



Bid Bulletin No. 1

March 22, 2021

Public Bidding No. 2021-03-002

Supply, Delivery, Installation, Configuration and Testing of Various Data Center Equipment, Accessories and Software of Commission on Filipinos Overseas (CFO) for FY 2021

Issued pursuant to Sec. 22.5 of the IRR of R.A. 9184 to clarify and/or amend certain provision in the Bidding Documents issued for the project, considering the issues raised and clarifications made by prospective bidders during the Pre-Bid Conference (Zoom Conference) held on March 15, 2021, likewise respond to bidders' written queries received within the prescribe period for filing.

A. AMENDMENTS

| REFERENCE | | BASIS FOR AMENDMENT |
|--|---|--|
| SECTION VI: SCHEDULE OF REQUIREMENTS | | To clarify and amend the schedule of requirements to specify the requirement of the End-User |
| ➤ Page 28 | | |
| xxx | | |
| 1. The delivery of the goods shall be within sixty (60) calendar days upon receipt by the Supplier of the Notice to Proceed or Contract | 2. The delivery of the goods shall be within sixty (60) <u>seventy (70)</u> calendar days upon receipt by the <u>Supplier of the Notice to Proceed or Contract</u> | |
| SECTION VII: TECHNICAL SPECIFICATION | | To clarify and amend the schedule of requirements to specify the requirement of the End-User |
| ➤ Page 31 | | |
| Lot No.: 1 Supply, Delivery, Installation, Configuration, Testing of Data Center Equipment Approved Budget of the Contract (ABC): <i>Php 6,620,000.00</i> Item No.: 1 SERVERS Quantity: <i>6 units</i> | | |
| xxx | | |
| LAPTOPS, Brand new, complies with the following minimum requirements | LAPTOPS SERVERS , Brand new, complies with the following minimum requirements | |
| • Intel Xeon-Silver 4214 (2.2GHz/12-core/85W FIO Processor Kit | Intel Xeon-Silver 4214 (2.2GHz/12-core/85W FIO Processor Kit | |



| REFERENCE | | BASIS FOR AMENDMENT |
|---|--|---|
| <i>Cont.</i> | | |
| XXX | | |
| <ul style="list-style-type: none">• 16.5 MB L3 Cache Memory• 16GB (1x16GB) Dual Rank x8 DDR4-2933 Memory• NOTE: Runs at 2400 MT/s due to processor limitation.• 12 DIMM slots per processor, 6 channels per processor• Ethernet 1Gb 4-port 366FLR Adapter Network Controller• NOTE: No Embedded Networking• Smart Array Ctrlr (RAID 0, 1, 5, 6, 10, 50, 60) Storage Controller• None ship standard Hard Drive• 8 SFF Drive cage Internal Storage• Optional: DVD-ROM, DVD-RW [The Universal Media Bay] Optical Drive Bay• Three (3) standard in primary riser PCI Express Slot• (1) 500W Power Supply Kit.• 4-Standard Fans• Up to 5 total: 1 front, 2 rear, 2 internal (secure), 2 optional USB 2.0 front via Universal Media Bay• Intelligent Provisioning (standard)• Rack (2U) Form factor | <ul style="list-style-type: none">• 16.5 MB L3 Cache Memory• 16GB (1x16GB) Dual Rank x8 DDR4-2933 Memory• NOTE: Runs at 2400 MT/s due to processor limitation.• 12 DIMM slots per processor, 6 channels per processor• Ethernet 1Gb 4-port 366FLR Adapter Network Controller• NOTE: No Embedded Networking• Smart Array Ctrlr (RAID 0, 1, 5, 6, 10, 50, 60) Storage Controller• None ship standard Hard Drive• 8 SFF Drive cage Internal Storage• Optional: DVD-ROM, DVD-RW [The Universal Media Bay] Optical Drive Bay• Three (3) standard in primary riser PCI Express Slot• (1) 500W Power Supply Kit.• 4-Standard Fans• Up to 5 total: 1 front, 2 rear, 2 internal (secure), 2 optional USB 2.0 front via Universal Media Bay• Intelligent Provisioning (standard)• Rack (2U) Form factor | To clarify and amend the Technical Specification to specify the requirement of the End-User |
| Clarification/Suggestion by Prospective Bidders for Item No. 1 | | |
| <ul style="list-style-type: none">• Mr. Banaag from ICS asked if they can offer an embedded network for item no. 1. <u>According to Mr. Gregorio, Yes, they can.</u>• Mr. Banaag asked what the warranty for item no. 1 is. According to Mr. Gregorio, <u>3 years 24x7 warranty</u>• Mr. Collados from ASI asked if the word "Laptop" from Item No. 1 was a typographical error. According to the BAC Secretariat it was a typographical error and the BAC Secretariat removed it and replaced it with <u>"SERVER"</u>.• Ms. Sy from ATI asked if they can offer any brand since the technical specifications for Item No. 1 are leaning more towards a specific brand. <u>According to Mr. Gregorio, they can offer any brand for Item No. 1 as long as it will meet the required technical specifications.</u>• Mr. Banaag from ICS asked if the OS for Item No. 1 shall be installed by the winning bidder. According to Mr. Gregorio, <u>the installation of the OS can be done by CFO since they have encountered some problems in the past when the installation of OS was done by the winning bidder.</u> | | To clarify and amend the Technical Specification to specify the requirement of the End-User |



