



Bid Notice Abstract

Invitation to Bid (ITB)

Reference Number	10232666
Procuring Entity	DEPARTMENT OF TRADE AND INDUSTRY - REGION IV-A
Title	Supply and Delivery of Grocery Items for Various Livelihood Kits for DTI-PPG of DTI Laguna Provincial Office (1 Lot)
Area of Delivery	Laguna

Solicitation Number:	ITB-23-0005	Status	Active
Trade Agreement:	Implementing Rules and Regulations	Associated Components	17
Procurement Mode:	Public Bidding	Bid Supplements	0
Classification:	Goods	Document Request List	0
Category:	Grocery Items	Date Published	18/10/2023
Approved Budget for the Contract:	PHP 1,785,000.00	Last Updated / Time	18/10/2023 00:00 AM
Delivery Period:	7 Day/s	Closing Date / Time	07/11/2023 08:30 AM
Client Agency:			
Contact Person:	IDY NELL MEERA TAYOBONG ADMIN OFFICER III 3rd Floor, Marcelita Bldg, Brgy Real, Calamba City Laguna Philippines 4027 63-917-5035349 idynelltayobong@dti.gov.ph		

Description

Invitation to Bid for Supply and Delivery of Grocery Items for Various Livelihood Kits for DTI-PPG of DTI Laguna Provincial Office (1 Lot)

1. The Department of Trade and Industry Region IV-A, through the General Appropriations Act FY 2023 intends to apply the sum of One Million Seven Hundred Eighty-Five Thousand Pesos (Php 1,785,000.00) being the ABC to payment under the contract Supply and Delivery of Grocery Items for Various Livelihood Kits for DTI-PPG of DTI Laguna Provincial Office (1 Lot) (Bidding No.:10232666). Bids received in excess of the ABC shall be automatically rejected at bid opening.

2. The Department of Trade and Industry Region IV-A now invites bids for the above Procurement Project. Delivery of the Goods is required to be completed within the indicated delivery schedule from receipt of the Notice to Proceed and Purchase Order. Bidders should have completed, within three (3) 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.

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.

4. Prospective Bidders may obtain further information from the Department of Trade and Industry Region IV-A and inspect the Bidding Documents at the address given below from Monday to Friday except holidays, 8:00 AM to 5:00 PM.

5. A complete set of Bidding Documents may be acquired by interested Bidders on October 18, 2023, from the given address and website(s) below and upon payment of the applicable fee for the Bidding Documents, pursuant to the latest Guidelines issued by the GPPB, in the amount of One Thousand Seven Hundred Eighty-Five Pesos (Php 1,785,00). The Procuring Entity shall allow the bidder to present its proof of payment for the fees by presenting the hard copy or electronic copy of the official receipt.

6. The Department of Trade and Industry Region IV-A will hold a Pre-Bid Conference on October 25, 2023, at 9:00 AM through video conferencing via Zoom, which shall be open to prospective bidders.

7. Bids must be duly received by the BAC Secretariat through manual submission at the office address indicated below, on or before November 07, 2023, 8:30 AM. Late bids shall not be accepted.

8. All Bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in ITB Clause 14.

9. Bid opening shall be on November 07, 2023, at 9:00 AM at the given address below and via Zoom video conferencing. Bids will be opened in the presence of the bidders' authorized representatives who choose to attend the activity.

10. The Department of Trade and Industry Region IV-A 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.

11. For further information, please refer to:

Marjorie Anne B. Reyes
Head Secretariat
Bids and Awards Committee
Department of Trade and Industry Region IV-A
3/F Marcelita Building, National Highway,
Brgy. Real, Calamba City, Laguna 4027
Contact No.: 0917-104-5901
Email: MarjorieAnneReyes@dti.gov.ph cc: IdyNellTayobong@dti.gov.ph, HarvinBobPuno@dti.gov.ph
Website: www.dti.gov.ph

12. You may visit the following websites:

View posting: PhilGEPS website (<http://notices.ps-philgeps.gov.ph/main/>)

October 18, 2023

BAC Chairperson
DTI Region IV-A – Bids and Awards Committee

Line Items

Item No.	Product/Service Name	Description	Quantity	UOM	Budget (PHP)
1	Bigasan Package	Please refer to Terms of Reference for complete description.	11	Set	165,000.00
2	Merienda Package	Please refer to Terms of Reference for complete description.	4	Set	60,000.00
3	Carinderia Package	Please refer to Terms of Reference for complete description.	2	Set	30,000.00
4	Kakanin Package	Please refer to Terms of Reference for complete description.	1	Set	15,000.00
5	Frozen Goods Package	Please refer to Terms of Reference for complete description.	2	Set	30,000.00
6	Sari-Sari Store Package	Please refer to Terms of Reference for complete description.	99	Set	1,485,000.00

Pre-bid Conference

Date	Time	Venue
25/10/2023	9:00:00 AM	The Department of Trade and Industry Region IV-A will hold a Pre-Bid Conference

through video conferencing via Zoom which shall be open to all interested bidders. For invitation, please email our BAC Secretariat: IdyNellTayobong@dti.gov.ph

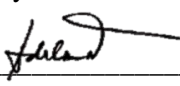
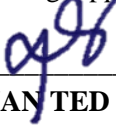
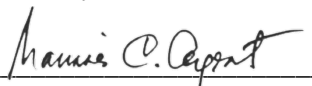
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Date Created 17/10/2023

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PURCHASE REQUEST

Entity Name: DTI-Laguna

Fund Cluster: PPG current

Office/Section : BDD		PR No.: <u>2023-10001</u> Responsibility Center Code : _____		Date: October 2, 2023	
Stock/ Property No.	Unit	Item Description	Quantity	Unit Cost	Total Cost
1	set	Bigasan Package	11	15,000.00	165,000.00
2	set	Merienda Package	4	15,000.00	60,000.00
3	set	Carindaria Package	2	15,000.00	30,000.00
4	set	Kakanin Package	1	15,000.00	15,000.00
5	set	Frozen Goods Package	2	15,000.00	30,000.00
6	set	Sari-Sari Store Package	99	15,000.00	1,485,000.00
Approved Budget for the Contract (ABC)					₱ 1,785,000.00
Purpose: Supply and delivery of grocery items for various livelihood kits for DTI-PPG of DTI Laguna Provincial Office (1 Lot)					
Requested by:			Recommending Approval:		
Signature : 					
Printed Name : ABIGAIL EZRA C. DEL MUNDO			CHRISTIAN TED O. TUNGOHAN		
Designation : OIC-CTIDS, BDD			OIC-Provincial Director, DTI Laguna		
			Approved by:		
					
			MARISSA C. ARGENTE		
			OIC-Regional Director		

TERMS OF REFERENCE

Supply and Delivery of Grocery Items for Various Livelihood Kits for DTI-PPG of DTI Laguna Provincial Office (1 Lot)

I. Background

The Department of Trade and Industry- Pangkabuhayan sa Pagbangon at Ginhawa (DTI-PPG) is a livelihood seeding and entrepreneurship development program for micro-enterprises. The convergence of concerned government agencies on the provision of livelihood assistance to economic sectors affected by fire incidents and other calamities including armed conflicts, is a post-disaster response mechanism to address the need for continued economic activities in the affected areas.

