



Republic of the Philippines  
Department of Justice  
**BUREAU OF CORRECTIONS**  
Muntinlupa City



# **PHILIPPINE BIDDING DOCUMENTS**

# **DESIGN AND BUILD OF BUREAU OF CORRECTIONS SUPERMAXIMUM (SUPERMAX) PRISON FACILITY**

**Sixth Edition  
July 2020  
Bids and Awards Committee 2023**

# TABLE OF CONTENTS

|  |    |
|--|----|
| Section I. Invitation to Bid.....                                | 3  |
| Section II. Instructions to Bidders .....                        | 6  |
| Section III. Bid Data Sheet .....                                | 13 |
| Section IV. General Conditions of Contract.....                  | 19 |
| Section V. Special Conditions of Contract .....                  | 24 |
| Section VI. Specifications.....                                  | 26 |
| Section VII. Drawings .....                                      | 48 |
| Section VIII. Bill of Quantities.....                            | 49 |
| Section IX. Checklist of Technical and Financial Documents ..... | 50 |

## ***Section I. Invitation to Bid***



Republic of the Philippines  
Department of Justice  
**BUREAU OF CORRECTIONS**  
Muntinlupa City



**Invitation to Bid**  
**DESIGN AND BUILD OF BUREAU OF CORRECTIONS SUPERMAXIMUM**  
**(SUPERMAX) PRISON FACILITY**

1. The **Bureau of Corrections**, through the General Appropriations Act (GAA) of 2023 Capital Outlay, intends to apply the sum of **Two Hundred Million Pesos Only (₱200,000,000.00)** being the Approved Budget for the Contract (ABC) to payments under the contract for the **Design and Build of Bureau of Corrections Supermaximum (Supermax) Prison Facility with Identification Number 027**. Bids received in excess of the ABC shall be automatically rejected at bid opening.
  
2. The **Bureau of Corrections** now invites bids for **provision of a detailed preliminary architectural and engineering design, detailed engineering requirements and actual construction of the Bureau of Corrections Regional Prison Facilities, based on the final detailed architectural and engineering design, to be approved by the Head of procuring Entity or its duly authorized representative conformably with the minimum standards set forth in the**
  - (1) Presidential Decree (PD) No. 1096, National Building Code of the Philippines
  - (2) Batas Pambansa (BP)Blg. 344, An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Public Buildings, Institutions, Establishments and Public Utilities to Install Facilities and Other Devices
  - (3) National Structural Code of the Philippines (NSCP), Volume I, 2010
  - (4) Philippine Electrical Code (PEC), 2009
  - (5) Revised Plumbing Code of the Philippines
  - (6) Revised IRR of RA 10575
  - (7) Republic Act (RA) No. 9514, Revised Fire Code of the Philippines and
  - (8) Applicable local regulations and ordinances.

Completion of the Works is required within **five hundred forty (540) calendar days**. Bidders should have completed a contract similar to the Project amounting to at **least fifty percent (50%)** of the ABC within the last six (6) years. The description of an eligible bidder is contained in the Bidding Documents, particularly, in Section II. Instructions to Bidders.

3. Bidding will be conducted through open competitive bidding procedures using non-discretionary “pass/fail” criterion as specified in the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act 9184 (RA 9184), otherwise known as the “Government Procurement Reform Act.”

Bidding is restricted to Filipino citizens/sole proprietorships, cooperatives, and partnerships or organizations with at least seventy-five percent (75%) interest or outstanding capital stock belonging to citizens of the Philippines.

4. Interested bidders may obtain further information from **Bureau of Corrections** and inspect the Bidding Documents at the address given below from Monday to Friday from 8:00am to 5:00pm.
5. A complete set of Bidding Documents may be acquired by interested Bidders on **November 17, 2023 (08:00 am to 05:00 pm) to December 7, 2023 (08:00am to 01:29pm)** from the given address and website(s) below. It may also be downloaded free of charge from the website of the Philippine Government Electronic Procurement System (PhilGEPS) and the website of the Procuring Entity bucor.gov.ph, provided that Bidders shall pay the applicable fee of **Fifty Thousand (₱50,000.00) Pesos Only** for the Bidding Documents not later than the submission of their bids. The Procuring Entity shall allow the bidder to present its proof of payment for the fees in person or by facsimile.
6. The **Bureau of Corrections** will hold a Pre-Bid Conference on **November 24, 2023 01:30 pm** at BAC Conference Room NBP Reservation Muntinlupa City, which shall be open to prospective bidders.
7. Bids must be duly received by the BAC Secretariat through manual submission at the office address as indicated below, on or before **December 7, 2023 (01:30 pm)**. Late bids shall not be accepted.
8. All bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in **ITB** Clause 15.
9. Bid opening shall be on **December 7, 2023 (01:30 pm)** at the BAC Conference Room NBP Reservation Muntinlupa City. Bids will be opened in the presence of the bidders' representatives who choose to attend the activity.
10. The **Bureau of Corrections** reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract at any time prior to contract award in accordance with Sections 35.6 and 41 of the 2016 revised Implementing Rules and Regulations (IRR) of RA No. 9184, without thereby incurring any liability to the affected bidder or bidders.
11. For further information, please refer to:  
  
