

BIDDING DOCUMENTS

**Renovation of the Newly Acquired Property
of the Philippine Embassy (BAPE) located
at 11 de Septiembre 1888 No. 1011, Buenos
Aires, Argentina**

Philippine Embassy
Buenos Aires, Argentina

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Glossary of Terms, Abbreviations, and Acronyms

ABC – Approved Budget for the Contract.

ARCC – Allowable Range of Contract Cost.

BAC – Bids and Awards Committee.

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

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

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

BIR – Bureau of Internal Revenue.

BSP – Bangko Sentral ng Pilipinas.

CDA – Cooperative Development Authority.

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

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

Contractor – is a natural or juridical entity whose proposal was accepted by the Procuring Entity and to whom the Contract to execute the Work was awarded. Contractor as used in these Bidding Documents may likewise refer to a supplier, distributor, manufacturer, or consultant.

CPI – Consumer Price Index.

DOLE – Department of Labor and Employment.

DTI – Department of Trade and Industry.

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

GFI – Government Financial Institution.

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

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

GOP – Government of the Philippines.

Infrastructure Projects – Include the construction, improvement, rehabilitation, demolition, repair, restoration or maintenance of roads and bridges, railways, airports, seaports, communication facilities, civil works components of information technology projects, irrigation, flood control and drainage, water supply, sanitation, sewerage and solid waste management systems, shore protection, energy/power and electrification facilities, national buildings, school buildings, hospital buildings, and other related construction projects of the government. Also referred to as *civil works or works*. (2016 revised IRR, Section 5[u])

LGUs – Local Government Units.

NFCC – Net Financial Contracting Capacity.

NGA – National Government Agency.

PCAB – Philippine Contractors Accreditation Board.

PhilGEPS - Philippine Government Electronic Procurement System.

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

PSA – Philippine Statistics Authority.

SEC – Securities and Exchange Commission.

SLCC – Single Largest Completed Contract.

UN – United Nations.

Section I. Invitation to Bid

Notes on the Invitation to Bid

The Invitation to Bid (IB) provides information that enables potential Bidders to decide whether to participate in the procurement at hand.

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

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

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



INVITATION TO BID

FOR THE RENOVATION OF THE NEWLY ACQUIRED PROPERTY OF THE PHILIPPINE EMBASSY (BAPE) LOCATED AT 11 DE SEPTIEMBRE 1888 NO. 1011, BUENOS AIRES CITY, ARGENTINA

The Philippine Embassy in Buenos Aires (BAPE), Argentina, through the authorized Philippine Government Funding under Fiscal Year 2020 Building Fund, intends to apply the sum of One Million Three Hundred Six Thousand One Hundred Forty-Seven US Dollars and Eighty-Five cents (**US\$ 1,306,147.85**) being the Approved Budget for the Contract (ABC) for payments under the contract for the **“RENOVATION OF THE NEWLY ACQUIRED PROPERTY OF THE PHILIPPINE EMBASSY (BAPE) LOCATED AT 11 DE SEPTIEMBRE 1888 NO° 1011 BUENOS AIRES CITY, ARGENTINA”** with Project Identification No. **BAPE-RENO-02-01-2020**. Details and Technical Specifications are hereby attached. Bids received in excess of the ABC shall be automatically rejected at bid opening.

1. The Philippine Embassy Bids and Awards Committee (BAPE-BAC) now invites bids for the “Renovation of the Newly Acquired Property of the Philippine Embassy (BAPE) located at 11 de Septiembre 1888 No° 1011, Buenos Aires City, Argentina” as follows:

Lot No.	Project Specification	ABC (in US\$)
1	Renovation of the Newly Acquired Philippine Embassy (BAPE) Property located at 11 de Septiembre 1888 No° 1011, Buenos Aires, Argentina	US\$ 1,306,147.85

The required completion date or expected contract duration is six (6) months or 180 calendar days from the start of the renovation.

2. The Embassy-BAC has scheduled the following activities for the said project:

Pre-bid Conference	Deadline for Submission of Bids	Bid Opening
5 October 2020, Monday, 1100H	19 October 2020, Monday, 1200H	19 October 2020 Monday, 1400H

The Pre-bid Conference shall be open to all interested bidders. The Pre-Bid Conference will be conducted via videoconferencing due to COVID-19 pandemic.

Opening of bids will be conducted in person at the Philippine Embassy in Buenos Aires located in 1701 Zapiola, Belgrano, Buenos Aires.

