



Republic of the Philippines
Province of Pampanga
MUNICIPALITY OF GUAGUA

PHILIPPINE BIDDING DOCUMENTS

Procurement of INFRASTRUCTURE PROJECTS

Government of the Republic of the Philippines

Project Reference Number: LGU GUA 59-22

**Project Name: Improvement of San Miguel
Elementary School**

**Sixth Edition
July 2020**

TABLE OF CONTENTS

Glossary of Terms, Abbreviations, and Acronyms.....	4
Section I. Invitation to Bid.....	6
Section II. Instructions to Bidders	7
1. Scope of Bid.....	8
2. Funding Information	8
3. Bidding Requirements.....	8
4. Corrupt, Fraudulent, Collusive, Coercive, and Obstructive Practices	8
5. Eligible Bidders.....	8
6. Origin of Associated Goods	9
7. Subcontracts	9
8. Pre-Bid Conference.....	9
9. Clarification and Amendment of Bidding Documents.....	9
10. Documents Comprising the Bid: Eligibility and Technical Components	9
11. Documents Comprising the Bid: Financial Component	10
12. Alternative Bids	10
13. Bid Prices	10
14. Bid and Payment Currencies.....	10
15. Bid Security.....	10
16. Sealing and Marking of Bids.....	11
17. Deadline for Submission of Bids	11
18. Opening and Preliminary Examination of Bids	11
19. Detailed Evaluation and Comparison of Bids	11
20. Post Qualification.....	11
21. Signing of the Contract	11
Section III. Bid Data Sheet	12
Section IV. General Conditions of Contract	15
1. Scope of Contract.....	16
2. Sectional Completion of Works	16
3. Possession of Site.....	16
4. The Contractor’s Obligations.....	16
5. Performance Security	16
6. Site Investigation Reports	17
7. Warranty.....	17
8. Liability of the Contractor.....	17
9. Termination for Other Causes.....	17

10.	Dayworks	17
11.	Program of Work.....	17
12.	Instructions, Inspections and Audits	18
13.	Advance Payment.....	18
14.	Progress Payments	18
15.	Operating and Maintenance Manuals.....	18
Section V. Special Conditions of Contract.....		19
Section VI. Specifications.....		21
Section VII. Drawings		21
Section VIII. Bill of Quantities.....		22
Section IX. Checklist of Technical and Financial Documents		23
Section X. Other Bidding Forms		25

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



Republic of the Philippines
Province of Pampanga
MUNICIPALITY OF GUAGUA

Bids and Awards Committee

Invitation to Bid

Name of Project	Funding Source	ABC
Improvement of San Miguel Elementary School LGU GUA 59-22	SEF/Local School Board Fund CY 2022	PhP 500,000.00

November 28, 2022

The Municipality of Guagua, Province of Pampanga through the **SEF/Local School Board Fund CY 2022** intends to apply the sum of **Five Hundred Thousand Pesos (PhP 500,000.00)** being the Approved Budget for the Contract (ABC) for payment under the contract for: **LGU GUA 59-22 Improvement of San Miguel Elementary School**. Bids received in excess of the ABC shall be automatically rejected at bid opening.

1. The *Municipality of Guagua* now invites bids for the **above-mentioned project**. Completion of the Works is required within **30 calendar days**. Bidders should have completed, within five (5) years from the date of submission and receipt of bids, a contract similar to the Project.
2. Bidding will be conducted through open competitive bidding procedures using non-discretionary pass/fail criterion as specified in the Implementing Rules and Regulations (IRR) of Republic Act 9184 (RA 9184), otherwise known as the "Government Procurement Reform Act".
3. Bidding is restricted to Filipino citizens/sole proprietorships, partnerships, or organizations with at least seventy five percent (75%) interest or outstanding capital stock belonging to citizens of the Philippines.
4. Interested bidders may obtain further information from the *Municipality of Guagua* and inspect the Bidding Documents at the address given below from 8:00 am to 5:00 pm.
5. A complete set of Bidding Documents may be purchased by interested Bidders from the Office of the BAC Secretariat, 3rd Floor, Municipal Building, Guagua, Pampanga upon submission of letter of authorization with valid company I.D. of the authorized representative and upon payment of a non-refundable fee of **Php500.00**.
6. The Municipality of Guagua will hold a **Pre-Bid Conference** on **December 07, 2022 (Wednesday) 2:00 pm** at Municipal Auditorium, 4th Floor, Municipal Building, Municipality of Guagua, Pampanga, which shall be open to all prospective bidders.
7. Bids must be delivered to the address below on or before **December 20, 2022 (Tuesday), 2:00 pm** at Municipal Auditorium, 4th Floor, *Municipal Building, Municipality of Guagua*. All bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in ITB Clause 15.
8. Bids will be opened in the presence of the bidders, bidder's representatives who choose to attend at the address stated. Late bids shall not be accepted.
9. The Municipality of Guagua 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.
10. For further information, please refer to:

ENGR. RAUL G. NAGUIT, Municipal Engineer
BAC Chairperson, Bids and Awards Committee
Tel. No. (045) 6494918

(Sgd.)
RAUL G. NAGUIT
BAC Chairperson

Noted:

(Sgd.)
ANTHONY JOSEPH S. TORRES
Municipal Mayor

Section II. Instructions to Bidders

1. Scope of Bid

The Procuring Entity, ***Municipality of Guagua*** invites Bids for the project: ***Improvement of San Miguel Elementary School*** with Project Identification Number ***LGU GUA 59-22***.

