

# **PHILIPPINE BIDDING DOCUMENTS**

## **PROCUREMENT OF DESIGN AND BUILD SCHEME FOR THE ARCHITECTURAL AND ENGINEERING (A&E) DESIGN OF FIT-OUT AND LANDSCAPE WORKS AND CONSTRUCTION OF ESSENTIAL MEFPS AND OTHER SUPPORTING CIVIL WORKS FOR THE TWENTY-THREE (23) STOREY PHILIPPINE STATISTICS AUTHORITY (PSA) OFFICE BUILDING WITH COVERED ROOF DECK**

PHILIPPINE STATISTICS AUTHORITY

Public Bidding No. 2020-11

**Sixth Edition  
July 2020**

# Preface

These Philippine Bidding Documents (PBDs) for the procurement of Infrastructure Projects (herein after referred to also as the “Works”) through Competitive Bidding have been prepared by the Government of the Philippines for use by all branches, agencies, departments, bureaus, offices, or instrumentalities of the government, including government-owned and/or -controlled corporations, government financial institutions, state universities and colleges, local government units, and autonomous regional government. 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 Philippines or any foreign government/foreign or international financing institution in accordance with the provisions of the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184.

The PBDs are intended as a model for admeasurements (unit prices or unit rates in a bill of quantities) types of contract, which are the most common in Works contracting.

The Bidding Documents shall clearly and adequately define, among others: (i) the objectives, scope, and expected outputs and/or results of the proposed contract; (ii) the eligibility requirements of Bidders; (iii) the expected contract duration; and (iv) the obligations, duties, and/or functions of the winning Bidder.

Care should be taken to check the relevance of the provisions of the PBDs against the requirements of the specific Works to be procured. If duplication of a subject is inevitable in other sections of the document prepared by the Procuring Entity, care must be exercised to avoid contradictions between clauses dealing with the same matter.

Moreover, each section is prepared with notes intended only as information for the Procuring Entity or the person drafting the Bidding Documents. They shall not be included in the final documents. The following general directions should be observed when using the documents:

- a. All the documents listed in the Table of Contents are normally required for the procurement of Infrastructure Projects. However, they should be adapted as necessary to the circumstances of the particular Project.
- b. Specific details, such as the “*name of the Procuring Entity*” and “*address for bid submission*,” should be furnished in the Instructions to Bidders, Bid Data Sheet, and Special Conditions of Contract. The final documents should contain neither blank spaces nor options.
- c. This Preface and the footnotes or notes in italics included in the Invitation to Bid, BDS, General Conditions of Contract, Special Conditions of Contract, Specifications, Drawings, and Bill of Quantities are not part of the text of the final document, although they contain instructions that the Procuring Entity should strictly follow.
- d. The cover should be modified as required to identify the Bidding Documents as to the names of the Project, Contract, and Procuring Entity, in addition to 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 the Bid Data Sheet or Special Conditions of Contract, these terms shall be printed in bold typeface on Sections I (Instructions to Bidders) and III (General Conditions of Contract), respectively.
- f. For guidelines on the use of Bidding Forms and the procurement of Foreign-Assisted Projects, these will be covered by a separate issuance of the Government Procurement Policy Board.

# TABLE OF CONTENTS

<b>Glossary of Terms, Abbreviations, and Acronyms.....</b>	<b>5</b>
<b>Section I. Invitation to Bid .....</b>	<b>8</b>
<b>Section II. Instructions to Bidders.....</b>	<b>12</b>
1. Scope of Bid.....	13
2. Funding Information .....	13
3. Bidding Requirements.....	13
4. Corrupt, Fraudulent, Collusive, Coercive, and Obstructive Practices .....	13
5. Eligible Bidders.....	14
6. Origin of Associated Goods .....	14
7. Subcontracts .....	14
8. Pre-Bid Conference.....	15
9. Clarification and Amendment of Bidding Documents.....	15
10. Documents Comprising the Bid: Eligibility and Technical Components.....	15
11. Documents Comprising the Bid: Financial Component .....	16
12. Alternative Bids .....	16
13. Bid Prices .....	16
14. Bid and Payment Currencies.....	16
15. Bid Security.....	17
16. Sealing and Marking of Bids.....	17
17. Deadline for Submission of Bids .....	18
18. Opening and Preliminary Examination of Bids .....	18
19. Detailed Evaluation and Comparison of Bids.....	18
20. Post Qualification.....	18
21. Signing of the Contract .....	19
<b>Section III. Bid Data Sheet.....</b>	<b>20</b>
<b>Section IV. General Conditions of Contract .....</b>	<b>36</b>
1. Scope of Contract.....	37
2. Sectional Completion of Works .....	37
3. Possession of Site.....	37
4. The Contractor’s Obligations.....	37
5. Performance Security .....	38
6. Site Investigation Reports .....	38

7.	Warranty.....	38
8.	Liability of the Contractor.....	38
9.	Termination for Other Causes.....	38
10.	Dayworks .....	39
11.	Program of Work.....	39
12.	Instructions, Inspections and Audits .....	39
13.	Advance Payment.....	39
14.	Progress Payments .....	39
15.	Operating and Maintenance Manuals.....	40
<b>Section V. Special Conditions of Contract.....</b>		<b>41</b>
<b>Section VI. Specifications .....</b>		<b>44</b>
<b>Section VII. Drawings.....</b>		<b>46</b>
<b>Section VIII. Bill of Quantities .....</b>		<b>47</b>
<b>Section IX. Checklist of Technical and Financial Documents.....</b>		<b>44</b>

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

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

**ARCC** – Allowable Range of Contract Cost.

**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.

**CDA** – Cooperative Development Authority.

**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])

**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.

**Contractor** – is a natural or juridical entity whose proposal was accepted by the Procuring Entity and to whom the Contract to execute the Work was awarded. Contractor as used in these Bidding Documents may likewise refer to a supplier, distributor, manufacturer, or consultant.

**CPI** – Consumer Price Index.

**DOLE** – Department of Labor and Employment.

**DTI** – Department of Trade and Industry.

**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]).

**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.

**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.

**PCAB** – Philippine Contractors Accreditation Board.

**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.

**UN** – United Nations.



## ***Section I. Invitation to Bid***

### **Notes on the Invitation to Bid**

The Invitation to Bid (IB) provides information that enables potential Bidders to decide whether to participate in the procurement at hand. The IB 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 IB should also indicate the following:

- a. The date of availability of the Bidding Documents, which shall be from the time the IB is first advertised/posted until the deadline for the submission and receipt of bids;
- b. The place where the Bidding Documents may be acquired or the website where it may be downloaded;
- c. The deadline for the submission and receipt of bids; and
- d. Any important bid evaluation criteria.

The IB should be incorporated into the Bidding Documents. The information contained in the IB must conform to the Bidding Documents and in particular to the relevant information in the Bid Data Sheet.



