

**IB 2022-15: PROCUREMENT OF VARIOUS NETWORKING
EQUIPMENT AND PERIPHERALS**

**SECTION II –
INSTRUCTION TO
BIDDERS**

**SECTION III – BID
DATA SHEET**

1. Scope of Bid

The Procuring Entity, **BENGUET STATE UNIVERSITY** (BSU) wishes to receive Bids for the *Procurement of Various Networking Equipment and Peripherals*, with identification number 2022-15

[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 (referred to herein as “Project”) is composed 2 items, the details of which are described in Section VII (Technical Specifications).

2. Funding Information

2.1. The GOP through the source of funding as indicated below for *Special Project* in the amount of *Five Million One Hundred Seventy-Seven Thousand Two Hundred Sixty-Four and Forty-Five Centavos Only*.

2.2. The source of funding is:

CHED IDIG.

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.

A. 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. *[Select one, delete other/s]*

- a. Foreign ownership exceeding those allowed under the rules may participate pursuant to:
 - i. When a Treaty or International or Executive Agreement as provided in Section 4 of the RA No. 9184 and its 2016 revised IRR allow foreign bidders to participate;
 - ii. Citizens, corporations, or associations of a country, included in the list issued by the GPPB, the laws or regulations of which grant reciprocal rights or privileges to citizens, corporations, or associations of the Philippines;
 - iii. When the Goods sought to be procured are not available from local suppliers; or
 - iv. When there is a need to prevent situations that defeat competition or restrain trade.
- b. Foreign ownership limited to those allowed under the rules may participate in this Project.

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

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

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

6. Origin of Goods

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

7. Subcontracts

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

The Procuring Entity has prescribed that:

Subcontracting is not allowed.

5.3. For this purpose, contracts similar to the Project shall be:

- a. *Supply, Delivery, Installation, Testing and Commissioning of Structured Cabling at Library Building of La Trinidad Campus*
- b. *Completed within five (5) years from the submission of bids.*

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 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, 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 *five (5) years as provided in paragraph 2 of the IB* 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 2 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.

8. Pre-bid Conference for this project is on **March 17, 2022 at 2:00 PM (PST) at the Rogelio Dulay Colting Sr. Hall (RDC Hall), 2nd floor Admin Bldg. BSU, La Trinidad, Benguet; and through video conferencing via google meet: meet.google.com/iih-nrds-cpo**

11. The contents of the First Envelope (Envelope A) are the Eligibility Documents which includes the following:

A. Legal Documents

1. Valid PhilGEPS Registration Certificate – Platinum Membership (all pages) kindly attached updated permits/ licenses; or
2. Registration certificate from SEC, DTI or CDA, and
3. Mayor's or Business permit issued by the city or municipality where the principal place of business of the prospective bidder is located, or the equivalent document for Exclusive Economic Zones or Areas;
4. Tax Clearance per E.O No. 398, s. 2005, as finally

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11.5. *Financial* proposals for single or multi-year Framework Agreement shall be submitted before the deadline of submission of bids as prescribed in the IB. For multi-year Framework Agreement, evaluation of the financial proposal during this stage is for purposes of determining eligibility and whether or not such financial proposal is within the ABC.

reviewed and approved by the BIR

B. Technical Documents

5. Statement of the prospective bidder of all ongoing government and private contracts, including contracts awarded but not yet awarded, if any, whether similar or not similar in nature and complexity to the contract to be bid; and

6. 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 9184, within the relevant period as provided; and

7. Original copy of Bid Security

7.1. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission; or

7.2. Original copy of Notarized Bid Securing Declaration; and

8. Conformity with the Technical Specifications; and

9. Schedule of Requirements, with delivery schedule; and

10. Manpower Requirements; and

11. Aftersales warranty; and

12. Original duly signed Omnibus Sworn Statement (OSS); and

13. 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 his officer to sign the OSS and do acts to represent the Bidder.

