

Office of the President of the Philippines PRESIDENTIAL COMMUNICATIONS OFFICE Manila

### **BIDS AND AWARDS COMMITTEE**

### **BIDDING DOCUMENTS**

### For the

SUPPLY AND DELIVERY OF PANP EQUIPMENT FOR THE PRESIDENTIAL COMMUNICATIONS OFFICE (PCO) (Procurement/Contract No. 2023-PCO-026)

**Sixth Edition** 

#### Glossary of Acronyms, Terms, and Abbreviations

**ABC** – Approved Budget for the Contract.

BAC – Bids and Awards Committee.

**Bid** – A signed offer or proposal to undertake a contract submitted by a bidder in response to and in consonance with the requirements of the bidding documents. Also referred to as *Proposal* and *Tender.* (2016 revised IRR, Section 5[c])

**Bidder** – Refers to a contractor, manufacturer, supplier, distributor and/or consultant who submits a bid in response to the requirements of the Bidding Documents. (2016 revised IRR, Section 5[d])

**Bidding Documents** – The documents issued by the Procuring Entity as the bases for bids, furnishing all information necessary for a prospective bidder to prepare a bid for the Goods, Infrastructure Projects, and/or Consulting Services required by the Procuring Entity. (2016 revised IRR, Section 5[e])

- **BIR** Bureau of Internal Revenue.
- BSP Bangko Sentral ng Pilipinas.

**Consulting Services** – Refer to services for Infrastructure Projects and other types of projects or activities of the GOP requiring adequate external technical and professional expertise that are beyond the capability and/or capacity of the GOP to undertake such as, but not limited to: (i) advisory and review services; (ii) pre-investment or feasibility studies; (iii) design; (iv) construction supervision; (v) management and related services; and (vi) other technical services or special studies. (2016 revised IRR, Section 5[i])

**CDA -** Cooperative Development Authority.

**Contract** – Refers to the agreement entered into between the Procuring Entity and the Supplier or Manufacturer or Distributor or Service Provider for procurement of Goods and Services; Contractor for Procurement of Infrastructure Projects; or Consultant or Consulting Firm for Procurement of Consulting Services; as the case may be, as recorded in the Contract Form signed by the parties, including all attachments and appendices thereto and all documents incorporated by reference therein.

- **CIF** Cost Insurance and Freight.
- **CIP** Carriage and Insurance Paid.
- **CPI –** Consumer Price Index.
- **DDP** Refers to the quoted price of the Goods, which means "delivered duty paid."
- **DTI** Department of Trade and Industry.
- **EXW** Ex works.
- **FCA** "Free Carrier" shipping point.
- **FOB** "Free on Board" shipping point.

**Foreign-funded Procurement or Foreign-Assisted Project**– Refers to procurement whose funding source is from a foreign government, foreign or international financing institution as specified in the Treaty or International or Executive Agreement. (2016 revised IRR, Section 5[b]).

**Framework Agreement** – Refers to a written agreement between a procuring entity and a supplier or service provider that identifies the terms and conditions, under which specific purchases, otherwise known as "Call-Offs," are made for the duration of the agreement. It is in the nature of an option contract between the procuring entity and the bidder(s) granting the procuring entity the option to either place an order for any of the goods or services identified in the Framework Agreement List or not buy at all, within a minimum period of one (1) year to a maximum period of three (3) years. (GPPB Resolution No. 27-2019)

**GFI** – Government Financial Institution.

**GOCC** – Government-owned and/or –controlled corporation.

**Goods** – Refer to all items, supplies, materials and general support services, except Consulting Services and Infrastructure Projects, which may be needed in the transaction of public businesses or in the pursuit of any government undertaking, project or activity, whether in the nature of equipment, furniture, stationery, materials for construction, or personal property of any kind, including non-personal or contractual services such as the repair and maintenance of equipment and furniture, as well as trucking, hauling, janitorial, security, and related or analogous services, as well as procurement of materials and supplies provided by the Procuring Entity for such services. The term "related" or "analogous services" shall include, but is not limited to, lease or purchase of office space, media advertisements, health maintenance services, and other services essential to the operation of the Procuring Entity. (2016 revised IRR, Section 5[r])

- **GOP** Government of the Philippines.
- **GPPB Government** Procurement Policy Board.

**INCOTERMS –** International Commercial Terms.

**Infrastructure Projects** – Include the construction, improvement, rehabilitation, demolition, repair, restoration or maintenance of roads and bridges, railways, airports, seaports, communication facilities, civil works components of information technology projects, irrigation, flood control and drainage, water supply, sanitation, sewerage and solid waste management systems, shore protection, energy/power and electrification facilities, national buildings, school buildings, hospital buildings, and other related construction projects of the government. Also referred to as *civil works or works*. (2016 revised IRR, Section 5[u])

**LGUs –** Local Government Units.

**NFCC –** Net Financial Contracting Capacity.

**NGA –** National Government Agency.

PhilGEPS - Philippine Government Electronic Procurement System.

**Procurement Project** – refers to a specific or identified procurement covering goods, infrastructure project or consulting services. A Procurement Project shall be described, detailed, and scheduled in the Project Procurement Management Plan prepared by the agency

which shall be consolidated in the procuring entity's Annual Procurement Plan. (GPPB Circular No. 06-2019 dated 17 July 2019)

- **PSA –** Philippine Statistics Authority.
- **SEC –** Securities and Exchange Commission.
- **SLCC** Single Largest Completed Contract.

**Supplier** – refers to a citizen, or any corporate body or commercial company duly organized and registered under the laws where it is established, habitually established in business and engaged in the manufacture or sale of the merchandise or performance of the general services covered by his bid. (Item 3.8 of GPPB Resolution No. 13-2019, dated 23 May 2019). Supplier as used in these Bidding Documents may likewise refer to a distributor, manufacturer, contractor, or consultant.

**UN –** United Nations.



### Office of the President of the Philippines PRESIDENTIAL COMMUNICATIONS OFFICE Manila

### Section I. Invitation to Bid

### FOR THE

#### SUPPLY AND DELIVERY OF PANP EQUIPMENT FOR THE PRESIDENTIAL COMMUNICATIONS OFFICE (PCO) (Procurement/Contract No. 2023-PCO-026).

- The Presidential Communications Office (PCO) through the General Appropriations Act of 2023 intends to apply the sum of Two Million Nine Hundred Twenty Thousand Pesos (PHP2,920,000.00) being the ABC to payments under the contract for the project: Supply and Delivery of PANP Equipment for The Presidential Communications Office (PCO) (Procurement/Contract No. 2023-PCO-026). Bids received in excess of the ABC shall be automatically rejected at bid opening.
- 2. The PCO now invites bids for the above procurement project. Supply and Delivery of the Goods shall be in accordance with Section VI. Schedule of Requirements, and Section VII. Bidders should have completed, within three [3] years from the date of submission and receipt of bids, a contract similar to the Project. The description of an eligible bidder is contained in the Bidding Documents, particularly, in Section II (Instructions to Bidders).
- 3. Bidding will be conducted through open competitive bidding procedures using a nondiscretionary "*pass/fail*" criterion as specified in the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184.

In compliance with GPPB Resolution 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", the PCO Bids and Awards Committee confirms, adopts, and approves measures for online or electronic bidding, as recommended by the GPPB-TSO, for the efficient conduct of all procurement activities, regardless of the procurement modality.

