

Section IX. Bidding Forms

Section IX. Bidding Forms

Notes on the Bidding Forms

The Bidder shall complete and submit with its Bid the **Bid Form** and **Price Schedules** in accordance with **ITB Clause 15** with the requirements of the Bidding Documents and the format set out in this Section.

When requested in the BDS, the Bidder should provide the **Bid Security**, either in the form included hereafter or in another form acceptable to the Entity, pursuant to **ITB Clause 18.1**.

The **Contract Agreement Form**, when it is finalized at the time of contract award, should incorporate any corrections or modifications to the accepted Bid resulting from price corrections. The Price Schedule and Schedule of Requirements deemed to form part of the contract should be modified accordingly.

The **Performance Security Form** and **Bank Guarantee Form for Advance Payment** should not be completed by the Bidders at the time of their Bid preparation. Only the successful Bidder will be required to provide performance security and bank guarantee for advance payment in accordance with one of the forms indicated herein or in another form acceptable to the Procuring Entity and pursuant to **GCC Clause 13** and its corresponding SCC provision.

The sworn affidavit must be completed by all Bidders in accordance with **ITB Clause 4.2**. Failure to do so and submit it with the bid shall result in the rejection of the bid and the Bidder's disqualification.

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Form 1

Republic of the Philippines
Department of Budget and Management
PROCUREMENT SERVICE

**CERTIFICATE OF PHILGEPS REGISTRATION
(Platinum Membership)**

THIS IS TO CERTIFY THAT

*is registered in the **Philippine Government Electronic Procurement System (PhilGEPS)** on 16-Feb-2012 pursuant to Section 8.5 of the Revised Implementing Rules and Regulations of Republic Act No. 9184, otherwise known as the Government Procurement Reform Act.*

This further certifies that _____ has submitted the required eligibility documents in the PhilGEPS Supplier Registry as indicated under Annex A hereof. The Procuring Entity reserves the right to verify, validate and ascertain the authenticity, completeness and truthfulness of all the submitted documents during the post-qualification process.

This Certificate is valid until 30-Jan-2018, unless any of the documents listed under Annex A expires before the said date, and/or, any violation of existing laws, rules and regulations is incurred. As such, this Certificate shall be automatically revoked, without prejudice to the filing of applicable administrative, civil or criminal action.

Issued this 30th day of January, 2017.


ROSAMARIA M. CLEMENTE
OIC, Deputy Executive Director V

Document Stamp Tax Paid Php 15.00

Certificate No: PhilGEPS-2012-83261
Certificate Reference No: 2017030001317

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Form 2

**Statement of all Ongoing Government & Private Contracts Including Contracts Awarded
 but not yet Started**

Business Name: _____
Business Address: _____

Name of Contract/ Project Cost	a. Owner's Name b. Address c. Telephone Nos.	Nature of Work	Bidders Role		a. Date Awarded b. Date Started	% of Accomplishment		Value of Outstanding Works / Undelivered Portion
			Description	%		Planned	Actual	
<u>Government</u>								
<u>Private</u>								
							Total Cost	

Note: a. Bidders may not disclose the Contracting Party for Contracts covered by Confidentiality Agreement whether Foreign or Local.

b. Projects with Notice of Awards are already considered on-going.

Submitted by: _____
 (Printed Name and Signature)

Designation: _____
 Date: _____

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Form 3

Statement of Completed Similar Contracts

Business Name:

Business Address:

Name of Contract/ Project Cost	a. Owner's Name b. Address c. Telephone Nos.	Nature of Work	Bidders Role		a. Date Awarded b. Date Started c. Date of Completion	Value of Works
			Description	%		
Note: 1. Bidders may not disclose the Contracting Party for Contracts covered by Confidentiality Agreement whether Foreign or Local. 2. The following documents shall be presented for verification of the above statement during Post-Qualification: 2.1 Notice of Award OR Notice to Proceed issued by the End user OR its equivalent; 2.2 Copy of actual contract or its equivalent; and 2.3 Certificate of Completion OR End-user's Acceptance OR Proof of payment					Total	

Submitted by: _____
 (Printed Name and Signature)

Designation: _____
 Date: _____

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Form 4

**NET FINANCIAL CONTRACTING CAPACITY (NFCC)
STATEMENT**

The Chairman, DND BAC
Department of National Defense
Camp General Emilio Aguinaldo
Quezon City, Philippines

THIS IS TO CERTIFY that the attached computation of the **Net**
Financial Contracting Capacity (NFCC) of
_____,
[Name of Bidder]
amounting _____ to

(Amount in Words)

(US\$/Php _____) as part of our submitted Class "A" Eligibility Documents

(Financial) in the procurement of _____
is _____
(Name of Project)

true and correct.

That this document is submitted in lieu of a commitment from a licensed bank to extend to this Company a credit line if awarded the contract, or a cash deposit certificate as required by Sec 23.11.1(3) of IRR-A of RA 9184.

Yours faithfully,

(Name and Signature of Representative)

(Designation)

(Name of Firm)

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SUBSCRIBED AND SWORN to before me this ____ day of _____,
20__, affiant exhibited to me his Competent Evidence of Identity No. _____
issued on _____ at _____, Philippines.

Notary Public
Until 31 December 20____
PTR No. _____
Issued at: _____
Issued on: _____
TIN No. _____

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

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Attachment to Form 4

**NET FINANCIAL CONTRACTING CAPACITY (NFCC)
COMPUTATION:**

- A. Current Assets : _____
- B. Current Liabilities : _____
- C. Project Costs:
 - 1) Outstanding : _____
 - 2) Ongoing : _____
 - 3) To Be Started : _____

Note: $K = 15$

NFCC = _____
[(Current Assets minus Current Liabilities) * (K)] **minus** (the value of all outstanding works or projects under ongoing contracts, including awarded contracts yet to be started).

