



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
CAMARINES SUR 5TH DISTRICT ENGINEERING OFFICE
REGIONAL OFFICE V
Sta. Teresita, Baao, Camarines Sur



BIDDING DOCUMENTS

FOR

Procurement / Contract ID: **24GFN0004**

Contract Name:

Procurement, of Petroleum, Oil & Lubricant for use in the Service Vehicles and Equipment assigned in this office, DPWH Camarines Sur 5th District Engineering Office, Sta. Teresita, Baao, Camarines Sur (Purchase Request No. 24-02008 dated February 22, 2024)

Contract Location:

Sta. Teresita, Baao, Camarines Sur

Deadline of Receipt/Submission of Bids:

March 14, 2024 (Until 10:00 A.M.)

Date of Opening of Bids:

March 14, 2024 (10:30 A.M.)

Start Date for Issuance of

Bidding Documents:

March 1 - 21, 2024

Preface

These Philippine Bidding Documents (PBDs) for the procurement of Goods through Competitive Bidding have been prepared by the Government of the Philippines for use by any branch, constitutional commission or office, agency, department, bureau, office, or instrumentality of the Government of the Philippines, National Government Agencies, including Government-Owned and/or Controlled Corporations, Government Financing Institutions, State Universities and Colleges, and Local Government Unit. 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 of Republic Act No. 9184.

The Bidding Documents shall clearly and adequately define, among others: (i) the objectives, scope, and expected outputs and/or results of the proposed contract or Framework Agreement, as the case may be; (ii) the eligibility requirements of Bidders; (iii) the expected contract or Framework Agreement duration, the estimated quantity in the case of procurement of goods, delivery schedule and/or time frame; 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 Goods 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 Goods. However, they should be adapted as necessary to the circumstances of the particular Procurement 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, Bid Data Sheet, General Conditions of Contract, Special Conditions of Contract, Schedule of Requirements, and Specifications 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 Procurement Project, Project Identification Number, and Procuring Entity, in addition to the date of issue.
- e. Modifications for specific Procurement Project details should be provided in the Special Conditions of Contract as amendments to the Conditions of Contract. For easy completion, whenever reference has to be made to specific clauses in the Bid Data Sheet or Special Conditions of Contract, these terms shall be printed in bold typeface on Sections I (Instructions to Bidders) and III (General Conditions of Contract), respectively.
- f. For guidelines on the use of Bidding Forms and the procurement of Foreign-Assisted Projects, these will be covered by a separate issuance of the Government Procurement Policy Board.

GLOSSARY OF TERMS, ABBREVIATIONS, AND ACRONYMS

ABC – Approved Budget for the Contract.

BAC – Bids and Awards Committee.

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

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

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

BIR – Bureau of Internal Revenue.

BSP – Bangko Sentral ng Pilipinas.

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

CDA - Cooperative Development Authority

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

CIF – Cost Insurance and Freight.

CPI – Consumer Price Index.

CPI – Consumer Price Index.

DTI – Department of Trade and Industry.

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

DTI – Department of Trade and Industry.

EXW – Ex works.

FCA – “Free Carrier” shipping point.

FOB – “Free on Board” shipping point.

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

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

GFI – Government Financial Institution.

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

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

GOP – Government of the Philippines.

GPPB – Government Procurement Policy Board.

INCOTERMS – International Commercial Terms.

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

LGUs – Local Government Units.

NFCC – Net Financial Contracting Capacity.

NGA – National Government Agency.

PhilGEPS - Philippine Government Electronic Procurement System.

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

PSA – Philippine Statistics Authority.

SEC – Securities and Exchange Commission.

SLCC – Single Largest Completed Contract.

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

UN – United Nations.

