



CONTRACT FOR THE DISPOSAL OF HAZARDOUS AND TOXIC HEALTH CARE WASTES

University of the Philippines Manila

Prepared by:
UP Manila Procurement Office and BAC2 Secretariat
April 2022

in accordance with
Philippine Bidding Documents (PBD)
Government of the Republic of the Philippines
Sixth Edition
July 2020

Preface

These Philippine Bidding Documents (PBDs) for the procurement of Goods through Competitive Bidding have been prepared by the Government of the Philippines for use by any branch, constitutional commission or office, agency, department, bureau, office, or instrumentality of the Government of the Philippines, National Government Agencies, including Government-Owned and/or Controlled Corporations, Government Financing Institutions, State Universities and Colleges, and Local Government Unit. The procedures and practices presented in this document have been developed through broad experience, and are for mandatory use in projects that are financed in whole or in part by the Government of the Philippines or any foreign government/foreign or international financing institution in accordance with the provisions of the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184.

The Bidding Documents shall clearly and adequately define, among others: (i) the objectives, scope, and expected outputs and/or results of the proposed contract or Framework Agreement, as the case may be; (ii) the eligibility requirements of Bidders; (iii) the expected contract or Framework Agreement duration, the estimated quantity in the case of procurement of goods, delivery schedule and/or time frame; and (iv) the obligations, duties, and/or functions of the winning bidder.

Care should be taken to check the relevance of the provisions of the PBDs against the requirements of the specific Goods to be procured. If duplication of a subject is inevitable in other sections of the document prepared by the Procuring Entity, care must be exercised to avoid contradictions between clauses dealing with the same matter.

Moreover, each section is prepared with notes intended only as information for the Procuring Entity or the person drafting the Bidding Documents. They shall not be included in the final documents. The following general directions should be observed when using the documents:

- a. All the documents listed in the Table of Contents are normally required for the procurement of Goods. However, they should be adapted as necessary to the circumstances of the particular Procurement Project.
- b. Specific details, such as the “*name of the Procuring Entity*” and “*address for bid submission*,” should be furnished in the Instructions to Bidders, Bid Data Sheet, and Special Conditions of Contract. The final documents should contain neither blank spaces nor options.
- c. This Preface and the footnotes or notes in italics included in the Invitation to Bid, Bid Data Sheet, General Conditions of Contract, Special Conditions of Contract, Schedule of Requirements, and Specifications are not part of the text of the final document, although they contain instructions that the Procuring Entity should strictly follow.

- d. The cover should be modified as required to identify the Bidding Documents as the Procurement Project, Project Identification Number, and Procuring Entity, in addition to the date of issue.
- e. Modifications for specific Procurement Project details should be provided in the Special Conditions of Contract as amendments to the Conditions of Contract. For easy completion, whenever reference has to be made to specific clauses in the Bid Data Sheet or Special Conditions of Contract, these terms shall be printed in bold typeface on Sections I (Instructions to Bidders) and III (General Conditions of Contract), respectively.
- f. For guidelines on the use of Bidding Forms and the procurement of Foreign-Assisted Projects, these will be covered by a separate issuance of the Government Procurement Policy Board.

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Glossary of Acronyms, Terms, and Abbreviations

ABC – Approved Budget for the Contract.

BAC – Bids and Awards Committee.

Bid – A signed offer or proposal to undertake a contract submitted by a bidder in response to and in consonance with the requirements of the bidding documents. Also referred to as *Proposal* and *Tender*. (2016 revised IRR, Section 5[c])

Bidder – Refers to a contractor, manufacturer, supplier, distributor and/or consultant who submits a bid in response to the requirements of the Bidding Documents. (2016 revised IRR, Section 5[d])

Bidding Documents – The documents issued by the Procuring Entity as the bases for bids, furnishing all information necessary for a prospective bidder to prepare a bid for the Goods, Infrastructure Projects, and/or Consulting Services required by the Procuring Entity. (2016 revised IRR, Section 5[e])

BIR – Bureau of Internal Revenue.

BSP – Bangko Sentral ng Pilipinas.

Consulting Services – Refer to services for Infrastructure Projects and other types of projects or activities of the GOP requiring adequate external technical and professional expertise that are beyond the capability and/or capacity of the GOP to undertake such as, but not limited to: (i) advisory and review services; (ii) pre-investment or feasibility studies; (iii) design; (iv) construction supervision; (v) management and related services; and (vi) other technical services or special studies. (2016 revised IRR, Section 5[i])

CDA - Cooperative Development Authority.

Contract – Refers to the agreement entered into between the Procuring Entity and the Supplier or Manufacturer or Distributor or Service Provider for procurement of Goods and Services; Contractor for Procurement of Infrastructure Projects; or Consultant or Consulting Firm for Procurement of Consulting Services; as the case may be, as recorded in the Contract Form signed by the parties, including all attachments and appendices thereto and all documents incorporated by reference therein.

CIF – Cost Insurance and Freight.

CIP – Carriage and Insurance Paid.

CPI – Consumer Price Index.

DDP – Refers to the quoted price of the Goods, which means “delivered duty paid.”

DTI – Department of Trade and Industry.

EXW – Ex works.

FCA – “Free Carrier” shipping point.

FOB – “Free on Board” shipping point.

Foreign-funded Procurement or Foreign-Assisted Project– Refers to procurement whose funding source is from a foreign government, foreign or international financing institution as specified in the Treaty or International or Executive Agreement. (2016 revised IRR, Section 5[b]).

Framework Agreement – Refers to a written agreement between a procuring entity and a supplier or service provider that identifies the terms and conditions, under which specific purchases, otherwise known as “Call-Offs,” are made for the duration of the agreement. It is in the nature of an option contract between the procuring entity and the bidder(s) granting the procuring entity the option to either place an order for any of the goods or services identified in the Framework Agreement List or not buy at all, within a minimum period of one (1) year to a maximum period of three (3) years. (GPPB Resolution No. 27-2019)

GFI – Government Financial Institution.

GOCC – Government-owned and/or –controlled corporation.

Goods – Refer to all items, supplies, materials and general support services, except Consulting Services and Infrastructure Projects, which may be needed in the transaction of public businesses or in the pursuit of any government undertaking, project or activity, whether in the nature of equipment, furniture, stationery, materials for construction, or personal property of any kind, including non-personal or contractual services such as the repair and maintenance of equipment and furniture, as well as trucking, hauling, janitorial, security, and related or analogous services, as well as procurement of materials and supplies provided by the Procuring Entity for such services. The term “related” or “analogous services” shall include, but is not limited to, lease or purchase of office space, media advertisements, health maintenance services, and other services essential to the operation of the Procuring Entity. (2016 revised IRR, Section 5[r])

GOP – Government of the Philippines.

