PHILIPPINE BIDDING DOCUMENTS

(As Harmonized with Development Partners)

Procurement of GOODS

Government of the Republic of the Philippines

Procurement of CY2024 Wired Internet (DPITC Wired Connection) Connectivity
IB No. 23-11-28-EPA

Department of Science and Technology-Philippine Council for Agriculture, Aquatic, and Natural Resources Research and Development (DOST-PCAARRD)

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Glossary of Acronyms, Terms, and Abbreviations

ABC – Approved Budget for the Contract.

BAC – Bids and Awards Committee.

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

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

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

BIR – Bureau of Internal Revenue.

BSP – Bangko Sentral ng Pilipinas.

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

CDA - Cooperative Development Authority.

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

CIF – Cost Insurance and Freight.

CIP – Carriage and Insurance Paid.

CPI – Consumer Price Index.

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

DTI – Department of Trade and Industry.

EXW – Ex works.

FCA – "Free Carrier" shipping point.

FOB – "Free on Board" shipping point.

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

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

GFI – Government Financial Institution.

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

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

GOP – Government of the Philippines.

GPPB – Government Procurement Policy Board.

INCOTERMS – International Commercial Terms.

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

LGUs – Local Government Units.

NFCC – Net Financial Contracting Capacity.

NGA – National Government Agency.

PhilGEPS - Philippine Government Electronic Procurement System.

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

PSA – Philippine Statistics Authority.

SEC – Securities and Exchange Commission.

SLCC – Single Largest Completed Contract.

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

UN – United Nations.

OFFICE OF THE EXECUTIVE DIRECTOR
Administration, Resource Management and Support Services

October 27, 2023

Section I. Invitation to Bid

PROCUREMENT OF CY2024 WIRED INTERNET (DPITC WIRED CONNECTION) CONNECTIVITY

The Department of Science and Technology-Philippine Council for Agriculture, Aquatic, and Natural Resources Research and Development (DOST-PCAARRD), through the National Expenditure Program FY 2024 intends to apply the sum of ONE MILLION TWO HUNDRED TWELVE THOUSAND PESOS ONLY (PhP1,212,000.00) being the ABC to payments under the contract for Procurement of CY2024 Wired Internet (DPITC Wired Connection) Connectivity/IB No. 23-11-28-EPA. Bids received in excess of the ABC shall be automatically rejected at bid opening.

The DOST-PCAARRD now invites bids for the above Procurement Project. Delivery of the Goods is required by twelve (12) months subscription. Bidders should have completed, within twelve (12) months from the date of submission and receipt of bids, a contract similar to the Project. The description of an eligible bidder is contained in the Bidding Documents, particularly, in Section II (Instructions to Bidders).

Bidding will be conducted through open competitive bidding procedures using a non-discretionary "*pass/fail*" criterion as specified in the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184.

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

Prospective Bidders may obtain further information from DOST-PCAARRD and inspect the Bidding Documents at the address given below from 8:00 A.M. to 5:00 P.M.

A complete set of Bidding Documents may be acquired **free of charge** by interested Bidders from November 6, 2023, to November 28, 2023, from the given address and website(s) below.

Paseo de Valmayor, Brgy. Timugan, Los Baños, Laguna, Philippines 4030
Tel. No. (63) (49) 554-9670
Fax No. (63) (49) 536-0016; 536-7922
Manila Liaison Office: 2F Metrology Center, ITDI-DOST, Bicutan, Taguig City, Metro Manila 1631/ Tel. No. (63) (2) 837-1651
E-mail: pcaarrd@pcaarrd.dost.gov.ph / http://www.pcaarrd.dost.gov.ph

DOST-PCAARRD will hold a Pre-Bid Conference on November 13, 2023, at 2:30 P.M. at DOST-PCAARRD and/or through video conferencing or webcasting via Zoom, which shall be open to prospective bidders.

