

**PHILIPPINE BIDDING DOCUMENTS**  
(As Harmonized with Development Partners)

**Procurement of  
INFRASTRUCTURE  
PROJECTS**

Government of the Republic of the Philippines

**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.
- 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.

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# ***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.

## ***Section I. Invitation to Bid***

### **Notes on the Invitation to Bid**

The Invitation to Bid (IB) provides information that enables potential Bidders to decide whether to participate in the procurement at hand. The IB shall be posted in accordance with Section 21.2 of the 2016 revised IRR of RA No. 9184.

Apart from the essential items listed in the Bidding Documents, the IB should also indicate the following:

- a. The date of availability of the Bidding Documents, which shall be from the time the IB is first advertised/posted until the deadline for the submission and receipt of bids;
- b. The place where the Bidding Documents may be acquired or the website where it may be downloaded;
- c. The deadline for the submission and receipt of bids; and
- d. Any important bid evaluation criteria.

The IB should be incorporated into the Bidding Documents. The information contained in the IB must conform to the Bidding Documents and in particular to the relevant information in the Bid Data Sheet.





### INVITATION TO BID

The **Department of Public Works and Highways Negros Oriental 3<sup>rd</sup> District Engineering Office** through the **FY 2025 & FY 2024 Infrastructure Program** intends to apply the sum of the approved budget for the contract as specified below being the Approved Budget for the Contract (ABC) to payments under each contract name. Bids received in excess of the ABC shall be automatically rejected at bid opening.

The **Department of Public Works and Highways Negros Oriental 3<sup>rd</sup> District Engineering Office** through the Bids and Awards Committee now invites bids for the hereunder Works:

1. Contract ID : 25RI0074  
Contract Name : Maintenance, Repair and Rehabilitation of Infrastructure Facilities & Other Related Activities: Maintenance, Repair and Rehabilitation of Infrastructure Facilities – Public Buildings: Repair / Maintenance of DPWH Building, Malabuhan  
Contract Location : Siaton, Negros Oriental  
Scope of Works : Repair / Maintenance of Building  
Approved Budget for the Contract (ABC) : Php 1,641,500.00  
Contract Duration : Sixty (60) Calendar Days  
Cost of Bidding Documents : Php 5,000.00
2. Contract ID : 25RI0075  
Contract Name : Maintenance, Repair and Rehabilitation of Infrastructure Facilities and Other Related Activities: Maintenance, Repair and Rehabilitation of Infrastructure Facilities – Flood Control and Drainage Systems, Structures and Related Facilities: Repair / Maintenance of Caticugan River Dike Upstream B 2, Brgy. Caticugan  
Contract Location : Siaton, Negros Oriental  
Scope of Works : Repair / Maintenance of River Dike  
Approved Budget for the Contract (ABC) : Php 4,501,140.00  
Contract Duration : Ninety (90) Calendar Days  
Cost of Bidding Documents : Php 5,000.00
3. Contract ID : 24RI0318  
Contract Name : ORGANIZATIONAL OUTCOME 002: Protect Lives and Properties Against Major Floods: Flood Management Program: Construction / Rehabilitation of Flood Mitigation Facilities within Major River Basins and Principal Rivers: Construction of Pagatban River Control, Pagatban  
Contract Location : Bayawan City, Negros Oriental  
Scope of Works : Construction of River Control  
Approved Budget for the Contract (ABC) : Php 144,750,000.00  
Contract Duration : Three Hundred (300) Calendar Days  
Cost of Bidding Documents : Php 50,000.00

4. Contract ID : 24RI0319  
Contract Name : ORGANIZATIONAL OUTCOME 002: Protect Lives and Properties Against Major Floods: Flood Management Program: Construction / Rehabilitation of Flood Mitigation Facilities within Major River Basins and Principal Rivers: Construction of Flood Control Structure, Tiabanan River (Downstream)  
Contract Location : Basay, Negros Oriental  
Scope of Works : Construction of River Control  
Approved Budget for the Contract (ABC) : Php 144,750,000.00  
Contract Duration : Three Hundred (300) Calendar Days  
Cost of Bidding Documents : Php 50,000.00
  
5. Contract ID : 24RI0320  
Contract Name : ORGANIZATIONAL OUTCOME 002: Protect Lives and Properties Against Major Floods: Flood Management Program: Construction / Rehabilitation of Flood Mitigation Facilities within Major River Basins and Principal Rivers: Construction of Flood Control Structure, Tiabanan River (Upstream A)  
Contract Location : Basay, Negros Oriental  
Scope of Works : Construction of River Control  
Approved Budget for the Contract (ABC) : Php 144,750,000.00  
Contract Duration : Three Hundred (300) Calendar Days  
Cost of Bidding Documents : Php 50,000.00
  
6. Contract ID : 24RI0321  
Contract Name : ORGANIZATIONAL OUTCOME 002: Protect Lives and Properties Against Major Floods: Flood Management Program: Construction / Rehabilitation of Flood Mitigation Facilities within Major River Basins and Principal Rivers: Construction of Flood Control Structure, Tiabanan River (Upstream B) - Phase II  
Contract Location : Basay, Negros Oriental  
Scope of Works : Construction of River Control  
Approved Budget for the Contract (ABC) : Php 144,750,000.00  
Contract Duration : Three Hundred (300) Calendar Days  
Cost of Bidding Documents : Php 50,000.00
  
7. Contract ID : 24RI0322  
Contract Name : ORGANIZATIONAL OUTCOME 002: Protect Lives and Properties Against Major Floods: Flood Management Program: Construction / Rehabilitation of Flood Mitigation Facilities within Major River Basins and Principal Rivers: Construction of River Control along Bayawan River, Upstream  
Contract Location : Bayawan City, Negros Oriental  
Scope of Works : Construction of River Control  
Approved Budget for the Contract (ABC) : Php 144,750,000.00  
Contract Duration : Three Hundred (300) Calendar Days  
Cost of Bidding Documents : Php 50,000.00

8. Contract ID : 24RI0323  
Contract Name : ORGANIZATIONAL OUTCOME 002: Protect Lives and Properties Against Major Floods: Flood Management Program: Construction / Rehabilitation of Flood Mitigation Facilities within Major River Basins and Principal Rivers: Construction of River Control along Bayawan River, Upstream B, Mantapi  
Contract Location : Bayawan City, Negros Oriental  
Scope of Works : Construction of River Control  
Approved Budget for the Contract (ABC) : Php 144,750,000.00  
Contract Duration : Three Hundred (300) Calendar Days  
Cost of Bidding Documents : Php 50,000.00
  
9. Contract ID : 24RI0324  
Contract Name : ORGANIZATIONAL OUTCOME 002: Protect Lives and Properties Against Major Floods: Flood Management Program: Construction / Rehabilitation of Flood Mitigation Facilities within Major River Basins and Principal Rivers: Construction of River Control along Canalum River, Upstream  
Contract Location : Bayawan City, Negros Oriental  
Scope of Works : Construction of River Control  
Approved Budget for the Contract (ABC) : Php 96,500,000.00  
Contract Duration : Three Hundred (300) Calendar Days  
Cost of Bidding Documents : Php 50,000.00
  