GPPB – Government Procurement Policy Board.

INCOTERMS – International Commercial Terms.

Infrastructure Projects – Include the construction, improvement, rehabilitation, demolition, repair, restoration or maintenance of roads and bridges, railways, airports, seaports, communication facilities, civil works components of information technology projects, irrigation, flood control and drainage, water supply, sanitation, sewerage and solid waste management systems, shore protection, energy/power and electrification facilities, national

buildings, school buildings, hospital buildings, and other related construction projects of the government. Also referred to as *civil works or works*. (2016 revised IRR, Section 5[u])

LGUs – Local Government Units.

NFCC – Net Financial Contracting Capacity.

NGA – National Government Agency.

PhilGEPS - Philippine Government Electronic Procurement System.

Procurement Project – refers to a specific or identified procurement covering goods, infrastructure project or consulting services. A Procurement Project shall be described, detailed, and scheduled in the Project Procurement Management Plan prepared by the agency which shall be consolidated in the procuring entity's Annual Procurement Plan. (GPPB Circular No. 06-2019 dated 17 July 2019)

PSA – Philippine Statistics Authority.

SEC – Securities and Exchange Commission.

SLCC – Single Largest Completed Contract.

Supplier – refers to a citizen, or any corporate body or commercial company duly organized and registered under the laws where it is established, habitually established in business and engaged in the manufacture or sale of the merchandise or performance of the general services covered by his bid. (Item 3.8 of GPPB Resolution No. 13-2019, dated 23 May 2019). Supplier as used in these Bidding Documents may likewise refer to a distributor, manufacturer, contractor, or consultant.

UN – United Nations.

Section I. Invitation to Bid

Notes on the Invitation to Bid

The Invitation to Bid (IB) provides information that enables potential Bidders to decide whether to participate in the procurement at hand. The IB shall be posted in accordance with Section 21.2 of the 2016 revised IRR of RA No. 9184.

Apart from the essential items listed in the Bidding Documents, the IB should also indicate the following:

- a. The date of availability of the Bidding Documents, which shall be from the time the IB is first advertised/posted until the deadline for the submission and receipt of bids;
- b. The place where the Bidding Documents may be acquired or the website where it may be downloaded;
- c. The deadline for the submission and receipt of bids; and
- d. Any important bid evaluation criteria (*e.g.*, the application of a margin of preference in bid evaluation).

The IB should be incorporated in the Bidding Documents. The information contained in the IB must conform to the Bidding Documents and in particular to the relevant information in the Bid Data Sheet.



UNIVERSITY OF THE PHILIPPINES MANILA

The Health Sciences Center

BIDS AND AWARDS COMMITTEE 2 (BAC 2)

INVITATION TO BID

***Contract for the Disposal of Hazardous and Toxic Health Care Wastes,
University of the Philippines Manila***

1. The University of the Philippines Manila, through the **Fund 101** intends to apply the sum of **Thirty- Four Pesos (P34.00)** per kilo, for an estimated amount of **Twenty Million Forty-Five Thousand Nine Hundred Ninety Pesos and Sixty-Four Centavos (Php20,045,990.64)** being the Approved Budget for the Contract for one year to payments under the contract for the Disposal of Hazardous and Toxic Health Care Wastes. Bids received in excess of the ABC shall be automatically rejected at bid opening.
2. The *University of the Philippines Manila* now invites bids for the above Procurement Project. Delivery of the Services is required for **one year (1)**, Bidders should have completed, within the last five years from the date of submission and receipt of bids, a contract similar to the Project. The description of an eligible bidder is contained in the Bidding Documents, particularly, in Section II (Instructions to Bidders).
3. Bidding 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) No. 9184.
4. Bidding 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 No. 5183.
5. Prospective Bidders may obtain further information from University of the Philippines Procurement Office, BAC2 Secretariat and inspect the Bidding Documents at the address given below during office days, 8:00 to 4:00 p.m.
6. A complete set of Bidding Documents may be acquired by interested Bidders on **28 April 2022** from the given address and website(s) below. The Procuring Entity shall allow the bidder to present its proof of payment for the bidding documents fees amounting to **Twenty Thousand Pesos. (Php20,000.00)** in person, by facsimile or electronic means(email).
7. The University of the Philippines Manila will hold a Pre-Bid Conference¹ on **05 May 2022**, 1:30 P.M. through Zoom which shall be open to prospective bidders. Interested bidders should send to the BAC2 Secretariat the name and email address of their authorized representative, to whom the zoom link will be sent at least one hour before the start of the pre-bid conference. Included in this PBD are the guidelines for the participation in Zoom meeting

The prospective bidders are advised to register first @ [Zoom Meeting Registration Link](#) and wait for further advice for the zoom link which shall be provided to the prospective bidders who successfully registered. The prospective bidders are admitted first at the Zoom waiting room, and BAC will provide access once the prebid conference starts.


8. Bids must be duly received by the Procurement Office through manual submission on or before **17 May 2022** not later than 1:00p.m. at College of Public Health Annex 1 Building (Accessible through the Pedro Gil Street Gate.) Late bids shall not be accepted.
9. All Bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in **ITB** Clause 14.
10. Bid opening shall be on 1:30pm, **17 May 2022** at the given address below and/or via Zoom. Bids will be opened in the presence of the bidders' representatives who choose to join the Zoom meeting. Name and email address of bidder's representative should be emailed/sent to the BAC2 Secretariat upon submission of bids.

The prospective bidders are advised to register first @ [Zoom Meeting Registration Link](#) and wait for further advice for the zoom link which shall be provided to the bidders who successfully registered. The prospective bidders are admitted first at the zoom waiting room, and BAC will provide access once the opening of bids starts.

11. The University of the Philippines Manila 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 Sections 35.6 and 41 of the 2016 revised IRR of RA No. 9184, without thereby incurring any liability to the affected bidder or bidders.
12. For further information, please refer to:

Ms. Melody Jane L. Rojo (Tel. No. 8814-1213)
Mr. Jonald D. Karingal/Rose Ann delos Santos (Tel. No. 8814-1224)
BAC2 Secretariat, Procurement Office
College of Public Health Annex 1 Building,
University of the Philippines Manila
(upm-bac2-secretariat@up.edu.ph)

13. You may visit the following websites:
For downloading of Bidding Documents: *PhilGEPS and UP Manila website*


MARIA ELIZA RUIZ AGUILA, PhD
BAC 2 Chair

NOTED:


ARLENE A. SAMANIEGO, MD
Vice Chancellor for Administration ✓

Posted at PhilGEPS, UP Manila Website and
BAC Bulletin Board located at the Ground Floor,
CPH Annex 1 Bldg. on 28 April 2022

Section II. Instructions to Bidders

Notes on the Instructions to Bidders

This Section on the Instruction to Bidders (ITB) provides the information necessary for bidders to prepare responsive bids, in accordance with the requirements of the Procuring Entity. It also provides information on bid submission, eligibility check, opening and evaluation of bids, post-qualification, and on the award of contract.