| REFERENCE | | BASIS FOR AMENDMENT | |
|---|--|--|---|
| <p><i>Bundled with:</i></p> <ul style="list-style-type: none">Windows Server 2019 Standard Edition2U Install Rail Kit300GB SAS 12G Enterprise 15K SFF (2.5in) SC 3yr Wty Digitally Signed Firmware HDD96W Smart Storage Battery (up to 20 Devices) with 145mm Cable Kit3yr 24x7 Supp Phys 1 Svr LicSupported Operating System:Windows Server 2012 R2 / Windows Server 2016 / Windows Server 2019Red Hat Enterprise Linux: 7.6 / 8.0SUSE Enterprise Linux 12 SP3 / 15Vmware : ESXi 6.0 U3 / 6.5 / 6.5 U1 / 6.5 U2 / 6.5 U3 / 6.7 / 6.7 U1 / 6.7 U2 / 6.7 U3 <p>Add-on</p> <ul style="list-style-type: none">x3 - 16GB (1x16GB) Dual Rank x8 DDR4-2933 CAS-21-21-21 Registered Smart Memory Kit2U Bezel Kit500W Power Supply Kitx8 - 300GB SAS 12G Enterprise 10K SFF (2.5in) SC 3yr Wty Digitally Signed Firmware HDDHPE DL380 Gen10 Box1/2 Cage Bkpln KitSmart Array (8 Internal Lanes/2GB Cache) 12G SAS PCIe Plug-in ControllerIt should be compatible with the existing CFO equipment <p><i>Item No.: 2</i> Network Attached Storage (NAS) <i>Quantity:</i> 4 units</p> | | <p>To clarify and amend the Technical Specification to specify the requirement of the End-User</p> | |
| xxx | <table><tr><td><ul style="list-style-type: none">Intel® Xeon® D-1531 6-core 2.2 GHz (turbo to 2.7 GHz)8GB RAM (up to 64GB),10GbE NIC support (optional),Redundant power (drives not included)2USliding Rail Kit(8TB) 7200RPM 256MB x 12pcs</td><td><ul style="list-style-type: none">Intel® Xeon® D-1531 6-core 2.2 GHz (turbo to 2.7 GHz)8GB RAM (up to 64GB),<u>10GbE NIC support</u> (optional), <u>required</u>Redundant power (drives not included)2USliding Rail Kit(8TB) 7200RPM 256MB x 12pcs<u>Warranty: Standard Warranty of the NAS</u></td></tr></table> | | <ul style="list-style-type: none">Intel® Xeon® D-1531 6-core 2.2 GHz (turbo to 2.7 GHz)8GB RAM (up to 64GB),10GbE NIC support (optional),Redundant power (drives not included)2USliding Rail Kit(8TB) 7200RPM 256MB x 12pcs |
| <ul style="list-style-type: none">Intel® Xeon® D-1531 6-core 2.2 GHz (turbo to 2.7 GHz)8GB RAM (up to 64GB),10GbE NIC support (optional),Redundant power (drives not included)2USliding Rail Kit(8TB) 7200RPM 256MB x 12pcs | <ul style="list-style-type: none">Intel® Xeon® D-1531 6-core 2.2 GHz (turbo to 2.7 GHz)8GB RAM (up to 64GB),<u>10GbE NIC support</u> (optional), <u>required</u>Redundant power (drives not included)2USliding Rail Kit(8TB) 7200RPM 256MB x 12pcs<u>Warranty: Standard Warranty of the NAS</u> | | |



