

PHILIPPINE BIDDING DOCUMENTS
for the
PROVISION OF
GENERAL
WAREHOUSING
BOND
(IMP2021-01)

Duty Free Philippines Corporation

January 8, 2021



Invitation to Bid

PROVISION OF GENERAL WAREHOUSING BOND

IMP2021-01

(Early Procurement Activity)

1. The **Duty Free Philippines Corporation (DFPC)**, through its **2021 Corporate Operating Budget** intends to apply the sum of **Nine Million Eighty Four Thousand Six Hundred Twenty Five Pesos and 43/100 (PhP9,084,625.43)** being the Approved Budget for the Contract (ABC) to payments under contract for the Provision of General Warehousing Bond with contract duration of one (1) year. Bids received in excess of the ABC shall be automatically rejected at bid opening.
2. DFPC now invites bids for the Provision of General Warehousing Bond. Implementation of the contract shall be indicated in the Notice to Proceed. **Bidders should have a continuous experience of at least twenty (20) years [2001-2020] in providing warehousing bonds. Bidders must have a valid and updated Certificate of Accreditation with the Bureau of Customs (BOC).** Bidders should have completed, within three (3) years (2018-2020) at least one (1) contract similar to the project to be bid. The description of an eligible bidder is contained in the Bidding Documents, particularly, in Section II, Instructions to Bidders.
3. Bidding will be conducted through open competitive bidding procedures using the non-discretionary “pass/fail” criterion as specified in the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) 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 5183.
4. Prospective Bidders may obtain further information from **BAC Secretariat at Purchasing Department** and inspect the Bidding Documents at the address given below from **9:00AM – 5:00PM, Mondays thru Fridays**.
5. A complete set of Bidding Documents may be acquired by interested Bidders on **08 January 2021** from the address below and upon payment of the applicable fee for the Bidding Documents, pursuant to the latest Guidelines issued by the GPPB, in the amount of **Nine Thousand Pesos (PhP9,000.00)**.
6. **DFPC** will hold a Pre-Bid Conference on **19 January 2021, 10:00AM** at the BAC Office located at the same address stated hereunder and/or through video conferencing or webcasting via *Microsoft Teams*, which shall be open to prospective bidders.



7. Bids must be duly received by the BAC Secretariat through manual submission at the office address indicated below on or before **02 February 2021, 10:00AM**. Late bids shall not be accepted.
8. All Bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in ITB Clause 14.
9. Bid opening shall be **02 February 2021, 10:15AM** at the address given below and/or via Microsoft Teams. Bids will be opened in the presence of the bidders' representatives who choose to attend the activity.
10. Each Bidder shall submit **one (1) original** and **three (3) copies** of its **Eligibility/Technical Component** and **Financial Component**. Copy 3 of the Eligibility/Technical Component must be thru portable storage device (USB).
11. **DFPC** 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.
12. For further information, please refer to:

BAC Secretariat
Duty Free Philippines
EHA Bldg, Fiesta Mall, Columbia Complex
Ninoy Aquino Ave., Parañaque City
(632) 8552-4343; (632) 8524-337 / 16555 loc. 3039
Fax No. (632) 8879 3664 / 8552-4345 / 8552 4399 loc. 834/833
Email add.: bacsecretariat@dfp.com.ph
13. For downloading of Bidding Documents: <https://dutyfree.gov.ph/bidding>

January 8, 2021

(Sgd.) **ENGR. JOEL R. PEREZ**
BAC Chairperson



II. INSTRUCTIONS TO BIDDERS (ITB)

1. Scope of Bid

The Procuring Entity, **DFPC**, wishes to receive Bids for the **Provision of General Warehousing Bond**, with identification number **IMP2021-01** as described in Section VII. Technical Specifications.

2. Funding Information

2.1. The GOP through the source of funding as indicated below for 2021 in the amount of **Nine Million Eighty Four Thousand Six Hundred Twenty Five Pesos and 43/100 (PhP9,084,625.43)**.

