



TOURISM PROMOTIONS BOARD PHILIPPINES
4TH FLR. LEGASPI TOWERS 300, ROXAS BLVD., MANILA.

PHILIPPINE BIDDING DOCUMENTS

PROCUREMENT OF GOODS

Government of the Republic of the Philippines

INVITATION TO BID FOR THE SERVICES OF A TOUR OPERATOR FOR THE FAMILIARIZATION TRIP FOR DIVE OPERATORS, MEDIA, AND INFLUENCERS

TPB ITB 2023-045

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

INVITATION TO BID
ITB NO. 2023-045

SERVICES OF A TOUR OPERATOR FOR THE FAMILIARIZATION TRIP FOR DIVE OPERATORS, MEDIA, AND INFLUENCERS

1. The **Tourism Promotions Board**, through the **2023 Corporate Operating Budget** intends to apply the sum of **One Million Four Hundred Eighty-Two Thousand Pesos Only (Php1,482,000.00)**, inclusive of all applicable taxes being the Approved Budget for the Contract (ABC) to payments under the contract for **Services of a Tour Operator for the Familiarization Trip for Dive Operators, Media, and Influencers**

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 is required **based on the provided Schedule of Delivery and upon receipt of the signed and approved Notice to Proceed (NTP)**.

Bidders should have completed, **within five (5) years** from the date of submission and receipt of bids, a contract similar to the Project. The description of an eligible bidder is contained in the Bidding Documents, particularly, in Section II (Instructions to Bidders).

3. Bidding will be conducted through open competitive bidding procedures using a non-discretionary "*pass/fail*" criterion as specified in the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184.

Bidding is restricted to Filipino citizens/sole proprietorships, partnerships, or organizations with at least sixty percent (60%) interest or outstanding capital stock belonging to citizens of the Philippines, and to citizens or organizations of a country the laws or regulations of which grant similar rights or privileges to Filipino citizens, pursuant to RA No. 5183.

4. Prospective Bidders may obtain further information from **Tourism Promotions Board-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 **30 August – 25 September 2023 9:30 AM** 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	Maximum Cost of Bidding Documents (in Philippine Peso)
More than 1 million up to 5 million	5,000.00

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: G/F, 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 ***07 September 2023 at 10:00 AM*** through video conferencing or webcasting ***via Zoom platform***, which shall be open to prospective bidders.

Meeting ID: 937 9962 3175 **Passcode:** 821670

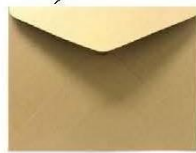
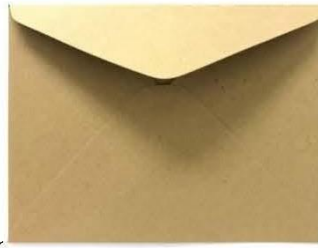
7. Bids must be duly received by the BAC Secretariat through **manual submission** at the office address indicated below on or before ***25 September 2023 at 9:30 AM***. Late bids shall not be accepted:

Procurement and General Services Division

Tourism Promotions Board

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

MAIN ENVELOPE

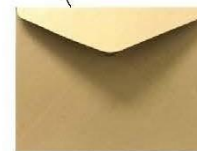


TECHNICAL ENVELOPE

- Technical Documents
- <Title of the Project>
- <Company Name>
- <Deadline of Submission>

FINANCIAL ENVELOPE

- Financial Documents
- <Title of the Project>
- <Company Name>
- <Deadline of Submission>



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>

ORIGINAL

- Financial Documents
- <Title of the Project>
- <Company Name>
- <Deadline of Submission>

COPY 1

- Financial Documents
- <Title of the Project>
- <Company Name>
- <Deadline of Submission>

COPY 2

- Financial Documents
- <Title of the Project>
- <Company Name>
- <Deadline of Submission>

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 (not applicable)

And

Additional Technical Requirements: All 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 **25 September 2023 at 10:00 AM** at the given address below. Bids will be opened in the presence of the bidders' representatives who choose to attend the activity.

