

# **PHILIPPINE BIDDING DOCUMENTS**

## **PROCUREMENT AND DELIVERY OF WEIGHT MEASUREMENT DEVICES AND FOOD STORAGE DEVICES FOR SBFP BENEFICIARIES LOT 1 - REBID**

Government of the Republic of the Philippines

**Sixth Edition  
July 2020**

# Preface

These Philippine Bidding Documents (PBDs) for the procurement of Goods through Competitive Bidding have been prepared by the Government of the Philippines for use by any branch, constitutional commission or office, agency, department, bureau, office, or instrumentality of the Government of the Philippines, National Government Agencies, including Government-Owned and/or Controlled Corporations, Government Financing Institutions, State Universities and Colleges, and Local Government Unit. The procedures and practices presented in this document have been developed through broad experience, and are for mandatory use in projects that are financed in whole or in part by the Government of the Philippines or any foreign government/foreign or international financing institution in accordance with the provisions of the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184.

The Bidding Documents shall clearly and adequately define, among others: (i) the objectives, scope, and expected outputs and/or results of the proposed contract or Framework Agreement, as the case may be; (ii) the eligibility requirements of Bidders; (iii) the expected contract or Framework Agreement duration, the estimated quantity in the case of procurement of goods, delivery schedule and/or time frame; and (iv) the obligations, duties, and/or functions of the winning bidder.

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

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

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

- d. The cover should be modified as required to identify the Bidding Documents as to the Procurement Project, Project Identification Number, and Procuring Entity, in addition to the date of issue.
- e. Modifications for specific Procurement Project details should be provided in the Special Conditions of Contract as amendments to the Conditions of Contract. For easy completion, whenever reference has to be made to specific clauses in the Bid Data Sheet or Special Conditions of Contract, these terms shall be printed in bold typeface on Sections I (Instructions to Bidders) and III (General Conditions of Contract), respectively.
- f. For guidelines on the use of Bidding Forms and the procurement of Foreign-Assisted Projects, these will be covered by a separate issuance of the Government Procurement Policy Board.

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# ***Glossary of Acronyms, Terms, and Abbreviations***

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

**BAC** – Bids and Awards Committee.

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

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

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

**BIR** – Bureau of Internal Revenue.

**BSP** – Bangko Sentral ng Pilipinas.

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

**CDA** - Cooperative Development Authority.

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

**CIF** – Cost Insurance and Freight.

**CIP** – Carriage and Insurance Paid.

**CPI** – Consumer Price Index.

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

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

**EXW** – Ex works.

**FCA** – “Free Carrier” shipping point.

**FOB** – “Free on Board” shipping point.

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

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

**GFI** – Government Financial Institution.

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

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

**GOP** – Government of the Philippines.

**GPPB** – Government Procurement Policy Board.

**INCOTERMS** – International Commercial Terms.

**Infrastructure Projects** – Include the construction, improvement, rehabilitation, demolition, repair, restoration or maintenance of roads and bridges, railways, airports, seaports, communication facilities, civil works components of information technology projects, irrigation, flood control and drainage, water supply, sanitation, sewerage and solid waste management systems, shore protection, energy/power and electrification facilities, national

buildings, school buildings, hospital buildings, and other related construction projects of the government. Also referred to as *civil works or works*. (2016 revised IRR, Section 5[u])

**LGUs** – Local Government Units.

**NFCC** – Net Financial Contracting Capacity.

**NGA** – National Government Agency.

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

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

**PSA** – Philippine Statistics Authority.

**SEC** – Securities and Exchange Commission.

**SLCC** – Single Largest Completed Contract.

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

**UN** – United Nations.

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





**Republic of the Philippines**  
**Department of Education**  
REGION XI  
SCHOOLS DIVISION OF DAVAO ORIENTAL

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**PROCUREMENT AND DELIVERY OF WEIGHT MEASUREMENT  
DEVICES AND FOOD STORAGE DEVICES FOR SBFP BENEFICIARIES  
LOT 1 - REBID**

1. The *Schools Division of Davao Oriental*, through the *Government of the Philippines* under *FY 2025 Government Appropriations Act* intends to apply the sum of **One Million Five Hundred Eighteen Thousand Eight Hundred Pesos Only (Php 1,518,800.00)** being the ABC to payments under the contract for the ***Procurement and Delivery of Weight Measurement Devices and Food Storage Devices for SBFP Beneficiaries Lot 1 – Rebid.***