Note: The Project Identification Number is assigned by the Procuring Entity based on its own coding scheme and is not the same as the PhilGEPS reference number, which is generated after the posting of the bid opportunity on the PhilGEPS website.

The Procurement Project: ***Improvement of San Miguel Elementary School*** referred to herein as “Project” is for the construction of Works, as described in Section VI (Specifications).

2. Funding Information

2.1. The *Municipality of Guagua* through the source of funding as indicated below for ***SEF/Local School Board Fund CY 2022*** in the amount of ***Five Hundred Thousand Pesos (Php 500,000.00)***.

2.2. The source of funding is:

a. LGUs, the Annual or Supplemental Budget, as approved by the Sanggunian.

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.

5.2. The Bidder must have an experience of having completed a Single Largest Completed Contract (SLCC) that is similar to this Project, equivalent to at least

fifty percent (50%) of the ABC adjusted, if necessary, by the Bidder to current prices using the PSA's CPI, except under conditions provided for in Section 23.4.2.4 of the 2016 revised IRR of RA No. 9184.

A contract is considered to be "similar" to the contract to be bid if it has the major categories of work stated in the **BDS**.

- 5.3. For Foreign-funded Procurement, the Procuring Entity and the foreign government/foreign or international financing institution may agree on another track record requirement, as specified in the Bidding Document prepared for this purpose.
- 5.4. The Bidders shall comply with the eligibility criteria under Section 23.4.2 of the 2016 IRR of RA No. 9184.

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. **Subcontracts**

- 7.1. The Procuring Entity has prescribed that:

a. Subcontracting is not allowed.

8. **Pre-Bid Conference**

The Procuring Entity will hold a pre-bid conference for this Project on the specified date and time at its physical address as indicated in **paragraph 6 of the Invitation to Bid (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, at its given address indicated in the **Invitation to Bid (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 IX. Checklist of Technical and Financial Documents**.
- 10.2. 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, 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. 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.
- 10.3. A valid PCAB License is required, and in case of joint ventures, a valid special PCAB License, and registration for the type and cost of the contract for this Project. Any additional type of Contractor license or permit shall be indicated in the **BDS**.
- 10.4. 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. These key personnel must meet the required minimum years of experience set in the **BDS**.

- 10.5. 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**.

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 IX. Checklist of Technical and Financial Documents**.
- 11.2. Any bid exceeding the ABC indicated in the **Invitation to Bid (IB)** shall not be accepted.
- 11.3. 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. Alternative Bids

Bidders shall submit offers that comply with the requirements of the Bidding Documents, including the basic technical design as indicated in the drawings and specifications. Unless there is a value engineering clause in the **BDS**, alternative Bids shall not be accepted.

13. 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 as determined by the NEDA and approved by the GPPB pursuant to the revised Guidelines for Contract Price Escalation guidelines.

14. Bid and Payment Currencies

- 14.1. 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.
- 14.2. Payment of the contract price shall be made in:

a. Philippine Pesos

15. Bid Security

- 15.1. 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**.
- 15.2. The Bid and bid security shall be valid until *120 calendar days*. Any bid not accompanied by an acceptable bid security shall be rejected by the Procuring Entity as non-responsive.

16. Sealing and Marking of Bids

Each Bidder shall submit *One Original Copy and One Duplicate Copy (Copy 1)* 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 to the given website 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.

17. 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 Invitation to Bid (IB)**.

18. Opening and Preliminary Examination of Bids

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

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

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

19. Detailed Evaluation and Comparison of Bids

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

19.2. If the Project allows partial bids, all Bids and combinations of Bids as indicated in the **BDS** shall be received by the same deadline and opened and evaluated simultaneously so as to determine the Bid or combination of Bids offering the lowest calculated cost to the Procuring Entity. Bid Security as required by **ITB** Clause 15 shall be submitted for each contract (lot) separately.

19.3. 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 for all the lots participated in by the prospective Bidder.

20. 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 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

