

PHILIPPINE BIDDING DOCUMENTS

(For Infrastructure Projects)



UPGRADING & CONSTRUCTION OF PERIMETER FENCE

Government of the Republic of the Philippines
Province of Zamboanga del Sur
Municipality of Lapuyan

**Fifth Edition
August 2016**

**Republic of the Philippines
Province of Zamboanga del Sur
Municipality of Lapuyan**

Invitation to Bid for

UPGRADING & CONSTRUCTION OF PERIMETER FENCE

1. The **Local Government Unit of Lapuyan**, through the *GF Surplus 2019* intends to apply the sum of *Two Million Five Hundred Seventy Pesos Only (Php 2,570,000.00)* being the Approved Budget for the Contract (ABC) to payments under the contract for *Upgrading and Construction of Perimeter Fence of Lapuyan Falls Park & Convention Center*. Bids received in excess of the ABC for each lot shall be automatically rejected at bid opening.
2. The **Local Government Unit of Lapuyan** now invites bids for *Upgrading and Construction of Perimeter Fence of Lapuyan Falls Park & Convention Center*.
3. Completion of the Works is required *190 calendar days*. Bidders should have completed a contract similar to the Project. The description of an eligible bidder is contained in the Bidding Documents, particularly, in Section II Instruction to Bidders.
4. 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), otherwise known as the “Government Procurement Reform Act.”
5. 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.
6. Interested bidders may obtain further information from **Local Government Unit of Lapuyan** and inspect the Bidding Documents at the address given below from **8:00AM – 5:00PM**.
7. A complete set of Bidding Documents may be acquired by interested bidders on *September 21 – October 14, 2020* from the address below and upon payment of the non-refundable fee for the Bidding Documents, pursuant to the latest Guidelines issued by the GPPB, in the amount of *Php 5,000.00* to the LGU Lapuyan Cashier.
8. It may also be downloaded free of charge from the website of the Philippine Government Electronic Procurement System (PhilGEPS) and the website of the Procuring Entity, provided that bidders shall pay the applicable fee for the Bidding Documents not later than the submission of their bids.
9. The **Local Government Unit of Lapuyan** will hold a Pre-Bid Conference on *September 30, 2020* at *2F New Municipal Hall, Lapuyan ZDS.*, which shall be open to prospective bidders.

10. Bids must be duly received by the BAC Secretariat at the address below on or before ***October 14, 2020 @ 12:00 p.m.*** All bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in **ITB** Clause 18.
11. Bid opening shall be on ***October 14, 2020 @ 2:00 p.m*** at ***2F New Municipal Hall, Lapuyan ZDS***. Bids will be opened in the presence of the bidders' representatives who choose to attend at the address below. Late bids shall not be accepted.
12. The **Local Government Unit of Lapuyan** reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract at any time prior to contract award in accordance with Section 41 of RA 9184 and its IRR, without thereby incurring any liability to the affected bidder or bidders.

For further information, please refer to:

YUME P. ISMAEL
BAC Secretariat
LGU Lapuyan, Zamboanga del Sur

(SGD)RICARDO A. IMBING, JR.
BAC Chairman

Bid Data Sheet

| ITB Clause | |
|------------|---|
| 1.1 | <p>The Procuring Entity is Local Government Unit of Lapuyan.</p> <p>The name of the Contract is <i>Upgrading and Construction of Perimeter Fence of Lapuyan Falls Park & Convention Center</i></p> <p>The identification number of the Contract is PB-LAP-2020-</p> |
| 2 | <p>The Funding Source is:</p> <p style="padding-left: 40px;">The Government of the Philippines (GoP) through <i>GF Surplus 2019</i> in the amount of <i>Two Million Five Hundred Seventy Thousand Pesos Only (Php 2,570,000.00)</i></p> <p style="padding-left: 40px;"><i>NOTE: In the case of National Government Agencies, the General Appropriations Act and/or continuing appropriations; in the case of Government-Owned and/or –Controlled Corporations, Government Financial Institutions, and State Universities and Colleges, the Corporate Budget for the contract approved by the governing Boards; in the case of Local Government Units, the Budget for the contract approved by the respective Sanggunian.</i></p> <p>The name of the Project is <i>Upgrading and Construction of Perimeter Fence of Lapuyan Falls Park & Convention Center</i></p> |
| | No further instructions. |
| 3.1 | No further instructions. |
| 5.1 | Bidding is restricted to eligible bidders as defined in ITB Clause 5.1. |
| 5.2 | No further instructions. |
| 5.4(a) | For this purpose, similar contracts shall refer to contracts which have the same major categories of work. <i>Upgrading and Construction of Perimeter Fence of Lapuyan Falls Park & Convention Center</i> |
| 5.4(b) | <p><i>State either “Subcontracting is not allowed.” or specify the portions of Works and the maximum percentage allowed to be subcontracted.</i></p> <p><i>NOTE: The contractor shall undertake not less than 50% of the contracted works with its own resources.</i></p> |
| 8.1 | “Not applicable.” |
| 8.2 | The Procuring Entity will hold a pre-bid conference for this Project on |

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| | <i>September 30, 2020 at 2/F, New Municipal Hall, Lapuyan, ZDS.</i> |
| 9.1 | The Procuring Entity's address is: 2F, New Municipal Hall Poblacion, Lapuyan, Zamboanga del Sur |
| 10.1 | No further instructions. |
| | No further instructions. |
| 10.4 | No further instructions. |
| 12.1 | The minimum work experience requirements for key personnel are the following: <u>Key Personnel</u> <u>General Experience</u> <u>Relevant Experience</u> |
| 12.1(a)(iii) | The minimum major equipment requirements are the following: <u>Equipment</u> <u>Capacity</u> <u>Number of Units</u> |
| 12.1(b)(ii.2) | "No additional Requirements" |
| 12.1(b)(iii.3) | This shall include all of the following documents: 1) Bid prices in the Bill of Quantities; 2) Detailed estimates, including a summary sheet indicating the unit prices of construction materials, labor rates, and equipment rentals used in coming up with the Bid; and 3) Cash flow by quarter or payment schedule. |
| 13.1 | The ABC is <i>Two Million Five Hundred Seventy Thousand Pesos Only (Php 2,570,000.00)</i> Any bid with a financial component exceeding this amount shall not be accepted. |
| 13.1(b) | "No further instructions." |
| 13.2 | No further instruction. |
| 14.2 | The bid prices shall be quoted in Philippine Pesos. |

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| 15.4 | No further instructions. |
| 16.1 | Bids will be valid until 120 calendar days . |
| 16.3 | <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 <u>Php 51,400.00</u> (2% of ABC) 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 <u>Php 128,500.00</u> (5% of ABC) if bid security is in Surety Bond. |
| 17.1 | The bid security shall be valid until 120 calendar days . |
| 18.1 | Each Bidder shall submit one copy original and two copies each for the first and second components of its bid. |
| 18.2 | <p>The address for submission of bids is 2F, New Municipal Hall, Lapuyan, Zamboanga del Sur</p> <p>The deadline for submission of bids is <i>October 14, 2020 @ 12:00 PM</i></p> |
| 20.3 | <p>The place of bid opening is 2F, New Municipal Hall, Lapuyan, Zamboanga del Sur</p> <p>The date and time of bid opening is <i>October 14, 2020 @ 2:00 PM</i></p> |
| 21 | No further instructions. |
| 24.1 | No further instructions. |
| 24.2 | <p>Partial bid is not allowed. The infrastructure project is packaged in a single lot and the lot shall not be divided into sub-lots for the purpose of bidding, evaluation, and contract award.</p> <p>In all cases, the NFCC computation, if applicable, must be sufficient for all the lots or contracts to be awarded to the Bidder.</p> |
| 24.3 | No further instructions. |
| 27.3 | <i>"None."</i> |