TPB BAC Room
Tourism Promotions Board
4th 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*** and/or ***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
4th Floor Legaspi Towers 300, Roxas Blvd., Manila
Tel. No. (8) 525-9318 local 278, (8) 525-7312
E-mail: bac_sec@tpb.gov.ph / 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
For the actual posting of the requirement: www.philgeps.gov.ph

30 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 ***Services of a Tour Operator for the Familiarization Trip for Dive Operators, Media, and Influencers*** with identification number ***ITB No. 2023-045***

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 ***One Million Four Hundred Eighty-Two Thousand Pesos Only (PhP1,482,000.00)***

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 **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

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: **Subcontracting is not allowed**.

8. Pre-Bid Conference

The **Tourism Promotions Board (TPB)** will hold a pre-bid conference for this Project on **31 August 2023 3:30 PM** through video conferencing or webcasting via **Zoom Link**

Meeting ID: 937 9962 3175 **Passcode:** 821670

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 **five (5) years** prior to the deadline for the submission and receipt of bids.
- 10.3. If the eligibility requirements or statements, the bids, and all other documents for submission to the BAC are in foreign language other than English, it must be accompanied by a translation in English, which shall be authenticated by the appropriate Philippine foreign service establishment, post, or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines. Similar to the required authentication above, for Contracting Parties to the Apostille Convention, only the translated documents shall be authenticated through an apostille pursuant to GPPB Resolution No. 13-2019 dated 23 May 2019. The English translation shall govern, for purposes of interpretation of the bid.

11. Documents comprising the Bid: Financial Component

- 11.1. The second bid envelope shall contain the financial documents for the Bid as specified in **Section VIII (Checklist of Technical and Financial Documents)**.
- 11.2. If the Bidder claims preference as a Domestic Bidder or Domestic Entity, a certification issued by DTI shall be provided by the Bidder in accordance with Section 43.1.3 of the 2016 revised IRR of RA No. 9184.
- 11.3. Any bid exceeding the ABC indicated in paragraph 1 of the **IB** shall not be accepted.

- 11.4. For Foreign-funded Procurement, a ceiling may be applied to bid prices provided the conditions are met under Section 31.2 of the 2016 revised IRR of RA No. 9184.