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

Section III. Bid Data Sheet

Bid Data Sheet

ITB Clause													
5.2	<p>For this purpose, contracts similar to the Project refer to contracts which have the same major categories of work, which shall be:</p> <p><i>Item/Description of work:</i></p> <table><tr><td><i>Upgrading Kinder Room and School Ground</i></td></tr><tr><td><i>Installation of Grills on 5 Classroom Windows</i></td></tr><tr><td><i>Construction of Grotto near the gate</i></td></tr></table>	<i>Upgrading Kinder Room and School Ground</i>	<i>Installation of Grills on 5 Classroom Windows</i>	<i>Construction of Grotto near the gate</i>									
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<i>Construction of Grotto near the gate</i>													
7.1	Subcontracting is not allowed.												
10.3	A valid PCAB License is required, and in case of joint ventures, a valid special PCAB License, and registration for the type and cost of the contract for this Project.												
10.4	<p>The key personnel must meet the required experience set below:</p> <table><tr><th><u>Key Personnel</u></th><th><u>General Experience</u></th><th><u>Relevant Experience</u></th></tr><tr><td>Construction Foreman</td><td>Engineering or Construction Services/ Works</td><td>Engineering or Construction Services/ Works</td></tr><tr><td>Skilled</td><td>Engineering or Construction Services/ Works</td><td>Construction Services/ Works</td></tr><tr><td>Laborer</td><td>Construction Works</td><td>Construction Works</td></tr></table>	<u>Key Personnel</u>	<u>General Experience</u>	<u>Relevant Experience</u>	Construction Foreman	Engineering or Construction Services/ Works	Engineering or Construction Services/ Works	Skilled	Engineering or Construction Services/ Works	Construction Services/ Works	Laborer	Construction Works	Construction Works
<u>Key Personnel</u>	<u>General Experience</u>	<u>Relevant Experience</u>											
Construction Foreman	Engineering or Construction Services/ Works	Engineering or Construction Services/ Works											
Skilled	Engineering or Construction Services/ Works	Construction Services/ Works											
Laborer	Construction Works	Construction Works											
10.5	<p>The minimum major equipment requirements are the following:</p> <table><tr><th><u>Equipment</u></th><th><u>Capacity</u></th><th><u>Number of Units</u></th></tr><tr><td>Minor Tools</td><td></td><td>1 lot</td></tr></table>	<u>Equipment</u>	<u>Capacity</u>	<u>Number of Units</u>	Minor Tools		1 lot						
<u>Equipment</u>	<u>Capacity</u>	<u>Number of Units</u>											
Minor Tools		1 lot											
12	Alternative Bids shall not be accepted.												
15.1	<p>The bid security shall be in the form of a Bid Securing Declaration or any of the following forms and amounts:</p> <p>a. The amount of not less than <i>two percent (2%) of the ABC</i>, if bid security is in cash, cashier’s/manager’s check, bank draft/guarantee or irrevocable letter of credit;</p> <p>b. The amount of not less than <i>five percent (5%) of the ABC</i>, if bid security is in Surety Bond.</p>												
19.2	Partial Bid is not allowed.												
20	<p><i>Licenses and Permits relevant to the Project:</i></p> <ul style="list-style-type: none"><i>Valid DTI (for Sole Proprietorship)/ SEC (for Corporation)/ CDA (for Cooperative) Registration Certificate</i><i>Valid and current Mayor’s permit/ municipal license from principal place of business</i>												

	<ul style="list-style-type: none"> ○ <i>Valid Tax Clearance</i> ○ <i>Valid PhilGEPS Registration Certificate (Platinum Membership)</i> ○ <i>Valid Philippine Contractors Accreditation Board (PCAB) License or Special PCAB License in case of Joint Ventures</i> ○ <i>BIR Registration Certification, which contains the Taxpayer's Identification Number</i>
21	<p><i>Additional contract documents relevant to the Project:</i></p> <ul style="list-style-type: none"> ○ <i>Production/ Delivery schedule</i> ○ <i>Manpower schedule/ requirements</i> ○ <i>Construction methods/schedule and/or S-Curve</i> ○ <i>Equipment utilization schedule</i> ○ <i>Construction Safety and Health Program approved by the Department of Labor and Employment (DOLE)</i>

Section IV. General Conditions of Contract

1. Scope of Contract

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

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

2. Sectional Completion of Works

If sectional completion is specified in the **Special Conditions of Contract (SCC)**, references in the Conditions of Contract to the Works, the Completion Date, and the Intended Completion Date shall apply to any Section of the Works (other than references to the Completion Date and Intended Completion Date for the whole of the Works).

3. Possession of Site

3.1 The Procuring Entity shall give possession of all or parts of the Site to the Contractor based on the schedule of delivery indicated in the **SCC**, 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.

3.2 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 provided under Annex "E" of the 2016 revised IRR of RA No. 9184.

4. 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.

The Procuring Entity will approve any proposed replacement of key personnel only if their relevant qualifications and abilities are equal to or better than those of the personnel listed in the Schedule.

5. Performance Security

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

5.2. The Contractor, by entering into the Contract with the Procuring Entity, acknowledges the right of the Procuring Entity to institute action pursuant to RA No. 3688 against any subcontractor be they an individual, firm, partnership, corporation, or association supplying the Contractor with labor, materials and/or equipment for the performance of this Contract.

6. Site Investigation Reports

The Contractor, in preparing the Bid, shall rely on any Site Investigation Reports referred to in the SCC supplemented by any information obtained by the Contractor.

7. Warranty

7.1. In case the Contractor fails to undertake the repair works under Section 62.2.2 of the 2016 revised IRR, the Procuring Entity shall forfeit its performance security, subject its property(ies) to attachment or garnishment proceedings, and perpetually disqualify it from participating in any public bidding. All payables of the GOP in his favor shall be offset to recover the costs.

7.2. 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. Specific duration of the warranty is found in the SCC.