1. Scope of Bid

The Procuring Entity, *University of the Philippines Manila*, wishes to receive Bids for the ***Contract for the Disposal of Hazardous and Toxic Health Care Wastes*** with Project Identification Number _____

[Note: The Project Identification Number is assigned by the Procuring Entity based on its own coding scheme and is not the same as the PhilGEPS reference number, which is generated after the posting of the bid opportunity on the PhilGEPS website.]

The Procurement Project (referred to herein as “Project”) is composed of [*indicate number of lots or items*], the details of which are described in Section VII (Technical Specifications).

2. Funding Information

2.1. The GOP through the source of funding as indicated below for 2022 in the amount of ***Twenty Million Forty-Five Thousand Nine Hundred Ninety Pesos and Sixty-Four Centavos (Php20,045,990.64)***

2.2. The source of funding is: ***Fund 101***

3. Bidding Requirements

The Bidding for the Project shall be governed by all the provisions of RA No. 9184 and its 2016 revised IRR, including its Generic Procurement Manuals and associated policies, rules and regulations as the primary source thereof, while the herein clauses shall serve as the secondary source thereof.

Any amendments made to the IRR and other GPPB issuances shall be applicable only to the ongoing posting, advertisement, or **IB** by the BAC through the issuance of a supplemental or bid bulletin.

The Bidder, by the act of submitting its Bid, shall be deemed to have verified and accepted the general requirements of this Project, including other factors that may affect the cost, duration and execution or implementation of the contract, project, or work and examine all instructions, forms, terms, and project requirements in the Bidding Documents.

4. Corrupt, Fraudulent, Collusive, and Coercive Practices

The Procuring Entity, as well as the Bidders and Suppliers, shall observe the highest standard of ethics during the procurement and execution of the contract. They or through an agent shall not engage in corrupt, fraudulent, collusive, coercive, and obstructive practices defined under Annex “I” of the 2016 revised IRR of RA No. 9184 or other integrity violations in competing for the Project.

5. Eligible Bidders

5.1. Only Bids of Bidders found to be legally, technically, and financially capable will be evaluated.

- 5.2. Pursuant to Section 23.4.1.3 of the 2016 revised IRR of RA No.9184, the Bidder shall have an SLCC that is at least one (1) contract similar to the Project the value of which, adjusted to current prices using the PSA's CPI, must be at least equivalent to at least fifty percent (50%) of the ABC.
- 5.4. The Bidders shall comply with the eligibility criteria under Section 23.4.1 of the 2016 IRR of RA No. 9184.

6. Origin of Goods

There is no restriction on the origin of goods other than those prohibited by a decision of the UN Security Council taken under Chapter VII of the Charter of the UN, subject to Domestic Preference requirements under **ITB** Clause 18.

7. Subcontracts

Subcontracting is not allowed.

8. Pre-Bid Conference

The Procuring Entity will hold a pre-bid conference for this Project on the specified date and time and either at its physical address {[insert if applicable]} and/or through videoconferencing/webcasting} as indicated in paragraph 6 of the **IB**.

9. Clarification and Amendment of Bidding Documents

Prospective bidders may request for clarification on and/or interpretation of any part of the Bidding Documents. Such requests must be in writing and received by the Procuring Entity, either at its given address or through electronic mail indicated in the **IB**, at least ten (10) calendar days before the deadline set for the submission and receipt of Bids.

10. Documents comprising the Bid: Eligibility and Technical Components

- 10.1. The first envelope shall contain the eligibility and technical documents of the Bid as specified in **Section VIII (Checklist of Technical and Financial Documents)**.
- 10.2. The Bidder's SLCC as indicated in **ITB** Clause 5.3 should have been completed within five years prior to the deadline for the submission and receipt of bids.
- 10.3. If the eligibility requirements or statements, the bids, and all other documents for submission to the BAC are in foreign language other than English, it must be accompanied by a translation in English, which 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. Similar to the required authentication above, for Contracting Parties to the Apostille Convention, only the translated documents shall be authenticated through an apostille pursuant to GPPB Resolution No. 13-2019

dated 23 May 2019. The English translation shall govern, for purposes of interpretation of the bid.

11. Documents comprising the Bid: Financial Component

- 11.1. The second bid envelope shall contain the financial documents for the Bid as specified in **Section VIII (Checklist of Technical and Financial Documents)**.
- 11.2. If the Bidder claims preference as a Domestic Bidder or Domestic Entity, a certification issued by DTI shall be provided by the Bidder in accordance with Section 43.1.3 of the 2016 revised IRR of RA No. 9184.
- 11.3. Any bid exceeding the ABC indicated in paragraph 1 of the **IB** shall not be accepted.
 - a. For a multi-year Framework Agreement, the prices quoted by the Bidder during submission of eligibility documents shall be the ceiling and the price quoted during mini-competition must not exceed the initial price offer. The price quoted during call for mini-competition shall be fixed during the Bidder's performance of that Call-off and not subject to variation or escalation on any account. Price schedules required under Clause 12.1 shall be submitted with the bidding documents.

12. Bid and Payment Currencies

- 12.1 Payment of the contract price shall be made in Philippine pesos

13. Bid Security

- 14.1. The Bidder shall submit a Bid Securing Declaration¹ or any form of Bid Security in the amount indicated in the **BDS**, which shall be not less than the percentage of the ABC in accordance with the schedule in the **BDS**.
- 14.2. The Bid and bid security shall be valid until one hundred twenty (120) calendar days after the opening of bids. Any Bid not accompanied by an acceptable bid security shall be rejected by the Procuring Entity as non-responsive.

14. Sealing and Marking of Bids

Each Bidder shall submit (3) *three* Copies of the first and second components of its bid. (1) *one* Original and (2) *two* additional copies (*Copy 1 and Copy 2*)

The Procuring Entity may request additional hard copies and/or electronic copies of the Bid. However, failure of the Bidders to comply with the said request shall not be a ground for disqualification.

¹ In the case of Framework Agreement, the undertaking shall refer to entering into contract with the Procuring Entity and furnishing of the performance security or the performance securing declaration within ten (10) calendar days from receipt of Notice to Execute Framework Agreement.