2.2. The source of funding is GOCC through its proposed Corporate Operating Budget (COB).

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. Not applicable
- 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 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**

The Procuring Entity has prescribed that 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 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 **three (3) years [2018-2020]** 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 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 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 Declaration¹ 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 **June 2, 2021**. 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.

¹ In the case of Framework Agreement, the undertaking shall refer to entering into contract with the Procuring Entity and furnishing of the performance security or the performance securing declaration within ten (10) calendar days from receipt of Notice to Execute Framework Agreement.



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 its 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, 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 maybe. 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. Not applicable.
- 20.2. 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.

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**.



III. BID DATA SHEET

ITB Clause	
5.3	<p>Bidder must have completed, within the period specified in the Invitation to Bid and ITB Clause 12.1(a)(ii), a single contract that is similar to this Project, equivalent to at least fifty percent (50%) of the ABC or Four Million Five Hundred Forty Two Thousand Three Hundred Twelve Pesos and 72/100 (PhP4,542,312.72)</p> <p>For this purpose, similar contract shall refer to provision of general warehousing bond for Custom Bonded Warehouse (CBW).</p>
7.1 (b)	Subcontracting is not allowed.
12	The Bid prices for Goods and services supplied from outside of the Philippines shall be quoted in Philippine Pesos.
14.1	<p>The bid security shall be in the form of a Bid Securing Declaration, or any of the following forms and amounts:</p> <ol style="list-style-type: none"> a. The amount of not less than two percent (2%) of the ABC or One Hundred Eighty One Thousand Six Hundred Ninety Two Pesos and 51/100 (PhP181,692.51), 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 five percent (5%) of the ABC or Four Hundred Fifty Four Thousand Two Hundred Thirty One Pesos and 27/100 (PhP454,231.27) if bid security is in Surety Bond.
19.3	Not applicable.
20.2	<ol style="list-style-type: none"> 1. 2019 Income Tax Return (<i>form 1701/1702</i>) with Audited Financial Statement. 2. Business Tax Return (<i>forms 2550M and 2550Q</i>) for the last six (6) months (June to November 2020) prior to opening of Bids filed thru Electronic Filing and Payment System (EFPS). <p>Only tax returns filed and taxes paid through the BIR Electronic Filing and Payment System (EFPS) shall be accepted.</p> <ol style="list-style-type: none"> 3. Updated General Information Sheet received by the SEC, for corporation. 4. BIR Registration Certificate. 5. Company Profile. 6. Location map and photo of the office.
21.2	Not applicable.



IV. GENERAL CONDITIONS OF THE 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.

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.



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.



V. SPECIAL CONDITIONS OF THE CONTRACT

GCC Clause	
1	<p>SERVICES RENDERED AND DOCUMENTS</p> <p>Delivery of Services shall be made by the SUPPLIER in accordance with the terms specified in Section VI, Schedule of Requirements.</p> <p>The SUPPLIER shall submit the following documents upon delivery:</p> <ol style="list-style-type: none"> 1. Statement of Account / Billing 2. Bond Policy <p>UNDERTAKING OF THE SUPPLIER</p> <ol style="list-style-type: none"> 1. The SUPPLIER shall ensure timely provision of Warehousing Bonds, as may be required by the Procuring Entity. 2. The SUPPLIER shall submit to the PROCURING ENTITY quarterly accreditation from the Bureau of Customs. 3. The SUPPLIER shall endorse, for the coming year or until fully utilized, the general warehousing bonds which are paid and issued during the duration of the contract. <p>DELIVERY AND DOCUMENTS –</p> <p>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:</p> <p>The delivery terms applicable to this Contract are delivered at <u>Imports Department, Duty Free Philippines Corporation, Fiestamall, Columbia Complex, Ninoy Aquino Avenue, Parañaque City.</u> Risk and title will pass from the Supplier to the Procuring Entity upon receipt and final acceptance of the Goods at their final destination.</p> <p>Delivery of the Goods shall be made by the Supplier in accordance with the terms specified in Section VI (Schedule of Requirements).</p> <p>For purposes of this Clause the Procuring Entity’s Representative at the Project Site is Mr. Reynato D. De Guzman Jr.</p>
2.2	<p>The terms of Payment shall be made upon delivery and acceptance of insurance policy. Payment of premium policy shall be based on required order per set of the Procuring Entity.</p>
4	<p>Not applicable.</p>