**MA. ADORACION I. VIÑAS**  
Office of the BAC Secretariat  
Supply Office, Bureau of Corrections, Muntinlupa City  
Tel # 02-8809-8587/02-8478-0907  
**[bacsec2022@gmail.com](mailto:bacsec2022@gmail.com)**
13. You may visit the following websites:  
For downloading of Bidding Documents: bucor.gov.ph

Date of Issue: \_\_\_\_\_



**CCSUPT CELSO S BRAVO**  
Chairman, Bids and Awards Committee

**CERTIFICATION**

The Specifications, Bill of Quantities and Drawings are in conformity with the requirements of the end-user unit:

This Procurement Project is covered by an Approved Annual Procurement Plan:

**CSUPT. RAUL P. LEVITA**  
End-User Representative

**ATTY. CEASAR ANTHONY S. SOLIS**  
Chief, Budget Division

Prepared by:

Reviewed by:

**CTO3 ALEXIS CATINDIG**  
Member, Technical Working Group

**MARIA ADORACION I. VIÑAS**  
Head, BAC Secretariat

Approved for release by:

**WILLIAM M. TERRADO**  
Head, Technical Working Group

## ***Section II. Instructions to Bidders***

## 1. Scope of Bid

The Procuring Entity, **Bureau of Corrections** invites Bids for the **Design and Build of Bureau of Corrections Supermaximum (Supermax) Prison Facility**, with Project Identification Number *[indicate number]*.

*[Note: The Project Identification Number is assigned by the Procuring Entity based on its own coding scheme and is not the same as the PhilGEPS reference number, which is generated after the posting of the bid opportunity on the PhilGEPS website.]*

The Procurement Project (referred to herein as “Project”) is for the construction of Works, as described in Section VI (Specifications).

## 2. Funding Information

2.1. The GOP through the source of funding through the General Appropriations Act (GAA) of 2023 Capital Outlay in the amount of **Two Hundred Million Pesos Only (₱200,000,000.00)**.

2.2. The source of funding is:

- a. NGA, the General Appropriations Act or Special Appropriations.

## 3. Bidding Requirements

The Bidding for the Project shall be governed by all the provisions of RA No. 9184 and its 2016 revised IRR, including its Generic Procurement Manual and associated policies, rules and regulations as the primary source thereof, while the herein clauses shall serve as the secondary source thereof.

Any amendments made to the IRR and other GPPB issuances shall be applicable only to the ongoing posting, advertisement, or invitation to bid by the BAC through the issuance of a supplemental or bid bulletin.

The Bidder, by the act of submitting its Bid, shall be deemed to have inspected the site, determined the general characteristics of the contracted Works and the conditions for this Project, such as the location and the nature of the work; (b) climatic conditions; (c) transportation facilities; (c) nature and condition of the terrain, geological conditions at the site communication facilities, requirements, location and availability of construction aggregates and other materials, labor, water, electric power and access roads; and (d) other factors that may affect the cost, duration and execution or implementation of the contract, project, or work and examine all instructions, forms, terms, and project requirements in the Bidding Documents.

## 4. Corrupt, Fraudulent, Collusive, Coercive, and Obstructive Practices

The Procuring Entity, as well as the Bidders and Contractors, shall observe the highest standard of ethics during the procurement and execution of the contract. They or



through an agent shall not engage in corrupt, fraudulent, collusive, coercive, and obstructive practices defined under Annex “I” of the 2016 revised IRR of RA No. 9184 or other integrity violations in competing for the Project.

