



Republic of the Philippines
COMMISSION ON AUDIT

Regional Office No. V
Rawis, Legazpi City

Telefax Nos: 482-0547; 482-0548

TO : ALL BIDDERS

FROM : THE BIDS AND AWARDS COMMITTEE (BAC)

SUBJECT SUPPLEMENTAL BID BULLETIN No. 2018-001
Re: Construction of Provincial Satellite Auditing Office (PSAO)-
Phase I, Masbate City
(ABC: Php 20,087,326.33)

DATE : November 12, 2018

Kindly be informed of the following:

1. Section 23.4.2.4 of the Revised IRR of R.A. 9184 provides:

“The prospective bidder must have completed an SLCC that is similar to the contract to be bid, and whose value, adjusted to current prices using the PSA consumer price indices, must be at least fifty percent (50%) of the ABC to be bid: Provided, however, That contractors under Small A and Small B categories **without similar experience** on the contract to be bid **may** be allowed to bid if the cost of such contract is not more than the Allowable Range of Contract Cost (ARCC) of their registration based on the guidelines as prescribed by the PCAB.” (*emphasis supplied*)

Only prospective bidders *with similar experience* are allowed to bid. Based on the above-quoted provision, the required SLCC that is similar to the contract to be bid should at least be P10,043,663.16 (50% of P20,087,326.33 ABC).

The BAC decided, in the exercise of its sound discretion, not to allow prospective bidders under Small B categories *without similar experience*, to bid. This is based on jurisprudence which provides that the use of the word “**may**” is merely directory and permissive in nature and operates to confer discretion. (Grego vs. COMELEC, G.R. No. 125955, June 19, 1997)

This is in response to a clarificatory question raised by one of the prospective bidders during the pre-bid conference held on November 5, 2018, whether to allow contractors under Small B categories without similar experience to bid.

2. The percentages indicated in SCC (Others) shall apply to **ALL** work items and are considered **only in post-qualification**. (emphasis supplied)
3. The following items were revised:

Item	From	To
SCC (1.23)	The Procuring Entity's Representative is Ms. Josefina B. Suarez, Service Chief, Administration, Training and Finance Services	Xxx Mr. Danilo Almario, OIC-Supervising Auditor, Province of Masbate
SCC (Others)	Xxx Preparation of Bid Estimates should follow prepared estimate form, however, contractor is still required to submit Detailed Cost Estimates per work item for post-qualification evaluation, and should not bear any blanks, otherwise to be disqualified per IRR RA 9184.	Xxx Preparation of Bid Estimates should follow prepared estimate form and should not bear any blanks, otherwise to be disqualified per IRR RA 9184.
SCC (Others) – Scope of Work	General Requirements Xxx Temporary Perimeter Fencing (Building and Lot)	Deleted

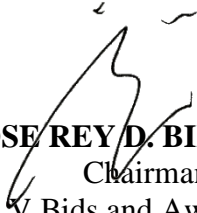
4. Only “Albay sand” will be used in concreting and plastering works.
5. Section 34.3.b.ii of the 2016 Revised IRR of RA 9184 on post-qualification is quoted below for emphasis:

“ii. Verification of availability and commitment, and/or inspection and testing for the required capacities and operating conditions, of equipment units to be owned/leased/under purchase by the bidder for use in the contract under bidding, as well as checking the performance of the bidder in its ongoing government and private contracts, if any of these ongoing contracts shows:

- a. Negative slippage of at least fifteen percent (15%) in any one project or a negative slippage of at least ten percent (10%) in each of two (2) or more contracts. xxx”

6. A Special Power of Attorney (SPA) shall be presented in case a representative of the Proprietor or Owner will attend the Bid Opening.
7. Bidders are advised to synchronize their watches with the BAC Secretariat.

Please be guided accordingly.



JOSE REY D. BINAMIRA
Chairman
COA RO V Bids and Awards Committee