



Republic of the Philippines  
PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE  
APO PRODUCTION UNIT, INC.



# PHILIPPINE BIDDING DOCUMENTS

## SUPPLY AND DELIVERY OF ONE (1) UNIT CROSSOVER UTILITY VEHICLE (LOT 1)

Negotiated Procurement under Two Failed Biddings  
**(Bid Reference No. TFB-11-22-B)**

APO Production Unit, Inc.  
Sixth Edition  
July 2020



## INVITATION TO RENEGOTIATE FOR THE SUPPLY AND DELIVERY OF ONE (1) UNIT CROSSOVER UTILITY VEHICLE (LOT 1) (TFB-11-22-B)

1. The *APO Production Unit, Inc.*, through the *Approved Annual Procurement Plan (APP) for CY 2022* intends to apply the sum of *One Million Six Hundred Eighty Thousand Pesos (PhP 1,680,000.00)* being the ABC to payments under the contract for *Supply and Delivery of One (1) Unit Crossover Utility Vehicle (Lot 1) (TFB-11-22-B)*.
2. The *APO Production Unit, Inc.* now invites bids for the above Procurement Project. Delivery of the Goods is required by (*As stated in Schedule of Requirements*). Bidders should have completed, within a *period of five (5) years* from the date of submission and receipt of bids, a contract similar to the Project.
3. Bidding will conducted through Negotiated Procurement under Two Failed Biddings pursuant to Section 53.1 of the Revised Implementing Rules and Regulations (IRR) of Republic Act No. 9184 (RA 9184).

Bidding is open to all interested bidders, whether local or foreign, subject to the conditions for eligibility provided in the 2016 revised IRR of RA No. 9184.

4. Prospective Bidders may obtain further information from *APO Production Unit, Inc.* and inspect the Bidding Documents at the address given below during (*7:00 A.M. to 4:00 P.M.*).

For purposes of compliance with social distancing protocols, interested bidders intending to inspect bidding documents are advised to first set an appointment with the APO BAC Secretariat through the contact details provided below before proceeding to APO premises.

### **BAC SECRETARIAT OFFICE**

APO Production Unit, Inc.  
2<sup>nd</sup> Floor PIA Bldg., Visayas Ave.,  
Barangay Vasra, Diliman, Quezon City  
(02) 8282-5309 local 211  
[bac@apo.gov.ph](mailto:bac@apo.gov.ph), [www.apo.gov.ph](http://www.apo.gov.ph)

5. The *APO Production Unit, Inc.* will hold a Conference for Submission and Opening of Negotiation Documents (Offers/Proposal) on *8 June 2022, 10:00 A.M* at *APO Conference Room, APO Production Unit, Inc., 2/F PIA Building, Visayas Avenue, Brgy. Vasra, Quezon City* and/or through video conferencing or webcasting via *Microsoft Teams App*, which shall be in accordance with APO's General House Rules on E-Bidding process. Accordingly, bidders must strictly comply with the foregoing issuances.



Republic of the Philippines  
PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE  
APO PRODUCTION UNIT, INC.



Link will be given only to those who registered in the Online Pre-registration Form:  
[https://docs.google.com/forms/d/e/1FAIpQLSeS6KwwkIsYNEy0yEKVhY7vziE8lkZCs8aiB htKS LRiF-iw/viewform?usp=pp\\_url](https://docs.google.com/forms/d/e/1FAIpQLSeS6KwwkIsYNEy0yEKVhY7vziE8lkZCs8aiB htKS LRiF-iw/viewform?usp=pp_url)

The Eligibility Documents, Technical Proposal, and Best and Final Offer shall be submitted in one (1) original and two (2) duplicate copies at the address below or via email at [bac@apo.gov.ph](mailto:bac@apo.gov.ph), respectively, on or before *8 June 2022, 10:00 A.M.*

Bids shall be submitted in sealed envelopes, labeled as "Negotiated Documents", with the title of the procurement project, name of the Bidder, address of the Bidder, and contact details of the bidder, addressed to APO Production Unit, Inc.