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

2. The *Schools Division of Davao Oriental*, through the **Bids and Awards Committee (BAC)**, now invites bids for the goods contemplated in this project as detailed in the Schedule of Requirements and the table of Technical Specifications indicated in the bidding documents. Expected completion of delivery of the goods is **within Thirty (30) calendar days** upon the time of receipt of **Notice to Proceed** by the successful bidder.
3. Bidders should have completed, within **five (5) years** from the date of submission and receipt of bids, a contract like the Project. The description of an eligible bidder is contained in the Bidding Documents, particularly, in Section II (Instructions to Bidders).
4. Bidding will be conducted through open competitive bidding procedures using a non-discretionary “*pass/fail*” criterion as specified in the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184.

Bidding is restricted to Filipino citizens/sole proprietorship, partnerships, or organizations with at least sixty percent (60%) interest or outstanding capital stock belonging to citizens of the Philippines, and to citizens or organizations of a country the laws or regulations of which grant similar rights or privileges to Filipino citizens, pursuant to RA No. 5183.

5. Prospective Bidders may obtain further information from the *BAC Secretariat* and inspect the Bidding Documents at the address given below from **Monday to Friday from 8:00am-5:00pm**.

A complete set of Bidding Documents may be acquired by interested Bidders on **March 07, 2025 – March 28, 2025** from the **BAC Secretariat, DepEd Davao Oriental Division Office, Government Center, Dahican, City of Mati, Davao Oriental** upon accomplishing a bidder’s information sheet (Annex A) and payment of the applicable fee for the Bidding Documents, pursuant to the latest Guidelines issued by the GPPB, in the amount of **Five Thousand Pesos (Php 5,000.00)**. The deadline for payment for the Bid Documents shall be on **March 28, 2025, at 8:30 A.M.**

6. The *Schools Division of Davao Oriental* will hold a Pre-Bid Conference for this Project on **March 14, 2025, 1:00 PM** via Google Meet with meeting link <https://meet.google.com/mox-wtxs-rgz>, which shall be open to prospective bidders.

7. Bids must be duly received by the BAC Secretariat on or before **8:45 A.M of March 28, 2025**, at the **Madayaw Hall, SDO Davao Oriental Division Office, Government Center, City of Mati, Davao Oriental**.

**Late bids shall not be accepted.**

8. All Bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in **ITB** Clause 14.

9. Bid opening shall be on **March 28, 2025, 9:00 A.M.** at the **Madayaw Hall, SDO Davao Oriental Division Office, Government Center, City of Mati, Davao Oriental**. Bids will be opened in the presence of the bidders' representatives who choose to attend the activity. Only **one (1) representative** per bidder will be allowed to enter inside the venue.

**For the purpose of constituting a quorum**, both physical and virtual presence of the BAC members shall be considered pursuant to GPPB Resolution No. 09-2020.

10. The *Schools Division of Davao Oriental* reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract at any time prior to contract award in accordance with Sections 35.6 and 41 of the 2016 revised IRR of RA No. 9184, without thereby incurring any liability to the affected bidder or bidders.

11. For further information, please refer to:  
**Ms. Myrose T. Diansay, AO IV**  
**Ms. Lecelita O. Calvez, EPS II**  
**Ms. Lotis P. Lapez, EPS II**  
**Ms. Donna Jean B. Pilo, ADA VI**  
BAC Secretariat of the Schools Division of Davao Oriental  
Government Center, Dahican, City of Mati, Davao Oriental  
09171281166 or [davor.bac@deped.gov.ph](mailto:davor.bac@deped.gov.ph)

12. You may visit the following websites:

For downloading of Bidding Documents:  
<https://notices.philgeps.gov.ph/>

*Date of Issuance of Bidding Documents: **March 28, 2025***

  
**CHRISTIAN N. SANGO**  
OIC-Assistant Schools Division Superintendent  
Chairperson

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

## 1. Scope of Bid

The Procuring Entity, *Schools Division of Davao Oriental* wishes to receive Bids for the **PROCUREMENT AND DELIVERY OF WEIGHT MEASUREMENT DEVICES AND FOOD STORAGE DEVICES FOR SBFP BENEFICIARIES LOT 1 – REBID**, with identification number **GS-2025-023**

The Procurement Project (referred to herein as “Project”) is composed of **one (1) lot**, the details of which are described in Section VII (Technical Specifications).