VI. SCHEDULE OF REQUIREMENTS

The SUPPLIER shall provide the PROCURING ENTITY with General Warehousing Bonds required by the Bureau of Customs (BOC) as sufficient security in an amount equal to one hundred percent (100%) of the ascertained duties and taxes and other charges due thereon.

DESCRIPTION	QUANTITY
General Warehousing Bonds valued at One Hundred Eight Million Pesos (PhP108,000,000.00) per set <ul style="list-style-type: none"> • Eight (8) policies valued at Twelve Million Pesos (PhP12,000,000.00) for each policy. • Two (2) policies valued at Six Million Pesos (PhP6,000,000.00) for each policy. 	Twenty seven (27) sets

IMPLEMENTATION SCHEDULE:

Commencement of the service shall be upon receipt of the Notice to Proceed (NTP).

DELIVERY SCHEDULE

SCHEDULE	DURATION
1 st Delivery	Minimum of One (1) set upon receipt of NTP
2 nd Delivery	Minimum of One (1) set 30 days from 1 st Delivery
3 rd Delivery	Minimum of One (1) set 30 days from 2 nd Delivery
4 th -12 th Delivery	As the need arises

Signature over printed name

Position

Duly authorized to sign this Schedule of Requirements for and on behalf of

_____.

Date: _____



VII. TECHNICAL SPECIFICATIONS

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 be ground for rejection of the bid under evaluation.** A statement either in the Bidders 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 provisions of **ITB** Clause 3.1 (a.2) and/or **GCC** Clause 2.1 (a.2).

MINIMUM SPECIFICATIONS / QUALIFICATIONS	STATEMENT OF COMPLIANCE
I. SPECIFICATION OF GOODS	
1. Warehousing Bonds must be an acceptable bond and fully recognized by the Bureau of Customs (BOC)	
2. Warehousing Bonds must be valid for the duration of the contract or until fully utilized.	
3. Warehousing Bond Coverage: <ul style="list-style-type: none"> • Must secure warehousing entry for storing imported goods, wares and merchandise in Customs Bonded Warehouse subject to Customs duties and taxes. • Must ensure immediate liquidation of the warehousing entry. • Payment of duties as indicated in the Statement of Liquidation issued by the BOC. 	
II. QUALIFICATION OF SUPPLIER	
1. Holder of Certificate of Authority from the Insurance Commission for the past twenty (20) years	
2. Accredited by the BOC continuously for the last ten (10) years.	

ADDITIONAL REQUIREMENTS TO BE SUBMITTED ON THE DATE OF BID OPENING AS INTEGRAL PART OF THE TECHNICAL SPECIFICATIONS:

1. Certificate of Accreditation from the Bureau of Customs within five (5) years (2016-2020).
2. Sworn Affidavit of the bidder’s continuous accreditation with the Bureau of Customs (BOC) for the last ten (10) years.
3. Certificate of Authority from the Insurance Commission (IC) for the past twenty



(20) years.

4. Sworn Affidavit that the bidder is a licensed non-life insurance provider and ranked within the top fifty (50) for 2019 in terms of the following:
 - a. Net Income
 - b. Net worth
 - c. Assets
 - d. Paid-up Capital
 - e. Invested Assets

Signature over printed name

Position

Duly authorized to sign this Technical Specification for and on behalf of

Date: _____



VIII. CHECKLIST OF TECHNICAL AND FINANCIAL DOCUMENTS

The first envelope shall contain the following:

I. ELIGIBILITY AND TECHNICAL COMPONENTS

A. ELIGIBILITY DOCUMENTS

1. PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 of the IRR together with the valid and updated documents indicated in "Annex A".

