



16 April 2019

ASTI - BIDS AND AWARDS COMMITTEE

SUPPLEMENTAL BULLETIN NO. BAC-2019-04-008

PROVISION OF SECURITY SERVICES WITH SUPPLIES, MATERIALS AND EQUIPMENT

The ASTI Bids and Awards Committee (BAC) issues this supplemental bid bulletin to clarify, modify or amend items in the Bidding Documents and to reply to queries raised by the potential bidders through letters/emails for the information of all bidders for the procurement of:

Item:	Provision of Security Services with Supplies, Materials and Equipment under (Negotiated Procurement – Two Failed Biddings)
Approved Budget for the Contract:	One Million Eight Hundred Sixty-Eight Thousand Eight Hundred Four Pesos and 84/100 Only (₱1,868,804.84)
Request for Quotation No.:	19-04-2354
Purchase Request No.:	GAA-18-11-6847
Published Date (PhilGEPS):	6140819 / 09 April 2019

A. AMENDMENT TO PROCUREMENT DETAILS AND FORMS

REFERENCE	AMENDMENT/CHANGE/CLARIFICATION
Details of Procurement <i>(Invitation for Negotiated Procurement)</i>	<p>FROM:</p> <p>The Department of Science and Technology (DOST) - Advanced Science and Technology Institute (ASTI), intends to negotiate, for the second time, as authorized by the Head of the Procuring Entity, per BAC Resolution No. 18-11-020 dated 13 November 2018, the PROVISION OF SECURITY SERVICES WITH SUPPLIES, MATERIALS AND EQUIPMENT, with a total Approved Budget for the Contract (ABC) of ONE MILLION EIGHT HUNDRED SIXTY-EIGHT THOUSAND EIGHT HUNDRED FOUR PESOS AND 84/100 ONLY (₱1,868,804.84).</p> <p>TO:</p> <p>The Department of Science and Technology (DOST) - Advanced Science and Technology Institute (ASTI), intends to negotiate, for the second time, as authorized by the Head of the Procuring Entity, per BAC Resolution No. 18-11-020 dated 13 November 2018 19-03-020 dated 25 March 2019, the PROVISION OF SECURITY SERVICES WITH SUPPLIES, MATERIALS AND EQUIPMENT, with a total Approved Budget for the Contract (ABC) of ONE MILLION EIGHT HUNDRED SIXTY-EIGHT THOUSAND EIGHT HUNDRED FOUR PESOS AND 84/100 ONLY (₱1,868,804.84).</p>
Post Qualification Evaluation Documents <i>(Invitation for Negotiated Procurement)</i>	<p>FROM:</p> <p>A. POST QUALIFICATION EVALUATION</p> <ol style="list-style-type: none"> 1. Latest income and business tax returns are those that fall within the last six (6) months preceding the date of bid submission; 2. Security personnel list indicating the names, age, gender of the security personnel and their respective qualifications;

3. Submission of the following documents of each security personnel:
 - a. Resume with photo;
 - b. Transcript of record;
 - c. Training certificates;
 - d. Medical certificate/clearance. Only latest certification/clearance or those that were issued starting June 2018 is acceptable;
 - e. Latest neuropsychiatric test results or those issued starting June 2018 are acceptable; and
 - f. Latest drug test results or those issued starting June 2018 are acceptable.
4. Certification that the winning bidder regularly remits mandated premiums to the following:
 - a. Social Security System (SSS);
 - b. Philippine Health Insurance Corporation (PhilHealth); and
 - c. Home Development Mutual Fund (PAGIBIG).

TO:

A. POST QUALIFICATION EVALUATION

1. Latest income and business tax returns are those that fall within the last six (6) months preceding the date of bid submission;
2. Security personnel list indicating the names, age, gender of the security personnel and their respective qualifications;
3. Submission of the following documents of each security personnel:
 - a. Resume with photo;
 - b. Transcript of record;
 - c. Training certificates;
 - d. Medical certificate/clearance. Only latest certification/clearance or those that were issued starting June 2018 is acceptable;
 - e. Latest neuropsychiatric test results or those issued starting June 2018 are acceptable; and
 - f. Latest drug test results or those issued starting June 2018 are acceptable.
4. Evidence that the winning bidder regularly remits mandated premiums to the following, i.e., CY 2018 Certificate of Remittance (from January 2018 to December 2018) and Official Receipts of Remittance for the 1st Quarter of 2019:
 - a. Social Security System (SSS);
 - b. Philippine Health Insurance Corporation (PhilHealth); and
 - c. Home Development Mutual Fund (PAGIBIG).
5. Comprehensive computation of Cost Distribution per Month using the Philippine Association of Detective and Protective Agency Operators, Inc. or PADPAO rates, in reference to Government Procurement Policy Board (GPPB) Non-Policy Matter Opinion 091-2013 dated 25 November 2013 (Annex "A").

