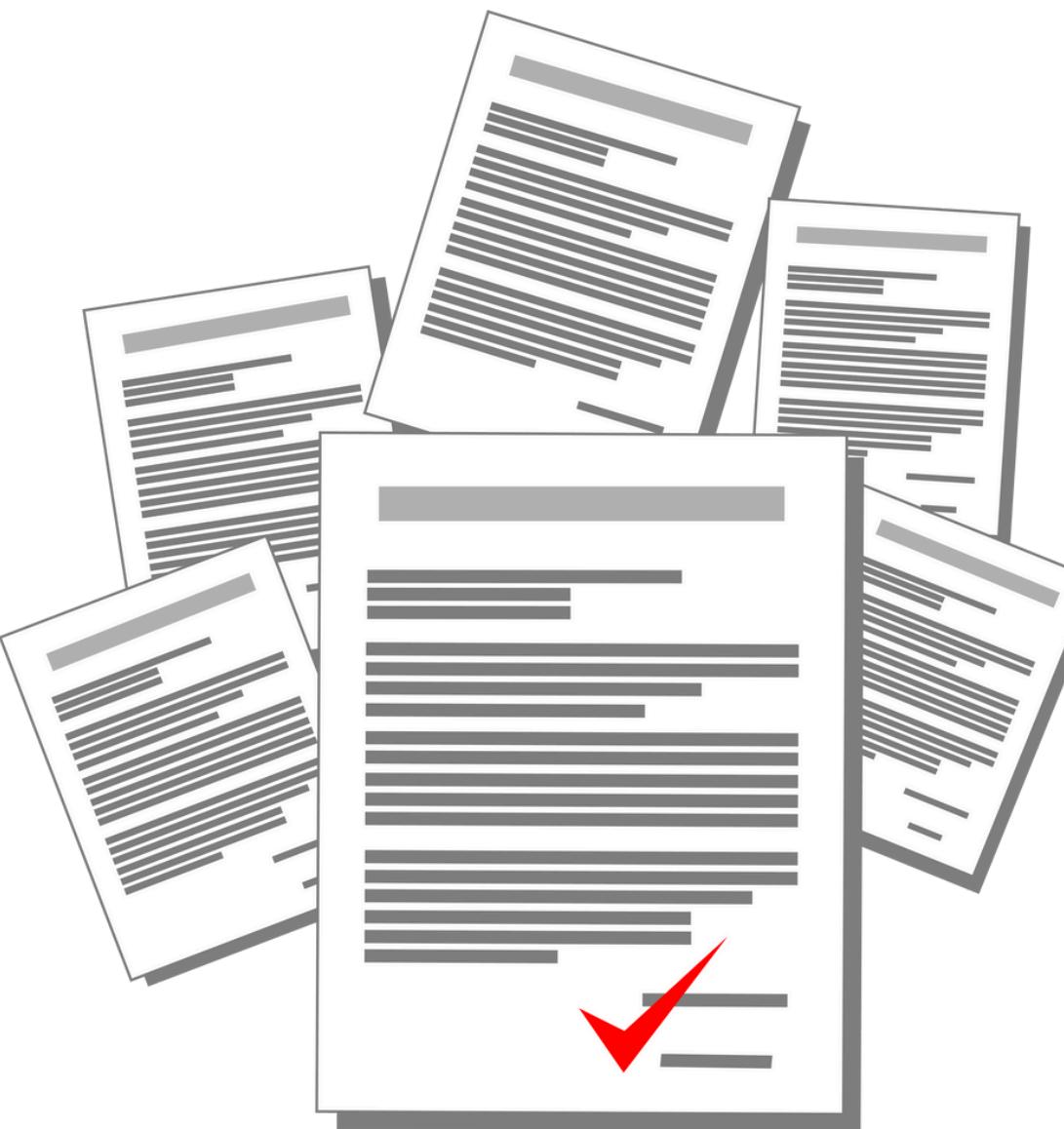


Role of BAC

COMPETITIVE BIDDING



For purposes of transparency, efficiency, and competitiveness, PEs may **guide prospective bidders** in understanding and accomplishing the necessary documents to support their participation.