OR

- (a) Registration certificate from Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives or its equivalent document,
and
 - (b) Mayor's or Business permit issued by the city or municipality where the principal place of business of the bidder is located, or the equivalent document for Exclusive Economic Zones or Areas;
and
 - (c) Tax clearance per E.O. No. 398, s. 2005, as finally reviewed and approved by the Bureau of Internal Revenue (BIR).
2. a. List, if any, statement of the bidder's 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; (Please provide additional sheets, if necessary)

CONTRACTS				CUSTOMER CONTACTS		
Contract Name	Kinds of Goods	Date of Contract & delivery (mm/dd/yy & mm/dd/yy)	Contract Amount	Company	Person	Number/s

- b. 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;



CONTRACTS				CUSTOMER SATISFACTION (Let the customer sign the appropriate box)		CUSTOMER CONTACTS		
Contract Name	GOODS delivered	Date of Contract & delivery (mm/dd/yy & mm/dd/yy)	Contract Amount	Satisfied	Not Satisfied	Company	Person	Number/s

*Provide "Certificate of Satisfaction" from the listed company as proof.

Pursuant to 2016 Revised IRR 23.4.1.3 of RA 9184, the bidder must have completed, within the period specified in the Invitation to Bid, an SLCC that is similar to the contract to be bid, and whose value, adjusted to current prices using the Philippine Statistics Authority (PSA) consumer price indices, must be at least fifty percent (50%) of the ABC equivalent to **Four Million Five Hundred Forty Two Thousand Three Hundred Twelve Pesos and 72/100 (PhP4,542,312.72)**.

3. Duly signed computation of the bidder's Net Financial Contracting Capacity (*Refer to Appendix C, original*) or If the bidder submits a committed Line of Credit, it must be at least equal to ten percent (10%) of the ABC to be bid: Provided, That if the same is issued by a foreign Universal or Commercial Bank, it shall be confirmed or authenticated by a local Universal or Commercial Bank.
4. The Supplier's audited financial statements, showing, among others, the Supplier's total and current assets and liabilities, stamped "received" by the BIR or its duly accredited and authorized institutions, for the preceding calendar year which should not be earlier than two (2) years from the date of bid submission;
5. 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.

Each partner of the joint venture shall submit their respective PhilGEPS Certificates of Registration in accordance with Section 8.5.2 of this IRR. The submission of technical and financial eligibility documents by any of the joint



venture partners constitutes compliance: Provided, that the partner responsible to submit the NFCC shall likewise submit the Statement of all of its ongoing contracts and Audited Financial Statements.

B. TECHNICAL DOCUMENTS

1. Bid Security as refer to BDS under ITB Clause 14.1. 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 (*Refer to Appendix A, original*);
2. Conformity with the specifications, as enumerated and specified in the following:
 - a. Schedule of Requirements (*Refer to Section VI of the Bidding Documents, original.*
 - b. Technical Specifications. (*Refer to Section VII of the Bidding Documents, original.*
 - i. Certificate of Accreditation from the Bureau of Customs within five years (2016-2020).
 - ii. Sworn Affidavit of the bidder's continuous accreditation with the Bureau of Customs (BOC) for the last ten (10) years.
 - iii. Certificate of Authority from the Insurance Commission (IC) for the past twenty (20) years.
 - iv. Sworn Affidavit that the bidder is a licensed non-life insurance provider and ranked within the top fifty (50) for 2019 in terms of the following:
 - a) Net Income
 - b) Net worth
 - c) Assets
 - d) Paid-up Capital
 - e) Invested Assets
3. Duly signed Omnibus Sworn Statement (*Refer to Appendix B, original*); 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.
4. For foreign bidders claiming eligibility by reason of their country's extension of reciprocal rights to Filipinos, a certification from the relevant government office of their country stating that Filipinos are allowed to participate in their government activities for the same item or product. (*if applicable*)