In lieu with DTI's commitment to provide needed resources that will support the recovery and continuity of affected businesses and individuals and/or families, DTI-Laguna started coordination meetings with Laguna local government units (LGUs) on August 2023 and validated approximately 1300 potential beneficiaries on September 2023.

The following are the guidelines in identification and selection of potential beneficiaries:

- a. Microenterprises affected by fire incidents and other calamities
- b. Identified and validated a pool of potential beneficiaries prioritizing fire- and natural calamity-incidents victim, as well as identified beneficiaries considered as priorities of the national government such as beneficiaries from Killed in Action – Wounded in Action (KIA-WIA), those identified by the NTF-ELCAC, avalees of Balik Probinsya Program, and Persons of Concerns (refugees/stateless persons) under the Philippine commitment to UNHCR.

Provision of entrepreneurial trainings covering topics on starting up a business, consumer education, and simplified action planning to PPG beneficiaries followed on September to October 2023.

DTI issued Department Order Nos. 23-07 series of 2023 and 20-46. DO No. 23-07 series of 2023 covers the Implementing Guidelines on the Implementation of PPG, while DO No. 20-46 covers the Prescribed Guidelines for Expanding Scope in Assisting Microenterprises under the DTI-PPG. The two (2) DOs also aim to ensure that the livelihood assistance and the economic activities of the affected sectors are determined and undertaken immediately.

II. Contact Person

Christian Ted O. Tungohan
OIC-Provincial Director
DTI Laguna Provincial Office

Abigail Ezra C. Del Mundo
Senior Trade-Industry Development Specialist
DTI Laguna Provincial Office

Ma. Diana E. Saguinsin
Trade-Industry Development Specialist
DTI Laguna Provincial Office

Allen Lyndsay S. Gonzales
Administrative Officer II
DTI Laguna Provincial Office

Telephone No.: 0919-0088-393
Email: r04a.laguna@dti.gov.ph

III. Approved Budget for the Contract

The Approved Budget for the Contract (ABC) is **One Million Seven Hundred Eighty-Five Thousand Pesos (Php 1,785,000.00)**.

IV. Scope of Work and Deliverables

- Complete delivery of grocery items in assigned location and schedules.
- Grocery items must be in good condition, FDA-registered and with at least one (1) year expiration date from date of delivery.
- Grocery items must be properly packed, sealed and labeled in corrugated boxes (except for 25 kgs. of rice). Please see Annex A and Annex B for proper labeling (to be printed by External Provider).
- The External Provider is not allowed to put any markings or logo on corrugated boxes except for the required labels in Annex A and Annex B.
- The External Provider shall designate personnel to assist DTI during item inspection.
- The External Provider shall provide logistics support in loading and unloading of items to designated areas in each delivery location.
- In case of damaged item/s or deficiency in quantity, the External Provider shall supply the item/s within the day of delivery.

V. Technical Specifications

Item No.	Qty	Unit	Item Description	Unit Cost	Total
1	11	sets	Bigasan Package	15,000.00	165,000.00
<i>Each set contains the following items:</i>					
1	5	sacks	Rice, Dinorado, 25kg	1,599.00	7,995.00
2	4	sacks	Rice, Sinandomeng, 25kg	1,500.00	6,000.00
3	3	sacks	Rice, Sinandomeng, 5kg	335.00	1,005.00
Total Amount per Set					15,000.00
2	4	sets	Merienda Package	15,000.00	60,000.00
<i>Each set contains the following items:</i>					
1	10	packs	Cooking Oil, 2L	270.00	2,700.00
2	10	containers	Banana Catsup, 1kg	75.00	750.00
3	10	packs	Burger Patties, 228g	75.00	750.00
4	10	packs	Hotdog, Regular, 1kg	220.00	2,200.00
5	10	packs	Pork Siomai, 54s	235.00	2,350.00
6	10	packs	Siopao, Asado, 10s	200.00	2,000.00
7	10	packs	Siopao, Bola-Bola, 10s	205.00	2,050.00
11	10	packs	Fries, 1kg	200.00	2,000.00
12	8	packs	Cheese Powder, 30g	25.00	200.00
Total Amount per Set					15,000.00
3	2	sets	Carindreria Package	15,000.00	30,000.00
<i>Each set contains the following items:</i>					
1	2	sacks	Rice, Sinandomeng, 25kg	1,500.00	3,000.00
2	12	packs	Cooking Oil, 2L	270.00	3,240.00
3	5	containers	Soy Sauce, 1gal	200.00	1,000.00
4	10	containers	Vinegar, 1L	45.00	450.00
5	10	containers	Fish Sauce, 1L	75.00	750.00
6	4	containers	Oyster Sauce, 765g	180.00	720.00
7	11	containers	Banana Catsup, 1kg	75.00	825.00
8	10	packs	Tomato Sauce, 1kg	100.00	1,000.00
9	10	packs	Bihon, 500g	50.00	500.00
10	5	packs	Pancit Canton, 500g	115.00	575.00
11	5	packs	White Sugar, 1kg	100.00	500.00
12	5	packs	Iodized Salt, 1kg	35.00	175.00
13	10	packs	Food Seasoning Granules, 8g x 16s	70.00	700.00
14	10	packs	Ground Black Pepper, 100g	90.00	900.00
15	2	packs	Hotdog, Regular, 1kg	220.00	440.00
16	1	pack	Beef Broth Cubes, 10g x 12s	75.00	75.00
17	1	pack	Pork Broth Cubes, 10g x 12s	75.00	75.00
18	1	pack	Chicken Broth Cubes, 10g x 12s	75.00	75.00
Total Amount per Set					15,000.00

