



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
OFFICE OF THE SECRETARY
Manila

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DEPARTMENT ORDER

No

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**Interim Guidelines in the
Procurement Process based on the
Revised Implementing Rules and
Regulations of Republic Act 9184**

In accordance with the provisions of the Revised Implementing Rules and Regulations (IRR) of Republic Act 9184, the following interim guidelines for procurement are hereby prescribed for all procuring entities of this Department until such time that manuals shall have been formulated.

A. Procurement Planning

1. The Project Procurement Management Plan (PPMP) shall be prepared by the end-user units of the procuring entity and shall contain all the information enumerated under Section 7.3.2 of the IRR.
2. The PPMP shall then be submitted to the Planning/Budget office of the procuring entity for the appropriate evaluation with regard to funds.
3. The PPMP shall be approved by the BAC and furnished to the BAC Secretariat for its review and consolidation into a proposed Annual Procurement Plan (APP).
4. The APP shall be approved by the head of the procuring entity concerned.
5. Individual PPMPs may be updated every six (6) months or as may be necessary by the end-user units; consolidated by the BAC Secretariat; and approved by the head of procuring entity.
6. No procurement shall be undertaken unless it is in accordance with the approved APP of the procuring entity.

B. Posting and Advertising

1. All Invitations to Bid (IB)/Requests for Expression of Interest (REI) shall contain all the applicable information enumerated under Section 21 of the revised IRR of RA 9184 and shall be posted and advertised, if applicable, in accordance with the attached formats. IBs/REIs shall adopt the standard format attached as Annex "A" for infrastructure; Annex "B" for goods; and Annex "C" for consultancy services.
2. A copy of the IB/REI shall be submitted to the Procurement Office for Civil Works (POCW) for infrastructure and consulting services, and to the BAC Secretariat for Goods for goods, for posting in the DPWH website. A copy of the IB/REI shall be submitted in Microsoft format in a diskette/ed or thru email to pcow@dpwh.gov.ph or bac_goods@dpwh.gov.ph at least one (1) calendar day before the first day of scheduled posting/advertisement along with the corresponding Contract Profile. PCOW shall encode the Contract Profile (for civil works projects).
3. Newspaper advertisements shall coincide with the website posting period.
4. Newspaper advertisements, posting at PHILGEPS website and in conspicuous places shall be the responsibility of the concerned procuring entity.

5. All Notices and Supplemental/Bid Bulletins shall likewise be submitted to the POCW or BAC Secretariat for Goods for posting in the DPWH website including Notices in the use of alternative mode of procurement.

C. Eligibility Evaluation

1. Eligibility evaluation for goods and consultancy services shall be conducted manually according to their respective criteria as provided in the Revised IRR until such time that an electronic registry for each shall have been established.
2. All eligibility evaluation for the procurement of locally funded civil works contracts shall be conducted electronically using the Civil Works Registry (CWR) system regardless of the mode of procurement (public bidding or alternative mode).
3. For purposes of eligibility evaluation in the procurement of civil works contracts, the BAC of all procuring entities are hereby directed to establish an interconnection through Wide Area Network (WAN) with the Central Office by the end of January 2010. This shall include provisions for leased lines, dedicated computer units with original software's and trained personnel. For this purpose, concerned procuring entities are responsible in coordinating with the Monitoring and Information Service (MIS) and the POCW.
4. Interconnected Bids and Awards Committee (BAC) of the Regional Offices (ROs) and District Engineering Office (DEOs) are hereby authorized to conduct their respective eligibility evaluation of contractors using the CWR.
5. In cases wherein the Regional Office BAC is already interconnected, it is hereby authorized to conduct the electronic eligibility evaluation of projects of DEOs not yet interconnected within its area of jurisdiction.
6. Until such time that such interconnection is established, the POCW shall be authorized to conduct the electronic eligibility evaluation of contractors for the procuring entities concerned, including cases wherein WAN is unavailable for whatever reason.
7. In case of disruption/unavailability of the WAN of the Central Office (CO) at the time of the submission/opening of bids, the BAC of the procuring entities are authorized to conduct manual eligibility evaluation of contractors, subject to postqualification utilizing the eligibility result of the CWR; provided that the occurrence of such disruption shall be certified by the Director of the MIS. Postqualification using the CWR must be conducted within seven (7) cal. days from the opening of bids.
8. For purposes of eligibility evaluation by the POCW, the BAC of the procuring entity shall submit to the POCW, the LOIs, including JV agreement, credit line commitment, all updates of contractors information, etc., not later than five (5) calendar days prior to submission/opening of bids. The POCW shall conduct the eligibility evaluation only on the day of submission/opening of bids and shall appropriately inform the BAC of the concerned procuring entity of the results through email, fax or whatever means necessary. For this purpose, the BAC of the procuring entity is responsible for proper coordination with the POCW, particularly on the mode of communication of results.
9. For procurement of contracts wherein the BAC of the procuring entity itself undertakes the electronic eligibility evaluation thru the CWR, the LOIs shall be submitted along with the bid documents on the day of the submission/opening of bids.

