



Republic of the Philippines
Department of Education
REGION VIII - EASTERN VISAYAS

To : ALL PROSPECTIVE BIDDERS

Project : **PROCUREMENT FOR CY 2021 BEFF CONSERVATION AND RESTORATION OF GABALDON SCHOOL HOUSES – CLUSTER 2**

Subject : BID BULLETIN NO. 1

Date : June 6, 2021

This Supplemental Bid Bulletin is issued to clarify, modify, and amend certain provisions/specifications in the Bid Documents for the abovementioned project. It shall form part of the Bid Documents and supersedes provisions therein that are inconsistent herewith.

1. That Section 1, Invitation to Bid, specifically item no. 6, first paragraph, is amended from **“Bids must be delivered to the address below, before 10:00AM of June 15, 2021. All bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in ITB Clause 18.”** to **“Bids must be delivered to the address below, on or before 10:00AM of June 15, 2021. All bids must be accompanied by a Bid Security Declaration or any form of Bid Security and amount indicated in the Bid Data Sheet ITB Clause 15.1.”;**
2. That an addendum to Section 2, Instruction to Bidders, Item 2.1 is hereby indicated as **“The GOP through the source of funding as indicated below for Continuing Appropriations-Conservation and Restoration of Gabaldon and Other Heritage School Buildings in the amount of Php10,421,741.00;**
3. That paragraphs under Section 2, Instruction to Bidders, Item 2.2 are for deletion except for paragraph **“a. NGA, the General Appropriations Act or Special Appropriations”** which shall be retained;
4. That paragraph (a) under Section 2, Instruction to Bidders, Item 7.1 which states that **“The Procuring Entity has prescribed that: a. Subcontracting is allowed. The portions of Project and the maximum percentage allowed to be subcontracted are indicated in the BDS, which shall not exceed fifty percent (50%) of the contracted Works”** is for deletion, hence, paragraph (b) stating that **“b. Subcontracting is not allowed.”** is retained.;



5. That Section 3, Bid Data Sheet, specifically in ITB Clause 5.2, is hereby amended from **“For this purpose, contracts similar to the Project refer to contracts which have the same major categories of work, which shall be: “PROCUREMENT FOR CY 2021 BEFF CONSERVATION AND RESTORATION OF GABALDON SCHOOL HOUSES - CLUSTER 1”** to **“The bidder must have an experience of having completed, within the last five (5) years from the date of submission and receipt of bids, a Single Largest Completed Contract (SLCC) that is similar to the project, equivalent to at least fifty percent (50%) of the ABC adjusted, if necessary, by the bidder to current prices using the PSA’s CPI, except under conditions provided for in Section 23.4.2.4 of the 2016 revised IRR of RA No. 9184.**

For this purpose, contracts similar to the Project refer to contracts which have the same major categories of work, which shall be: REPAIR, REHABILITATION, RESTORATION, AND/OR CONSTRUCTION OF GENERAL BUILDINGS.”;

6. That Section 3, Bid Data Sheet, Clause 7.1 shall provide that **“Subcontracting is not allowed.”;**
7. That Section 3, Bid Data Sheet, Clause 10.3 shall provide that there is **“No further instruction.”;**
8. That Section 3, Bid Data Sheet, Clause 12 shall provide that there is **“No further instruction.”;**
9. That Section 3, Bid Data Sheet, Clause 18 which states that “The bid security shall be valid until 120 calendar days.” is actually **Clause 15.2.;**
10. That Section 3, Bid Data Sheet, Clause 20.3 is actually **Clause 16** while its provision stipulated remains in force.;
11. That Section 3, Bid Data Sheet, Clause 20 shall state that **“Post Qualification:**
To facilitate post-qualification, the bidder **at its option** may submit in advance, i.e. on the deadline for submission and receipt of bids, the documents required in Section II. ITB 20, in a separate envelope as follows:
- 1. Latest income and business tax returns:** Printed copies of the **Electronically Filed Income Tax/Business Tax Returns** with copies of their respective **Payment Confirmation Forms** for the immediately preceding calendar/tax year from the authorized agent bank;
Only tax returns filed and taxes paid through the BIR electronic Filing and Payment System (EFPS) shall be accepted.

