



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS

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**BIDDING DOCUMENTS FOR THE
SUPPLY, DELIVERY,
INSTALLATION, TESTING AND
COMMISSIONING OF STANDBY
GENERATOR SETS WITH
ACCESSORIES AND AUTOMATIC
TRANSFER SWITCH (ATS) AT
MICP, PORT OF CAGAYAN DE
ORO, PORT OF DAVAO AND PORT
OF SUBIC**

**Project ID No.: BOC-GOODS-2025-01
February 2025**

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Glossary of Acronyms, Terms, and Abbreviations

ABC – Approved Budget for the Contract.

BAC – Bids and Awards Committee.

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

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

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

BIR – Bureau of Internal Revenue.

BSP – Bangko Sentral ng Pilipinas.

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

CDA - Cooperative Development Authority.

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

CIF – Cost Insurance and Freight.

CIP – Carriage and Insurance Paid.

CPI – Consumer Price Index.

DDP – Refers to the quoted price of the Goods, which means “delivered duty paid.”



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DTI – Department of Trade and Industry.

EXW – Ex works.

FCA – “Free Carrier” shipping point.

FOB – “Free on Board” shipping point.

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

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

GFI – Government Financial Institution.

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

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

GOP – Government of the Philippines.

GPPB – Government Procurement Policy Board.

INCOTERMS – International Commercial Terms.

Infrastructure Projects – Include the construction, improvement, rehabilitation, demolition, repair, restoration or maintenance of roads and bridges, railways, airports, seaports,



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communication facilities, civil works components of information technology projects, irrigation, flood control and drainage, water supply, sanitation, sewerage and solid waste management systems, shore protection, energy/power and electrification facilities, national buildings, school buildings, hospital buildings, and other related construction projects of the government. Also referred to as *civil works or works*. (2016 revised IRR, Section 5[u])

LGUs – Local Government Units.

NFCC – Net Financial Contracting Capacity.

NGA – National Government Agency.

PhilGEPS - Philippine Government Electronic Procurement System.

Procurement Project – refers to a specific or identified procurement covering goods, infrastructure project or consulting services. A Procurement Project shall be described, detailed, and scheduled in the Project Procurement Management Plan prepared by the agency which shall be consolidated in the procuring entity's Annual Procurement Plan. (GPPB Circular No. 06-2019 dated 17 July 2019)

PSA – Philippine Statistics Authority.

SEC – Securities and Exchange Commission.

SLCC – Single Largest Completed Contract.

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

UN – United Nations.



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Section I. Invitation to Bid

SECTION I. INVITATION TO BID

“Supply, Delivery, Installation, Testing and Commissioning of Standby Generator Sets with Accessories and Automatic Transfer Switch (ATS) at MICP, Port of Cagayan De Oro, Port of Davao and Port of Subic”

1. The Bureau of Customs (BOC) through the authorized appropriations under the FY 2024 General Appropriation Act (GAA) intends to apply the sum Thirteen Million Nine Hundred Five Thousand Three Hundred Thirty-Three Pesos and Thirty-Three Centavos (PhP13,905,333.33) being the Approved Budget for the Contract (ABC) to payments under the contract for “Supply, Delivery, Installation, Testing and Commissioning of Standby Generator Sets with Accessories and Automatic Transfer Switch (ATS) at MICP, Port of Cagayan De Oro, Port of Davao and Port of Subic”. Bids received in excess of the ABC shall be automatically rejected at the bid opening. Details are as follows:

Lot No.	Project ID No.	Description	Location	ABC
1	BOC-GOODS-2024-12A	Supply, Delivery, Installation, Testing and Commissioning of Standby Generator Sets with Accessories and Automatic Transfer Switch (ATS) at MICP, Port of Cagayan De Oro, Port of Davao and Port of Subic	Port of Subic	Php9,020,666.66
			Manila International Container Port	
2	BOC-GOODS-2024-12B	Supply, Delivery, Installation, Testing and Commissioning of Standby Generator Sets with Accessories and Automatic Transfer Switch (ATS) at MICP, Port of Cagayan De Oro, Port of Davao and Port of Subic	Port of Davao	Php4,884,666.67
			Port of Cagayan De Oro (Sub-port of Tagoloan)	
Total ABC				Php13,905,333.33



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2. The Bureau of Customs now invites bids of the above Procurement Project. All bidders should have completed, within five (5) years from the date of submission and receipt of bids, a contract similar to the Project. The description of an eligible bidder is contained in the Bidding Documents, particularly, in Section II (Instructions to Bidders).
3. Bidding will be conducted through open competitive bidding procedures using a non-discretionary “*pass/fail*” criterion as specified in the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184.

Bidding is restricted to Filipino citizens/sole proprietorships, partnerships, or organizations with at least sixty percent (60%) interest or outstanding capital stock belonging to citizens of the Philippines, and to citizens or organizations of a country the laws or regulations of which grant similar rights or privileges to Filipino citizens, pursuant to RA No. 5183.

4. Prospective bidders may obtain further information from the BOC Bids and Awards Committee (BAC) Secretariat and inspect the Bidding Documents at the address given below during office hours from 8:00 a.m. to 5:00 p.m.
5. A complete set of Bidding Documents may be acquired by interested Bidders on February 11, 2025 from the given address and website below and upon payment of the applicable fee for the Bidding Documents, pursuant to the latest guidelines issued by the GPPB, in the amount for the following Lots: Lot 1- Ten Thousand Pesos (P10,000.00) and Lot 2 - Five Hundred Pesos (P5,000.00). The Procuring Entity shall allow the bidder to present its proof of payment for the fees to be presented in person.
6. The BOC will hold a Pre-Bid Conference¹ on February 18, 2025, 10:00 a.m. at the GSD Conference Room, Ground Floor, OCOM Building, South Harbor, Gate 3, Port Area, Manila, and/or through videoconferencing/webcasting via Microsoft Teams, which shall be open to prospective bidders. The Letter of Intent shall be sent through email, thereafter, confirmation link shall be sent via Microsoft Teams.
7. All bids must be duly received by the BAC Secretariat through manual submission at the office address as indicated below on or March 03, 2025, 9:30 a.m. Any late bids shall not be accepted.
8. All bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in **ITB** Clause 14.
9. The bid opening shall be conducted on March 03, 2025, 10:00 a.m. at the given address below submitted bids will be opened in the presence of the bidders’ representatives who choose to attend the activity.

¹ 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.



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10. The BOC 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 Section 41 of RA 9184 and its IRR, without thereby incurring any liability to the affected bidder or bidders.

11. For further information, please refer to:

BOC-BAC Secretariat
General Services Division
OCOM Bldg., South Harbor, Gate 3, Port Area, Manila
Telefax No. 526-6571
Email address: **bacsecretariat@customs.gov.ph**

12. You may visit the following websites:

For downloading of Bidding Documents: **<https://customs.gov.ph/bid-opportunities/>**

Date issued: February 11, 2025

ATTY. ERWIN T. MENDOZA
Chairperson, BOC-BAC

Section II. Instructions to Bidders

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1. Scope of Bid

The Procuring Entity, Bureau of Customs-Bids and Awards Committee (BOC-BAC) wishes to receive Bids for the “Supply, Delivery, Installation, Testing and Commissioning of Standby Generator Sets with Accessories and Automatic Transfer Switch (ATS) at MICP, Port of Cagayan De Oro, Port of Davao and Port of Subic” with identification number BOC-GOODS-2025-01.

The Procurement Project (referred to herein as “Project”) is composed of two (2) lots the details of which are described in Section VII (Technical Specifications).

2. Funding Information

2.1. The Government of the Philippine (GOP) through the source of funding as indicated below for FY 2024 General Appropriation Act (GAA) in the amount of Thirteen Million Nine Hundred Five Thousand Three Hundred Thirty-Three Pesos and Thirty-Three Centavos (PhP13,905,333.33).

2.2. The source of funding is:

a. NGA, the General Appropriations Act.

