

REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS  
Caraga Region XIII  
Office of the District Engineer  
*Butuan City District Engineering Office*  
*Butuan City*

## BIDDING DOCUMENTS FOR

Contract ID: **25ND0157**

Contract Name: ***Construction of Multi-Purpose Building,  
College of Medicine and Health Sciences, CARAGA  
State University, Butuan City, Agusan del Norte  
Phase 3***

Date of Opening Bids : **July 2, 2025 @ 10:00 A.M.**

**Sixth Edition  
July 2020**

# Preface

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

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

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

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

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

- a. All the documents listed in the Table of Contents are normally required for the procurement of Infrastructure Projects. However, they should be adapted as necessary to the circumstances of the particular Project.
- b. Specific details, such as the “*name of the Procuring Entity*” and “*address for bid submission*,” should be furnished in the Instructions to Bidders, Bid Data Sheet, and Special Conditions of Contract. The final documents should contain neither blank spaces nor options.
- c. This Preface and the footnotes or notes in italics included in the Invitation to Bid, BDS, General Conditions of Contract, Special Conditions of Contract, Specifications, Drawings, and Bill of Quantities are not part of the text of the final document, although they contain instructions that the Procuring Entity should strictly follow.

- d. The cover should be modified as required to identify the Bidding Documents as to the names of the Project, Contract, and Procuring Entity, in addition to date of issue.
- e. Modifications for specific Procurement Project details should be provided in the Special Conditions of Contract as amendments to the Conditions of Contract. For easy completion, whenever reference has to be made to specific clauses in the Bid Data Sheet or Special Conditions of Contract, these terms shall be printed in bold typeface on Sections I (Instructions to Bidders) and III (General Conditions of Contract), respectively.

For guidelines on the use of Bidding Forms and the procurement of Foreign-Assisted Projects, these will be covered by a separate issuance of the Government Procurement Policy Board.

# TABLE OF CONTENTS

<b>Bidding Documents for Projects .....</b>	
<b>PREFACE.....</b>	
<b>TABLE OF CONTENTS.....</b>	
<b>GLOSSARY OF TERMS, ABBREVIATION, AND ACRONYMS.....</b>	
<b>SECTION I. INVITATION TO BID .....</b>	
<b>SECTION II. INSTRUCTIONS TO BIDDERS .....</b>	
1. Scope of Bid .....	
2. Funding Information .....	
3. Bidding Requirements.....	
4. Corrupt, Fraudulent, Collusive, Coercive, and Obstructive Practices .....	
5. Eligible Bidders .....	
6. Origin of Associated Goods .....	
7. Subcontracts .....	
8. Pre-Bid Conference.....	
9. Clarification and Amendment of Bidding Documents .....	
10. Documents Comprising the Bid: Eligibility and Technical Components.....	
11. Documents Comprising the Bid: Financial Component .....	
12. Alternative Bids.....	
13. Bid Prices .....	
14. Bid and Payment Currencies .....	
15. Bid Security .....	
16. Sealing and Marking of Bids.....	
17. Deadline for Submission of Bids.....	
18. Opening and Preliminary Examination of Bids.....	
19. Detailed Evaluation and Comparison of Bids .....	
20. Post Qualification .....	
21. Signing of the Contract .....	
<b><u>SECTION III. BID DATA SHEET (NOTE: BDS &amp; EDS OF PROJECTS).....</u></b>	
1. Submission of the electronic Official Receipt of purchase of the Bidding Document	
2. Confirmation of the electronically submitted Official Receipt Only the electronic bids of bidders who have successfully submitted an electronic Official Receipt shall be accepted	
3. Preparation and submission of an electronic Bid <PCAB ID>_<CONTRACT_ID>_TECHNICAL.zip	

(or.rar/.7z) and<PCAB ID> <CONTRACT ID> FINANCIAL.zip (or

4. Modification of an electronic bid
5. Non-participation in the Bidding
6. Withdrawal of Electronic Bid
7. Opening of the electronic bid

**SECTION IV. GENERAL CONDITIONS OF CONTRACT .....**

1. Scope of Contract.....
2. Sectional Completion of Works .....
3. Possession of Site.....
4. The Contractor's Obligations .....
5. Performance Security.....
6. Site Investigation Reports .....
7. Warranty.....
8. Liability of the Contractor.....
9. Termination for Other Causes .....
10. Dayworks.....
11. Program of Work .....
12. Instructions, Inspections and Audits .....
13. Advance Payment .....
14. Progress Payments .....
15. Operating and Maintenance Manuals .....

**SECTION V. SPECIAL CONDITIONS OF CONTRACT .....**

**SECTION VI. SPECIFICATIONS .....**

**SECTION VII. DRAWINGS (NOTE : SEE SEPARATE FOLDER FOR PLANS)**

**SECTION VIII. BILL OF QUANTITIES .....**

**SECTION IX. CHECKLIST OF TECHNICAL AND FINANCIAL DOCUMENTS.....**

## Glossary of

### Terms, Abbreviations, and Acronyms

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

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

**BAC** – Bids and Awards Committee.

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

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

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

**BIR** – Bureau of Internal Revenue.

**BSP** – Bangko Sentral ng Pilipinas.

**CDA** – Cooperative Development Authority.

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

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

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

**CPI** – Consumer Price Index.

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

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

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

**GFI** – Government Financial Institution.

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

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

**GOP** – Government of the Philippines.

**Infrastructure Projects** – Include the construction, improvement, rehabilitation, demolition, repair, restoration or maintenance of roads and bridges, railways, airports, seaports, communication facilities, civil works components of information technology projects, irrigation, flood control and drainage, water supply, sanitation, sewerage and solid waste management systems, shore protection, energy/power and electrification facilities, national buildings, school buildings, hospital buildings, and other related construction projects of the government. Also referred to as *civil works or works*. (2016 revised IRR, Section 5[u])

**LGUs** – Local Government Units.

**NFCC** – Net Financial Contracting Capacity.

**NGA** – National Government Agency.

**PCAB** – Philippine Contractors Accreditation Board.

**PhilGEPS** - Philippine Government Electronic Procurement System.

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

**PSA** – Philippine Statistics Authority.

**SEC** – Securities and Exchange Commission.

**SLCC** – Single Largest Completed Contract.

**UN** – United Nations.





Republic of the Philippines  
**Department of Public Works and Highways**  
Caraga Region XIII  
Office of the District Engineer  
**Butuan City District Engineering Office**  
Butuan City

## INVITATION TO BID

1. The **Department of Public Works and Highways- Butuan City District Engineering Office, R. Palma Street, Butuan City**, through the **FY-2025 DPWH Regular Infra Program** intends to apply the sum of **One Hundred Sixty One Million Four Hundred Forty Six Thousand Three Hundred Eighty Three Pesos and 34/100 (₱161,446,383.34)** being the Approved Budget for the Contract (ABC) to payments under the contracts for *the following project/s*:

1. Name of Contract : **Construction (Completion) of Multi – Purpose Building (Convention Center), Barangay Limaha, Butuan City, Agusan del Norte**  
Contract ID No. : **25ND0156**  
Location : **Barangay Limaha, Butuan City, Agusan del Norte**  
Scope of Works : **BICWOPLS - Buildings: Construction - without Piles - Low Rise - Steel (Frame) (1 to 5 Storeys) -**  
Approved Budget for the Contract (ABC) : **₱ 29,699,416.11**  
Contract Duration : **Two Hundred Forty (240) C.D.**  
Cost of Bidding Documents : **₱ 25,000.00**

2. Name of Contract : **Construction of Multi-Purpose Building, College of Medicine and Health Sciences, CARAGA State University, Butuan City, Agusan del Norte Phase 3**  
Contract ID No. : **25ND0157**  
Location : **Butuan City, Agusan del Norte**  
Scope of Works : **BICWOPLS Buildings: Construction - without pile - low rise - steel frame**  
Approved Budget for the Contract (ABC) : **₱ 33,761,660.12**  
Contract Duration : **Two Hundred Forty (240) C.D.**  
Cost of Bidding Documents : **₱ 25,000.00**

3. Name of Contract : **Construction of College of Medicine and Health Sciences Building, Caraga State University, Butuan City, Agusan del Norte**  
Contract ID No. : **25ND0158**  
Location : **Butuan City, Agusan del Norte**  
Scope of Works : **BICWOPLS Buildings: Construction - without pile - low rise - steel frame**  
Approved Budget for the Contract (ABC) : **₱ 48,987,373.48**  
Contract Duration : **Two Hundred Seventy (270) C.D.**  
Cost of Bidding Documents : **₱ 25,000.00**

4. Name of Contract : **Construction of Road, Phase 1, Barangay Maningalao and Barangay Durian, Las Nieves, Agusan del Norte**  
Contract ID No. : **25ND0159**  
Location : **Butuan City, Agusan del Norte**  
Scope of Works : **CW1: RCP : Roads Construction PCCP  
CW2: RCSPS: Roads Construction - Slope Protection Using Structural Measure**  
Approved Budget for the Contract (ABC) : **₱ 48,997,933.63**  
Contract Duration : **One Hundred Ninety Eight (198) C.D.**  
Cost of Bidding Documents : **₱ 25,000.00**

Bids received in excess of the Project ABC shall be automatically rejected at bid opening.

2. The ***Department of Public Works and Highways- Butuan City District Engineering Office, R. Palma Street, Butuan City*** now invites bids for the above listed works.

3. Prospective Bidders should be registered with and classified by the Philippine Contractors Accreditation Board (PCAB) with PCAB LICENSE Category as indicated at ***Eligibility Data Sheet***. The description of an eligible Bidder is contained in the Bidding Documents, particularly, in Annex II-1.1 Section II & III of Bidding Documents.

Contractors/applicants who wish to participate in this bidding are encourage to enroll in the DPWH Civil Works Application (CWA) at the DPWH Procurement Service (PrS), 5<sup>th</sup> Floor, DPWH Bldg., Bonifacio Drive, Port Area, Manila, while those already enrolled shall keep their records current and updated. The Contractor's eligibility to bid on the project will be determined using the DPWH Contractor Profile Eligibility Process (CPEP) and subject to further post-qualification. Information on registration can be obtained from the PrS during working weekdays from 7:00 am to 4:00pm or at the DPWH website [www.dpwh.gov.ph](http://www.dpwh.gov.ph).

4. Bidding will be conducted through open competitive bidding procedures using non-discretionary “pass/fail” criterion as specified in the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act 9184 (RA 9184), otherwise known as the “Government Procurement Reform Act”. The contract shall be awarded to the Lowest Calculated Responsive Bidder (LCRB) who was determined as such during post-qualification.

5. Interested bidders may obtain further information from ***Department of Public Works and Highways- Butuan City District Engineering Office*** and inspect the Bidding Documents at the address given below from 8:00 am to 5:00pm., Monday to Fridays.

6. A complete set of Bidding Documents may be acquired by interested bidders from the address below starting on ***June 13, 2025*** and upon payment of the applicable fee for the Bidding Documents, pursuant to the latest Guidelines issued by the GPPB, in the amount stated above.

7. It may also be downloaded free of charge from the Philippine Government Electronic Procurement System (PhilGEPS), and the website of the Procuring Entity, provided that the bidders shall pay the applicable fee for the Bidding Documents not later than the submission of their bids.

8. The ***Department of Public Works and Highways- Butuan City District Engineering Office***, will hold a Pre-Bid Conference<sup>1</sup> on ***June 20, 2025 @ 2:00 P.M. at Butuan City-DEO NOA Hall*** which shall be open to all interested parties.

9. Bid submission maybe done manually or electronically/online. However, bidders should only select one mode of submission, either manual or electronic. Similar to manual submission, the guidelines for the preparation and submission of an electronic bid are contained in the **BDS**.

10. Bids must be duly received by the BAC Secretariat at the address below for manual submission or at [electronicbids\\_butuancity@dpwh.gov.ph](mailto:electronicbids_butuancity@dpwh.gov.ph) for electronic submission on or before ***July 2, 2025 at 10:00 A.M.*** All bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in **ITB** Clause 18.

11. Bid opening shall be on ***July 2, 2025 at 10:00 A.M. at Butuan City-DEO NOA Hall***. Bids will be opened in the presence of the bidders' representatives who choose to attend at the address below. Late bids shall not be accepted.

---

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

12 The *Department of Public Works and Highways- Butuan City District Engineering Office, R. Palma Street, Butuan City* reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract at any time prior to contract award in accordance with Sections 41 of RA 9184 and its IRR, without thereby incurring any liability to the affected bidder or bidders.

13 For further information, please refer to:

*ROLITO P. PANCITO*  
*Engineer III*  
*Chief, Quality Assurance Section (QAS)*  
*DPWH – Butuan City DEO*  
*Tel. no. 0853425331 local 84612*  
*pancito.rolito@dpwh.gov.ph*

*TERESITA E. PAGAR*  
*Procurement Head*  
*DPWH-Butuan City DEO*  
*Tel. no. 0853425331 local 84661*  
*pagar.teresita@dpwh.gov.ph*



**ROLITO P. PANCITO**  
BAC Chairman  
DPWH-Butuan City DEO

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

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

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

## **1. Scope of Bid**

The Procuring Entity, *Department of Public Works and Highways- Butuan City District Engineering* invites Bids for the *Procurement Project*, with Contract ID Number *as indicated at Invitation to Bid*.

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

## **2. Funding Information**

2.1. The GOP through the source of funding as indicated below for *FY 2021-DPWH Regular Infra Program* in the amount *as indicate at Invitation to Bid*.