D. Procurement Reports (Civil Works Projects)

1. The BAC of all procuring entities shall prepare procurement reports on civil works contracts awarded through public bidding or alternative methods of

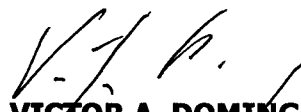
procurement, using the Awarded Contracts Format (DPWH-INFRA-71-09) attached.

2. Procurement reports of DEOs shall be submitted to their respective Regional Offices only if the latter is interconnected. Interconnected Regional Offices shall be authorized to encode their procurement reports and those of their DEOs to the CWR. ROs are responsible in monitoring compliance of DEOs with regard to accurate and timely submission of such reports provided for under D.O. No. 32, Series of 2008.
 3. Regional Offices not yet connected to the CWR and their respective DEOs shall submit procurement reports to the POCW who shall encode the same to the CWR.
 4. From the CWR, the POCW shall consolidate all procurement related reports and submit a monthly status report to the Assistant Secretary in charge of Procurement for appropriate action.
 5. The BAC of ROs and DEOs shall monitor contractors' participation in the procurement activities within their Offices and shall likewise act diligently on issues concerning procurement related violations provided under Section 69 of the Revised IRR and Department Order No. 35, series of 2007. All actions taken on such issues shall be reported to the Assistant Secretary in charge of Procurement.
- E. The Assistant Secretary in charge of Procurement shall be responsible in monitoring compliance to this Order and shall be the central channel for all procurement related issues and concerns.

F. Violations

1. Violation of any of the foregoing shall subject the responsible official/ employee(s) for violation of reasonable office rules and regulations and shall suffer the penalty prescribed in Section 52, C (3) of the Civil Service Resolution No. 991936 dated August 31, 1999 otherwise known as the Uniform Rules on Administrative Cases in the Civil Service;
 - 1st offense – Reprimand
 - 2nd offense – Suspension for 1-30 days
 - 3rd offense – Dismissal

This Order shall take effect immediately and supercedes and modifies, in whole and in part, all other issuances inconsistent herewith.


VICTOR A. DOMINGO
Acting Secretary



WIN0XR00385



Name of Procuring Entity
Address

INVITATION TO BID

The Bids and Awards Committee (BAC) of the [insert name of Procuring Entity], through the [insert source of funding and year], invites contractors to bid for the aforementioned projects:

Contract ID: _____
Contract Name: _____
Contract Location: _____
Scope of Work: _____
Approved Budget for the Contract (ABC): Php _____
Contract Duration: _____ calendar days

The BAC will conduct the procurement process in accordance with the Revised IRR of R.A. 9184. Bids received in excess of the ABC shall be automatically rejected at the opening of bid.

To bid for this contract, a contractor must submit a Letter of Intent (LOI), purchase bid documents and must meet the following major criteria: (a) prior registration with DPWH, (b) Filipino citizen or 75% Filipino-owned partnership, corporation, cooperative, or joint venture, (c) with PCAB license applicable to the type and cost of this contract, (d) completion of a similar contract costing at least 50% of ABC within a period of 10 years, and (e) Net Financial Contracting Capacity at least equal to ABC, or credit line commitment at least equal to 10% of ABC. The BAC will use non-discretionary pass/fail criteria in the eligibility check and preliminary examination of bids.

Unregistered contractors, however, shall submit their applications for registration to the DPWH-POCW Central Office before the deadline for the receipt of LOI. The DPWH POCW-Central Office will only process contractors' applications for registration with complete requirements and issue the Contractor's Certificate of Registration (CRC). Registration Forms may be downloaded at the DPWH website www.dpwh.gov.ph.

The significant times and deadlines of procurement activities are shown below:

1. Issuance of Bidding Documents	From <u>(Date)</u> to <u>(Date)</u>
2. Pre-Bid Conference	<u>Time and Date (at least 12 c.d. prior to bid submission)</u>
3. Deadline of Receipt of LOI from Prospective Bidders	(at least 5 c.d. prior to bid submission)
4. Receipt of Bids	Deadline: <u>(Time and Date)</u>
5. Opening of Bids	<u>Time and Date</u>

The BAC will issue hard copies of Bidding Documents (BD's) at Address, upon payment of a non-refundable fee of (Fee for BD's). Prospective bidders may also download the BD's from the DPWH web site, if available. Prospective bidders that will download the BD's from the DPWH website shall pay the said fees on or before the submission of their bids Documents. The Pre-Bid Conference shall be open only to interested parties who have purchased the BD's. Bids must accompanied by a bid security, in the amount and acceptable form, as stated in Section 27.2 of the Revised IRR.