Technical Specifications
(Form)

FROM:

TECHNICAL SPECIFICATIONS	STATEMENT OF COMPLIANCE
VII. QUALIFICATIONS OF THE CONTRACTOR	
A. Should have at least five (5) years of experience in providing security services to a government agency;	
B. Must be a member of the Philippine Association of Detective and Protective Agency Operators (PADPAO) in good and active standing;	
C. Must be a duly licensed and registered Service Contractor with the Department of Labor and Employment;	
D. Must be duly registered with the Securities and Exchange Commission, Department of Trade and Industry, or Cooperative Development Authority;	
E. Must be duly registered with the Social Security System (SSS), Home Development Mutual Fund (PAGIBIG) and Philippine Health Insurance Corporation (PHILHEALTH);	
F. Must be duly registered with the Bureau of Internal Revenue;	
G. Net Financial Contracting Capacity at least equal to the ABC or Committed Line of Credit at least equal to 15% of ABC; and	
H. Must present at least one (1) Client/Customer Feedback Form, with at least Very Satisfactory Rating, from one (1) government agency, with whom the Contractor has a past or ongoing Contract.	

TO:

TECHNICAL SPECIFICATIONS	STATEMENT OF COMPLIANCE
VII. QUALIFICATIONS OF THE CONTRACTOR	
A. Should have at least five (5) years of experience in providing security services to a government agency;	
B. Must be a member of the Philippine Association of Detective and Protective Agency Operators (PADPAO) in good and active standing;	
C. Must be a duly licensed and registered Service Contractor with the Department of Labor and Employment;	
D. Must be duly registered with the Securities and Exchange Commission, Department of Trade and Industry, or Cooperative Development Authority;	
E. Must be duly registered with the Social Security System (SSS), Home Development Mutual Fund (PAGIBIG) and Philippine Health Insurance Corporation (PHILHEALTH);	
F. Must be duly registered with the Bureau of Internal Revenue;	
G. Net Financial Contracting Capacity at least equal to the ABC or Committed Line of Credit at least equal to 15% of ABC; and	
H. Must present at least one (1) Client/Customer Feedback Form, with at least Very Satisfactory Rating, from one (1) government agency, with whom the Contractor has a past or ongoing Contract.	
I. Must be compliant with all prevailing labor laws and standards, as well as other social legislations.	

Please see attached amended form and read the instructions carefully. The form only contains the specific requirements modified.

B. RESPONSE TO QUERIES


QUERY/ISSUE	BAC/END-USER RESPONSE/CLARIFICATION
<p>Submission of Mayor's Permit, with an Official Receipt for renewal, as one of the Class "A" eligibility documents.</p>	<p>GPPB Resolution No. 02-2015 allows the submission of the bidder's recently expired mayor's permit and the Official Receipt as proof that the bidder has applied for renewal of the permit within the prescribed period. It is understood, however, that the current and valid mayor's permit, as renewed, must be submitted by the bidder with the Single/Lowest Calculated and Responsive Bid prior to award of contract, as this would enhance competition and facilitate the procurement process.</p> <p>This Committee would like to reiterate that all other eligibility requirements under Section 23.1 of the 2016 Implementing Rules and Regulations of Republic Act No. 9184 should be valid at the time of the deadline for the submission and opening of offers.</p>
<p>The deadline of submission of 2018 Audited Financial Statements (AFS) with the Bureau of Internal Revenue (BIR) is on 15 April 2019, 2018 would you require the submission of AFS?</p>	<p>Based on the governing rules and guidelines of the BIR, the deadline for submission of the audited AFS and Income Tax Return (ITR) is every 15th of April subsequent to the end of calendar year. Further, for those with fiscal year-end, the deadline for submission is every 15th day of the 4th month following the close of the fiscal year-end. However, it bears stressing that, taxpayers can file their ITRs and audited AFS ahead of the deadline for filing returns. Therefore, FY 2018 AFS, duly received by the BIR, must be enclosed as part of the bid together with all its Class "A" eligibility documents.</p>
<p>Do we have to submit all Class "A" eligibility documents if one of the documents is expired?</p>	<p>Section 4.1.1. of GPPB Circular 07-2017 dated 31 July 2017 (Annex "B") provides that:</p> <p><i>"For all procurement projects advertised and/or posted after the effectivity of this Circular, bidders may still submit their Class "A" Eligibility Documents required to be uploaded and maintained current and updated in the PhilGEPS pursuant to Section 8.5.2 of the same IRR, or if already registered in the PhilGEPS under Platinum category, their Certificate of Registration and Membership in lieu of their uploaded file of Class "A" Documents, or a combination thereof. In case the bidder opted to submit their Class "A" Documents, the Certificate of PhilGEPS Registration (Platinum Membership) shall remain as a post-qualification requirement to be submitted in accordance with Section 34.2 of the 2016 Revised IRR of RA 9184."</i></p> <p>This Committee shall require submission of Certificate of PhilGEPS Registration (Platinum Membership), as well as updated and current Class "A" Documents.</p>

Please be guided accordingly.

