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<b>PURCHASING PROCEDURE</b>		Rev. No.: 01 November 8, 2017 Page: 1/42

## 1.0 Objective

- To ensure that Purchasing of Items/Goods are processed correctly and delivered properly and timely.
- To ensure that only authorized Items/Goods are accepted and paid for.
- To select and maintain records of reputable suppliers and contractors.
- To ensure that supplies, materials and services conforms with the specifications of the end-user.

## 2.0 Scope


This procedure covers the procurement of goods, infrastructure and consulting services requirements needed by the operating units/special projects from Purchase Request (PR) to releasing of Notice to Proceed (NTP).

## 3.0 Definition of Terms

APP	-	Annual Procurement Plan
APR	-	Agency Procurement Request
BAC	-	Bids & Awards Committee
HOPE	-	Head of Procuring Entity
JO	-	Job Order
LCB	-	Lowest Calculated Bid
LCRB	-	Lowest Calculated Responsive Bid
NOA	-	Notice of Award
NTP	-	Notice to Proceed
ORS	-	Obligation Request and Status
PPA	-	Plans, Projects and Activities
PE	-	Procuring Entity
PhilGEPS	-	Philippine Government Electronic Procurement System
PO	-	Purchase Order
PPMP	-	Project Procurement Management Plan
PQR	-	Post-Qualification Requirements
PR	-	Purchase Request
PS	-	Procurement Service
RFQ	-	Request for Quotation
RO	-	Repeat Order
TWG	-	Technical Working Group
WO	-	Work Order

## 4.0 Records

- R-BAC-08 Logbook on PRs from AFVDBCD
- R-BAC-09 Logbook on PRs from AHWD
- R-BAC-10 Logbook on PRs from LRDD
- R-BAC-11 Logbook on PRs from NVQSD
- R-BAC-12 Logbook on PRs from VLD
- R-BAC-13 Logbook on PRs from FOG

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- R-BAI-60 Project Procurement Management Plan File
- R-BAI-02 Annual Procurement Plan
- R-BAI-65 Purchase Request File
- R-BAI-00 Request for Quotation File (Digital)
- R-BAI-00 Abstract of Quotations File (Digital)
- R-BAI-00 Notice of Award File (Digital)
- R-BAI-00 Notice of Proceed File (Digital)
- R-BAI-00 Purchase Order File (Digital)
- R-BAI-00 Work Order File (Digital)
- R-BAI-00 Contract of Agreement File (Digital)
- R-BAI-59 Procurement Monitoring Report File
- R-BAI-99 Agency Procurement Request File

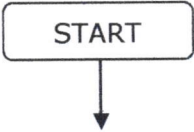
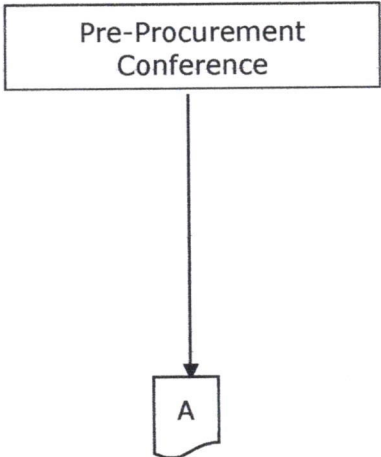
## 5.0 References

ED BAI-05 Republic Act 9184 Philippine Government Procurement Act and Its IRR  
Revised October 2016

## 6.0 Processes

### BIDDING PROCESS FOR GOODS AND INFRASTRUCTURE PROJECTS

- I. **COMPETITIVE BIDDING** - It is a method of procurement which is open to participation by any interested party and which consists of the following processes:

FLOW	RESPONSIBILITY	INTERFACE
		<ul style="list-style-type: none"> <li>• Submit approved Purchase Request (GF BAI-84) to BAC. Refer to WI BAI-01 Preparation of PR</li> <li>• Record in R-BAI-38 Logbook for Outgoing Documents</li> </ul>
	BAC, BAC Secretariat, TWG, End-User, Consultants/Other Officials	<ul style="list-style-type: none"> <li>• Ensure procurement is in accord with the APP and ABC</li> <li>• Determine completeness of Bid Documents (GF BAI-168)</li> <li>• Mandatory for projects with ABC above P 2M (goods) or 5M (infra projects)</li> <li>• Reference to brand names and country of origin is prohibited</li> <li>• Specifications should be based on relevant characteristics, functionality and performance requirements</li> </ul>



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	<p>BAC Secretariat</p>	<ul style="list-style-type: none"> <li>• At least in one (1) newspaper of general nationwide circulation, which has been regularly published for at least two (2) years before the advertisement date</li> <li>• Not required for projects with ABC of P 10M and below for Goods or P 15M and below for infrastructure projects</li> <li>• Posted continuously for 7 calendar days (cd) in the PhilGEPS, website of the PE, at any conspicuous place in the premises of the PE</li> </ul>
	<p>BAC, BAC Secretariat, Suppliers</p>	<ul style="list-style-type: none"> <li>• Mandatory for ABC P 1M or more; optional for ABC less than 1M</li> <li>• Open to prospective bidders but attendance is not mandatory</li> <li>• Held at least 12 cd before deadline for bid conference but not earlier than 7 cd from the PhilGEPS posting of the ITB or bidding documents</li> <li>• The pre-bid conference shall discuss, clarify and explain, among other things, the eligibility requirements and the technical and financial components of the contract to be bid including questions and clarifications raised by the prospective bidders before and during the Pre-Bid Conference</li> <li>• Pre-bid Conference may be conducted in person or face-to-face through videoconferencing, webcasting or similar technology or a combination thereof</li> <li>• Questions or clarifications pertaining to the matters that may be discussed during the pre-bid conference must be raised at least ten (10) cd before the deadline set for the submission and receipt of bids</li> <li>• Supplemental/Bid Bulletins issued by BAC to answer request for clarification (query submitted</li> </ul>





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		<p>10 cd before deadline) or interpretation and upon BAC's initiative to clarify or modify any provision of Bidding Docs (at least 7 cd before deadline for bids)</p> <ul style="list-style-type: none"> <li>• Posted continuously for 7 calendar days (cd) in the PhilGEPS, website of the PE, at any conspicuous place in the premises of the PE</li> <li>• Bidders who have submitted bids before issuance of Supplemental/Bid Bulletin (GF BAI-169) must be informed in writing and allowed to modify or withdraw their respective bids</li> <li>• If no Supplemental/Bid Bulletin is issued to reflect changes in the Bidding Documents, or even if the same was issued but not posted at the PhilGEPS' and PE's websites, the original provisions contained in the bidding documents remain and the prospective bidder, including the winning bidder cannot be compelled to abide or comply with the changes made by the PE</li> </ul>
	<p>BAC Secretariat</p>	<ul style="list-style-type: none"> <li>• Two-envelope System             <ul style="list-style-type: none"> <li>- 1<sup>st</sup> Envelope – Eligibility requirements and Technical Component</li> <li>- 2<sup>nd</sup> Envelope – Financial Component</li> </ul> </li> <li>• Submitted to the BAC on the date, time and place specified in the ITB. Receipt of bids is given to suppliers.</li> <li>• Bids submitted after the deadline should not be accepted</li> <li>• Date of submission should not be later than the following period from the last day of posting of the ITB             <ul style="list-style-type: none"> <li>- Goods – 45 cd</li> <li>- Infra (50M &amp; below)- 50 cd</li> <li>- Infra (above 50M)- 65 cd</li> </ul> </li> <li>• In case the bids cannot be</li> </ul>





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		<p>opened as scheduled due to justifiable reasons, the BAC shall take custody of the bids submitted and rescheduled the opening of bids on the next working day or at the soonest possible time through the issuance of a Notice of Postponement to be posted in the PhilGEPS website and the website of the PE</p>
<p>Opening &amp; Evaluation of the 1<sup>st</sup> Envelope</p>	<p>BAC, BAC Secretariat, TWG, End-user</p>	<ul style="list-style-type: none"> <li>• Contents of 1<sup>st</sup> Envelope             <ul style="list-style-type: none"> <li>Legal documents                 <ul style="list-style-type: none"> <li>- DTI/SEC/CDA reg.</li> <li>- 60% Filipino owned for goods</li> <li>- 75% Filipino owned for infrastructure</li> </ul> </li> <li>- Mayor's Permit</li> <li>- Tax Clearance</li> <li>- PhilGEPS Certificate of reg. - Platinum</li> <li>- PCAB license for infra</li> <li>- Audited financial statements for the last 2 consecutive yrs.</li> </ul> </li> <li>Technical documents             <ul style="list-style-type: none"> <li>- Statement of all ongoing contracts</li> <li>- Statement of single Largest Complete Contract (SLCC)</li> </ul> </li> <li>Financial Documents             <ul style="list-style-type: none"> <li>- Audited financial statement</li> <li>- Net Financial Contacting Capacity (NFCC)</li> </ul> </li> <li>JVA             <ul style="list-style-type: none"> <li>- Joint Venture Agreement or notarized statement from the partners that they will enter into joint venture if awarded the contract</li> </ul> </li> <li>• Recently expired Mayor's permit shall be accepted together with the official receipt as proof that the bidder has applied for renewal within the period prescribed by the concerned local govt. unit; provided the renewed permit shall be submitted as a post-qualification</li> </ul>