10. Contract ID : 24RI0325  
Contract Name : ORGANIZATIONAL OUTCOME 002: Protect Lives and Properties Against Major Floods: Flood Management Program: Construction / Rehabilitation of Flood Mitigation Facilities within Major River Basins and Principal Rivers: Construction of Caticugan River Control along Siaton River (Phase I)  
Contract Location : Siaton, Negros Oriental  
Scope of Works : Construction of River Control  
Approved Budget for the Contract (ABC) : Php 144,750,000.00  
Contract Duration : Two Hundred Nine (209) Calendar Days  
Cost of Bidding Documents : Php 50,000.00
  
11. Contract ID : 24RI0326  
Contract Name : ORGANIZATIONAL OUTCOME 002: Protect Lives and Properties Against Major Floods: Flood Management Program: Construction / Rehabilitation of Flood Mitigation Facilities within Major River Basins and Principal Rivers: Construction of Caticugan River Control along Siaton River (Phase II)  
Contract Location : Siaton, Negros Oriental  
Scope of Works : Construction of River Control  
Approved Budget for the Contract (ABC) : Php 144,750,000.00  
Contract Duration : Two Hundred Nine (209) Calendar Days  
Cost of Bidding Documents : Php 50,000.00

12. Contract ID : 24RI0327  
Contract Name : ORGANIZATIONAL OUTCOME 002: Protect Lives and Properties Against Major Floods: Flood Management Program: Construction / Rehabilitation of Flood Mitigation Facilities within Major River Basins and Principal Rivers: Construction of Sandulot River Control (Phase I)  
Contract Location : Siaton, Negros Oriental  
Scope of Works : Construction of River Control  
Approved Budget for the Contract (ABC) : Php 144,750,000.00  
Contract Duration : Two Hundred Nine (209) Calendar Days  
Cost of Bidding Documents : Php 50,000.00
  
13. Contract ID : 24RI0328  
Contract Name : ORGANIZATIONAL OUTCOME 002: Protect Lives and Properties Against Major Floods: Flood Management Program: Construction / Rehabilitation of Flood Mitigation Facilities within Major River Basins and Principal Rivers: Construction of Sandulot River Control (Phase II)  
Contract Location : Siaton, Negros Oriental  
Scope of Works : Construction of River Control  
Approved Budget for the Contract (ABC) : Php 144,750,000.00  
Contract Duration : Two Hundred Nine (209) Calendar Days  
Cost of Bidding Documents : Php 50,000.00

Prospective Bidders should be (1) registered with and classified by the Philippine Contractors Accreditation Board (PCAB) with PCAB LICENSE Category and License Classification. The description of an eligible Bidder is contained in the Bidding Documents, particularly, in Annex II-1.1 B Section II and III of Bidding Documents.

Contractors/applicants who wish to participate in this bidding are encouraged 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 4:00 pm or at the DPWH website [www.dpwh.gov.ph](http://www.dpwh.gov.ph).

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.

The schedule of key procurement activities for this Contract is shown below:

<b>Activity</b>	<b>Time</b>	<b>Place</b>
1. Issuance / Downloading of Bidding Documents	June 26, 2025 – July 15, 2025	Hard copies at BAC Secretariat, DPWH – NOED III, Malabuhan, Siaton, Negros Oriental Downloadable from (a) DPWH website <a href="http://www.dpwh.gov.ph">www.dpwh.gov.ph</a> , (b) PhilGEPs website <a href="http://www.philgeps.gov.ph">www.philgeps.gov.ph</a>
2. Pre-Bid Conference	July 3, 2025; 10:00 a.m.	Bidding Room, DPWH - NOED III, Malabuhan, Siaton, Negros Oriental
3. Buying of Bid Documents	Deadline: July 14, 2025 until 4:00 p.m.	Bidding Room, DPWH - NOED III, Malabuhan, Siaton, Negros Oriental
4. Dropping of Bidding Documents / Preliminary Examination	Deadline July 15, 2025 until 10:00 a.m.	Bidding Room, DPWH - NOED III, Malabuhan, Siaton, Negros Oriental
5. Opening of Bids	July 15, 2025 @ 2:00 P.M.	Bidding Room, DPWH - NOED III, Malabuhan, Siaton, Negros Oriental

A complete set of Bidding Documents may be acquired by interested bidders from the address below and upon payment of the applicable fee for the Bidding Documents, pursuant to the latest Guidelines issued by the GPPB.

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

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**.

Bids must be duly received by the BAC Secretariat at the address below for manual submission or at ***electronicbids\_negrosoriental3@dpwh.gov.ph*** for electronic submission on or before ***10:00 AM of July 15, 2025***. All bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in **ITB** Clause 18.

Furthermore, the above Procurement of Project will be undertaken following Appendix 31 of RA 9184 and its IRR, re: **"Guidelines on the Implementation of Early Procurement Activities (EPA)"**.

This shall include, but not limited to:

- a. rules and procedure of EPA;
- b. fixed price rule in procurement;
- c. extension of the bid validity and security;
- d. validity of the eligibility requirements prior to the award of contract;
- e. conditions of award; and

f. date of earliest delivery.

Also, in compliance with Department Order No. 148, Series of 2024, re: **"Guidelines on the Accreditation and Assignment of Contractors' and Consultants' Project Engineers"**, it is hereby ordered that we follow the full implementation on assigning only qualified and competent project engineers of the contractors and consultants in the DPWH projects. Hence, the submitted Bids must contain key personnel particularly project engineers which are Accredited DPWH Project Engineers.

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.

The **Department of Public Works and Highways Negros Oriental 3<sup>rd</sup> District Engineering Office** 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 Section 41 of RA 9184 and its IRR, without thereby incurring any liability to the affected bidder or bidders.

For further information, please refer to: **RENEE S. DAVAD**  
BAC Secretariat Head  
Engineer III, DPWH – NOED III  
Telephone No. +63 917 314 0070  
Email address: [davad.renee@dpwh.gov.ph](mailto:davad.renee@dpwh.gov.ph)

Approved by:

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Dates of Publication:

*PhilGEPS website:* **June 26, 2025 – July 15, 2025**  
*DPWH website:* **June 26, 2025 – July 15, 2025**

## ***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, *[indicate name]* invites Bids for the *[insert Procurement Project]*, with Project Identification Number *[indicate number]*.

*[Note: The Project Identification Number is assigned by the Procuring Entity based on its own coding scheme and is not the same as the PhilGEPS reference number, which is generated after the posting of the bid opportunity on the PhilGEPS website.]*

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 *[indicate funding year]* in the amount of *[indicate amount]*.