3. Bidding Requirements

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

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

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

4. Corrupt, Fraudulent, Collusive, and Coercive Practices

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

5. Eligible Bidders

- 5.1. Only Bids of Bidders found to be legally, technically, and financially capable will be evaluated.
- 5.2. Foreign ownership limited to those allowed under the rules may participate in this Project.
- 5.3. Pursuant to Section 23.4.1.3 of the 2016 revised IRR of RA No.9184, the Bidder shall have an SLCC that is at least one (1) contract similar to the Project the value of which, adjusted to current prices using the PSA's CPI, must be at least equivalent to:
 - a. 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 monopoly that will defeat the purpose of public bidding: the Bidder should comply with the following requirements: *[Select either failure or monopoly of bidding based on market research conducted]*
 - i. Completed at least two (2) similar contracts, the aggregate amount of which should be equivalent to at least *fifty percent (50%) in the case of non-expendable supplies and services or twenty-five percent (25%) in the case of expendable supplies]* of the ABC for this Project; and
 - ii. The largest of these similar contracts must be equivalent to at least half of the percentage of the ABC as required above.
- 5.4. The Bidders shall comply with the eligibility criteria under Section 23.4.1 of the 2016 IRR of RA No. 9184.

6. Origin of Goods

There is no restriction on the origin of goods other than those prohibited by a decision of the UN Security Council taken under Chapter VII of the Charter of the UN, subject to Domestic Preference requirements under **ITB** Clause 18.

7. Subcontracts

- 7.1. The Bidder may subcontract portions of the Project to the extent allowed by the Procuring Entity as stated herein, but in no case more than twenty percent (20%) of the Project.

The Procuring Entity has prescribed that:

- a. Subcontracting is not allowed.

8. Pre-Bid Conference

The Procuring Entity will hold a pre-bid conference for this Project on the specified date and time and either at its physical address and/or through videoconferencing/webcasting as indicated in paragraph 6 of the **ITB**.

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 **ITB**, at least ten (10) calendar days before the deadline set for the submission and receipt of Bids.

10. Documents comprising the Bid: Eligibility and Technical Components

- 10.1. The first envelope shall contain the eligibility and technical documents of the Bid as specified in **Section VIII (Checklist of Technical and Financial Documents)**.
- 10.2. The Bidder's SLCC as indicated in **ITB** Clause 5.3 should have been completed within five (5) years as provided in paragraph 2 of the **ITB** prior to the deadline for the submission and receipt of bids.
- 10.3. If the eligibility requirements or statements, the bids, and all other documents for submission to the BAC are in foreign language other than English, it must be accompanied by a translation in English, which shall be authenticated by the appropriate Philippine foreign service establishment, post, or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines. Similar to the required authentication above, for Contracting Parties to the Apostille Convention, only the translated documents shall be authenticated through an apostille pursuant to GPPB Resolution No. 13-2019 dated 23 May 2019. The English translation shall govern, for purposes of interpretation of the bid.

11. Documents comprising the Bid: Financial Component

- 11.1. The second bid envelope shall contain the financial documents for the Bid as specified in **Section VIII (Checklist of Technical and Financial Documents)**.

- 11.2. If the Bidder claims preference as a Domestic Bidder or Domestic Entity, a certification issued by DTI shall be provided by the Bidder in accordance with Section 43.1.3 of the 2016 revised IRR of RA No. 9184.
- 11.3. Any bid exceeding the ABC indicated in paragraph 1 of the **ITB** shall not be accepted.
- 11.4. 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. Bid Prices

- 12.1. Prices indicated on the Price Schedule shall be entered separately in the following manner:
 - a. For Goods offered from within the Procuring Entity's country:
 - i. The price of the Goods quoted EXW (ex-works, ex-factory, ex-warehouse, ex-showroom, or off-the-shelf, as applicable);
 - ii. The cost of all customs duties and sales and other taxes already paid or payable;
 - iii. The cost of transportation, insurance, and other costs incidental to delivery of the Goods to their final destination; and
 - iv. The price of other (incidental) services, if any, listed in e.
 - b. For Goods offered from abroad:
 - i. Unless otherwise stated in the **BDS**, the price of the Goods shall be quoted delivered duty paid (DDP) with the place of destination in the Philippines as specified in the **BDS**. In quoting the price, the Bidder shall be free to use transportation through carriers registered in any eligible country. Similarly, the Bidder may obtain insurance services from any eligible source country.
 - ii. The price of other (incidental) services, if any, as listed in **Section VII (Technical Specifications)**.

13. Bid and Payment Currencies

- 13.1. For Goods that the Bidder will supply from outside the Philippines, the bid prices may be quoted in the local currency or tradeable currency accepted by the BSP at the discretion of the Bidder. However, for purposes of bid evaluation, Bids denominated in foreign currencies, shall be converted to Philippine currency based on the exchange rate as published in the BSP reference rate bulletin on the day of the bid opening.

13.2. Payment of the contract price shall be made in:

- a. Philippine Pesos.

14. Bid Security

14.1. The Bidder shall submit a Bid Securing Declaration² or any form of Bid Security in the amount indicated in the **BDS**, which shall be not less than the percentage of the ABC in accordance with the schedule in the **BDS**.

14.2. The Bid and bid security shall be valid until July 01, 2025. Any Bid not accompanied by an acceptable bid security shall be rejected by the Procuring Entity as non-responsive.

15. Sealing and Marking of Bids

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

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

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

16. Deadline for Submission of Bids

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

17. Opening and Preliminary Examination of Bids

17.1. The BAC shall open the Bids in public at the time, on the date, and at the place specified in paragraph 9 of the **ITB**. 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.

² In the case of Framework Agreement, the undertaking shall refer to entering into contract with the Procuring Entity and furnishing of the performance security or the performance securing declaration within ten (10) calendar days from receipt of Notice to Execute Framework Agreement.

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.

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

18. Domestic Preference

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

19. Detailed Evaluation and Comparison of Bids

- 19.1. The Procuring BAC shall immediately conduct a detailed evaluation of all Bids rated "*passed*," using non-discretionary pass/fail criteria. The BAC shall consider the conditions in the evaluation of Bids under Section 32.2 of the 2016 revised IRR of RA No. 9184.
- 19.2. If the Project allows partial bids, bidders may submit a proposal on any of the lots or items, and evaluation will be undertaken on a per lot or item basis, as the case may be. In this case, the Bid Security as required by **ITB** Clause 15 shall be submitted for each lot or item separately.
- 19.3. The descriptions of the lots or items shall be indicated in **Section VII (Technical Specifications)**, although the ABCs of these lots or items are indicated in the **BDS** for purposes of the NFCC computation pursuant to Section 23.4.2.6 of the 2016 revised IRR of RA No. 9184. The NFCC must be sufficient for the total of the ABCs for all the lots or items participated in by the prospective Bidder.
- 19.4. The Project shall be awarded one Project having several items that shall be awarded as one contract.
- 19.5. Except for bidders submitting a committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation, all Bids must include the NFCC computation pursuant to Section 23.4.1.4 of the 2016 revised IRR of RA No. 9184, which must be sufficient for the total of the ABCs for all the lots or items participated in by the prospective Bidder. For bidders submitting the committed Line of Credit, it must be at least equal to ten percent (10%) of the ABCs for all the lots or items participated in by the prospective Bidder.

20. Post-Qualification

- 20.1. 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**. The LCB shall likewise submit the required documents for final Post Qualification. }

21. Signing of the Contract

- 21.1. The documents required in Section 37.2 of the 2016 revised IRR of RA No. 9184 shall form part of the Contract. Additional Contract documents are indicated in the **BDS**.