The BAC shall have a **proactive role** in the conduct of the pre-bid conference.

(Reference: RA No. 12009, IRR Section 51)

Form & Content of Bidding Documents

COMPETITIVE BIDDING

Approved Budget for the Contract;

Invitation to Bid/ Request for Expression of Interest;

Instructions to Bidders, including criteria for eligibility, bid evaluation methodology or criteria, and post-qualification, **the weight assigned to each criterion and the quality price ratio if awarded to the Most Economically Advantageous and Responsive Bid (MEARB) or Highest Rated and Responsive Bid (HRRB)** as well as the date, time, and place of the pre-bid Conference (where applicable), submission of bids and opening of bids;

Technical Specifications, Terms of Reference, or Scope of Work;

Eligibility Requirements; and

Environmental specification in relation to Section 73.

(Reference: RA No. 12009, IRR Section 47)

Form & Content of Bidding Documents

COMPETITIVE BIDDING



- Plans or drawings;
- Bid Form, Price Schedule, and List of Goods or Bill of Quantities;
- Delivery Time or Completion Schedule;
- Form and Amount of Bid Security;

- Form and Amount of Performance Security and Warranty;
- Form of Contract, and General and Special Conditions of Contract; and

- Additional documentary requirements or specifications necessary to complete the information required for the bidders to prepare and submit their respective bids.**

NEW!

(Reference: RA No. 12009, IRR Section 47)

Access to Information

COMPETITIVE BIDDING

In all stages of the preparation of the Bidding Documents, the PE shall ensure **equal access to information, except in procurement involving national security.**

Officials authorized to handle procurement documents:

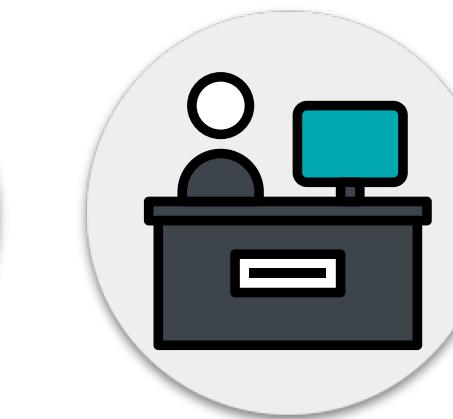


APPLICABILITY

- GOODS
- INFRA
- CONSULTING



BAC Chairperson



BAC Secretariat



TWG



End-user Representative

(Reference: RA No. 12009, IRR Section 48)

Pre-procurement Conference

COMPETITIVE BIDDING

Pre-procurement conference shall be **mandatory** for the procurement of:



	RA 9184	RA 12009
Goods	above two million pesos (>Php 2,000,000.00)	above five million pesos (>Php 5,000,000.00)
Infrastructure Projects	above five million pesos (>Php 5,000,000.00)	above ten million pesos (>Php 10,000,000.00)
Consulting Services	above one million pesos (>Php 1,000,000.00)	above two million pesos (>Php 2,000,000.00)

(Reference: RA No. 12009, IRR Section 49)

Award Criteria

COMPETITIVE BIDDING



Lowest Calculated Responsive Bid (LCRB)