12. Bid Prices

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 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	For this purpose, contracts similar to the Project shall be: <ul style="list-style-type: none"> a. Services of a Tour Operator. b. Completed <i>within five (5) years</i> prior to the deadline for the submission and receipt of bids
7.1	Subcontracting is not allowed.
12	The price of the Goods shall be quoted DDP <i>within the Philippines</i> or the applicable International Commercial Terms (INCOTERMS) for this Project.
14.1	The bid security shall be in the form of a Bid Securing Declaration, or any of the following forms and amounts: <ul style="list-style-type: none"> a. The amount of not less than PhP29,640.00 or <i>(two percent (2%) of ABC)</i>, if bid security is incash, cashier's/manager's check, bank draft/guarantee, or irrevocable letterof credit; or b. The amount of not less than Php74,100.00 or <i>(five percent (5%) of ABC)</i> if bid security is in Surety Bond.
19.3	<i>Not applicable.</i>
20.2	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: <ul style="list-style-type: none"> 1. SEC/DTI Registration Certificate 2. Articles of Incorporation 3. Secretary Certificate 4. Mayor's Permit 5. Tax Clearance 6. Audited Financial Statement
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>Delivery and Documents – The Delivery terms of this Contract shall be as follows: The delivery terms applicable to this Contract are delivered to Tourism Promotions Board (TPB). Risk and title will pass from the Supplier to the Procuring Entity upon receipt and final acceptance of the Goods at their final destination.</p> <p>Delivery of the Goods shall be made by the Supplier in accordance with the terms specified in Section VI (Schedule of Requirements).</p>								
2.2	<p>The terms of payment shall be per tranche. Processing of payment for the last tranche shall be initiated upon certification by the end-user of satisfactory completion of services and issuance of billing statements accompanied by supporting documents by the supplier. The supplier is encouraged to have a Landbank account. Payment will be made through LBP bank deposit. In case the supplier does not have a Landbank account, bank charges will be shouldered by the supplier. The TPB-initiated requested sponsorship (hosted/discounted) will be deducted from the bid amount. Thus, the winning supplier should bill TPB based on the actual cost per pax.</p> <p>Please send the Statement of Account or Billing to the Tourism Promotions Board (TPB) Philippines after with the completion of the requirements stipulated in the technical specifications.</p> <p style="text-align: center;">CARMELA JOY A. FEBRIO Acting Head, The Americas Division International Promotions Department 4F Legaspi Towers 300, Roxas Blvd., Manila 1004</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Particulars / Milestones</th> <th style="text-align: center;">Terms of Payment</th> </tr> </thead> <tbody> <tr> <td>First tranche: Upon submission of proof of bookings /reservations of at least accommodation and transportation, and other booked services</td> <td style="text-align: center;">15% of the total contract price</td> </tr> <tr> <td>Last tranche: Upon full delivery of services as indicated in the Terms of Reference and submission of final SOA/invoice with other supporting documents needed for payment processing</td> <td style="text-align: center;">85% of the total contract price</td> </tr> <tr> <td>TOTAL CONTRACT PRICE <i>(inclusive of service charge and all applicable taxes)</i></td> <td style="text-align: center;">100%</td> </tr> </tbody> </table>	Particulars / Milestones	Terms of Payment	First tranche: Upon submission of proof of bookings /reservations of at least accommodation and transportation, and other booked services	15% of the total contract price	Last tranche: Upon full delivery of services as indicated in the Terms of Reference and submission of final SOA/invoice with other supporting documents needed for payment processing	85% of the total contract price	TOTAL CONTRACT PRICE <i>(inclusive of service charge and all applicable taxes)</i>	100%
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TOTAL CONTRACT PRICE <i>(inclusive of service charge and all applicable taxes)</i>	100%								
4	<p>The inspections and tests that will be conducted by the Tourism Promotions Board Philippines.</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.

To commence the Contract upon issuance of the Notice to Proceed (NTP) until full/complete delivery of requirements.

Indicative Date of Implementation: 28 November - 06 December 2023 in Manila, Puerto Galera, and Dumaguete

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

*****Note:** *Itinerary may change subject to travel protocol guidelines, in close coordination with the Official Tour Operator and DOT Regional offices from time to time.*

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.	SERVICES OF A TOUR OPERATOR FOR THE FAMILIARIZATION TRIP FOR DIVE OPERATORS, MEDIA, AND INFLUENCERS	STATEMENT OF COMPLIANCE	
		COMPLY	NOT COMPLY
1	<p>Total no. of participants: 6 participants</p> <ul style="list-style-type: none"> ● Five (5) dive operators ● One (1) TPB representative <p>Indicative date: 28 November – 06 December 2023</p> <p>Note:</p> <ul style="list-style-type: none"> ● Minimum guaranteed pax – 5 participants 		
2	<p>International Ticket for five (5) dive operators, premium economy class, re-bookable, re-routable with a baggage allowance of two (2) pcs of 23 kilos inclusive of taxes, fuel surcharge, and other fees. Preferably direct flight.</p> <ul style="list-style-type: none"> ● 28 November – 06 December ● JFK – MNL – JFK ● Preferred Airlines: Philippine Airlines 		
3	<p>Land Transportation for Manila-leg trip with driver (inclusive of gas, parking fees, toll fees, meals, and overtime fees)</p> <ol style="list-style-type: none"> 1. At least one (1) coaster or air-conditioned and well-sanitized 12-seater van (2018 model or newer); 2. Additional one (1) van for luggage (2018 model or newer); 3. Other Inclusions <ul style="list-style-type: none"> ● Venues and tourism destinations as well as activities indicated in the tour itinerary ● Point-to-point shuttle service for TPB staff (Residence/Hotel to Airport and vice versa) <p>Note:</p> <ul style="list-style-type: none"> ● All drivers must be fully vaccinated with at least one (1) booster shot ● All drivers must submit a negative antigen test result taken within 24 hours before the trip 		