In view of the foregoing, the procedure for this procurement project shall be in accordance with the PCO Amended Bidding Guideline and the Bidder's Kit, collectively attached hereto as Annex "A." GPPB forms and other bidding forms are herein attached as Annex "B.

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 PCO BAC Secretariat and through the e-mail address given below and inspect the Bidding Documents posted at the PCO website.
- 5. A complete set of Bidding Documents, in digital copy, may be acquired by interested Bidders starting **12 May 2023** from the PCO website given below and upon payment of the applicable fee for the Bidding Documents, pursuant to the latest Guidelines issued by the GPPB, in the amount of **Five Thousand Pesos (PHP5,000.00)**.

The Procuring Entity shall allow the bidder to present its proof of payment for the fees by sending a clear scanned copy of the Official Receipt **on or before the deadline of submission of bids** to the PCO BAC Secretariat e-mail given below.

6. The PCO will hold a Pre-Bid Conference on 23 May 2023 at 10:00AM through video conference via Zoom, which link shall be provided a day before the said conference. A pre-registration shall be required for all interested suppliers in order to access the video conferences and to participate further in the procurement activities as scheduled. Those interested bidders must provide complete information in the Google Forms which may be accessed via this link: <u>https://forms.gle/iW1PNJ8sHknW9gMG7</u>.

Prospective bidders are encouraged to discuss any concerns or clarifications about the eligibility requirements including the technical specifications in the said conference.

- 7. Bids must be duly received and acknowledged by the BAC Secretariat through online or electronic submission at <u>bac1@pco.gov.ph</u> on or before 06 June 2023 at 8:00AM in the manner compliant with the submission of eligibility documents for public bidding and in accordance with the above-mentioned PCO Amended Online Bidding Guidelines and the Bidder's Kit. Late bids shall not be accepted.
- 8. All Bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in ITB Clause 14.
- 9. Bid opening shall be on **06 June 2023** at **10:00 AM** via Zoom video conferencing. Bids will be opened in the presence of the bidders' representatives who choose to attend the activity.
- 10. Prospective bidders are requested to organize and submit their Bids electronically in accordance with the PCO-BAC Amended Online Guidelines and suppliers are hereby reminded, as follows:
  - a) The submission of the Legal and Technical Documents (First Envelope) and Financial Documents (Second Envelope) shall be in a password-protected ZIP folder and PDF file;
  - b) There shall be <u>four (4) different passwords required</u>: one (1) unique password for the ZIP folder of First Envelope; one (1) unique password for the PDF file under the ZIP folder of First Envelope; one (1) unique password for the ZIP folder of the Second Envelope; and one (1) unique password for the PDF file under the ZIP folder of the Second Envelope;
  - c) The password-protected PDF file in the First Envelope shall contain the scanned original copy of the consolidated Legal and Technical documents. Said PDF file shall be assigned the file name, "PCO Bidding No. 2023-PCO-00x; (Name of Bidder); Legal and Technical Documents." There should be one (1) unique password for this PDF file;

- d) The password-protected PDF file in the Second Envelope shall contain the scanned original copy of the consolidated Financial documents. Said PDF file shall be assigned the file name "PCO Bidding No. 2023-PCO-00x (Name of Bidder); Financial Documents." There should be one (1) unique password for this PDF file; and
- e) In any case where the files to be submitted exceed the size limit of the e-mail, the bidder may submit their bid via separate e-mails, provided, that the subject line for each mail should indicate to which part of the several it corresponds to (i.e., Part 1 of Legal and Technical Documents, Part 2 of Legal and Technical Documents, etc.). One set of passwords for the said components may be allowed in case of splitting, provided that the passwords for the Eligibility Requirements are separate and distinct from the Financial Requirements.

To facilitate the evaluation of documents, the bidder is encouraged to include a table of contents per PDF file, corresponding page numbers, and title pages before the actual document. For reference, the sample bidding documents may be downloaded via these links: <u>Technical Component Envelope (1<sup>st</sup> Envelope)</u>; <u>Financial Component Envelope (2<sup>nd</sup> Envelope)</u>.

In case the bidder fails to submit any or all of the documentary requirements in a password-protected PDF files, the bid/quotation will automatically be disqualified and shall be declared as "FAILED" and the supplier will no longer be allowed to participate further in the procurement activities scheduled for this Project.

- 11. The PCO 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:

### JOY MARIE P. PALOMA

Head, Bids and Awards Committee Office of the Bids and Awards Committee Secretariat 7th Floor, Times Plaza United Nations Ave., Ermita, City of Manila Phone No.: (02) 8734-5968 E-mail Address: <u>bac1@pco.gov.ph</u> Website: pco.gov.ph

13. You may visit the following:

For downloading of Bidding Documents: <u>https://pco.gov.ph/procurement/</u> <u>https://www.philgeps.gov.ph/</u>

For online bid submission: <u>bac1@pco.gov.ph</u>

Issued on 12 May 2023

(Original signed) **ASEC EUGENE HENRY C. RODRIGUEZ**  *Chairperson* Bids and Awards Committee

## ANNEX "A"

## Bidders' Kit for PCO Online Bidding

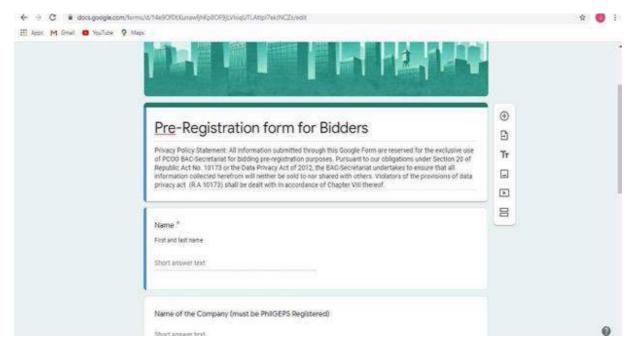
### BIDDER'S KIT FOR PCOO PROCUREMENT GUIDELINES IN ADOPTING <u>ELECTRONIC SUBMISSION OF BIDS ver.2</u> (GPPB Resolution No. 09-2020)

### I. <u>Pre-Bid Conference</u>

**Step 1:** Register by completing the information required in the Google forms which can be accessed here:

https://forms.gle/xvNx6HDVJDXBs3RPA

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 to enter the Google Meet by clicking **"Join Now"**. Please make sure that you allow access to the microphone and the camera.

**Step 3:** Kindly wait for the Secretariat to confirm your entry in the prescribed video teleconference ("VTC") platform to participate in the pre-bid conference.

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

Bidder's Kit for Procurement Guidelines in Adopting Electronic Submission of Bids Page **2** of **13** 

### II. Submission of Bids

**Step 1:** Scan the original copy of the **Legal and Technical Requirements** and save as a PDF assigned with the file name "**PCOO Bidding No.\_\_\_\_; (Name of Bidder); Legal and Technical Documents**". Place/set a password on the PDF file. Save the password-protected PDF file to a ZIP file. Place/set another password on the ZIP file.

**Step 2:** Scan the original copy of the **Financial Requirements** and save as a PDF assigned with the file name "**PCOO Bidding No.\_\_\_\_; (Name of Bidder); Financial Documents**". Place/set a password on the PDF file. Save the password-protected PDF file to a ZIP file. Place/set another password on the ZIP file.