3. Bidding will be conducted through open competitive bidding procedures using a non-discretionary “pass/ fail” criterion as specified in the Implementing Rules and Regulations (IRR) of Republic Act (RA) 9184, otherwise known as the “Government Procurement Reform Act.”
4. The complete set of information and bidding documents may be downloaded gratis from the website of the procuring entity (www.buenosairespe.dfa.gov.ph).
5. Bids must be delivered to the Philippine Embassy on or before 1200H, 19 October 2020. All bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in Section 27.2 of the IRR No. 9184 (see annex, for details). Late bids shall not be accepted.
6. Bid opening shall be on 19 October 2020 at 1400H at the Philippine Embassy. Bids will be opened in the presence of the bidders’ representatives.
7. The Embassy reserves the right to accept or reject any bid, to annul the bidding process, and to reject all bids at any time prior to contract award, without thereby incurring any liability to the affected bidder or bidders.

For further information, please refer to:

Mr. NIÑO REY M. GALISANAO
Property Officer
Philippine Embassy
Zapiola 1701, Buenos Aires, Argentina
Mobile No.: +54967002333
Email: buenosaires.pe@dfa.gov.ph


JASON JOVENCIO A. ANASARIAS
BAC Chairperson

28 September 2020

Section II. Instructions to Bidders

Notes on the Instructions to Bidders

This Section on the Instruction to Bidders (ITB) provides the information necessary for bidders to prepare responsive bids, in accordance with the requirements of the Procuring Entity. It also provides information on bid submission, eligibility check, opening and evaluation of bids, post-qualification, and on the award of contract.

1. Scope of Bid

The Procuring Entity, Philippine Embassy in Buenos Aires (BAPE), Argentina, invites Bids for the **RENOVATION OF THE NEWLY ACQUIRED PROPERTY OF THE PHILIPPINE EMBASSY (BAPE) LOCATED AT 11 DE SEPTIEMBRE 1888 NO. 1011, BUENOS AIRES CITY, ARGENTINA**, with Project Identification Number **BAPE-Renovation Project-001-2020**.

The Procurement Project (referred to herein as “Project”) is for the construction of Works, as described in Section VI (Specifications).

2. Funding Information

2.1. The GOP through the source of funding as an authorized Philippine Government Funding under Fiscal Year 2020 Building Fund in the amount of One Million Three Hundred Six Thousand One Hundred Forty-Seven US Dollars and Eighty-Five cents (**US\$ 1,306,147.85**).

2.2. The source of funding is: Philippine Government Funding under Fiscal Year 2020 Building Fund.

3. Bidding Requirements

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

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

The Bidder, by the act of submitting its Bid, shall be deemed to have inspected the site, determined the general characteristics of the contracted Works and the conditions for this Project, such as the location and the nature of the work; (b) climatic conditions; (c) transportation facilities; (c) nature and condition of the terrain, geological conditions at the site communication facilities, requirements, location and availability of construction aggregates and other materials, labor, water, electric power and access roads; and (d) other factors that may affect the cost, duration and execution or implementation of the contract, project, or work and examine all instructions, forms, terms, and project requirements in the Bidding Documents.

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

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

5. Eligible Bidders

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

6. Origin of Associated Goods

There is no restriction on the origin of Goods other than those prohibited by a decision of the UN Security Council taken under Chapter VII of the Charter of the UN.

7. Pre-Bid Conference

The Procuring Entity will hold a pre-bid conference for this Project through videoconferencing/ webcasting due to the COVID-19 pandemic as indicated in paragraph 2 of the **IB**.

8. Clarification and Amendment of Bidding Documents

Prospective bidders may request for clarification on and/ or interpretation of any part of the Bidding Documents. Such requests must be in writing and received by the Procuring Entity, either at its given address or through electronic mail indicated in the **IB**, at least ten (10) calendar days before the deadline set for the submission and receipt of Bids.

9. Documents Comprising the Bid: Eligibility and Technical Components

- 9.1. The first envelope shall contain the eligibility and technical documents of the Bid as specified in **Section VIII. Checklist of Technical and Financial Documents**.
- 9.2. If the eligibility requirements or statements, the bids, and all other documents for submission to the BAC are in foreign language other than English, it must be accompanied by a translation in English.
- 9.3. A List of Contractor's key personnel (e.g., Project Manager, Project Engineers, Materials Engineers, and Foremen) assigned to the contract to be bid, with their complete qualification and experience data shall be provided.
- 9.4. A List of Contractor's major equipment units, which are owned, leased, and/or under purchase agreements, supported by proof of ownership, certification of availability of equipment from the equipment lessor/vendor for the duration of the project, as the case may be, shall be provided.