2.2. The source of funding is:

*[If an early procurement activity, select one and delete others:]*

- a. NGA, the National Expenditure Program.
- b. GOCC and GFIs, the proposed Corporate Operating Budget.
- c. LGUs, the proposed Local Expenditure Program.

*[If not an early procurement activity, select one and delete others:]*

- a. NGA, the General Appropriations Act or Special Appropriations.
- b. GOCC and GFIs, the Corporate Operating Budget.
- c. LGUs, the Annual or Supplemental Budget, as approved by the Sanggunian.

## 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:  
[Select one, delete other/s]

- a. Subcontracting is allowed. The portions of Project and the maximum percentage allowed to be subcontracted are indicated in the **BDS**, which shall not exceed fifty percent (50%) of the contracted Works.
  - b. Subcontracting is not allowed.
- 7.2. *[If Procuring Entity has determined that subcontracting is allowed during the bidding, state:]* The Bidder must submit together with its Bid the documentary requirements of the subcontractor(s) complying with the eligibility criterion stated in **ITB** Clause 5 in accordance with Section 23.4 of the 2016 revised IRR of RA No. 9184 pursuant to Section 23.1 thereof.
- 7.3. *[If subcontracting is allowed during the contract implementation stage, state:]* The Supplier may identify its subcontractor during the contract implementation stage. Subcontractors identified during the bidding may be changed during the implementation of this Contract. Subcontractors must submit the documentary requirements under Section 23.1 of the 2016 revised IRR of RA No. 9184 and comply with the eligibility criteria specified in **ITB** Clause 5 to the implementing or end-user unit.
- 7.4. Subcontracting of any portion of the Project does not relieve the Contractor of any liability or obligation under the Contract. The Supplier will be responsible for the acts, defaults, and negligence of any subcontractor, its agents, servants, or workmen as fully as if these were the Contractor's own acts, defaults, or negligence, or those of its agents, servants, or workmen.

## 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 *{[insert if applicable]}* 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. 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:*

*[Select one, delete other/s]*

a. Philippine Pesos.

b. *[indicate currency if procurement involves a foreign-denominated bid as allowed by the Procuring Entity, which shall be tradeable or acceptable by the BSP.]*

## **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**.

## ***Section III. Bid Data Sheet***

### **Notes on the Bid Data Sheet (BDS)**

The Bid Data Sheet (BDS) consists of provisions that supplement, amend, or specify in detail, information, or requirements included in the ITB found in Section II, which are specific to each procurement.

This Section is intended to assist the Procuring Entity in providing the specific information in relation to corresponding clauses in the ITB and has to be prepared for each specific procurement.

The Procuring Entity should specify in the BDS information and requirements specific to the circumstances of the Procuring Entity, the processing of the procurement, and the bid evaluation criteria that will apply to the Bids. In preparing the BDS, the following aspects should be checked:

- a. Information that specifies and complements provisions of the ITB must be incorporated.
- b. Amendments and/or supplements, if any, to provisions of the ITB as necessitated by the circumstances of the specific procurement, must also be incorporated.

# Bid Data Sheet

ITB Clause	
1.1	<p>The Procuring Entity is <b>Department of Public Works and Highways Negros Oriental 3rd District Engineering Office.</b></p> <p>The scope of the Works under this Contract is <b>Construction of River Control.</b></p> <p>The Contract Name is <b>ORGANIZATIONAL OUTCOME 002: Protect Lives and Properties Against Major Floods: Flood Management Program: Construction / Rehabilitation of Flood Mitigation Facilities within Major River Basins and Principal Rivers: Construction of River Control along Bayawan River, Upstream B, Mantapi, Bayawan City, Negros Oriental.</b></p> <p>The Contract ID is <b>24RI0323.</b></p>
2.	<p>The Approved Budget for the Contract is <b>Php 144,750,000.00.</b></p> <p>The Funding Source is the Government of the Philippines through <b>FY 2024 Infrastructure Program.</b></p> <p>The name of the Project is <b>ORGANIZATIONAL OUTCOME 002: Protect Lives and Properties Against Major Floods: Flood Management Program: Construction / Rehabilitation of Flood Mitigation Facilities within Major River Basins and Principal Rivers: Construction of River Control along Bayawan River, Upstream B, Mantapi, Bayawan City, Negros Oriental.</b></p>
5.2	<p><i>Select one, delete the other.</i></p> <p>Foreign bidders may participate in this Project as provided for in <b>[State relevant provisions of the applicable Treaty or International or Executive Agreement.]</b> or</p> <p>Bidding is restricted to eligible bidders as defined in ITB Clause 5.1.</p>
8.1	<p><i>State either “Subcontracting is not allowed.” or “Subcontracting is allowed.” specify the portions of Works and the maximum percentage allowed to be subcontracted.</i></p> <p><i>NOTE: The contractor shall undertake not less than 50% of the contracted works with its own resources. Subcontracting is allowed subject to the DPWH evaluation and approval.</i></p>
8.3	<p><i>If subcontracting is allowed specify the portions of Works and the maximum percentage allowed to be subcontracted, otherwise state “Not applicable.”</i></p>

9.1	The Procuring Entity will hold a Pre-Bid Conference for this Project on <b>July 3, 2025 @ 10:00 am</b> at <b>Bidding Room, DPWH - NOED III, Malabuan, Siaton, Negros Oriental</b> , {insert if applicable and through video-conferencing/webcasting via [insert website, application or technology to be used]} which shall be open to prospective bidders.															
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>JANETTE M. SADIE</b> <b>BAC Chairman, DPWH - NOED III</b> <b>+63 922 894 8845</b> <b>sadie.janette@dpwh.gov.ph</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><tr><th>Key Personnel</th><th>Min. Years of Similar Experience (Same Position)</th><th>Min. Years of Total Work Experience (Same Position)</th></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr></table> <p>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).</p> <p>First Aider w/ certificate of Training issued by RED CROSS in compliance to DOLE requirements for the approval of Construction Safety &amp; 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).</p> <p>Accredited DPWH Project Engineers subject to D.O. 148 Series of 2024: Guidelines on the Accreditation and Assignment of Contractors’ and Consultants’ Project Engineers.</p>	Key Personnel	Min. Years of Similar Experience (Same Position)	Min. Years of Total Work Experience (Same Position)												
Key Personnel	Min. Years of Similar Experience (Same Position)	Min. Years of Total Work Experience (Same Position)														