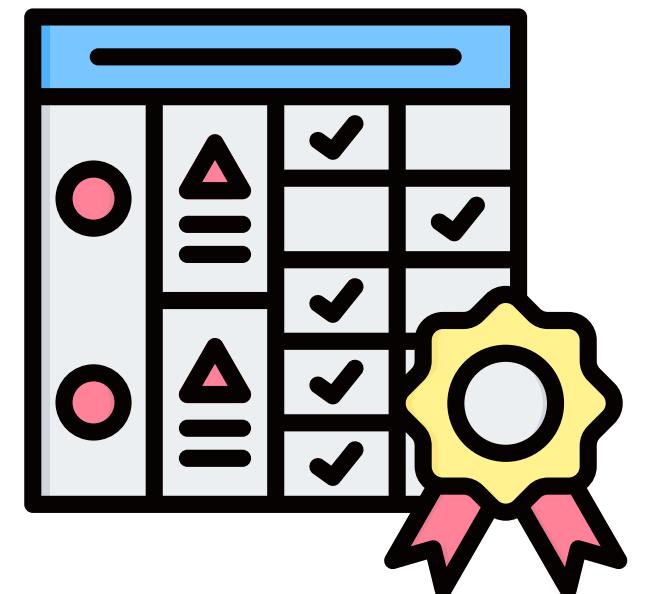
Most Economically Advantageous and Responsive Bid (MEARB)



Most Advantageous and Responsive Bid (MARB)



Highest Rated and Responsive Bid



(Reference: RA No. 12009, IRR Section 49.2)

Publication & Contents of Invitation to Bid

PUBLICATION

**COMPETITIVE BIDDING,
COMPETITIVE DIALOGUE
AND UNSOLICITED
OFFER WITH
BID MATCHING**

**MINIMUM OF 7
CALENDAR DAYS**

PHYSICAL POSTING

- Conspicuous place within the PE premises
- Certified by the Head of the BAC Secretariat

ONLINE POSTING

- PhilGEPS website
- Agency website, if available

**LIMITED SOURCE
BIDDING, TWO FAILED
BIDDINGS, SMALL VALUE
PROCUREMENT (ABC
ABOVE P200,000) AND
NGO PARTICIPATION**

**MINIMUM OF 3
CALENDAR DAYS**

**OTHERS MODES NOT
MENTIONED ABOVE**

EXEMPT FROM PUBLICATION



(Reference: RA No. 12009, IRR Section 50.3.1 and 50.3.2)

Pre-bid Conference

COMPETITIVE BIDDING



At least **one (1)** pre-bid conference shall be conducted for procurement projects with ABC of Php3M or more.

Subject to the approval of the BAC, a pre-bid conference may also be conducted upon the **written request** of any prospective bidder.



(Reference: RA No. 12009, IRR Section 51)

Eligibility Requirements

COMPETITIVE BIDDING

-  **PhilGEPS Certificate of Registration (Platinum Membership)**
-  **Statement of all Ongoing Government and Private contracts**
-  **SLCC and NFCC - For Goods and Infrastructure Projects**
-  **Statement specifying nationality and confirmation that the consultant is an authorized registered professional - For Consulting Services**

(Reference: RA No. 12009, IRR Section 52)