Republic of the Philippines • Office of the President
COMMISSION ON FILIPINOS OVERSEAS
KOMISYON SA MGA FILIPINO SA IBAYONG DAGAT



| REFERENCE | | BASIS FOR AMENDMENT |
|--|---|---|
| <p>Clarification/Suggestion by Prospective Bidders for Item No. 2</p> <ul style="list-style-type: none">Mr. Collados asked if the 10GbE NIC Support is optional or required. <u>According to Mr. Gregorio this is required.</u>Mr. Banaag asked if the warranty for this item will be the same as the warranty for item no. 1. <u>According to Mr. Gregorio, the warranty for Item Nos. 1 and 2 are the same - 3 years minimum 24x7.</u>Mr. Collados asked if it will be possible to set the warranty to the standard warranty since the 24x7 might be a bit difficult for the supplier, Mr. Salazar agreed with Mr. Collados. <u>Mr. Gregorio agreed to set the standard warranty for this item.</u>Mr. Salazar asked if the 8 TB x 12 pcs is for 1 NAS only, according to <u>Mr. Gregorio, it is indeed a requirement for 1 NAS only.</u> <p><i>Item No.: 3</i> Uninterruptible Power Supply (UPS), 3000VA. <i>Quantity:</i> 7 units</p> | | To clarify and amend the Technical Specification to specify the requirement of the End-User |
| XXX | <ul style="list-style-type: none">Output power capacity 2.1kWatts / 3.0kVAMax Configurable Power (Watts) 2.1kWatts / 3.0kVANominal Output Voltage 230VOutput Voltage Distortion Less than 5 %Output Frequency (sync to mains) 50 Hz Sync to mains8 port Outlet SocketStandard warranty 2 years repair or replace | |



| REFERENCE | | BASIS FOR AMENDMENT | | | | | | | | |
|--|---|---------------------|--|---|---|-----|--|--|--|---|
| <p>Lot No.: 2 Supply and Delivery of Data Center Accessories</p> <p>Approved Budget of the Contract (ABC): <i>Php 888,000.00</i></p> <p>Item No.: 1 HARD DRIVE 300GB SAS (Gen 10)</p> <p>Quantity: 20 units</p> <table><tr><td>XXX</td><td></td></tr><tr><td><ul style="list-style-type: none">• Interface SAS• Workload Enterprise• Drive Rotation Speed (RPM)• Form Factor SFF• Drive Technology (Fill) Air• Format Type: 512n• Carrier Type: Smart Carrier (SC)• Capacity: 300GB• Height: 0.62 in 15.6 mm</td><td><ul style="list-style-type: none">• Interface SAS• Workload Enterprise• Drive Rotation Speed (RPM)• Form Factor SFF• Drive Technology (Fill) Air• Format Type: 512n• Carrier Type: Smart Carrier (SC)• Capacity: 300GB• Height: 0.62 in 15.6 mm</td></tr></table> <p>Clarification/Suggestion by Prospective Bidders for Lot No. 2</p> <p>Item No.: 1</p> <ul style="list-style-type: none">• Mr. Collados asked the rotational speed for this drive, according to Mr. Gregorio, the rotational speed for this is 12G, 10k SFF.• Mr. Collados asked if there are available slots and bases for the drives to be set-up. According to Mr. Gregorio, there are available slots and bases for this drives.• Mr. Banaag asked what the model of the Gen 10 server is. According to <u>Mr. Gregorio the model is GL380P.</u>• Mr. Banaag asked if this will be Supply and Delivery only. According to Mr. Gregorio, <u>yes.</u> <p>Item No.: 2 Memory 16GB Dual Rank</p> <p>Quantity: 20 units</p> <table><tr><td>XXX</td><td></td></tr><tr><td><ul style="list-style-type: none">• 2600 MHz Clock Speed• 288-Pin RDIMM• 16GB Capacity• PC4-21300• Registered, ECC• Note: It should be compatible with the existing CFO Equipment</td><td><ul style="list-style-type: none">• 2600 MHz Clock Speed• 288-Pin RDIMM• 16GB Capacity• PC4-21300• Registered, ECC• Note: <u>It should be compatible with the existing CFO Equipment</u></td></tr></table> | | XXX | | <ul style="list-style-type: none">• Interface SAS• Workload Enterprise• Drive Rotation Speed (RPM)• Form Factor SFF• Drive Technology (Fill) Air• Format Type: 512n• Carrier Type: Smart Carrier (SC)• Capacity: 300GB• Height: 0.62 in 15.6 mm | <ul style="list-style-type: none">• Interface SAS• Workload Enterprise• Drive Rotation Speed (RPM)• Form Factor SFF• Drive Technology (Fill) Air• Format Type: 512n• Carrier Type: Smart Carrier (SC)• Capacity: 300GB• Height: 0.62 in 15.6 mm | XXX | | <ul style="list-style-type: none">• 2600 MHz Clock Speed• 288-Pin RDIMM• 16GB Capacity• PC4-21300• Registered, ECC• Note: It should be compatible with the existing CFO Equipment | <ul style="list-style-type: none">• 2600 MHz Clock Speed• 288-Pin RDIMM• 16GB Capacity• PC4-21300• Registered, ECC• Note: <u>It should be compatible with the existing CFO Equipment</u> | <p>To clarify and amend the Technical Specification to specify the requirement of the End-User</p> <p>To clarify and amend the Technical Specification to specify the requirement of the End-User</p> |
| XXX | | | | | | | | | | |
| <ul style="list-style-type: none">• Interface SAS• Workload Enterprise• Drive Rotation Speed (RPM)• Form Factor SFF• Drive Technology (Fill) Air• Format Type: 512n• Carrier Type: Smart Carrier (SC)• Capacity: 300GB• Height: 0.62 in 15.6 mm | <ul style="list-style-type: none">• Interface SAS• Workload Enterprise• Drive Rotation Speed (RPM)• Form Factor SFF• Drive Technology (Fill) Air• Format Type: 512n• Carrier Type: Smart Carrier (SC)• Capacity: 300GB• Height: 0.62 in 15.6 mm | | | | | | | | | |
| XXX | | | | | | | | | | |
| <ul style="list-style-type: none">• 2600 MHz Clock Speed• 288-Pin RDIMM• 16GB Capacity• PC4-21300• Registered, ECC• Note: It should be compatible with the existing CFO Equipment | <ul style="list-style-type: none">• 2600 MHz Clock Speed• 288-Pin RDIMM• 16GB Capacity• PC4-21300• Registered, ECC• Note: <u>It should be compatible with the existing CFO Equipment</u> | | | | | | | | | |



