NATIONAL ADMINISTRATIVE REGISTER · JULY 29, 1992

# IMPLEMENTING GUIDELINES FOR PUBLIC BIDDING

*CDA RESOLUTION NO. 194, s. 1992, July 29, 1992*

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Objectives
To attain the most advantageous terms and for transparency in all transactions, contracts for services or for supply of materials and equipment to the Government amounting to P50,000 or more shall be entered into through public bidding except in the following cases:

a. Whenever the services or supplies are urgently needed to meet an emergency which may involve the loss, or danger to, life and/or property;

b. Whenever the services or supplies are to be used in connection with project or activity which cannot be delayed without causing detriment to the public service;

c. Whenever the services or supplies are sold by an exclusive distributor or manufacturer who does not have sub-dealers selling at lower prices and for which no suitable substitute can be obtained elsewhere at more advantageous terms to the government;

d. Whenever the service or supplies under procurement have been unsuccessfully placed on bid for at least two consecutive times, either due to lack of bidders or the offers received in each instance were exorbitant or do not conform to specifications.

e. In cases where it is apparent that the requisition of the needed services or supplies through negotiated transaction is most advantageous to the Government to be determined by the Agency Head concerned; and

f. Whenever the purchase is made from an agency of the government.

Invitation to Bid
Invitation to bid may be done in any of the following manner:

1. By publication in at least two (2) newspapers of general circulation at least on week before the opening of the bids. Likewise, the invitation to bid shall be posted in at least three (3) conspicuous public places including at least one office bulletin board.

2. By furnishing copies of the Invitation to Bid to all knowm prospective bidders or known dealers in the Philippines at least seven (7) days prior to the date of the opening of the bids.

The decision as to when to advertise the bids by publication in newspapers of general circulation is left to the decision of the Bids and Awards Committee, (BAC) subject to the approval of the Executive Director. The cost of such advertisement in relation to the value of articles/services to be purchased/contracted shall be taken into consideration in consultation with the Finance Division and Cooperative Research Information Training Division (CRITD).

The invitation to bid shall contain among others the following information:

- invitation number and date;


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- date and time of opening of bids;

- quantity of supplies and services;

- description and specifications;

- terms and conditions of contracts;

- bond requirement (10% of bid price);

- right to accept and reject bid (government reservation clause) and waive any condition or term;

- delivery period; and

Requirements to Qualify to Bid*
TO QUALIFY FOR BIDDING, the bidder must pass the two pre-qualification stages.

First stage, the bidder must submit to the Secretary of the Bids and Awards Committee the following pre-qualification requirements:

1. S.E.C. Certificate of Registration

2. Audited Financial Statement for the past two (2) years

3. Certificate of Exclusive Distributorship

4. Certificate to Legal Bios

5. Certificate from Federal Communications Commission

6. Certificate from Underwriters Laboratories

7. Income Tax Return for the last two years

8. Administrative Order 200 (Bill of lading, Packing list, O.R. from Bureau of Customs)

The second stage of pre-qualification of equipment to be bidded will be a technical evaluation of all units from a government agency (National Computer Center, TLRC, DAP, etc. ) capable of evaluating Information Technology (IT) equipment.

Submission of Bids

1. Bids shall be submitted in a sealed envelope with the name of the items/services to be bidded and the name of the bidder written in capital letters, addressed to the Bids and Wards Committee of the Authority.

2. Bids shall be received on or before the designated time and date to be eligible for consideration.

3. Bids may be withdrawn only in writing before the time set for the opening of the bids in which case his bid shall be returned to him "unread".

4. A bid which is not accompanied by a bid bond shall be rejected outright.

5. In every bidding there shall be at least two (2) competing bidders. In case there is only one bidder, the bid shall be returned unopened and a rebidding shall be advertised anew.

Opening of Bids
Bids shall be opened at a place, date and time specified in the advertisement by the Bids and Awards Committee. The bidder or their duly authorized representative shall attend the opening of the bids. Every page of the original


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copies of all bids received and read must be initialed by all members of the Bids and Awards Committee and the Auditor's representative.

After all bids have been received and opened, the corresponding abstract of bids shall be prepared. The abstract of bids shall be signed by all members of the BAC, attaching thereto all the bids with the corresponding bid bond (Bidders bond equivalent to 10% of bid price which shall be in the form of cash, manager's check, certified check, bank draft or a surety bond issued by the GSIS) and the minutes or proceedings of the bidding. The abstract of bids shall contain the following:

1. name of supplies/equipment or services bidded out;

2. time, date and place of bidding;

3. names of bidders and their corresponding bids arranged from the lowest to highest, the amount of bond and the name of the surety company.