8. Liability of the Contractor

Subject to additional provisions, if any, set forth in the SCC, the Contractor's liability under this Contract shall be as provided by the laws of the Republic of the Philippines.

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

9. 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.

10. Dayworks

Subject to the guidelines on Variation Order in Annex "E" of the 2016 revised IRR of RA No. 9184, and if applicable as indicated in the SCC, the Dayworks rates in the Contractor's Bid shall be used for small additional amounts of work only when the Procuring Entity's Representative has given written instructions in advance for additional work to be paid for in that way.

11. Program of Work

11.1. 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. The submissions of the Program of Work are indicated in the SCC.

11.2. The Contractor shall submit to the Procuring Entity's Representative for approval an updated Program of Work at intervals no longer than the period stated in the SCC. If the Contractor does not submit an updated Program of Work within this period, the Procuring Entity's Representative may withhold the amount stated in the SCC from the next payment certificate and continue to withhold this amount until the next payment after the date on which the overdue Program of Work has been submitted.

12. 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.

13. 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, to be made in lump sum, or at the most two installments according to a schedule specified in the **SCC**, subject to the requirements in Annex "E" of the 2016 revised IRR of RA No. 9184.

14. 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. Except as otherwise stipulated in the **SCC**, materials and equipment delivered on the site but not completely put in place shall not be included for payment.

15. Operating and Maintenance Manuals

- 15.1. If required, the Contractor will provide "as built" Drawings and/or operating and maintenance manuals as specified in the **SCC**.
- 15.2. If the Contractor does not provide the Drawings and/or manuals by the dates stated above, or they do not receive the Procuring Entity's Representative's approval, the Procuring Entity's Representative may withhold the amount stated in the **SCC** from payments due to the Contractor.

Section V. Special Conditions of Contract

Special Conditions of Contract

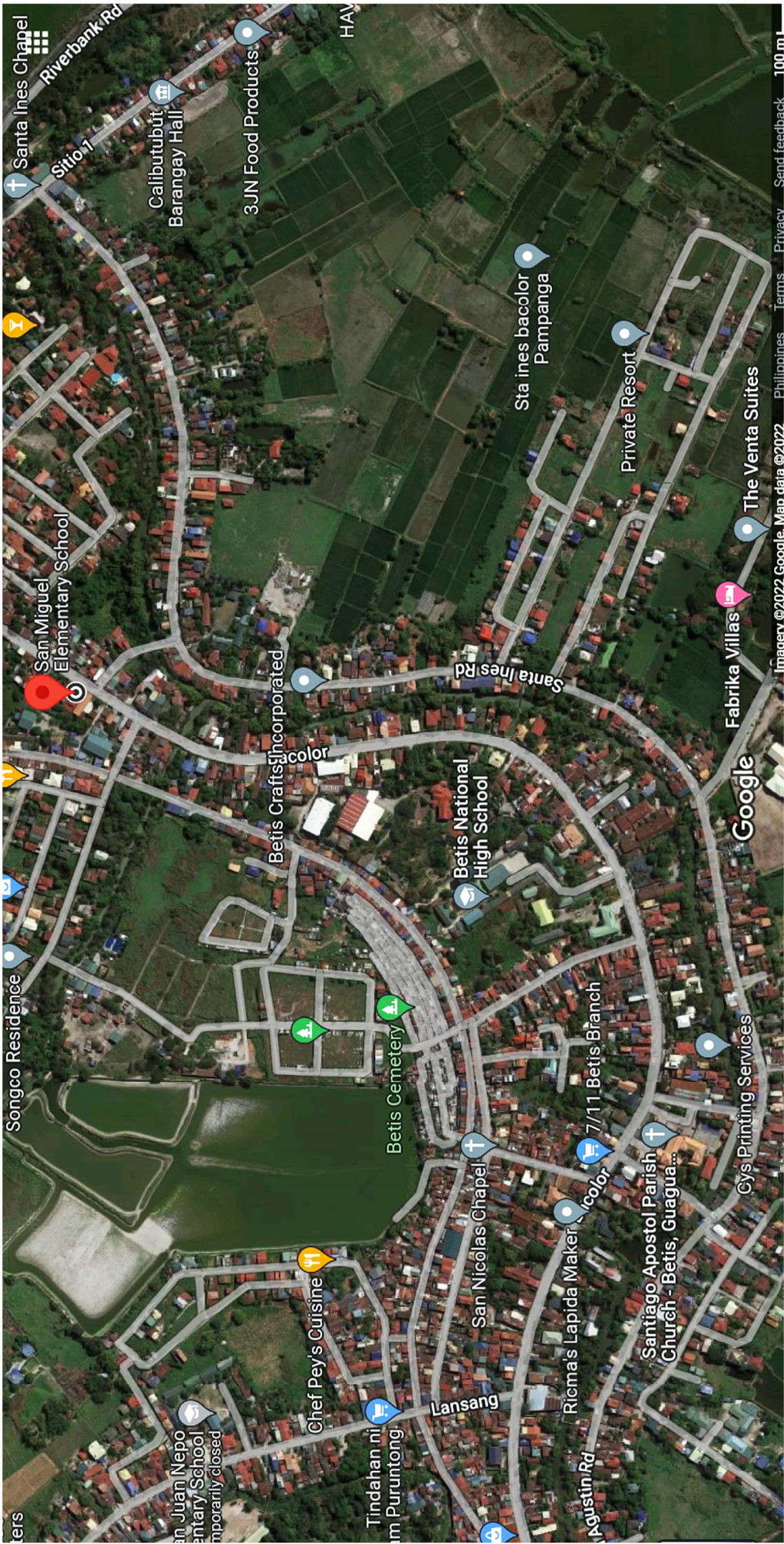
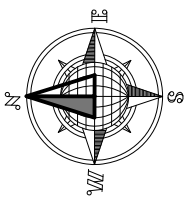
GCC Clause	
2	The Intended Completion date is <i>within 30 calendar days</i> upon receipt of the Notice to Proceed.
4.1	<i>The Procuring Entity shall give possession of all parts of the Site to the Contractor upon issuance of the Notice to Proceed.</i>
6	The site investigation reports are:
7.2	<p>See checked paragraph:</p> <p><input type="checkbox"/> For permanent structures, such as buildings of types 4 and 5 as classified under the National Building Code of the Philippines and other structures made of steel, iron, or concrete which comply with relevant structural codes (e.g., DPWH Standard Specifications), such as, but not limited to, steel/concrete bridges, flyovers, aircraft movement areas, ports, dams, tunnels, filtration and treatment plants, sewerage systems, power plants, transmission and communication towers, railway system, and other similar permanent structures: <i>Fifteen (15) years</i>.</p> <p><input checked="" type="checkbox"/> For semi-permanent structures, such as buildings of types 1, 2, and 3 as classified under the National Building Code of the Philippines, concrete/asphalt roads, concrete river control, drainage, irrigation lined canals, river landing, deep wells, rock causeway, pedestrian overpass, and other similar semi-permanent structures: <i>Five (5) years</i>.</p> <p><input type="checkbox"/> For other structures, such as bailey and wooden bridges, shallow wells, spring developments, and other similar structures: <i>Two (2) years</i>.</p>
10	No day works are applicable to the contract.
11.1	The Contractor shall submit to the Procuring Entity’s Representative for approval an updated Program of Work showing the general methods, arrangements, order, and timing for all the activities in the Works.
11.2	The amount to be withheld for late submission of an updated Program of Work is:
13	The amount of the advance payment <i>shall not exceed 15% of the total contract price and schedule of payment</i> .
14	<p><i>Not allowed.</i></p> <p>The Procuring Entity states that, Materials and equipment delivered on the site but not completely put in place shall not be included for payment.</p>
15.1	<p>The date by which operating and maintenance manuals are required is:</p> <p>The date by which “as built” drawings are required is:</p>
15.2	The amount to be withheld for failing to produce “as built” drawings and/or operating and maintenance manuals by the date required is:

Section VI. Specifications
and
Section VII. Drawings

LEGEND:



SITE



VICINITY MAP

NTS.

Section VIII. Bill of Quantities

Project Name: **Improvement of San Miguel Elementary School**
Location: **San Miguel Betis, Guagua, Pampanga**
Reference : **LGU GUA 59-22**
Source of Fund: **SEF/Local School Board Fund CY 2022**
Total Project Cost : **PhP 500,000.00**
ABC : **PhP 500,000.00**

Date : December 20, 2022

SUMMARY OF BID SCHEDULE

ITEMS OF WORK	AMOUNT
Upgrading Kinder Room and School Ground	
Installation of Grills on 5 Classroom Windows	
Construction of Grotto near the gate	
Total:	
Total in Words :	

Name & Signature of Owner or
Authorized Representative:

Name of Bidder/Company:

Project Name :	Improvement of San Miguel Elementary School
Location :	San Miguel Betis, Guagua, Pampanga
Reference :	LGU GUA 59-22
Source of Funds :	SEF/Local School Board Fund CY 2022
Amount of Project :	PhP 500,000.00
ABC :	PhP 500,000.00

Date: December 20, 2022

DETAILED BID SCHEDULE

Item No./Description

:

SPL-1 Upgrading Kinder Room and School Ground

Unit

:

lot

Quantity

:

1.00

A. LABOR				
Designation	No. Person	No. of Hours	Hourly Rate	Amount
Labor Cost	All	All		
Sub-Total for A				
B. EQUIPMENT				
Name and Capacity	No. of Units	No. of Hours	Hourly Rate	Amount
Minor Tools	All	All		
Sub-Total for B				
C. TOTAL (A+B)				
D. OUTPUT PER HOUR				
E. DIRECT UNIT COST (C/D)				
F. MATERIALS				
Name and Specification	Unit	Quantity	Unit Cost	Amount
Portland Cement	bags	135		
Sand	cu. m.	8		
Gravel	cu. m.	16		
Filling Materials	truck loads	6		
10 mm. Ø RSB Gr. 33 (35 pcs.)	kgs.	129.50		
8 mm. Ø RSB Gr. 33 (35 pcs.)	kgs.	82.95		
#16 G.I. Tie Wire	kgs.	10		
Consumables	lot	1		
Sub-Total for F				
G. DIRECT UNIT COST (F)				
H. OVERHEAD,CONTINGENCIES AND MISCELLANEOUS (OCM)			(Not to exceed 15% of G)	
I. CONTRACTOR PROFIT (CP)			(Not to exceed 10% of G)	
J. VALUE ADDED TAX (VAT)				
K. TOTAL UNIT COST				