| REFERENCE | | BASIS FOR AMENDMENT |
|---|---|--|
| <p>Clarification/Suggestion by Prospective Bidders for Lot No. 2</p> <p>Item No. 2</p> <ul style="list-style-type: none">Mr. Collados asked what the models of the servers are and where these items will be set-up/installed. <u>According to Mr. Gregorio, all models are 4DL380 Gen 10.</u>Mr. Banaag asked about the processor of the existing DL380 Server. <u>According to Mr. Gregorio, Gold 5115 2.4 Gigahertz</u>Mr. Salazar asked if the bidders can have a list of the serial numbers of the servers for compatibility checking. According to Mr. Gregorio, they will provide a list of the serial numbers of the servers and this will be included in the bid bulletin. <p>Answers:</p> <p>➤ Serial numbers of the Servers HP DL380 Gen 10 <u>SGH025XXC0 and SGH025XXC1</u></p> <p>Item no. 3: External Hard Drive 10TB Quantity: 4 units</p> | | <p>To clarify and amend the Technical Specification to specify the requirement of the End-User</p> |
| <p><u>xxx</u></p> <ul style="list-style-type: none">Capacity: 10TBLength: 118mmWidth: 41mmDepth: 198.1mmTypical Weight: 1.06kg4 foot (1.2m) USB 3.0 cablePower AdapterWindow ® 7 or Higher, or Mac OS x 10.10 or Higher operating systemSuperSpeed USB 3.0 port | <ul style="list-style-type: none">Capacity: 10TBLength: 118mmWidth: 41mmDepth: 198.1mmTypical Weight: 1.06kg4 foot (1.2m) USB 3.0 cablePower AdapterWindow ® 7 or Higher, or Mac OS x 10.10 or Higher operating systemSuperSpeed USB 3.0 port | |

Note: Next pages are the Bidding Form and must be follows



Omnibus Sworn Statement

REPUBLIC OF THE PHILIPPINES)
CITY/MUNICIPALITY OF _____) S.S.

AFFIDAVIT

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

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

If a sole proprietorship: I am the sole proprietor 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:**



Republic of the Philippines • Office of the President
COMMISSION ON FILIPINOS OVERSEAS
KOMISYON SA MGA FILIPINO SA IBAYONG DAGAT



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

Bidder's Representative/Authorized Signatory

SUBSCRIBED AND SWORN to before me in the City/Municipality of ____ (indicate also the Province in the case of the Municipality) this ____ day of ____ (month and year)
By ____ (name of affiant), who has satisfactorily proven to me his identity through his ____ (ID name and number) valid until ____ (expiry date), that he is the same person who personally signed before me the foregoing Affiant and acknowledged that he executed the same.

