



# Bids and Awards Committee

Republic of the Philippines  
 Professional Regulation Commission  
 P. Paredes St., Sampaloc, Metro Manila  
 Facsimile: 310-0037 / email: prcbac2013@gmail.com



## REGULAR MEMBERS

ARISTOGERSON T. GESMUNDO  
 Chairman

OMAIMAH E. GANDAMRA  
 Vice-Chairman

MARIA RINKY M. DE PANO  
 Member

CRESALINE S. BAGSIT  
 Member

KHEMLE JANE T. VISCA-MARTINO  
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CRISANTO L. DECENA  
 Provisional Member, Non-IT Projects

RICHARD M. ARANIEGO  
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 Secretary

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 Member

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JOEL P. IGNACIO  
 Member

ELIEZER C. LEYCO  
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## SECTION III. Bid Data Sheet

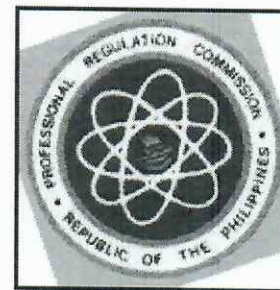
ITB Clause	
1.1	The Procuring Entity is the <b>Professional Regulation Commission</b>
1.2	The name of the Project is <b>Procurement of Web Application Firewall with a Total Approved Budget for the Contract (ABC) of Two Million Five Hundred Pesos (Php2,500,000.00).</b> The identification or reference number of the Contract is: <b>ITB No. 2019-30</b>
2	The Funding Source is the Government of the Philippines (GOP) through the <b>General Appropriations Act of 2019.</b>
5.1	Bidding is restricted to eligible bidders as provided by ITB clause 5.1
5.2	None of the circumstances mentioned in the ITB Clause exists in this Project. Foreign bidders, except those falling under ITB Clause 5.2 (b), may not participate in this Project.
5.4	The Bidder must have completed, within the period specified in the Invitation to Bid and ITB Clause 12.1 a (ii), a single contract that is similar to this Project, equivalent to at least fifty percent (50%) of the ABC. For this purpose, similar contracts shall refer to <b>contracts for the Procurement of Web Application Firewall.</b>
5.5	<b>The Bidder must submit a computation of its Net Financial Contracting Capacity (NFCC), which must be at least equal to the ABC to be bid, calculated as follows:</b>  NFCC = [(Current assets minus current liabilities) (15)] minus the value of all outstanding or uncompleted portions of the projects under going contracts, including awarded contracts yet to be started coinciding with the contract for this Project.  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- for purposes of computing the foreign bidders' NFCC, the value of the current assets and current liabilities shall be based on their Audited Financial Statement prepared in accordance with international financial reporting standards.
6.3	No further instructions.
7	No further instructions.
9.1 (a)	The Procuring Entity will hold a <b>Pre-Bid Conference</b> for this project on <b>October 31, 2019 11:00 AM</b> at the BAC Conference Room, <b>4<sup>th</sup> Floor Annex Building, P. Paredes St. Sampaloc, Manila.</b>
10.1	The Procuring Entity's address is: PROFESSIONAL REGULATION COMMISSION P. Paredes St., Sampaloc, Metro Manila  Contact Person: Ms. Karen M. Magsalin Facsimile No. 310-0037





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ELIGIBILITY CLASS "A"	
12.1(a)	The Bids and Awards Committee hereby declares, the contrary notwithstanding, that it affirmatively requires the prospective Bidders to submit during the submission and opening of bids documents in addition to those provided by the ITB Clause no. 12.1. Those enumerated under BDS Clause 12.1 (a) (i-vi) shall form part of the Eligibility and Technical; Financial Requirements.
12.1(a) (i)	<p>"No other acceptable proof of registration is recognized."</p> <p>The original/certified true copy of Certificate of Registration shall be submitted.</p> <p><i>In case of an amendment of the name of the Corporate, bidders must submit the Certificate of Filing of amended Articles of Incorporation certifying therein the new name of the entity, SEC certification as to the amendment of the corporate name, if applicable, as well as a certificate of good standing.</i></p>
	<p>Original/certified true copy of Articles of Incorporation and By-laws:</p> <p>The bidder must submit its Articles of Incorporation and By-laws which were originally submitted with the SEC under and all of its previous Corporate name and the succeeding amendments or series of amendments, if any.</p> <p><i>In case of an amendment of the name of Corporate, bidders must submit Certificate of Filing of amended Articles of Incorporation certifying therein the new name of the entity, SEC certification as to the amendment of the corporate name, if applicable, as well as a certificate of good standing.</i></p>
12.1(a) (i)	<p>Original/certified true copy of valid and current Mayor's Permit/municipal license where the prospective Bidder's principal office is located.</p> <p><i>In exceptional cases where the LGU concerned has not yet released the Mayor's Permit, Bidders in lieu of the valid Mayor's Permit may submit a substantial proof of renewal of Mayor's Permit, such as Official Receipt of payment.</i></p>
12.1(a) (ii)	<p>The statement of all 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 from <b>January 2017 up to the date of the submission and opening of bids.</b></p> <p>The statement shall include all information required in the PBDs prescribed by the GPPB; and</p>
12.1(a) (ii)	The bidder's Single Largest Completed Contract (SLCC) similar to the contract to be bid should have been completed within <b>January 2008</b> prior to the date of the submission and receipt of bids.
12.1(a) (iv)	Audited financial statements, stamped "received" by the Bureau of Internal Revenue (BIR) or its duly accredited and authorized institutions, for the preceding calendar year, which should not be earlier than two (2) years from bid submission.
12.1(a) (v)	For compliance with the financial eligibility requirement, the bidders in the alternative may submit NFCC computation in accordance with ITB Clause 5.5.
12.1 (a) (vi)	<b>Latest Tax clearance per E. O. 398, Series of 2005, as finally reviewed and approved by the BIR shall only be accepted.</b>
12.1(b)	Bid Security.
TECHNICAL	Conformity with technical specifications, as enumerated and specified in Sections VI and VII of the Bidding Documents
	Omnibus Sworn statement in accordance with Section 25.2(a)(viii) of the IRR of RA 9184 and using the form prescribed in the Philippine Bid Documents (PBD).





