



Republic of the Philippines
Dangerous Drugs Board
3rd Floor DDB-PDEA Bldg., NIA Road, Quezon City



PHILIPPINE BIDDING DOCUMENTS

Procurement of Security Services for the Dangerous Drugs Board (EARLY PROCUREMENT ACTIVITY FY 2023)

(Invitation to Bid No. (10-141-2022))

**Sixth Edition
July 2020**

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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
OFFICE OF THE PRESIDENT

DANGEROUS DRUGS BOARD

Invitation to Bid for the Procurement of Security Services

1. The Dangerous Drugs Board (DDB), through the National Expenditure Program for Fiscal Year 2023 intends to apply the sum of Three Million Pesos (Php 3,000,000.00) being the Approved Budget for the Contract (ABC) to payments under the contract for Procurement of Security Services/ Identification number **10-141-2022**. Bids received in excess of the ABC shall be automatically rejected at bid opening.
2. The Dangerous Drugs Board, now invites bids for the above Procurement Project. Delivery of the Goods and Services shall be in accordance with **Section VI. Schedule of Requirements**. Bidders should have completed, within a period of five (5) 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 using a non-discretionary “*pass/fail*” criterion as specified in the Revised 2016 Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184.

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. Prospective Bidders may obtain further information from DDB BAC Secretariat and inspect the Bidding Documents posted at the DDB website and the address given below from Monday to Friday, 9:00 A.M. to 4:00 P.M
5. A complete set of Bidding Documents may be acquired by interested bidders starting October 3, 2022 from the given address and website below and upon payment of the applicable fee for the Bidding Documents, pursuant to the latest Guidelines issued by the GPPB, in the amount of Five Thousand Pesos (PhP 5,000.00). The Procuring Entity shall allow the bidder to present its proof of payment by facsimile, or through electronic means.
6. The Dangerous Drugs Board will hold a Pre-Bid Conference on October 12, 2022 at 11:00AM through video conferencing *via* Cisco Webex, which shall be open to prospective bidders.
7. Bids must be duly received by the BAC Secretariat through online or electronic submission on or before 9:00AM of October 24, 2022. Late bids shall not be accepted.

Original copy of the Bid shall be submitted to the BAC Secretariat on Oct. 25, 2022 for Bid Evaluation and Post Qualification.

8. All Bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in **ITB** Clause 14.
9. Bid opening shall be on October 24, 2022 at 11:00AM via Cisco Webex. Bids will be opened in the presence of the bidders' representatives who choose to attend the activity.
10. The procedure for the online submission is enumerated below:

- 1) Online platform to be used is thru Cisco Webex;
- 2) Invitation for Bid Opening will be forwarded to the bidders registered e-mail;
- 3) Financial document must be password protected;
- 4) An individual google drive link will be given to the bidder;
- 5) All passwords will be given on the day of the Opening of Bids;
- 6) Opening of Technical and Financial Documents will be streamed online;
- 7) For payment procedure, a bidder shall make use of the online payment facility of the Dangerous Drugs Board.

Note: Here are the steps/procedure for online banking

Step 1. Go to Landbank – Link.BizPortal:

<https://www.lbp-eservices.com/egps/portal/index.jsp>

Step 2. Click “Pay Now” Button.

Step 3. Search “DANGEROUS DRUGS BOARD” on the Search Merchant field then click “CONTINUE”.

Step 4. Select “Other Fees” on the drop-down menu for the type of transaction.

Step 5. Fill-up the following Payment Details. Reference No. 101412022

Step 6. Select payment mode from the dropdown.

- 8) In order to recognize the bid documents submitted, the bidder must send the receipt of payment as proof to the DDB BAC Secretariat email (bidsandawards@ddb.gov.ph) or it can be shown during the scheduled opening of bids;
 - 9) The links for the meeting will be send by the BAC Secretariat to all prospective bidders.
11. Please note that this is an **EARLY PROCUREMENT ACTIVITY** and award of contract will commence upon the approval of enactment of appropriations or budget authorization document.
 12. The Dangerous Drugs Board 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 Sections 35.6 and 41 of the Revised 2016 IRR of RA No. 9184, without thereby incurring any liability to the affected bidder or bidders.
 13. For further information, please refer to:

Ms. Resty T. Aguinaldo

AFMD Logistics Section, Dangerous Drugs Board

3rd Flr. DDB-PDEA Bldg., NIA Road, Brgy. Pinyahan, Quezon City

Trunkline: (02) 8929-1753 loc. 118

Email: rtaquinaldo@ddb.gov.ph

Website: www.ddb.gov.ph

14. For downloading of Bidding Documents and online bid submission: www.ddb.gov.ph

Issued this 3rd day of October 2022



Ms. TERESITA C. PINEDA
BAC Chairperson



Section II. Instructions to Bidders



1. Scope of Bid

The Procuring Entity, Dangerous Drugs Board wishes to receive Bids for the Procurement of Security Services with identification number 10-141-2022.

The Procurement Project (referred to herein as “Project”) is composed of *One (1) Lot*, 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 for FY 2023 in the amount of Php 3,000,000.00.

2.2. The source of funding is: NGA, the National Expenditure Program.

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. 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:**
- a. **For the procurement of Non-expendable Supplies and Services: The Bidder must have completed a single contract that is similar to this Project, 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 Bidder may subcontract portions of the Project to the extent allowed by the Procuring Entity as stated herein, but in no case more than twenty percent (20%) of the Project.