(Notary Public)

Until _____
PTR No. _____
Date _____
Place _____
TIN _____
IBP _____

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

Note:

"Sec.12. Competent Evidence of Identity - The phrase "competent evidence of identity" refers to the identification of an individual based on:

At least one current identification documents issued by an official agency bearing the photograph and signature of the individual, such as but limited to, passport, driver's license, Professional Regulations Commission ID, National Bureau of Investigation clearance, police clearance, postal ID, voter's ID, Barangay Certification, Government Service and Insurance System (GSIS) e-card, Social Security System (SSS) card, PhilHealth card, senior citizen card, Overseas Workers Welfare Administration (OWWA) ID, OFW ID, seaman's book, alien certificate of registration/immigrant certificate of registration, government office ID, certification from the National Council for the Welfare of Disabled Persons (NCWDP), Department of Social Welfare and Development (DSWD) certification.

The Board Resolution or Secretary's Certificate referring to the said Board Resolution designating the bidders authorized representative and signatory need not specifically indicate the particular project where such authority is given provided that the said authority covers activities by CFO.



Republic of the Philippines • Office of the President
COMMISSION ON FILIPINOS OVERSEAS
KOMISYON SA MGA FILIPINO SA IBAYONG DAGAT



Annex "B"

Bid Form

Date: _____
Public Bidding No.: **2021-03-002**

The CFO BAC Chairman
Commission on Filipinos Overseas
Citigold Center 1345 Pres. Quirino Ave.,
Cor. Osmeña Highway, Paco, Manila

Sir:

Having examined the Bidding Documents including Bid Bulletin Number _____, the receipt of which is hereby duly acknowledged, we, the undersigned, offer to **Supply, Delivery, Installation, Configuration and Testing of various Data Center Equipment, Accessories and Software of Commission on Filipinos Overseas (CFO) for FY 2021** in conformity with the said Bidding Documents for the sums stated hereunder:

| Item No. | Quantity | Item/Description | Unit Price | Total Price |
|---|----------|--------------------------------|------------|-------------|
| Lot No.: 1 Supply, Delivery, Installation, Configuration, Testing of Data Center Equipment | | | | |
| 1 | 6 units | Servers | | |
| 2 | 4 units | Network Attached Storage (NAS) | | |
| 3 | 7 units | UPS 3000VA | | |

TOTAL BID PRICE: _____

Bid Price in words: _____

| Item No. | Quantity | Item/Description | Unit Price | Total Price |
|--|----------|-------------------------------|------------|-------------|
| Lot No.: 2 Supply and Delivery of Data Center Accessories | | | | |
| 1 | 20 units | Hard Drive 300GB SAS (Gen 10) | | |
| 2 | 20 units | Memory 16GB Dual Rank | | |
| 3 | 4 units | External Hard Drive, 10TB | | |

TOTAL BID PRICE: _____

Bid Price in words:



Republic of the Philippines • Office of the President
COMMISSION ON FILIPINOS OVERSEAS
KOMISYON SA MGA FILIPINO SA IBAYONG DAGAT



We undertake, if our Bid is accepted, to deliver the goods in accordance with the delivery schedule specified in the Schedule of Requirements.

If our Bid is accepted, we undertake to provide a performance security in the form, amounts, and within the times specified in the Bidding Documents.

We agree to abide by this Bid for the Bid Validity Period specified in BDS provision for ITB Clause 18.3 and shall remain binding upon us and may be accepted at any time before the expiration of that period.

Until a formal Contract is prepared and executed, this bid, together with your written acceptance thereof and your Notice of Award, shall be binding upon us.

We understand that you are not bound to accept the lowest or any Bid you may receive.

We certify/confirm that we comply with the eligibility requirements as per ITB Clause 5 of the Bidding Documents.

Dated this _____ day of _____ 2021.

