

**INVITATION FOR NEGOTIATED PROCUREMENT DUE TO
TWO FAILED BIDDINGS**

(Pursuant to Section 53.1 of the Revised Implementing Rules and Regulations of R.A 9184 – Negotiated Procurement - Two Failed Competitive Biddings)

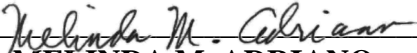
**PROCUREMENT OF CONSULTING SERVICES FOR THE
DEVELOPMENT OF BUSINESS CONTINUITY
MANAGEMENT SYSTEM (BCMS)
PGC-BAC-2022-006C**

1. In view of the two (2) failed biddings, the **PHILIPPINE GUARANTEE CORPORATION (PHILGUARANTEE)** invites bidders to participate in the negotiation for the **Procurement of Consulting Services for the Development of Business Continuity Management System (BCMS)**.
2. The **PHILGUARANTEE**, through the **2022 Corporate Operating Budget** intends to apply the sum of **Pesos: One Million Four Hundred Forty Thousand (Php1,440,000.00)**, inclusive of all applicable taxes and fees, being the Approved Budget for the Contract (ABC) to payments under the contract for **Procurement of Consulting Services for the Development of Business Continuity Management System (BCMS)**.
3. Bidding is restricted to Filipino citizens/sole proprietorships, cooperatives, and 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 5183.
4. The **PHILGUARANTEE** now invites interested bidders for a negotiation for the **Procurement of Consulting Services for the Development of Business Continuity Management System (BCMS)** on **December 2, 2022; 1:30 P.M.** through video conferencing or webcasting via webex.
5. Following the completion of the negotiations, the sealed and marked envelope containing the best and final offer based on the technical and financial requirements, including the pre-requisite documentary requirements enumerated in the checklist of requirements hereof must be duly received by BAC Secretariat, 3rd Floor, Jade Bldg., 335 Sen. Gil J. Puyat Ave., Makati City on or before **December 9, 2022, 01:15 P.M.** Late submissions shall not be accepted.
6. Opening of Bids is on **December 9, 2022, 01:30 P.M.** at 3rd Floor, Jade Bldg., 335 Sen. Gil J. Puyat Ave., Makati City and through video conferencing or webcasting via webex.
7. The **PHILGUARANTEE** 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 Section 41 of R.A 9184 and its RIRR, without thereby incurring any liability to the affected bidder or bidders.

8. For further information, please refer to:

MS. KARENINA V. JOAQUIN
BAC Secretariat
PHILGUARANTEE
3F, Jade Building, 335 Sen. Gil J. Puyat Avenue
Makati City, Philippines
8897-3293/bacsecretariat@philguarantee.gov.ph

25 November 2022


MELINDA M. ADRIANO
Chairperson, Bids and Awards Committee

Terms of Reference

CONSULTANCY SERVICES FOR THE DEVELOPMENT OF BUSINESS CONTINUITY MANAGEMENT SYSTEM OF PHILIPPINE GUARANTEE CORPORATION

1. Background:

PHILGUARANTEE is a government owned and controlled corporation resulting from the merger and consolidation of five (5) Philippine Guarantee Programs and Agencies (PGPAs) pursuant to Executive Order No. 58, Series of 2018. PHILGUARANTEE is the former Philippine Export-Import Credit Agency (PhilEXIM), the surviving entity in the merger of the PGPAs.

As the principal agency for state guarantee finance of the Philippines, the primary objective of PHILGUARANTEE is to perform its development financing role through the provision of credit guarantees in support of trade and investments, exports, infrastructure, energy, tourism, agricultural business/modernization, housing, MSMEs and other priority sectors of the economy, with the end view of facilitating and promoting socio-economic and regional development.

PHILGUARANTEE, a government financial institution, is mandated to adhere to the rules and regulations set by the different government and regulatory agencies such as the Bangko Sentral ng Pilipinas (BSP), Commission on Audit (COA), and Department of Information and Communications Technology (DICT), among others.

The Philippine Guarantee Corporation (PHILGUARANTEE) intends to engage the services of a Consultant for the Corporation's Business Continuity Management System (BCMS).

The engagement of the Consultant aims to provide PHILGUARANTEE with the professional guidance and assistance in developing its BCMS to be able to mitigate future business loss, including potential reputational damage and minimize the possible harm/loss of human lives.