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| 27.4 | <p><i>Additional contract documents relevant to the Project that are 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 Department of Labor and Employment, and PERT/CPM or other acceptable tools of project scheduling.</i></p> |
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Special Conditions of Contract

| GCC Clause | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|------------|--|----------|---------------|----------|------|---|------------|--------|-------|----|----------------|-------|-------|-----|------------------------|---------|-----|----|-------------------------|------|-------|---|---------------|--------|-----|----|----------------|---------|-------|-----|------------------|---|-----|------|---|---|-----|
| 1.17 | The Intended Completion Date is <i>190 calendar days</i> . <i>NOTE: The contract duration shall be reckoned from the start date and not from contract effectivity date.</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1.22 | The Procuring Entity is Local Government of Lapuyan . | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1.23 | The Procuring Entity’s Representative is Joel B. Sulong Municipal Mayor | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1.24 | The Site is located at <i>Waterfalls Park and Convention Center, Poblacion, Lapuyan, ZDS.</i> and is defined in drawings No. <i>[Insert Number]</i> . | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1.28 | The Start Date is <i>after issuance of the Notice to Proceed.</i> <i>NOTE: The start date shall be the date of receipt of the Notice to Proceed.</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1.31 | <div>The Works consist of</div> <table><tr><th>ITEM NO.</th><th>SCOPE OF WORK</th><th>Quantity</th><th>Unit</th></tr><tr><td>I</td><td>SITE WORKS</td><td>190.50</td><td>SQ.M.</td></tr><tr><td>II</td><td>CONCRETE WORKS</td><td>57.71</td><td>CU.M.</td></tr><tr><td>III</td><td>REINFORCING STEEL BARS</td><td>5787.50</td><td>KGS</td></tr><tr><td>IV</td><td>FORMWORKS & SCAFFOLDING</td><td>1600</td><td>BD.FT</td></tr><tr><td>V</td><td>MASONRY WORKS</td><td>597.20</td><td>KGS</td></tr><tr><td>VI</td><td>PAINTING WORKS</td><td>1194.40</td><td>SQ.M.</td></tr><tr><td>VII</td><td>ELECTRICAL WORKS</td><td>1</td><td>LOT</td></tr><tr><td>VIII</td><td>INSTALLATION & FABRICATION OF STEEL GATE & RAILINGS</td><td>1</td><td>LOT</td></tr></table> | ITEM NO. | SCOPE OF WORK | Quantity | Unit | I | SITE WORKS | 190.50 | SQ.M. | II | CONCRETE WORKS | 57.71 | CU.M. | III | REINFORCING STEEL BARS | 5787.50 | KGS | IV | FORMWORKS & SCAFFOLDING | 1600 | BD.FT | V | MASONRY WORKS | 597.20 | KGS | VI | PAINTING WORKS | 1194.40 | SQ.M. | VII | ELECTRICAL WORKS | 1 | LOT | VIII | INSTALLATION & FABRICATION OF STEEL GATE & RAILINGS | 1 | LOT |
| ITEM NO. | SCOPE OF WORK | Quantity | Unit | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| I | SITE WORKS | 190.50 | SQ.M. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| II | CONCRETE WORKS | 57.71 | CU.M. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| III | REINFORCING STEEL BARS | 5787.50 | KGS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| IV | FORMWORKS & SCAFFOLDING | 1600 | BD.FT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| V | MASONRY WORKS | 597.20 | KGS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| VI | PAINTING WORKS | 1194.40 | SQ.M. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| VII | ELECTRICAL WORKS | 1 | LOT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| VIII | INSTALLATION & FABRICATION OF STEEL GATE & RAILINGS | 1 | LOT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2.2 | <i>If different dates are specified for completion of the Works by section (“sectional completion”), these dates should be listed here</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5.1 | The Procuring Entity shall give possession of all parts of the Site to the Contractor <i>[insert date]</i> . | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6.5 | The Contractor shall employ the following Key Personnel : <i>[List key personnel by name and designation]</i> <i>NOTE: The names of the Key Personnel and their designation shall be filled out by winning contractor prior to contract signing.</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7.4(c) | <i>Specify additional conditions, if any, that must be met prior to the release of the performance security, otherwise, state “No further instructions.”</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7.7 | No further instructions. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| 8.1 | No further instructions. |
| 10 | The site investigation reports are: <i>[list here or state none]</i> |
| 12.3 | No further instructions. |
| 12.5 | <p><i>Select one, delete the other.</i></p> <p><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></p> <p><i>In case of semi-permanent structures, such as buildings of types 1, 2, and 3 as classified under the National Building Code of the Philippines, concrete/asphalt roads, concrete river control, drainage, irrigation lined canals, river landing, deep wells, rock causeway, pedestrian overpass, and other similar semi-permanent structures: Five (5) years.</i></p> |
| 13 | “No additional provision.” |
| 18.3(h)(i) | No further instructions. |
| 21.2 | <p>The Arbiter is: <i>[Insert name]</i></p> <p><i>[Insert address]</i></p> |
| 29.1 | No dayworks are applicable to the contract. |
| 31.1 | The Contractor shall submit the Program of Work to the Procuring Entity’s Representative within <i>[insert number]</i> days of delivery of the Notice of Award. |
| 31.3 | <p>The period between Program of Work updates is <i>[insert number]</i> days.</p> <p>The amount to be withheld for late submission of an updated Program of Work is <i>[insert amount]</i>.</p> |
| 34.3 | The Funding Source is the <i>GF Surplus 2019</i> |
| 39.1 | The amount of the advance payment is <i>[insert amount as percentage of the Contract Price and schedule of payment]</i> |
| 40.1 | No further instructions. |
| 51.1 | <p>The date by which operating and maintenance manuals are required is <i>[date]</i>.</p> <p>The date by which “as built” drawings are required is <i>[date]</i>.</p> |
| 51.2 | 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 I. Invitation to Bid