## 2. Funding Information

2.1. The GOP through the source of funding as indicated below for *General Appropriations Act of 2025* in the amount of **One Million Five Hundred Eighteen Thousand Eight Hundred Pesos Only (Php 1,518,800.00)**.

The source of funding is the GAA 2025 under **2025 SBFP Funds** of the Department of Education. Pursuant to **NBC No. 590**, the funds for this project shall be valid for release, obligation, and disbursement until **December 31, 2025**, subject to any subsequent issuance to this effect.

## 3. Bidding Requirements

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

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

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

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

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

## 5. Eligible Bidders

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

- 5.2. Foreign ownership exceeding those allowed under the rules may participate pursuant to:
- i. When a Treaty or International or Executive Agreement as provided in Section 4 of the RA No. 9184 and its 2016 revised IRR allows foreign bidders to participate;
  - ii. Citizens, corporations, or associations of a country, included in the list issued by the GPPB, the laws or regulations of which grant reciprocal rights or privileges to citizens, corporations, or associations of the Philippines;
  - iii. When the Goods sought to be procured are not available from local suppliers; or
  - iv. When there is a need to prevent situations that defeat competition or restrain trade.
- a. Foreign ownership limited to those allowed under the rules may participate in this Project.
- 5.3. Pursuant to Section 23.4.1.3 of the 2016 revised IRR of RA No.9184, the Bidder shall have an SLCC that is at least one (1) contract similar to the Project the value of which, adjusted to current prices using the PSA's CPI, must be at least equivalent to **at least one (1)** similar contract, the amount of which should be equivalent to **at least fifty percent (50%)** of the ABC for this Project; and
- 5.4. The Bidders shall comply with the eligibility criteria under Section 23.4.1 of the 2016 IRR of RA No. 9184.

## **6. Origin of 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, subject to Domestic Preference requirements under **ITB** Clause 18.

## **7. Subcontracts**

Subcontracting is not allowed.

## **8. Pre-Bid Conference**

The Procuring Entity will hold a pre-bid conference for this Project on **March 14, 2025, at 1:00 PM** via Google Meet with meeting link <https://meet.google.com/mox-wtxs-rgz>.

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

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

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

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

## **12. Bid Prices**

- 12.1. Prices indicated on the Price Schedule shall be entered separately in the following manner:
  - a. For Goods offered from within the Procuring Entity's country:
    - i. The price of the Goods quoted EXW (ex-works, ex-factory, ex-warehouse, ex-showroom, or off-the-shelf, as applicable);
    - ii. The cost of all customs duties and sales and other taxes already paid or payable;
    - iii. The cost of transportation, insurance, and other costs incidental to delivery of the Goods to their final destination; and
    - iv. The price of other (incidental) services, if any, listed in the **BDS**.
  - b. For Goods offered from abroad:

- i. Unless otherwise stated in the **BDS**, the price of the Goods shall be quoted delivered duty paid (DDP) with the place of destination in the Philippines as specified in the **BDS**. In quoting the price, the Bidder shall be free to use transportation through carriers registered in any eligible country. Similarly, the Bidder may obtain insurance services from any eligible source country.
- ii. The price of other (incidental) services, if any, as listed in the **BDS**.

### **13. Bid and Payment Currencies**

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

### **14. Bid Security**

- 14.1. The Bidder shall submit a Bid Securing Declaration<sup>1</sup> or any form of Bid Security in the amount indicated in the **BDS**, which shall be not less than the percentage of the ABC in accordance with the schedule in the **BDS**.
- 14.2. The Bid and bid security shall be valid for **120 calendar days** reckoned from the date of opening of bids. Any Bid not accompanied by an acceptable bid security shall be rejected by the Procuring Entity as non-responsive.

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

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

The Procuring Entity may request additional hard copies and/or electronic copies of the Bid.

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

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

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

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

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

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

## **18. Domestic Preference**

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

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

- 19.1. The Procuring Entity's BAC shall immediately conduct a detailed evaluation of all Bids rated "*passed*," using non-discretionary pass/fail criteria. The BAC shall consider the conditions in the evaluation of Bids under Section 32.2 of the 2016 revised IRR of RA No. 9184.

