



INVITATION TO BID FOR

Site Development for Center of Youth, Cabatagan

(Name of Project)

1. The CITY GOVERNMENT OF ZAMBOANGA, through the **GENERAL FUND (AB FY- 2022)** intends to apply the sum of **FIVE MILLION PESOS (P5,000,000.00) ONLY** being the Approved Budget for the Contract (ABC) to payments under the contract for **Site Development for Center of Youth, Cabatagan**. Bids received in excess of the ABC shall be automatically rejected at bid opening.
2. The CITY GOVERNMENT OF ZAMBOANGA now invites bids for the above Procurement Project. Completion of the Works is required in **Fifty Nine [59]** calendar days. Bidders should have completed, within ten (10) years from the date of submission and receipt of bids, a contract similar to the Project, equivalent to at least fifty percent (50%) of the ABC. The description of an eligible bidder is contained in the Bidding Documents, particularly, in Section II. Instruction to Bidders.
3. Bidding will be conducted through open competitive bidding procedures using non-discretionary "pass/fail" criterion as specified in the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act 9184 (RA 9184).
Bidding is restricted to Filipino citizens/sole proprietorships, cooperatives and partnerships, or organizations with at least seventy five percent (75%) interest or outstanding capital stock belonging to citizens of the Philippines.
4. Interested Bidders may obtain further information from the Office of the City Mayor-Procurement, Acquisition and Award Division (PAAD) and inspect the Bidding Documents at the address given below from **8:00 AM to 5:00 PM**.
5. A complete set of Bidding Documents may be acquired by interested Bidders on **August 25, 2022 to September 15, 2022** from the given address and website/s below upon payment of a non-refundable fee for the Bidding Documents, pursuant to the latest Guidelines issued by the GPPB, in the amount of **P1,850.00**. The method of payment will be **Cash payable to the City Treasurer's Office**. The Procuring Entity shall allow the bidder to present its proof of payment for the fees "machine copy of the official receipt" not later than the submission of their bids.
6. The City Government of Zamboanga will hold a Pre-Bid Conference on **September 02, 2022 at 10:00AM** at the Office of the City Mayor-Procurement, Acquisition and Award Division (PAAD) Conference Room, Villalobos Street, Zamboanga City, which shall be open to prospective bidders.
7. Bids must be duly received by the BAC Secretariat through manual submission at the office address as indicated below on or before **September 15, 2022 at 08:30AM** at City Hall Conference Room of the Office of the City Mayor, N.S. Valderosa Street, Zone IV, Zamboanga City. Late Bids shall not be accepted.
8. All Bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in ITB Clause 16.

All Bids must be accompanied by a Bid Security which shall be a **Bid Securing Declaration** or at least one other form of the following: cash, cashier's/manager's check, bank draft/guarantee confirmed by a Universal/Commercial Bank, Irrevocable Letter of Credit issued by a Universal/Commercial Bank or from other bank certified by the Bangko Sentral ng Pilipinas as authorized to issue such financial instrument, provided however that it shall be confirmed or authenticated by a Universal/Commercial Bank if issued by a foreign bank in the amount of **P100,000.00** or Surety Bond callable upon demand issued by a Surety or Insurance Company duly certified by the Insurance Commission as authorized to issue such security in the amount of **P250,000.00** or any combination of the foregoing in the amount proportionate to share of form with respect to total amount of security.

The Bid Security shall be denominated in Philippine Pesos and posted in favor of the Procuring Entity.