Notes on the Invitation to Bid

The Invitation to Bid provides information that enables potential Bidders to decide whether to participate in the procurement at hand. The Invitation to Bid shall be:

- (a) Posted continuously in the Philippine Government Electronic Procurement System (PhilGEPS) website and the website of the Procuring Entity concerned, if available, and the website prescribed by the foreign government/foreign or international financing institution, if applicable, for at least seven (7) calendar days starting on the date of advertisement; and
- (b) Posted at any conspicuous place reserved for this purpose in the premises of the Procuring Entity concerned for at least seven (7) calendar days, as certified by the head of the Bids and Awards Committee (BAC) Secretariat of the Procuring Entity concerned.
- (c) Advertised at least once in a newspaper of general nationwide circulation which has been regularly published for at least two (2) years before the date of issue of the advertisement, subject to Sections 21.2.1(c) of the 2016 Revised IRR of R.A. 9184¹;

Apart from the essential items listed in the Bidding Documents, the Invitation to Bid should also indicate the following:

- (a) The date of availability of the Bidding Documents, which shall be from the time the Invitation to Bid is first advertised/posted until the deadline for the submission and receipt of bids.
- (b) The place where the Bidding Documents may be acquired or the website where it may be downloaded.
- (c) The deadline for the submission and receipt of bids from the last day of posting of the Invitation to Bid; and
- (d) Any important bid evaluation criteria.

The Invitation to Bid should be incorporated into the Bidding Documents. The information contained in the Invitation to Bid must conform to the Bidding Documents and in particular to the relevant information in the BDS.

For foreign-assisted projects, the Invitation to Bid to be used is provided in Section X-Foreign-Assisted Projects.

¹ Two years after the effectivity of the 2016 Revised IRR of RA 9184 on 28 October 2016, advertisement in a newspaper of general nationwide circulation shall no longer be required. However, a Procuring Entity that cannot post its opportunities in the PhilGEPS for justifiable reasons shall continue to publish its advertisements in a newspaper of general nationwide circulation.