Project Name :	Improvement of San Miguel Elementary School
Location :	San Miguel Betis, Guagua, Pampanga
Reference :	LGU GUA 59-22
Source of Funds :	SEF/Local School Board Fund CY 2022
Amount of Project :	PhP 500,000.00
ABC :	PhP 500,000.00

Date: December 20, 2022

DETAILED BID SCHEDULE

Item No./Description : **SPL-2 Installation of Grills on 5 Classroom Windows**
Unit : lot
Quantity : 1.00

A. LABOR				
Designation	No. Person	No. of Hours	Hourly Rate	Amount
Labor Cost	All	All		
Sub-Total for A				
B. EQUIPMENT				
Name and Capacity	No. of Units	No. of Hours	Hourly Rate	Amount
Minor Tools	All	All		
Sub-Total for B				
C. TOTAL (A+B)				
D. OUTPUT PER HOUR				
E. DIRECT UNIT COST (C/D)				
F. MATERIALS				
Name and Specification	Unit	Quantity	Unit Cost	Amount
1 1/2" Flat Bar	pcs.	36		
10 mm. Square Bar	pcs.	156		
Welding Rod	kgs.	24		
Cutting Disc	pcs.	5		
Epoxy Primer	gal.	7		
Lacquer Thinner	gal.	7		
Grinding Disc	pcs.	5		
Consumables	lot	1		
Sub-Total for F				
G. DIRECT UNIT COST (C+F)				
H. OVERHEAD,CONTINGENCIES AND MISCELLANEOUS (OCM)			(Not to exceed 15% of G)	
I. CONTRACTOR PROFIT (CP)			(Not to exceed 10% of G)	
J. VALUE ADDED TAX (VAT)				
K. TOTAL UNIT COST				

Project Name :	Improvement of San Miguel Elementary School
Location :	San Miguel Betis, Guagua, Pampanga
Reference :	LGU GUA 59-22
Source of Funds :	SEF/Local School Board Fund CY 2022
Amount of Project :	PhP 500,000.00
ABC :	PhP 500,000.00

Date: December 20, 2022

DETAILED BID SCHEDULE

Item No./Description : **SPL-3 Construction of Grotto near the gate**
Unit : lot
Quantity : 1.00

A. LABOR				
Designation	No. Person	No. of Hours	Hourly Rate	Amount
Labor Cost	All	All		
Sub-Total for A				
B. EQUIPMENT				
Name and Capacity	No. of Units	No. of Hours	Hourly Rate	Amount
Minor Tools	All	All		
Sub-Total for B				
C. TOTAL (A+B)				
D. OUTPUT PER HOUR				
E. DIRECT UNIT COST (C/D)				
F. MATERIALS				
Name and Specification	Unit	Quantity	Unit Cost	Amount
Portland Cement	bags	50		
Sand	cu. m.	9		
Gravel	cu. m.	9		
10 mm. Ø RSB Gr. 33 (90 pcs.)	kgs.	333		
8 mm. Ø RSB Gr. 33 (75 pcs.)	kgs.	177.75		
#16 G.I. Tie Wire	kgs.	8		
Consumables	lot	1		
Sub-Total for F				
G. DIRECT UNIT COST (C)				
H. OVERHEAD,CONTINGENCIES AND MISCELLANEOUS (OCM)			(Not to exceed 15% of G)	
I. CONTRACTOR PROFIT (CP)			(Not to exceed 10% of G)	
J. VALUE ADDED TAX (VAT)				
K. TOTAL UNIT COST				

Name of Bidder/Company:

Name & Signature of Owner/Authorized Representative:

Section IX. Checklist of Technical and Financial Documents

Municipality of Guagua	Project Reference No:	LGU GUA 59-22
Plaza Burgos, Guagua Pampanga	Project Name:	Improvement of San Miguel Elementary School

Standard Form Number: SF INFR 08

Checklist of Eligibility and Technical Requirements for the BAC

Date: December 20, 2022

Contract:	Improvement of San Miguel Elementary School
Bidder:	

Checklist of Eligibility and Technical Requirements

A. Mendoza- Member	S. Mallari – Member	E. Bucud- Member	E. Pantino – Vice Chair	R. Naguit– Chair
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1. Certification in lieu of Class “A” Documents.
- Note: This document certifies that the Class “A” Documents are complete, current and updated. Presence of this document shall forego the checking of the Class “A” Documents or all requirements listed under Legal, Technical and Financial Documents

- Class “A” Legal Documents
1. DTI business name registration or SEC registration certificate.
2. Valid and current Mayor’s permit/municipal license.
3. Tax Clearance
4. Valid PhilGEPS Registration Certificate (Platinum Membership)
5. BIR Registration Certification, which contains the Taxpayer’s Identification Number.