4	1	set	Kakanin Package	15,000.00	15,000.00
Each set contains the following items:					
1	67	sacks	Glutinous Rice (Malagkit) 1kg	125.00	8,375.00
2	50	packs	Brown Sugar, 1kg	85.50	4,275.00
3	10	packs	White Sugar, 1kg	100.00	1,000.00
4	5	packs	Cooking Oil, 2L	270.00	1,350.00
Total Amount per Set					15,000.00
5	2	sets	Frozen Goods Package	15,000.00	30,000.00
Each set contains the following items:					
1	9	packs	Burger Patties, 228g	75.00	675.00
2	10	packs	Hotdog, Regular, 1kg	220.00	2,200.00
3	10	packs	Pork Siomai, 54s	235.00	2,350.00
4	10	packs	Siopao, Asado, 10s	270.00	2,700.00
5	10	packs	Siopao, Bola-Bola, 10s	205.00	2,050.00
6	10	packs	Pork Tocino, 225g	100.00	1,000.00
7	10	packs	Chicken Tocino, 220g	100.00	1,000.00
8	5	packs	Sweet Ham, 250g	90.00	450.00
9	10	packs	Chicken Nuggets, 200g	110.00	1,100.00
10	4	packs	Fries, 1kg	200.00	800.00
11	1	pc	Storage Box, 70L	675.00	675.00
Total Amount per Set					15,000.00
6	99	sets	Sari-Sari Store Package	15,000.00	1,485,000.00
Each set contains the following items:					
1	2	sacks	Rice, Sinandomeng, 25kg	1,500.00	3,000.00
2	47	cans	Sardines in Tomato Sauce, EOC 155g	25.00	1,175.00
3	48	cans	Corned Beef, 150g	35.25	1,692.00
4	48	cans	Meat Loaf, 150g	23.25	1,116.00
5	48	cans	Beef Loaf, 150g	21.20	1,017.60
6	36	packs	Instant Pancit Canton, Kalamansi 80g	18.00	648.00
7	36	packs	Instant Pancit Canton, Sweet & Spicy 80g	18.00	648.00
8	35	packs	Instant Noodles, Beef 55g	12.00	420.00
9	35	packs	Instant Noodles, Chicken 55g	12.00	420.00
10	10	packs	Instant Coffee Twin Pack, Original 33g x 10s	94.69	946.90
11	10	packs	Instant Coffee Twin Pack, White 50g x 10s	130.00	1,300.00
12	15	packs	Soy Sauce, 200ml	10.00	150.00
13	15	packs	Vinegar, 200ml	7.70	115.50
14	15	packs	Fish Sauce, 150ml	13.40	201.00
15	10	packs	Bath Soap, 55g	25.50	255.00
16	25	packs	Detergent Powder, 35g x 6s	45.00	1,125.00
17	10	bars	Detergent Bar, 400g	30.00	300.00
18	10	containers	Laundry Bleach, 100mL	12.00	120.00
19	2	packs	Fabric Conditioner, 12s	70.00	140.00
20	2	packs	Toothpaste Twin Pack, 20g x 12s	105.00	210.00
Total Amount per Set					15,000.00
Total Approved Budget for the Contract					1,785,000.00

VI. Summary of Livelihood Packages and Delivery Schedule

No.	Delivery Schedule**	Delivery Location**	No. of Livelihood Kits
1.	December 2023	Santa Cruz, Laguna <ul style="list-style-type: none"> • Bigasan Package: 11 • Merienda Package: 4 • Carinderia Package: 2 • Kakanin Package: 1 • Frozen Goods Package: 2 • Sari-Sari Store Package: 99 	119
Total No. of Livelihood Kits			119

****Subject to change**

VII. Other Project Terms and Conditions

- a. The Approved Budget for the Contract (ABC) is inclusive of all applicable taxes and delivery charges.
- b. The bid amount must not exceed the unit cost per item and compliant to Suggested Retail Price (SRP).

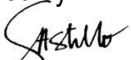
VIII. Terms of Payment

Staggered Payment – The payment will be facilitated within three (3) working days from date of completion per delivery schedule. Payment is subject to cash availability and is inclusive of all applicable taxes and service charges.

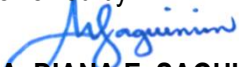
IX. Tie-Breaking Method

Where, after post-qualification, an occurrence of a tie takes place among bidders determined and declared as the Lowest Calculated and Responsive Bidder (LCRB), the measure to resolve the case is by “toss coin (best of 7)”.

Prepared by:



QUEEMIE JEL S. CASTILLO
 PPG Support Staff

Reviewed by:


MA. DIANA E. SAGUINSIN
 TIDS/PPG Focal Person


ABIGAIL EZRA C. DEL MUNDO
 OIC-CTIDS, BDD

Recommending Approval:


CHRISTIAN TED O. TUNGOHAN
 OIC-Provincial Director, DTI-Laguna

Approved by:


MARISSA C. ARGENTE
 OIC-Regional Director, DTI IV-A

ANNEX A BOX LABEL SAMPLE



ANNEX B

DOCUMENTARY REQUIREMENTS FOR SUBMISSION OF BID DOCUMENTS

I. TECHNICAL COMPONENT ENVELOPE

A. Legal Documents

1. Valid PhilGEPS Registration Certificate (Platinum Membership)
 - 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.
 - 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
 - Tax clearance per E.O. No. 398, s. 2005, as finally reviewed and approved by the Bureau of Internal Revenue (BIR).

Clarification:

- a. The Class "A" eligibility documents (Registration Certificate, Mayor's/Business Permit or its equivalent document, Tax Clearance, PCAB license and registration, and Audited Financial Statements) covered by PhilGEPS Registration Certificate are not mandatory attachments (GPPB Resolution No. 18-2017). However, if there is expired document listed in the PhilGEPS Registration Certificate, the renewal of such document must be attached. The complete supporting documents will be validated during the post-qualification process.

B. Technical Documents

1. Statement of bidder's all on-going government and private contracts covering the period 2020-present.

Clarification:

- a. The copy of contracts are not mandatory attachments. The said documents will be validated during the post-qualification process.

2. Statement of Single Largest Completed Contract with similar contract of at least 50% of the ABC (Php 892,500.00) covering the period 2020-present.

Clarification:

- a. Please list down all completed contracts with contract amount equal to or greater than 50% of the ABC for the period 2020 to present using the prescribed template and highlight the SLCC.
- b. The SLCC must be accompanied by End User's Acceptance or Official Receipt(s) or Sales Invoice issued for the contract (GPPB Resolution No. 16-2020).
- c. The copy of contracts are not mandatory attachments. The said documents will be validated during the post-qualification process.

3. Bid security payable to or in favor of “Department of Trade and Industry Region IV-A (DTI IV-A)” in any of the following forms:
 - At least 2% of the ABC (Php 35,700.00) if bid security is in cash, cashier’s/manger’s check, bank draft/guarantee or irrevocable letter of credit
 - 5% of the ABC (Php 89,250.00) if bid security is in Surety Bond
 - Bid Securing Declaration (BSD)

Clarification:

- a. If bid security is in the form of Bid Securing Declaration (BSD), please use the prescribed template provided in GPPB Resolution No. 16-2020.

4. Conformity with Technical Specifications
5. Omnibus Sworn Statement in accordance with Sec. 25.3 of the IRR of RA 9184 and accompanied by any of the following supporting documents, whichever is applicable:
 - Duly notarized Special Power of Attorney
 - Duly notarized Board/Partnership Resolution
 - Duly notarized Secretary’s Certificate

Clarification:

- a. For Sole Proprietorship, Omnibus Sworn Statement is sufficient if the owner will represent the company; supporting documents are not applicable.
- b. Please use the prescribed template for Omnibus Sworn Statement provided in GPPB Resolution No. 16-2020.