Section II. Instructions to Bidders

Notes on the Instructions to Bidders

This Section of the Bidding Documents provides the information necessary for Bidders to prepare responsive bids, in accordance with the requirements of the Procuring Entity. It also provides information on the bid submission, eligibility check, opening and evaluation of bids, and on the award of contract.

This Section also contains provisions that are to be used unchanged. Consists of provisions that supplement, amend, or specify in detail information or requirements included in this Section and which are specific to each procurement.

Matters governing the performance of the Contractor, payments under the contract, or matters affecting the risks, rights, and obligations of the parties under the contract are not normally included in this Section, but rather under (GCC), and/or (SCC). If duplication of a subject is inevitable in the other sections of the document prepared by the Procuring Entity, care must be exercised to avoid contradictions between clauses dealing with the same matter.

SPECIAL INSTRUCTION TO BIDDERS:

- **Each Bidder shall submit *one copy original and two copies*, each for the first and second components of its bid respectively**
- **Tabbing of the Legal and Technical documents for the first envelope and financial documents for the second envelope with cover checklist attached.**

Section III. Bid Data Sheet

Notes on the Bid Data Sheet

This Section is intended to assist the Procuring Entity in providing the specific information in relation to corresponding clauses in the ITB included in Section II, and has to be prepared for each specific procurement.

The Procuring Entity should specify in the BDS information and requirements specific to the circumstances of the Procuring Entity, the processing of the procurement, the applicable rules regarding bid price and currency, and the bid evaluation criteria that will apply to the Bids. In preparing this Section, the following aspects should be checked:

- (a) Information that specifies and complements provisions of Section I. Invitation to Bid

Notes on the Invitation to Bid

The Invitation to Bid provides information that enables potential Bidders to decide whether to participate in the procurement at hand. The Invitation to Bid shall be:

- (a) Posted continuously in the Philippine Government Electronic Procurement System (PhilGEPS) website and the website of the Procuring Entity concerned, if available, and the website prescribed by the foreign government/foreign or international financing institution, if applicable, for at least seven (7) calendar days starting on the date of advertisement; and
- (b) Posted at any conspicuous place reserved for this purpose in the premises of the Procuring Entity concerned for at least seven (7) calendar days, as certified by the head of the Bids and Awards Committee (BAC) Secretariat of the Procuring Entity concerned.
- (c) Advertised at least once in a newspaper of general nationwide circulation which has been regularly published for at least two (2) years before the date of issue of the advertisement, subject to Sections 21.2.1(c) of the 2016 Revised IRR of R.A. 9184;

Apart from the essential items listed in the Bidding Documents, the Invitation to Bid should also indicate the following:

- (e) The date of availability of the Bidding Documents, which shall be from the time the Invitation to Bid is first advertised/posted until the deadline for the submission and receipt of bids.
- (f) The place where the Bidding Documents may be acquired or the website where it may be downloaded.
- (g) The deadline for the submission and receipt of bids from the last day of posting of the Invitation to Bid; and
- (h) Any important bid evaluation criteria.

The Invitation to Bid should be incorporated into the Bidding Documents. The information contained in the Invitation to Bid must conform to the Bidding Documents and in particular to the relevant information in the BDS.

For foreign-assisted projects, the Invitation to Bid to be used is provided in Section X-Foreign-

Section II. Instructions to Bidders must be incorporated.