Section III. Bid Data Sheet

ITB Clause												
1	<p>The Procuring Entity is the Bureau of Customs.</p> <p>The name of the Contract is “Supply, Delivery, Installation, Testing and Commissioning of Standby Generator Sets with Accessories and Automatic Transfer Switch (ATS) at MICP, Port of Cagayan De Oro, Port of Davao and Port of Subic”</p> <p>The identification number of the Contract is BOC-GOODS-2025-01.</p>											
2	<p>The Funding Source is:</p> <p>The Government of the Philippines (GOP) through the authorized appropriations under the FY 2024 General Appropriations Act in the amount of Thirteen Million Nine Hundred Five Thousand Three Hundred Thirty-Three Pesos and Thirty-Three Centavos (PhP13,905,333.33).</p>											
2	<p>This bidding shall have two (2) lots as follows:</p> <p>The identification number of the Contract are as follows:</p> <table><tr><th>Lot No.</th><th>Project ID No.</th><th>Description</th><th>Location</th><th>ABC</th></tr><tr><td rowspan="2">1</td><td rowspan="2">BOC-GOODS 2024-12A</td><td rowspan="2">Supply, Delivery, Installation, Testing and Commissioning of Standby Generator Sets with Accessories and Automatic Transfer Switch (ATS) at MICP, Port of Cagayan De Oro, Port of Davao and Port of Subic</td><td>Port of Subic</td><td rowspan="2">Php9,020,666.66</td></tr><tr><td>Manila International Container Port</td></tr></table>	Lot No.	Project ID No.	Description	Location	ABC	1	BOC-GOODS 2024-12A	Supply, Delivery, Installation, Testing and Commissioning of Standby Generator Sets with Accessories and Automatic Transfer Switch (ATS) at MICP, Port of Cagayan De Oro, Port of Davao and Port of Subic	Port of Subic	Php9,020,666.66	Manila International Container Port
Lot No.	Project ID No.	Description	Location	ABC								
1	BOC-GOODS 2024-12A	Supply, Delivery, Installation, Testing and Commissioning of Standby Generator Sets with Accessories and Automatic Transfer Switch (ATS) at MICP, Port of Cagayan De Oro, Port of Davao and Port of Subic	Port of Subic	Php9,020,666.66								
			Manila International Container Port									

	2	BOC-GOODS-2024-12B	Supply, Delivery, Installation, Testing and Commissioning of Standby Generator Sets with Accessories and Automatic Transfer Switch (ATS) at MICP, Port of Cagayan De Oro, Port of Davao and Port of Subic	Port of Davao	Port of Cagayan De Oro (Sub-port of Tagoloan)	Php4,884,666.67
	Total ABC					Php13,905,333.33
3	No further instruction.					
5	Only Bids for Bidders found to be legally, technically, and financially capable will be evaluated as defined in ITB Clause 5.1.					
5.2	Foreign bidders are not allowed.					
5.3	<p>The bidder must have completed a single contract that is similar to the project and whose value must be at least fifty percent (50%) of ABC.</p> <p>Such project must have been completed within five (5) years prior to submission and receipt of bids.</p> <p>As evidence thereof, bidders must include in their Bid a photocopy of the Contract for the Single Largest Completed Project supported by the following documents:</p> <ol style="list-style-type: none"> For government projects; <ol style="list-style-type: none"> Notice of Award (NOA) Notice to Proceed (NTP); and Technical Inspection and Acceptance Committee (TIAC) Report or Certificate of Final Acceptance Report or equivalent document. For projects with the private sector, proof of completed contract such as but not limited to Purchase Order, Sales Invoice, Delivery Receipts or any other equivalent/relevant document. <p>Failure to submit a copy of the Contract of the Single Largest Completed Project with proof of Completion or failure to prove the veracity of such shall be a ground for disqualification of the bidder for award and forfeiture of the bid security.</p>					

	For this purpose, similar contract shall refer to “Supply, Delivery, Installation, Testing and Commissioning of Generator Sets with Automatic Transfer Switch (ATS)”
5.4	No further instruction.
7.1 (a)	No further instruction.
8	The BOC will hold a Pre-Bid Conference on February 18, 2025, 10:00 a.m. at the GSD Conference Room, Ground Floor, OCOM Building, South Harbor, Gate 3, Port Area, Manila, and/or through videoconferencing/webcasting via Microsoft Teams, which shall be open to prospective bidders.
14.1	<p>The bid security shall be in the form of a Bid Securing Declaration or any of the following forms and amounts:</p> <p>Lot 1</p> <ol style="list-style-type: none"> 1. The amount of not less than Php180,413.33, or 2% if bid security is in cash, cashier’s/manager’s check, bank draft/guarantee or irrevocable letter of credit; 2. The amount of not less than Php451,033.33, or 5% if bid security is in Surety Bond. <p>Lot 2</p> <ol style="list-style-type: none"> 1. The amount of not less than Php97,693.33 or 2% if bid security is in cash, cashier’s/manager’s check, bank draft/guarantee or irrevocable letter of credit; 2. The amount of not less than Php244,233.33, or 5% if bid security is in Surety Bond.
15	Each Bidder shall submit one (1) original and two (2) copies of the first and second components of its bid with proper tabbing (based on Checklist) and one (1) USB flash drive containing soft/scanned documents of the original technical components and original financial components to the documents to be attached. All submitted documents must be numbered chronologically.