REPUBLIC OF THE PHILIPPINES

## PHILIPPINE STATISTICS AUTHORITY

PSA COMPLEX, EAST AVENUE, DILIMAN, QUEZON CITY

### **Invitation to Bid for Procurement of Design and Build Services for the Architectural and Engineering (A&E) Design of Fit-Out and Landscape Works and Construction of Essential MEFPS and other Supporting Civil Works for the Twenty-Three (23) Storey Philippine Statistics Authority (PSA) Office Building with Covered Roof Deck**

1. The **Philippine Statistics Authority**, through the GAA FY 2020 intends to apply the sum of Three Hundred Sixteen Million Pesos (₱316,000,000.00) being the Approved Budget for the Contract (ABC) to payments under the contract for **Procurement of Design and Build Scheme for the Architectural and Engineering (A&E) Design of Fit-out and Landscape Works and Construction of Essential Mechanical, Electrical (Data Conduit), Fire Protection, Sanitary (MEFPS) and other Supporting Civil Works for the Twenty-Three (23) Storey Philippine Statistics Authority (PSA) Office Building with Covered Roof Deck**. Bids received in excess of the ABC shall be automatically rejected at bid opening.
2. The Philippine Statistics Authority (PSA) now invites bids for the project below. Completion of the Works is required. Bidders should have completed 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).

2.1 Project Reference No. / Contract ID	:	2020-11
2.2 Approved Budget for the Contract:	:	₱316,000,000.00
2.3 Contract Name:	:	Design-and-Build Services for the Architectural and Engineering (A&E) Design of Fit-Out and Landscape Works and Construction of Essential Mechanical, Electrical (Data Conduit), Fire Protection, Sanitary (MEFPS) and other Supporting Civil Works for the Twenty-Three (23) Storey Philippine Statistics Authority (PSA) Office Building with Covered Roof Deck.
2.4 Calendar Days	:	Three Hundred Fourteen (314) Calendar Days

2.4.1 Architectural and Engineering (A&E) Design of Fit-out and Landscape Works : One Hundred Ten (110) Calendar Days

2.4.2 Construction of essential MEFPS and other Supporting Civil Works : Two Hundred Fourteen (214) Calendar Days

3. Bidding will be conducted through open competitive bidding procedures using non-discretionary “*pass/fail*” criterion as specified in the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184.
4. Interested bidders may obtain further information from Philippine Statistics Authority and inspect the Bidding Documents at the address given below from Monday – Friday at 8:00am – 5:00pm.
5. A complete set of Bidding Documents may be acquired by interested bidders on **22 October 2020** from given address and website/s 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 ₱50,000.00. The Procuring Entity shall allow the bidder to present its proof of payment for the fees to be presented in person
6. The Philippine Statistics Authority will hold a Pre-Bid Conference<sup>1</sup> on **30 October 2020; 1:30PM** at 17<sup>th</sup> Floor, Cyberpod Centris Three, Eton Centris, EDSA, Diliman, Quezon City and/or through video conferencing/webcasting via webex/zoom, which shall be open to prospective bidders and site inspection on **03 November 2020** on the project site.
7. Bids must be duly received by the BAC Secretariat through manual submission at the office address as indicated below on or before **11 November 2020; 1:30PM**. 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 16.
9. Bid opening shall be on **11 November 2020, 2:00PM** at the given address below and/or through webex/zoom. Bids will be opened in the presence of the bidders’ representatives who choose to attend the activity.
10. The Philippine Statistics Authority 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 Implementing Rules and Regulations (IRR) of RA No. 9184, without thereby incurring any liability to the affected bidder or bidders.
11. For further information, please refer to:

---

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

**Joseph P. Cajita**  
*Chair, BAC Secretariat*  
*11<sup>th</sup> Floor, Cyberpod Centris One,*  
*Eton Centris, EDSA, Diliman, Quezon City*  
*Telephone No.: (02) 3748270*  
**[bac-secretariat@psa.gov.ph](mailto:bac-secretariat@psa.gov.ph) / [bacsecretariat.psa@gmail.com](mailto:bacsecretariat.psa@gmail.com)**

12. You may visit the following websites:

For downloading of Bidding Documents: PhilGEPS or [www.psaprocurement.gov.ph](http://www.psaprocurement.gov.ph)

**(Sgd.)**  
**MINERVA ELOISA P. ESQUIVIAS**  
(OIC) Deputy National Statistician  
Census & Technical Coordination Office  
Chairperson-Bids & Awards Committee

## ***Section II. Instructions to Bidders***

### **Notes on the Instructions to Bidders**

This Section on the Instruction to Bidders (ITB) provides the information necessary for bidders to prepare responsive bids, in accordance with the requirements of the Procuring Entity. It also provides information on bid submission, eligibility check, opening and evaluation of bids, post-qualification, and on the award of contract.

## 1. **Scope of Bid**

The Procuring Entity, Philippine Statistics Authority invites Bids for the **Procurement of Design and Build Scheme for the Architectural and Engineering (A&E) Design of Fit-out and Landscape Works and Construction of Essential Mechanical, Electrical (Data Conduit), Fire Protection, Sanitary (MEFPS) and other Supporting Civil Works for the Twenty-Three (23) Storey Philippine Statistics Authority (PSA) Office Building with Covered Roof Deck**, with Project Identification Number *2020-11*.

The Procurement Project (referred to herein as “Project”) is for the construction of Works, as described in Section VI (Terms of Reference).

## 2. **Funding Information**

2.1. The GOP through the source of funding as indicated below for GAA FY 2020 in the amount of **Three Hundred Sixteen Million Pesos (₱316,000,000.00)**.

2.2. The source of funding is **GAA FY 2020**.

## 3. **Bidding Requirements**

The Bidding for the Project shall be governed by all the provisions of RA No. 9184 and its 2016 revised IRR, including its Generic Procurement Manual 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 invitation to bid 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 inspected the site, determined the general characteristics of the contracted Works and the conditions for this Project, such as the location and the nature of the work; (b) climatic conditions; (c) transportation facilities; (c) nature and condition of the terrain, geological conditions at the site communication facilities, requirements, location and availability of construction aggregates and other materials, labor, water, electric power and access roads; and (d) 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, Coercive, and Obstructive Practices**

The Procuring Entity, as well as the Bidders and Contractors, 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. The Bidder must have an experience of having completed a Single Largest Completed Contract (SLCC) that is similar to this Project, equivalent to at least fifty percent (50%) of the ABC adjusted, if necessary, by the Bidder to current prices using the PSA's CPI, except under conditions provided for in Section 23.4.2.4 of the 2016 revised IRR of RA No. 9184.  
  
A contract is considered to be "similar" to the contract to be bid if it has the major categories of work stated in the **BDS**.
- 5.3. For Foreign-funded Procurement, the Procuring Entity and the foreign government/foreign or international financing institution may agree on another track record requirement, as specified in the Bidding Document prepared for this purpose.
- 5.4. The Bidders shall comply with the eligibility criteria under Section 23.4.2 of the 2016 IRR of RA No. 9184.

## 6. Origin of Associated 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.

## 7. Subcontracts

- 7.1. The Bidder may subcontract portions of the Project to the extent allowed by the Procuring Entity as stated herein, but in no case more than fifty percent (50%) of the Project.

The Procuring Entity has prescribed that:

- a. Subcontracting is allowed. The portions of Project and the maximum percentage allowed to be subcontracted are indicated in the **BDS**, which shall not exceed fifty percent (50%) of the contracted Works.
- 7.1. The Bidder must submit together with its Bid the documentary requirements of the subcontractor(s) complying with the eligibility criteria stated in **ITB** Clause 5 in accordance with Section 23.4 of the 2016 revised IRR of RA No. 9184 pursuant to Section 23.1 thereof.
  - 7.2. The Supplier may identify its subcontractor during the contract implementation stage. Subcontractors identified during the bidding may be changed during the implementation of this Contract. Subcontractors must submit the documentary requirements under Section 23.1 of the 2016 revised

IRR of RA No. 9184 and comply with the eligibility criteria specified in **ITB** Clause 5 to the implementing or end-user unit.