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13.2 (a)	The <b>ABC</b> is <b>TWO MILLION FIVE HUNDRED THOUSAND PESOS (Php2,500,000.00)</b> , <i>inclusive of all taxes and bank charges</i> .  <i>Any bid with a financial component exceeding this amount shall not be accepted and will be disqualified.</i>
15.4 (a) (iii)	"No incidental services are required."
15.4 (b) (i)	<i>Maintain the ITB Clause and state here "Not applicable", "The price of the Goods shall be quoted DDP [state place of destination]", or the applicable INCOTERMS for this Project.</i>
15.4 (b) (ii)	<i>List here the incidental services that are required as part of the Bidder's bid cross referencing to the technical specifications and SCC as appropriate. If none, state "No incidental services are required."</i>
16.1 (b)	The bid prices for Goods supplied from outside the Philippines shall be quoted in Philippine peso.
16.3	Payment shall be made in Philippine peso.
17.1	Bids will be valid for one hundred twenty (120) calendar days from the date of Opening Of Bids.
18.1	The bid security shall be in the form of a Bid Securing Declaration, or any of the following forms and amounts:  <ol style="list-style-type: none"> <li>The amount of not less than <b>Php50,000.00 [2% of ABC]</b>, if bid security is in cash, cashier's/manager's check, bank draft/guarantee or irrevocable letter of credit; or</li> <li>The amount of not less than <b>Php125,000.00 [5% of ABC]</b> if bid security is in Surety Bond.</li> </ol>
18.2	The bid security shall be valid until the Lowest Calculated and Responsive Bidder has posted the appropriate Performance Security.
18.5 (a) (iv-xii)	<i>The following as additional grounds for forfeiture of bid security:</i>  <ol style="list-style-type: none"> <li>Submission of eligibility requirements containing false information or falsified documents.</li> <li>Submission of bids that contain false information or falsified documents, or the concealment of such information in the bids in order to influence the outcome of eligibility screening or any other stage of the public bidding.</li> <li>Allowing the use of one's name, or using the name of another for purposes of public bidding.</li> <li>Withdrawal of a bid, or refusal to accept an award, or enter into contract with the Government without justifiable cause, after the Bidder had been adjudged as having submitted the Lowest Calculated and Responsive Bid.</li> <li>Refusal or failure to post the required performance security within the prescribed time.</li> <li>Refusal to clarify or validate in writing its bid during post-qualification within a period of seven (7) calendar days from receipt of the request for clarification.</li> <li>Any documented unsolicited attempt by a bidder to unduly influence the outcome of the bidding in his favor.</li> <li>Failure of the potential joint venture partners to enter into the joint venture after the bid is declared as successful.</li> <li>All other acts that tend to defeat the purpose of the competitive bidding, such as habitually withdrawing from bidding, submitting late Bids or patently insufficient bid, for at least three (3) times within a year, except for valid reasons.</li> </ol>





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19.1	Bidders shall submit their bids through their duly authorized representative using the appropriate <b>OFFICIAL FORMS</b> provided in this bidding document on or before the deadline specified in the ITB Clauses 21.  One (1) OFFICIAL BID ENVELOPE shall be prepared for the particular project.
20.3	Each Bidder shall submit <i>one (1) original and two (2) duplicate copies</i> of the first and second components of its bid. The envelopes should be signed and sealed.
21 and 24.1	The deadline for <b>Submission of bids</b> is on or before <b>November 12, 2019 at 11:00 AM</b> at the BAC-QMSS Office, 4 <sup>th</sup> Floor, PRC Annex Building and <b>Opening of bids</b> is on <b>November 12, 2019 at 11:00 AM</b> at the BAC Conference Room, 4 <sup>th</sup> Floor, PRC Annex Building, P. Paredes St., Sampaloc, Manila.
24.2	No further instructions.
27.1	No further instructions.
28.3 (a)	Partial bid is not allowed. The goods are grouped in a single lot and the lot shall not be divided into sub-lots for the purpose of bidding, evaluation, and contract award.  In all cases, the NFCC computation, if applicable, must be sufficient for all the lots or contracts to be awarded to the Bidder.
28.4	No further instructions.
29.2	<i>List licenses and permits relevant to the Project and the corresponding law requiring it, or state "No additional requirement."</i>
29.2 (a)	<b>Only tax returns filed and taxes paid through the BIR Electronic Filing and Payment System (EFPS) shall be accepted.</b>  Note: <i>The latest income and business tax returns are those within the last six months preceding the date of bid submission.</i>
29.2 (b)	No further instructions.
29.2 (c)	No further instructions.
32.4 (f)	No further instructions.
34.2	The effective date of the Contract is <i>on the date indicated in the Notice to Proceed.</i>
	In case of tie, the Bids and Awards Committee shall immediately require the bidders to submit a new financial Bid, the ceiling of which will be the amount to which they were tied. The new bids shall be submitted on a date specified by the Bids and Awards Committee.