10. Documents Comprising the Bid: Financial Component

- 10.1. The second bid envelope shall contain the financial documents for the Bid as specified in **Section VIII. Checklist of Technical and Financial Documents**.
- 10.2. Any bid exceeding the ABC indicated in paragraph 1 of the **IB** shall not be accepted.

11. Alternative Bids

Bidders shall submit offers that comply with the requirements of the Bidding Documents.

12. Bid Prices

All bid prices for the given scope of work in the Project as awarded shall be considered as fixed prices, and therefore not subject to price escalation during contract implementation, except under extraordinary circumstances subject for approval by the procuring entity pursuant to the revised Guidelines for Contract Price Escalation.

13. Bid and Payment Currencies

- 13.1. Payment of the contract price shall be made in: US Dollars (US \$).
- 13.2. However, for purposes of bid evaluation, bids denominated in foreign currencies shall be converted to the local currency based on the MEP exchange rate.

14. Bid Security

- 14.1. The Bidder shall submit a Bid Securing Declaration or any form of Bid Security in the amount indicated in the **BDS**, which shall be not less than the percentage of the ABC in accordance with the schedule in the **BDS**.
- 14.2. The Bid and bid security shall be valid until 120 Calendar Days 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 physically submit one copy of the two components of its Bid to the procuring entity.

The Procuring Entity may request additional hard copies and/ or electronic copies of the Bid. However, failure of the Bidders to comply with the said request shall not be a ground for disqualification.

16. Deadline for Submission of Bids

The Bidders shall submit on the specified date and time 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 on 19 October 2020 at 1400H at the Conference Room of the Philippine Embassy. The Bidders' representatives who are present shall sign a register evidencing their attendance.

18. Detailed Evaluation and Comparison of Bids

18.1. The Procuring Entity's BAC shall immediately conduct a detailed evaluation of all Bids rated "*passed*" using non-discretionary pass/ fail criteria.

18.2. No partial bid will be allowed. The infrastructure project is packaged in a single lot and the lot shall not be divided into sub-lots for the purpose of bidding, evaluation, and contract award.

18.3. In all cases, the NFCC computation pursuant to Section 23.4.2.6 of the 2016 revised IRR of RA No. 9184 must be sufficient for the total of the ABCs.

19. Post Qualification

Within a non-extendible period of five (5) calendar days from receipt by the Bidder of the notice from the BAC that it submitted the Lowest Calculated Bid, the Bidder shall submit its latest income and business tax returns and other appropriate licenses and permits required by law and stated in the **BDS**.

20. Signing of the Contract

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

Section III. Bid Data Sheet

Notes on the Bid Data Sheet (BDS)

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

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

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

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

Bid Data Sheet

The Procuring Entity is the Philippine Embassy in Buenos Aires, Argentina.

The name of the Contract is Renovation of the Newly Acquired Philippine Embassy (BAPE) Property located at 11 de Septiembre 1888 No° 1011, Buenos Aires, Argentina.

The identification number of the Contract is **BAPE-RENO-02-01-2020**.

The Funding Source is: The Government of the Philippines (GoP) authorized Philippine Government Funding under Fiscal Year 2020 Building Fund in the amount of One Million Three Hundred Six Thousand One Hundred Forty-Seven US Dollars and Eighty-Five cents (**US\$ 1,306,147.85**).

The name of the Project is Renovation of the Newly Acquired Philippine Embassy (BAPE) Property located at 11 de Septiembre 1888 No° 1011, Buenos Aires, Argentina

The required completion date or expected contract duration is six (6) months or 180 calendar days from the start of the renovation.

The Procuring Entity will hold a pre-bid conference for this Project on 05 October 2020, Monday at 1100H through videoconferencing/ webcasting via Zoom.

The first envelope shall contain the eligibility and technical documents of the Bid as specified in “Section VIII. Checklist of Technical and Financial Documents.”

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.

The minimum work experience requirements for key personnel (e.g., Project Manager, Project Engineers, Materials Engineers, and Foremen) are the following:

Key Personnel	General Experience	Relevant Experience
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A List of Contractor’s major equipment units, which are owned, leased, and/or under purchase agreements, supported by proof of ownership, certification of availability of equipment from the equipment lessor/vendor for the duration of the project, as the case may be, must meet the minimum requirements for the contract set in the **BDS**.