- 7.3. Subcontracting of any portion of the Project does not relieve the Contractor of any liability or obligation under the Contract. The Supplier will be responsible for the acts, defaults, and negligence of any subcontractor, its agents, servants, or workmen as fully as if these were the Contractor's own acts, defaults, or negligence, or those of its agents, servants, or workmen.

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

The Procuring Entity will hold a pre-bid conference for this Project on the specified date and time and either at its physical address at 17<sup>th</sup> Floor, Cyberpod Centris Three, Eton Centris, EDSA, Diliman, Quezon City and/or through videoconferencing/webcasting 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 IX. Checklist of Technical and Financial Documents**.
- 10.2. 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. 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.
- 10.3. A valid PCAB License is required, and in case of joint ventures, a valid special PCAB License, and registration for the type and cost of the contract for this Project. Any additional type of Contractor license or permit shall be indicated in the **BDS**.
- 10.4. A List of Contractor's key personnel (e.g., Project Manager, Project Engineers, Materials Engineers, and Foremen) assigned to the contract to be bid, with their complete qualification and experience data shall be provided.



These key personnel must meet the required minimum years of experience set in the **BDS**.

- 10.5. A List of Contractor's major equipment units, which are owned, leased, and/or under purchase agreements, supported by proof of ownership, certification of availability of equipment from the equipment lessor/vendor for the duration of the project, as the case may be, must meet the minimum requirements for the contract set in the **BDS**.

## **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 IX. Checklist of Technical and Financial Documents**.
- 11.2. Any bid exceeding the ABC indicated in paragraph 1 of the **IB** shall not be accepted.
- 11.3. For Foreign-funded procurement, a ceiling may be applied to bid prices provided the conditions are met under Section 31.2 of the 2016 revised IRR of RA No. 9184.

## **12. Alternative Bids**

Bidders shall submit offers that comply with the requirements of the Bidding Documents, including the basic technical design as indicated in the drawings and specifications. Unless there is a value engineering clause in the **BDS**, alternative Bids shall not be accepted.

## **13. Bid Prices**

All bid prices for the given scope of work in the Project as awarded shall be considered as fixed prices, and therefore not subject to price escalation during contract implementation, except under extraordinary circumstances as determined by the NEDA and approved by the GPPB pursuant to the revised Guidelines for Contract Price Escalation guidelines.

## **14. Bid and Payment Currencies**

- 14.1. 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.
- 14.2. Payment of the contract price shall be made in Philippine Peso.

## 15. Bid Security

15.1. The Bidder shall submit a Bid Securing Declaration 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**.

Form of Bid Security	Amount of Bid Security (Not less than the Percentage of the ABC)
a) Cash or cashier's/manager's check issued by a Universal or Commercial Bank.	Two percent (2%)
b) Bank draft/guarantee or irrevocable letter of credit issued by a Universal or Commercial Bank: Provided, however, that it shall be confirmed or authenticated by a Universal or Commercial Bank, if issued by a foreign bank.	
c) Surety bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security.	Five percent (5%)

15.2. The Bid and bid security shall be valid for the period specified in the **BDS**. Any bid not accompanied by an acceptable bid security shall be rejected by the Procuring Entity as non-responsive.

## 16. 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 to the given website 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.

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

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**.

## **18. Opening and Preliminary Examination of Bids**

- 18.1. 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.

- 18.2. The preliminary examination of Bids shall be governed by Section 30 of the 2016 revised IRR of RA No. 9184.

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

- 19.1. The Procuring Entity's 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 2016 revised IRR of RA No. 9184.

- 19.2. If the Project allows partial bids, all Bids and combinations of Bids as indicated in the **BDS** shall be received by the same deadline and opened and evaluated simultaneously so as to determine the Bid or combination of Bids offering the lowest calculated cost to the Procuring Entity. Bid Security as required by **ITB** Clause 16 shall be submitted for each contract (lot) separately.

- 19.3. In all cases, the NFCC computation pursuant to Section 23.4.2.6 of the 2016 revised IRR of RA No. 9184 must be sufficient for the total of the ABCs for all the lots participated in by the prospective Bidder.

## **20. Post Qualification**

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

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

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***

### **Notes on the Bid Data Sheet (BDS)**

The Bid Data Sheet (BDS) consists of provisions that supplement, amend, or specify in detail, information, or requirements included in the ITB found in Section II, which are specific to each procurement.

This Section is intended to assist the Procuring Entity in providing the specific information in relation to corresponding clauses in the ITB and has to be prepared for each specific procurement.

The Procuring Entity should specify in the BDS information and requirements specific to the circumstances of the Procuring Entity, the processing of the procurement, and the bid evaluation criteria that will apply to the Bids. In preparing the BDS, the following aspects should be checked:

- a. Information that specifies and complements provisions of the ITB must be incorporated.
- b. Amendments and/or supplements, if any, to provisions of the ITB as necessitated by the circumstances of the specific procurement, must also be incorporated.

# Bid Data Sheet

ITB Clause	
5.2	<p>The contract works shall consist of two (2) Stages:</p> <div style="border: 1px solid black; padding: 10px; margin: 10px auto; width: 80%; text-align: center;"> <p><b>STAGE I:</b></p> <p><b>ARCHITECTURAL AND ENGINEERING (A&amp;E) DESIGN OF FIT-OUT AND LANDSCAPE WORKS</b></p> </div> <p><b>A. Pre-Design Phase</b> where the specific parameters, size and scope of the fit-out and landscape works and its location on the building shall be established. It includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>a. Conduct of reconnaissance, engineering surveys on wirings, chases, pipes and utilities locations, and on-site investigations of connections/tapping points; and</li> <li>b. Preparation of preliminary architectural and engineering designs, layouts, outline specifications, preliminary cost estimates, value engineering/ value analysis study and specific recommendations prior to final design. <i>(see ANNEX A to G for Design References).</i></li> </ul> <p><b>B. Basic Design Phase</b> includes preparation of final detailed plans and designs, working drawings, specifications, detailed cost estimates for construction of Fit-Out and Landscape Works of the PSA Building Project.</p> <p><b>C. Contract Documentation Phase</b> will cover preparation of tender documents required for invitations of bids relative to the Fit-Out and Landscape Works Project as well as contracts, reports, and other necessary documents for audit purposes until its completion and acceptance.</p> <div style="border: 1px solid black; padding: 10px; margin: 10px auto; width: 80%; text-align: center;"> <p><b>STAGE II:</b></p> <p><b>CONSTRUCTION OF ESSENTIAL MECHANICAL, ELECTRICAL (DATA CONDUIT), FIRE PROTECTION, SANITARY (MEFPS) AND OTHER SUPPORTING CIVIL WORKS.</b></p> </div>

