



# **PHILIPPINE BIDDING DOCUMENTS**

## **PROCUREMENT OF GOODS**

Government of the Republic of the Philippines

### **INVITATION TO BID FOR THE SUPPLY AND DELIVERY OF ONE (1) YEAR SUBSCRIPTION TO A TOURISM MARKET RESEARCH DATABASE**

**TPB ITB 2023-035**

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.

## Table of Contents

<b>Glossary of Acronyms, Terms, and Abbreviations .....</b>	<b>5</b>
<b>Section I. Invitation to Bid .....</b>	<b>8</b>
<b>Section II. Instructions to Bidders.....</b>	<b>15</b>
1. Scope of Bid .....	16
2. Funding Information.....	16
3. Bidding Requirements .....	16
4. Corrupt, Fraudulent, Collusive, and Coercive Practices .....	16
5. Eligible Bidders.....	16
6. Origin of Goods .....	17
7. Subcontracts .....	17
8. Pre-Bid Conference .....	17
9. Clarification and Amendment of Bidding Documents .....	17
10. Documents comprising the Bid: Eligibility and Technical Components .....	18
11. Documents comprising the Bid: Financial Component .....	18
12. Bid Prices .....	18
13. Bid and Payment Currencies .....	19
14. Bid Security .....	19
15. Sealing and Marking of Bids .....	20
16. Deadline for Submission of Bids .....	20
17. Opening and Preliminary Examination of Bids .....	20
18. Domestic Preference .....	20
19. Detailed Evaluation and Comparison of Bids .....	20
20. Post-Qualification .....	21
21. Signing of the Contract .....	21
<b>Section III. Bid Data Sheet .....</b>	<b>22</b>
<b>Section IV. General Conditions of Contract.....</b>	<b>24</b>
1. Scope of Contract .....	25
2. Advance Payment and Terms of Payment .....	25
3. Performance Security .....	25
4. Inspection and Tests .....	25
5. Warranty .....	26
6. Liability of the Supplier .....	26
<b>Section V. Special Conditions of Contract.....</b>	<b>27</b>
<b>Section VI. Schedule of Requirements.....</b>	<b>29</b>
<b>Section VII. Technical Specifications.....</b>	<b>30</b>
<b>Section VIII. Checklist of Technical and Financial Documents .....</b>	<b>36</b>

# ***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. 2023-035**

**SUPPLY AND DELIVERY OF ONE (1) YEAR SUBSCRIPTION TO A TOURISM  
MARKET RESEARCH DATABASE**

1. The ***Tourism Promotions Board***, through the ***2023 Corporate Operating Budget*** intends to apply the sum of ***Six Million Five Hundred Thousand Pesos Only (PhP6,500,000.00)***, inclusive of all applicable taxes being the Approved Budget for the Contract (ABC) to payments under the contract for ***Supply and Delivery of One (1) Year Subscription to a Tourism Market Research Database***

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 ***Tourism Promotions Board*** now invites bids for the above Procurement Project. Delivery of the Goods/Subscription is for ***one (1) year from the receipt of the Notice to Proceed but not earlier than 05 November 2023.***

Bidders should have completed ***at least twenty (20) years for Market Research Provider/five (5) years for Reseller or Distributor*** 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-Bids and Awards Committee Secretariat*** and inspect the Bidding Documents at the address given below during office hours from ***08:00 AM to 05:00 PM from Monday – Friday (or during the weekdays).***
5. A complete set of Bidding Documents may be acquired by interested Bidders on ***04 – 29 August 2023 1:30 PM*** by sending your request to ***bac\_sec@tpb.gov.ph*** and/or ***soleil.fajardo@tpb.gov.ph*** or by downloading it 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.

The cost of the 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	Cost of Bidding Documents (in Philippine Peso)
More than 5 million up to 10 million	10,000.00

**NOTE: the maximum fee for the Bidding Documents for each lot shall be based on its ABC, in accordance with the Guidelines issued by the GPPB; provided that the total fees for the Bidding Documents of all lots shall not exceed the maximum fee prescribed in the Guidelines for the sum of the ABC of all lots.**

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:**

Bank: Land Bank of the Philippines

Account Name: Tourism Promotions Board

Account Number: 1772-1034-13

Bank 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.

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

**Cash Payment:** Pay in cash at the TPB Office Cash Unit

6. The ***Tourism Promotions Board*** will hold a Pre-Bidding Conference on ***14 August 2023 at 10:00 AM*** through video conferencing or webcasting ***via Zoom platform***, which shall be open to prospective bidders.