6. All Bids must be accompanied by a bid security in any of the acceptable forms.
7. Actual/On-site bid opening of printed/physical or soft/scan copies copy shall be on *8 June 2022, 10:15 A.M.* at *APO Conference Room, APO Production Unit, Inc., 2/F PIA Building, Visayas Avenue, Brgy. Vasra, Quezon City* and/or via *Microsoft Teams App*. Bids will be opened in the presence of the bidders' representatives who choose to attend the activity.
8. The *APO Production Unit, Inc.* 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.
9. For further information, please refer to:

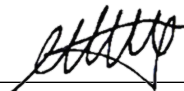
**MS. LEA ANN M. GAMBAN**  
*Head, BAC Secretariat*  
APO Production Unit, Inc.  
PIA Bldg., Visayas Ave., Barangay Vasra,  
Diliman, Quezon City  
(02) 8282-5309 local 212  
[www.apo.gov.ph](http://www.apo.gov.ph)

**MR. DOMINIC F. TAJON**  
*Chairperson, BAC*  
APO Production Unit, Inc.  
PIA Bldg., Visayas Ave., Barangay Vasra,  
Diliman, Quezon City  
(02) 8282-5309  
[www.apo.gov.ph](http://www.apo.gov.ph)

10. You may visit the following websites:

For downloading of Bidding Documents: <https://apo.gov.ph/index.php/bids-and-awards-committee/procurement/public-bidding>

*2 June 2022*

  
\_\_\_\_\_  
*Dominic F. Tajon, BAC Chairperson*



## *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>Schedule of Delivery</b>	<b>Place of Delivery (Project Site)</b>	<b>Statement of Compliance</b>
<i>Supply and Delivery of One (1) Unit Crossover Utility Vehicle (Lot 1) (TFB-11-22-B)</i>	Within ten (10) to fifteen (15) Calendar Days from the receipt of Notice to Proceed (NTP)	<b>APO Production Unit, Inc.,</b> <i>Ground Floor Philippine Information Agency (PIA) Building, Visayas Avenue, Barangay Vasra, Diliman, Quezon City</i>	



## Technical Specifications

Item	Specification	Statement of Compliance
	<p><b>One (1) Unit Crossover Utility Vehicle (Lot 1)</b></p> <p><b><u>7-Seater Asian Utility Vehicle (AUV) or Crossover Utility Vehicle (CUV)<sup>1</sup></u></b></p> <p><b>Transmission Type</b></p> <ul style="list-style-type: none"> <li>• Manual</li> </ul> <p><b>Fuel Type</b></p> <ul style="list-style-type: none"> <li>• Diesel</li> </ul> <p><b>Number of cylinders</b></p> <ul style="list-style-type: none"> <li>• 4</li> </ul> <p><b>Number of valves</b></p> <ul style="list-style-type: none"> <li>• 16 DOHC</li> </ul> <p><b>Maximum Output</b></p> <ul style="list-style-type: none"> <li>• Maximum of at least 141 hp @ 4,500 rpm</li> </ul> <p><b>Maximum Torque</b></p> <ul style="list-style-type: none"> <li>• Maximum of at least 450Nm @ 2,000 rpm</li> </ul> <p><b>Fuel Capacity</b></p> <ul style="list-style-type: none"> <li>• Minimum of at least 52 liters</li> </ul> <p><b>Tires</b></p> <ul style="list-style-type: none"> <li>• Manufactured year of at least one (1) year prior to delivery date</li> </ul> <p><b>Engine Displacement</b></p> <ul style="list-style-type: none"> <li>• Not exceeding 2,800 cc</li> </ul> <p><b>Color</b></p> <ul style="list-style-type: none"> <li>• White</li> </ul> <p><b>Manufacturing Year</b></p> <ul style="list-style-type: none"> <li>• 2022</li> </ul> <p><b>Engine warranty</b></p> <ul style="list-style-type: none"> <li>• 5 years or 150,000 kilometer or whichever comes first</li> </ul>	<p>Bidders must state here either “Comply” or “Not Comply” against each of the individual parameters of each Specification stating the corresponding performance parameter of the equipment offered. Statements of “Comply” or “Not Comply” must be supported by evidence in a Bidders Bid and cross-referenced to that evidence. Evidence shall be in the form of manufacturer’s un-amended sales literature, unconditional statements of specification and compliance issued by the manufacturer, samples, independent test data etc., as appropriate. A statement that is not supported by evidence or is subsequently found to be contradicted by the evidence presented will render the Bid under evaluation liable for rejection. A statement either in the Bidders statement of compliance or the supporting evidence that is found to be false either during Bid evaluation, post-qualification or the execution of the Contract may be regarded as fraudulent and render the Bidder or supplier liable for prosecution subject to the provisions of <b>ITB</b> Clause</p>

<sup>1</sup> DBM Budget Circular 2017-1, Annex "A" Typology of Government Vehicles: a four-wheel enclosed vehicle having dual side doors and a fifth rear door or lift-up tailgate. It has a maximum seating capacity of 10 passengers, including the driver, with its two (2) rows of front seats and foldable rear seats. The CUV has the cargo and passenger carrying space of an ATJV, the aerodynamics and sleekness of a car, and the rugged looks and feel of a sports utility vehicle



Republic of the Philippines  
PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE  
APO PRODUCTION UNIT, INC.



