



# **PHILIPPINE BIDDING DOCUMENTS**

(As Harmonized with Development Partners)

## **SERVICE PROVIDER OF CULTURAL ENTERTAINMENT PACKAGE PERFORMANCES**

**ITB No. 2023-022**

Government of the Republic of the Philippines

**Sixth Edition  
July 2020**

**Preface**

These Philippine Bidding Documents (PBDs) for the procurement of Goods through Competitive Bidding have been prepared by the Government of the Philippines for use by any branch, constitutional commission or office, agency, department, bureau, office, or instrumentality of the Government of the Philippines, National Government Agencies, including Government-Owned and/or Controlled Corporations, Government Financing Institutions, State Universities and Colleges, and Local Government Unit. The procedures and practices presented in this document have been developed through broad experience, and are for mandatory use in projects that are financed in whole or in part by the Government of the Philippines or any foreign government/foreign or international financing institution in accordance with the provisions of the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184.

The Bidding Documents shall clearly and adequately define, among others: (i) the objectives, scope, and expected outputs and/or results of the proposed contract or Framework Agreement, as the case may be; (ii) the eligibility requirements of Bidders; (iii) the expected contract or Framework Agreement duration, the estimated quantity in the case of procurement of goods, delivery schedule and/or time frame; and (iv) the obligations, duties, and/or functions of the winning bidder.

Care should be taken to check the relevance of the provisions of the PBDs against the requirements of the specific Goods to be procured. If duplication of a subject is inevitable in other sections of the document prepared by the Procuring Entity, care must be exercised to avoid contradictions between clauses dealing with the same matter.

Moreover, each section is prepared with notes intended only as information for the Procuring Entity or the person drafting the Bidding Documents. They shall not be included in the final documents. The following general directions should be observed when using the documents:

- a. All the documents listed in the Table of Contents are normally required for the procurement of Goods. However, they should be adapted as necessary to the circumstances of the particular Procurement Project.
- b. Specific details, such as the “*name of the Procuring Entity*” and “*address for bid submission*,” should be furnished in the Instructions to Bidders, Bid Data Sheet, and Special Conditions of Contract. The final documents should contain neither blank spaces nor options.
- c. This Preface and the footnotes or notes in italics included in the Invitation to Bid, Bid Data Sheet, General Conditions of Contract, Special Conditions of Contract, Schedule of Requirements, and Specifications are not part of the text of the final document, although they contain instructions that the Procuring Entity should strictly follow.
- d. The cover should be modified as required to identify the Bidding Documents as to the Procurement Project, Project Identification Number, and Procuring Entity, in addition to the date of issue.

- e. Modifications for specific Procurement Project details should be provided in the Special Conditions of Contract as amendments to the Conditions of Contract. For easy completion, whenever reference has to be made to specific clauses in the Bid Data Sheet or Special Conditions of Contract, these terms shall be printed in bold typeface on Sections I (Instructions to Bidders) and III (General Conditions of Contract), respectively.
- f. For guidelines on the use of Bidding Forms and the procurement of Foreign-Assisted Projects, these will be covered by a separate issuance of the Government Procurement Policy Board.

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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***

### **Notes on the Invitation to Bid**

The Invitation to Bid (IB) provides information that enables potential Bidders to decide whether to participate in the procurement at hand. The IB shall be posted in accordance with Section 21.2 of the 2016 revised IRR of RA No. 9184.

Apart from the essential items listed in the Bidding Documents, the IB should also indicate the following:

- a. The date of availability of the Bidding Documents, which shall be from the time the IB is first advertised/posted until the deadline for the submission and receipt of bids;
- b. The place where the Bidding Documents may be acquired or the website where it may be downloaded;
- c. The deadline for the submission and receipt of bids; and
- d. Any important bid evaluation criteria (*e.g.*, the application of a margin of preference in bid evaluation).

The IB should be incorporated in the Bidding Documents. The information contained in the IB must conform to the Bidding Documents and in particular to the relevant information in the Bid Data Sheet.



## Invitation to BID

### SERVICE PROVIDER OF CULTURAL ENTERTAINMENT PACKAGE PERFORMANCES

(TPB-ITB No. 2023-022)

1. The **Tourism Promotions Board (TPB)**, through the Corporate Budget FY 2023, intends to apply the sum of **One Million Nine Hundred Sixty Thousand Pesos (Php1,960,000.00)**, inclusive of all applicable taxes, being the ABC to payments under the contract for the **Service Provider of Cultural Entertainment Package Performances**.

Interested bidders may participate provided that the Technical and Financial Documents shall be completely submitted as prescribed in the bidding documents. Bids received in excess of the ABC shall be automatically rejected at bid opening.

2. The TPB now invites bids for the above Procurement Project. **Delivery of the Items/Services commence as per stated in Section IV, Schedule of Requirements of Bidding Document.** 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, contract should at least be **fifty percent (50%) of the ABC**. The description of an eligible bidder is contained in the Bidding Documents, particularly, in Section II (Instructions to Bidders).

**Attach the Certificate of Satisfactory Completion for Single Largest Completed Contract (SLCC).**

**For the statement of all ongoing government and private contracts, attach any of the following: the signed Notice of Award, Notice to Proceed, or Contract/Purchase Order.**

**Failure to submit the certificate of completion of the project or any proof thereof, including the supporting documents shall be a ground for disqualification of eligibility.**

**Please be informed that the Tourism Promotions Board is evaluating our suppliers' performance based on these criteria: Quality (40%), Cost (25%), Timeliness (25%), and Customer Service (10%);**

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 **TPB – Bids and Awards Committee Secretariat** and inspect the Bidding Documents at the address given below from 8:00 a.m. to 5:00 p.m. Monday to Friday excluding holidays.
5. A complete set of Bidding Documents may be acquired by interested Bidders on **June 30 to August 1, 2023 (9:30 a.m.)** from the given address and website(s) below *and upon payment of the applicable fee for the Bidding Documents, pursuant to the latest Guidelines issued by the GPPB.*

The cost of bidding documents shall correspond to the ABC range as indicated in the table below. This shall be the maximum amount of fee that procuring entities can set for the acquisition of bidding documents.

