



CONSULATE GENERAL OF THE REPUBLIC OF THE PHILIPPINES
AGANA

CONSULATE GENERAL OF THE PHILIPPINES
BIDS AND AWARDS COMMITTEE

Email: bacgroup2016@gmail.com

SUPPLEMENTAL / BID BULLETIN No. 2

Project : **Demolition of Existing Structure and Construction of the New Official Residence of the Consul General of the Philippines**
Reference No. : PCGAG-PBIP-2016-01
ABC : PhP 61,225,471.00
Date : 8 July 2016

This supplemental/bid bulletin is issued to provide information to the prospective proponents/bidders on the following changes and updates to the Bidding Documents:

Bidding Forms (Section IX)

Table of Contents:

Bid Form	82
Omnibus Sworn Statement	84
Bid Securing Declaration	86
Form of Contract Agreement	87
Schedule of Requirements	89
Statement of Completed Contracts	90
List of Ongoing Contracts	91
Financial Documents for Eligibility Check.....	92

The Bidding Documents is amended accordingly.

For the information and guidance of all concerned.


EDGAR TOMAS Q. AUXILIAN
BAC Chairperson

Section IX. Bidding Forms

TABLE OF CONTENTS

Bid Form.....	82
Omnibus Sworn Statement.....	84
Bid Securing Declaration.....	86
Form of Contract Agreement.....	87
Schedule of Requirements	89
Statement of Completed Contracts.....	90
List of Ongoing Contracts.....	91
Financial Documents for Eligibility Check	92

Bid Form

Date: _____

Invitation to Bid¹² N°: PCGAG-PBIP-2016-01

To : *Consulate General of the Philippines in Agana, Guam*

Address: *Suite 601-2, ITC Building, 590 S. Marine Corps Drive
Tamuning 96913 Guam*

We, the undersigned, declare that:

- (a) We have examined and have no reservation to the Bidding Documents, including Addenda, for the **Contract for the Demolition of Existing Structure and Construction of the New Official Residence of the Consul General of the Philippines**;
- (b) We offer to execute the Works for this Contract in accordance with the Bid and Bid Data Sheet, General and Special Conditions of Contract accompanying this Bid;

The total price of our Bid, excluding any discounts offered in item (d) below is:
[insert information];

The discounts offered and the methodology for their application are:
[insert information];

- (c) Our Bid shall be valid for a period of **one hundred and twenty (120) days** from the date fixed for the Bid submission deadline in accordance with the Bidding Documents, and it shall remain binding upon us and may be accepted at any time before the expiration of that period;
- (d) If our Bid is accepted, we commit to obtain a Performance Security in the amount of **thirty percent (30%)** of the Contract Price for the due performance of the Contract;
- (e) Our firm, including any subcontractors or suppliers for any part of the Contract, have nationalities from the following eligible countries: [insert information];
- (f) We are not participating, as Bidders, in more than one Bid in this bidding process, other than alternative offers in accordance with the Bidding Documents;
- (g) Our firm, its affiliates or subsidiaries, including any subcontractors or suppliers for any part of the Contract, has not been declared ineligible by the Funding Source;

¹² If ADB, JICA and WB funded projects, use IFB.

- (h) We understand that this Bid, together with your written acceptance thereof included in your notification of award, shall constitute a binding contract between us, until a formal Contract is prepared and executed; and
- (i) We understand that you are not bound to accept the Lowest Evaluated Bid or any other Bid that you may receive.

Name: _____

In the capacity of: _____

Signed: _____

Duly authorized to sign the Bid for and on behalf of: _____

Date: _____

Omnibus Sworn Statement

Consulate General of the Philippines)
Hagatna, Guam) S.S.

