



Department of Budget and Management  
**GOVERNMENT PROCUREMENT POLICY BOARD**  
**TECHNICAL SUPPORT OFFICE**

**NPM No. 82-2012**

6 July 2012

**MS. EVANGELINA G. CUSTODIO**  
*Chairperson, Bids and Awards Committee*  
**BULACAN STATE UNIVERSITY (BSU)**  
Malolos City, Bulacan

**Re: Bid Evaluation for the Procurement of Services**

Dear Ms. Custodio:

This is in response to your letter seeking our opinion on whether the Bids and Awards Committee (BAC) properly declared as eligible the two bidders, Mustang Security Agency and Militant Security Services, despite the fact that the price schedule that they submitted contained dashes and spaces.

It is represented that IRA General Security Services (IGSS) filed a Motion for Reconsideration after being declared ineligible by the BAC of BSU in the procurement of services. It is further represented that the said Motion questioning the completeness of the bids made by the two aforementioned declared eligible bidders is based on Section 32.2.1 of the Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184. It is likewise represented that the price schedule provided by BSU in its Bidding Documents contains dashed spaces for the night differential and overtime pay items and blank spaces for the uniform allowance for both day and night shift rates.

The Government Procurement Policy Board (GPPB) and its Technical Support Office (TSO) only render policy and non-policy opinions respectively, on issues purely relating to the interpretation and application of our procurement laws, rules and regulations. It has no jurisdiction to rule over actual controversies with regard to the conduct of the bidding since it has no quasi-judicial functions<sup>1</sup> under the law<sup>2</sup>. Thus, it cannot dictate to the BAC which bidders should be declared as eligible, which bid should be accepted as the lowest calculated responsive bid, and to whom the contract should be awarded.

Please note that Section 32.2.1 of the IRR of RA 9184 provides that unless the Instructions to Bidders allow partial bids, bids that do not address or provide all the required items or where no price was indicated in the Bidding Documents, including bill of quantities, shall be considered non-responsive, and thus, automatically disqualified. However,

<sup>1</sup> Quasi-judicial is defined as the term applied to the actions or discretions of public administrative officers or bodies required to investigate facts, or ascertain the existence of facts, hold hearings, and draw conclusions from them, as a basis for their official action and to exercise discretion of a judicial nature. (See *Agpalo, Philippine Administrative Law 1999 Ed., p. 216 citing Lupangco v. CA, 160 SCRA 848, series of 1988.*)

<sup>2</sup> NPM No. 044-2009 dated 18 August 2009.

specifying a "0" (zero) for an item would mean that it is being offered for free to the Government.

As discussed in a previous opinion<sup>3</sup>, the Generic Procurement Manual (GPM) for Consulting Services expressly provides that specifying a "0" (zero) or a "-" (dash) for the required item means that the same is being offered free to the government. While the GPM for both Goods and Infrastructure Projects only indicates "0" (zero) in the evaluation of bids, it can be gleaned that the intention of the rules is to provide a standard procedure for the procurement of government projects. Such interpretation is consistent with the rationale behind the rule on ensuring the integrity of the bids. This is because leaving blank spaces in the bidding documents would open the door for possible unauthorized insertions and entries, thereby rendering inutile the principles of transparency and competition governing government procurement.

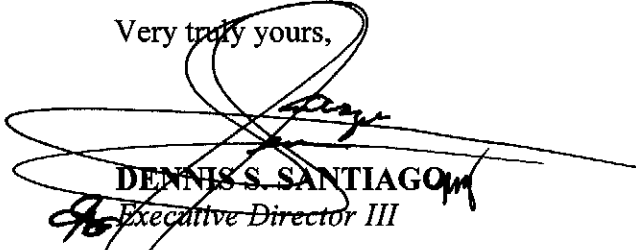
Likewise, please note that the price schedule format provided by the procuring entity, if any, serves as a guide for the bidders in coming up with its bid. Notwithstanding the absence of some details in the sample bid form, it is the responsibility of the bidders to supply additional information if such is required by relevant laws and rules.

It is the responsibility of the bidders to examine all instructions, forms, terms, and specifications in the bidding documents as provided in Clause 6.3 of the Instructions to Bidders of the Philippine Bidding Documents (PBDs) for the Procurement of Goods. Necessarily, the bidder must complete the appropriate forms as part of its bid, including its Bill of Quantities. As such, in order for the procuring entity to consider a bid as complete and responsive, the bidder should supply all pertinent information, in the form of an actual amount, zero, or dash, for each of the required items in the bidding documents.

Based on the foregoing, it is incumbent upon BSU to ensure that the price schedule that forms part of the financial bid of its bidders should pass the completeness of the bid in accordance with Section 32.2.1 of the IRR, to be considered complete.

We hope that our advice provided sufficient guidance on the matter. Please note that this opinion is being rendered on the basis of the facts and particular circumstances presented. Should you have additional questions, please do not hesitate to contact us.

Very truly yours,



**DENNIS S. SANTIAGO**  
*Executive Director III*

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<sup>3</sup> NPM 80-2012 dated 4 July 2012.