C. Financial Documents

1. Audited financial statement, showing, among others, the service provider’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.

Clarification:

- a. Under BIR Revenue Memorandum Circular No. 49-2020 dated May 20, 2020, taxpayers may opt to submit 2019 Income Tax Return and required attachments online through the eAFS system of the BIR. Thus, the bidder may submit the AFS submitted online through the eAFS provided that the bidder also submits the Transaction Reference Number as proof of submission, in lieu of the manual “Received” stamping.
2. Computation of Net Financial Contracting Capacity (NFCC) must be
 - At least equal to or greater than the ABC (Php 1,785,00.00) or
 - Credit Line Commitment (CLC) of at least equal to 10% of the ABC (Php 178,500.00) for this project
3. Joint Venture Agreement (JVA) or the Duly Notarized Statement in accordance with Sec. 23.1(b) of the IRR, if applicable.

II. FINANCIAL COMPONENT ENVELOPE

1. Original of duly signed and accomplished Financial Bid Form

Clarification:

- a. Please use the prescribed template for Financial Bid Form provided in GPPB Resolution No. 16-2020.

2. Original of duly signed and accomplished Price Schedule(s)

Clarification:

- a. Please use the prescribed template for Financial Bid Form provided in GPPB Resolution No. 16-2020.



PHILIPPINE BIDDING DOCUMENTS
Department of Trade and Industry
Region IV-A

**Supply and Delivery of Grocery Items for
Various Livelihood Kits for DTI-PPG of DTI
Laguna Provincial Office (1 Lot)**

BIDDING NUMBER: 10232666

October 18, 2023

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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

INVITATION TO BID FOR Supply and Delivery of Grocery Items for Various Livelihood Kits for DTI-PPG of DTI Laguna Provincial Office (1 Lot)

1. The *Department of Trade and Industry Region IV-A*, through the *General Appropriations Act FY 2023* intends to apply the sum of *One Million Seven Hundred Eighty-Five Thousand Pesos Only (Php 1,785,000.00)* being the ABC to payments under the contract for *Supply and Delivery of Grocery Items for Various Livelihood Kits for DTI-PPG of DTI Laguna Provincial Office (1 Lot) (Bidding No.: 10232666)*. Bids received in excess of the ABC shall be automatically rejected at bid opening.
2. The *Department of Trade and Industry Region IV-A* now invites bids for the above Procurement Project. Delivery of the Goods is required to be completed within the indicated delivery schedule from receipt of Notice to Proceed and Purchase Order. Bidders should have completed, within *three (3) 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.

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.
4. Prospective Bidders may obtain further information from *Department of Trade and Industry Region IV-A* and inspect the Bidding Documents at the address given below during *Monday to Friday except holidays, 8:00 AM to 5:00 PM*.
5. A complete set of Bidding Documents may be acquired by interested Bidders on *October 18, 2023* from the given address and website(s) below and upon payment of the applicable fee for the Bidding Documents, pursuant to the latest Guidelines issued by the GPPB, in the amount of *One Thousand Seven Hundred Eighty-Five Pesos (Php 1,785.00)*. The Procuring Entity shall allow the bidder to present its proof of payment for the fees by presenting the hard copy or electronic copy of the official receipt.
6. The *Department of Trade and Industry Region IV-A* will hold a Pre-Bid Conference on *October 25, 2023, 9:00 AM* through video conferencing via Zoom, which shall be open to prospective bidders.


7. Bids must be duly received by the BAC Secretariat through manual submission at the office address indicated below, on or before **November 07, 2023, 8:30 AM**. Late bids shall not be accepted.
8. All Bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in **ITB** Clause 14.
9. Bid opening shall be on **November 07, 2023, 9:00 AM** at the given address below and via Zoom video conferencing. Bids will be opened in the presence of the bidders' authorized representatives who choose to attend the activity.
10. The **Department of Trade and Industry Region IV-A** 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.
11. For further information, please refer to:

Marjorie Anne B. Reyes
Head Secretariat
Bids and Awards Committee
Department of Trade and Industry Region IV-A
3/F Marcelita Building, National Highway,
Brgy. Real, Calamba City, Laguna 4027
Contact No.: 0917-503-5349
Email: MarjorieAnneReyes@dti.gov.ph
cc: IdyNellTayobong@dti.gov.ph, HarvinBobPuno@dti.gov.ph
Website: www.dti.gov.ph

12. You may visit the following websites:

View posting: PhilGEPS website (<http://notices.ps-philgeps.gov.ph/main/>)

October 18, 2023



REVELYN A. CORTÉZ
BAC Chairperson
DTI Region IV-A – Bids and Awards Committee

Section II. Instructions to Bidder

1. Scope of Bid

The Procuring Entity, *Department of Trade and Industry Region IV-A* wishes to receive Bids for the *Supply and Delivery of Grocery Items for Various Livelihood Kits for DTI-PPG of DTI Laguna Provincial Office (1 Lot)*, with identification number *2023-10001*.

2. Funding Information

2.1. The GOP through the source of funding as indicated below for *2023* in the amount of *One Million Seven Hundred Eighty-Five Thousand Pesos (Php 1,785,000.00)*.

2.2. The source of funding is:

FY 2023 GAA (RA 11936)

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. Foreign ownership exceeding those allowed under the rules may participate pursuant to:
 - i. When a Treaty or International or Executive Agreement as provided in Section 4 of the RA No. 9184 and its 2016 revised IRR allow foreign bidders to participate;
 - ii. Citizens, corporations, or associations of a country, included in the list issued by the GPPB, the laws or regulations of which grant reciprocal rights or privileges to citizens, corporations, or associations of the Philippines;
 - iii. When the Goods sought to be procured are not available from local suppliers; or
 - iv. When there is a need to prevent situations that defeat competition or restrain trade.
- 5.3. 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:

The Bidder must have completed a single contract that is similar to this Project, 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

- 7.1. The Bidder may subcontract portions of the Project to the extent allowed by the Procuring Entity as stated herein, but in no case more than twenty percent (20%) of the Project.

The Procuring Entity has prescribed that:

Subcontracting is not allowed.

- 7.2. Subcontracting of any portion of the Project does not relieve the Supplier of any liability or obligation under the Contract. The Supplier will be responsible for the acts, defaults, and negligence of any subcontractor, its agents, servants, or workmen as fully as if these were the Supplier's own acts, defaults, or negligence, or those of its agents, servants, or workmen.

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 and/or through video conferencing 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 *three (3) 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.

- 11.4. For Foreign-funded Procurement, a ceiling may be applied to bid prices provided the conditions are met under Section 31.2 of the 2016 revised IRR of RA No. 9184.