**Important:** Passwords shall bear a unique combination for each file and folder. Same passwords for all files are not allowed. Thus, there shall be **four (4) sets of passwords with unique combination.** For details on how to save files in PDF format and to place passwords please see file attached as "Attachment B."

**Note**: In case that the files of the bidder exceed the size limit for email attachments, the bidder may submit the required bidding documents over separate email/s messages. The bidder shall comply with the foregoing measures for securing and compressing their submissions. The subject line for each of the email messages should indicate to which part of the several it corresponds to (e.g., part 1 of x). All attachments submitted in separate emails for the Eligibility and Financial Requirements shall still contain unique passwords for the ZIP folder and the PDF files respectively and shall be submitted on or before the deadline of submission of bids.

**Step 3:** Submit your bids via e-mail to (<u>bac1@pco.gov.ph</u>) on or before the deadline for bid submission.

**Step 4:** After submission, wait for the acknowledgement by the BAC Secretariat of the a) receipt of the compressed file (ZIP file) containing the bids b) proof of the date and time of receipt of the bid to ensure submission prior to the deadline and c) the invitation with the access link to the video conference of the bid opening with date and time thereof.

**Important**: In case of any modification of bids, the original bid submitted shall not be retrieved but a modified bid shall be submitted to the Secretariat provided that it is equally secured by passwords, properly identified and submitted on or before the deadline. The bidder shall use the following file names for the folders and files:

### A. "PCOO Bidding No.\_\_\_; (Name of Bidder); Legal and Technical Documents – Modification"

### B. "PCOO Bidding No.\_\_\_\_; (Name of Bidder); Financial Documents- Modification"

**Important: LATE Bids** or those bids submitted after the deadline will **NOT** be considered in the bid opening.

### III. Opening and Evaluation of Bids

**Step 1:** Open e-mail and access the link provided by the Secretariat to enter the Google Meet by clicking **"Join Now".** Make sure that you allow access to the microphone and the camera. Wait for confirmation from the Secretariat to enter the meeting room.

**Step 2:** When prompted, disclose in the chat box the password to the first password protected ZIP folder. Wait for the Secretariat to upload the extracted file to Google drive. Afterwards, the Secretariat will prompt you to disclose the password for the PDF document containing the Legal and Technical requirements. If you are present, the Secretariat will ask in the chat box of the Google Meet video conferencing room for the corresponding passwords during the bid opening itself.

If you are not present in the online meeting in Google Meet, the Secretariat will send you an inquiry for such passwords via text message to your registered mobile number. You are given a minimum of five (5) minutes to respond. Should you not respond with the password when prompted, the BAC shall move on to the next bid, if any. If there are no other bids to be considered, the Secretariat shall ask again via text message for the password and you are given another five (5) minutes to respond. Should you fail to respond within the allotted time, your submitted bid will longer be considered.

### Under no circumstances should you disclose such passwords BEFORE the scheduled bid opening.

**Step 3:** Should the Legal and Technical requirements be declared as "**PASSED**", you will be prompted to disclose the password for the second password protected ZIP folder, and subsequently the password for the PDF document containing the financial requirements in the same manner as the passwords of the eligibility documents as described above. You must respond promptly.

Under no circumstances should you disclose such passwords prior to being declared eligible based on the evaluation of his eligibility documents.

Bidder's Kit for Procurement Guidelines in Adopting Electronic Submission of Bids Page **4** of **13** 

**Important:** Only **three attempts** are given to disclose your password per ZIP folder and PDF file to open the documents. Should you fail to provide the correct password after the third attempt, the submitted bids shall **NOT** be accepted during the bid opening

\*For inquiries and other concerns, you may reach the BAC Secretariat through this email address: <u>bac1@pco.gov.ph</u> or mobile number at: **09177178213.** 

Stay safe and warm regards!

### **BAC Secretariat**

PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE

### Attachment A 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. Meetings will start on time. You are advised to enter the VTC room 30 minutes to resolve technical issues, if any.

### Attachment B SECURING YOUR FILE

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Bidder's Kit for Procurement Guidelines in Adopting Electronic Submission of Bids Page  ${\bf 8}$  of  ${\bf 13}$ 

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Bidder's Kit for Procurement Guidelines in Adopting Electronic Submission of Bids Page **9** of **13** 





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Bidder's Kit for Procurement Guidelines in Adopting Electronic Submission of Bids Page **11** of **13** 

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Bidder's Kit for Procurement Guidelines in Adopting Electronic Submission of Bids Page **13** of **13** 

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# ANNEX "B"

## **Prescribed Forms**

**Statement of ALL Ongoing Government and Private Contracts** (Including Contracts Awarded but not yet Started)

BIDDER'S COMPANY NAME: NAME OF PROJECT:

COMPANY ADDRESS:

_		r	r				r	
	Date of Delivery				Date of Delivery			
	Value of Outstanding Contracts				Value of Outstanding Contracts			
	Amount of Contract				Amount of Contract			
	Kinds of Goods				Kinds of Goods			
<b>Government Contracts</b>	Agency Name and Address (Party Contracting with the Bidder)			<b>Private Contracts</b>	Owner's Name/Company Name and Address (Party Contracting with the Bidder)			
9	Contract Duration				Contract Duration			
	Date of Contract				Date of Contract			
	Name of Contract				Name of Contract			
	ltem No.				Item No.			

Instructions:

- 1 Please indicate the correct and complete information required for each contract.
- Date of Delivery indicates the projected date/s provided in their respective contracts. 0
  - ω4
  - In case there are no ongoing contracts, pls. put N/A or None. Kindly provide all contact information of the party contracting with bidder.

Submitted by: Designation: Date:

Contract
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Statement of the Single Largest Completed Contract

NAME OF PROJECT: BIDDER'S COMPANY NAME:

COMPANY ADDRESS:

**Date of Delivery** Completed Contract Amount of Kinds of Goods Owner's/Company/Agency Name and Address (Party Contracting with the Bidder) **Contract Duration** Date of Contract Name of Contract Item No.

Instructions:

- 1 Please indicate the correct and complete information required for each contract.
- Attach End-user's Acceptance OR Official Receipt(s) OR Sales Invoice issued for the Contract. C
  - 3 If no completed contract, please put N/A or None.
- 4 Kindly provide all contact information of the party contracting with bidder.

Submitted by: Designation:

Date:

### **Bid Securing Declaration Form**

[shall be submitted with the Bid if bidder opts to provide this form of bid security]

REPUBLIC OF THE PHILIPPINES) CITY OF \_\_\_\_\_\_) S.S.

### BID SECURING DECLARATION Project Identification No.: [Insert number]

To: [Insert name and address of the Procuring Entity]

I/We, the undersigned, declare that:

- 1. I/We understand that, according to your conditions, bids must be supported by a Bid Security, which may be in the form of a Bid Securing Declaration.
- 2. I/We accept that: (a) I/we will be automatically disqualified from bidding for any procurement contract with any procuring entity for a period of two (2) years upon receipt of your Blacklisting Order; and, (b) I/we will pay the applicable fine provided under Section 6 of the Guidelines on the Use of Bid Securing Declaration, within fifteen (15) days from receipt of the written demand by the procuring entity for the commission of acts resulting to the enforcement of the bid securing declaration under Sections 23.1(b), 34.2, 40.1 and 69.1, except 69.1(f),of the IRR of RA No. 9184; without prejudice to other legal action the government may undertake.
- 3. I/We understand that this Bid Securing Declaration shall cease to be valid on the following circumstances:
  - a. Upon expiration of the bid validity period, or any extension thereof pursuant to your request;
  - b. I am/we are declared ineligible or post-disqualified upon receipt of your notice to such effect, and (i) I/we failed to timely file a request for reconsideration or (ii) I/we filed a waiver to avail of said right; and
  - c. I am/we are declared the bidder with the Lowest Calculated Responsive Bid, and I/we have furnished the performance security and signed the Contract.