	<p>Stage II shall be the Construction of essential MEFPS and other Supporting Civil Works includes the following:</p> <ol style="list-style-type: none"> <li>1. The specific work items for the MEFPS and other Supporting Civil Works as indicated in the Bill of Quantities (BOQ) of the original design.</li> <li>2. Acquisition of all permits necessary for the construction phase of the project if required by regulatory agency;</li> <li>3. Preparation of supplementary drawings required to suit actual field conditions;</li> <li>4. Evaluation of detailed construction and as-built drawings, shop and erection drawings submitted by sub-contractors, where required;</li> <li>5. Observe testing and commissioning of equipment and preparation of reports with recommendations thereof, where required;</li> <li>6. For post construction of essential MEFPS and other Supporting Civil Works, Designer/Contractor shall make a final inspection, report of the completed essential MEFPS and other Supporting Civil Works and submit as-built drawings of the work making sure that the specific connections available for the succeeding works are indicated; and</li> <li>7. All other related tasks until completion and acceptance of the project.</li> </ol>																																				
7.1	Twenty five percent (25%) of the essential MEFPS and other Supporting Civil works maybe sub-contracted.																																				
10.1	<p>Checklist for Stage I – Architectural and Engineering (A&amp;E) Design for Fit-out and Landscape Works Technical Eligibility Requirements</p> <table border="1" data-bbox="384 1491 1394 1980"> <thead> <tr> <th colspan="2"><i>Criteria</i></th> <th><i>Score</i></th> <th><i>%</i></th> <th><i>%</i></th> <th><i>Pts.</i></th> </tr> </thead> <tbody> <tr> <td><b>A.</b></td> <td><b>Applicable Experience of the Consultant</b></td> <td></td> <td></td> <td></td> <td><b>60</b></td> </tr> <tr> <td></td> <td>1. Firms Qualification</td> <td></td> <td></td> <td>70</td> <td></td> </tr> <tr> <td></td> <td>1.1 Must be operational for at least five (5) years.</td> <td></td> <td>30</td> <td></td> <td></td> </tr> <tr> <td></td> <td>Above 5 years</td> <td>100</td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td>3-5 years</td> <td>85</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	<i>Criteria</i>		<i>Score</i>	<i>%</i>	<i>%</i>	<i>Pts.</i>	<b>A.</b>	<b>Applicable Experience of the Consultant</b>				<b>60</b>		1. Firms Qualification			70			1.1 Must be operational for at least five (5) years.		30				Above 5 years	100					3-5 years	85			
<i>Criteria</i>		<i>Score</i>	<i>%</i>	<i>%</i>	<i>Pts.</i>																																
<b>A.</b>	<b>Applicable Experience of the Consultant</b>				<b>60</b>																																
	1. Firms Qualification			70																																	
	1.1 Must be operational for at least five (5) years.		30																																		
	Above 5 years	100																																			
	3-5 years	85																																			

	1.2	Must have five (5) years of Consulting Experience in A&E Design for green and smart building.		30		
		Above 5 years	100			
		2-5 years	85			
	1.3	Must have previously handled/managed at least one (1) project involving Detailed Architectural and Engineering Design of Fit-Out of a green and smart building.		40		
		Above 3 Projects	100			
		1-3 Projects	85			
	2. Work Experience				30	
	2.1	Single largest project of similar nature from 2012-2019 (completed).		50		
		More than 100% of ABC	100			
		100% of ABC	85			
	2.2	Total value of projects of similar nature from 2012-2019 (completed).		50		
		More than 100% of ABC	100			
		100% of ABC	85			
	<b>B. Minimum Personnel Complement</b>					<b>40</b>
	Qualification of Personnel to be Assigned (A&E Design)					
	1. Principal Architect/ Designer				12	
	a)	Education		60		
		Licensed Architect with Master's Degree in Architecture	100			



		Licensed Architect	85			
b)	At least five (5) years' experience in Architectural and Engineering Design of green and smart buildings.			40		
		Above 5 years	100			
		3 years to 5 years	85			
2. Project Manager/ Coordinator					10	
a)	Education			60		
		Licensed Architect with Master's Degree in Architecture	100			
		Licensed Architect	85			
b)	At least three (3) years' experience in work programming of Architectural and Engineering Design of green and smart buildings.			40		
		Above 5 years	100			
		3 years to 5 years	85			
3. Interior Designer					9	
a)	Education			60		
		Licensed Interior Designer with MS Degree in Interior Design	100			
		Licensed Interior Designer	85			
b)	At least three (3) years of experience interior design of offices on green and smart buildings.			40		
		Above 5 years	100			
		3 years to 5 years	85			
4. Landscape Architect					9	
a)	Education			60		
		Licensed Landscape Architect with MS Degree in Landscape	100			

		Architecture				
		Licensed Landscape Architect	85			
	b)	At least three (3) years of experience landscape architecture of offices on green and smart buildings.		40		
		Above 5 years	100			
		3 years to 5 years	85			
5. Civil Engineer/ Structural Engineer					9	
	a)	Education		60		
		Licensed Civil Engineer with MS Degree in Civil/ Structural or Earthquake Engineering	100			
		Licensed Engineer	85			
	b)	At least three (3) years of experience in Structural and Civil Works Design on green and smart buildings.		40		
		Above 5 years	100			
		3 years to 5 years	85			
6. Professional Electrical Engineer					9	
	a)	Education		60		
		Professional Electrical Engineer with MS Degree	100			
		Professional Electrical Engineer	85			
	b)	At least three (3) years of experience in Electrical Design involving design of electrical, security and fire alarm system requirements (BMS knowledge and experience) on green and smart buildings.		40		
		Above 5 years	100			
		3 years to 5 years	85			
7. Professional Electronics Engineer or					9	

	Electronics Engineer					
a)	Education			60		
		Professional Electronics Engineer (PECE) or Electronics Engineer (ECE) with MS Degree	100			
		Professional Electronics Engineer (PECE) or Electronics Engineer (ECE)	85			
b)	At least seven (7) years of experience in Professional Electronics and Communications Engineering Design involving acoustic design, design of ICT (BMS), security and fire alarm system requirements on green and smart buildings.			10		
		PECE 7 years and above;	100			
		PECE 3 to below 7 years;	85			
c)	At least five (5) years of experience in Electronics and Communications Engineering Design involving acoustic design, design of ICT (BMS), security and fire alarm system requirements on green and smart buildings.			10		
		PECE 5 years and above;	100			
		PECE 3 to below 5 years;	85			
d)	With proven experience in design of structured cabling for big data management and controlled environment on green and smart buildings.			20		
		Involved with more than 4 designs	100			
		Involved with 2-4 designs	85			
8.	Professional Mechanical Engineer				9	
a)	Education			60		
		Registered Professional Mechanical Engineer with MS Degree	100			
		Registered Professional Mechanical Engineer	85			

	b)	At least three (3) years of experience in Mechanical Design Supervision involving design of mechanical systems, particularly HVAC and Fire Protection on green and smart buildings.		20		
		Above 5 years	100			
		3 years to 5 years	85			
	c)	With proven experience in designing controlled environment on green and smart buildings.		20		
		Involved with more than 4 designs	100			
		Involved with 2-4 designs	85			
9. Sanitary Engineer					9	
	a)	Education		60		
		Licensed Sanitary Engineer with MS Degree	100			
		Licensed Sanitary Engineer	85			
	b)	At least three (3) years of experience in Sanitary Design on green and smart buildings.		40		
		Above 5 years	100			
		3 years to 5 years	85			
10. Network Engineer					9	
	a)	Education with certification such as CCNA/CCNP or JNCDA/JNCDS		60		
		Information Technology with MS Degree in Information Technology	100			
		Information Technology Graduate with Certifications	85			
	b)	At least five (5) years of experience in Information Technology applications on green and smart office buildings.		40		
		Above 5 years	100			
		3 years to 5 years	85			
11. CAD Draftsman					6	
	a)	Education		60		