- Class “A” Technical Documents
1. Duly signed statement of all on-going Government & Private Construction Contracts including contracts awarded but not yet started.
2. Duly signed statement of all Government & Private Construction Contracts completed which are similar in nature to the contract to be bid.
3. Philippine Contractors Accreditation Board (PCAB) License; or Special PCAB License in case of Joint Ventures
4. Original copy of Bid Security or Original duly signed and notarized Bid Securing Declaration
5. 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 & 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

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6. Original duly signed and notarized Omnibus Sworn Statement (OSS)

a. That the company/firm is not blacklisted; (SF INFR -13)

b. That each of the documents submitted is an authentic copy and statements and information provided there in are true and correct; (SF INFR 24)

c. That the firm authorizes the Head of the Procuring Entity to verify the statements, documents and information submitted; (SF INFR-23)

d. That the company/firm give full authority to the signatory, to do, execute and perform any and all acts necessary and/or represent in the bidding as fully and effectively as corporation might do if personally present with full power of substitution and revocation and hereby confirming all that said representative shall lawfully do or cause to be done by virtue hereof; (SF INFR -39)

e. That the company/firm complies with the Disclosure Provision under Section 47 of the Act in relation to other provisions of RA 3019; (SF INFR -14)

f. That the company/firm complies with the responsibilities of the prospective or eligible bidder; (SF INFR 53)

g. That the company complies with existing labor laws and standards; (SF INFR 52)

h. That the company/firm 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.

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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.

Reference No.	LGU GUA 59-22
Contract:	Improvement of San Miguel Elementary School
Bidder:	

Checklist of Eligibility and Technical Requirements

A. Mendoza– Member	S. Mallari – Member	E. Bucud– Member	E. Pantino – Vice Chair	R. Naguit– Chair
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Class “A” Financial Documents

1. Audited financial statements, stamped, received by the BIR, or its duly accredited and authorized institutions, for the immediately preceding calendar year, showing among others the total assets and liabilities.
2. Duly signed computation of NFCC or a commitment from a licensed bank to extend to him a credit line if awarded the contract or a cash deposit certificate.

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Class “B” Documents

1. If applicable, a duly signed joint venture agreement (JVA) in case the joint venture is already in existence; or duly notarized statements from all 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.

Note: Any missing document in the above mentioned checklist is aground for outright rejection of the bid.

Remarks: () Eligible () Ineligible

Check/Verified by:

BAC Secretariat

Municipality of Guagua	Project Reference No:	LGU GUA 59-22
Plaza Burgos, Guagua Pampanga	Project Name:	Improvement of San Miguel Elementary School

Standard Form Number: SF INFR 08

Checklist of Financial Component Envelope for the BAC

Date: December 20, 2022

Contract:	Improvement of San Miguel Elementary School
Bidder:	

Checklist of Financial Component Envelope

A. Mendoza- Member	S. Mallari – Member	E. Bucud- Member	E. Pantino – Vice Chair	R. Naguit- Chair
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Financial Component Envelope

1. Original of duly signed and accomplished Financial Bid Form

2. Original of duly signed and 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 (Detailed Bid Schedule)

3. Cash Flow by the Quarter

*Note: Any missing document in the above mentioned checklist is a ground for outright rejection of the bid.
Bids received in excess of the ABC shall be automatically rejected at bid opening.*

Remarks: () Complying () Non-complying

Check/Verified by:

BAC Secretariat

Municipality of Guagua	Project Reference No.	LGU GUA 59-22
Plaza Burgos, Guagua, Pampanga	Project Name:	Improvement of San Miguel Elementary School
	Location:	San Miguel Betis, Guagua, Pampanga

Standard Form Number: SF –INFR-35

Checklist of Technical Envelope Requirements for the BAC(Bid Security)

Date:December 20, 2022

Project:	Improvement of San Miguel Elementary School
Bidder:	

REQUIRED BID SECURITY	
Form	Amount
a. Cash, Cashier’s/Manager Check, Bank Draft/guarantee confirmed by Universal or Commercial bank	2% of ABC
b. Irrevocable letter of Credit issued by a Universal or Commercial Bank: Provided, however, that it shall be confirmed or authenticated by a Universal or Commercial Bank, if issued by a foreign bank.	
c. Surety Bond Callable on demand issued by a surety or insurance company duly certified by the Insurance Commission	5% of ABC
Validity Period	_____
Form of Bid Security	_____
Company	_____
Number	_____
Official Receipt No.	_____
Callable on Demand	_____
Bid Security Amount	_____
d. Original copy of duly signed and notarized Bid Securing Declaration	
() Sufficient () not Sufficient	

Checked by:

BAC TWG

Section X. Other Bidding Forms

Reference No.:	LGU GUA 59-22
Project Name:	Improvement of San Miguel Elementary School
Location:	San Miguel Betis, Guagua, Pampanga

Date of Bidding: December 20, 2022

DELIVERY SCHEDULE

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

Item No.	Description	Unit	Quantity	Delivered, (<u>in Weeks</u>)
SPL-1	Upgrading Kinder Room and School Ground	Lot	1	
SPL-2	Installation of Grills on 5 Classroom Windows	Lot	1	
SPL-3	Construction of Grotto near the gate	Lot	1	

