



Republic of the Philippines  
Department of Agriculture  
Bureau of Fisheries and Aquatic Resources-VII  
**BIDS AND AWARDS COMMITTEE OFFICE**  
Arellano Blvd., Cebu City  
(032) 260-1766 / 09976619824  
Website: [www.region7@bfar.da.gov.ph](mailto:www.region7@bfar.da.gov.ph) Email:  
bacbfar7@gmail.com

## **INVITATION FOR NEGOTIATED PROCUREMENT TWO-FAILED BIDDINGS NO. 2024-002**

### **“SUPPLY AND DELIVERY OF BANGUS FINGERLINGS FOR THE IMPLEMENTATION OF MARINE FISH CAGE CULTURE UNDER TARGET PROJECT FY 2024 IN NEGROS ORIENTAL PROVINCE”**

1. The DA-Bureau of Fisheries and Aquatic Resources Region VII, through the General Appropriations Act (GAA) FY 2024 intends to procure the Bangus Fingerlings for the Implementation of Marine Fish Cage Culture under TARGET Project FY 2024 in Negros Oriental Province with an Approved Budget for the Contract (ABC) of Four Hundred Forty Two Thousand Pesos Only (Php 442,000.00). Bids received in excess of the ABC shall be automatically rejected at bid opening.
2. The DA-BFAR VII, through its Bids and Awards Committee (BAC), now invites technically, legally and financially capable suppliers for the said procurement indicated above.
3. The procurement procedure for this requirement is Negotiated Procurement pursuant to Section 53.1 of the Revised Implementing Rules and Regulations (IRR) of Republic Act No. 9184 (RA 9184), otherwise known as the “Government Procurement Reform Act”, including Annex H thereof.

The procurement is restricted to Filipino citizens/sole proprietorship, partnership, 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 right or privileges to Filipino citizens, pursuant to RA 5183.

4. The BAC will engage in negotiations with a sufficient number of suppliers to ensure effective competition. The selection of the successful offer shall be based on the best and final offer that will be submitted on the specified date by the BAC shown and which would meet the minimum technical specifications required.
5. Bidding will be conducted through open competitive bidding procedures using a non-discretionary “pass/fail” criterion as specified in the implementing Rules and Regulations (IRR) of Republic Act (RA) 9184, otherwise known as the “Government Procurement Reform Act”.
6. Prospective Bidders may obtain further information from BAC Secretariat on January 29, 2024 to February 04, 2024; 8:00A.M. to 5:00P.M. at BFAR-7 BAC Office, 3<sup>rd</sup> floor, Arellano Blvd., Cebu City.

7. Interested Bidders shall submit the following documents in sealed envelopes, labelled as **“Negotiated Procurement for Two-Failed Biddings”**, with the title of the procurement project, name of the bidder, address of the bidder and contact details of the bidder, addressed to the BAC. Bidders must provide a Two (2) copies of the proposals (one original and one copy) must be submitted to the BAC which must be duly received by the BAC Secretariat through manual submission at the office address indicated above on or before **3:00 PM of February 05, 2024**. Late submission of bids shall not be accepted.
8. Bid opening shall be on **February 05, 2024, 3:00 PM at BFAR-7 BAC Office, Arellano Blvd., Cebu City**. Bids will be opened in the presence of the bidders’ representatives who choose to attend the activity.
9. The DA-BFAR VII 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 RA 9184 and its IRR, without thereby incurring any liability to the affected bidder or bidders.

For further information, please refer to:

SHARMAINE ROSE R. NAVARRA  
BFAR-7 BAC Head-Secretariat  
Address: BFAR-7 BAC Office, 3<sup>rd</sup> floor, Arellano Blvd., Cebu City  
Email: [bacbfar7@gmail.com](mailto:bacbfar7@gmail.com)  
Telephone number: (032) 260-1766 / 09976619824

*Issued this 29<sup>th</sup> day of January, 2024*

*Original signed*  
**LUZVIMINDA R. BATO**  
BAC Chairperson  
BFAR-7, Bids and Awards Committee

## **Bid Securing Declaration Form**

[shall be submitted with the Bid if bidder opts to provide this form of bid security]

---

REPUBLIC OF THE PHILIPPINES)  
CITY OF \_\_\_\_\_) S.S.

### **BID SECURING DECLARATION** Project Identification No.: [Insert number]

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

I/We, the undersigned, declare that:

1. I/We understand that, according to your conditions, bids must be supported by a Bid Security, which may be in the form of a Bid Securing Declaration.
  