If the Procuring Entity allows the submission of bids through online submission or any other electronic means, the Bidder shall submit an electronic copy of its Bid, which Must be digitally signed. An electronic copy that cannot be opened or is corrupted shall be considered non-responsive and, thus, automatically disqualified.

15. Deadline for Submission of Bids

- 16.1. The Bidders shall submit on the specified date and time and either at its physical address or through online submission as indicated in paragraph 7 of the **IB**.

16. Opening and Preliminary Examination of Bids

- 17.1. The BAC shall open the Bids in public at the time, on the date, and at the place specified in paragraph 9 of the **IB**. The Bidders' representatives who are present shall sign a register evidencing their attendance. In case videoconferencing, webcasting or other similar technologies will be used, attendance of participants shall likewise be recorded by the BAC Secretariat.

In case the Bids cannot be opened as scheduled due to justifiable reasons, the rescheduling requirements under Section 29 of the 2016 revised IRR of RA No. 9184 shall prevail.

- 17.2. The preliminary examination of bids shall be governed by Section 30 of the 2016 revised IRR of RA No. 9184.

17. Domestic Preference

- 18.1. The Procuring Entity will grant a margin of preference for the purpose of comparison of Bids in accordance with Section 43.1.2 of the 2016 revised IRR of RA No. 9184.

18. Detailed Evaluation and Comparison of Bids

- 19.1. The Procuring BAC shall immediately conduct a detailed evaluation of all Bids rated "*passed*," using non-discretionary pass/fail criteria. The BAC shall consider the conditions in the evaluation of Bids under Section 32.2 of the 2016 revised IRR of RA No. 9184.

- 19.2. The Project shall be awarded as ONE CONTRACT.

- 19.3. Except for bidders submitting a committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation, all Bids must include the NFCC computation pursuant to Section 23.4.1.4 of the 2016 revised IRR of RA No. 9184, which must be sufficient for the total of the ABCs for all the lots or items participated in by the prospective Bidder. For bidders submitting

the committed Line of Credit, it must be at least equal to ten percent (10%) of the ABCs for all the lots or items participated in by the prospective Bidder.

19. Post-Qualification

20.2. Within a non-extendible period of five (5) calendar days from receipt by the Bidder of the notice from the BAC that it submitted the Lowest Calculated Bid, the Bidder shall submit its latest income and business tax returns filed and paid through the BIR Electronic Filing and Payment System (eFPS) and other appropriate licenses and permits required by law and stated in the **BDS**.

20. Signing of the Contract

21.1. The documents required in Section 37.2 of the 2016 revised IRR of RA No. 9184 shall form part of the Contract. Additional Contract documents are indicated in the **BDS**.

Section III. Bid Data Sheet

Notes on the Bid Data Sheet

The Bid Data Sheet (BDS) consists of provisions that supplement, amend, or specify in detail, information, or requirements included in the ITB found in Section II, which are specific to each procurement.

This Section is intended to assist the Procuring Entity in providing the specific information in relation to corresponding clauses in the ITB and has to be prepared for each specific procurement.

The Procuring Entity should specify in the BDS information and requirements specific to the circumstances of the Procuring Entity, the processing of the procurement, and the bid evaluation criteria that will apply to the Bids. In preparing the BDS, the following aspects should be checked:

- a. Information that specifies and complements provisions of the ITB must be incorporated.
- b. Amendments and/or supplements, if any, to provisions of the ITB as necessitated by the circumstances of the specific procurement, must also be incorporated.

Bid Data Sheet

ITB Clause	
5.3	<p>For this purpose, contracts similar to the Project shall be:</p> <ol style="list-style-type: none"> a. <i>Contract for the Disposal of Hazardous and Toxic Health Care Wastes that includes collection, transport, treatment and proper disposal of hazardous and toxic health care wastes generated by the Health Care Facility.</i> b. <i>completed within the last five years prior to the deadline for the submission and receipt of bids.</i>
7.1	<i>Not applicable</i>
12	<i>Not applicable</i>
14.1	<p>The bid security shall be in the form of a Bid Securing Declaration, or any of the following forms and amounts:</p> <ol style="list-style-type: none"> a. The amount of not less than <i>Php400,919.81</i> if bid security is in cash, cashier's/manager's check, bank draft/guarantee or irrevocable letter of credit; or b. The amount of not less than <i>Php1,002,299.53</i> if bid security is in Surety Bond.
19.3	<i>Not applicable</i>
20.2	<p><i>List of additional licenses and permits relevant to the Project and the corresponding law requiring it:</i></p> <ol style="list-style-type: none"> 1. <i>EMB-DENR Accreditation as Waste Transporter</i> 2. <i>EMB-DENR Accreditation as Hazardous Waste Treater</i> 3. <i>Environmental Compliance Certificate for Secured Landfill</i> 4. <i>Registration as Treatment, Storage and Disposal (TSD) Facility (RA6969)</i> 5. <i>Clearance/Permit from Laguna Lake Development Authority (LLDA) and/or LGU clearance where the facility/facilities is/are located</i> 6. <i>Certificate of Product Registration from the Department of Health</i> 7. <i>ISO Certification 9001:2015 Quality Management System</i> 8. <i>ISO Certification 14001:2015 Environmental management system for transporter and treater and; 45001:2018 Occupational Health and Safety management system.</i> 9. <i>Pollution Legal Liabilities Insurance Policy (PLLI) with coverage of at least PhP1,000,000.00 per incident or availability of PLLIP with attached notarized undertaking that service provider will cover all the damage that will cause harm to the community and the environment.</i> <p><i>All these permits/licenses/accreditation should be valid at the date of opening of bids.</i></p>
21.2	<p><i>List here any additional contract documents relevant to the Project that may be required by existing laws and/or the Procuring Entity: Copy of approved Terms of Reference with Conforme of the authorized representative of the bidder.</i></p>

Section IV. General Conditions of Contract

Notes on the General Conditions of Contract

The Terms and Conditions for the Contract for the Disposal of Hazardous and Toxic Health Care Wastes which is included in this PBD provides the General Conditions of this service contract.