- (b) Amendments and/or supplements, if any, to provisions of Section I. Invitation to Bid

Notes on the Invitation to Bid

The Invitation to Bid provides information that enables potential Bidders to decide whether to participate in the procurement at hand. The Invitation to Bid shall be:

- (a) Posted continuously in the Philippine Government Electronic Procurement System (PhilGEPS) website and the website of the Procuring Entity concerned, if available, and the website prescribed by the foreign government/foreign or international financing institution, if applicable, for at least seven (7) calendar days starting on the date of advertisement; and
- (b) Posted at any conspicuous place reserved for this purpose in the premises of the Procuring Entity concerned for at least seven (7) calendar days, as certified by the head of the Bids and Awards Committee (BAC) Secretariat of the Procuring Entity concerned.
- (c) Advertised at least once in a newspaper of general nationwide circulation which has been regularly published for at least two (2) years before the date of issue of the advertisement, subject to Sections 21.2.1(c) of the 2016 Revised IRR of R.A. 9184;

Apart from the essential items listed in the Bidding Documents, the Invitation to Bid should also indicate the following:

- (i) The date of availability of the Bidding Documents, which shall be from the time the Invitation to Bid is first advertised/posted until the deadline for the submission and receipt of bids.
- (j) The place where the Bidding Documents may be acquired or the website where it may be downloaded.
- (k) The deadline for the submission and receipt of bids from the last day of posting of the Invitation to Bid; and
- (l) Any important bid evaluation criteria.

The Invitation to Bid should be incorporated into the Bidding Documents. The information contained in the Invitation to Bid must conform to the Bidding Documents and in particular to the relevant information in the BDS.

For foreign-assisted projects, the Invitation to Bid to be used is provided in Section X-Foreign-Assisted Projects.

Section II. Instructions to Bidders as necessitated by the circumstances of the specific procurement, must also be incorporated.

For foreign-assisted projects, the Bid Data Sheet to be used is provided in Section X-Foreign-Assisted Projects.

Section IV. General Conditions of Contract

Notes on the General Conditions of Contract

The GCC in Section IV, read in conjunction with the SCC in Section V and other documents listed therein, should be a complete document expressing all the rights and obligations of the parties.

The GCC herein shall not be altered. Any changes and complementary information, which may be needed, shall be introduced only through the SCC in Section V.

Section V. Special Conditions of Contract

Notes on the Special Conditions of Contract

Similar to the clauses in this Section are intended to assist the Procuring Entity in providing contract-specific information in relation to corresponding clauses in the GCC.

The provisions of this Section complement the GCC, specifying contractual requirements linked to the special circumstances of the Procuring Entity, the Procuring Entity's country, the sector, and the Works procured. In preparing this Section, the following aspects should be checked:

- (a) Information that complements provisions of must be incorporated.
- (b) Amendments and/or supplements to provisions of as necessitated by the circumstances of the specific project, must also be incorporated.

However, no special condition which defeats or negates the general intent and purpose of the provisions of should be incorporated herein.

For foreign-assisted projects, the Special Conditions of Contract to be used is provided in Section X-Foreign-Assisted Projects.

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 PRO Procuring Entity or the person drafting the Bidding Documents. They should not be included in the final Bidding Documents.

Section VII. Drawings

Insert here a list of Drawings. The actual Drawings, including site plans, should be attached to this section or annexed in a separate folder.

Section VIII. Bill of Quantities

Notes on the Bill of Quantities

Objectives

The objectives of the Bill of Quantities are:

- (a) to provide sufficient information on the quantities of Works to be performed to enable Bids to be prepared efficiently and accurately; and
- (b) when a Contract has been entered into, to provide a priced Bill of Quantities for use in the periodic valuation of Works executed.

In order to attain these objectives, Works should be itemized in the Bill of Quantities in sufficient detail to distinguish between the different classes of Works, or between Works of the same nature carried out in different locations or in other circumstances which may give rise to different considerations of cost. Consistent with these requirements, the layout and content of the Bill of Quantities should be as simple and brief as possible.

Daywork Schedule

A Daywork Schedule should be included only if the probability of unforeseen work, outside the items included in the Bill of Quantities, is high. To facilitate checking by the Entity of the realism of rates quoted by the Bidders, the Daywork Schedule should normally comprise the following:

- (a) A list of the various classes of labor, materials, and Constructional Plant for which basic daywork rates or prices are to be inserted by the Bidder, together with a statement of the conditions under which the Contractor will be paid for work executed on a daywork basis.
- (b) Nominal quantities for each item of Daywork, to be priced by each Bidder at Daywork rates as Bid. The rate to be entered by the Bidder against each basic Daywork item should include the Contractor's profit, overheads, supervision, and other charges.

