



Republic of the Philippines
GOVERNMENT PROCUREMENT POLICY BOARD
TECHNICAL SUPPORT OFFICE



NPM No. 033-2016

28 April 2016

[REDACTED]

Re: Incomplete Bill of Quantities

Dear [REDACTED]

We respond to your electronic mail inquiring whether a bid is responsive if no price is stated in the columns for "Material" and "Labor" although there is a price indicated in the column for "Total" in the Bill of Quantities.

At the outset, please be advised that the Bids and Awards Committee (BAC) is vested with the responsibility of evaluating the bids, which utilizes a non-discretionary criterion in considering, among others, the completeness of the bids submitted. Accordingly, the "Government Procurement Policy Board (GPPB) does not dictate upon, nor interfere with the functions of the BAC since these fall within the latter's authority as sanctioned by law for as long the BAC observes its concomitant responsibility to perform functions with judiciousness, adhering to the principles of transparency, accountability, equity, efficiency, and economy in the procurement process that it carries out for the procuring entity."¹ Thus, the GPPB has no authority to act for and decide in behalf of the BAC or the Head of the Procuring Entity concerned². Nonetheless, we shall cite and explain relevant provisions of Republic Act (RA) No. 9184 and its revised Implementing Rules and Regulations (IRR) relative to the concerns raised in your letter.

Section 32.2.1(a) of the IRR of RA 9184 provides that the BAC shall immediately conduct a detailed evaluation of all bids using non-discretionary criteria in considering the Completeness of the Bid. Bids not addressing or providing all of the required items in the Bidding Documents including, where applicable, bill of quantities, shall be considered non-responsive and, thus, automatically disqualified. In this regard, where a required item is provided, but no price is indicated, the same shall be considered as non-responsive.

As discussed in an earlier opinion,³ 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

¹ NPM Opinion No. 065-2009 dated 17 December 2009.

² NPM Opinion No. 05-2008 dated 30 April 2008.

³ NPM Opinion No. 80-2012 dated 4 July 2012.

entries, thereby rendering useless the principles of transparency and competition governing public procurement.

Further, we previously opined⁴ that it is the responsibility of the bidders to examine all instructions, forms, terms and specifications in the bidding documents as provided in Clause 6 of the Instructions to Bidders (ITB) of the Philippine Bidding Documents (PBDs) for the Procurement of Goods and Infrastructure Projects. 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.

In view of the foregoing, a bid that does not provide all the required items or where no price, zero or dash is indicated in the "Material" and "Labor" columns in the Bill of Quantities, the same shall be regarded as non-responsive, and the bidder can be disqualified. Thus, failure to fill-out the space for either the "Material" or "Labor" columns renders the bid non-responsive, even if a price is indicated in the "Total" column, making the bidder automatically disqualified.

We hope that this opinion issued by the 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,

(sgd.)

MELISSA A. SANIAGO-YAN
Officer-in-Charge


//lrds

⁴ NPM Opinion No. 82-2012 dated 6 July 2012.