**Meeting ID: 946 9274 9013**

**Passcode: 919782**

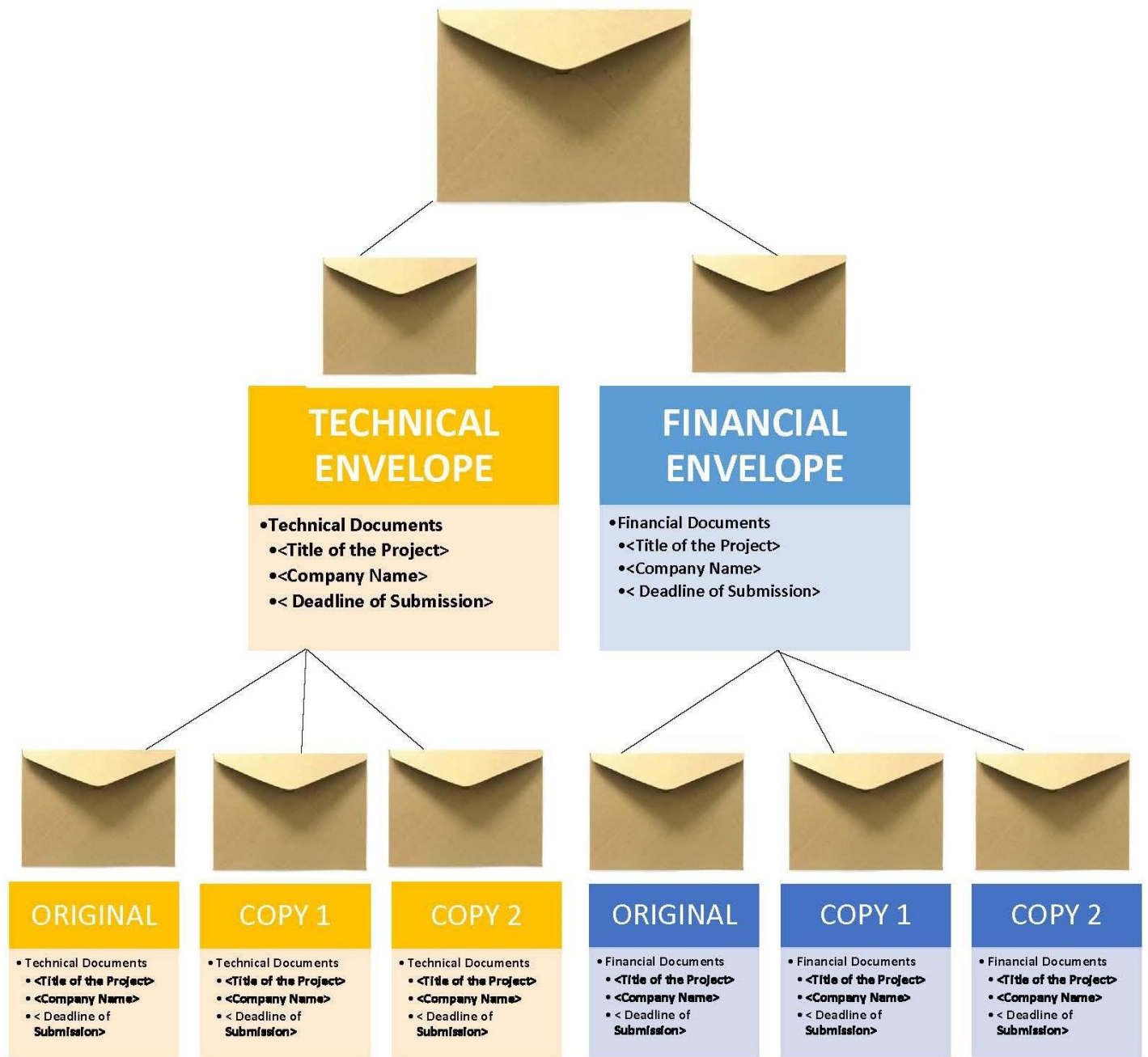
7. Bids must be duly received by the BAC Secretariat through **manual submission** at the office address indicated below on or before ***29 August 2023 at 1:30 PM***. Late bids shall not be accepted:

Procurement and General Services Division

Tourism Promotions Board

4/F, Legaspi Towers 300, Roxas Boulevard, Manila

## MAIN ENVELOPE



Each prospective bidder shall submit **one (1) original** and **two (2) copies** of its **Technical** and **Financial** documents.