Provisional Sums

A general provision for physical contingencies (quantity overruns) may be made by including a provisional sum in the Summary Bill of Quantities. Similarly, a contingency allowance for possible price increases should be provided as a provisional sum in the Summary Bill of Quantities. The inclusion of such provisional sums often facilitates budgetary approval by avoiding the need to request periodic supplementary approvals as the future need arises. Where such provisional sums or contingency allowances are used, the SCC should state the manner in which they will be used, and under whose authority (usually the Procuring Entity's Representative's).

The estimated cost of specialized work to be carried out, or of special goods to be supplied, by other contractors (refer to **GCC** Clause should be indicated in the relevant part of the Bill of Quantities as a particular provisional sum with an appropriate brief description. A separate procurement procedure is normally carried out by the Procuring Entity to select such specialized contractors. To provide an element of competition among the Bidders in respect of any facilities, amenities, attendance, etc., to be provided by the successful Bidder as prime Contractor for the use and convenience of the specialist contractors, each related provisional sum should be followed by an item in the Bill of Quantities inviting the Bidder to quote a sum for such amenities, facilities,

attendance, etc.

Signature Box

A signature box shall be added at the bottom of each page of the Bill of Quantities where the authorized representative of the Bidder shall affix his signature. Failure of the authorized representative to sign each and every page of the Bill of Quantities shall be a cause for rejection of his bid.

These Notes for Preparing a Bill of Quantities are intended only as information for the Procuring Entity or the person drafting the Bidding Documents. They should not be included in the final documents.

Section IX. Sample Bidding Forms

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Bid Form

Date: _____

IB² N°: _____

To: *[name and address of PROCURING ENTITY]*

Address: *[insert address]*

We, the undersigned, declare that:

- (a) We have examined and have no reservation to the Bidding Documents, including Addenda, for the Contract *[insert name of contract]*;
- (b) We offer to execute the Works for this Contract in accordance with the Bid and Bid Data Sheet, General and Special Conditions of Contract accompanying this Bid;

The total price of our Bid, excluding any discounts offered below is: *[insert information]*;

The discounts offered and the methodology for their application are: *[insert information]*;

- (c) Our Bid shall be valid for a period of *[insert number]* days from the date fixed for the Bid submission deadline in accordance with the Bidding Documents, and it shall remain binding upon us and may be accepted at any time before the expiration of that period;
- (d) 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;
- (e) Our firm, including any subcontractors or suppliers for any part of the Contract, have nationalities from the following eligible countries: *[insert information]*;
- (f) 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;
- (g) Our firm, its affiliates or subsidiaries, including any subcontractors or suppliers for any part of the Contract, has not been declared ineligible by the Funding Source;
- (h) 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
- (i) We understand that you are not bound to accept the Lowest Calculated Bid or any other Bid that you may receive.
- (j) **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**

² If ADB, JICA and WB funded projects, use IFB.

acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for the [Name of Project] of the [Name of the Procuring Entity].

- (k) 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: _____

In the capacity of: _____

Signed: _____

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

Date: _____

Form of Contract Agreement

THIS AGREEMENT, made this *[insert date]* day of *[insert month]*, *[insert year]* between *[name and address of PROCURING ENTITY]* (hereinafter called the “Entity”) and *[name and address of Contractor]* (hereinafter called the “Contractor”).

WHEREAS, the Entity is desirous that the Contractor execute *[name and identification number of contract]* (hereinafter called “the Works”) and the Entity has accepted the Bid for *[insert the amount in specified currency in numbers and words]* by the Contractor for the execution and completion of such Works and the remedying of any defects therein.