Prospective bidders shall submit their duly accomplished forms as specified in the BD's in two (2) separate sealed bid envelopes to the BAC Chairman. The first envelope shall contain the technical component of the bid, which shall include a copy of the CRC. The second envelope shall contain the financial component of the bid. Contract will be awarded to the Lowest Calculated Responsive Bid as determined in the bid evaluation and post-qualification.

The (Name of Procuring Entity) reserves the right to accept or reject any bid, to annul the bidding process at any time prior contract award, without thereby incurring any liability to the affected bidder/s.

Approved by:

Dates of Publication: _____ Name and Signature of BAC Chairman
Newspaper: (If applicable) _____ **BAC Chairman**



INVITATION TO BID

The Department of Public Works and Highways, through its Bids and Awards Committee (BAC), invites prospective suppliers/bidders to apply to bid for the following contract/s:

Contact ID: _____

Contract Name: _____

Contract Location: _____

Approved Budget for the Contract (ABC): Php _____

Contract duration: _____ calendar days

Procurement will be conducted through open competitive bidding procedures in accordance with R.A. 9184 and its **Revised Implementing Rules and Regulations**.

To bid for this contract, a bidder must meet the following criteria: (a) prior registration with DPWH, (b) Filipino citizen/sole proprietorships, corporations/partnership/cooperatives/organizations with at least sixty percent (60%) interest or outstanding capital stock belongs to the citizens of the Philippines, (c) completed similar contract whose value must be at least 50% of the ABC within a period of ____ years, and (d) Net Financial Contracting Capacity at least equal to ABC, or credit line commitment for at least 10% of ABC. The BAC will use non-discretionary pass/fail criteria in the eligibility check and preliminary examination of bids.

Unregistered suppliers/bidders, however, shall submit their applications for registration to the BAC for Goods, Secretariat, DPWH Central Office seven (7) calendar days before the deadline for the submission and opening of bids. The BAC for Goods, DPWH Central Office will only process suppliers applications for registration with complete requirements, and issue the Suppliers' Registration Certificate (SRC). Registration forms may be secured from the Secretariat, BAC for Goods Office, Ground Floor, DPWH Central Office.

The significant times and deadlines of procurement activities are shown below:

1. Issuance of Bidding Documents	From <u>(Date)</u> to <u>(Date)</u>
2. Pre-Bid Conference	Time and Date (at least 12 c.d. prior to bid submission)
3. Submission and Receipt of Bids	Deadline: <u>(Time and Date)</u>
4. Opening of Bids	Time and Date

The BAC will issue hard copies of Bidding Documents (BDs) at BAC for Goods Secretariat, Ground Floor, DPWH Bldg., Bonifacio Drive, Port Area, Manila, upon payment of a non-refundable fee of _____ Pesos only (Php_____). Prospective bidders may also download the BDs, if available, from the DPWH website. Prospective bidders that will download the BDs from the DPWH website shall pay the said fees on or before the submission of their Bid Documents. Bids must be accompanied by a bid security, in the amount and acceptable form, as stated in Section 27.2 of the Revised IRR.

Prospective bidders shall submit their duly accomplished forms as specified in the BDs in two (2) separate bid envelopes to the BAC Chairman. The first envelope shall contain the technical component of the bid, which shall include the eligibility requirements. The second envelope shall contain the financial component of the bid. Contract will be awarded to the Lowest Calculated Responsive Bid as determined in the bid evaluation and the post-qualification.

The Department of Public Works and Highways reserves the right to accept or reject any or all bid and to annul the bidding process anytime before Contract award, without incurring any liability to the affected bidders.

Name and Signature of BAC Chairman

Assistant Secretary
BAC Chairman

Dates of Publication: _____

Newspaper: (If applicable) _____



INVITATION TO APPLY FOR ELIGIBILITY AND TO BID

The Department of Public Works and Highways (DPWH) through its Bids and Awards Committee (BAC) for Consultancy Services, invites Consultants to apply for eligibility and shortlisting and, if found eligible and shortlisted, to bid for the hereunder Project.