2. Approved Budget for the Contract

The Projected Budget for the Contract for the Consultancy Services is One Million Four Hundred Forty Thousand Pesos only (Php1,440,000.00) inclusive of applicable taxes and fees.

The winning bidder shall be entirely responsible for all the associated fees required for the completion of this Consultancy services.

Fees such as but not limited to legal fees imposed by the government, and miscellaneous fees such as but not limited to transportation, communication, and office supplies.

3. Specifications of the Engagement

The Scope of Work / Deliverables of the Consultant/s shall cover the entire Philippine Guarantee Corporation's Groups and Offices located at 22nd, 23rd and 24th floors of BPI-Philam Makati, 6811 Ayala Ave., Makati City. If in case, we are still not able to transfer to BPI Philam in the 3rd and 4th quarter of 2022, the Scope of Work / Deliverables of the Consultant/s shall cover the entire Philippine Guarantee Corporation's Groups and Offices located at 17/F BDO Tower Valero St. Barangay Bel-Air Makati City, and at 355 Jade Building, Gil Puyat Ave., Brgy. Bel-Air Makati City,

Aligned with BSP's Manual of Regulations for Non-Bank Financial Institutions (MORNBFI), at the very least, the scope of work shall cover the BCMS Processes - Business Impact Analysis (BIA) and Risk Assessment, Strategy Formulation, Plan Development, Plan Testing and Personnel Training and Maintenance.

The Consultant shall render professional services such as but not limited to the following:

Description of Activities	Location	Estimated Timeline of Activities (calendar days)	Estimated Number of Participants	Deliverables (when applicable)
<ul style="list-style-type: none"> Defining the Scope and Objectives 	Virtual/ Online or Jade Building 4 th Floor	15 days upon receipt of the Notice to Proceed	36	Initial Assessment Report
<ul style="list-style-type: none"> Analyses 	Virtual/ Online or Jade Building 4 th Floor	30 days	36	Gap Analysis: <ul style="list-style-type: none"> Current state, findings and recommendation. BIA: <ul style="list-style-type: none"> List of business processes, business functions, workflows and dependencies (downstream and upstream) Defined impact types (loss of revenues, increase operating expenses penalties, etc.) and criteria relevant to PHILGUARANTEE. Maximum Tolerable Period of Disruption (MTPD) during a disruption occurs. Maximum tolerable length of downtime for a business application or Recovery Time Objective (RTO) Recovery Point Objective (RPO), or the amount time that passed during a disruption. Identified list of prioritized activities.

				<ul style="list-style-type: none"> List of resources required to support the prioritized activities. List of determined dependencies, such as suppliers, 3rd party & other suppliers, and interdependencies of prioritized activities. RA <ul style="list-style-type: none"> Risk Registry (RR) Risk Treatment and Action Plans (RTAP) Documented risk procedures
<ul style="list-style-type: none"> <i>Strategy Formulation</i> 	Virtual/ Online or Jade Building 4 th Floor	30 days	36	Business recovery strategies and procedures aligned with the business units and the support functions for the provisioning of essential needs and technology necessary to continue and resume the operation.
<ul style="list-style-type: none"> <i>Plan Development</i> 	Jade Building 4 th Floor	30 days	36	Development of plans /manuals (BCP/PSCP), detailed guidelines and procedures on response and management of a crisis, recovery of critical business services and functions and resumption to normal operations.
<ul style="list-style-type: none"> <i>Plan Testing</i> 	Jade Building 4 th Floor	30 days	36	Testing documentation that includes testing plan, testing scenario/s, procedures and testing result.
<ul style="list-style-type: none"> <i>Personnel Training</i> 	Jade Building 4 th Floor	25 days	36	Course material.
<ul style="list-style-type: none"> <i>Hand holding Service</i> 	Virtual/ Online or PHILGU ARANTE E office (Jade or BDO tower)	20 days	36	Guidance and mentoring.

3.1. Defining the Scope and Objectives

Conduct the initial assessment and come up with objectives of the BCMS in line with the latest ISO 22301, BSP Circular No. 951 s. 2017 and NDRRMC Memorandum No. 33 s. 2018 (Public Service Continuity Plan for Government Agencies). This includes but not limited to, identifying the BCMS scope, key business activities, products and services.

3.2. Analyses

3.2.1. Current State Assessment

The Consultant/s shall conduct review and assess the current state of PHILGUARANTEE in terms of governance that is related to risks management, disaster recovery, continuity plan including pandemic related responses, emergency preparedness and crisis management.