Prepared by:


KATHERINE B. RAMOS
Head, BAC Secretariat

Approved by:


PEDRITO B. MANGHAS
Chairperson, BAC-1

INSTRUCTION TO THE SUPPLIER: DO NOT LEAVE ANY BLANK. FAILURE TO CONFORM WILL RESULT IN A RATING OF "FAILED". THE DULY ACCOMPLISHED AMENDED FORM MUST BE ATTACHED TO THE ORIGINAL DOCUMENTARY REQUIREMENT, AS PART OF TECHNICAL DOCUMENTS, TO BE SUBMITTED TO THE BIDS AND AWARDS COMMITTEE.

Technical Specifications (AMENDED)

Bidders must state here either "Comply" or "Not Comply" against each of the individual parameters of each Specification stating the corresponding performance parameter of the equipment offered. Statements of "Comply" or "Not Comply" must be supported by evidence in a Bidders Bid and cross-referenced to that evidence. Evidence shall be in the form of manufacturer's un-amended sales literature, unconditional statements of specification and compliance issued by the manufacturer, samples, independent test data etc., as appropriate. A statement that is not supported by evidence or is subsequently found to be contradicted by the evidence presented will render the Bid under evaluation liable for rejection. A statement either in the Bidders statement of compliance or the supporting evidence that is found to be false either during Bid evaluation, post-qualification or the execution of the Contract may be regarded as fraudulent and render the Bidder or supplier liable for prosecution.

LOT NO.	TECHNICAL SPECIFICATIONS	STATEMENT OF COMPLIANCE
1	Provision of Security Services, Five (5) Security Personnel with Supplies, Materials and Equipment	
	VII. QUALIFICATIONS OF THE CONTRACTOR	
	A. Should have at least five (5) years of experience in providing security services to a government agency;	
	B. Must be a member of the Philippine Association of Detective and Protective Agency Operators (PADPAO) in good and active standing;	
	C. Must be a duly licensed and registered Service Contractor with the Department of Labor and Employment;	
	D. Must be duly registered with the Securities and Exchange Commission, Department of Trade and Industry, or Cooperative Development Authority;	
	E. Must be duly registered with the Social Security System (SSS), Home Development Mutual Fund (PAGIBIG) and Philippine Health Insurance Corporation (PHILHEALTH);	
	F. Must be duly registered with the Bureau of Internal Revenue;	
	G. Net Financial Contracting Capacity at least equal to the ABC or Committed Line of Credit at least equal to 15% of ABC; and	
	H. Must present at least one (1) Client/Customer Feedback Form, with at least Very Satisfactory Rating, from one (1) government agency, with whom the Contractor has a past or ongoing Contract.	
	I. Must be compliant with all prevailing labor laws and standards, as well as other social legislations.	

***NOTE:** Should there be inconsistencies between the requirements/specifications contained in the original and latest amended document, the latter shall prevail.

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**TERMS OF REFERENCE FOR THE PROCUREMENT OF
PROVISION OF SECURITY SERVICES WITH
SUPPLIES, MATERIALS AND EQUIPMENT**

I. OBJECTIVE

To acquire a reputable security agency, which can provide best security service to the Department of Science and Technology (DOST) - Advanced Science and Technology Institute (ASTI).

II. BUDGET

The engagement of Security Agency shall be for the period of one (1) year, with a total Approved Budget for the Contract (ABC) amounting to **ONE MILLION EIGHT HUNDRED SIXTY-EIGHT THOUSAND EIGHT HUNDRED FOUR PESOS AND 84/100 ONLY (P1,868,804.84)**.

III. PLACE OF ASSIGNMENT

All security personnel shall be assigned to the DOST-ASTI, CP Garcia Ave., UP Technopark Complex, UP Campus, Diliman, Quezon City 1101.

IV. QUALIFICATIONS OF THE CONTRACTOR

The qualifications of the Contractor are:

- A. Should have at least five (5) years of experience in providing security services to a government agency;
 - B. Must be a member of the Philippine Association of Detective and Protective Agency Operators (PADPAO) in good and active standing;
 - C. Must be a duly licensed and registered Service Contractor with the Department of Labor and Employment;
 - D. Must be duly registered with the Securities and Exchange Commission, Department of Trade and Industry, or Cooperative Development Authority;
 - E. Must be duly registered with the Social Security System (SSS), Home Development Mutual Fund (PAGIBIG) and Philippine Health Insurance Corporation (PHILHEALTH);
 - F. Must be duly registered with the Bureau of Internal Revenue;
 - G. Net Financial Contracting Capacity at least equal to the ABC or Committed Line of Credit at least equal to 15% of ABC; and
 - H. Must present at least one (1) Client/Customer Feedback Form, with at least Very Satisfactory Rating, from one (1) government agency, with whom the Contractor has a past or ongoing Contract.
 - I. Must be compliant with all prevailing labor laws and standards, as well as other social legislations.
-

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V. WORK SCHEDULE

The Security Agency must provide five (5) security personnel, one (1) of which will be designated as the Head Guard, who shall observe the following schedules:

- A. Four (4) Guards – Twelve (12) hours duty, seven (7) days per week
- B. One (1) Guard – Twelve (12) hours duty, five (5) days per week, excluding holidays

The Contractor shall make available, at its own expense, such number of relievers as may be necessary, who are ready to take over the duty schedules of those regularly assigned guards who either report late or are absent for the day at no cost to DOST-ASTI.