[Signature over Printed Name of Authorized Representative]

[in the capacity of]

Duly authorized to sign Bid for and on behalf of _____



STATEMENT OF SINGLE (1) LARGEST COMPLETED CONTRACT OF SIMILAR NATURE WITHIN THE LAST THREE (3) YEARS FROM DATE OF SUBMISSION AND RECEIPT OF BIDS AMOUNTING TO AT LEAST FIFTY PERCENT (50%) OF THE APPROVED BUDGET OF THE CONTRACT (ABC)

| Name of Client | Name of Contract | Date of the Contract | Kinds of Goods | Value of Contracts | Date of Completion | Official Receipt No. & Date OR End User's Acceptance Date |
|----------------|------------------|----------------------|----------------|--------------------|--------------------|---|
| | | | | | | |
| | | | | | | |
| | | | | | | |

CERTIFIED CORRECT:

Name & Signature of Authorized Representative

Position

Date

Instructions:

- Cut-off Date as of:
(i) **Up to the day before the deadline** of submission of bids.
- In the column under "Dates", indicate the dates of Delivery/End-User's Acceptance and Official Receipt No.
- Name of Contract column, indicates the Nature/Scope of the Contract for the DICT to determine the relevance of the entry with the Procurement at hand.



STATEMENT OF ALL ONGOING CONTRACTS WITHIN THE LAST THREE (3) YEARS

All On-Going Contracts (including contract/s awarded but not yet started, if any)

| Name of Client | Name of the Contract | Date and Status of the Contract | Kinds of Goods | Amount of Contract | Value of Outstanding Contracts | Date of Delivery | Purchase Order Number/s or Date of Contract/s |
|----------------|----------------------|---------------------------------|----------------|--------------------|--------------------------------|------------------|---|
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

Name & Signature of Authorized Representative

Position

Date

Instructions:

1. State all on-going contracts including those awarded but not yet started (Government and Private Contracts which may be similar or not similar to the project called for bidding as of the **day before the deadline** of submission of bids.
2. If there is **NO** on-going contract including awarded but not yet started as of the abovementioned period, state none or equivalent term.
3. The total amount of the ongoing but not yet started contracts should be consistent with those used in the Financial Contracting Capacity (NFCC).



Annex "D"

Contract Agreement Form

THIS AGREEMENT made the ____ day of _____ 20____ between *[name of PROCURING ENTITY]* of the Philippines (hereinafter called "the Entity") of the one part and *[name of Supplier]* of *[city and country of Supplier]* (hereinafter called "the Supplier") of the other part:

WHEREAS the Entity invited Bids for certain goods and ancillary services, viz., *[brief description of goods and services]* and has accepted a Bid by the Supplier for the supply of those goods and services in the sum of *[contract price in words and figures]* (hereinafter called "the Contract Price").

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 referred to.
2. The following documents shall be deemed to form and be read and construed as part of this Agreement, viz.:
 - (a) the Bid Form and the Price Schedule submitted by the Bidder;
 - (b) the Schedule of Requirements;
 - (c) the Technical Specifications;
 - (d) the General Conditions of Contract;
 - (e) the Special Conditions of Contract; and
 - (f) the Entity's Notification of Award.
3. In consideration of the payments to be made by the Entity to the Supplier as hereinafter mentioned, the Supplier hereby covenants with the Entity to provide the goods and services and to remedy defects therein in conformity in all respects with the provisions of the Contract
4. The Entity hereby covenants to pay the Supplier in consideration of the provision of the goods and services and the remedying of defects therein, the Contract Price or such other sum as may become payable under the provisions of the contract at the time and in the manner prescribed by the contract.



Republic of the Philippines • Office of the President
COMMISSION ON FILIPINOS OVERSEAS
KOMISYON SA MGA FILIPINO SA IBAYONG DAGAT



IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of the Republic of the Philippines on the day and year first above written.

Signed, sealed, delivered by _____ the _____ (for the Entity)

Signed, sealed, delivered by _____ the _____ (for the Supplier).



Annex "E"

SAMPLE FORM

CREDIT LINE CERTIFICATE

Date: _____

COMMISSION ON FILIPINOS OVERSEAS

Citigold Center 1345 Pres. Quirino Ave.,
Cor. Osmeña Highway, Paco, Manila

CONTRACT/PROJECT : _____

COMPANY/FIRM : _____

ADDRESS : _____

BANK.FINANCIAL INSTITUTION : _____

ADDRESS : _____

AMOUNT : _____

This is to certify that the above Bank/Financing Institution with business address indicated above, commits to provide the Supplier/Distributor/Manufacturer/Contractor accredit line, if awarded the above-mentioned contract, which shall be available within fifteen (15) calendar days after receipt by the latter of the Notice of Award. The credit line in the amount specified above shall be exclusively used to finance the performance of the above-mentioned contract subject to our terms, conditions and requirements.

This certification is being issued in favor of said Supplier/Distributor/Manufacturer/Contractor in connection with the bidding requirements of Commission on Filipinos Overseas for the above-mention Contract.

