

# **PHILIPPINE BIDDING DOCUMENTS**

(As Harmonized with Development Partners)

Government of the Republic of the  
Philippines

**Bid Reference. No. 2020-35**

## **“SUPPLY AND DELIVERY OF REFRIGERATED VAN FOR THE USE OF THE FISHERIES POST HARVEST AND MARKETING DIVISION OF BFAR – NCR”**

<b>Lot no.</b>	<b><u>End-User</u></b>	<b>Approved Budget for the Contract (ABC)</b>
<b>1</b>	<b>DR. HANNIBAL M. CHAVEZ</b>	<b>Php5,000,000.00</b>

**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** – BangkoSentral 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  
 Department of Agriculture  
 Bureau of Fisheries and Aquatic Resources  
**BIDS AND AWARDS COMMITTEE OFFICE**  
 3/F PCA Bldg., Elliptical Road, Diliman, Quezon City, Philippines 1101  
 Tel. No.: +02. 8332. 4661 website: www.bfar.da.gov.ph e-mail: bac.eps@bfar.da.gov.ph

**INVITATION TO BID FOR:**  
**BID REFERENCE NO. 2020-35**  
**“SUPPLY AND DELIVERY OF REFRIGERATED VAN FOR THE**  
**USE OF THE FISHERIES POST HARVEST AND MARKETING DIVISION OF**  
**BFAR – NCR”**

The Department of Agriculture - Bureau of Fisheries and Aquatic Resources (DA-BFAR), through the General Appropriations Act for 2020 intends to apply the sums of **Five Million Pesos (Php 5,000,000.00)** being the ABC to payment under the contract for **Bid Reference no. 2020-34** entitled **“SUPPLY AND DELIVERY OF REFRIGERATED VAN FOR THE USE OF THE FISHERIES POST HARVEST AND MARKETING DIVISION OF BFAR – NCR”**

1. Bids received in excess of the ABC shall be automatically rejected at bid opening.

PR No.	Lot no.	Description	Approved Budget for the Contract (ABC) (Php)	Bidding Documents Fee (Php)
20-10-922	1	<b>“SUPPLY AND DELIVERY OF REFRIGERATED VAN FOR THE USE OF THE FISHERIES POST HARVEST AND MARKETING DIVISION OF BFAR – NCR”</b>	5,000,000.00	5,000.00
		<b>TOTAL</b>	<b>5,000,000.00</b>	<b>5,000.00</b>

2. The DA-BFAR now invites bids for the above Procurement Project. Delivery of the Goods is required within the period stated in the Section VI - Schedule of Requirements. Bidders should have completed, within two (2) years from the date of submission and receipt of bids, a contract similar to the Project. The description of an eligible bidder is contained in the Bidding Documents, particularly, in Section II (Instructions to Bidders).
3. Bidding will be conducted through open competitive bidding procedures via electronic or online means using a non-discretionary “pass/fail” criterion as specified in the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184. And in accordance with the procedural guidelines

under BAC Resolution No. 2020-55, attached hereto as Annex A “Adoption of Guidelines for the Electronic Submission of Bids in accordance with GPPB Resolution 09-2020”.

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 the BFAR BAC Secretariat through electronic mailing address given below, and inspect of the Bidding Documents at [www.bfar.da.gov.ph](http://www.bfar.da.gov.ph).
5. A complete set of Bidding Documents may be acquired by interested Bidders at **3<sup>rd</sup> Floor, BAC Office, Elliptical Road, Diliman, Quezon City** and/or through electronic means and upon payment of a non-refundable fee for the Bidding Documents in the amount stated above. The Procuring Entity shall allow the bidder to present its proof of payment for the fees by in person, or through electronic means.
6. The DA-BFAR will hold a Pre-Bid Conference<sup>1</sup> through a video conference call using Zoom application on **November 9, 2020 (Monday), 11:00 A.M.** which shall be open to prospective bidders who have successfully completed registration one (1) calendar day prior to the pre-bid conference using Google Form.
7. Bids must be duly received by the BAC Secretariat through electronic submission in accordance with the BFAR BAC procedure for online bidding stated in Annex A simultaneously with the submission of the printed copies as indicated in the BDS Clause 15. The deadline of manual submission and receipt of bids is on **November 23, 2020 (Monday), 10:30 A.M.** at the BFAR-BAC Office, 3<sup>rd</sup> fl., PCA Main Bldg., Elliptical Road, Diliman, Q.C; while the electronic documents shall be submitted at the [bac.eps@bfar.da.gov.ph](mailto:bac.eps@bfar.da.gov.ph)
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 held through a video conference call using Zoom application on **November 23, 2020 (Monday), 11:00 A.M** Bids will be opened in accordance with the BFAR BAC procedure for online bidding stated in Annex A. Late bids shall not be accepted.
10. Bidders are advised to submit their bids in accordance with the BFAR BAC procedure for online bidding as well as for the printed copies as provided under ITB Clause 10 and Clause 11.

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<sup>1</sup> May be deleted in case the ABC is less than One Million Pesos (PhP1,000,000) where the Procuring Entity may not hold a Pre-Bid Conference.



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

11. The DA-BFAR 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 2016 revised IRR of RA No. 9184, without thereby incurring any liability to the affected bidder or bidders.

12. For further information, please refer to:

BFAR-BAC Secretariat

Address: 3<sup>rd</sup> Floor, BAC Office Elliptical Road, Diliman, Quezon City.

Email: bac.eps@bfar.da.gov.ph

Telephone number: 02-8332-4661

Website address: [www.bfar.da.gov.ph](http://www.bfar.da.gov.ph)

13. You may visit the following websites:

For downloading of Bidding Documents: [www.bfar.da.gov.ph](http://www.bfar.da.gov.ph)

**Issued this 3<sup>rd</sup> day of November, 2020.**

**Sgd.**

**ATTY. DEMOSTHENES R. ESCOTO**

BAC Chairperson

## ***Setion II. Instructions to Bidders***

## 1. Scope of Bid

The DA-BFAR wishes to receive Bids for the **“SUPPLY AND DELIVERY OF REFRIGERATED VAN FOR THE USE OF THE FISHERIES POST HARVEST AND MARKETING DIVISION OF BFAR – NCR”** with identification number **2020-35**.

The Procurement Project (referred to herein as “Project”) is composed 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 2020 in the amount of **Five Million Pesos (Php 5,000,000.00)**.

2.2. The source of funding is General Appropriations Act FY 2020.

## 3. Bidding Requirements

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

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

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

## 4. Corrupt, Fraudulent, Collusive, and Coercive Practices

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

## 5. Eligible Bidders

5.1. Only Bids of Bidders found to be legally, technically, and financially capable will be evaluated.

5.2. Foreign ownership limited to those allowed under the rules may participate in this Project.

- 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: 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.

## **8. Pre-Bid Conference**

The Procuring Entity will hold a pre-bid conference for this Project through a video conference call using Zoom application on **November 9, 2020 (Monday), 11:00 A.M.** which shall be open to prospective bidders who have successfully completed registration one (1) calendar day prior to the pre-bid conference using Google Form 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 two (2) years prior to the deadline for the submission and receipt of bids.
- 10.3. If the eligibility requirements or statements, the bids, and all other documents for submission to the BAC are in foreign language other than English, it must be accompanied by a translation in English, which shall be authenticated by the appropriate Philippine foreign service establishment, post, or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines. Similar to the required authentication above, for Contracting Parties to the Apostille Convention, only the translated documents shall be authenticated through an apostille pursuant to GPPB Resolution No. 13-2019 dated 23 May 2019. The English translation shall govern, for purposes of interpretation of the bid.

## **11. Documents comprising the Bid: Financial Component**

- 11.1. The second bid envelope shall contain the financial documents for the Bid as specified in **Section VIII (Checklist of Technical and Financial Documents)**.
- 11.2. If the Bidder claims preference as a Domestic Bidder or Domestic Entity, a certification issued by DTI shall be provided by the Bidder in accordance with Section 43.1.3 of the 2016 revised IRR of RA No. 9184.
- 11.3. Any bid exceeding the ABC indicated in paragraph 1 of the **IB** shall not be accepted.
- 11.4. For Foreign-funded Procurement, a ceiling may be applied to bid prices provided the conditions are met under Section 31.2 of the 2016 revised IRR of RA No. 9184.

## **12. Bid Prices**

- 12.1. Prices indicated on the Price Schedule shall be entered separately in the following manner:
  - a. For Goods offered from within the Procuring Entity's country:
    - i. The price of the Goods quoted EXW (ex-works, ex-factory, ex-warehouse, ex-showroom, or off-the-shelf, as applicable);
    - ii. The cost of all customs duties and sales and other taxes already paid or payable;
    - iii. The cost of transportation, insurance, and other costs incidental to delivery of the Goods to their final destination; and

- iv. The price of other (incidental) services, if any, listed in e.
- b. For Goods offered from abroad:
  - i. Unless otherwise stated in the **BDS**, the price of the Goods shall be quoted delivered duty paid (DDP) with the place of destination in the Philippines as specified in the **BDS**. In quoting the price, the Bidder shall be free to use transportation through carriers registered in any eligible country. Similarly, the Bidder may obtain insurance services from any eligible source country.
  - ii. The price of other (incidental) services, if any, as listed in **Section VII (Technical Specifications)**.