C. Financial Documents

14. Audited Financial Statements stamped received by the BIR or its duly accredited and authorized institutions for the preceding year which should not be earlier than two (2) years from the date of bid submission; and Latest Income and Business Tax Returns; and

15. Latest Business and Income Tax Returns filed and paid through the BIR Electronic Filing and Payment System (eFPS); and

16. Computation of Net Financial Contracting Capacity (NFCC); or Committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation

17. 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

11.1. Financial Component Envelope (Envelope B)

1. Original of duly signed and accomplished Financial Bid Form; and

<p>12. Bid Prices</p> <p>12.1. Prices indicated on the Price Schedule shall be entered separately in the following manner:</p> <p>a. For Goods offered from within the Procuring Entity's country:</p> <p>i. The price of the Goods quoted EXW (ex-works, ex-factory, ex-warehouse, ex-showroom, or off-the-shelf, as applicable);</p> <p>ii. The cost of all customs duties and sales and other taxes already paid or payable;</p> <p>iii. The cost of transportation, insurance, and other costs incidental to delivery of the Goods to their final destination; and</p> <p>iv. The price of other (incidental) services, if any, listed in e.</p> <p>b. For Goods offered from abroad:</p> <p>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.</p> <p>ii. The price of other (incidental) services, if any, as listed in Section VII (Technical Specifications).</p> <p>13. Bid and Payment Currencies</p> <p>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.</p> <p>13.2. Payment of the contract price shall be made in:</p> <p>a. Philippine Pesos</p> <p>14. Bid Security</p>	<p>2. Original of duly signed and accomplished Price Schedule (s); and</p> <p>3. Detailed Descriptions/ Brochures of the items; and</p> <p>4. Other supporting documents (e.g. accreditations, exclusive distributorship and others)</p> <p>*** All documents submitted by the bidder must have label/tabbing</p> <p>***Incomplete required documents and expired licenses/ permit shall be a ground for disqualification.</p> <p>12. The price of the Goods shall be quoted DDP at Benguet State University, Km. 5, La Trinidad, Benguet or the applicable International Commercial Terms (INCOTERMS) for this project.</p>
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<p>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.</p> <p>14.2. The Bid and bid security shall be valid 120 days from the date of opening. Any Bid not accompanied by an acceptable bid security shall be rejected by the Procuring Entity as non-responsive.</p> <p>15. Sealing and Marking of Bids</p> <p>Each Bidder shall submit one copy of the first and second components of its Bid.</p> <p>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.</p> <p>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.</p> <p>16. Deadline for Submission of Bids</p> <p>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 Invitation to Bid.</p> <p>17. Opening and Preliminary Examination of Bids</p> <p>17.1. 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.</p> <p>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.</p> <p>17.2. The preliminary examination of bids shall be governed by Section 30 of the 2016 revised IRR of RA No. 9184.</p>	<p>14.1. Bid Security – shall be in any of the following forms and amount:</p> <ol style="list-style-type: none"> Bid Securing Declaration; or The amount of not less than 2% of ABC, if bid security is in cash, cashier's / Manager's check, bank draft/guarantee or irrevocable of credit; or The amount of not less than 5% if bid security is in Surety Bond <p>15. Each Bidder shall submit one (1) original copy of their bid proposal and one (1) certified photocopy, marked as "original", and "copy 1", respectively.</p> <p>***In preparing the bid, the original copy and copy 1 of bid shall be signed by the bidder or its duly authorized representative over printed name and indicating the position in the company.</p> <p>17.1. Opening of bids for this Project is on <u>March 29, 2022 at 2:01 PM (PST) at the Rogelio Dulay Colting Sr. Hall (RDC Hall), 2nd floor Admin Bldg. BSU, La Trinidad, Benguet; and through video conferencing via google meet: meet.google.com/iijh-nrds-cpo</u></p>
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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.

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 follows:

Option 1 – One Project having several items that shall be awarded as one contract.

Option 2 – One Project having several items grouped into several lots, which shall be awarded as separate contracts per lot.

Option 3 - One Project having several items, which shall be awarded as separate contracts per item.

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

20.2. Within a non-extendible period of five (5) calendar days from receipt by the Bidder of the notice from the

19.3. List of Items to be bid:

a. *1 Lot Supply and Delivery of Semi-Expendable Networking Equipment*

b. *1 Lot Supply and Delivery Network and Peripherals*

20.2. None

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BAC that it submitted the Lowest Calculated Bid, the Bidder shall submit its latest income and business tax returns filed and paid through the BIR Electronic Filing and Payment System (eFPS) and other appropriate licenses and permits required by law and stated in the **BDS**.

21. Signing of the Contract

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

21.1. Required documents includes: Warranty Certificate and Insurance