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graph TD
    subgraph ORIGINAL
        T1[Technical]
        F1[Financial]
    end
    subgraph COPY1 [COPY 1]
        T2[Technical]
        F2[Financial]
    end
    subgraph COPY2 [COPY 2]
        T3[Technical]
        F3[Financial]
    end
    T1 --> O[Original]
    F1 --> O
    T2 --> C1[Copy 1]
    F2 --> C1
    T3 --> C2[Copy 2]
    F3 --> C2
    O --> SUB[ ]
    C1 --> SUB
    C2 --> SUB
    style SUB fill:#003366,color:#fff
```

All documents within the Original Bid, along with any accompanying attachments like brochures etc., must be originally signed and certified as true copies by the bidder and/or authorized representative.

The BAC may require submission of the original documents for purposes of verification, validation, and ascertaining its authenticity.

In case of a discrepancy between the soft copy and the hard copy, the hard copy will take precedence over the soft copy.

Failure to comply will result to disqualification of the submitted bid.

Partial bids are allowed. All Goods are grouped in lots listed below. Bidders shall have the option of submitting a proposal on any or all lots and evaluation and contract award will be undertaken on a per lot basis. Lots shall not be divided further into sub-lots for the purpose of bidding, evaluation, and contract award.

Lot No.	Project ID No.	Description	Location	ABC
1	BOC-GOODS 2024-12A	Supply, Delivery, Installation, Testing and Commissioning of Standby	Port of Subic	Php9,020,666.66

			Generator Sets with Accessories and Automatic Transfer Switch (ATS) at MICP, Port of Cagayan De Oro, Port of Davao and Port of Subic	Manila International Container Port	
	2	BOC-GOODS-2024-12B	Supply, Delivery, Installation, Testing and Commissioning of Standby Generator Sets with Accessories and Automatic Transfer Switch (ATS) at MICP, Port of Cagayan De Oro, Port of Davao and Port of Subic	Port of Davao	Php4,884,666.67
				Port of Cagayan De Oro (Sub-port of Tagoloan)	
	Total ABC				Php13,905,333.33
20.1	Within a non-extendible period of five (5) calendar days from receipt by the Bidder and/or authorized representative of the notice from the BAC that it submitted the Single/Lowest Calculated Bid, the Bidder shall submit with proper tabbing based on checklist the following documents: 1. Certificate of Site Inspection issued by Ports; 2. Brochures/Manuals per unit (voltage range: 220V to 240V); 3. Certificate of Performance Evaluation with a rating of at least Satisfactory from the latest completed project; 4. Certificate of Distributorship 5 years prior to submission/opening of bids; 5. Latest Income Tax Return and business Tax Return with proof of payment (filed and paid through Bureau of Internal Revenue (BIR) Electronic Filing and Payment System (eFS)); 6. VAT Returns (Form 2550Q) with proof of payment covering the last 2 quarters prior to the submission of bid, or in case of Percentage Tax				

	<p>Returns (2551M) with proof of payment covering the last 6 months prior to the submission of bids;</p> <p>7. Latest Audited Financial Statement duly received by Security and Exchange Commission (SEC) and BIR; and</p> <p>8. Updated Mayor's Permit, Tax Clearance and Department of Trade and Industry or SEC Registration.</p>
21.1	No further instruction

Section IV. General Conditions of Contract

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1. Scope of Contract

This Contract shall include all such items, although not specifically mentioned, that can be reasonably inferred as being required for its completion as if such items were expressly mentioned herein. All the provisions of RA No. 9184 and its 2016 revised IRR, including the Generic Procurement Manual, and associated issuances, constitute the primary source for the terms and conditions of the Contract, and thus, applicable in contract implementation. Herein clauses shall serve as the secondary source for the terms and conditions of the Contract.

This is without prejudice to Sections 74.1 and 74.2 of the 2016 revised IRR of RA No. 9184 allowing the GPPB to amend the IRR, which shall be applied to all procurement activities, the advertisement, posting, or invitation of which were issued after the effectivity of the said amendment.

Additional requirements for the completion of this Contract shall be provided in the **Special Conditions of Contract (SCC)**.

2. Advance Payment and Terms of Payment

2.1. Advance payment of the contract amount is provided under Annex “D” of the revised 2016 IRR of RA No. 9184.

2.2. The Procuring Entity is allowed to determine the terms of payment on the partial or staggered delivery of the Goods procured, provided such partial payment shall correspond to the value of the goods delivered and accepted in accordance with prevailing accounting and auditing rules and regulations. The terms of payment are indicated in the **SCC**.

3. Performance Security

Within ten (10) calendar days from receipt of the Notice of Award by the Bidder from the Procuring Entity but in no case later than prior to the signing of the Contract by both parties, the successful Bidder shall furnish the performance security in any of the forms prescribed in Section 39 of the 2016 revised IRR of RA No. 9184.

4. Inspection and Tests

The Procuring Entity or its representative shall have the right to inspect and/or to test the Goods to confirm their conformity to the Project specifications at no extra cost to the Procuring Entity in accordance with the Generic Procurement Manual. In addition to tests in the **SCC, Section IV (Technical Specifications)** shall specify what inspections and/or tests the Procuring Entity requires, and where they are to be conducted. The Procuring Entity shall notify the Supplier in writing, in a timely manner, of the identity of any representatives retained for these purposes.

All reasonable facilities and assistance for the inspection and testing of Goods, including access to drawings and production data, shall be provided by the Supplier to the authorized inspectors at no charge to the Procuring Entity.

5. Warranty

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

6. Liability of the Supplier

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

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

Section V. Special Conditions of Contract

GCC Clause	
1	<p>Delivery and Documents –</p> <p>The Goods shall only be delivered by the supplier as indicated in Section VI. Schedule of Requirements. Moreover, the delivery schedule as indicated in Section VI. Schedule of Requirements may be modified at the option of the Procuring Entity, with prior due notice, written or verbal, to the Supplier.</p>
2.2	<ul style="list-style-type: none"> • Payment shall be made after formal acceptance of deliverables, submission of five (5) original copies of Signed and Sealed as Built Mechanical and Electrical Plan. • 10% shall be retained until completion of contract.
3	No further instructions.
4	<p>Inspections and Tests</p> <p>Complete Goods shall be inspected and/or tested by the End User based in Section VII. Technical Specifications.</p>
5.1	<p>One (1) year warranty on parts and services commencing after the final acceptance of Procuring Entity.</p> <p>After Sales Service and Support during the warranty period, all reported defects shall be completely/satisfactory repaired/replaced by the supplier/contractor within 72 hours after receipt of verbal and/or written notice from the Procuring Entity.</p>
5.2	No further instructions.
6	No additional provision.

Section VI. Schedule of Requirements

Lot	Description	Location	Qty (unit/s)	Delivery Date
1	Supply, Delivery, Installation, Testing and Commissioning of Standby Generator Sets with Accessories and Automatic Transfer Switch (ATS) at MICP, Port of Cagayan De Oro, Port of Davao and Port of Subic	Port of Subic	2	Supply, Delivery, Installation, Testing and Commissioning within ninety (90) calendar days after receipt of Notice to Proceed to be delivered in Port of Subic and Manila International Airport
		Manila International Container Port	1	
2	Supply, Delivery, Installation, Testing and Commissioning of Standby Generator Sets with Accessories and Automatic Transfer Switch (ATS) at MICP, Port of Cagayan De Oro, Port of Davao and Port of Subic	Port of Davao	1	Supply, Delivery, Installation, Testing and Commissioning within ninety (90) calendar days after receipt of Notice to Proceed to be delivered in Port of Davao and Port of Cagayan De Oro (Sub-Port of Tagoloan)
		Port of Cagayan De Oro (Sub-Port of Tagoloan)	1	

I hereby commit to comply and deliver the above requirements.

Name of Company (in print)

Signature of Company Authorized Representative

Name & Designation (in print)

Date

Section VII. Technical Specifications

STATEMENT OF COMPLIANCE TO TECHNICAL SPECIFICATIONS

A. INSTRUCTION:

The bidder must state in the last column opposite each parameter and required specifications either “Comply” or “Not Comply”. All pages shall be properly signed. Bidders must state here either “Comply” or “Not Comply” against each of the individual parameters of each Specification stating the corresponding performance parameter of the equipment offered. Statements of “Comply” or “Not Comply” must be supported by evidence in a Bidders Bid and cross-referenced to that evidence. Evidence shall be in the form of manufacturer’s un-amended sales literature, unconditional statements of specification and compliance issued by the manufacturer, samples, independent test data etc., as appropriate. A statement that is not supported by evidence or is subsequently found to be contradicted by the evidence presented will render the Bid under evaluation liable for rejection. A statement either in the Bidders statement of compliance or the supporting evidence that is found to be false either during Bid evaluation, post-qualification or the execution of the Contract may be regarded as fraudulent and render the Bidder or supplier liable for prosecution subject to the provisions of ITB Clause above goods manufactured by us.

Lot	Description	Statement of Compliance	Cross-Reference (Highlighted Specification and Annexes/Page Number)
1	PORT OF SUBIC (75KVA)		
	• Standby Power Rating: at least 75KVA/60 KW		
	• Rated AC Voltage: at least 220V-240V		
	• Frequency: at least 60Hz		
	• Rated Speed: at least 1800rpm		
	• Power Factors: at least 0.8		
	• Phases: Three Phase		
	• Type: Silent Type		
	• Engine Type: Diesel Fuel		
	• Noise Level: at least 75-85 db @ 1m		
	• Fuel System: Manufacturer Standard		
	• Electrical System: Manufacturer’s Standard		
	• Digital Controller: <ul style="list-style-type: none"> ➤ Over & Under Speed ➤ Low Oil Pressure ➤ Under/Over Generator Voltage ➤ Low & High Battery Voltage ➤ Emergency Stop ➤ Over Current ➤ High Engine Temperature ➤ Start/Stop Failure 		

	➤ Charge Fail		
	<ul style="list-style-type: none"> • Other Accessories: (Notarized Undertaking that the bidder will deliver the following) <ul style="list-style-type: none"> ➤ Set mounted tropical radiator ➤ Set-mounted circuit breaker ➤ Skid-base diesel tank ➤ Digital generator set controller with meter and alert ➤ Free maintenance type battery 		
	Automatic Transfer Switch (ATS)		
	• Ampere Rating: at least 200 Amps		
	• Voltage Rating: at least 220V-240V		
	• Ampere Frame: at least 250AF		
	• Interrupting Capacity: at least 25KAIC		
	• Phase: Three Phase		
	• Enclosure: Undertaking that the Enclosure is Nema – 1 compliant		
	<ul style="list-style-type: none"> • Accessories: (Notarized Undertaking that the bidder shall deliver the following) <ul style="list-style-type: none"> ➤ Phase Voltage Digital Meter (3 Phase) ➤ Phase Current Digital Meter (3 Phase) ➤ Normal and Emergency Signal/Indicator 		
	<u>Installation, Testing and Commissioning</u> Notarized Undertaking that the bidder shall perform the following: I. Mobilization The mobilization of the project shall consist of the following: <ol style="list-style-type: none"> Preparation of logistics of contractor's equipment; and Setting up of temporary facilities within the site. II. Electrical Works <ol style="list-style-type: none"> Walk around, Visual inspection, Gather data, and information; Marking and Positioning of Generator and Automatic Transfer Switch (ATS); Site coordination for power interruption during transfer of normal to emergency; Joint Coordination with Electric 		

	<p>Cooperative for temporary shutdown;</p> <ul style="list-style-type: none"> e. Supply and Installation of new Generator with accessories and ATS. f. Supply and Installation of wiring system from Generator to ATS and from ATS to existing electrical main panelboard shall be overhead installation. Color Coded (RYB) THHN wire in IMC conduit pipe shall be used for installation; g. Termination of existing cable wires to delivered new Generator and ATS; h. Installation of control wiring from ATS to Generator panel; i. Installation of three phase shall be in correct phase sequence to supply the power from emergency generator for the future electrical system arrangement; j. Load balancing shall be done for all three-phase supply; k. If any has been omitted for any items of work or materials usually furnished, which are necessary for the completion of entire work as outlined herein before, then such items must be and hereby included to complete the standard installation; l. Conduct Continuity Test and Insulation Resistance Test for installed feeder line and to submit test reports. m. All synch controllers and generators must be set to automatic mode; n. Supply of fuel in Generator for testing (1/4 of fuel tank capacity); o. Simulate operation of the ATS transfer from normal to emergency power; p. Testing and commissioning of new Generator and ATS with load; q. Return operation of the ATS emergency power to normal power r. Double check genset controller, 		
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1	<p>synch controller, and ATS controller if it's in auto mode before demobilized;</p> <p>s. Submission of test reports (continuity and insulation resistance test) and service report;</p> <p>t. Submission of certificate of completion;</p> <p>u. Submission of signed and sealed as-built plan of electrical power distribution system to General Services Division (GSD) after completion of project and final acceptance;</p> <p>III. Civil Works</p> <p>a. Construction of elevated concrete pad (30cm from the highest elevated area) as per new Generator requirements;</p> <p>IV. Demobilization</p> <p>a. Sites clean up.</p> <p>b. Removal and hauling of tools and equipment from project site.</p>		
	<p><u>Code and Standards</u></p> <p>Notarized Undertaking that the bidder shall comply with the following:</p> <p>a. PEC – Philippine Electrical Code</p> <p>b. NFPA 110 Standard for Emergency and Standby Power System</p> <p>c. UL 1008 - Standard for Automatic Transfer Switches</p>		
	<p><u>Other Requirements</u></p> <p>a. Original Equipment Manufacturer (OEM) Certificate (Engine, Alternator and Controller)</p> <p>b. ISO Certificate</p> <p>c. Load Bank Test Result/Certification (issued by an independent or third-party company)</p> <p>d. Operation and Maintenance Manual for Genset and Automatic Transfer Switch</p> <p>e. Brochure of Generator Set and Automatic Transfer Switch</p>		
	<p>MANILA INTERNATIONAL CONTAINER PORT (800KVA)</p> <p>• Standby Power Rating: at least</p>		

	800KVA/640KW		
	• Rated AC Voltage: at least 220V-240V		
	• Frequency: at least 60Hz		
	• Rated Speed: at least 1800rpm		
	• Power Factors: at least 0.8		
	• Phases: Three Phase		
	• Type: Open Type		
	• Engine Type: Diesel Fuel		
	• Fuel System: Manufacturer Standard		
	• Electrical System: Manufacturer's Standard		
	<ul style="list-style-type: none"> • Digital Controller: <ul style="list-style-type: none"> ➤ Over & Under Speed ➤ Low Oil Pressure ➤ Under/Over Generator Voltage ➤ Low & High Battery Voltage ➤ Emergency Stop ➤ Over Current ➤ High Engine Temperature ➤ Start/Stop Failure ➤ Charge Fail 		
	<ul style="list-style-type: none"> • Other Accessories: (Notarized Undertaking that the bidder shall deliver the following) <ul style="list-style-type: none"> ➤ Set-mounted tropical radiator ➤ Set-mounted circuit breaker ➤ Skid-base diesel tank ➤ Digital generator set controller with meter and alert ➤ Free maintenance type battery 		
	Automatic Transfer Switch (ATS)		
	• Ampere Rating: at least 2000 Amps		
	• Voltage Rating: at least 220-240 Volts		
	• Ampere Frame: at least 2500AF		
	• Interrupting Capacity: 85KAIC		
	• Phase: Three Phase		
	• Enclosure: Undertaking that the Enclosure is Nema – 1 compliant		
	<ul style="list-style-type: none"> • Accessories: (Notarized Undertaking that the bidder shall deliver the following) <ul style="list-style-type: none"> ➤ Phase Voltage Digital Meter (3 Phase) ➤ Phase Current Digital Meter (3 Phase) ➤ Normal and Emergency Signal/Indicator 		
	Installation, Testing and Commissioning		

	<p>Notarized Undertaking that the bidder shall perform the following:</p> <p>I. Mobilization The mobilization of the project shall consist of the following:</p> <ol style="list-style-type: none"> a. Preparation of logistics of contractor's equipment; and b. Setting up of temporary facilities within the site. <p>II. Electrical Works</p> <ol style="list-style-type: none"> a. Walk around, visual inspection, gather data, and information; b. Dismantling, hauling and rigging of existing Generator, Automatic Transfer Switch (ATS) and its accessories; c. Construction of concrete pad as per new Generator requirements; d. Marking and Positioning of new Generator and Automatic Transfer Switch (ATS); e. Supply and installation of exhaust and air duct system; f. Site coordination for power interruption during transfer of normal to emergency; g. Joint Coordination to Meralco/Electric Cooperative for temporary shutdown; h. Supply and Installation of new Generator; i. Installation of wiring system from Generator to ATS and from ATS to existing electrical main panelboard shall be overhead installation. THHN wire in IMC conduit pipe shall be used for installation; j. Termination of existing cable wires to delivered new Generator and ATS; k. Installation of control wiring from ATS to Generator panel; l. Installation of three phase shall be in correct phase sequence to supply the power from emergency generator for the future electrical system 		