	<p><b>Other requirements:</b></p> <ul style="list-style-type: none"><li>• Bidder must submit a list of Authorized Service Centers located within Metro Manila with qualified mechanics and electricians for the brand that is being offered and with available spare parts.</li><li>• Bidder must submit an aftersales service program such as preventive maintenance service (PMS) and Certificates of Parts Inventory</li><li>• Periodic Maintenance Service – Free labor charge for 1km and 5km check-up</li><li>• Vehicle Insurance Coverage: Three (3) years Land Transportation Office (LTO) Government Registration Plate, covered with minimum of one (1) year GSIS comprehensive insurance, and one (1) year third-party liability (TPL).</li></ul> <p>-NOTHING FOLLOWS-</p>	<p>3.1(a)(ii) and/or GCC Clause 2.1(a)(ii).</p>
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## Checklist of Technical and Financial Documents

### I. TECHNICAL COMPONENT ENVELOPE

#### *Class "A" Documents*

##### Legal Documents

- (a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages) in accordance with Section 8.5.2 of the IRR;

##### Technical Documents

- (b) 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**
- (c) Statement of the bidder's Single Largest Completed Contract (SLCC) similar to the contract to be bid, except under conditions provided for in Sections 23.4.1.3 and 23.4.2.4 of the 2016 revised IRR of RA No. 9184, within the relevant period as provided in the Bidding Documents; **and**
- (d) Original copy of Bid Security. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission;
- or**
- (e) Original copy of Notarized Bid Securing Declaration; **and**
- (e) Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or after-sales/parts, if applicable; **and**
- (f) 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.

##### Financial Documents

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

#### *Class "B" Documents*

- (h) If applicable, a duly signed joint venture agreement (JVA) in case the joint venture is already in existence;
- or**



Republic of the Philippines  
PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE  
APO PRODUCTION UNIT, INC.



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.

Other documentary requirements under RA No. 9184 (as applicable)

- (i) *[For foreign bidders claiming by reason of their country's extension of reciprocal rights to Filipinos]* Certification from the relevant government office of their country stating that Filipinos are allowed to participate in government procurement activities for the same item or product.
- (j) Certification from the DTI if the Bidder claims preference as a Domestic Bidder or Domestic Entity.

**25 FINANCIAL COMPONENT ENVELOPE**

- (a) Original of duly signed and accomplished Financial Bid Form; **and**
- (b) Original of duly signed and accomplished Price Schedule(s).



**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, offer to *[supply/deliver/perform]* *[description of the Goods]* in conformity with the said PBDs for the sum of *[total Bid amount in words and figures]* or the total calculated bid price, as evaluated and corrected for computational errors, and other bid modifications in accordance with the Price Schedules attached herewith and made part of this Bid. 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 or in the Price Schedules,

If our Bid is accepted, we undertake:

- a. to deliver the goods in accordance with the delivery schedule specified in the Schedule of Requirements of the Philippine Bidding Documents (PBDs);
- b. to provide a performance security in the form, amounts, and within the times prescribed in the PBDs;
- c. to abide by the Bid Validity Period specified in the PBDs and it shall remain binding upon us at any time before the expiration of that period.

*[Insert this paragraph if Foreign-Assisted Project with the Development Partner:*

Commissions or gratuities, if any, paid or to be paid by us to agents relating to this Bid, and to contract execution if we are awarded the contract, are listed below:

Name and address of agent  
Amount and Purpose of  
Currency Commission or gratuity

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

(if none, state “None”) ]

Until a formal Contract is prepared and executed, this Bid, together with your written acceptance thereof and your Notice of Award, shall be binding upon us.

We understand that you are not bound to accept the Lowest Calculated Bid or any Bid you may receive.

We certify/confirm that we comply with the eligibility requirements pursuant to the PBDs.

The undersigned is authorized to submit the bid on behalf of *[name of the bidder]* as evidenced by the attached *[state the written authority]*.

