Goods; c. furnishing of a detailed operations and maintenance manual for each appropriate unit of the supplied Goods; d. performance or supervision or maintenance and/or repair of the supplied Goods, for a period of time agreed by the parties, provided that this service shall not relieve the Supplier of any warranty obligations under this Contract; and e. training of the Procuring Entity’s personnel, at the Supplier’s plant and/or on-site, in assembly, start-up, operation, maintenance, and/or repair of the supplied Goods. <p>The Contract price for the Goods shall include the prices charged by the Supplier for incidental services and shall not exceed the prevailing rates charged to other parties by the Supplier for similar services.</p>

	<p>Spare Parts –</p> <p>The Supplier is required to provide all of the following materials, notifications, and information pertaining to spare parts manufactured or distributed by the Supplier:</p> <ul style="list-style-type: none"> a. such spare parts as the Procuring Entity may elect to purchase from the Supplier, provided that this election shall not relieve the Supplier of any warranty obligations under this Contract; and b. in the event of termination of production of the spare parts: <ul style="list-style-type: none"> i. advance notification to the Procuring Entity of the pending termination, in sufficient time to permit the Procuring Entity to procure needed requirements; and ii. following such termination, furnishing at no cost to the Procuring Entity, the blueprints, drawings, and specifications of the spare parts, if requested. <p>The spare parts and other components required are listed in Section VI (Schedule of Requirements) and the costs thereof are included in the contract price.</p> <p>The Supplier shall carry sufficient inventories to assure ex-stock supply of consumable spare parts or components for the Goods for a period of SIX (6) MONTHS after acceptance by PCOO of the delivered Goods OR after the Goods are consumed, whichever is earlier.</p> <p>Spare parts or components shall be supplied as promptly as possible, but in any case, within two (2) months of placing the order.</p>
	<p>Packaging –</p> <p>The Supplier shall provide such packaging of the Goods as is required to prevent their damage or deterioration during transit to their final destination, as indicated in this Contract. The packaging shall be sufficient to withstand, without limitation, rough handling during transit and exposure to extreme temperatures, salt and precipitation during transit, and open storage. Packaging case size and weights shall take into consideration, where appropriate, the remoteness of the Goods’ final destination and the absence of heavy handling facilities at all points in transit.</p> <p>The packaging, marking, and documentation within and outside the packages shall comply strictly with such special requirements as shall be expressly provided for in the Contract, including additional requirements, if any, specified below, and in any subsequent instructions ordered by the Procuring Entity.</p>

	<p>The outer packaging must be clearly marked on at least four (4) sides as follows:</p> <p>Name of the Procuring Entity Name of the Supplier Contract Description Final Destination Gross weight Any special lifting instructions Any special handling instructions Any relevant HAZCHEM classifications</p> <p>A packaging list identifying the contents and quantities of the package is to be placed on an accessible point of the outer packaging if practical. If not practical the packaging list is to be placed inside the outer packaging but outside the secondary packaging.</p>
	<p>Transportation –</p> <p>Where the Supplier is required under Contract to deliver the Goods CIF, CIP, or DDP, transport of the Goods to the port of destination or such other named place of destination in the Philippines, as shall be specified in this Contract, shall be arranged and paid for by the Supplier, and the cost thereof shall be included in the Contract Price.</p> <p>Where the Supplier is required under Contract to deliver the Goods CIF, CIP or DDP, Goods are to be transported on carriers of Philippine registry. In the event that no carrier of Philippine registry is available, Goods may be shipped by a carrier which is not of Philippine registry provided that the Supplier obtains and presents to the Procuring Entity certification to this effect from the nearest Philippine consulate to the port of dispatch. In the event that carriers of Philippine registry are available but their schedule delays the Supplier in its performance of this Contract the period from when the Goods were first ready for shipment and the actual date of shipment the period of delay will be considered force majeure.</p> <p>The Procuring Entity accepts no liability for the damage of Goods during transit other than those prescribed by INCOTERMS for DDP deliveries. In the case of Goods supplied from within the Philippines or supplied by domestic Suppliers risk and title will not be deemed to have passed to the Procuring Entity until their receipt and final acceptance at the final destination.</p>
	<p>Intellectual Property Rights –</p> <p>The Supplier shall indemnify the Procuring Entity against all third-party claims of infringement of patent, trademark, or industrial design rights arising from use of the Goods or any part thereof.</p>
2.2	No further instruction.
4	<p>The Procuring Entity or its representative shall conduct the inspections and tests at the goods' final destination.</p> <p>The Procuring Entity may reject any goods or any part thereof that fail to pass any inspection and/or test, or do not conform to the specifications.</p>

