



Republic of the Philippines  
**House of Representatives**  
Quezon City

**BIDS AND AWARDS COMMITTEE**

***Provision for the 2021 South Lounge Food Concession,  
including Supplies, Equipment, and Services***

**Bid Bulletin No. 3**  
11 February 2021

Pursuant to Section 22.5 of the 2016 Implementing Rules and Regulations (IRR) of Republic Act No. (RA) 9184, this Bid Bulletin is being issued to amend and/or clarify the following provisions/portions of the Bidding Documents relative to the above-mentioned project.

**I. AMENDMENTS**

The following provisions/portions of the Biddings Documents are hereby amended,<sup>1</sup> as follows:

**A. Invitation to Bid <sup>2</sup>**

FROM	TO
<p>7. Submission of Eligibility, Technical and Financial Documents must be duly received by the BAC Secretariat through manual submission at the Lobby of the South Wing Annex (SWA) Bldg., House of Representatives, Batasan Pambansa Complex, IBP Road, Batasan, Quezon City on or before 18 February 2021 (Thursday), at 9:00 a.m. Late bids shall not be accepted.</p>	<p>7. Submission of Eligibility, Technical and Financial Documents must be duly received by the BAC Secretariat through manual submission at the Lobby of the South Wing Annex (SWA) Bldg., House of Representatives, Batasan Pambansa Complex, IBP Road, Batasan, Quezon City on or before <b><u>24 February 2021 (Wednesday), at 10:00 a.m.</u></b> Late bids shall not be accepted.</p> <p><b><u>Considering the strict security protocols being implemented by the House of Representatives, submission of bids shall be done in the drop-off area at the South Wing Annex Bldg. of the HRep Complex. Submission and receipt of bids shall be open from 8:00AM to 5:00PM from Mondays to Thursdays until the deadline of submission of bids specified in the ITB and Bidding Documents.</u></b></p>

<sup>1</sup> Amendments are in boldface and underlined.

<sup>2</sup> As amended in Bid Bulletin No. 1.

	<p><b><u>For this purpose, the time of receipt of bids shall be the time the Bids and Awards Committee Secretariat is informed by the security personnel of the arrival of the bidder's authorized representative at the North or South Gate. Moreover, the bidder's authorized representative shall also inform the BAC Secretary through text of their arrival.</u></b></p> <p><b><u>After such notice, the BAC Secretariat personnel shall go to the drop-off area at the South Wing Annex Bldg. to receive the bids from the bidder's authorized representative. The bidder's authorized representative may witness the bid being dropped in the bid box to be stationed in the South Wing Annex Bldg. Lobby.</u></b></p>
<p>9. Opening of the 1<sup>st</sup> Envelope (Eligibility and Technical Documents) shall be on 18 February 2021 (Thursday), at 10:00 a.m. at the given address below and via Zoom. Bids will be opened in the presence of the bidder's representatives who choose to attend the activity.</p> <p><i>Food Tasting/Demonstration will be held on 22, 23 and 24 February 2021 (Monday, Tuesday and Wednesday). Time and Place of Food Tasting/Demonstration will be announced after the opening of the 1<sup>st</sup> Envelope. Bidders who qualified the Food Tasting/ Demonstration will be notified to proceed to the next stage.</i></p> <p><i>Opening of the 2<sup>nd</sup> Envelope (Financial Documents) shall be on 25 February 2021 (Thursday) at 10:00 a.m. at the given address below and via Zoom.</i></p>	<p>9. Opening of the 1<sup>st</sup> Envelope (Eligibility and Technical Documents) shall be on <b><u>24 February 2021 (Wednesday), at 10:30 a.m.</u></b> at the given address below and via Zoom. Bids will be opened in the presence of the bidder's representatives who choose to attend the activity.</p> <p><i>Food Tasting/Demonstration will be held on <b><u>1, 2 and 3 March 2021 (Monday, Tuesday and Wednesday).</u></b> Time and Place of Food Tasting/Demonstration will be announced after the opening of the 1<sup>st</sup> Envelope. Bidders who qualified the Food Tasting/ Demonstration will be notified to proceed to the next stage.</i></p> <p><i>Opening of the 2<sup>nd</sup> Envelope (Financial Documents) shall be on <b><u>4 March 2021 (Thursday) at 10:00 a.m.</u></b> at the given address below and via Zoom.</i></p>

**B. Bid Data Sheet**

FROM	TO
<p><b>ITB Clause 5.3</b></p> <p>For this purpose, contracts similar to the Project shall be:</p> <p>a. any contract of food concession or catering</p>	<p><b>ITB Clause 5.3</b></p> <p>For this purpose, contracts similar to the Project shall be:</p> <p>a. any contract of food concession or catering</p>