Name of Project:

Brief Description:

Approved Budget for the Contract:

Source of Funds:

Contract Duration:

The list of minimum requirements is indicated in the Eligibility Form. Eligibility of prospective bidders shall be checked using a non-discretionary "pass/fail" criteria. Shortlisting of eligible consultants will be done based on the following criteria: experience of the consultant, qualification of personnel and job capacity. Only **five (5)** eligible bidders shall make up the shortlist. The evaluation procedure to be adopted shall be **Quality-Cost Based Evaluation (QCBE) or Quality Based Evaluation (QBE). (for QCBS only)** Bids whose technical proposals pass the minimum technical rating of _____ shall have its financial proposals opened and evaluated. The Technical Proposal shall carry _____ weight in the bid evaluation.

All particulars relative to Eligibility Statement and Screening, Bid Security, Performance Security, Pre-Bid Conference, Evaluation of Bids, Post-Qualification and Award of Contract shall be governed by the pertinent provisions of R. A. 9184 and its Revised Implementing Rules and Regulations (IRR).

The schedule of activities is as follows:

Activities	Schedule
1. Issuance of Eligibility Forms	
2. Submission of Letters of Intent and Eligibility Requirements	
3. Results of Eligibility Check	
4. Results of Short Listing	
5. Issuance of Bid Documents	
6. Pre-Bid Conference	

Eligible and suitably experienced Filipino Consultants who have complied with the provisions of R. A. 8560 and R. A. 544 (as amended), "An Act to Regulate the Practice of Geodetic Engineering in the Philippines" and "An Act to Regulate the Practice of Civil Engineering in the Philippines", respectively, and who wish to offer their services, must provide information in the prescribed Prequalification Form that they are qualified to perform the services including description of similar assignments, experiences in similar conditions, availability of appropriate technical personnel, etc., for the Project described above.

The Eligibility Screening Forms will be available during office hours, at the Office of the BAC for Consultancy Services, 5th Floor, DPWH Building, Bonifacio Drive, Port Area, Manila, Tel. No. 304-3596, Fax No. 304-3176, upon submission of a Letter of Intent and upon

payment of ₱_____. (Please refer to DO No. 08 series 2009, for the Schedule of Fees for Filing of LOIs and Cost of Bidding Documents)

Submission of duly accomplished one (1) original and five (5) copies of Eligibility and Prequalification Documents, properly identified as **"LETTER OF INTENT, ELIGIBILITY AND PREQUALIFICATION DOCUMENTS FOR THE CONSULTING SERVICES FOR THE**

_____ "
to the following address, not later than (time and date).

The Chairman

Bids and Awards Committee for Consultancy Services
Department of Public Works and Highways
5th Floor, DPWH Central Office
Bonifacio Drive, Port Area, Manila

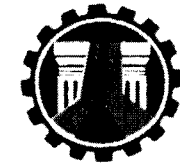
The DPWH assumes no responsibility whatsoever to compensate or indemnify bidders for any expenses incurred in the preparation of the bid.

APPROVED BY:

(Sgd.) _____
Chairman, BAC for Consultancy Services

Date of Publication : _____
Newspaper : _____

Department of Public Works and Highways (DPWH)



Contract ID: _____
 Implementing Office: _____
 Contract Name: _____
 Location of the Contract: _____

AWARDED CONTRACT REPORT

Total Contract Awarded Amount: _____ Duration : _____

Approved Budget for the Contract (ABC) : _____ Notice to Proceed Date: _____

Major Category of Work Measure Dimension Awarded Amount

No.	Contractor Name	Awarded Contract	Purchased Bidding Documents	Submitted Bid	Submitted Letter of Non-Participation	Submitted Late Bid	Submitted Non-Complying Bid	Reason(s) for Non-Complying Bid or Non-participation	Reason(s) for Non-Complying or non-participation Acceptable?
1		<input type="checkbox"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	_____	<input type="radio"/> Yes <input type="radio"/> No
2		<input type="checkbox"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	_____	<input type="radio"/> Yes <input type="radio"/> No
3		<input type="checkbox"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	_____	<input type="radio"/> Yes <input type="radio"/> No
4		<input type="checkbox"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	_____	<input type="radio"/> Yes <input type="radio"/> No
5		<input type="checkbox"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	_____	<input type="radio"/> Yes <input type="radio"/> No
6		<input type="checkbox"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	_____	<input type="radio"/> Yes <input type="radio"/> No

 BAC Chairman
 (Implementing Office)

- Instructions:
1. Provide a check mark on the Awarded Contract column for the winning contractor (Single/Joint Venture).
 2. Fill-up completely & accurately the procurement activities of each contractor.
 3. Examples for reasons for Non-Complying: Insufficient Bid Security; No Bid Security; etc.
 4. Provide BAC Resolution for acceptability/unacceptability of non-complying/non-participation, approved by the District Engineer, Regional Director, or HOPE.