



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
OFFICE OF THE SECRETARY
MANILA

097.13 DPWH
1-9-89

RECD. JAN. 9, 1989
11:00 - A.M. *[Signature]*

04 January 1989

DEPARTMENT ORDER)

No. 2 *[Signature]*
Series of 1989 *1/9*

SUBJECT: Non-Submission of Bids by
Prequalified Contractors

It has been observed in many cases that contractors who had been previously prequalified and issued tender documents for the public bidding of specific projects, failed to submit bids or withdrew their participation from the bidding. Some contractors have even done so repeatedly. This usually resulted in either failure of bidding or in very few participating bidders.

This practice should be curtailed as it negates the very objective of public bidding which is to provide for open and fair competition among as many prequalified contractors as possible so that the government could obtain the lowest complying bid.

The Department, therefore, hereby enjoins all concerned to strictly comply with Department Order No. 87, dated 5 October 1988, copy attached, particularly the second and third paragraphs thereof.

Specifically, henceforth, the head of the implementing office concerned (Regional Director/District Engineer) shall take the following actions against contractors, who will have prequalified and secured tender documents for a particular project, but subsequently failed to participate in the actual bidding without any written notice at least five days before the bidding date, or with such a written notice which, however, presents reasons which are deemed by the implementing office as unjustifiable:

1. First case (of non-participation) - Warning
2. Second case within one year - Disqualification from future biddings for six months
3. Third case within one year - Disqualification from future biddings for one year
4. Fourth case within one year - Perpetual disqualification from future biddings

This order takes effect immediately.

[Signature]
FIGRELLO R. ESTUAR
Secretary

260

260