AFFIDAVIT

I, [Name of Affiant], of legal age, [Civil Status], [Nationality], and residing at [Address of Affiant], after having been duly sworn in accordance with law, do hereby depose and state that:

1. **Select one, delete the other:**

If a sole proprietorship: I am the sole proprietor of [Name of Bidder] with office address at [address of Bidder];

If a partnership, corporation, cooperative, or joint venture: I am the duly authorized and designated representative of [Name of Bidder] with office address at [address of Bidder];

2. **Select one, delete the other:**

If a sole proprietorship: As the owner and sole proprietor of [Name of Bidder], I have full power and authority to do, execute and perform any and all acts necessary to represent it in the bidding for [Name of the Project] of the [Name of the Procuring Entity];

If a partnership, corporation, cooperative, or joint venture: I am granted full power and authority to do, execute and perform any and all acts necessary and/or to represent the [Name of Bidder] in the bidding as shown in the attached [state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate issued by the corporation or the members of the joint venture)];

3. [Name of Bidder] is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board;

4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;

5. [Name of Bidder] is authorizing the Head of the Procuring Entity or its duly authorized representative(s) to verify all the documents submitted;

6. **Select one, delete the rest:**

If a sole proprietorship: I am not related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

If a partnership or cooperative: None of the officers and members of [Name of Bidder] is related to the Head of the Procuring Entity, members of the Bids and

Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

If a corporation or joint venture: None of the officers, directors, and controlling stockholders of [Name of Bidder] is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

7. [Name of Bidder] complies with existing labor laws and standards; and
8. [Name of Bidder] is aware of and has undertaken the following responsibilities as a Bidder:
 - a) Carefully examine all of the Bidding Documents;
 - b) Acknowledge all conditions, local or otherwise, affecting the implementation of the Contract;
 - c) Made an estimate of the facilities available and needed for the contract to be bid, if any; and
 - d) Inquire or secure Supplemental/Bid Bulletin(s) issued for the [Name of the Project].
9. [Name of Bidder] did not give or pay directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel or representative of the government in relation to any procurement project or activity.
10. [Name of Bidder] can be reached through contact number _____.

IN WITNESS WHEREOF, I have hereunto set my hand this ___ day of _____, 2016 at the Consulate General of the Philippines in Hagatna, Guam.

Bidder's Representative/Authorized Signatory

SUBSCRIBED AND SWORN to before me this ___ day of _____, 2016 at the Consulate General of the Philippines in Hagatna, Guam. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity with affiant/s exhibiting to me his/her/their [insert type of government identification card used], with his/her photograph and signature appearing thereon, with no. _____ issued at _____ on _____.

NOTARIAL OFFICER

Consulate General of the Philippines)
Hagatna, Guam) S.S.

x-----x

BID SECURING DECLARATION

Invitation to Bid No. PCGAG-PBIP-2016-01

To : Consulate General of the Philippines in Agana, Guam
Suite 601-2, ITC Building, 590 S. Marine Corps Drive
Tamuning 96913 Guam

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 and undertake that:
 - (a) I/we will be automatically disqualified from bidding for any contract with any procuring entity for a period of two (2) years upon receipt of your Blacklisting Order; and,
 - (b) I/we will pay the applicable fine provided under Section 6 of the Guidelines on the Use of Bid Securing Declaration, within fifteen (15) days from receipt of the written demand by the procuring entity from 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 Lowest Calculated and Responsive Bid/Highest Rated and 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 the Consulate General of the Philippines in Hagatna, Guam.

[Insert NAME OF BIDDER'S AUTHORIZED REPRESENTATIVE]

[Insert signatory's legal capacity]

Affiant

SUBSCRIBED AND SWORN to before me this ____ day of _____ 2016 at the Consulate General of the Philippines in Hagatna, Guam. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity with affiant/s exhibiting to me his/her/their [insert government identification card used], with his/her/their photograph and signature appearing thereon, with no. _____ issued at _____ on _____.

NOTARIAL OFFICER

Form of Contract Agreement

THIS AGREEMENT, made this ____ day of _____, 2016, between the CONSULATE GENERAL OF THE PHILIPPINES IN AGANA, GUAM located at Suite 601-2, ITC Building, 590 S. Marine Corps Drive, Tamuning 96913 Guam, (hereinafter called the "Entity") and [name of Contractor] of [address of Contractor] (hereinafter called the "Contractor").