Approved Budget for the Contract	Maximum Cost of Bidding Documents (in Philippine Peso)
More than 1 Million up to 5 Million	5,000.00

Bidding Document Amount:  
PhP5,000.00 (excluding bank and other charges)

#### Mode of Payment of Bidding Document

- a) Fund/Bank Transfer:  
Tourism Promotions Board bank details:  
Account Name: Tourism Promotions Board  
Account Number: 1772-1034-13  
Bank: Land Bank of the Philippines  
Branch Address: Ground Floor Century Park Hotel  
Harrison Plaza, Adriatico St., Malate Manila  
Bidders who intend to pay the bidding documents via fund/bank transfer, facilitate the payment three (3) working days before the deadline of submission of bids in order for the TPB Cash Division to issue an Official Receipt and other relevant document
  - b) Cash Payment: Pay in cash at the TPB Office Cash Unit.
6. The TPB will hold a Pre-Bid Conference on **July 20, 2023, 2:00 p.m.** through video conferencing or webcasting via Zoom Link which shall be open to prospective bidders.  
**Meeting ID: 916 7283 7376      Passcode: 640893**
  7. Bids must be duly received by the BAC Secretariat through **manual submission** at the office address indicated below, on or before **August 1, 2023, 10:00 a.m.** Late bids shall not be accepted.
  8. All Bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in **ITB** Clause 14.

9. Bid opening (manual opening) shall be on **August 1, 2023, 2:00 p.m.** at the given address below. Bids will be opened in the presence of the bidders' representatives who choose to attend the activity.

TPB Office  
4<sup>th</sup> Floor Legaspi Towers 300 Roxas Boulevard  
Malate, Manila

10. The TPB reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract at any time prior to contract award in accordance with Sections 35.6 and 41 of the 2016 revised IRR of RA No. 9184, without thereby incurring any liability to the affected bidder or bidders.

11. For further information, please refer to:  
*Ms. Eloisa A. Romero / Mr. Socrates G. Torres*  
*BAC Secretariat, Administrative Department*  
***Tourism Promotions Board***  
*4th Floor Legaspi Towers 300, Roxas Boulevard, Manila*  
*Tel. Nos. 8 525-9318 loc. 261*  
*Email at [bac\\_sec@tpb.gov.ph](mailto:bac_sec@tpb.gov.ph), [soc\\_torres@tpb.gov.ph](mailto:soc_torres@tpb.gov.ph)*

*June 27, 2023*

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***Mr. Arnold T. Gonzales***  
*Chairperson*  
*Bids and Award 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 (TPB), wishes to receive Bids for the **Service Provider of Cultural Entertainment Package Performances** with identification number **TPB-ITB No. 2023-022**.

The Procurement Project (referred to herein as “Project”) is composed of **One 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 **FY 2023** in the amount of **One Million Nine Hundred Sixty Thousand Pesos (Php1,960,000.00)**.

2.2. The source of funding is:

**Corporate Operating Budget CY 2023.**

## 3. Bidding Requirements

The Bidding for the Project shall be governed by all the provisions of RA No. 9184 and its 2016 revised IRR, including its Generic Procurement Manuals and associated policies, rules and regulations as the primary source thereof, while the herein clauses shall serve as the secondary source thereof.

Any amendments made to the IRR and other GPPB issuances shall be applicable only to the ongoing posting, advertisement, or **IB** by the BAC through the issuance of a supplemental or bid bulletin.

The Bidder, by the act of submitting its Bid, shall be deemed to have verified and accepted the general requirements of this Project, including other factors that may affect the cost, duration and execution or implementation of the contract, project, or work and examine all instructions, forms, terms, and project requirements in the Bidding Documents.

## 4. Corrupt, Fraudulent, Collusive, and Coercive Practices

The Procuring Entity, as well as the Bidders and Suppliers, shall observe the highest standard of ethics during the procurement and execution of the contract. They or through an agent shall not engage in corrupt, fraudulent, collusive, coercive, and obstructive practices defined under Annex “I” of the 2016 revised IRR of RA No. 9184 or other integrity violations in competing for the Project.

## 5. Eligible Bidders

5.1. Only Bids of Bidders found to be legally, technically, and financially capable will be evaluated.

- 5.2. Foreign ownership exceeding those allowed under the rules may participate pursuant to:
- i. When a Treaty or International or Executive Agreement as provided in Section 4 of the RA No. 9184 and its 2016 revised IRR allow foreign bidders to participate;
  - ii. Citizens, corporations, or associations of a country, included in the list issued by the GPPB, the laws or regulations of which grant reciprocal rights or privileges to citizens, corporations, or associations of the Philippines;
  - iii. When the Goods sought to be procured are not available from local suppliers; or
  - iv. When there is a need to prevent situations that defeat competition or restrain trade.
- 5.3. Pursuant to Section 23.4.1.3 of the 2016 revised IRR of RA No.9184, the Bidder shall have an SLCC that is at least one (1) contract similar to the Project the value of which, adjusted to current prices using the PSA's CPI, must be at least equivalent to:
- a. For the procurement of Non-expendable Supplies and Services: The Bidder must have completed a single contract that is similar to this Project, equivalent to at least fifty percent (50%) of the ABC.
- 5.4. The Bidders shall comply with the eligibility criteria under Section 23.4.1 of the 2016 IRR of RA No. 9184.

## 6. Origin of Goods

There is no restriction on the origin of goods other than those prohibited by a decision of the UN Security Council taken under Chapter VII of the Charter of the UN, subject to Domestic Preference requirements under **ITB** Clause 18.

## 7. Subcontracts

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

The Procuring Entity has prescribed that:

- a. **Subcontracting is not allowed.**

- 7.2. *[If Procuring Entity has determined that subcontracting is allowed during the bidding, state:]* The Bidder must submit together with its Bid the documentary requirements of the subcontractor(s) complying with the eligibility criteria stated in **ITB** Clause 5 in accordance with Section 23.4 of the 2016 revised IRR of RA No. 9184 pursuant to Section 23.1 thereof.

- 7.3. *[If subcontracting is allowed during the contract implementation stage, state:]*  
The Supplier may identify its subcontractor during the contract implementation stage. Subcontractors identified during the bidding may be changed during the implementation of this Contract. Subcontractors must submit the documentary requirements under Section 23.1 of the 2016 revised IRR of RA No. 9184 and comply with the eligibility criteria specified in **ITB** Clause 5 to the implementing or end-user unit.
- 7.4. Subcontracting of any portion of the Project does not relieve the Supplier of any liability or obligation under the Contract. The Supplier will be responsible for the acts, defaults, and negligence of any subcontractor, its agents, servants, or workmen as fully as if these were the Supplier's own acts, defaults, or negligence, or those of its agents, servants, or workmen.