Eligibility Requirements

COMPETITIVE BIDDING



REMINDER

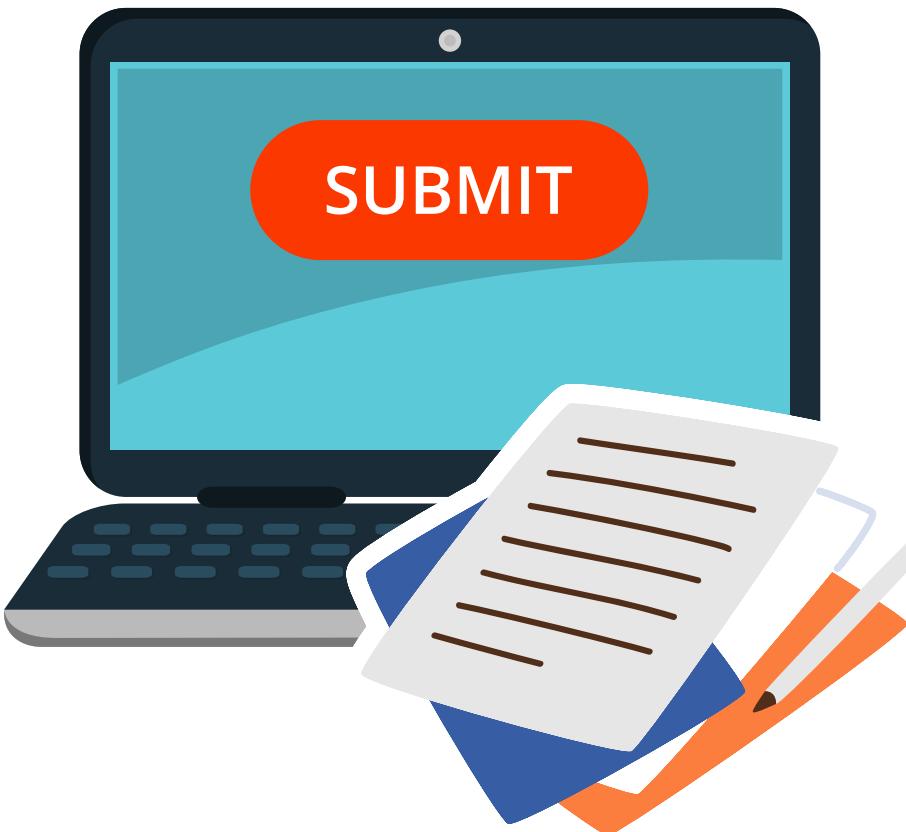
Failure of bidder to update PhilGEPS Certificate of Registration (Platinum Membership) with the current and updated supporting documents shall result in the automatic suspension of the Bidder's Certificate.



(Reference: RA No. 12009, IRR Section 20.2.9.2.d)

Eligibility Requirements

COMPETITIVE BIDDING



A prospective bidder may be allowed to **submit its eligibility requirements electronically** with certification under oath as to the correctness of the statements made and the completeness and authenticity of the documents submitted.

(Reference: RA No. 12009, IRR Section 50.3.3)

Eligibility Requirements

COMPETITIVE BIDDING

Single Largest Completed Contract (SLCC)

The bidder must have completed, **within ten (10) years from the submission of the bid**, unless a shorter period is indicated in the Invitation to Bid, an SLCC that is similar to the procurement project to be bid, and whose value must be at least fifty percent (50%) of the ABC.



50%

It may allow bidders to present a combination of contracts completed within the same period, provided their total value is at least fifty percent (50%) of the ABC.

(Reference: RA No. 12009, IRR Section 52.4.1.3)

Eligibility Requirements

COMPETITIVE BIDDING

Net Financial Contracting Capacity (NFCC)

The computation of a bidder's NFCC must be at least equal to the ABC to be bid, calculated as follows:

$$\text{NFCC} = \left[(\text{Current Assets} - \text{Current Liabilities}) (15) \right] -$$

value of all outstanding or uncompleted portions of the projects under ongoing contracts, including awarded contracts yet to be started, coinciding with the procurement project.



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

(Reference: RA No. 12009, IRR Section 52)

Joint Ventures

COMPETITIVE BIDDING



Joint Ventures may participate, provided that the primary purpose of each member must be similar or related to the requirement of the project.

Each member of the joint venture shall be jointly and severally liable to the PE in case of breach or failure to comply with the requirements of the project.

(Reference: RA No. 12009, IRR Section 52.4)

Short-listing for Consulting Services

COMPETITIVE BIDDING



- ✓ **Shortlisting:** 3-7 consultants (5 preferred); decided during pre-procurement conference.
- ✓ BAC may proceed with shortlisting **even if only one (1) or less than the required number applies** for eligibility or shortlisting.
- ✓ **Criteria and Numerical Rating System** in the REI which shall consider among others, applicable experience, qualification of personnel who may be assigned, and current workload relative to capacity.
- ✓ **Approval:** BAC recommends shortlist to HoPE
- ✓ **Timeline:** Complete **within 20 calendar days**.