WHEREAS, the Entity is desirous that the Contractor execute the Demolition of Existing Structure and Construction of the New Official Residence of the Consul General of the Philippines, with contract reference number PCGAG-PBIP-2016-01, (hereinafter called "the Works") and the Entity has accepted the Bid for the sum of [insert the amount in specified currency in words and figures] by the Contractor for the execution and completion of such Works and the remedying of any defects therein.

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract hereinafter referred to.
2. The following documents shall be attached, deemed to form, and be read and construed as part of this Agreement, to wit:
 - (a) General and Special Conditions of Contract;
 - (b) Drawings/Plans;
 - (c) Specifications;
 - (d) Invitation to Apply for Eligibility and to Bid;
 - (e) Instructions to Bidders;
 - (f) Bid Data Sheet;
 - (g) Addenda and/or Supplemental/Bid Bulletins, if any;
 - (h) Bid form, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes;
 - (i) Eligibility requirements, documents and/or statements;
 - (j) Performance Security;
 - (k) Credit line issued by a licensed bank, if any;
 - (l) Notice of Award of Contract and the Bidder's conforme thereto;
 - (m) Other contract documents that may be required by existing laws and/or the Entity.
3. In consideration of the payments to be made by the Entity to the Contractor as hereinafter mentioned, the Contractor hereby covenants with the Entity to execute and complete the Works and remedy any defects therein in conformity with the provisions of this Contract in all respects.

4. The Entity hereby covenants to pay the Contractor in consideration of the execution and completion of the Works and the remedying of defects therein, the Contract Price or such other sum as may become payable under the provisions of this Contract at the times and in the manner prescribed by this Contract.

IN WITNESS WHEREOF the parties thereto have caused this Agreement to be executed the day and year first before written.

Signed, sealed, delivered by:

MARCIANO R. DE BORJA
*Consul General and
Head of Procuring Entity*

CONTRACTOR'S REPRESENTATIVE
Designation / Title

Signed in the presence of:

EDGAR TOMAS Q. AUXILIAN
*Consul and Chair of the
Bids and Awards Committee*

CONTRACTOR'S WITNESS
Designation / Title

KNOWN TO ME to be the same persons who executed the foregoing instrument and acknowledged to me that the same are the free and voluntary act of the entities they respectively represent.

The foregoing Contract consists of ____ pages (exclusive of attachments), including this page, and signed by the parties hereto and their witnesses on the left-hand margin of each and every page thereof.

NOTARIAL OFFICER

List of Ongoing Contracts including Contracts Awarded but Not Started

COMPANY/BUSINESS NAME : _____

COMPLETE ADDRESS : _____

Name of Contract	Total Project Cost	Project Owner / Client (Address / Contact Numbers / Email)	Nature of Work	Bidder's Role		Date Awarded Date Started Date Completed (Projected)	Percent of Accomplishment		Value of Outstanding Works (Undelivered Portion)
				Description	%		Planned	Actual	

Submitted by : _____
(Printed Name and Signature)

Designation : _____

Date submitted : _____

Financial Documents for Eligibility Check

- A. Summary of the Bidder's assets and liabilities on the basis of the attached income tax return and audited financial statement, stamped "RECEIVED" by the Guam Department of Revenue and Taxation or other authorized collecting agent, for the immediately preceding year and a certified copy of the Schedule of Fixed Assets.

		Year 2015
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 = K (current assets - current liabilities) minus value of all outstanding works under ongoing contracts including awarded contracts yet to be started

NFCC = P _____

K = 10 for a contract duration of one year or less, 15 for more than one year up to two years and 20 for more than two years.

-or-

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

Name of Bank: _____ Amount: _____

Submitted by:

Name of Bidder / Supplier

Signature of Authorized Representative

Date: _____

Note: If Partnership or Joint Venture, each Partner of Member Firm of the Joint Venture shall submit the above requirements.