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Section I. Invitation to Bid (IB)

24GFN0004 - Procurement, of Petroleum, Oil & Lubricant for use in the Service Vehicles and Equipment assigned in this office, DPWH Camarines Sur 5th District Engineering Office, Sta. Teresita, Baao, Camarines Sur (Purchase Request No. 24-02008 dated February 22, 2024)

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Section II. Instructions to Bidders (ITB)

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1. SCOPE OF BID

The Procuring Entity, Department of Public Works and Highways, Camarines Sur 5th District Engineering Office, Sta. Teresita, Baao, Camarines Sur invites Bids for the Procurement, of Petroleum, Oil & Lubricant for use in the Service Vehicles and Equipment assigned in this office, DPWH Camarines Sur 5th District Engineering Office, Sta. Teresita, Baao, Camarines Sur (Purchase Request No. 24-02008 dated February 22, 2024) with Contract ID Number 24GFN0004

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

2. FUNDING INFORMATION

2.1. The GOP through the source of funding as indicated below for Engineering and Administrative Overhead (EAO) in the amount of Two Million Three Hundred Sixty Thousand Six Hundred Pesos and 00/100 only ₱2,360,600.00

2.1. The source of funding is:

a. NGA, the General Appropriations 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 Manuals and associated policies, rules and regulations as the primary source thereof, while the herein clauses shall serve as the secondary source thereof.

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

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

4. CORRUPT, FRAUDULENT, COLLUSIVE, COERCIVE, AND OBSTRUCTIVE PRACTICES

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

5. ELIGIBLE BIDDERS

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

5.2. Foreign ownership limited to those allowed under the rules may participate in this Project.

5.3. Pursuant to Section 23.4.1.3 of the 2016 revised IRR of RA No.9184, the Bidder shall have an SLCC that is at least one (1) contract similar to the Project the value of which, adjusted to current prices using the PSA's CPI, must be at least equivalent to:

For the procurement of Expendable Supplies: The Bidder must have completed a single contract that is similar to this Project, equivalent to at least twenty-five percent (25%) of the ABC.

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

- 8.1. The Procuring Entity will hold a pre-bid conference for this Project on the specified date and time and either at its physical address March 08, 2024 at DPWH Camarines Sur 5th District Engineering Office, Sta. Teresita, Baao, Camarines Sur and/or through videoconferencing/webcasting) as indicated in paragraph 6 of the IB

9. CLARIFICATION AND AMENDMENT OF BIDDING DOCUMENTS

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

10. DOCUMENTS COMPRISING THE BID: ELIGIBILITY AND TECHNICAL COMPONENTS

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

11. DOCUMENTS COMPRISING THE BID: FINANCIAL COMPONENT

- 11.1. The second bid envelope shall contain the financial documents for the Bid as specified in **Section VIII (Checklist of Technical and Financial Documents).**
- 11.2. If the Bidder claims preference as a Domestic Bidder or Domestic Entity, a certification issued by DTI shall be provided by the Bidder in accordance with Section 43.1.3 of the 2016 revised IRR of RA No. 9184.
- 11.3. Any bid exceeding the ABC indicated in paragraph 1 of the IB shall not be accepted.
- 11.4. For Foreign-funded Procurement, a ceiling may be applied to bid prices provided the conditions are met under Section 31.2 of the 2016 revised IRR of RA No. 9184.

12. BID PRICES

- 12.1. Prices indicated on the Price Schedule shall be entered separately in the following manner:
- a. For Goods offered from within the Procuring Entity's country:

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- i. The price of the Goods quoted EXW (ex-works, ex-factory, ex-warehouse, ex-showroom, or off-the-shelf, as applicable);
 - ii. The cost of all customs duties and sales and other taxes already paid or payable;
 - iii. The cost of transportation, insurance, and other costs incidental to delivery of the Goods to their final destination; and
 - iv. The price of other (incidental) services, if any, listed in the BDS.
- b. For Goods offered from abroad:
 - i. Unless otherwise stated in the BDS, the price of the Goods shall be quoted delivered duty paid (DDP) with the place of destination in the Philippines as specified in the BDS. In quoting the price, the Bidder shall be free to use transportation through carriers registered in any eligible country. Similarly, the Bidder may obtain insurance services from any eligible source country.
 - ii. The price of other (incidental) services, if any, as listed in the BDS.

13. BID AND PAYMENT CURRENCIES

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

14. BID SECURITY

- 14.1. 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.
- 14.2. The Bid and Bid security shall be valid until July 18, 2024. Any Bid not accompanied by an acceptable bid security shall be rejected by the Procuring Entity as non-responsive.

