

PHILIPPINE BIDDING DOCUMENTS

**SERVICE PROVIDER TO
MANAGE THE LAUNCH OF
BISITA BE MY GUEST
(BBMG) PROMOTIONAL
CAMPAIGN IN DUBAI, UAE**

TPB ITB 2023-007



GOVERNMENT OF THE PHILIPPINES

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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 (ITB) NO. 2023-007

SERVICE PROVIDER TO MANAGE THE LAUNCH OF BISITA BE MY GUEST (BBMG) PROMOTIONAL CAMPAIGN IN DUBAI, UAE

1. The **Tourism Promotions Board**, through the **2023 Approved Corporate Operating Budget** intends to apply the sum of **Five Million Seven Hundred Thousand Pesos Only (PhP5,700,000.00)** being the ABC to payments under the contract for **Service Provider to Manage the Launch of Bisita Be My Guest (BBMG) Promotional Campaign in Dubai, UAE/ITB No. 2023-007**. Bids received in excess of the ABC shall be automatically rejected at bid opening.
2. The **Tourism Promotions Board** now invites bids for the above Procurement Project. Delivery of the Goods is required **from the date of receipt of the Notice to Proceed until the completion of the deliverables provided in the Technical Specifications**. Bidders should have completed, **within the last 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 **Tourism Promotions Board** through its Bids and Awards Committee Secretariat via emails: ***bac_sec@tpb.gov.ph*** and/or ***janet_villafranca@tpb.gov.ph*** during the office hours from **9:30am – 6:30pm**
5. A complete set of Bidding Documents may be acquired by interested Bidders on **17 March – 11 April 2023** by sending your request to ***bac_sec@tpb.gov.ph*** and/or ***janet_villafranca@tpb.gov.ph*** or **by downloading through the PhilGEPS and TPB website** and upon payment of the applicable fee for the Bidding Documents, pursuant to the latest Guidelines issued by the GPPB, in the amount of **Ten Thousand Pesos Only (PhP10,000.00)**.

Payment can be made through the TPB Landbank Account or the TPB Cashier. Please email the BAC Secretariat a copy of the **bank transmittal slips or the official receipt** on or before the deadline for the submission of bids.

Bank Details:
Land Bank of the Philippines Sheraton Century Park Branch Tourism
Promotions Board A/C No. 1772-1034-13

The Procuring Entity allows the bidder to present its proof of payment for the fees ***through electronic means.***

6. The ***Tourism Promotions Board*** will hold a **Pre-Bid Conference** on **27 March 2023** at **9:30 AM** through video conferencing or webcasting *via Zoom Virtual Platform*, which shall be open to prospective bidders.

Interested bidders may obtain the **Zoom** link of the **Pre-Bid Conference** from the **BAC Secretariat** through emails: ***bac_sec@tpb.gov.ph*** and/or ***janet_villafranca@tpb.gov.ph.***

7. Bids must be duly received by the BAC Secretariat through ***manual submission*** at the office address indicated below, on or before **11 April 2023 at 9:30 AM**. Late bids shall not be accepted.

**Procurement and General Services Division
Tourism Promotions Board
4/F, Legaspi Towers 300, Roxas Boulevard, Manila**

Each prospective bidder shall submit **one (1) original** and **three (3) copies** of its **Technical** and **Financial** documents.

The **Main Envelope** shall be labelled as follows:

Technical and Financial Documents
<Title of the Project>
<Company Name>
<Date of the Deadline of Submission>

The **Main Envelope** shall contain **two (2) envelopes**, each envelope shall be labeled as follows:

TECHNICAL DOCUMENTS
<Title of the Project>
<Company Name>
< Deadline of Submission>

FINANCIAL DOCUMENTS
<Title of the Project>
<Company Name>
<Deadline of Submission>

The **Technical Envelope** shall contain **four (4) Envelopes** labeled as follows:

ORIGINAL

Technical Documents

<Title of the Project>

<Company Name>

<Deadline of Submission>

COPY 1

Technical Documents

<Title of the Project>

<Company Name>

<Deadline of Submission>

COPY 2

Technical Documents

<Title of the Project>

<Company Name>

<Deadline of Submission>

COPY 3

Technical Documents

<Title of the Project>

<Company Name>

<Deadline of Submission>

The **Technical Envelope** shall contain the following technical documents, **labeled/separated with tabs** as follows:

1. PhilGEPS Platinum Certificate
2. Statement of Ongoing Gov't and Private Contracts
3. Statement of Bidder's SLCC
4. Bid Security
5. Conformity with the Technical Specifications
6. Omnibus Sworn Statement
7. Audited Financial Statement
8. Computation of the NFCC or Line of Credit
9. Joint Venture Agreements (if applicable)

The **Financial Envelope** shall contain **four (4) Envelopes** labeled as follows:

ORIGINAL

Financial Envelope

<Title of the Project>

<Company Name>

<Deadline of Submission>

COPY 1

Financial Envelope
<Title of the Project>
<Company Name>
<Deadline of Submission>

COPY 2

Financial Envelope
<Title of the Project>
<Company Name>
<Deadline of Submission>

COPY 3

Financial Envelope
<Title of the Project>
<Company Name>
<Deadline of Submission>

The **Financial Envelope** shall contain the following financial documents, **labeled/separated with tabs** for easy identification of documents as follows:

1. Financial Bid
2. Price Schedule
3. Other Documentary Requirements (if applicable)

See Annex A: Diagram of Sealing and Marking of Bid Envelopes

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 **11 April 2023 at 10:00 AM** at the given address below. Bids will be opened in the presence of the bidders' representatives who choose to attend the activity.

BAC Meeting Room
Tourism Promotions Board
4/F, Legaspi Towers 300, Roxas Boulevard, Manila

10. The Bidder with the Lowest Calculated Responsive Bid (LCRB) shall submit a copy of the **Technical and Financial Documents** in **pdf format** to email address ***bac_sec@tpb.gov.ph and/or janet_villafranca@tpb.gov.ph, upon request of the BAC Secretariat***
11. The **Tourism Promotions Board**, 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.

12. For further information, please refer to:

*Eloisa A. Romero / Janet G. Villafranca
BAC Secretariat, Tourism Promotions Board
4/F Floor Legaspi Towers 300, Roxas Boulevard, Manila
Tel. Nos. 8525-9318 loc. 273 / 8525-9318 loc. 270
Email: bac_sec@mis.tpb.gov.ph/bac_sec@tpb.gov.ph/janet_villafranca@tpb.gov.ph
Fax No. (02) 8526-5971*

13. You may visit the following websites:

For downloading of Bidding Documents: ***www.philgeps.gov.ph*** or ***www.tpb.gov.ph***

17 March 2023

***(Sgd.)
ATTY. GREGORY A. NUEGA
Vice Chairperson
Bids and Awards Committee***

Section II. Instructions to Bidders

Notes on the Instructions to Bidders

This Section on the Instruction to Bidders (ITB) provides the information necessary for bidders to prepare responsive bids, in accordance with the requirements of the Procuring Entity. It also provides information on bid submission, eligibility check, opening and evaluation of bids, post-qualification, and on the award of contract.

1. Scope of Bid

The Procuring Entity, ***Tourism Promotions Board*** wishes to receive Bids for the ***Service Provider to Manage the Launch of Bisita Be My Guest (BBMG) Promotional Campaign in Dubai, UAE*** with identification number ***TPB-ITB No. 2023-007***.

The Procurement Project (referred to herein as “Project”) is composed of ***One (1) Lot***, the details of which are described in **Section VII (Technical Specifications)**.

2. Funding Information

2.1. The GOP through the source of funding as indicated below for ***2023 Approved Corporate Operating Budget*** in the amount of ***Five Million Seven Hundred Thousand Pesos Only (PhP5,700,000.00)***.