Bids must be duly received by the BAC Secretariat through (i) manual submission at the office address indicated below, (ii) online or electronic submission as indicated below, or (iii) both on or before November 28, 2023, 9:00 A.M. Late bids shall not be accepted.

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

Bid opening shall be on November 28, 2023, 9:00 A.M.at the given address below and/or via Zoom. Bids will be opened in the presence of the bidders' representatives who choose to attend the activity.

The DOST-PCAARRD 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.

For further information, please refer to:

Ms. Elyver B. Maligalig
Head, Secretariat, Bids and Awards Committee
Philippine Council for Agriculture, Aquatic and
Natural Resources Research and Development (PCAARRD)
Paseo de Valmayor, Timugan, Economic Garden
Los Baños, Laguna
Email address: bac@pcaarrd.dost.gov.ph
Telephone No. (63-49) 554-9670
Fax Nos. (63-49) 536-0016/536-7922
Website: http://www.pcaarrd.dost.gov.ph

You may visit the following websites for downloading Bidding Documents:
http://www.pcaarrd.dost.gov.ph/home/portal/index.php/bac/invitation-to-apply-for-eligibility-and-to-bid

MELVIN B. CARLOS, PhD, CESO IV
Deputy Executive Director III
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E-mail: pcaarrd@pcaarrd.dost.gov.ph / http://www.pcaarrd.dost.gov.ph

Section II. Instructions to Bidders

1. Scope of Bid

The Procuring Entity, DOST-PCAARRD wishes to receive Bids for the Procurement of CY2024 Wired Internet (DPITC Wired Connection) Connectivity with identification number **23-11-28-EPA**.

The Procurement Project is composed of a single lot, the details of which are described in Section VII (Technical Specifications).

2. Funding Information

2.1. The GOP through the source of funding as indicated below for FY 2024 in the amount of PhP1,212,000.00.

2.2. The source of funding is NGA, the National Expenditure Program. The award of contract for Procurement Project undertaken through EPA may be made only upon approval and effectivity of their respective funding sources: GAA; or the reenactment of the previous year's budget which constitutes the current year's authorized budget, when authorized by the Constitution, law or rules.

3. Bidding Requirements

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

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

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

4. Corrupt, Fraudulent, Collusive, and Coercive Practices

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

5. Eligible Bidders

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

5.2. Foreign ownership limited to those allowed under the rules may participate in this Project.

5.3. Pursuant to Section 23.4.1.3 of the 2016 revised IRR of RA No.9184, the Bidder shall have an SLCC that is at least one (1) contract similar to the Project the value of which, adjusted to current prices using the PSA's CPI, must be at least equivalent to:

a. For the procurement of Non-expendable Supplies and Services: The Bidder must have completed a single contract that is similar to this Project, equivalent to at least fifty percent (50%) of the ABC.

5.4. The Bidders shall comply with the eligibility criteria under Section 23.4.1 of the 2016 IRR of RA No. 9184.

6. Origin of Goods

There is no restriction on the origin of goods other than those prohibited by a decision of the UN Security Council taken under Chapter VII of the Charter of the UN, subject to Domestic Preference requirements under **ITB** Clause 18.

7. Subcontracts

7.1. The Bidder may subcontract portions of the Project to the extent allowed by the Procuring Entity as stated herein but in no case more than twenty percent (20%) of the Project.

The Procuring Entity has prescribed that Subcontracting is not allowed.

7.2. Subcontracting any portion of the Project does not relieve the Supplier of any liability or obligation under the Contract. The Supplier will be responsible for the acts, defaults, and negligence of any subcontractor, its agents, servants, or workmen as fully as if these were the Supplier's own acts, defaults, or negligence, or those of its agents, servants, or workmen.

