



**Negotiated Procurement-Two
Failed Bidding for the
Construction of NSWRRDC
HighPEZ R4D Research
Facility at Dalwangan,
Malaybalay City, Bukidnon**

IB NO: BSWM-NP-2025-03-001

**Date issued
March 2025**



Republic of the Philippines
Department of Agriculture
BUREAU OF SOILS AND WATER MANAGEMENT
SRDC Bldg., Elliptical Road corner Visayas Avenue,
Diliman, Quezon City 1101

INVITATION TO BID

Negotiated Procurement-Two Failed Bidding for the Construction of NSWRRDC HighPEZ R4D Research Facility at Dalwangan, Malaybalay City, Bukidnon - IB NO: BSWM-NP-2025-03-001

1. The Bureau of Soils and Water Management (BSWM), through the **Trust Fund** intends to apply the sum of **Three Million Pesos (PhP 3,000,000.00)** being the approved budget for the contract (ABC) to payments under the contract for **Negotiated Procurement-Two Failed Bidding for the Construction of NSWRRDC HighPEZ R4D Research Facility at Dalwangan, Malaybalay City, Bukidnon - IB NO: BSWM-NP-2025-03-001**. Bids received in excess of the ABC shall be automatically rejected at bid opening.
2. The BSWM now invites technically, legally, and financially capable suppliers for the said project. **Completion of the Works is required within 90 Calendar days upon receipt of Notice to Proceed.**
3. The Procurement procedure for this requirement is Negotiated Procurement for Two-Failed Bidding pursuant to Section 53.1 of 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184.

The selection of the successful offer shall be based on the best and final offer that will be submitted on the set deadline by the BAC and which would meet the minimum technical specifications required.

4. The interested bidders may obtain further information from the BAC Secretariat at the address given below **until April 07, 2025, Monday to Friday, at 8:00AM to 5:00PM**
5. The BSWM will hold a **Negotiation Meeting on April 03, 2025 at BSWM Function Room and via Zoom**, which shall be open to prospective bidders.
6. Two (2) copies of the proposals (one original and one copy) must be submitted to the BAC which must be duly received by the BAC Secretariat through manual submission at the office address indicated above **on or before April 08, 2025, 9:00 AM**. Late submission shall not be accepted.
7. Interested bidders shall submit the following documents in sealed envelopes, labeled as "Negotiated Procurement for Two-Failed Biddings", with the title of the procurement project, name of the bidder, address, the contact details of the bidder, addressed to the BAC.

I. Eligibility and Technical Documents

- a. Valid PhilGEPS Registration Certificate (Platinum Membership), including the Annex/es;
- b. Valid PCAB License: ***(Please refer to [Annex A-Bid Data Sheet](#))***
- c. Statement of Bidder's Single Largest Completed Contract (SLCC) similar to the contract to be bid. ***Please refer to [Annex A-Bid Data Sheet](#))***

- d. 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
- e. Special PCAB License in case of Joint Ventures and registration for the type and cost of the contract to be bid; and
- f. Bid Security in any of the following form as prescribed under the 2016 revised IRR of RA 9184:
 - i. In case of cash, Manager's Check, Bank Guarantee (2% of the ABC)
 - ii. In case if Surety Bond, submit also a certification issued by the Insurance Commission or Original Copy Notarized Bid Securing Declaration (5% of the ABC)
 - iii. Bid Securing Declaration. (Note: Bidders SHALL use ATTACHED template of Bid Securing Declaration. Other forms of Bid Securing Declaration will NOT BE ACCEPTED and SHALL BE RATED "FAILED".) (Annex D)
- g. Project Requirements, which shall include the following:
 - i. Organizational chart for the contract to be bid;
 - ii. List of contractor's key personnel (e.g., Project Manager, Project Engineers, Materials Engineers, and Foremen), to be assigned to the contract to be bid, with their complete qualification and experience data; *(Please refer to [Annex A-Bid Data Sheet](#))*
 - iii. List of contractor's major equipment units, which are owned, leased, and/or under purchase agreements, supported by proof of ownership or certification of availability of equipment from the equipment lessor/vendor for the duration of the project, as the case may be; *(Please refer to [Annex A-Bid Data Sheet](#))* and
- h. Additional requirement under Section VII. Technical Specification *(Please refer to [Annex A-Bid Data Sheet](#))*
- i. Notarized Omnibus Sworn Statement (OSS) supported with Notarized Secretary's Certificate in case of a corporation or cooperative; in case of partnership or single proprietorship, the bidder shall submit Special Power of Attorney executed by the partners or single proprietorship; whichever is applicable.