(Reference: RA No. 12009, IRR Section 53)

Submission & Receipt of Bids

COMPETITIVE BIDDING

Technical Envelope



Financial Envelope



A bid shall have two (2) components, namely the **technical** and **financial** components which should be in separate sealed envelopes, and which shall be submitted simultaneously. The bids shall be received by the BAC on such date, time, and place specified in the Invitation to Bid.

(Reference: RA No. 12009, IRR Section 54)



Deadline for Receipt of Bids



Bids submitted
AFTER the deadline
shall NOT be
accepted

COMPETITIVE BIDDING

The deadline for the submission and receipt of bids shall be fixed by the BAC, providing it sufficient time **to complete the bidding process** and giving the prospective bidders sufficient time **to study and prepare their bids**.

The deadline shall also consider the **urgency** of the procurement involved.

(Reference: RA No. 12009, IRR Section 54)

Modification of Bids

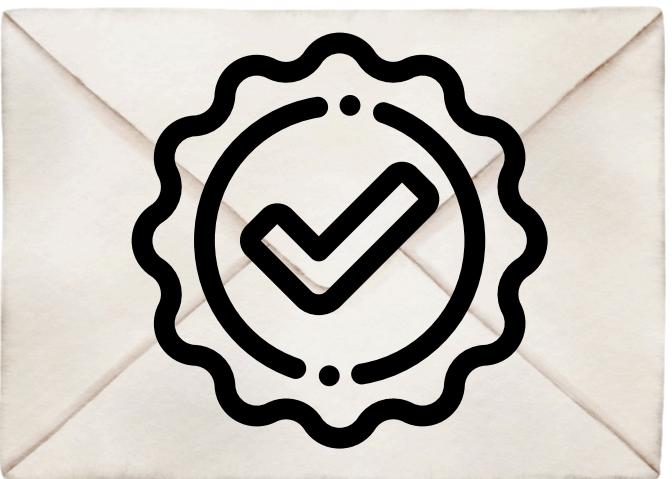
COMPETITIVE BIDDING



Bidders may modify their bid **BEFORE THE DEADLINE** for the receipt of bids.



In case of modification, bidders **shall not be allowed to retrieve their original bid**, but shall only be **allowed to send another bid**, equally sealed, properly identified, linked to their original bid, and **marked as “modification” and stamped received by the BAC**.



Bid modifications received **AFTER THE DEADLINE** **shall not be considered** and returned to bidder unopened.

(Reference: RA No. 12009, IRR Section 55)

Withdrawal of Bids

COMPETITIVE BIDDING



Bidders, through a letter, may withdraw their bids or express their intention not to participate in the bidding **before the deadline** for the submission and receipt of bids.



They shall no longer be allowed to submit another bid for the same contract either directly or indirectly.



Withdrawal of bids after the deadline shall be subject to appropriate sanctions.

(Reference: RA No. 12009, IRR Section 55.2)

Bid Security

COMPETITIVE BIDDING



All Bids under modes of procurement that are **competitive** in nature shall be accompanied by a Bid security, which shall serve as a **guarantee** that the bidder shall enter into a contract.

(Reference: RA No. 12009, IRR Section 56)

Forms of Bid Security

COMPETITIVE BIDDING

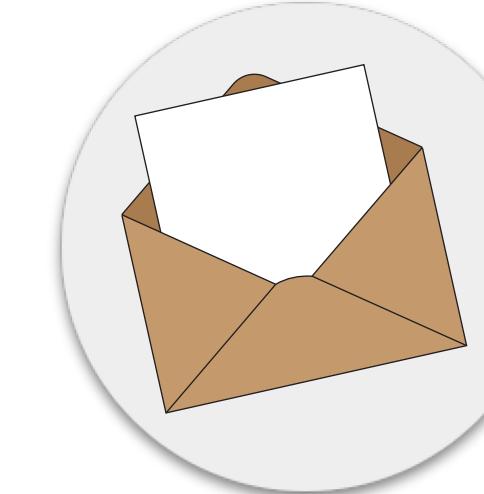
The bidder shall submit a **Bid Securing Declaration**, or any form of bid security in an amount not less than the required percentage of the ABC in accordance with the following schedule:

Cash, or cashier's or manager's check issued by a bank



2%

Bank draft or guarantee or irrevocable letter of credit issued by bank



5%

Surety bond callable upon demand issued by a surety or insurance company

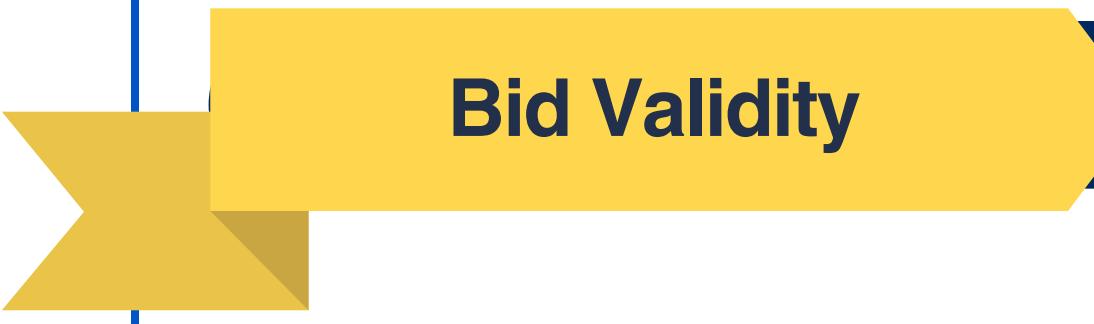


5%

(Reference: RA No. 12009, IRR Section 56)

Bid Validity

COMPETITIVE BIDDING



Bids and bid securities shall be valid for such a reasonable period of time indicated in the Bidding Documents **not exceeding 120 days.**

The duration for each undertaking shall take into account the **time involved in the process of bid evaluation and award of contract.**

(Reference: RA No. 12009, IRR Section 57)

Bid Opening

COMPETITIVE BIDDING



The BAC shall **publicly open** all bids at the time, date, and place specified in the Bidding Documents provided that it shall be held not later than **one (1) calendar day after the deadline** for the submission and receipt of bids.



The **manner of opening** of bids for Goods and Infrastructure Projects shall **depend on the award criterion**:

- **LRCB**: the technical and financial proposals shall be opened on the same day;
- **MEARB or MARB**: only the technical proposals shall be opened while financial proposals shall remain unopened and secured by BAC until the time of opening specified in the Bidding Documents.



The **minutes of the bid opening** shall be **made available to the public upon written request and payment of a specified fee**.

(Reference: RA No. 12009, IRR Section 58)

Preliminary Examination of Bids

COMPETITIVE BIDDING



Prior to bid evaluation, the BAC shall examine first the **technical components** of the bids using “pass/fail” criteria to determine whether all required documents are present.

Only bids that are determined to contain all the bid requirements of the technical component shall be considered for opening and evaluation of their **financial component**.

(Reference: RA No. 12009, IRR Section 59)

Ceiling for Bid Prices

COMPETITIVE BIDDING



The ABC shall be the upper limit or ceiling for the Bid prices.