2. I/We accept that: (a) I/we will be automatically disqualified from bidding for any procurement contract with any procuring entity for a period of two (2) years upon receipt of your Blacklisting Order; and, (b) I/we will pay the applicable fine provided under Section 6 of the Guidelines on the Use of Bid Securing Declaration, within fifteen (15) days from receipt of the written demand by the procuring entity for the commission of acts resulting to the enforcement of the bid securing declaration under Sections 23.1(b), 34.2, 40.1 and 69.1, except 69.1(f), of the IRR of RA No. 9184; without prejudice to other legal action the government may undertake.
  
3. I/We understand that this Bid Securing Declaration shall cease to be valid on the following circumstances:
  - a. Upon expiration of the bid validity period, or any extension thereof pursuant to your request;
  - b. I am/we are declared ineligible or post-disqualified upon receipt of your notice to such effect, and (i) I/we failed to timely file a request for reconsideration or (ii) I/we filed a waiver to avail of said right; and
  - c. I am/we are declared the bidder with the Lowest Calculated Responsive Bid, and I/we have furnished the performance security and signed the Contract.

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

[Insert NAME OF BIDDER OR ITS AUTHORIZED  
REPRESENTATIVE]

[Insert signatory's legal capacity]  
Affiant

**[Jurat]**

[Format shall be based on the latest Rules on Notarial Practice]

**CHECKLIST FOR NEGOTIATED PROCUREMENT -  
 TWO-FAILED BIDDING**

**Legal Documents:**

1. Company Profile (Track Record of Customer, References and their Address)
2. Mayor's Permit
3. DTI / SEC Registration Certificate
4. Audited Financial Statement ( Latest )
5. BIR (Income Tax Return - Latest)
6. Tax Clearance ( Latest )
7. Computation of Net Financial Contracting Capacity (NFCC)
8. Statement of all ongoing and completed government and private contracts within three (3) years from submission of bid, including contracts awarded but not yet started, if any. And must have completed a single contract that is similar to this project, equivalent to fifty percent (50%) of the ABC.
9. Statement of Single Largest Completed Contract (SLCC)
10. PhilGEPS Certificate of Registration and membership in accordance of CY 2016 Revised IRR of RA 9184.

**Technical Documents:**

1. Sworn Statement by the prospective bidder or its duly authorized representative: (Omnibus Sworn Statement)
  - a) Authority of the Signing Officials/ **Secretary Certification (if Corporation)**
  - b) Original Copy of the Letter authorizing the BAC or its duly authorized representative to verify any or all of the documents submitted for eligibility check
  - c) Original Copy of the Sworn Statement of the prospective bidder that it is not "blacklisted" or barred from bidding by the Government or any of its agencies, offices, corporations or LGU's.
  - d) 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.
  - e) Affidavit of the bidder that it is not related to the Head of the Procuring Entity, members of the BAC, the TWG and the BAC Secretariat, the end-user by consanguinity or affinity up to the third civil degree.
  - f) Sworn Statement that it complies with existing labor laws and standards in the case of procurement of services.
  
2. Bid Security as to form, amount and validity period

Form of Bid Security	Amount of Bid Security (Equal to Percentage of the ABC )
a) Cash, cashier's/ manager's check, bank draft/ guarantee confirmed by a Universal or Commercial Bank	Two percent ( 2% )
b) Irrevocable letter of credit issued by a Universal or Commercial Bank; Provided, however, that it shall be confirmed or authenticated by a Universal or Commercial Bank, if issued by a foreign bank	Two percent ( 2% )
c) Surety bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security	Five percent ( 5% )
d.) Bid Securing Declaration	

3. Schedule of Requirements (Annex A)
4. Technical Specifications (Annex B)
5. After sales service
6. AMTEC and NAMDAC Certification (for Agricultural Machinery including Marine Engine)

**Note: All photocopied documents should be Certified True Copy of the Original, arrange these documents in this order.**

## Omnibus Sworn Statement (Revised)

*[shall be submitted with the Bid]*

---

REPUBLIC OF THE PHILIPPINES )  
CITY/MUNICIPALITY OF \_\_\_\_\_ ) S.S.