	<p>The key personnel should meet the following number of years' work experience.</p> <ol style="list-style-type: none"> <li>1. The experience means total years of civil works experience (of any nature in construction and engineering consultancy services)</li> <li>2. <b>Include the Tax Identification Number (TIN) of the Key Personnel.</b> Compliance to D.O. 98 series of 2016: Revised Guidelines on the Accreditation of Contractors'/Consultants' Materials Engineer.</li> <li>3. Include the contact number of the Materials Engineer</li> </ol>																										
14.2 a(4)(c)	<p>1) The minimum major equipment requirements are the following:</p> <table border="1"> <thead> <tr> <th>Name of Equipment</th><th>No. of units</th></tr> </thead> <tbody> <tr><td>1) One Bagger Mixer</td><td>1</td></tr> <tr><td>2) Bar Cutter</td><td>1</td></tr> <tr><td>3) Bar Bender</td><td>1</td></tr> <tr><td>4) Dump Truck (12 yd<sup>3</sup>)</td><td>2</td></tr> <tr><td>5) Backhoe (0.80 m<sup>3</sup>)</td><td>1</td></tr> <tr><td>6) Plate Compactor</td><td>1</td></tr> <tr><td>7) Crawler Crane (36-40 mt)</td><td>1</td></tr> <tr><td>8) Vibro Hammer (Hydraulic Operated)</td><td>1</td></tr> <tr><td>9) Welding Machine (300 A), Gas/Diesel Driven</td><td>1</td></tr> <tr><td>10) Generator Set</td><td>1</td></tr> <tr><td>11) Cutting Outfit</td><td>1</td></tr> <tr><td>12) Water Truck/Pump (16000L)</td><td>1</td></tr> </tbody> </table> <p>2) Laboratory Equipment                      Required No. of Units                      Minimum Capacity/Unit</p> <p><b><u>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.</u></b></p>	Name of Equipment	No. of units	1) One Bagger Mixer	1	2) Bar Cutter	1	3) Bar Bender	1	4) Dump Truck (12 yd <sup>3</sup> )	2	5) Backhoe (0.80 m <sup>3</sup> )	1	6) Plate Compactor	1	7) Crawler Crane (36-40 mt)	1	8) Vibro Hammer (Hydraulic Operated)	1	9) Welding Machine (300 A), Gas/Diesel Driven	1	10) Generator Set	1	11) Cutting Outfit	1	12) Water Truck/Pump (16000L)	1
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14.3 b	"No further instructions."																										
17.1	Bids shall be valid until <b>120</b> calendar days from the date set for bid opening.																										

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> <ol style="list-style-type: none"> <li>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;</li> <li>2. The amount of not less than 5% of ABC, if bid security is in Surety Bond.</li> </ol>
18.3	The Bid Security shall be valid until <b>120</b> calendar days from the date set for bid opening.
19.1	<i>Insert value engineering clause if allowed, otherwise state "No further instructions."</i>
20.4	The Bidder shall submit <b>1</b> original and <b>2</b> copies of the first (Technical) and second (Financial) components of its bid.
21.3 d	The specific identification of this bidding process is <b>24RI0323 - ORGANIZATIONAL OUTCOME 002: Protect Lives and Properties Against Major Floods: Flood Management Program: Construction / Rehabilitation of Flood Mitigation Facilities within Major River Basins and Principal Rivers: Construction of River Control along Bayawan River, Upstream B, Mantapi, Bayawan City, Negros Oriental.</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 <b><i>[Insert venue for the receipt of bids]</i></b>.</p> <p>The deadline for receipt of Bids is on <b><i>July 15, 2025 @ 10:00 am.</i></b></p> <p><b>For bids to be submitted electronically/online, the following procedures should be observed following D.O. __-2020:</b></p> <ol style="list-style-type: none"> <li>1. <b>Submission of electronic Official Receipt of purchase of the Bidding Documents</b></li> </ol> <p>Prior to the deadline of submission of bids, the prospective bidders shall send an e-mail with subject "<b>Official Receipt for <i>[Insert Contract ID]</i></b>" to <b><i>electronicbids_negrosoriental3@dpwh.gov.ph</i></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</p>

"12345\_20Z00123\_OfficialReceipt.pdf". Further, the e-mail subject would be "Official Receipt for 20Z00123".

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.

## **2. Confirmation of the electronically submitted Official Receipt**

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.

**Only the electronic bids of bidders who have successfully submitted an electronic Official Receipt shall be accepted.**

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**

	<p>The prospective bidders shall prepare and submit their bids electronically following the steps prescribed under with D.O. ____ - 2020 in accordance with GPPB Resolution No. 09-2020 as follows:</p> <ol style="list-style-type: none"> <li>a. Following GPPB Resolution No. 09-2020, a bidder has the option to submit bid electronically. <b>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></li> <li>b. Similar to manual submission, prospective bidders shall prepare their bids in <b>two (2) file folders</b>, each for the Technical and Financial Components. The file name of the Technical and Financial Components folders should be in the format <b>&lt;PCAB ID&gt;_&lt;CONTRACT_ID&gt;_TECHNICAL</b> and <b>&lt;PCAB ID&gt;_&lt;CONTRACT_ID&gt;_FINANCIAL</b> (e.g. 12345 20Z00123 TECHNICAL, 12345 20Z00123 FINANCIAL).</li> </ol> <p>Subsequently, each of the Technical and Financial Components file folders shall be <b>COMPRESSED, PASSWORD PROTECTED</b> and <b>NAMED</b> in the format <b>&lt;PCAB ID&gt;_&lt;CONTRACT_ID&gt;_TECHNICAL.zip (or .rar/.7z)</b> and <b>&lt;PCAB ID&gt;_&lt;CONTRACT_ID&gt;_FINANCIAL.zip (or .rar/.7z)</b>, respectively (e.g. 12345 20Z00123 TECHNICAL.zip, 12345 20Z00123 FINANCIAL.zip).</p> <ol style="list-style-type: none"> <li>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 <b>&lt;PCAB ID&gt;_&lt;CONTRACT ID&gt;_DescriptiveFilename.pdf</b> (e.g. 12345 20Z00123 PCABLicense.pdf, 12345 20Z00123 OmnibusSwornStatement.pdf).</li> <li>d. The compressed archive file folders of the Technical and Financial components shall be compiled in a <b>PASSWORD PROTECTED COMPRESSED ARCHIVE MAIN FILE FOLDER with filename in the format &lt;PCAB&gt;_&lt;CONTRACT ID&gt;_Bid</b> (e.g. 12345 20Z00123 Bid).</li> </ol> <p>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 <b>PASSWORD PROTECTED COMPRESSED ARCHIVE MAIN FILE FOLDERS</b>.</p>
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- 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\_negrosoriental3@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\_negrosoriental3@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\_negrosoriental3@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 **+63 917 314 0070** 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 ***[Insert BAC Messenger/Skype Account]***.

If the bidder chooses to attend the bid opening through online conference, the bidder should join the meeting using the following link ***[Insert link]***.

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,

	<p>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".</p> <p>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.</p> <p>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".</p> <p>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.</p> <p><b>8. File name convention in case of a Joint Venture Bidder</b></p> <p>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- &lt;PCAB ID of the Lead Member&gt;". 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".</p>
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	<p>The place of opening of Bids is <b><i>Bidding Room, DPWH - NOED III, Malabuan, Siaton, Negros Oriental.</i></b></p> <p>The date and time of opening of Bids are <b><i>July 15, 2025 @ 2:00 pm.</i></b></p>

29	Electronic Bidding in accordance with GPPB Resolution No. 23-2013 will not be adopted for 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 Pert/CPM or 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> .