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	<p>arrangement;</p> <p>m. Load balancing shall be done for all three-phase supply;</p> <p>n. If any has been omitted for any items of work or materials usually furnished, which are necessary for the completion of entire work as outlined herein before, then such items must be and hereby included to complete the standard installation;</p> <p>o. Supply and installation of engine exhaust (exhaust system shall be minimum of three meters from the ground).</p> <p>p. All synch controllers and generators must be set to automatic mode;</p> <p>q. Supply of fuel of Generator for testing (1/4 of fuel tank capacity);</p> <p>r. Simulate operation of the ATS transfer from normal to emergency power;</p> <p>s. Testing and commissioning of new Generator and ATS with load;</p> <p>t. Return operation of the ATS emergency power to normal power;</p> <p>u. Double check genset controller, sync controller, and ATS controller if it is in auto mode before being demobilized;</p> <p>v. Submission of test reports (continuity and insulation resistance test) and service report;</p> <p>w. Submission of certificate of completion;</p> <p>x. Transfer to Warehouse 159 with provision of protective vinyl cover/sheet (Delgado Street corner 16th Street, South Harbor, Port Area, Manila) of Old Generator and Automatic Transfer Switch (ATS);</p> <p>y. Submission of signed and sealed as-built plan of electrical power distribution system to GSD after completion of project and final acceptance;</p>		
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	<p>III. Civil Works</p> <p>a. Construction of elevated concrete pad (30cm from the highest elevated area) as per new Generator requirements;</p> <p>IV. Demobilization</p> <p>a. Sites clean up;</p> <p>b. Hauling of debris materials from project site to appropriate disposal area; and</p> <p>c. Removal and hauling of tools and equipment from project site.</p>		
	<p>Code and Standards (Notarized Undertaking that the bidder shall comply with the following)</p> <p>a. PEC – Philippine Electrical Code</p> <p>b. NFPA 110 Standard for Emergency and Standby Power System</p> <p>c. UL 1008 - Standard for Automatic Transfer Switches</p>		
	<p>Other Requirements</p> <p>a. Original Equipment Manufacturer (OEM) Certificate (Engine, Alternator and Controller)</p> <p>b. ISO Certificate</p> <p>c. Load Bank Test Result/Certification (issued by an independent/third-party company)</p> <p>d. Operation and Maintenance Manual for Genset and Automatic Transfer Switch</p> <p>e. Brochure of Generator Set and Automatic Transfer Switch</p>		
2	PORT OF DAVAO (200KVA)		
	• Standby Power Rating: at least 200KVA/160 KW		
	• Rated AC Voltage: at least 220V-240V		
	• Frequency: at least 60Hz		
	• Rated Speed: at least 1800rpm		
	• Power Factors: at least 0.8		
	• Phases: Three Phase		
	• Type: Silent Type		
	• Engine Type: Diesel Fuel		
	• Noise Level: at least 75-85 db @ 1m		
	• Fuel System: Manufacturer Standard		
	• Electrical System: Manufacturer's Standard		
	• Digital Controller: ➤ Over & Under Speed		

	<ul style="list-style-type: none"> ➤ Low Oil Pressure ➤ Under/Over Generator Voltage ➤ Low & High Battery Voltage ➤ Emergency Stop ➤ Over Current ➤ High Engine Temperature ➤ Start/Stop Failure ➤ Charge Fail 		
	<ul style="list-style-type: none"> • Other Accessories: (Notarized Undertaking that the bidder shall delivery the following) <ul style="list-style-type: none"> ➤ Set-mounted tropical radiator ➤ Set-mounted circuit breaker ➤ Skid-base diesel tank ➤ Digital generator set controller with meter and alert ➤ Free maintenance type battery 		
	Automatic Transfer Switch (ATS)		
	• Ampere Rating: at least 500 Amps		
	• Voltage Rating: at least 220-240 Volts		
	• Ampere Frame: at least 600AF		
	• Interrupting Capacity: at least 44KAIC		
	• Phase: Three Phase		
	• Enclosure: Undertaking that the Enclosure is Nema – 1 compliant		
	<ul style="list-style-type: none"> • Accessories: (Notarized Undertaking that the bidder shall deliver the following) <ul style="list-style-type: none"> ➤ Phase Voltage Digital Meter (3 Phase) ➤ Phase Current Digital Meter (3 Phase) ➤ Normal and Emergency Signal/Indicator 		
	Installation, Testing and Commissioning Notarized Undertaking that the bidder shall perform the following: I. Mobilization The mobilization of the project shall consist of the following: <ol style="list-style-type: none"> a. Preparation of logistics of contractor's equipment b. Setting up of temporary facilities within the site II. Electrical Works <ol style="list-style-type: none"> a. Walk around, Visual inspection, Gather data, and information; b. Marking and Positioning of 		

	<p>Generator and Automatic Transfer Switch (ATS);</p> <ul style="list-style-type: none"> c. Site coordination for power interruption during transfer of normal to emergency; d. Joint Coordination to Electric Cooperative for temporary shutdown; e. Supply and Installation of new Generator with accessories and ATS; f. Supply and Installation of wiring system from Generator to ATS and from ATS to existing electrical main panelboard shall be overhead installation. Color Coded (RYB) THHN wire in IMC conduit pipe shall be used for installation; g. Termination of existing cable wires to delivered new Generator and ATS; h. Installation of control wiring from ATS to Generator panel; i. Installation of three phase shall be in correct phase sequence to supply the power from emergency generator for the future electrical system arrangement; j. Load balancing shall be done for all three-phase supply; k. If any has been omitted for any items of work or materials usually furnished, which are necessary for the completion of entire work as outlined herein before, then such items must be and hereby included to complete the standard installation; l. Conduct continuity test and insulation resistance test for installed feeder line and to submit test reports. m. All synch controllers and generators must be set to automatic mode; n. Supply of fuel of Generator for testing (1/4 of fuel tank capacity); o. Simulate operation of the ATS transfer from normal to 		
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2	<p>emergency power;</p> <p>p. Testing and commissioning of new Generator and ATS with load;</p> <p>q. Return operation of the ATS emergency power to normal power</p> <p>r. Double check genset controller, synch controller, and ATS controller if it's in auto mode before demobilized;</p> <p>s. Submission of test reports (continuity and insulation resistance test) and service report;</p> <p>t. Submission of certificate of completion;</p> <p>u. Submission of signed and sealed as-built plan of electrical power distribution system to GSD after completion of project and final acceptance;</p> <p>III. Civil Works</p> <p>a. Construction of concrete pad (30cm from the highest elevated area) as per new Generator requirements;</p> <p>IV. Construction of Genset and Automatic Transfer Switch (ATS) enclosed shed.</p> <p>V. Demobilization</p> <p>a. Sites clean up;</p> <p>b. Removal and hauling of tools and equipment from project site;</p>		
	PORT OF CAGAYAN DE ORO (Sub-Port of Tagoloan) (200KVA)		
	• Standby Power Rating: at least 200KVA/160 KW		
	• Rated AC Voltage: at least 220-240V		
	• Frequency: at least 60Hz		
	• Rated Speed: at least 1800rpm		
	• Power Factors: at least 0.8		
	• Phases: Three Phase		
	• Type: Silent Type		
	• Engine Type: Diesel Fuel		
	• Noise Level: at least 75-85 db @ 1m		
	• Fuel System: Manufacturer Standard		
	• Electrical System: Manufacturer's Standard		
	• Digital Controller: ➤ Over & Under Speed		

	<ul style="list-style-type: none"> ➤ Low Oil Pressure ➤ Under/Over Generator Voltage ➤ Low & High Battery Voltage ➤ Emergency Stop ➤ Over Current ➤ High Engine Temperature ➤ Start/Stop Failure ➤ Charge Fail 		
	<ul style="list-style-type: none"> • Other Accessories: (Notarized Undertaking that the bidder shall deliver the following) <ul style="list-style-type: none"> ➤ Set-mounted tropical radiator ➤ Set-mounted circuit breaker ➤ Skid-base diesel tank ➤ Digital generator set controller with meter and alert ➤ Free maintenance type battery 		
	Automatic Transfer Switch (ATS)		
	• Ampere Rating: at least 500 Amps		
	• Voltage Rating: at least 220-240 Volts		
	• Ampere Frame: at least 600AF		
	• Interrupting Capacity: at least 44KAIC		
	• Phase: Three Phase		
	• Enclosure: Undertaking that the Enclosure is Nema – 1 compliant		
	<ul style="list-style-type: none"> • Accessories: (Notarized Undertaking that the bidder shall deliver the following) <ul style="list-style-type: none"> ➤ Phase Voltage Digital Meter (3 Phase) ➤ Phase Current Digital Meter (3 Phase) ➤ Normal and Emergency Signal/Indicator 		
	Installation, Testing and Commissioning Notarized Undertaking that the bidder shall perform the following: I. Mobilization The mobilization of the project shall consist of the following: <ol style="list-style-type: none"> a. Preparation of logistics of contractor's equipment b. Setting up of temporary facilities within the site II. Electrical Works <ol style="list-style-type: none"> a. Walk around, Visual inspection, Gather data, and information; b. Marking and Positioning of 		

	<p>Generator and Automatic Transfer Switch (ATS);</p> <ul style="list-style-type: none"> c. Site coordination for power interruption during transfer of normal to emergency; d. Joint Coordination to Electric Cooperative for temporary shutdown; e. Supply and Installation of new Generator with accessories and ATS. f. Supply and Installation of wiring system from Generator to ATS and from ATS to existing electrical main panelboard shall be overhead installation. Color Coded (RYB) THHN wire in IMC conduit pipe shall be used for installation; g. Termination of existing cable wires to delivered new Generator and ATS; h. Installation of control wiring from ATS to Generator panel; i. Installation of three phase shall be in correct phase sequence to supply the power from emergency generator for the future electrical system arrangement; j. Load balancing shall be done for all three-phase supply; k. If any has been omitted for any items of work or materials usually furnished, which are necessary for the completion of entire work as outlined herein before, then such items must be and hereby included to complete the standard installation; l. Conduct continuity test and insulation resistance test for installed feeder line and to submit test reports. m. All synch controllers and generators must be set to automatic mode; a. Supply of fuel in Generator for testing (1/4 of fuel tank capacity); n. Simulate operation of the ATS 		