9. Bid opening shall be on **September 15, 2022 at 08:30AM** at City Hall Conference Room of the Office of the City Mayor, N.S. Valderosa Street, Zone IV, Zamboanga City. Bids will be opened in the presence of the Bidders' representatives who choose to attend the activity
10. **Equipment to be used:** Low Bed Trailer (25 tons Min.) with Truck, Backhoe, 2 units Dumptruck, Road Roller, Water Truck with Pump, Electric Bar Bender, Electric Bar Cutter, Bagger Mixer, Concrete Vibrator, Payloader and Bulldozer.
Key Personnel: Project Engineer, Project Manager, Material Testing Engineer, Construction Safety Officer and Foreman.
11. The City Government of Zamboanga reserves the right to accept or 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 Sections 35.6 and 41 of the 2016 revised Implementing Rules and Regulations (IRR) of RA 9184, without thereby incurring any liability to the affected bidder or bidders.
12. Bidders are advised to use the **BID FORM** at the back of this ITB. Failure to do so would lead to non-acceptance of the bid.
13. For further information, please refer to:

RONALD A. VICETE
BAC Secretariat
Procurement, Acquisition and Awards Division
Villalobos Street, Zamboanga City
zcbac.sec@gmail.com
Tel. No. (062) 992-7763

ATTY. ALEXANDER ERIC F. ELIAS
BAC Chairman



BID FORM

Date: _____

TO: CITY GOVERNMENT OF ZAMBOANGA
 Address: Villalobos Street, Zone IV ZAMBOANGA CITY

Having examined the Philippine Bidding Documents (PBDs), including the Supplemental or Bid Bulletin Numbers: **CW -22-0825-079**, the receipt of which is hereby duly acknowledge, we, the undersigned, declare that:

- a. We have no reservation to the PBDs, including the Supplemental or Bid Bulletins, for the Procurement Project; **Site Development for Center of Youth, Cabatangan;**
- b. We offer to execute the Works for this Contract in accordance with the PBDs;
- c. The total price of our Bid in words and figures, excluding any discounts offered below is:

(Total Bid amount in words and figures)

- d. The discount offered and the methodologies for their application are:

(Total Bid amount in words and figures)

- e. 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 and reflected in the detailed estimates,
- f. Our Bid shall be valid within the a period stated in the PBDs, and it shall remain binding upon us at any time before the expiration of that period;
- g. If our Bid is accepted, we commit to obtain a Performance Security in the amount of [insert percentage amount] percent of the Contract Price for the due performance of the Contract, or a Performance Securing Declaration in lieu of the allowable forms of Performance Security, subject to the terms and conditions of issued GPPB guidelines¹² for this purpose;
- h. We are not participating, as Bidders, in more than one Bid in this bidding process, other than alternative offers in accordance with the Bidding Documents;
- i. We understand that this Bid, together with your written acceptance thereof included in your notification of award, shall constitute a binding contract between us, until a formal Contract is prepared and executed; and
- j. We understand that you are not bound to accept the Lowest Calculated Bid or any other Bid that you may receive.
- k. We likewise certify/confirm that the undersigned, is the duly authorized representative of the bidder, and 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 the **[(CW -22-0825-079)]**
- l. We acknowledge that failure to sign each and every page of this **Bid Form**, including the **Bill of Quantities**, shall be a ground for the **rejection of our bid**.