Certification from the DTI if the Bidder claims preference as a Domestic Bidder or Domestic Entity. (*If applicable*)



The second envelope shall contain the following:

II. FINANCIAL COMPONENT

- A. Duly signed and accomplished Financial Bid Form (*Refer to Appendix D, original*)
- B. Duly signed and accomplished Price Schedule (*Refer to Appendix E, original*)

CHECKLIST OF ADDITIONAL REQUIREMENTS

Within non-extendible period of five (5) calendar days from receipt by the bidder of the notice from the BAC that the bidder has the Lowest Calculated Bid , the bidder shall submit in **two (2) copies** (one copy must be thru portable storage device (USB) to the BAC of the following documents as part of the post-qualification requirements:

1. Latest income and business tax returns in the forms specified in the BDS under ITB Clause 20.2;
 - a. 2019 Income Tax Return (*form 1701/1702*) with Audited Financial Statement.
 - b. Business Tax Return (*forms 2550M/2551M and 2550Q/2551Q*) for the last six (6) months (**June to November 2020**) prior to opening of Bids filed thru Electronic Filing and Payment System (EFPS).

Only tax returns filed and taxes paid through the BIR Electronic Filing and Payment System (EFPS) shall be accepted.
2. Other appropriate licenses and permits.
 - a. Updated General Information Sheet received by the SEC, for corporation.
 - b. BIR Registration Certificate.
 - c. Company Profile
 - d. Location Map and Photo of the office.

Failure to submit any of the post-qualification requirements on time, or a finding against the veracity thereof, shall disqualify the bidder for award: Provided, That in the event that a finding against the veracity of any of the documents submitted is made, it shall cause the forfeiture of the Bid Security in accordance with Section 69 of 2016 IRR of RA 9184.

CITY OF _____) S.S.
X-----X

BID-SECURING DECLARATION

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

To: Duty Free Philippines Corporation
Fiestamall, Columbia Complex,
Ninoy Aquino Avenue, Parañaque City

I/We, the undersigned, declare that:

1. I/We understand that, according to your conditions, bids must be supported by a Bid Security, which may be in the form of a Bid-Securing Declaration.
2. I/We accept that: (a) I/we will be automatically disqualified from bidding for any contract with any procuring entity for a period of two (2) years upon receipt of your Blacklisting order; and, (b) I/we will pay the applicable fine provided under Section 6 of the Guidelines on the Use of Bid Securing Declaration, within fifteen (15) days from receipt of the written demand by the procuring entity for the commission of acts resulting to the enforcement of the bid securing declaration under Sections 23.1(b), 34.2, 40.1 and 69.1, except 69.1(f), of the IRR of RA 9184; without prejudice to other legal action the government may undertake.
3. I/We understand that this Bid-Securing Declaration shall cease to be valid on the following circumstances:
 - (a) Upon expiration of the bid validity period, or any extension thereof pursuant to your request;
 - (b) I am/we are declared ineligible or post-disqualified upon receipt of your notice to such effect, and (i) I/we failed to timely file a request for reconsideration or (ii) I/we filed a waiver to avail of said right;
 - (c) I am/we are declared as the bidder with the Lowest Calculated and Responsive Bid/Highest Rated and Responsive Bid, and I/we have furnished the performance security and signed the Contract.

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

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

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 Identification Card 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. _____

MCLE Compliance No. _____

PTR No. __, *[date issued]*, *[place issued]*

IBP No. __, *[date issued]*, *[place issued]*

Doc. No. ____

Page No. ____

Book No. ____

Series of ____.

OMNIBUS SWORN STATEMENT

REPUBLIC OF THE PHILIPPINES)
CITY/MUNICIPALITY OF _____) S.S.