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	<p>transfer from normal to emergency power;</p> <ul style="list-style-type: none"> o. Testing and commissioning of new Generator and ATS with load; p. Return operation of the ATS emergency power to normal power q. Double check genset controller, synch controller, and ATS controller if it's in auto mode before demobilized; r. Submission of test reports (continuity and insulation resistance test) and service report; s. Submission of certificate of completion; t. Submission of signed and sealed as-built plan of electrical power distribution system to GSD after completion of project and final acceptance; <p>III. Civil Works</p> <ul style="list-style-type: none"> a. Construction of elevated concrete (30cm from the highest elevated area) pad as per new Generator requirements; <p>IV. Demobilization</p> <ul style="list-style-type: none"> a. Sites clean up; b. Removal and hauling of tools and equipment from project site 		
	<p>Code and Standards</p> <p>Notarized Undertaking that the bidder shall comply the following:</p> <ul style="list-style-type: none"> a. PEC – Philippine Electrical Code b. NFPA 110 Standard for Emergency and Standby Power System c. UL 1008 - Standard for Automatic Transfer Switches 		
	<p>Other Requirements</p> <ul style="list-style-type: none"> a. Original Equipment Manufacturer (OEM) Certificate (Engine, Alternator and Controller) b. ISO Certificate (manufacturer) c. Load Bank Test Result/Certification (certification issued by an 		

	independent/third-party company) d. Operation and Maintenance Manual for Genset and Automatic Transfer Switch e. Brochure of Generator Set and Automatic Transfer Switch		
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I hereby commit to comply and deliver the above requirements.

Name of Company (in print)

Signature of Company Authorized Representative

Name & Designation (in print)

Date

Section VIII. Checklist of Technical and Financial Documents

Checklist of Technical and Financial Documents

I. TECHNICAL COMPONENT ENVELOPE

Class “A” Documents

Legal Documents

- ☐ (a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages) **in accordance with Section 8.5.2 of the IRR;**

Technical Documents

- ☐ (b) Statement of the prospective bidder of all its ongoing government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid; **and**
- ☐ (c) Statement of the bidder’s Single Largest Completed Contract (SLCC) similar to the contract to be bid, except under conditions provided for in Sections 23.4.1.3 and 23.4.2.4 of the 2016 revised IRR of RA No. 9184, within the relevant period as provided in the Bidding Documents; **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 Schedule of Requirements, Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or after-sales/parts, if applicable; **and**
- ☐ (f) Original duly signed Omnibus Sworn Statement (OSS) **and** if applicable, Original Notarized Secretary’s Certificate in case of a corporation, partnership, or cooperative; or Original Special Power of Attorney of all members of the joint venture giving full power and authority to its officer to sign the OSS and do acts to represent the Bidder; and
- (g) List of Authorized Service Centers in Luzon, Visayas, and Mindanao, as the case maybe, with updated business permit.

Financial Documents

- ☐ (h) The prospective bidder’s computation of Net Financial Contracting Capacity (NFCC) **or** A committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation.

Class “B” Documents

- ☐ (i) If applicable, a duly signed joint venture agreement (JVA) in case the joint venture is already in existence **or** duly notarized statements from all the

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

II. FINANCIAL COMPONENT ENVELOPE

- ☐ (j) Original of duly signed and accomplished Financial Bid Form; **and**
- ☐ (k) Original of duly signed and accomplished Price Schedule(s).

Other documentary requirements under RA No. 9184 (as applicable)

- ☐ (l) *[For foreign bidders claiming by reason of their country's extension of reciprocal rights to Filipinos]* Certification from the relevant government office of their country stating that Filipinos are allowed to participate in government procurement activities for the same item or product.
- ☐ (m) Certification from the DTI if the Bidder claims preference as a Domestic Bidder or Domestic Entity.

POST-QUALIFICATION REQUIREMENTS

- (a) Certificate of Site Inspection issued by Ports;
- (b) Brochures/Manuals per unit (voltage range: 220V to 240V);
- (c) Certificate of Performance Evaluation with a rating of at least Satisfactory from the latest completed project;
- (d) Certificate of Distributorship 5 years prior to submission/opening of bids;
- (e) Latest Income Tax Return and business Tax Return with proof of payment (filed and paid through Bureau of Internal Revenue (BIR) Electronic Filing and Payment System (eFS));
- (f) VAT Returns (Form 2550Q) with proof of payment covering the last 2 quarters prior to the submission of bid, or incase of Percentage Tax Returns (2551M) with proof of payment covering the last 6 months prior to the submission of bids;
- (g) Latest Audited Financial Statement duly received by Security and Exchange Commission (SEC) and BIR; and
- (h) Updated Mayor's Permit, Tax Clearance and Department of Trade and Industry or SEC Registration.

Bid Form

Date: _____
Invitation to Bid³ N^o: _____

To: [name and address of Procuring Entity]

Gentlemen and/or Ladies:

Having examined the Bidding Documents including Bid Bulletin Numbers [insert numbers], the receipt of which is hereby duly acknowledged, we, the undersigned, offer to the BOC, our services for the project, ***“Supply, Delivery, Installation, Testing and Commissioning of Standby Generator Sets with Accessories and Automatic Transfer Switch (ATS) at MICP, Port of Cagayan De Oro, Port of Davao and Port of Subic”*** in conformity with the said Bidding Documents for the sum of [total Bid amount in words and figures] or such other sums as may be ascertained in accordance with the Schedule of Prices attached herewith and made part of this Bid.

LOT NO.	DESCRIPTION	LOCATION	QTY	UNIT COST	TOTAL COST
1	Supply, Delivery, Installation, Testing and Commissioning of Standby Generator Sets with Accessories and Automatic Transfer Switch (ATS) at MICP, Port of Cagayan De Oro, Port of Davao and Port of Subic	Port of Subic	2		
		Manila International Container Port	1		

We undertake, if our Bid is accepted, to deliver the goods in accordance with the delivery schedule specified in the Schedule of Requirements.

If our Bid is accepted, we undertake to provide a performance security in the form, amounts, and within the times specified in the Bidding Documents.

We agree to abide by this Bid for the Bid Validity Period specified in **BDS** provision for **ITB** Clause 14.2 and it shall remain binding upon us and may be accepted at any time before the expiration of that period.

Commissions or gratuities, if any, paid or to be paid by us to agents relating to this Bid, and to contract execution if we are awarded the contract, are listed below:⁴

³ If ADB, JICA and WB funded projects, use IFB.

⁴ Applicable only if the Funding Source is the ADB, JICA or WB.

Name and address of agent	Amount and Currency	Purpose of Commission or gratuity
_____	_____	_____
_____	_____	_____
_____	_____	_____
(if none, state "None")		

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

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

We certify/confirm that we comply with the eligibility requirements as per **ITB** Clause 10 of the Bidding Documents.

We likewise certify/confirm that the undersigned, *[for sole proprietorships, insert: as the owner and sole proprietor or authorized representative of Name of Bidder, has the full power and authority to participate, submit the bid, and to sign and execute the ensuing contract, on the latter's behalf for the Name of Project of the Name of the Procuring Entity] [for partnerships, corporations, cooperatives, or joint ventures, insert: is granted full power and authority by the Name of Bidder, to participate, submit the bid, and to sign and execute the ensuing contract on the latter's behalf for Name of Project of the Name of the Procuring Entity].*

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

Dated this _____ day of _____ 20_____.

[signature]

[in the capacity of]

Duly authorized to sign Bid for and on behalf of _____

Bid Form

Date: _____
Invitation to Bid⁵ N^o: _____

To: [name and address of Procuring Entity]

Gentlemen and/or Ladies:

Having examined the Bidding Documents including Bid Bulletin Numbers [insert numbers], the receipt of which is hereby duly acknowledged, we, the undersigned, offer to the BOC, our services for the project, ***“Supply, Delivery, Installation, Testing and Commissioning of Standby Generator Sets with Accessories and Automatic Transfer Switch (ATS) at MICP, Port of Cagayan De Oro, Port of Davao and Port of Subic”*** in conformity with the said Bidding Documents for the sum of [total Bid amount in words and figures] or such other sums as may be ascertained in accordance with the Schedule of Prices attached herewith and made part of this Bid.

LOT NO.	DESCRIPTION	LOCATION	QTY	UNIT COST	TOTAL COST
2	Supply, Delivery, Installation, Testing and Commissioning of Standby Generator Sets with Accessories and Automatic Transfer Switch (ATS) at MICP, Port of Cagayan De Oro, Port of Davao and Port of Subic	Port of Davao	1		
		Port of Cagayan De Oro (Sub-Port of Tagoloan)	1		

We undertake, if our Bid is accepted, to deliver the goods in accordance with the delivery schedule specified in the Schedule of Requirements.

If our Bid is accepted, we undertake to provide a performance security in the form, amounts, and within the times specified in the Bidding Documents.

We agree to abide by this Bid for the Bid Validity Period specified in **BDS** provision for **ITB** Clause 14.2 and it shall remain binding upon us and may be accepted at any time before the expiration of that period.

Commissions or gratuities, if any, paid or to be paid by us to agents relating to this Bid, and to contract execution if we are awarded the contract, are listed below:⁶

⁵ If ADB, JICA and WB funded projects, use IFB.

⁶ Applicable only if the Funding Source is the ADB, JICA or WB.

Name and address of agent	Amount and Currency	Purpose of Commission or gratuity
_____	_____	_____
_____	_____	_____
_____	_____	_____
(if none, state "None")		

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

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

We certify/confirm that we comply with the eligibility requirements as per **ITB** Clause 10 of the Bidding Documents.

We likewise certify/confirm that the undersigned, *[for sole proprietorships, insert: as the owner and sole proprietor or authorized representative of Name of Bidder, has the full power and authority to participate, submit the bid, and to sign and execute the ensuing contract, on the latter's behalf for the Name of Project of the Name of the Procuring Entity] [for partnerships, corporations, cooperatives, or joint ventures, insert: is granted full power and authority by the Name of Bidder, to participate, submit the bid, and to sign and execute the ensuing contract on the latter's behalf for Name of Project of the Name of the Procuring Entity].*

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

Dated this _____ day of _____ 20_____.

[signature]

[in the capacity of]

Duly authorized to sign Bid for and on behalf of _____

Price Schedule for Goods Offered from Within the Philippines

For Goods Offered from Within the Philippines

Name of Bidder _____ Project ID No. _____ Page ___ of ___

[illegible]

Name: _____

Legal Capacity: _____

Signature: _____

Duly authorized to sign the Bid for and behalf of: _____

Price Schedule for Goods Offered from Abroad

For Goods Offered from Abroad

Name of Bidder _____ Project ID No. _____ Page ____ of ____

1	2	3	4	5	6	7	8	9
Item	Description	Country of origin	Quantity	Unit price CIF port of entry (specify port) or CIP named place (specify border point or place of destination)	Total CIF or CIP price per item (col. 4 x 5)	Unit Price Delivered Duty Unpaid (DDU)	Unit price Delivered Duty Paid (DDP)	Total Price delivered DDP (col 4 x 8)

Name: _____

Legal Capacity: _____

Signature: _____

Duly authorized to sign the Bid for and behalf of: _____

Statement of Single Largest Completed Contract which is similar in nature

Business Name: _____

Business Address: _____

Name of Contract (including the name of procuring entity)	Date of the Contract	Kinds of Goods	Amount of Contract	Date of Delivery	End User's Acceptance or Official Receipt(s) Issued for the Contract

Submitted by : _____
(Printed Name & Signature)

Designation : _____

Date : _____

List of all Ongoing Government & Private Contracts including

Contracts awarded but not yet started

Business Name: _____

Business Address: _____

Name of Contract (including the name of procuring entity)	Date of the Contract	Kinds of Goods	Value of Outstanding Contracts	Date of Delivery
<u>Government</u>				
<u>Private</u>				

Submitted by : _____

(Printed Name & Signature)

Designation : _____

Date : _____

Instructions:

- i. State all ongoing contracts including those awarded but not yet started within five (5) years (government and private contracts, which may be similar or not similar to the project being bidded) prior to opening of bids.
- ii. If there is no ongoing contract including awarded but not yet started as of the aforementioned period, state none or equivalent term.
- iii. The total amount of the ongoing and awarded but not yet started contracts should be consistent with those used in the Net Financial Contracting Capacity (NFCC) in case an NFCC is submitted as an eligibility document

CONTRACT AGREEMENT

THIS AGREEMENT made the ____ day of _____ 20____ between [name of PROCURING ENTITY] of the Philippines (hereinafter called “the Entity”) of the one part and [name of Supplier] of [city and country of Supplier] (hereinafter called “the Supplier”) of the other part;

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly [brief description of goods and services] and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of [*contract price in words and figures in specified currency*] (hereinafter called “the Contract Price”).

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract referred to.
2. The following documents as required by the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184 shall be deemed to form and be read and construed as integral part of this Agreement, viz.:
 - i. Philippine Bidding Documents (PBDs);
 - i. Schedule of Requirements;
 - ii. Technical Specifications;
 - iii. General and Special Conditions of Contract; and
 - iv. Supplemental or Bid Bulletins, if any
 - ii. Winning bidder’s bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;

Bid form, including all the documents/statements contained in the Bidder’s bidding envelopes, as annexes, and all other documents submitted (*e.g.*, Bidder’s response to request for clarifications on the bid), including corrections to the bid, if any, resulting from the Procuring Entity’s bid evaluation;
 - iii. Performance Security;
 - iv. Notice of Award of Contract; and the Bidder’s conforme thereto; and
 - v. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the PBDs. **Winning bidder agrees that additional contract documents or information prescribed by the GPPB that are subsequently required for submission after the contract execution, such as the Notice to Proceed, Variation Orders, and Warranty Security, shall likewise form part of the Contract.**

3. In consideration for the sum of *[total contract price in words and figures]* or such other sums as may be ascertained, *[Named of the bidder]* agrees to *[state the object of the contract]* in accordance with his/her/its Bid.
4. The *[Name of the procuring entity]* agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines on the day and year first above written.

[Insert Name and Signature]

[Insert Name and Signature]

[Insert Signatory's Legal Capacity]

[Insert Signatory's Legal Capacity]

for:

for:

[Insert Procuring Entity]

[Insert Name of Supplier]

Acknowledgment

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

Omnibus Sworn Statement

REPUBLIC OF THE PHILIPPINES)
CITY/MUNICIPALITY OF _____) S.S.

AFFIDAVIT

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

1. *[Select one, delete the other:]*

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

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

2. *[Select one, delete the other:]*

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

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

3. [Name of Bidder] is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board, **by itself or by relation, membership, association, affiliation, or controlling interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on Blacklisting;**

4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;

5. [Name of Bidder] is authorizing the Head of the Procuring Entity or its duly authorized representative(s) to verify all the documents submitted;

6. *[Select one, delete the rest:]*

[If a sole proprietorship:] The owner or sole proprietor is not related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this ___ day of ___, 20__ at _____, Philippines.

[Insert NAME OF BIDDER OR ITS AUTHORIZED REPRESENTATIVE]

[Insert signatory's legal capacity]
Affiant

[Jurat]

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

BID SECURING DECLARATION FORM

REPUBLIC OF THE PHILIPPINES)
CITY OF _____) S.S.

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

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

I/We, the undersigned, declare that:

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

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

*[Insert NAME OF BIDDER OR ITS AUTHORIZED
REPRESENTATIVE]*

[Insert signatory's legal capacity]
Affiant

[Jurat]

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