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- requirement
- Submission of tax clearance of the previous year and application for tax clearance cannot be considered as compliance
- In the event that the submitted tax clearance expires prior to award of contract, the bidder is obligated to renew and update its Tax Clearance
- Submission of Provisionary Tax Clearance issued by the BIR for bidding purposes is not acceptable form of Tax Clearance
- In case of procurement of goods, a bidder may opt to submit a committed Line of Credit (CLC) from a universal or commercial bank in lieu of NFCC
- If CLC is submitted, it must be at least equal to 10% of the ABC to be bid
- The NFCC shall be equal to the ABC
- NFCC Computation  

$$\text{NFCC} = (\text{Current Assets} - \text{Current Liabilities}) \times K - (\text{Outstanding, uncompleted portions under ongoing contracts} + \text{contracts awarded but not yet started})$$

$$K = 15$$
- The Single Largest Completed Contract (SLCC) shall be stated similar to the contract to be bid
  - 25% of the ABC for expendable supplies
  - 50% of the ABC for non-expendable supplies
- A contract shall be considered similar to the contract to be bid if it has the same major categories of work
- A valid PCAB required as an eligibility requirement for the procurement of infrastructure projects should be valid at the time of the deadline for the submission and opening of bids



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<div style="text-align: center;"> <div style="border: 1px solid black; padding: 5px; width: 40px; margin: 0 auto;">E</div> </div>		<ul style="list-style-type: none"> <li>• The submission of a PCAB license with validity period after the date of the opening of the bids is a ground for the prospective bidder's disqualification</li> </ul>
<div style="text-align: center;"> <div style="border: 1px solid black; padding: 5px; width: 40px; margin: 0 auto;">F</div> </div>	<p style="text-align: center;">BAC Secretariat</p>	<ul style="list-style-type: none"> <li>• Only 1 form of Bid Security is required to be submitted             <ul style="list-style-type: none"> <li>- Cash or bank guarantee – 2% of ABC</li> <li>- Surety bond – 5%</li> <li>- Bid Securing Declaration – no % required</li> </ul> </li> <li>• Bid Securing Declaration should be notarized</li> <li>• Unsealed or unmarked bid envelopes shall be rejected. However, bid envelopes that are not properly sealed and marked, as required in the Bidding Documents, shall be accepted provided that the bidder or its duly authorized representative shall acknowledge such condition of the bid as submitted.</li> <li>• Bid validity period shall not exceed 120 cd</li> <li>• If the period is extended, PE shall request in writing all those submitted bids for such extension before the expiration date. However, the bidders have the right to refuse to grant such extension such extension without forfeiting their bid security</li> <li>• Relatives within the third civil degree by affinity or consanguinity of the following shall be disqualified – HOPE, BAC members, Secretariat, TWG, Head of the End-user, Project consultants</li> </ul>





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	<p>BAC, BAC Secretariat, Suppliers</p>	<ul style="list-style-type: none"> <li>• Financial Bid Form</li> <li>• Other documents required in the bidding documents</li> <li>• Only the 2<sup>nd</sup> envelope of the eligible bidders whose 1<sup>st</sup> envelope have been rated "Passed" shall be opened</li> </ul>
	<p>BAC Members, TWG</p>	<ul style="list-style-type: none"> <li>• The "No-Contact" rule applies only to those whose bids are being evaluated by the BAC after passing the preliminary examination until the issuance of NOA (GF BAI-62)</li> <li>• No communication should be made by bidders until a decision to award a contract is made by the BAC</li> <li>• Unless the ITB specifically allows partial bids, those not providing all required items shall be considered non-responsive</li> <li>• Placing no price is considered as non-responsive</li> <li>• Specifying a "0" or "-" means it is offered free</li> <li>• Determine whether bidder with LCB complies with and is responsive to all requirements and conditions of eligibility and the bidding of the contract to be declared the Lowest Calculated and Responsive Bid (LCRB)</li> </ul>
	<p>BAC Members, TWG</p>	<ul style="list-style-type: none"> <li>• BAC A non-discretionary pass/fail criterion shall be used to "Verify, Validate and Ascertain" all statements and documents (licenses, certificates, etc.)</li> <li>• Completed in not more than 12 cd or up to 45 cd</li> <li>• In case of post-qualification of the LCB, the BAC shall be given the same fresh period to conduct the post-qualification of the next lowest calculated bid</li> <li>• BAC will notify the bidder with the Lowest Calculated Bid that it was determined as such</li> </ul>



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- Within 5 cd from receipt of Notice, bidder shall submit the latest Income and Business Tax Returns and other appropriate Licenses and permits required by law and stated in the Bidding Documents
- Failure to submit any of the post-qualification requirements on time, or a finding against the veracity thereof, shall disqualify the bidder for award.
- Should there be a finding against the veracity of any of the documents submitted, the Bid Security shall be forfeited
- If any of these contracts shows the bidder's failure to deliver or perform any or all of the goods or services within the period(s) specified in the contract or within any extension thereof granted by the PE pursuant to a request made by the supplier prior to the delay and such failure amounts to at least 10% of the contract price.
- If the BAC verifies any of these deficiencies to be due to the bidder's fault or negligence, the BAC shall disqualify the bidder from the award for the procurement of goods.
- For infrastructure, BAC shall check
  - Negative slippage of at least 15% in any one project or a negative slippage of at least 10% in each of 2 or more contracts
  - Failure of the contractor to commence repair works on ongoing contracts
  - Failure of the contractor to commence repair works on contracts with pending certificates of acceptance
  - Substandard quality of work or unsatisfactory performance at the time of



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		<p>inspection</p> <ul style="list-style-type: none"> <li>The BAC shall recommend award of contract to the Lowest Calculated and Responsive Bid (LCRB)</li> <li>The HOPE has 15 cd to decide whether or not to approve or disapprove the recommendation</li> <li>The PE may request for the submission of additional documents from the bidder in support of the information it has provided in the bidding documents within 5 cd and should not be extended</li> </ul>
	<p>BAC, BAC Secretariat</p>	<ul style="list-style-type: none"> <li>The BAC shall notify all other bidders, in writing of its recommendation to HOPE of award of contract to LCRB/HRRB within 3 cd from the issuance of the resolution recommending award.</li> <li>HOPE reserves the right to:             <ul style="list-style-type: none"> <li>Reject any and all bids</li> <li>Declare a failure of bidding</li> <li>Not award the contract</li> </ul> </li> </ul>
	<p>BAC Secretariat, HOPE</p>	<ul style="list-style-type: none"> <li>Contract shall be awarded to the bidder with the LCRB at its submitted price or total calculated bid price</li> <li>In case of approval of the recommendation of the BAC, the Notice of Award (NOA) shall be immediately issued by HOPE to the LCRB</li> <li>The BAC Sec shall post the NOA in the PhilGEPS and PE's websites, and in any conspicuous place within 3 cd from its issuance.</li> <li>Award of contract within 10 cd from the issuance of NOA subject to the following conditions:             <ul style="list-style-type: none"> <li>Posting of Performance Security</li> <li>Signing of Contract upon compliance with all documentary requirements</li> <li>If required, approvals of</li> </ul> </li> </ul>





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- higher authority
- Performance Security is posted by winning bidder upon signing of contract to guarantee performance of obligation as specified
- If winning bidder fails to post bid security is ground for disqualification and bid security shall be forfeited without prejudice to the imposition of sanctions  
Performance Security  
Cash/cashier's check or  
Bank Guarantee - 5% for goods;  
10% for Infra  
Surety bond - 30%
- When required, the approving higher authority or his duly authorized representative shall be given a maximum of 20 cd from receipt to approve or disapprove the contract.
- From the opening of Bids to Award of Contract shall not exceed 3 months
- The concerned PE shall issue the Notice to Proceed (NTP) together with a copy or copies of the approved contract to the successful bidder within 7 cd from the date of approval of the contract by the appropriate government approving authority.
- The BAC Sec shall post the NTP and the approved contract in the PhilGEPS and PE's websites within 15 cd from the issuance of the NTP
- Retention Money for Goods- at least 1% and 10% for infrastructure projects
- Once the cumulative amount of liquidated damages reaches 10% of the amount of the contract, the PE may rescind or terminate, without prejudice to other courses of action and remedies available under the



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	BAC Secretariat	<p>circumstances</p> <ul style="list-style-type: none"> <li>Record transactions as necessary</li> </ul>
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**II. ALTERNATIVE METHODS OF PROCUREMENT**


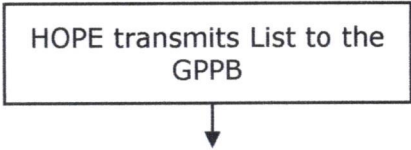

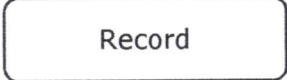
Alternative methods shall be resorted only:

- a. In highly exceptional case
- b. To promote economy and efficiency
- c. Justified by conditions specified in IRR
- d. GPPB approval as required under EO 423, S. 2005 (at least 500 million pesos)

1. Limited Source Bidding (LSB)- known also as "selective bidding" which involves direct invitation to bid by the procuring entity from the list of preselected suppliers or consultants
  - Applicable for goods and consulting services
  - Highly specialized types where only a few bidders are known to be available
  - Major plant components beneficial to limit bidding to known qualified bidders to maintain uniform quality and performance of the plant

FLOW	RESPONSIBILITY	INTERFACE
	BAC Members, BAC TWG	<ul style="list-style-type: none"> <li>Approved PR (GF BAI-84)</li> </ul>
	BAC, BAC Secretariat	<ul style="list-style-type: none"> <li>Pre-selection is based on capability and resources to perform the contract taking into account:                             <ul style="list-style-type: none"> <li>- Experience and past performance on similar contracts</li> <li>- Capabilities with respect to personnel, equipment, and/or manufacturing facilities and</li> <li>- Financial position</li> </ul> </li> <li>The pre-selected list of</li> </ul>

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		supplies and consultants shall be maintained by the relevant government authority in which the PE may be the government authority <ul style="list-style-type: none"> <li>The pre-selected bidders list shall be updated periodically and submitted to the GPPB.</li> </ul>
	BAC Secretariat	<ul style="list-style-type: none"> <li>PE posts procurement opportunity and conducts LSB</li> </ul>
	BAC, BAC Secretariat, TWG, End-user	<ul style="list-style-type: none"> <li>All the procedures for competitive bidding shall be undertaken, except for the Advertisement of ITB/Request for Expression of Interest</li> </ul>
	BAC Secretariat	<ul style="list-style-type: none"> <li>Record transactions as necessary</li> </ul>

2. **DIRECT CONTRACTING** or single source procurement is a method of procurement of Goods that does not require elaborate Bidding Documents. The supplier is simply asked to submit a price quotation or a pro-forma invoice together with the conditions of sale. The offer may be accepted immediately or after some negotiations. Direct Contracting may be resorted to by concerned PE under any of the following conditions:

- a. Procurement of Goods of proprietary nature which can be obtained only from the proprietary source, i.e. when patents, trade secrets and copyrights prohibit others from manufacturing the same;
- b. When the procurement of critical components from a specific supplier is a condition precedent to hold a contractor to guarantee its project performance, in accordance with the provisions of its contract;
- c. Those sold by an exclusive dealer or manufacturer which does not have sub-dealers selling at lower prices and for which no suitable can be obtained at more advantageous terms to the government.