IN WITNESS WHEREOF, I/We have hereunto set my/our hand/s this \_\_\_\_\_ day of [month] [year] at [place of execution].

[Insert NAME OF BIDDER OR ITS AUTHORIZED REPRESENTATIVE] [Insert signatory's legal capacity] Affiant

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

REPUBLIC OF THE PHILIPPINES ) CITY/MUNICIPALITY OF \_\_\_\_\_ ) S.S.

### AFFIDAVIT

I, [Name of Affiant], of legal age, [Civil Status], [Nationality], and residing at [Address of Affiant], after having been duly sworn in accordance with law, do hereby depose and state that:

1. [Select one, delete the other:]

*[If a sole proprietorship:]* I am the sole proprietor or authorized representative of [Name of Bidder] with office address at [address of Bidder];

*[If a partnership, corporation, cooperative, or joint venture:]* I am the duly authorized and designated representative of [Name of Bidder] with office address at [address of Bidder];

2. [Select one, delete the other:]

*[If a sole proprietorship:]* As the owner and sole proprietor, or authorized representative of [Name of Bidder], I have full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached duly notarized Special Power of Attorney;

[If a partnership, corporation, cooperative, or joint venture:] I am granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached [state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate, Board/Partnership Resolution, or Special Power of Attorney, whichever is applicable;)];

- 3. [Name of Bidder] is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board, <u>by itself or by relation, membership, association, affiliation, or controlling interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on Blacklisting:</u>
- 4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;
- 5. [Name of Bidder] is authorizing the Head of the Procuring Entity or its duly authorized representative(s) to verify all the documents submitted;
- 6. [Select one, delete the rest:]

*[If a sole proprietorship:]* The owner or sole proprietor is not related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical

Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

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

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

- 7. [Name of Bidder] complies with existing labor laws and standards; and
- 8. *[Name of Bidder]* is aware of and has undertaken the responsibilities as a Bidder in compliance with the Philippine Bidding Documents, which includes:
  - a. Carefully examining all of the Bidding Documents;
  - b. Acknowledging all conditions, local or otherwise, affecting the implementation of the Contract;
  - c. Making an estimate of the facilities available and needed for the contract to be bid, if any; and
  - d. Inquiring or securing Supplemental/Bid Bulletin(s) issued for the [Name of the Project].
- 9. *[Name of Bidder]* did not give or pay directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel or representative of the government in relation to any procurement project or activity.
- 10. In case advance payment was made or given, failure to perform or deliver any of the obligations and undertakings in the contract shall be sufficient grounds to constitute criminal liability for Swindling (Estafa) or the commission of fraud with unfaithfulness or abuse of confidence through misappropriating or converting any payment received by a person or entity under an obligation involving the duty to deliver certain goods or services, to the prejudice of the public and the government of the Philippines pursuant to Article 315 of Act No. 3815 s. 1930, as amended, or the Revised Penal Code.

**IN WITNESS WHEREOF**, I have hereunto set my hand this \_\_\_\_ day of \_\_\_\_, 20\_\_\_ at \_\_\_\_, Philippines.

[Insert NAME OF BIDDER OR ITS AUTHORIZED REPRESENTATIVE] [Insert signatory's legal capacity] Affiant **SUBSCRIBED AND SWORN** to before me this \_\_\_\_\_ day of \_\_\_\_\_ 202\_ at \_\_\_\_\_, Philippines. Affiant is 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 exhibited to me his/her \_\_\_\_\_(Type of valid ID) \_\_\_\_, with his/her photograph and signature appearing thereon, with \_\_\_\_\_\_\_ issued on \_\_\_\_\_\_\_.

Witness my hand and seal this \_\_\_\_ day of \_\_\_\_\_ 202 \_\_

Doc. No. \_\_\_\_; Page No. \_\_\_\_; Book No. \_\_\_\_; Series of 202\_\_\_.

#### Bid Form for the Procurement of Goods [shall be submitted with the Bid]

#### **BID FORM**

Date : \_\_\_\_\_ Project Identification No. :

To: [name and address of Procuring Entity]

Having examined the Philippine Bidding Documents (PBDs) including the Supplemental or Bid Bulletin Numbers *[insert numbers]*, the receipt of which is hereby duly acknowledged, we, the undersigned, offer to *[supply/deliver/perform] [description of the Goods]* in conformity with the said PBDs for the sum of *[total Bid amount in words and figures]* or the total calculated bid price, as evaluated and corrected for computational errors, and other bid modifications in accordance with the Price Schedules attached herewith and made part of this Bid. The total bid price includes the cost of all taxes, such as, but not limited to: *[specify the applicable taxes, e.g. (i) value added tax (VAT), (ii) income tax, (iii) local taxes, and (iv) other fiscal levies and duties]*, which are itemized herein or in the Price Schedules,

If our Bid is accepted, we undertake:

- a. to deliver the goods in accordance with the delivery schedule specified in the Schedule of Requirements of the Philippine Bidding Documents (PBDs);
- b. to provide a performance security in the form, amounts, and within the times prescribed in the PBDs;
- c. to abide by the Bid Validity Period specified in the PBDs and it shall remain binding upon us at any time before the expiration of that period.

[Insert this paragraph if Foreign-Assisted Project with the Development Partner:

Commissions or gratuities, if any, paid or to be paid by us to agents relating to this Bid, and to contract execution if we are awarded the contract, are listed below:

Name and address Amount and Purpose of of agent Currency Commission or gratuity

(if none, state "None") ]

Until a formal Contract is prepared and executed, this Bid, together with your written acceptance thereof and your Notice of Award, shall be binding upon us.

We understand that you are not bound to accept the Lowest Calculated Bid or any Bid you may receive.

We certify/confirm that we comply with the eligibility requirements pursuant to the PBDs.

The undersigned is authorized to submit the bid on behalf of [name of the bidder] as evidenced by the attached [state the written authority].

We acknowledge that failure to sign each and every page of this Bid Form, including the attached Schedule of Prices, shall be a ground for the rejection of our bid.

Name:	
Legal capacity:	
Signature:	
Duly authorized to sign the Bid for and behalf of:	
Date:	

Price Schedule for Goods Offered from Within the Philippines [shall be submitted with the Bid if bidder is offering goods from within the Philippines]

For Goods Offered from Within the Philippines

Project ID No.