Name: _____

Legal Capacity: _____

Signed: _____

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

Date: _____

Bid Data Sheet

| ITB Clause | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|-----------------------------|---|------------------------|----------------------------|-----------------|--|------------------|---|---------------------------|-------------------|-----------------------------|--|---------|---|-------------|--|---|-----------------------|--|---|---------------------|--|---|---------------------|--|---|--------------|--|---|-------------------|--|---|-----------|--|---|-----------|--|---|
| 5.2 | For this purpose, contracts similar to the Project refer to contracts which have the same major categories of work, which shall be: Site Development for Center of Youth, Cabatangan which involves temporary facility, project billboard/signboard, safety & health, mobilization/demobilization, survey and staking, clearing and grubbing, excavation, embankment (from excavated materials), embankment; A. Retaining Wall, excavation, Formworks and scaffoldings, reinforcing steel bars (Grade 40) and concrete work (3000 PSI). | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7.1 | "Subcontracting is not allowed." | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10.3 | <i>Not Applicable</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10.4 | <p>The key personnel must meet the required minimum years of experience set below:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Key Personnel :</td> <td style="text-align: right;">General Experience:</td> </tr> <tr> <td>Project Manager</td> <td>(Duly Licensed Civil Engineer for Gen. Civil Works or Architect for Building, as applicable)</td> </tr> <tr> <td>Project Engineer</td> <td>Duly Licensed Civil Engineer and Duly Registered (DPWH)</td> </tr> <tr> <td>Material Testing Engineer</td> <td>Material Engineer</td> </tr> <tr> <td>Construction Safety Officer</td> <td>DOLE Duly certified Construction Safety Officer & Health (CSH) Officer</td> </tr> <tr> <td>Foreman</td> <td></td> </tr> </table> | Key Personnel : | General Experience: | Project Manager | (Duly Licensed Civil Engineer for Gen. Civil Works or Architect for Building, as applicable) | Project Engineer | Duly Licensed Civil Engineer and Duly Registered (DPWH) | Material Testing Engineer | Material Engineer | Construction Safety Officer | DOLE Duly certified Construction Safety Officer & Health (CSH) Officer | Foreman | | | | | | | | | | | | | | | | | | | | | | | | | |
| Key Personnel : | General Experience: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Project Manager | (Duly Licensed Civil Engineer for Gen. Civil Works or Architect for Building, as applicable) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Project Engineer | Duly Licensed Civil Engineer and Duly Registered (DPWH) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Material Testing Engineer | Material Engineer | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Construction Safety Officer | DOLE Duly certified Construction Safety Officer & Health (CSH) Officer | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Foreman | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10.5 | <p>The minimum major equipment requirements are the following:</p> <table style="width: 100%; border: none;"> <thead> <tr> <th style="text-align: left;">Equipment:</th> <th style="text-align: center;">Capacity</th> <th style="text-align: center;">Number of Units</th> </tr> </thead> <tbody> <tr> <td>Low Bed Trailer with Truck</td> <td style="text-align: center;">(25 tons Min.)</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Backhoe</td> <td></td> <td style="text-align: center;">1</td> </tr> <tr> <td>Dumptruck</td> <td></td> <td style="text-align: center;">2</td> </tr> <tr> <td>Road Roller</td> <td></td> <td style="text-align: center;">1</td> </tr> <tr> <td>Water Truck with Pump</td> <td></td> <td style="text-align: center;">1</td> </tr> <tr> <td>Electric Bar Bender</td> <td></td> <td style="text-align: center;">1</td> </tr> <tr> <td>Electric Bar Cutter</td> <td></td> <td style="text-align: center;">1</td> </tr> <tr> <td>Bagger Mixer</td> <td></td> <td style="text-align: center;">1</td> </tr> <tr> <td>Concrete Vibrator</td> <td></td> <td style="text-align: center;">1</td> </tr> <tr> <td>Payloader</td> <td></td> <td style="text-align: center;">1</td> </tr> <tr> <td>Bulldozer</td> <td></td> <td style="text-align: center;">1</td> </tr> </tbody> </table> | Equipment: | Capacity | Number of Units | Low Bed Trailer with Truck | (25 tons Min.) | 1 | Backhoe | | 1 | Dumptruck | | 2 | Road Roller | | 1 | Water Truck with Pump | | 1 | Electric Bar Bender | | 1 | Electric Bar Cutter | | 1 | Bagger Mixer | | 1 | Concrete Vibrator | | 1 | Payloader | | 1 | Bulldozer | | 1 |
| Equipment: | Capacity | Number of Units | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Low Bed Trailer with Truck | (25 tons Min.) | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Backhoe | | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Dumptruck | | 2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Road Roller | | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Water Truck with Pump | | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Electric Bar Bender | | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Electric Bar Cutter | | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Bagger Mixer | | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Concrete Vibrator | | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Payloader | | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Bulldozer | | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 12 | Bidders shall submit offers that comply with the requirements of the Bidding Documents, including the basic technical design as indicated in the drawings and specifications. Unless there is a value engineering clause in the BDS, alternative Bids shall not be accepted. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 15.1 | <p>The bid security shall be in the form of a Bid Securing Declaration or any of the following forms and amounts:</p> <ol style="list-style-type: none"> 1. The amount of not less than P100,000.00 if bid security is in cash, cashier's/manager's check, bank draft/guarantee or irrevocable letter of credit; 2. The amount of not less than P250,000.00 if bid security is in Surety Bond; or | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 19.2 | Partial Bid is not Allowed. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 20 | <p>[List licenses and permits relevant to the Project and the corresponding law requiring it, e.g. Environmental Compliance Certificate, Certification that the project site is not within a geohazard zone, etc.]</p> <ol style="list-style-type: none"> 1. Building Permit and Occupancy Permit 2. <i>Environmental Compliance Certificate (Vary per Project)</i> 3. <i>Certification that the Project is not within a geohazard zone, etc. (Vary per p.roject)</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 21 | Additional contract documents relevant to the Project that may be required by existing laws and/or the Procuring Entity, such as Construction schedule and S-Curve, Manpower Schedule, Construction Methods, Equipment Utilization Schedule, Construction Safety and Health Program approved by the DOLE, and other acceptable tools of project scheduling. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Bid Securing Declaration Form