12. Bid Prices

- 12.1. Prices indicated on the Price Schedule shall be entered separately in the following manner:

- a. For Goods offered from within the Procuring Entity's country:
 - i. The price of the Goods quoted EXW (ex-works, ex-factory, ex-warehouse, ex-showroom, or off-the-shelf, as applicable);
 - ii. The cost of all customs duties and sales and other taxes already paid or payable;
 - iii. The cost of transportation, insurance, and other costs incidental to delivery of the Goods to their final destination; and
 - iv. The price of other (incidental) services, if any, listed in e.
- b. For Goods offered from abroad:
 - i. Unless otherwise stated in the **BDS**, the price of the Goods shall be quoted delivered duty paid (DDP) with the place of destination in the Philippines as specified in the **BDS**. In quoting the price, the Bidder shall be free to use transportation through carriers registered in any eligible country. Similarly, the Bidder may obtain insurance services from any eligible source country.
 - ii. The price of other (incidental) services, if any, as listed in **Section VII (Technical Specifications)**.

13. Bid and Payment Currencies

- 13.1. For Goods that the Bidder will supply from outside the Philippines, the bid prices may be quoted in the local currency or tradeable currency accepted by the BSP at the discretion of the Bidder. However, for purposes of bid evaluation, Bids denominated in foreign currencies, shall be converted to Philippine currency based on the exchange rate as published in the BSP reference rate bulletin on the day of the bid opening.
- 13.2. Payment of the contract price shall be made in:

Philippine Pesos.

14. Bid Security

- 14.1. The Bidder shall submit a Bid Securing Declaration² 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 **March 06, 2024 (120 calendar days upon Opening of Bids)**. Any Bid not accompanied by an acceptable bid security shall be rejected by the Procuring Entity as non-responsive.

15. Sealing and Marking of Bids

Each Bidder shall submit one copy of the first and second components of its Bid.

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.

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.

16. 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**.

17. 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.

18. 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.

19. 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. If the Project allows partial bids, bidders may submit a proposal on any of the lots or items, and evaluation will be undertaken on a per lot or item basis, as the case maybe. In this case, the Bid Security as required by **ITB** Clause 15 shall be submitted for each lot or item separately.
- 19.3. The descriptions of the lots or items shall be indicated in **Section VII (Technical Specifications)**, although the ABCs of these lots or items are indicated in the **BDS** for purposes of the NFCC computation pursuant to Section 23.4.2.6 of the 2016 revised IRR of RA No. 9184. The NFCC must be sufficient for the total of the ABCs for all the lots or items participated in by the prospective Bidder.
- 19.4. The Project shall be awarded as follows:

One Project having several items that shall be awarded as one contract.
- 19.5. 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.

20. Post-Qualification

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**.

21. 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

Bid Data Sheet

ITB Clause																																																	
5.3	<p>For this purpose, contracts similar to the Project shall be:</p> <p style="margin-left: 40px;">a. Grocery items.</p> <p style="margin-left: 40px;">b. completed within three (3) years prior to the deadline for the submission and receipt of bids.</p>																																																
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19.3	<p>Supply and Delivery of Grocery Items for Various Livelihood Kits for DTI-PPG of DTI Laguna Provincial Office (1 Lot).</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: center;">Item No.</th> <th style="text-align: center;">Qty</th> <th style="text-align: center;">Unit</th> <th style="text-align: center;">Item Description</th> <th style="text-align: center;">Unit Cost</th> <th style="text-align: center;">Total</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">11</td> <td style="text-align: center;">sets</td> <td>Bigasan Package</td> <td style="text-align: right;">15,000.00</td> <td style="text-align: right;">165,000.00</td> </tr> <tr> <td style="text-align: center;">2</td> <td style="text-align: center;">4</td> <td style="text-align: center;">sets</td> <td>Merienda Package</td> <td style="text-align: right;">15,000.00</td> <td style="text-align: right;">60,000.00</td> </tr> <tr> <td style="text-align: center;">3</td> <td style="text-align: center;">2</td> <td style="text-align: center;">sets</td> <td>Carinderia Package</td> <td style="text-align: right;">15,000.00</td> <td style="text-align: right;">30,000.00</td> </tr> <tr> <td style="text-align: center;">4</td> <td style="text-align: center;">1</td> <td style="text-align: center;">set</td> <td>Kakanin Package</td> <td style="text-align: right;">15,000.00</td> <td style="text-align: right;">15,000.00</td> </tr> <tr> <td style="text-align: center;">5</td> <td style="text-align: center;">2</td> <td style="text-align: center;">sets</td> <td>Frozen Goods Package</td> <td style="text-align: right;">15,000.00</td> <td style="text-align: right;">30,000.00</td> </tr> <tr> <td style="text-align: center;">6</td> <td style="text-align: center;">99</td> <td style="text-align: center;">sets</td> <td>Sari-Sari Store Package</td> <td style="text-align: right;">15,000.00</td> <td style="text-align: right;">1,485,000.00</td> </tr> <tr> <td colspan="5" style="text-align: right;">Total Approved Budget for the Contract (ABC):</td> <td style="text-align: right;">1,785,000.00</td> </tr> </tbody> </table>	Item No.	Qty	Unit	Item Description	Unit Cost	Total	1	11	sets	Bigasan Package	15,000.00	165,000.00	2	4	sets	Merienda Package	15,000.00	60,000.00	3	2	sets	Carinderia Package	15,000.00	30,000.00	4	1	set	Kakanin Package	15,000.00	15,000.00	5	2	sets	Frozen Goods Package	15,000.00	30,000.00	6	99	sets	Sari-Sari Store Package	15,000.00	1,485,000.00	Total Approved Budget for the Contract (ABC):					1,785,000.00
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20.2	<p>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 must present the original copies of the following:</p> <ol style="list-style-type: none"> 1. Certificate of PhilGEPS Registration (Platinum Membership) 2. Certificate of Business Name or SEC Registration 3. Valid Business Permit 4. Tax Clearance 5. Latest income and business tax returns stamped and received by the BIR 6. Original Government-issued ID of Authorized Representative/s and signatories 7. Other Documentary Requirements as specified in the Terms of Reference
21.2	Not applicable.

Section IV. General Conditions of Contract

1. Scope of Contract

This Contract shall include all such items, although not specifically mentioned, that can be reasonably inferred as being required for its completion as if such items were expressly mentioned herein. All the provisions of RA No. 9184 and its 2016 revised IRR, including the Generic Procurement Manual, and associated issuances, constitute the primary source for the terms and conditions of the Contract, and thus, applicable in contract implementation. Herein clauses shall serve as the secondary source for the terms and conditions of the Contract.

This is without prejudice to Sections 74.1 and 74.2 of the 2016 revised IRR of RA No. 9184 allowing the GPPB to amend the IRR, which shall be applied to all procurement activities, the advertisement, posting, or invitation of which were issued after the effectivity of the said amendment.