Section V. Special Conditions of Contract

NOT APPLICABLE FOR THIS SERVICE CONTRACT

Section VI. Schedule of Requirements

NOT APPLICABLE FOR THIS SERVICE CONTRACT

Section VII. Technical Specifications

<p>APPLICABLE TECHNICAL SPECIFICATIONS/CONDITIONS ARE PROVIDED IN THE APPROVED TERMS OF REFERENCE WHICH SHOULD BE SUBMITTED BY THE BIDDER WITH CONFORME.</p>

TERMS AND CONDITIONS
CONTRACT FOR THE DISPOSAL OF
HAZARDOUS AND TOXIC HEALTH CARE WASTES
University of the Philippines Manila

1. **Scope of services.** – The contractor shall collect, transport, treat and properly dispose the hazardous and toxic health care wastes generated by UP Manila, including the Philippine General Hospital, using DENR-accepted technology/methods, as provided for by the Clean Air Act of 1999 and other pertinent laws and legislation:

Hazardous and toxic health care wastes shall include but are not limited to:

- a. Infectious waste (culture and stocks of infectious agents, waste from surgeries and autopsies on patients with infectious diseases; waste from or has been in contact with infected patients, infected animals from laboratories);
 - b. Pathological and anatomical waste (tissues, organs, body parts, human fetus and animal carcasses, blood and body fluids);
 - c. Sharp objects (needles, syringes, scalpels, saws, broken glass, infusion sets, knives, nails);
 - d. Pharmaceutical waste (expired, unused, spilt, and contaminated pharmaceutical products, drugs, vaccines, sera and used vials/bottles);
 - e. Chemical waste (discarded solid, liquid and gaseous chemicals from diagnostic and research/experimental works including mercury and mercury-containing materials);
 - f. Busted fluorescent lamps
 - g. Waste Electrical and Electronic parts including used batteries and such other similar matters.
 - h. Oil sludge, used oil (engine oil from generators and motor vehicles including vegetable oil use in cooking)
2. **Capability of the contractor.** –
- 2.1. The contractor shall have the capability to treat and properly dispose the Hazardous and Toxic Healthcare wastes herein listed.
 - 2.2. Sub-contracting for the treatment of any of the above-mentioned is not allowed.
3. **Licenses and permits.** – The contractor shall obtain all the requisite licenses and permits from the EMB-DENR:
- a) Accredited Waste Transporter;
 - b) Accredited Hazardous Waste Treater;

- c) Environmental Compliance Certificate for Secured Landfill;
- d) Registered as Treatment, Storage and Disposal (TSD) Facility as per IRR RA6969;

other government regulatory bodies:

- a) Mayor's Permit/Municipal License for the current year
- b) Clearance/Permit from Laguna Lake Development Authority (LLDA) and/or LGU clearance where the facility/facilities is/are located;
- c) Certificate of Product Registration from the Department of Health
- d) ISO Certification
 - (a) 9001: 2015 Quality management system
 - (b) 14001: 2015 environmental management system for transporter and treater and;
 - (c) 45001: 2018 Occupational Health and Safety management system.
- e) Pollution Legal Liabilities Insurance Policy (PLLIP) with coverage of at least Php 1,000,000.00 per incident or availability of PLLIP with attached notarized undertaking that service provider will cover all the damages that will cause harm to the community and the environment.

4. **Collection.** – The frequency and manner of collection, transport, treatment and disposal of hazardous and toxic health care wastes shall be in accordance with the following conditions:

- 4.1. The contractor shall collect the hazardous and toxic health care wastes of the Philippine General Hospital everyday at a time mutually agreed upon by the contractor and the designated staff of the Hospital.
- 4.2. For academic units, including the National Institutes of the Health, collection shall be as frequent as deemed necessary, the day and time of collection shall, likewise, be mutually agreed upon by the Contractor and the designated staff of concerned unit.
- 4.3. The contractor shall supply plastic bins free of charge, properly marked/labeled with infectious substance symbol, at the collection points designated as the area of collection, which shall be separate from the municipal waste/garbage house.
- 4.4. The contractor shall issue control forms for every collection thereon, indicating the total weight of the waste collected.

5. Transport

- 5.1. The transport of hazardous health care wastes should comply with the national regulation governing transport of toxic hazardous wastes (RA 6969) and should, at all times, not pose any danger to the public during transport;

- 5.2. UP Manila, as the waste generator, has the right to impose measures so as to ensure that the wastes are properly transported, treated, and disposed;
- 5.3. The contractor shall maintain an accomplished consignment note of all health care wastes taken from UP Manila and should be in the possession of the contractor's personnel during transport.

6. Treatment/Disposal

- 6.1. The treatment/disposal facility of the Contractor should be acceptable to the community wherein the facility is located.
 - 6.2. The final disposal facility should be registered with or accredited by the Environmental Management Bureau- Department of Environment and Natural Resources (EMB- DENR)
 - 6.3. In case the contractor does not own the final disposal facility (secured landfill), it should have an existing contract or agreement with the operator of the landfill or granted a commitment to allow the contractor to use the disposal facility, for the duration of the contract;
 - 6.4. The final disposal facility should likewise, have the necessary permits and clearances from pertinent government regulatory bodies;
 - 6.5. UP Manila has the right to conduct unannounced visit/inspection on the treatment and disposal facilities of the contractor;
 - 6.6. Every first week of the month, the contractor shall issue to UP Manila a certificate showing that the hazardous and toxic health care waste of UP Manila have been properly disposed.
7. **Compliance with laws, rules and regulations.** – The parties agree that in performing their activities under this Contract, they will comply with all applicable laws, rules, regulations, commercial practice and otherwise act in good faith.
8. **Compliance monitoring.** – The UP Manila Integrated Waste Management Committee shall closely monitor the Contractor's aforesaid compliance during the contract period, even if such monitoring is done outside the premises of UP Manila.
9. **Pre-termination.** – UP Manila hereby reserves its rights to pre-terminate this Contract in the event that the Contractor fails to comply with any of the pertinent laws,

regulations and commercial practices and such other conditions imposed by UP Manila.

10. Liability in the performance by the contractor of its contractual obligations. – UP Manila shall be rendered free from any civil, criminal or administrative liability arising from or out of violation by the Contractor or any of its employees or duly authorized representatives of any such law, rule or ordinance in carrying out its duties and obligations pursuant to this Contract;

11. Breach of contract. –

11.1. All disputes, controversies or claims arising out of relating to this contract, or about its breach, termination or invalidity shall be settled through negotiation and/or mediation within sixty (60) days from the receipt of a notice by the party injured;

11.2. All such conflicts which can not be decided by negotiation and/or mediation shall be decided by arbitration in accordance with the rules or arbitration contained in the UNCITRAL Model Law as adopted in the Republic Act No. 9285 or the ADR Law of 2004;

11.3. For this purpose, there shall be three (3) arbitrators with its party appointing one (1) each and those appointed selecting the third arbitrator who shall be the chair of the arbitral panel. The appointing authority mentioned in the Article 6 of the UNCITRAL Model Law and Article 26 of Republic Act No. 9285 shall be the Chair of the Commission on Higher Education;

11.4. The place of arbitration shall be in UP Manila without prejudice to holding of hearings in another place for the convenience of the witnesses that may be presented by the parties. The language of the arbitration shall be in English or Filipino;

11.5. Each part shall deposit half of the costs for arbitration panel without prejudice to covering such costs that may be awarded in the Arbitration Award;

12. Venue. – The exclusive venue of all court actions or request for interim measures, should these become necessary, shall be in City of Manila, Philippines.