At no instance shall a guard be permitted to render service beyond a period of twelve (12) hours continuously and not more than six (6) consecutive days. A violation of this condition shall be considered sufficient ground to terminate the contract. The Security Agency is required to submit a detailed security plan effecting proper work schedule.

VI. QUALIFICATIONS OF SECURITY PERSONNEL

The minimum qualifications of security personnel are as follows:

- A. Valid license issued by the Philippine National Police (PNP) /Supervisory Office on Security and Investigation Agencies (SOSIA) and PADPAO;
- B. For security guards, must have completed at least one (1) year in college;
- C. For Head Guard/Security Officer, must completed at least two (2) years in college or if an ex-military (Armed Forces of the Philippines or PNP), with rank of sergeant;
- D. Must be computer literate and capable of operating CCTV monitoring system;
- E. Physically and mentally fit;
- F. Must have passed the neuropsychiatric and drug tests conducted by any Philippine Government accredited hospital/center. Expenses for said tests are chargeable to the Contractor;
- G. Must have no derogatory record;
- H. Must have undergone training in handling firearms with appropriate certificate and/or licenses;
- I. Has undergone basic in-service training from accredited schools for security guards and supervisory training for security officer; and
- J. Must submit, upon effectivity of contract, clearances from the NBI, Police, Barangay and Court which must be valid as of the date of opening of bid and subject to renewal, if the same should expire during the contract implementation.

In addition to the above requirements, the Contract is required to submit profile of Head Guard and security guards, which must be attested by its authorized signatory.

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VII. SCOPE OF SERVICES

The scope of services or requirements shall include, but not limited to the following:

A. Protection of Life and Property

1. Observance of rigid inspection of personal belongings of clients/visitors at all entrances.
2. Implementation of issuance "visitor identification badge/card" for visitors and non-employee affiliates of DOST-ASTI.

B. Maintenance of Peace and Order

1. Guarantee that all DOST-ASTI employees and clients are safe from harm which may arise from internal/external chaos and public disorder.
2. Guard against incidence of theft and other misdemeanors which may constitute breach of peace and order inside DOST-ASTI premises.

C. Strict Observance of DOST-ASTI Policies, Rules and Regulations on Security

1. Strictly observe, enforce and adhere to the DOST-ASTI's rules and regulations as it applies to the security and well-being of the Agency, its employees and clients.

D. Other Duties and Functions

1. Protect entire work area occupied by the DOST-ASTI, its employees and clients against unauthorized intrusion, internal or external commotion.
 2. Check, entertain and assist clients or visitors entering DOST-ASTI premises.
 3. Strictly maintains official logbook or record of all incoming and outgoing persons, vehicles, movements of DOST-ASTI properties, among others.
 4. Records DOST-ASTI employees' time in and out.
 5. After office hours, conduct routine patrol or inspection of the building and report unusual activities or threat to security to the Head Guard.
 6. Record all employees rendering overtime services and all other office personnel who are still in the DOST-ASTI premises after office hours.
 7. Ensure that all doors and windows of DOST-ASTI building are secured and all electrical connections and lights are turned off. Before the start of office hours, inspect all areas for any sign of forced entry.
 8. Assist in the implementation of DOST-ASTI rules and regulations such as wearing of prescribed office uniforms, identification cards, among others.
 9. Assist DOST-ASTI employees in crossing the streets, specifically, CP Garcia Avenue.
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VIII. SUPPLIES, MATERIALS AND EQUIPMENT

- A. The Security Agency shall provide the following:
1. Prescribed basic uniform, which includes:
 - a. Night stick or baton
 - b. Whistle
 - c. Flashlight
 - d. First aid kit
 - e. Handcuffs
 - f. Teargas
 - g. Tickler
 2. One (1) motorcycle, duly registered
 3. Metal detectors, two (2) units
 4. Licensed communication radio, three (3) units
 5. Service firearms, three (3) units
 - a. Firearms must be in good condition
 - b. Covered with license by PNP
 - c. With complete load of ammunition
 - d. No "paltik revolvers" should be issued to the security personnel
 6. Security vest, three (3) pieces
 7. Timepiece, one (1) unit
 8. Visitor identification badges/cards (numbers 1-80) with shelf or tray
 9. Office supplies, which include:
 - a. Logbook, fifteen (15) pieces
 - b. Ball pen, one (1) box, color blue
 10. Two (2) pieces weatherproofed crossing guard STOP and GO sign
- B. Other materials/equipment to be provided by the Security Agency shall be subject for approval of the DOST-ASTI.
- C. Loss, maintenance, repair and replacement of tools/equipment necessary and incidental to the performance of obligations stated in this document shall be for the account of the Security Agency.
- D. Delivery of required materials, tools and equipment shall be at the DOST-ASTI, on the first day of posting of security personnel, to be inspected by the Agency's representative/s.
-