We acknowledge that failure to sign each and every page of this Bid Form, including the attached Schedule of Prices, 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: \_\_\_\_\_

# *Price Schedule for Goods Offered from Abroad*

*[shall be submitted with the Bid if bidder is offering goods from Abroad]*

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## *For Goods Offered from Abroad*

Name of Bidder \_\_\_\_\_ Project ID No. \_\_\_\_\_ Page \_\_\_ of \_\_\_

1	2	3	4	5	6	7	8	9
Item	Description	Country of origin	Quantity	Unit price CIF port of entry (specify port) or CIP named place  (specify border point or place of destination)	Total CIF or CIP price per item  (col. 4 x 5)	Unit Price Delivered Duty Unpaid (DDU)	Unit price Delivered Duty Paid (DDP)	Total Price delivered DDP (col 4 x 8)

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

Legal Capacity: \_\_\_\_\_

Signature: \_\_\_\_\_

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

**Price Schedule for Goods Offered from Within the Philippines**  
*[shall be submitted with the Bid if bidder is offering goods from within the Philippines]*

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**For Goods Offered from Within the Philippines**

Name of Bidder \_\_\_\_\_ Project ID No. \_\_\_\_\_ Page \_\_\_ of \_\_\_

1	2	3	4	5	6	7	8	9	10
Item	Description	Country of origin	Quantity	Unit price EXWper item	Transportation and Insurance and all other costs incidental to delivery, per item	Sales and other taxes payable if Contract is awarded, per item	Cost of Incidental Services, if applicable, per item	Total Price, per unit (col 5+6+7+8)	Total Price delivered Final Destination (col 9) x (col 4)

**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]*

## Contract Agreement Form for the Procurement of Goods (Revised)

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

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### CONTRACT AGREEMENT

THIS AGREEMENT made the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ between [name of PROCURING ENTITY] of the Philippines (hereinafter called “the Entity”) of the one part and [name of Contractor] of [city and country of Contractor] (hereinafter called “the Contractor”) of the other part;

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly [brief description of goods and services] and has accepted a Bid by the Contractor for the supply of those goods and services in the sum of [*contract price in words and figures in specified currency*] (hereinafter called “the Contract Price”).

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 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 integral part of this Agreement, *viz.*:
  - i. Philippine Bidding Documents (PBDs);
    - i. Schedule of Requirements;
    - ii. Technical Specifications;
    - iii. General and Special Conditions of Contract; and
    - iv. Supplemental or Bid Bulletins, if any
  - ii. 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;
  - iii. Performance Security;
  - iv. Notice of Award of Contract; and the Bidder’s conforme thereto; and
  - v. 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 hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines on the day and year first above written.

*[Insert Name and Signature]*

*[Insert Name and Signature]*

*[Insert Signatory's Legal Capacity]*

*[Insert Signatory's Legal Capacity]*

*for:*

*for:*

*[Insert Procuring Entity]*

*[Insert Name of Contractor]*

**Acknowledgment**

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

**Omnibus Sworn Statement (Revised)**  
*[shall be submitted with the Bid]*

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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]*

## Performance Securing Declaration (Revised)

*[if used as an alternative performance security but it is not required to be submitted with the Bid, as it shall be submitted within ten (10) days after receiving the Notice of Award]*

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

### PERFORMANCE SECURING DECLARATION

Invitation to Bid: [Insert Reference Number indicated in the Bidding Documents]  
To: [Insert name and address of the Procuring Entity]

I/We, the undersigned, declare that:

1. I/We understand that, according to your conditions, to guarantee the faithful performance by the Contractor/distributor/manufacture/contractor/consultant of its obligations under the Contract, I/we shall submit a Performance Securing Declaration within a maximum period of ten (10) calendar days from the receipt of the Notice of Award prior to the signing of the Contract.
2. I/We accept that: I/we will be automatically disqualified from bidding for any procurement contract with any procuring entity for a period of one (1) year for the first offense, or two (2) years **for the second offense**, upon receipt of your Blacklisting Order if I/We have violated my/our obligations under the Contract;
3. I/We understand that this Performance Securing Declaration shall cease to be valid upon:
  - a. issuance by the Procuring Entity of the Certificate of Final Acceptance, subject to the following conditions:
    - i. Procuring Entity has no claims filed against the contract awardee;
    - ii. It has no claims for labor and materials filed against the contractor; and
    - iii. Other terms of the contract; or
  - b. replacement by the winning bidder of the submitted PSD with a performance security in any of the prescribed forms under Section 39.2 of the 2016 revised IRR of RA No. 9184 as required by the end-user.