The Procuring Entity has prescribed that:

Subcontracting is not allowed.

- 7.2. Subcontracting of any portion of the Project does not relieve the Supplier of any liability or obligation under the Contract. The Supplier will be responsible for the acts, defaults, and negligence of any subcontractor, its agents, servants, or workmen as fully as if these were the Supplier's own acts, defaults, or negligence, or those of its agents, servants, or workmen.

8. Pre-Bid Conference

The Procuring Entity will hold a pre-bid conference for this Project on the specified date and time and either at its physical address *{[insert if applicable]}* and/or through videoconferencing/webcasting } 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 *[state relevant period as provided in paragraph 2 of the IB]* 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 the **BDS**.
- 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 the **BDS**.

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 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.

13.2. Payment of the contract price shall be made in:

- a. Philippine Pesos.

14. Bid Security

14.1. The Bidder shall submit a Bid Securing Declaration¹ 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 One Hundred Twenty (120) calendar days from the date of Opening of Bids. 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 and either at its physical address or 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

¹ In the case of Framework Agreement, the undertaking shall refer to entering into contract with the Procuring Entity and furnishing of the performance security or the performance securing declaration within ten (10) calendar days from receipt of Notice to Execute Framework Agreement.

- 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 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 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 14 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 follows:
- Option 1 – One Project having several items that shall be awarded as one contract.
- 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 (LCB), 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. Contracts for the supply of security services for various facilities (businesses, commercial or industrial), for protection of personnel, equipment, and building assets.</p> <p>b. completed within five (5) years prior to the deadline for the submission and receipt of bids.</p>
7.1	Subcontracting is not allowed.
12	The price of the Goods/Services shall be based on the current market price and minimum wage orders and other relevant laws.
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 Php 60,000.00 (<i>2% of ABC</i>), 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 Php 150,000.00 (<i>5% of ABC</i>) if bid security is in Surety Bond.</p>
15	<p>In addition to the online submission of an electronic-copy which must be digitally signed, each bidder shall submit one (1) original copy of the first (technical) and second (financial) components of its bid. Documents to be submitted shall be properly tabbed and labeled.</p> <p>An electronic copy that cannot be opened or is corrupted shall be considered non-responsive and, thus, automatically disqualified.</p>
19.3	The Approved Budget for the Contract for the Procurement of Security Services for FY 2023 is Three Million Pesos (Php 3,000,000.00).
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 .
21.1	<p>Submission of a photocopy of the NBI, Police, Barangay and Health Clearances of each of the personnel to be assigned for this project, including: 1. Valid vaccination card (fully vaccinated); and 2. Negative RT-PCR result upon entry.</p> <p>Submission of a Security plan before issuance of Notice of Award.</p>

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 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 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.