Additional requirements for the completion of this Contract shall be provided in the **Special Conditions of Contract (SCC)**.

2. Advance Payment and Terms of Payment

- 2.1. Advance payment of the contract amount is provided under Annex “D” of the revised 2016 IRR of RA No. 9184.
- 2.2. The Procuring Entity is allowed to determine the terms of payment on the partial or staggered delivery of the Goods procured, provided such partial payment shall correspond to the value of the goods delivered and accepted in accordance with prevailing accounting and auditing rules and regulations. The terms of payment are indicated in the **SCC**.

3. Performance Security

Within ten (10) calendar days from receipt of the Notice of Award by the Bidder from the Procuring Entity but in no case later than prior to the signing of the Contract by both parties, the successful Bidder shall furnish the performance security in any of the forms prescribed in Section 39 of the 2016 revised IRR of RA No. 9184.

4. Inspection and Tests

The Procuring Entity or its representative shall have the right to inspect and/or to test the Goods to confirm their conformity to the Project specifications at no extra cost to the Procuring Entity in accordance with the Generic Procurement Manual. In addition to tests in the **SCC, Section IV (Technical Specifications)** shall specify what inspections and/or tests the Procuring Entity requires, and where they are to be conducted. The Procuring Entity shall notify the Supplier in writing, in a timely manner, of the identity of any representatives retained for these purposes.

All reasonable facilities and assistance for the inspection and testing of Goods, including access to drawings and production data, shall be provided by the Supplier to the authorized inspectors at no charge to the Procuring Entity.

5. Warranty

- 6.1. In order to assure that manufacturing defects shall be corrected by the Supplier, a warranty shall be required from the Supplier as provided under Section 62.1 of the 2016 revised IRR of RA No. 9184.
- 6.2. The Procuring Entity shall promptly notify the Supplier in writing of any claims arising under this warranty. Upon receipt of such notice, the Supplier shall, repair or replace the defective Goods or parts thereof without cost to the Procuring Entity, pursuant to the Generic Procurement Manual.

6. Liability of the Supplier

The Supplier's liability under this Contract shall be as provided by the laws of the Republic of the Philippines.

If the Supplier is a joint venture, all partners to the joint venture shall be jointly and severally liable to the Procuring Entity.

Section V. Special Conditions of Contract

Special Conditions of Contract

GCC Clause	
1	<p>Delivery and Documents –</p> <p>For purposes of the Contract, “EXW,” “FOB,” “FCA,” “CIF,” “CIP,” “DDP” and other trade terms used to describe the obligations of the parties shall have the meanings assigned to them by the current edition of INCOTERMS published by the International Chamber of Commerce, Paris. The Delivery terms of this Contract shall be as follows:</p> <p>Delivery of the Goods shall be made by the Supplier in accordance with the terms specified in Section VI (Schedule of Requirements).</p> <p>For purposes of this Clause the Procuring Entity’s Representatives are the following personnel:</p> <p style="padding-left: 40px;">Christian Ted O. Tungohan OIC-Provincial Director DTI Laguna Provincial Office Email: ChristianTedTungohan@dti.gov.ph</p> <p style="padding-left: 40px;">Abigail Ezra C. Del Mundo OIC-Chief Trade-Industry Development Specialist DTI Laguna Provincial Office Email: AbigailEzraDelMundo@dti.gov.ph</p> <p style="padding-left: 40px;">Ma. Diana E. Saguinsin Trade-Industry Development Specialist DTI Laguna Provincial Office Email: MaDianaSaguinsin@dti.gov.ph</p> <p style="padding-left: 40px;">Allen Lyndsay S. Gonzales Administrative Officer II DTI Laguna Provincial Office Email: AllenLyndsayGonzales@dti.gov.ph</p> <p>Packaging –</p> <p>The Supplier shall provide such packaging of the Goods as is required to prevent their damage or deterioration during transit to their final destination, as indicated in this Contract. The packaging shall be sufficient to withstand, without limitation, rough handling during transit and exposure to extreme temperatures, salt and precipitation during transit, and open storage. Packaging case size and weights shall take into consideration, where appropriate, the remoteness of the Goods’ final destination and the absence of heavy handling facilities at all points in transit.</p>

The packaging, marking, and documentation within and outside the packages shall comply strictly with such special requirements as shall be expressly provided for in the Contract, and in any subsequent instructions ordered by the Procuring Entity.

A packaging list identifying the contents and quantities of the package is to be placed on an accessible point of the outer packaging if practical. If not practical the packaging list is to be placed inside the outer packaging but outside the secondary packaging.

Transportation –

Where the Supplier is required under Contract to deliver the Goods CIF, CIP, or DDP, transport of the Goods to the port of destination or such other named place of destination in the Philippines, as shall be specified in this Contract, shall be arranged and paid for by the Supplier, and the cost thereof shall be included in the Contract Price.

Where the Supplier is required under this Contract to transport the Goods to a specified place of destination within the Philippines, defined as the Project Site, transport to such place of destination in the Philippines, including insurance and storage, as shall be specified in this Contract, shall be arranged by the Supplier, and related costs shall be included in the contract price.

Where the Supplier is required under Contract to deliver the Goods CIF, CIP or DDP, Goods are to be transported on carriers of Philippine registry. In the event that no carrier of Philippine registry is available, Goods may be shipped by a carrier which is not of Philippine registry provided that the Supplier obtains and presents to the Procuring Entity certification to this effect from the nearest Philippine consulate to the port of dispatch. In the event that carriers of Philippine registry are available but their schedule delays the Supplier in its performance of this Contract the period from when the Goods were first ready for shipment and the actual date of shipment the period of delay will be considered force majeure.

The Procuring Entity accepts no liability for the damage of Goods during transit other than those prescribed by INCOTERMS for DDP deliveries. In the case of Goods supplied from within the Philippines or supplied by domestic Suppliers risk and title will not be deemed to have passed to the Procuring Entity until their receipt and final acceptance at the final destination.

2.2

Intellectual Property Rights –

The Supplier shall indemnify the Procuring Entity against all third-party claims of infringement of patent, trademark, or industrial design rights arising from use of the Goods or any part thereof.

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The terms of payment shall be as follows:

Staggered Payment – The payment will be facilitated within three (3) working days from date of completion per delivery schedule. Payment is subject to cash availability and is inclusive of all applicable taxes and service charges.

	<p>The following documents are required for the facilitation of payment.</p>
--	--

- | | |
|--|--|
| | <ol style="list-style-type: none">1. Delivery Receipt and/or Sales Invoice |
|--|--|

	<p>The inspections that will be conducted are:</p>
--	--

- | | |
|--|---|
| | <ol style="list-style-type: none">1. Completeness of items2. Compliance to required specifications |
|--|---|

Section VI. Schedule of Requirements

Schedule of Requirements

The delivery schedule expressed as weeks/months stipulates hereafter a delivery date which is the date of delivery to the project site.

