



RESOLUTION NO. 29-2017

APPROVING ADDITIONAL AMENDMENTS TO THE PHILIPPINE BIDDING DOCUMENTS FOR THE PROCUREMENT OF GOODS, INFRASTRUCTURE, AND CONSULTING SERVICES

WHEREAS, Republic Act (RA) No. 9184, entitled “An Act Providing for the Modernization, Standardization and Regulation of the Procurement Activities of the Government and for Other Purposes,” took effect on 26 January 2003, while its 2016 Revised Implementing Rules and Regulations (IRR) took effect on 28 October 2016;

WHEREAS, under Section 6.2 of the 2016 Revised IRR of RA 9184, Procuring Entities are mandated to use the Generic Procurement Manuals (GPMs), Philippine Bidding Documents (PBDs), and other standard forms issued by the GPPB;

WHEREAS, the World Bank (WB), through the Australia’s *Department of Foreign Affairs and Trade (DFAT)*, provided technical assistance to the GPPB-TSO for the engagement of consultants to update the existing GPMs and PBDs to incorporate the changes in the 2016 Revised IRR of RA 9184;

WHEREAS, on 27 October 2016, the GPPB, through Resolution No. 24-2016, approved the Fifth (5th) Edition of the PBDs for Goods, Infrastructure Projects, and Consulting Services, which was published in the Official Gazette on 26 December 2016;

WHEREAS, in its 3rd Regular Meeting held on 30 May 2017, after careful review and deliberation, the GPPB, through Resolution No. 23-2017, resolved to approve the changes in the 5th Edition of the PBD for Goods, Infrastructure Projects and Consulting Services to consider the additional inputs of the development partners and the rectification of typographical errors;

WHEREAS, after the approval of the changes in the 5th Edition of the PBD for Goods, Infrastructure Projects and Consulting Services, the GPPB-TSO identified additional areas needing changes and corrections, which were presented to the GPPB during its 4th Regular Meeting held on 31 July 2017;

WHEREAS, the GPPB, after careful review and deliberation, likewise resolved to approve the additional changes in the 5th Edition of the PBD for Goods, Infrastructure Projects and Consulting Services;

NOW, THEREFORE, for and in consideration of the foregoing, **WE**, the Members of the **GOVERNMENT PROCUREMENT POLICY BOARD**, by virtue of the powers vested on **US** by law, hereby **RESOLVE** to confirm, adopt, and approve, as **WE** hereby confirm, adopt, and approve the changes in the 5th Edition of the PBD for Goods, Infrastructure Projects, and Consulting Services, copy of which is attached as **Annex “A”** and made integral part hereof.

This resolution shall take effect immediately.

APPROVED this 31st day of July 2017 at Pasig City, Philippines

(SGD)

**DEPARTMENT OF BUDGET AND
MANAGEMENT**

**NATIONAL ECONOMIC AND
DEVELOPMENT AUTHORITY**

(SGD)

DEPARTMENT OF EDUCATION

(SGD)

DEPARTMENT OF ENERGY

DEPARTMENT OF FINANCE

DEPARTMENT OF HEALTH

(SGD)

**DEPARTMENT OF INFORMATION AND
COMMUNICATIONS TECHNOLOGY**

**DEPARTMENT OF THE INTERIOR
AND LOCAL GOVERNMENT**

(SGD)

**DEPARTMENT OF NATIONAL
DEFENSE**

(SGD)

**DEPARTMENT OF PUBLIC WORKS
AND HIGHWAYS**

(SGD)

**DEPARTMENT OF SCIENCE AND
TECHNOLOGY**

(SGD)

**DEPARTMENT OF TRADE AND
INDUSTRY**

DEPARTMENT OF TRANSPORTATION

PRIVATE SECTOR REPRESENTATIVE



5th EDITION OF THE PHILIPPINE BIDDING DOCUMENTS

Goods

ORIGINAL		AMENDED	
<i>Instructions to Bidders</i>			
20.4 All envelopes shall: x x x c) be addressed to the procuring Entity’s BAC in accordance with ITB Clause 1.1;		20.4 All envelopes shall: x x x c) be addressed to the procuring Entity’s BAC in accordance with ITB Clause 21;	
<i>Bid Data Sheet</i>			
1.1	The Procuring Entity is <i>[insert name of purchasing organization]</i> The name of the contract is <i>[insert the name of the contract]</i> . The identification number of the contract is <i>[insert identification number of the contract as provided in the Invitation to Bid]</i>	1.1	The Procuring Entity is <i>[insert name of purchasing organization]</i>
		1.2	The name of the contract is <i>[insert the name of the contract]</i> . The identification number of the contract is <i>[insert identification number of the contract as provided in the Invitation to Bid]</i> The lot(s) and reference is/are: <i>[insert name]</i>
12.1(a)	No further instructions.	12.1	No further instructions.
<i>General Conditions of the Contract</i>			
10. Payments 10.1 xxx Ten percent (10%) of the amount of each payment shall be retained by the Procuring Entity to cover the Supplier’s warranty obligations under this Contract as described in GCC Clause 17.		10. Payments 10.1 xxx At least one percent (1%) but shall not exceed five percent (5%) of the amount of each payment shall be retained by the Procuring Entity to cover the Supplier’s warranty obligations under this Contract as described in GCC Clause 17.	

ORIGINAL	AMENDED
<p>17. Warranty</p> <p>17.3 xxx The obligation for the warranty shall be covered by, at the Supplier's option, either retention money in an amount equivalent to at least one percent (1%) of every progress payment, or a special bank guarantee equivalent to at least one percent (1%) of the total Contract Price or other such amount if so specified in the <u>SCC</u>. xxx</p>	<p>17. Warranty</p> <p>17.3 xxx The obligation for the warranty shall be covered by, at the Supplier's option, either retention money in an amount equivalent to at least one percent (1%) but shall not exceed five percent (5%) of every progress payment, or a special bank guarantee equivalent to at least one percent (1%) but shall not exceed five percent (5%) of the total Contract Price or other such amount if so specified in the <u>SCC</u>. xxx</p>

Infrastructure Projects

ORIGINAL		AMENDED	
<i>Instructions to Bidders</i>			
20.4 All envelopes shall: x x x c) be addressed to the procuring Entity's BAC in accordance with ITB Clause 20.1;		20.4 All envelopes shall: x x x c) be addressed to the procuring Entity's BAC in accordance with ITB Clause 21;	
<i>Bid Data Sheet</i>			
12.1(b) (iii.3)	The minimum work experience requirements for key personnel are the following: <u>x x x</u>	12.1(b)(ii. 3)	The minimum work experience requirements for key personnel are the following: <u>x x x</u>
13.1(b)	This shall include all of the following documents: 1) Bid prices in the Bill of Quantities; 2) Detailed Estimates, including a summary sheet indicating the unit prices of construction materials, labor rates, and equipment rentals used in coming up with the Bid; and 3) Cash flow by quarter or payment schedule.	13.1(b)	This shall include all of the following documents: 1) Detailed Estimates, including a summary sheet indicating the unit prices of construction materials, labor rates, and equipment rentals used in coming up with the Bid; and 2) Cash flow by quarter or payment schedule.

Consulting Services

ORIGINAL		AMENDED	
<i>Instruction to Bidders</i>			
Clause 15.5(a)(vii) withdrawal of a bid, or refusal to accept an award, or enter into contract with the Government without justifiable cause, after the Bidder had been adjudged as having submitted the LCRB;		Clause 15.5(a)(vii) withdrawal of a bid, or refusal to accept an award, or enter into contract with the Government without justifiable cause, after the Bidder had been adjudged as having submitted the HRRB ;	