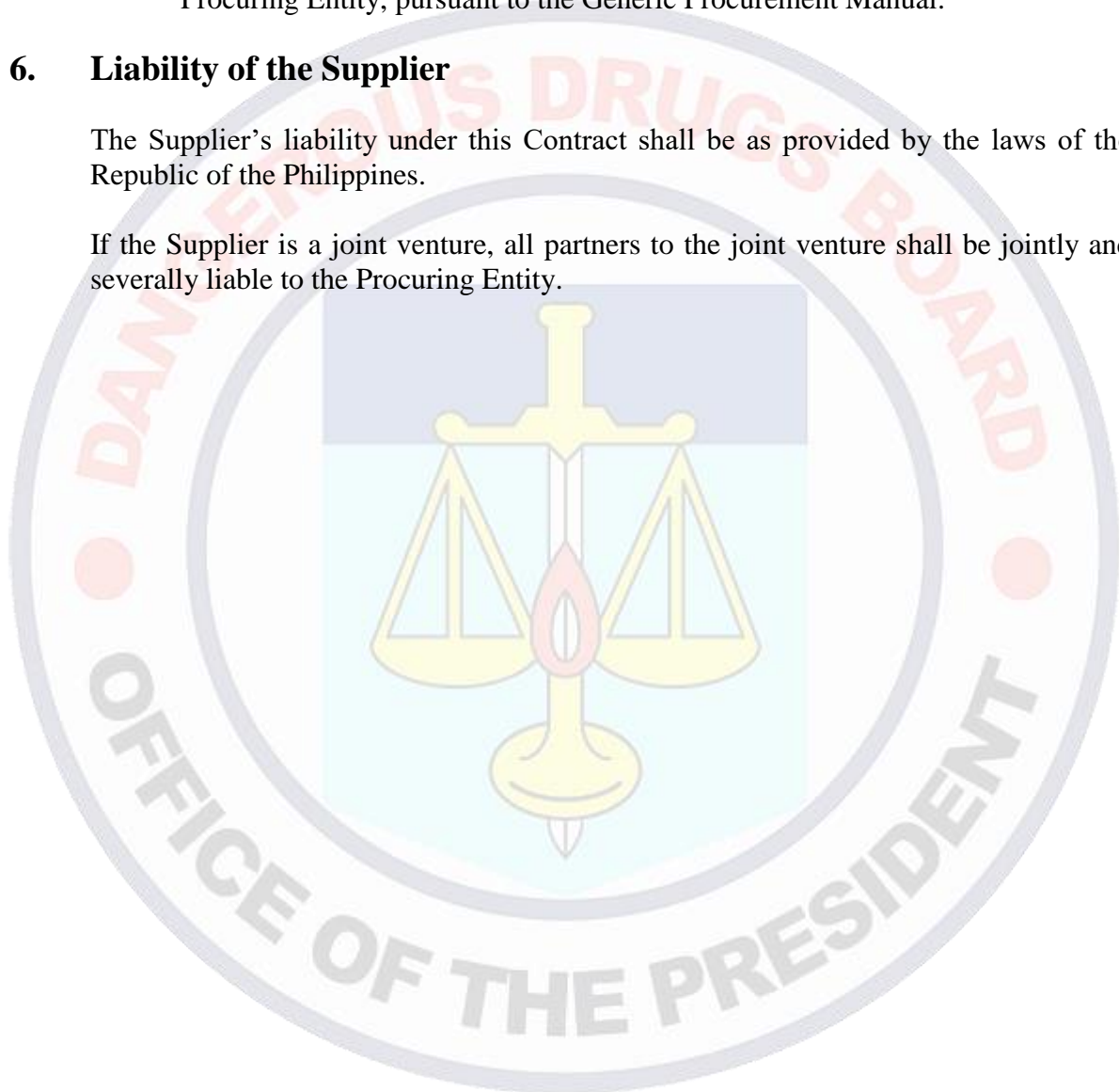
5. Warranty

- 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 – Delivery of the Goods and Services (i.e., security services, supplies and equipment) shall be made by the Supplier in accordance with the terms specified in Section VI. Schedule of Requirements.</p> <p>Submit to the Chief, AFMD a weekly and monthly accomplishment report, and a photocopy of the logbook of officials, visitors and employees every month</p> <p>Submit proof of paid remittances to SSS, Philhealth, Pag-IBIG, Withholding Tax Certificate and Official Receipts for the period January to August 2022.</p> <p>Other documents to be supplied by the service provider are as follows: Photocopy of a valid NBI, Police, Barangay and Physical/Medical/Health Clearances (<u>fully vaccinated with valid vaccination card and negative RT-PCR result upon entry</u>) of each of the personnel to be assigned for this project; Certificate from any accredited security training institute of the Private Security Licensing; Psychoneurotic test; and Personal Data Sheet.</p>
2.2	<p>Semi-monthly payment for the services rendered will be processed upon receipt of billing statement and summary of attendance of security personnel.</p>
4	<p>The inspections and tests that will be conducted are actual inspection of the performance of the security services, their supplies, equipment and other essential paraphernalia at any time it is deemed necessary or as referred to Section VII. Technical 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.

Item Number	Description	Quantity	Total	Delivered, Weeks/Months												
1	<p>Security guards must be duly licensed, properly skilled/trained, with ability and a license to drive a 4-wheeled vehicle (manual & automatic transmission), of good moral character, psychologically, mentally and physically fit, and with the following minimum qualifications:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Level of Qualification</th> <th style="text-align: center;">No. of Personnel</th> <th style="text-align: center;">Age</th> <th style="text-align: center;">Additional Requirements</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Security Officer</td> <td style="text-align: center;">One (1)</td> <td style="text-align: center;">Not more than 55 years old</td> <td style="text-align: center;">Physically fit to work Able to draft documentations and reports of incidents</td> </tr> <tr> <td style="text-align: center;">Regular Security Guards</td> <td style="text-align: center;">Four (4)</td> <td style="text-align: center;">Not more than 50 years old</td> <td style="text-align: center;">Physically fit to work Properly skilled/trained, with ability and a license to drive a 4-wheeled vehicle (manual & automatic transmission)</td> </tr> </tbody> </table> <p>a) Filipino citizen</p> <p>b) Must have completed at least a two-year college or vocational course</p> <p>c) At least 5'4" in height</p> <p>d) The Service Provider shall also submit the following documentary requirements prior to posting: Photocopy of a valid NBI, Police, Barangay and Physical/Medical/Health Clearances (<u>fully vaccinated with valid vaccination card and negative RT-PCR result upon entry</u>) of each of the personnel to be assigned for this project; Certificate from any</p>	Level of Qualification	No. of Personnel	Age	Additional Requirements	Security Officer	One (1)	Not more than 55 years old	Physically fit to work Able to draft documentations and reports of incidents	Regular Security Guards	Four (4)	Not more than 50 years old	Physically fit to work Properly skilled/trained, with ability and a license to drive a 4-wheeled vehicle (manual & automatic transmission)	<p>Four (4) Security Guards One (1) Supervisor</p>	5	Deployment upon receipt of the Notice to Proceed
Level of Qualification	No. of Personnel	Age	Additional Requirements													
Security Officer	One (1)	Not more than 55 years old	Physically fit to work Able to draft documentations and reports of incidents													
Regular Security Guards	Four (4)	Not more than 50 years old	Physically fit to work Properly skilled/trained, with ability and a license to drive a 4-wheeled vehicle (manual & automatic transmission)													

	accredited security training institute of the Private Security Licensing; Psychoneurotic test; and Personal Data Sheet.			
2	Provision of proper uniforms and paraphernalia, firearms and ammunitions and other basic equipment as provided in RA No. 5487 including security related supplies, equipment and <u>vehicle</u> in accordance with Section VII. Technical Specifications	One (1) lot	1	Within seven (7) calendar days from receipt of Notice to Proceed

The Contract to be awarded shall be subject to existing DBM Guidelines on Cash-Based Budgeting (NBC No. 583 dated 4 January 2021) and other relevant regulations. Accordingly, the contract period shall commence seven (7) calendar days upon receipt of the Notice to Proceed and terminate on 31 December 2022. In the event that the resulting contract period is less than twelve (12) months, the annual financial bid of the SCRB or LCRB shall be divided by twelve (12) to arrive at the monthly fee for the janitorial services, which shall not exceed the foregoing ABC divided by twelve (12).