- 19.2. The descriptions of the lots or items shall be indicated in **Section VII (Technical Specifications)**, although the ABCs of this lot or items are indicated in the **BDS** for purposes of the NFCC computation pursuant to Section 23.4.2.6 of the 2016 revised IRR of RA No. 9184. The NFCC must be sufficient for the total of the ABCs for all the lots or items participated in by the prospective Bidder.

- 19.3. The Project shall be awarded as **one (1) contract**.

- 19.4. Except for bidders submitting a committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation, all Bids must include the NFCC computation pursuant to Section 23.4.1.4 of the 2016 revised IRR of RA No. 9184, which must be sufficient for the total of the ABCs for all the lots or items participated in by the prospective Bidder. For bidders submitting the committed Line of Credit, it must be at least equal to ten percent (10%) of the ABCs for all the lots or items participated in by the prospective Bidder.

## **20. Post-Qualification**

- 20.1. Within a non-extendible period of five (5) calendar days from receipt by the Bidder of the notice from the BAC that it submitted the Lowest Calculated Bid, 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**.
- 20.2. Bidder shall present samples of the goods to be procured for this project.

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

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



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

# Bid Data Sheet

ITB Clause									
5.3	For this purpose, contracts similar to the Project shall be:  <b>a. Supply of Storage and Freezers</b>  b. completed within <b>five (5) years</b> prior to the deadline for the submission and receipt of bids.								
7.1	<i>Subcontract</i>  Subcontracting shall <b>NOT</b> be allowed.								
12	The price of the Goods shall be quoted DDP ( <i>Schools Division of Davao Oriental</i> ) or the applicable International Commercial Terms (INCOTERMS) for this Project.  Bid prices shall be written in <b>two (2) decimal places only</b> . Bid prices that are written in more than two (2) decimal places shall be rounded off.  <b>Results of bid evaluation that will exceed the ABC shall be a ground for rejection of bid.</b>								
14.1	The bid security shall be in the form of a Bid Securing Declaration, or any of the following forms and amounts: <table><tr><th>Lot Number</th><th>The amount of not less than stated below opposite its respective lot number if bid security is in cash, cashier's/manager's check, bank draft/guarantee or irrevocable letter of credit.</th><th>The amount of not less than stated below opposite its respective lot number if bid security is in Surety Bond.</th></tr><tr><td>1</td><td>Php 30,376</td><td>Php 75,940</td></tr></table>			Lot Number	The amount of not less than stated below opposite its respective lot number if bid security is in cash, cashier's/manager's check, bank draft/guarantee or irrevocable letter of credit.	The amount of not less than stated below opposite its respective lot number if bid security is in Surety Bond.	1	Php 30,376	Php 75,940
Lot Number	The amount of not less than stated below opposite its respective lot number if bid security is in cash, cashier's/manager's check, bank draft/guarantee or irrevocable letter of credit.	The amount of not less than stated below opposite its respective lot number if bid security is in Surety Bond.							
1	Php 30,376	Php 75,940							

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

## **1. Scope of Contract**

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

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

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

## **2. Advance Payment and Terms of Payment**

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

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

## **3. Performance Security**

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

## **4. Inspection and Tests**

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

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

## **5. Warranty**

- 5.1 In order to assure that manufacturing defects shall be corrected by the Supplier, a warranty shall be required from the Supplier as provided under Section 62.1 of the 2016 revised IRR of RA No. 9184.
- 5.2 The Procuring Entity shall promptly notify the Supplier in writing of any claims arising under this warranty. Upon receipt of such notice, the Supplier shall, repair or replace the defective Goods or parts thereof without cost to the Procuring Entity, pursuant to the Generic Procurement Manual.