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

BID SECURING DECLARATION Invitation to Bid No.: [Insert reference number]

To: City Government of Zamboanga,

BIDS AND AWARDS COMMITTEE
Villalobos Street,
Zamboanga City

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].

**[Insert NAME OF BIDDER'S]
AUTHORIZED REPRESENTATIVE
[Insert signatory's legal capacity]
Affiant**

[Jurat]

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

Special Conditions of Contract

| GCC Clause | |
|------------|--|
| 2 | The Intended Completion Date is <i>Fifty Nine [59]</i> calendar days. |
| 4.1 | <i>The Procuring Entity shall give possession of all parts of the Site to the Contractor based on the schedule of delivery.</i> |
| 6 | The site investigation reports are: 1. Some basic vital services are already available in the area. |
| 7.2 | <i>In case of permanent structures, such as buildings of types 4 and 5 as classified under the National Building Code of the Philippines and other structures made of steel, iron, or concrete which comply with relevant structural codes (e.g., DPWH Standard Specifications), such as, but not limited to, steel/concrete bridges, flyovers, aircraft movement areas, ports, dams, tunnels, filtration and treatment plants, sewerage systems, power plants, transmission and communication towers, railway system, and other similar permanent structures: Fifteen (15) years.</i> |
| 10 | Dayworks are applicable at the rate shown in the Contractor's original Bid. |
| 11.1 | The Contractor shall submit the Program of Work such as; the <i>Construction schedule and S-curve, manpower schedule, construction methods, equipment utilization schedule, construction safety and health program approved by the Department of Labor and Employment, and PERT/CPM</i> for infrastructure projects to the Procuring Entity's Representative within Ten (10) days of delivery of the Notice of Award. |
| 11.2 | <i>The amount to be withheld for late submission of an updated Program of Work is [insert amount].</i> |
| 13. | The amount of the advance payment <i>shall not exceed Fifteen (15%) percent of the Contract Price as mobilization cost.</i> |
| 14. | Materials and equipment delivered on the site but not completely put in place shall be included for payment. |
| 15.1 | The date by which operating and maintenance manuals are required is <i>upon completion.</i> The date by which "as built" drawings are required is <i>upon completion.</i> |
| 15.2 | The amount to be withheld for failing to produce "as built" drawings and/or operating and maintenance manuals by the date required is <i>[amount in local currency]</i> . |

Section II. Instructions to Bidders

Notes on the Instructions to Bidders

This Section on the Instruction to Bidders (ITB) provides the information necessary for bidders to prepare responsive bids, in accordance with the requirements of the Procuring Entity. It also provides information on bid submission, eligibility check, opening and evaluation of bids, post-qualification, and on the award of contract.

1. Scope of Bid

The **CITY GOVERNMENT OF ZAMBOANGA** invites Bids for the **Site Development for Center of Youth, Cabatangan**, with Project Identification Number **(CW -22-0818-079)**.