## ***Section VI. Specifications***

### **Notes on Specifications**

A set of precise and clear specifications is a prerequisite for Bidders to respond realistically and competitively to the requirements of the Procuring Entity without qualifying or conditioning their Bids. In the context of international competitive bidding, the specifications must be drafted to permit the widest possible competition and, at the same time, present a clear statement of the required standards of workmanship, materials, and performance of the goods and services to be procured. Only if this is done will the objectives of economy, efficiency, and fairness in procurement be realized, responsiveness of Bids be ensured, and the subsequent task of bid evaluation facilitated. The specifications should require that all goods and materials to be incorporated in the Works be new, unused, of the most recent or current models, and incorporate all recent improvements in design and materials unless provided otherwise in the Contract.

Samples of specifications from previous similar projects are useful in this respect. The use of metric units is mandatory. Most specifications are normally written specially by the Procuring Entity or its representative to suit the Works at hand. There is no standard set of Specifications for universal application in all sectors in all regions, but there are established principles and practices, which are reflected in these PBDs.

There are considerable advantages in standardizing General Specifications for repetitive Works in recognized public sectors, such as highways, ports, railways, urban housing, irrigation, and water supply, in the same country or region where similar conditions prevail. The General Specifications should cover all classes of workmanship, materials, and equipment commonly involved in construction, although not necessarily to be used in a particular Works Contract. Deletions or addenda should then adapt the General Specifications to the particular Works.

Care must be taken in drafting specifications to ensure that they are not restrictive. In the specification of standards for goods, materials, and workmanship, recognized international standards should be used as much as possible. Where other particular standards are used, whether national standards or other standards, the specifications should state that goods, materials, and workmanship that meet other authoritative standards, and which ensure substantially equal or higher quality than the standards mentioned, will also be acceptable. The following clause may be inserted in the SCC.

#### **Sample Clause: Equivalency of Standards and Codes**

Wherever reference is made in the Contract to specific standards and codes to be met by the goods and materials to be furnished, and work performed or tested, the provisions of the latest current edition or revision of the relevant standards and codes in effect shall apply, unless otherwise expressly stated in the Contract. Where such standards and codes are national, or relate to a particular country or region, other authoritative standards that ensure a substantially equal or higher quality than the standards and codes specified will be accepted

subject to the Procuring Entity's Representative's prior review and written consent. Differences between the standards specified and the proposed alternative standards shall be fully described in writing by the Contractor and submitted to the Procuring Entity's Representative at least twenty-eight (28) days prior to the date when the Contractor desires the Procuring Entity's Representative's consent. In the event the Procuring Entity's Representative determines that such proposed deviations do not ensure substantially equal or higher quality, the Contractor shall comply with the standards specified in the documents.

These notes are intended only as information for the Procuring Entity or the person drafting the Bidding Documents. They should not be included in the final Bidding Documents.

## ***Section VII. Drawings***

*[Insert here a list of Drawings. The actual Drawings, including site plans, should be attached to this section, or annexed in a separate folder.]*

## ***Section VIII. Bill of Quantities***

### **Notes on the Bill of Quantities**

#### **Objectives**

The objectives of the Bill of Quantities are:

- a. to provide sufficient information on the quantities of Works to be performed to enable Bids to be prepared efficiently and accurately; and
- b. when a Contract has been entered into, to provide a priced Bill of Quantities for use in the periodic valuation of Works executed.

In order to attain these objectives, Works should be itemized in the Bill of Quantities in sufficient detail to distinguish between the different classes of Works, or between Works of the same nature carried out in different locations or in other circumstances which may give rise to different considerations of cost. Consistent with these requirements, the layout and content of the Bill of Quantities should be as simple and brief as possible.

#### **Daywork Schedule**

A Daywork Schedule should be included only if the probability of unforeseen work, outside the items included in the Bill of Quantities, is high. To facilitate checking by the Entity of the realism of rates quoted by the Bidders, the Daywork Schedule should normally comprise the following:

- a. A list of the various classes of labor, materials, and Constructional Plant for which basic daywork rates or prices are to be inserted by the Bidder, together with a statement of the conditions under which the Contractor will be paid for work executed on a daywork basis.
- b. Nominal quantities for each item of Daywork, to be priced by each Bidder at Daywork rates as Bid. The rate to be entered by the Bidder against each basic Daywork item should include the Contractor's profit, overheads, supervision, and other charges.

#### **Provisional Sums**

A general provision for physical contingencies (quantity overruns) may be made by including a provisional sum in the Summary Bill of Quantities. Similarly, a contingency allowance for possible price increases should be provided as a provisional sum in the Summary Bill of Quantities. The inclusion of such provisional sums often facilitates budgetary approval by avoiding the need to request periodic supplementary approvals as the future need arises. Where such provisional sums or contingency allowances are used, the SCC should state the manner in which they will be used, and under whose authority (usually the Procuring Entity's Representative's).

The estimated cost of specialized work to be carried out, or of special goods to be supplied, by other contractors should be indicated in the relevant part of the Bill of Quantities as a particular provisional sum with an appropriate brief description. A separate procurement procedure is normally carried out by the Procuring Entity to select such specialized contractors. To provide an element of competition among the Bidders in respect of any facilities, amenities, attendance, etc., to be provided by the successful Bidder as prime Contractor for the use and convenience of the specialist contractors, each related provisional sum should be followed by an item in the Bill of Quantities inviting the Bidder to quote a sum for such amenities, facilities, attendance, etc.

### **Signature Box**

A signature box shall be added at the bottom of each page of the Bill of Quantities where the authorized representative of the Bidder shall affix his signature. Failure of the authorized representative to sign each and every page of the Bill of Quantities shall be a cause for rejection of his bid.

These Notes for Preparing a Bill of Quantities are intended only as information for the Procuring Entity or the person drafting the Bidding Documents. They should not be included in the final documents.

