



**PHILIPPINE BIDDING
DOCUMENTS
(As Harmonized with Development Partners)**

Procure

Preface

These Philippine Bidding Documents (PBDs) for the procurement of Goods through Competitive Bidding have been prepared by the Government of the Philippines for use by any branch, constitutional commission or office, agency, department, bureau, office, or instrumentality of the Government of the Philippines, National Government Agencies, including Government-Owned or Controlled Corporations, Government Financing Institutions, State Universities and Colleges, and Local Government Unit. The procedures and practices presented in this document have been developed through broad experience, and are for mandatory use in projects that are financed in whole or in part by the Government of the

- d The cover should be modified as required to identify the Bidding Documents as to the Procurement Project, Project Identification Number, and Procuring Entity, in addition to the date of issue**
- e Modifications for specific Procurement Project details should be provided in the Special Conditions of Contract as amendments to the Conditions of Contract. For easy completion, whenever reference has to be made to specific clauses in**

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DIT – Department of Trade and Industry.

EXW – Exworks

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 international financing institutions

Section I. Invitation to Bid

Notes on the Invitation to Bid

The Invitation to Bid (ITB) provides information that enables potential Bidders to decide whether to participate in the procurement at hand. The ITB shall be posted in accordance with Section 21.2 of the 2016 Revised IRR of RA No. 9184.

Apart from the essential items listed in the Bidding Documents, the ITB should also indicate the following:

- a. The availability of funds for the project in Manila.

CAVITE STATE UNIVERSITY
Don Severino de las Alas Campus

Supply and Delivery of HRM Hot and Cold Equipment – Negotiated Procurement

The Cavite State University, through the corporate budget for the contract, intends to apply the sum of One Million Pesos (1,000,000.00) being the ABC to payments under the contract for Supply and Delivery of HRM Hot and Cold Equipment – Negotiated Procurement . Bids received in excess of the ABC shall be automatically rejected at bid opening

7 All Bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in ITB Clause 14

8 Bid opening shall be on December 28, 2022, 1:00pm at CSU-HostQ ~ 10b

Section II. Instructions to Bidders

Notes on the Instructions to Bidders

1. Scope of Bid

The Procuring Entity, Cavite State University wishes to receive Bids for the Supply and Delivery of HRM Hot and Cold Equipment – Negotiated Procurement with identification number 22G-024

The Procurement Project (referred to herein as “Project”) is composed of one (1) Lot the details of which are described in Section VII (Technical Specifications).

2. Funding Information

21. The GOP through the source of funding as indicated below for corporate budget for the contract approved by the governing board, in the amount of One Million Pesos (1,000,000.00).

22. The source of funding is

a. GOCC and GFIs, the Corporate Operating Budget

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

5 Eligible Bidders

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

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a 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 acourty, 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 supplies; or

iv When there is a need to prevent situations that defeat competition or restraint trade

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

53 Pursuant to Section 2341.3 of the 2016 revised IRR of RA No 9184, the Bidder shall have an SLCC that is at least one (1) contract similar to the Project the value of which, adjusted to current prices using the PSA's CPI, must be at least equivalent to

a For the procurement of Non-expendable Supplies and Services: The Bidder must have completed a single contract that is similar to this Project, equivalent to at least fifty percent (50%) of the ABC.

b For the procurement of Expendable Supplies: The Bidder must have completed a single contract that is similar to this Project, equivalent to at least twenty-five percent (25%) of the ABC.

c For procurement where the Procuring Entity has determined, after the conduct of market research, that imposition of either (a) or (b) will likely result to failure of bidding or non-comply that will defeat the purpose of public bidding, the Bidders should comply with the following requirements

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14 Bid Security

14.1 The Bidder shall submit a Bid Securing Deduction?

18 Domestic Preference

- 181. 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

- 191. The Procuring BAC shall immediately conduct a detailed evaluation of all Bids rated “ ”, using nondiscretionary pass/fail criteria. The BAC shall consider the cumulative evaluation of Bids under Section 32.2 of the 2016 revised IRR of RA No 9184.**
- 192. If the Project allows partial bids, bidders may submit a proposal on any of the lots or items, and evaluation will be conducted on a lot or item basis, as the case may be. In this case, the Bid Security as required by ITB Clause 15 shall be submitted for each lot or item separately.**
- 193. 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**

Agreement, the LCB shall likewise submit the required documents for final Post Qualification}

21. Signing of the Contract

21.1 The documents required in Section 372 of the 2016 revised IRR of RA No 9184 shall form part of the Contract. Additional Contract documents are indicated in the BDS.