I hereby undertake to comply and deliver all the above requirements.

Company Name

Name and Signature of Authorized Representative

Date

Section VII. Technical Specifications



Technical Specifications

[Bidders must state here either “Comply” or “Not Comply” against each of the individual parameters of each Specification stating the corresponding performance parameter of the equipment offered. Statements of “Comply” or “Not Comply” must be supported by evidence in a Bidders Bid and cross-referenced to that evidence. Evidence shall be in the form of manufacturer’s un-amended sales literature, unconditional statements of specification and compliance issued by the manufacturer, samples, independent test data etc., as appropriate. A statement that is not supported by evidence or is subsequently found to be contradicted by the evidence presented will render the Bid under evaluation liable for rejection. A statement either in the Bidder's statement of compliance or the supporting evidence that is found to be false either during Bid evaluation, post-qualification or the execution of the Contract may be regarded as fraudulent and render the Bidder or supplier liable for prosecution subject to the applicable laws and issuances.]

Item	Specification	Statement of Compliance												
1	<p>1. DURATION OF AGREEMENT The Security Service Provider shall undertake security services as herein mentioned, covering the period from January 1 to December 31, 2023.</p> <p>2. TECHNICAL REQUIREMENTS/SPECIFICATIONS</p> <p>I. The Security Provider shall have the necessary experience and expertise in providing security services.</p> <p>II. The security guards must be duly licensed, properly skilled/trained, with ability and a license to drive a 4-wheeled vehicle (manual & automatic transmission), of good moral character, psychologically, mentally and physically fit, and with the following minimum qualifications:</p> <p>a. Filipino citizen b. Five (5) male</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Level of Qualification</th> <th style="text-align: center;">No. of Personnel</th> <th style="text-align: center;">Age</th> <th style="text-align: center;">Additional Requirements</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Security Officer</td> <td style="text-align: center;">One (1)</td> <td style="text-align: center;">Not more than 55 years old</td> <td style="text-align: center;">Physically fit to work Able to draft documentations and reports of incidents</td> </tr> <tr> <td style="text-align: center;">Regular Security Guards</td> <td style="text-align: center;">Four (4)</td> <td style="text-align: center;">Not more than 50 years old</td> <td style="text-align: center;">Physically fit to work Properly skilled/trained, with ability and a</td> </tr> </tbody> </table>	Level of Qualification	No. of Personnel	Age	Additional Requirements	Security Officer	One (1)	Not more than 55 years old	Physically fit to work Able to draft documentations and reports of incidents	Regular Security Guards	Four (4)	Not more than 50 years old	Physically fit to work Properly skilled/trained, with ability and a	
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Regular Security Guards	Four (4)	Not more than 50 years old	Physically fit to work Properly skilled/trained, with ability and a											

			license to drive a 4-wheeled vehicle (manual & automatic transmission)
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- c. Must have completed at least a two-year college or vocational course
- d. At least 5'4" in height
- e. The Service Provider shall also submit the following documentary requirements prior to posting: Photocopy of a valid NBI, Police, Barangay and Physical/Medical/Health Clearances (fully vaccinated with valid vaccination card and negative RT-PCR result upon entry) of each of the personnel to be assigned for this project; Certificate from any accredited security training institute of the Private Security Licensing; Psychoneurotic test; and Personal Data Sheet.
- f. Submit proof of paid remittances to SSS, Philhealth, Pag-IBIG, Withholding Tax Certificate and Official Receipts for the period January to August 2022.
- g. Perform other tasks that maybe assigned from time to time.

III. The Security Provider shall be responsible in supervising and monitoring the security guards deployed at the DDB to ensure that they efficiently perform their duties and responsibilities as herein provided;

IV. The Security Provider shall ensure that security guards are to be provided with proper uniforms and paraphernalia, firearms and ammunitions and other basic equipment as provided in RA No. 5487 including security related equipment and vehicles in accordance with Schedule of Requirements:

Schedule of Requirements

The Security Provider shall provide on its own account all materials, tools, and equipment necessary, appropriate and incidental to the job. Unless otherwise specified by the DDB, the following supplies, materials, tools and equipment will be utilized:

DESCRIPTION	QUANTITY
Security Services	Four (4) Security Guards and One (1) Security Officer with 12 hours shifting to complete the services of 24 hours /7 days a week
Handheld portable two-way radio with Natl. Telecommunications Commission (NTC) License Permit,	3