## Department of Public Works and Highways

**Contract ID:** 24RI0323

**Contract Name:** ORGANIZATIONAL OUTCOME 002: Protect Lives and Properties Against Major Floods: Flood Management Program: Construction / Rehabilitation of Flood Mitigation Facilities within Major River Basins and Principal Rivers: Construction of River Control along Bayawan River, Upstream B, Mantapi

**Contract Location:** Bayawan City, Negros Oriental

Part No. \_\_\_\_\_ Part Description: \_\_\_\_\_

<i>(Columns (1), (2), (3), and (4) are to be filled up by the Procuring Entity)</i>			<i>(Columns (5) and (6) are to be filled up by the Bidder)</i>		
Pay Item No.	Description	Unit	Quantity	Unit Price (Pesos)	Amount (Pesos)
(1)	(2)	(3)	(4)	(5)	(6)
<b>PART A: FACILITIES FOR THE ENGINEER</b>					
A.1.1 (7)	Provision of Combined Field Office and Laboratory Building for the Engineer (Rental Basis)	month	10.00	In words: Pesos _____ In figures: Php_____	In words: Pesos _____ In figures: Php_____
A.1.1 (11)	Provision of Furniture / Fixtures, Equipment & Appliances for the Field Office for the Engineer	l.s.	1.00	In words: Pesos _____ In figures: Php_____	In words: Pesos _____ In figures: Php_____
<b>PART B: OTHER GENERAL REQUIREMENTS</b>					
B.5 (1)	Project Billboard / Signboard (For DPWH)	each	2.00	In words: Pesos _____ In figures: Php_____	In words: Pesos _____ In figures: Php_____
B.5 (1)	Project Billboard / Signboard (For COA)	each	1.00	In words: Pesos _____ In figures: Php_____	In words: Pesos _____ In figures: Php_____
B.7 (1)	Occupational Safety and Health	l.s.	1.00	In words: Pesos _____ In figures: Php_____	In words: Pesos _____ In figures: Php_____
B.9 (1)	Mobilization / Demobilization	l.s.	1.00	In words: Pesos _____ In figures: Php_____	In words: Pesos _____ In figures: Php_____

<b>PART D: REINFORCED CONCRETE</b>					
900 (1) b	Structural Concrete, 3000 psi, Class A, 14 days	m <sup>3</sup>	442.08	In words: Pesos _____ In figures: Php_____	In words: Pesos _____ In figures: Php_____
902 (1) a1	Reinforcing Steel (Deformed), Grade 40	kg	15,982.61	In words: Pesos _____ In figures: Php_____	In words: Pesos _____ In figures: Php_____
902 (1) a2	Reinforcing Steel (Deformed), Grade 60	kg	6,851.89	In words: Pesos _____ In figures: Php_____	In words: Pesos _____ In figures: Php_____
<b>PART L: FLOOD AND RIVER CONTROL AND DRAINAGE</b>					
<b>PART L-A: EARTHWORK</b>					
1702 (1) a	Structure Excavation (Common Soil)	m <sup>3</sup>	2,574.72	In words: Pesos _____ In figures: Php_____	In words: Pesos _____ In figures: Php_____
1705 (1)	Fill and Backfill	m <sup>3</sup>	4,318.52	In words: Pesos _____ In figures: Php_____	In words: Pesos _____ In figures: Php_____
<b>PART L-B: BANK AND SLOPE PROTECTION WORKS</b>					
804 (5)	Boulder Fill	m <sup>3</sup>	1,015.58	In words: Pesos _____ In figures: Php_____	In words: Pesos _____ In figures: Php_____
1710 (2) a	Grouted Riprap, Class A	m <sup>3</sup>	3,327.17	In words: Pesos _____ In figures: Php_____	In words: Pesos _____ In figures: Php_____
1716 (6)	Structural Steel Sheet Piles, Furnished	m	9,960.00	In words: Pesos _____ In figures: Php_____	In words: Pesos _____ In figures: Php_____
1716 (12)	Structural Steel Sheet Piles, Driven	m	9,960.00	In words: Pesos _____ In figures: Php_____	In words: Pesos _____ In figures: Php_____
<b>Total for this Page</b>					

Submitted by:

\_\_\_\_\_  
*Name and Signature of Bidder's Representative*

Date: \_\_\_\_\_

\_\_\_\_\_  
*Position*

\_\_\_\_\_  
*Name of Bidder*



## ***Section IX. Checklist of Technical and Financial Documents***

### **Notes on the Checklist of Technical and Financial Documents**

The prescribed documents in the checklist are mandatory to be submitted in the Bid, but shall be subject to the following:

- a. GPPB Resolution No. 09-2020 on the efficient procurement measures during a State of Calamity or other similar issuances that shall allow the use of alternate documents in lieu of the mandated requirements; or
- b. any subsequent GPPB issuances adjusting the documentary requirements after the effectivity of the adoption of the PBDs.

The BAC shall be checking the submitted documents of each Bidder against this checklist to ascertain if they are all present, using a non-discretionary “pass/fail” criterion pursuant to Section 30 of the 2016 revised IRR of RA No. 9184.

# 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.

- ☐ (l) Conflict of Interest
- ☐ (m) Proof of EFPS acknowledgement/confirmation by BIR

Financial Documents

- ☐ (n) 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**
- ☐ (o) The prospective bidder's computation of Net Financial Contracting Capacity (NFCC).

***Class "B" Documents***

- ☐ (p) 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**

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

Other documentary requirements under RA No. 9184

- ☐ (r) Original of duly signed Bid Prices in the Bill of Quantities; **and**
- ☐ (s) 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**
- ☐ (t) Cash Flow by Quarter.

***Note:***

**Bookbinding and paging of prequalification and bid documents per DO #90, s. 2002**

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BAC – DPWH, Negros Oriental 3<sup>rd</sup> DEO

## **BID FORM**

Date:

To: Department of Public works and Highways  
Negros Oriental 3<sup>rd</sup> District Engineering Office  
Malabuhan, Siaton, Negros Oriental

We, the undersigned, declare that:

- (a) we have examined and have no reservation to the Bidding Documents (BDs), including Supplemental Bid/Bulletins (Addenda), for the above stated Contract;
  - (b) we offer to execute the Works for this Contract in accordance with the BDs, including Bid Data Sheet, General and Special Conditions of Contract, Specifications and Drawings therein;
  - (c) we present our Bid to execute the Works, consisting of our Technical Proposal (Annex "A") and our Financial Proposal (Annex "B");
  - (d) our Technical Proposal includes the following required documents:
    - (1) Bid Security in the required form, amount and validity period, using Form DPWH-INFR-09, 10, 11 or 12, as applicable (Annex "A-1")
    - (2) Organizational Chart for the Contract, using Form DPWH-INFR-13 (Annex "A-3")
    - (3) Contractor's Certification on Key Personnel for the Contract, with the Key Personnel's Affidavits of Commitment to Work on the Contract, using Form DPWH-INFR-14 (Annex "A-4")
    - (4) List of Contractor's Major Equipment pledged for the Contract, using Form DPWH-INFR-15 (Annex "A-5")
    - (5) Omnibus Sworn Statement required under RA 9184-IRR Sec. 25.2b)iv), using Form DPWH-INFR-16 (Annex "A-6");
  - (e) our Financial Proposal includes the following required documents:
    - (1) This Bid Form (Annex "B-1")
    - (2) Bid prices in the Bill of Quantities Form, using Form DPWH-INFR-17 and 18 (Annex "B-2")
    - (3) Detailed estimates (Annex "B-3")
    - (4) Cash flow by quarter, using Form DPWH-INFR-19 (Annex "B-4")
  - (f) the total price of our Bid for this Contract based on the unit prices in the said Bill of Quantities, excluding any discounts offered in item (g) below, is: total Bid price in words and in figures,
  - (g) the discounts we offer and the methodology for their application for this contract are:
-