Notes on the Bid Data Sheet

The Bid Data Sheet (BDS) consists of provisions that supplement, amend, or specify in detail, information, or requirements included in the IIB found in Section II, which are

Section IV. General Conditions of Contract

Notes on the General Conditions of Contract

The General Conditions of Contract (GCC) in this Section, read in conjunction with the Special Conditions of Contract in Section V and other documents listed therein, should be a complete document expressing all the rights and obligations of the parties

Matters governing performance of the Supplier; payments under the contract; or matters affecting the risks, rights, and obligations of the parties under the contract are included in the GCC and Special Conditions of Contract

Any complementary information, which may be needed, shall be introduced only through the Special 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

5 Warranty

61 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 621 of the 2016 revised IRR of RA No 9184

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Section V. Special Conditions of Contract

Notes on the Special Conditions of Contract

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

The Special Conditions of Contract (SCC) complement the GCC, specifying contractual requirements linked to the special circumstances of the Procuring Entity, the Procuring Entity's country, the sector, and the Goods purchased. In preparing this Section, the following aspects should be checked:

- a Information that complements provisions of the GCC must be incorporated**
- b Amendments and/or supplements to provisions of the GCC as necessitated by the circumstances of the specific purchase, must also be incorporated**

Where the Supplier is required under Contract to deliver the Goods CIF, CIP, or DDP, transport of the Goods to the port of destination or such other named place of destination in the Philippines, as shall be specified in this Contract, shall be arranged and paid for by the Supplier; and the cost thereof shall be included in the Contract Price

Where the Supplier is required under this Contract to transport the Goods to a specified place of destination within the Philippines, defined as the Project Site,

When the Supplier is required under Contract to deliver the Goods CIF, CIP or DDP, Goods are to be transported on carriers of Philippine registry. In the event that no carrier of Philippine registry is available, Goods may be shipped by a carrier which is not of Philippine registry provided that the Supplier obtains and presents to the Procuring Entity certification to this effect from the nearest Philippine consulate to the port of dispatch. In the event that carriers of Philippine registry are available but their schedule delays the Supplier in its performance of this Contract the period from when the Goods were first ready for shipment and the actual date of shipment the period of delay will be considered force majeure.

The Procuring Entity accepts liability for the damage of Goods during transit other than those prescribed by INCOTERMS for DDP deliveries. In the case of Goods supplied from within the Philippines or supplied by domestic Suppliers risk and title will not be deemed to have passed to the Procuring Entity until their receipt and final acceptance at the final destination.

Intellectual Property Rights –

The Supplier shall indemnify the Procuring Entity against all third party claims of infringement of patent, trademark, or industrial design rights arising from use of the Goods or any part thereof.

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“The terms of payment shall be as follows

_____.”

When appropriate, drawings including site plans as required, may be furnished

**Please see separate sheets for the
specification requirements**

Section VIII. Checklist of Technical and Financial Documents

Notes on the Checklist of Technical and Financial Documents

The prescribed documents in the checklist are mandatory to be submitted in the Bid, but shall be subject to the following

- a GPPB Resolution No 092020 on the efficient procurement measures during a State of Calamity or other similar issuances that shall allow the use of alternate documents in lieu of the mandated requirements; or**
- b Any subsequent GPPB issuances adjusting the documentary requirements after the effectivity of the adoption of the PBDs**

Checklist of Technical and Financial Documents

I. TECHNICAL COMPONENT ENVELOPE

Class "A" Documents

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- (a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages) in accordance with Section 852 of the IRR;
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- (b) Statement of the prospective bidder of all its ongoing government and private contracts, including contracts awarded but not yet stated, 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 2341.3 and 2342.4 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 Certificate

governed