<p>multifunction display and with complete accessories such as but not limited to the following:</p> <ul style="list-style-type: none"> • Battery Charger for Handheld radio; • Extra battery pack for Handheld radio <p>9mm Caliber Pistol with Ammunition and Accessories</p> <p>Firearms should be in good conditions, covered with license by PNP-FEO with complete load and ammunition.</p>	3	
Handheld Metal Detector	2	
Portable Flashlight	2	
Rechargeable Emergency Light	2	
Handcuff	2	
Rattan Baton	2	
<p>OFFICE SUPPLIES AND SECURITY PARAPHERNALIA shall consist of:</p> <ul style="list-style-type: none"> • Logbook • Ballpen • Umbrella • First Aid Kit 	<p>(For the whole contract period)</p> <p style="text-align: center;">8</p> <p style="text-align: center;">10</p> <p style="text-align: center;">2</p> <p style="text-align: center;">2</p>	
<p>V. The security services shall cover all DDB Offices but not limited to the following:</p> <ol style="list-style-type: none"> a) Conduct security checks of all visitors entering the Office Building; b) Monitor the entry of all officials, employees and visitors and logs their arrival and departure; c) Assist in securing the time keeping machine; d) Conduct regular roving inspection during night-time to prevent incidence of theft or fire: 		

- 3rd Floor DDB-PDEA Building and Parking Lot
 - 6th Floor South Insula Condominiums and Parking Lot
- e) Unplug computers and other office equipment during night-time except equipment in the Server Room/Data Center.
- f) Conduct regular roving inspection of DDB vehicles at the parking lot.
- g) Implement minimum health and safety protocols for the prevention of COVID-19 such as: checking of body temperature and filled out Daily Health Assessment Form.
- h) Perform other tasks that maybe assigned from time to time.
- VI. The Security Provider shall provide, at its own expense, all the necessary supplies of the security guards deployed at the DDB Office;
- VII. The Security Provider shall submit to the Chief, AFMD a weekly and monthly accomplishment report, and a photocopy of the logbook of officials, visitors and employees every month
- VIII. Submit its own security plan which includes COVID-19 Protocol in the workplace for the purpose of maintaining law and order at the DDB Offices even at times of pandemic
- The security plan shall be submitted within 5 days after the issuance of Notice to Proceed
- IX. The Security Provider shall assume full responsibility for the faithful and complete performance by the security guards of all their duties pursuant to the provisions of this Contract;
- X. The Security Provider shall be able to respond to security issues within three (3) hours from receipt of notification. In case of delays in the three (3) hour response time, corresponding penalties or liquidated damages will be implemented;
- XI. In case of emergencies or urgent security concerns within the office premises, the security guards should respond immediately;
- XII. The Security Provider shall guarantee that all security guards follow all regulations, policies, security programs and plans as contained in the approved security plan to continuously improve their performance, efficiency, discipline, fitness and preparedness, and warrants that all security guards shall observe the highest courtesy and respect towards all officials and employees of DDB including authorized visitors in the execution of their duties;

XIII. The Security Provider shall submit promptly every morning to the C, AFMD the shift guard mounting reports, as well as reports of all incidents of loss, injury and damage to life and property, involving DDB's property and personnel that occurred during the previous day;

XIV. The Security Provider shall provide monthly security shifting schedule to be approved by the DDB in order to exercise effective administration, control, supervision and inspection, through its Supervisor/Shift-in-Charge, to prevent any violation or commission of anomalous acts by the guards, whether on or off duty. Security Provider shall be liable for any willful, intentional or negligent act or omission of the guards resulting in death/injury to DDB's personnel or visitors, or damage/loss to DDB's properties or those of its personnel or visitors within DDB areas. In case of absences and non-reliever, the DDB has the right to deduct equivalent amount in its monthly billing.

XV. The Security Provider shall comply with existing applicable labor laws, rules and regulations and warrant the payment of salaries and allowances and all other benefits to its security personnel within legal rates provided under DOLE Department Order No. 150-16 and other related laws and all other legal benefits of its employees;

3. ADDITIONAL SET OF TECHNICAL PARAMETERS

1. Stability

- (a) Years of Experience
- (b) Liquidity of the Contractor
- (c) Organizational Set-up

2. Resources

- (a) No. of Licensed Firearms
- (b) No. and Kind of Communication Devices
- (c) No. and Kind of Motor-Powered Vehicles
- (d) No. of Licensed Guards

3. Security Plan

4. Other Factors

- (a) Recruitment and Selection Criteria
- (b) Completeness of Uniforms and Other Paraphernalia

4. PAYMENT AND DELIVERY

The security services will be provided at the DDB offices located at the:

- a. 3rd Floor DDB-PDEA Building, NIA Road, Brgy. Pinyahan, Quezon City; and

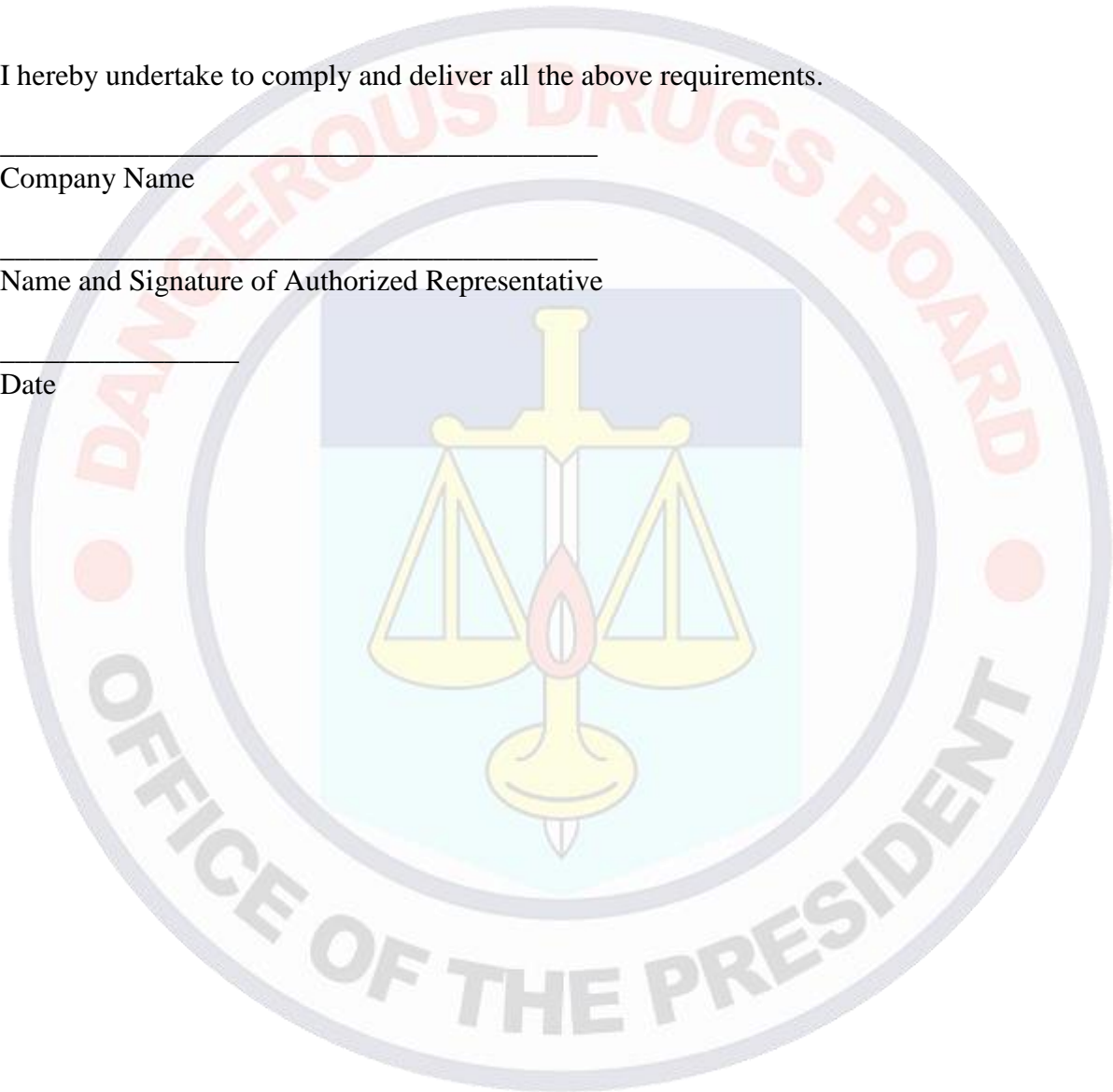
	<p>b. 6th Floor South Insula Condominiums, 61 Timog Avenue, South Triangle, Quezon City.</p> <p>Semi-monthly payment for the services rendered will be processed upon receipt of billing statement and summary of attendance of security personnel.</p>	
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I hereby undertake to comply and deliver all the above requirements.

Company Name

Name and Signature of Authorized Representative

Date



**PROPOSED COST DISTRIBUTION PER MONTH
WAGE ORDER NO. NCR-23**

Days worked per week No. of Days/year	Php	7 days 394.40 8 hours work/day	7 days 394.30 12 hours work/day
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Amount to Guard

New Daily Wage	P	570.00	P	570.00
Ave. Pay/Month (DW x No. Of days per yr/12)		18,734.00		18,734.00
Night Differential Pay (Ave. Pay/mo x 10% x 1/3) (x1/2)		624.47		936.70
13 th Month Pay (DW x 365 / 12/ 12)		1,444.79		1,444.79
5 Days Incentive Pay (DW x 5/12)		237.50		237.50
Uniform Allowance (R.A. 5487)		100.00		100.00
Overtime Pay		-		11,863.84
		21,140.76		33,316.83

Amount to Gov't in Favor of Guards

Retirement Benefit (R.A. 7641) (DW x 22.5 / 12)	P	1,068.75	P	1,068.75
SSS Premium (Jan. 2021)		1,657.50		1,700.00
SSS Mandatory Provident Fund		-		425.00
Philhealth Contribution (Jan 2022)		374.68		374.68
State Insurance Fund		30.00		30.00
Pag-Ibig Fund		100.00		100.00
		3,230.93		3,698.43

A. TOTAL AMOUNT TO GUARD & GOV'T.		24,371.69		37,015.26
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B. AGENCY FEE

Administrative Overhead and Margin		5,849.38		8,744.86
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C. VALUE ADDED TAX

(Agency fee x 12% VAT-RMC-39-2007)		701.93		1,049.38
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MINIMUM CONTRACT RATE