In case of Joint Venture, Special Power of Attorney shall be submitted by 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.
- j. If applicable, a duly signed joint venture agreement (JVA) in case the joint venture is already in existence or duly notarized statement 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.

II. Financial Documents

- k. Bid Form
- l. Original of duly signed Bid Prices in the Bill of Quantities; *(Please refer to*

Annex B)

- m. Duly accomplished Detailed Estimates Form, including a summary sheet indicating the unit prices of construction materials, labor rates, and equipment rentals used in coming up with the Bid;
- n. Cash Flow by Quarter.

Important reminder:

Cost Estimate and Bill of Quantities shall be signed and sealed by ABE in compliance with RA 10915

- 8. The Special Conditions of the Contract (Annex C) shall form part of the contract. Other conditions of the contract shall be governed by the implementation of the rules and regulations of RA 9184 and other related and applicable laws.
- 9. The Head of the Procuring Entity reserves the right to reject and all Bids, declare failure of bidding, or not award the contract in accordance with Section 41 of the 2016 revised Implementing Rules and Regulations.
- 10. To view the **Technical Specifications, Drawings and Bill of Quantities**, please refer to the **Annex B** in this Bidding Document.
- 11. For further information, please refer to: FRANCE JOSEPHINE C. BAUTISTA
BIDS AND AWARDS COMMITTEE SECRETARIAT'S OFFICE
2ND FLOOR, SRDC BLDG.,
VISAYAS AVE. COR. ELLIPTICAL ROAD, DILIMAN, QUEZON CITY
TELEFAX NUMBER: +63-2-8273-2474 loc 3218
EMAIL ADDRESS: bac@bswm.da.gov.ph WEBSITE: www.bswm.gov.ph FB Page:
<https://www.facebook.com/bswmpms>

You may visit the following websites:

For downloading of Bidding Documents:

PhilGEPS- <https://notices.philgeps.gov.ph/>, BSWM Website- www.bswm.gov.ph or BSWM
Procurement Service Facebook Page- <https://www.facebook.com/bswmpms> .

DENISE A. SOLANO 

Chairperson, Bids and Awards Committee

ANNEX A

Bid Data Sheet

ITB Clause										
7 (b)	<p>Valid PCAB License:</p> <p>Classification: General Building Size Range: at least Small B License Category: at least C & D</p> <p><i>Note: Sec. 23.4.2.4 of the IRR of RA 9184 allows Small A and Small B contractors without similar experience to bid only for contracts not more than fifty percent (50%) of the allowable range of contract cost of their respective size range(s)</i></p>									
7 (c)	<p>For this purpose, contracts similar to the Project refer to contracts which have the same major categories of work.</p> <p>-Concrete works</p> <p><i>The Bidder must have an experience of having completed a Single Largest Completed Contract (SLCC) that is similar to this Project, equivalent to at least fifty percent (50%) of the ABC</i></p>									
7 (g)	<p>The <u>key personnel</u> must meet the required minimum years of experience set below:</p> <table><tr><th>KEY PERSONNEL</th><th>GENERAL EXPERIENCE</th><th>RELEVANT EXPERIENCE</th></tr><tr><td>Project Manager (1)</td><td>Licensed Architect or Civil Engineer</td><td>Five (5) years</td></tr><tr><td>Site Engineer (1)</td><td>Licensed Civil Engineer</td><td>Three (3) years</td></tr></table> <p>Prospective bidders shall attach/submit the resume of the above professional key personnel. Said key personnel shall possess and submit together with their resume, their valid license for the practice of engineering issued by the Professional Regulations Commission (PRC).</p> <p>The contractor shall provide Support Staff with a minimum of three (3) years of experience in their respective fields, including but not limited to:</p> <ul style="list-style-type: none">● Foreman● Mason● Steelman	KEY PERSONNEL	GENERAL EXPERIENCE	RELEVANT EXPERIENCE	Project Manager (1)	Licensed Architect or Civil Engineer	Five (5) years	Site Engineer (1)	Licensed Civil Engineer	Three (3) years
KEY PERSONNEL	GENERAL EXPERIENCE	RELEVANT EXPERIENCE								
Project Manager (1)	Licensed Architect or Civil Engineer	Five (5) years								
Site Engineer (1)	Licensed Civil Engineer	Three (3) years								