2. PhilGEPS Certificate of Membership (Platinum), in case the bidder opts to submit Class "A" Legal Documents during submission and opening of bids.

The envelope shall be marked:

ITB 20 Documents

Name of Project: **PROCUREMENT FOR CY 2021 BEFF CONSERVATION AND RESTORATION OF GABALDON SCHOOL HOUSES – CLUSTER 2**

Bid Opening Date: **June 15, 2021**

Name of Bidder: _____

12. That Section 3, Bid Data Sheet, Clause 21 is amended from **"Additional contract documents relevant to the Project that may be required by existing laws and/or the Procuring Entity, such as construction schedule and S-curve, manpower schedule, construction methods, equipment utilization schedule, construction safety and health program approved by the DOLE, and other acceptable tools of project scheduling."** to **"Signing of the Contract – Other Documents Forming Part of the Contract**

Additional contract documents relevant to the project are required by the Procuring Entity and shall be submitted by the successful bidder within ten (10) calendar days from successful bidder's receipt of the Notice of Award, such as:

- 1. Construction Schedule and S-curve;**
- 2. PERT/CPM;**
- 3. Manpower Schedule;**
- 4. Construction Methods;**
- 5. Equipment Utilization Schedule, and**
- 6. Construction Safety and Health Program approved by the Department of Labor and Employment**

13. That Section 5, Special Conditions of Contract, Clause 2 shall state that **"Completion of Works is within one hundred twenty (120) calendar days upon receipt of the Notice to Proceed."**;

14. That Section 5, Special Conditions of Contract, Clause 4.1 shall state that **"The Procuring Entity shall give possession of all parts of the site to the contractor after submission of the notarized contract by the contractor to the Procuring Entity and on or before date of receipt of the NTP by the contractor."**;

15. That Section 5, Special Conditions of Contract, Clause 6 shall state that **"The site investigation reports are: None"**;

16. That Section 5, Special Conditions of Contract, Clause 7.2 shall state that **"The warranty against Structural Defects/Failures**

The warranty against Structural Defects/Failures, except that occasioned-on force majeure, shall cover the period stated hereunder and shall be reckoned

from the date of issuance of the Certificate of Final Acceptance by the Procuring Entity: Five (5) years”;

17. That the following Bidding Forms shall be added to the bid documents as Annexes, to wit:
- a. **Bid Form**
 - b. **Form of Contract Agreement**
 - c. **Omnibus Sworn Statement**
 - d. **Bid Securing Declaration**
18. That the title of the abovementioned procurement as indicated in Section II, Instruction to Bidders, Clause 1, shall be corrected from **PROCUREMENT FOR CY 2020 BEFF CONSERVATION AND RESTORATION OF GABALDON SCHOOL BUILDINGS – BATCH 2** with Project Identification Number – Cluster 1 to **Procurement for CY 2021 BEFF Conservation and Restoration of Gabaldon School Houses - Cluster 2.**

For the information and guidance of all concerned.



BEBIANO I. SENTILLAS, CESO V
Schools Division Superintendent
OIC-Office of the Assistant Regional Director
BAC Chairperson

BAC-QCY

Annex - Bidding Forms

Project Name: *PROCUREMENT FOR CY 2021 BEFF CONSERVATION AND RESTORATION OF GABALDON SCHOOL HOUSES – CLUSTER 2*

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Bid Form

Date: _____

IB¹ N^o: _____

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

¹ If ADB, JICA and WB funded projects, use IFB.

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

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

7. *[Name of Bidder]* complies with existing labor laws and standards; and

8. *[Name of Bidder]* is aware of and has undertaken the 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 _____.