15. SEALING AND MARKING OF BIDS

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

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

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

16. DEADLINE FOR SUBMISSION OF BIDS

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

17. OPENING AND PRELIMINARY EXAMINATION OF BIDS

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

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

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

18. 18. DOMESTIC PREFERENCE

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

19. DETAILED EVALUATION AND COMPARISON OF BIDS

- 19.1. The Procuring 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 the 2016 revised IRR of RA No. 9184.
- 19.2. If the Project allows partial bids, bidders may submit a proposal on any of the lots or items, and evaluation will be undertaken on a per lot or item basis, as the case maybe. In this case, the Bid Security as required by ITB Clause 14 shall be submitted for each lot or item separately.
- 19.3. The descriptions of the lots or items shall be indicated in Section VII (Technical Specifications), although the ABCs of these lots or items are indicated in the BDS for purposes of the NFCC computation pursuant to Section 23.4.2.6 of the 2016 revised IRR of RA No. 9184. The NFCC must be sufficient for the total of the ABCs for all the lots or items participated in by the prospective Bidder.
- 19.4. The Project shall be awarded as follows:
- One Project having several items that shall be awarded as one contract.
- 19.5. 19.5. Except for bidders submitting a committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation, all Bids must include the NFCC computation pursuant to Section 23.4.1.4 of the 2016 revised IRR of RA No. 9184, which must be sufficient for the total of the ABCs for all the lots or items participated in by the prospective Bidder. For bidders submitting the committed Line of Credit, it must be at least equal to ten percent (10%) of the ABCs for all the lots or items participated in by the prospective Bidder.

20. POST-QUALIFICATION

- 20.1. Within a non-extendible period of five (5) calendar days from receipt by the Bidder of the notice from the BAC that it submitted the Lowest Calculated Bid, {[Include if Framework Agreement will be used:] or in the case of multi-year Framework Agreement, that it is one of the eligible bidders who have submitted bids that are found to be technically and financially compliant,}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

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

Section III. Bid Data Sheet (BDS)

24GFN0004 - Procurement, of Petroleum, Oil & Lubricant for use in the Service Vehicles and Equipment assigned in this office, DPWH Camarines Sur 5th District Engineering Office, Sta. Teresita, Baao, Camarines Sur (Purchase Request No. 24-02008 dated February 22, 2024)

Bid Data Sheet

| ITB Clause | |
|-------------------|---|
| 5.3 | <p>The PROCURING ENTITY is Department of Public Works and Highways, Camarines Sur 5th District Engineering Office, Sta. Teresita, Baao, Camarines Sur</p> <p>The Scope of the Goods/Services required under this Contract Procurement, of Petroleum, Oil & Lubricant for use in the Service Vehicles and Equipment assigned in this office, DPWH Camarines Sur 5th District Engineering Office, Sta. Teresita, Baao, Camarines Sur (Purchase Request No. 24-02008 dated February 22, 2024)</p> <p>The Contract ID No. is: 24GFN0004</p> |
| 2 | <p><i>The Funding Source is: Engineering and Administrative Overhead (EAO) CY-2023</i></p> <p><i>The Government of the Philippines (GOP) through</i> <i>amounting to P2,360,600.00</i></p> <p><i>The name of the project is</i> Procurement, of Petroleum, Oil & Lubricant for use in the Service Vehicles and Equipment assigned in this office, DPWH Camarines Sur 5th District Engineering Office, Sta. Teresita, Baao, Camarines Sur (Purchase Request No. 24-02008 dated February 22, 2024)</p> |
| 3.1 | No further instructions. |
| 5.1 | No further instructions. |
| 5.2 | None of the circumstances mentioned in the ITB Clause exists in this Project. Foreign bidders, except those falling under ITB Clause 5.2(b), may not participate in this Project. |
| 5.4 | No further instructions. |
| 6.3 | No further instructions. |
| 8.1 | Subcontracting is not allowed. |
| 8.2 | Not applicable. |
| 9.1(a) | The procuring Entity will hold a pre-bid conference for this Project on March 08, 2024 at DPWH Camarines Sur 5th District Engineering Office, Sta. Teresita, Baao, Camarines Sur |
| 9.1(b) | Contract duration is 90 Working Days |
| 10.1 | <p>The Procuring Entity's address is: DPWH Camarines Sur 5th District Engineering Office, Sta. Teresita, Baao, Camarines Sur ENGR. NIDA P. PONTILLAS, MPA, BAC Chairman (054) 266 - 3465</p> |
| 10.3 | Not applicable. |
| 12.1(a)(i) | No other acceptable proof of registration is recognized. |
| 13(c)(2) | The statement of all ongoing government and private contracts shall include all such contracts prior to the deadline for the submission and receipt of bids. |
| 13(c)(3) | No additional requirements. |
| 14 | The ABC is P2,360,600.00 Any bid with a financial component exceeding this amount shall not be accepted. |
| 14.2 | No incidental services are required. |