2.2. The source of funding is:

- a. NGA, the General Appropriation Act or Special Appropriations

## **3. Bidding Requirements**

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

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

The Bidder, by the act of submitting its Bid, shall be deemed to have inspected the site, determined the general characteristics of the contracted Works and the conditions for this Project, such as the location and the nature of the work; (b) climatic conditions; (c) transportation facilities; (c) nature and condition of the terrain, geological conditions at the site communication facilities, requirements, location and availability of construction aggregates and other materials, labor, water, electric power and access roads; and (d) other factors that may affect the cost, duration and execution or implementation of the contract, project, or work and examine all instructions, forms, terms, and project requirements in the Bidding Documents.

## **4. Corrupt, Fraudulent, Collusive, Coercive, and Obstructive Practices**

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

## **5. Eligible Bidders**

5.1. Only Bids of Bidders found to be legally, technically, and financially capable will be evaluated.

- 5.2. The Bidder must have an experience of having completed a Single Largest Completed Contract (SLCC) that is similar to this Project, equivalent to at least fifty percent (50%) of the ABC adjusted, if necessary, by the Bidder to current prices using the PSA's CPI, except under conditions provided for in Section 23.4.2.4 of the 2016 revised IRR of RA No. 9184.

A contract is considered to be "similar" to the contract to be bid if it has the major categories of work stated in the **BDS**.

- 5.3. For Foreign-funded Procurement, the Procuring Entity and the foreign government/foreign or international financing institution may agree on another track record requirement, as specified in the Bidding Document prepared for this purpose.
- 5.4. The Bidders shall comply with the eligibility criteria under Section 23.4.2 of the 2016 IRR of RA No. 9184.

## **6. Origin of Associated Goods**

There is no restriction on the origin of Goods other than those prohibited by a decision of the UN Security Council taken under Chapter VII of the Charter of the UN.

## **7. Subcontracts**

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

The Procuring Entity has prescribed that:

- a. Subcontracting is 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 as indicated at *Invitation to Bid* and/or through videoconferencing/webcasting} as indicated in paragraph 8 of the *IB*.

## **9. Clarification and Amendment of Bidding Documents**

Prospective bidders may request for clarification on and/or interpretation of any part of the Bidding Documents. Such requests must be in writing and received by the Procuring Entity, either at its given address or through electronic mail indicated in the **IB**, at least ten (10) calendar days before the deadline set for the submission and receipt of Bids.

## **10. Documents Comprising the Bid: Eligibility and Technical Components**

- 10.1. The first envelope shall contain the eligibility and technical documents of the Bid as specified in **Section IX. Checklist of Technical and Financial Documents**.

- 10.2. If the eligibility requirements or statements, the bids, and all other documents for submission to the BAC are in foreign language other than English, it must be accompanied by a translation in English, which shall be authenticated by the appropriate Philippine foreign service establishment, post, or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines. For Contracting Parties to the Apostille Convention, only the translated documents shall be authenticated through an apostille pursuant to GPPB Resolution No. 13-2019 dated 23 May 2019. The English translation shall govern, for purposes of interpretation of the bid.
- 10.3. A valid PCAB License is required, and in case of joint ventures, a valid special PCAB License, and registration for the type and cost of the contract for this Project. Any additional type of Contractor license or permit shall be indicated in the **BDS**.
- 10.4. A List of Contractor's key personnel (e.g., Project Manager, Project Engineers, Materials Engineers, and Foremen) assigned to the contract to be bid, with their complete qualification and experience data shall be provided. These key personnel must meet the required minimum years of experience set in the **BDS**.
- 10.5. A List of Contractor's major equipment units, which are owned, leased, and/or under purchase agreements, supported by proof of ownership, certification of availability of equipment from the equipment lessor/vendor for the duration of the project, as the case may be, must meet the minimum requirements for the contract set in the **BDS**.

## **11. Documents Comprising the Bid: Financial Component**

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

## **12. Alternative Bids**

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

## **13. Bid Prices**

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

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

14.1. Bid prices may be quoted in the local currency or tradeable currency accepted by the BSP at the discretion of the Bidder. However, for purposes of bid evaluation, Bids denominated in foreign currencies shall be converted to Philippine currency based on the exchange rate as published in the BSP reference rate bulletin on the day of the bid opening.

14.2. *Payment of the contract price shall be made in:*

- a. Philippine Pesos.

## **15. Bid Security**

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

15.2. The Bid and bid security shall be valid until *[indicate date]*. Any bid not accompanied by an acceptable bid security shall be rejected by the Procuring Entity as non-responsive.

## **16. Sealing and Marking of Bids**

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

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

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

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

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

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

18.1. The BAC shall open the Bids in public at the time, on the date, and at the place specified in paragraph 9 of the **IB**. The Bidders' representatives who are present shall sign a register evidencing their attendance. In case videoconferencing, webcasting or other similar technologies will be used, attendance of participants shall likewise be recorded by the BAC Secretariat.

In case the Bids cannot be opened as scheduled due to justifiable reasons, the rescheduling requirements under Section 29 of the 2016 revised IRR of RA No. 9184 shall prevail.

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



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

- 19.1. The Procuring Entity's BAC shall immediately conduct a detailed evaluation of all Bids rated "*passed*" using non-discretionary pass/fail criteria. The BAC shall consider the conditions in the evaluation of Bids under Section 32.2 of 2016 revised IRR of RA No. 9184.
- 19.2. If the Project allows partial bids, all Bids and combinations of Bids as indicated in the **BDS** shall be received by the same deadline and opened and evaluated simultaneously so as to determine the Bid or combination of Bids offering the lowest calculated cost to the Procuring Entity. Bid Security as required by **ITB** Clause 16 shall be submitted for each contract (lot) separately.
- 19.3. In all cases, the NFCC computation pursuant to Section 23.4.2.6 of the 2016 revised IRR of RA No. 9184 must be sufficient for the total of the ABCs for all the lots participated in by the prospective Bidder.

## **20. Post Qualification**

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

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

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

## Eligibility Data Sheet

Contract ID:

**25ND0157**

Contract Name:

**Construction of Multi-Purpose Building, College of Medicine and Health Sciences, CARAGA State University, Butuan City, Agusan del Norte Phase 3**