<p>service contract for the provision of meals in a formal gathering assembly, conference, and the likes.</p> <p>b. completed within Five (5) Years prior to the deadline for the submission and receipt of bids.</p>	<p>service contract for the provision of meals in a formal gathering assembly, conference, and the likes.</p> <p>b. completed within Five (5) Years prior to the deadline for the submission and receipt of bids.</p> <p>c. <b><u>SLCC must be at least twenty five percent (25%) of the ABC.</u></b></p> <p><b><u>or</u></b></p> <p><b><u>The prospective bidder should have completed at least two (2) similar contracts and the aggregate contract amounts should be equivalent to at least the twenty five percent (25%) of the ABC, provided, that one of these similar contracts must be equivalent to at least 12.5% of the ABC.</u></b></p>
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**C. Schedule of Requirements**

The Schedule of Requirements is hereby amended/revised as shown in Annex “A”.

**D. Technical Specifications**

FROM	TO
<p><b>VI. OTHER RESPONSIBILITIES</b></p>	<p><b>VI. OTHER RESPONSIBILITIES</b></p> <p><b><u>E. The supplier shall use biodegradable packaging, utensils and paper cups.</u></b></p>

**F. Special Conditions of Contract**

FROM	TO
<p><b>GCC Clause 1, 2nd Paragraph</b></p> <p>For purposes of this Clause, the Procuring Entity’s Representative is <i>The Executive Director, Inter-Parliamentary and Public Affairs Department, House of Representative.</i></p>	<p><b>GCC Clause 1, 2nd Paragraph</b></p> <p>For purposes of this Clause, the Procuring Entity’s Representative is <b><u>The Deputy Secretary General, Inter-Parliamentary and Public Affairs Department</u></b></p>

## II. RESPONSE TO WRITTEN REQUESTS FOR CLARIFICATIONS

### *A. From OINI CUISINE sent thru email on 8 February 2021*

#### Query No. 1

Is the certificate of platinum membership mandatory or it is merely an alternative to SEC/DTI registration, mayors permit, tax clearance combined? Is a Philgeps Red Membership sufficient to allow participation in the bidding process?

#### Response of the BAC (on the 1st Part of the Question)

The PhilGEPs Registration Certificate (Platinum) is a mandatory requirement. Please be guided by GPPB CIRCULAR 07-2017, dated 31 July 2017 which states that:

“4.1.1 For all procurement projects advertised and/or posted after the effectivity of this Circular, bidders may still submit their Class “A” Eligibility Documents required to be uploaded and maintained current and updated in the PhilGEPs pursuant to Section 8.5.2 of the same IRR, or if already registered in the PhilGEPs under Platinum category, their Certificate of Registration and Membership in lieu of their uploaded file of Class “A” Documents, or a combination thereof. In case the bidder opted to submit their Class “A” Documents, the Certificate of PhilGEPs Registration (Platinum Membership) shall remain as a post-qualification requirement to be submitted in accordance with Section 34.2 of the 2016 Revised IRR of RA 9184;”

#### Response of the BAC (on the 2nd Part of the Question)

No, the PhilGEPs Red Membership is sufficient only for other alternative methods of procurement, per GPPB CIRCULAR 07-2017, dated 31 July 2017

#### Query No. 2

Does the prospective bidder need to attach a copy of the security to the Bid Securing Declaration? If the prospect bidder decides to post security in the form of a manager's check or cash, is he still required to execute the Bid Securing Declaration?

#### Response of the BAC (on the 1st and 2nd Parts of the Question)

No, as clearly provided in Bid Data Sheet (BDS) 14.1, which provides:

14.1	The <b>bid security</b> shall be in the form of a Bid Securing Declaration, <b>or</b> any of the following forms and amounts:  a. The amount of not less than <i>2% of ABC</i> , if bid security is in cash, cashier's/manager's check, bank draft/guarantee <b>or</b> irrevocable letter of credit; <b>or</b>  b. The amount of not less than <i>5% of ABC</i> if bid security is in Surety Bond.
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#### Query No. 3

In the case of a sole proprietorship, will an ITR be sufficient in place of an AFS? Note that under Sec. 71 of the TRAIN Law, AFS is only mandatory in case a single taxpayer obtains a gross quarterly income of Php. 300,000.00. Will a bidder with less than 300,000.00 revenue last year due to pandemic still be qualified if he/she obtained revenues of more than 300,000.00 in the previous years?

**Response of the BAC**

No, the ITR is not sufficient in place of an AFS.

Section 23.1 (vii) of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act No. (RA) 9184 requires the submission of “the prospective bidder’s audited financial statements, showing, among others, the prospective bidder’s total and current assets and liabilities, stamped “received” by the BIR or its duly accredited and authorized institutions, for the preceding calendar year which should not be earlier than two (2) years from the date of bid submission.”