	<ul style="list-style-type: none"> • Clean, well-sanitized, comfortable, and tourist-friendly vehicle • Uniformed, presentable and trained drivers • Provision of enough umbrellas for the whole group 		
4	<p>Comprehensive Travel Insurance for six (6) pax inclusive of medical coverage for COVID-19, for all guests, and TPB representatives</p> <p>Note:</p> <ul style="list-style-type: none"> • With medical coverage worth PhP1,000,000.00 per pax 		
5	<p>Deluxe Room Accommodation at DOT-accredited hotel with breakfast</p> <p>1. Six (6) Single Occupancy with the following room nights:</p> <ul style="list-style-type: none"> • Manila – 1 night stay 28 November Preferred hotel: Belmont Hotel/ Savoy Hotel/ Sheraton Manila (in view of proximity to NAIA) • Manila – 1 night stay 05 December Preferred hotel: Belmont Hotel/ Savoy Hotel/ Sheraton Manila (in view of proximity to NAIA) <p>Note:</p> <ul style="list-style-type: none"> • Provision for early check-in and late checkout based on the itinerary. Preferably with welcome amenities in the room upon check-in. 		
6	<p>Meals and beverages for the trip (breakfast, lunch, AM/PM snacks, and dinner)</p> <p>1. Breakfast for Manila-leg</p> <ul style="list-style-type: none"> • packed to be arranged, if applicable • Dates: 28 November, 2 December, 5 and 6 December <p>2. Lunch and Dinner for Manila-leg with one (1) round of drinks during lunch and dinner</p> <ul style="list-style-type: none"> • Budget: PhP1,600.00 per pax • Dates: 28 November, 2 December, 5 and 6 December <p>3. AM/PM snacks for Manila-leg trip with bottled water</p> <ul style="list-style-type: none"> • Budget: PhP360.00 per pax <p>Note:</p> <ul style="list-style-type: none"> • TPB representative to finalize the order of meals • Bidders should be willing to accommodate dietary restrictions 		
7	<p>Dive Package for six (6) persons in Puerto Galera and Dumaguete (<i>please see the attached itinerary</i>)</p> <p>Inclusions:</p> <ul style="list-style-type: none"> • Deluxe Room for Eight (8) Night-Stay • Meals in Puerto Galera and Dumaguete (Breakfast, Lunch and Dinner) 		

	<ul style="list-style-type: none"> • Land and Sea Transportation from Port/Airport to Resort and vice versa • Dive Activities (Boat and gears) • Domestic Airfare from Manila to Dumaguete and vice versa • Budget: PhP45,000.00/pax 		
8	<p>Provision of sustainable giveaways for six (6) pax without showing the tour operator’s logo and subject to TPB’s approval Estimated cost: PHP 800.00/giveaway</p>		
9	<p>Provision of one (1) tour banner (for group photos) and appropriate two (2) coaster/van signages</p> <p>Note: Design and specs are subject to TPB’s approval</p>		
10	<p>Interactive/experiential tours and activities (<i>please see the attached itinerary</i>)</p> <p>Other requirements:</p> <ul style="list-style-type: none"> • Provide an alternative itinerary or activity, in case of rain, risk of typhoon, and other unforeseen or fortuitous events, subject to the approval of the TPB; <p>Note: Tour activities and dates are subject to change based on recommendations of the TPB, DOT Foreign, Regional Offices, and IATF orders on local travel restrictions.</p>		
11	<p>Tour kits/travel necessities for six (6) pax including but not limited to surgical masks, facial tissue, disinfectant wipes, hand sanitizer/alcohol, mints/candies, mosquito repellent, reef-safe sunscreen, disposable hooded emergency raincoat, blow bag, etc.</p> <p>Note: Preferably organic, sustainable, and eco-friendly</p>		
12	<p>First aid kit for the whole group on board for tour vehicles throughout the trip with essential medicines (antacid for upset stomach, headache, an antihistamine for allergies, diarrhea, motion sickness, fever, pain reliever, etc.)</p> <p>Note: Preferably organic, sustainable, and eco-friendly</p>		
13	<p>Provision of one (1) tour coordinator to accompany the group for the whole duration of the trip.</p> <p>Tour Coordinator must have handled at least 3 groups with international participants preferably from US participants. A CV</p>		