Item Number	Description	Quantity	Total	Delivered, Weeks/Months
1	Bigasan Package	11 sets	11 sets	<p>The supply and delivery of grocery items in the following delivery locations will commence seven (7) calendar days from issuance of Notice to Proceed and Purchase Order (starting December 05, 2023).</p> <p>A. Sta. Cruz, Laguna</p> <ul style="list-style-type: none"> • Bigasan Package: 11 • Merienda Package: 4 • Carindreria Package: 2 • Kakanin Package: 1 • Frozen Food Package: 2 • Sari-Sari Store Package: 99 <p style="text-align: right;">Total: 119 Livelihood Kits</p>
2	Merienda Package	4 sets	4 sets	
3	Carindreria Package	2 sets	2 sets	
4	Kakanin Package	1 set	1 set	
5	Frozen Goods Package	2 sets	2 sets	
6	Sari-Sari Store Package	99 sets	99 sets	
	<p>Scope of Work and Deliverables</p> <ul style="list-style-type: none"> • Complete delivery of grocery items in assigned location and schedules. • Grocery items must be in good condition, FDA-registered and with at least one (1) year expiration date from date of delivery. • Grocery items must be properly packed, sealed and labeled in corrugated boxes (except for 25 kgs. of rice). Please see Annex A and Annex B for proper labeling (to be printed by External Provider). 			

	<ul style="list-style-type: none"> • The External Provider is not allowed to put any markings or logo on corrugated boxes except for the required labels in Annex A and Annex B. • The External Provider shall designate personnel to assist DTI during item inspection. • The External Provider shall provide logistics support in loading and unloading of items to designated areas in each delivery location. • In case of damaged item/s or deficiency in quantity, the External Provider shall supply the item/s within the day of delivery. 			
	<p>I. Other Project Terms and Conditions</p> <ul style="list-style-type: none"> • The Approved Budget for the Contract (ABC) is inclusive of all applicable taxes and delivery charges. • The bid amount must not exceed the unit cost per item and compliant to Suggested Retail Price (SRP). 			

	<p>II. Terms of Payment</p> <p>Staggered Payment – The payment will be facilitated within three (3) working days from date of completion per delivery schedule. Payment is subject to cash availability and is inclusive of all applicable taxes and service charges.</p>			
	<p>III. Tie-Breaking Method</p> <p>Where, after post-qualification, an occurrence of a tie takes place among bidders determined and declared as the Lowest Calculated and Responsive Bidder (LCRB), the measure to resolve the case is by “toss coin (best of 7)”.</p>			

Section VII. Technical Specifications

Technical Specifications

I. Technical Specifications

Instruction: Bidders must state either **“Comply”** or **“Not Comply”** in the **“Statement of Compliance”** (Column No. 3) with each corresponding **“Item No.”** (Column No. 1).

(1) Item	(2) Specification	(3) Statement of Compliance																																								
1	<p>Bigasan Package – 11 sets</p> <p>Each set contains the following items:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Item No.</th> <th style="width: 10%;">Qty</th> <th style="width: 10%;">Unit</th> <th style="width: 70%;">Item Description</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">5</td> <td style="text-align: center;">sacks</td> <td>Rice, Dinorado, 25kg</td> </tr> <tr> <td style="text-align: center;">2</td> <td style="text-align: center;">4</td> <td style="text-align: center;">sacks</td> <td>Rice, Sinandomeng, 25kg</td> </tr> <tr> <td style="text-align: center;">3</td> <td style="text-align: center;">3</td> <td style="text-align: center;">sacks</td> <td>Rice, Sinandomeng, 5kg</td> </tr> </tbody> </table>	Item No.	Qty	Unit	Item Description	1	5	sacks	Rice, Dinorado, 25kg	2	4	sacks	Rice, Sinandomeng, 25kg	3	3	sacks	Rice, Sinandomeng, 5kg																									
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3	3	sacks	Rice, Sinandomeng, 5kg																																							
2	<p>Merienda Package – 4 sets</p> <p>Each set contains the following items:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Item No.</th> <th style="width: 10%;">Qty</th> <th style="width: 10%;">Unit</th> <th style="width: 70%;">Item Description</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">10</td> <td style="text-align: center;">packs</td> <td>Cooking Oil, 2L</td> </tr> <tr> <td style="text-align: center;">2</td> <td style="text-align: center;">10</td> <td style="text-align: center;">containers</td> <td>Banana Catsup, 1kg</td> </tr> <tr> <td style="text-align: center;">3</td> <td style="text-align: center;">10</td> <td style="text-align: center;">packs</td> <td>Burger Patties, 228g</td> </tr> <tr> <td style="text-align: center;">4</td> <td style="text-align: center;">10</td> <td style="text-align: center;">packs</td> <td>Hotdog, Regular, 1kg</td> </tr> <tr> <td style="text-align: center;">5</td> <td style="text-align: center;">10</td> <td style="text-align: center;">packs</td> <td>Pork Siomai, 54s</td> </tr> <tr> <td style="text-align: center;">6</td> <td style="text-align: center;">10</td> <td style="text-align: center;">packs</td> <td>Siopao, Asado, 10s</td> </tr> <tr> <td style="text-align: center;">7</td> <td style="text-align: center;">10</td> <td style="text-align: center;">packs</td> <td>Siopao, Bola-Bola, 10s</td> </tr> <tr> <td style="text-align: center;">8</td> <td style="text-align: center;">10</td> <td style="text-align: center;">packs</td> <td>Fries, 1kg</td> </tr> <tr> <td style="text-align: center;">9</td> <td style="text-align: center;">8</td> <td style="text-align: center;">packs</td> <td>Cheese Powder, 30g</td> </tr> </tbody> </table>	Item No.	Qty	Unit	Item Description	1	10	packs	Cooking Oil, 2L	2	10	containers	Banana Catsup, 1kg	3	10	packs	Burger Patties, 228g	4	10	packs	Hotdog, Regular, 1kg	5	10	packs	Pork Siomai, 54s	6	10	packs	Siopao, Asado, 10s	7	10	packs	Siopao, Bola-Bola, 10s	8	10	packs	Fries, 1kg	9	8	packs	Cheese Powder, 30g	
Item No.	Qty	Unit	Item Description																																							
1	10	packs	Cooking Oil, 2L																																							
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8	10	packs	Fries, 1kg																																							
9	8	packs	Cheese Powder, 30g																																							
3	<p>Carinderia Package – 2 sets</p> <p>Each set contains the following items:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Item No.</th> <th style="width: 10%;">Qty</th> <th style="width: 10%;">Unit</th> <th style="width: 70%;">Item Description</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> <td style="text-align: center;">sacks</td> <td>Rice, Sinandomeng, 25kg</td> </tr> <tr> <td style="text-align: center;">2</td> <td style="text-align: center;">12</td> <td style="text-align: center;">packs</td> <td>Cooking Oil, 2L</td> </tr> <tr> <td style="text-align: center;">3</td> <td style="text-align: center;">5</td> <td style="text-align: center;">containers</td> <td>Soy Sauce, 1gal</td> </tr> <tr> <td style="text-align: center;">4</td> <td style="text-align: center;">10</td> <td style="text-align: center;">containers</td> <td>Vinegar, 1L</td> </tr> </tbody> </table>	Item No.	Qty	Unit	Item Description	1	2	sacks	Rice, Sinandomeng, 25kg	2	12	packs	Cooking Oil, 2L	3	5	containers	Soy Sauce, 1gal	4	10	containers	Vinegar, 1L																					
Item No.	Qty	Unit	Item Description																																							
1	2	sacks	Rice, Sinandomeng, 25kg																																							
2	12	packs	Cooking Oil, 2L																																							
3	5	containers	Soy Sauce, 1gal																																							
4	10	containers	Vinegar, 1L																																							