## **8. Pre-Bid Conference**

The Procuring Entity will hold a pre-bid conference for this Project on **July 20, 2023, 2:00 p.m. through video conferencing or webcasting via Zoom Link which shall be open to prospective bidders.**

**Meeting ID: 916 7283 7376      Passcode: 640893**

## **9. Clarification and Amendment of Bidding Documents**

Prospective bidders may request for clarification on and/or interpretation of any part of the Bidding Documents. Such requests must be in writing and received by the Procuring Entity, either at its given address or through electronic mail indicated in the **IB**, at least ten (10) calendar days before the deadline set for the submission and receipt of Bids.

## **10. Documents comprising the Bid: Eligibility and Technical Components**

- 10.1. The first envelope shall contain the eligibility and technical documents of the Bid as specified in **Section VIII (Checklist of Technical and Financial Documents)**.
- 10.2. The Bidder's SLCC as indicated in **ITB** Clause 5.3 should have been completed within **three (3) years** prior to the deadline for the submission and receipt of bids.
- 10.3. If the eligibility requirements or statements, the bids, and all other documents for submission to the BAC are in foreign language other than English, it must be accompanied by a translation in English, which shall be authenticated by the appropriate Philippine foreign service establishment, post, or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines. Similar to the required authentication above, for Contracting Parties to the Apostille Convention, only the translated documents shall be authenticated through an apostille pursuant to GPPB Resolution No. 13-2019 dated 23 May

2019. The English translation shall govern, for purposes of interpretation of the bid.

## 11. Documents comprising the Bid: Financial Component

- 11.1. The second bid envelope shall contain the financial documents for the Bid as specified in **Section VIII (Checklist of Technical and Financial Documents)**.
- 11.2. If the Bidder claims preference as a Domestic Bidder or Domestic Entity, a certification issued by DTI shall be provided by the Bidder in accordance with Section 43.1.3 of the 2016 revised IRR of RA No. 9184.
- 11.3. Any bid exceeding the ABC indicated in paragraph 1 of the **IB** shall not be accepted.
- 11.4. For Foreign-funded Procurement, a ceiling may be applied to bid prices provided the conditions are met under Section 31.2 of the 2016 revised IRR of RA No. 9184.
- 11.5. *[Include if Framework Agreement will be used:].*

## 12. Bid Prices

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



### 13. Bid and Payment Currencies

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

### 14. Bid Security

- 14.1. The Bidder shall submit a Bid Securing Declaration<sup>1</sup> 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, **120 days from the date of the opening of bids**. Any Bid not accompanied by an acceptable bid security shall be rejected by the Procuring Entity as non-responsive.

### 15. Sealing and Marking of Bids

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

The Procuring Entity may request additional hard copies and/or electronic copies of the Bid. However, failure of the Bidders to comply with the said request shall not be a ground for disqualification.

If the Procuring Entity allows the submission of bids through online submission or any other electronic means, the Bidder shall submit an electronic copy of its Bid, which must be digitally signed. An electronic copy that cannot be opened or is corrupted shall be considered non-responsive and, thus, automatically disqualified.

### 16. Deadline for Submission of Bids

- 16.1. The Bidders shall submit on the specified date and time and either at its physical address or through online submission as indicated in paragraph 7 of the **IB**.

### 17. Opening and Preliminary Examination of Bids

- 17.1. The BAC shall open the Bids in public at the time, on the date, and at the place specified in paragraph 9 of the **IB**. The Bidders' representatives who are present shall sign a register evidencing their attendance. In case videoconferencing,

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<sup>1</sup> In the case of Framework Agreement, the undertaking shall refer to entering into contract with the Procuring Entity and furnishing of the performance security or the performance securing declaration within ten (10) calendar days from receipt of Notice to Execute Framework Agreement.

webcasting or other similar technologies will be used, attendance of participants shall likewise be recorded by the BAC Secretariat.

In case the Bids cannot be opened as scheduled due to justifiable reasons, the rescheduling requirements under Section 29 of the 2016 revised IRR of RA No. 9184 shall prevail.

- 17.2. The preliminary examination of bids shall be governed by Section 30 of the 2016 revised IRR of RA No. 9184.

## **18. Domestic Preference**

- 18.1. The Procuring Entity will grant a margin of preference for the purpose of comparison of Bids in accordance with Section 43.1.2 of the 2016 revised IRR of RA No. 9184.

## **19. Detailed Evaluation and Comparison of Bids**

- 19.1. The Procuring BAC shall immediately conduct a detailed evaluation of all Bids rated “*passed*,” using non-discretionary pass/fail criteria. The BAC shall consider the conditions in the evaluation of Bids under Section 32.2 of the 2016 revised IRR of RA No. 9184.
- 19.2. If the Project allows partial bids, bidders may submit a proposal on any of the lots or items, and evaluation will be undertaken on a per lot or item basis, as the case maybe. In this case, the Bid Security as required by **ITB** Clause 15 shall be submitted for each lot or item separately.
- 19.3. The descriptions of the lots or items shall be indicated in **Section VII (Technical Specifications)**, although the ABCs of these lots or items are indicated in the **BDS** for purposes of the NFCC computation pursuant to Section 23.4.2.6 of the 2016 revised IRR of RA No. 9184. The NFCC must be sufficient for the total of the ABCs for all the lots or items participated in by the prospective Bidder.
- 19.4. The Project shall be awarded as follows:
- Option - One Project having several items that shall be awarded as one contract.**
- 19.5. Except for bidders submitting a committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation, all Bids must include the NFCC computation pursuant to Section 23.4.1.4 of the 2016 revised IRR of RA No. 9184, which must be sufficient for the total of the ABCs for all the lots or items participated in by the prospective Bidder. For bidders submitting the committed Line of Credit, it must be at least equal to ten percent (10%) of the ABCs for all the lots or items participated in by the prospective Bidder.

## **20. Post-Qualification**

- 20.1. *[Include if Framework Agreement will be used:]*
- 20.2. Within a non-extendible period of five (5) calendar days from receipt by the Bidder of the notice from the BAC that it submitted the Lowest Calculated Bid, the Bidder shall submit its latest income and business tax returns filed and paid through the BIR Electronic Filing and Payment System (eFPS) and other appropriate licenses and permits required by law and stated in the **BDS**.

## **21. Signing of the Contract**

- 21.1. The documents required in Section 37.2 of the 2016 revised IRR of RA No. 9184 shall form part of the Contract. Additional Contract documents are indicated in the **BDS**.