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2 3 4 5 6	4 5	5		9		7	ø	6	10
Description Country of QTY. Unit price Exw per Trans all item all item all item deliv	QTY. Unit price EXW per item	Unit price Exw per item	_	Tran: all deliv	Transportation and all other costs incidental to delivery, per item	Sales and other taxes payable if Contract is awarded, per item	Cost of Incidental Services, if applicable, per item	Total Price, per unit (col 5+6+7+8)	Total Price delivered Final Destination (col 9) x (col 4)
-									
			_						
			_						
TOTAL BID PRICE IN WORDS	IN WORDS								
IN FIGURES	IN FIGURES								
Legal Capacity:									

Duly authorized to sign the Bid for and behalf of:

Signature:

# ANNEX "B"

## **Prescribed Forms**

**Statement of ALL Ongoing Government and Private Contracts** (Including Contracts Awarded but not yet Started)

BIDDER'S COMPANY NAME: NAME OF PROJECT:

COMPANY ADDRESS:

_		r	r				r	
	Date of Delivery				Date of Delivery			
	Value of Outstanding Contracts				Value of Outstanding Contracts			
	Amount of Contract				Amount of Contract			
	Kinds of Goods				Kinds of Goods			
<b>Government Contracts</b>	Agency Name and Address (Party Contracting with the Bidder)			<b>Private Contracts</b>	Owner's Name/Company Name and Address (Party Contracting with the Bidder)			
9	Contract Duration				Contract Duration			
	Date of Contract				Date of Contract			
	Name of Contract				Name of Contract			
	ltem No.				Item No.			

Instructions:

- 1 Please indicate the correct and complete information required for each contract.
- Date of Delivery indicates the projected date/s provided in their respective contracts. 0
  - ω4
  - In case there are no ongoing contracts, pls. put N/A or None. Kindly provide all contact information of the party contracting with bidder.

Submitted by: Designation: Date:

Contract
Completed
e Largest
f the Single
Statement of the Single Largest Completed Contract

NAME OF PROJECT: BIDDER'S COMPANY NAME:

COMPANY ADDRESS:

**Date of Delivery** Completed Contract Amount of Kinds of Goods Owner's/Company/Agency Name and Address (Party Contracting with the Bidder) **Contract Duration** Date of Contract Name of Contract Item No.

Instructions:

- 1 Please indicate the correct and complete information required for each contract.
- Attach End-user's Acceptance OR Official Receipt(s) OR Sales Invoice issued for the Contract. C
  - 3 If no completed contract, please put N/A or None.
- 4 Kindly provide all contact information of the party contracting with bidder.

Submitted by: Designation:

Date:

### **Bid Securing Declaration Form**

[shall be submitted with the Bid if bidder opts to provide this form of bid security]

REPUBLIC OF THE PHILIPPINES) CITY OF \_\_\_\_\_\_) S.S.

### BID SECURING DECLARATION Project Identification No.: [Insert number]

To: [Insert name and address of the Procuring Entity]

I/We, the undersigned, declare that:

- 1. I/We understand that, according to your conditions, bids must be supported by a Bid Security, which may be in the form of a Bid Securing Declaration.
- 2. I/We accept that: (a) I/we will be automatically disqualified from bidding for any procurement contract with any procuring entity for a period of two (2) years upon receipt of your Blacklisting Order; and, (b) I/we will pay the applicable fine provided under Section 6 of the Guidelines on the Use of Bid Securing Declaration, within fifteen (15) days from receipt of the written demand by the procuring entity for the commission of acts resulting to the enforcement of the bid securing declaration under Sections 23.1(b), 34.2, 40.1 and 69.1, except 69.1(f),of the IRR of RA No. 9184; without prejudice to other legal action the government may undertake.
- 3. I/We understand that this Bid Securing Declaration shall cease to be valid on the following circumstances:
  - a. Upon expiration of the bid validity period, or any extension thereof pursuant to your request;
  - b. I am/we are declared ineligible or post-disqualified upon receipt of your notice to such effect, and (i) I/we failed to timely file a request for reconsideration or (ii) I/we filed a waiver to avail of said right; and
  - c. I am/we are declared the bidder with the Lowest Calculated Responsive Bid, and I/we have furnished the performance security and signed the Contract.

IN WITNESS WHEREOF, I/We have hereunto set my/our hand/s this \_\_\_\_\_ day of [month] [year] at [place of execution].

[Insert NAME OF BIDDER OR ITS AUTHORIZED REPRESENTATIVE] [Insert signatory's legal capacity] Affiant

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

REPUBLIC OF THE PHILIPPINES ) CITY/MUNICIPALITY OF \_\_\_\_\_ ) S.S.

#### AFFIDAVIT

I, [Name of Affiant], of legal age, [Civil Status], [Nationality], and residing at [Address of Affiant], after having been duly sworn in accordance with law, do hereby depose and state that:

1. [Select one, delete the other:]

*[If a sole proprietorship:]* I am the sole proprietor or authorized representative of [Name of Bidder] with office address at [address of Bidder];

*[If a partnership, corporation, cooperative, or joint venture:]* I am the duly authorized and designated representative of [Name of Bidder] with office address at [address of Bidder];

2. [Select one, delete the other:]

*[If a sole proprietorship:]* As the owner and sole proprietor, or authorized representative of [Name of Bidder], I have full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached duly notarized Special Power of Attorney;

[If a partnership, corporation, cooperative, or joint venture:] I am granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached [state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate, Board/Partnership Resolution, or Special Power of Attorney, whichever is applicable;)];

- 3. [Name of Bidder] is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board, <u>by itself or by relation, membership, association, affiliation, or controlling interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on Blacklisting:</u>
- 4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;
- 5. [Name of Bidder] is authorizing the Head of the Procuring Entity or its duly authorized representative(s) to verify all the documents submitted;
- 6. [Select one, delete the rest:]

*[If a sole proprietorship:]* The owner or sole proprietor is not related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical

Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

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

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

- 7. [Name of Bidder] complies with existing labor laws and standards; and
- 8. *[Name of Bidder]* is aware of and has undertaken the responsibilities as a Bidder in compliance with the Philippine Bidding Documents, which includes:
  - a. Carefully examining all of the Bidding Documents;
  - b. Acknowledging all conditions, local or otherwise, affecting the implementation of the Contract;
  - c. Making an estimate of the facilities available and needed for the contract to be bid, if any; and
  - d. Inquiring or securing Supplemental/Bid Bulletin(s) issued for the [Name of the Project].
- 9. *[Name of Bidder]* did not give or pay directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel or representative of the government in relation to any procurement project or activity.
- 10. In case advance payment was made or given, failure to perform or deliver any of the obligations and undertakings in the contract shall be sufficient grounds to constitute criminal liability for Swindling (Estafa) or the commission of fraud with unfaithfulness or abuse of confidence through misappropriating or converting any payment received by a person or entity under an obligation involving the duty to deliver certain goods or services, to the prejudice of the public and the government of the Philippines pursuant to Article 315 of Act No. 3815 s. 1930, as amended, or the Revised Penal Code.

**IN WITNESS WHEREOF**, I have hereunto set my hand this \_\_\_\_ day of \_\_\_\_, 20\_\_\_ at \_\_\_\_, Philippines.

[Insert NAME OF BIDDER OR ITS AUTHORIZED REPRESENTATIVE] [Insert signatory's legal capacity] Affiant **SUBSCRIBED AND SWORN** to before me this \_\_\_\_\_ day of \_\_\_\_\_ 202\_ at \_\_\_\_\_, Philippines. Affiant is 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 exhibited to me his/her \_\_\_\_\_(Type of valid ID) \_\_\_\_, with his/her photograph and signature appearing thereon, with \_\_\_\_\_\_\_ issued on \_\_\_\_\_\_\_.