		Licensed Junior Architect, Interior Designer or Engineer	100			
		Bachelor's Degree in Architecture, Interior Design and Engineering or TESDA NC II Accredited Institution Training Certified	85			
	b)	At least three (3) years of experience in CAD Operation and proficient in Autocad Release 2010 or later and Sketchup 2012 or later.		40		
		Above 5 years	100			
		3 years to 5 years	85			
		<b>TOTAL SCORE</b>				<b>100</b>
		<b>PASSING SCORE</b>				<b>70</b>
10.3	Philippine Contractors Accreditation Board (PCAB) <b>License Category A, Size Range Medium B</b> , License and Mayor's Permit is required.					
10.4	The key personnel must meet the required minimum years of experience set below:  Professionals for the Stage I – Architectural and Engineering (A&E) Design for Fit-out and Landscape Works:					
		<b>Key Positions</b>	<b>Minimum Years of experience in such position</b>	<b>License/Certification Required</b>		
		1. Principal Architect/ Designer	Five (5) years	<b>PRC and UAP</b> (United Architects of the Philippines)		
		2. Principal Manager/ Coordinator	Three (3) years	<b>PRC and UAP</b> (United Architects of the Philippines)		
		3. Licensed Interior Designer	Three (3) years	<b>PRC and PIID</b> (Philippine Institute of Interior Design)		
		4. Licensed Civil Engineer	Three (3) years	<b>PRC and PICE</b> (Philippine Institute of Civil Engineers)		
		5. Professional Electrical Engineer	Three (3) years	<b>PRC and IIEE</b> (Institute of Integrated Electrical Engineers)		
		6. Professional Electronics Engineer	Seven (7) years	<b>PRC and IECEP</b> (Institute of Electronics		

		Engineers of the Philippines)
7. Electronics Engineer	Three (3) years	<b>PRC and IECEP</b> (Institute of Electronics Engineers of the Philippines)
8. Professional Mechanical Engineer	Three (3) years	<b>PRC</b>
9. Licensed Sanitary Engineer	Three (3) years	<b>PRC and PSSE</b> (Philippine Society of Sanitary Engineers)
10. Network Engineer	Five (5) years	<b>CCNA/CCNP or JNCDA/JNCDS</b> (Cisco Certified Network Associate/Professional or Juniper Networks Certification Design Associate/ Data Center Design, Specialist
11. CAD Draftsman	Proficient in CAD operation (Autocad release 2010 or later and Sketchup 2012) to support production of design plans/drawings and other needed documents.	<b>Training Certificate</b>

Manpower for Stage II - Construction of essential MEFPS and other Supporting Civil Works:

**1. Mechanical Works**

Key Positions	Minimum Years of experience in such position	License/Certification Required
1. Professional Mechanical Engineer	Three (3) years	PRC
2. Foreman	Three (3) years	BOSH/COSH Certificate (DOLE Accredited) and/or NC II (TESDA accredited)
3. Leadman	Three (3) years	BOSH/COSH Certificate (DOLE

		Accredited) and/or NC II (TESDA accredited)
4. Skilled Worker	Three (3) years	BOSH/COSH Certificate (DOLE Accredited) and/or NC II (TESDA accredited)
5. Labor Worker	One (1) year	n/a
6. Technician	Three (3) years	NC II (TESDA accredited)

**2. Plumbing/Sanitary Works**

Key Positions	Minimum Years of experience in such position	License/Certification Required
1. Licensed Sanitary Engineer	Five (5) years	PRC
2. Foreman Plumber	Five (5) years	BOSH/COSH Certificate (DOLE Accredited) and/or NC II (TESDA accredited)
3. Leadman Plumber	Three (3) years	BOSH/COSH Certificate (DOLE Accredited) and/or NC II (TESDA accredited)
4. Skilled Plumber	One (1) year	BOSH/COSH Certificate (DOLE Accredited) and/or NC II (TESDA accredited)
5. Labor Worker	One (1) year	n/a

**3. Electrical Works**

Key Positions	Minimum Years of experience in such position	License/Certification Required
1. Registered Electrical Engineer	Five (5) years	PRC and IIEE
2. Electrician/Technician	Three (3) years	PRC and/or NC II (TESDA accredited)

3. Foreman	Three (3) years	BOSH/COSH Certificate (DOLE Accredited) and/or NC II (TESDA accredited)
4. Labor Worker	Three (3) years	n/a
5. Safety Officer	Three (3) years	BOSH/COSH Certificate (DOLE Accredited)
6. Quality Assurance/ Quality Control Officer	Three (3) years	Certified QA/QC and/or Diploma of Electrical Engineering

**4. Fire Protection Works**

Key Positions	Minimum Years of experience in such position	License/Certification Required
1. Professional Mechanical Engineer	Three (3) years	PRC
2. Foreman	Three (3) years	BOSH/COSH Certificate (DOLE Accredited) and/or NC II (TESDA accredited)
3. Leadman	Three (3) years	BOSH/COSH Certificate (DOLE Accredited) and/or NC II (TESDA accredited)
4. Skilled Worker	Three (3) years	NC II (TESDA accredited)
5. Pipe Fitter	Three (3) years	NC II (TESDA accredited)
6. Welder	Three (3) years	NC II (TESDA accredited)

**5. Civil Works**

Key Positions	Minimum Years of experience in such position	License/Certification Required
1. Professional Architect or Civil Engineer	Five (5) years	PRC and BOSH/COSH Certificate (DOLE Accredited)



	2. Materials Engineer II	Five (5) years	DPWH Accreditation
	3. Foreman	Three (3) years	BOSH/COSH Certificate (DOLE Accredited) and/or NC II (TESDA accredited)
	4. Leadman	Three (3) years	BOSH/COSH Certificate (DOLE Accredited) and/or NC II (TESDA accredited)
	5. Skilled Worker	Three (3) years	NC II (TESDA accredited)
	6. Labor Worker	One (1) year	n/a
	7. Scaffolder	Two (2) years	NC II (TESDA accredited)
	8. Equipment Operators	One (1) year	NC II (TESDA accredited)
10.5	The minimum or major equipment requirements are the following:  Forklifts Cable Puller Alimak Elevator/Lift		
12	No further instruction.		
15.1	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>₱6,320,000.00</b> ( <i>two percent (2%) of ABC</i> ) if bid security is in cash, cashier's/manager's check, bank draft/guarantee or irrevocable letter of credit;  b. The amount of not less than <b>₱15,800,000.00</b> ( <i>five percent (5%) of ABC</i> ), if bid security is in Surety Bond.		
19.2	No Partial Bids allowed.		
20	Licenses/Clearances/Permits required for the Fit-Out and Landscape Works:  <b>1. BUILDING PERMIT</b>  <u>A. Legal Documents and Clearances</u>  1. Notarized unified OSSCP Application Form 2. Certified Blue Copy of Transfer Certificate 3. Tax Clearance or RPT Receipt & Bill 4. Tax Declaration of the property 5. If the lot is not in the name of the applicant: a. Deed of Absolute Sale b. Award Notice and/or Lease Contract c. Deed of Assignment or Donation d. Duly Notarized Authorization of Representative		

- e. Others
- 6. Duly Notarized Authorization of Representative
- 7. For Corporations: Authority to sign (Corporate Secretary's Affidavit)
- 8. Barangay Clearance
- 9. Supplemental Documents (if applicable)
  - a. Metropolitan Manila Development Authority (MMDA) and/or Department of Public Works and Highways (DPWH).
  - b. Affidavit of Undertaking, Consent, etc. (if necessary)

**B. Locational Clearance Requirements**

- 1. Locational Clearance Application Form
- 2. Lot Plan (for new structures, lot plans should be signed and sealed by a Geodetic Engineer).
- 3. Architectural Plan
  - a. BP 344 (Accessibility Law) compliance, if applicable
  - b. Site Development Plan (showing parking layout)
- 4. Building Permit and/or Certificate of Occupancy, previous Locational Clearance and (1) complete set of previous approved building plans, if application is renovation, addition or extension.