## ***Section III. Bid Data Sheet***

### **Notes on the Bid Data Sheet**

The Bid Data Sheet (BDS) consists of provisions that supplement, amend, or specify in detail, information, or requirements included in the ITB found in Section II, which are specific to each procurement.

This Section is intended to assist the Procuring Entity in providing the specific information in relation to corresponding clauses in the ITB and has to be prepared for each specific procurement.

The Procuring Entity should specify in the BDS information and requirements specific to the circumstances of the Procuring Entity, the processing of the procurement, and the bid evaluation criteria that will apply to the Bids. In preparing the BDS, the following aspects should be checked:

- a. Information that specifies and complements provisions of the ITB must be incorporated.
- b. Amendments and/or supplements, if any, to provisions of the ITB as necessitated by the circumstances of the specific procurement, must also be incorporated.

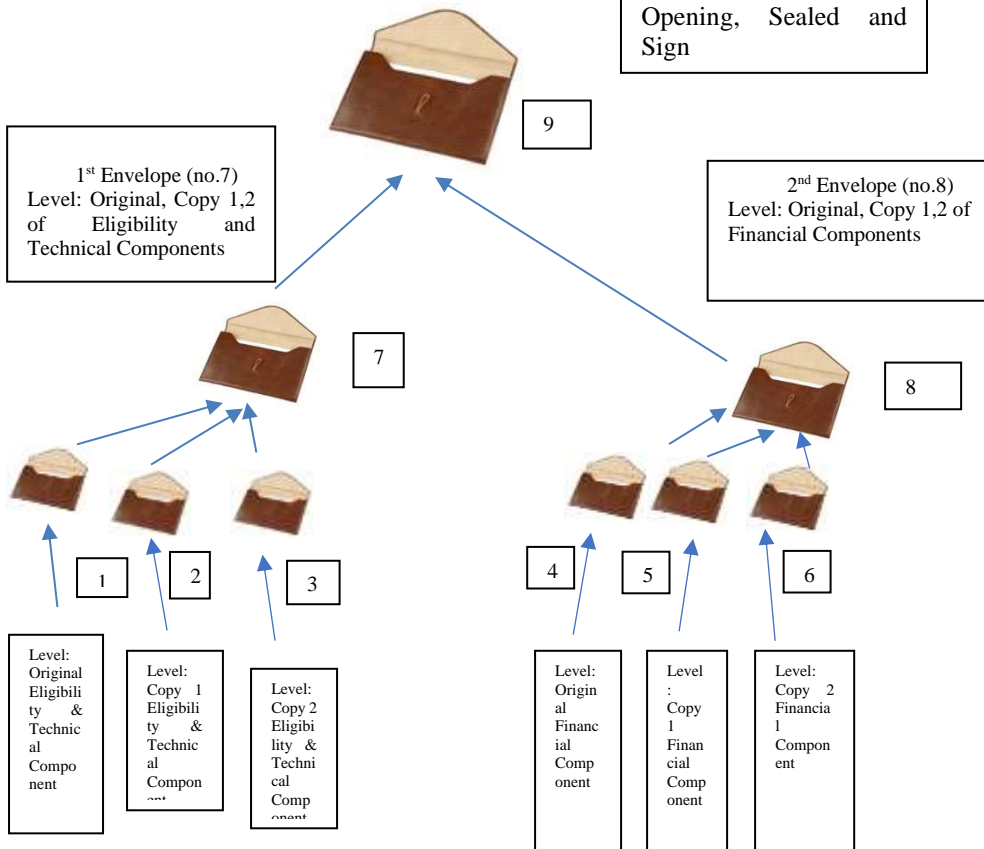
# Bid Data Sheet

ITB Clause	
5.3	For this purpose, contracts similar to the Project shall be: <b>Service Provider of Cultural Entertainment Package Performances</b>
7.1	<i>Subcontracting is not allowed.</i>
12	<i>The price of the Items/Goods shall be quoted DDP, TPB Office, 4<sup>th</sup> Floor Legaspi Towers 300 Roxas Boulevard Malate, Manila or the applicable International Commercial Terms (INCOTERMS) for this project.</i>
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"> <li>a. The amount of not less than <b>Php39,200.00</b> [amount equivalent to 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</li> <li>b. The amount of not less than <b>Php98,000.00</b> [amount equivalent to five percent (5%) of ABC] if bid security is in Surety Bond</li> </ul>
15	<p><b>Documents comprising the Bid: Eligibility and Technical Components</b></p> <p>The first envelope shall contain the eligibility and technical documents of the Bid as specified in <b>Bidding Document Section VIII (Checklist of Technical and Financial Documents)</b>.</p> <p>Include/Attached also the following:</p> <ul style="list-style-type: none"> <li>1) Attach the Certificate of Satisfactory Completion for Single Largest Completed Contract (SLCC) within the <b>three (3) years</b> from the date of submission and receipt of bids.</li> <li>2) For the statement of all ongoing government and private contract attached any of the following: <b>signed Notice of Award, Notice to Proceed, Contract/Purchase Order.</b></li> <li>3) Failure to submit the certificate of completion of the project or any proof thereof, including the supporting documents shall be a ground for disqualification of eligibility</li> <li>4) Submission of <b>PhilGEPS Platinum Certification and Membership</b> shall be observed in accordance with "GPPB Resolution No. 15-2021: Lifting the Suspension of the Mandatory Submission of PhilGEPS Platinum</li> </ul>

	<p>Certification and Membership in Competitive Bidding and Limited Source Bidding”</p> <p><b>Documents comprising the Bid: Financial Component</b></p> <p>The second bid envelope shall contain the financial documents for the Bid as specified in <b>Bidding Document Section VIII (Checklist of Technical and Financial Documents)</b>.</p> <p>Bidders shall submit their bids through their duly authorized representative using the appropriate forms before the deadline specified in the <b>ITB No. 2023-022</b> in two (2) separate sealed bid envelopes, and which shall be submitted simultaneously. The <b>first</b> shall contain the eligibility and technical component of the bid, including the eligibility requirements and the <b>second</b> shall contain the financial component of the bid. This shall also be observed for each lot in the case of lot procurement</p> <p>The Bidder shall prepare and submit an <b>original of the first and second envelopes</b>. In addition, the Bidder shall <b>submit 2 copies of the first and second envelopes</b>. In the event of any discrepancy between the original and the copies, the original shall prevail.</p>
15.1	<p>A complete set of Bidding Documents must/shall be submitted per Lot</p> <p>Envelope Illustration on the manners of submission.</p>