8. Pre-Bid Conference

The Procuring Entity will hold a pre-bid conference for this Project on the specified date and time and either at its physical address and/or through videoconferencing/webcasting as indicated in paragraph 6 of the **IB.**

9. Clarification and Amendment of Bidding Documents

Prospective bidders may request for clarification on and/or interpretation of any part of the Bidding Documents. Such requests must be in writing and received by the Procuring Entity, either at its given address or through electronic mail indicated in the

IB, at least ten (10) calendar days before the deadline set for the submission and receipt of Bids.

10. Documents Comprising the Bid: Eligibility and Technical Components

10.1. The first envelope shall contain the eligibility and technical documents of the Bid as specified in **Section VIII (Checklist of Technical and Financial Documents)**.

10.2. The Bidder's SLCC as indicated in **ITB** Clause 5.3 should have been completed within twelve (12) months prior to the deadline for the submission and receipt of bids.

10.3. If the eligibility requirements or statements, the bids, and all other documents for submission to the BAC are in a foreign language other than English, it must be accompanied by a translation in English, which shall be authenticated by the appropriate Philippine foreign service establishment, post, or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines. Similar to the required authentication above, for Contracting Parties to the Apostille Convention, only the translated documents shall be authenticated through an apostille pursuant to GPPB Resolution No. 13-2019 dated 23 May 2019. The English translation shall govern, for purposes of interpretation of the bid.

11. Documents Comprising the Bid: Financial Component

11.1. The second bid envelope shall contain the financial documents for the Bid as specified in **Section VIII (Checklist of Technical and Financial Documents)**.

11.2. If the Bidder claims preference as a Domestic Bidder or Domestic Entity, a certification issued by DTI shall be provided by the Bidder in accordance with Section 43.1.3 of the 2016 revised IRR of RA No. 9184.

11.3. Any bid exceeding the ABC indicated in paragraph 1 of the **IB** shall not be accepted.

11.4. For Foreign-funded Procurement, a ceiling may be applied to bid prices provided the conditions are met under Section 31.2 of the 2016 revised IRR of RA No. 9184.

12. Bid Prices

12.1. Prices indicated on the Price Schedule shall be entered separately in the following manner:

a. For Goods offered from within the Procuring Entity's country:

i. The price of the Goods quoted EXW (ex-works, ex-factory, ex-warehouse, ex-showroom, or off-the-shelf, as applicable);

ii. The cost of all customs duties and sales and other taxes already paid or payable;

iii. The cost of transportation, insurance, and other costs incidental to the delivery of the Goods to their final destination; and

iv. The price of other (incidental) services, if any, listed in e.

b. For Goods offered from abroad:

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

ii. The price of other (incidental) services, if any, as listed in **Section VII (Technical Specifications).**

13. Bid and Payment Currencies

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

13.2. Payment of the contract price shall be made in Philippine Pesos.

14. Bid Security

14.1. The Bidder shall submit a Bid Securing Declaration 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 March 27, 2024. Any Bid not accompanied by an acceptable bid security shall be rejected by the Procuring Entity as non-responsive.

15. Sealing and Marking of Bids

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

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

If the Procuring Entity allows the submission of bids through online submission or any other electronic means, the Bidder shall submit an electronic copy of its Bid, which must be digitally signed. An electronic copy that cannot be opened or is corrupted shall be considered non-responsive and, thus, automatically disqualified.

16. Deadline for Submission of Bids

16.1. The Bidders shall submit on the specified date and time and either at their physical address or through online submission as indicated in paragraph 7 of the **IB.**

17. Opening and Preliminary Examination of Bids

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

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

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

18. Domestic Preference

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

19. Detailed Evaluation and Comparison of Bids

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

19.2. If the Project allows partial bids, bidders may submit a proposal on any of the lots or items, and evaluation will be undertaken on a per lot or item basis, as the case may be. In this case, the Bid Security as required by **ITB** Clause 15 shall be submitted for each lot or item separately.