(Place and Date)

(Name and Signature of Representative)

(Designation)

(Name of Firm)

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Form 5

JOINT VENTURE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

That this JOINT VENTURE AGREEMENT is entered into By and
Between

_____ of legal age, _____, (Civil Status)
owner/proprietor of _____ and a resident of
_____.

- and -

_____ of legal age, _____, (Civil Status)
owner/proprietor of _____ and a resident of
_____..

THAT both parties agree to be jointly and severally liable for the entire
agreement.

THAT both parties agree to join together their manpower, equipment,
and what is needed to facilitate the Joint Venture to participate in the
Eligibility, Bidding and Undertaking of the here-under stated project/s to be
conducted by the Department of National Defense:

(Name of Project)

THAT both parties agree that _____ and/or
_____, shall be the Official Representative of the Joint Venture,
and is granted full power and authority to do, execute and perform any and
all acts necessary and/or to represent the Joint Venture in the bidding as
fully and effectively and the Joint Venture may do and if personally present
with full power of substitution and revocation.

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THAT this Joint Venture Agreement shall remain in effect only for the above stated Project/s until terminated by both parties.

Done this _____ day of _____, in _____.

(Name and Signature of JV Partner)

(Name and Signature of JV Partner)

(JURAT)

**This form will not apply for WB funded projects.*

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Form 6

BID SECURING DECLARATION FORM

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

X-----X

BID SECURING DECLARATION
Invitation to Bid: *[Insert Reference number]*

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

I/We¹, 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 the bidder with the Lowest Calculated Responsive Bid, and I/we have furnished the performance security and signed the Contract.

¹ Select one and delete the other. Adopt the same instruction for similar terms throughout the document.

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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 _____

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Form 7

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;

4. Each of the documents submitted in satisfaction of the bidding

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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 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

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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.

Signatory

Bidder's Representative/Authorized

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 _____

* This form will not apply for WB funded projects

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Form 8

Bid Form

Date: _____

Invitation to Bid² N^o: _____

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

Gentlemen and/or Ladies:

Having examined the Bidding Documents including Bid Bulletin Numbers *[insert numbers]*, the receipt of which is hereby duly acknowledged, we, the undersigned, offer to *[supply/deliver/perform]* *[description of the Goods]* 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 **BDS** 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:³

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

(if none, state "None")

² If ADB, JICA and WB funded projects, use IFB.

³ Applicable only if the Funding Source is the ADB, JICA or WB.

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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.

We likewise certify/confirm that the undersigned, *[for sole proprietorships, insert: 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 Name of Project of the Name of the Procuring Entity] [for partnerships, corporations, cooperatives, or joint ventures, insert: 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 Name of Project of the Name of the Procuring Entity].*

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

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Sample Form 8A: Bill Of Quantities
SECTION IX. BIDDING FORMS

Sample Form 8A

BILL OF QUANTITIES
(For Goods Offered from Abroad)

1	2	3	4	5
Description	Country of Origin	Quantity	Unit Price	Total Price delivered DAP (col 3 x 4)
A. CTG 30mm Ammunition TPT		4,000 rounds		
B. CTG 30mm Ammunition HEI		6,000 rounds		
C. CUT-AWAYS (2 pieces TPT, 2 pieces HEI)		4 pieces		
D. Delivery Cost		1 lot		

[signature]

[in the capacity of]

Duly authorized to sign Bid for and on behalf of

Note: Where a required item is provided, but no price is indicated, the same shall be considered as non-responsive, but specifying a zero (0) or a dash (-) for the said item would mean that it is being offered for free to the Government. (refer to ITB 15.2)

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Form 8B

For Goods Offered From Within the Philippines

Name of Bidder _____ . Invitation to Bid Number ____ . Page
 of _____ .

1	2	3	4	5	6	7	8	9	10
Item	Description	Country of origin	Quantity	Unit price EXW per item	Transportation and Insurance and all other costs incidental to delivery, per item	Sales and other taxes payable if Contract is awarded, per item	Cost of Incidental Services, if applicable, per item	Total Price, per unit (col 5+6+7+8)	Total Price delivered Final Destination (col 9) x (col 4)

[signature]

[in the capacity of]

Duly authorized to sign Bid for and on behalf of

Section VIII. Bidding Forms**Form 9****Contract Agreement Form**

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, viz., [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] (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 shall be deemed to form and be read and construed as part of this Agreement, viz.:
 - (a) the Supplier’s Bid, including the Technical and Financial Proposals, and all other documents/statements submitted (e.g. bidder’s response to clarifications on the bid), including corrections to the bid resulting from the Procuring Entity’s bid evaluation;
 - (b) the Schedule of Requirements;
 - (c) the Technical Specifications;
 - (d) the General Conditions of Contract;
 - (e) the Special Conditions of Contract;
 - (f) the Performance Security; and
 - (g) the Entity’s Notice of Award.
3. In consideration of the payments to be made by the Entity to the Supplier as hereinafter mentioned, the Supplier hereby covenants with the Entity to provide the goods and services and to remedy defects therein in conformity in all respects with the provisions of the Contract
4. The Entity hereby covenants to pay the Supplier in consideration of the provision of the goods and services and the remedying of defects therein, the Contract Price or such other sum as may become payable under the

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provisions of the contract at the time and in the manner prescribed by the contract.

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.

Signed, sealed, delivered by _____ the _____ (for the Entity)

Signed, sealed, delivered by _____ the _____ (for the Supplier).