### Single Envelope for Submission (No. 9)

Single Envelope Level must have a Company Name, Project Name, Lot Number (for more than 1 lot), Date of Bid Opening, Sealed and Sign



### Legal and Technical Component

- 1) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages)
- 2) Statement of all its ongoing government and private contract **within three (3) years** including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid.
- 3) Statement of Single Largest Completed Contract (SLCC) similar to the contract to be bid within **three (3) years**, contract should be at least fifty percent (50%) of the ABC
- 4) Net Financial Contracting Capacity (NFCC), computation must be at least equal to ABC or a committed Line of Credit from a Universal or Commercial Bank
- 5) Audited Financial Statements, showing, among others, the supplier' total and current assets and liabilities, stamped "received" by the BIR or its duly accredited and authorized institutions, for the preceding calendar year which should not be earlier than two (2) years from the date of bid submission
- 6) Valid joint Venture Agreement, if applicable
- 7) Bid Security: Notarized Bid Securing Declaration or Cash or Cashier's/ Manager's check, 2% of the ABC or Surety Bond - 5% of the ABC
- 8) Conformity with Technical Specifications as enumerated and specified in Section VII of the Bidding Documents (Technical Specifications) duly signed by company representative.
- 9) Notarized Revised Omnibus Sworn Statement

and

	<b>Additional Technical Components: All Bid Supplement issue by TPB (if any) and Technical Documents as specified in the Technical Specifications</b>  Financial Component: <ol style="list-style-type: none"> <li>1) Accomplished Bid Form</li> <li>2) Accomplished Price Schedule</li> </ol>
519.3	<b>Service Provider of Cultural Entertainment Package Performances.</b>  <b>ABC: Php1,960,000.00</b>
20.2	<i>Not Applicable</i>
21.2	<i>Not Applicable</i>



## ***Section IV. General Conditions of Contract***

### **Notes on the General Conditions of Contract**

The General Conditions of Contract (GCC) in this Section, read in conjunction with the Special Conditions of Contract in Section V and other documents listed therein, should be a complete document expressing all the rights and obligations of the parties.

Matters governing performance of the Supplier, payments under the contract, or matters affecting the risks, rights, and obligations of the parties under the contract are included in the GCC and Special Conditions of Contract.

Any complementary information, which may be needed, shall be introduced only through the Special 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**.

*[Include the following clauses if Framework Agreement will be used:]*

2.3. For a single-year Framework Agreement, prices charged by the Supplier for Goods delivered and/or services performed under a Call-Off shall not vary from the prices quoted by the Supplier in its bid.

2.4. For multi-year Framework Agreement, prices charged by the Supplier for Goods delivered and/or services performed under a Call-Off shall not vary from the prices quoted by the Supplier during conduct of Mini-Competition.

## 3. Performance Security

Within ten (10) calendar days from receipt of the Notice of Award by the Bidder from the Procuring Entity but in no case later than prior to the signing of the Contract by both parties, the successful Bidder shall furnish the performance security in any of the forms prescribed in Section 39 of the 2016 revised IRR of RA No. 9184.*{[Include if Framework Agreement will be used:] In the case of Framework Agreement, the Bidder may opt to furnish the performance security or a Performance Securing Declaration as defined under the Guidelines on the Use of Framework Agreement.}*

#### **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 *{[Include if Framework Agreement will be used:] or Framework Agreement}* specifications at no extra cost to the Procuring Entity in accordance with the Generic Procurement Manual. In addition to tests in the **SCC, Section IV (Technical Specifications)** shall specify what inspections and/or tests the Procuring Entity requires, and where they are to be conducted. The Procuring Entity shall notify the Supplier in writing, in a timely manner, of the identity of any representatives retained for these purposes.

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

#### **5. Warranty**

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

#### **6. Liability of the Supplier**

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

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

## ***Section V. Special Conditions of Contract***

### **Notes on the Special Conditions of Contract**

Similar to the BDS, the clauses in this Section are intended to assist the Procuring Entity in providing contract-specific information in relation to corresponding clauses in the GCC found in Section IV.

The Special Conditions of Contract (SCC) complement the GCC, specifying contractual requirements linked to the special circumstances of the Procuring Entity, the Procuring Entity's country, the sector, and the Goods purchased. In preparing this Section, the following aspects should be checked:

- a. Information that complements provisions of the GCC must be incorporated.
- b. Amendments and/or supplements to provisions of the GCC as necessitated by the circumstances of the specific purchase, must also be incorporated.

However, no special condition which defeats or negates the general intent and purpose of the provisions of the GCC should be incorporated herein.

## Special Conditions of Contract

GCC Clause									
1	Delivery of the Items/Services shall be made by the Supplier in accordance with the terms specified in Section VI (Schedule of Requirements).								
2.2	<p><b>TERMS OF PAYMENT</b></p> <p>The TPB will be <u>billed</u> based on actual number of performances conducted only, and within the contracted amount.</p> <p>The terms of payment shall be on a send-bill arrangement with the TPB. Upon satisfactory completion of each milestone/deliverable, the contracted amount is payable in tranches, within 30 days from TPB's receipt of the billing statement and submission of the below mentioned milestone or deliverables.</p> <table border="1" data-bbox="359 801 1348 1131"> <thead> <tr> <th>AMOUNT</th><th>MILESTONE/DELIVERABLES</th></tr> </thead> <tbody> <tr> <td>30% of Contract Price</td><td>After 5th performance shall submit proof of implemented performances such as photos and videos</td></tr> <tr> <td>30% of Contract Price</td><td>After 10<sup>th</sup> performance shall submit proof of implemented performances such as photos and videos</td></tr> <tr> <td>40% of Contract Price</td><td>After the last performance shall submit proof of implemented performances such as photos and videos</td></tr> </tbody> </table> <p>Preferably, the supplier must have a Land Bank of the Philippine (LBP) account. Payment will be deposited to the supplier's LBP account. In case the supplier does not have an LBP account, bank charges will be shouldered by the supplier.</p>	AMOUNT	MILESTONE/DELIVERABLES	30% of Contract Price	After 5th performance shall submit proof of implemented performances such as photos and videos	30% of Contract Price	After 10 <sup>th</sup> performance shall submit proof of implemented performances such as photos and videos	40% of Contract Price	After the last performance shall submit proof of implemented performances such as photos and videos
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4	The inspections and tests that will be conducted shall be in accordance with Section VII. Technical Specifications.								

