NOTE: In the absence of Bid Securing Declaration form in the BDS in Section 4 or elsewhere, Masterlinks has used an international standard template to document the terms of such requirement, should it be required.

The Bid Security or Bid Securing Declaration shall be submitted using the appropriate form included in Section 4, Bidding Forms and shall remain valid until the date specified in the BDS.

 bid securing declaration – NOT USED

The bid securing declaration is a non-monetary form of bid security. It is a notarized sworn statement made by a bidder committing to sign the contract if they are selected before the end of the bid validity period stipulated in the bidding documents. In this sworn statement, the bidder agrees to be automatically disqualified from bidding for any future government contracts for a stipulated period of time if they either withdraw their bid, fail to sign the contract before the end of the bid validity period or are unable to provide a performance guarantee, if required.

PERIOD OF EFFECTIVITY

The Bid Securing Declaration shall be valid for a reasonable period determined by the Head of the Procuring Entity concerned and indicated in the bidding documents, which in no case shall exceed one hundred twenty (120) calendar days from the date of the opening of bids, unless duly extended by the bidder upon the request of the Head of the Procuring Entity. GPPB Resolution No. 03-2012, dated 27 January 2012 page 5 of 8 4.2. The Bid Securing Declaration shall automatically expire in the following instances: a) Upon expiration of the bid validity period, or any extension thereof pursuant to Section 28.2 of the IRR; b) When all bidders are declared ineligible or post-disqualified and, upon receipt of the notice therefor, either failed to timely file a request for reconsideration or filed a waiver to avail of said right; c) When the bidder declared as the Lowest Calculated and Responsive Bidder/Highest Rated and Responsive Bidder, has furnished the performance security and signed the contract.

GROUNDS FOR ENFORCEMENT OF BID SECURING DECLARATION The Bid Securing Declaration shall be enforced when the bidder commits any of the following: a) Withdraws its bid during the period of bid validity required in the bidding documents; or b) Fails or refuses to accept the award and enter into contract or perform any and all acts necessary to the execution of the contract, in accordance with the bidding documents, after having been duly notified of the acceptance of its Bid during the period of bid validity.

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REPUBLIC OF THE PHILIPPINES )

CITY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ) S.S. x-------------------------------------------------------x

BID-SECURING DECLARATION

Invitation to Bid/Request for Expression of Interest No.1 : [Insert reference number]

To: [Insert name and address of the Procuring Entity]

I/We2 , the undersigned, declare that:

1. I/We understand that, according to your conditions, bids must be supported by a Bid Security, which may be in the form of a Bid-Securing Declaration.

2. I/We accept that: (a) I/we will be automatically disqualified from bidding for any contract with any procuring entity for a period of two (2) years upon receipt of your Blacklisting Order; and, (b) I/we will pay the applicable fine provided under Section 6 of the Guidelines on the Use of Bid Securing Declaration3 , if I/we have committed any of the following actions:

(i) Withdrawn my/our Bid during the period of bid validity required in the Bidding Documents; or

(ii) Fail or refuse to accept the award and enter into contract or perform any and all acts necessary to the execution of the Contract, in accordance with the Bidding Documents after having been notified of your acceptance of our Bid during the period of bid validity.

3. I/We understand that this Bid-Securing Declaration shall cease to be valid on the following circumstances:

(a) Upon expiration of the bid validity period, or any extension thereof pursuant to your request;

(b) I am/we are declared ineligible or post-disqualified upon receipt of your notice to such effect, and (i) I/we failed to timely file a request for reconsideration or (ii) I/we filed a waiver to avail of said right;

(c) I am/we are declared as the bidder with the Lowest Calculated and Responsive Bid/Highest Rated and Responsive Bid 4 , and I/we have furnished the performance security and signed the Contract.

1 Select one and delete the other.

2 Select one and delete the other. Adopt same instruction for similar terms throughout the document. 3 Issued by the GPPB through GPPB Resolution 03-2012 on 27 January 2012.

4 Select one and delete the other. GPPB Resolution No. 03-2012, dated 27 January 2012 page 8 of 8

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

[Insert NAME OF BIDDER’S AUTHORIZED REPRESENTATIVE]

[Insert signatory’s legal capacity]

Affiant SUBSCRIBED AND SWORN to before me this \_\_ day of [month] [year] at [place of execution], Philippines.

Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant/s exhibited to me his/her [insert type of government identification card used], with his/her photograph and signature appearing thereon, with no. \_\_\_\_\_\_ and his/her Community Tax Certificate No. \_\_\_\_\_\_\_ issued on \_\_\_\_\_\_ at \_\_\_\_\_\_. Witness my hand and seal this \_\_\_ day of [month] [year]. NAME OF NOTARY PUBLIC Serial No. of Commission \_\_\_\_\_\_\_\_\_\_\_ Notary Public for \_\_\_\_\_\_ until \_\_\_\_\_\_\_ Roll of Attorneys No. \_\_\_\_\_ PTR No. \_\_, [date issued], [place issued] IBP No. \_\_, [date issued], [place issued] Doc. No. \_\_\_ Page No. \_\_\_ Book No. \_\_\_ Series of \_\_\_\_