Witness my hand and seal this \_\_\_\_ day of \_\_\_\_\_ 202 \_\_

Doc. No. \_\_\_\_; Page No. \_\_\_\_; Book No. \_\_\_\_; Series of 202\_\_\_.

#### Bid Form for the Procurement of Goods [shall be submitted with the Bid]

#### **BID FORM**

Date : \_\_\_\_\_ Project Identification No. :

To: [name and address of Procuring Entity]

Having examined the Philippine Bidding Documents (PBDs) including the Supplemental or Bid Bulletin Numbers *[insert numbers]*, the receipt of which is hereby duly acknowledged, we, the undersigned, offer to *[supply/deliver/perform] [description of the Goods]* in conformity with the said PBDs for the sum of *[total Bid amount in words and figures]* or the total calculated bid price, as evaluated and corrected for computational errors, and other bid modifications in accordance with the Price Schedules attached herewith and made part of this Bid. The total bid price includes the cost of all taxes, such as, but not limited to: *[specify the applicable taxes, e.g. (i) value added tax (VAT), (ii) income tax, (iii) local taxes, and (iv) other fiscal levies and duties]*, which are itemized herein or in the Price Schedules,

If our Bid is accepted, we undertake:

- a. to deliver the goods in accordance with the delivery schedule specified in the Schedule of Requirements of the Philippine Bidding Documents (PBDs);
- b. to provide a performance security in the form, amounts, and within the times prescribed in the PBDs;
- c. to abide by the Bid Validity Period specified in the PBDs and it shall remain binding upon us at any time before the expiration of that period.

[Insert this paragraph if Foreign-Assisted Project with the Development Partner:

Commissions or gratuities, if any, paid or to be paid by us to agents relating to this Bid, and to contract execution if we are awarded the contract, are listed below:

Name and address Amount and Purpose of of agent Currency Commission or gratuity

(if none, state "None") ]

Until a formal Contract is prepared and executed, this Bid, together with your written acceptance thereof and your Notice of Award, shall be binding upon us.

We understand that you are not bound to accept the Lowest Calculated Bid or any Bid you may receive.

We certify/confirm that we comply with the eligibility requirements pursuant to the PBDs.

The undersigned is authorized to submit the bid on behalf of [name of the bidder] as evidenced by the attached [state the written authority].

We acknowledge that failure to sign each and every page of this Bid Form, including the attached Schedule of Prices, shall be a ground for the rejection of our bid.

Name:	
Legal capacity:	
Signature:	
Duly authorized to sign the Bid for and behalf of:	
Date:	

# ANNEX "C"

## **Checklist of Requirements**

### Checklist of Technical and Financial Documents

#### I. TECHNICAL COMPONENT ENVELOPE

#### **Class "A" Documents**

<u>Legal Document</u>

(a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages);

Technical Documents

- (b) 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; <u>and</u>
- (c) 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
- (d) 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
- (e) Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or after-sales/parts, if applicable; **and**
- (f) 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.

<u>Financial Documents</u>

(g) The prospective bidder's computation of Net Financial Contracting Capacity (NFCC);

<u>or</u>

A committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation.

#### Class "B" Documents

(h) If applicable, a duly signed joint venture agreement (JVA) in case the joint venture is already in existence;
 or

duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful.

#### **II. FINANCIAL COMPONENT ENVELOPE**

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

# **ANNEX "D"** Frequently Committed Errors

Errors/Failures/Omissions	How to Prevent
Failure to submit a <b>complete set</b> of documents.	Refer to the Checklist of Technical and Financial Documents on the last part of the Bidding Documents. Said Checklist is also attached as Annex "C" of the Invitation to Bid. Use the Table of Contents (Legal and Technical; Financial) for proper arrangement of documents.
Typographical Error on Legal documents/Documents for Notarization (e.g., Omnibus Sworn Statement, Bid Securing Declaration, etc.)	Use the forms/templates prescribed by the PCOO and attached as Annex "B" of the Invitation to Bid. Do not use bidding documents you prepared for a previous project with another Government agency so as to avoid <i>copy-paste</i> errors.
Failure to submit proof of identity of affiants as attachment of the documents for notarization (OSS, BSD, etc.)	Make sure that the respective proof of identity (valid Identification: e.g., PRC ID, UMID, Passport, Comelec ID, etc.) of the affiant/s who executed the sworn statements are attached with the document and included in the Legal and Technical folder.
	All details in the " <i>Jurat</i> " and " <i>Acknowledgement</i> " must be filled in. (i.e government ID, description, and ID Number)
Incomplete details on prescribed templates (e.g. Statement of all on-going contracts, Price Schedule form, etc.)	Fill-out all the spaces/portions or cells/columns requiring details. Do not leave them blank. For the sales taxes and other costs, indicate the breakdown and refer to the column heading for the computation. Indicate zero "0" or dash "-" for items offered for free.
Incorrect Passwords	Test your passwords first before submitting your two (2) Zip Folders via email.
Lack of Two-Factor Authentication	<ul> <li>Ensure that each of the zip folders and pdf files for the Legal and Technical requirements, as well as for the financial requirements are password protected.</li> <li>There must be, at least, four (4) unique passwords, to wit:</li> <li>Password no. 1 - Legal and Technical zip folder;</li> <li>Password no. 2 - Legal and Technical pdf file;</li> <li>Password no. 3 - Financial zip folder; and</li> <li>Password no. 4 - Financial pdf folder.</li> </ul>
Corrupted Zip Folders or PDF Files	Send a test e-mail to self or other accessible e- mail address/es. Download and attempt to open in different computer units and, if possible, using different operating systems (Mac/Windows).

#### Section II. Instructions to Bidders

#### 1. Scope of Bid

The Procuring Entity, Presidential Communications Office (PCO), wishes to receive Bids for the **Supply and Delivery of PANP Equipment for The Presidential Communications Office (PCO)** with Identification number: (Procurement/Contract No. 2023-PCO-026).

#### 2. Funding Information

2.1. The GOP through the source of funding as indicated below for 2023 in the amount of **Two Million Nine Hundred Twenty Thousand Pesos** (PHP2,920,000.00). The source of funding is the 2023 General Appropriations Act.

#### 3. Bidding Requirements

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

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

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

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

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

#### 5. Eligible Bidders

- 5.1. Only Bids of Bidders found to be legally, technically, and financially capable will be evaluated.
- 5.2. Foreign ownership exceeding those allowed under the rules may participate pursuant to:
  - i. When a Treaty or International or Executive Agreement as provided in Section 4 of the RA No. 9184 and its 2016 revised IRR allow foreign bidders to participate;

- ii. Citizens, corporations, or associations of a country, included in the list issued by the GPPB, the laws or regulations of which grant reciprocal rights or privileges to citizens, corporations, or associations of the Philippines;
- iii. When the Goods sought to be procured are not available from local suppliers; or
- iv. When there is a need to prevent situations that defeat competition or restrain trade.
- 5.3. Pursuant to Section 23.4.1.3 of the 2016 revised IRR of RA No. 9184, the Bidder shall have an SLCC that is at least one [1] contract similar to the Project the value of which, adjusted to current prices using the PSA's CPI, must be at least equivalent to:
  - a. 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 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 on the specified date and time through Zoom videoconferencing 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 **three [3] 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.