Name and Signature of Authorized
Financing Institution Officer : _____

Official Designation : _____

Concurred By:

Name and Signature of Supplier/Distributor/Manufacturer/Contractor
Authorized Representative : _____

Official Designation : _____



Annex "F"

Form of Bid Security (Bank Guarantee)

WHEREAS, [name and address of Bidder] (hereinafter called "the Bidder") has submitted his bid dated _____ (Date) for the _____ (Name of Contract) (hereinafter called "the Bid").

KNOW ALL MEN by these presents that We _____ (Name of Bank) having our registered office at _____ (hereinafter called "the Bank" are bound unto **Commission on Filipinos Overseas** in the sum of _____ for which payment well and truly to be made to the said Entity the Bank binds himself, his successors and assigns by these presents.

SEALED with the Common Seal of the said Bank this _____ day of _____ 2021.

THE CONDITIONS of this obligation are that:

- 1) if the Bidder withdraws his Bid during the period of bid validity specified in the Form of Bid;
or
- 2) if the Bidder does not accept the correction of arithmetical errors of his bid price in accordance with the Instructions to Bidder; or
- 3) if the Bidder having been notified of the acceptance of his bid and award of contract to him by the Entity during the period of bid validity:
 - a) fails or refuses to execute the Form of Contract in accordance with the Instructions to Bidders, if required; or
 - b) fails or refuses to furnish the Performance Security in accordance with the Instructions to Bidders;

we undertake to pay to the Entity up to the above amount upon receipt of his first written demand, without the Entity having to substantiate its demand, provided that in his demand the Entity will note that the amount claimed by it is due to the occurrence of any one or combination of the three (3) conditions stated above.

The Guarantee will remain in force up to and including the date 120 days after the deadline for submission of Bids as such deadline is stated in the Instructions to Bidders or as it may be extended by the Entity, notice of which extension(s) to the Bank is hereby waived. Any demand in respect of this Guarantee should reach the Bank not later than the above date.

DATE _____ SIGNATURE OF THE BANK _____

WITNESS _____ SEAL _____



SUPPLIER'S LETTERHEAD

Date

ATTY. XERXES CORTEL

Chairperson
CFO Bids and Awards Committee
Paco, Manila

Dear Sir:

This has reference to Public Bidding No. _____ for _____ (Name of Project) _____.
_____, (Name of Company) _____ respectfully requests for the following:

- () Withdraw of Bid Submissions
- () Refund of Bid Security
(Attached is a photocopy of the CFO Official Receipt)
- () Cancellation of Credit Line Certificate

It is understood that _____ waives its right to file any motion for reconsideration and/or protest in connection with the above-cited Public Bidding Project.

Thank you.

Very truly yours,

Authorized Signatory for the Company



Annex "H"

Form of Performance Security (Bank Guarantee)

To: **Commission on Filipinos Overseas (CFO)**
Citigold Center 1345 Pres. Quirino Ave., cor. Osmeña Highway Paco, Manila

WHEREAS, *[insert name and address of Supplier]* (hereinafter called the "Supplier") has undertaken, in pursuance of Contract No. *[Insert number]* dated *[insert date]* to execute *[insert name of contract and brief description]* (hereinafter called the "Contract");

AND WHEREAS, it has been stipulated by you in the said Contract that the Supplier shall furnish you with a Bank Guarantee by a recognized bank for the sum specified therein as security for compliance with his obligations in accordance with the Contract;

AND WHEREAS, we have agreed to give the Supplier such a Bank Guarantee;

NOW THEREFORE, we hereby affirm that we are the Guarantor and responsible to you, on behalf of the Supplier, up to a total of *[insert amount of guarantee]³* proportions of currencies in which the Contract Price is payable, and we undertake to you, upon your first written demand and without cavil or argument, any sum or sums within the limits of *[insert amount of guarantee]* as aforesaid without your needing to prove or to show grounds or reasons for your demand for the sum specified therein.

We hereby waive the necessity of your demanding the said debt from the Supplier before presenting us with the demand.

We further agree that no change or addition to or other modification of the terms of the Contract to be performed there under or of any of the Contract documents which may be made between you and the Supplier shall in any way release us from any liability under this guarantee, and we hereby waive notice of any such change, addition or modification.

This guarantee shall be valid until the date of your issuance of the Notice of Final Acceptance.

SIGNATURE AND SEAL OF

GUARANTOR NAME OF BANK

ADDRESS

³ An amount is to be inserted by the Guarantor, representing the percentage of the Contract Price specified in the Contract.