## **6. Liability of the Supplier**

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

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

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

## Special Conditions of Contract

GCC Clause	
1	<p><b>Delivery and Documents</b></p> <p>For purposes of the Contract, “EXW,” “FOB,” “FCA,” “CIF,” “CIP,” “DDP” and other trade terms used to describe the obligations of the parties shall have the meanings assigned to them by the current edition of INCOTERMS published by the International Chamber of Commerce, Paris. The Delivery terms of this Contract shall be as follows:</p> <p>The delivery terms applicable to the Contract are DDP. In accordance with INCOTERMS.” The delivery terms applicable to this Contract are delivered to <b>Schools Division of Davao Oriental, Government Center, Dahican, City of Mati, Davao Oriental</b>. Risk and title will pass from the Supplier to the Procuring Entity upon receipt and final acceptance of the Goods at their final destination.”</p> <p>Delivery of the Goods shall be made by the Supplier in accordance with the terms specified in Section VI (Schedule of Requirements).</p> <p>For purposes of this Clause the Procuring Entity’s Representative at the Project Site is <b>Ms. Elizabeth D. Lorin, Supply Officer, Schools Division of Davao Oriental, Government Center, Dahican, City of Mati, Davao Oriental</b>.</p> <p>In case the Supplier encounters conditions impeding the timely delivery of the goods, it must promptly notify the Division in writing within five (5) calendar days from notice of such conditions, and any request for work suspension and/or contract period extension shall be promptly done in writing as soon as circumstances for such requests have become apparent. The Supplier must provide sufficient proof to support any request for work suspension and/or contract period extension.</p>
	<p><b>Packaging –</b></p> <p>The Supplier shall provide such packaging of the Goods as is required to prevent their damage or deterioration during transit to their final destination, as indicated in this Contract. The packaging shall be sufficient to withstand, without limitation, rough handling during transit and exposure to extreme temperatures, salt and precipitation during transit, and open storage. Packaging case size and weights shall take into consideration, where appropriate, the remoteness of the Goods’ final destination and the absence of heavy handling facilities at all points in transit.</p> <p>The packaging, marking, and documentation within and outside the packages shall comply strictly with such special requirements as shall be expressly provided for in the Contract, including additional requirements, if any, specified below, and in any subsequent instructions ordered by the Procuring Entity.</p> <p>The outer packaging must be clearly marked on at least four (4) sides as follows:</p> <p>Name of the Procuring Entity  Name of the Supplier  Contract Description  Final Destination  Gross weight</p>

	<p>Any special lifting instructions</p> <p>Any special handling instructions</p> <p>Any relevant HAZCHEM classifications</p> <p>A packaging list identifying the contents and quantities of the package is to be placed on an accessible point of the outer packaging if practical. If not practical the packaging list is to be placed inside the outer packaging but outside the secondary packaging.</p>
	<p><b>Transportation –</b></p> <p>Where the Supplier is required under Contract to deliver the Goods CIF, CIP, or DDP, transport of the Goods to the port of destination or such other named place of destination in the Philippines, as shall be specified in this Contract, shall be arranged and paid for by the Supplier, and the cost thereof shall be included in the Contract Price.</p> <p>Where the Supplier is required under this Contract to transport the Goods to a specified place of destination within the Philippines, defined as the Project Site, transport to such place of destination in the Philippines, including insurance and storage, as shall be specified in this Contract, shall be arranged by the Supplier, and related costs shall be included in the contract price.</p> <p>Where the Supplier is required under Contract to deliver the Goods CIF, CIP or DDP, Goods are to be transported on carriers of Philippine registry. In the event that no carrier of Philippine registry is available, Goods may be shipped by a carrier which is not of Philippine registry provided that the Supplier obtains and presents to the Procuring Entity certification to this effect from the nearest Philippine consulate to the port of dispatch. In the event that carriers of Philippine registry are available but their schedule delays the Supplier in its performance of this Contract the period from when the Goods were first ready for shipment and the actual date of shipment the period of delay will be considered force majeure.</p> <p>The Procuring Entity accepts no liability for the damage of Goods during transit other than those prescribed by INCOTERMS for DDP deliveries. In the case of Goods supplied from within the Philippines or supplied by domestic Suppliers risk and title will not be deemed to have passed to the Procuring Entity until their receipt and final acceptance at the final destination.</p>
2.2	<p><b>Schedule of Payment</b></p> <p>One hundred percent (100%) shall be made within thirty calendar (30) days after the delivery and acceptance of the of all the goods at the venue of the activity.</p>
4	<p>The inspections and tests that will be conducted in the venue in the presence of the observers.</p>



