

**NEGOTIATED PROCUREMENT of  
“Supply and Delivery of Cell Cards for Listahanan 3” AFTER TWO-  
FAILED BIDDING**

**ITB No. DSWD7-NP-2019-10**

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1. The *Department of Social Welfare and Development, Field Office VII (DSWD-FO VII)*, through the *authorized appropriations for Fiscal Year 2019 General Appropriations Act* intends to apply the sum of **One Million Three Hundred Five Thousand Four Hundred Pesos (₱1,305,400.00)** being the Approved Budget for the Contract (ABC) to payments under the contract for the bidding of the **Supply and Delivery of Cell Cards for Listahanan 3**. Bids received in excess of the ABC shall be automatically rejected at bid opening.
  2. The DSWD-FO VII through its BAC, now invites bids from **PhilGEPS registered service providers**. Delivery of goods and services is required in accordance with Section VI. Schedule of Requirements. Bidders should have completed, within *three (3) years* from the date of submission and receipt of bids, a **single largest completed contract (SLCC)** similar to the Project **at least 50% of the ABC or amounting to at least ₱326,350.00** and must be supported with the following documents:
    - **1<sup>st</sup> document** is either of Contract, Purchase Order, Notice of Award or Notice to Proceed; and
    - **2<sup>nd</sup> document** is either of Certificate of Acceptance, Certificate of Completion, Official Receipt/Collection Receipt or Sales Invoice.
  3. Negotiated Procurement will be conducted through open competitive bidding procedures using a non-discretionary “pass/fail” criterion as specified in the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) 9184, otherwise known as the “Government Procurement Reform Act”.

Negotiated Procurement 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. Interested bidders may obtain further information from *BAC Secretariat* during *office hours*.

5. Below is the schedule of negotiation activities:

Activity	Schedule	Venue
Negotiation Conference	September 26, 2019, 11:00 AM	DSWD Field Office VII Conference Room
Deadline for Submission Requirements & Quotation	September 30, 2019, 9:45 AM	
Opening of Bids	September 30, 2019, 10:00 AM	

6. Participating service provider shall submit two (2) copies of their duly accomplished eligibility and technical and financial requirements listed below:

**I. Eligibility and Technical Documents**

1. PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 of the IRR which must be valid at the time opening of bids;
2. Registration certificate from the Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives, or any proof of such registration as stated in the which must be valid at the time of opening of bids;
3. Mayor’s permit issued by the city or municipality where the principal place of business of the prospective bidder is located which must be valid at the time of opening of bids;
4. Tax clearance per Executive Order 398, Series of 2005, as finally reviewed and approved by the BIR which should be valid at the time of opening of bids;
5. Statement of all its 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;
6. Statement of the Bidder’s Single Largest Completed Contract similar to the contract to be bid, in accordance with ITB Clause 5.4, within the relevant period as provided in the BDS.
7. Audited financial statements, stamped “received” by the Bureau of Internal Revenue (BIR) or its duly accredited and authorized institutions, for the preceding calendar year, which should not be earlier than two (2) years from bid submission;
8. Net Financial Contracting Capacity (NFCC), or Credit Line Certificate (CLC) from a commercial bank equivalent to at least 10% of the ABC, and

9. **Bid security** which is any of the following forms:

- ↳ **A Bid Securing Declaration** in accordance with Section 27.5 of the IRR of R.A. 9184 and using the form prescribed in Section VIII. Bidding Forms;
- ↳ a **cash, cashier’s/manager’s check, bank draft/guarantee** equivalent to 2% of ABC or an irrevocable letter of credit issued by a foreign bank, it shall be accompanied by a confirmation from a Universal or Commercial Bank (Please refer to ITB Clause 18.1 of Section III. Bid Data Sheet for the amount);
- ↳ a **surety bond** equivalent to 5% of It shall be accompanied by a certification by the Insurance Commission that the surety or insurance company is authorized to issue such instruments ABC (Please refer to ITB Clause 18.1 of Section III. Bid Data Sheet for the amount);

10. If applicable, the Joint Venture Agreement (JVA) in case the joint venture is already in existence, or duly notarized statements from all the potential joint venture partners in accordance with Section 23.1(b) of the IRR.
11. Conformity with technical specifications, as enumerated and specified in *Schedule of Requirements* and *Technical Specifications* of the Bidding Documents; and
12. Sworn statement in accordance with Section 25.2(a)(iv) of the IRR of RA 9184 and using the form prescribed form – Omnibus Sworn Statement.

