



Unit 2506 Raffles Corporate Center,
F. Ortigas Jr. Road, Ortigas Center,
Pasig City, Philippines 1605

CIRCULAR No. 03-2012

17 August 2012

TO : Heads of Departments, Bureaus, Offices and Agencies of the National Government including State Universities and Colleges, Government Owned and/or Controlled Corporations, Government Financial Institutions, and Local Government Units

SUBJECT : Post-qualification and Issuance of Notice of Post-disqualification

1.0 Purpose

This Circular is being issued to provide guidance in the proper process of post-qualification and on notification of bidders determined by the procuring entity to be post-disqualified.

2.0 Coverage

All Departments, Bureaus, Offices and Agencies of the National Government, including State Universities and Colleges, Government Owned and/or Controlled Corporations, Government Financial Institutions, and Local Government Units.

3.0 Guidance on Notification of Post-disqualified Bidders

3.1 The Bids and Awards Committee (BAC) is required to verify, validate, and ascertain the genuineness, validity, and accuracy of the legal, technical, and financial documents submitted by the bidder with the Lowest Calculated Bid (LCB) or Highest Rated Bid (HRB) using a non-discretionary "pass/fail" criterion in order to ensure that such bidder passed all the requirements and conditions specified in the Bidding Documents.

3.2 The post-qualification shall include, among others, the following, whenever applicable:

3.2.1 Verification of any registration, license, certificate, permit, clearance, and agreements submitted by the bidder.

3.2.2 Verification and validation of the bidder's stated competence and experience, as well as that of its key personnel assigned to the project.

- 3.2.3 Verification of availability and commitment of equipment units that will be used by the bidder in the contract. This may include inspection and testing for the required capacities and operating conditions provided in the Bidding Documents.
- 3.2.4 Checking of the bidder's performance in its ongoing government and private contracts.
 - 3.2.4.1 A finding of negative slippage of at least fifteen percent (15%), or substandard quality of work per contract plans and specifications, or unsatisfactory performance per contract terms and conditions, at the time of inspection, verified to be borne by the bidder's fault or negligence shall be a ground for post-disqualification.
- 3.2.5 Inspection and/or testing of the product and after-sales and/or maintenance capabilities.
- 3.2.6 Ascertainment of the sufficiency of the bid security as to type, amount, form and wording, and validity period.
- 3.2.7 Verification of the bid price and, whenever applicable, the required Credit Line Commitment or the Net Financial Contracting Capacity.
- 3.3 If the BAC determines that the bidder with the LCB or HRB fails to comply with the criteria for post-qualification, it shall immediately notify the bidder in writing of its post-disqualification.
- 3.4 The notice shall clearly state all the grounds for the post-disqualification pursuant to the requirements or conditions in the Bidding Documents that the bidder failed to comply with. A sample of such notice is provided in Annex "A" hereof.

4.0 This Circular shall take effect immediately.

5.0 For guidance and compliance.

(Sgd.)
FLORENCIO B. ABAD
Chairperson

[PROCURING ENTITY'S LETTERHEAD]

NOTICE OF POST-DISQUALIFICATION

[Date of Issuance]

[ADDRESSEE]

[Address of the Bidder]

Dear [Bidder's Authorized Representative]:

This is to inform you that, as the bidder that submitted the [Lowest Calculated Bid/Highest Rated Bid] last [Date of Opening of Bids] for the bidding for [Name of the Project], this Bids and Awards Committee (BAC) conducted a post-qualification of your eligibility, technical, and financial documents from [Date started] to [Date finished].

However, upon careful examination, verification, validation, and ascertainment of all statements and representations made, including all documents submitted, in relation to your bid, this BAC found that your bid failed to comply with, and be responsive to, the requirements and conditions specified in the Bidding Documents for said project, based on the following ground/s:

State the specific requirement or condition which the bidder failed to comply with, such as, but not limited to, the following examples:

Requirements/Conditions	Findings
<i>Valid PCAB License and Registration</i>	<i>PCAB License and Registration submitted is expired.</i>
<i>NFCC Computation</i>	<i>The NFCC computation submitted (Php 100,000.00) is less than the ABC for the project (Php110,000.00).</i>
<i>Bid security</i>	<i>Bid Securing Declaration submitted does not follow the form prescribed in the Guidelines on the Use of Bid Securing Declaration.</i>
<i>List of contractor's equipment</i>	<i>Equipment will not be available for the duration of the project.</i>
<i>Certificate of PhilGEPS Registration</i>	<i>Late submission of Certificate of PhilGEPS Registration.</i>
<i>Testing of sample product</i>	<i>Sample product failed to meet the minimum performance parameters provided in the Technical Specifications.</i>

Based on the foregoing, we regret to inform you that [Name of the Bidder] was thereby declared post-disqualified.

Should you wish to request for a reconsideration of such decision, you may do so within three (3) calendar days from receipt of this notice.

We look forward to your active participation in our future procurement activities.

Very truly yours,

[NAME OF THE BAC CHAIRPERSON]

BAC Chairperson