<u>P 30,923.00</u>	<u>P 46,809.50</u>
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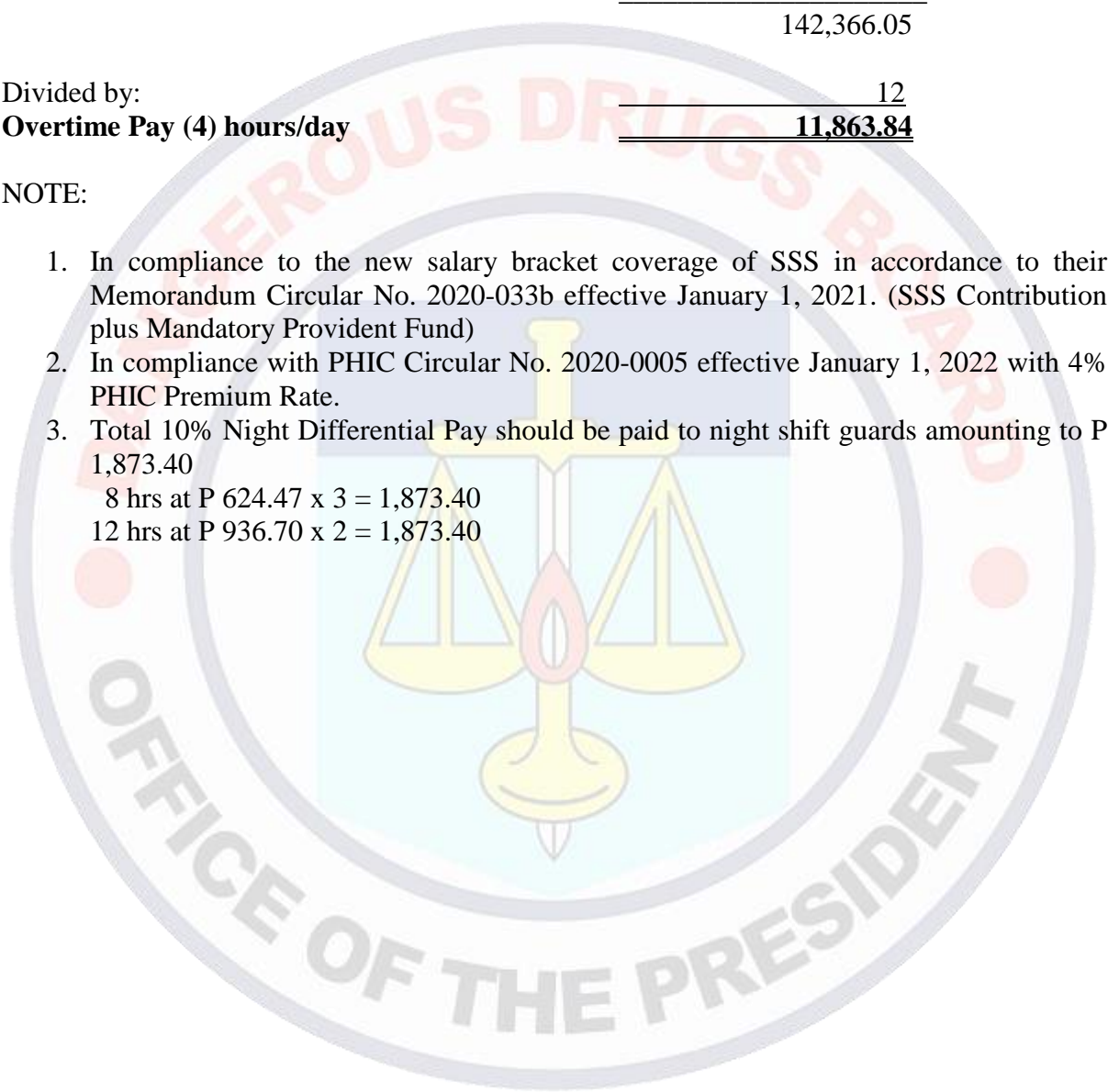
Overtime Computation

Overtime 7 Days		
Rate per hour (570/8)	71.25	
Regular Days (71.25 x 125% x 295 x 4)		105,093.75
Regular Holidays (71.25 x 260% x 12 x 4)		8,892.00
Sundays/Rest Days (71.25 x 169% x 52 x 4)		25,045.80
Special Days, Rest Days (71.25 x 195% x 6 x 4)		3,334.50
		<hr/>
		142,366.05

Divided by: 12
Overtime Pay (4) hours/day 11,863.84

NOTE:

1. In compliance to the new salary bracket coverage of SSS in accordance to their Memorandum Circular No. 2020-033b effective January 1, 2021. (SSS Contribution plus Mandatory Provident Fund)
2. In compliance with PHIC Circular No. 2020-0005 effective January 1, 2022 with 4% PHIC Premium Rate.
3. Total 10% Night Differential Pay should be paid to night shift guards amounting to P 1,873.40
 8 hrs at P 624.47 x 3 = 1,873.40
 12 hrs at P 936.70 x 2 = 1,873.40



***Section VIII. 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

- (e) 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**
- (f) 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**
- (g) 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**
- (h) Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or after-sales/parts, if applicable; **and**
- (i) 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.

Financial Documents

- (j) 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**
- (k) 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

- (l) 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.

II. FINANCIAL COMPONENT ENVELOPE

- (m) Original of duly signed and accomplished Financial Bid Form; **and**
 (n) Original of duly signed and accomplished Price Schedule(s).

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.

Section IX. Bidding Forms



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.