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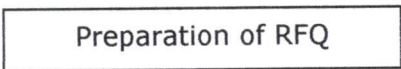
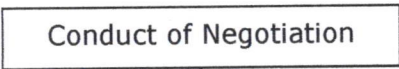
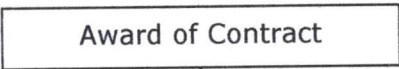

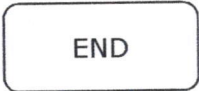
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
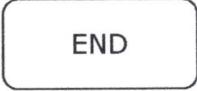
FLOW	RESPONSIBILITY	INTERFACE
 <p style="text-align: center;">↓</p>	End-User	<ul style="list-style-type: none"> <li>Conduct survey of the industry and determine the supply source.</li> <li>End-User should justify the necessity for the item that may be only procured through Direct Contracting and prove that there is no suitable substitute in the market.</li> </ul>
 <p style="text-align: center;">↓</p>	BAC Secretariat	<ul style="list-style-type: none"> <li>BAC shall prepare the RFQ (GF BAI-90) or pro-forma invoice together with the terms and conditions of sale and shall send the same to the identified direct supplier.</li> </ul>
 <p style="text-align: center;">↓</p>	BAC	<ul style="list-style-type: none"> <li>Simplified negotiations on the terms and conditions of the contract may be conducted by the BAC to ensure that the supplier is technically, legally and financially capable to deliver the goods at the most advantageous price and contract for the government.</li> </ul>
 <p style="text-align: center;">↓</p>	BAC, BAC Secretariat	<ul style="list-style-type: none"> <li>The BAC shall recommend to the HOPE the award of contract in favor of the supplier.</li> <li>Award of contract shall follow procedure stated in the competitive bidding procedure</li> </ul>
 <p style="text-align: center;">↓</p>	BAC, BAC Secretariat, HOPE	
	BAC Secretariat	<ul style="list-style-type: none"> <li>Record transactions as necessary</li> </ul>

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3. **REPEAT ORDER** is a method of procurement of goods from the previous winning bidder, whenever there is a need replenish goods subject to the following conditions:
- a. The goods were procured under a contract previously awarded through Competitive Bidding
  - b. Unit prices must be the same as or lower than in the original contract, provided that such prices are still the most advantageous to the government after price verification
  - c. The repeat order will not result in splitting of contracts, requisitions or purchase orders
  - d. Except in cases duly approved by the GPBB, repeat orders shall be availed of only within 6 months from the date of the NTP arising from the original contract, provided that there has been a partial delivery, inspection and acceptance of the goods within the same period
  - e. Repeat Orders shall not exceed 25% of the quantity of each item in the original contract. In order not to exceed the 25% threshold, the goods under the original contract must be
    - Quantifiable
    - Divisible
    - Consisting of at least 4 units per item

FLOW	RESPONSIBILITY	INTERFACE
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Preparation of PR</div> <div style="text-align: center; margin-top: 10px;">↓</div>	End-User	<ul style="list-style-type: none"> <li>Upon determination of the need to replenish the goods earlier procured through competitive bidding, the End-User unit shall prepare the necessary PR for the procurement of additional goods, after a careful study and confirmation of the prevailing market price of the goods in the original contract, accompanied by the appropriated justification why re-ordering is being pursued.</li> </ul>
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Recommendation to Award</div> <div style="text-align: center; margin-top: 10px;">↓</div> <div style="text-align: center; margin-top: 10px;"> <div style="border: 1px solid black; padding: 5px; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">A</div> </div>	BAC, BAC Secretariat	<ul style="list-style-type: none"> <li>When all the conditions are present, the BAC shall recommend to the HOPE the award of contract through Repeat Order.</li> </ul>

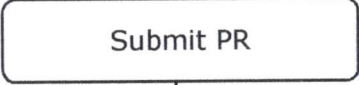
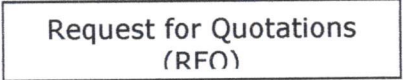

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 ↓		
 ↓	BAC, BAC Secretariat, HOPE	
	BAC Secretariat	<ul style="list-style-type: none"> <li>Record transactions as necessary</li> </ul>

4. **SHOPPING** – for “ordinary or regular office supplies” are those supplies, commodities or materials which are necessary in the transaction of official business and consumed in the day-to-day operations. This will not include services such as repair and maintenance of equipment and furniture as well as trucking, hailing and related to analogous services.

Shopping A - There is an unforeseen contingency requiring immediate purchase and amount does not exceed P200,000.00

Shopping B – Procurement of ordinary or regular office supplies and equipment not available in PS-DBM and amount does not exceed the threshold of P 1M

FLOW	RESPONSIBILITY	INTERFACE
 ↓	End-User	<ul style="list-style-type: none"> <li>The End-User unit or the duly authorized official or personnel shall submit a PR to the BAC indicating the urgency to address an identified need of the PE and the unforeseen contingency that caused its necessity</li> </ul>
 ↓ 	BAC Secretariat	<ul style="list-style-type: none"> <li>The BAC shall immediately prepare the RFQ indicating the specifications, quantity, ABC and other terms and conditions of the contract</li> <li>The BAC shall send the RFQs to at least three (3) suppliers of known qualifications and at least three (3) price quotations must be obtained</li> <li>The deadline for submission</li> </ul>





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<p style="text-align: center;">A</p> <p style="text-align: center;">↓</p>		<p>may be extended thrice if none or less than the required number of quotations are received.</p> <ul style="list-style-type: none"> <li>• In case no supplier responded after the third extension, the BAC shall conduct a mandatory review</li> <li>• The RFQ may be sent directly to the supplier of known technical, legal and financial qualifications.</li> <li>• The RFQ must prescribe the manner by which price quotations shall be submitted by sealed or open quotation.</li> <li>• Posting of the RFQ may be dispensed with.</li> <li>• In Shopping B – no award of contract can be made if only one supplier submitted a price quotation</li> </ul>
<p style="text-align: center;">Evaluation of RFQs</p> <p style="text-align: center;">↓</p>	<p>BAC, TWG, BAC Secretariat</p>	<ul style="list-style-type: none"> <li>• The BAC shall immediately validate the technical legal and financial capability of the supplier to supply and deliver the goods by requiring the submission of relevant documents or through other verifiable means to prove the capability of the Supplier.</li> <li>• Except for those with ABCs equal to P 50,000 and below, RFQs shall be posted for a period of at least 3 cd in the PhilGEPS, website of the PE, at any conspicuous place in the premises of the PE</li> </ul>
<p style="text-align: center;">Preparation of Abstract of Quotations</p> <p style="text-align: center;">↓</p> <p style="text-align: center;">B</p>	<ul style="list-style-type: none"> <li>• BAC Secretariat</li> </ul>	<ul style="list-style-type: none"> <li>• List the suppliers according to the lowest calculated quotation submitted.</li> </ul>



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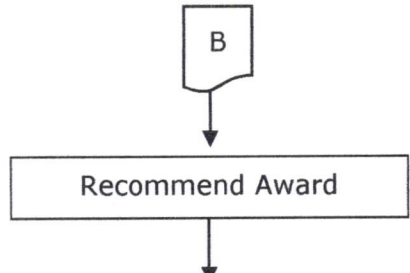
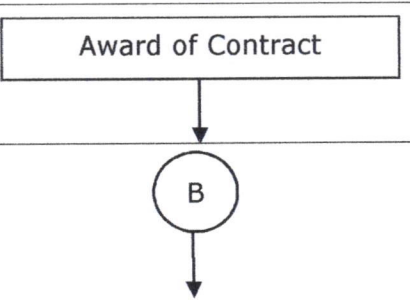
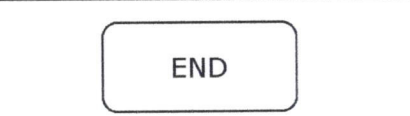
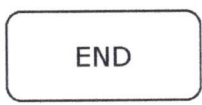
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<p>A</p> <p>↓</p>		the last failed bidding.
<p>Invite Suppliers</p> <p>↓</p>	BAC, TWG and End-user	<ul style="list-style-type: none"> <li>The BAC shall invite 3 suppliers, contractors or consultants, including those disqualified in previous biddings for negotiations to ensure effective competition. Even if only one (1) bidder should respond, the BAC shall proceed with the negotiation</li> <li>Any requirements, guidelines, documents, clarifications, or other information relative to the negotiations that are communicated by the BAC to a supplier shall be communicated on an equal basis to all other suppliers. Bidders shall be given equal time and opportunity to negotiate and discuss the technical and financial requirements of the project to be able to submit a responsive quotation or proposal.</li> </ul>
<p>Conduct Negotiations</p> <p>↓</p>	BAC, TWG and End-user	<ul style="list-style-type: none"> <li>The BAC shall request all suppliers to submit on a specified date, a best offer based on the final technical and financial requirements.</li> <li>Suppliers shall be required to submit the Certificate of PhilGEPS Registration</li> </ul>
<p>Preparation of Abstract of Bids</p> <p>↓</p>	BAC Secretariat	<ul style="list-style-type: none"> <li>List the suppliers according to the lowest calculated quotation submitted.</li> </ul>
<p>Recommendation for Award</p> <p>↓</p> <p>B</p>	BAC, BAC Secretariat, HOPE	<ul style="list-style-type: none"> <li>BAC shall recommend awarding of contract to the HOPE in favor of the supplier determined to have the Single or Lowest Calculated Responsive Quotation.</li> </ul>

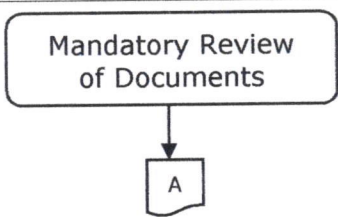
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	BAC, TWG	<ul style="list-style-type: none"> <li>The BAC shall recommend to the HOPE the award of contract in favor of the supplier with the LCRQ</li> </ul>
	BAC, BAC Secretariat, HOPE	<ul style="list-style-type: none"> <li>The HOPE shall immediately enter into a contract with the said supplier</li> </ul>
	BAC Secretariat	<ul style="list-style-type: none"> <li>Award of Contract shall be made in accordance with previous procedures</li> </ul>
	BAC Secretariat	<ul style="list-style-type: none"> <li>Record transactions as necessary</li> </ul>


5. **NEGOTIATED PROCUREMENT** – is a method of procurement of Goods, Infrastructure Projects and Consulting Services, whereby the PE directly negotiates a contract with a technically, legally and financial capable supplier, contractor or consultant in any of the following cases:

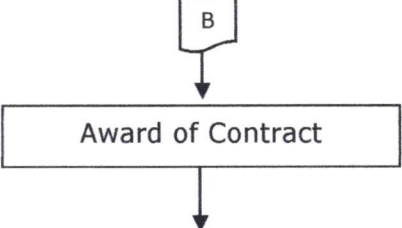
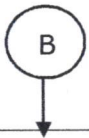
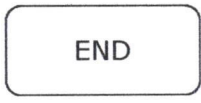
A. **TWO FAILED BIDDINGS** – where there has been failure of competitive bidding or Limited Source Bidding for the second time when:

- a. No bids are received
- b. All prospective bidders are declared ineligible
- c. All bids fail to comply with all the bid requirements or fall post-qualification or in the case of consulting services there is no successful negotiation; or
- d. The bidder with the LCRB of HRRB refuses, without justifiable cause, to accept the award of contract and no award is made

FLOW	RESPONSIBILITY	INTERFACE
	BAC, TWG, End-User	<ul style="list-style-type: none"> <li>May revise and agree on the technical, legal and financial eligibility requirements and technical specifications or TOR, and if necessary, adjust the ABC.</li> <li>The ABC cannot be increased by more than 20% of the ABC for</li> </ul>

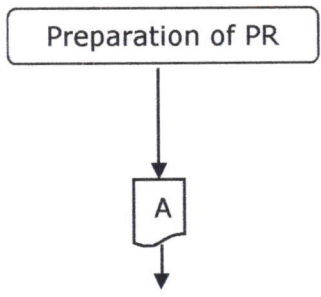
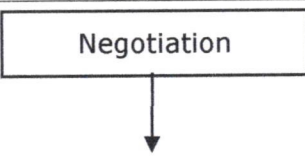
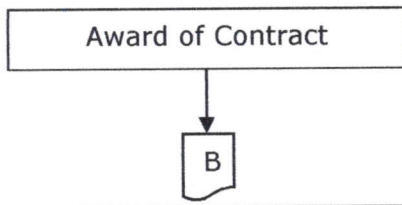



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
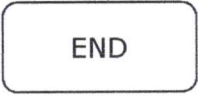
	BAC, BAC Secretariat, HOPE	<ul style="list-style-type: none"> <li>The HOPE shall immediately enter into a contract with the said supplier</li> </ul>
		<ul style="list-style-type: none"> <li>Award of Contract shall be made in accordance with previous procedures</li> </ul>
	BAC Secretariat	<ul style="list-style-type: none"> <li>Record transactions as necessary</li> </ul>

**B. EMERGENCY CASES** – maybe resorted to:

- a. In case of imminent danger to life or property during a state of calamity; or
- b. When time of the essence arising from natural or man-made calamities; or
- c. Other causes where immediate action is necessary:
  - i. to or loss of life or property, or
  - ii. to restore vital public services, infrastructure facilities and other public utilities

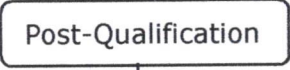
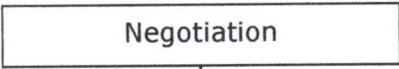
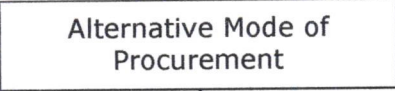

FLOW	RESPONSIBILITY	INTERFACE
	End-User	<ul style="list-style-type: none"> <li>End-User to submit request to the BAC accompanied by appropriate supporting documents identifying the emergency sought to be addressed and technical specifications, scope of work or TOR that have to be procured to address the emergency</li> </ul>
	BAC, HOPE	<ul style="list-style-type: none"> <li>BAC may directly negotiate with a supplier, contractor or consultant with legal, technical and financial capability to deliver the goods, execute the works and perform the services to address the emergency.</li> </ul>
	BAC, BAC Secretariat	<ul style="list-style-type: none"> <li>Upon confirmation and ascertainment of such capability to address the emergency, the HOPE upon recommendation of the BAC, shall immediately award the contract to the Supplier, Contractor or</li> </ul>

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 ↓		Consultant
 ↓	BAC, BAC Secretariat, HOPE	<ul style="list-style-type: none"> <li>Award of Contract shall be made in accordance with previous procedures</li> </ul>
	BAC Secretariat	<ul style="list-style-type: none"> <li>Record transactions as necessary</li> </ul>

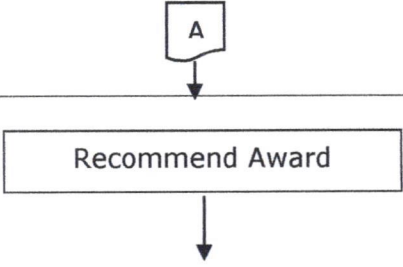
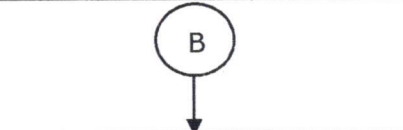
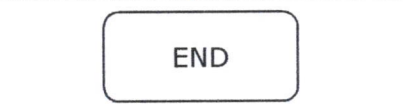
**C. TAKE-OVER OF CONTRACTS** – maybe resorted to when:

- a. The contract, previously awarded through competitive bidding has been rescinded or terminated for causes provided for in the contract and existing laws; and
- b. Where immediate action is necessary:
  - i. To prevent damage or loss of life or property; or
  - ii. To restore vital public services, infrastructure facilities and other public utilities

FLOW	RESPONSIBILITY	INTERFACE
 ↓	BAC, TWG	<ul style="list-style-type: none"> <li>The BAC shall post-quality the second lowest/highest rated bidder for the project under consideration at the said bidder's own original bid price</li> </ul>
 ↓	BAC	<ul style="list-style-type: none"> <li>The BAC shall negotiate with the second lowest/highest rated bidder for the project under consideration at the said bidder's own original bid price</li> <li>If negotiation fails, then the BAC shall post-quality and negotiate with the next lowest calculated/highest rated bidder at the said bidder's own original bid price. The process is repeated until all the bidders from the previous bidding have been considered.</li> </ul>
 ↓ 	BAC Secretariat, BAC	<ul style="list-style-type: none"> <li>If the negotiation fails and there is no bidder left, The BAC may either invite at least 3 suppliers/contractors/consultants to submit their bids or resort to any other appropriate alternative method</li> </ul>

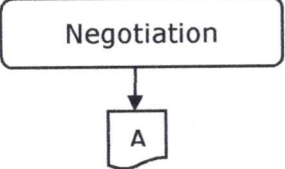


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	TWG, BAC, BAC Secretariat	of procurement
	BAC, BAC Secretariat, HOPE	<ul style="list-style-type: none"> <li>In case of successful post-qualification and negotiation, the BAC shall recommend to the HOPE the award of contract with the said supplier/contractor/consultant.</li> <li>Award of Contract shall be made in accordance with previous procedures</li> </ul>
	BAC Secretariat	<ul style="list-style-type: none"> <li>Record transactions as necessary</li> </ul>

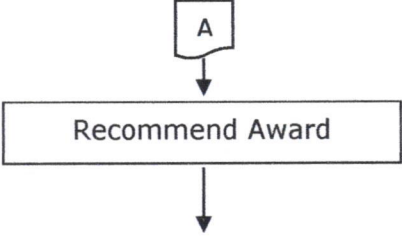
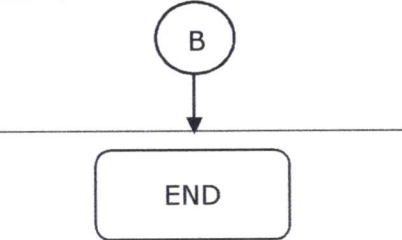
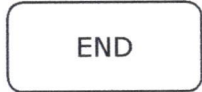
**D. ADJACENT OR CONTIGUOUS** – where the projects are in physical contact with each other or in the immediate vicinity such that the required equipment and other resources can be easily mobilized; while in consulting services, it pertains to the linkage or relationship of the subject matters, outputs or deliverables required where the consultants have unique experience and expertise to deliver the required service, subject to the following conditions:

- a. Original contract is a result of a competitive bidding;
- b. Subject contract to be negotiated has similar or related scopes of work;
- c. It is within the contracting capacity of the contractor/consultant considering the legal, technical and financial requirements for eligibility;
- d. In determining the SLCC, NFCC and PCAB license, the sum of the value of the remaining works for the existing contract and the ABC of the contiguous or adjacent work shall be considered;
- e. The contractor/consultant uses the same prices or lower unit prices as in the original contract less mobilization cost;
- f. The ABC of the contiguous or adjacent work involved does not exceed the contract number of the ongoing project;
- g. The contractor/consultant has no negative slippage/delay in the original contract during the time of negotiation; and
- h. Negotiations for the procurement are commenced before the expiry of the original contract.

FLOW	RESPONSIBILITY	INTERFACE
	BAC, BAC Secretariat	<ul style="list-style-type: none"> <li>The BAC shall negotiate with the contractor/consultant for the ongoing infrastructure project or consulting services (e.g. scope of work, TOR, unit price and other terms and conditions of the contract)</li> </ul>



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	BAC, BAC Secretariat	<ul style="list-style-type: none"> <li>In case of successful negotiation, the BAC shall recommend to the HOPE the award of contract in favor of the contractor or consultant.</li> </ul>
	BAC, BAC Secretariat, HOPE	<ul style="list-style-type: none"> <li>Award of Contract shall be made in accordance with previous procedures</li> </ul>
	BAC Secretariat	<ul style="list-style-type: none"> <li>Record transactions as necessary</li> </ul>

E. **AGENCY-TO-AGENCY** – Procurement from another agency of the government (i.e. Servicing Agency) that has the mandate to deliver goods or services or to undertake infrastructure projects or consultancy services as required by the PE.

All projects undertaken through Agency-to-Agency Agreements shall be subject to pertinent budgeting, accounting and auditing rules and regulations.

It is the general policy of government to purchase its requirements from the private sector. However, in some exceptional cases, procurement from another agency of the government is more efficient and economical for the government, subject to the following conditions:

- a. The PE shall justify that entering into an Agency-to-Agency Agreement with the Servicing Agency (SA) is more efficient and economical to the government;
- b. Servicing Agency has the mandate to deliver the goods and services required to be procured or to undertake the infrastructure project or consultancy required by the Procuring Agency;
- c. Servicing Agency has the absorptive capacity to undertake the project;
- d. SA owns or has access to the necessary tools and equipment required for the project;
- e. Sub-contracting is not allowed;
- f. For procurement infrastructure projects, the SA must have a track record of having completed, or supervised a project, by administration or by contract, similar to and with a cost of at least 50% of the project at hand.

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FLOW	RESPONSIBILITY	INTERFACE
<div style="border: 1px solid black; border-radius: 15px; padding: 5px; width: fit-content; margin: 0 auto;">Submission of Approved PR</div> <div style="text-align: center; margin: 5px 0;">↓</div>	End-User	<ul style="list-style-type: none"> <li>End-User to justify to the BAC that resorting to Agency-to-Agency is more efficient and economical to the government</li> <li>It shall likewise secure a certificate from the relevant officer of the SA that the latter complies with all the foregoing conditions.</li> </ul>
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Recommend Award</div> <div style="text-align: center; margin: 5px 0;">↓</div>	BAC, BAC Secretariat	<ul style="list-style-type: none"> <li>Based on the assessment and recommendation of the End-User, the BAC shall issue a Resolution recommending the use of Agency-to-Agency Agreement to the HOPE</li> </ul>
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Approval of HOPE</div> <div style="text-align: center; margin: 5px 0;">↓</div>	BAC, BAC Secretariat, HOPE	<ul style="list-style-type: none"> <li>In case of approval, the HOPE shall enter into a Memorandum of Agreement (MOA) with the Servicing Agency (SA)</li> </ul>
<div style="border: 1px solid black; border-radius: 15px; padding: 5px; width: fit-content; margin: 0 auto;">END</div>	BAC Secretariat	<ul style="list-style-type: none"> <li>Record transactions as necessary</li> </ul>

**F. SCIENTIFIC, SCHOLARLY OR ARTISTIC WORK, EXCLUSIVE TECHNOLOGY AND MEDIA SERVICES** – where goods, infrastructure and consulting services can be contracted to a particular supplier, contractor or consultant as determined by the HOPE, for any of the following reasons:

- a. The requirement is for:
  - i. Work of art; commissioned work or services of an artist for specific artistic skills (e.g. singer, performer, poet, writer, painter, sculptor, etc.)
  - ii. Scientific, academic, scholarly work or research or legal services;
  - iii. Highly-specialized life-saving medical equipment, as certified by the DOH;
  - iv. Scientific, technical, economic, business, trade or legal journal, magazine, paper, subscription, or other exclusive statistical publications and references; or
  - v. Media documentation, advertisement or announcement through television, radio, newspaper, internet and other communication media.

Due to the nature of the information to be disseminated alongside principles of transparency, efficiency and economy, award to more than one supplier may be made by the PE.

- b. The construction or installation of an infrastructure facility where the material, equipment, or technology under a proprietary right can only be obtained from the same contractor.





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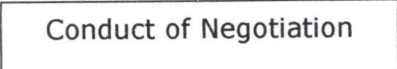
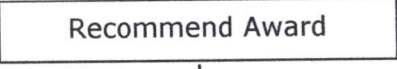
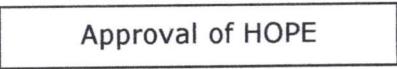


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FLOW	RESPONSIBILITY	INTERFACE
 <p style="text-align: center;">↓</p>	End-User	<ul style="list-style-type: none"> <li>To justify the need to procure through this negotiated modality, the End-user shall conduct a market study and determine the probable sources.</li> <li>This study should confirm that the supplier, contractor or consultant could undertake the project at more advantageous terms.</li> <li>In all cases, the market study must be conducted prior to the commencement of the procurement process.</li> <li>End-user to submit approved PR with appropriate documents.</li> </ul>
 <p style="text-align: center;">↓</p>	BAC, BAC Secretariat	<ul style="list-style-type: none"> <li>BAC shall undertake the negotiation with a technically, legally and financially capable supplier, contractor or consultant based on the Technical Specifications, Scope of Work or Terms of Reference prepared by the End-user.</li> </ul>
 <p style="text-align: center;">↓</p>	BAC, BAC Secretariat	<ul style="list-style-type: none"> <li>The BAC shall recommend the award of the contract to the HOPE</li> </ul>
 <p style="text-align: center;">↓</p>	BAC, BAC Secretariat, HOPE	
 <p style="text-align: center;">↓</p>		<ul style="list-style-type: none"> <li>Award of Contract shall be made in accordance with previous procedures</li> </ul>
	BAC Secretariat	<ul style="list-style-type: none"> <li>Record transactions as necessary</li> </ul>




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**G. HIGHLY TECHNICAL CONSULTANTS** – Procurement of consultancy contract involving an individual consultant, subject to the following conditions:

- a. The individual consultant will be hired to do work that is either:
  - i. Highly technical or proprietary;
  - ii. Primarily confidential or policy determining, where trust and confidence are the primary consideration.
- b. The term of the individual consultant shall at the most be a 6-month basis, renewable at the option of the appointing HOPE, but in no case shall exceed the term of the latter.

FLOW	RESPONSIBILITY	INTERFACE
<div style="border: 1px solid black; border-radius: 10px; padding: 5px; width: fit-content; margin: 0 auto;">Submission of Approved PR</div> <p style="text-align: center;">↓</p>	End-User	<ul style="list-style-type: none"> <li>The End-user shall justify to the BAC the engagement of the individual in accordance with the conditions set forth above.</li> </ul>
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Conduct of Negotiation</div> <p style="text-align: center;">↓</p>	BAC, BAC Secretariat	<ul style="list-style-type: none"> <li>BAC shall undertake the negotiation with the individual consultant based on the Terms of Reference (TOR) prepared by the End-user.</li> <li>Considering the nature of the consultancy work, the negotiations need not be elaborate, it is enough that the BAC has validated that the individual is legally, technically and financially capable to undertake and fulfill the consultancy work based on the TOR.</li> </ul>
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Recommend Award</div> <p style="text-align: center;">↓</p>	BAC, BAC Secretariat	<ul style="list-style-type: none"> <li>The BAC shall recommend to the HOPE the award of contract to the individual consultant.</li> </ul>
<div style="border: 1px solid black; border-radius: 50%; width: 30px; height: 30px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">B</div> <p style="text-align: center;">↓</p>	BAC, BAC Secretariat, HOPE	<ul style="list-style-type: none"> <li>Award of Contract shall be made in accordance with previous procedures</li> </ul>
<div style="border: 1px solid black; border-radius: 10px; padding: 5px; width: fit-content; margin: 0 auto;">END</div>	BAC Secretariat	<ul style="list-style-type: none"> <li>Record transactions as necessary</li> </ul>

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H. **SMALL VALUE PROCUREMENT** – Procurement of (a) goods not covered by Shopping under Sec 52 of the revised IRR of RA 9184, (b) infrastructure projects, and (c) consulting services, where the amount involved does not exceed One Million Pesos (P1, 000,000) threshold:

FLOW	RESPONSIBILITY	INTERFACE
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">PR Submission</div> <p style="text-align: center;">↓</p>	End-User	<ul style="list-style-type: none"> <li>The End-User unit or the duly authorized official or personnel shall submit a PR to the BAC indicating the technical specifications, scope of works, terms of reference, ABC and other terms and conditions.</li> </ul>
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Request for Quotations (RFQ)</div> <p style="text-align: center;">↓</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto; text-align: center;">A</div>	BAC Secretariat	<ul style="list-style-type: none"> <li>The BAC shall immediately prepare the RFQ indicating the specifications, quantity, ABC and other terms and conditions of the contract</li> <li>The BAC shall send the RFQs to at least three (3) suppliers of known qualifications and at least three (3) price quotations must be obtained</li> <li>Receipt of at least one (1) quotation is sufficient to proceed with the evaluation thereof.</li> <li>The RFQ must prescribe the manner by which price quotations shall be submitted by sealed or open quotation.</li> <li>Except for those with ABCs equal to P50,000 and below, RFQs shall be posted for a 3 cd in the PhilGEPS, website of the PE, at any conspicuous place reserved for this purpose in the premises of the PE.</li> <li>Pre-bid conference may be conducted at the discretion of the BAC in order to clarify and/or explain any of the requirements, terms, conditions and specifications stipulated in the RFQ/RFP.</li> </ul>



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<p align="center">A</p> <p align="center">↓</p> <p align="center">Evaluation of RFQs</p> <p align="center">↓</p>	<p align="center">BAC Secretariat</p>	<ul style="list-style-type: none"> <li>The BAC shall immediately validate the technical legal and financial capability of the supplier to supply and deliver the goods by requiring the submission of relevant documents or through other verifiable means to prove the capability of the Supplier.</li> </ul>
<p align="center">Preparation of Abstract of Quotations</p> <p align="center">↓</p>	<p align="center">BAC Secretariat</p>	<ul style="list-style-type: none"> <li>List the suppliers according to the lowest calculated quotation submitted.</li> </ul>
<p align="center">Recommend Award</p> <p align="center">↓</p>	<p align="center">BAC, TWG</p>	<ul style="list-style-type: none"> <li>The BAC shall recommend to the HOPE the award of contract in favor of the supplier with the Single or Lowest Calculated and Responsive Quotation (LCRQ) (for goods or infrastructure projects), or consultant with the Single or Highest Rated and Responsive Proposal (HRRP) (for consulting services).</li> </ul>
<p align="center">Award of Contract</p> <p align="center">↓</p>	<p align="center">BAC, BAC Secretariat, HOPE</p>	<ul style="list-style-type: none"> <li>The HOPE shall immediately enter into a contract with the said supplier, contractor or consultant.</li> </ul>
<p align="center">B</p> <p align="center">↓</p>		<ul style="list-style-type: none"> <li>Award of Contract shall be made in accordance with previous procedures</li> </ul>
<p align="center">END</p>	<p align="center">BAC Secretariat</p>	<ul style="list-style-type: none"> <li>Record transactions as necessary</li> </ul>



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**I. LEASE OF REAL PROPERTY AND VENUE** – Procurement covering lease of real property and venue for official use, where:

Real Property refers to land and buildings (office spaces or units) and constructions of all kinds adhered to the soil.

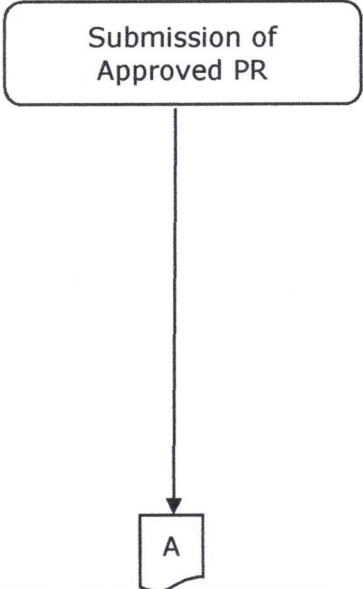
Venue refers to training centers, convention halls, hotels, and similar establishments catering to trainings, seminars, conferences, conventions, symposia and similar gatherings requiring the official participation of government officials and employees. This may include meals and accommodation depending on the requirements of the PE.

Lessee refers to any government agency temporarily occupying a real property on the basis of a contract executed with the private individual, partnership, cooperative, association or corporation having absolute ownership over such real property.

Lessor refers to any government agency or private individual, partnership, cooperative, association or corporation having absolute ownership over the real property or venue to be leased.

**Policy Considerations:**

- a. It is preferred that government agencies lease publicly owned real property or venue from other government agencies.
- b. If there is an available publicly-owned real property or venue that complies with the requirements of the PE, it may enter into a contract of lease with the gov.-agency owner.
- c. The location of the real property or venue to be leased should have been meticulously selected by the PE after taking into consideration the need for prudence and economy in government service and the suitability of the area in relation to the mandate of the office, and its accessibility to its clients.

<b>FLOW</b>	<b>RESPONSIBILITY</b>	<b>INTERFACE</b>
	End-User	<ul style="list-style-type: none"> <li>• The ABC shall be set using the mid-point of the range obtained from the results of the market analysis on the prevailing lease rates for real property or venue within the vicinity of the selected location complying with the criteria and technical specifications of the End-user.</li> <li>• Rental rates should be within the prevailing market rates for lease of property or venue.</li> <li>• Technical specification shall be prepared taking into consideration the rating factors in GF BAI-170 Table</li> </ul>



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		<p>of Rating Factors for Lease of Real Property and GF BAI-171 Table of Rating Factors for Lease of Venue.</p> <ul style="list-style-type: none"> <li>• The End-User shall justify that resorting to privately-owned real property or venue is more efficient and economical to the govt.</li> <li>• The end-user shall prepare a cost-benefit analysis indicating leasing privately-owned real property or venue is more efficient and economical.</li> <li>• There is no threshold for lease of property or venue</li> </ul>
	<p>BAC, BAC Secretariat</p>	<p>For Real Property</p> <ul style="list-style-type: none"> <li>• The BAC shall invite at least 3 prospective Lessor to submit sealed price quotations</li> <li>• Receipt of at least one (1) quotation is sufficient to proceed with the evaluation thereof.</li> <li>• On a specified date, submitted price quotations shall be opened to determine the Lowest Calculated Quotation (LCQ).</li> </ul> <p>For Lease of Venue</p> <ul style="list-style-type: none"> <li>• The BAC shall send the RFQ to at least 3 venues within the vicinity of the selected location.</li> <li>• Receipt of at least one (1) quotation is sufficient to proceed with the evaluation thereof.</li> <li>• Lease contracts amounting to more than P50,000 shall be posted in the PhilGEPS website.</li> </ul>





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	<p>BAC</p>	<ul style="list-style-type: none"> <li>The real property being offered by the Lessor with the Single or Lowest Calculated Quotation (LCQ) shall be rated in accordance with the technical specifications and the reasonableness of its price quotation shall be determined in accordance with the methodology in GF BAI-170 Table of Rating Factors for Lease of Real Property</li> <li>For Lease of Venue, being offered by the Lessor with the LCQ shall be rated in accordance with the technical specifications and the reasonableness of its price quotation shall be determined in accordance with the methodology in GF BAI-171 Table of Rating Factors for Lease of Venue</li> <li>Compliance rating with technical specifications may be conducted through ocular inspection, interviews or other forms for due diligence.</li> </ul>
	<p>BAC Secretariat</p>	<ul style="list-style-type: none"> <li>List the Lessor according to the lowest calculated quotation submitted.</li> </ul>
	<p>BAC, TWG</p>	<ul style="list-style-type: none"> <li>Upon determination of the responsiveness of the quotation, the BAC shall recommend to the HOPE the award of contract in favor of the Lessor with the LCRQ</li> </ul>
	<p>BAC, BAC Secretariat, HOPE</p>	<ul style="list-style-type: none"> <li>Award of Contract shall be made in accordance with previous procedures</li> </ul>
	<p>BAC Secretariat</p>	<ul style="list-style-type: none"> <li>Record transactions as necessary</li> </ul>

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J. **COMMUNITY PARTICIPATION**- Where, in the interest of project sustainability or to achieve certain specific social objectives, it is desirable in selected projects, or its components to call for participation of local communities in the delivery of goods, including non-consulting services, and simple infrastructure projects, subject to the Community Participation Procurement Manual issued by the GPPB.

FLOW	RESPONSIBILITY	INTERFACE
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">START</div> <div style="text-align: center; margin-top: 10px;">↓</div>	End-user	<ul style="list-style-type: none"> <li>• Submit approved Purchase Request (GF BAI-84) to BAC. Refer to WI BAI-08 Preparation of PR</li> <li>• Record in R-BAI-38 Logbook for Outgoing Documents</li> </ul>
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Pre-Procurement Conference</div> <div style="text-align: center; margin-top: 10px;">↓</div>	BAC, BAC Secretariat, TWG, End-User, Consultants/Other Officials	<ul style="list-style-type: none"> <li>• Ensure procurement is in accord with the APP and ABC</li> <li>• Threshold: Goods – P2,000,000 Infrastructure – P 5,000,000</li> <li>• PE may opt to conduct public bidding or enter into a MOA with an NGO subject to the guidelines issued by the GPPB for the purpose.</li> </ul>
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Finalize RFQs or ITBs</div> <div style="text-align: center; margin-top: 10px;">↓</div>	BAC Secretariat	<ul style="list-style-type: none"> <li>• BAC shall post RFQs for 7 days in 3 conspicuous place in the locality</li> <li>• BAC shall invite at least 3 community participant</li> <li>• Notice are sent out to observers at least 3 cd before bid opening</li> </ul>
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Submission of Quotation/Proposal</div> <div style="text-align: center; margin-top: 10px;">↓</div> <div style="text-align: center; margin-top: 10px;"> <div style="border: 1px solid black; padding: 5px; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;">A</div> </div>		<ul style="list-style-type: none"> <li>• Submitted to the BAC on the date, time and place specified in the ITB. Receipt of bids is given to suppliers.</li> <li>• Bids submitted after the deadline should not be accepted</li> <li>• Date of submission should not be later than the following period from the last day of posting of the ITB               <ul style="list-style-type: none"> <li>- Goods – 45 cd</li> <li>- Infra (50M &amp; below)- 50 cd</li> <li>- Infra (above 50M)- 65 cd</li> </ul> </li> </ul>





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
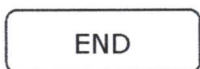
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<p style="text-align: center;">A</p> <p style="text-align: center;">↓</p> <div style="border: 1px solid black; padding: 5px; text-align: center;">BAC Opening of Quotation/Proposal witnessed by observers</div> <p style="text-align: center;">↓</p>		<ul style="list-style-type: none"> <li>• Bids shall be opened on specified date in the ITB/RFQs</li> <li>• In case the bids cannot be opened as scheduled due to justifiable reasons, the BAC shall take custody of the bids submitted and rescheduled the opening of bids on the next working day or at the soonest possible time through the issuance of a Notice of Postponement (GF BAI-00) to be posted in the PhilGEPS website and the website of the PE</li> </ul>
<div style="border: 1px solid black; padding: 5px; text-align: center;">Bid Evaluation &amp; Ranking of Quotations</div> <p style="text-align: center;">↓</p>	<p style="text-align: center;">BAC, TWG, BAC Secretariat</p>	<ul style="list-style-type: none"> <li>• Determine whether bidder with LCB complies with and is responsive to all requirements and conditions of eligibility and the bidding of the contract to be declared the Lowest Calculated and Responsive Bid (LCRB)</li> </ul>
<div style="border: 1px solid black; padding: 5px; text-align: center;">Post-Qualification</div> <p style="text-align: center;">↓</p>	<p style="text-align: center;">BAC, TWG, BAC Secretariat</p>	<ul style="list-style-type: none"> <li>• A non-discretionary pass/ fail criterion shall be used to "Verify, Validate and Ascertain" all statements and documents (licenses, certificates, etc.)</li> <li>• Completed in not more than 12 cd or up to 45 cd</li> <li>• BAC will notify the bidder with the Lowest Calculated Bid that it was determined as such</li> <li>• Failure to submit any of the post-qualification requirements on time, or a finding against the veracity thereof, shall disqualify the bidder for award.</li> <li>• Should there be a finding against the veracity of any of the documents submitted, the Bid Security shall be forfeited</li> </ul>
<div style="border: 1px solid black; padding: 5px; text-align: center;">Recommendation of Award</div> <p style="text-align: center;">↓</p> <p style="text-align: center;">B</p>	<p style="text-align: center;">BAC, BAC Secretariat</p>	<ul style="list-style-type: none"> <li>• The BAC shall notify all other bidders, in writing of its recommendation to HOPE of award of contract to LCRB/HRRB within 3 cd from the issuance of the resolution recommending award.</li> <li>• HOPE reserves the right to:</li> </ul>

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		<ul style="list-style-type: none"> <li>- Reject any and all bids</li> <li>- Declare a failure of bidding</li> <li>- Not award the contract</li> </ul>
	BAC, BAC Secretariat, HOPE	<ul style="list-style-type: none"> <li>• Award of Contract shall be made in accordance with previous procedures</li> </ul>
	BAC Secretariat	<ul style="list-style-type: none"> <li>• Record transactions as necessary</li> </ul>

K. **Non-Governmental Organizations (NGOs) PARTICIPATION**- When an appropriation law or ordinance earmarks an amount to be specifically contracted out to NGOs, the PE may enter into a MOA with an NGO subject to the guidelines issued by the GPPB for the purpose.

### III. BIDDING PROCEDURES FOR CONSULTING SERVICES

Consulting Services refer to services for infrastructure projects and other types of projects or activities 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:

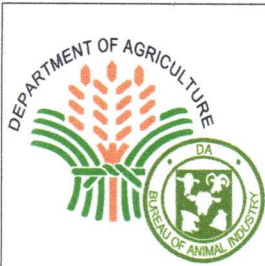
1. Advisory and review services;
2. Pre-investment of feasibility studies;
3. Design;
4. Construction supervision
5. Management and related services; and
6. Other technical services or special studies

Consultant is a natural or juridical person, qualified by appropriate education, training and relevant experience to render any or all of the types and fields of consulting services.

Conditions in hiring a Consultant

- Filipino First Policy
- Consultant's professional independence – Prohibition on Conflict of Interest
  - Consultancy assignment is in conflict with prior or current obligations to other clients and Consultant is unable to carry out the assignment in the best interest of the PE.
  - Conflict among consulting assignments
  - Relationship with the procuring entity's staff
  - A bidder participated as a consultant in the preparation of the design or technical specifications of the Goods and related services that are the subject of the bid
  - A bidder lends or temporarily seconds its personnel to firms or organizations which are engaged in consulting services for the preparation related to procurement for or implementation of the project, if the personnel would be involved in any capacity on the same project;





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- A consultant combines the function of consulting with those of contracting and/or supply of equipment;
- A consultant is associated with, affiliated to, or owned by a contractor or a manufacturing firm with departments or design offices offering services as consultants.
- If there is a conflict among consulting projects, the consultant (including its personnel and subcontractors) and any subsidiaries or entities controlled by such consultant shall not be recruited for the circumstances of each case.
- Hiring is based on proven expertise, experience and capability
- Technology and knowledge transfer to the procuring entity shall be required in the provision of consulting services, where applicable

**Umbrella Organizations of Consultants**

- Composed of various organizations of consultants
- Accredits technically and financially qualified members on the types of services and fields of professions
- Prepares and certifies a list of fields where Filipino consultants can provide competent consulting services
- Recognizes Confederation of Filipino Consulting Organizations, Inc. (COFILCO) as the umbrella organization of consultants for the following sectors: i) Disaster, ii) Environment, iii) Infrastructure and iv) Management.

<b>FLOW</b>	<b>RESPONSIBILITY</b>	<b>INTERFACE</b>
	<p>End-user</p>	<ul style="list-style-type: none"> <li>• Submit approved Purchase Request (GF BAI-84) to BAC. Refer to WI BAI-08 Preparation of PR</li> <li>• Record in R-BAI-38 Logbook for Incoming Documents</li> </ul>
	<p>BAC, BAC Secretariat, TWG, End-User, Consultants/Other Officials</p>	<ul style="list-style-type: none"> <li>• Ensure procurement is in accord with the APP and ABC</li> <li>• Threshold: P5,000,000 and below and P 5,000,000 and above</li> <li>• Determine completeness of bidding documents PBD (GF BAI-168)</li> <li>• Agree of the following criteria:               <ul style="list-style-type: none"> <li>- For eligibility screening and short listing, including the weights for each criterion and the minimum score required</li> <li>- For evaluation of proposals, including the evaluation procedure whether Quality-Based or Quality-Cost-Based, the corresponding weights for the technical and financial proposals, and the minimum technical score required</li> </ul> </li> </ul>



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<p style="text-align: center;">A</p> <p style="text-align: center;">↓</p>		<p>– Determine actual number of consultants in the short list (305, with 5 as preferable number)</p>
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Request for Expression of Interest</div> <p style="text-align: center;">↓</p> <p style="text-align: center;">B</p>	<p style="text-align: center;">BAC Secretariat</p>	<ul style="list-style-type: none"> <li>• The Request for Expression of Interest (REI) must contain the following:             <ol style="list-style-type: none"> <li>1. The name of the contract, a general description of the project and other important or relevant information on the project;</li> <li>2. A general statement on the criteria to be used by the PE for a) eligibility check, b) shortlisting of eligible consultants</li> <li>3. The nature of the evaluation process, that is, whether QB or QCB;</li> <li>4. The weights for the technical and financial proposals under the QCB evaluation process;</li> <li>5. The number of firms to be included in the short list;</li> <li>6. The date, time and place of the                 <ul style="list-style-type: none"> <li>- Deadline for the submission and a receipt of the eligibility and shortlisting requirements;</li> <li>- Pre-bid conference if any;</li> </ul> </li> <li>7. The ABC</li> <li>8. The source of funding</li> <li>9. The period of availability of the eligibility documents, the place where the eligibility documents may be secured and how much</li> <li>10. The contract duration</li> <li>11. The name, address, telephone number, facsimile number and email and website addresses of the concerned PE, as well as its designated contact person;</li> <li>12. The Reservation Clause, which is normally located at the bottom of the notice; and</li> <li>13. Such other necessary information that are deemed relevant by the PE.</li> </ol> </li> </ul>





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<p style="text-align: center;">B</p> <p style="text-align: center;">↓</p> <div style="border: 1px solid black; padding: 5px; text-align: center;">Advertisement and Posting</div> <p style="text-align: center;">↓</p>	<p style="text-align: center;">BAC Secretariat</p>	<ul style="list-style-type: none"> <li>• At least in one (1) newspaper of general nationwide circulation, which has been regularly published for at least two (2) years before the advertisement date</li> <li>• Posted continuously for 7 calendar days (cd) in the PhilGEPS, website of the PE, at any conspicuous place in the premises of the PE</li> <li>• Advertisement shall not be required for contracts to be bid with the ABC of P 5,000,000 and below</li> </ul>
<div style="border: 1px solid black; padding: 5px; text-align: center;">Distribution and Sale of Bidding Documents</div> <p style="text-align: center;">↓</p>	<p style="text-align: center;">BAC Secretariat</p>	<ul style="list-style-type: none"> <li>• BAC shall issue the Bidding Documents (GF BAI-168) upon payment of the corresponding cost</li> <li>• If documents were downloaded, BAC shall accept the submitted bid envelopes, upon payment of the corresponding bid fee</li> <li>• BAC must issue copies of the bidding documents to the Observers free of charge</li> <li>• Bidding documents may be refunded in accordance with the guidelines on the Sale of Bidding Documents.</li> <li>• The bidding documents are strictly confidential and shall not be divulged or released to any person prior to its official release, except those officially authorized to handle them.</li> </ul>
<div style="border: 1px solid black; padding: 5px; text-align: center;">Submission of Eligibility Requirements</div> <p style="text-align: center;">↓</p> <p style="text-align: center;">C</p>	<p style="text-align: center;">BAC, BAC Secretariat, TWG</p>	<ul style="list-style-type: none"> <li>• Class A Documents             <ul style="list-style-type: none"> <li>- DTI/SEC/CDA Registration Certificate</li> <li>- Mayor's Permit from the bidder's principal place of business or BIR Certificate of Registration for sole proprietorship</li> <li>- Tax Clearance</li> <li>- PhilGEPS Registration Certificate -Platinum</li> <li>- Technical Documents</li> <li>- Financial Documents</li> </ul> </li> <li>• Class B Documents</li> </ul>



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	<p>BAC, TWG, BAC Secretariat</p>	<p>- Valid JV agreement</p> <ul style="list-style-type: none"> <li>• Eligibility check is a procedure to determine if a prospective bidder is eligible to participate in the bidding.</li> <li>• The BAC shall use non-discretionary "pass/fail" criteria, as stated in the REI and the bidding documents, in determining a prospective bidder ineligible to bid for the particular procurement.</li> <li>• Shortlisting is the process of determining the most qualified consultants from those who have been determined as eligible.</li> <li>• Short list shall consist of 3 to 7 consultants with 5 as the preferable number.</li> <li>• The process of eligibility check and shortlisting must not exceed 20 cd after opening the eligibility envelopes.</li> </ul>
	<p>BAC, TWG, BAC Secretariat, Bidders</p>	<ul style="list-style-type: none"> <li>• Pre-bid conference is the initial forum where the PE's representatives and the prospective bidders discuss the different aspects of the procurement at hand.</li> <li>• At least 1 required for bids with ABC of <math>\geq 1M</math></li> <li>• Attendance of bidders not mandatory</li> <li>• It must be conducted at least 12 cd before the deadline for Submission and Opening of bids but not earlier than 7 cd from the determination of the shortlisted consultants.</li> <li>• Statement made therein do not modify the terms of the bidding documents unless specified in a supplemental/bid bulletin</li> <li>• Minutes of the Pre-bid Conference shall be recorded and made available to all participants not later than 5 cd after the Pre-bid Conference.</li> </ul>





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	<p>BAC, BAC Secretariat</p>	<ul style="list-style-type: none"> <li>• The First Envelope shall contain the following technical information/documents:             <ul style="list-style-type: none"> <li>✓ Bid Security</li> <li>✓ Organizational chart of the contract to bid</li> <li>✓ Approach, workplan and schedule</li> <li>✓ List of key personnel to be assigned (includes complete qualifications and experience data)</li> <li>✓ Omnibus Sworn Statement</li> </ul> </li> <li>• The Second Envelope shall contain the financial information /documents specified in the bidding documents</li> </ul>
	<p>BAC, TWG, BAC Secretariat</p>	<ul style="list-style-type: none"> <li>• Determine the bidder with the Highest Rated Bid (HRB)</li> </ul> <p>Two methods of evaluating bids:</p> <ol style="list-style-type: none"> <li>1. Quality-Based Evaluation (QBE) considers only the Technical Proposals in the ranking of consultants. This is applied for:             <ul style="list-style-type: none"> <li>- Complex or highly specialized assignments for which it is difficult to precisely define the TOR and the required inputs from the consultants; and</li> <li>- Where the assignment can be carried out in substantially different ways, such that the proposals are not comparable.</li> </ul> </li> <li>2. Quality-Cost-Based Evaluation (GF BAI-125 QCBE) considers both the Technical and Financial Proposals in the ranking of consultants. This is applied in other cases.             <ul style="list-style-type: none"> <li>- Weight of the Financial Proposal shall be from 15 to 40%</li> <li>- Oral presentation maybe required for complex or unique undertakings, within 15 cd after the deadline for submission of bids</li> </ul> </li> </ol> <ul style="list-style-type: none"> <li>• Whatever evaluation method is</li> </ul>



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		<p>applied, bids are rated numerically. This can be done in either of two ways:</p> <ul style="list-style-type: none"> <li>- Individual             <ul style="list-style-type: none"> <li>✓ Each evaluator assigns numerical rates to a proposal</li> <li>✓ Rates are tabulated and ranked in descending order</li> <li>✓ Highest and lowest rates are disregarded</li> </ul> </li> <li>- Collegial             <ul style="list-style-type: none"> <li>✓ Evaluate as a group</li> <li>✓ Rate is the consensus of the evaluators</li> </ul> </li> </ul> <ul style="list-style-type: none"> <li>• Lowest financial proposal is given 100 points</li> <li>• Bidders should be furnished the results (ranking and total scores) after the evaluation is approved by the HOPE. Results are also posted in the PhilGEPS and website of the PE.</li> <li>• The entire evaluation process, from proposal opening to submission of the bid evaluation results to the HOPE should not exceed 21 cd.</li> </ul>
	<p>BAC</p>	<ul style="list-style-type: none"> <li>• Discussion and clarification of the TOR and Scope of Services</li> <li>• Discussion and finalization of the Procedural Requirements and work program</li> <li>• Consideration of appropriateness of qualifications and pertinent compensation, number of man-months and the personnel, taking note of over-qualified personnel, to be commensurate with the compensation of personnel with the appropriate qualifications, number of man-months and schedule of activities (manning schedule);</li> <li>• Discussion on the services, facilities and data if any to be provided by PE concerned;</li> <li>• Discussion of the financial</li> </ul>





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		<p>proposal submitted by the consultant for QBE; and</p> <ul style="list-style-type: none"> <li>• Provisions of the contract.</li> <li>• Except for meritorious reasons, negotiations with any one consultant shall be completed within 10 cd.</li> <li>• In case the negotiation with HRB fails, PE shall terminate the negotiation and shall invite the next ranked consultant for negotiation.</li> </ul>
		<ul style="list-style-type: none"> <li>• BAC will notify the Bidder with the Highest Rated Bid (HRB) that it was determined as such</li> <li>• Within 5 cd from receipt of Notice, submit the ff.             <ul style="list-style-type: none"> <li>- Latest income and business tax returns</li> <li>- Other appropriate licenses and permits required by law and stated in the bidding documents</li> <li>- Legal requirements - licenses, permits, certificates, agreements and statements</li> <li>- Technical requirements- competence and experience of bidder and key personnel; sufficiency of bid security amount, form, and validity period</li> <li>- Financial requirement- bid price proposal</li> </ul> </li> <li>• Post-qualification is completed in 12 cd but may be extended by the HOPE to not more than 30 cd</li> </ul>
	<p>BAC, HOPE, BAC Secretariat</p>	<ul style="list-style-type: none"> <li>• Before award of Contract there should be no replacement of key personnel</li> <li>• After Award of Contract, no replacement shall be allowed until after 50% of the personnel's man-months have been served</li> <li>• Contract shall be awarded to the bidder with the HRRB or SRBB at its submitted price or total</li> </ul>



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		<p>calculated 'bid price, whichever is lower.</p> <ul style="list-style-type: none"> <li>• Notice of Award (GF BAI-62 NOA) is issued by the HOPE within 15 cd</li> <li>• HOPE reserves the right to:           <ul style="list-style-type: none"> <li>- Reject any and all bids</li> <li>- Declare a failure of bidding</li> <li>- Not award the contract</li> </ul> </li> </ul>
<p style="text-align: center;">G</p> <p style="text-align: center;">↓</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Notice to Proceed</div> <p style="text-align: center;">↓</p> <p style="text-align: center;">•</p> <p style="text-align: center;">↓</p>	<p style="text-align: center;">BAC Secretariat</p>	<ul style="list-style-type: none"> <li>• Issued to the successful bidder together with the copy of the approved contract within 7 cd from date of approval.</li> <li>• Contract effectivity date should be provided in the NTP (GF BAI-63), not later than 7cd from its issuance.</li> <li>• BAC Secretariat should post a copy of the NTP and the Approved contract in the PhilGEPS or PE's website within 15 cd from issuance of NTP.</li> <li>• Advance payment is allowed at ≤15% of the total contract price</li> <li>• Made upon submission to and PE's acceptance of an irrevocable standby Letter of Credit (LC) of equivalent value from a commercial bank.</li> <li>• Recovered by deducting from progress payments</li> <li>• No additional payment for variation order shall be allowed</li> <li>• Subcontracting should not exceed 20% of the total project cost</li> <li>• Liquidated damages is 1/10 of 10% of the cost of unperformed portion for every day of delay</li> </ul>
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">END</div>	<p style="text-align: center;">BAC Secretariat</p>	<ul style="list-style-type: none"> <li>• Record transactions as necessary</li> </ul>

Prepared by:	Approved by:
<p style="text-align: center;"><i>E. Nitollano</i></p> <p style="text-align: center;">EARALD R. NITOLLANO Procurement Officer</p>	<p style="text-align: center;"><i>R. Domingo</i></p> <p style="text-align: center;">RONNIE D. DOMINGO, DVM, MSc Top Management</p>