3.2.2. Business Impact Analysis (BIA)

The Consultant/s shall conduct BIA trainings and workshops to PHILGUARANTEE personnel and provide feedbacks, reviews and recommendations necessary to have a sound and accurate assessment of the critical processes. BIA is a crucial factor and its result will be used in the Business Continuity Planning.

3.2.3. Risk Assessment

The Consultant/s together with PHILGUARANTEE, shall identify the risks including but not limited to, current IT systems, business processes, pandemic related, natural disasters and the likes. The objective is to understand and where the Corporation is most vulnerable.

3.3. Strategy Formulation

The Consultant/s shall identify and propose business continuity strategies as a result of the BIA and assessment exercises. The proposed business continuity strategies must include for before, during and after disruption. The Business Continuity strategies shall contain the resource requirements, the implementation and maintenance plan.

3.4. Plan Development

The Consultant/s shall develop and document the business continuity plans and procedures based on the formulated strategies. It will have a detailed guidelines and procedures and will be used when required to activate the business continuity solutions. These guidelines and procedures shall cover, but not limited to the following:

3.4.1. Disaster Recovery Plan

3.4.2. Business Continuity Plan (BCP) and Public Service Continuity Plan (PSCP)

3.4.3. Crisis Management and Communication

3.4.4. Organizational Structure and Governance

3.4.5. Roles and Responsibilities

3.5. Plan Testing

The Consultant/s shall conduct simulation and testing based on the BCMS documents. Based on the type of testing methods, the Consultant/s shall provide recommendations that deemed appropriate to PHILGUARANTEE.

3.6. Personnel Training and Maintenance

The Consultant/s shall provide training to all concerned employees to promote awareness, familiarity and understanding of their roles and responsibilities in the event of disruption. Structure and content of the training program, hand-outs/materials and schedule will be provided by the Consultant.

3.7. Hand-holding Service

The Consultant shall provide post consulting services throughout the development of this manual together with PHILGUARANTEE.

4. Terms of Agreement

4.1 The Consultant's services shall be delivered to PHILGUARANTEE after the Consultant has received the Notice to Proceed from the PHILGUARANTEE.

4.2 The Consultant's services will be performed at 17th Floor BDO Towers Valero, Valero Street, Salcedo Village, 1227, Makati City, and alternatively at 335 Jade Building, Sen. Gil Puyat Avenue, Makati City and should there be changes in the physical office of the Corporation, the same shall be timely communicated to the Consultant. Such change in the physical office of the Corporation shall not, in any way, affect the deliverables of the Consultant.

4.3 The Consultant warrants to:

4.3.1 Conform strictly to all the terms and conditions of this engagement;

4.3.2 Work and coordinate with the designated personnel in the performance of the deliverables required by the PHILGUARANTEE;

4.3.3 Secure, maintain and update all the necessary registration, licenses and/or permits required under the law at its or his/her own expenses;

4.3.4 Comply with all the necessary requirements provided for under the law, rules regulations as well the issuance and directives of regulatory bodies.

4.3.5 The Consultant shall not use or divulge to anyone, except when such will be beneficial to the PHILGUARANTEE, either during or after the engagement, any of its trade secrets, proprietary information or other proprietary data of any kind whatsoever acquired by reason of this engagement.

4.3.6 The Consultant shall not assign, transfer, pledge, sub-pledge, or make such other disposition of any of his obligations under the Contract or any part or interest therein.

4.4 The PHILGUARANTEE may, at any time during the duration of this engagement and in case of breach or material default, terminate the contract of services with the Consultant, provided that PHILGUARANTEE will give a 30-day written notice to the Consultant to explain said breach or default, or otherwise cure the same within the conditions set forth in the notice. Failure to do so shall cause the termination of the contract. PHILGUARANTEE shall only be liable to pay the costs of actual services rendered prior to the termination.

4.5 Any reports, studies, and other materials prepared by the Consultant for the PHILGUARANTEE under the contract shall belong solely to and remain property of the PHILGUARANTEE.