2.2. The source of funding is GOCC and GFIs, the Corporate Operating Budget.

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 limited to those allowed under the rules may participate in this Project.

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:

For the procurement of Expendable Supplies: The Bidder must have completed a single contract that is similar to this Project, equivalent to **at least twenty-five percent (25%)** 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

The Procuring Entity has prescribed that: Subcontracting is not allowed.

8. Pre-Bid Conference

The Procuring Entity will hold a pre-bid conference for this Project on the specified date and time or through videoconferencing/webcasting 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 ***the last 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 the **BDS**.
- 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 the **BDS**.

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 Declaration 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 **08 August 2023**. 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 Bidders shall follow the sealing and marking of the Bid Envelopes as indicated in paragraph 7 of the **IB**.

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

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

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

The Procuring Entity's 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.

19.1. The Project shall be awarded as follows: One Project having several items that shall be awarded as one contract.

19.2. 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

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> <ul style="list-style-type: none"> a. provision of events management services, handling travel trade fairs b. completed for the last three (3) years prior to the deadline for the submission and receipt of bids.
7.1	<i>Not Applicable.</i>
12	The price of the Goods shall be quoted DDP in Dubai, UAE or the applicable International Commercial Terms (INCOTERMS) for this Project.
14.1	<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 than two percent (2%) of ABC, if bid security is in cash, cashier's/manager's check, bank draft/guarantee or irrevocable letter of credit; or b. The amount of not less than five percent (5%) of ABC if bid security is in Surety Bond.
19.3	<i>The project shall be awarded as one (1) contract.</i>
20.2	<i>Not Applicable.</i>
21.2	<i>None</i>

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 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 VII (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

5.1 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.

5.2 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>The delivery terms applicable to the Contract are DDP delivered to Dubai, UAE in accordance with INCOTERMS.”</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 Representative at the Project Site is <i>Edessa Joy Delegiro</i></p> <p>Incidental Services –</p> <p>The Supplier is required to provide all of the following services, including additional services, if any, specified in Section VI. Schedule of Requirements and Section VII. Technical Specifications.</p> <p>The Contract price for the Goods shall include the prices charged by the Supplier for incidental services and shall not exceed the prevailing rates charged to other parties by the Supplier for similar services.</p> <p>Spare Parts –</p> <p>Not Applicable</p>
	<p>Packaging –</p> <p>Not Applicable</p> <p>Transportation –</p> <p>Not Applicable</p>

	<p>Intellectual Property Rights –</p> <p>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.</p>														
2.2	<p>The terms of payment shall be as follows:</p> <table border="1" data-bbox="379 439 1353 913"> <thead> <tr> <th data-bbox="379 439 635 517"></th> <th data-bbox="635 439 1123 517">Particulars</th> <th data-bbox="1123 439 1353 517">Payment Scheme</th> </tr> </thead> <tbody> <tr> <td data-bbox="379 517 635 636">First Tranche</td> <td data-bbox="635 517 1123 636">Upon submission and approval of proposed menu, venue lay out and set-up, and list of performers.</td> <td data-bbox="1123 517 1353 636">15% of payment</td> </tr> <tr> <td data-bbox="379 636 635 754">Second Tranche</td> <td data-bbox="635 636 1123 754">Upon submission of proof of reservation of venue, list of invitees and cocktail menus</td> <td data-bbox="1123 636 1353 754">35% of payment</td> </tr> <tr> <td data-bbox="379 754 635 913">Third Tranche</td> <td data-bbox="635 754 1123 913">Upon completion of services as listed in the TOR and submission of complete documents and actual cost</td> <td data-bbox="1123 754 1353 913">50% of payment</td> </tr> </tbody> </table>				Particulars	Payment Scheme	First Tranche	Upon submission and approval of proposed menu, venue lay out and set-up, and list of performers.	15% of payment	Second Tranche	Upon submission of proof of reservation of venue, list of invitees and cocktail menus	35% of payment	Third Tranche	Upon completion of services as listed in the TOR and submission of complete documents and actual cost	50% of payment
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4	<p>The inspections and tests that will be conducted are: <i>Not Applicable</i></p>														