The **Main Envelope** shall be labeled 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 ENVELOPE**

**Technical Documents**

**<Title of the Project>**

**<Company Name>**

**< Deadline of Submission>**

**FINANCIAL ENVELOPE**

**Financial Documents**

**<Title of the Project>**

**<Company Name>**

**< Deadline of Submission>**

The **Technical Envelope** shall contain **three (3) 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>**

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

1. PhilGEPS Platinum Certificate (all pages)
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)

**And**

**Additional Technical Requirements:** All Supplementary Bid Bulletin issued by the TPB (if any) and Technical Documents as specified in the Technical Specifications

The **Financial Envelope** shall contain **three (3) 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>**

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)

**Note:** Interested bidders shall submit separate technical and financial envelopes per lot and shall be opened and evaluated on a "per lot basis" as prescribed in the bidding documents, which shall be submitted on the prescribed deadline of submission of bids.

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 **29 August 2023 at 2:00 PM** at the given address below. Bids will be opened in the presence of the bidders' representatives who choose to attend the activity.

TPB BAC Room  
Tourism Promotions Board  
4<sup>th</sup> Floor Legaspi Towers 300, Roxas Blvd, cor. P. Ocampo St.,  
Malate, Manila City

10. The Bidder with the Lowest/Single Calculated Responsive Bid (L/SCRB) shall submit a copy of the **Technical and Financial Documents** in **PDF format** to the email address **[bac\\_sec@tpb.gov.ph](mailto:bac_sec@tpb.gov.ph) and/or [soleil\\_fajardo@tpb.gov.ph](mailto:soleil_fajardo@tpb.gov.ph), upon request.**
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:

*Roselle D. Romero / Soleil Moon A. Fajardo*  
BAC Secretariat, Tourism Promotions Board  
4<sup>th</sup> Floor Legaspi Towers 300, Roxas Blvd., Manila  
Tel. No. (8) 525-9318 local 278, (8) 525-7312  
E-mail: [bac\\_sec@tpb.gov.ph](mailto:bac_sec@tpb.gov.ph) / [soleil\\_fajardo@tpb.gov.ph](mailto:soleil_fajardo@tpb.gov.ph)

13. You may visit the **Tourism Promotions Board (TPB)** and other websites:

For downloading of Bidding Documents: [www.tpb.gov.ph](http://www.tpb.gov.ph)  
For the actual posting of the requirement: [www.philgeps.gov.ph](http://www.philgeps.gov.ph)

04 August 2023

  
**ARNOLD T. GONZALES**  
Chairperson  
Bids and Awards Committee

## ***Section II. Instructions to Bidders***

## 1. Scope of Bid

The Procuring Entity, ***Tourism Promotions Board*** wishes to receive Bids for the ***Supply and Delivery of One (1) Year Subscription to a Tourism Market Research Database*** with identification number ***ITB No. 2023-035***

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 Corporate Operating Budget*** in the total amount of ***Six Million Five Hundred Thousand Pesos Only (PhP6,500,000.00)***

2.2. The source of funding is GOCC and GFIs, the proposed 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 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:
- 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 ***Tourism Promotions Board (TPB)*** will hold a pre-bid conference for this Project on **14 August 2023 10:00 AM** through video conferencing or webcasting via **Zoom Link**

**Meeting ID: 946 9274 9013      Passcode: 919782**

## 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 **at least twenty (20) years for Market Research Provider/five (5) years for Reseller or Distributor** 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**

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 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 Bidders shall follow the sealing and marking of the Bid Envelopes as indicated in paragraph 7 of the **ITB**.

The Tourism Promotions Board (TPB) 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. *The evaluation of the eligibility documents shall also implement the GPPB Resolution 15-2021 as of 01 January 2022.*

## 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

19.1. 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.

- 19.2. 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 14** 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: **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**