## ***Section VI. Schedule of Requirements***

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

<b>Item Number</b>	<b>Description</b>	<b>Quantity</b>	<b>Delivered, Weeks/Months</b>
N/A	<ul style="list-style-type: none"><li>▪ 38 Chest Freezers (4.8 cubic ft)</li><li>▪ 52 Insulated Ice Box/Coolers (65L)</li><li>▪ 861 Food Crates (50L)</li></ul>	1 lot	Within thirty (30) calendar days from the date of receipt of the Notice to Proceed

## *Section VII. Technical Specifications*

Item	Specification	Statement of Compliance
		<p><i>[Bidders must state here either “Comply” or “Not Comply” against each of the individual parameters of each Specification stating the corresponding performance parameter of the equipment offered. Statements of “Comply” or “Not Comply” must be supported by evidence in a Bidders Bid and cross-referenced to that evidence. Evidence shall be in the form of manufacturer’s un-amended sales literature, unconditional statements of specification and compliance issued by the manufacturer, samples, independent test data etc., as appropriate. A statement that is not supported by evidence or is subsequently found to be contradicted by the evidence presented will render the Bid under evaluation liable for rejection. A statement either in the Bidder’s statement of compliance or the supporting evidence that is found to be false either during Bid evaluation, post-qualification or the execution of the Contract may be regarded as fraudulent and render the Bidder or supplier liable for prosecution subject to the applicable laws and issuances.]</i></p>

## Technical Specifications

<b>PROCUREMENT AND DELIVERY OF WEIGHT MEASUREMENT DEVICES AND FOOD STORAGE DEVICES FOR SBFP BENEFICIARIES LOT 1 - REBID</b>				
<b>Item / Service</b>	<b>Quantity</b>	<b>Detailed Technical Specifications</b>	<b>Statement of Compliance (State Comply or Not Comply)</b>	<b>Bidder's Actual Offer</b>
unit	38	<p style="text-align: center;"><b>FREEZERS</b></p> <p><b>Product:</b> Chest Freezers (4.8 cubic ft.)  <b>Dimensions:</b> 84.8: 63.2: 55.4 cm  <b>Other features:</b> With roller feet and key lock</p> <p><u><b>Delivery:</b> Deliver at the designated drop-off points. See Annex A</u></p>		
unit	52	<p style="text-align: center;"><b>INSULATED ICE BOX/COOLERS 65L</b></p> <p><b>Product:</b> Insulated box/ice coolers  <b>Capacity:</b> 65L  <b>Dimensions:</b> 59 x 45 x 57 cm (external): 48.5 x 34.5 x 43.5 cm (internal)  <b>Other features:</b> With rubber gasket, T-shaped rubber latch, two wheels with telescopic handle.</p> <p><u><b>Delivery:</b> One time at the SDO.</u></p>		
piece	861	<p style="text-align: center;"><b>FOOD CRATES 50 L</b></p> <p><b>Product:</b> Food Crate  <b>Capacity:</b> 50L  <b>Dimensions:</b> 528 x 365 x 324 (mm)  <b>Material:</b> HDPE (Industrial Grade)  <b>Color:</b> Blue  <b>Other features:</b> Ventilated walls and base, stackable and nestable with side grips for ease of handling and transport, and Water and weather resistant.</p> <p><u><b>Delivery:</b> One time at the SDO.</u></p>		

### STATEMENT OF COMPLIANCE

I hereby commit to provide the above specified requirements in compliance with the Technical Specifications for the Project: **Procurement and Delivery of Weight Measurement Devices and Food Storage Devices for SBFP Beneficiaries Lot 1 - Rebid.**