Eligibility Requirements																															
1c(1)	<div style="display: flex; justify-content: space-between;"> <span>The ABC for this contract</span> <span><b>33,761,660.12</b></span> </div>																														
1c(1)	<p>The prospective bidder must possess a valid license issued by the Philippine Contractors' Accreditation Board (PCAB) in accordance with the provisions of RA 4566, for the specific category indicated in the Eligibility Data Sheet (EDS), out of the following PCAB categories:</p> <p>a. Size Range: (see allowable at below table)</p> <p>b. License Category: (see allowable at below table)</p> <p>c. Largest Single Project: (see allowable at below table)</p> <p>Allowable Range of Contract Cost: (see allowable at below table)</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 20%;">Size Range</th> <th style="width: 15%;">License Category</th> <th style="width: 30%;">Single Largest Project/ Required Track Record</th> <th style="width: 35%;">Allowable Range of Contract Cost (ARCC)</th> </tr> </thead> <tbody> <tr> <td>Large B</td> <td>AAA</td> <td>Above PhP225M</td> <td>No limit</td> </tr> <tr> <td>Large A</td> <td>AA</td> <td>Above PhP150M up to PhP225M</td> <td>Up to PhP450M</td> </tr> <tr> <td>Medium B</td> <td>A</td> <td>Above PhP75M up to PhP150M</td> <td>Up to PhP300M</td> </tr> <tr> <td>Medium A</td> <td>B</td> <td>Above PhP15M up to PhP75M</td> <td>Up to PhP150M</td> </tr> <tr> <td>Small B</td> <td>C &amp; D</td> <td>≤ PhP15M</td> <td>Up to PhP30M</td> </tr> <tr> <td>Small A</td> <td>Trade</td> <td>Up to PhP1M</td> <td>Up to PhP1M</td> </tr> </tbody> </table>			Size Range	License Category	Single Largest Project/ Required Track Record	Allowable Range of Contract Cost (ARCC)	Large B	AAA	Above PhP225M	No limit	Large A	AA	Above PhP150M up to PhP225M	Up to PhP450M	Medium B	A	Above PhP75M up to PhP150M	Up to PhP300M	Medium A	B	Above PhP15M up to PhP75M	Up to PhP150M	Small B	C & D	≤ PhP15M	Up to PhP30M	Small A	Trade	Up to PhP1M	Up to PhP1M
Size Range	License Category	Single Largest Project/ Required Track Record	Allowable Range of Contract Cost (ARCC)																												
Large B	AAA	Above PhP225M	No limit																												
Large A	AA	Above PhP150M up to PhP225M	Up to PhP450M																												
Medium B	A	Above PhP75M up to PhP150M	Up to PhP300M																												
Medium A	B	Above PhP15M up to PhP75M	Up to PhP150M																												
Small B	C & D	≤ PhP15M	Up to PhP30M																												
Small A	Trade	Up to PhP1M	Up to PhP1M																												
1c(2)	<p>(1) The following are the "Major Categories of Works" involved in the contract to be bid: (see sample based on D.O. No. 117, S-2017)</p> <p style="margin-left: 20px;">a. <b>BICWOPLS Buildings: Construction - without pile - low rise - steel frame</b></p> <p>(2) The following are the "Similar Categories of Works" that shall be considered in the evaluation of the work experience required for the contract to be bid:</p> <p style="margin-left: 20px;">a. <b>BICWPHSCP, BICWPLSCP, BICWPHSDP, BICWPLSDP, BICWOPHS, BIL, BIH, BIM</b></p> <p>(3) The following "Qualifiers" shall be applied to this contract:</p> <p style="margin-left: 20px;">a. Must have done a Single Largest Completed Contract for a Major/Similar Category of Works whose total cost is at least 50% of the Approved Budget of the Contract to be bid</p>																														
2	<p><i>Electronic Bidding will not be applied in this procurement.</i></p>																														

STANDARD FORMAT  
BID DATA SHEET

Contract ID: **25ND0157**  
**Construction of Multi-Purpose Building, College of Medicine and Health Sciences, CARAGA State University, Butuan City, Agusan del Norte Phase 3**  
 Contract Name:

ITB Clause																			
1.1	<p>The Procuring Entity is <b>DPWH - Butuan City District Engineering Office</b>.</p> <p>The Scope of The Works under this Contract is <b>Initial construction of medical library ( installation of metal framing structure).</b></p> <p>The Contract Name is <b>Construction of Multi-Purpose Building, College of Medicine and Health Sciences,CARAGA State University, Butuan City, Agusan del Norte Phase 3</b></p> <p>The Contract ID is <b>25ND0157</b></p>																		
2.	<p>The Approved Budget for the Contract is <b>PhP 33,761,660.12</b></p> <p>The Funding Source is the Government of the Philippines through <b>Regular Infra FY 2025</b></p> <p>The name of the Project is <b>Construction of Multi-Purpose Building, College of Medicine and Health Sciences,CARAGA State University, Butuan City, Agusan del Norte</b></p>																		
5.	Bidding is restricted to eligible bidders as defined in ITB Clause 5.1.																		
8.1	Subcontracting is not allowed.																		
8.3	Not Applicable.																		
9.1	<p>The Procuring Entity will hold a Pre-Bid Conference for this Project on [as indicated in the Invitation to Bid] at <b>DPWH - Butuan City District Engineering Office</b> <b>R. Palma Street, Butuan City</b>, if applicable and through video-conferencing/webcasting via <b>[https://www.youtube.com/channel/UCg0TpLxS7vpJng_S3r-9arg.</b> which shall be open to prospective bidders.</p>																		
9.4	Electronic Bidding in accordance with GPPB Resolution No. 23-2013 will not be adopted in this procurement.																		
11.1	<p>The Procuring Entity's address is:</p> <p><b>ROLITO P. PANCITO</b> <b>Engineer III, BAC Chairperson</b> <b>DPWH - Butuan City District Engineering Office</b> <b>R. Palma Street, Butuan City</b> <b>(085) 225-2022, 342-5331, 815-3971/72, Globe-09063300369(calls only), TNT-09308075805(calls only)</b></p>																		
14.1	"No further instructions."																		
14.2a(2)(a)i	"No further instructions."																		
14.2a(4)(b)	<p>The minimum work experience requirements for the key personnel are the following:</p> <table><thead><tr><th>Key Personnel</th><th>Minimum Years of Similar Experience (Same Position)</th><th>Minimum Years of Similar and Related Experience</th></tr></thead><tbody><tr><td>Project Manager</td><td>5 years</td><td>5 years</td></tr><tr><td>Project Engineer</td><td>3 years</td><td>3 years</td></tr><tr><td>Materials Engineer</td><td>3 years</td><td>3 years</td></tr><tr><td>Safety Officer</td><td>1 years</td><td>1 years</td></tr><tr><td>Foreman</td><td>1 years</td><td>1 years</td></tr></tbody></table>	Key Personnel	Minimum Years of Similar Experience (Same Position)	Minimum Years of Similar and Related Experience	Project Manager	5 years	5 years	Project Engineer	3 years	3 years	Materials Engineer	3 years	3 years	Safety Officer	1 years	1 years	Foreman	1 years	1 years
Key Personnel	Minimum Years of Similar Experience (Same Position)	Minimum Years of Similar and Related Experience																	
Project Manager	5 years	5 years																	
Project Engineer	3 years	3 years																	
Materials Engineer	3 years	3 years																	
Safety Officer	1 years	1 years																	
Foreman	1 years	1 years																	

Accredited Safety Officer (Required Upon issuance of Notice of Award) subject to D.O 98 Series of 2014: Submission of Construction Safety and Health Program Approved by the Department of Labor and Employment (DOLE).

First Aider w/ certificate of Training issued by RED CROSS in compliance to DOLE requirements for the approval of Construction Safety & Health Program (Required Upon issuance of Notice of Award) subject to D.O 98 Series of 2014 : Submission of Construction Safety and Health Program Approved by the Department of Labor and Employment (DOLE).

The key personnel should meet the following number of years' work experience.