- 20.2 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***

# Bid Data Sheet

ITB Clause	
5.3	<p>For this purpose, contracts similar to the Project shall be:</p> <p><b>For the Market Research Provider</b></p> <ol style="list-style-type: none"> <li>Completed <b>at least twenty (20) years</b> in the field of consumer research and insighting prior to the deadline for the submission and receipt of bids.</li> <li>Member in any internationally-recognized association of market research agencies</li> <li>Has provided services to multinational clients in the past five years</li> </ol> <p><b>For the Reseller or Distributor</b></p> <ol style="list-style-type: none"> <li>Completed <b>at least five (5) years</b> in the business of acquiring rights for subscription to market research database or platforms prior to the deadline for the submission and receipt of bids</li> <li>Authorized reseller or distributor of market research database</li> <li>A market research and management company that provides evidence-based strategies through research and data analytics conducted</li> </ol>
7.1	Subcontracting is not allowed.
12	The price of the Goods shall be quoted DDP <b>within the Philippines</b> 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> <ol style="list-style-type: none"> <li>The amount of not less than <b>Php130,000.00</b> or <b>(two percent (2%) of ABC)</b>, if bid security is incash, cashier's/manager's check, bank draft/guarantee, or irrevocable letterof credit; or</li> <li>The amount of not less than <b>Php325,000.00</b> or <b>(five percent (5%) of ABC)</b> if bid security is in Surety Bond.</li> </ol>
19.3	<i>Not applicable.</i>
20.2	<p>The certified true copy of the current and updated documents identified below shall be submitted within five (5) Calendar Days from the conduct of the post-qualification:</p> <ol style="list-style-type: none"> <li>Class "A" Documents</li> <li>For the Market Research Provider <ol style="list-style-type: none"> <li>Proof of Membership in any internationally recognized association of market research agencies</li> <li>Proof of engagement with multi-national clients in the past five (5) years such as Notice to Proceed, Contract, Official Receipt of Subscription Payment or other similar documents, whichever is applicable</li> </ol> </li> <li>For the Reseller or Distributor <ol style="list-style-type: none"> <li>Proof as an authorized reseller/distributor</li> <li>Proof of engagement in providing evidence-based strategies through research and data analytics conducted such as Notice to Proceed, Contract, Official Receipt of Subscription Payment or other similar documents, whichever is applicable</li> </ol> </li> <li>Provision of trial access to experience how to use the database and conduct actual searching of contents to prove the comprehensiveness of contained information</li> </ol>
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 **Tourism Promotions Board (TPB)** 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 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.

## 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 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**

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><b>Delivery and Documents –</b> 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> <ul style="list-style-type: none"> <li>a. For Goods supplied from abroad, state: The delivery terms applicable to the Contract are DDP delivered to Tourism Promotions Board, Manila In accordance with INCOTERMS.</li> <li>b. For Goods supplied from within the Philippines, state: The delivery terms applicable to this Contract are delivered to Tourism Promotions Board, Manila. Risk and title will pass from the Supplier to the Procuring Entity upon receipt and final acceptance of the Goods at their final destination.</li> </ul> <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 End-User Representative, Arturo Z. Gatus</p> <p><b>Incidental Services –</b> The Supplier is required to provide all of the following services, including additional services, if any, specified in Section VI. Schedule of Requirements.</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><b>Intellectual Property Rights –</b> 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><b>Partial payment is not allowed. The full payment will be remitted within 30 calendar days upon receipt of the Certificate of Subscription and Invoice.</b> The supplier must have a Landbank account. Payment will be made through an LBP bank deposit. Otherwise, bank charges will be shouldered by the supplier.</p>
4	<p>The inspections and tests that will be conducted shall be the <b>extent of compliance to the product features, contents, and functionalities of the market research database per Section VII Technical Specification. These will be conducted during the Post-Qualification.</b></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.

<b>ITEM NUMBER</b>	<b>DESCRIPTION</b>	<b>QUANTITY</b>	<b>TOTAL</b>	<b>DELIVERED, WEEKS/MONTHS</b>
1	Supply and Delivery of One (1) Year Subscription to a Tourism Market Research Database	1	PhP6,500.000.00	From receipt of Notice to Proceed but not earlier than 05 November 2023
<b><i>***nothing follows***</i></b>				

**Note:** Please see Section VII. Technical Specifications for the complete details.

## ***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 NO.	SUPPLY AND DELIVERY OF ONE (1) YEAR SUBSCRIPTION TO A TOURISM MARKET RESEARCH DATABASE	STATEMENT OF COMPLIANCE	
		COMPLY	NOT COMPLY
<b>Contents</b>	<p>Minimum Geographical Coverage:</p> <ul style="list-style-type: none"> <li>• Asia <ul style="list-style-type: none"> <li>- Australia</li> <li>- Malaysia</li> <li>- Singapore</li> <li>- Taiwan</li> <li>- Hong Kong</li> <li>- China</li> <li>- Japan</li> <li>- South Korea</li> <li>- Philippines</li> <li>- India</li> <li>- United Arab Emirates</li> <li>- Saudi Arabia</li> </ul> </li> <li>• Europe <ul style="list-style-type: none"> <li>- Germany</li> <li>- United Kingdom</li> </ul> </li> <li>• Americas <ul style="list-style-type: none"> <li>- Canada</li> <li>- United States of Americas</li> <li>- Mexico</li> <li>- Brazil</li> <li>- Colombia</li> <li>- Chile</li> </ul> </li> </ul> <p><b>Note:</b> In case that any of the above countries are not yet included in the current geographic coverage of the platform, the market research provider can conduct special surveys for the countries, covering the desire travel and tourism</p>		

	topics/contents, to ensure the availability of data and information, with no additional cost to the TPB.		
	<p>Profile of Travelers from the Source Markets of Philippine Inbound Tourism:</p> <ul style="list-style-type: none"> <li>• Traveler Sentiments, Preference, and Habits <ul style="list-style-type: none"> <li>- Domestic and international travel demand</li> <li>- Planned and preferred trips</li> <li>- Travel obstacles and considerations</li> <li>- Trip, accommodation, and transportation preferences</li> <li>- Booking insights and travel booking intentions by month</li> <li>- Preferred methods for researching and booking</li> <li>- Travel spending</li> <li>- Amount of short break taken</li> <li>- Month of travel</li> <li>- Preferred Travel Brands</li> <li>- Holiday destination choices and selection influence</li> <li>- Travel Advertising channel preference</li> <li>- Motivations and sources of information</li> <li>- Generational insights</li> <li>- Holiday companions</li> <li>- Past Travel behavior (e.g. number of trips in the past 12 months)</li> <li>- Sustainability in travel</li> </ul> </li> <li>• Destination Index <ul style="list-style-type: none"> <li>- Aided Awareness (Which of the following destinations have you ever heard of?)</li> <li>- Ad Awareness (Which of the following destinations have you seen an advertisement for in the past two weeks?)</li> <li>- Buzz (Over the past two weeks, which of the following destinations have you heard something positive/negative about, whether in the news, through advertising, or talking to friends and family?)</li> <li>- Past Visits (Have you ever visited any of the following destinations?)</li> <li>- Impression (Overall, of which of the following destinations do you have a positive/negative impression?)</li> </ul> </li> </ul>		



	<ul style="list-style-type: none"> <li>- Quality (Which of the following destinations do you think represents good/poor quality?)</li> <li>- Value (Which of the following destinations do you think represents good/poor value for money? By that we don't mean cheap, but that the destinations offer a visitor a lot in return for the price paid.)</li> <li>- Satisfaction (Of which of the following destinations would you say that you are a satisfied/dissatisfied visitor?)</li> <li>- Recommendation (Which of the following destinations would you recommend/avoid to a friend or colleague?)</li> <li>- Intent (Of the destinations considered, which are you most likely to visit?)</li> <li>• Insights on Different Types of Travelers <ul style="list-style-type: none"> <li>- Luxury</li> <li>- Budget/Value</li> <li>- Responsible</li> <li>- Adventurous</li> <li>- All-inclusive/package</li> <li>- Weekend</li> <li>- Business</li> </ul> </li> <li>• Insights on Travelers Based on Demographic Variables <ul style="list-style-type: none"> <li>- Gender</li> <li>- Age groups</li> <li>- Generations</li> <li>- Income (lower/middle/higher)</li> <li>- Family Income</li> <li>- Marital status</li> <li>- Number of children</li> </ul> </li> </ul>		
	<p>Other Data/Information:</p> <ul style="list-style-type: none"> <li>• Post-Pandemic Insights/Attitudinal Statements <ul style="list-style-type: none"> <li>- Consumer lifestyle and confidence</li> <li>- Spending (e.g. changes in physical and online spending)</li> <li>- Economic Outlook (e.g. household situation, changes to employment status, impacts of recession if any)</li> <li>- Social media consumption</li> <li>- Sports followed</li> </ul> </li> </ul>		
	<p><b>Frequency of Data Update:</b> Bi-Weekly to Monthly</p> <p><b>Sample Size:</b> Should be representative of the population of the country/market</p>		