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| | |
|---------|---|
| 17.1 | The bid prices for Goods supplied from outside of the Philippines shall be quoted in Philippine Pesos. |
| 18.1 | Bids will be valid until 120 C.D. from the date of opening of bids |
| 14.1 | <p>The bid security shall be in the form of a Bid Securing Declaration, or any of the following forms and amounts:</p> <p>a. (2%) The amount of not less than ₱47,212.00 if bid security is in cash, cashier's/manager's check, bank draft/guarantee or irrevocable letter of credit; or</p> <p>b. (5%) The amount of not less than ₱70,818.00 if bid security is in Surety Bond.</p> <p>c. Any combination of the foregoing proportionate to the share of form with respect to total amount of security.</p> |
| 19.2 | The bid security shall be valid until July 18, 2024 |
| 21.3 | The bidder shall submit <input type="checkbox"/> ONE (1) original and ONE (1) copy <input type="checkbox"/> of the First (Technical) and Second (Financial) components of its bid. |
| 22 | <p>Bid submission maybe done manually or electronically/online. However, bidders should only select one mode of submission, either manual or electronic. The address for receipt of Bids submitted manually is:</p> <p>The Chairperson Bids and Awards Committee (BAC) Department of Public Works & Highways Camarines Sur 5th District Engineering Office Sta. Teresita, Baao, Camarines Sur</p> <p>The date for submission of bids is March 14, 2024 (Until 10:00 A.M.)</p> |
| 25.1 | <p>The place of Bid Opening is at DPWH Camarines Sur 5th District Engineering Office, Sta. Teresita, Baao, Camarines Sur</p> <p>The Date and Time of Bid Opening is Immediately after cut-off of dropping</p> |
| 25.2 | No further instructions |
| 28.3(d) | Bid Modification is allowed. |
| 28.4 | No further instructions. |
| 28.5 | No further instructions. |
| 29.2(b) | <p>Only tax returns filed and taxes paid through the BIR Electronic Filing and Payment System (EFPS) shall be accepted.</p> <p>NOTE: The latest income and business tax returns are those within the last six months preceding the date of bid submission.</p> |
| 29.2(d) | No other acceptable proof of registration is recognized. |
| 32.4(g) | No further instructions. |
| 33.2 | No further instructions. |

Notes and Further Instructions:

- Prospective Bidders must have completed a Single Largest Completed Contract (SLCC) that is similar to the contract to be bid, and whose value, adjusted to current prices using the Philippine Statistics Authority (PSA) consumer price indices, must be at least fifty percent (50%) of the Approved Budget for the Contract (ABC) to be bid and comply the required Major Categories of Works, pursuant to D.O. No. 117, Series of 2017.
- Bids received in excess of the ABC shall be automatically rejected and declared failed.