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract hereinafter referred to.
2. The following documents shall be attached, deemed to form, and be read and construed as integral part of this Agreement, to wit:
 - (a) General and Special Conditions of Contract;
 - (b) Drawings/Plans;
 - (c) Specifications;
 - (d) Invitation to Bid;
 - (e) Instructions to Bidders;
 - (f) Bid Data Sheet;
 - (g) Addenda and/or Supplemental/Bid Bulletins, if any;
 - (h) Bid form, including all the documents/statements contained in the Bidder’s bidding envelopes, as annexes, and all other documents submitted (e.g., Bidder’s response to request for clarifications on the bid), including corrections to the bid, if any, resulting from the Procuring Entity’s bid evaluation;
 - (i) Eligibility requirements, documents and/or statements;
 - (j) Performance Security;
 - (k) Notice of Award of Contract and the Bidder’s conforme thereto;
 - (l) Other contract documents that may be required by existing laws and/or the Entity.
3. In consideration of the payments to be made by the Entity to the Contractor as hereinafter mentioned, the Contractor hereby covenants with the Entity to execute and complete the Works and remedy any defects therein in conformity with the provisions of this Contract in all respects.
4. The Entity hereby covenants to pay the Contractor in consideration of the execution and completion of the Works and the remedying of defects wherein, the Contract Price or such other sum as may become payable under the provisions of this Contract at the times and in the manner prescribed by this Contract.

IN WITNESS whereof the parties thereto have caused this Agreement to be executed the day and year first before written.

Signed, sealed, delivered by _____ the _____ (for the Entity)

Signed, sealed, delivered by _____ the _____ (for the Contractor).

Binding Signature of Procuring Entity

Binding Signature of Contractor

[Addendum showing the corrections, if any, made during the Bid evaluation should be attached with this agreement]

Omnibus Sworn Statement

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]* *[insert "as shown in the attached duly notarized Special Power of Attorney" for the authorized representative]*;

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]*, accompanied by the duly notarized Special Power of Attorney, Board/Partnership Resolution, or Secretary's Certificate, 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;

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 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 following responsibilities as a Bidder:
 - a) Carefully examine all of the Bidding Documents;
 - b) Acknowledge all conditions, local or otherwise, affecting the implementation of the Contract;
 - c) Made an estimate of the facilities available and needed for the contract to be bid, if any; and
 - d) Inquire or secure 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.

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

Bidder's Representative/Authorized Signatory

SUBSCRIBED AND SWORN to before me this ____ day of [month] [year] at [place of execution], Philippines. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant/s exhibited to me his/her [insert type of government identification card used], with his/her photograph and signature appearing thereon, with no. _____ and his/her Community Tax Certificate No. _____ issued on ____ at ____.

Witness my hand and seal this ____ day of [month] [year].

NAME OF NOTARY PUBLIC

Serial No. of Commission _____
Notary Public for _____ until _____
Roll of Attorneys No. _____
PTR No. _____ [date issued], [place issued]
IBP No. _____ [date issued], [place issued]

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

* This form will not apply for WB funded projects.

Bid-Securing Declaration

(REPUBLIC OF THE PHILIPPINES)
CITY OF _____) S.S.
x-----x

Invitation to Bid *[Insert reference 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 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 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 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;
 - c. I am/we are declared as 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

SUBSCRIBED AND SWORN to before me this __ day of *[month]* *[year]* at *[place of execution]*, Philippines. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant/s exhibited to me his/her *[insert type of government identification card used]*, with his/her photograph and signature appearing thereon, with no. ____.

Witness my hand and seal this ____ day of *[month]* *[year]*.

NAME OF NOTARY PUBLIC

Serial No. of Commission _____
Notary Public for _____ **until** _____
Roll of Attorneys No. _____
PTR No. __, *[date issued]*, *[place issued]*
IBP No. __, *[date issued]*, *[place issued]*
Doc. No. ____
Page No. ____
Book No. ____
Series of ____.