13. Notices. –

13.1. All notices, requests, claims, demands, and other communication between the parties shall be in writing.

- 13.2. Method of Notice. – All notices shall be given (i) by delivery in person (ii) by a nationally recognized next day courier service, (iii) by first class, registered or certified mail, postage prepaid; or (iv) by mail.
- 13.3. Receipt of Notice. – All notices shall be effective (i) upon receipt by the party to which notice is given, (ii) on the day the mail is returned to sender because the addressee no longer resides at the given address in this contract without notifying the other party of the new address, or (iii) after two (2) failed attempts to personally deliver the notices, requests, claims, demands and other communications, the party delivering the notice may leave the notice, request, claim, demand, or other communications to a person of legal age residing or working in the address specified in clause 17.5 of this Agreement or to the supervisor of the construction work in the site; (iv) on the date of receipt of the mail.
- 13.4. Refusal of Delivery. – Rejection or other refusal to accept or the inability to deliver because of changed address of which no notice was given shall be deemed to be receipt of the notice as of the date of such rejection, refusal or inability to deliver.
- 13.5. Party to notify. – All notices, requests, claims, demands and other communications shall only be valid, effective and binding if received by the following offices in the address indicated below:

For UP Manila:



Office of the Vice Chancellor for Administration
8th Floor, Right Central Block Building
Philippine General Hospital
Taft, Avenue, Ermita, Manila 1000
Email: ovca@upm.edu.ph

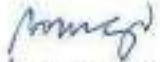

For Contractor:

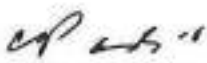
- 13.6. Change of Address. – Any party to this Agreement shall notify the other party of any changes of address/email address which shall be effective upon receipt of notice as specified in paragraph 17.3 of this Agreement.

14. **Performance bond.** – The contractor shall post a performance bond in acceptable form, preferably GSIS surety bond, as provided by RA 9184.
15. **Service fee.** – UP Manila shall pay the contractor its service fee on a monthly basis not later than the fifteenth (15) day of the succeeding month.
16. **Duration of the contract.** – The period to be covered by the contract will be for one calendar year to take effect from April 1, 2022 to March 31, 2023.

APPROVED:


GERARDO D. LEGASPI, MD
Director, Philippine General Hospital 


ARLENE A. SAMANIEGO
Vice Chancellor for Administration,
 University of the Philippines Manila


CARMENCITA D. PADILLA, MD, MAHPS
Chancellor, University of the Philippines Manila

Section VIII. Checklist of Technical and Financial Documents

Notes on the Checklist of Technical and Financial Documents

The prescribed documents in the checklist are mandatory to be submitted in the Bid, but shall be subject to the following:

- a. GPPB Resolution No. 09-2020 on the efficient procurement measures during a State of Calamity or other similar issuances that shall allow the use of alternate documents in lieu of the mandated requirements; or
- b. Any subsequent GPPB issuances adjusting the documentary requirements after the effectivity of the adoption of the PBDs.

The BAC shall be checking the submitted documents of each Bidder against this checklist to ascertain if they are all present, using a non-discretionary “pass/fail” criterion pursuant to Section 30 of the 2016 revised IRR of RA No. 9184.

Checklist of Technical and Financial Documents

I. TECHNICAL COMPONENT ENVELOPE

Class “A” Documents

Legal Documents

- ☐ (a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages);
And
- ☐ (b) Registration certificate from Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives or its equivalent document, **And**
- ☐ (c) Mayor’s or Business permit issued by the city or municipality where the principal place of business of the prospective bidder is located, or the equivalent document for Exclusive Economic Zones or Areas; **And**
- ☐ (d) Tax clearance per E.O. No. 398, s. 2005, as finally reviewed and approved by the Bureau of Internal Revenue (BIR).

NOTE: Certified copies of the legal documents are being required for submission for compliance with pertinent COA requirements.

Additional permits/licenses specifically required for this contract:

- a) EMB-DENR Accreditation as Waste Transporter
- b) EMB-DENR Accreditation as Waste Treater
- c) Environmental Compliance Certificate for Secured Landfill
- d) Registration as Treatment, Storage and Disposal (TSD) Facility (RA6969)
- e) Clearance/Permit from Laguna Lake Development Authority (LLDA) and/or LCU Clearance where the facility/facilities are located
- f) Certificate of Product Registration from Department of Health (DOH)
- g) ISO Certification 9001:2015 Quality Management System
- h) ISO Certification 14001:2015 Environmental management system for transporter and treater **and**; 45001:2018 Occupational Health and Safety management system.
- i) Pollution Legal Liabilities Insurance Policy (PLLI) with coverage of at least PhP1,000,000.00 per incident or availability of PLLIP with attached notarized undertaking that service provider will cover all the damage that will cause harm to the community and the environment.

Technical Documents

- ☐ (f) Statement of the prospective bidder 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; **and**
- ☐ (g) Statement of the bidder’s Single Largest Completed Contract (SLCC) similar to the contract to be bid, except under conditions provided for in Sections 23.4.1.3 and 23.4.2.4 of the 2016 revised IRR of RA No. 9184, within the relevant period as provided in the Bidding Documents; **and**
- ☐ (h) Original copy of Bid Security. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission;
Or Original copy of Notarized Bid Securing Declaration; **and**

- (i) Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or after-sales/parts, if applicable; **and**
- (j) Original duly signed Omnibus Sworn Statement (OSS); **and** if applicable, Original Notarized Secretary's Certificate in case of a corporation, partnership, or cooperative; or Original Special Power of Attorney of all members of the joint venture giving full power and authority to its officer to sign the OSS and do acts to represent the Bidder.

Note: The authorized signatory who executed the OSS and given authority to sign in the Secretary's Certificate should indicate his/her position in the company participating in this bidding. Further, certified copy of Government Issued ID (GIID) of the affiant should be attached to the notarized instrument.

Additional requirement:

- (k) UP Questionnaire (notarized)

Financial Documents

- (l) The Supplier's audited financial statements, showing, among others, the Supplier's total and current assets and liabilities, stamped "received" by the BIR or its duly accredited and authorized institutions, for the preceding calendar year which should not be earlier than two (2) years from the date of bid submission; **and**
- (m) The prospective bidder's computation of Net Financial Contracting Capacity (NFCC);
or
A committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation.

Class "B" Documents

- (n) If applicable, a duly signed joint venture agreement (JVA) in case the joint venture is already in existence;
or
duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful.