1.The experience means total years of civil works experience

2.Include the Tax Identification Number (TIN) of the Key Personnel. Compliance to D.O. 98 series of 2016: Revised Guidelines on the Accreditation of Contractors'/Consultants' Materials Engineer.

3.Include the contact number of the Materials Engineer

14.2 a(3)(c)	<p>1.) The minimum equipment requirements for the project:</p> <p><i>a. Show proof of ownership of equipment, deed of sales valid CR/OR, official receipt or invoices.</i></p> <p><i>b. Attached contract if to be purchased or rented.</i></p> <p><i>c. If to be leased and/or under Purchase Agreement, it should be supported by a certification of availability of equipment from lessor for the duration of the contract.</i></p> <p>2.) Set of Minimum Material Testing Equipment</p> <p><b>Please refer to D.O. 11, Series of 2017 for the minimum materials testing equipment and D.O. 127, Series of 2018, Strict Application of R.A. 9184 in the conduct of Post-Qualification of Bidders with Delayed On-Going Contracts with the DPWH.</b></p>
14.3a	The ABC as indicated above. Any bid with a financial component exceeding this amount shall not be accepted.
14.3 b	"No further instructions."
17.1	Bids shall be valid until <b><i>[unless renewed not later than one hundred twenty (120) days from the date set for bid opening].</i></b>
18.1	<p>The bid security shall be limited to a Bid Securing Declaration or one of the following forms in accordance with the following amounts:</p> <p>1. The amount of not less than 2% of ABC, if bid security is in cash, cashier's/manager's check, bank draft/guarantee or irrevocable letter of credit;</p> <p>2. The amount of not less than 5% of ABC, if bid security is in Surety Bond.</p>
18.3	Bids shall be valid until <b><i>[unless renewed not later than one hundred twenty (120) days from the date set for bid opening].</i></b>
19.1	"No further instructions."
20.4	The Bidder shall submit <b>one (1)</b> original and <b>one (1)</b> copy of the first (Technical) and second (Financial) components of its bid.
21.3 d	The specific identification of this bidding process is the <b>Contract ID and Contract Name as indicated in the Invitation to Bid.</b>
22.	<p>Bid submission maybe done manually or electronically/online. However, bidders should only select one mode of submission, either manual or electronic.</p> <p>The address for receipt of Bids submitted manually is at <b>DPWH - Butuan City District Engineering Office R. Palma Street, Butuan City.</b></p> <p>The deadline for receipt of Bids is on <b>[as indicated in the Invitation to Bid].</b></p> <p><b>For bids to be submitted electronically/online, the following procedures should be observed following D.O. 87-2020:</b></p> <p><b>1. Submission of electronic Official Receipt of purchase of the Bidding Documents</b></p> <p>Prior to the deadline of submission of bids, the prospective bidders shall send an e-mail with subject <b>"Official Receipt for [Insert Contract ID as stated in the Invitation to Bid]"</b> to <b>electronicbids_butanacity@dpwh.gov.ph</b>. Attached to the said e-mail is the copy of the Official Receipt of purchase of bidding documents in Portable Document File (PDF) format with file name in the format <b>"&lt;PCAB ID&gt;_&lt;CONTRACT ID&gt;_OfficialReceipt.pdf"</b>.</p> <p>For example, the filename of the attached PDF containing the Official Receipt of the Contractor with PCAB ID No. 12345, who intends to participate in the bidding of Contract ID No. 20Z00123 shall be <b>"12345_20Z00123_OfficialReceipt.pdf"</b>. Further, the e-mail subject would be <b>"Official Receipt for 20Z00123"</b>.</p> <p>In case a prospective bidder originally intends to join the bidding as a Joint Venture (referred as "original bidder"), has been issued an Official Receipt of purchase of bidding documents and has submitted the electronic Official Receipt, but eventually decided to join the bidding with new members or as individual contractors (referred as "regrouped bidder"), or vice-versa, the "regrouped bidder" should purchase a new bidding document to be issued with the corresponding Official Receipt in their name and submit the electronic Official Receipt following the same procedures.</p> <p><b>2. Confirmation of the electronically submitted Official Receipt</b></p> <p>2.1 An e-mail shall be received by a prospective bidder confirming its successful submission of the Official Receipt as required under Item 1.</p> <p><b>Only the electronic bids of bidders who have successfully submitted an electronic Official Receipt shall be accepted.</b></p>

2.2 An e-mail shall also be received by a prospective bidder in instances where their sent e-mail related to Item 1:

a.Has incorrect subject Contract ID, which means that a corresponding folder with the same Contract ID does not exist in the eBid Portal;

b.Has no attachment;

c.Has an attachment but is not in the prescribed format;

d.Has more than one (1) attachment; or

e.Was received after the deadline of bid submission.

For the foregoing cases, the prospective bidders should rectify/correct the noted deficiency/ies to comply with the requirements under Item 1 for its electronic bid to be accepted

### 3. Preparation and submission of an electronic Bid

The prospective bidders shall prepare and submit their bids electronically following the steps prescribed under with D.O. 87- 2020 in accordance with GPPB Resolution No. 09-2020 as follows:

a.Following GPPB Resolution No. 09-2020, a bidder has the option to submit bid electronically.

**However, If a bidder chooses to submit an electronic bid, the same bidder can no longer submit a bid manually for the same contract, and vice versa.**

b.Similar to manual submission, prospective bidders shall prepare their bids in **two (2) file folders**, each for the Technical and Financial Components. The file name of the Technical and Financial Components folders should be in the format **<PCAB ID>\_<CONTRACT\_ID>\_TECHNICAL** and **<PCAB ID>\_<CONTRACT\_ID>\_FINANCIAL** (e.g. 12345 20Z00123 TECHNICAL, 12345 20Z00123 FINANCIAL).

Subsequently, each of the Technical and Financial Components file folders shall be **COMPRESSED, PASSWORD PROTECTED** and **NAMED** in the format **<PCAB ID>\_<CONTRACT\_ID>\_TECHNICAL.zip (or .rar/.7z)** and **<PCAB ID>\_<CONTRACT\_ID>\_FINANCIAL.zip (or .rar/.7z)**, respectively (e.g. 12345 20Z00123 TECHNICAL.zip, 12345 20Z00123 FINANCIAL.zip).

c.Each file contained in the Technical and Financial Components file folders shall be in PDF format (either scanned or exported/published), with file name in the format **<PCAB ID>\_<CONTRACT ID>\_DescriptiveFilename.pdf** (e.g. 12345 20Z00123 PCABLicense.pdf, 12345 20Z00123 OmnibusSwornStatement.pdf).

d.The compressed archive file folders of the Technical and Financial components shall be compiled in a **PASSWORD PROTECTED COMPRESSED ARCHIVE MAIN FILE FOLDER** with filename in the format **<PCAB>\_<CONTRACT ID>\_Bid** (e.g. 12345 20Z00123 Bid).