	<p>must be submitted with the list of groups handled/assisted together with the bid proposal.</p> <p>Note:</p> <ul style="list-style-type: none"> • The tour coordinator must be fully vaccinated with at least one (1) booster shot • Tour coordinator must submit a negative antigen test result taken within 24 hours before the trip • The tour coordinator shall work in close coordination with the TPB Project Officer on all other matters required for the smooth implementation of the tour 		
14	<p>Provision for incidental, miscellaneous, and onsite related expenses (e.g., antigen kits, sampling of local delicacies, permits, entrance fees, environmental fees, toll fees, parking fees, porter fees, communication expenses, gasoline, water expenses, etc.) amounting to PhP15,000.00</p>		
15	<p>Must respond to immediate/unforeseen changes in specifications to include tour activities, schedules and dates based on the recommendations of the TPB, DOT Foreign, Regional Offices and IATF orders on local travel restrictions in case of rain, risk of typhoon and other unforeseen or fortuitous events</p>		
16	<p>Must have expertise in organizing and coordinating travel arrangements, specifically within Region 4A, 7, and NCR</p>		
ADDITIONAL TECHNICAL REQUIREMENTS			
17	<p>Must be Filipino-owned, operated, and legally registered tour services company under Philippine laws and must be engaged in the business as a travel and tour operator within five (5) years from the date of the opening of bids with experience and expertise in inbound (domestic) travel, providing logistical requirements, tour operator services such as small-medium-large scale tours, events, and the likes.</p> <p>Note: Submit a List of at least five (5) similar projects handled by the company during the bid opening. Details to include group name, number of pax, country of origin of guests, destination, and date/year the group was handled</p>		
18	<p>Must have valid DOT accreditation certificate and preferably a registered TPB member (TPB to consider if their DOT certification has an ongoing application for renewal)</p>		

ITINERARY FORM
As of 22 August 2023

Project Name : Familiarization Trip for Dive Operators, Media, and Influencers
Date : 2nd Semester
Destinations : Manila, Puerto Galera and Dumaguete

Date / Time	Activity	Remarks
DAY 1 - November 28, 2023		
	Arrival in Manila (Guests)	
06:35 AM	Hotel Check-in Note: A Day before checked-in or pre-checked in for early arrival	Preferably: Belmont Hotel/Savoy Hotel/Sheraton Manila
12:00 PM	Lunch at the hotel	
	Free time/ Rest	
07:00 PM	Dinner TBD	
	Overnight in Manila	
DAY 2 - November 29, 2023		
	Breakfast at the hotel	
07:30 AM	Depart going to Berberabe Dock	Travel Time: 2hrs
09:30 AM	Arrive in Berbarabe Dock	
	Boat transfer going to Puerto Galera	Travel Time: approx. 1hr
10:30 AM	Arrive in Sabang Beach Dock	
	Transfer to the Resort	
12:00 PM	Lunch at the resort	
	Check in at dive resort	Preferably: Atlantis Dive Resort
01:30 PM	Dive Orientation and Dive	
	Dinner at the resort	*Dinner is available from 06:30PM – 10:00PM
	Overnight in Puerto Galera	
DAY 3 - November 30, 2023		
	Breakfast at the resort	
09:00 – 03:00 PM	Dive in Verde Island with Lunch	
	Back to Resort/ Freshen Up	
	Dinner at the resort	*Dinner is available from 06:30PM – 10:00PM
	Night Dive	
	Back to Resort/ Freshen Up	
	Overnight in Puerto Galera	
DAY 4 - December 1, 2023		
	Breakfast at the resort	
08:00 AM	Dive	
	Back to Resort/ Freshen Up	