## ***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.

<b>Item Number</b>	<b>Description</b>	<b>Quantity</b>	<b>Total</b>	<b>Delivered, Weeks/Months</b>
1	Assignment of performances shall commence upon receipt of the Notice to Proceed (NTP) by the supplier			One (1) day after the issuance of Notice To Proceed

## ***Section VII. Technical Specifications***

### **Notes for Preparing the Technical Specifications**

A set of precise and clear specifications is a prerequisite for Bidders to respond realistically and competitively to the requirements of the Procuring Entity without qualifying their Bids. In the context of Competitive Bidding, the specifications (*e.g.* production/delivery schedule, manpower requirements, and after-sales service/parts, descriptions of the lots or items) must be prepared to permit the widest possible competition and, at the same time, present a clear statement of the required standards of workmanship, materials, and performance of the goods and services to be procured. Only if this is done will the objectives of transparency, equity, efficiency, fairness, and economy in procurement be realized, responsiveness of bids be ensured, and the subsequent task of bid evaluation and post-qualification facilitated. The specifications should require that all items, materials and accessories to be included or incorporated in the goods be new, unused, and of the most recent or current models, and that they include or incorporate all recent improvements in design and materials unless otherwise provided in the Contract.

Samples of specifications from previous similar procurements are useful in this respect. The use of metric units is encouraged. Depending on the complexity of the goods and the repetitiveness of the type of procurement, it may be advantageous to standardize the General Technical Specifications and incorporate them in a separate subsection. The General Technical Specifications should cover all classes of workmanship, materials, and equipment commonly involved in manufacturing similar goods. Deletions or addenda should then adapt the General Technical Specifications to the particular procurement.

Care must be taken in drafting specifications to ensure that they are not restrictive. In the specification of standards for equipment, materials, and workmanship, recognized Philippine and international standards should be used as much as possible. Where other particular standards are used, whether national standards or other standards, the specifications should state that equipment, materials, and workmanship that meet other authoritative standards, and which ensure at least a substantially equal quality than the standards mentioned, will also be acceptable. The following clause may be inserted in the Special Conditions of Contract or the Technical Specifications.

#### **Sample Clause: Equivalency of Standards and Codes**

Wherever reference is made in the Technical Specifications to specific standards and codes to be met by the goods and materials to be furnished or tested, the provisions of the latest edition or revision of the relevant standards and codes shall apply, unless otherwise expressly stated in the Contract. Where such standards and codes are national or relate to a particular country or region, other authoritative standards that ensure substantial equivalence to the standards and codes specified will be acceptable.

Reference to brand name and catalogue number should be avoided as far as possible; where unavoidable they should always be followed by the words “*or at least equivalent.*” References to brand names cannot be used when the funding source is the GOP.

Where appropriate, drawings, including site plans as required, may be furnished by the Procuring Entity with the Bidding Documents. Similarly, the Supplier may be requested to provide drawings or samples either with its Bid or for prior review by the Procuring Entity during contract execution.

Bidders are also required, as part of the technical specifications, to complete their statement of compliance demonstrating how the items comply with the specification.



# Technical Specifications

## SERVICE PROVIDER OF CULTURAL ENTERTAINMENT PACKAGE PERFORMANCES (ITB No. 2023-022)

[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
1	<p><b>A. Specifications</b></p> <ol style="list-style-type: none"><li>1. Date/time of Performance The TPB will notify the supplier via electronic mail the schedule of performances at least two (2) weeks prior to the show dates.</li><li>2. Venue Performances will be held at the designated venue within the Philippines, i.e. in Luzon, Visayas and/or Mindanao</li><li>3. Audience The audience ranges from 75 – 1,500 foreign and local delegates, more or less</li><li>4. Duration of Performance Depending on the event requirement, duration of performance can be from 8-minute to maximum of <u>30-minute</u> show</li></ol>	

2	<p><b>B. Scope of Services</b></p> <ol style="list-style-type: none"> <li>1. The Supplier must be able to provide a total of eighteen (18) cultural shows</li> </ol> <p>Indicative number of performances: nine (9) in Metro Manila and nine (9) out of Metro Manila</p> <ol style="list-style-type: none"> <li>2. The Supplier must be able to conceptualize a simple to grand production number that will require minimum to several number of talents and performers.</li> <li>3. The Supplier must be able to provide show/presentation that will depict the best of the Philippines in music, songs, and dances, both traditional/cultural and contemporary genres in a fresh, dynamic, and unique approach, and fit for an international audience. <ul style="list-style-type: none"> <li>▪ The show should feature the best of Philippine cultures from Luzon, Visayas and Mindanao, highlighting inclusivity and sustainability</li> <li>▪ The show/presentation, should have a lively music and dance numbers to draw the crowd's attention</li> <li>▪ The supplier must be flexible in dividing the show/presentation into sets as deemed fit in the program.</li> </ul> </li> <li>4. The Supplier must be able to provide highly skilled and appropriate Filipino talents/performers.</li> </ol> <p>For <u>15-30-minute</u> show of songs and dances, the ensemble must have minimum number of performers of 18 pax, composed of male and female singers, 4-man rondalla, 14 dancers, excluding the production assistants.</p> <ol style="list-style-type: none"> <li>5. The Supplier shall provide at its own expense the costumes and props</li> </ol>	
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	<p>necessary for the performances.</p> <ol style="list-style-type: none"> <li>6. The Supplier shall arrange and shoulder the logistical expenses of the director, performers, and production assistants, such as professional fees, travel arrangements including land transportation, airfare, accommodation, meals and other miscellaneous expenses, as needed.</li> <li>7. Upon TPB's endorsement, the Supplier shall coordinate directly with the event organizer's contact person with regards to the venue and other technical requirements such as lights and sounds, audiovisual requirements, staging, program, dry run, and other elements of the show prior to the day of performance.</li> <li>8. The supplier must submit a scenario detailing the full entertainment plan including the performers for each of the show that will be assigned, subject to TPB's approval. The supplier must be able to adjust to on-site deviations for better show/presentation.</li> <li>9. The supplier must be able to deliver the goods or perform the services procured under the contract satisfactorily. Unacceptable delivery of goods or performance of services shall rescind the contract, subject to the Guidelines on Termination of Contracts enumerated in Annex "A" of Republic Act No. 9184 or the Government Procurement Reform Act.</li> </ol>	
3	<p><b>C. Other Requirements for Submission</b></p> <p>The supplier must submit the following together with the quotation/proposal:</p> <ol style="list-style-type: none"> <li>1. List of local and international events/performances in the past three (3) years</li> <li>2. List of government projects/events handled, at least two (2) projects in the past three (3)</li> </ol>	