Section VI. 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	Launch of the Bisita Be my Guest (BBM) Promotional Campaign in Dubai, UAE	1 Lot	PhP5, 700,000.00	06 May 2023
<i>***nothing follows***</i>				

Section VII. Technical Specifications

Technical Specifications

Bidders must state here either “Comply” or “Not Comply” against each of the individual parameters of each Specification stating the corresponding performance parameter of the equipment offered. Statements of “Comply” or “Not Comply” must be supported by evidence in a Bidders Bid and cross-referenced to that evidence. Evidence shall be in the form of manufacturer’s un-amended sales literature, unconditional statements of specification and compliance issued by the manufacturer, samples, independent test data etc., as appropriate. A statement that is not supported by evidence or is subsequently found to be contradicted by the evidence presented will render the Bid under evaluation liable for rejection. A statement either in the Bidder’s statement of compliance or the supporting evidence that is found to be false either during Bid evaluation, post-qualification or the execution of the Contract may be regarded as fraudulent and render the Bidder or supplier liable for prosecution subject to the applicable laws and issuances.

Item	Specification	Statement of Compliance (Comply/Not Comply)
1.	<p>a. Venue Rental Sourcing and booking of appropriate venue for the launching of the BBMG program. Must be an indoor venue or any 3-4 Star Hotel in Dubai City Center that can accommodate 300 pax in one (1) seating to include provision for the stage, technical booth, holding area/s for Secretary / COO and Performers.</p>	
	<p>b. F&B Requirements</p> <ul style="list-style-type: none"> ▪ Heavy Cocktails with 20% provision for halal, gluten-free, etc. ▪ Filipino-inspired menu (Menu to be approved by TPB) ▪ Menu card per table ▪ Free-flowing coffee/ tea/ water/juice ▪ 2 VIP table with dedicated wait staff ▪ Manage permits and registrations required by the organizers. 	
	<p>c. Venue Set-up Organizing, designing, facilitating and set-up of the venue, cocktail area, and the elevated stage for the designated performers/entertainers, complete with the technical requirements (i.e. lighting, audio-visual equipment, sound system, PA system, microphones, dressing rooms for the entertainers, holding area for the Tourism Secretary with a separate dinner set-up preferably connecting, et. al.)</p>	

	<p>d. Program Requirements Manage and implement the BBMG Program for the invited personalities and the Philippine delegates.</p>	
	<p>e. Documentation Requirements The Event Organizer will hire a professional Photographer and Videographer to cover and document the BBMG Program wherein TPB will have full ownership on all the recorded materials (photographs and videos, Same-Day-Edit video).</p>	
	<p>f. Technical Requirements Provide the following equipment and coordinate with the technical team of the venue (to be announced later) for the set up and installation of all physical and technical requirements, if need be, to include, but not be limited to the following:</p> <ul style="list-style-type: none"> ▪ Stage with LED Panels as backdrop Stage size: 40' x 16'. Height is 4' (this is the ideal for a 300 attendees) Center LED 32'.10" x 11'.6" side LED panels 3'3" x 11'.6" Basic Audio-visual (speakers, microphones, etc.) and lighting system (Provision for colored PAR lights) ▪ Note: Microphones should be wireless (at least 3) and 1 set of lapel mic for the Tourism Secretary ▪ LED wall screen, backdrop, stage/set design (as needed) ▪ LED projector and screen (as needed) ▪ Stage and truss system (as needed) ▪ Presenter's technical requirements with hybrid component ▪ 4 screens on-stage to serve as teleprompter (1 for the timer; 2 for the speech; 1 for the presentation deck) ▪ Holding area for the Tourism Secretary (should be enclosed - well-lit lounge set-up to accommodate at least 6 persons - with free-flowing water, coffee, tea and snacks - pastries, cookies, nuts) ▪ Technical Booth ▪ All needed signages and/or Marquees ▪ Tables and/or Chairs for the audience 	