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IX. OTHER MATTERS

- A. Furnishing of Bond** - The Contractor shall furnish the DOST-ASTI with a valid and sufficient Performance Bond in accordance with the rules set forth under Government Procurement Reform Act (R.A. No. 9184) and its 2016 Implementing Rules and Regulations (IRR).
- B. Wage and Mandated Benefit Increase** - Should there be any wage or mandated benefit (i.e., SSS, PAGIBIG and PHILHEALTH) increase in favor of the assigned security personnel subsequent to the execution of the Contract pursuant to a Law, Executive Order, Decree or Wage Order, the Security Agency must inform the DOST-ASTI in writing of the wage increase to allow the latter to undertake the appropriate measures to address the same before its implementation.
- C. Billing and Submission of Documents** - The Security Agency shall furnish DOST-ASTI a billing, together with copies of payroll, remittances with official receipt of SSS, PAG-IBIG, PHILHEALTH and other state insurance fund contributions for all security personnel assigned, every 15th day of the month. Should the Security Agency fail to comply, DOSTASTI shall withhold the payment for the current month until the latter shall have complied with subject requirement.
- D. Employer-Employee Relationship** - The DOST-ASTI shall not be responsible for any claims for general injury, including death sustained by the security personnel or any third person arising out of or in the course of the performance of the functions of the janitors pursuant to this contract. It is expressly understood that no employee-employer relationship exists between the parties or of their employees, representatives and agents.
- E. Liability for Losses and Damages** - The Security Agency shall be responsible for any loss or damage that may be incurred by its security personnel. The DOST-ASTI may suspend or withhold whatever contract payments may be due the Security Agency should they fail to pay such losses or damages within fifteen (15) days from the date of notice, or until such loss or damage shall have been duly paid, restituted or repaired by the Security Agency, or go after the Performance Bond set forth in this Contract. Likewise, the DOST-ASTI has the option to demand payment for the replacement value of the lost properties, or its replacement by another at least substantially in the same condition as the former.
- F. Compliance with the DOST-ASTI Rules and Regulations** - Maintain effective discipline and full control and supervision over the security personnel assigned under this Contract, as well as the manner of performance of their duties. However, the Security Agency binds itself to cause the implementation and enforcement of any and all rules, regulations or directives that DOST-ASTI may issue concerning the conduct of said security personnel.
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G. Extension Clause - Extension of Contract is subject to the provisions of R.A. No. 9184 and its 2016 IRR. The extended term shall automatically terminate upon effectivity of a new contract.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTOOD AND AGREE TO COMPLY WITH ALL REQUIREMENTS STATED IN THE TERMS OF REFERENCE.

Name : _____
Designation : _____
Company Name : _____
Date : _____

**NOTE: Should there be inconsistencies between the requirements/specifications contained in the original and latest amended document, the latter shall prevail.*



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(https://www.foi.gov.ph)

ANNEX "A"

2013-11-25

NPM 091-2013

Requesting Entity: National Telecommunications Commission (NTC)

Issues Concern: Philippine Association of Detective Protective Agency Operators (PADPAO) Rates

Details

Compliance of a bidder with the PADPAO rates

A bidder's compliance with the minimum wage is concomitant with its compliance with the PADPAO rate; correspondingly, a Private Security Agency (PSA) bidder that does not use the applicable minimum wage established by the Regional Tripartite Wages and Productivity Boards (RTWB) in the computation of its bid, including its PADPAO rates, shall be disqualified for non-compliance with labor laws and standards, and the requirements under RA 9184 and its IRR. PADPAO rates are prescribed by the PADPAO, an organization of PSAs, in order to ensure that its member security agencies pay uniform rates for the service of its security guards. Whereas, the rates prescribed in wage orders issued by the RTWB are part of labor rules and standards; therefore, security agencies participating in government procurement are mandated to submit bids in accordance with the rates prescribed in these wage orders.

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RESOLUTION NO. 26-2017

APPROVING THE ISSUANCE OF A CIRCULAR ON THE DEFERMENT OF THE IMPLEMENTATION OF THE MANDATORY SUBMISSION OF PHILIPPINE GOVERNMENT ELECTRONIC PROCUREMENT SYSTEM (PHILGEPS) CERTIFICATE OF REGISTRATION AND MEMBERSHIP IN COMPETITIVE BIDDING

WHEREAS, Republic Act (RA) No. 9184 entitled "An Act Providing for the Modernization, Standardization and Regulation of the Procurement Activities of the Government and for Other Purposes," took effect on 26 January 2003, while its 2016 Revised Implementing Rules and Regulations (IRR) took effect on 28 October 2016;

WHEREAS, Section 63 of RA 9184 authorizes the Government Procurement Policy Board (GPPB) to formulate public procurement policies, rules and regulations, and amend, whenever necessary, its Implementing Rules and Regulations (IRR);

WHEREAS, Section 8.5.2 of the 2016 Revised IRR of RA 9184 mandates all bidders to upload in PhilGEPS and maintain current and updated the following Class "A" eligibility documents under Sections 23.1(a) and 24.1(a) of the same IRR, thus:

1. Registration Certificate;
2. Mayor's/Business Permit or its Equivalent Document;
3. Tax Clearance;
4. Philippine Contractors Accreditation Board (PCAB) license and registration; and
5. Audited Financial Statements.