	5	10	containers	Fish Sauce, 1L
	6	4	containers	Oyster Sauce, 765g
	7	11	containers	Banana Catsup, 1kg
	8	10	packs	Tomato Sauce, 1kg
	9	10	packs	Bihon, 500g
	10	5	packs	Pancit Canton, 500g
	11	5	packs	White Sugar, 1kg
	12	5	packs	Iodized Salt, 1kg
	13	10	packs	Food Seasoning Granules, 8g x 16s
	14	10	packs	Ground Black Pepper, 100g
	15	2	packs	Hotdog, Regular, 1kg
	16	1	pack	Beef Broth Cubes, 10g x 12s
	17	1	pack	Pork Broth Cubes, 10g x 12s
	18	1	pack	Chicken Broth Cubes, 10g x 12s
4	Kakanin Package – 1 set			
	Each set contains the following items:			
	Item No.	Qty	Unit	Item Description
	1	67	sacks	Glutinous Rice (Malagkit) 1kg
	2	50	packs	Brown Sugar, 1kg
	3	10	packs	White Sugar, 1kg
4	5	packs	Cooking Oil, 2L	
5	Frozen Goods Package – 2 sets			
	Each set contains the following items:			
	Item No.	Qty	Unit	Item Description
	1	9	packs	Burger Patties, 228g
	2	10	packs	Hotdog, Regular, 1kg
	3	10	packs	Pork Siomai, 54s
	4	10	packs	Siopao, Asado, 10s
	5	10	packs	Siopao, Bola-Bola, 10s
6	10	packs	Pork Tocino, 225g	

		7	10	packs	Chicken Tocino, 220g			
		8	5	packs	Sweet Ham, 250g			
		9	10	packs	Chicken Nuggets, 200g			
		10	4	packs	Fries, 1kg			
		11	1	pc	Storage Box, 70L			
		Sari-Sari Store Package – 99 sets						
		Each set contains the following items:						
		Item No.	Qty	Unit	Item Description			
		1	2	sacks	Rice, Sinandomeng, 25kg			
		2	47	cans	Sardines in Tomato Sauce, EOC 155g			
		3	48	cans	Corned Beef, 150g			
		4	48	cans	Meat Loaf, 150g			
		5	48	cans	Beef Loaf, 150g			
		6	36	packs	Instant Pancit Canton, Kalamansi 80g			
		7	36	packs	Instant Pancit Canton, Sweet & Spicy 80g			
		8	35	packs	Instant Noodles, Beef 55g			
		9	35	packs	Instant Noodles, Chicken 55g			
		10	10	packs	Instant Coffee Twin Pack, Original 33g x 10s			
		11	10	packs	Instant Coffee Twin Pack, White 50g x 10s			
		12	15	packs	Soy Sauce, 200ml			
		13	15	packs	Vinegar, 200ml			
		14	15	packs	Fish Sauce, 150ml			
		15	10	packs	Bath Soap, 55g			
		16	25	packs	Detergent Powder, 35g x 6s			
		17	10	bars	Detergent Bar, 400g			
		18	10	containers	Laundry Bleach, 100mL			
6								

	19	2	packs	Fabric Conditioner, 12s		
	20	2	packs	Toothpaste Twin Pack, 20g x 12s		

II. Delivery Schedule and Location

No.	Delivery Schedule	Delivery Location	No. of Livelihood Kits
1.	December 2023	Santa Cruz, Laguna <ul style="list-style-type: none"> • Bigasan Package: 11 • Merienda Package: 4 • Carinderia Package: 2 • Kakanin Package: 1 • Frozen Goods Package: 2 • Sari-Sari Store Package: 99 	119
Total No. of Livelihood Kits			119

III. Scope of Work and Deliverables

- Complete delivery of grocery items in assigned location and schedules.
- Grocery items must be in good condition, FDA-registered and with at least one (1) year expiration date from date of delivery.
- Grocery items must be properly packed, sealed and labeled in corrugated boxes (except for 25 kgs. of rice). Please see Annex A and Annex B for proper labeling (to be printed by External Provider).
- The External Provider is not allowed to put any markings or logo on corrugated boxes except for the required labels in Annex A and Annex B.
- The External Provider shall designate personnel to assist DTI during item inspection.
- The External Provider shall provide logistics support in loading and unloading of items to designated areas in each delivery location.
- In case of damaged item/s or deficiency in quantity, the External Provider shall supply the item/s within the day of delivery.

IV. Other Project Terms and Conditions

- The Approved Budget for the Contract (ABC) is inclusive of all applicable taxes and delivery charges.
- The bid amount must not exceed the unit cost per item and compliant to Suggested Retail Price (SRP).

V. Terms of Payment

Staggered Payment – The payment will be facilitated within three (3) working days from date of completion per delivery schedule. Payment is subject to cash availability and is inclusive of all applicable taxes and service charges.

VI. Tie-Breaking Method

Where, after post-qualification, an occurrence of a tie takes place among bidders determined and declared as the Lowest Calculated and Responsive Bidder (LCRB), the measure to resolve the case is by “toss coin (best of 7)”.

I hereby certify that the statement of compliance to the foregoing technical specifications and other terms and conditions are true and correct, otherwise, if found to be false either during bid evaluation or post-qualification, the same shall result to automatic disqualification of our bid.

Name of Company/Bidder

Signature over printed Name of
Authorized Representative

Date

***Section VIII. Checklist of Technical and
Financial Documents***

Checklist of Technical and Financial Documents

I. TECHNICAL COMPONENT ENVELOPE

Class "A" Documents

Legal Documents

- (a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages);
or
- (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).

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.

Financial Documents

- (k) 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**
- (l) 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

- (m) 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)

- (n) *[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.
- (o) 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).