### AFFIDAVIT

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

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

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

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

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

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

*[If a partnership, corporation, cooperative, or joint venture:]* I am granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached [state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate, Board/Partnership Resolution, or Special Power of Attorney, whichever is applicable)];

3. [Name of Bidder] is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board, **by itself or by relation, membership, association, affiliation, or controlling interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on Blacklisting;**

4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;

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

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

*[If a sole proprietorship:]* The owner or sole proprietor is not related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical

Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

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

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

7. *[Name of Bidder]* complies with existing labor laws and standards; and
8. *[Name of Bidder]* is aware of and has undertaken the responsibilities as a Bidder in compliance with the Philippine Bidding Documents, which includes:
  - a. Carefully examining all of the Bidding Documents;
  - b. Acknowledging all conditions, local or otherwise, affecting the implementation of the Contract;
  - c. Making an estimate of the facilities available and needed for the contract to be bid, if any; and
  - d. Inquiring or securing Supplemental/Bid Bulletin(s) issued for the *[Name of the Project]*.
9. *[Name of Bidder]* did not give or pay directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel or representative of the government in relation to any procurement project or activity.
10. **In case advance payment was made or given, failure to perform or deliver any of the obligations and undertakings in the contract shall be sufficient grounds to constitute criminal liability for Swindling (Estafa) or the commission of fraud with unfaithfulness or abuse of confidence through misappropriating or converting any payment received by a person or entity under an obligation involving the duty to deliver certain goods or services, to the prejudice of the public and the government of the Philippines pursuant to Article 315 of Act No. 3815 s. 1930, as amended, or the Revised Penal Code.**

**IN WITNESS WHEREOF**, I have hereunto set my hand this \_\_\_ day of \_\_\_, 20\_\_ at \_\_\_\_\_, Philippines.

*[Insert NAME OF BIDDER OR ITS AUTHORIZED REPRESENTATIVE]*

*[Insert signatory's legal capacity]*

Affiant

**[Jurat]**

*[Format shall be based on the latest Rules on Notarial Practice]*



#### TERMS & CONDITIONS:

- 1.) Supplier/Bidders shall provide correct and accurate and right legible information required in this form;
- 2.) Price quotation/s must be valid for a period of Thirty **(30) calendar days** from the deadline of submission.
- 3.) Price quotation/s, to be denominated in Philippine peso shall include all taxes, duties and/ or levies payable.
- 4.) Quotations exceeding the Approved Budget for the Contract shall be rejected.
- 5.) In case two or more bidders are determined to have submitted the Lowest Calculated Quotation/Lowest Calculated and Responsive Quotation, the BFAR-7 shall adopt and employ "draw lots" as the tie-breaking method to finally determine the single winning provider in accordance with GPPB Circular 06-2005.
- 6.) Any interlineations, erasures or overwriting shall be valid only if they are signed or initiated by you or any of your duly authorized representative/s.
- 7.) The item/s shall be delivered according to the requirements specified in the technical specifications and other terms and conditions stated herein;
- 8.) The BFAR-7 shall have the right to inspect and/or test (upon request letter c/o supplier) the goods to confirm their conformity to the technical specifications.
- 9.) Payment shall be processed after delivery and upon the submission of the required supporting documents, in accordance with existing government accounting rules and regulations. Please note that the corresponding bank transfer fee, if any, shall be chargeable to the contractor's account.
- 10.) Liquidated damages equivalent to one tenth of one percent (0.1%) of the value of the goods not delivered within the prescribed delivery period shall be imposed per day of delay. The BFAR-7 may rescind the contract once the cumulative amount of liquidated damages reaches ten percent (10%) of the amount of the contract, without prejudice to other courses of action and remedies open to it.





# Technical Specifications

Item	Specification	Statement of Compliance
		<p><i>[Bidders must state here either “Comply” or “Not Comply” against each of the individual parameters of each Specification stating the corresponding performance parameter of the equipment offered. Statements of “Comply” or “Not Comply” must be supported by evidence in a Bidders Bid and cross-referenced to that evidence. Evidence shall be in the form of manufacturer’s un-amended sales literature, unconditional statements of specification and compliance issued by the manufacturer, samples, independent test data etc., as appropriate. A statement that is not supported by evidence or is subsequently found to be contradicted by the evidence presented will render the Bid under evaluation liable for rejection. A statement either in the Bidder's statement of compliance or the supporting evidence that is found to be false either during Bid evaluation, post-qualification or the execution of the Contract may be regarded as fraudulent and render the Bidder or supplier liable for prosecution subject to the applicable laws and issuances.]</i></p>

*I hereby verify to comply with all the above requirements.*

\_\_\_\_\_  
Signature over the printed name of the authorized representative

\_\_\_\_\_  
Company name

\_\_\_\_\_  
Date