## 5. Eligible Bidders

- 5.1. Only Bids of Bidders found to be legally, technically, and financially capable will be evaluated.
- 5.2. The Bidder must have an experience of having completed a Single Largest Completed Contract (SLCC) that is similar to this Project, equivalent to at least fifty percent (50%) of the ABC adjusted, if necessary, by the Bidder to current prices using the PSA’s CPI, except under conditions provided for in Section 23.4.2.4 of the 2016 revised IRR of RA No. 9184.

A contract is considered to be “similar” to the contract to be bid if it has the major categories of work stated in the **BDS**.

- 5.3. For Foreign-funded Procurement, the Procuring Entity and the foreign government/foreign or international financing institution may agree on another track record requirement, as specified in the Bidding Document prepared for this purpose.
- 5.4. The Bidders shall comply with the eligibility criteria under Section 23.4.2 of the 2016 IRR of RA No. 9184.

## 6. Origin of Associated Goods

There is no restriction on the origin of Goods other than those prohibited by a decision of the UN Security Council taken under Chapter VII of the Charter of the UN.

## 7. Subcontracts

- 7.1. The Bidder may subcontract portions of the Project to the extent allowed by the Procuring Entity as stated herein, but in no case more than fifty percent (50%) of the Project.

The Procuring Entity has prescribed that:

- a. Subcontracting is not allowed.

- 7.1. *[If Procuring Entity has determined that subcontracting is allowed during the bidding, state:]* The Bidder must submit together with its Bid the documentary requirements of the subcontractor(s) complying with the eligibility criteria stated in **ITB** Clause 5 in accordance with Section 23.4 of the 2016 revised IRR of RA No. 9184 pursuant to Section 23.1 thereof.

- 7.2. *[If subcontracting is allowed during the contract implementation stage, state:]* The Supplier may identify its subcontractor during the contract implementation stage. Subcontractors identified during the bidding may be changed during the

implementation of this Contract. Subcontractors must submit the documentary requirements under Section 23.1 of the 2016 revised IRR of RA No. 9184 and comply with the eligibility criteria specified in **ITB** Clause 5 to the implementing or end-user unit.

- 7.3. Subcontracting of any portion of the Project does not relieve the Contractor of any liability or obligation under the Contract. The Supplier will be responsible for the acts, defaults, and negligence of any subcontractor, its agents, servants, or workmen as fully as if these were the Contractor's own acts, defaults, or negligence, or those of its agents, servants, or workmen.

## **8. Pre-Bid Conference**

The Procuring Entity will hold a pre-bid conference for this Project on the specified date and time and either at its physical address at BAC Conference Room NBP Reservation Muntinlupa City and/or through videoconferencing/webcasting} as indicated in paragraph 6 of the **IB**.

## **9. Clarification and Amendment of Bidding Documents**

Prospective bidders may request for clarification on and/or interpretation of any part of the Bidding Documents. Such requests must be in writing and received by the Procuring Entity, either at its given address or through electronic mail indicated in the **IB**, at least ten (10) calendar days before the deadline set for the submission and receipt of Bids.

## **10. Documents Comprising the Bid: Eligibility and Technical Components**

- 10.1. The first envelope shall contain the eligibility and technical documents of the Bid as specified in **Section IX. Checklist of Technical and Financial Documents**.
- 10.2. If the eligibility requirements or statements, the bids, and all other documents for submission to the BAC are in foreign language other than English, it must be accompanied by a translation in English, which shall be authenticated by the appropriate Philippine foreign service establishment, post, or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines. For Contracting Parties to the Apostille Convention, only the translated documents shall be authenticated through an apostille pursuant to GPPB Resolution No. 13-2019 dated 23 May 2019. The English translation shall govern, for purposes of interpretation of the bid.
- 10.3. A valid PCAB License is required, and in case of joint ventures, a valid special PCAB License, and registration for the type and cost of the contract for this Project. Any additional type of Contractor license or permit shall be indicated in the **BDS**.
- 10.4. A List of Contractor's key personnel (e.g., Project Manager, Project Engineers, Materials Engineers, and Foremen) assigned to the contract to be bid, with their

complete qualification and experience data shall be provided. These key personnel must meet the required minimum years of experience set in the **BDS**.

- 10.5. A List of Contractor's major equipment units, which are owned, leased, and/or under purchase agreements, supported by proof of ownership, certification of availability of equipment from the equipment lessor/vendor for the duration of the project, as the case may be, must meet the minimum requirements for the contract set in the **BDS**.