Section VI. Schedule of Requirements

The delivery schedule expressed as weeks/months stipulates hereafter a delivery date which is the date of delivery to the project site.

LOT NO.	DESCRIPTION	QUANTITY	DELIVERY DATE/SCHEDULE
1	One (1) unit of air-conditioned Passenger Van with minimum seating capacity 12 passengers (including driver), not less than 5-speed Automatic Transmission, Diesel type, minimum of 65 Liters fuel capacity (Details under Section VII. Technical Specifications)	1 unit	Actual delivery date of all units to be negotiated with the winning bidder/s, provided the delivery period shall not exceed sixty (60) calendar days from issuance of Notice to Proceed.
2	One (1) unit of air-conditioned Multipurpose Van (MPV)** with 2 compartments: a front cabin/cab with seating capacity of three (3) passengers (including driver) on a full width seat and rear deck or cabin with seating capacity (facing collapsible bench seats) not exceeding 16 passengers, not less than 5-speed Manual Transmission, Diesel Type, minimum of 50 Liters fuel capacity (Details under Section VII. Technical Specifications)	1 unit	

*DBM Budget Circular 2017-1, Annex "A" Typology of Government Vehicles: *Passenger Van*- a large four-wheeled enclosed vehicle intended for conveying passengers and/or hauling cargo, traditionally having four (4) doors, (two side doors for the driver and the front passengers, a passenger side sliding door and a tailgate). The seating capacity ranges from eight (8) to fifteen (15) passengers, including the driver. It has several rows of foldable or removable seats behind the front passenger seat. it has no luggage compartment but an expandable area at the rear which can be used for luggage, cargoes, etc. This type varies from full size to mini-van models.

** DBM Budget Circular 2017-1, Annex "A" Typology of Government Vehicles: *Multi-Purpose Vehicle* - a fully or partially enclosed four-wheel general purpose utility vehicle with two (2) compartments: (i) the front cabin/cab with two (2) side doors seating three (3) passengers, including the driver, on a full width seat, and (ii) the rear deck accommodating eight (8) to 16 passengers with facing collapsible bench seats accessible through rear door(s).

Section VII. Technical Specifications

I. TECHNICAL SPECIFICATIONS:

Important: In case of partial bid, kindly put an [x] mark in the box corresponding to each preferred lot number.

MINIMUM SPECIFICATIONS (unless otherwise specified)	LOT 1 ONE (1) UNIT PASSENGER VAN (PV) <input type="checkbox"/>	LOT 2 ONE (1) UNIT MULTI-PURPOSE VEHICLE (MPV) <input type="checkbox"/>	STATEMENT OF COMPLIANCE
Seating Capacity	12 passengers (Including driver)	Front cabin/cab: not exceeding 3 passengers on a full width seat (including driver); Rear cabin/cab: not exceeding 16 passengers	
Transmission type	5-speed Automatic Transmission (A/T)	5-speed Manual Transmission (M/T)	
Number of Cylinders	Exactly 4	Exactly 4	
Fuel Type	Diesel	Diesel	
Fuel Capacity	65 Liters	50 Liters	
Engine Displacement	Minimum 2400cc to maximum 3000cc	Minimum 2490cc to maximum 2800cc	
Wheel size	15		
Output/Power	160hp	130hp	
Torque	440 Nm	250Nm	
Unit Color	White	Black, Gray or White	
Additional/ Special Requirements:	Built-in Bluetooth connectivity compatible with smartphone screen sharing application for all major smartphone operating systems, Aux, USB port	Partition: Acrylic/Fiberglass transparent barrier between front cabin (driver cab) and rear (passengers' cab)	
	Power Steering; rear wheel drive; with stabilizer bar system	Power Steering	
	Power Lock doors and windows with		

	centralized locking system; Anti-theft/security alarm system, Dual Airbags and Anti-lock brake system (ABS);		
Tires	Manufactured 24 months or less prior to delivery date	Manufactured 24 months or less prior to delivery date	