**C. Fire Safety Evaluation Clearance Requirements**

- 1. Fire Safety Evaluation Clearance Application Form
- 2. Fire Protection Plans, if applicable (refer to the Fire Code of the Philippines)
- 3. Cost Estimate/Bill of Materials (signed and sealed)

**D. Building Permit Requirements**

Technical Documents: Application forms must be duly accomplished, signed and sealed by the professionals & signed by the owner/s)

- 1. Building Permit Application Form
- 2. Sanitary/Plumbing Permit Form
- 3. Electrical Permit Form
- 4. Mechanical Permit Form
- 5. Photocopies of each professional's valid Professional Regulation Commission (PRC) ID and current Professional Tax Receipts with seal; and three (3) specimen signatures of each professional.

**E. Building Plans at Minimum Scale 1:100m**

Plans must be duly accomplished, signed and sealed by the professionals & signed by the owner/s)

- 1. Structural Plans (with PRC ID & PTR of the Civil Engineer who signed the plans)
- 2. Sanitary/Plumbing Plans
- 3. Electrical Plans
- 4. Mechanical Plans
- 5. Electronics Plan

## **2. GREEN BUILDING PERMIT**

### **A. Preliminary Certificate**

#### **a. Mandatory Requirements**

1. Construction Activity Control Pollution Prevention System'
2. Energy Efficiency Plan
3. Water Use Reduction System with Water Efficient Fixtures
4. Waste Management Plan
5. Designated Smoking Area in the building layout
6. Sewage Treatment Plant

#### **b. Elective Requirements**

- Land/Site Sustainability
  - i. Construction Plan with flood mitigation study
  - ii. Construction plan providing access of the public (for mixed use neighborhood)
  - iii. Construction plan providing access to establishments or services (for community connectivity)
  - iv. Parking lots with bicycles and attendant storage cabinets (for transportation involving bike racks on parking lots)
  - v. Parking Plan and layout prescribed by NBC (for transportation involving provision of adequate parking capacity)
  - vi. Construction Plan and layout showing landscape in open spaces
  - vii. Construction Plan with light-colored paving or open grid
  - viii. Construction Plan with Green Roof for plants and trees
  - ix. Construction Plan with Storm Water Management
- Energy Efficiency (RA 11285)
  - i. Building Envelope Design
  - ii. Electrical Plan and calculations adopting highest Energy Efficient Ratio (EER)
  - iii. Architectural Plan with natural ventilation
  - iv. Electrical Plan with electric consumption reduction
  - v. Construction Plan with Renewable Energy System Water Efficiency
  - vi. Construction Plan with water use reduction
  - vii. Construction Plan with water use reduction involving grey water or rainwater
- Materials and Resources
  - i. Construction Plan for construction waste management
  - ii. Architectural and Structural Plan showing layout, elevation and sectional views
  - iii. Use of rapidly renewable materials from plant

	<ul style="list-style-type: none"> <li>iv. Construction Plan of water diversion/reduction</li> <li>v. Construction Plan of refuse disposal equipment</li> </ul> <ul style="list-style-type: none"> <li>• Indoor Environment <ul style="list-style-type: none"> <li>i. Construction Plan with indoor air quality performance</li> <li>ii. Construction Plan with low-emitting materials involving Volatile Organic Compound</li> <li>iii. Construction Plan with refrigerant management involving low Ozone Depleting Potential (ODP) or Global Warming Potential (GWP)</li> <li>iv. Refrigerant Management with use of equipment long service life</li> </ul> </li> <li>• Green Points for Management <ul style="list-style-type: none"> <li>i. Professionals are BERDE accredited</li> </ul> </li> </ul> <p>B. Final Certificate</p> <ol style="list-style-type: none"> <li>1) Application for Final Certification for Green Building (must be applied within the time of construction period).</li> </ol>
21	<p>Additional contract documents relevant to the Project that may be required by existing laws and/or the Procuring Entity, such as construction schedule and S-curve, manpower schedule, construction methods, equipment utilization schedule, construction safety and health program approved by the DOLE, and other acceptable tools of project scheduling.</p>

## ***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 Contractor, 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 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.

## 2. Sectional Completion of Works

If sectional completion is specified in the **Special Conditions of Contract (SCC)**, references in the Conditions of Contract to the Works, the Completion Date, and the Intended Completion Date shall apply to any Section of the Works (other than references to the Completion Date and Intended Completion Date for the whole of the Works).

## 3. Possession of Site

3.1 The Procuring Entity shall give possession of all or parts of the Site to the Contractor based on the schedule of delivery indicated in the **SCC**, which corresponds to the execution of the Works. If the Contractor suffers delay or incurs cost from failure on the part of the Procuring Entity to give possession in accordance with the terms of this clause, the Procuring Entity's Representative shall give the Contractor a Contract Time Extension and certify such sum as fair to cover the cost incurred, which sum shall be paid by Procuring Entity.

3.2 If possession of a portion is not given by the above date, the Procuring Entity will be deemed to have delayed the start of the relevant activities. The resulting adjustments in contract time to address such delay may be addressed through contract extension provided under Annex "E" of the 2016 revised IRR of RA No. 9184.

## 4. The Contractor's Obligations

4.1 The Contractor shall employ the key personnel named in the Schedule of Key Personnel indicating their designation, in accordance with **ITB** Clause 10.3 and specified in the **BDS**, to carry out the supervision of the Works.

4.2 The Procuring Entity will approve any proposed replacement of key personnel only if their relevant qualifications and abilities are equal to or better than those of the personnel listed in the Schedule.

## **5. Performance Security**

- 5.1. Within ten (10) calendar days from receipt of the Notice of Award from the Procuring Entity but in no case later than 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.
- 5.2. The Contractor, by entering into the Contract with the Procuring Entity, acknowledges the right of the Procuring Entity to institute action pursuant to RA No. 3688 against any subcontractor be they an individual, firm, partnership, corporation, or association supplying the Contractor with labor, materials and/or equipment for the performance of this Contract.

## **6. Site Investigation Reports**

The Contractor, in preparing the Bid, shall rely on any Site Investigation Reports referred to in the SCC supplemented by any information obtained by the Contractor.