### **13. Bid and Payment Currencies**

- 13.1. For Goods that the Bidder will supply from outside the Philippines, the bid prices may be quoted in the local currency or 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 Philippine Pesos.

### **14. Bid Security**

- 14.1. The Bidder shall submit a Bid Securing Declaration<sup>2</sup> 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 **March 16, 2021**. Any Bid not accompanied by an acceptable bid security shall be rejected by the Procuring Entity as non-responsive.

### **15. Sealing and Marking of Bids**

Each Bidder shall submit four (4) printed copies 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.

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<sup>2</sup> 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.

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

## **16. Deadline for Submission of Bids**

16.1. The Bidders shall submit on the specified date and time through online submission and manual 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**

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

## **19. Detailed Evaluation and Comparison of Bids**

19.1. The Procuring BAC shall immediately conduct a detailed evaluation of all Bids rated "*passed*," using non-discretionary pass/fail criteria. The BAC shall consider the conditions in the evaluation of Bids under Section 32.2 of the 2016 revised IRR of RA No. 9184.

19.2. If the Project allows partial bids, bidders may submit a proposal on any of the lots or items, and evaluation will be undertaken on a per lot or item basis, as the case maybe. In this case, the Bid Security as required by **ITB** Clause 15 shall be submitted for each lot or item separately.

19.3. The descriptions of the lots or items shall be indicated in **Section VII (Technical Specifications)**, although the ABCs of these lots or items are indicated in the **BDS** for purposes of the NFCC computation pursuant to Section 23.4.2.6 of the 2016 revised IRR of RA No. 9184. The NFCC must be

sufficient for the total of the ABCs for all the lots or items participated in by the prospective Bidder.

- 19.4. The Project shall be awarded as One Project having several items 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**

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

## **21. Signing of the Contract**

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

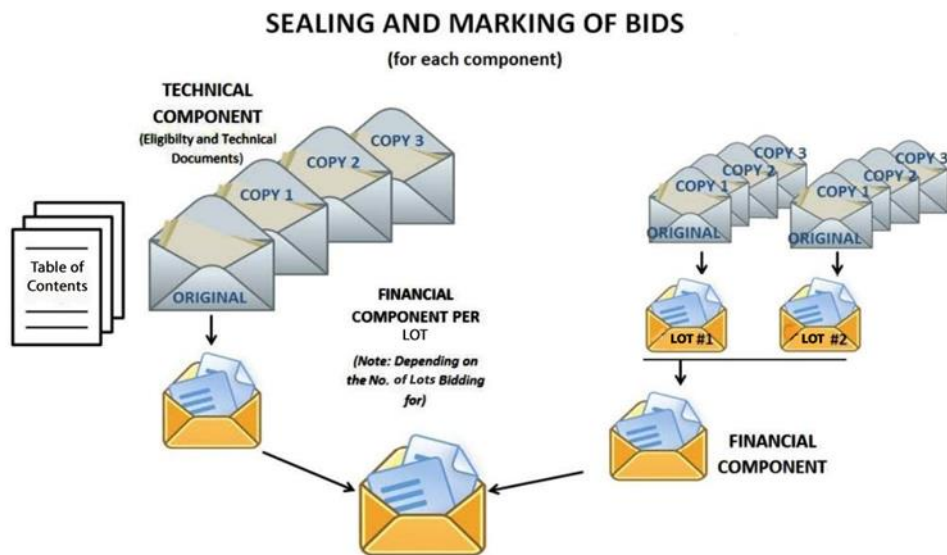


## ***Section III. Bid Data Sheet***

# Bid Data Sheet

ITB Clause	
5.3	<p>For this purpose, contracts similar to the Project shall be:</p> <ul style="list-style-type: none"> <li>a. Lot 1-The bidder must have completed interior works that includes: <b>SUPPLY AND DELIVERY FOR REFRIGERATED VAN.</b></li> <li>b. completed within two (2) years prior to the deadline for the submission and receipt of bids.</li> </ul>
7.1	Subcontracting is not allowed.
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> <ul style="list-style-type: none"> <li>a. The amount of not less than <b>Php100,000.00</b> [<i>two percent (2%) of ABC</i>], if bid security is in cash, cashier's/manager's check, bank draft/guarantee or irrevocable letter of credit; or</li> <li>b. The amount of not less than <b>Php250,000.00</b> [<i>five percent (5%) of ABC</i>], if bid security is in Surety Bond.</li> </ul>
15	<p>Follow the procedural guidelines under BAC Resolution No. 2020-55, attached hereto as Annex A "Adoption of Guidelines for the Electronic Submission of Bids in accordance with GPPB Resolution 09-2020".</p> <p>Still, printed copies of the Bid must be submitted simultaneously with the electronic copies. Below is the labeling and marking instructions:</p> <p>Important: This Agency will assume that the submitted electronic copies must be the same with the printed copies.</p> <p>1. All documents should be properly tabbed and bound;</p> <div data-bbox="352 1608 735 1821" data-label="Image"> </div> <p>2. All pages should be signed by the bidder's authorized representative.</p>

3. Bear the warning “Do not open before (the date and time of opening of Bids).
4. Each Bidder shall submit one (1) original and three (3) copies of the first and second components of its bid.
5. First component must be the Eligibility and Technical Documents while second component must be the Financial component per Lot.
6. The duplicate i.e. copies 1-3 must include the same documents as that of the original set of documents. In case, however, a bidder opts to submit cash as its bid security, copies 1-3 need not contain photocopies of the same.



Sample format of labeled bid envelopes:

**ATTY. DEMOSTHENES R. ESCOTO**

BAC Chairman

**Bids and Awards Committee**

**3/F PCA Building, Elliptical Road**

**Diliman, Quezon City**

**Bid for: BID REFERENCE NO.: 2020-35**

**“SUPPLY AND DELIVERY OF REFRIGERATED VAN FOR THE USE OF THE FISHERIES POST HARVEST AND MARKETING DIVISION OF BFAR – NCR”**

	<p><b>Submitted by:</b></p> <ul style="list-style-type: none"> <li>• BIDDER'S COMPANY NAME</li> <li>• BIDDER'S CONTACT DETAILS</li> </ul> <p><b>DO NOT OPEN BEFORE:</b></p> <ul style="list-style-type: none"> <li>• <b>NOVEMBER 23, 2020 MONDAY AT 11:00 AM</b></li> </ul>						
19.3	<p><i>List the grouping of lots by specifying the group title, items, and the quantity for every identified lot, and the corresponding ABC for each lot.</i></p> <table border="1" data-bbox="384 658 1390 994"> <thead> <tr> <th data-bbox="384 658 464 808">Lot no.</th> <th data-bbox="464 658 1139 808">Description</th> <th data-bbox="1139 658 1390 808">Approved Budget for the Contract (ABC) (Php)</th> </tr> </thead> <tbody> <tr> <td data-bbox="384 808 464 994">1</td> <td data-bbox="464 808 1139 994"><b>“SUPPLY AND DELIVERY OF REFRIGERATED VAN FOR THE USE OF THE FISHERIES POST HARVEST AND MARKETING DIVISION OF BFAR – NCR”</b></td> <td data-bbox="1139 808 1390 994"><b>5,000,000.00</b></td> </tr> </tbody> </table>	Lot no.	Description	Approved Budget for the Contract (ABC) (Php)	1	<b>“SUPPLY AND DELIVERY OF REFRIGERATED VAN FOR THE USE OF THE FISHERIES POST HARVEST AND MARKETING DIVISION OF BFAR – NCR”</b>	<b>5,000,000.00</b>
Lot no.	Description	Approved Budget for the Contract (ABC) (Php)					
1	<b>“SUPPLY AND DELIVERY OF REFRIGERATED VAN FOR THE USE OF THE FISHERIES POST HARVEST AND MARKETING DIVISION OF BFAR – NCR”</b>	<b>5,000,000.00</b>					
20.2	<p>1. Latest Income and Business Tax Returns, filed and paid through the Electronic Filing and Payments System (EFPS), consisting of the following:</p> <ul style="list-style-type: none"> <li>i. 2019 Income Tax Return with proof of payment; and</li> <li>ii. VAT Returns (Form 2550M and 2550Q) or Percentage Tax Returns (2551M) with proof of payment covering the previous 6 months.</li> </ul> <p>**In case the PhilGEPS Platinum Certificate of Registration is not available during bid submission, it shall be submitted as a post-qualification requirement, in accordance with Section 34.2 of the 2016 Revised IRR of R.A. No. 9184.</p> <p>*** In case the valid Mayor's Permit is not available during bid submission, it shall be submitted after award of contract but before payment in accordance with item 6.2 of GPPB Resolution No. 09-2020.</p>						
21.2	<i>No further instructions.</i>						

## ***Section IV. General Conditions of Contract***

## 1. Scope of Contract

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

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

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

## 2. Advance Payment and Terms of Payment

2.1. Advance payment of the contract amount is provided under Annex "D" of the revised 2016 IRR of RA No. 9184.

2.2. The Procuring Entity is allowed to determine the terms of payment on the partial or staggered delivery of the Goods procured, provided such partial payment shall correspond to the value of the goods delivered and accepted in accordance with prevailing accounting and auditing rules and regulations. The terms of payment are indicated in the **SCC**.