Annex "I"

REPUBLIC OF THE PHILIPPINES)
CITY OF _____) S.S.

BID-SECURING DECLARATION

Invitation to Bid Reference No.:

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

I/We, the undersigned, declare that:

1. I/We understand that, according to your conditions, bids must be supported by a Bid Security, which may be in the form of a Bid-Securing Declaration.
2. I/We accept that: (a) I/we will be automatically disqualified from bidding for any contract with any procuring entity for a period of two (2) years upon receipt of your Blacklisting Order; and, (b) I/we will pay the applicable fine provided under Section 6 of the Guidelines on the Use of Bid Securing Declaration, if I/we have committed any of the following actions:
 - (i) Withdrawn my/our Bid during the period of bid validity required in the Bidding Documents; or
 - (ii) Fail or refuse to accept the award and enter into contract or perform any and all acts necessary to the execution of the Contract, in accordance with the Bidding Documents after having been notified of your acceptance of our Bid during the period of bid validity.
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 Single/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 [place of execution].

**[Insert NAME OF BIDDER'S
AUTHORIZED REPRESENTATIVE]
[Insert signatory's legal capacity]
Affiant**



Republic of the Philippines • Office of the President
COMMISSION ON FILIPINOS OVERSEAS
KOMISYON SA MGA FILIPINO SA IBAYONG DAGAT



SUBSCRIBED AND SWORN to [place of execution], Philippines. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant/s exhibited to me his/her [insert type of government identification card used], with his/her photograph and signature appearing thereon, with no. _____ and his/her Community Tax Certificate No. _____ issued on _____ at _____.

Witness my hand and seal this ____ day of [month] [year].

NAME OF NOTARY PUBLIC

Serial No. of Commission _____
Notary Public for _____ until _____
Roll of Attorneys No. _____
PTR No. _____, [date issued], [place
Issued] IBP No. ____, [date issued], [place
issued]

Doc. No. ____
Page No. ____
Book No. ____
Series of ____.

Note:

"Sec.12. Competent Evidence of Identity - The phrase "competent evidence of identity" refers to the identification of an individual based on:

At least one current identification documents issued by an official agency bearing the photograph and signature of the individual, such as but limited to, passport, driver's license, Professional Regulations Commission ID, National Bureau of Investigation clearance, police clearance, postal ID, voter's ID, Barangay Certification, Government Service and Insurance System (GSIS) e-card, Social Security System (SSS) card, PhilHealth card, senior citizen card, Overseas Workers Welfare Administration (OWWA) ID, OFW ID, seaman's book, alien certificate of registration/immigrant certificate of registration, government office ID, certification from the National Council for the Welfare of Disabled Persons (NCWDP), Department of Social Welfare and Development (DSWD) certification.



CERTIFICATE OF NET FINANCIAL CONTRACTING CAPACITY
(Please show figures at how you arrived at the NFCC)

This is to certify that our **Net Financial Contracting Capacity (NFCC)** is **Philippine Pesos (P_____)** which is at least equal to the Approved Budget for the Contract (ABC). The amount is computed as follows:

NFCC = [{Current Assets minus Current Liabilities} (15)] minus the value of all outstanding or uncompleted portions of the projects under ongoing contracts, including awarded contracts yet to be started coinciding with the contract to be bid.

$$\text{NFCC} = (\text{CA-CL}) (15) - C$$

Issued this _____ day of _____, 2021.

CERTIFIED CORRECT:

Name & Signature of Authorized Representative

Position

Date

Notes:

1. The values of the bidder's current assets and current liabilities shall be based on the data submitted to BIR through its Electronic Filing and Payment System.
2. Value of all outstanding or uncompleted contracts refers those listed in Annex-I.
3. The detailed computation using the required formula must be shown as provided above.
4. The NFCC computation must at least be equal to the total ABC of the project.



The herein amendment forms an integral part of the bidding documents. Correspondingly, all other provisions in the bidding documents affected by this amendment are similarly amended or modified.

The clarification made explains in greater detail the purpose or intent of the requirement does not amend that particular provision in the bidding documents.

For the Bids and Awards Committee

ATTY. XERXES CORTEL

Chairperson
CFO-BAC

For the purpose of this Bulletin and for better understanding of its contents, the following rules shall apply: (a) ~~double Strikeout~~ – denotes deletion; (b) Underline – denotes inclusion or new item/requirement; and “xxx” – denotes separation of phase/s being amended from the rest of the main text.