Criteria in Making Awards
The following points are to be considered in making awards:

a)

Technical Evaluation.....

30%

b)

Price (Cost)*.....

50%

c)

Support.....

20%

_____

Total

100%

Lowest Bid Price

Cost = ——————————— X 50%

Bidder's Price

1. Technical Evaluation — The units evaluated must be endorsed by the Agency who conducted the evaluation and must comply with the specification called for.

2. Prices — Prices quoted must be advantageous to the government. (Note: The total bid price of the bidder should not exceed the budget)

3. Support — These factors consider the business standing, character, skill, previous record with the government; and necessary facilities and equipment of the bidder to fulfill the contract successfully.


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Preference in the purchase of items shall be given to locally manufactured goods consonant with the principles and objective of the Flag Law. Importation shall be allowed only when such times are not locally available or when the prices of locally manufactured goods are exceedingly exorbitant, or the quality of locally available goods is not suitable for the Government's requirements.

Evaluation of Bids

The BAC shall evaluate the bids within five (5) working days from the date of the opening of the bids and submit the result of their evaluation to the Executive Director for approval.

Basis of Bids

1. Award shall be given to the bidder who garnered the highest evaluation points.

2. Where there are two or more competing bidders who garnered the same number of evaluation points, the award may be divided equally as practicable among them.

Notice of Award
Upon approval of the award the BAC shall notify the awardees of the decision of the Authority.

Procedures of the Bidding
1. Publication of the bid.

2. Request Pre-qualification and Bid Forms and list of requirements from the BAC Secretariat and pay for the corresponding amount for the said forms, at costs.

3. Submission of Pre-qualification and Bid documents at the same time of two different boxes to the BAC Secretariat.

Bidders shall submit both documents which shall be marked as follows:

**ENVELOPE "1" — PRE-QUALIFICATION DOCUMENTS**

**ENVELOPE "2" — BID DOCUMENTS**

Each document shall indicate the name, company, address and telephone numbers at the left corner of the envelope. However, the opening of pre-qualification documents and bid documents is not simultaneous. The bidder must pre-qualify first. If qualified, the bidder's equipment shall be subjected to technical evaluation, which is the second stage of the bidding. If qualified at the second stage, that's the time he may qualify in the opening of bids.

4. The BAC shall then evaluate the first box containing Pre-qualification Documents (Envelope "1"). Incomplete requirements would mean disqualification. The second box containing the Bid Documents is still closed.

5. Evaluation of the Pre-qualification documents. This is the first stage to be qualified to bid. Incomplete requirements would mean disqualification. If the bidder is disqualified, the PBAC shall notify the bidder in writing stating the reason for disqualification and at the same give back the bidders sealed Envelope "2" containing the bid documents.

6. All bidders qualified from the first stage evaluation will go through a technical evaluation. This means that the items and products offered by the bidders will be evaluated by technical experts from the Authority or from any agency which have the technical expertise to evaluate such product or equipment engaged by the CDA.

The result of this evaluation will recommend at least three qualified bidders for the bidding proper. The BAC Secretariat shall inform the qualified bidder the result of the evaluation. For those who did not qualify again a notice of disqualification shall be issued to them at the same time give back the bidders sealed Envelope "2".

7. The BAC secretariat shall notify in writing the qualified bidders indicating the time and date of opening of bids.

8. The BAC shall open the bids in the presence of the bidders or the legitimate representatives of the designated place and time at the bidding.

9. The BAC shall evaluate the bids after which they will recommend the winner to the Executive Director and final approval to the Board of Administrators.

10. The winner will be notified by the BAC secretariat thru the Notice of Award.

11. The Supply Officer should give the purchase order to the supplier. The winner of the bid shall deliver the units or items to the Supply Officer of the Authority.

12. The units before they are accepted by the Supply Officer shall be inspected and tested (BURN-IN and CONTROL ROOM) by the IT experts from the Authority or from any expert from other government agency.

Testing should be made prior to acceptance of the equipment. If found to be in accordance with the specifications stipulated, the supply officer shall then issue an acceptance document to the supplier or bidder.

13. The winner of the bid/supplier then proceeds to the Finance Division for the payment.

14. Cash Section releases the checks to the supplier/bidder.

Adopted: 29 July 1992

(Sgd.) EDNA E. ABERILLA
Chairman

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* N.B.
the items quoted under the Requirements to Quality to Bid are exclusively for computer bidding only and these can be changed depending on the kind of equipment to be bidded.


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