

SUPPLEMENTAL BID BULLETIN NO. 1

Repair of Roof Deck at Port Operations Building Port of Dumaguete, Dumaguete City (COP-NOS-05-21)

Subject: **AMENDMENTS AND CLARIFICATIONS TO THE BIDDING DOCUMENTS**

PMO-Negros Oriental/Siquijor Bids and Awards Committee (PMO-NOS BAC) respectfully informing the bidders of the amendments and clarifications on the Bidding Documents of the project *Repair of Roof Deck at Port Operations Building, Port of Dumaguete, Dumaguete City (COP-NOS-05-21)* which was posted in PhilGEPS and PPA Website on October 19, 2022, as follows:

1. Bid Data Sheet

ORIGINAL	AMENDMENT/CLARIFICATION																																																																				
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<p>16. Not included</p>	<p><u>16. Each Bidder shall submit One (1) original and Two (2) copies of the first and second components of its bid.</u></p> <p><u>The original and the copies of the bid documents shall comply the following:</u></p> <ul style="list-style-type: none"> a. <u>Properly labelled cover indicating thereon the:</u> <ul style="list-style-type: none"> 1. <u>Name of the project;</u> 2. <u>Contract number;</u> 3. <u>Name and address of the contractor; and</u> 4. <u>Name and address of the implementing agency.</u> b. <u>Shall be in book bound with soft cover.</u> c. <u>All pages shall be numbered consecutively; and</u> d. <u>With index tab that corresponds to the table of contents.</u> <p><u>FAILURE TO COMPLY WITH THESE REQUIREMENTS SHALL BE GROUND FOR AUTOMATIC DISQUALIFICATION.</u></p>										
<p>19.2 Partial bids are allowed, as follows: <i>[Insert grouping of lots by specifying the items and the quantity for every identified lot.]</i></p>	<p>19.2 Partial bids are not allowed</p>										
<p>20. <i>[List licenses and permits relevant to the Project and the corresponding law requiring it, e.g. Environmental Compliance Certificate, Certification that the project site is not within a geohazard zone, etc.]</i></p>	<p>20. <i>Other appropriate license and permits required.</i></p> <p style="text-align: center;"><u>N/A</u></p>										
<p>21. 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 DOLE, and other acceptable tools of project scheduling.</p>	<p>21. Additional contract documents</p> <p><u>Checklist of Eligibility and Technical and Financial Components:</u></p> <table border="1" data-bbox="776 1729 1365 2202"> <thead> <tr> <th data-bbox="776 1729 1070 1871"><u>Eligibility and Technical Component</u></th> <th data-bbox="1070 1729 1365 1871"><u>Financial Component</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="776 1871 1070 1946">Manpower Schedule</td> <td data-bbox="1070 1871 1365 1946">Construction Schedule and S-curve</td> </tr> <tr> <td data-bbox="776 1946 1070 2058">Construction Methods</td> <td data-bbox="1070 1946 1365 2058">Other acceptable tools of project scheduling</td> </tr> <tr> <td data-bbox="776 2058 1070 2133">Equipment Utilization Schedule</td> <td data-bbox="1070 2058 1365 2133"></td> </tr> <tr> <td data-bbox="776 2133 1070 2202">Construction Safety and Health Program</td> <td data-bbox="1070 2133 1365 2202"></td> </tr> </tbody> </table>	<u>Eligibility and Technical Component</u>	<u>Financial Component</u>	Manpower Schedule	Construction Schedule and S-curve	Construction Methods	Other acceptable tools of project scheduling	Equipment Utilization Schedule		Construction Safety and Health Program	
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2. Section VIII: Bill of Quantities

REPAIR OF ROOF DECK AT PORT OPERATIONS BUILDING, PORT OF DUMAGUETE, DUMAGUETE CITY (COP-NOS-05-21)					
BILL NO.	DESCRIPTION OF WORK	UNIT	QTY.	UNIT PRICE (Pesos)	AMOUNT (Pesos)
1.0	General Expenses				
1.1	Mobilization/Demobilization	L.S.	1.00		
1.2	Provide construction and safety and health program in the execution of the project	L.S.	1.00		
2.0	Demolition, Excavation and Disposal				
2.1	Supply & place waterproofing membrane including epoxy injection of existing cracks of roof deck slab of Port Operations Building	sq.m.	1,416.20		