	<ul style="list-style-type: none"> • Carpenter/s • Electrician • Tile Setter • Painter • Other Skilled laborers
7 (h)	<p>Additional requirement under Section VII. Technical Specification</p> <p>✓ Certificate of Site Inspection -</p> <ul style="list-style-type: none"> o Interested Bidders are required to conduct site inspection in the project site in <u>NSWRRDC HighPEZ Dalwangan, Malaybalay City, Bukidnon</u> <p><u>Contact Person: Mr. Jonathan Daquil/ Engr. Dexter Madjoss (0906-8823249)</u></p> <ul style="list-style-type: none"> o The Schedule of Site Inspection is within <u>April 03-07, 2025</u>
	<p>The cost estimate shall follow the government template prescribed by the DPWH, whereby the unit prices are shown, units required, total, and per component/scope of work.</p> <p><i>It is advised that the <u>detailed cost estimate follow the government template</u> which includes <u>labor cost, material cost, equipment cost, and other costs per component of the project.</u> Unit costs must be clear.</i></p> <p><i>The <u>Detailed Cost Estimate must be per component</u> so as to align with the progress billing percent requirement, to facilitate inspection for the progress billing.</i></p>
7 (f)	<p>The bid security shall be in the form of a Bid Securing Declaration or any of the following forms and amounts:</p> <ul style="list-style-type: none"> a. The amount of not less (2%) of ABC, if bid security is in cash, cashier's/manager's check, bank draft/guarantee or irrevocable letter of credit; b. The amount of not less than (5%) of ABC if bid security is in Surety Bond.
	<p><i>[List licenses and permits relevant to the Project and the corresponding law requiring it, e.g. Environmental Compliance Certificate, Certification that the project site is not within a geohazard zone, etc.]</i></p> <p><i>S-Curve and PERT-CPM shall be presented during post-qualification.</i></p>
	<p><i>Additional contract documents relevant to the Project that may be required by existing laws and/or the Procuring Entity, such as construction schedule and S-curve, manpower schedule, construction methods, equipment utilization schedule, construction safety and health program approved by the DOLE, and other acceptable tools of project scheduling.</i></p> <p>General Requirement</p> <p>All required documents and permits from the building administration must be obtained by the contractor before beginning any construction activities, unless otherwise agreed. Any permits, insurances, bonds, and other necessary fees such as:</p> <ul style="list-style-type: none"> <i>1. Permits and Clearances</i> <ul style="list-style-type: none"> <i>a. Building Permit</i> <i>b. Electrical Permit</i> <i>c. Electronics Permit</i> <i>d. Mechanical Permit</i>

	<p><i>e. Plumbing / Sanitary Permit</i></p> <p><i>f. Signage Permit</i></p> <p><i>g. Occupancy Permit</i></p> <p><i>2. Bonds</i></p> <p><i>a. Warranty Bond</i></p> <p><i>b. Performance Bond</i></p> <p><i>c. CARI</i></p> <p><i>3. Project Billboard and Signages</i></p>
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ANNEX B