4.6 The Consultant shall have the following responsibilities:

4.6.1 Defining the scope and objectives

4.6.2 Analyses

4.6.3 Strategy formulation

4.6.4 Plan development

4.6.5 Plan testing

4.6.6 Hand-holding service

5. **Qualifications of the Consultant/s**

The Consultant should have the following minimum qualifications:

5.1.1. The Consultant must have at least three (3) years consultancy experience in business continuity;

5.1.2. Must be duly registered with the Securities and Exchange Commission (SEC) or the Department of Trade and Industry (DTI) for sole proprietorship;

5.1.3. Must be duly registered with PhilGEPS;

5.1.4. With hands-on experience in conducting Business Impact Analysis (BIA), Risk Identification and Assessment and project implementation;

5.1.5. Has the knowledge to understand the requirements and the business needs of PHILGUARANTEE;

5.1.6. The bidder has demonstrated its capability to set-up a BCMS in line with ISO 22301 and BSP Circular No. 951 s. 2017.

5.1.7. Prior dealing with PHILGUARANTEE if any must be at least satisfactory.

In consideration of the services, PHILGUARANTEE shall pay the Consultant in the following manner:

Activity/Deliverable	Payment
● Defining the Scope and Objectives	15%
● Analyses	15%
● Strategy Formulation	20%
● Plan Development	20%
● Plan Testing	15%
● Training and Hand-holding Services	15%
Total	100%

Payment after every activity/deliverable shall be made by PHILGUARANTEE within thirty (30) days upon receipt of invoice.

6. **Criteria for Selection**

The committee shall decide on the best technical specification offer that will be based on Quality-Cost Based Evaluation (QCBE). The criteria and rating system for the selection of the winning consultant body are as follows:

Criteria	Percentage	Weightage Percentage
A. Technical Proposal	100%	80%
● Qualification of Consultant Team to be Assigned to the Project. - Consultant team members with relevant public and private sector specific experience for GOCCs and financial institutions	50%	
● Applicable Experience and Track Record - No. of years of experience - Similar projects completed within the last three (3) years - Similar projects conducted for government institutions/GOCC within the last three (3) years - Client feedback	20%	
● Plan of Approach and Methodology	30%	
B. Financial Proposal	100%	20%

The Passing Rate for the Technical Proposal is 80%.

The contract shall be awarded to the Consultant with the Highest Rated and Responsive Proposal.

7. Delivery Period

The services subject of the procurement shall be for a period of (6) months, tentatively starting CY 2022.

(Negotiated Procurement- Two Failed Biddings)

“CONSULTANCY SERVICES FOR THE DEVELOPMENT OF BUSINESS CONTINUITY MANAGEMENT SYSTEM OF PHILIPPINE GUARANTEE CORPORATION”

Eligibility Documents:

Eligibility documents Submission Form (**Annex A**)

Class “A” Documents

Legal Documents

Valid PhilGEPS Registration Certificate (Platinum Membership)

Technical Documents

Statement of Completed Government and Private Contracts (**Annex B**)

Statement of Ongoing Government and Private Contracts and Awarded But Not Yet Started Contracts (**Annex C**)

Certificate of Satisfactory Completion or equivalent document

Statement of the consultant specifying its nationality (indicate the type of entity/organization and percentage (%) of Filipino ownership).

Class “B” Documents

If applicable, the Joint Venture Agreement (JVA) in case the joint venture is already in existence, or duly notarized statements from all the potential joint venture partners in accordance with Section 24.1(b) of the IRR of RA 9184.

Technical Proposal:

TPF 1 - Technical Proposal Submission Form (Annex D)

TPF 2 - Consultant's References (Annex E)

TPF 3 - Comments and Suggestions of Consultant on the Terms of Reference and on Data, Services, and Facilities to be Provided by the Procuring Entity (Annex F)

TPF 4 - Description of the Methodology and Work Plan for Performing the Project (Annex G)

TPF 5 - Team Composition and Task (Annex H)

TPF 6 - Format of Curriculum Vitae (CV) for Proposed Professional Staff (Annex I)

TPF 7 - Time Schedule for Professional Personnel (Annex J)

TPF 8 - Activity (Work) Schedule (Annex K)

Omnibus Sworn Statement (Annex L)

Bid Security (Bid Securing Declaration - Annex M)

Financial Proposal:

FPF 1 - Financial Proposal Submission Form (Annex N)

FPF 2 - Summary of Costs (Annex O)

Eligibility Documents Submission Form

[Date]

[Name and address of the Procuring Entity]

Ladies/Gentlemen:

In connection with your Request for Expression of Interest dated *[insert date]* for *[Title of Project]* under *[Reference No.]*, *[Name of Consultant]* hereby expresses interest in participating in the eligibility and short listing for said Project and submits the attached eligibility documents in compliance with the Eligibility Documents therefor.