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- 3 If at the time of the post-qualification procedure, the BAC verifies that any of the deficiencies is due to the contractor's fault or negligence pursuant to Section 34.3(b)(i)(ii) of the 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184 (2016 RIRR of R.A. 9184), the Procuring Entity shall disqualify the contractor from the award without any right to reimburse fees and incidental cost paid for the procurement of infrastructure contract subject of the Bid, in consonance with D.O. No. 127, Series of 2018, with subject: Strict Application of R.A. 9184 in the conduct of Post-Qualification of Bidders with Delayed On-going Contracts with the DPWH, and further, the contractor shall adhere to the provisions of Section 4.2, Appendix 17 of the 2016 Revised IRR of R.A. 9184.
 - 4 All bids must be accompanied by one (1) form of Bid Security taken from two (2) acceptable forms, viz: **1.) BID SECURING DECLARATION** as provided in Section 27.5 of the 2016 Revised IRR of R.A. 9184; **"OR"** 2.) Any form of Bid Security in any of the acceptable forms and in an amount not less than the required percentage of the ABC as stated in ITB Clause 18.1.
 - 5 All bidders/performance/surety bonds, letters of credit, bank guarantees and Contractors All Risk Policies submitted by the contractors shall be subject for verification/confirmation as to the validity and authenticity with the regional or main office of the issuing bank or insurance company, pursuant to D.O. No. 64, series of 2012 and D.O. 41, series of 2017.
 - 6 All Pages must be numbered/paginated consecutively at top hand right margin. Each page signed by Bidder below page number and the total number of which must be indicated in the covering page and signed by the duly authorized representative. All sets of documents (financial and technical envelopes) must be properly bookbanded, pursuant to DPWH D.O. No. 90, Series of 2002.
- Use checklist of the Technical and Financial Envelopes hereto attached in Section IX-Bidding Forms, and shall be included as 1st page of the book bounding of each envelopes with ear-tabbing labeled for each checklist.**
- 7 **3-STRIKE POLICY** in the Procurement of Contracts for Infrastructure Works, Goods and Consulting Services shall be imposed pursuant to D.O. No. 35, Series of 2008, as amended by D.O. No. 17, Series of 2015. Bidders are reminded on different offenses and penalties provided for in the Revised IRR of RA 9184 and on the provisions governing the imposition of administrative sanctions for contractors who tend to defeat the purpose of competitive bidding such as habitually withdrawing from bidding, submitting late bids or patently insufficient bid, for at least three (3) times within a year, except for valid reasons, pursuant to D.O. No. 17, Series of 2015 (copy attached in the Bidding Forms).
 - 8 The **DPWH Camarines Sur 5th District Engineering Office, Sta. Teresita, Baao, Camarines Sur** reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract, without incurring any liability or obligation to the affected bidders, in accordance with the provisions of Section 41 of 2016 Revised IRR of R.A No. 9184.
 - 9 **Prospective Bidders/Contractors are strictly advised to observed COVID-19 health protocols, prescribed by the IATF for COVID-19 and/or Local Government Units, and thus, they and/or their Authorized Representative who will attend the procurement activities and submit bids manually are required to present current "Health Certificate" issued by their respective Rural Health Unit (RHU) physician and submit for self- quarantine whenever necessary.**

Section IV. General 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.

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

2. Advance Payment and Terms of Payment

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

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

3. Performance Security

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

4. Inspection and Tests

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

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

5. Warranty

5.1 5.1 In order to assure that manufacturing defects shall be corrected by the Supplier, a warranty shall be required from the Supplier as provided under Section 62.1 of the 2016 revised IRR of RA No. 9184.

5.2 The Procuring Entity shall promptly notify the Supplier in writing of any claims arising under this warranty. Upon receipt of such notice, the Supplier shall, repair or replace the defective Goods or parts thereof without cost to the Procuring Entity, pursuant to the Generic Procurement Manual.