#### 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, exwarehouse, 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>1</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 **19 July 2023.** Any Bid not accompanied by an acceptable bid security shall be rejected by the Procuring Entity as non-responsive.

#### 15. Sealing and Marking of Bids

Each Bidder shall submit one copy of the first and second components of its Bid.

The Procuring Entity may request additional hard copies and/or electronic copies of the Bid. However, failure of the Bidders to comply with the said request shall not be a ground for disqualification.

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

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

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

#### 17. Opening and Preliminary Examination of Bids

17.1. The BAC shall open the Bids in public at the time, on the date, and at the place specified in paragraph 9 of the **IB**. The Bidders' representatives who are present shall sign a register evidencing their attendance. In case videoconferencing, webcasting or other similar technologies will be used, attendance of participants shall likewise be recorded by the BAC Secretariat.

In case the Bids cannot be opened as scheduled due to justifiable reasons, the rescheduling requirements under Section 29 of the 2016 revised IRR of RA No. 9184 shall prevail.

<sup>&</sup>lt;sup>1</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.

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**

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

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

- 19.1. The Procuring 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 which shall be awarded as one contract.**

19.5. Except for bidders submitting a committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation, all Bids must include the NFCC computation pursuant to Section 23.4.1.4 of the 2016 revised IRR of RA No. 9184, which must be sufficient for the total of the ABCs for all the lots or items participated in by the prospective Bidder. For bidders submitting the committed Line of Credit, it must be at least equal to ten percent (10%) of the ABCs for all the lots or items participated in by the prospective Bidder.

#### 20. Post-Qualification

20.2. Within a non-extendible period of five (5) calendar days from receipt by the Bidder of the notice from the BAC that it submitted the Lowest Calculated Bid, 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

ITB Clause	
5.3	For this purpose, contracts similar to the Project shall be: <i>any contract similar</i> to ICT Equipment.
	Those contracts which involve goods and services of the same nature and complexity as the subject matter of the project being procured ( <i>GPPB Non-Policy Matter No. 159-2017</i> ); and
	Completed within <b>three [3] years</b> prior to the deadline for the submission and receipt of bids.
7.1	Subcontracting is not allowed.
12	No further instruction.
14.1	The bid security shall be in the form of a Bid Securing Declaration, or any of the following forms and amounts:
	a. The amount of not less than <b>PHP 58,400.00</b> , if bid security is in cash, cashier's/manager's check, bank draft/guarantee or irrevocable letter of credit; or
	b. The amount of not less than <b>PHP 146,000.00</b> , if bid security is in Surety Bond.
19.3	The proposed Approved Budget for the Contract of the project: <b>Supply and Delivery of PANP Equipment for The Presidential Communications Office</b> (PCO) (Procurement/Contract No. 2023-PCO-026) is Two Million Nine Hundred Twenty Thousand Pesos (PHP2,920,000.00)
20.2	Within a non-extendible period of five (5) calendar days from receipt by the Bidder of the notice from the BAC that it submitted the Lowest Calculated Bid, the bidder shall submit the following:
	<ul> <li>a. original/physical copies of the technical and legal documents, and financial documents submitted and subjected to preliminary examination during bid opening;</li> </ul>
	<ul> <li>b. latest income and business tax returns filed and paid through the BIR Electronic Filing and Payment System (eFPS); and</li> <li>c. other appropriate licenses and permits required by law and stated in the Bidding Documents and Supplemental/Bid Bulletin.</li> </ul>
21.2	No further instruction.

#### 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

5.1. In order to assure that manufacturing defects shall be corrected by the Supplier, a warranty shall be required from the Supplier as provided under Section 62.1 of the 2016 revised IRR of RA No. 9184. 5.2. The Procuring Entity shall promptly notify the Supplier in writing of any claims arising under this warranty. Upon receipt of such notice, the Supplier shall, repair or replace the defective Goods or parts thereof without cost to the Procuring Entity, pursuant to the Generic Procurement Manual.

#### 6. Liability of the Supplier

The Supplier's liability under this Contract shall be as provided by the laws of the Republic of the Philippines.

If the Supplier is a joint venture, all partners to the joint venture shall be jointly and severally liable to the Procuring Entity.

GCC Clause	
	Delivery and Documents –
1	The delivery terms applicable to this Contract are delivered at the Presidential Communications Main Office located at 7 <sup>th</sup> floor Times Plaza Building, Taft Avenue Corner United Nations Avenue, Ermita, Manila. Risk and title will pass from the Supplier to the PCO upon receipt and final acceptance of the Goods at their final destination.
	Supply and Delivery of the Goods shall be made by the Supplier in accordance with the terms specified in Section VI (Schedule of Requirements).
	For purposes of this Clause, the Procuring Entity's Representatives at the Project Site is:
	ENGR. REGINE F. REDILLA, ECE Engineer, PANP Philippine Administrative Network Project (PANP) Philippine Information Agency 4th floor PIA Building, Visayas Avenue, Vasra, Quezon City Telephone No. (8) 772-7777
	Incidental Services –
	The Supplier is required to provide all services specified in Section VI. Schedule of Requirements.
	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.
2.2	No further instruction.
4	The inspection/tests of the goods shall be done as required under Section VII. Technical Specifications.

#### Section V. Special Conditions of Contract

#### Section VI. Schedule of Requirements

The delivery schedule expressed as calendar days stipulates hereafter a delivery date which is the date of delivery to the project site.

ltem No.	Description	Quantity	Delivery Schedule
1	Supply and Delivery of PANP Equipment for The Presidential Communications Office (PCO) (Procurement / Contract No. 2023-PCO- 026)	1 Lot	Must be completely delivered not later than sixty (60) calendar days from receipt of Notice to Proceed.

Conforme:

Full Name and Signature of Bidder/Authorized Rep.	:
Designation	
Name of Company	:

#### Section VII. Technical Specifications

Bidders must state **"Comply"** in the column **"Statement of Compliance"** against each of the individual parameters of each "Specifications."

	Description	Statement of Compliance
Supply and Del Communications 026)		
	<b>h 48 port, brand new</b> ollowing minimum requirements:	
Description Port:	Brand-new and stackwise 48 x Gigabit Ethernet Network, stackwise	
Height:	at least 1.73"	
Width:	at least 17.5"	
Form Factor:	Rack Mount	
Switch Type:	Managed	
Product Type: Network	Ethernet Switch	
Technology: Switching capacity and	10/100/1000Base-T	
stacking: Total no of MAC	736 Gbps (256 Gbps, 480 Gbps)	
addresses: Multi-cast routing	32,000	
scale: Forwarding Rate	8,000	
with stacking: DRAM and Flash	547 Mpps	
Memory:	8GB, 16GB	
Packet Buffer: No of VLANs	16 MB	
Supported: Support dual redundant power	4,000	
supplies:	Yes	
Fan:	Yes	
Warranty:	at least 1 year Must have a high performance advanced layer 3	
Features	modular switch with virtual switching framework stacking, low latency, resiliency and supports the IEEE 802.1 AVB standard	
Basic Requirement:	<ol> <li>Supply delivery, installation, commissioning, 8*5 phone, Email, On-site Support/Technical assistance and Knowledge Transfer.</li> </ol>	