Specifications, Drawings, and Bill of Quantities

To view the Technical Specifications, please click the link below: <https://bit.ly/4jem7j3>



ANNEX C

Special Conditions of Contract

GCC Clause	
2	<i>[If different dates are specified for completion of the Works by section, i.e. “sectional completion,” these dates should be listed here.]</i>
4.1	<i>[Specify the schedule of delivery of the possession of the site to the Contractor, whether full or in part.]</i>
6	The site investigation reports are: <i>[list here the required site investigation reports.]</i>
7.2	<p><i>[Select one, delete the other:]</i></p> <p><i>[In case of permanent structures, such as buildings of types 4 and 5 as classified under the National Building Code of the Philippines and other structures made of steel, iron, or concrete which comply with relevant structural codes (e.g., DPWH Standard Specifications), such as, but not limited to, steel/concrete bridges, flyovers, aircraft movement areas, ports, dams, tunnels, filtration and treatment plants, sewerage systems, power plants, transmission and communication towers, railway system, and other similar permanent structures:] Fifteen (15) years.</i></p> <p><i>[In case of semi-permanent structures, such as buildings of types 1, 2, and 3 as classified under the National Building Code of the Philippines, concrete/asphalt roads, concrete river control, drainage, irrigation lined canals, river landing, deep wells, rock causeway, pedestrian overpass, and other similar semi-permanent structures:] Five (5) years.</i></p> <p><i>[In case of other structures, such as bailey and wooden bridges, shallow wells, spring developments, and other similar structures:] Two (2) years.</i></p>
10	<p><i>[Select one, delete the other:]</i></p> <p style="padding-left: 40px;">a. Dayworks are applicable at the rate shown in the Contractor’s original Bid.</p> <p style="padding-left: 40px;">b. No dayworks are applicable to the contract.</p>
11.1	The Contractor shall submit the Program of Work to the Procuring Entity’s Representative within 10 days of delivery of the Notice of Award.
11.2	The amount to be withheld for late submission of an updated Program of Work is 1%.
13	The amount of the advance payment is <i>15% of the total contract price.</i>
14	<i>[If allowed by the Procuring Entity, state:]</i> Materials and equipment delivered on the site but not completely put in place shall be included for payment.
15.1	<p>The date by which operating and maintenance manuals are required is <i>[date]</i>.</p> <p>The date by which “as built” drawings are required is <i>[date]</i>.</p>
15.2	The amount to be withheld for failing to produce “as built” drawings and/or operating and maintenance manuals by the date required is <i>[amount in local currency]</i> .

ANNEX D

Annex A: Bid Securing Declaration Form

[shall be submitted with the Bid if bidder opts to provide this form of Bid Security]

REPUBLIC OF THE PHILIPPINES)

CITY OF _____) S.S

BID SECURING DECLARATION

Project Identification No.: [Insert number]

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

I/We, the undersigned, declare that:

1. I/We understand that, according to your conditions, bids must be supported by a Bid Security, which may be in the form of a Bid Securing Declaration.
2. **I/We shall furnish the required performance security within ten (10) calendar days in/ Case of receipt of Notice of Award (pursuant to GPPB Circular No. 04-2020 and GPPB Resolution No. 16-2020).**
3. I/We accept that: (a) I/we will be automatically disqualified from bidding for any procurement contract with any procuring entity for a period of two (2) years upon receipt of your Blacklisting Order; and, (b) I/we will pay the applicable fine provided under Section 6 of the Guidelines on the Use of Bid Securing Declaration, within fifteen (15) days from receipt of the written demand by the procuring entity for the commission of acts resulting to the enforcement of the bid securing declaration under Sections 23.1(b), 34.2, 40.1 and 69.1, except 69.1(f), of the IRR of RA No. 9184; without prejudice to other legal action the government may undertake.
4. 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; and
 - c. I am/we are declared the bidder with the Lowest Calculated 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 OR ITS AUTHORIZED REPRESENTATIVE]