Signature over Printed Name of Owner/
Authorized Representative

Name of Bidder/ Company/Firm

Contract Ref. No.:	LGU GUA 59-22
Contract Name:	Improvement of San Miguel Elementary School
Location :	San Miguel Betis, Guagua, Pampanga

Standard Form No. SF – INFR – 42 Revised on August 11, 2004	Date of Bidding : <u>December 20, 2022</u>
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MANPOWER UTILIZATION SCHEDULE

Category	WEEKS			
	1	2	3	4
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

Contractor’s Name:	Name of the Procuring Entity:
	Name and Signature of the Owner or Authorized Representative
	Position
	Name of the Bidder/Company

Reference No.	LGU GUA 59-22
Contract Name:	Improvement of San Miguel Elementary School
Location:	San Miguel Betis, Guagua, Pampanga

Date: December 20, 2022

Construction Schedule and S-Curve

Project Name:	Improvement of San Miguel Elementary School
Location:	San Miguel Betis, Guagua, Pampanga

Item No.	Description of Works	WEEKS			
		1	2	3	4
SPL-1	Upgrading Kinder Room and School Ground				
SPL-2	Installation of Grills on 5 Classroom Windows				
SPL-3	Construction of Grotto near the gate				

Submitted by:

	Name and Signature of the Owner or Authorized Representative
	Position
	Name of Bidder/Company

Municipality of Guagua

Project Reference No.: LGU GUA 59-22
Project Title: Improvement of San Miguel Elementary School
Location: San Miguel Betis, Guagua, Pampanga

Standard Form No. SF-INFR-50
Revised on: August 11, 2004

Date : December 20, 2022

EQUIPMENT UTILIZATION SCHEDULE

Category/ Equipment	WEEKS			
	1	2	3	4

Contractor's Name:	Name of the Procuring Entity:
	Signature of Owner or Authorized Representative:

Project Ref. No.	LGU GUA 59-22
Project Name :	Improvement of San Miguel Elementary School
Location:	San Miguel Betis, Guagua, Pampanga

SWORN STATEMENT

I, _____ of legal age, _____, Filipino and
(Name of the Bidder) (Civil Status)
residing at _____, under oath, hereby depose and say:
(Address of the Bidder)

- 1. That the company/firm is not blacklisted; (SF INFR -13)
- 2. That each of the documents submitted is an authentic copy and statements and information provided there in are true and correct; (SF INFR 24)
- 3. That the firm authorizes the Head of the Procuring Entity to verify the statements, documents and information submitted; (SF INFR-23)
- 4. That the company/firm give full authority to the signatory, to do, execute and perform any and all acts necessary and/or represent in the bidding as fully and effectively as corporation might do if personally present with full power of substitution and revocation and hereby confirming all that said representative shall lawfully do or cause to be done by virtue hereof; (SF INFR -39)
- 5. That the company/firm complies with the Disclosure Provision under Section 47 of the Act in relation to other provisions of RA 3019; (SF INFR -14)
- 6. That the company/firm complies with the responsibilities of the prospective or eligible bidder; (SF INFR 53)
- 7. That the company complies with existing labor laws and standards; (SF INFR 52)
- 8. That the company/firm 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.

That I am making this statement as part of the eligibility requirement of _____(Name of the Bidder/Company)
for the Project: **Improvement of San Miguel Elementary School (LGU GUA 59-22).**

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2022
in the Municipality of _____, Pampanga, Philippines.

Affiant

Signed in the Presence of:

SUBSCRIBED AND SWORN to before me this _____ day of _____
2022at Guagua, Pampanga, Philippines.

Notary Public

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 20_____.

Project Reference No:	LGU GUA 59-22
Project Name :	Improvement of San Miguel Elementary School
Location :	San Miguel Betis, Guagua, Pampanga

Date: December 20, 2022

BID FORM

Gentlemen & Ladies:

Having examined the Bidding Documents, including the Bid Bulletin posted at conspicuous places at the Municipality of Guagua, Pampanga the receipt of which is hereby duly acknowledged, we the undersigned, offer to supply and deliver the goods, labor and equipment in conformity with the said Bidding Documents for the sum of _____ (P_____) in accordance with the Schedule of Prices attached herewith and made part of this bid.

We undertake, if our Bid is accepted, to deliver the works and services in accordance with the delivery schedule specified in the Schedule of Requirements.

If our Bid is accepted, we undertake to provide a Performance Security in the form of _____ and in the amount of _____ within the period of _____.

We agree to abide by this bid for the Bid Validity Period of 120 days and it shall remain binding upon us and may be accepted at anytime before the expiration of that period.

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 or any bid you may receive.

We certify/confirm that we comply with the eligibility requirements as per instructions to bidders of the Bidding Documents.

Dated _____ day of _____, 2022.

(Signature of Bidder)

(in the capacity of)

Duly authorized to sign Bid for and on behalf of _____.

SIGNED IN THE PRESENCE OF:
