

***IB 2021-11 CONSTRUCTION AND SITE
IMPROVEMENT OF THE BENGUET AGRI-
PINOY TRADING CENTER (BAPTC) MINIMAL
PROCESSING AND PACKAGING FACILITY
THROUGH DESIGN AND BUILD***



***SECTION II – INSTRUCTION
TO BIDDERS (ITB)***

***SECTION III – BID
DATA SHEET (BDS)***

1. Scope of Bid

The Procuring Entity, *BENGUET STATE UNIVERSITY (BSU)* invites Bids for the Construction and Site Improvement of the Benguet Agri-Pinoy Processing Center (BAPTC) Minimal Processing and Packaging Facility through Design and Build Scheme, with Project Identification Number IB 2021-11

The Procurement Project (referred to herein as “Project”) is for the construction of Works, as described in Section VI (Specifications).

2. Funding Information

- 2.1. The GOP through the source of funding is Special Project- Department of Agriculture in the amount of Twenty Million Pesos only (Php. 20,000,000.00).

Breakdown:

3% of the ABC will allocated for the Design
97% of the ABC for the architectural and civil works (including all taxes, permits, licenses and clearances)

- 2.2. The source of funding is NGA, Grant from the Department of Agriculture

3. Bidding Requirements

The Bidding for the Project shall be governed by all the provisions of RA No. 9184 and its 2016 revised IRR, including its Generic Procurement Manual and associated policies, rules and regulations as the primary source thereof, while the herein clauses shall serve as the secondary source thereof.

Any amendments made to the IRR and other

GPPB issuances shall be applicable only to the ongoing posting, advertisement, or invitation to bid by the BAC through the issuance of a supplemental or bid bulletin.

The Bidder, by the act of submitting its Bid, shall be deemed to have inspected the site, determined the general characteristics of the contracted Works and the conditions for this Project, such as the location and the nature of the work; (b) climatic conditions; (c) transportation facilities; (c) nature and condition of the terrain, geological conditions at the site communication facilities, requirements, location and availability of construction aggregates and other materials, labor, water, electric power and access roads; and (d) other factors that may affect the cost, duration and execution or implementation of the contract, project, or work and examine all instructions, forms, terms, and project requirements in the Bidding Documents.

4. Corrupt, Fraudulent, Collusive, Coercive, and Obstructive Practices

The Procuring Entity, as well as the Bidders and Contractors, shall observe the highest standard of ethics during the procurement and execution of the contract. They or through an agent shall not engage in corrupt, fraudulent, collusive, coercive, and obstructive practices defined under Annex “I” of the 2016 revised IRR of RA No. 9184 or other integrity violations in competing for the Project.

5. Eligible Bidders

5.1. Only Bids of Bidders found to be legally, technically, and financially capable will be evaluated.

5.2. The Bidder must have an experience of having completed a Single Largest

5.2. The bidder must have completed within the last five (5) year from the date of submission of bids, a Design-Build contract similar to this project.

Completed Contract (SLCC) that is similar to this Project, equivalent to at least fifty percent (50%) of the ABC adjusted, if necessary, by the Bidder to current prices using the PSA's CPI, except under conditions provided for in Section 23.4.2.4 of the 2016 revised IRR of RA No. 9184.

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

5.3. For Foreign-funded Procurement, the Procuring Entity and the foreign government/foreign or international financing institution may agree on another track record requirement, as specified in the Bidding Document prepared for this purpose.

5.4. The Bidders shall comply with the eligibility criteria under Section 23.4.2 of the 2016 IRR of RA No. 9184.

6. Origin of Associated Goods

There is no restriction on the origin of Goods other than those prohibited by a decision of the UN Security Council taken under Chapter VII of the Charter of the UN.

7. Subcontracts

7.1. The Bidder may subcontract portions of the Project to the extent allowed by the Procuring Entity as stated herein, but in no case more than fifty percent (50%) of the Project.

The Procuring Entity has prescribed that:

b. Subcontracting is not allowed.

7.1. *[If Procuring Entity has determined that subcontracting is allowed during the bidding, state:]* The Bidder must submit together with its Bid the documentary

For this purpose, similar contracts shall refer to projects which have the same major categories of work, such as the design or construction, or design, construction and supervision of building/warehouse.

7.1. No further instruction

requirements of the subcontractor(s) complying with the eligibility criterion stated in **ITB** Clause 5 in accordance with Section 23.4 of the 2016 revised IRR of RA No. 9184 pursuant to Section 23.1 thereof.

7.2. *[If subcontracting is allowed during the contract implementation stage, state:]* The Supplier may identify its subcontractor during the contract implementation stage. Subcontractors identified during the bidding may be changed during the implementation of this Contract. Subcontractors must submit the documentary requirements under Section 23.1 of the 2016 revised IRR of RA No. 9184 and comply with the eligibility criteria specified in **ITB** Clause 5 to the implementing or end-user unit.

7.3. Subcontracting of any portion of the Project does not relieve the Contractor of any liability or obligation under the Contract. The Supplier will be responsible for the acts, defaults, and negligence of any subcontractor, its agents, servants, or workmen as fully as if these were the Contractor's own acts, defaults, or negligence, or those of its agents, servants, or workmen.

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 at Administration Conference Room, 2nd Floor Administration Building, Benguet State University, La Trinidad, Benguet and/or through videoconferencing/webcasting as indicated in the Invitation to Bid.

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

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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 IX. Checklist of Technical and Financial Documents**.

10.2. If the eligibility requirements or statements, the bids, and all other documents for submission to the BAC are in foreign language other than English, it must be accompanied by a translation in English, which shall be authenticated by the appropriate Philippine foreign service establishment, post, or the equivalent office having jurisdiction over the foreign bidder’s affairs in the Philippines. For Contracting Parties to the Apostille Convention, only the translated documents shall be authenticated through an apostille pursuant to GPPB Resolution No. 13-2019 dated 23 May 2019. The English translation shall govern, for purposes of interpretation of the bid.

10.3. A valid PCAB License is required, and in case of joint ventures, a valid special PCAB License, and registration for the type and cost of the contract for this Project. Any additional type of Contractor license or permit shall be indicated in the **BDS**.

10.4. A List of Contractor’s key personnel (e.g., Project Manager, Project Engineers, Materials Engineers, and Foremen) assigned to the contract to be bid, with their complete qualification and

10. Eligibility and Technical Components in accordance with Section IX Checklist of Technical and Financial Documents.

***** All licenses must be valid at the time of the opening of bids.**

Notes:

**** Certificate of Site Inspection** – will only be issued by Engr. Sheriff La Madrid (PDO III) after the site inspection by the Authorize Managing Officer (AMO) or its technical personnel to be pledged for the project has been made. Affidavit of Site Inspection is not allowed.

**** All documents submitted by the bidder must have tab/tag.**

** Bidders with incomplete required documents and expired licenses/ permits shall be disqualified.

10.3. In case of Joint ventures: bidders must submit the following:

- a. Special PCAB License in case of Joint Ventures and registration for the type and cost of the contract to be bid, and
- b. Joint Venture Agreement

10.4. The list of personnel and its minimum years of experience set are indicated in Section IX, Checklist of Technical and Financial Documents

<p>experience data shall be provided. These key personnel must meet the required minimum years of experience set in the BDS.</p> <p>10.5. A List of Contractor’s major equipment units, which are owned, leased, and/or under purchase agreements, supported by proof of ownership, certification of availability of equipment from the equipment lessor/vendor for the duration of the project, as the case may be, must meet the minimum requirements for the contract set in the BDS.</p> <p>11. Documents Comprising the Bid: Financial Component</p> <p>11.1. The second bid envelope shall contain the financial documents for the Bid as specified in Section IX. Checklist of Technical and Financial Documents.</p> <p>11.2. Any bid exceeding the ABC indicated in paragraph 1 of the IB shall not be accepted.</p> <p>11.3. For Foreign-funded procurement, a ceiling may be applied to bid prices provided the conditions are met under Section 31.2 of the 2016 revised IRR of RA No. 9184.</p> <p>12. Alternative Bids</p> <p>Bidders shall submit offers that comply with the requirements of the Bidding Documents, including the basic technical design as indicated in the drawings and specifications. Unless there is a value engineering clause in the BDS, alternative Bids shall not be accepted.</p> <p>13. Bid Prices</p>	<p>10.5. <i>All pledged equipment should be in good working condition and solely for the project.</i></p> <p><i>For this project, the required equipments are indicated in Section IX Checklist of Technical and Financial Documents. Prospective bidders may include additional equipment deemed necessary for the implementation of the project.</i></p> <p>11.1 No further instructions</p> <p>12. None</p>
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All bid prices for the given scope of work in the Project as awarded shall be considered as fixed prices, and therefore not subject to price escalation during contract implementation, except under extraordinary circumstances as determined by the NEDA and approved by the GPPB pursuant to the revised Guidelines for Contract Price Escalation guidelines.

14. Bid and Payment Currencies

14.1. Bid prices may be quoted in the local currency or tradeable currency accepted by the BSP at the discretion of the Bidder. However, for purposes of bid evaluation, Bids denominated in foreign currencies shall be converted to Philippine currency based on the exchange rate as published in the BSP reference rate bulletin on the day of the bid opening.

14.2. *Payment of the contract price shall be made in Philippine Pesos*

15. Bid Security

15.1. The Bidder shall submit a Bid Securing Declaration or any form of Bid Security in the amount indicated in the **BDS**, which shall be not less than the percentage of the ABC in accordance with the schedule in the **BDS**.

15.2. The Bid and bid security shall be valid for one hundred twenty days from date of opening. Any bid not accompanied by an acceptable bid security shall be rejected by the Procuring Entity as non-responsive.

16. Sealing and Marking of Bids

Each Bidder shall submit one copy of the first and second components of its Bid.

15.1. The bid security shall be in the form of the following:

- a. Bid Securing Declaration; or
- b. The amount of not less than 2% of ABC if bid security is in Cash, or
- c. The amount of not less than 5% of ABC if bid security is in Surety Bond

16. *Each Bidder shall submit one (1) original copy and two (2) certified photocopies, marked as "original", "copy 1", and "copy 2" respectively of the first and second component of its bid.*

The Procuring Entity may request additional hard copies and/or electronic copies of the Bid. However, failure of the Bidders to comply with the said request shall not be a ground for disqualification.

If the Procuring Entity allows the submission of bids through online submission to the given website or any other electronic means, the Bidder shall submit an electronic copy of its Bid, which must be digitally signed. An electronic copy that cannot be opened or is corrupted shall be considered non-responsive and, thus, automatically disqualified.

17. Deadline for Submission of Bids

The Bidders shall submit on the specified date and time and either at its physical address indicated in the Invitation to Bid.

18. Opening and Preliminary Examination of Bids

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

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

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

**** Each and every page of the original copy of the bid shall be duly signed and bear the name and position of the signatory. All photocopied documents of the original copy must be certified as true copy.**

For copies 1 and 2, the authorized signatory must affix his/her signature in every page.

19. Detailed Evaluation and Comparison of Bids

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

19.2. If the Project allows partial bids, all Bids and combinations of Bids as indicated in the **BDS** shall be received by the same deadline and opened and evaluated simultaneously so as to determine the Bid or combination of Bids offering the lowest calculated cost to the Procuring Entity. Bid Security as required by **ITB** Clause 16 shall be submitted for each contract (lot) separately.

19.3. In all cases, the NFCC computation pursuant to Section 23.4.2.6 of the 2016 revised IRR of RA No. 9184 must be sufficient for the total of the ABCs for all the lots participated in by the prospective Bidder.

20. Post Qualification

Within a non-extendible period of five (5) calendar days from receipt by the Bidder of the notice from the BAC that it submitted the Lowest Calculated Bid, the Bidder shall submit its latest income and business tax returns filed and paid through the BIR Electronic Filing and Payment System (eFPS), and other appropriate licenses and permits required by law and stated in the **BDS**.

21. Signing of the Contract

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

19.2. Partial bids are not allowed. The infrastructure project is packaged in a single lot and the lot shall not be divided into sub-lots for the purpose of bidding, evaluation, and contract award.

20. For expediency: *Latest Income and Business tax returns is to be included in the Eligibility Requirement*

21. Additional contract documents relevant to the Project that may be required by existing laws and/or the Procuring Entity. The winning bidder must submit the following documents:

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Contract documents are indicated in the **BDS.**

- a. PERT/CPM;*
- b. Construction Safety and Health Program duly approved by DOLE;*
- c. Construction Schedule and S-Curve;*
- d. Equipment Utilization Schedule;*
- e. Manpower Schedule;*
- f. Construction Methods;*
- g. Constructor’s All Risk Insurance (CARI)*