II. COMMON MINIMUM REQUIREMENTS FOR ALL UNITS:

ITEM	DESCRIPTION	STATEMENT OF COMPLIANCE
Vehicle Registration with Land Transportation Office (LTO)	Three (3) years LTO Registration (under the name of Presidential Communications Operations Office	
Warranty Coverage and Duration	Three (3) years or 100,000 kilometers, whichever comes first; free labor charge on 1000-km & 5000km periodic maintenance	
Vehicle Insurance Coverage with GSIS	1) One (1) year GSIS comprehensive Insurance, subject to renewal of the end-user; and 2) One (1) year Third Party Liability (TPL) GSIS Insurance, subject to renewal of the end-user;	
Safety and Comfort	2. Air-conditioning system (Front and Rear) 3. Adjustable seats	
Service Centers	1) For DTI accredited and authorized service centers in NCR, it must be located within 10 km radius from the PCOO main office in Manila.	
Delivery Period	Actual delivery date to be negotiated with the winning bidder provided the delivery period shall not exceed sixty (60) calendar days from issuance of Notice to Proceed.	
Payment Scheme	- No required down payment - "Send Bill Arrangement" scheme	

Checklist of Technical and Financial Documents

Checklist of Technical and Financial Documents

I. TECHNICAL COMPONENT ENVELOPE

Class “A” Documents

Legal Documents

- (a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages);
or
- (b) Registration certificate from Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives or its equivalent document,
and
- (c) Mayor’s or Business permit issued by the city or municipality where the principal place of business of the prospective bidder is located, or the equivalent document for Exclusive Economic Zones or Areas;
and
- (d) Tax clearance per E.O. No. 398, s. 2005, as finally reviewed and approved by the Bureau of Internal Revenue (BIR).

Technical Documents

- a) Statement of the prospective bidder of all its ongoing government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid; **and**
- b) Statement of the bidder’s Single Largest Completed Contract (SLCC) similar to the contract to be bid, except under conditions provided for in Sections 23.4.1.3 and 23.4.2.4 of the 2016 revised IRR of RA No. 9184, within the relevant period as provided in the Bidding Documents; **and**
- c) Original copy of Bid Security. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission;
or
Original copy of Notarized Bid Securing Declaration; **and**
- d) Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or after-sales/parts, if applicable; **and**
- e) Original duly signed Omnibus Sworn Statement (OSS);
and if applicable, Original Notarized Secretary’s Certificate in case of a corporation, partnership, or cooperative; or Original Special Power of Attorney of all members of the joint venture giving full power and authority to its officer to sign the OSS and do acts to represent the Bidder.
- (k) Certified True Copy of DTI Accreditation Certificate for Service and Repair Shops pursuant to Presidential Decree No. 1572 (also known as "Accreditation Law").

Financial Documents

- (l) The Supplier's audited financial statements, showing, among others, the Supplier's total and current assets and liabilities, stamped "received" by the BIR or its duly accredited and authorized institutions, for the preceding calendar year which should not be earlier than two (2) years from the date of bid submission; **and**
- (m) The prospective bidder's computation of Net Financial Contracting Capacity (NFCC);
or
A committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation.

Class "B" Documents

- n) If applicable, a duly signed joint venture agreement (JVA) in case the joint venture is already in existence;
or
duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful.

Other documentary requirements under RA No. 9184 (as applicable)

- o) *[For foreign bidders claiming by reason of their country's extension of reciprocal rights to Filipinos]* Certification from the relevant government office of their country stating that Filipinos are allowed to participate in government procurement activities for the same item or product.
- p) Certification from the DTI if the Bidder claims preference as a Domestic Bidder or Domestic Entity.

25 FINANCIAL COMPONENT ENVELOPE

- (a) Original of duly signed and accomplished Financial Bid Form;
and
- (b) Original of duly signed and accomplished Price Schedule(s).