- (h) our Bid shall be valid for a period of one hundred twenty (120) days after the date fixed for the opening of bids in accordance with the Bidding Documents, and it shall remain binding upon us and may be accepted by you at any time before the expiration of that period;
- (i) if our Bid is accepted and we receive from you a Notice of Award, we commit, within ten (10) calendar days after our receipt of the said Notice, (1) to submit to you the required Performance Security and other documents prescribed in the Bidding Documents, and (2) to sign the Contract Agreement;
- (j) we understand that, if the contract is awarded to us, this Bid, together with your written acceptance thereof through your Notice of Award, shall constitute a binding contract between us, until a formal Contract Agreement is prepared and executed;
- (k) we understand that you are not bound to accept the Lowest Evaluated Bid or any other Bid that you may receive;
- (l) we acknowledge that failure to sign each page of this Form of Bid and the accomplished Bill of Quantities shall be a ground for the rejection of our Bid; and
- (m) we likewise certify/confirm that the undersigned is the duly authorized representative of the Bidder, and granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the Bid, and to sign and execute the appropriate contract documents for the abovementioned Contract.

Name: \_\_\_\_\_

In the capacity of: \_\_\_\_\_

Signed: \_\_\_\_\_

Duly authorized to sign the Bid and on behalf of: \_\_\_\_\_

Date: \_\_\_\_\_

REPUBLIC OF THE PHILIPPINES)  
CITY OF \_\_\_\_\_) S.S.

X-----X

### BID-SECURING DECLARATION

**Invitation to Bid:** *[Insert reference number]*

**Contract ID:**

**Contract Name:**

To: *[Insert name and address of the Procuring Entity]*

I/We, the undersigned, declare that:

1. I/We understand that, according to your conditions, bids must be supported by a Bid Security, which may be in the form of a Bid-Securing Declaration.
2. I/We accept that: (a) I/we will be automatically disqualified from bidding for any contract with any procuring entity for a period of two (2) years upon receipt of your Blacklisting Order; and, (b) I/we will pay the applicable fine provided under Section 6 of the Guidelines on the Use of Bid Securing Declaration, within fifteen (15) days from receipt of the written demand by the Procuring Entity for the commission of acts resulting to the enforcement of the bid securing declaration under Sections 23.1(b), 34.2, 40.1 and 69.1, except 69.1(f), of the IRR of RA 9184; without prejudice to other legal action the government may undertake.
3. I/We understand that this Bid-Securing Declaration shall cease to be valid on the following circumstances:
  - (a) Upon expiration of the bid validity period, or any extension thereof pursuant to your request;
  - (b) I am/we are declared ineligible or post-disqualified upon receipt of your notice to such effect, and (i) I/we failed to timely file a request for reconsideration or (ii) I/we filed a waiver to avail of said right;
  - (c) I am/we are declared as the bidder with the Lowest Calculated and Responsive Bid, and I/we have furnished the performance security and signed the Contract.

**IN WITNESS WHEREOF**, I/We have hereunto set my/our hand/s this \_\_\_\_ day of *[month]* *[year]* at *[place of execution]*.

*[Insert NAME OF BIDDER'S  
AUTHORIZED REPRESENTATIVE]  
[Insert signatory's legal capacity]  
Affiant*

**SUBSCRIBED AND SWORN** to before me this \_\_\_\_ day of *[month]* *[year]* at *[place of execution]*, Philippines. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant/s exhibited to me his/her *[insert type of government identification card used]*, with his/her photograph and signature appearing thereon, with no. \_\_\_\_\_.

Witness my hand and seal this \_\_\_\_ day of *[month]* *[year]*.

**NAME OF NOTARY PUBLIC**

Serial No. of Commission \_\_\_\_\_

Notary Public for \_\_\_\_\_ until \_\_\_\_\_

Roll of Attorneys No. \_\_\_\_\_

PTR No. \_\_, *[date issued]*, *[place issued]*

IBP No. \_\_, *[date issued]*, *[place issued]*

Doc. No. \_\_\_\_

Page No. \_\_\_\_

Book No. \_\_\_\_

Series of \_\_\_\_.

*Note: This must be dry-sealed.*

**LIST OF CONTRACTOR'S KEY PERSONNEL TO BE ASSIGNED TO THE  
CONTRACT, WITH THEIR QUALIFICATION DATA**

Date of Issuance

Name of Head of Procuring Entity

Position

Name of Procuring Entity

Address

Dear Sir/Madame:

Supplementing our Organizational Chart for the abovestated Contract, we submit, and certify as true and correct, the following information:

1. We have engaged the services of the following key personnel to perform the duties of the positions indicated in the abovestated Contract if it is awarded to us:

Proposed Position ( <i>as applicable</i> )	Name	Years of Experience	
		Total (Similar and Related)	Similar Position
Project Manager			
Project Engineer			
Materials Engineer			
Construction Safety Officer			
Foreman			
<i>Others (specify)</i>			

2. We submit the enclosed Curriculum Vitae and Affidavits of Commitment to Work on the Contract of these key personnel.
3. We ensure that the abovementioned personnel shall employ their best care, skill, and ability in performing the duties of their respective positions in accordance with the provisions of the Contract, including the Conditions of Contract, Specifications, and Drawings, and that they shall be personally present in the jobsite during the period of their assignment in the Contract.
4. In the event that we choose to replace any of the abovementioned key personnel, we shall submit to you in writing at least fourteen (14) days before making the replacement, for your approval, the name and biodata of the proposed replacement whose qualifications shall be equal to or better than that of the person to be replaced.
5. We understand that any violation of the above-stated conditions shall be a sufficient ground for us to be disqualified from this Contract and future biddings of the DPWH.

Very truly yours,

Name and Signature of Bidder's Authorized Representative



## CONTRACTOR'S ORGANIZATIONAL CHART FOR THE CONTRACT

Submit a copy of the Organizational Chart that the Contractor intends to use to execute the Contract if awarded to it. Indicate in the chart the names of the Project Manager, Project Engineer, Structural Engineer, Materials and Quality Control Engineer, Foremen, and other Key -Personnel, as required in the Instructions to Bidders (Bid Data Sheet). Include Sub-Contractors, if any.

Attach the required Proposed Organizational Chart for the Contract as stated above.

Name and Signature of Bidder's Representative  
Position  
Name of Bidder

Date: \_\_\_\_\_

**OMNIBUS SWORN STATEMENT  
AS REQUIRED BY RA 9184-IRR SECTION 25.2b (iv)**

REPUBLIC OF THE PHILIPPINES)  
CITY/MUNICIPALITY OF \_\_\_\_\_) S.S.