In case the total file size of the main archive file folder is more than the allowable size of an attachment per e-mail of the prospective bidder's e-mail service provider (e.g. Gmail, Yahoo Mail, Outlook), they shall need to split its electronic bid into two or more **PASSWORD PROTECTED COMPRESSED ARCHIVE MAIN FILE FOLDERS**.

e.The e-mail submitting the prospective bidder's electronic bid should have a Subject in the format **"Bid Submission for [Insert Contract ID]"** (e.g. "Bid Submission for 20Z00123").

In case of multiple compressed archive main file folders, it shall be submitted in multiple e-mails, each with Subject in the format **"Bid Submission [Insert Number of main archive folder]/[Insert total number of main archive folders]"** (e.g. "Bid Submission 1/2 for 20Z00123" and "Bid Submission 2/2 for 20Z00123").

f.The prospective bidder shall submit its electronic bid to **electronicbids\_butuancity@dpwh.gov.ph** using the prospective bidder's e-mail address registered in the Civil Works Application (CWA). In case prospective bidders are not yet registered, they can use any e-mail address, subject to the verification of the BAC Secretariat.

#### 4.Modification of an electronic bid

If a bidder wishes to modify its electronic bid, he may do so following the procedures in the manual submission of bid or he may choose to submit his modification electronically in the same format prescribed in the preparation and submission of an electronic bid, except that the subject of the e-mail submitting the bid modification shall be labelled "Bid Modification X for <Contract ID>", where "X" represents the number of bid modification submitted. For example, the subject of an e-mail submitting a first bid modification for Contract ID No. 20Z00123 should be "Bid Modification 1 for 20Z00123".

#### 5.Non-participation in the Bidding

In case a prospective bidder that have purchased a bidding document decided not to participate, he may choose to submit his letter of non-participation manually or electronically. In case of electronic submission, the contractor shall send an e-mail with the Subject "Non-participation for <Contract ID>" with the letter of non-participation as attachment with file name "<PCAB ID>\_<CONTRACT ID>\_Non-Participation.pdf". This e-mail should be sent to **electronicbids\_butuacity@dpwh.gov.ph** before the deadline for bid submission.

#### 6.Withdrawal of Electronic Bid

Bids may only be withdrawn prior the deadline for bid submission. In case of withdrawal of an electronic bid, the bidder shall send an e-mail with the subject "Bid Withdrawal for <Contract ID>" and the letter of bid withdrawal in pdf format with filename "<PCAB ID>\_<CONTRACT ID>\_BidWithdrawal.pdf" shall be attached. This e-mail should be sent to **electronicbids\_butuacity@dpwh.gov.ph** before the deadline for bid submission.

#### 7.Opening of the electronic bid

Only during the actual opening of bids shall the bidder disclose the passwords for his electronic bid. This can be done by the bidder's authorized representative verbally in person, through phone call, online platforms (e.g. videoconferencing, webcasting), or through writing. In all cases, the bidders will have only three (3) attempts or fifteen (15) minutes, whichever comes first, to provide the correct password. Otherwise, the bidder shall be disqualified except in unforeseen justifiable circumstances. The bidder may also be subjected to the three-strike policy (D.O. 17, Series of 2015) as warranted by the circumstances.

If the bidder chooses to disclose the password through phone call, he should make sure that the contact numbers as recorded in the Civil Works Application are open when the BAC calls to ask for the password. The bidder may also choose to call the BAC number **085-342-5331 (Local 84605/84640)** during the bid opening time and wait for the opening of his bid for him to disclose the password. For online call/video calls, the bidder may call the **BAC Messenger/Skype account [BAC Zoom Conference (Meeting ID 952 8974 1499) with Passcode (BCDEO.BAC)]**

If the bidder chooses to attend the bid opening through online conference, the bidder should join the meeting using the following link **[[https://www.youtube.com/channel/UCg0TpLxS7vpJng\\_S3r-9arg](https://www.youtube.com/channel/UCg0TpLxS7vpJng_S3r-9arg)]**.

If the bidder chooses to disclose the passwords through writing, the letters for password 1 (Main File Folder/Technical Component File Folder) and password 2 (Financial Component File Folder) should be enclosed in separate envelopes with the sender details (AMO, Bidder Name, Address) addressed to the BAC Chairperson, with the details of the bidding (Contract ID, Contract Name, Bid Opening Date and Time), signed and sealed, with a remark "Password [ Insert 1 or 2]. Do not open before actual bid opening date and time".

All electronic bids (Password protected compressed archive main file folder/s) shall be opened first for the opening of the Technical Component compressed archive file folder/s. This shall be followed by the opening of the bids submitted manually for the opening of the Technical Component Envelopes. The same procedures apply for the Financial Component compressed archive file folder/s and financial component envelopes

If the electronic bid or file within it was found to be damaged, could not be extracted or opened, the bid shall be considered "Failed".

If the electronic bid is not password-protected or is not in the required format, the bid shall still be accepted provided that the bidder acknowledges such condition. The BAC shall assume no responsibility for the misplacement of the contents of the contents of the improperly sealed or marked bid, or improperly compressed or password-protected folder, or for its premature opening.

#### 8. File name convention in case of a Joint Venture Bidder

For Joint Venture (JV), the format of PCAB ID to be used by the bidder in naming their files, folders and archives shall be "JV-<PCAB ID of the Lead Member>". For example, if three (3) Contractors with PCAB ID Nos. 12345 (lead member), 67890, and 24680 entered into a JV, the PCAB ID they must use is "JV-12345".

25.	Electronic Bidding in accordance with GPPB Resolution No. 23-2013 will not be adopted for the Receipt of Bids in this procurement.
27.1	The place of opening of Bids is <b>[ as indicated in the Invitation to Bid]</b> . The date and time of opening of Bids are <b>[ as indicated in the Invitation to Bid]</b> .
29.	Electronic Bidding in accordance with GPPB Resolution No. 23-2013 will not be adopted for the Bids Opening and Preliminary Examination in this procurement.
34 b(2)	<b>List additional contract documents relevant to the Project that may be required by existing laws and/or the Procuring Entity, such as construction schedule and S-curve, manpower schedule, construction methods, equipment utilization schedule construction safety and health program approved by the Department of Labor and Employment, and Precedence Diagram Method (PDM).</b>
35.	Electronic Bidding in accordance with GPPB Resolution No. 23-2013 will not be adopted for Post-Qualification in this procurement.



## ***Section IV. General Conditions of Contract***

### **Notes on the General Conditions of Contract**

The General Conditions of Contract (GCC) in this Section, read in conjunction with the Special Conditions of Contract in Section V and other documents listed therein, should be a complete document expressing all the rights and obligations of the parties.

Matters governing performance of the Contractor, payments under the contract, or matters affecting the risks, rights, and obligations of the parties under the contract are included in the GCC and Special Conditions of Contract.

Any complementary information, which may be needed, shall be introduced only through the Special Conditions of Contract.