\_\_\_\_\_  
Name and Signature of Authorized Representative

## DELIVERY DROP-OFF POINTS

Annex A

### Distribution List of Chest Freezers Per Drop-Off Point

No.	District	Drop-Off Point	No. of Units
1	<b>BANAYBANAY</b>	Banaybanay CES Poblacion, Banaybanay, Davao Oriental	3
2	<b>GOVERNOR GENEROSO NORTH</b>	Sigaboy CES, Poblacion Governor Generoso, Davao Oriental	3
3	<b>GOVERNOR GENEROSO SOUTH</b>	Luzon CES Luzon, Governor Generoso, Davao Oriental	2
4	<b>LUPON WEST DISTRICT</b>	Comarra T. Manuel CES SPED Center Poblacion, Lupon, Davao Oriental	6
5	<b>LUPON EAST Zone 1</b>	Macangao CES Macangao, Lupon, Davao Oriental	2
6	<b>LUPON EAST Zone 2</b>	Calapagan ES, Calapagan, Lupon, Davao Oriental	2
7	<b>SAN ISIDRO NORTH</b>	Batobato CES, Batobato, San Isidro, Davao Oriental	3
8	<b>BOSTON</b>	Boston CES, Poblacion, Boston, Davao Oriental	2
9	<b>CATEEL II</b>	San Rafael IS San Rafael, Cateel, Davao Oriental	2
10	<b>CATEEL I</b>	Cateel CES Poblacion, Cateel, Davao Oriental	2
11	<b>BAGANGA SOUTH</b>	Baganga CES Poblacion, Baganga, Davao Oriental	3
12	<b>BAGANGA NORTH</b>	Lambajon CES, Lambajon, Baganga, Davao Oriental	2
13	<b>CARAGA SOUTH</b>	San Jose ES San Jose, Caraga, Davao Oriental	1
14	<b>CARAGA NORTH</b>	Caraga CES Poblacion, Caraga, Davao Oriental	3
15	<b>MANAY NORTH</b>	Moralizon ES Poblacion, Manay, Davao Oriental	1
16	<b>TARRAGONA</b>	Tarragona CES Poblacion, Tarragona, Davao Oriental)	1
	<b>Grand total</b>		<b>38</b>

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

# Checklist of Technical and Financial Documents

I. TECHNICAL COMPONENT ENVELOPE	
Class "A" Documents	
<u>Legal Documents</u>	
<input type="checkbox"/>	(a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages) <b>in accordance with Section 8.5.2 of the IRR;</b>
<input type="checkbox"/>	(b) <i>Registration certificate from Securities and Exchange Commission (SEC) for corporations, Department of Trade and Industry (DTI) for sole proprietorships, Cooperative Development Authority (CDA) for cooperatives, or any proof of such registration as stated in BDS;</i>
<input type="checkbox"/>	(c) <i>Mayor's Permit issued by the city or municipality where the principal place of business of the prospective bidder is located;</i>
<input type="checkbox"/>	(d) <i>Tax Clearance</i>
<input type="checkbox"/>	(e) <i>Audited financial statements showing, among others, the prospective total and current assets and liabilities of the bidder stamped "RECEIVED" by the Bureau of Internal Revenue (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 submission (for transactions amounting to Php 500,000.00 and above only. If submitted during previous transactions, attach a photocopy;</i>
Class "B" Documents	
<input type="checkbox"/>	(f) If applicable, a duly signed joint venture agreement (JVA) in case the joint venture is already in existence <b>or</b> 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.
<u>Technical Documents</u>	
<input type="checkbox"/>	(g) 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; <b>and</b>
<input type="checkbox"/>	(h) Statement of the bidder's Single Largest Completed Contract (SLCC) similar to the contract to be bid, except under conditions provided for in Sections 23.4.1.3 and 23.4.2.4 of the 2016 revised IRR of RA No. 9184, within the relevant period as provided in the Bidding Documents; <b>and</b>
<input type="checkbox"/>	(i) Original copy of Bid Security. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission <b>or</b> Original copy of Notarized Bid Securing Declaration; <b>and</b>
<input type="checkbox"/>	(j) Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or after-sales/parts, if applicable; <b>and</b>
<input type="checkbox"/>	(k) Original duly signed Omnibus Sworn Statement (OSS) <b>and</b> 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)	Latest Income and Business Tax Returns
(m)	Proof of payment of BIR income tax
(n)	Organizational Chart with actual names of personnel of the company/organization
<u>Financial Documents</u>	
<input type="checkbox"/> (o)	The prospective bidder's computation of Net Financial Contracting Capacity (NFCC) <b><u>or</u></b> A committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation.
<b>II. FINANCIAL COMPONENT ENVELOPE</b>	
<input type="checkbox"/> p)	Original of duly signed and accomplished Financial Bid Form; <b><u>and</u></b>
<input type="checkbox"/> q)	Original of duly signed and accomplished Price Schedule(s).

Remarks:

\_\_\_\_\_: PASS

\_\_\_\_\_: FAIL

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