**AFFIDAVIT**

I, *[Name of Affiant]*, of legal age, *[Civil Status]*, *[Nationality]*, and residing at *[Address of Affiant]*, after having been duly sworn in accordance with law, do hereby depose and state that:

**1. *Select one, delete the other:***

*If a sole proprietorship:* I am the sole proprietor or authorized representative of *[Name of Bidder]* with office address at *[address of Bidder]*;

*If a partnership, corporation, cooperative, or joint venture:* I am the duly authorized and designated representative of *[Name of Bidder]* with office address at *[address of Bidder]*;

**2. *Select one, delete the other:***

*If a sole proprietorship:* As the owner and sole proprietor or authorized representative of *[Name of Bidder]*, I have full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for *[Name of the Project]* of the *[Name of the Procuring Entity]* *[insert "as shown in the attached duly notarized Special Power of Attorney" for the authorized representative]*;

*If a partnership, corporation, cooperative, or joint venture:* I am granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for the *[Name of the Project]* of the *[Name of the Procuring Entity]* accompanied by the duly notarized Special Power of Attorney, Board/Partnership Resolution, or Secretary's Certificate, whichever is applicable;

3. *[Name of Bidder]* is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board;
4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;
5. *[Name of Bidder]* is authorizing the Head of the Procuring Entity or its duly authorized representative(s) to verify all the documents submitted;

6. **Select one, delete the rest:**

*If a sole proprietorship:* The owner or sole proprietor is not related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office/Implementing Unit, and the project consultants by consanguinity or affinity up to the third civil degree;

*If a partnership or cooperative:* None of the officers and members of [Name of Bidder] is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office//Implementing Unit, and the project consultants by consanguinity or affinity up to the third civil degree;

*If a corporation or joint venture:* None of the officers, directors, and controlling stockholders of [Name of Bidder] is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office/Implementing Unit, and the project consultants by consanguinity or affinity up to the third civil degree;

7. [Name of Bidder] complies with existing labor laws and standards;
8. [Name of Bidder] is aware of and has undertaken the following responsibilities as a Bidder:
- a) Carefully examine all of the Bidding Documents;
  - b) Acknowledge all conditions, local or otherwise, affecting the implementation of the Contract;
  - c) Make an estimate of the facilities available and needed for the contract to be bid, if any; and
  - d) Inquire or secure Supplemental/Bid Bulletin(s) issued for the [Name of the Project]; and
9. [Name of Bidder] did not give or pay directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel or representative of the government in relation to any procurement project or activity.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_ day of \_\_\_, 20\_\_\_ at \_\_\_\_\_, Philippines.

\_\_\_\_\_  
[Bidder's Representative/Authorized Signatory]

**SUBSCRIBED AND SWORN** to before me this \_\_\_ day of [month] [year] at [place of execution], Philippines. Affiant/s is personally known to me and was identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant exhibited to me his/her [insert type of government identification card used], with his/her photograph and signature appearing thereon, with no. \_\_\_\_\_.

Witness my hand and seal this \_\_\_\_ day of *[month]* *[year]*.

**NAME OF NOTARY PUBLIC**

Serial No. of Commission \_\_\_\_\_

Notary Public for \_\_\_\_\_ until \_\_\_\_\_

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Series of \_\_\_\_.

**SUMMARY OF BID PRICES**  
**(All Parts of Bill of Quantities)**

**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"

<b>Part No.</b>	<b>Part Description</b>	<b>Total Amount</b>
<b>PART A</b>	<b>FACILITIES FOR THE ENGINEER</b>	
A.1.1 (7)	Provision of Combined Field Office and Laboratory Building for the Engineer (Rental Basis)	
A.1.1 (11)	Provision of Furniture / Fixtures, Equipment & Appliances for the Field Office for the Engineer	
<b>PART B</b>	<b>OTHER GENERAL REQUIREMENTS</b>	
B.5 (1)	Project Billboard / Signboard (For DPWH)	
B.5 (1)	Project Billboard / Signboard (For COA)	
B.7 (1)	Occupational Safety and Health	
B.9 (1)	Mobilization / Demobilization	
<b>PART D</b>	<b>REINFORCED CONCRETE</b>	
900 (1) b	Structural Concrete, 3000 psi, Class A, 14 days	
902 (1) a1	Reinforcing Steel (Deformed), Grade 40	
902 (1) a2	Reinforcing Steel (Deformed), Grade 60	
<b>PART L</b>	<b>FLOOD AND RIVER CONTROL AND DRAINAGE</b>	
<b>PART L-A</b>	<b>EARTHWORK</b>	
1702 (1) a	Structure Excavation (Common Soil)	
1705 (1)	Fill and Backfill	
<b>PART L-B</b>	<b>BANK AND SLOPE PROTECTION WORKS</b>	
804 (5)	Boulder Fill	
1710 (2) a	Grouted Riprap, Class A	
1716 (6)	Structural Steel Sheet Piles, Furnished	
1716 (12)	Structural Steel Sheet Piles, Driven	
<b>16. Total of All Amounts in words</b>		
<b>Pesos</b> _____		
and		centavos

Name \_\_\_\_\_ in the capacity of \_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_

Duly authorized to sign the Bid for and on behalf of \_\_\_\_\_

Date: \_\_\_\_\_  
DPWH-INFR-18-2016

**LIST OF CONTRACTOR'S MAJOR CONSTRUCTION AND LABORATORY EQUIPMENT UNITS TO BE ASSIGNED  
TO THE CONTRACT, SUPPORTED BY CERTIFICATIONS OF AVAILABILITY**

Business Name : \_\_\_\_\_  
 Business Address : \_\_\_\_\_  
 \_\_\_\_\_

Description	Model/Year	Capacity / Performance / Size	Plate No.	Motor No. / Body No.	Location	Condition	Proof of Ownership / Lease/Purchase
A. Owned <sup>1</sup>							
i.							
ii.							
B. Leased <sup>2</sup>							
i.							
ii.							
C. Under Purchase Agreements <sup>3</sup>							
i.							
ii.							

<sup>1</sup>Attached are copies of sales invoices / Registration Certificates from LTO.

<sup>2</sup>Attached are the certifications from the lessors that the equipment units under B (Leased) shall be available for this contract.

<sup>3</sup>Attached are the certifications from the vendors that the equipment units under C (Purchase Agreements) shall be available for this contract.

Minimum major construction equipment requirement as prescribed in the Bid Data Sheet:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Minimum major laboratory equipment requirements as prescribed in Bid Data Sheet:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Name and Signature of Bidder's Representative

Position

Name of Bidder

Date: \_\_\_\_\_

DPWH-INFR-15-2016

### CASH FLOW BY QUARTER AND PAYMENT SCHEDULE

PARTICULAR	% WT.	1ST QUARTER	2ND QUARTER	3RD QUARTER	4TH QUARTER
ACCOMPLISHMENT, IN %					
CASH FLOW, IN PhP					
CUMULATIVE ACCOMPLISHMENT, IN %					
CUMULATIVE CASH FLOW, IN PhP					

Submitted by:

\_\_\_\_\_  
 Date: \_\_\_\_\_  
*Name and Signature of Bidder's Representative*

\_\_\_\_\_  
*Position*

\_\_\_\_\_  
*Name of Bidder*