	2. The proposed core switches should have full	
Itom 2 Accoss Su	vitch 24 port, brand new	
	following minimum requirements:	
Qty: Two (2)	<u>.</u>	
Dort	24 x Gigabit Ethernet Network, 4*1G SFP	
Port: Switching capacity		
Forwarding Rate	41 Mpps or higher	
Form Factor:	Rack Mount	
Switch Type:	Managed	
Product Type:	Ethernet Switch	
Network Technolog		
Interface:	Web based GUI	
warranty:	at least 1 Year	
Defense Mechanis	ARP, port security, Time-based ACL m: and rate limit based to block unauthorized devices, DOS, STP	
Others:	provides protection against loops by transmitting loop protocol packets out of ports to prevent network faults caused by loops generated by the connection of unauthorized devices	
Support:	8*5 phone,email, chat support and Knowledge Transfer.	
	vitch 48 port, brand new following minimum requirements:	
	Description	
Port: Switching	48 x Gigabit Ethernet Network, 4*1G SFP	
capacity	104 Gbps or better	
Forwarding Rate	77 Mpps	
Buffer size:	1.5 MB or higher	
Form Factor:	Rack Mount	
Switch Type:	Managed	

		1
Product Type: Network	Ethernet Switch	
Technology:	10/100/1000Base-T	
Interface:	Web based GUI	
warranty:	at least 1 Year	
Security:	ARP, IP Source Guard, Mac/Port and IP Binding, port security , Time-based ACL, rate limit based to block unauthorized devices , DOS, STP	
Loopback Detection	provides protection against loops by transmitting loop protocol packets out of ports to prevent network faults caused by loops generated by the connection of unauthorized devices	
Support:	8*5 phone,email, chat support and Knowledge Transfer.	
Others:	Must be the same brand with the 24-port	
Complies with the t Qty: Two (2) units	otible Power Supply (UPS), brand new following minimum requirements:	
Rating: Form Factor:	1KVA Rack Mount or Tower Type	
Technology:	Monitors power conditions and regulates voltage and frequency to protect Equipment	
Output Voltage:	220/230/240V	
Input frequency rai	nge: 40Hz-70Hz, 50/60 Hz	
Operating tempera	ture: 0 to 40°C	
Noise level:	<37 dB or <40 @ typical load 1 USB port 1 RS232 serial port	
Warranty:	Immunication Ports:1 USB port,1 RS232 serial portranty:at least 1 year	

Item 5. ICT Softwa	re			
Complies with the fo	ollowing mini	mum requirements:		
Qty: 1 Lot Windows Server Software (Latest)		Must be compatible HP Proliant DL180 G Xeon Processor E5- Ghz/6-core)/64GB S	69 8SFF Intel 2609V3 (1.90	
		Must be compatible audio server softwar		
		Device/User CAL Running Apps: IceCast, XAMPP CC v3.2.1	ontrol Panel	
hardware and servi	ce warranty	at least 1 year		
Item 6. Tools and I Complies with the fo	•			
	Descripti	•	QTY	
	Cat 5e 30		2	
	RJ45 con	nector /pc	1000	
		nector/ pc	200	
		nector/ pc	100	
	RJ9 conn		100	
		oots Red-500 pcs oots Blue-500 pcs	1	
	Battery 9	V/pc	5	
	rechargea	able Flashlight/pc	2	
Cables, Boots, Connectors and	rubber ta	pe/pc	10	
other materials	electrical	-	10	
	Safety Gl	oves (electrical)/ pair .ocking Stainless	10	
		Cable Tie back) Size: n	2	
		l Label Printer with label printer	1	
	Paint with	n Primer for metal (color white) , Brush	2	
Soldering soldering Soldering iron kit welding to temperate		g iron kit, 60W gun, solder iron kit ool, adjustable ure from 200 to soldering iron tips,	1	

		-	
	solder wire(3 rolls), solder		
	paste (1 pc), sponge for soldering and repair, silicon		
	paste (1 pc)		
	RJ45 Crimping Tool Kit Ethernet Crimp Tool Set, RJ-		
	11(6P4C), RJ-12 (6P6C),		
	8P/RJ-45 (8P8C), RJ9(4P4C)		
	Crimp, Cut and Strip Tool,		
Crimping tool Kit	All-in-one Multi-Tool for 2 Network Telephone Cat5		
	Cat5e Cat6 Cat6A Modular		
	Connector Plug Cables with		
	heavy duty wire cutters and		
	strippers (Scissor) Universal Type,Ratchet		
Crimper Tools for	Coax Crimper Tool for RF 2		
RF Connector	connector RG9, RG214		
Item 7. IP Phone, bra			
•	lowing minimum requirements:		
QTY: Ten (10) units			
	Description		
	Description		
Interface:	Gigabit Ethernet (10/100/1000)		
Mount:	Stand, wall-mount		
Supports POE:	Yes		
Features	Able to hold, Transfer, conference		
	Full Duplex speakerphone		
Others:	PoE Class (IEEE 802.3af) registers as class		
	1 device and supports 802.3az		
	no End-point license required. This will replace old and defective unit.		
	Must be compatible with the existing IPPBX:		
	Avaya		
Color:	Black		
Warranty:	ranty: at least 1 year		
Item 8. Analog Telep	-		
	lowing minimum requirements:		
QTY: Five (5) units			
	Description		
Color:	Black		
Color. Caller ID:	Yes		
-	Corded		
Phone Type:	-		
Power source:			
Ringer Volume Contr	ol: Off/Low/High		

	No third party End-point license	
	required. This will replace old and	
others:	defective unit	
warranty:	at least 1 year	
Item 9. Data Cabinet, brand n	ew	
Complies with the following mir	imum requirements:	
QTY: One (1) unit		
	Description	
	Floor Mounted Data Cabinet,	
	600mm W x 800mm D x	
Dimension:	7ftH/42U	
Cage nuts	32 pcs or more	
Exhaus Fan	4 pcs	
	Power Strip Socket with 8*3-	
	pronged convenient outlets or	
PDU:	higher	
	Powder Coated Textured Black	
Color:	Finished or better	
Others:	Plexiglass Front Door with lock &	
	Vented Back Door with Lock	
	2-vented side panels with lock &	
	louvers	
	with 4 sets adjustable Feet &	
	heavy duty castor wheels	
	rear vertical cable manager with 14 pcs rings	

Conforme:

Full Name and Signature of Bidder/Authorized Rep.	:
Designation	:
Name of Company	:

## Section VIII. Checklist of Technical and Financial Documents I. TECHNICAL COMPONENT ENVELOPE

#### Class "A" Documents

#### <u>Legal Document</u>

(a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages);

#### Technical Documents

- (b) 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**
- (c) 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; <u>and</u>
- (d) Original copy of Bid Security. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission; <u>or</u> Original copy of Notarized Bid Securing Declaration; <u>and</u>
- (e) Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or after-sales/parts, if applicable; **and**
- (f) 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

(g) The prospective bidder's computation of Net Financial Contracting Capacity (NFCC);

<u>or</u>

A committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation.

#### Class "B" Documents

(h) If applicable, a duly signed joint venture agreement (JVA) in case the joint venture is already in existence;

or

duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful.

#### II. FINANCIAL COMPONENT ENVELOPE

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



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