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

19.4. The Project shall be awarded as One Project having several items that shall be awarded as one contract.

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

20. Post-Qualification

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

21. Signing of the Contract

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

Section III. Bid Data Sheet

ITB Clause	
5.3	For this purpose, contracts similar to the Project shall be: a. Supply of a Wired Internet Connectivity b. completed within twelve (12) months before the deadline for submitting and receiving bids.
7.1	Not applicable.
12	The price of the Goods shall be quoted DDP PCAARRD, Los Baños, Laguna or the applicable International Commercial Terms (INCOTERMS) for this Project.
14.1	The bid security shall be in the form of a Bid Securing Declaration, or any of the following forms and amounts: a. The amount of not less than PhP24,240.00, if bid security is in cash, cashier's/manager's check, bank draft/guarantee, or irrevocable letter of credit; or b. The amount of not less than PhP60,600.00 if bid security is in Surety Bond.
15	For manual and electronic submission of bids, please see Section VIII. Checklist and Guidelines on Submission of Technical and Financial Documents.
19.3	Single lot - Procurement of CY2024 Wired Internet (DPITC Wired Connection) Connectivity ABC: PhP1,212,000.00
20.1	If not included in the bidder's proposal for the scheduled bid opening: ● Latest Income and Business Tax Returns filed and paid through the BIR Electronic Filing and Payment System (eFPS). **Note:** ● **Bidder who submitted its bids manually must send electronic copies of its proposals to bac@pcaarrd.dost.gov.ph** The scanned copies of the Bid Securing Declaration or other forms of bid security excluding cash, and the Omnibus Sworn Statement submitted in the first bid envelope are considered compliant with the requirements for bid submission under the rules, subject to submission of the original copies thereof during the post-qualification stage.
21.1	No additional contract documents are required by the Procuring Entity.

Section IV. General Conditions of Contract

1. Scope of Contract

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

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

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

2. Advance Payment and Terms of Payment

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

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

3. Performance Security

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

4. Inspection and Tests

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

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

5. Warranty

5.1. In order to assure that manufacturing defects shall be corrected by the Supplier, a warranty shall be required from the Supplier as provided under Section 62.1 of the 2016 revised IRR of RA No. 9184.

5.2. The Procuring Entity shall promptly notify the Supplier in writing of any claims arising under this warranty. Upon receipt of such notice, the Supplier shall, repair or replace the defective Goods or parts thereof without cost to the Procuring Entity, pursuant to the Generic Procurement Manual.

6. Liability of the Supplier

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

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

Section V. Special Conditions of Contract

GCC Clause	
1	**Delivery and Documents –** For purposes of the Contract, "EXW," "FOB," "FCA," "CIF," "CIP," "DDP" and other trade terms used to describe the obligations of the parties shall have the meanings assigned to them by the current edition of INCOTERMS published by the International Chamber of Commerce, Paris. The Delivery terms of this Contract shall be as follows: The delivery terms applicable to this Contract are delivered to DOST-PCAARRD, Paseo De Valmayor, Brgy. Timugan, Los Baños Laguna. Risk and title will pass from the Supplier to the Procuring Entity upon receipt and final acceptance of the Goods at their final destination. Delivery of the Goods shall be made by the Supplier in accordance with the terms specified in Section VI (Schedule of Requirements). For purposes of this Clause, the Procuring Entity's Representative at the Project Site is Mr. Richard O. Dalisay. **Incidental Services – Not Applicable.** **Spare Parts – Not Applicable**
	Intellectual Property Rights – The Supplier shall indemnify the Procuring Entity against all third-party claims of infringement of patent, trademark, or industrial design rights arising from use of the Goods or any part thereof.
2.2	Not Applicable.
4	Inspection will be conducted for the delivered items to ensure that the same are in accordance with specifications.