Equipment	Capacity	Number of Units
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The second bid envelope shall contain the financial documents for the Bid as specified in **Section VIII. Checklist of Technical and Financial Documents.**”

The ABC is One Million Three Hundred Six Thousand One Hundred Forty-Seven US Dollars and Eighty-Five cents (**US\$ 1,306,147.85**). **Any bid with a financial component exceeding this amount shall not be accepted.**

Bidders shall submit offers that comply with the requirements of the Bidding Documents.

All bid prices for the given scope of work in the Project as awarded shall be considered as fixed prices, and therefore not subject to price escalation during contract implementation, except under extraordinary circumstances as approved by the procuring entity pursuant to the revised Guidelines for Contract Price Escalation.

Payment of the contract price shall be made in: US Dollars (US \$).

However, for purposes of bid evaluation, Bids denominated in foreign currencies shall be converted to local currency based on the MEP exchange rate.

The Bidder shall submit a Bid Securing Declaration or any form of Bid Security in the amount indicated in the **BDS**, which shall be not less than the percentage of the ABC in accordance with the schedule in the **BDS**.

The bid security shall be in the form of a Bid Securing Declaration or any of the following forms and amounts:

1. The amount of not less than **US\$ 26,123.00** [2% of ABC], if bid security is in cash, cashier's/manager's check, bank draft/ guarantee or irrevocable letter of credit; or
2. The amount of not less than **US\$ 65,307.40** [5% of ABC] if bid security is in Surety Bond.

The Bid and bid security shall be valid until 120 Calendar Days 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.

The Bidders shall submit their complete set of bidding documents **on or before 19 October 2020 at 1200H at the Philippine Embassy in Buenos Aires.**

The Procuring Entity's address is: Zapiola 1701, Belgrano. Buenos Aires, Argentina

For further information, please contact:

Mr. NIÑO REY M. GALISANAO

Property Officer

Philippine Embassy

Mobile No.: +54967002333

Email: buenosaires.pe@dfa.gov.ph

The BAC shall open the Bids in public on 19 October 2020 at 1400H at the Conference Room of the Philippine Embassy. The Bidders' representatives who are present shall sign a register evidencing their attendance.

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

No partial bid will be allowed.

In all cases, the NFCC computation, if applicable, must be sufficient for all the lots or contracts to be awarded to the Bidder.

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, and other appropriate licenses and permits required by law and stated in the **BDS**.

List additional contract documents relevant to the Project that may be required by existing laws and/ or the Procuring Entity. **For Complete Set of Requirements, please refer to Section VIII. Checklist of Technical and Financial Documents**

Section IV. General Conditions of Contract

Notes on the General Conditions of Contract

The General Conditions of Contract (GCC) in this Section should be a complete document expressing all the rights and obligations of the parties.

Matters governing performance of the Contractor, payments under the contract, or matters affecting the risks, rights, and obligations of the parties under the contract are included in the GCC.

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.

2. Possession of Site

2.1. The Procuring Entity shall give possession of all or parts of the Site to the Contractor based on the schedule of delivery, which corresponds to the execution of the Works. If the Contractor suffers delay or incurs cost from failure on the part of the Procuring Entity to give possession in accordance with the terms of this clause, the Procuring Entity's Representative shall give the Contractor a Contract Time Extension and certify such sum as fair to cover the cost incurred, which sum shall be paid by Procuring Entity.

2.2. If possession of a portion is not given by the above date, the Procuring Entity will be deemed to have delayed the start of the relevant activities. The resulting adjustments in contract time to address such delay may be addressed through contract extension.

3. The Contractor's Obligations

The Contractor shall employ the key personnel named in the Schedule of Key Personnel indicating their designation, in accordance with **ITB** Clause 10.3 and specified in the **BDS**, to carry out the supervision of the Works.

4.

Warranty

4.1. The warranty against Structural Defects/ Failures, except that occasioned on force majeure, shall cover the period from the date of issuance of the Certificate of Final Acceptance by the Procuring Entity.

5. Liability of the Contractor

The Contractor's liability under this Contract shall be as provided by local laws.

6. Termination for Other Causes

Contract termination shall be initiated in case it is determined *prima facie* by the Procuring Entity that the Contractor has engaged, before, or during the implementation of the contract, in unlawful deeds and behaviors relative to contract acquisition and implementation, such as, but not limited to corrupt, fraudulent, collusive, coercive, and obstructive practices as stated in **ITB** Clause 4.