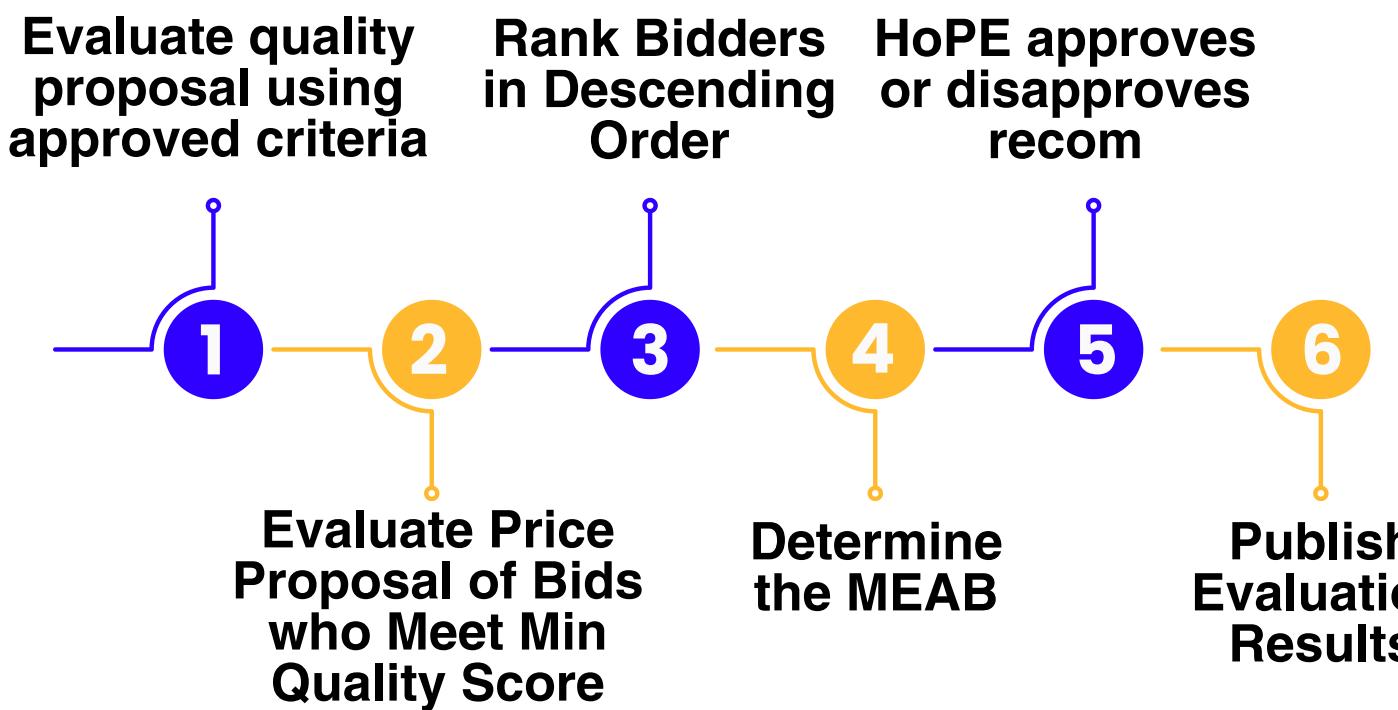
Bid prices that exceed this ceiling shall be disqualified outright.

(Reference: RA No. 12009, IRR Section 60)