6. Liability of the Supplier

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

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

Section V. Special Conditions of Contract

| | |
|-------------------------|---|
| <p>GCC Clause 1</p> | <p>Delivery and Documents</p> <p>For purposes of the Contract, "EXW," "FOB," "FCA," "CIF," "CIP," "DDP" and other trade terms used to describe the obligations of the parties shall have the meanings assigned to them by the current edition of INCOTERMS published by the International Chamber of Commerce, Paris. The Delivery terms of this Contract shall be as follows:</p> <p>"The delivery terms applicable to this Contract are delivered [indicate place of destination]. Risk and title will pass from the Supplier to the Procuring Entity upon receipt and final acceptance of the Goods at their final destination."</p> <p>Delivery of the Goods shall be made by the Supplier in accordance with the terms specified in Section VI (Schedule of Requirements).</p> <p>For purposes of this Clause the Procuring Entity's Representative at the Project Site is DPWH, Camarines Sur 5th DEO.</p> <p>Transportation –</p> <p>Where the Supplier is required under Contract to deliver the Goods CIF, CIP, or DDP, transport of the Goods to the port of destination or such other named place of destination in the Philippines, as shall be specified in this Contract, shall be arranged and paid for by the Supplier, and the cost thereof shall be included in the Contract Price.</p> <p>Where the Supplier is required under this Contract to transport the Goods to a specified place of destination within the Philippines, defined as the Project Site, transport to such place of destination in the Philippines, including insurance and storage, as shall be specified in this Contract, shall be arranged by the Supplier, and related costs shall be included in the contract price.</p> <p>Where the Supplier is required under Contract to deliver the Goods CIF, CIP or DDP, Goods are to be transported on carriers of Philippine registry. In the event that no carrier of Philippine registry is available, Goods may be shipped by a carrier which is not of Philippine registry provided that the Supplier obtains and presents to the Procuring Entity certification to this effect from the nearest Philippine consulate to the port of dispatch. In the event that carriers of Philippine registry are available but their schedule delays the Supplier in its performance of this Contract the period from when the Goods were first ready for shipment and the actual date of shipment the period of delay will be considered force majeure.</p> <p>The Procuring Entity accepts no liability for the damage of Goods during transit other than those prescribed by INCOTERMS for DDP deliveries. In the case of Goods supplied from within the Philippines or supplied by domestic Suppliers risk and title will not be deemed to have passed to the Procuring Entity until their receipt and final acceptance at the final destination.</p> <p>Intellectual Property Rights – The Supplier shall indemnify the Procuring Entity against all third-party claims of infringement of patent, trademark, or industrial design rights arising from use of the Goods or any part</p> |
| <p>2.2</p> | <p>Partial Payment is allowed.</p> |

Section VI. Schedule of Requirements

24GFN0004 - Procurement, of Petroleum, Oil & Lubricant for use in the Service Vehicles and Equipment assigned in this office, DPWH Camarines Sur 5th District Engineering Office, Sta. Teresita, Baao, Camarines Sur (Purchase Request No. 24-02008 dated February 22, 2024)

The delivery schedule expressed as weeks/months stipulates hereafter a delivery date which is the date of delivery to the project site.

| Item Number | unit | Description | Quantity | Total | Delivered, Weeks/Months |
|-------------|--------|--------------------------------|----------|-------|-------------------------|
| 1 | Liters | Diesel | 15000 | | |
| 2 | Liters | Unleaded | 6000 | | |
| 3 | Liters | Engine Oil #40 | 150 | | |
| 4 | Liters | Engine Oil #40 Fully Synthetic | 300 | | |
| 5 | Pail | Hydraulic Oil #10 | 10 | | |
| 6 | Liters | Brake Fluid | 30 | | |
| 7 | Liters | 2T Oil | 1200 | | |
| 8 | Liters | Coolant | 40 | | |
| 9 | Liters | Gear Oil#140 | 60 | | |
| 10 | Liters | Gear Oil#90 | 60 | | |
| 11 | Liters | ATF | 15 | | |
| 12 | Pail | Grease | 5 | | |
| | | *** Nothing Follows*** | | | |

[Use this form for Framework Agreement:]

(Signature Over Printed Name of
Authorized Representative)

(Designation)

Section VI. Schedule of Requirements

24GFN0004 - Procurement, of Petroleum, Oil & Lubricant for use in the Service Vehicles and Equipment assigned in this office, DPWH Camarines Sur 5th District Engineering Office, Sta. Teresita, Baao, Camarines Sur (Purchase Request No. 24-02008 dated February 22, 2024)

The delivery schedule expressed as weeks/months stipulates hereafter a delivery date which is the date of delivery to the project site.