## 3. Performance Security

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

## 4. Inspection and Tests

The Procuring Entity or its representative shall have the right to inspect and/or to test the Goods to confirm their conformity to the Project specifications at no extra cost to the Procuring Entity in accordance with the Generic Procurement Manual. In addition to tests in the **SCC, Section IV (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**

- 6.1. 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.
- 6.2. 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><b>Delivery and Documents -</b></p> <p>For purposes of the Contract, “EXW,” “FOB,” “FCA,” “CIF,” “CIP,” “DDP” and other trade terms used to describe the obligations of the parties shall have the meanings assigned to them by the current edition of INCOTERMS published by the International Chamber of Commerce, Paris. The Delivery terms of this Contract shall be as follows:</p> <p>The delivery terms applicable to this Contract are delivered to <b>BFAR Central Office</b>. Risk and title will pass from the Supplier to the Procuring Entity upon receipt and final acceptance of the Goods at their final destination.”</p> <p>Delivery of the Goods shall be made by the Supplier in accordance with the terms specified in Section VI (Schedule of Requirements).</p> <p>For purposes of this Clause the Procuring Entity’s Representative at the Project Site is <b>HANNIBAL M. CHAVEZ, DFT-OIC-Regional Director</b></p> <p><b>Incidental Services -</b></p> <p>The Supplier is required to provide all of the following services, including additional services, if any, specified in Section VI. Schedule of Requirements:</p> <ol style="list-style-type: none"> <li>a. performance or supervision of on-site assembly and/or start-up of the supplied Goods;</li> <li>b. furnishing of tools required for assembly and/or maintenance of the supplied Goods;</li> <li>c. furnishing of a detailed operations and maintenance manual for each appropriate unit of the supplied Goods;</li> <li>d. performance or supervision or maintenance and/or repair of the supplied Goods, for a period of time agreed by the parties, provided that this service shall not relieve the Supplier of any warranty obligations under this Contract; and</li> <li>e. training of the Procuring Entity’s personnel, at the Supplier’s plant and/or on-site, in assembly, start-up, operation, maintenance, and/or repair of the supplied Goods.</li> </ol>
	<p>The Contract price for the Goods shall include the prices charged by the Supplier for incidental services and shall not exceed the prevailing rates charged to other parties by the Supplier for similar services.</p>

**Spare Parts -**

The Supplier is required to provide all of the following materials, notifications, and information pertaining to spare parts manufactured or distributed by the Supplier:

- a. such spare parts as the Procuring Entity may elect to purchase from the Supplier, provided that this election shall not relieve the Supplier of any warranty obligations under this Contract; and

The spare parts and other components required are listed in **Section VI (Schedule of Requirements)** and the cost thereof are included in the contract price.

The Supplier shall carry sufficient inventories to assure ex-stock supply of consumable spare parts or components for the Goods.

Spare parts or components shall be supplied as promptly as possible, but in any case, within (*pleaser refer below*) months of placing the order.

Lot 1- within **forty Five (45) calendar days** upon receipt of the Notice to Proceed.

**Packaging -**

The Supplier shall provide such packaging of the Goods as is required to prevent their damage or deterioration during transit to their final destination, as indicated in this Contract. The packaging shall be sufficient to withstand, without limitation, rough handling during transit and exposure to extreme temperatures, salt and precipitation during transit, and open storage. Packaging case size and weights shall take into consideration, where appropriate, the remoteness of the Goods' final destination and the absence of heavy handling facilities at all points in transit.

The packaging, marking, and documentation within and outside the packages shall comply strictly with such special requirements as shall be expressly provided for in the Contract, including additional requirements, if any, specified below, and in any subsequent instructions ordered by the Procuring Entity.

The outer packaging must be clearly marked on at least four (4) sides as follows:

- Name of the Procuring Entity
- Name of the Supplier
- Contract Description
- Final Destination

	<p>Gross weight Any special lifting instructions Any special handling instructions Any relevant HAZCHEM classifications</p>
	<p>A packaging list identifying the contents and quantities of the package is to be placed on an accessible point of the outer packaging if practical. If not practical the packaging list is to be placed inside the outer packaging but outside the secondary packaging.</p> <p><b>Transportation -</b></p> <p>Where the Supplier is required under Contract to deliver the Goods CIF, CIP, or DDP, transport of the Goods to the port of destination or such other named place of destination in the Philippines, as shall be specified in this Contract, shall be arranged and paid for by the Supplier, and the cost thereof shall be included in the Contract Price.</p> <p>Where the Supplier is required under this Contract to transport the Goods to a specified place of destination within the Philippines, defined as the Project Site, transport to such place of destination in the Philippines, including insurance and storage, as shall be specified in this Contract, shall be arranged by the Supplier, and related costs shall be included in the contract price.</p>
	<p>Where the Supplier is required under Contract to deliver the Goods CIF, CIP or DDP, Goods are to be transported on carriers of Philippine registry. In the event that no carrier of Philippine registry is available, Goods may be shipped by a carrier which is not of Philippine registry provided that the Supplier obtains and presents to the Procuring Entity certification to this effect from the nearest Philippine consulate to the port of dispatch. In the event that carriers of Philippine registry are available but their schedule delays the Supplier in its performance of this Contract the period from when the Goods were first ready for shipment and the actual date of shipment the period of delay will be considered force majeure.</p> <p>The Procuring Entity accepts no liability for the damage of Goods during transit other than those prescribed by INCOTERMS for DDP deliveries. In the case of Goods supplied from within the Philippines or supplied by domestic Suppliers risk and title will not be deemed to have passed to the Procuring Entity until their receipt and final acceptance at the final destination.</p> <p><b>Intellectual Property Rights -</b></p> <p>The Supplier shall indemnify the Procuring Entity against all third-party claims of infringement of patent, trademark, or industrial design rights arising from use of the Goods or any part thereof.</p>

2.2	<i>No further instruction.</i>
4	<i>No further instruction.</i>

## ***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.

<b>Item Number</b>	<b>Description</b>	<b>Quantity</b>	<b>Total</b>	<b>Delivered, Weeks/Months</b>
1	<b>“SUPPLY AND DELIVERY OF REFRIGERATED VAN FOR THE USE OF THE FISHERIES POST HARVEST AND MARKETING DIVISION OF BFAR – NCR”</b>	2	1 LOT	Within <b>Forty Five (45) calendar days</b> upon receipt of the Notice to Proceed.
Place of Delivery: <b>BFAR Central Office.</b>				

**I hereby commit to deliver all the above requirements in accordance with the above stated schedule.**

<b>Name of Company</b>	<b>Signature over Printed Name of Authorized Representative</b>	<b>Date</b>
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## ***Section VII. Technical Specifications***

# Technical Specifications

**Lot No. 1: "SUPPLY AND DELIVERY OF REFRIGERATED VAN FOR THE USE OF THE FISHERIES POST HARVEST AND MARKETING DIVISION OF BFAR – NCR"**

**Approved Budget for the Contract (ABC) : Php5,000,000.00**

Specification		Statement of Compliance
<b>Item Description</b>	<b>Quantity</b>	
<b>Refrigerated Van</b>	2	
<i>Specification</i>		
<b>WEIGHT:</b>		
Gross Vehicle Weight: 4,490 kgs Gross Payload 2,400 kgs		
<b>DIMENSION:</b>		
Overall Length (AOL): 6.020 mm, Overall Width: 1,770 mm, Wheelbase (WB); 3,345 mm Front Overhang (FOH): 1.110 mm, Rear Overhang (ROH): 1,565 mm, Cab to End (CE): 4,457 mm		
<b>ENGINE:</b>		
4-Cylinder, Turbo-Intercooler, DOHC, Common- Rail Direct Injection, Blue Power Diesel Engine Displacement: 2,999 cc Bore and Stroke: 95.4v104.9 mm Max Torque N-m (kg-m)/rpm: 354 (36.0)/1,500 Fuel Tank Capacity: 100 Liters Emission Rating Rating: Euro IV		
<b>TRANSMISSION:</b>		
5-Speed Manual Transmission, MYY5M		
<b>TIRE AND WHEELS:</b>		
Tire: 7.00 - R15-8PR Number of Tires: 7 (seven) including spare tire		
<b>BRAKE</b>		
Service: Drum Type, Vacuum auxillary: Exhaust Break, Parking: Center Break		
<b>SUSPENSION:</b>		
Front/ Rear: Multi-Leaf Spring		

<b>ELECTRICAL SYSTEM</b>			
Battery: 65D23L x 2 Alternator: 80 Amperes			
<b>ACCESSORIES</b>			
Radio with Speakers: Tuner Radio, Cab Window: Manual Cab Door: Manual with Cab Aircon			
<b>REAR BODY:</b>			
Refrigerated Van (14ft)			
<b>COLOR:</b>			
Arch White			

**I hereby certify that the statement of compliance to the foregoing technical specifications are true and correct, otherwise, if found to be false either during bid evaluation or post qualification, the same shall give rise to automatic disqualification of our bid.**

\_\_\_\_\_  
**Name of Company**

\_\_\_\_\_  
**Signature over Printed Name of  
Authorized Representative**

\_\_\_\_\_  
**Date**



# **TERMS OF REFERENCE**

## **PURCHASE OF REFRIGERATED VAN AS PART OF BFAR-NCR'S PROGRAM AND PROJECT IMPLEMENTATION**

### **I. BACKGROUND**

In line with the mandate of Bureau of Fisheries – National Capital region (BFAR – NCR) to provide available, accessible, and affordable fish food in Metro Manila in response to the challenges brought by the Covid-19 pandemic, the RO is implementing the Seafood *Kadiwa* alongside with its regular programs such as the Food Resiliency Plan focusing on fisheries post-harvest and marketing.