In line with this submission, we certify that:

- a) *[Name of Consultant]* is not blacklisted or barred from bidding by the GOP or any of its agencies, offices, corporations, or LGUs, including foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board, and that each of the documents submit; and
- b) Each of the documents submitted herewith is an authentic copy of the original, complete, and all statements and information provided therein are true and correct.

We acknowledge and accept the Procuring Entity's right to inspect and audit all records relating to our submission irrespective of whether we are declared eligible and short listed or not.

Yours sincerely,

Signature
Name and Title of Authorized Signatory
Name of Consultant
Address

STATEMENT OF COMPLETED GOVERNMENT AND PRIVATE CONTRACTS

This is to certify that _____ (consultant) _____ has the following completed contracts:

PROJECT NAME (including NAME, ADDRESS OF CLIENT, CONTACT NO.)	DATE OF CONTRA CT	TYPE OF CONTRA CT	START DATE	COMPLETIO N DATE	AMOUNT OF CONTRACT	CONSULTANT'S ROLE (DESCRIPTION OF ACTUAL SERVICES PROVIDED)

Name and Signature of Authorized Representative

Date

**STATEMENT OF ONGOING GOVERNMENT AND PRIVATE CONTRACTS AND AWARDED BUT NOT YET
STARTED CONTRACTS**

This is to certify that _____ (consultant) _____ has the following ongoing and awarded but not yet started contracts:

DATE OF CONTRACT	CONTRACTING PARTY	NAME OF CONTRACT	TYPE OF CONTRACT	BRIEF DESCRIPTION OF CONSULTING SERVICE	AMOUNT OF CONTRACT	VALUE OF OUTSTANDING CONTRACT	CONSULTANT IS: a. main consultant b. subcontractor c. partner in a JV

Name and Signature of Authorized Representative

Date

TPF 1. Technical Proposal Submission Form

[Date]

[Name and address of the Procuring Entity]

Ladies/Gentlemen:

We, the undersigned, offer to provide the consulting services for *[Title of Project]* in accordance with your Bidding Documents dated *[insert date]* and our Bid. We are hereby submitting our Bid, which includes this Technical Proposal, and a Financial Proposal sealed under a separate envelope.

In accordance with **ITB** Clause 21.1, we confirm that the information contained in the eligibility documents submitted earlier together with the Expression of Interest remain correct as of the date of bid submission.

If negotiations are held during the period of bid validity, *i.e.*, before *[insert date]*, we undertake to negotiate on the basis of the proposed staff. Our Bid is binding upon us and subject to the modifications resulting from contract negotiations.

In accordance with **GCC** Clause 51, we acknowledge and accept the Procuring Entity's right to inspect and audit all records relating to our Bid irrespective of whether we enter into a contract with the Procuring Entity as a result of this Bid or not.

We understand you are not bound to accept any Bid received for the selection of a consultant for the Project.

We acknowledge that failure to sign this Technical Proposal Submission Form and the abovementioned Financial Proposal Submission Form shall be a ground for the rejection of our Bid.

We remain,

Yours sincerely,

Authorized Signature:
Name and Title of Signatory:
Name of Firm:
Address:

TPF 2. Consultant's References

Relevant Services Carried Out in the Last Five Years That Best Illustrate Qualifications

Using the format below, provide information on each project for which your firm/entity, either individually, as a corporate entity, or as one of the major companies within an association, was legally contracted.

Project Name:		Country:
Location within Country:		Professional Staff Provided by Your Firm/Entity(profiles):
Name of Client:		Nº of Staff:
Address:		Nº of Staff-Months; Duration of Project:
Start Date (Month/Year):	Completion Date (Month/Year):	Approx. Value of Services (in Current PhP):
Name of Associated Consultants, if any:		Nº of Months of Professional Staff Provided by Associated Consultants:
Name of Senior Staff (Project Director/Coordinator, Team Leader) Involved and Functions Performed:		
Narrative Description of Project:		
Description of Actual Services Provided by Your Staff:		

Consultant's Name: _____

TPF 3. Comments and Suggestions of Consultant on the Terms of Reference and on Data, Services, and Facilities to be Provided by the Procuring Entity

On the Terms of Reference:

- 1.
- 2.
- 3.
- 4.
- 5.