## **11. Documents Comprising the Bid: Financial Component**

- 11.1. The second bid envelope shall contain the financial documents for the Bid as specified in **Section IX. Checklist of Technical and Financial Documents**.
- 11.2. Any bid exceeding the ABC indicated in paragraph 1 of the **IB** shall not be accepted.
- 11.3. For Foreign-funded procurement, a ceiling may be applied to bid prices provided the conditions are met under Section 31.2 of the 2016 revised IRR of RA No. 9184.

## **12. Alternative Bids**

Bidders shall submit offers that comply with the requirements of the Bidding Documents, including the basic technical design as indicated in the drawings and specifications. Unless there is a value engineering clause in the **BDS**, alternative Bids shall not be accepted.

## **13. Bid Prices**

All bid prices for the given scope of work in the Project as awarded shall be considered as fixed prices, and therefore not subject to price escalation during contract implementation, except under extraordinary circumstances as determined by the NEDA and approved by the GPPB pursuant to the revised Guidelines for Contract Price Escalation guidelines.

## **14. Bid and Payment Currencies**

- 14.1. Bid prices may be quoted in the local currency or tradable currency accepted by the BSP at the discretion of the Bidder. However, for purposes of bid evaluation, Bids denominated in foreign currencies shall be converted to Philippine currency based on the exchange rate as published in the BSP reference rate bulletin on the day of the bid opening.
- 14.2. *Payment of the contract price shall be made in:*

- a. Philippine Pesos.

## **15. Bid Security**

- 15.1. The Bidder shall submit a Bid Securing Declaration or any form of Bid Security in the amount indicated in the **BDS**, which shall be not less than the percentage of the ABC in accordance with the schedule in the **BDS**.
- 15.2. The Bid and bid security shall be valid until **one hundred twenty (120) calendar days**. Any bid not accompanied by an acceptable bid security shall be rejected by the Procuring Entity as non-responsive.

## **16. Sealing and Marking of Bids**

Each Bidder shall submit one copy of the first and second components of its Bid.

The Procuring Entity may request additional hard copies and/or electronic copies of the Bid. However, failure of the Bidders to comply with the said request shall not be a ground for disqualification.

If the Procuring Entity allows the submission of bids through online submission to the given website or any other electronic means, the Bidder shall submit an electronic copy of its Bid, which must be digitally signed. An electronic copy that cannot be opened or is corrupted shall be considered non-responsive and, thus, automatically disqualified.

## **17. Deadline for Submission of Bids**

The Bidders shall submit on the specified date and time and either at its physical address or through online submission as indicated in paragraph 7 of the **IB**.

## **18. Opening and Preliminary Examination of Bids**

- 18.1. The BAC shall open the Bids in public at the time, on the date, and at the place specified in paragraph 9 of the **IB**. The Bidders' representatives who are present shall sign a register evidencing their attendance. In case videoconferencing, webcasting or other similar technologies will be used, attendance of participants shall likewise be recorded by the BAC Secretariat.

In case the Bids cannot be opened as scheduled due to justifiable reasons, the rescheduling requirements under Section 29 of the 2016 revised IRR of RA No. 9184 shall prevail.

- 18.2. The preliminary examination of Bids shall be governed by Section 30 of the 2016 revised IRR of RA No. 9184.

## **19. Detailed Evaluation and Comparison of Bids**

- 19.1. The Procuring Entity's BAC shall immediately conduct a detailed evaluation of all Bids rated "*passed*" using non-discretionary pass/fail criteria. The BAC shall consider the conditions in the evaluation of Bids under Section 32.2 of 2016 revised IRR of RA No. 9184.

- 19.2. If the Project allows partial bids, all Bids and combinations of Bids as indicated in the **BDS** shall be received by the same deadline and opened and evaluated simultaneously so as to determine the Bid or combination of Bids offering the lowest calculated cost to the Procuring Entity. Bid Security as required by **ITB** Clause 16 shall be submitted for each contract (lot) separately.
- 19.3. In all cases, the NFCC computation pursuant to Section 23.4.2.6 of the 2016 revised IRR of RA No. 9184 must be sufficient for the total of the ABCs for all the lots participated in by the prospective Bidder.

## **20. Post Qualification**

Within a non-extendible period of five (5) calendar days from receipt by the Bidder of the notice from the BAC that it submitted the Lowest Calculated Bid, the Bidder shall submit its latest income and business tax returns filed and paid through the BIR Electronic Filing and Payment System (eFPS), and other appropriate licenses and permits required by law and stated in the **BDS**.