WHEREAS, Section 8.5.2 of the 2016 Revised IRR of RA 9184 requires that these documents to be uploaded in PhilGEPS shall be accompanied by a Sworn Statement, in a form prescribed by the GPPB, stating that the documents submitted are complete and authentic copies of the original, and all statements and information provided therein are true and correct;

WHEREAS, in lieu of the Class "A" eligibility documents, which were uploaded and maintained current and updated in PhilGEPS, bidders are required to submit their PhilGEPS Certificate of Registration (Platinum Membership) during bid submission, in the case of procurement of goods and infrastructure projects, or during eligibility check, in the case of procurement of consulting services, pursuant to Sections 25.2(a)(i) and (b)(i), and Section 24.4.3, respectively, of the 2016 Revised IRR of RA 9184;

WHEREAS, under Section 54.6 of the 2016 Revised IRR of RA 9184, for purposes of Limited Source Bidding under Section 49 and Two Failed Biddings under Section 53.1, the BAC shall require the submission of a certificate of PhilGEPS registration in accordance with Section 8.5.2 of the same IRR;

WHEREAS, under Section 54.6 of the 2016 Revised IRR of RA 9184 likewise provides that manufacturers, suppliers, distributors, contractors, and/or consultants are mandated to

register with PhilGEPS and provide a PhilGEPS Registration Number in the following alternative methods of procurement as a condition for award of the contract:

1. Section 50 - Direct Contracting;
2. Section 52.1 (b) - Shopping for Ordinary Office Supplies and Equipment not available in DBM-PS;
3. Section 53.3 - Take Over of Contracts (Only for New Bidders, if any);
4. Section 53.6 - Scientific, Scholarly, or Artistic Work, Exclusive Technology and Media Services;
5. Section 53.7 - Highly Technical Consultants;
6. Section 53.9 - Small Value Procurement;
7. Section 53.10 - Lease of Real Property and Venue; and
8. Section 53.11 - NGO Participation;

WHEREAS, during its 11th Regular Meeting on 27 October 2016, the GPPB, through Resolution No. 26-2016, approved the issuance of a Circular informing all procuring entities about the deferred implementation of the mandatory submission of PhilGEPS Certificate of Registration and Membership in Competitive Bidding under the 2016 Revised IRR of RA 9184 from 28 October 2016 until 30 April 2017 to allow ample time to all prospective bidders to register with PhilGEPS under the Platinum Membership category and provide a transitory period to all procuring entities;

WHEREAS, prior to the lapse of the transition period provided to the bidders the GPPB, during the 2nd GPPB and 3rd Inter-Agency Technical Working Group (IATWG) Joint Meeting on 10 April 2017, through Resolution No. 18-2017, approved the issuance of a Circular reminding all procuring entities about the proper implementation of the mandatory submission of PhilGEPS Certificate of Registration and Membership in Competitive Bidding under the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184 effective 1 May 2017;

WHEREAS, the GPPB-TSO received several requests from bidders and procuring entities to allow prospective bidders, who are not yet registered with the PhilGEPS under the Platinum Membership Category, to submit the Class "A" eligibility documents required to be uploaded and maintained current and updated in PhilGEPS, in lieu of the PhilGEPS Certification of Registration and Membership under Platinum Category meantime that they are still processing or updating their registration;

WHEREAS, during the Merchants Registry Data Cleansing Workshop held on 12 July 2017, there was a suggestion from the participants for the GPPB to issue Circular on the following:

1. Reconsider the application of Section 8.5.2 of the 2016 Revised IRR to allow bidders to submit eligibility requirements under Section 23.1 or 24.1 of the 2016 Revised IRR of RA 9184 in case the PhilGEPS Platinum Certificate is not yet available; and
2. Remind procuring entities on the use of PhilGEPS Platinum Certificate, particularly its non-applicability to certain alternative methods of procurement

WHEREAS, as of 21 July 2017, there are only 14,058 bidders registered with the PhilGEPS Certificate of Registration and Membership under Platinum Category, which represents only 46% of the 30,634 total registered bidders as of 30 November 2016 under Blue and Platinum Category, leaving the remaining 16,576 bidders who are yet to upgrade their Membership from Blue to Platinum category;

WHEREAS, during the meeting held between the representatives of the GPPB-TSO and PS-PhilGEPS on 26 July 2017, PS-PhilGEPS relayed that the actual bidding for the PhilGEPS Modernization has not yet started;