AFFIDAVIT

I, [Name of Affiant], of legal age, [Civil Status], [Nationality], and residing at [Address of Affiant], after having been duly sworn in accordance with law, do hereby depose and state that:

1. *[Select one, delete the other:]*

[If a sole proprietorship:] I am the sole proprietor or authorized representative of [Name of Bidder] with office address at [address of Bidder];

[If a partnership, corporation, cooperative, or joint venture:] I am the duly authorized and designated representative of [Name of Bidder] with office address at [address of Bidder];

2. *[Select one, delete the other:]*

[If a sole proprietorship:] As the owner and sole proprietor, or authorized representative of [Name of Bidder], I have full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached duly notarized Special Power of Attorney;

[If a partnership, corporation, cooperative, or joint venture:] I am granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached [state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate, Board/Partnership Resolution, or Special Power of Attorney, whichever is applicable)];

3. [Name of Bidder] is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board, **by itself or by relation, membership, association, affiliation, or controlling interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on Blacklisting;**

4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;

5. [Name of Bidder] is authorizing the Head of the Procuring Entity or its duly authorized representative(s) to verify all the documents submitted;

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

[If a sole proprietorship:] The owner or sole proprietor is not related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

[If a partnership or cooperative:] None of the officers and members of [Name of Bidder] is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

[If a corporation or joint venture:] None of the officers, directors, and controlling stockholders of [Name of Bidder] is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

7. [Name of Bidder] complies with existing labor laws and standards; and

8. [Name of Bidder] is aware of and has undertaken the responsibilities as a Bidder in compliance with the Philippine Bidding Documents, which includes:

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

9. [Name of Bidder] 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.

10. In case advance payment was made or given, failure to perform or deliver any of the obligations and undertakings in the contract shall be sufficient grounds to constitute criminal liability for Swindling (Estafa) or the commission of fraud with unfaithfulness or abuse of confidence through misappropriating or converting any payment received by a person or entity under an obligation involving the duty to deliver certain goods or services, to the prejudice of the public and the government of the Philippines pursuant to Article 315 of Act No. 3815 s. 1930, as amended, or the Revised Penal Code.

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

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

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. _____
MCLE Compliance No. _____
PTR No. _____
IBP No. _____

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

APPENDIX C

FINANCIAL DOCUMENTS FOR ELIGIBILITY CHECK

		Year 20__
1	Total Assets	
2	Current Assets	
3	Total Liabilities	
4	Current Liabilities	
5	Net Worth (1-3)	
6	Net Working Capital (2-4)	

The Net Financial Contracting Capacity (NFCC) based on the above data is computed as follows:

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

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

NFCC = PhP _____

Submitted by:

Name of Bidder

Signature of Authorized Representative over Printed Name

Date: _____

BID FORM

Date: _____

Project Identification No. : IMP2020-01

To: **ENGR. JOEL R. PEREZ**
Duty Free Philippines Corporation
Fiestamall, Columbia Complex,
Ninoy Aquino Avenue, Parañaque City

Gentlemen and/or Ladies:

Having examined the Philippine Bidding Documents (PBDs) including the Supplemental or Bid Bulletin Numbers *[insert numbers]*, the receipt of which is hereby duly acknowledged, we, the undersigned, offer to **PROVISION OF GENERAL WAREHOUSING BOND** in conformity with the said PBDs for the sum of **[total Bid amount in words and figures]** or the total calculated bid price, as evaluated and corrected for computational errors, and other bid modifications in accordance with the Price Schedules attached herewith and made part of this Bid. The total bid price includes the cost of all taxes, such as, but not limited to: *[specify the applicable taxes, e.g. (i) value added tax (VAT), (ii) income tax, (iii) local taxes, and (iv) other fiscal levies and duties]*, which are itemized herein or in the Price Schedules,

If our Bid is accepted, we undertake:

- a. to deliver the goods in accordance with the delivery schedule specified in the Schedule of Requirements of the Philippine Bidding Documents (PBDs);
- b. to provide a performance security in the form, amounts, and within the times prescribed in the PBDs;
- c. to abide by the Bid Validity Period specified in the PBDs and it shall remain binding upon us at any time 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 Calculated Bid or any Bid you may receive.