7. Program of Work

7.1. The Contractor shall submit to the Procuring Entity's Representative for approval the said Program of Work showing the general methods, arrangements, order, and timing for all the activities in the Works.

8. Instructions, Inspections and Audits

The Contractor shall permit the GOP or the Procuring Entity to inspect the Contractor's accounts and records relating to the performance of the Contractor and to have them audited by auditors of the GOP or the Procuring Entity, as may be required.

9. Advance Payment

The Procuring Entity shall, upon a written request of the Contractor which shall be submitted as a Contract document, make an advance payment to the Contractor in an amount not exceeding fifteen percent (15%) of the total contract price.

10. Progress Payments

The Contractor may submit a request for payment for Work accomplished. Such requests for payment shall be verified and certified by the Procuring Entity's Representative/Project Engineer.

11. Operating and Maintenance Manuals

11.1. If required, the Contractor will provide "as built" Drawings and/or operating and maintenance manuals.

Section V. Specifications

Notes on Specifications

A set of precise and clear specifications is a prerequisite for Bidders to respond realistically and competitively to the requirements of the Procuring Entity without qualifying or conditioning their Bids.

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

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

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

Scope of Works

This project shall consist of the following:

- Preliminary Works
- Complementary Works
- Demolition
- Masonry
- Plumbing
- Electrical
- Heating, Ventilation, and Air-conditioning (HVAC)
- Gypsum board suspended ceiling
- Carpentry
- Revestimientos y Solados
- Equipment
- Insulation
- Painting
- Landscape
- Sanitary, Kitchen and other appliances

The Bidder may request the complete technical details of the scope of works from the BAC via email: buenosaires.pe@dfa.gov.ph.

Section VI. Drawings

The Contractor's output shall comply with the specifications under the following plans and details (EF_20-04-06) comprised of the following drawings:

- Referencia
- Arquitectura
- Demolición
- Instalaciones
- Locales
- Detalles Constructivos (DC)
- Carpenterías
- Cerramientos
- Herrería
- Equipamento

The bidder may request to receive copies of the above drawings from the BAC via email: buenosaires.pe@dfa.gov.ph.

Section VII. Bill of Quantities

Notes on the Bill of Quantities

Objectives

The objectives of the Bill of Quantities are:

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

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

Provisional Sums

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

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

Signature Box

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

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

Section VIII. Checklist of Technical and Financial Documents

Notes on the Checklist of Technical and Financial Documents

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

Checklist of Technical and Financial Documents

I. TECHNICAL COMPONENT ENVELOPE

Legal Documents

- (a) Registration certificate from Securities and Exchange Commission (SEC), or equivalent document in host country; **and**
- (b) Business permit issued by the city or municipality where the principal place of business of the prospective bidder is located, or the equivalent in host country; **and**
- (c) Tax clearance, or equivalent document in host country.

Technical Documents

- (d) 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**
- (e) Statement of the bidder's Single Largest Completed Contract (SLCC) similar to the contract to be bid, except under conditions provided under the rules; **and**
- (f) Original copy of Bid Security. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission; **or**
Original copy of Notarized Bid Securing Declaration; **and**
- (g) Project Requirements, which shall include the following:
 - a. Organizational chart for the contract to be bid;
 - b. List of contractor's key personnel (e.g., Project Manager, Project Engineers, Materials Engineers, and Foremen), to be assigned to the contract to be bid, with their complete qualification and experience data;
 - c. List of contractor's major equipment units, which are owned, leased, and/or under purchase agreements, supported by proof of ownership or certification of availability of equipment from the equipment lessor/vendor for the duration of the project, as the case may be; **and**
- (h) Original duly signed Omnibus Sworn Statement (OSS), sample attached for reference;

Financial Documents

- (i) The prospective bidder's audited financial statements, showing, among others, the prospective bidder's total and current assets and liabilities which should not be earlier than two (2) years from the date of bid submission; **and**
- (j) The prospective bidder's computation of Net Financial Contracting Capacity (NFCC), sample attached, for reference.

II. FINANCIAL COMPONENT ENVELOPE

- (k) Original of duly signed and accomplished Financial Bid Form, sample attached, for reference; **and**

Other documentary requirements under RA No. 9184

- (l) Original of duly signed Bid Prices in the Bill of Quantities; **and**
- (m) Duly accomplished Detailed Estimates Form, including a summary sheet indicating the unit prices of construction materials, labor rates, and equipment rentals used in coming up with the Bid; **and**
- (n) Cash Flow by Quarter.