## **II. Financial Documents**

1. Bid Form using the prescribed form hereto attached; and
  2. Financial Proposal Sheet using the prescribed form hereto attached.
7. The *DSWD-FO VII* 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 Section 41 of RA 9184 and its IRR, without thereby incurring any liability to the affected bidder or bidders.
8. For further information, please refer to:

**MR. ANTONIO R. DOLAOTA, CPA, MPA**

*Head, BAC Secretariat*

*DSWD – F.O. VII*

*M.J. Cuenco corner Gen. Maxilom Avenue, Cebu City*

*Tel. Nos. (032) 412-9908 local 132 or 127*

*Email Add: [bacsec.fo7@gmail.com](mailto:bacsec.fo7@gmail.com)*

*Website: [www.fo7.dswd.gov.ph](http://www.fo7.dswd.gov.ph)*

**(SGD.) AILEEN G. CUEVAS**  
Chairperson, Bids & Awards Committee I

# *Schedule of Requirements*

The delivery schedule expressed in number of days after receipt of Notice to Proceed stipulates hereafter the delivery date.

<b>Item No.</b>	<b>Item/Descriptions</b>	<b>Unit</b>	<b>Qty.</b>	<b>Delivery Schedule</b>
1	Cell Cards – Globe - Php500.00	piece	415	Shall be fully delivered to DSWD Field Office VII, Cebu City within 45 calendar days from receipt of Notice to Proceed.
2	Cell Cards – Globe - Php300.00	piece	1484	
3	Cell Cards – Smart - Php500.00	piece	415	
4	Cell Cards – Smart - Php300.00	piece	1484	

I hereby certify to comply and deliver the goods within the above-stated period.

\_\_\_\_\_  
Name of Company/Bidder

\_\_\_\_\_  
Bidder's Signature over Printed Name

Date: \_\_\_\_\_

## ***Section VII. Technical Specifications***

Bidders must state either “**Comply**” or “**Not Comply**” at the **Statement of Compliance** column against each of the individual parameters of each Specification.

<b>Item No.</b>	<b>Item/Descriptions</b>	<b>Statement of Compliance</b>	<b>Bidder's Remarks</b>
1	Cell Cards – Globe - Php500.00		
2	Cell Cards – Globe - Php300.00		
3	Cell Cards – Smart - Php500.00		
4	Cell Cards – Smart - Php300.00		

I hereby certify that all statements indicated under the **Statement of Compliance** and **Bidder's Remarks** are true and correct, otherwise, if found untrue and incorrect either during bid evaluation or post-qualification, the same shall give rise to automatic disqualification of our bid.

\_\_\_\_\_  
Name of Company/Bidder

\_\_\_\_\_  
Bidder's Signature over Printed Name

Date: \_\_\_\_\_

# Bid Securing Declaration Form

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**REPUBLIC OF THE PHILIPPINES )**  
**CITY OF \_\_\_\_\_ ) S.S.**

X-----X

**BID-SECURING DECLARATION**

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

To: *[Insert name and address of the Procuring Entity]*

I/We<sup>2</sup>, 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<sup>3</sup>, if I/we have committed any of the following actions:
  - (i) Withdrawn my/our Bid during the period of bid validity required in the Bidding Documents; or
  - (ii) Fail or refuse to accept the award and enter into contract or perform any and all acts necessary to the execution of the Contract, in accordance with the Bidding Documents after having been notified of your acceptance of our Bid during the period of bid validity.
  
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<sup>4</sup>, 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***

**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. \_\_\_\_\_

PTR No. \_\_, [date issued], [place issued]

IBP No. \_\_, [date issued], [place issued]

Doc. No. \_\_\_\_

Page No. \_\_\_\_

Book No. \_\_\_\_

Series of \_\_\_\_.