On the data, services, and facilities to be provided by the Procuring Entity:

- 1.
- 2.
- 3.
- 4.
- 5.

TPF 4. Description of the Methodology and Work Plan for Performing the Project

TPF 5. Team Composition and Task

1. Technical/Managerial Staff		
Name	Position	Task

2. Support Staff		
Name	Position	Task

3 Where applicable, indicate relationships among the Consultant and any partner and/or subconsultant, the Procuring Entity, the Funding Source and other parties or stakeholders.

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TPF 6. Format of Curriculum Vitae (CV) for Proposed Professional Staff

Proposed Position: _____

Name of Firm: _____

Name of Staff: _____

Profession: _____

Date of Birth: _____

Years with Firm/Entity: _____ Nationality: _____

Membership in Professional Societies: _____

Detailed Tasks Assigned: _____

Key Qualifications:

[Give an outline of staff member's experience and training most pertinent to tasks on project. Describe degree of responsibility held by staff member on relevant previous projects and give dates and locations. Use about half a page.]

Education:

[Summarize college/university and other specialized education of staff members, giving names of schools, dates attended, and degrees obtained. Use about one quarter of a page.]

Employment Record:

[Starting with present position, list in reverse order every employment held. List all positions held by staff member since graduation, giving dates, names of employing organizations, titles of positions held, and locations of projects. For experience in last ten years, also give types of activities performed and client references, where appropriate. Use about two pages.]

Languages:

[For each language, indicate proficiency: excellent, good, fair, or poor in speaking, reading, and writing.]

Certification:

I, the undersigned, certify that to the best of my knowledge and belief, these data correctly describe me, my qualifications, and my experience.

Commitment:

I also commit to work for the Project in accordance with the time schedule as indicated in the contract once the firm is awarded the Project.

_____ Date: _____
[Signature of staff member and authorized representative of the firm] Day/Month/Year

Full name of staff member: _____

Full name of authorized representative: _____

SUBSCRIBED AND SWORN to before me this ___ day of [month] [year] at [place of execution], Philippines. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant/s exhibited to me his/her [insert type of government identification card used], with his/her photograph and signature appearing thereon, with no. _____.

Witness my hand and seal this ___ day of [month] [year].

NAME OF NOTARY PUBLIC

Serial No. of Commission _____

Notary Public for _____ **until** _____

Roll of Attorneys No. _____

PTR No. __, [date issued], [place issued]

IBP No. __, [date issued], [place issued]

Doc. No. ____

Page No. ____

Book No. ____

Series of ____.

TPF 8. Activity (Work) Schedule

A. Field Investigation and Study Items

	<i>[1st, 2nd, etc. are months from the start of project.]</i>												
	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	
Activity (Work)													

B. Completion and Submission of Reports

Reports	Date
1. Inception Report	
2. Interim Progress Report (a) First Status Report (b) Second Status Report	
3. Draft Report	
4. Final Report	

Omnibus Sworn Statement

REPUBLIC OF THE PHILIPPINES)
CITY/MUNICIPALITY OF _____) S.S.

AFFIDAVIT

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

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

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

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

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

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

If a partnership, corporation, cooperative, or joint venture: I am granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for *[Name of the Project]* of the *[Name of the Procuring Entity]*, accompanied by the duly notarized Special Power of Attorney, Board/Partnership Resolution, or Secretary’s Certificate, whichever is applicable;

3. *[Name of Consultant]* is not “blacklisted” or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board;
4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;

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

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

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

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

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

7. *[Name of Consultant]* complies with existing labor laws and standards; and

8. *[Name of Consultant]* is aware of and has undertaken the following responsibilities as a Bidder:

- a) Carefully examine all of the Bidding Documents;
- b) Acknowledge all conditions, local or otherwise, affecting the implementation of the Contract;
- c) Made an estimate of the facilities available and needed for the contract to be bid, if any; and
- d) Inquire or secure Supplemental/Bid Bulletin(s) issued for the *[Name of the Project]*.

9. *[Name of Bidder]* did not give or pay directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel or representative of the government in relation to any procurement project or activity.

IN WITNESS WHEREOF, I have hereunto set my hand this ___ day of ___, 20__ at _____, Philippines.

[Bidder's Representative/Authorized Signatory]

SUBSCRIBED AND SWORN to before me this ___ day of *[month]* *[year]* at *[place of execution]*, Philippines. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M.