**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]*

## Statement of Bidder's Single Largest Completed Contract (SLCC)

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

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

Name of Contract	Date of Contract	Contract duration	Owner's name and address	Kinds of Goods	Amount of completed contracts, adjusted by the Bidder to current prices using PSA's consumer price index, if necessary for the purpose of meeting the SLCC requirement	Date of delivery	"Similar" or "not similar" in nature and in complexity

Note:

This statement shall be supported with any of the following:

- a. End User Acceptance, or
- b. Official Receipt (s)

Submitted by: \_\_\_\_\_  
(Print Name and Signature)

Designation: \_\_\_\_\_

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

Note:

- a. Sworn/under oath statement/affidavit shall be executed by the duly authorized signatory, with the corresponding documentary stamps and latest notarization.
- b. All notarization shall be made in accordance with the provisions of the 2004 Rules on Notarial Practice as prescribed by the Supreme Court of the Philippines.

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

\_\_\_\_\_

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. \_\_\_\_\_ and his/her Community Tax Certificate No. \_\_\_\_\_ issued on \_\_\_\_\_ at \_\_\_\_\_.

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]*

**Statement of All Ongoing Government and Private Contracts, Including  
Contracts Awarded But Not Yet Started, Whether Similar or Not Similar  
in Nature**

Name of Contract	Date of Contract	Contract duration	Owner's name and address	Kinds of Goods	Amount of contract and value of outstanding contracts	Date of delivery	"Similar" or "not similar" in nature and in complexity
Government							
Private							

Note:

Sworn/under oath statement/affidavit shall be executed by the duly authorized signatory, with the corresponding documentary stamps and latest notarization.

All notarization shall be made in accordance with the provisions of the 2004 Rules on Notarial Practice as prescribed by the Supreme Court of the Philippines.

**NAME OF NOTARY PUBLIC**

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

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

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

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

## **APO Production Unit Digital Bidding Process**

### **Requirements for Procuring Entities**

- Office 365 account / One drive and Email Account / Microsoft Teams or Google Meet / WinRAR owned by the APO-Bids and Awards Committee.
- One drive Account to be used for storing Password-Encrypted Bids.
- Email Account to be used for receiving Password-Encrypted Bids.

### **Requirements for Bidders**

Application:

- Microsoft Office version 2013 onwards
- Google Chrome or Mozilla Firefox Browser
- 7zip, WinRAR or any file archiver with password encryption feature
- Email account or Google Account.

### **Password Policy Requirement**

- Password length: 8-10
- Required: 1 Capital Letter
- Required: 1 Symbol
- Required: 4-6 Numeric

### **Password Requirement for the Digital Submission of Opening of Bids**

- Bidder must send the first 4-5 letter word to 1st BAC Secretariat email, remaining 4-5 letter word to 2<sup>nd</sup> BAC Secretariat email.

### **Rules on Online Bidding (via Microsoft Teams App)**

- Always mute the microphone unless acknowledged by the BAC to speak on by clicking “raise your hand” button.
- Always “on” the camera to make known that participants remain present at the meeting.
- Use of earphone or headset is encouraged for clear audio and avoid feedbacks

### **Scheduling and Planning of Bidding**

**BAC** will discuss the process and manner of online submission and opening of bids during Pre-Bid Conference.

**BAC** Personnel will use the Microsoft Teams App as platform for the opening of bids.

### **Process on Digital Submission of Bids**

Bidder may submit their bids encrypted with password on or before the scheduled time and date of the submission. Password will only be given to the BAC Secretariat at the time and date of the opening. Each component (Technical and Financial) must have a different password.

E.G (Winrar password: Bid\$d0c@2020  
Bidding Document password: @2020Docap0)

Bidder will receive an email notification providing the receipt of submission of bids.

### **Procuring Entities Digital Archiving Process (for audit trail recording)**

The **BAC** personnel, once received the encrypted bids via email, will record its time and date, and will take a screenshot of it as well as the acknowledgement receipt.

The **BAC** Personnel will save the bids to the official OneDrive Account created for the archiving of received bids and will take a screenshot of the date and time when the document has uploaded to the OneDrive Account.

### **Digital Opening of Bids**

**BAC** will only admit all the participating bidders once the conference is ready. The proceeding will be recorded.

**BAC** personnel shall ask the bidder to send their password to formally open the bids based on the date and time of their submission.

**BAC** personnel, once received the password via email, will record the time and date, and will take a screenshot of it as well as the acknowledgement receipt for audit trail recording. Bids will be shared to the screen for examination and evaluation.

**Note\*\* This process may change if there is any new method created for the automation and development of the process.**