## 1. Scope of Contract

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

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

## 2. Sectional Completion of Works

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

## 3. Possession of Site

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

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

## 4. The Contractor's Obligations

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

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

## **5. Performance Security**

- 5.1. Within ten (10) calendar days from receipt of the Notice of Award from the Procuring Entity but in no case later than the signing of the contract by both parties, the successful Bidder shall furnish the performance security in any of the forms prescribed in Section 39 of the 2016 revised IRR.
- 5.2. The Contractor, by entering into the Contract with the Procuring Entity, acknowledges the right of the Procuring Entity to institute action pursuant to RA No. 3688 against any subcontractor be they an individual, firm, partnership, corporation, or association supplying the Contractor with labor, materials and/or equipment for the performance of this Contract.

## **6. Site Investigation Reports**

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

## **7. Warranty**

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

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

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

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

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

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

## **10. Dayworks**

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

## **11. Program of Work**

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

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

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

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

## **13. Advance Payment**

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

## **14. Progress Payments**

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

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

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

## ***Section V. Special Conditions of Contract***

### **Notes on the Special Conditions of Contract**

Similar to the BDS, the clauses in this Section are intended to assist the Procuring Entity in providing contract-specific information in relation to corresponding clauses in the GCC found in Section IV.

The Special Conditions of Contract (SCC) complement the GCC, specifying contractual requirements linked to the special circumstances of the Procuring Entity, the Procuring Entity's country, the sector, and the Works procured. In preparing this Section, the following aspects should be checked:

- a. Information that complements provisions of the GCC must be incorporated.
- b. Amendments and/or supplements to provisions of the GCC as necessitated by the circumstances of the specific purchase, must also be incorporated.

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

# Special Conditions of Contract

GCC Clause	
2	<i>[If different dates are specified for completion of the Works by section, i.e. “sectional completion,” these dates should be listed here.]</i>
4.1	<i>[Specify the schedule of delivery of the possession of the site to the Contractor, whether full or in part.]</i>
6	The site investigation reports are: <i>[list here the required site investigation reports.]</i>
7.2	<p><i>[Select one, delete the other.]</i></p> <p><i>[In case of permanent structures, such as buildings of types 4 and 5 as classified under the National Building Code of the Philippines and other structures made of steel, iron, or concrete which comply with relevant structural codes (e.g., DPWH Standard Specifications), such as, but not limited to, steel/concrete bridges, flyovers, aircraft movement areas, ports, dams, tunnels, filtration and treatment plants, sewerage systems, power plants, transmission and communication towers, railway system, and other similar permanent structures:]</i> Fifteen (15) years.</p> <p><i>[In case of semi-permanent structures, such as buildings of types 1, 2, and 3 as classified under the National Building Code of the Philippines, concrete/asphalt roads, concrete river control, drainage, irrigation lined canals, river landing, deep wells, rock causeway, pedestrian overpass, and other similar semi-permanent structures:]</i> Five (5) years.</p> <p><i>[In case of other structures, such as bailey and wooden bridges, shallow wells, spring developments, and other similar structures:]</i> Two (2) years.</p>
10	<p><i>[Select one, delete the other:]</i></p> <p>a. Dayworks are applicable at the rate shown in the Contractor’s original Bid.</p> <p>b. No dayworks are applicable to the contract.</p>
11.1	The Contractor shall submit the Program of Work to the Procuring Entity’s Representative within <i>[insert number]</i> days of delivery of the Notice of Award.
11.2	The amount to be withheld for late submission of an updated Program of Work is <i>[insert amount]</i> .
13	The amount of the advance payment is <i>[insert amount as percentage of the contract price that shall not exceed 15% of the total contract price and schedule of payment]</i> .
14	<i>[If allowed by the Procuring Entity, state:]</i> Materials and equipment delivered on the site but not completely put in place shall be included

	for payment.
15.1	The date by which operating and maintenance manuals are required is <i>[date]</i> .  The date by which “as built” drawings are required is <i>[date]</i> .
15.2	The amount to be withheld for failing to produce “as built” drawings and/or operating and maintenance manuals by the date required is <i>[amount in local currency]</i> .



## ***SPECIFICATION OF CONTRACT***

### **1. *DPWH Standards***

The DPWH Standard Specifications for Public Works and Highways ("Blue Book") shall be the main basis for the standards and codes to be met by the goods and materials to be furnished and work performed or tested for the Contract. In particular, Volume II of the Blue Book shall be used if the Contract pertains to Highways, Bridges and Airports. Volume III of the Blue Book shall be used if the Contract pertains to Buildings, Flood Control and Drainage, or Water Supply. The Blue Book incorporates standards of the American Association of State Highway and Transportation Officials (AASHTO), American Society for Testing and Materials (ASTM), and American Concrete Institute (ACI), among others, pertaining to construction.

The Procuring Entity shall use the Standard Pay Items in the Project and Contract Management Application (PCMA) in drawing up the Specifications.

### **2. *Modifications of Standards***

- 2.1** Modifications of and additions to standards and codes as stated in the DPWH Standard Specifications for Public Works and Highways, if any, shall be included in the enclosed Supplemental Specifications, which is part of these Bidding Documents.
- 2.2** Entries in the Supplemental Specifications are numbered to coincide with the numbering of items in the DPWH Standard Specifications for Public Works and Highways.



Republic of the Philippines  
**Department of Public Works and Highways**  
 Caraga, Region XIII  
**Office of the District Engineer**  
 Butuan City District Engineering Office  
 Butuan City

PROJECT : **Construction of Multi-Purpose Building, College of Medicine and Health Sciences, CARAGA State University, Butuan City, Agusan del Norte Phase 3**  
**25ND0157**  
 DURATION : **240**  
 ABC : **PhP 33,761,660.12**

### SUMMARY OF QUANTITIES

ITEM NO.	DESCRIPTION	QTY.	UNIT
<b>PART I</b>	<b>FACILITIES FOR THE ENGINEER</b>		
A.1.1 (8)	Provision of Field Office for the Engineer (Rental Basis)	8.00	mo
<b>PART II</b>	<b>OTHER GENERAL REQUIREMENTS</b>		
B.5(1)	Project Billboard/ Sign Board	2.00	ea
B.7 (1)	Occupational Safety and Health	1.00	l.s.
B.9(1)	Mobilization/Demobilization	1.00	l.s.
<b>PART III</b>	<b>CIVIL, MECHANICAL, ELECTRICAL AND SANITARY/PLUMBING WORKS</b>		
<b>PART A</b>	<b>EARTHWORKS</b>		
800(1)	Clearing and Grubbing	1,100.00	m2
803(1)a	Structure Excavation (Common Soil)	1,877.00	m3
804(1)a	Embankment from Structure Excavation	1,787.00	m3
804(2)a	Embankment from Borrow (Common Soil)	1,441.00	m3
804(7)	Gravel Fill	197.90	m3
<b>PART B</b>	<b>PLAIN AND REINFORCED CONCRETE WORKS</b>		
900(1)d	Structural Concrete ( Class A, 28 days)	754.00	m3
902(1)a1	Reinforcing Steel (Deformed), Grade 40	14,463.42	kg
902(1)a2	Reinforcing Steel (Deformed), Grade 60	56,079.21	kg
903(1)	Formworks and Falseworks	1.00	l.s.
<b>PART C</b>	<b>FINISHING WORKS</b>		
1046(2)a2	CHB Non Load Bearing (including Reinforcing Steel), 150 mm	468.87	m2
1047(1)	Metal Structures	63,538.92	kg.
1047(4)a	Metal Structure Accessories, Bolts and Rods	400.00	each
1032(1)c	Painting Works (Steel)	3,018.00	m2