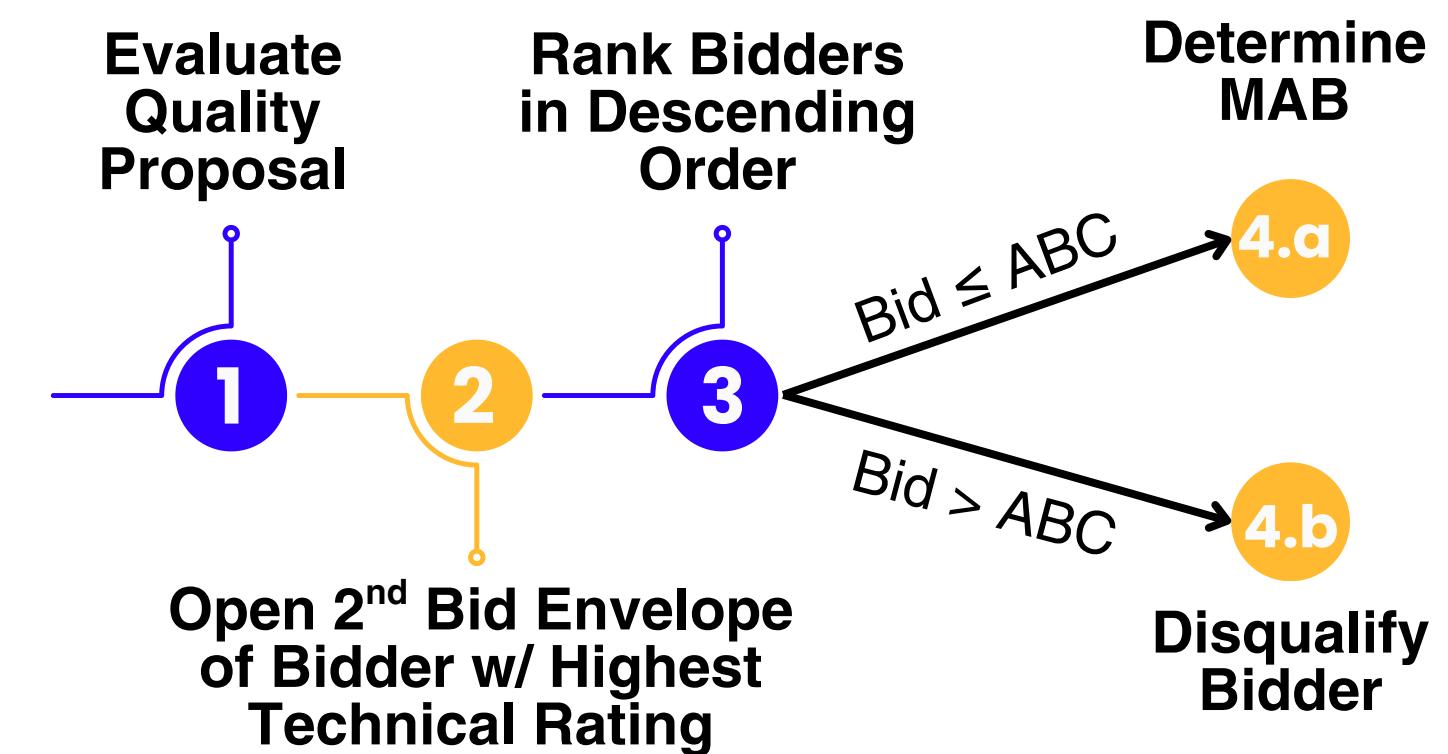
Bid Evaluation for Goods and Infra

COMPETITIVE BIDDING

The **Most Economically Advantageous Bid (MEAB)** is determined within fourteen (14) calendar days from the deadline for receipt of proposals.



In using MARB as the Award Criterion, BAC determines the **Most Advantageous Bid (MAB)**



(Reference: RA No. 12009, IRR Section 61)

Bid Evaluation for Consulting Services

COMPETITIVE BIDDING

BAC shall evaluate bids using either procedure:

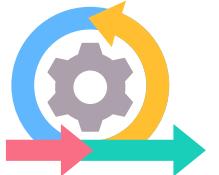
Quality-Based Evaluation Procedure

Quality-Cost Based Evaluation Procedure

Negotiations shall cover the following areas for discussion:



Terms of Reference and Scope of Services



Methodology & Work Program



Compensation, number of man-months and personnel, manning schedule

Services, Facilities, Data to be provided by the PE



Financial Proposal



Contract Provisions

(Reference: RA No. 12009, IRR Section 62)

Post-Qualification

COMPETITIVE BIDDING

Within five (5) calendar days from receipt by the bidder that has the LCB, MEAB, MAB or HRB, the following shall be submitted:

**1. PhilGEPS
Platinum
Membership**

**2. Latest Income/
Business Tax Return**

**3. Other appropriate
licenses and permits**

BAC shall verify and validate the veracity, authenticity, and validity of the submitted documents using but not limited to the following non-discretionary criteria: **LEGAL, TECHNICAL, and FINANCIAL Requirements**

(Reference: RA No. 12009, IRR Section 63)

Process Flow

COMPETITIVE BIDDING