The Seafood *Kadiwa* is a program of BFAR under the Department of Agriculture's *KadiwaniAnit at Kita*. It provides direct link between fish farmers/fishers and consumers and brings fresh and affordable seafood products to communities experiencing limited movement of goods due to the community quarantine.

Hence, this purchase request.

### **II. OBJECTIVES**

The project aims to ensure the enhanced accessibility and food security and response to the challenges brought by Covid-19 pandemic to the supply and marketing of fishery products in Metro Manila. The use of this kind of logistic facility also ensure the quality and safety of fishery products being transported during the implementation of other programs, projects, and activities of BFAR-NCR related to fisheries post-harvest and marketing.

### **III. QUALIFICATION REQUIREMENTS**

1. The Bidder should be a PhilGEPS registered entity.
2. The Bidder should be involved in commercial vehicle manufacturing, trading and/or distribution for at least 18 years.

### **IV. DUTIES AND RESPONSIBILITIES OF WINNING BIDDER**

1. Scope of Work
  - a. Supply
  - b. Delivery
  - c. Issuance of Delivery Receipt and Official Receipt
  - d. Service kilometer
  - e. GSIS Insurance

- f. Provide warranty/ after sales service
2. Comply with the requirements/specifications set by BFAR-NCR in its purchase request, as follows.
    - a. The refrigeration system must be at least -18 degrees Celsius or lower.
    - b. The logistic facility has the following specifications:
      - i. Weight
        1. Gross Vehicle Weight: 4,490 kgs
        2. Gross Payload: 2,400 kgs
      - ii. Dimension:
 

Overall Length (AOL): 6,020 mm, Overall Width: 1,770 mm, Wheelbase (WB); 3,345 mm Front Overhang (FOH): 1,110 mm, Rear Overhang (ROH): 1,565 mm, Cab to End (CE): 4,457 mm
      - iii. Engine:
 

4-Cylinder, Turbo-Intercooler, DOHC, Common-Rail Direct Injection, Blue Power Diesel Engine Displacement: 2,999 cc Bore and Stroke: 95.4 v104.9 mm Max Torque N-m (kg-m) rpm: 354 (36.0)/1,500 Fuel Tank Capacity: 100 Liters Emission Rating: Euro IV
      - iv. Transmission:
 

5-Speed Manual Transmission, MYY5M
      - v. Tire and Wheels:
 

Tire: 7.00 - R15-8PR Number of Tires: 7 (seven) including spare tire
      - vi. Brake:
 

Service: Drum Type, Vacuum auxiliary: Exhaust Break, Parking: Center Break
      - vii. Suspension:
 

Front/ Rear: Multi-Leaf Spring
      - viii. Electrical System
 

Battery: 65D23L x 2 Alternator: 80 Amperes
      - ix. Convenience:
 

Radio with Speakers: Tuner Radio, Cab Window: Manual Cab Door: Manual with Cab Aircon
      - x. Rear Body:
 

Refrigerated Van (14 feet)
      - xi. Color:
 

Arch White
  3. The company must have several service centers located in National Capital Region with original parts available locally.
  4. Responsible and accountable for any damages or loss caused solely by the Contractor or its agent during the delivery process.

**V. DUTIES AND RESPONSIBILITIES OF BFAR-NCR**

1. Grant the Contractor's authorized representative access to its office premises to perform its obligations, provided that the representative shall be accompanied by the duly assigned BFAR-NCR representative.
2. Ensure that an Inspector should be present/available during delivery.
3. Facilitate the preparation of documents needed to process the payment of the Contractor in accordance with condition set by the Government.
4. Issue a Certificate of Inspection and Acceptance upon determination by the BFAR-NCR that the delivered products are complete and in good condition.

**VI. PLACE AND SCHEDULE OF DELIVERY**

The vehicle shall be delivered at PCA Building, Elliptical Road, Diliman, Quezon City within 45 working days after the winning bidder's conforme.

**VII. PAYMENT SCHEME**

Upon completion of requirements of End-User and Issuance of Certificate of Inspection and Acceptance by the BFAR-NCR that the delivered products are complete and in good condition.

***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

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

- (k) 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**
- (l) 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***

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

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

- (n) *[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.
- (o) Certification from the DTI if the Bidder claims preference as a Domestic Bidder or Domestic Entity.

**25 FINANCIAL COMPONENT ENVELOPE**

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

You may also download the following forms/templates through this link: <https://www.gppb.gov.ph/downloadables.php>

- 5.2.1. Bid Form for the Procurement of Goods;
- 5.2.3. Price Schedule for Goods Offered from Abroad;
- 5.2.4. Price Schedule for Goods Offered from Within the Philippines;
- 5.2.5. Bid Securing Declaration;
- 5.2.6. Contract Agreement Form for the Procurement of Goods;
- 5.2.8. Omnibus Sworn Statement; and
- 5.2.9. Performance Securing Declaration.

### **Important Reminders**

- *The bidders are encouraged to consult this checklist before submitting their Bid on the deadline for the submission and the receipt of Bids. However, this is **by no means exclusive** Bidders must still familiarize themselves with other bid requirements not otherwise included herein such as, but not limited to those in the TOR, Bid Bulletin, Pertinent GPPB guidelines, rules, etc.*
- *All Bidders must submit their bid in accordance with the Guidelines on Electronic Submission and Receipt of Bids as indicated in the Annex A simultaneously with the submission of the printed copies as indicated in the BDS Clause 15.*
- *All documents shall be current and updated and any missing document in the above-mentioned Checklist is a ground for outright rejection of the bid.*
- *All Pages of the documents shall be signed/initialed by the bidder or by his/her authorized representative.*
- *To facilitate the evaluation of the bids, bidders are advised to follow the arrangement in the above-mentioned checklist.*

# ***Annexes***





# ANNEX A

Republic of the Philippines  
Department of Agriculture  
Bureau of Fisheries and Aquatic Resources  
**BIDS AND AWARDS COMMITTEE OFFICE**  
3/F PCA Bldg., Elliptical Road, Diliman, Quezon City, Philippines 1101  
Tel. No.: +02. 8332. 4661 website: www.bfar.da.gov.ph e-mail: bac.eps@bfar.da.gov.ph

## **RESOLUTION NO.: 2020-55** **Series of 2020**

### **A RESOLUTION RECOMMENDING THE ADOPTION OF GUIDELINES FOR THE ELECTRONIC SUBMISSION OF BIDS IN ACCORDANCE WITH GPPB RESOLUTION 09-2020 (PROCUREMENT GUIDELINES ON ONLINE BIDDING)**

**WHEREAS**, on the 16<sup>th</sup> day of March 2020, the Office of the President of the Philippines, issued a Proclamation no. 929, declaring a Statement of Calamity throughout the Philippines due to Corona Virus Disease 2019 for a period of six (6) months or up to 12<sup>th</sup> day of September 2020, however, on the 16<sup>th</sup> day of September 2020, a Proclamation no. 1021 was issued, extending the period of the State of Calamity throughout the Philippines due to Corona Virus Disease 2019 for a period of one (1) year effective 13 September 2020 to 12 September 2021, unless earlier lifted or extended as circumstances may warrant;

**WHEREAS**, on the 15<sup>th</sup> day of May 2020 the Government Procurement Policy Board (GPPB) published a Resolution No. 09-2020 entitled “Approving Measures for the Efficient Conduct of Procurement Activities during a State of Calamity or Implementation of Community Quarantine or Similar Restrictions”; *(see attached resolution)*

**WHEREAS**, part of the said resolution states the following:

(2) ENJOIN PEs to maximize the use of existing rules under RA No. 9184, its IRR and related issuances on the conduct of procurement activities, particularly those meant to streamline, simplify and expedite the conduct of procurement and address the challenges and disruptions brought by calamities and crisis such as the COVID-19 pandemic, such as use of videoconferencing, webcasting and similar technology in the conduct of any of the meetings and determination of quorum by the BAC and use of digital signatures in procurement related documents;

- and-

(3) ALLOW the (i) submission of procurement related documents, except for the submission and receipt of bids, through electronic mail or facsimile

subject to the submission of the printed copies as soon as practicable, as determined by the Bids and Awards Committee (BAC); and (ii) use of other forms of digital or electronic signature in all procurement related documents. For this purpose, PEs shall establish their respective internal rules to ensure the security, integrity and authenticity of the documents electronically submitted and the use of digital or electronic signature.

These measures shall be allowed at any time, not just during a State of Calamity, or implementation of community quarantine or similar government restrictions.

**WHEREAS,** the BFAR-Bids and Awards Committee is duly equipped and capable to conduct the procurement process through video conferencing and to implement the online bidding procedure which includes the electronic submission and receipt of bidding documents via google forms which likewise certified by the Officer-In-Charge of the Fisheries Information and Management Center (FIMC) as required by the GPPB-TSO;

**NOW THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED,** that this Committee hereby recommends to the Head of the Procuring Entity (HoPE) the adoption of the following guidelines for online or electronic submission and receipt of bids:

**I. PROCEDURE IN THE PRE-REGISTRATION OF PROSPECTIVE BIDDERS:**

1. Interestedbidder must register through **Google Form** at least one (1) calendar day before the date of the pre-bid conference by disclosing the following information:
  1. Email Address
  2. Company Name
  3. Company Address
  4. Authorized Representative
  5. Contact No.
  6. Bid Reference
  7. Bid Title
2. Once registration is complete and filled in, the Secretariat will send an acknowledgement of receipt and an invitation to join the video conference using **Zoom** application on the email address provided by the prospective bidder indicating the date and time of the pre-bid conference. The pre-registration is required for the Secretariat to monitor the persons allowed to enter in the video conference and for records purposes.

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

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

## **II. PRE-BID CONFERENCE PROPER**

1. The BAC, with the assistance of the Secretariat, shall conduct the pre-bid conference through video conferencing using Zoom application.
2. The Secretariat will be the sole administrator in Zoom application and only the appointed person from the Secretariat can allow the entry of the participants in the pre-bid conference and in the subsequent bidding activities. The video conference via Zoom application will be recorded and minutes of the meeting will be prepared.
3. Decisions of the BAC amending any provision of the Bidding Documents shall be issued in writing through a Supplemental/Bid Bulletin posted at least seven (7) calendar days before the bid opening. Supplemental/Bid Bulletin will be sent through email to all the bidders who attended the pre-bid conference. (Section 22.4 of the Revised IRR of 2016)

## **III. PREPARATION OF BID (SOFT COPY)**

- a. After the payment of the corresponding amount based on the Approved Budget of Contract (ABC), the bidder shall prepare a final scanned copy of its Bid divided into two different PDF files:
  1. Eligibility Documents & Technical Documents; and
  2. Financial Documents
- b. To secure the objectives of confidentiality, authentication, non-repudiation or integrity of the documents, the bidder shall use a two-factor security procedure consisting of an archive format compression of its bid.

Step 1. To set a password, scan the original copy of the Eligibility Documents & Technical Documents and Financial Documents and save as a .PDF file.

Step 2. To archive and compress the file, save the password-protected .PDF file to a ZIP file. Set another password on the ZIP file.

**Note:** Passwords must be 8-16 characters and contain both numbers and letters/special characters. The bidder is required setting a unique combination for each file and folder. Same passwords for all files are not allowed. For details on how to set passwords in .PDF file and ZIP file please see file attached as “Annex B”.

- c. For effective documentation of the submitted files, the bidder must comply with the label format below:
  1. Both ZIP folder and .PDF file shall be assigned file name **“BFAR Bid Reference No.\_\_\_\_\_ (Company Name); Eligibility & Technical Documents”**
  2. Both ZIP folder and .PDF file shall be assigned file name **BFAR Bid Reference No.\_\_\_\_\_ (Company Name); Financial Documents”**

#### **IV. REGISTRATION FOR ONLINE SUBMISSION**

- a. Interested bidders must register through Google Form, a link will be provided upon request to the BAC Secretariat’s e-mail address: [bac.eps@bfar.da.gov.ph](mailto:bac.eps@bfar.da.gov.ph) at any time before the closing date and time specified in the Bidding Documents by disclosing the following information:
  - a) Email Address
  - b) Company Name
  - c) Company Address
  - d) Authorized Representative
  - e) Contact No.
  - f) Bid Reference
  - g) Bid Title
  - h) Official Receipt (OR) No.
- b. Upon verification of the Official Receipt (OR), the BAC Secretariat shall send the Public Bidding Documents through the given email or shall provide a hard copy upon request. 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.

- c. The Invitation to Bid, including the Bidding Documents shall clearly states to allow the submission and receipt of bids through electronic means.
- d. The BAC Secretariat will send another Google Form link to the bidder, who already purchased the bidding documents through the given email directing to the "Online Submission of the Bid".

## **V. ACCESSING THE GOOGLE FORMS**

- a. Upon successful login of the bidder's email address account.
- b. The bidder will now open the Google Form link sent through BAC Secretariat's e-mail address given above.
- c. The bidder will click the **FILL OUT FORM** button. Attached "Annex C" for detailed instruction.

## **VI. SUBMISSION OF BID**

- a. Bidders shall submit their Bids through Google Form at any time before the closing date and time specified in the Bidding Documents;
- b. Upon preparation and finalization of the compressed and password-protected files Eligibility & Technical and Financial Documents, a Google Form link will direct the bidder to the page where they can now upload the said requirements. *(See attached "Annex C, Figure 10.1")*
- c. A copy of the response will be automatically emailed to the address provided by the bidder which can be saved or printed by the bidder, as a proof of the official time of the submission and receipt of bids. *(See attached "Annex C, Figure 11.2")*

## **VII. RECEIVING OF THE SUBMITTED BID**

- a. Once a bidder has accomplished the process. The BAC Secretariat will receive the submitted information through Google Forms and will generate a Bid Receipt page for the official time of submission of all bidders, which can be saved or printed.
- b. Bidders may modify their Bid at any time before the deadline for the submission and receipt of bids. Bidders shall send another Bid equally

secured, properly identified, and labelled as a “**modification**” of the previously submitted. The time indicated in the latest Bid receipt page generated shall be the official time of submission. Bids submitted after the deadline shall not be accepted.

- c. The BAC Secretariat will not be able to access the documents until the day of the Bid Opening.

## **VIII. BID OPENING PROCESS**

The BAC, with the assistance of the Secretariat and Technical Working Group (TWG), shall conduct bid opening via Zoom. Bidders are encouraged to attend the bid opening online. The passwords for the folders (ZIP) and the files (.PDF) shall be disclosed by the bidders only during actual bid opening which may be done via Zoom.

The Secretariat will ask the bidder, who choose to attend via Zoom, the corresponding password of their Bid during the bid opening itself. The official representative of the bidder shall respond promptly in the same chat box with the passwords when prompted. Bidders are given within five (5) minutes to respond with the passwords. If the bidder does not provide or respond with the password within five (5) minutes, from prompting, it will result in disqualification and the BAC shall move on to the next bid, if any.

The bidder shall first disclose the password for the compressed folder (ZIP file) containing the Eligibility & Technical documents, second disclose the password for the Eligibility & Technical document (.PDF file). The Secretariat will share the screen via Zoom during accessing the submitted Bid.

If the bidder **passed** the Eligibility & Technical requirements, the second password-protected compressed folder containing the Financial Documents and the files contained therein shall be opened in the same manner as the password of the eligibility documents as described above. In no case will a bidder disclose the passwords for the financial folder and the files prior to being declared eligible based on the evaluation of the eligibility documents.

The bidder is given only three (3) attempts to disclose the password per compressed folder (ZIP) and .PDF file to open the documents. If the bidder fails to provide the correct password after the third attempt, their Bid will no longer be considered. The Secretariat shall take and print a screenshot

of such inquiries and responses to form part of the records and all incidents should be recorded in the minutes.

**WHEREAS,** this Committee will still require the submission of the printed copies simultaneously received with the electronic copies of the Bid. Instructions on the labeling and marking of Bid (printed copies) must be indicated in the Public Bidding Documents.

**RESOLVED, FINALLY** that on the basis of the foregoing, the BAC **RECOMMENDS** to the HoPE to adopt the foregoing guidelines on the electronic submission of bids in accordance with the GPPB Resolution 09-2020. These measures shall be allowed at any time, not just during a State of Calamity, or implementation of community quarantine or similar government restrictions.

Done this 30<sup>th</sup> day of October, 2020 in Quezon City.

**BIDS AND AWARDS COMMITTEE:**

**Sgd.**  
**ATTY. DEMOSTHENES R. ESCOTO**  
Chairman

**Sgd.**  
**ATTY. BENJAMIN F.S. TABIOS, JR.**  
Vice-Chairman

**Sgd.**  
**MARC LAWRENCE J. ROMERO**  
Member

**Sgd.**  
**MARY JOY A. MALVAS**  
Member

**APPROVED:**

**Sgd.**  
**EDUARDO B. GONGONA**  
Head of the Procuring Entity (HOPE)  
DA-BFAR Director

## “ANNEX A”

### **BIDDER’S KIT FOR BFAR PROCUREMENT GUIDELINES IN ADOPTING ELECTRONIC SUBMISSION OF BIDS**

**(GPPB Resolution No. 09-2020)**

#### **I. PRE-REGISTRATION& PRE-BID CONFERENCE**

**Step 1:** Register by completing the information required in the **Google Form** which can be accessed here: <https://forms.gle/9PassK7oCipk8iXD6>

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

**Step 2:** Join the scheduled Pre-Bid Conference by clicking the link provided by the Secretariat through e-mail using **Zoom**. Please make sure that you allow access to the microphone and the camera.

**Step 3:** Kindly wait for the Secretariat to confirm your entry through Zoom to participate in the pre-bid conference.

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

#### **II. PREPARATION OF BID (SOFT COPY)**

**Step 1:** Prepare a final scanned copy of your Bid which is divided into two different PDF files:

1. Eligibility Documents & Technical Documents; and
2. Financial Documents

**Step 2:** Set a password for the scanned copy of the Eligibility Documents & Technical Documents and Financial Documents and save as a .PDF file.

**Step 3:** Compress the file, save the password-protected .PDF file to a ZIP file. Set another password on the ZIP file.

**Important:** Passwords must be 8-16 characters and contain both numbers and letters/special characters. The bidder is required setting a unique combination for each file and folder. Same passwords for all files are not allowed. For details on



how to set passwords in .PDF file and ZIP file, please see file attached as “Annex B”.

**Step 4:** For effective documentation of the submitted files, you must comply with the label format below:

1. Both ZIP folder and .PDF file shall be assigned file name  
**“BFAR Bid Reference No.\_\_\_\_\_ (Company Name); Legal & Technical Documents”**
2. Both ZIP folder and .PDF file shall be assigned file name **BFAR Bid Reference No.\_\_\_\_\_ (Company Name); Financial Documents”**

### **III. REGISTRATION FOR ONLINE SUBMISSION**

**Step 1:** Register through Google Form, a link will be provided upon request to the BAC Secretariat’s e-mail address: [bac.eps@bfar.da.gov.ph](mailto:bac.eps@bfar.da.gov.ph) at any time before the closing date and time specified in the Bidding Documents by disclosing the following information:

- a) Email Address
- b) Company Name
- c) Company Address
- d) Authorized Representative
- e) Contact No.
- f) Bid Reference
- g) Bid Title
- h) Official Receipt (OR) No.

Upon verification of the Official Receipt (OR), the BAC Secretariat will send the Public Bidding Documents through the given email or shall provide a hard copy upon request. 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.

**Step 2:** The BAC Secretariat will send another Google Form link to the bidder, who already purchased the bidding documents, through the given email directing to the “Online Submission of the Bid”

#### **IV. ACCESSING THE GOOGLE FORMS**

**Step 1:** Upon successful login to your email address account. You will now open the Google Form link sent through BAC Secretariat's e-mail address given above.

**Step 2:** Click the **FILL OUT FORM** button. *(See attached "Annex C")*

#### **V. SUBMISSION OF BID**

**Step 1:** Submit your Bids through Google Form at any time before the closing date and time specified in the Bidding Documents.

**Step 2:** Upon preparation and finalization of the compressed and password-protected files Eligibility & Technical and Financial Documents, a Google Form link will direct you to the page where they can now upload the said requirements. *(See attached "Annex C, Figure 10.1")*

**Step 3:** After submission, a copy of the response will be automatically emailed to the address provided by you which can be saved or printed, as proof of the official time of the submission and receipt of bids. *(See attached "Annex C, Figure 11.2")*

#### **VI. RECEIVING OF THE SUBMITTED BID**

The BAC Secretariat will receive the submitted information through Google Forms and will generate a Bid Receipt page for the official time of submission of all bidders, which can be saved or printed.

Bidders may modify their Bid at any time before the deadline for the submission and receipt of bids. Bidders shall send another Bid equally secured, properly identified, and labelled as a **"modification"** of the previously submitted. The time indicated in the latest Bid receipt page generated shall be the official time of submission. Bids submitted after the deadline shall not be accepted.

The BAC Secretariat will not be able to access the documents until the day of the Bid Opening.

#### **VII. BID OPENING PROCESS**

The BAC, with the assistance of the Secretariat and Technical Working Group (TWG), shall conduct bid opening via Zoom. Bidders are encouraged to attend the bid opening online. The passwords for the folders (ZIP) and the files (.PDF) shall be disclosed by the bidders only during actual bid opening which may be done via Zoom.

The Secretariat will ask the bidder, who choose to attend via Zoom, the corresponding password of their Bid during the bid opening itself. The official representative of the bidder shall respond promptly in the same chat box with the passwords when prompted. Bidders are given within five (5) minutes to respond with the passwords. If the bidder does not provide or respond with the password within five (5) minutes, from prompting, it will result in disqualification and the BAC shall move on to the next bid, if any.

The bidder shall first disclose the password for the compressed folder (ZIP file) containing the Eligibility & Technical documents, second disclose the password for the Eligibility & Technical document (.PDF file). The Secretariat will share the screen via Zoom during accessing the submitted Bid.

If the bidder **passed** the Eligibility & Technical requirements, the second password-protected compressed folder containing the Financial Documents and the files contained therein shall be opened in the same manner as the password of the eligibility documents as described above. In no case will a bidder disclose the passwords for the financial folder and the files prior to being declared eligible based on the evaluation of the eligibility documents.

The bidder is given only three (3) attempts to disclose the password per compressed folder (ZIP) and .PDF file to open the documents. If the bidder fails to provide the correct password after the third attempt, their Bid will no longer be considered. The Secretariat shall take and print a screenshot of such inquiries and responses to form part of the records and all incidents should be recorded in the minutes.

### **Basic House Rules to be observed during BAC Meetings**

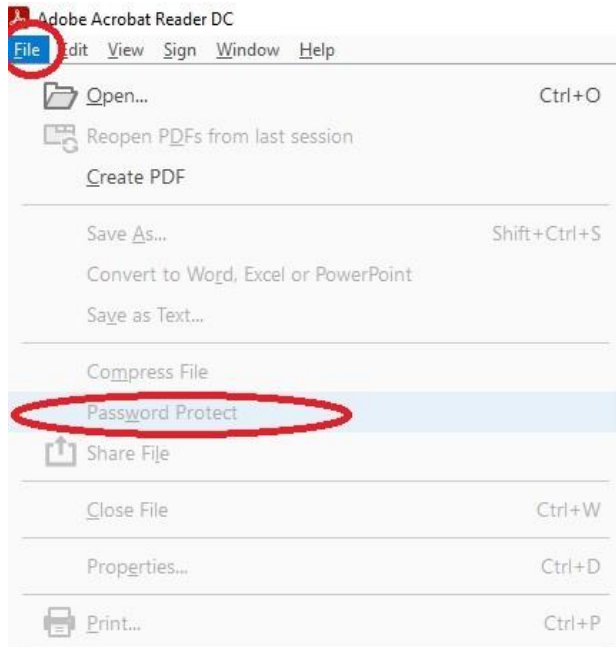
1. Kindly place your microphone on mute when not speaking.
2. Please raise your hand, and wait to be recognized before you speak (remember to toggle off mute).
3. Turn on video for confirmation of your identity.
4. Meeting will start on time. You are advised to enter the VTC room 30 minutes to resolve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

## “ANNEX B”

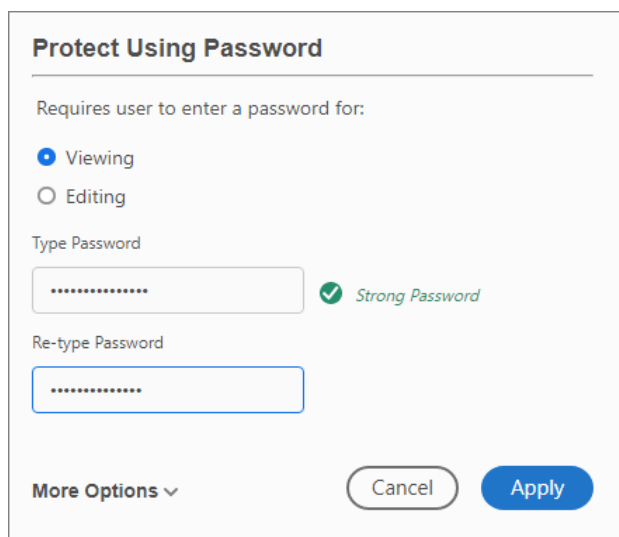
### Adding a password to a .PDF file using Adobe Acrobat Reader DC.

One-click option to protect a PDF with a password

1. Open the PDF file
2. Choose **File > Protect Using Password.**



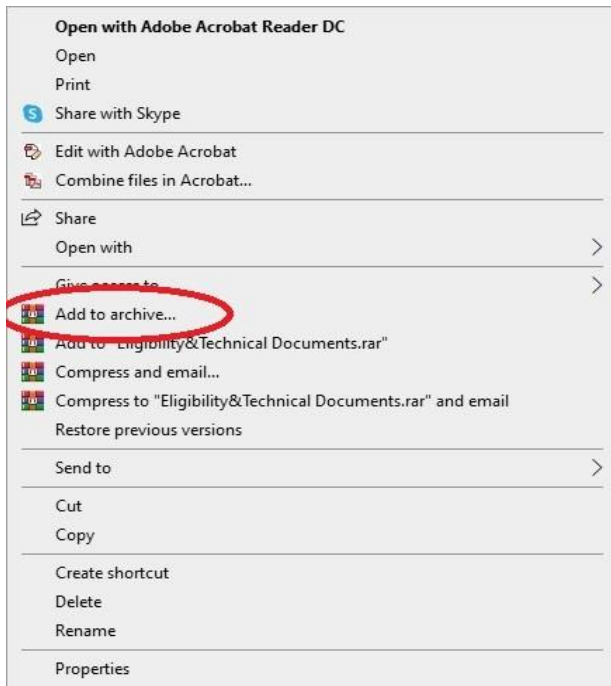
3. Select to set the password for Viewing the PDF.