### EQUIPMENT REQUIREMENTS:

Plate Compactor	5 hp	1	UNIT
Concrete Vibrator	5 amp	1	UNIT
One Bagger Mixer	4 - 6 ft3/min	1	UNIT
Bar Cutter		1	UNIT
Bar Bender		1	UNIT
Welding Machine		1	UNIT
Cutting Outfit		1	UNIT
Set of Minimum Material Testing Equipment		1	UNIT

Contract ID:	<b>25ND0157</b>
Contract Name:	<b>Construction of Multi-Purpose Building, College of Medicine and Health Sciences,CARAGA State University, Butuan City, Agusan del Norte Phase 3</b>
Contract Location:	<b>Butuan City, Agusan del Norte</b>

### Instructions for completing the Summary of Bid Prices:

1. Part No. – Enter the “Part No.” for each section of the BOQ where unit prices are entered.
2. Part Description – Enter the “Part Description” corresponding to the “Part No.”
3. Total Amount – Enter the “Total Amount” in Pesos for all pages having the same “Part Description”

[illegible]

## Department of Public Works and Highways (DPWH)

Contract ID:

**25ND0157**

Contract Name:

**Construction of Multi-Purpose Building, College of Medicine and Health Sciences, CARAGA State University, Butuan City, Agusan del Norte Phase 3**

Contract Location:

**Butuan City, Agusan del Norte**

### BILL OF QUANTITIES

Pay Item No.	Description	Quantity	Unit	Unit Price (Pesos)	Amount (Pesos)
-1	-2	-3	-4	-5	-6
PART I	FACILITIES FOR THE ENGINEER				
A.1.1 (8)	Provision of Field Office for the Engineer (Rental Basis)	8.00	mo	In words: Pesos ____ In figures: Php ____	In words: Pesos ____ In figures: Php ____
PART II	OTHER GENERAL REQUIREMENTS				
B.5(1)	Project Billboard/ Sign Board	2.00	ea	In words: Pesos ____ In figures: Php ____	In words: Pesos ____ In figures: Php ____
B.7 (1)	Occupational Safety and Health	1.00	l.s.	In words: Pesos ____ In figures: Php ____	In words: Pesos ____ In figures: Php ____
B.9(1)	Mobilization/Demobilization	1.00	l.s.	In words: Pesos ____ In figures: Php ____	In words: Pesos ____ In figures: Php ____
PART III	CIVIL, MECHANICAL, ELECTRICAL AND SANITARY/PLUMBING WORKS				
PART A	EARTHWORKS				
800(1)	Clearing and Grubbing	1,100.00	m2	In words: Pesos ____ In figures: Php ____	In words: Pesos ____ In figures: Php ____
803(1)a	Structure Excavation (Common Soil)	1,877.00	m3	In words: Pesos ____ In figures: Php ____	In words: Pesos ____ In figures: Php ____
804(1)a	Embankment from Structure Excavation	1,787.00	m3	In words: Pesos ____ In figures: Php ____	In words: Pesos ____ In figures: Php ____
804(2)a	Embankment from Borrow (Common Soil)	1,441.00	m3	In words: Pesos ____ In figures: Php ____	In words: Pesos ____ In figures: Php ____
804(7)	Gravel Fill	197.90	m3	In words: Pesos ____ In figures: Php ____	In words: Pesos ____ In figures: Php ____
<b>Sub-total Bid Price in Words:</b>					<b>In figures:</b>  Php

## Department of Public Works and Highways (DPWH)

Contract ID: **25ND0157**  
 Contract Name: **Construction of Multi-Purpose Building, College of Medicine and Health Sciences, CARAGA State University, Butuan City, Agusan del Norte Phase 3**  
 Contract Location: **Butuan City, Agusan del Norte**

### BILL OF QUANTITIES

Pay Item No.	Description	Quantity	Unit	Unit Price (Pesos)	Amount (Pesos)
-1	-2	-3	-4	-5	-6
PART B	PLAIN AND REINFORCED CONCRETE WORKS				
900(1)d	Structural Concrete ( Class A, 28 days)	754.00	m3	In words: Pesos ____ In figures: Php ____	In words: Pesos ____ In figures: Php ____
902(1)a1	Reinforcing Steel (Deformed), Grade 40	14,463.42	kg	In words: Pesos ____ In figures: Php ____	In words: Pesos ____ In figures: Php ____
902(1)a2	Reinforcing Steel (Deformed), Grade 60	56,079.21	kg	In words: Pesos ____ In figures: Php ____	In words: Pesos ____ In figures: Php ____
903(1)	Formworks and Falseworks	1.00	l.s.	In words: Pesos ____ In figures: Php ____	In words: Pesos ____ In figures: Php ____
PART C	FINISHING WORKS				
1046(2)a2	CHB Non Load Bearing (including Reinforcing Steel), 150 mm	468.87	m2	In words: Pesos ____ In figures: Php ____	In words: Pesos ____ In figures: Php ____
1047(1)	Metal Structures	63,538.92	kg.	In words: Pesos ____ In figures: Php ____	In words: Pesos ____ In figures: Php ____
1047(4)a	Metal Structure Accessories, Bolts and Rods	400.00	each	In words: Pesos ____ In figures: Php ____	In words: Pesos ____ In figures: Php ____
1032(1)c	Painting Works (Steel)	3,018.00	m2	In words: Pesos ____ In figures: Php ____	In words: Pesos ____ In figures: Php ____
<b>Sub-total Bid Price in Words:</b>					<b>In figures:</b>  Php
<b>Total Bid Price in Words:</b>					<b>In figures:</b>  Php

(if applicable use this Page as pp.1 or pp.2 as needed )

# Checklist of Technical and Financial Documents

## I. TECHNICAL COMPONENT ENVELOPE

### *Class “A” Documents*

#### Legal Documents

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

#### Technical Documents

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

- or certification of availability of equipment from the equipment lessor/vendor for the duration of the project, as the case may be; **and**
- (k) Original duly signed Omnibus Sworn Statement (OSS); **and** if applicable, Original Notarized Secretary's Certificate in case of a corporation, partnership, or cooperative; or Original Special Power of Attorney of all members of the joint venture giving full power and authority to its officer to sign the OSS and do acts to represent the Bidder.

**Financial Documents**

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

***Class "B" Documents***

- (n) If applicable, duly signed joint venture agreement (JVA) in accordance with RA No. 4566 and its IRR in case the joint venture is already in existence; **or** duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful.

## **II. FINANCIAL COMPONENT ENVELOPE**

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

**Other documentary requirements under RA No. 9184**

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