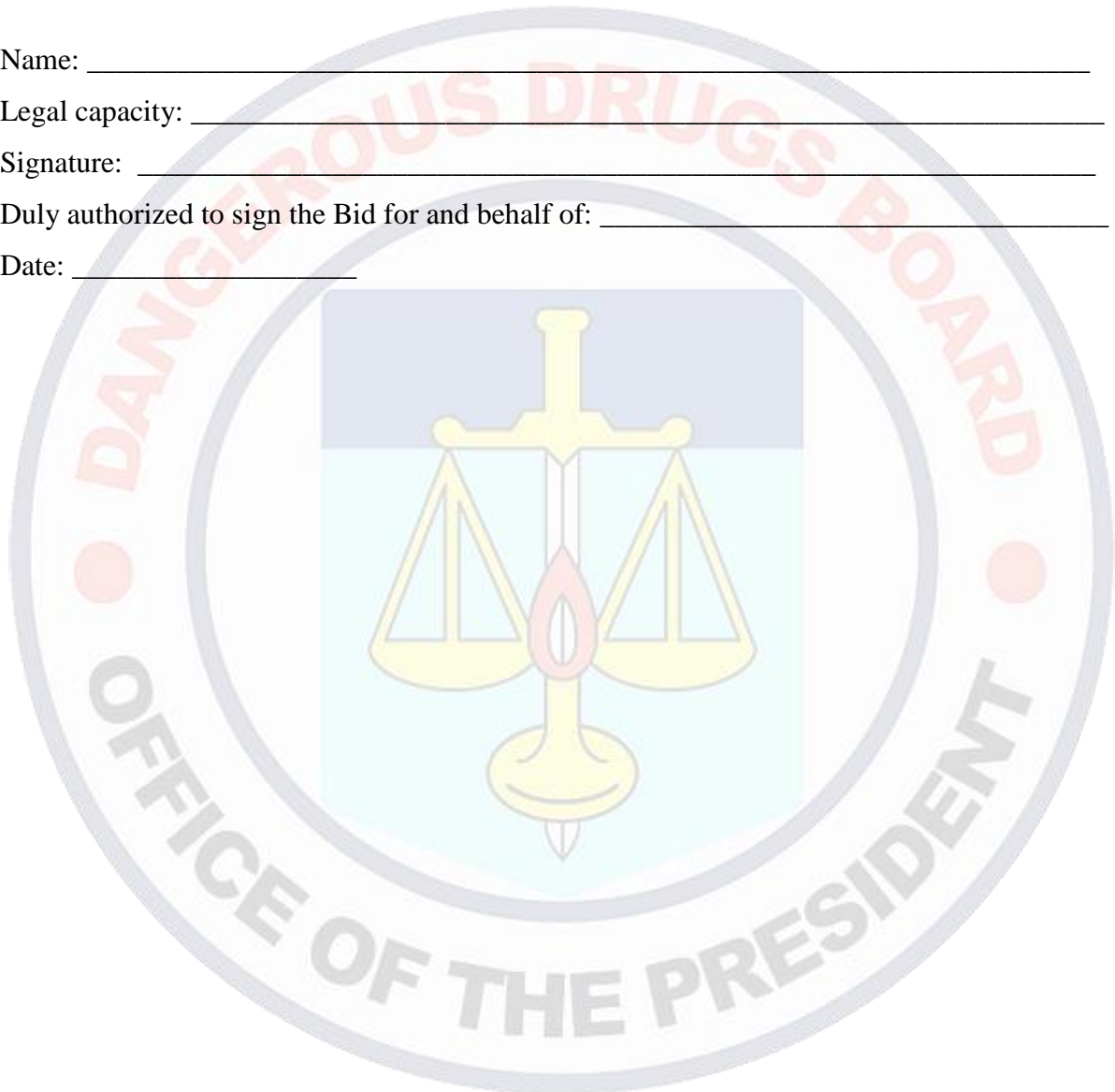
Name: _____

Legal capacity: _____

Signature: _____

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

Date: _____



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]*.

*[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]

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]



Performance Securing Declaration (Revised)

[if used as an alternative performance security but it is not required to be submitted with the Bid, as it shall be submitted within ten (10) days after receiving the Notice of Award]

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

PERFORMANCE SECURING DECLARATION

Invitation to Bid: [Insert Reference Number indicated in the Bidding Documents]
To: [Insert name and address of the Procuring Entity]

I/We, the undersigned, declare that:

1. I/We understand that, according to your conditions, to guarantee the faithful performance by the supplier/distributor/manufacturer/contractor/consultant of its obligations under the Contract, I/we shall submit a Performance Securing Declaration within a maximum period of ten (10) calendar days from the receipt of the Notice of Award prior to the signing of the Contract.
2. I/We accept that: I/we will be automatically disqualified from bidding for any procurement contract with any procuring entity for a period of one (1) year for the first offense, or two (2) years **for the second offense**, upon receipt of your Blacklisting Order if I/We have violated my/our obligations under the Contract;
3. I/We understand that this Performance Securing Declaration shall cease to be valid upon:
 - a. issuance by the Procuring Entity of the Certificate of Final Acceptance, subject to the following conditions:
 - i. Procuring Entity has no claims filed against the contract awardee;
 - ii. It has no claims for labor and materials filed against the contractor; and
 - iii. Other terms of the contract; or
 - b. replacement by the winning bidder of 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 as required by the end-user.

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 OR ITS
AUTHORIZED REPRESENTATIVE]*

[Insert signatory's legal capacity]

Affiant

[Jurat]

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