[Insert signatory's legal capacity]

Affiant

[Jurat]

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

Omnibus Sworn Statement (Revised)

[shall be submitted with the Bid]

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

AFFIDAVIT

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

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

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

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

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

[If a sole proprietorship:] As the owner and sole proprietor, or authorized representative of [Name of Bidder], I have full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached duly notarized Special Power of Attorney;

[If a partnership, corporation, cooperative, or joint venture:] I am granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached [state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate, Board/Partnership Resolution, or Special Power of Attorney, whichever is applicable)];

3. [Name of Bidder] is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board, by itself or by relation, membership, association, affiliation, or controlling interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on Blacklisting;

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

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

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

[If a sole proprietorship:] The owner or sole proprietor is not related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical

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

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

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

7. *[Name of Bidder]* complies with existing labor laws and standards; and
8. *[Name of Bidder]* is aware of and has undertaken the responsibilities as a Bidder in compliance with the Philippine Bidding Documents, which includes:
 - a. Carefully examining all of the Bidding Documents;
 - b. Acknowledging all conditions, local or otherwise, affecting the implementation of the Contract;
 - c. Making an estimate of the facilities available and needed for the contract to be bid, if any; and
 - d. Inquiring or securing Supplemental/Bid Bulletin(s) issued for the *[Name of the Project]*.
9. *[Name of Bidder]* did not give or pay directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel or representative of the government in relation to any procurement project or activity.
10. In case advance payment was made or given, failure to perform or deliver any of the obligations and undertakings in the contract shall be sufficient grounds to constitute criminal liability for Swindling (Estafa) or the commission of fraud with unfaithfulness or abuse of confidence through misappropriating or converting any payment received by a person or entity under an obligation involving the duty to deliver certain goods or services, to the prejudice of the public and the government of the Philippines pursuant to Article 315 of Act No. 3815 s. 1930, as amended, or the Revised Penal Code.

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

[Insert NAME OF BIDDER OR ITS AUTHORIZED REPRESENTATIVE]

[Insert signatory's legal capacity]
Affiant

[Jurat]

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

Performance Securing Declaration (Revised)

[if used as an alternative performance security but it is not required to be submitted with the Bid, as it shall be submitted within ten (10) days after receiving the Notice of Award]

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

PERFORMANCE SECURING DECLARATION

Invitation to Bid: [Insert Reference Number indicated in the Bidding Documents]

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

I/We, the undersigned, declare that:

1. I/We understand that, according to your conditions, to guarantee the faithful performance by the supplier/distributor/manufacture/contractor/consultant of its obligations under the Contract, I/we shall submit a Performance Securing Declaration within a maximum period of ten (10) calendar days from the receipt of the Notice of Award prior to the signing of the Contract.
2. I/We accept that: I/we will be automatically disqualified from bidding for any procurement contract with any procuring entity for a period of one (1) year for the first offense, or two (2) years for the second offense, upon receipt of your Blacklisting Order if I/We have violated my/our obligations under the Contract;
3. I/We understand that this Performance Securing Declaration shall cease to be valid upon:
 - a. issuance by the Procuring Entity of the Certificate of Final Acceptance, subject to the following conditions:
 - i. Procuring Entity has no claims filed against the contract awardee;
 - ii. It has no claims for labor and materials filed against the contractor; and
 - iii. Other terms of the contract; or
 - b. replacement by the winning bidder of the submitted PSD with a performance security in any of the prescribed forms under Section 39.2 of the 2016 revised IRR of RA No. 9184 as required by the end-user.

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 OR ITS
AUTHORIZED REPRESENTATIVE]*

[Insert signatory's legal capacity]

Affiant

[Jurat]

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

Sealing and Marking of Bid:



