

REPUBLIC OF THE PHILIPPINES
BUREAU OF BROADCAST SERVICES
4th Floor, PIA Building, Visayas Avenue, Quezon City, 1128

PHILIPPINE BIDDING DOCUMENTS

(As Harmonized with Development Partners) Sixth Edition July 2020

Procurement of GOODS

**Bid No. 002-2020 – One (1) Lot –
Contract for the Provision of Security
Agency Services for twelve (12) months**

December 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.

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Section I. Invitation to Bid

**INVITATION TO BID FOR THE ONE (1) LOT – CONTRACT FOR THE
 PROVISION OF SECURITY AGENCY SERVICES FOR TWELVE (12)
 MONTHS (BID NO. 002-2020)**

1. The Bureau of Broadcast Services (BBS), through the General Appropriations Act (GAA) of 2021 intends to apply the sum of *Twenty-One Million Seven Hundred Thousand Pesos (PhP 21,700,000.00)* being the Approved Budget for the Contract (ABC) to payments under the contract listed below. Bids received in excess of the ABC shall be automatically rejected at bid opening.

Bid No.	Lot/s	Brief Description	Approved Budget for the Contract (ABC)
002-2020	1 Lot	Contract for the Provision of Security Agency Services for twelve (12) months for all Bureau of Broadcast services (BBS) facilities nationwide (NCR, CAR, Region I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII and ARMM), provided that the Bidder had dispatched guards in at least ten (10) different regions of the country. Fifty Nine (59) Security Guards	<i>Twenty-One Million Seven Hundred Thousand Pesos (PhP 21,700,000.00)</i>

2. The Bureau of Broadcast Services (BBS) now invites bids for the above Procurement Project. Delivery of the Goods is required by twelve (12) months. 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.
 - a. 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 the Bureau of Broadcast Services (BBS) and inspect the Bidding Documents at the address given below during 8:00am to 5:00pm.

C/o: **THE BAC SECRETARIAT**
 Bureau of Broadcast Services
 4th Floor, PIA Building, Visayas Avenue, Quezon City

5. A complete set of Bidding Documents may be acquired by interested Bidders on **02 December 2020** from the given address and website(s) below and upon payment of the applicable fee for the Bidding Documents, pursuant to the latest Guidelines issued by the GPPB, in the amount of **Twenty-Five Thousand Pesos (PhP 25,000.00)**. The Procuring Entity shall allow the bidder to present its proof of payment for the fees in person, by facsimile, or through electronic means. Bureau of Broadcast Services Landbank Account No. 3212-1008-10.

Bid No.	Office Address	Website(s)
002-2020	Bureau of Broadcast Services, 4 th Floor, PIA Building, Visayas Avenue, Quezon City	Bureau of Broadcast Services pbs.gov.ph and Government Electronic Procurement System (PhilGEPS) Website www.gppb.gov.ph

6. The Bureau of Broadcast Services (BBS) will hold a Pre-Bid Conference¹ on **10:00am, 10 December 2020** at the **Bureau of Broadcast Services, Training Room, 4th Floor, PIA Building, Visayas Avenue, Quezon City** and through video conferencing/webcasting via **JiTSi application**, either download the JiTSi app on App Store on IOS or through Google Play or visit <https://jitsi.org/jitsi-meet>. Please contact the BAC Secretariat for the room name and password for the pre-bid conference which shall be open to prospective bidders.
7. Bids must be duly received by the BAC Secretariat through manual submission at the **Bureau of Broadcast Services, 4th Floor, PIA Building, Visayas Avenue, Quezon City**, on or before **9:00am (BBS Bundy Clock Time), 22 December 2020**. Late bids shall not be accepted.
8. All Bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in **ITB** Clause 14.
9. Bid opening shall be on **9:00am (BBS Bundy Clock Time), 22 December 2020** at the **Bureau of Broadcast Services, Training Room, 4th Floor, PIA Building, Visayas Avenue, Quezon City** and through video conferencing/webcasting via **JiTSi application**, either download the JiTSi app on App Store on IOS or through Google Play or visit <https://jitsi.org/jitsi-meet>. Please contact the BAC Secretariat for the room name and password for the bid opening. Bids will be opened in the presence of the bidders' representatives who choose to attend the activity.
10. The Bureau of Broadcast Services (BBS) reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract at any time prior to contract award in accordance with Sections 35.6 and 41 of the 2016 revised IRR of RA No. 9184, without thereby incurring any liability to the affected bidder or bidders.

11. For further information, please refer to:

MR. BENJAMIN R. ORTIGUERO, JR.
Head, BAC Secretariat
Bureau of Broadcast Services
4th Floor, PIA Building, Visayas Avenue, Quezon City
Telephone Nos. (02) 772-7745/ (02) 920-4353
bbsbac2k18@gmail.com
pbs.gov.ph

12. You may visit the following websites:

Bureau of Broadcast Services Website pbs.gov.ph and the Government Electronic Procurement System (PhilGEPS) Website www.gppb.gov.ph

02 December 2020

(SGD.) ALAN L. ALLANIGUE
BAC Chairman

REPUBLIC OF THE PHILIPPINES
BUREAU OF BROADCAST SERVICES
4th Floor PIA Building, Visayas Avenue, Quezon City

Section II. Instructions to Bidders

1. Scope of Bid

The Procuring Entity, Bureau of Broadcast Services (BBS) wishes to receive Bids for the One (1) Lot - Contract for the Provision of Security Agency Services for twelve (12) months with project identification number Bid No. 002-2020 undertaken through Early Procurement Activity.

The Procurement Project referred to herein as (“Project”) is composed of one (1) lot, the details of which are described in Section VI (Schedule of Requirements) and Section VII (Technical Specifications).

2. Funding Information

2.1. The GOP through the source of funding as indicated below for 2021 in the amount of Twenty-One Million Seven Hundred Thousand Pesos (PhP 21,700,000.00).

2.2. The source of funding is the National Expenditure Program.

3. Bidding Requirements

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

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

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

4. Corrupt, Fraudulent, Collusive, and Coercive Practices

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

5. Eligible Bidders

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

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

6. Origin of Goods

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

7. Subcontracts

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

The Procuring Entity has prescribed that:

- a. Subcontracting is not allowed.
- 7.2. Subcontracting of any portion of the Project does not relieve the Supplier of any liability or obligation under the Contract. The Supplier will be responsible for the acts, defaults, and negligence of any subcontractor, its agents, servants, or workmen as fully as if these were the Supplier's own acts, defaults, or negligence, or those of its agents, servants, or workmen.

8. Pre-Bid Conference

The Procuring Entity will hold a pre-bid conference for this Project on the specified date and time and either at its physical address at the **Bureau of Broadcast Services, Training Room, 4th Floor, PIA Building, Visayas Avenue, Quezon City on 10:00am, 10 December 2020** and through videoconferencing/webcasting as indicated in paragraph 6 of the **IB**.

9. Clarification and Amendment of Bidding Documents

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

10. Documents comprising the Bid: Eligibility and Technical Components

- 10.1. The first envelope shall contain the eligibility and technical documents of the Bid as specified in **Section VIII (Checklist of Technical and Financial Documents)**.
- 10.2. The Bidder's SLCC as indicated in **ITB** Clause 5.3 should have been completed within 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

- 12.1. Prices indicated on the Price Schedule shall be entered separately in the following manner:

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

13. Bid and Payment Currencies

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

- 13.2. Payment of the contract price shall be made in:

- a. Philippine Pesos.

14. Bid Security

- 14.1. The Bidder shall submit a Bid Securing Declaration² 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 One Hundred Twenty (120) calendar days. Any Bid not accompanied by an acceptable bid security shall be rejected by the Procuring Entity as non-responsive.

15. Sealing and Marking of Bids

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

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

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

16. Deadline for Submission of Bids

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

17. Opening and Preliminary Examination of Bids

- 17.1. The BAC shall open the Bids in public at the time, on the date, and at the place specified in paragraph 9 of the **IB**. The Bidders' representatives who are present shall sign a register evidencing their attendance. In case videoconferencing, webcasting or other similar technologies will be used, attendance of participants shall likewise be recorded by the BAC Secretariat.

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

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

18. Domestic Preference

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

19. Detailed Evaluation and Comparison of Bids

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

20. Post-Qualification

- 20.1. 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**.

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Section III. Bid Data Sheet

Bid Data Sheet

ITB Clause	
5.3	<p>Eligible Bidders</p> <p>For this purpose, contracts similar to the Project shall be:</p> <ul style="list-style-type: none"> a. Security Agency Services b. completed within five (5) years prior to the deadline for the submission and receipt of bids.
7.1	<p>Subcontracts</p> <p>Subcontracting is not allowed.</p>
12	<p>Bid Prices</p> <p>The price of the Goods shall be quoted Delivered Duty Paid (DDP) to:</p> <p>Bureau of Broadcast Services 4th Floor, PIA Building, Visayas Avenue, Quezon City</p>
14.1	<p>Bid Security</p> <p>The bid security shall be in the form of a Bid Securing Declaration, or any of the following forms and amounts:</p> <ul style="list-style-type: none"> a. The amount of not less than <i>Four Hundred Thirty-Four Thousand Pesos (PhP 434,000.00) two percent (2%) of ABC</i>, if bid security is in cash, cashier's/manager's check, bank draft/guarantee or irrevocable letter of credit; or b. The amount of not less than <i>One Million Eighty-Five Thousand Pesos (PhP 1,085,000.00) five percent (5%) of ABC</i>, if bid security is in Surety Bond.
19.3	<p>Detailed Evaluation and Comparison of Bids</p> <p>All items to be grouped together to form one complete Lot that will be awarded to one Bidder to form one complete contract.</p> <p>Partial bid is not allowed. The goods are grouped in a single lot and the lot shall not be divided into sub-lots for the purpose of bidding, evaluation, and contract award.</p>
20.2	<p>Post-Qualification</p> <p>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</p>

	through the BIR Electronic Filing and Payment System (eFPS) and other appropriate licenses and permits required by law and stated in the BDS .
21.2	<p>Signing of the contract</p> <p>The following documents shall form part of the contract:</p> <ul style="list-style-type: none">(a) Contract Agreement;(b) Bidding Documents;(c) Winning bidder’s bid, including the Technical and Financial Proposals, and all other documents/statements submitted (<i>e.g.</i>, 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;(d) Performance Security; and(e) Notice of Award of Contract.

REPUBLIC OF THE PHILIPPINES
BUREAU OF BROADCAST SERVICES
4th Floor PIA Building, Visayas Avenue, Quezon City

Section IV. General Conditions of Contract

1. Scope of Contract

This Contract shall include all such items, although not specifically mentioned, that can be reasonably inferred as being required for its completion as if such items were expressly mentioned herein. All the provisions of RA No. 9184 and its 2016 revised IRR, including the Generic Procurement Manual, and associated issuances, constitute the primary source for the terms and conditions of the Contract, and thus, applicable in contract implementation. Herein clauses shall serve as the secondary source for the terms and conditions of the Contract.

This is without prejudice to Sections 74.1 and 74.2 of the 2016 revised IRR of RA No. 9184 allowing the GPPB to amend the IRR, which shall be applied to all procurement activities, the advertisement, posting, or invitation of which were issued after the effectivity of the said amendment.

Additional requirements for the completion of this Contract shall be provided in the **Special Conditions of Contract (SCC)**.

2. Advance Payment and Terms of Payment

2.1. Advance payment of the contract amount is provided under Annex “D” of the revised 2016 IRR of RA No. 9184.

2.2. The Procuring Entity is allowed to determine the terms of payment on the partial or staggered delivery of the Goods procured, provided such partial payment shall correspond to the value of the goods delivered and accepted in accordance with prevailing accounting and auditing rules and regulations. The terms of payment are indicated in the **SCC**.

3. Performance Security

Within ten (10) calendar days from receipt of the Notice of Award by the Bidder from the Procuring Entity but in no case later than 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. In addition to tests in the **SCC**, **Section IV (Technical Specifications)** shall specify what inspections and/or tests the Procuring Entity requires, and where they are to be conducted. The Procuring Entity shall notify the Supplier in writing, in a timely manner, of the identity of any representatives retained for these purposes.

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

5. Warranty

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

6. Liability of the Supplier

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

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

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Section V. Special Conditions of Contract

Special Conditions of Contract

GCC Clause	
1	<p>Scope of Contract</p> <p>Delivery and Documents</p> <p>For purposes of the Contract, “EXW,” “FOB,” “FCA,” “CIF,” “CIP,” “DDP” and other trade terms used to describe the obligations of the parties shall have the meanings assigned to them by the current edition of INCOTERMS published by the International Chamber of Commerce, Paris. The Delivery terms of this Contract shall be as follows:</p> <p>The delivery terms applicable to this Contract are delivered to:</p> <p>BUREAU OF BROADCAST SERVICES 4th Floor PIA Building, Visayas Avenue, Quezon City Bid No. 002-2020 – One (1) Lot – Contract for the Provision of Security Agency Services for twelve (12) months</p> <p>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> <p>Incidental Services</p> <p>The Supplier is required to provide all of the following services, including additional services, if any, specified in Section VI. Schedule of Requirements:</p> <ul style="list-style-type: none"> a) One (1) Handheld Metal Detector at the Central Office; b) Minimum of eight (8) handheld two-way radios at the Central Office (4), Marulas Transmitter Site (2) and Malolos Transmitter Site (2); c) Two (2) Sets - 6-Unit + DVR CCTV Cameras to be installed at the Central Office, and of which shall be turned over to BBS upon completion of the contract; d) One (1) Set - 6-Unit + DVR CCTV Cameras to be installed at the Marulas Transmitter Site, and of which shall be turned over to BBS upon completion of the contract; e) One (1) Set - 6-Unit + DVR CCTV Cameras to be installed at the Malolos Transmitter Site, and of which shall be turned over to BBS upon completion of the contract; f) Vehicle inspection mirror; g) All security guards on duty should be armed with at least one (1) 9mm pistol; and h) To provide one (1) 12 – gauge shotgun to security guard on duty in Marulas Transmitter Site and one (1) 12 –gauge shotgun to security guard on duty in Malolos Transmitter Site.

	<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>
2.2	<p>Advance Payment and Terms of Payment</p> <p>The winning bidder upon receipt of NTP shall submit a Bank Account number to this office, preferably Landbank Account to facilitate fast payment and implement the Expanded Modified Direct Payment Scheme for Accounts Payable Due Creditor.</p> <p>The Supplier upon receipt of online payment from this office for his/her delivered goods or services, shall submit the corresponding official receipt to this office within ten (10) working days. Failure to comply with this provision after one (1) notice from this office to comply will be a ground for disqualification of the Supplier in the next bidding.</p>
4	<p>Inspection and Tests</p> <p>The inspections and tests that will be conducted are:</p> <ol style="list-style-type: none"> 1. Office premises; 2. Training Facilities; 3. Armory; and 4. Original copies of documents presented during the bidding process.

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Section VI. Schedule of Requirements

Schedule of Requirements

BID NO 002-2020 – ONE (1) LOT - CONTRACT FOR THE PROVISION OF SECURITY AGENCY SERVICES FOR TWELVE (12) MONTHS

Item No.	Description	Qty	Total	Delivered, Weeks/Months
	<p>The places of deployment are:</p> <p>BUREAU OF BROADCAST SERVICES CENTRAL OFFICE <i>(six (6) guard = four (4) day shift guards & two (2) night shift guards)</i> 4th Floor PIA Building, Visayas Avenue, Quezon City</p> <p>MARULAS TRANSMITTING PLANT <i>(five (5) guards = two (2) day shift guards & three (3) night shift guards)</i> Don Pedro Village, Marulas, Valenzuela City</p> <p>MALOLOS TRANSMITTER COMPLEX <i>(four (4) guards = two (2) day shift guards & two (2) night shift guards)</i> Bulacan State University (BSU), Malolos City</p> <p>DZEQ – BAGUIO <i>(one (1) night shift guard)</i> Polo Field, Baguio City</p> <p>DWFR – BONTOC <i>(two (2) night shift guards)</i> Mt. Pokis, Bontoc, Mt. Province</p> <p>DZRK – TABUK <i>(one (1) night shift guard)</i> Upper Tabuk, Tabuk, Kalinga</p> <p>DZAG – AGOO <i>(one (1) night shift guard)</i></p>		Fifty Nine (59) Guards	Posting within fifteen (15) days upon signing of contract.

	<p>Don Mariano Marcos Memorial State University (DMMSU) Campus, Agoo, La Union</p> <p>DZMQ – DAGUPAN (one (1) night shift guard) Tondalinga Beach, Dagupan City</p> <p>DWFB – LAOAG (two (2) night shift guards) Mariano Marcos State University (MMSU) Campus, Laoag City</p> <p>Batac City</p> <p>DWRS – TAYUG (one (1) night shift guard) Poblacion, Tayug, Pangasinan</p> <p>DWBT-BATANES (one (1) night shift guard) San Antonio, Basco, Batanes</p> <p>DWPE – TUGUEGARAO (two (2) night shift guards) Former DPWH Regional Office Building, Bagay Road, Tuguegarao, Cagayan</p> <p>Cagayan State University (CSU) Carig Campus, Tuguegarao, Cagayan</p> <p>DWLC – LUCENA (two (2) night shift guards) Barangay Federation Center, Governor’s Mansion Compound</p> <p>Barangay Talipan, Pagbilao, Quezon</p> <p>DWRM – PALAWAN (one (1) night shift guard) City hall Compound, Puerto Princesa, Palawan</p> <p>DWRB – NAGA (two (2) night shift guards) City Civic Center, Naga City</p>			
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	<p>Fabrica, Bula, Camarines Sur</p> <p>DZVC – VIRAC (one (1) night shift guard) Catanduanes State Colleges (CSC) Campus, Virac, Catanduanes</p> <p>DWJS-ALBAY One (1) night shift guard) Legazpi, Albay</p> <p>DYLL – ILOILO (two (2) night shift guards) Iloilo City</p> <p>Iloilo City National High School (ICNHS) Molo, Iloilo City</p> <p>DYMR – CEBU (Three (3) night shift guards) Cebu School of Arts and Trade (CSAT) Compound, MJ Cuenco Avenue, Cebu City</p> <p>Barangay Perelos, Carcar, Cebu City</p> <p>DYES – BORONGAN (one (1) night shift guard) Capitol Compound, Borongan , Eastern Samar</p> <p>DYOG – CALBAYOG (one (1) night shift guard) City Hall Compound, Calbayog, Leyte</p> <p>DYSL – SOGOD (one (1) night shift guard) Southern Leyte State University (SLSU) Campus, Sogod, Southern Leyte</p> <p>DXMR-ZAMBOANGA (two (2) night shift guards) Baliwasan Chico, Zamboanga City</p>			
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	<p>Mercedes, Zamboanga del Sur</p> <p>DXIM – CAGAYAN DE ORO (two (2) night shift guards) A. Veles Street, Cagayan de Oro City</p> <p>Cagayan de Oro (Bugo) School of Arts and Trades (COBSAT) Bugo, Cagayan de Oro, Misamis Oriental</p> <p>DXRG – GINGOOG (one (1) night shift guard) Dona Garciana Street, Gingoog City</p> <p>DXRP – DAVAO Three (3) night shift guards) 75 GSIS Heights, Matina, Davao City</p> <p>DXBN – BUTUAN (two (2) night shift guards) City Hall Compound, Butuan City, Agusan del Sur</p> <p>Barangay Ambago, Butuan City, Agusan del Sur</p> <p>DXJS – TANDAG (one (1) night shift guard) Tandag, Surigao del Sur</p> <p>DXSM – JOLO (Two (2) night shift guards) Camp Asturias, Jolo, Sulu</p> <p>DXDC – TAWI-TAWI (two (2) night shift guards) Provincial Capitol Site, Bongao, Tawi-Tawi</p> <p>DXSO – MARAWI (two (2) night shift guards) Mindanao State University (MSU) Campus, Marawi City</p>			
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REPUBLIC OF THE PHILIPPINES
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Section VII. Technical Specifications

Technical Specifications

BID NO 002-2020 – ONE (1) LOT - CONTRACT FOR THE PROVISION OF SECURITY AGENCY SERVICES FOR TWELVE (12) MONTHS

Items	Specifications	Statement of Compliance	
		Comply	Not Comply
1.	Certification under oath that the Security Agency is at least five (5) years in operation. (To be submitted during the opening of bids.) <i>Note: To attach photocopy of the affiant's I.D.</i>		
2.	Certification under oath that the Security Agency has at least Two Hundred (200) guards. (To be submitted during the opening of bids.) <i>Note: To attach photocopy of the affiant's I.D.</i>		
3.	Certificate under oath that the Security Agency had dispatched guards in at least ten (10) different regions of the country. (To be submitted during the opening of bids.) <i>Note: To attach photocopy of the affiant's I.D.</i>		
4.	Certification under oath stating the total number of guards of the Security Agency. (To be submitted during the opening of bids.) <i>Note: To attach photocopy of the affiant's I.D.</i>		
5.	Certificate under oath that the total number of pending cases, if any, shall not exceed twenty (20%) percent of the total number of guards of the Security Agency. (To be submitted during the opening of bids.) <i>Note: To attach photocopy of the affiant's I.D.</i>		
6.	Certification under oath that the Security Agency complies with existing labor laws and standards. (To be submitted during the opening of bids.) <i>Note: To attach photocopy of the affiant's I.D.</i>		
7.	Certification under oath that the Security Agency shall give to the guards to be assigned to BBS the due compensation and social benefits as quoted in the bid offer. (To be submitted during the opening of bids.) <i>Note: To attach photocopy of the affiant's I.D.</i>		
8.	Certification under oath that the Security Agency has not incurred any losses for the past five (5) years. (To be submitted during the opening of bids.) <i>Note: To attach photocopy of the affiant's I.D.</i>		
9.	Certification under oath that the Security Agency can advance payment of salaries for three (3) months. (To be submitted during the opening of bids.) <i>Note: To attach photocopy of the affiant's I.D.</i>		

10.	Certificate of Good Standing from a Philippine Association of Detective and Protective Agency Operators (PADPAO). (To be submitted during the opening of bids.)		
11.	Complete list of clients with address and telephone numbers that have engaged the services of the Security Agency for the past three (3) years. (To be submitted during the opening of bids.)		
12.	Security Licenses (Regular) from the Philippine National Police – Security Agencies and Guards Supervision Division (PNP-SAGSD). (To be submitted during the opening of bids.)		
13.	List of firearms with corresponding valid licenses issued by the Philippine National Police – Firearms and Explosive Office (PNP_FEO). (To be submitted during the opening of bids.)		
14.	List of vehicles and equipment, such as Two-Way Hand Held Radios, Metal Detector, Closed-Circuit Television (CCTV). (To be submitted during the opening of bids.)		
15.	The interested Security Agency is required to submit a master list of their security guards and their corresponding valid licenses. (To be submitted during the opening of bids.)		
16.	SSS Clearance Certificate (1 st & 2 nd Quarters of 2020) (To be submitted during the opening of bids.)		
17.	Philhealth Certification (1 st & 2 nd Quarters of 2020) (To be submitted during the opening of bids.)		
18.	PAG-IBIG Clearance Certificate (1 st & 2 nd Quarters of 2020). (To be submitted during the opening of bids.)		
19.	DOLE Certificate of Compliance on Occupational Safety and Health Standard		
20.	DOLE Certificate of Compliance on General Labor Standard. (To be submitted during the opening of bids.)		
21.	DOLE Certificate of Registration. (To be submitted during the opening of bids.)		

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Section VIII. Checklist of Technical and Financial Documents

Checklist of Technical and Financial Documents

BID NO 002-2020 – ONE (1) LOT - CONTRACT FOR THE PROVISION OF SECURITY AGENCY SERVICES FOR TWELVE (12) MONTHS

I. TECHNICAL COMPONENT ENVELOPE

Class “A” Documents

Legal Documents

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

Technical Documents

- (f) Statement of the prospective bidder of all its ongoing government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid; **and**
- (g) Statement of the bidder’s Single Largest Completed Contract (SLCC) similar to the contract to be bid, except under conditions provided for in Sections 23.4.1.3 and 23.4.2.4 of the 2016 revised IRR of RA No. 9184, within the relevant period as provided in the Bidding Documents; **and**
- (h) Original copy of Bid Security. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission; **or**
Original copy of Notarized Bid Securing Declaration; **and**
- (i) Conformity with the Schedule of Requirements , if applicable; **and**
- (j) Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or after-sales/parts, if applicable;
- 1. Certification under oath that the Security Agency is at least five (5) years in operation. (To be submitted during the opening of bids.) *Note: To attach photocopy of the affiant’s I.D.*

- 2. Certification under oath that the Security Agency has at least Two Hundred (200) guards. (To be submitted during the opening of bids.) *Note: To attach photocopy of the affiant's I.D.*
- 3. Certificate under oath that the Security Agency had dispatched guards in at least ten (10) different regions of the country. (To be submitted during the opening of bids.) *Note: To attach photocopy of the affiant's I.D.*
- 4. Certification under oath stating the total number of guards of the Security Agency. (To be submitted during the opening of bids.) *Note: To attach photocopy of the affiant's I.D.*
- 5. Certificate under oath that the total number of pending cases, if any, shall not exceed twenty (20%) percent of the total number of guards of the Security Agency. (To be submitted during the opening of bids.) *Note: To attach photocopy of the affiant's I.D.*
- 6. Certification under oath that the Security Agency complies with existing labor laws and standards. (To be submitted during the opening of bids.) *Note: To attach photocopy of the affiant's I.D.*
- 7. Certification under oath that the Security Agency shall give to the guards to be assigned to BBS the due compensation and social benefits as quoted in the bid offer. (To be submitted during the opening of bids.) *Note: To attach photocopy of the affiant's I.D.*
- 8. Certification under oath that the Security Agency has not incurred any losses for the past five (5) years. (To be submitted during the opening of bids.) *Note: To attach photocopy of the affiant's I.D.*
- 9. Certification under oath that the Security Agency can advance payment of salaries for three (3) months. (To be submitted during the opening of bids.) *Note: To attach photocopy of the affiant's I.D.*
- 10. Certificate of Good Standing from a Philippine Association of Detective and Protective Agency Operators (PADPAO). (To be submitted during the opening of bids.)
- 11. Complete list of clients with address and telephone numbers that have engaged the services of the Security Agency for the past three (3) years. (To be submitted during the opening of bids.)
- 12. Security Licenses (Regular) from the Philippine National Police – Security Agencies and Guards Supervision Division (PNP-SAGSD). (To be submitted during the opening of bids.)
- 13. List of firearms with corresponding valid licenses issued by the Philippine National Police – Firearms and Explosive Office (PNP_FEO). (To be submitted during the opening of bids.)

- 14. List of vehicles and equipment, such as Two-Way Hand Held Radios, Metal Detector, Closed-Circuit Television (CCTV). (To be submitted during the opening of bids.)
- 15. The interested Security Agency is required to submit a master list of their security guards and their corresponding valid licenses. (To be submitted during the opening of bids.) **and**
- 16. SSS Clearance Certificate (1st & 2nd Quarters of 2020) (To be submitted during the opening of bids.) **and**
- 17. Philhealth Certification (1st & 2nd Quarters of 2020) (To be submitted during the opening of bids.) **and**
- 18. PAG-IBIG Clearance Certificate (1st & 2nd Quarters of 2020). (To be submitted during the opening of bids.) **and**
- 19. DOLE Certificate of Compliance on Occupational Safety and Health Standard. **and**
- 20. DOLE Certificate of Compliance on General Labor Standard. (To be submitted during the opening of bids.) **and**
- 21. DOLE Certificate of Registration. (To be submitted during the opening of bids.) **and**
- (k) Original duly signed Omnibus Sworn Statement (OSS); **and** if applicable, Original Notarized Secretary's Certificate in case of a corporation, partnership, or cooperative; or Original Special Power of Attorney of all members of the joint venture giving full power and authority to its officer to sign the OSS and do acts to represent the Bidder.

Financial Documents

- (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.

2. FINANCIAL COMPONENT ENVELOPE

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



PRESIDENTIAL COMMUNICATIONS OFFICE
PHILIPPINE BROADCASTING SERVICE
Bureau of Broadcast Services