<b>Features and Functionalities</b>	<ul style="list-style-type: none"> <li>• Built-in dashboards for visualizing data with available filters for customizing views</li> <li>• Customized search option to access specific data and information</li> <li>• Capability to export data and analysis into Microsoft Excel and PowerPoint</li> <li>• Can sort the categories of graphs automatically based on value</li> <li>• Provision of access to unlimited number of users in the organization</li> <li>• Dedicated account services team with a lead account manager providing advice, training, support, information updates, and latest research developments</li> <li>• Provision of orientation (online or face-to-face) to the users of the platform to explain its contents, features, and functionalities</li> </ul>		
<b>Qualification</b>	<p><b>Market Research Provider:</b></p> <ul style="list-style-type: none"> <li>• Operating for at least 20 years in the field of consumer research and insighting.</li> <li>• Member in any internationally-recognized association of market research agencies (provide proof of membership).</li> <li>• Has provided services to multinational clients in the past five years (provide copy of Notice to Proceed, contract, official receipt for subscription payment, or whichever is applicable)</li> </ul> <p><b>Reseller or Distributor (if applicable):</b></p> <ul style="list-style-type: none"> <li>• At least five (5) years in the business of acquiring rights for subscription to market research database or platforms.</li> <li>• Authorized reseller or distributor of market research database (provide proof of authorization).</li> <li>• A market research and management company that provides evidence-based strategies through research and data analytics conducted.</li> </ul>		
<b>Submission of Proposal</b>	<p>The market research provider and the reseller or distributor (if applicable) are expected to submit technical and financial proposals which should include the following:</p> <ul style="list-style-type: none"> <li>• Brief profile and background (including credentials) of the company, which demonstrates their ability to provide the bulk of information that TPB needs in one platform.</li> <li>• Briefer on the survey methodology employed by the company to gather the information contained in the database.</li> <li>• Provision of trial access to experience how to use the</li> </ul>		

	database and conduct actual searching of contents to prove the comprehensiveness of contained information (during Post-Qualification).		
--	--	--	--

*I hereby certify to comply and deliver all of the above requirements provided on the Section VII. Technical Specification of these bidding documents.*

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

\_\_\_\_\_  
Signature over Printed Name  
of the Authorized Representative

\_\_\_\_\_  
Date

## ***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);
- ☐ (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
- ☐ (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
- ☐ (d) Tax Clearance per E.O. No. 398, s. 2005, as finally reviewed and approved By the Bureau of Internal Revenue (BIR)

#### Technical Documents

- ☐ (e) 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**
- ☐ (f) 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 therelevant period as provided in the Bidding Documents; **and**
- ☐ (g) 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**
- ☐ (h) Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or after-sales/parts, if applicable; **and**
- ☐ (i) 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 authorityto its officer to sign the OSS and do acts to represent the Bidder;

#### Additional Technical Documents

- ☐ (j) Brief profile and background (including credentials) of the company,

which demonstrates their ability to provide the bulk of information that TPB needs in one platform

- ☐ (k) Briefer on the survey methodology employed by the company to gather the information contained in the database

**Financial Documents**

- ☐ (l) 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**
- ☐ (m) 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***

- ☐ (n) 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)**

- ☐ (o) *[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.
- ☐ (p) Certification from the DTI if the Bidder claims preference as a Domestic Bidder or Domestic Entity.

**II. FINANCIAL COMPONENT ENVELOPE**

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

## **REQUIRED FORMS TO BE SUBMITTED BY BIDDERS**

1. Contract Agreement Form for the Procurement of Goods
2. Bid Securing Declaration For
3. Performance Securing Declaration
4. Omnibus Sworn Statement

## **ADDITIONAL FOR GOODS**

1. Bid Form for the Procurement of Goods
2. Price Schedule for Goods Offered from Within the Philippines
3. Statement of the Bidder of All Its Completed Government and Private Contracts
4. Statement of the Bidder of All Its Ongoing Government and Private Contracts
5. Statement of the Bidder's Single Largest Completed Contract (SLCC)

**Contract Agreement Form for the Procurement of Goods (Revised)**  
*[Not required to be submitted with the Bid, but it shall be submitted within ten (10) days after receiving the Notice of Award]*

---

**CONTRACT AGREEMENT**

THIS AGREEMENT made the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ between [name of PROCURING ENTITY] of the Philippines (hereinafter called “the Entity”) of the one part and [name of Supplier] of [city and country of Supplier] (hereinafter called “the Supplier”) of the other part;

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

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract referred to.
2. The following documents as required by the 2016 revised Implementing Rules and Regulations of Republic Act No. 9184 shall be deemed to form and be read and construed as integral part of this Agreement, viz.:
  - i. Philippine Bidding Documents (PBDs);
    - i. Schedule of Requirements;
    - ii. Technical Specifications;
    - iii. General and Special Conditions of Contract; and
    - iv. Supplemental or Bid Bulletins, if any
  - ii. Winning bidder’s bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted;  
  