3. Bidding Forms

ORIGINAL	AMENDMENT/CLARIFICATION
The Bidding Forms are inadvertently not attached in the Bidding Documents as posted in the PhilGEPS and PPA website.	<p><u>Section X: Bidding Forms</u></p> <p>a. <u>Bid Form (Revised)</u> b. <u>Contract Agreement Form for the Procurement of Infrastructure Projects (Revised)</u> c. <u>Omnibus Sworn Statement (Revised)</u> d. <u>Bid Securing Declaration Form (Revised)</u></p> <p><u>Attached also herewith are the above enumerated bid forms.</u></p>

The above-mentioned amendments and clarifications have been duly discussed, deliberated and resolved by the PMO-NOS BAC. The said amendments and clarifications are presented during the Pre-bid Conference held on October 27, 2022 at the Conference Room of PMO – Negros Oriental/Siquijor.

In compliance with Republic Act No. 9184 and its 2016 Revised Implementing Rules and Regulations, the amendments and clarifications provided therein shall form an integral part of the pertinent Bidding Documents and related contract. Further, the bidders shall be bound by the terms and conditions set forth, otherwise any nonconformity thereof shall consider the bid as **nonresponsive** and shall result to the **disqualification and/or rejection** of the bidder's bid.

For the information and guidance of all concerned.

Issued this 3RD day of November 2022 at Dumaguete City.

(Sgd.) Atty. JENLYN B. MEDIANA-ARENASA
Chairperson
Bids and Awards Committee



Bid Form for the Procurement of Infrastructure Projects

[shall be submitted with the Bid]

BID FORM

Date : _____

Project Identification No. : _____

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

Having examined the Philippine Bidding Documents (PBDs) including the Supplemental or Bid Bulletin Numbers *[insert numbers]*, the receipt of which is hereby duly acknowledged, we, the undersigned, declare that:

- a. We have no reservation to the PBDs, including the Supplemental or Bid Bulletins, for the Procurement Project: *[insert name of contract]*;
- b. We offer to execute the Works for this Contract in accordance with the PBDs;
- c. The total price of our Bid in words and figures, excluding any discounts offered below is: *[insert information]*;
- d. The discounts offered and the methodology for their application are: *[insert information]*;
- e. The total bid price includes the cost of all taxes, such as, but not limited to: *[specify the applicable taxes, e.g. (i) value added tax (VAT), (ii) income tax, (iii) local taxes, and (iv) other fiscal levies and duties]*, which are itemized herein and reflected in the detailed estimates,
- f. Our Bid shall be valid within the a period stated in the PBDs, and it shall remain binding upon us at any time before the expiration of that period;
- g. If our Bid is accepted, we commit to obtain a Performance Security in the amount of *[insert percentage amount]* percent of the Contract Price for the due performance of the Contract, or a Performance Securing Declaration in lieu of the the allowable forms of Performance Security, subject to the terms and conditions of issued GPPB guidelines¹ for this purpose;
- h. We are not participating, as Bidders, in more than one Bid in this bidding process, other than alternative offers in accordance with the Bidding Documents;
- i. We understand that this Bid, together with your written acceptance thereof included in your notification of award, shall constitute a binding contract between us, until a formal Contract

¹ currently based on GPPB Resolution No. 09-2020



is prepared and executed; and

- j. We understand that you are not bound to accept the Lowest Calculated Bid or any other Bid that you may receive.
- k. 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 ensuing contract for the [Name of Project] of the [Name of the Procuring Entity].
- l. We acknowledge that failure to sign each and every page of this Bid Form, including the Bill of Quantities, shall be a ground for the rejection of our bid.

Name: _____

Legal Capacity: _____

Signature: _____

Duly authorized to sign the Bid for and behalf of: _____

Date: _____



Contract Agreement Form for the Procurement of Infrastructure Projects (Revised)

[not required to be submitted with the Bid, but it shall be submitted within ten (10) days after receiving the Notice of Award]

CONTRACT AGREEMENT

THIS AGREEMENT, made this *[insert date]* day of *[insert month]*, *[insert year]* between *[name and address of PROCURING ENTITY]* (hereinafter called the "Entity") and *[name and address of Contractor]* (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor execute *[name and identification number of contract]* (hereinafter called "the Works") and the Entity has accepted the Bid for *[contract price in words and figures in specified currency]* by the Contractor for the execution and completion of such Works and the remedying of any defects therein.

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract hereinafter referred to.
2. The following documents as required by the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184 shall be deemed to form and be read and construed as part of this Agreement, *viz.*:
 - a. Philippine Bidding Documents (PBDs);
 - i. Drawings/Plans;
 - ii. Specifications;
 - iii. Bill of Quantities;
 - iv. General and Special Conditions of Contract;
 - v. Supplemental or Bid Bulletins, if any;
 - b. Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;

Bid form, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes, and all other documents submitted (*e.g.*, Bidder's response to request for clarifications on the bid), including corrections to the bid, if any, resulting from the Procuring Entity's bid evaluation;

- c. Performance Security;
- d. Notice of Award of Contract and the Bidder's conforme thereto; and
- e. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the PBDs. **Winning bidder agrees that additional contract documents or information prescribed by the GPPB that are subsequently required for**



submission after the contract execution, such as the Notice to Proceed, Variation Orders, and Warranty Security, shall likewise form part of the Contract.

3. In consideration for the sum of *[total contract price in words and figures]* or such other sums as may be ascertained, *[Named of the bidder]* agrees to *[state the object of the contract]* in accordance with his/her/its Bid.
4. The *[Name of the procuring entity]* agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

IN WITNESS whereof the parties thereto have caused this Agreement to be executed the day and year first before written.

[Insert Name and Signature]

[Insert Name and Signature]

[Insert Signatory's Legal Capacity]

[Insert Signatory's Legal Capacity]

for:

for:

[Insert Name of Supplier]

[Insert Procuring Entity]

Acknowledgment

[Format shall be based on the latest Rules on Notarial Practice]



Omnibus Sworn Statement (Revised)

[shall be submitted with the Bid]

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], as shown in the attached duly notarized Special Power of Attorney;

[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 [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached [state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate, Board/Partnership Resolution, or Special Power of Attorney, 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, **by itself or by relation, membership, association, affiliation, or controlling interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on Blacklisting;**

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 or the end-user 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 or the end-user 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 or the end-user 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; and

8. *[Name of Bidder]* is aware of and has undertaken the responsibilities as a Bidder in compliance with the Philippine Bidding Documents, which includes:

- a. Carefully examining all of the Bidding Documents;
- b. Acknowledging all conditions, local or otherwise, affecting the implementation of the Contract;
- c. Making an estimate of the facilities available and needed for the contract to be bid, if any; and
- d. Inquiring or securing Supplemental/Bid Bulletin(s) issued for the *[Name of the Project]*.

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.

10. In case advance payment was made or given, failure to perform or deliver any of the obligations and undertakings in the contract shall be sufficient grounds to constitute criminal liability for Swindling (Estafa) or the commission of fraud with unfaithfulness or abuse of confidence through misappropriating or converting any payment received by a person or entity under an obligation involving the duty to deliver certain goods or services, to the prejudice of the public and the government of the Philippines pursuant to Article 315 of Act No. 3815 s. 1930, as amended, or the Revised Penal Code.

IN WITNESS WHEREOF, I have hereunto set my hand this ___ day of ___, 20__ at _____, Philippines.



*[Insert NAME OF BIDDER OR ITS AUTHORIZED
REPRESENTATIVE]*

[Insert signatory's legal capacity]

Affiant

[Jurat]

[Format shall be based on the latest Rules on Notarial Practice]



Bid Securing Declaration Form

[shall be submitted with the Bid if bidder opts to provide this form of bid security]

REPUBLIC OF THE PHILIPPINES)

CITY OF _____) S.S.

BID SECURING DECLARATION

Project Identification No.: *[Insert number]*

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 procurement 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 No. 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; and
 - c. I am/we are declared the bidder with the Lowest Calculated 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 OR ITS AUTHORIZED REPRESENTATIVE]

[Insert signatory's legal capacity]

Affiant

[Jurat]

[Format shall be based on the latest Rules on Notarial Practice]

**PHILIPPINE
PORTS
AUTHORITY**