TECHNICAL SPECIFICATIONS

| Item / Service | Maximum Quantity | Technical Specifications / Scope of Work | Statement of Compliance |
|----------------|------------------|--|--|
| | 15000 | Diesel | Bidders must state here either "Comply" or "Not Comply" against each of the individual parameters of each Specification stating the corresponding performance parameter of the equipment offered. Statements of "Comply" or "Not Comply" must be supported by evidence in a Bidders Bid and cross-referenced to that evidence. Evidence shall be in the form of manufacturer's un-amended sales literature, unconditional statements of specification and compliance issued by the manufacturer, samples, independent test data etc., as appropriate. A statement that is not supported by evidence or is subsequently found to be contradicted by the evidence presented will render the Bid under evaluation liable for rejection. A statement either in the Bidders statement of compliance or the supporting evidence that is found to be false either during Bid evaluation, post-qualification or the execution of the Contract may be regarded as fraudulent and render the Bidder or supplier liable for prosecution subject to the provisions of ITB Clause 3.1(a)(ii) and/or GCC |
| | 6000 | Unleaded | |
| | 150 | Engine Oil #40 | |
| | 300 | Engine Oil #40 Fully Synthetic | |
| | 10 | Hydraulic Oil #10 | |
| | 30 | Brake Fluid | |
| | 1200 | 2T Oil | |
| | 40 | Coolant | |
| | 60 | Gear Oil#140 | |
| | 60 | Gear Oil#90 | |
| | 15 | ATF | |
| | 5 | Grease | |
| | | 2T Oil | |
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[Use this form for Framework Agreement:]

 (Signature Over Printed Name of
 Authorized Representative)
 (Designation)



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
CAMARINES SUR 5th DISTRICT ENGINEERING OFFICE
REGIONAL OFFICE V
Sta. Teresita, Baao, Camarines Sur



Contract ID:
Contract Name:

: **24GFN0004**
: **Procurement, of Petroleum, Oil & Lubricant for use in the Service Vehicles and Equipment assigned in this office, DPWH Camarines Sur 5th District Engineering Office, Sta. Teresita, Baao, Camarines Sur (Purchase Request No. 24-02008 dated February 22, 2024)**

CONTRACTOR :

: _____
(Please indicate Name of Firm/Company)

Checklist of Bid Requirements
I. TECHNICAL COMPONENT ENVELOPE

| |
|--|
| Chairperson: Nida P. Pontillas |
| Vice - Chairperson: Antonio C. Mendez |
| BAC Member: Aris E. Hermoso |
| BAC Member: Arman C. Ibarreta |
| BAC Member: Maria Corazon B. Bruca |
| Provisional Member: Irene P. Parco |
| Provisional Member: Impl. Office/End User: |

REQUIRED BID SECURITY:

[TWO (2) ACCEPTABLE FORMS]

1 Bid Securing Declaration as provided in Section 27.5 of the Revised IRR of R.A. 9184; "OR"

Guidelines on the Use of Bid Securing Declaration is hereto attached in Section XI – Bidding Forms)

2 Any form of Bid Security, in an amount not less than the required percentage of the ABC in accordance with the following schedule:

| Form of Bid Security | Amount of Bid Security (Not less than the required percentage of the ABC) |
|--|--|
| a) Cash or cashier's/manager's check issued by a Universal or Commercial Bank. | Two percent (2%) |
| b) Bank draft/guarantee or irrevocable letter of credit issued by a Universal or Commercial Bank: | P47,212.00 |
| c) Surety bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security. | Five percent (5%) P118,030.00 |
| Validity Period: <u>120</u> calendar days from opening of bid (maximum) | |

APPROVED BUDGET FOR THE CONTRACT (ABC) : Php 2,360,600.00

Class "A" Documents

Legal Documents

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(a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages);

or

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(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

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(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

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(d) Tax clearance per E.O. No. 398, s. 2005, as finally reviewed and approved by the Bureau of Internal Revenue (BIR).

Technical Documents

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(e) 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**

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(f) Statement of the bidder's Single Largest Completed Contract (SLCC) similar to the contract to be bid, except under conditions provided for in Sections 23.4.1.3 and 23.4.2.4 of the 2016 revised IRR of RA No. 9184, within the relevant period as provided in the Bidding Documents; **and**

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(g) 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

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(h) Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or after-sales/parts, if applicable; and

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(i) 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.