No. 02-8-13-SC). Affiant/s exhibited to me his/her *[insert type of government identification card used]*, with his/her photograph and signature appearing thereon, with no. _____.

Witness my hand and seal this ____ day of *[month]* *[year]*.

NAME OF NOTARY PUBLIC

Serial No. of Commission _____

Notary Public for _____ **until** _____

Roll of Attorneys No. _____

PTR No. __, *[date issued]*, *[place issued]*

IBP No. __, *[date issued]*, *[place issued]*

Doc. No. ____

Page No. ____

Book No. ____

Series of ____.

Bid-Securing Declaration

(REPUBLIC OF THE PHILIPPINES)
CITY OF _____) S.S.
x-----x

Invitation to Bid *[Insert reference number]*

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

I/We, the undersigned, declare that:

1. I/We understand that, according to your conditions, bids must be supported by a Bid Security, which may be in the form of a Bid-Securing Declaration.
2. I/We accept that: (a) I/we will be automatically disqualified from bidding for any contract with any procuring entity for a period of two (2) years upon receipt of your Blacklisting Order; and, (b) I/we will pay the applicable fine provided under Section 6 of the Guidelines on the Use of Bid Securing Declaration, within fifteen (15) days from receipt of written demand by the procuring entity for the commission of acts resulting to the enforcement of the bid securing declaration under Sections 23.1(b), 34.2, 40.1 and 69.1, except 69.1 (f), of the IRR of RA 9184; without prejudice to other legal action the government may undertake.
3. I/We understand that this Bid-Securing Declaration shall cease to be valid on the following circumstances:
 - a. Upon expiration of the bid validity period, or any extension thereof pursuant to your request;
 - b. I am/we are declared ineligible or post-disqualified upon receipt of your notice to such effect, and (i) I/we failed to timely file a request for reconsideration or (ii) I/we filed a waiver to avail of said right;
 - c. I am/we are declared as the bidder with the Highest Rated Responsive Bid, and I/we have furnished the performance security and signed the Contract.

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

[Insert NAME OF BIDDER'S AUTHORIZED REPRESENTATIVE]
[Insert signatory's legal capacity]

Affiant

SUBSCRIBED AND SWORN to before me this __ day of [month] [year] at [place of execution], Philippines. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant/s exhibited to me his/her [insert type of government identification card used], with his/her photograph and signature appearing thereon, with no. _____.

Witness my hand and seal this ____ day of [month] [year].

NAME OF NOTARY PUBLIC

Serial No. of Commission _____
Notary Public for _____ **until** _____
Roll of Attorneys No. _____
PTR No. __, [date issued], [place issued]
IBP No. __, [date issued], [place issued]
Doc. No. ____
Page No. ____
Book No. ____
Series of _____.

FPF 1. Financial Proposal Submission Form

[Date]

[Name and address of the Procuring Entity]

Ladies/Gentlemen:

We, the undersigned, offer to provide the consulting services for [Title of Project] in accordance with your Bidding Documents dated [insert date] and our Bid (Technical and Financial Proposals). Our attached Financial Proposal is for the sum of [amount in words and figures]. This amount is exclusive of the local taxes, which we have estimated at [amount(s) in words and figures].

Our Financial Proposal shall be binding upon us subject to the modifications resulting from Contract negotiations, up to expiration of the bid validity period, *i.e.*, [Date].

In accordance with GCC Clause **Error! Reference source not found.**, we acknowledge and accept the Procuring Entity's right to inspect and audit all records relating to our Bid irrespective of whether we enter into a contract with the Procuring Entity as a result of this Bid.

We confirm that we have read, understood and accept the contents of the Instructions to Bidders (ITB), the Bid Data Sheet (BDS), General Conditions of Contract (GCC), Special Conditions of Contract (SCC), Terms of Reference (TOR), the provisions relating to the eligibility of Consultant and the applicable guidelines for the procurement rules of the Funding Source, any and all Bid bulletins issued and other attachments and inclusions included in the Bidding Documents sent to us.

We understand you are not bound to accept any Bid you receive.

We remain,

Yours sincerely,
Authorized Signature:
Name and Title of Signatory:
Name of Firm:
Address:

FPF 2. Summary of Costs

Costs	Currency(ies) ¹	Amount in Philippine Peso
Subtotal		
Local Taxes		
Total Amount of Financial Proposal		_____

¹ In cases of contracts involving foreign consultants, indicate the exchange rate used.