

## ADVISORY

### NEGOTIATED PROCUREMENT FOR THE CONSTRUCTION OF FIT-OUT AND OTHER WORKS-TO-COMPLETE OF THE PHILIPPINE STATISTICS AUTHORITY (PSA) 23-STOREY BUILDING

Queries/Clarification	Responses of the BAC-TWG
<p>The bidder would like to confirm the Project Identification Number of this project. In addition, will PSA require the Project Identification Number to be indicated in these documents:</p> <ol style="list-style-type: none"> <li>1. Bid Securing Declaration;</li> <li>2. Bid form</li> </ol>	<p>The Secretariat answered that bidders are not required to identify/indicate the Project Identification Number in the bidding documents.</p>
<p>On Key Personnel to be assigned to the project:</p> <p>Are Bidders/Contractors allowed to have an overlapping on the proposed manpower for this project?</p>	<p>No. The Bidders/ Contractors are not allowed to have an overlapping on the proposed manpower/key personnel for the project.</p>
<p>On Section VII – Prescribe Forms:</p> <p>Regarding the submission of bids, are the bidders required to submit the contract agreement form as indicated in the PBD. Although, this document was not listed in the checklist of requirements.</p>	<p>No. Contract Agreement is only required when the contract is awarded to the winning bidder.</p>
<p>The bidder raised concern regarding the conformity to Section II – Schedule of Delivery and Section III. Terms of Reference (TOR) as this document was not required during the previous two (2) biddings. The bidder told the Committee that those documents may be required for procurement of goods but not for procurement of infrastructure projects.</p>	<p>The Secretariat explained that the BAC requires the bidder's statement of compliance to the TOR and Schedule of Delivery. Bidders may append the TOR. Bidders to certify and commit compliance to the TOR.</p>



<p>The bidder reiterated to the BAC if they require those above-mentioned documents to be submitted during bid submission.</p>	
<p>On Section VII. Prescribed Bidding Forms.</p> <p>The bidder clarified regarding the Bid Form:</p> <p><i>d. The discounts offered and the methodology for their application are: [insert information];</i></p> <p><i>How about what document is needed "insert information"?</i></p>	<p>The Secretariat answered that the BAC-TWG will go back to the previous offer of the winning bidder and check on this item if this will be applicable and amenable for the winning bidder. The Secretariat added that this concern raised by the bidder is during the contract negotiation.</p> <p>The Secretariat reiterated that this information will be discussed during the contract negotiation.</p>
<p>On Section I – Invitation to Bid</p> <p><u>7. Bidders who have been disqualified from the previous biddings due to "Conflict of Interest"</u>, submission of bids containing erroneous/false information, and those who may have committed any offense or violation listed under Sanctions and Grounds for Blacklisting as stated in Section 4, Appendix 17 of the 2016 IRR of RA 9184 as well as those who may have been involved in coercive, collusive, corrupt, and/or fraudulent practices as defined in the 2016 IRR of RA 9184 will not be allowed to participate the Negotiated Procurement at hand.</p> <p>Is/are there other bidder/s, apart from Tokwing Construction Corporation (TCC), who was/were disqualified in this project?</p>	<p>The Secretariat answered in the affirmative.</p> <p>The Secretariat added that if the disqualification was due to conflict of interest, following the provision on said item, those previous bidders can no longer participate in this project.</p> <p>There was a bidder who was disqualified during the Rebidding stage due to conflict of interest.</p>

<p>On Section I – Invitation to Bid</p> <p>7. Bidders who have been disqualified from the previous biddings due to “Conflict of Interest”, submission of bids containing erroneous/false information, and those who may have committed any offense or violation listed under Sanctions and Grounds for Blacklisting as stated in Section 4, Appendix 17 of the 2016 IRR of RA 9184 <u>as well as those who may have been involved in coercive, collusive, corrupt, and/or fraudulent practices as defined in the 2016 IRR of RA 9184 will not be allowed to participate the Negotiated Procurement at hand.</u></p> <p>Will this provision include contractors with ongoing litigation or pending case with the local government and/or government institution?</p>	<p>The Secretariat answered that this will be subject to evaluation/validation/ verification.</p>
<p>On SLCC, will PSA accept a combination of fit-out and construction?</p>	<p>The Secretariat answered that the bidder should submit a single contract. The Secretariat added that the contract similar to the project refers to contracts that have the same major categories on the Scope of Works indicated in the Section III. Terms of Reference, Item No. III.</p>
<p>On Philippine Contractors Accreditation Board (PCAB) should be License Category AAA – Size Range Large B;</p> <p>Will PSA accept PCAB License Category AA with more than 20 years of fit-out experience?</p>	<p>The BAC-TWG retained the PCAB requirement.</p>
<p>The bidder clarified if the PSA allowed participating bidders with Joint Venture?</p>	<p>The Secretariat answered in the affirmative.</p>
<p>Section I – Invitation to bidder</p> <p>The bidder requested for extension of the deadline of submission of bids.</p>	<p>The Secretariat answered that there will be no extension for the submission of bids for this project.</p>

<p>The bidder sought clarification as to which category will the SLCC for fit-out belong. The bidder opines that PCAB does not have any category for fit-out—it could fall under general construction.</p>	<p>The BAC-TWG answered that the PCAB License Category AAA – Size Range Large B pertains to General Construction. However, the SLCC should pertain only to fit-out construction but not residential, condominium since those are vertical construction including major structural components. The SLCC should be similar to the major category of works stated on Section III. Terms of Reference, Item No. III.</p> <p>The Secretariat clarified that the contract pertains only to construction of fit-out.</p>
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For the guidance of all concerned.