## Net Financial Contracting Capacity (NFCC) Form

- a. Summary of the Bidder-Supplier's/Distributor's/Manufacturer's assets and liabilities on the basis of the attached audited financial statements, stamped "RECEIVED" by the Bureau of Internal Revenue (BIR) or its duly accredited and authorized institutions, for the preceding calendar/tax year which should not be earlier than two (2) years from the date of bid submission.

		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)	

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

NFCC = [(Current assets minus current liabilities) (15)] minus the 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 (AFS) submitted to the BIR.

NFCC = ₱ \_\_\_\_\_

Submitted by:

\_\_\_\_\_  
Signature over Printed Name of Authorized Representative

\_\_\_\_\_  
Business Name of Bidder

Date: \_\_\_\_\_

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*If the prospective bidder opts to submit a committed Line of Credit, it must be at least equal to ten percent (10%) of the ABC to be bid. If issued by a foreign universal or commercial bank, it shall be confirmed or authenticated by a local universal or commercial bank.*



# Credit Line Form

Date: \_\_\_\_\_

**REBECCA P. GEAMALA**

Regional Director  
DSWD – Field Office VII, Cebu City

CONTRACT/PROJECT : \_\_\_\_\_  
COMPANY/FIRM : \_\_\_\_\_  
ADDRESS : \_\_\_\_\_  
  
BANK/FINANCING INST. : \_\_\_\_\_  
ADDRESS : \_\_\_\_\_  
AMOUNT : \_\_\_\_\_

This is to certify that the above Bank/Financing Institution with business address indicated above, commits to provide the (Supplier/Distributor/Manufacturer/Contractor), if awarded the above-mentioned Contract, a credit line in the amount specified above which shall be exclusively used to finance the performance of the above-mentioned contract subject to our terms, conditions and requirements.

The credit line shall be available within fifteen (15) calendar days after receipt by the (Supplier/Supplier/Distributor/Manufacturer/Contractor) of the Notice of Award and such line of credit shall be maintained for one hundred twenty (120) calendar days from the date of opening of bids.

This Certification is being issued in favor of said (Supplier/Supplier/Distributor/Manufacturer/Contractor) in connection with the bidding requirement of the Department of Social Welfare and Development – Field Office VII for the above-mentioned Contract. We are aware that any false statements issued by us make us liable for perjury.

Name and Signature of Authorized Financing Institution Officer:

\_\_\_\_\_  
Official Designation

Name & Signature of (Supplier/Distributor/Manufacturer/Contractor's)  
Authorized Representative: \_\_\_\_\_  
Official Designation

Note: The Amount committed should be machine validated

**SUBSCRIBED AND SWORN TO BEFORE ME**, this \_\_\_\_\_ day of \_\_\_\_\_, 2018 in the City of \_\_\_\_\_. Affiant exhibiting to me his/her Valid Identification \_\_\_\_\_, Number \_\_\_\_\_.

NOTARY PUBLIC

Doc. No.:  
Page No.:  
Book No.:  
Series of 2017

## *Omnibus Sworn Statement*

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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 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 of *[Name of Bidder]*, I have full power and authority to do, execute and perform any and all acts necessary to represent it in the bidding for *[Name of the Project]* of the *[Name of the Procuring Entity]*;

*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 and/or to represent the *[Name of Bidder]* in the bidding as shown in the attached *[state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate issued by the corporation or the members of the joint venture)]*;

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;

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:* I am 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 following responsibilities as a Bidder:
  - a) Carefully examine all of the Bidding Documents;
  - b) Acknowledge all conditions, local or otherwise, affecting the implementation of the Contract;
  - c) Made an estimate of the facilities available and needed for the contract to be bid, if any; and
  - d) Inquire or secure 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.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_ day of \_\_\_, 20\_\_ at \_\_\_\_\_, Philippines.