WHEREAS, during the 4th Regular Meeting on 31 July 2017, the GPPB-TSO, acting on the request of bidders and procuring entities and taking into consideration the objective of providing the bidders with additional time to upgrade their PhilGEPS Certificate of Registration and Membership to Platinum Category and synchronizing the implementation of its mandatory submission with the implementation of PhilGEPS Modernization, recommended to the GPPB the issuance of a Circular reminding Procuring Entities of the following:

1. Deferment of the implementation of the mandatory submission of PhilGEPS Certificate of Registration and Membership under Platinum Category under the 2016 Revised IRR of RA 9184 until further notice; and
2. Clarifying the PhilGEPS Registration Requirement for Alternative Methods of Procurement;

WHEREAS, after careful review and due deliberation, the GPPB approved the recommendations of the GPPB-TSO;

NOW, THEREFORE, for and in consideration of the foregoing, **WE**, the Members of the **GOVERNMENT PROCUREMENT POLICY BOARD**, by virtue of the powers vested on **US** by law, hereby **RESOLVE** to confirm, adopt, and approve, as **WE** hereby confirm, adopt, and approve the issuance of a Circular, copy of which is attached, informing the Procuring Entities of the following:

1. Deferment of the implementation of the mandatory submission of PhilGEPS Certificate of Registration and Membership under Platinum Category under the 2016 Revised IRR of RA 9184 until further notice; and
2. Clarifying the PhilGEPS Registration Requirement for Alternative Methods of Procurement;

This Resolution shall take effect after fifteen (15) days following the publication in Official Gazette or a newspaper of general nationwide circulation and upon filing with the University of the Philippines Law Center of three (3) certified copies of this Resolution.

APPROVED this 31st day of July 2017 at the Pasig City, Philippines.

(SGD)

**DEPARTMENT OF BUDGET AND
MANAGEMENT**

**NATIONAL ECONOMIC AND
DEVELOPMENT AUTHORITY**

(SGD)

DEPARTMENT OF EDUCATION

DEPARTMENT OF ENERGY

(SGD)

DEPARTMENT OF FINANCE

DEPARTMENT OF HEALTH

(SGD)

**DEPARTMENT OF INFORMATION AND
COMMUNICATIONS TECHNOLOGY**

**DEPARTMENT OF THE INTERIOR
AND LOCAL GOVERNMENT**

(SGD)

**DEPARTMENT OF NATIONAL
DEFENSE**

(SGD)

**DEPARTMENT OF PUBLIC WORKS
AND HIGHWAYS**

(SGD)

**DEPARTMENT OF SCIENCE AND
TECHNOLOGY**

(SGD)

**DEPARTMENT OF TRADE AND
INDUSTRY**

DEPARTMENT OF TRANSPORTATION

PRIVATE SECTOR REPRESENTATIVE



CIRCULAR 07-2017
31 July 2017

TO : Heads of Departments, Bureaus, Offices and Agencies of the National Government, including State Universities and Colleges, Government Owned and/or Controlled Corporations, Government Financial Institutions, and Local Government Units

SUBJECT : Deferment of the Implementation of the Mandatory Submission of PhilGEPS Certificate of Registration and Membership

1.0 Purpose

This Circular is being issued to inform all procuring entities about the deferment of the implementation of mandatory submission of PhilGEPS Certificate of Registration and Membership under the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184.

2.0 Coverage

All Departments, Bureaus, Offices and Agencies of the National Government, including State Universities and Colleges, Government-Owned and/or Controlled Corporations, Government Financial Institutions, and Local Government Units.

3.0 PhilGEPS Certificate of Registration and Membership

3.1 Pursuant to Section 8.5.2 of the 2016 Revised IRR of RA 9184, all bidders shall upload and maintain in PhilGEPS a current and updated file of the following Class "A" eligibility documents under Sections 23.1(a) and 24.1(a) of the same IRR:

1. Registration Certificate;
2. Mayor's/Business Permit or its Equivalent Document;
3. Tax Clearance;
4. Philippine Contractors Accreditation Board (PCAB) license and registration;
and
5. Audited Financial Statements.

For Foreign Bidders, the foregoing documents may be substituted by the appropriate equivalent documents in English, if any, issued by the country of the bidder concerned. Otherwise, it must be accompanied by a translation of the documents in English issued by the relevant foreign government agency, the foreign government agency authorized to translate documents, or a registered translator in the foreign bidder's country; and 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.

These documents shall be accompanied by a Sworn Statement in a form prescribed by the GPPB stating that the documents submitted are complete and authentic copies of the original, and all statements and information provided therein are true and correct. Upon receipt of the said documents, the PhilGEPS shall process the same in accordance with the guidelines on the Government of the Philippines – Official Merchants Registry (GoP-OMR).