The Procurement Project (**Site Development for Center of Youth, Cabatangan**) is for the construction of Works, as described in Section VI (Specifications).

2. Funding Information

2.1. The GOP through the source of funding as indicated below for **GENERAL FUND (AB FY- 2022)** in the amount of **FIVE MILLION PESOS (P5,000,000.00) ONLY**.

2.2. The source of funding is:

- a. LGUs, the Annual Budget, as approved by the Sanggunian.

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 Manual 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 invitation to bid 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 inspected the site, determined the general characteristics of the contracted Works and the conditions for this Project, such as the location and the nature of the work; (b) climatic conditions; (c) transportation facilities; (c) nature and condition of the terrain, geological conditions at the site communication facilities, requirements, location and availability of construction aggregates and other materials, labor, water, electric power and access roads; and (d) 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, Coercive, and Obstructive Practices

The Procuring Entity, as well as the Bidders and Contractors, 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 "P" 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. The Bidder must have an experience of having completed a Single Largest Completed Contract (SLCC) that is similar to this Project, equivalent to at least fifty percent (50%) of the ABC adjusted, if necessary, by the Bidder to current prices using the PSA's CPI, except under conditions provided for in Section 23.4.2.4 of the 2016 revised IRR of RA No. 9184.

A contract is considered to be "similar" to the contract to be bid if it has the major categories of work stated in the **BDS**.

5.3. For Foreign-funded Procurement, the Procuring Entity and the foreign government/foreign or international financing institution may agree on another track record requirement, as specified in the Bidding Document prepared for this purpose.

5.4. The Bidders shall comply with the eligibility criteria under Section 23.4.2 of the 2016 IRR of RA No. 9184.

6. Origin of Associated 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.

7. Subcontracts

Subcontracting is not allowed.

8. Pre-Bid Conference

The Procuring Entity will hold a pre-bid conference for this Project on **August 26, 2022 at 10:00AM at the Office of the City Mayor- Procurement, Acquisition and Award Division (PAAD) Conference Room, Villalobos Street, Zamboanga City**, which shall be open to prospective bidders.

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 IX. Checklist of Technical and Financial Documents**.
- 10.2. 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. 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.
- 10.3. In joint ventures, a special PCAB License, and registration for the type and cost of the contract for this Project, shall be required. Any additional type of Contractor license or permit shall be indicated in the **BDS**.
- 10.4. A List of Contractor's key personnel (e.g., Project Manager, Project Engineers, Materials Engineers, and Foremen) assigned to the contract to be bid, with their complete qualification and experience data shall be provided. These key personnel must meet the required minimum years of experience set in the **BDS**.
- 10.5. A List of Contractor's major equipment units, which are owned, leased, and/or under purchase agreements, supported by proof of ownership, certification of availability of equipment from the equipment lessor/vendor for the duration of the project, as the case may be, must meet the minimum requirements for the contract set in the **BDS**.

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 IX. Checklist of Technical and Financial Documents**.
- 11.2. Any bid exceeding the ABC indicated in paragraph 1 of the **IB** shall not be accepted.
- 11.3. 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. Alternative Bids

Bidders shall submit offers that comply with the requirements of the Bidding Documents, including the basic technical design as indicated in the drawings and specifications. Unless there is a value engineering clause in the **BDS**, alternative Bids shall not be accepted.

13. Bid Prices

All bid prices for the given scope of work in the Project as awarded shall be considered as fixed prices, and therefore not subject to price escalation during contract implementation, except under extraordinary circumstances as determined by the NEDA and approved by the GPPB pursuant to the revised Guidelines for Contract Price Escalation guidelines.

14. Bid and Payment Currencies

- 14.1. Bid prices may be quoted in the local currency or tradeable 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.
- 14.2. *Payment of the contract price shall be made in:*
 - a. Philippine Pesos.

15. Bid Security

- 15.1. 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**.
- 15.2. The Bid and bid security shall be valid until **One Hundred Twenty Days [120]**. Any bid not accompanied by an acceptable bid security shall be rejected by the Procuring Entity as non-responsive.