## **7. Warranty**

- 7.1. In case the Contractor fails to undertake the repair works under Section 62.2.2 of the 2016 revised IRR, the Procuring Entity shall forfeit its performance security, subject its property(ies) to attachment or garnishment proceedings, and perpetually disqualify it from participating in any public bidding. All payables of the GOP in his favor shall be offset to recover the costs.
- 7.2. The warranty against Structural Defects/Failures, except that occasioned-on force majeure, shall cover the period from the date of issuance of the Certificate of Final Acceptance by the Procuring Entity. Specific duration of the warranty is found in the SCC.

## **8. Liability of the Contractor**

Subject to additional provisions, if any, set forth in the SCC, the Contractor's liability under this Contract shall be as provided by the laws of the Republic of the Philippines.

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

## **9. Termination for Other Causes**

Contract termination shall be initiated in case it is determined *prima facie* by the Procuring Entity that the Contractor has engaged, before, or during the implementation of the contract, in unlawful deeds and behaviors relative to contract acquisition and implementation, such as, but not limited to corrupt, fraudulent, collusive, coercive, and obstructive practices as stated in ITB Clause 4.

## **10. Dayworks**

Subject to the guidelines on Variation Order in Annex “E” of the 2016 revised IRR of RA No. 9184, and if applicable as indicated in the SCC, the Dayworks rates in the Contractor’s Bid shall be used for small additional amounts of work only when the Procuring Entity’s Representative has given written instructions in advance for additional work to be paid for in that way.

## **11. Program of Work**

11.1. The Contractor shall submit to the Procuring Entity’s Representative for approval the said Program of Work showing the general methods, arrangements, order, and timing for all the activities in the Works. The submissions of the Program of Work are indicated in the SCC.

11.2. The Contractor shall submit to the Procuring Entity’s Representative for approval an updated Program of Work at intervals no longer than the period stated in the SCC. If the Contractor does not submit an updated Program of Work within this period, the Procuring Entity’s Representative may withhold the amount stated in the SCC from the next payment certificate and continue to withhold this amount until the next payment after the date on which the overdue Program of Work has been submitted.

## **12. Instructions, Inspections and Audits**

The Contractor shall permit the GOP or the Procuring Entity to inspect the Contractor’s accounts and records relating to the performance of the Contractor and to have them audited by auditors of the GOP or the Procuring Entity, as may be required.

## **13. Advance Payment**

The Procuring Entity shall, upon a written request of the Contractor which shall be submitted as a Contract document, make an advance payment to the Contractor in an amount not exceeding fifteen percent (15%) of the total contract price, to be made in lump sum, or at the most two installments according to a schedule specified in the SCC, subject to the requirements in Annex “E” of the 2016 revised IRR of RA No. 9184.

## **14. Progress Payments**

The Contractor may submit a request for payment for Work accomplished. Such requests for payment shall be verified and certified by the Procuring Entity’s Representative/Project Engineer. Except as otherwise stipulated in the SCC, materials and equipment delivered on the site but not completely put in place shall not be included for payment.



## **15. Operating and Maintenance Manuals**

- 15.1. If required, the Contractor will provide “as built” Drawings and/or operating and maintenance manuals as specified in the **SCC**.
- 15.2. If the Contractor does not provide the Drawings and/or manuals by the dates stated above, or they do not receive the Procuring Entity’s Representative’s approval, the Procuring Entity’s Representative may withhold the amount stated in the **SCC** from payments due to the Contractor.

## ***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 Works procured. 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.

However, no special condition which defeats or negates the general intent and purpose of the provisions of the GCC should be incorporated herein.

# Special Conditions of Contract

GCC Clause	
2	<p>The Intended Completion Date is Three Hundred Fourteen (314) Calendar Days.</p> <p>1. Architectural and Engineering (A&amp;E) Design of Fit-out and Landscape Works (Stage I) : One Hundred Ten (110) Calendar Days</p> <p>2. Construction of essential MEFPS and other Supporting Civil Works (Stage II) : Two Hundred Fourteen (214) Calendar Days</p>
4.1	No further instructions.
6	<p>The site investigation reports needed for the Construction of essential MEFPS.</p> <p>Mechanical and Fire Protection:</p> <ol style="list-style-type: none"> <li>1. Leak test for refrigerant piping installed.</li> <li>2. Hydrotest for fire Protection system as per NFPA Standard Test.</li> <li>3. Fogging Test for all duct work including air balancing as per designed.</li> <li>4. Testing and Commissioning of all Air-conditioning and Fan Blowers.</li> <li>5. Gravity Test for Air-conditioning Waste Stock.</li> </ol> <p>Plumbing/Sanitary:</p> <ol style="list-style-type: none"> <li>1. Gravity Leak Test for Sanitary and Storm Drain</li> <li>2. Flow Test Sanitary for Sanitary and Storm Drain</li> <li>3. Hydro Pressure Test for Waterline</li> </ol> <p>Electrical:</p> <ol style="list-style-type: none"> <li>1. Visual Inspection Report</li> <li>2. Earth Continuity Test (Grounding Test)</li> <li>3. Insulation Resistance test (Megger Test)</li> <li>4. Leakage Current Test</li> <li>5. Load Balancing Report</li> </ol>
7.2	The Warranty Security shall be <b>₱15,800,000.00</b> (5% of ABC) that shall be released upon the completion of the Construction of Fit-Out and Landscape Works of the Twenty-three (23) Storey PSA Building.
10	Day works are applicable at the rate shown in the Contractor's original Bid.
11.1	The Contractor shall submit the Program of Work to the Procuring Entity's Representative within fourteen (14) days of delivery of the Notice of Award.

11.2	The amount to be withheld for late submission of an updated Program of Work is <b>₱15,800,000.00</b> (5% of ABC).
13	The amount of the advance payment is <b>₱47,400,000.00</b> (15% of ABC).
14	Refer to the Bill of Quantities on the materials to be delivered on site.
15.1	The date by which operating and maintenance manuals are required is on 11 August 2021; where needed.  The date by which “as built” drawings for Stage II – Construction of essential MEFPS and other Supporting Civil Works are required is 11 August 2021.
15.2	The amount to be withheld for failing to produce “as built” drawings and/or operating and maintenance manuals by the date required is <b>₱9,480,000.00</b> (3% of ABC).

## *Section VI. Specifications*

### **Notes on Specifications**

A set of precise and clear specifications is a prerequisite for Bidders to respond realistically and competitively to the requirements of the Procuring Entity without qualifying or conditioning their Bids. In the context of international competitive bidding, the specifications must be drafted to permit the widest possible competition and, at the same time, present a clear statement of the required standards of workmanship, materials, and performance of the goods and services to be procured. Only if this is done will the objectives of economy, efficiency, and fairness in procurement be realized, responsiveness of Bids be ensured, and the subsequent task of bid evaluation facilitated. The specifications should require that all goods and materials to be incorporated in the Works be new, unused, of the most recent or current models, and incorporate all recent improvements in design and materials unless provided otherwise in the Contract.

Samples of specifications from previous similar projects are useful in this respect. The use of metric units is mandatory. Most specifications are normally written specially by the Procuring Entity or its representative to suit the Works at hand. There is no standard set of Specifications for universal application in all sectors in all regions, but there are established principles and practices, which are reflected in these PBDs.

