



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

DPWH, DPWH
08-29-2012

AUG 29 2012

DEPARTMENT ORDER)
No. **58**)
Series of 2012 *08-29-12*)

Subject: Inclusion of Material Data on the Pledged
Equipment of a Bidder in his Bid
Documents

One of the essential elements that should be considered by the Bids and Awards Committee (BAC) in recommending award of contracts for infrastructure projects and which must likewise not be overlooked by the Head of the Procuring Entity is the contractor's full compliance to the contract minimum equipment requirements as prescribed in the bid documents for the reason that if a contractor has been determined, in the course of its post-qualification, as not having met the minimum equipment requirements as to their availability, capacity and operating condition, the BAC as a matter of course, should declare the said bidder/contractor post-disqualified for award of contract although it submitted the lowest calculated bid price. The reason for this is that a contractor who does not possess or has no equipment capability cannot be reasonably expected to fully and faithfully perform its contractual obligation in accordance with the contract terms and conditions since equipment capability is an indispensable component in contract implementation.

Henceforth, to obviate any possibility wherein a bidder/contractor will be awarded a contract for infrastructure projects notwithstanding that such bidder/contractor may not possess the required equipment capability, either through negligence by the BAC or collusion by the BAC with a bidder, and to expedite the conduct of equipment inspection/verification by the BAC, it is hereby directed that all bid documents for procurement of contract for infrastructure projects shall invariably contain a provision mandating all prospective bidders to state in their bid documents a complete technical description of their pledged equipment, whether owned or leased, such as but not limited to the engine number, year model, chassis number, plate number, production capacity and load capacity. In addition, the prospective bidders should also be required to state in their bid documents the particular place or site where the equipment are located as provided for under D.O. No. 09, s. 2012, Annex A.

To avoid delays in the implementation of DPWH Projects and to ensure strict compliance with the above-mentioned requirements, the bid documents particularly the list of Contractor's Equipment Pledged to the Contract (Annex B) should also contain a provision that failure of a prospective bidder to comply with the said requirements shall result in the bidder's automatic post-disqualification for award of contract and forfeiture of its bid security.

This order is for strict compliance and shall take effect immediately.


ROGELIO L. SINGSON
Secretary



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

FEB 27 2012

DEPARTMENT ORDER) SUBJECT: TECHNICAL REQUIREMENTS FOR CIVIL WORKS
) PROJECTS FOR PUBLIC BIDDING
)
 NO. 09)
 Series of 2012)

In order to avoid unnecessary delay during eligibility processing and post-qualification, the following guidelines shall be observed.

Categories of Work

1. The Major Category of Work to be indicated in the Contract Profile or Form NR-002 (sample attached) shall be based on the Bill of Quantities. In accordance with best engineering practice, the major category shall include only items that constitute at least 20% of the total contract cost. Minor items are considered subsumed under the major category.
2. In filling up the Contract Profile form, the appropriate Similar Categories of Work listed in the form shall also be specified. The existing list shall prevail until a new List of Categories of Works is issued through another Department Order. The data in the form are inputs in the electronic eligibility processing.
3. The category of work used during the eligibility processing shall be the same category when the project is completed, accepted and included in the database under the contractor's list of completed projects. This category will be reflected in the Contractor's Information (CI) which is attached to the Contractor's Registration Certificate (CRC).
4. Unless there has been an approved variation order to prove that the profile of the completed project is different from the contract that was bid out, the category of work shall not be revised. This is to avoid any suspicion that the category of the contract for bidding was tailor-fitted to the profile of the contractor during the bidding and would be revised later to suit another contract for another bidding.

Key Technical Personnel


5. Pursuant to Section 34, Rule 10 of the Revised Implementing Rules and Regulations (IRR) of Republic Act 9184, the Lowest Calculated Bid shall undergo post qualification, which includes verification of pledged key technical personnel.

6. If a proposed Key Technical Personnel is an employee of the bidder and working on another project at the time of the bidding, the bidder shall submit a certification that (1) the personnel will be pulled out from the ongoing project once the bidder is awarded the contract, and (2) he/she will be replaced with another person with equal or better qualifications, as certified by the head of the implementing office.
7. The bidder may propose a Key Technical Personnel who is not its employee provided that the said personnel is required to submit a certification that he/she will work for the bidder if it is awarded the contract under bidding.
8. The certification under Item 6 or Item 7 shall be included in the first envelope of the sealed bid.

Equipment

9. Also to be verified during post-qualification is the set of equipment pledged by the bidder. The bidder should specify in the submitted bid the location of the equipment where they can be inspected. If any piece of equipment is not in the specified location, then the bidder shall be post-disqualified.

This Order is for strict compliance. It supersedes any previous order inconsistent herewith and shall take effect immediately.


ROGELIO L. SINGSON
Secretary



Annex "B"

Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
 Bonifacio Drive, port Area, manila

LIST OF CONTRACTOR'S EQUIPMENT PLEDGED TO THE CONTRACT

Contract ID No. : _____
 Contract Name: _____

 Location of the Contract: _____

Description	No. of Unit (s)	Model/ Year manufactured	Capacity/ Performance		Plate No.	Motor No./ Body no.	Specific location	Condition	Proof of Ownership/ Lessor or vendor
			Performance	Size					
A. Owned									
B. Leased									
C. Under Purchase Agreement									

Failure of the prospective bidder to state a complete technical description of the pledged equipment and the specific location, whether owned, leased or under purchased agreement shall result in the bidder's automatic post-disqualification for award of contract and forfeiture of its bid security.

 (Name/Signature of Bidder's Representative) (Date)

 (Name of Bidder)