- 3.2 In lieu of the Class "A" eligibility documents uploaded and maintained current and updated in the PhilGEPS, bidders are required to submit their PhilGEPS Certificate of Registration (Platinum Membership) during bid submission, in the case of procurement of goods and infrastructure projects, or during eligibility check, in the case of procurement of consulting services, in accordance with Sections 25.2(a)(i) and (b)(i), and Section 24.4.3, respectively.
- 3.3 Pursuant to Sections 77 and 78 of the 2016 Revised IRR of RA 9184, the foregoing provisions, among others, shall be effective starting 28 October 2016, which means that for all procurement activities advertised and/or posted starting 28 October 2016, procuring entities shall only accept PhilGEPS Certificate of Registration of Membership during eligibility check or bid submission, as the case may be, in lieu of the Class "A" Documents required to be uploaded and maintained current and updated in the PhilGEPS pursuant to Section 8.5.2 of the 2016 Revised IRR of RA 9184.
- 3.4 On 27 October 2016, the Government Procurement Policy Board (GPPB) issued Resolution No. 26-2016 and Circular No. 03-2016 informing all procuring entities about the deferred implementation of the mandatory submission of PhilGEPS Certificate of Registration and Membership in Competitive Bidding under the 2016 Revised IRR of RA 9184 until 30 April 2017 to give ample time to all prospective bidders to register with PhilGEPS under the Platinum Membership category and provide a transitory period to all procuring entities.
- 3.5 During the 2nd GPPB and 3rd Inter-Agency Technical Working Group (IATWG) Joint Meeting on 10 April 2017, the GPPB, through Resolution No. 18-2017, approved the issuance of Circular No. 05-2017 reminding all procuring entities about the proper implementation of the mandatory submission of PhilGEPS Certificate of Registration and Membership in Competitive Bidding under the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184 effective 1 May 2017.

4.0 **Deferment of Mandatory Submission of PhilGEPS Certificate of Registration and Membership**

4.1 To provide prospective bidders with additional time to register with PhilGEPS under the Platinum Membership category and to synchronize with the PhilGEPS Modernization, the Government Procurement Policy Board resolved to approved, by referendum, the deferment of the implementation of mandatory submission of PhilGEPS Certificate of Registration and Membership in Competitive Bidding under Section 8.5.2 of the 2016 Revised IRR of RA 9184, thus:

4.1.1 For all procurement projects advertised and/or posted after the effectivity of this Circular, bidders may still submit their Class "A" Eligibility Documents required to be uploaded and maintained current and updated in the PhilGEPS pursuant to Section 8.5.2 of the same IRR, or if already registered in the PhilGEPS under Platinum category, their Certificate of Registration and Membership in lieu of their uploaded file of Class "A" Documents, or a combination thereof. In case the bidder opted to submit their Class "A" Documents, the Certificate of PhilGEPS Registration (Platinum Membership) shall remain as a post-qualification requirement to be submitted in accordance with Section 34.2 of the 2016 Revised IRR of RA 9184;

4.1.2 For all procurement projects advertised and/or posted starting **1 May 2017 until the effectivity of this Circular**, procuring entities and bidders are bound to observe the mandatory submission of their PhilGEPS Certificate of Registration under Platinum Category in lieu of the Class "A" Documents required to be uploaded and maintained current in the PhilGEPS; and

4.1.3 In cases where the advertisements or invitations for bids were issued prior to **1 May 2017**, Procuring Entities may still allow bidders to submit either their Class "A" Documents or the PhilGEPS Certificate of Registration under Platinum Category, or a combination thereof.

5.0 **PhilGEPS Registration Requirement for Alternative Methods of Procurement**

5.1 Under Section 54.6 of the 2016 Revised IRR of RA 9184, manufacturers, suppliers, distributors, contractors, and/or consultants are mandated to register with PhilGEPS and provide a **PhilGEPS Registration Number** in the following alternative methods of procurement as a condition for award of the contract:

1. Section 50 - Direct Contracting
2. Section 52.1 (b) - Shopping for Ordinary Office Supplies and Equipment not available in DBM-PS
3. Section 53.3 - Take Over of Contracts (Only for New Bidders, if any.)
4. Section 53.6 - Scientific, Scholarly, or Artistic Work, Exclusive Technology and Media Services
5. Section 53.7 - Highly Technical Consultants
6. Section 53.9 - Small Value Procurement

7. Section 53.10 - Lease of Real Property and Venue
8. Section 53.11 - NGO Participation

For purposes of Limited Source Bidding under Section 49 and Two Failed Biddings under Section 53.1, the BAC shall require the submission of a certificate of PhilGEPS registration in accordance with Section 8.5.2 of the same IRR.

- 5.2 The deferment of the mandatory submission of PhilGEPS Certificate of Registration and Membership under Platinum Category shall likewise apply to Limited Source Bidding and Negotiated Procurement under Two Failed Biddings modality.
 - 5.3 For other alternative methods of procurement mentioned in Section 54.6 of the 2016 Revised IRR of RA 9184, only PhilGEPS Registration Number (Red Membership) shall be required from the bidders.
- 6.0 This Circular shall take effect immediately.
- 7.0 For guidance and compliance.

(sgd)
BENJAMIN E. DIOKNO
Chairperson