	Lunch at the resort	*Lunch is available from 11:00 AM – 02:00 PM
	Free time/ Rest Day	*24hrs before flying
05:00 PM	Resort Tour Meet at 50 Bar	
06:30 PM	Dinner at the resort	
	Overnight in Puerto Galera	
DAY 5 - December 2, 2023		
	Breakfast at the resort	*Packed breakfast
	Resort Check out	
08:00 AM	Depart to Sabang Dock Beach	Travel Time: approx. 20 mins
	Boat transfer from Puerto Galera Port to Batangas Port	Travel Time: approx. 1hr
	Arrive in Batangas Port	
11:30 AM	Early Lunch at Crisostomo (Newport Mall)	Travel time: approx. 2hrs
01:30 PM	Depart to NAIA	
02:00 PM	Arrive in NAIA	
	Flight available MNL to DGT Cebu Pacific 16:20 Ninoy Aquino International (MNL) 18:00 Sibulan (DGT)	*pre-checked in
	Transfer to Resort	Travel Time: approx. 40mins.
07:30 PM	Check in at dive resort	Preferably: Atlantis Dive Resort
	Freshen Up	
08:30 PM	Dinner at the resort	
	Overnight in Dumaguete	
DAY 6 - December 3, 2023		
	Breakfast at the resort	
07:00 – 11:00 PM	Dive in Apo Island	
	Back to Resort/ Freshen Up	
12:00 PM	Lunch at the resort	
02:00 – 06:00 PM	Dive	
	Back to Resort / Freshen Up	
07:30 PM	Dinner at the resort	
09:00 – 11:00 PM	Night Dive	
	Back to Resort / Freshen Up	
	Overnight in Dumaguete	
DAY 7 - December 4, 2023		
	Breakfast at the resort	
08:00 – 11:00 AM	Dive	
	Back to Resort/ Freshen Up	
12:00 PM	Lunch at the resort	
	Free time/ Rest day	*24hrs before flying
07:30 PM	Dinner at the resort	
	Overnight in Dumaguete	

DAY 8 - December 5, 2023		
	Breakfast at the resort	Breakfast is available from 06:30 AM – 10:00 AM
09:30 AM	Check Out	
10:00 AM	Depart to Dumaguete Airport	
	Flight to Manila PAL 13:05 Sibulan (DGT) 14:40 Ninoy Aquino International (MNL)	
	Late lunch at TBD	
	Arrive in Manila	
	Check in at the hotel	Preferably: Belmont Hotel/Savoy Hotel/Sheraton Manila
	Rest/Free time	
	Dinner at the hotel	
	Overnight in Manila	
DAY 9 - December 6, 2023		
	Breakfast at the hotel	
	Free time/ Rest	
	Departure to NAIA	

Itinerary may change subject to travel protocol guidelines, in close coordination with the Official Tour Operator and DOT Regional offices from time to time.

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);

Technical Documents

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

Additional Technical Documents

- (g) List of at least five (5) similar projects handled by the company. Details to include group name, number of pax, country of origin of guests, destination, and date/year the group was handled;
- (h) DOT Accreditation Certificate; **and**
- (i) TPB Membership Certificate, if applicable.

Financial Documents

- (j) 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**

- (k) 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

- (l) 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)

- (m) *[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.
- (n) 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 Ongoing Government and Private Contracts
4. 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 and Purpose of Commission or gratuity
---------------------------	--

_____	_____
_____	_____
_____	_____

(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: _____

Price Schedule for Goods Offered from Within the Philippines

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

For Goods Offered from Within the Philippines

Name of Bidder _____ Project ID No. _____ Page ____ of ____

1	2	3	4	5	6	7	8	9	10
Item	Description	Country of origin	Quantity	Unit price EXW per item	Transportation and all other costs incidental to delivery, per item	Sales and other taxes payable if Contract is awarded, per item	Cost of Incidental Services, if applicable, per item	Total Price, per unit (col 5+6+7+8)	Total Price delivered Final Destination (col 9) x (col 4)

Name: _____

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 fifty percent (50%) 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	%		
Government						
Private						

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

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