Other documentary requirements under RA No. 9184 (as applicable)

- (o) *[For foreign bidders claiming by reason of their country's extension of reciprocal rights to Filipinos]* Certification from the relevant government office of their country stating that Filipinos are allowed to participate in government procurement activities for the same item or product.
- (p) Certification from the DTI if the Bidder claims preference as a Domestic Bidder or Domestic Entity.

25 FINANCIAL COMPONENT ENVELOPE

- (a) Original of duly signed and accomplished Financial Bid Form; **and**
- (b) Original of duly signed and accomplished Price Schedule(s).

Section IX Standard Forms

- ***BID FORM***
- ***BID SECURING DECLARATION***
 - ***NFCC***
- ***OMNIBUS SWORN STATEMENT***
 - ***UP QUESTIONNAIRE***
 - ***QFS AND ZOOM GUIDE***

Bid Form

Date: _____
Invitation to Bid¹ N°: _____

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 **Error! Reference source not found.** 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:²

Name and address of agent	Amount and Currency	Purpose of Commission or gratuity
_____	_____	_____
_____	_____	_____
_____	_____	_____
(if none, state "None")		

¹ If ADB, JICA and WB funded projects, use IFB.

² Applicable only if the Funding Source is the ADB, JICA or WB.

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 Error! Reference source not found.** 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 _____

Bid-Securing Declaration

(REPUBLIC OF THE PHILIPPINES)

CITY OF _____) S.S.

x-----x

Invitation to Bid *[Insert reference number]*

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

I/We, 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 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 as the bidder with the Highest Rated Responsive Bid, 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. ____.

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 _.

**FINANCIAL DOCUMENTS FOR ELIGIBILITY CHECK
COMPUTATION OF NET FINANCIAL CONTRACTING CAPACITY (NFCC)**

1. Summary of the Applicant Supplier's/Distributor's/Manufacturer's assets and liabilities on the basis of the attached income tax return and audited financial statement, stamped "RECEIVED" by the Bureau of Internal Revenue or BIR authorized collecting agent, for the immediately preceding year and a certified copy of schedule of Fixed Assets.

		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 – Current liabilities) (15)] minus the value of all outstanding or uncompleted portions of the projects under on- going contracts, including awarded contracts yet to be started coinciding with the contract to be bid. Please show detailed computation including the value of all outstanding / on-going contracts to be deducted from the net working capital)

NFCC = P _____

Or

Commitment from a licensed bank to extend to it a credit line certificate if awarded the contract in the amount of at least 10% of the proposed project to bid.

Name of Bank: _____ Amount: _____

Herewith attached are certified true copies of the income tax return and audited financial statement stamped "RECEIVED" by the BIR or BIR authorized collecting agent for the immediately preceding year and the certificate of commitment from a licensed bank to extend a credit line.

Submitted by:

Name of Supplier/Distributor/Manufacturer

Date:

Signature of Authorized Representative

NOTE:

- (i) If Partnership or Joint Venture, each Partner or Member Firm of Joint Venture shall submit the above requirements.
2. The values of the domestic bidder's current assets and current liabilities shall be based on the latest Audited Financial Statements submitted to the BIR.

Omnibus Sworn Statement (Revised)

[shall be submitted with the Bid]

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, **by itself or by relation, membership, association, affiliation, or controlling interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on Blacklisting:**

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:] 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 responsibilities as a Bidder in compliance with the Philippine Bidding Documents, which includes:
 - a. Carefully examining all of the Bidding Documents;
 - b. Acknowledging all conditions, local or otherwise, affecting the implementation of the Contract;
 - c. Making an estimate of the facilities available and needed for the contract to be bid, if any; and
 - d. Inquiring or securing 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.
10. **In case advance payment was made or given, failure to perform or deliver any of the obligations and undertakings in the contract shall be sufficient grounds to constitute criminal liability for Swindling (Estafa) or the commission of fraud with unfaithfulness or abuse of confidence through misappropriating or converting any payment received by a person or entity under an obligation involving the duty to deliver certain goods or services, to the prejudice of the public and the government of the Philippines pursuant to Article 315 of Act No. 3815 s. 1930, as amended, or the Revised Penal Code.**

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of ____, 20__ at _____, Philippines.

[Insert NAME OF BIDDER OR ITS AUTHORIZED REPRESENTATIVE]

[Insert signatory's legal capacity]
Affiant

[Jurat]

[Format shall be based on the latest Rules on Notarial Practice]

QUESTIONNAIRE FOR PROSPECTIVE BIDDERS
(additional requirement for eligibility)

1. Have you ever participated in any bidding in the University of the Philippines System?

YES	NO

If YES, fill up the table below, Use additional pages if necessary.

Constituent University / UP Campus	Name of Project	Amount of Project	Duration Start / End (Dates)	Status (On-going / completed)

2. Has your company ever been suspended or Blacklisted by the University of the Philippines System?

YES	NO

If YES, fill up the table below, Use additional pages if necessary

Constituent University/UP Campus	Name of project	Reason for suspension / Blacklisting	Status (on-going / lifted)

3. Has your company ever been suspended or Blacklisted by any government agency / Company

YES	NO

If YES, FILL UP THE Table below, Use additional pages if necessary

Name of government Agency / Company	Name of Project	Reason for suspension / Blacklisting	Status (on-going / lifted)

4. Has there been any project of your company In the University of the Philippines that was terminated By Administration

YES	NO

If YES, FILL UP THE TABLE BELOW, Use additional pages if necessary

Constituents University / UP Campus	Name of Project	Reason for termination	Date of termination

5. Do you certify that all documents submitted by Your company and personnel are authentic?

YES	NO

YES	NO

6. Is there any pending cases in a Court or any similar institutions in relation to any Government contract awarded to your company?
In relation to practice or profession of any of your personnel?

If YES, fill up the table below. Use additional pages if necessary

For Company

Case Filed	Where Filed	Date Filed	Status (On-going / resolved)	Remarks

For Personnel

Name of Personnel & Designation	Case Filed	Where Filed	Date Filed	Status (On-going / resolved)	Remarks

I hereby certify that all statements and information provided herein are complete, true and correct.