\_\_\_\_\_  
Bidder's Representative/Authorized Signatory

**SUBSCRIBED AND SWORN TO BEFORE ME**, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, the City of \_\_\_\_\_. Affiant exhibiting to me his/her Valid Identification \_\_\_\_\_, Number \_\_\_\_\_.

NOTARY PUBLIC

Doc. No.:  
Page No.:  
Book No.:  
Series of 2017

# ***Bid Form***

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Date: \_\_\_\_\_  
Invitation to Bid N<sup>o</sup>: ITB No. DSWD7-NP-2019-10

**To: The Bids and Awards Committee**  
Department of Social Welfare & Development, Field Office VII  
Cor. M.J. Cuenco and Gen. Maxilom Ave., Cebu City

Gentlemen and/or Ladies:

Having examined the Bidding Documents including Bid Bulletin Numbers [*insert numbers*], the second **NEGOTIATED PROCUREMENT of “Supply and Delivery of Cell Cards for Listahanan 3” AFTER TWO-FAILED BIDDING** in conformity with the said Bidding Documents for the sum of [*total Bid amount in words and figures*] or such other sums as may be ascertained in accordance with the Schedule of Prices attached herewith and made part of this Bid.

We undertake, if our Bid is accepted, to deliver the goods in accordance with the delivery schedule specified in the Schedule of Requirements.

If our Bid is accepted, we undertake to provide a performance security in the form, amounts, and within the times specified in the Bidding Documents.

We agree to abide by this Bid for the Bid Validity Period specified in provision for **ITB** Clause 18.2 and it shall remain binding upon us and may be accepted at any time before the expiration of that period.

Commissions or gratuities, if any, paid or to be paid by us to agents relating to this Bid, and to contract execution if we are awarded the contract, are listed below:<sup>1</sup>

Name and address of agent	Amount and Currency	Purpose of Commission or gratuity
_____	_____	_____
_____	_____	_____
_____	_____	_____

(if none, state “None”)

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 as per **ITB** Clause 5 of the Bidding Documents.

**Select one, delete the other:**

*If a sole proprietorship:* We likewise certify/confirm that the undersigned, [*insert name of signatory*]: as the owner and sole proprietor or authorized representative of *Name of Bidder*, has the full power and authority to participate, submit the bid, and to sign and execute the ensuing contract, on the latter's behalf for the second **NEGOTIATED PROCUREMENT of "Supply and Delivery of Cell Cards for Listahanan 3" AFTER TWO-FAILED BIDDING.**

*If partnerships, corporations, cooperatives, or joint ventures:* We likewise certify/confirm that the undersigned [*insert name of signatory*] is granted full power and authority by the *Name of Bidder*, to participate, submit the bid, and to sign and execute the ensuing contract on the latter's behalf for the second **NEGOTIATED PROCUREMENT of "Supply and Delivery of Cell Cards for Listahanan 3" AFTER TWO-FAILED BIDDING.**

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.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_  
[signature]

\_\_\_\_\_  
[in the capacity of]

Duly authorized to sign Bid for and on behalf of \_\_\_\_\_

## *Financial Proposal Sheet*

Date: \_\_\_\_\_

**The Bids and Awards Committee**

DSWD-Field Office VII  
M.J. Cuenco Ave., Cebu City

Sir/Madam:

After having carefully read and accepted the terms and conditions in your Bidding Documents, hereunder is our bid for ***ITB No. DSWD7-NP-2019-10:***

<b>Item No.</b>	<b>Item/Descriptions</b>	<b>Unit</b>	<b>Qty.</b>	<b>Unit Price</b>	<b>Amount</b>
1	Cell Cards – Globe - Php500.00	piece	415		
2	Cell Cards – Globe - Php300.00	piece	1484		
3	Cell Cards – Smart - Php500.00	piece	415		
4	Cell Cards – Smart - Php300.00	piece	1484		

***TOTAL BID PRICE (In Words)*** \_\_\_\_\_

\_\_\_\_\_  
Note: The above quoted price/s is/are VAT inclusive and delivery cost.

Very truly yours,

\_\_\_\_\_  
Name of Company / Bidder

\_\_\_\_\_  
Name/Signature of Authorized Representative