	<div>years</div> <div>3. Sample videos of past performances of the following:<div>a. Eight – Ten (8-10) minute show</div><div>b. Fifteen – Twenty (15-20) minute show</div><div>c. Thirty (30) minute show</div></div>																	
4	<div><div><b>Bid Price</b></div><div>The bid price that the Supplier will submit must be broken down as follows:</div><table><tr><th>Show Categories</th><th>Show Duration</th><th>Cost for Performances in Manila</th><th>Cost of Performances Outside Manila</th></tr><tr><td></td><td>a. Eight – Ten (8-10) minute show</td><td></td><td></td></tr><tr><td></td><td>b. Fifteen – Twenty (15-20) minute show</td><td></td><td></td></tr><tr><td></td><td>c. Thirty (30) minute show</td><td></td><td></td></tr></table></div>	Show Categories	Show Duration	Cost for Performances in Manila	Cost of Performances Outside Manila		a. Eight – Ten (8-10) minute show				b. Fifteen – Twenty (15-20) minute show				c. Thirty (30) minute show			
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5	<div><div><b>BIDDER'S QUALIFICATIONS</b></div><div>The supplier must:<div>1. Be Filipino-owned, operating and legally registered events management company or performing group/production company under Philippine laws;</div><div>2. Have a minimum three (3) year-experience in organizing medium-scale events and performances of dances ranging from traditional, cultural, classic, folk, ballroom, to modern and contemporary genres, featuring Filipino artists and talents;</div><div>3. Have a wide network of talented contacts, i.e. various performers of music, songs, and dances; and can deliver simultaneous performances in multiple venues</div><div>4. Have expertise in the conceptualization and in the direction of performances in various Philippine cultural dances;</div></div></div>																	

6	<p><b>PROJECT IMPLEMENTATION SCHEDULE/SCHEDULE OF REQUIREMENTS</b></p> <p>Assignment of performances shall commence upon receipt of the Notice to Proceed (NTP) by the supplier.</p>									
7	<p><b>APPROVED BUDGET FOR THE CONTRACT (ABC)</b></p> <p>The approved budget for the contract is <b>One Million Nine Hundred Sixty Thousand Pesos (PhP1,960,000.00)</b> only inclusive of all applicable taxes.</p> <p>Total performances should be at a minimum of 18 shows with total cost of the shows not exceeding the contract price with the supplier</p>									
8	<p><b>TERMS OF PAYMENT</b></p> <p>The TPB will be <u>billed</u> based on actual number of performances conducted only, and within the contracted amount.</p> <p>The terms of payment shall be on a send-bill arrangement with the TPB. Upon satisfactory completion of each milestone/deliverable, the contracted amount is payable in tranches, within 30 days from TPB’s receipt of the billing statement and submission of the below mentioned milestone or deliverables.</p> <table><tr><th>AMOUNT</th><th>MILESTONE/DELIVERABLES</th></tr><tr><td>30% of Contract Price</td><td>After 5th performance shall submit proof of implemented performances such as photos and videos</td></tr><tr><td>30% of Contract Price</td><td>After 10<sup>th</sup> performance shall submit proof of implemented performances such as photos and videos</td></tr><tr><td>40% of Contract Price</td><td>After the last performance shall submit proof of implemented performances such as photos and videos</td></tr></table> <p>Preferably, the supplier must have a Land Bank of the Philippine (LBP) account. Payment will be deposited to the supplier’s LBP account. In case the supplier does not have an LBP account, bank charges will be shouldered by the supplier.</p>	AMOUNT	MILESTONE/DELIVERABLES	30% of Contract Price	After 5th performance shall submit proof of implemented performances such as photos and videos	30% of Contract Price	After 10 <sup>th</sup> performance shall submit proof of implemented performances such as photos and videos	40% of Contract Price	After the last performance shall submit proof of implemented performances such as photos and videos	
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	<p>1) Attach the Certificate of Satisfactory Completion for Single Largest Completed Contract within the <b>last three (3) years</b> from the date of submission and receipt of bids.</p> <p>2) For the statement of all ongoing government and private contract attached any of the following: signed Notice of Award, Notice to Proceed, Contract/Purchase Order.</p> <p>3) Failure to submit the certificate of completion of the project or any proof thereof, including the supporting documents shall be a ground for disqualification of eligibility</p> <p>4) Submission of PhilGEPS Platinum Certification and Membership shall be observed in accordance with “GPPB Resolution No. 15-2021: Lifting the Suspension of the Mandatory Submission of PhilGEPS Platinum Certification and Membership in Competitive Bidding and Limited Source Bidding”</p>	
9	<p>Submit also the following:</p> <p>(a) Registration certificate from Securities and Exchange Commission (SEC), or Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives or its equivalent document,</p> <p>If SEC – submit the updated General Information Sheet (GIS) / and Notarized Secretary’s Certificate</p> <p>The Authorized and Designated Representative in the OSS is the same person/name indicated/stated in the Secretary’s Certificate to enter into, transact, deal and bid for Service Provider of Cultural Entertainment Package Performances</p> <p>And</p> <p>(b) Mayor’s or Business permit issued by the city or municipality where the principal place of business of the prospective bidder is located, or the equivalent document for Exclusive Economic Zones or Areas;</p> <p>And</p> <p>(c) Tax clearance per E.O. No. 398, s. 2005, as finally reviewed and approved by the Bureau of Internal Revenue (BIR).</p>	
10	Bid Bulletin / Bid Supplement:	

	Any Bid Bulletin or Bid Supplement issued by the TPB, the bidder must include the said bid bulletin / bid supplement to his/her bid proposal submission with signed <b>conforme or comply</b>	
11	The Tourism Promotions Board is evaluating the suppliers' performance based on these criteria: Quality (40%), Cost (25%), Timeliness (25%), and Customer Service (10%)	
12	<p><b>CONTRACT DURATION</b></p> <p><b>All performances must be delivered within the fiscal year 2023.</b></p> <p>The effectivity of the Contract shall commence upon receipt by the bidder of the Notice y To Proceed which will not be later than five (5) calendar days upon each issuance until the completion of the deliverable / services.</p>	

I hereby certify to comply and deliver all of the above requirements.