Name & Signature of Bidder's
Authorized Representative

Official Designation
Company
Date

Suggested Marking (ITB 20) “Mother Envelop”

BIDDER:
Address



Title of Project

THE BIDS AND AWARDS COMMITTEE 2
University of the Philippines Manila
Taft Avenue, Manila



DO NOT OPEN BEFORE _____

Suggested Marking (ITB 20)

ORIGINAL BID

BIDDER:

Address



Title of Project

THE BIDS AND AWARDS COMMITTEE 2
University of the Philippines Manila
Taft Avenue, Manila



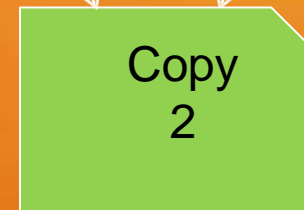
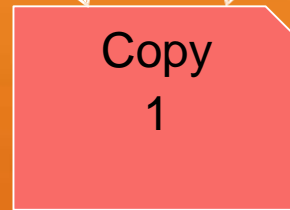
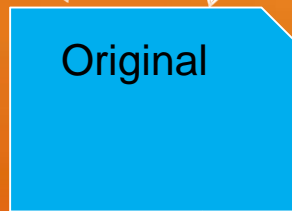
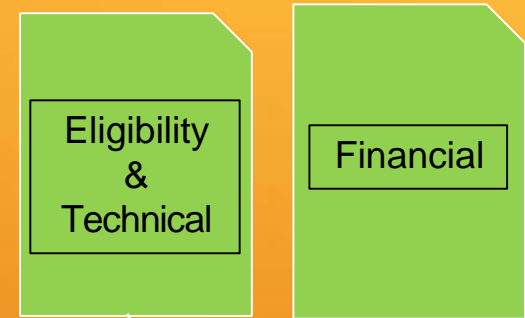
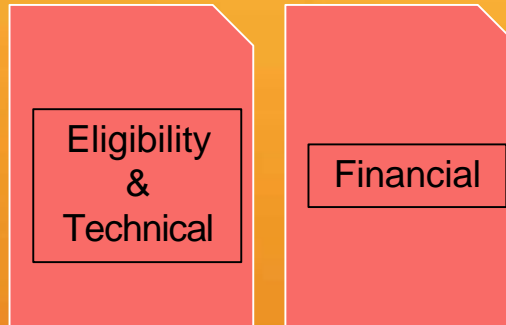
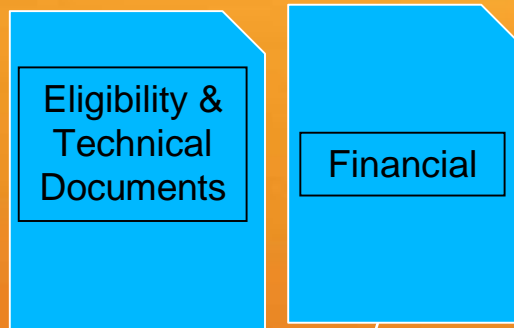
DO NOT OPEN BEFORE _____

PAC KAGING

Original

Copy 1

Copy 2





UNIVERSITY OF THE PHILIPPINES MANILA
Procurement Office

QUICK FACT SHEET OF PROSPECTIVE BIDDERS:

PROJECT TITLE: _____

PURCHASE REQUEST NO. _____

BIDDER'S OFFICIAL BUSINESS NAME _____

COMPLETE BUSINESS ADDRESS: _____

OFFICIAL CONTACT DETAILS:

Landline: _____

Cellphone No. _____

Email Address: _____

NAME OF AUTHORIZED/DESIGNATED REPRESENTATIVE: _____

OFFICIAL DESIGNATION IN THE COMPANY: _____

Certified true and correct:

Signature over Printed Name

Designation in the Company

NOTES:

1. Information provided in this fact sheet should be consistent with the details contained in the bidder's legal documents.
2. The certifying officer should be at least the Corporate Secretary who shall execute the Secretary's Certificate of signing authority.
3. A filled-up copy of this sheet shall be sent to the BAC Secretariat when requesting zoom link. Another copy should be placed on top of the original copy of legal documents/eligibility requirements (Envelope 1) of bid documents.

Issued by:

BAC 2/3 Secretariat

Date: _____



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**GUIDELINES FOR THE CONDUCT OF
BIDS AND AWARDS COMMITTEE MEETINGS USING ONLINE PLATFORMS
(SUCH AS VIDEO CONFERENCING, ZOOM, ETC)**

Background and General Principle

Article III, Section 8 of RA 9184 2016 Implementing Rules and Regulations (IRR) provides that “to promote transparency and efficiency, information and communications technology shall be utilized in the conduct of procurement procedure.”

The Government Procurement Policy Board through its Technical Support Office (TSO) continuously strived for the development of various on-line systems such as PhilGEPS which serves as the primary source of information on all government procurement. Procurement of common-used supplies and equipment can now be done at the Virtual Store of the Procurement Service. Recently, the development of online training platform was hastened due to the physical restrictions brought about by the community quarantine due to the COVID-19 pandemic.

Development of the online system for the submission of bids is ongoing. However, also due to the pandemic, the GPPB-TSO encouraged procuring agencies to develop their own system but in accordance with the guidelines issued by GPPB-TSO to ensure security, integrity and confidentiality of bid documents submitted.

The conduct of meetings with prospective bidders including prebid conference and opening of bids may now be conducted in person or face-to-face through videoconferencing, webcasting or similar technology with the interested suppliers, contractors and consultants.

In UP Manila, specifically the Bids and Awards Committee (BAC1, BAC2 and BAC3) meetings shall be conducted “face to face” using the online platforms. The manner of holding BAC meetings should be announced and described in the Invitation to Bid at the onset of the procurement activities. It should clearly define the guidelines or procedures to be observed by the prospective bidders and other interested contractors, suppliers, or consultants, as follows:

- a. Using the attached Quick Fact Sheet, prospective bidders shall inform the concerned BAC Secretariat of their interest to participate in the prebid conference and opening of bids by sending the name/s of their authorized representative/s and their corresponding email address/es at least, the day before the meeting, to the following email addresses:
BAC 2 : upm-bac2-secretariat@up.edu.ph
BAC 3 : upm-bac3-secretariat@up.edu.ph
- b. The zoom link which shall be provided by the BAC Secretariat to those who signified their intention to attend at least one (1) hour before the scheduled start of the meeting. Only those whose names were submitted to the Secretariat will be allowed access to the meeting room. Zoom link should not be shared to other people.
- c. The prospective bidders/suppliers shall stay initially at the zoom waiting room until the discussion of the item where they intend to participate starts. The host of the meeting from the BAC Secretariat will then let them in to the meeting room just before the discussion of the specific matter they intend to participate.
- d. During discussion, participants shall be requested to put their audio/microphones in “mute” mode, and shall unmute only upon raising their hands and have been given by the presiding officer the permission to speak.
- e. Participants shall open their camera when speaking for proper recognition.
- f. After discussion, all prospective bidders/suppliers for a particular project will courteously be requested to leave the meeting.
- g. Attendance to the zoom meeting should be documented. Likewise, the proceedings/minutes of the meeting should be recorded.