A screenshot of the 'Protect Using Password' dialog box. The title is 'Protect Using Password'. Below the title, it says 'Requires user to enter a password for:'. There are two radio buttons: 'Viewing' (selected) and 'Editing'. Below that, there are two text input fields: 'Type Password' and 'Re-type Password'. The 'Type Password' field has a green checkmark and the text 'Strong Password' next to it. At the bottom, there are three buttons: 'More Options' with a dropdown arrow, 'Cancel', and 'Apply'.

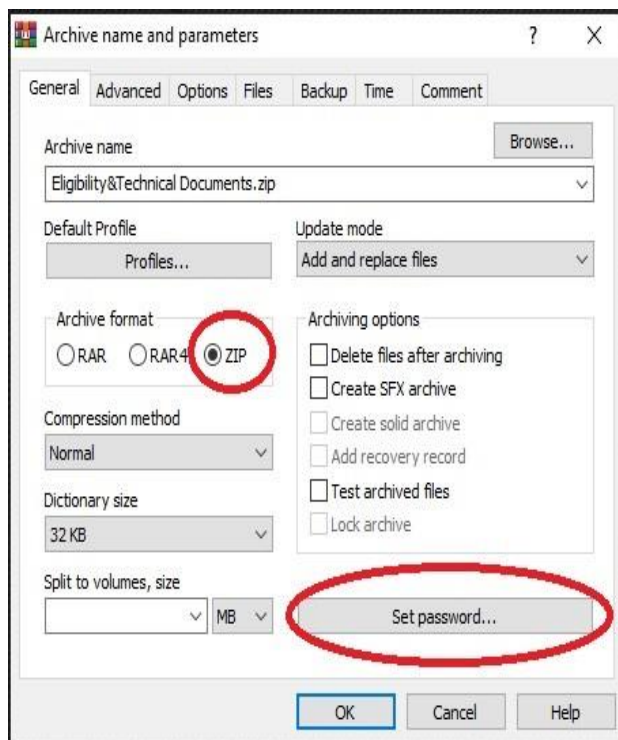
4. Type and retype your password. The password strength is displayed next to your password to indicate whether the chosen password is weak, medium, strong, or best.
5. Click **Apply**

## File Archiving and Compression using WinRAR application

1. Right Click the password protected .PDFfile
2. Select **“Add to archive.”**



3. In the Archive name and parameters dialog box, select **“Radio button ZIP”** and click **“Set password”**



4. Type your password and Click “**OK button.**”



## “ANNEX C”

### Procedure of Accessing the BFAR BAC Online Submission of Bidding Documents via Google Forms

**Step 1.** BAC Secretariat will send the Invitation link of Registration Form.

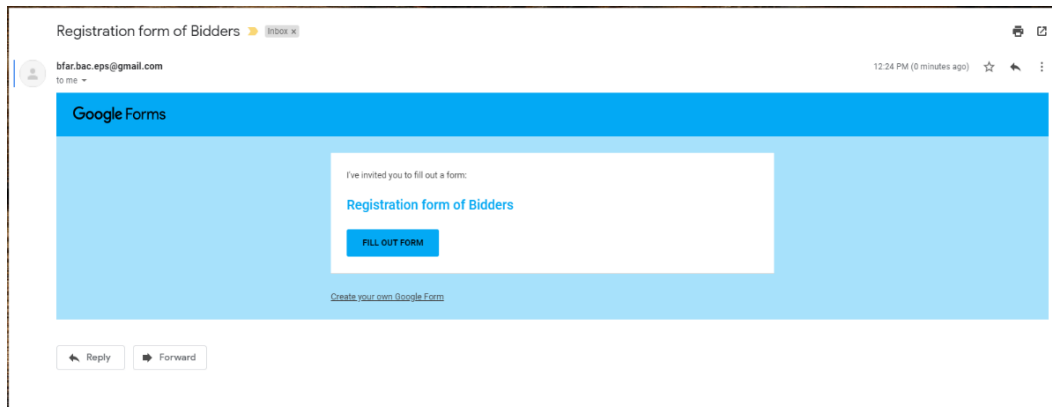
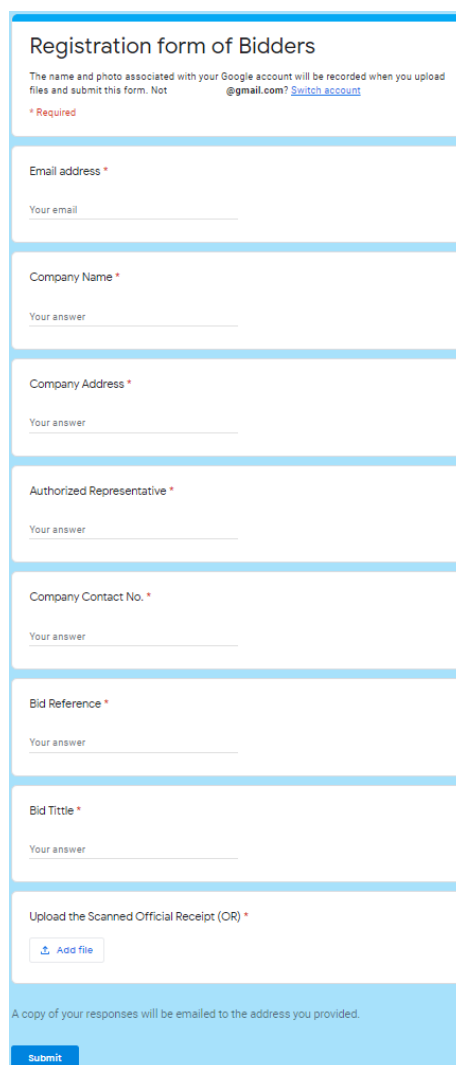


Figure 1.1

**Step 2.** Upon received, click the **FILL OUT FORM.**

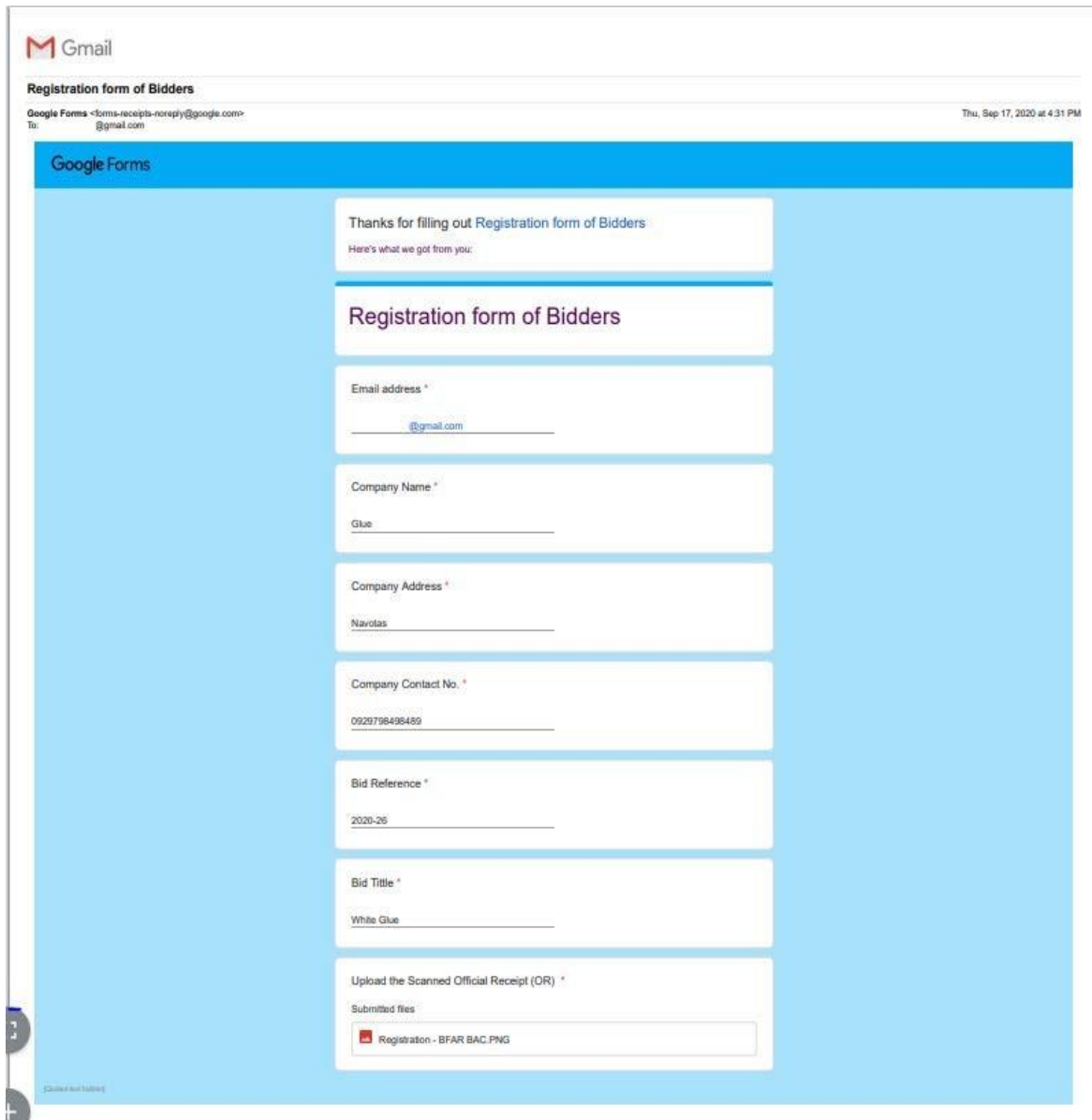
**Step 3.** Bidder must fill in the following required information