\_\_\_\_\_  
Name of Company

\_\_\_\_\_  
Signature over Printed Name  
of the authorized representative

\_\_\_\_\_  
Date

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

### **Notes on the Checklist of Technical and Financial Documents**

The prescribed documents in the checklist are mandatory to be submitted in the Bid, but shall be subject to the following:

- a. GPPB Resolution No. 09-2020 on the efficient procurement measures during a State of Calamity or other similar issuances that shall allow the use of alternate documents in lieu of the mandated requirements; or
- b. Any subsequent GPPB issuances adjusting the documentary requirements after the effectivity of the adoption of the PBDs.

The BAC shall be checking the submitted documents of each Bidder against this checklist to ascertain if they are all present, using a non-discretionary “pass/fail” criterion pursuant to Section 30 of the 2016 revised IRR of RA No. 9184.



# Checklist of Technical and Financial Documents

## I. TECHNICAL COMPONENT ENVELOPE

### *Class “A” Documents*

#### Legal Documents

- ☐ (a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages);  
**Or**
- ☐ (b) Registration certificate from Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives or its equivalent document,  
**And**
- ☐ (c) Mayor’s or Business permit issued by the city or municipality where the principal place of business of the prospective bidder is located, or the equivalent document for Exclusive Economic Zones or Areas;  
**And**
- ☐ (d) Tax clearance per E.O. No. 398, s. 2005, as finally reviewed and approved by the Bureau of Internal Revenue (BIR).

#### Technical Documents

- ☐ (f) Statement of the prospective bidder of all its ongoing government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid; **and**
- ☐ (g) Statement of the bidder’s Single Largest Completed Contract (SLCC) similar to the contract to be bid, except under conditions provided for in Sections 23.4.1.3 and 23.4.2.4 of the 2016 revised IRR of RA No. 9184, within the relevant period as provided in the Bidding Documents; **and**
- ☐ (h) Original copy of Bid Security. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission;  
**or**  
Original copy of Notarized Bid Securing Declaration; **and**
- ☐ (i) Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or after-sales/parts, if applicable; **and**
- ☐ (j) Original duly signed Omnibus Sworn Statement (OSS);  
**and** if applicable, Original Notarized Secretary’s Certificate in case of a corporation, partnership, or cooperative; or Original Special Power of Attorney of all members of the joint venture giving full power and authority to its officer to sign the OSS and do acts to represent the Bidder.

#### Financial Documents

- ☐ (k) The Supplier’s audited financial statements, showing, among others, the Supplier’s total and current assets and liabilities, stamped “received” by the BIR or its duly accredited and authorized institutions, for the preceding calendar year which should not be earlier than two (2) years from the date of bid submission; **and**
- ☐ (l) The prospective bidder’s computation of Net Financial Contracting Capacity (NFCC);

**or**

A committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation.

***Class “B” Documents***

- ☐ (m) If applicable, a duly signed joint venture agreement (JVA) in case the joint venture is already in existence;

**or**

duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful.

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

- ☐ (n) *[For foreign bidders claiming by reason of their country's extension of reciprocal rights to Filipinos]* Certification from the relevant government office of their country stating that Filipinos are allowed to participate in government procurement activities for the same item or product.
- ☐ (o) Certification from the DTI if the Bidder claims preference as a Domestic Bidder or Domestic Entity.

**25 FINANCIAL COMPONENT ENVELOPE**

- ☐ (a) Original of duly signed and accomplished Financial Bid Form; **and**
- ☐ (b) Original of duly signed and accomplished Price Schedule(s).

**Name of the Procuring Entity : Tourism Promotions Board**

Project : Service Provider of Cultural Entertainment Package Performances (TPB-ITB No. 2023-022)

Location of the Project :

List of all ONGOING Government & Private Contracts within the last 3 years from the date of submission and receipt of bids including contracts awarded but not yet started, if any, weather similar or not similar in nature and complexity to the contract to be bid

Business Name : \_\_\_\_\_

Business Address : \_\_\_\_\_

Name of Contract/ Project Cost	a. Owner's Name b. Address c. Telephone Nos.	Nature of Work	Bidder's Role		a. Date Awarded b. Date Started c. Date of Completion	% of Accomplishment		Value of Outstanding Works / Undelivered Portion
			Description	%		Planned	Actual	
<b><u>Government</u></b>								
<b><u>Private</u></b>								
Total Cost								

Note: This statement shall be supported with:

1. Notice of Award and/or Contract
2. Notice to Proceed

Submitted by : \_\_\_\_\_

(Printed Name &amp; Signature)

Designation : \_\_\_\_\_

Date : \_\_\_\_\_

**Name of the Procuring Entity : Tourism Promotions Board**

**Project : Service Provider of Cultural Entertainment Package Performances (ITB No. 2023-022)**

**Location of the Project :**

Single Largest Completed Contract (SLCC) similar to the Contract to be bid within the last 3 years from the date of submission and receipt of bids contract should be at least be fifty percent (50%) of the ABC

Business Name : \_\_\_\_\_

Business Address : \_\_\_\_\_

Name of Contract	a. Owner's Name b. Owner's Name Address c. Telephone Nos.	Nature of Work	Bidder's Role		a. Amount of Award b. Amount at Completion c. Duration	a. Date Awarded b. Contract Effectivity c. Date Completed
			Description	%		
Government						
Private						

Note: This Statement shall be supported with

1. Contract
2. Certificate with completion

Submitted by:

*Name of Representative of Bidder:* \_\_\_\_\_

*Position* : \_\_\_\_\_

*Date* : \_\_\_\_\_

**Name of the Procuring Entity : Tourism Promotions Board**

**Project :** Service Provider of Cultural Entertainment Package Performances (ITB No. 2023-022)

**Location of the Project :**

Statement of all Government & Private Contracts **COMPLETED** which are similar in nature within the last 3 years from the date of submission and receipt of bids

Business Name : \_\_\_\_\_

Business Address : \_\_\_\_\_

Name of Contract	a. Owner's Name b. Owner's Name Address c. Telephone Nos.	Nature of Work	Bidder's Role		a. Amount of Award b. Amount at Completion c. Duration	a. Date Awarded b. Contract Effectivity c. Date Completed
			Description	%		
Government						
Private						

Note: This Statement shall be supported with

1. Contract
2. Certificate with completion

Submitted by:

Name of Representative of Bidder: \_\_\_\_\_

Position : \_\_\_\_\_

Date : \_\_\_\_\_