## **21. Signing of the Contract**

The documents required in Section 37.2 of the 2016 revised IRR of RA No. 9184 shall form part of the Contract. Additional Contract documents are indicated in the **BDS**.

### ***Section III. Bid Data Sheet***

# Bid Data Sheet

| ITB Clause |  |   |   |
|------------|--|---|---|
| 5.2        | For this purpose, contracts similar to the Project refer to contracts which have the same major categories of work, which shall be:<br><b>Architectural, engineering design, detailed engineering requirements and construction of building with concreting works.</b> |   |   |
| 7.1        | Subcontracting is not allowed  |   |   |
| 10.3       | A valid PCAB License is required, and in case of joint ventures, a valid special PCAB License, and registration for the type and cost of the contract for this Project.  |   |   |
| 10.4       | The key personnel must meet the required minimum years of experience set below:<br><b>FOR DESIGN PERSONNEL:</b>  |   |   |
|            | <u>Key Personnel</u>   | <u>General Experience</u>   | <u>Relevant Experience</u>  |
|            | Principal Architect  | The Principal Architect must be duly-licensed with at least ten (10) years' experience                                  | Experience in the design of residential, government offices or institutional facilities, and shall preferably be knowledgeable in the application of rapid construction technologies.   |
|            | Structural Engineer  | The Structural Engineer must be a duly-licensed Civil Engineer with at least ten (10) years' experience.                | Experience in structural design and shall preferably be knowledgeable in the application of rapid construction technologies.  |
|            | Professional Electrical Engineer   | The Electrical Engineer must be a registered Professional Electrical Engineer with at least five (5) years' experience. | Experience in the design of lighting, power distribution, communication systems (specifically structured and local area network cabling, PABX), building management systems and preferably knowledgeable in developments in emergent efficient lighting technologies and energy management. |

|   |  |  |
|---|--|--|
| Professional Mechanical Engineer        | The Mechanical Engineer must be a Professional Mechanical Engineer with at least five (5) years' experience. | Experience in HVAC and fire Protection systems and preferably knowledgeable in emergent, alternative energy- efficient HVAC technologies.  |
| Electronics and Communications Engineer | The Electronics and Communications Engineer must be duly-licensed with at least ten (10) years' experience.  | Experience in the design of communications systems, and preferably knowledgeable in the application of building automation and surveillance systems.   |
| Sanitary Engineer                       | The Sanitary Engineer must be duly-licensed with at least five (5) years' experience.                        | Experience in the design of building water supply and distribution, plumbing, and preferably knowledgeable in waste water management/treatment , and emergent, alternative effluent collection and treatment system. |

**The DESIGN & BUILD CONTRACTOR may, as needed and at its own expense, add additional professionals and/or support personnel for the optimal performance of all Architectural and Engineering Design Services, as stipulated in these Terms of Reference, for the PROJECT. Prospective bidders shall attach each individual's resume and PRC license of the (professional) staff.**

**Design personnel may also be utilized for the construction phase provided that the same meet the minimum number of years of experience in the construction of similar projects.**

**FOR CONSTRUCTION PERSONNEL:**

| <u>Key Personnel</u> | <u>General Experience</u>  | <u>Relevant Experience</u>  |
|----------------------|--|---|
| Project Manager      | The Project Manager shall be a licensed architect or engineer with at least eight (8) years relevant experience. | Relevant experience on similar and comparable projects in different locations. The Project Manager should have a proven |



|                             |  |   |
|-----------------------------|--|---|
|                             |  | record or managerial capability through the directing/managing of major civil engineering works, including projects of a similar magnitude.   |
| Project Architect/Engineer  | The Project Architect/Engineer shall be a licensed architect or engineer with at least five (5) years' experience. | Experience in similar and comparable projects and shall preferably be knowledgeable in the application of rapid construction technologies.  |
| Materials Engineer (M.E. I) | The Materials Engineer must be duly accredited with the DPWH and with at least five (5) years' experience.         | Experience in similar and comparable projects and shall preferably be knowledgeable in the application of rapid construction technologies.  |
| Electrical Engineer         | The Electrical Engineer must be duly-licensed with at least five (5) years' experience.                            | Experience in similar and comparable projects in the installation of lighting, power distribution, communication systems (specifically structured and local area network cabling, PABX), building management systems. |
| Mechanical Engineer         | The Mechanical Engineer must be duly-licensed with at least five (5) years' experience.                            | Experience in similar and comparable projects in the installation of HVAC and fire protection.  |
| Sanitary Engineer           | The Sanitary Engineer must be duly-licensed with at least five (5) years' experience.                              | Experience in similar and comparable projects in the installation of building water supply and distribution, plumbing.  |
| Foreman                     | The Foreman must have at least five (5) years' experience.   | Experience in similar and comparable projects and shall preferably be   |