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
CAMARINES SUR 5th DISTRICT ENGINEERING OFFICE
REGIONAL OFFICE V
Sta. Teresita, Baao, Camarines Sur



Contract ID: : **24GFN0004**
Contract Name: : **Procurement, of Petroleum, Oil & Lubricant for use in the Service Vehicles and Equipment assigned in this office, DPWH Camarines Sur 5th District Engineering Office, Sta. Teresita, Baao, Camarines Sur (Purchase Request No. 24-02008 dated February 22, 2024)**
CONTRACTOR : : _____
(Please indicate Name of Firm/Company)

Checklist of Bid Requirements
I. TECHNICAL COMPONENT ENVELOPE

Financial Documents

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(j) The Supplier's audited financial statements, showing, among others, the Supplier'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

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(k) The prospective bidder's computation of Net Financial Contracting Capacity (NFCC);
or
A committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation.

Class "B" Documents

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(l) (I) If applicable, a duly signed joint venture agreement (JVA) in case the joint venture is already in existence;
or
duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful

(INITIAL)

Remarks: Remarks: ☐ Complying/ Passed ☐ Non-Complying / Failed

Note: Note: 1. Technical Envelope shall be book bounded and contents of which must be all numbered/paginated consecutively in the right-hand top margin and signed below page number by the duly authorized representative, pursuant to D.O. No. 90, Series of 2002;
2. Checklist for Technical Envelope shall be included as 1st page of the book bounding of Technical Envelope with ear-tapping labeled for each checklist;
3. Any missing, incomplete or patently insufficient document in the above-mentioned checklist is a ground for outright rejection and for declaring Non-Complying/Failed



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
CAMARINES SUR 5th DISTRICT ENGINEERING OFFICE
REGIONAL OFFICE V
Sta. Teresita, Baa, Camarines Sur



Contract ID: : **24GFN0004**
Contract Name: : **Procurement, of Petroleum, Oil & Lubricant for use in the Service Vehicles and Equipment assigned in this office, DPWH Camarines Sur 5th District Engineering Office, Sta. Teresita, Baa, Camarines Sur (Purchase Request No. 24-02008 dated February 22, 2024)**

APPROVED BUDGET FOR THE CONTRACT
(ABC)

: **Php 2,360,600.00**

TRACTOR :

:
: **(Please indicate Name of Firm/Company)**

Checklist of Bid Requirements

II. FINANCIAL COMPONENT ENVELOPE

| |
|--|
| Chairperson: Nida P. Pontillas |
| Vice - Chairperson: Antonio C. Mendez |
| BAC Member: Aris E. Hermoso |
| BAC Member: Arman C. Ibarreta |
| BAC Member: Maria Corazon B. Bruca |
| Provisional Member: Irene P. Parco |
| Provisional Member: Impl. Office/End User: |

TECHNICAL COMPONENT ENVELOPE

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(m) Original of duly signed and accomplished Financial Bid Form; and

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(n) Original of duly signed and accomplished Price Schedule(s).

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(n) Other documentary requirements under RA No. 9184 (as applicable)
[For foreign bidders claiming by reason of their country's extension of reciprocal rights to Filipinos] Certification from the relevant government office of their country stating that Filipinos are allowed to participate in government procurement activities for the same item or product.

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(p) Certification from the DTI if the Bidder claims preference as a Domestic Bidder or

(INITIAL)

Remarks:

☐

Complying / Passed

☐

Non-Complying / Failed

Note:

- Financial Envelope shall be book bounded and contents of which must be all numbered/paginated consecutively in the right-hand top margin and signed below page number by the duly authorized representative, pursuant to D.O. No. 90, Series of 2002;
- Checklist for Financial Envelope shall be included as 1st page of the book bounding of Financial Envelope with ear-tabbing labeled for each checklist; and
- Any missing, incomplete or patently insufficient document in the above-mentioned checklist is a ground for outright rejection and for declaring Non-Complying/Failed.