A screenshot of a Google Form titled "Registration form of Bidders". The form includes a disclaimer: "The name and photo associated with your Google account will be recorded when you upload files and submit this form. Not @gmail.com? Switch account". Below this, there are several required fields marked with a red asterisk: "Email address", "Company Name", "Company Address", "Authorized Representative", "Company Contact No.", "Bid Reference", and "Bid Title". Each of these fields has a "Your answer" label and a text input area. The final field is "Upload the Scanned Official Receipt (OR)", which includes an "Add file" button. At the bottom of the form, there is a "Submit" button and a note: "A copy of your responses will be emailed to the address you provided."



**Step 4.** Click the **Add file** to upload Scanned Copy of Official Receipt (OR).

**Step 5.** After uploading of the Scanned Copy of OR, the bidder shall click the **Submit** button to complete the process and BAC Secretariat shall verify the submitted Official Receipt (OR).



The image shows a screenshot of an email received from Google Forms. The email subject is "Registration form of Bidders" and it is addressed to "@gmail.com". The form content is as follows:

- Header: "Thanks for filling out Registration form of Bidders. Here's what we got from you:"
- Title: "Registration form of Bidders"
- Field 1: "Email address \*" with the value "@gmail.com"
- Field 2: "Company Name \*" with the value "Glue"
- Field 3: "Company Address \*" with the value "Navotas"
- Field 4: "Company Contact No. \*" with the value "0929798498489"
- Field 5: "Bid Reference \*" with the value "2020-26"
- Field 6: "Bid Title \*" with the value "White Glue"
- Field 7: "Upload the Scanned Official Receipt (OR) \*" with a submitted file named "Registration - BFAR BAC.PNG"

**Figure 5.1**

**Step 6.** A copy of the response will be automatically emailed to the address provided by the bidders.

**Step 7.** Upon verification of the Official Receipt (OR), the BAC Secretariat shall send the Public Bidding Documents through the given email or shall provide a hard copy upon request. 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.

**Step 8.** The BAC Secretariat will send another Google Form link to the bidder, who already purchased the bidding documents, through email directing to the “Online Submission of the Bid”.

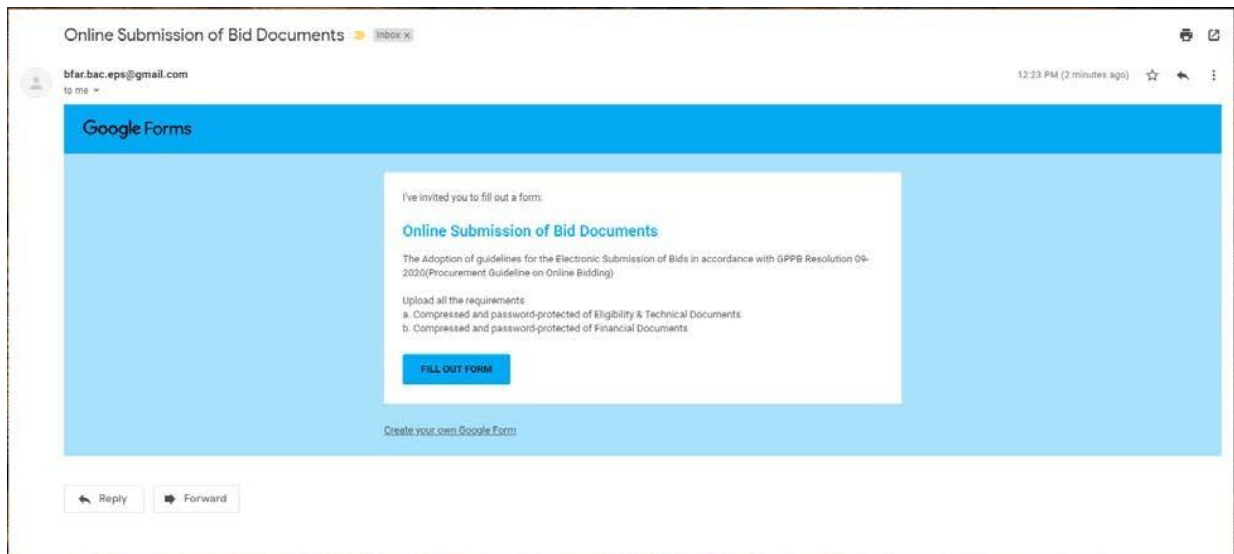


Figure 8.1

**Step 9.** Upon received, click the **FILL OUT FORM.**

**Step 10.** Click the **Add file** button to upload the compressed and password-protected files of Eligibility & Technical and Financial Documents

# Online Submission of Bid Documents

The Adoption of guidelines for the Electronic Submission of Bids in accordance with GPPB Resolution 09-2020(Procurement Guideline on Online Bidding)

Upload all the requirements

- a. Compressed and password-protected of Eligibility & Technical Documents
- b. Compressed and password-protected of Financial Documents

The name and photo associated with your Google account will be recorded when you upload files and submit this form. Not @gmail.com? [Switch account](#)

\* Required

Email address \*

Your email

Eligibility & Technical Documents \*

Financial Documents \*

A copy of your responses will be emailed to the address you provided.

Figure 10.1

**Step 11.** Click the **Submit** button to complete the process. A copy of the response will be automatically emailed to the address provided by the bidder which can be saved or printed by the bidder, as proof of the official time of the submission and receipt of bids.



Figure 11.1

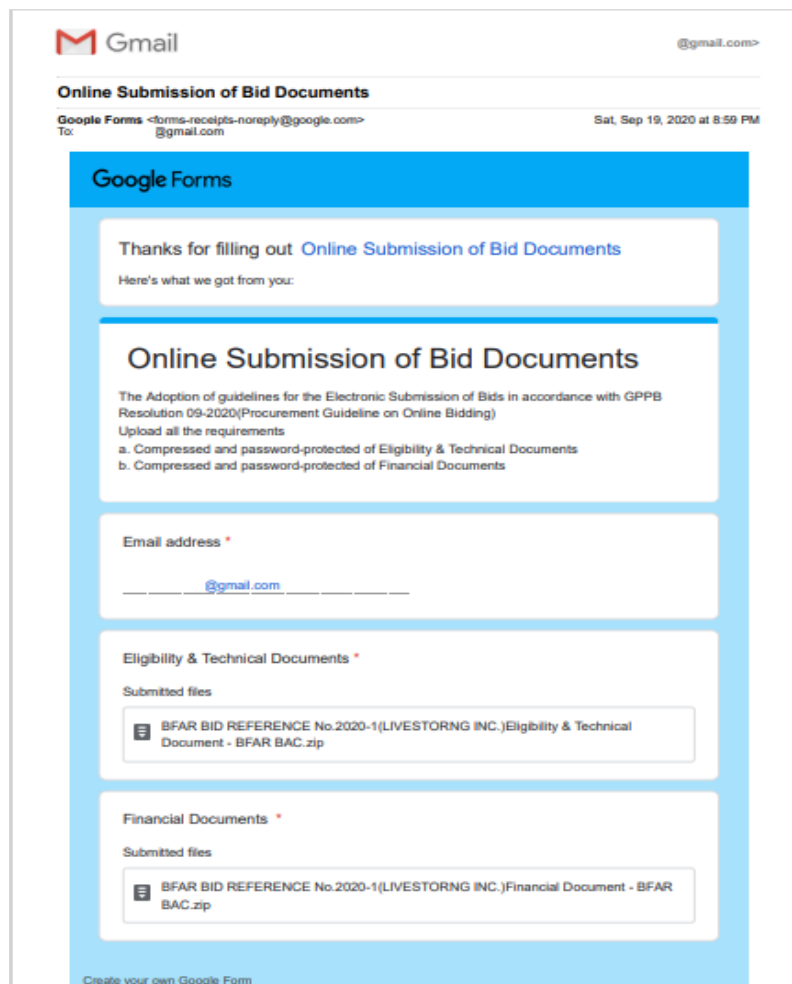


Figure 11.2

Republic of the Philippines



Government Procurement Policy Board