There are considerable advantages in standardizing General Specifications for repetitive Works in recognized public sectors, such as highways, ports, railways, urban housing, irrigation, and water supply, in the same country or region where similar conditions prevail. The General Specifications should cover all classes of workmanship, materials, and equipment commonly involved in construction, although not necessarily to be used in a particular Works Contract. Deletions or addenda should then adapt the General Specifications to the particular Works.

Care must be taken in drafting specifications to ensure that they are not restrictive. In the specification of standards for goods, materials, and workmanship, recognized international standards should be used as much as possible. Where other particular standards are used, whether national standards or other standards, the specifications should state that goods, materials, and workmanship that meet other authoritative standards, and which ensure substantially equal or higher quality than the standards mentioned, will also be acceptable. The following clause may be inserted in the SCC.

#### **Sample Clause: Equivalency of Standards and Codes**

Wherever reference is made in the Contract to specific standards and codes to be met by the goods and materials to be furnished, and work performed or tested, the provisions of the latest current edition or revision of the relevant standards and codes in effect shall apply, unless otherwise expressly stated in the Contract. Where such standards and codes are national, or relate to a particular country or region, other authoritative standards that

ensure a substantially equal or higher quality than the standards and codes specified will be accepted subject to the Procuring Entity's Representative's prior review and written consent. Differences between the standards specified and the proposed alternative standards shall be fully described in writing by the Contractor and submitted to the Procuring Entity's Representative at least twenty-eight (28) days prior to the date when the Contractor desires the Procuring Entity's Representative's consent. In the event the Procuring Entity's Representative determines that such proposed deviations do not ensure substantially equal or higher quality, the Contractor shall comply with the standards specified in the documents.

These notes are intended only as information for the Procuring Entity or the person drafting the Bidding Documents. They should not be included in the final Bidding Documents.

## ***Section VII. Drawings***

*[Insert here a list of Drawings. The actual Drawings, including site plans, should be attached to this section, or annexed in a separate folder.]*

## ***Section VIII. Bill of Quantities***

### **Notes on the Bill of Quantities**

#### **Objectives**

The objectives of the Bill of Quantities are:

- a. to provide sufficient information on the quantities of Works to be performed to enable Bids to be prepared efficiently and accurately; and
- b. when a Contract has been entered into, to provide a priced Bill of Quantities for use in the periodic valuation of Works executed.

In order to attain these objectives, Works should be itemized in the Bill of Quantities in sufficient detail to distinguish between the different classes of Works, or between Works of the same nature carried out in different locations or in other circumstances which may give rise to different considerations of cost. Consistent with these requirements, the layout and content of the Bill of Quantities should be as simple and brief as possible.

#### **Daywork Schedule**

A Daywork Schedule should be included only if the probability of unforeseen work, outside the items included in the Bill of Quantities, is high. To facilitate checking by the Entity of the realism of rates quoted by the Bidders, the Daywork Schedule should normally comprise the following:

- a. A list of the various classes of labor, materials, and Constructional Plant for which basic daywork rates or prices are to be inserted by the Bidder, together with a statement of the conditions under which the Contractor will be paid for work executed on a daywork basis.
- b. Nominal quantities for each item of Daywork, to be priced by each Bidder at Daywork rates as Bid. The rate to be entered by the Bidder against each basic Daywork item should include the Contractor's profit, overheads, supervision, and other charges.

#### **Provisional Sums**

A general provision for physical contingencies (quantity overruns) may be made by including a provisional sum in the Summary Bill of Quantities. Similarly, a contingency allowance for possible price increases should be provided as a provisional sum in the Summary Bill of Quantities. The inclusion of such provisional sums often facilitates budgetary approval by avoiding the need to request periodic supplementary approvals as the future need arises. Where such provisional sums or contingency allowances are used, the SCC should state the manner in which they will be used, and under whose authority (usually the Procuring Entity's Representative's).



The estimated cost of specialized work to be carried out, or of special goods to be supplied, by other contractors should be indicated in the relevant part of the Bill of Quantities as a particular provisional sum with an appropriate brief description. A separate procurement procedure is normally carried out by the Procuring Entity to select such specialized contractors. To provide an element of competition among the Bidders in respect of any facilities, amenities, attendance, etc., to be provided by the successful Bidder as prime Contractor for the use and convenience of the specialist contractors, each related provisional sum should be followed by an item in the Bill of Quantities inviting the Bidder to quote a sum for such amenities, facilities, attendance, etc.

### **Signature Box**

A signature box shall be added at the bottom of each page of the Bill of Quantities where the authorized representative of the Bidder shall affix his signature. Failure of the authorized representative to sign each and every page of the Bill of Quantities shall be a cause for rejection of his bid.

These Notes for Preparing a Bill of Quantities are intended only as information for the Procuring Entity or the person drafting the Bidding Documents. They should not be included in the final documents.

## ***Section IX. 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. 09-2020 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.

The BAC shall be checking the submitted documents of each Bidder against this checklist to ascertain if they are all present, using a non-discretionary “pass/fail” criterion pursuant to Section 30 of the 2016 revised IRR of RA No. 9184.

# Checklist of Technical and Financial Documents

## I. TECHNICAL COMPONENT ENVELOPE

### *Class "A" Documents*

#### Legal Documents

- (a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages);
- or**  
(b) Registration certificate from Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives or its equivalent document;
- and**  
(c) Mayor's or Business permit issued by the city or municipality where the principal place of business of the prospective bidder is located, or the equivalent document for Exclusive Economic Zones or Areas;
- and**  
(e) Tax clearance per E.O. No. 398, s. 2005, as finally reviewed and approved by the Bureau of Internal Revenue (BIR).

#### Technical Documents

- (f) Statement of the prospective bidder of all its ongoing government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid; **and**
- (g) Statement of the bidder's Single Largest Completed Contract (SLCC) similar to the contract to be bid, except under conditions provided under the rules; **and**
- (h) Philippine Contractors Accreditation Board (PCAB) License; **or**  
Special PCAB License in case of Joint Ventures; **and** registration for the type and cost of the contract to be bid; **and**
- (i) 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**
- (j) Project Requirements, which shall include the following:
  - a. Organizational chart for the contract to be bid;
  - b. List of contractor's key personnel (e.g., Project Manager, Project Engineers, Materials Engineers, and Foremen), to be assigned to the contract to be bid, with their complete qualification and experience data;
  - c. List of contractor's major equipment units, which are owned, leased, and/or under purchase agreements,

supported by proof of ownership or certification of availability of equipment from the equipment lessor/vendor for the duration of the project, as the case may be; **and**

- (k) 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

- (l) The prospective bidder's audited financial statements, showing, among others, the prospective bidder's total and current assets and liabilities, stamped "received" by the BIR or its duly accredited and authorized institutions, for the preceding calendar year which should not be earlier than two (2) years from the date of bid submission; **and**
- (m) The prospective bidder's computation of Net Financial Contracting Capacity (NFCC).

***Class "B" Documents***

- (n) If applicable, duly signed joint venture agreement (JVA) in accordance with RA No. 4566 and its IRR 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**

- (o) Original of duly signed and accomplished Financial Bid Form; **and**

Other documentary requirements under RA No. 9184

- (p) Original of duly signed Bid Prices in the Bill of Quantities; **and**
- (q) Duly accomplished Detailed Estimates Form, including a summary sheet indicating the unit prices of construction materials, labor rates, and equipment rentals used in coming up with the Bid; **and**
- (r) Cash Flow by Quarter.