	<p>g. Production Requirements</p> <ul style="list-style-type: none"> ▪ Performers (2 singers, 6 dancers and production group) All performers must be a WCOPA (World Champions of Performing Arts) main Winner already ▪ Logistics Requirements <ul style="list-style-type: none"> ➤ Accommodations with breakfast with single/twin/triple-sharing arrangements for the duration of the project (preferably same hotel where the TPB delegation is billeted in Dubai) depending on how many performers and production group will be tapped ➤ International air tickets (rebookable, reroutable and refundable) ➤ Travel insurance for the duration of the performers and production group’s stay ➤ Professional fee or Allowance/per diem at USD75.00/person/day of all the performers and production group for the duration of the travel dates ➤ Extra baggage allowance, as needed ➤ Visa application, vans for inland transportation for the duration of the event in Dubai to include airport transfers) ➤ Facilitate all necessary permits needed for the performances to include talents’ work permits and rights to use music (Filipino Society of Composers, Authors and Publishers – FILSCAP); Dubai Tourism and Commerce Marketing Permit (DTCM); Entertainment Permits; etc. ➤ Administrative costs and other miscellaneous expenses ➤ Hotel/airport transfer (airport-hotel-venue-hotel-airport) in Manila, as need be ➤ RT-PCR/ Antigen test or other safety protocol, as needed 	
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	<p>h. Production of promotional banners for the program launch</p> <p>Pull up Banners Quantity : 12 pcs. (3 designs to be provided by TPB) Size : 2.75 feet x 6.5 feet Stock : Matte Fabric Banner Universal 150 gsm Color : Full color Finishing : Loose sheets</p> <p>Photowall Quantity : 5 pcs Size : 2m (H) x 3m (W) Stock : Matte Fabric Banner Universal 150 gsm Color : Full color Finishing : Loose sheets</p>	
	<p>i. Invitation to the Filipino community in coordination with UAE Market Representative and the Philippine Embassy in Abu Dhabi and Consulate Office in Dubai. At least 300 confirmed attendees.</p>	
	<p>j. Transportation Requirements Provision of transportation Services (2 vans) for the TPB Delegation on 03-08 May 2023 Must be at least 2018 model or newer with drive inclusive of gas and parking fee Transport to, from airport, hotel and official venue; and</p>	
	<p>k. Administrative Requirements Assistance on other related matters pertaining to the TPB's implementation of the BBMG Program that may not have been included in this document, but deemed necessary by either parties.</p>	

I. Provision of the following Key Personnel with minimum of 5 years relevant experience:

KEY PERSONNEL	REQUIREMENT/S
Stage Manager (SM)	Minimum of 5 years of experience as a Stage Manager, preferably in live production shows or stage performances
Technical Director	Minimum of 5 years of experience as a Technical Director, preferably in live production shows or stage performances
Script Writer	Minimum of 5 years of experience as a Program Script-writer, preferably in live production shows or stage performances
Production Manager (PM)	5 years as a Production Manager

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) **in accordance with Section 8.5.2 of the IRR;**

Technical Documents

- (b) 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**
- (c) 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**
- (d) 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**
- (e) Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or after-sales/parts, if applicable; **and**
- (f) 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

- (g) 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

- (h) 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.

II. FINANCIAL COMPONENT ENVELOPE

- (i) Original of duly signed and accomplished Financial Bid Form; **and**
- (j) Original of duly signed and accomplished Price Schedule(s).

Other documentary requirements under RA No. 9184 (as applicable)

- (k) *[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.
- (l) Certification from the DTI if the Bidder claims preference as a Domestic Bidder or Domestic Entity.