Section VI. Schedule of Requirements

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

Description	Qty	Delivered, Weeks/Months
Wired Internet (DPITC Wired Connection) Connectivity Wired - Fiber optic cable At least **400 Mbps** Domestic Leased Line (Fiber optic medium with no wireless links between nodes) Router with fiber port, SFP modules, Fiber patch panel, and patch cords RJ45 handover 14 Public IP Addresses (/28) Termination point: PCAARRD-DPITC building	1 lot	January - December 2024 subscription (shall commence after signing/conforming with the Notice to Proceed; Monthly payment)

I hereby certify to comply and deliver all the above requirements.

Name of Company :_____
Signature of Authorized Representative :_____
Name of Authorized Representative :_____
Designation :_____
Date :_____

Section VII. Technical Specifications

Specification	Statement of Compliance
[Bidders must state here either "Comply" or "Not Comply" against each of the individual parameters of each Specification stating the corresponding performance parameter of the equipment offered. Statements of "Comply" or "Not Comply" must be supported by evidence in a Bidders Bid and cross-referenced to that evidence. Evidence shall be in the form of manufacturer's un-amended sales literature, unconditional statements of specification and compliance issued by the manufacturer, samples, independent test data etc., as appropriate. A statement that is not supported by evidence or is subsequently found to be contradicted by the evidence presented will render the Bid under evaluation liable for rejection. A statement either in the Bidder's statement of compliance or the supporting evidence that is found to be false either during Bid evaluation, post-qualification or the execution of the Contract may be regarded as fraudulent and render the Bidder or supplier liable for prosecution subject to the applicable laws and issuances.]	
Wired Internet (DPITC Wired Connection) Connectivity Wired - Fiber optic cable At least **400 Mbps** Domestic Leased Line (Fiber optic medium with no wireless links between nodes) Router with fiber port, SFP modules, Fiber patch panel, and patch cords RJ45 handover 14 Public IP Addresses (/28) Termination point: PCAARRD-DPITC building	

I hereby certify to comply with all the above requirements.

Name of Company : _____
Signature of Authorized Representative : _____
Name of Authorized Representative : _____
Designation : _____
Date : _____

Section VIII. Checklist and Guidelines of Submission 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
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
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.

II. FINANCIAL COMPONENT ENVELOPE

⬜ (a) Original of duly signed and accomplished Financial Bid Form; **and**

⬜ (b) Original of duly signed and accomplished Price Schedule(s).

Based on GPPB Resolution No. 16-2020, Section 3:

- The scanned copies of the Bid Securing Declaration or other forms of bid security excluding cash, and the Omnibus Sworn Statement submitted in the first bid envelope are considered compliant with the requirements for bid submission under the rules, subject to submission of the original copies thereof during the post-qualification stage.
- The scanned copies of the Bid Form, Price Schedules, or other forms in the second bid envelope are considered compliant with the requirements for bid submission under the rules

Forms/Templates can be downloaded here: https://gppb.gov.ph/downloadables.php

Name of Procuring Entity: PCAARRD

LIST OF ALL 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

Business Name:_____

Business Address:

Name of Contract	Address and Tel. No. of Contractor	Kind of Goods	Value of Outstanding contract (P)	Date of Delivery
Government				
Private				

Submitted by: (Name and Signature)

Designation and Date:_____

Name of Procuring Entity: PCAARRD

STATEMENT IDENTIFYING THE BIDDERS SINGLE LARGEST COMPLETED CONTRACT SIMILAR TO THE CONTRACT TO BE BID COVERING WITHIN TWELVE (12) MONTHS IMMEDIATELY PRIOR TO THE DATE OF SUBMISSION AND RECEIPT OF BIDS

Name of Contract	Address and Tel. No. of contractor	Amount of contract	Kind of Goods	Date completed

Please attach either end user's acceptance or official receipt(s) or sales invoice issued for the contract.

Submitted by: (Name and Signature)
Designation and Date:_____

Price Schedule for Goods Offered from Within the Philippines

[shall be submitted with the Bid if the bidder is offering goods from within the Philippines]

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 EXW per item	Transportation 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)
1	Wired Internet (DPITC Wired Connection) Connectivity Wired - Fiber optic cable		1 lot						

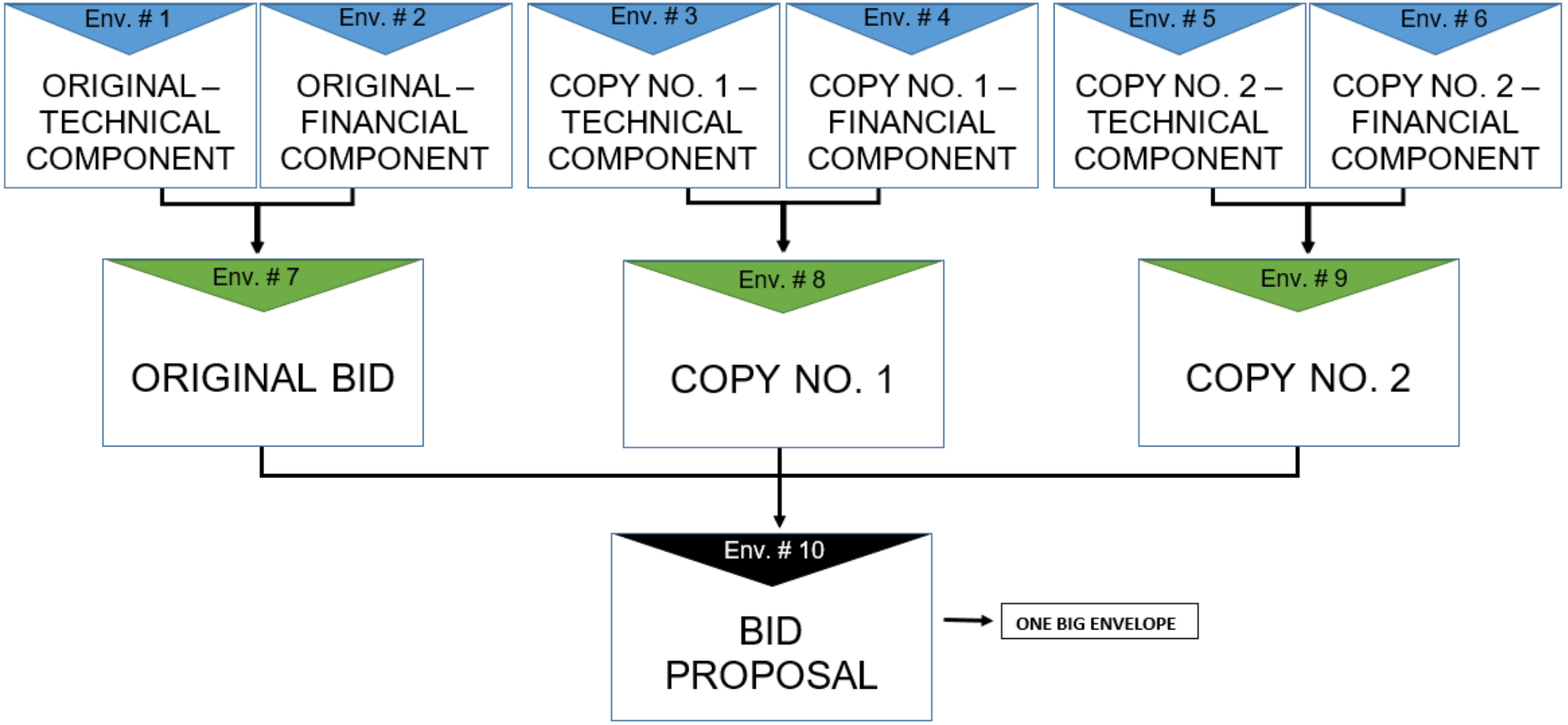
Name: _____

Legal Capacity: _____

Signature: _____

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

SEALING AND MARKING OF BIDS (MANUAL SUBMISSION)



ORIGINAL BID / COPY NO. 1 / COPY NO. 2
NAME OF THE CONTRACT TO BE BID IN CAPITAL LETTERS
NAME AND ADDRESS OF THE BIDDER IN CAPITAL LETTERS
PHILIPPINE COUNCIL FOR AGRICULTURE, AQUATIC, AND NATURAL RESOURCES RESEARCH AND DEVELOPMENT (PCAARRD) - BIDS AND AWARDS COMMITTEE (BAC)
IDENTIFICATION NUMBER OF THE CONTRACT
DO NOT OPEN BEFORE (DATE AND TIME FOR THE OPENING OF BIDS)

ISO 9001:2015

DOST-PCAARRD Guidelines for the Electronic Submission and Receipt of Bids*

Preparation of bid proposals

a. All documents must be in PDF format and properly labelled.
b. The eligibility and technical components of bid will be saved in one folder with file name, "Technical Components."
c. Financial components of bid will be saved in another folder with file name, "Financial Components."

Use of a two-factor security procedure

a. Both folders must be compressed using 7-zip.
b. For consistency, bidders to choose ".zip" as the archive format and "AES-256" as the encryption method.
c. Bidder should set up a password for the compressed file.
d. The password for accessing the file will be disclosed by the bidder only during the actual bid opening, which may be done in person or face-to-face through videoconferencing, webcasting, or similar technology.
e. In case of failure to attend the actual bid opening, bidders may send the password in a separate email via schedule (delayed) send with the subject title, "Password (Bid Submission of <Name of Bidder>) - <Name of Project>" and indicate the password in the email body.
f. As a best practice, whether or not the bidder can attend the bid opening, bidders can send the password in a separate email via schedule (delayed) send with the same subject title. See FAQs.

Submission and receipt of bids

a. Bidders must send their bid proposals to bac@pcaarrd.dost.gov.ph at any time before the closing date and time indicated in the bidding documents. (Sending bid proposals using Gmail is preferred, but not required.)
b. For consistency, subject title of the email will be "Bid Submission of <Name of Bidder> - <Name of Project>."
c. Bidder will receive a bid receipt page for the official time of submission. This includes the link for the online meeting.
d. Late bids shall not be accepted.
e. Bidder can upload their proposals in Google Drive with the folder name "Bid Submission of <Name of Bidder> - <Name of Project>" if attachment size exceeds 25 MB:
    1. Bidder must follow procedure in *Preparation of bid proposals* and *Use of a two-factor security feature*.
    2. Bidder must create a folder in Google Drive.
    3. Bidder must upload the compressed and password-protected files in the folder.
    4. Bidder must send through email the link of the folder by following procedure a and b of *Submission and receipt of bids*.

Modification of bids

a. Should there be a need to modify submissions, the bidder shall send another bid to be labelled as "Modified." For consistency, subject title of the email will be: "Modified Bid Submission of <Name of Bidder> - <Name of Project>"
b. The bidder must follow the procedures mentioned above.
c. The time indicated upon receipt of the email with the modified bid proposal will be the official time of submission.

FAQs

Q: How do I compress/encrypt/password protect files using 7-zip?
A: https://youtu.be/5KwdedYjecU

Q: How do I schedule sending emails?
A: For Gmail - https://youtu.be/Zlz9uqWxuIk
For Outlook - https://youtu.be/q8URRvXy7Jk

Q: How do I share files from a cloud storage for files exceeding 25 MB?
A: https://youtu.be/JZTaK6T08TE

Note: These procedures shall be followed until the online bidding facility under the modernized Philippine Government Electronic Procurement System (mPhilGEPS) becomes fully operational.

For more information, please contact **The BAC Secretariat** of the Department of Science and Technology (DOST) - Philippine Council for Agriculture, Aquatic and Natural Resources Research and Development (PCAARRD), Los Baños, Laguna at bac@pcaarrd.dost.gov.ph or (63) (49) 554 9670 local 206.

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