Bid form, including all the documents/statements contained in the Bidder’s bidding envelopes, as annexes, and all other documents submitted (e.g., Bidder’s response to request for clarifications on the bid), including corrections to the bid, if any, resulting from the Procuring Entity’s bid evaluation;
  - iii. Performance Security;
  - iv. Notice of Award of Contract; and the Bidder’s conforme thereto; and
  - v. Other contract documents that may be required by existing laws and/or the Procuring Entity concerned in the PBDs. **Winning bidder agrees that additional contract documents or information prescribed by the GPPB that are subsequently required for submission after the contract execution, such as the Notice to Proceed, Variation Orders, and Warranty Security, shall likewise form part of the Contract.**



3. In consideration for the sum of *[total contract price in words and figures]* or such other sums as may be ascertained, *[Named of the bidder]* agrees to *[state the object of the contract]* in accordance with his/her/its Bid.
4. The *[Name of the procuring entity]* agrees to pay the above-mentioned sum in accordance with the terms of the Bidding.

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

*[Insert Name and Signature]*  
*[Insert Signatory's Legal Capacity]*  
*for:*

*[Insert Procuring Entity]*

*[Insert Name and Signature]*  
*[Insert Signatory's Legal Capacity]*  
*for:*

*[Insert Name of Supplier]*

**Acknowledgment**

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

## **Bid Securing Declaration Form**

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

---

REPUBLIC OF THE PHILIPPINES)

CITY OF \_\_\_\_\_) S.S.

### **BID SECURING DECLARATION**

**Project Identification No.: *[Insert number]***

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

I/We, the undersigned, declare that:

1. I/We understand that, according to your conditions, bids must be supported by a Bid Security, which may be in the form of a Bid Securing Declaration.
2. I/We accept that: (a) I/we will be automatically disqualified from bidding for any procurement contract with any procuring entity for a period of two (2) years upon receipt of your Blacklisting Order; and, (b) I/we will pay the applicable fine provided under Section 6 of the Guidelines on the Use of Bid Securing Declaration, within fifteen (15) days from receipt of the written demand by the procuring entity for the commission of acts resulting to the enforcement of the bid securing declaration under Sections 23.1(b), 34.2, 40.1 and 69.1, except 69.1(f), of the IRR of RA No. 9184; without prejudice to other legal action the government may undertake.
3. I/We understand that this Bid Securing Declaration shall cease to be valid on the following circumstances:
  - a. Upon expiration of the bid validity period, or any extension thereof pursuant to your request;
  - b. I am/we are declared ineligible or post-disqualified upon receipt of your notice to such effect, and (i) I/we failed to timely file a request for reconsideration or (ii) I/we filed a waiver to avail of said right; and
  - c. I am/we are declared the bidder with the Lowest Calculated Responsive Bid, and I/we have furnished the performance security and signed the Contract.

IN WITNESS WHEREOF, I/We have hereunto set my/our hand/s this \_\_\_\_\_ day of *[month]* *[year]* at *[place of execution]*.

*[Insert NAME OF BIDDER OR ITS AUTHORIZED  
REPRESENTATIVE]*

*[Insert signatory's legal capacity]*  
Affiant

**[Jurat]**

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

## Performance Securing Declaration (Revised)

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

---

REPUBLIC OF THE PHILIPPINES)

CITY OF \_\_\_\_\_) S.S.

### PERFORMANCE SECURING DECLARATION

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

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

I/We, the undersigned, declare that:

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

**IN WITNESS WHEREOF**, I/We have hereunto set my/our hand/s this \_\_\_\_\_ day of [month] [year] at [place of execution].

*[Insert NAME OF BIDDER OR ITS AUTHORIZED REPRESENTATIVE]*

*[Insert signatory's legal capacity]*

Affiant

**[Jurat]**

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

## Omnibus Sworn Statement (Revised)

*[shall be submitted with the Bid]*

---

REPUBLIC OF THE PHILIPPINES )  
CITY/MUNICIPALITY OF \_\_\_\_\_) S.S.