We certify/confirm that we comply with the eligibility requirements pursuant to the PBDs.

The undersigned is authorized to submit the bid on behalf of *[name of the bidder]* as evidenced by the attached *[state the written authority]*.

We acknowledge that failure to sign each and every page of this Bid Form, including the attached Schedule of Prices, shall be a ground for the rejection of our bid.

Name: _____

Legal Capacity: _____

Signature: _____

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

APPENDIX E

PRICE SCHEDULE

Name of Bidder _____

Item	Description	Quantity	Premium	Doc stamp and other fees	Value Added Tax (VAT)	Total Amount
1	General Warehousing Bonds valued at One Hundred Eight Million Pesos (PhP108,000,000.00) per set	Twenty seven (27) sets				

Note: For Applicable taxes, please refer to Section 32.2.2 of the 2016 Revised IRR of R.A. 9184

Name: _____

Legal Capacity: _____

Signature: _____

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

REQUEST FOR RECONSIDERATION

Date of Issuance

Engr. Joel R. Perez
Duty Free Philippines Corporation
Fiestamall, Columbia Complex,
Ninoy Aquino Avenue, Parañaque City

Dear Sir:

In relation to the results of the Bid Opening/Post-Qualification conducted for the bidding of the **PROVISION OF GENERAL WAREHOUSING BONDS (IMP2021-01)** held on ____ (date and time) at _____ (venue) _____, we would like to request for reconsideration the decision of “Ineligibility” of our of our firm on the following grounds:

We are hoping for your consideration.

Very truly yours,

Name of the Representative of the Bidder
Position of the Representative
Name of the Bidder

Received by the BAC : _____
Date : _____

CONTRACT AGREEMENT

THIS AGREEMENT made the ____ day of _____ 20____ between [name of PROCURING ENTITY] of the Philippines (hereinafter called “the Entity”) of the one part and [name of Supplier] of [city and country of Supplier] (hereinafter called “the Supplier”) of the other part;

WHEREAS, the Entity invited Bids for certain goods and ancillary services, particularly [brief description of goods and services] and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of *[contract price in words and figures in specified currency]* (hereinafter called “the Contract Price”).

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract referred to.
2. The following documents as required by the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184 shall be deemed to form and be read and construed as integral part of this Agreement, *viz.*:
 - i. Philippine Bidding Documents (PBDs);
 - i. Schedule of Requirements;
 - ii. Technical Specifications;
 - iii. General and Special Conditions of Contract; and
 - iv. Supplemental or Bid Bulletins, if any
 - ii. Winning bidder’s bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;

Bid form, including all the documents/statements contained in the Bidder’s bidding envelopes, as annexes, and all other documents submitted (e.g., Bidder’s response to request for clarifications on the bid), including corrections to the bid, if any, resulting from the Procuring Entity’s bid evaluation;
 - iii. Performance Security;
 - iv. Notice of Award of Contract; and the Bidder’s conforme thereto; and
 - v. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the PBDs. **Winning bidder agrees that additional contract documents or information prescribed by the GPPB that are subsequently required for submission after the contract execution, such as the Notice to Proceed, Variation Orders, and Warranty Security, shall likewise form part of the Contract.**
3. In consideration for the sum of *[total contract price in words and figures]* or such other sums as may be ascertained, *[Named of the bidder]* agrees to *[state the object of the contract]* in accordance with his/her/its Bid.

4. The *[Name of the procuring entity]* agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines on the day and year first above written.

[Insert Name and Signature]

[Insert Name and Signature]

[Insert Signatory's Legal Capacity]

[Insert Signatory's Legal Capacity]

for:

for:

[Insert Procuring Entity]

[Insert Name of Supplier]

Acknowledgment

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 Identification Card 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. _____

MCLE Compliance No. _____

PTR No. __, *[date issued]*, *[place issued]*

IBP No. __, *[date issued]*, *[place issued]*

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