**Query No. 4**

How will the NFCC be computed in the case of sole proprietorships with only an ITR and no AFS?

**Response of the BAC**

The Net Financial Contracting Capacity (NFCC) cannot be computed based only on ITR. Section 23.4.1.4 of the 2016 Revised IRR of RA 9184, provides the formula:

“NFCC = [(Current assets minus current liabilities) (15)] minus the value of all outstanding or uncompleted portions of the projects under ongoing contracts, including awarded contracts yet to be started, coinciding with the contract to be bid.”

The said section further provides that, the value of the bidder’s current assets and current liabilities “shall be based on the Latest Audited Financial Statements submitted to the BIR.”

**Query No. 5**

In case of a joint venture or potential joint venture, do the JVA partners all need to submit all the documents required of the prospective bidder? do JV partners also need to be qualified individually? can a JVA be executed even after the award of the contract?

**Response of the BAC**

Please be guided by Section 23.1 (b) of the 2016 Revised IRR of RA No. 9184, which clearly reads:

“For Goods, valid joint venture agreement (JVA), in case the joint venture is already in existence. In the absence of a JVA, duly notarized statements from all the potential joint venture partners should be included in the bid, stating that they will enter into and abide by the provisions of the JVA in the event that the bid is successful. Failure to enter into a joint venture in the event of a contract award shall be ground for the forfeiture of the bid security.

Each partner of the joint venture shall submit their respective PhilGEPS Certificates of Registration in accordance with Section 8.5.2 of this IRR. The submission of technical and financial eligibility documents by any of the joint venture partners constitutes compliance: Provided, That the partner responsible to submit the NFCC shall likewise submit the Statement of all of its ongoing contracts and Audited Financial Statements.”

**Query No. 6**

Regarding the schedule of menu, since the ABC is already set at around 5.1M and the number of meals under the contract is already specified for 150, will the concessionaire still be paid the ABC in case of or notwithstanding the decrease in the meals to be served? How will modifications both in the number of meals and length of service be undertaken?

**Response of the BAC**

Payment shall be based on actual goods delivered and/or services rendered, based on the Schedule of Requirements.

Please see amended/revised Schedule of Requirements, specifying the number of session days per month.

**2. From ALBA'S CATERING sent thru email on 11 February 2021**

**Query No. 1**

After reviewing all your required documents for the bidding, only the **Single Large Contract** requisite is conditional inadequate for our company. What we can provide is accumulated contract that will meet the 50% of ABC. In additions we had a canteen concessionaire in GMA 7 that started last October 01, 2017 up to present. All others required documents are updated and completely available.

**Response of the BAC**

Please see amendment to BDS 5.3

**III. ADDITIONAL INSTRUCTIONS TO BIDDERS**

1. Any and all amendments in this Bid Bulletin must be incorporated in the Technical Specifications with the corresponding statement of "comply" and required evidence of compliance.

Amendments and clarifications made in this Bid Bulletin shall be considered integral parts of the Bidding Documents. All other related provisions of the Bidding Documents that are affected by the amendments and/or clarifications in this Bid Bulletin are deemed amended accordingly.

For guidance and information of all concerned.

**DR. EDGARDO H. PANGILINAN**

Chairman, Bids and Awards Committee

*Deputy Secretary General*

*Legislative Information Resources Management Dept.*

## SCHEDULE OF REQUIREMENTS

The delivery schedule expressed as weeks/months stipulates hereafter a delivery date which is the date of delivery to the project site.

Item Number	Description	Quantity	Total	Delivered, Weeks/Months
1	Provision for the 2021 South Lounge Food Concession, including Supplies, Equipment and Services, good for 150 persons or servings per session day, in accordance with the following schedule:  May 2021 – 12 session days June 2021 – 5 sessions days July 2021 – 3 sessions days August 2021 – 9 sessions days September 2021 – 14 sessions days October 2021 – 6 sessions days November 2021 – 7 sessions days December 2021 – 7 sessions days	150 persons or servings per session day	63 Session Days	1 May 2021 to 31 December 2021

Note: The Inter-Parliamentary and Public Affairs Department (IPAD) reserves the right to suspend the food delivery for a given session day if the session for that particular day is cancelled by the House of Representatives (HRep): Provided, that the delivery will proceed as originally scheduled if the supplier is not notified by the IPAD before 9:00 a.m. of that same day; Provided further, that the IPAD will prioritize the supplier in other catering/food requirements of the HRep to compensate the value of the cancelled food delivery.

*I hereby commit to comply and deliver all the above requirements in accordance with the above stated schedule.*

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*Name of Company*

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*Signature Over Printed Name of Authorized Representative*

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*Date*