### AFFIDAVIT

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

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

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

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

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

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

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

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

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

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

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

*[If a sole proprietorship:]* The owner or sole proprietor is not related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

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

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

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

**IN WITNESS WHEREOF**, I have hereunto set my hand this \_\_\_\_ day of \_\_\_\_, 20\_\_ at \_\_\_\_\_, Philippines.

*[Insert NAME OF BIDDER OR ITS AUTHORIZED  
REPRESENTATIVE]*

*[Insert signatory's legal capacity]*  
Affiant

**[Jurat]**

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

**Bid Form for the Procurement of Goods**  
*[shall be submitted with the Bid]*

---

**BID FORM**

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

Project Identification No. : \_\_\_\_\_

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

Having examined the Philippine Bidding Documents (PBDs) including the Supplemental or Bid Bulletin Numbers *[insert numbers]*, the receipt of which is hereby duly acknowledged, we, the undersigned, offer to *[supply/deliver/perform]* *[description of the Goods]* in conformity with the said PBDs for the sum of *[total Bid amount in words and figures]* or the total calculated bid price, as evaluated and corrected for computational errors, and other bid modifications in accordance with the Price Schedules attached herewith and made part of this Bid. The total bid price includes the cost of all taxes, such as, but not limited to: *[specify the applicable taxes, e.g. (i) value added tax (VAT), (ii) income tax, (iii) local taxes, and (iv) other fiscal levies and duties]*, which are itemized herein or in the Price Schedules,

If our Bid is accepted, we undertake:

- a. to deliver the goods in accordance with the delivery schedule specified in the Schedule of Requirements of the Philippine Bidding Documents (PBDs);
- b. to provide a performance security in the form, amounts, and within the times prescribed in the PBDs;
- c. to abide by the Bid Validity Period specified in the PBDs and it shall remain binding upon us at any time before the expiration of that period.

*[Insert this paragraph if Foreign-Assisted Project with the Development Partner:*

Commissions or gratuities, if any, paid or to be paid by us to agents relating to this Bid, and to contract execution if we are awarded the contract, are listed below:

Name and address of agent	Amount or Commission or gratuity	Purpose of
---------------------------	----------------------------------	------------

_____	_____	_____
_____	_____	_____
_____	_____	_____

(if none, state "None" ) ]

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

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

We certify/confirm that we comply with the eligibility requirements pursuant to the PBDs.

The undersigned is authorized to submit the bid on behalf of *[name of the bidder]* as evidenced by the attached *[state the written authority]*.

We acknowledge that failure to sign each and every page of this Bid Form, including the attached Schedule of Prices, shall be a ground for the rejection of our bid.

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

Legal capacity: \_\_\_\_\_

Signature: \_\_\_\_\_

Duly authorized to sign the Bid for and behalf of: \_\_\_\_\_

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

***[shall be submitted with the Bid if bidder is offering goods from within the Philippines]***

Name of Bidder\_\_\_\_\_Project ID No.\_\_\_\_\_Page\_\_\_\_\_of\_\_\_\_\_

[illegible]

**Legal Capacity:**

**Signature:** \_\_\_\_\_

**Duly authorized to sign the Bid for and behalf of:** \_\_\_\_\_



## Statement of the Bidder of All Its Ongoing Government and Private Contracts

**NAME OF THE PROCURING ENTITY:** TOURISM PROMOTIONS BOARD

**PROJECT:**

**LOCATION OF THE PROJECT:**

**List of all Ongoing Government & Private Contracts within five (5) 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**

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	
<u>Government</u>								
<u>Private</u>								
						Total Cost		

Note: This Statement shall be supported with:

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

**Submitted by:**

**Name of Representative of Bidder** : \_\_\_\_\_  
(Printed Name and Signature)

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

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

## Statement of the Bidder's Single Largest Completed Contract (SLCC)

**NAME OF THE PROCURING ENTITY:** TOURISM PROMOTIONS BOARD

**PROJECT:**

**LOCATION OF THE PROJECT:**

**Single Largest Completed Contract (SLCC) similar to the Contract to be bid within five (5) years, the contract should be at least twenty-five percent (25%) of the ABC**

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

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

Note: This Statement shall be supported with

1. Contract
2. Notice to Proceed
3. Certificate of Project Completion which must be Satisfactory as additional supporting documents.

**Submitted by:**

**Name of Representative of Bidder** : \_\_\_\_\_  
**(Printed Name and Signature)**  
**Position** : \_\_\_\_\_  
**Date** : \_\_\_\_\_



**TOURISM PROMOTIONS BOARD PHILIPPINES**

4th Floor, Legaspi Towers 300, Roxas Boulevard corner P. Ocampo, Sr. St., Malate, Manila 1004 Philippines  
Tel: +63 2 8525.9318 to 27 • Fax: +63 2 8521.6165 / 8525.3314 • Email: [info@tpb.gov.ph](mailto:info@tpb.gov.ph) • Website: [www.tpb.gov.ph](http://www.tpb.gov.ph)