



Republic of the Philippines
GOVERNMENT PROCUREMENT POLICY BOARD
TECHNICAL SUPPORT OFFICE



NPM No. 99-2015

13 October 2015

REA N. LACTAO

President & Gen. Manager

ANNEX DIGITAL, INCORPORATED (ADI)

5th Floor, Amber Building, 19 MRT Avenue, Fort Bonifacio,
Taguig City, Philippines

Re: Sealing and Marking of Bids

Dear Ms. Lactao:

This refers to your letter asking for clarification on whether absence of bidder's signature on the bid envelopes is a ground for disqualification.

It is represented that ADI, a system integrator company, submitted its bid for the supply and commissioning of Closed-Circuit Television (CCTV) System under the Civil Aviation Authority of the Philippines for APEC Airport Projects (Bacolod, Iloilo, Legazpi and Kalibo). The bid opening was held on 16 December 2014. At the onset, ADI was disqualified due to the absence of signatures on the envelope resulting to the non-opening of the bid. The Bids and Awards Committee (BAC) cited Item 20.3 of the Instructions to Bidders (ITB) as a ground for its said decision.

We have already issued an opinion¹ on the matter which was cited in Non-Policy Matter Opinion No. 056-2014 wherein it was reiterated that Clause 20.3 of the ITB for the Procurement of Goods provides that the original and copies of the envelopes containing the technical and financial components of the bid shall be signed by the bidder.

In the latter opinion, it was added that a Procuring Entity (PE) may require that all envelopes including the outermost envelope to be duly signed in the sealed overlaps or flaps by the bidder or duly authorized representative in order to maintain the integrity of the documents, provided that this requirement is explicitly and clearly indicated in the PE's Bidding Documents. Failure to comply with an explicit requirement in the PE's Bidding Documents is a ground for disqualification.

We hope this opinion issued by GPPB-TSO provided sufficient guidance on the matter. Note that this is issued on the basis of particular facts and situations presented, and may not be applicable given a different set of facts and circumstances. Should there be other concerns, please do not hesitate to contact us.

Very truly yours


DENNIS S. SANTIAGO

Executive Director V

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¹ NPM No. 102-2013 dated 20 December 2013.