



13 November 2023

ASTI - BIDS AND AWARDS COMMITTEE

SUPPLEMENTAL BULLETIN NO. BAC-2023-11-016

**PROVISION OF SECURITY SERVICES FOR DOST-ASTI FOR CY 2024
(EARLY PROCUREMENT ACTIVITY)**

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 for DOST-ASTI for CY 2024 (Early Procurement Activity)
Approved Budget for the Contract:	Four Million Pesos Only (₱4,000,000.00)
Invitation to Bid No.:	23-10-4579 dated 20 October 2023
Purchase Request No.:	GAA-23-09-17690 dated 21 September 2023
Published Date (PhilGEPS):	31 October 2023 10267588

A. AMENDMENT TO PROCUREMENT DETAILS AND FORMS

REFERENCE	AMENDMENT/CHANGE/CLARIFICATION
Not Applicable	Not Applicable

B. RESPONSE TO QUERIES

QUERY/ISSUE	BAC/END-USER RESPONSE/CLARIFICATION
For the statement of all ongoing contracts, do we have to submit the matrix only?	For the statement of ongoing government and private contracts, the bidder may simply fill out the form provided in the bidding documents. Supporting documents are not required.
For the Technical Specifications, do we have to submit all the attachments or put COMPLY only?	Putting COMPLY should be accompanied by its supporting documents and attachments as proof.
How many percent is the admin fee? Is that not less than twenty percent (20%) or do we comply with the Government Procurement Policy Board (GPPB)?	The GPPB's clarification through its Non-Policy Matter Opinion No. 120 dated 06 December 2016 on the validity of the twenty percent (20%) standard administrative fee provided under the Department of Labor and Employment (DOLE) Department Order (DO) 150-16, states: <i>"Similar to the 10% administrative fee imposed under Section 9(b)(ii) of DOLE DO No. 18-A, the 20% administrative fee provided for under Section 4 of DOLE DO No. 150-16 is also a percentage rate that has for its effect the fixing of a floor price on Service Agreements. In this regard and following the position of the Government Procurement Policy Board (GPPB) as stated and explained in the following GPPB issuances, namely: GPPB Resolution (Res.) No.14-2012 dated 1 June 2012; GPPB Res. No. 14-2015 and GPPB Circular No. 04-2015, both dated 30 April 2015; and Policy Matter Opinion Nos. 03-2012 dated 30 November 2012 and 02-2013 dated 11 April 2014, as well as the case of Philippine Sports Commission, et. al. vs. Dear John Services, Inc. (G.R. No. 183260 dated 4 July 2012), we are of the opinion that Section 4 of DOLE DO No. 150-16, insofar as it imposes a minimum administrative fee of 20% of the total contract cost for Service Agreement for security services, likewise runs</i>

	<p><i>counter to the provision of Section 31 of Republic Act No. 9184 and its 2016 Revised Implementing Rules and Regulations.”</i></p> <p>The DOST-ASTI BAC will not require a minimum percentage for the administrative fee, to be a component of the total contract cost. Hence, pursuant to Section 31 of the RA No. 9184 and its 2016 revised Implementing Rules and Regulations and all other GPPB issuances regarding the matter, the Approved Budget for the Contract for said procurement project shall be the ceiling for bid price and there shall be no lower limit to be imposed. Nonetheless, prospective bidders are reminded to strictly comply with all relevant labor rules and regulations, and bids to be submitted to the DOST-ASTI BAC must include the computation of all legal requirements and mandatory benefits for security personnel.</p>
How many copies of technical and financial documents do we have to submit?	The DOST-ASTI BAC is requesting the bidders to submit <u>one (1) original</u> and <u>one (1) copy</u> of the technical and financial documents.
Do we have to use the latest Department Order of the Department of Labor and Employment for three hundred ninety-five (395) days per year?	In reference to the Handbook (Worker's Statutory Monetary Benefits, 2023 Edition), bidders must comply with the regulatory requirements.
Do we have to use PhilHealth contribution amount in 2022, which is four percent (4%)?	Yes, Philhealth contribution shall remain the same until the suspension is lifted.

ADDITIONAL INSTRUCTIONS: Prospective bidder/s are required to: 1) amend the form to update existing information or 2) submit a copy of supplemental bulletin with statement of compliance or signature of authorized representative. **Non-compliance with this requirement shall be ground for disqualification.**

Please be guided accordingly.

Prepared by:

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Approved by:

BAYANI BENJAMIN R. LARA
Chairperson, BAC