16. 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.

17. Deadline for Submission of Bids

The Bidders shall submit on the specified date and time and either at its physical address or through online submission as indicated in paragraph 7 of the **IB**.

18. Opening and Preliminary Examination of Bids

- 18.1. 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.

- 18.2. The preliminary examination of Bids shall be governed by Section 30 of the 2016 revised IRR of RA No. 9184.

19. Detailed Evaluation and Comparison of Bids

- 19.1. The Procuring Entity's 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 2016 revised IRR of RA No. 9184.
- 19.2. If the Project allows partial bids, all Bids and combinations of Bids as indicated in the **BDS** shall be received by the same deadline and opened and evaluated simultaneously so as to determine the Bid or combination of Bids offering the lowest calculated cost to the Procuring Entity. Bid Security as required by **ITB** Clause 16 shall be submitted for each contract (lot) separately.
- 19.3. In all cases, the NFCC computation pursuant to Section 23.4.2.6 of the 2016 revised IRR of RA No. 9184 must be sufficient for the total of the ABCs for all the lots participated in by the prospective Bidder.

20. Post Qualification

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

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 VI. Specifications

Notes on Specifications

A set of precise and clear specifications is a prerequisite for Bidders to respond realistically and competitively to the requirements of the Procuring Entity without qualifying or conditioning their Bids. In the context of international competitive bidding, the specifications must be drafted to permit the widest possible competition and, at the same time, present a clear statement of the required standards of workmanship, materials, and performance of the goods and services to be procured. Only if this is done will the objectives of economy, efficiency, and fairness in procurement be realized, responsiveness of Bids be ensured, and the subsequent task of bid evaluation facilitated. The specifications should require that all goods and materials to be incorporated in the Works be new, unused, of the most recent or current models, and incorporate all recent improvements in design and materials unless provided otherwise in the Contract.

Samples of specifications from previous similar projects are useful in this respect. The use of metric units is mandatory. Most specifications are normally written specially by the Procuring Entity or its representative to suit the Works at hand. There is no standard set of Specifications for universal application in all sectors in all regions, but there are established principles and practices, which are reflected in these PBDs.

There are considerable advantages in standardizing General Specifications for repetitive Works in recognized public sectors, such as highways, ports, railways, urban housing, irrigation, and water supply, in the same country or region where similar conditions prevail. The General Specifications should cover all classes of workmanship, materials, and equipment commonly involved in construction, although not necessarily to be used in a particular Works Contract. Deletions or addenda should then adapt the General Specifications to the particular Works.

Care must be taken in drafting specifications to ensure that they are not restrictive. In the specification of standards for goods, materials, and workmanship, recognized international standards should be used as much as possible. Where other particular standards are used, whether national standards or other standards, the specifications should state that goods, materials, and workmanship that meet other authoritative standards, and which ensure substantially equal or higher quality than the standards mentioned, will also be acceptable. The following clause may be inserted in the SCC.

Sample Clause: Equivalency of Standards and Codes

Wherever reference is made in the Contract to specific standards and codes to be met by the goods and materials to be furnished, and work performed or tested, the provisions of the latest current edition or revision of the relevant standards and codes in effect shall apply, unless otherwise expressly stated in the Contract. Where such standards and codes are national, or relate to a particular country or region, other authoritative standards that ensure a substantially equal or higher quality than the standards and codes specified will be accepted subject to the Procuring Entity's Representative's prior review and written consent. Differences between the standards specified and the proposed alternative standards shall be fully described in writing by the Contractor and submitted to the Procuring Entity's Representative at least twenty-eight (28) days prior to the date when the Contractor desires the Procuring Entity's Representative's consent. In the event the Procuring Entity's Representative determines that such proposed deviations do not ensure substantially equal or higher quality, the Contractor shall comply with the standards specified in the documents.

These notes are intended only as information for the Procuring Entity or the person drafting the Bidding Documents. They should not be included in the final Bidding Documents.