BID FORM

Date: _____

IB N°: BAPE-RENO-02-01-2020

To: Bids and Awards Committee
Philippine Embassy

BAC Office, Ground Floor,
Zapiola 1701
Buenos Aires, Argentina

We, the undersigned, declare that:

(a) We have examined and have no reservation to the Bidding Documents, including Addenda, for the Contract: **“RENOVATION OF THE NEWLY ACQUIRED PROPERTY OF THE PHILIPPINE EMBASSY (BAPE) LOCATED AT 11 DE SEPTIEMBRE 1888 NO° 1011 BUENOS AIRES CITY, ARGENTINA.**

(b) We offer to execute the Works for this Contract in accordance with the Bid and Bid Data Sheet, General and Special Conditions of Contract accompanying this Bid;

The total price of our Bid, excluding any discounts offered below is: *[insert information]*;

The discounts offered and the methodology for their application are: *[insert information]*;

(c) Our Bid shall be valid for a period of *[insert number]* days from the date fixed for the Bid submission deadline in accordance with the Bidding Documents, and it shall remain binding upon us and may be accepted at any time before the expiration of that period;

(d) Our firm, including any subcontractors or suppliers for any part of the Contract, have nationalities from the following eligible countries: *[insert information]*;

(e) 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;

(g) Our firm, its affiliates or subsidiaries, including any subcontractors or suppliers for any part of the Contract, has not been declared ineligible by the Funding Source;

- (h) 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 is prepared and executed; and
- (i) We understand that you are not bound to accept the Lowest Calculated Bid or any other Bid that you may receive.
- (j) **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 “RENOVATION OF THE NEWLY ACQUIRED PROPERTY OF THE PHILIPPINE EMBASSY (BAPE) LOCATED AT 11 DE SEPTIEMBRE 1888 NO° 1011 BUENOS AIRES CITY, ARGENTINA. of the PHILIPPINE EMBASSY IN BUENOS AIRES, ARGENTINA.**
- (k) **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: _____

In the capacity of: _____

Signed: _____

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

Date: _____

Bid-Securing Declaration

(Country) _____)
(City) _____) S.S.

x----- x

BID-SECURING DECLARATION
Invitation to Bid No.:*[Insert reference 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 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 Section 23.1 (b), 34.2, 40.1 and 69.1, except 69.1 (f), of the IRR of RA 9184; without prejudice to other legal action the government may undertake.
 3. I/We understand that this Bid-Securing Declaration shall cease to be valid on the following circumstances:
 - (a) Upon expiration of the bid validity period, or any extension thereof pursuant to your request;
 - (b) I am/we are declared ineligible or post-disqualified upon receipt of your notice to such effect, and (i) I/we failed to timely file a request for reconsideration or (ii) I/we filed a waiver to avail of said right;
 - (c) I am/we are declared as the bidder with the Lowest Calculated and Responsive Bid, and I/we have furnished the performance security and signed the Contract.
-

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

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

SUBSCRIBED AND SWORN to before me this __ day of *[month]* *[year]* at *[place of execution]*, _____. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity.

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

NAME OF NOTARY PUBLIC

Doc. No. ____
Page No. ____
Book No. ____
Series of ____.

Omnibus Sworn Statement

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 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 of *[Name of Bidder]*, I have full power and authority to do, execute and perform any and all acts necessary to represent it in the bidding for *[Name of the Project]* of the *[Name of the Procuring Entity]*;

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 and/or to represent the *[Name of Bidder]* in the bidding as shown in the attached *[state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate issued by the corporation or the members of the joint venture)]*;

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

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

If a sole proprietorship: I am 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 following responsibilities as a Bidder:

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

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

Bidder's Representative/Authorized Signatory

[JURAT]

COMPUTATION OF NET FINANCIAL CONTRACTING CAPACITY

The bidder must submit a computation of its Net Financial Contracting Capacity (NFCC), which must be at least equal to the ABC to be bid, calculated as follows:

NFCC = [(Current asset minus current liabilities) (15)] minus the value of all outstanding or uncompleted portions of the projects under ongoing contracts, including awarded contracts yet to be started coinciding with the contract to be bid.

The values of the domestic bidder's current assets and current liabilities shall be based on the latest Audited Financial Statements submitted to the BIR.

	Amount
Current Assets	
Minus: Current Liabilities	
Sub-Total	
Multiplied by 15	
Sub-Total	
Minus: Value of Outstanding Contracts	
NFCC	

Submitted By:

Name of the Supplier / Distributor / Manufacturer

Signature of Authorized Representative