|                           |  | knowledgeable in the application of rapid construction technologies. |                  |                 |                        |         |  |   |            |  |   |            |                   |   |           |       |   |                 |          |   |                  |                   |   |                           |                            |   |
|---------------------------|--|--|------------------|-----------------|------------------------|---------|--|---|------------|--|---|------------|-------------------|---|-----------|-------|---|-----------------|----------|---|------------------|-------------------|---|---------------------------|----------------------------|---|
| 10.5                      | <p>The minimum major equipment requirements are the following:</p> <table border="1"> <thead> <tr> <th><u>Equipment</u></th> <th><u>Capacity</u></th> <th><u>Number of Units</u></th> </tr> </thead> <tbody> <tr> <td>Backhoe</td> <td>At least 38hp with 0.055 to 0.160 m3 bucket capacity</td> <td>1</td> </tr> <tr> <td>Pay Loader</td> <td>At least 2.5 to 9.5 m3 bucket capacity</td> <td>1</td> </tr> <tr> <td>Dump Truck</td> <td>At least 10 cu.m.</td> <td>2</td> </tr> <tr> <td>Generator</td> <td>50kva</td> <td>1</td> </tr> <tr> <td>Concrete Mixers</td> <td>1 bagger</td> <td>4</td> </tr> <tr> <td>Welding Machines</td> <td>300amp heavy duty</td> <td>4</td> </tr> <tr> <td>Submersible Dredging Pump</td> <td>At least 1hp and 2" output</td> <td>1</td> </tr> </tbody> </table> <p>Prospective bidders shall attach the list of contractor's major equipment units, which are owned, leased, and/or under purchase agreements, supported by proof of ownership, certification of availability of equipment from the equipment lessor/vendor for the duration of the project, as the case may be.</p> |  | <u>Equipment</u> | <u>Capacity</u> | <u>Number of Units</u> | Backhoe | At least 38hp with 0.055 to 0.160 m3 bucket capacity | 1 | Pay Loader | At least 2.5 to 9.5 m3 bucket capacity | 1 | Dump Truck | At least 10 cu.m. | 2 | Generator | 50kva | 1 | Concrete Mixers | 1 bagger | 4 | Welding Machines | 300amp heavy duty | 4 | Submersible Dredging Pump | At least 1hp and 2" output | 1 |
| <u>Equipment</u>          | <u>Capacity</u>  | <u>Number of Units</u>   |                  |                 |                        |         |  |   |            |  |   |            |                   |   |           |       |   |                 |          |   |                  |                   |   |                           |                            |   |
| Backhoe                   | At least 38hp with 0.055 to 0.160 m3 bucket capacity   | 1  |                  |                 |                        |         |  |   |            |  |   |            |                   |   |           |       |   |                 |          |   |                  |                   |   |                           |                            |   |
| Pay Loader                | At least 2.5 to 9.5 m3 bucket capacity   | 1  |                  |                 |                        |         |  |   |            |  |   |            |                   |   |           |       |   |                 |          |   |                  |                   |   |                           |                            |   |
| Dump Truck                | At least 10 cu.m.  | 2  |                  |                 |                        |         |  |   |            |  |   |            |                   |   |           |       |   |                 |          |   |                  |                   |   |                           |                            |   |
| Generator                 | 50kva  | 1  |                  |                 |                        |         |  |   |            |  |   |            |                   |   |           |       |   |                 |          |   |                  |                   |   |                           |                            |   |
| Concrete Mixers           | 1 bagger   | 4  |                  |                 |                        |         |  |   |            |  |   |            |                   |   |           |       |   |                 |          |   |                  |                   |   |                           |                            |   |
| Welding Machines          | 300amp heavy duty  | 4  |                  |                 |                        |         |  |   |            |  |   |            |                   |   |           |       |   |                 |          |   |                  |                   |   |                           |                            |   |
| Submersible Dredging Pump | At least 1hp and 2" output   | 1  |                  |                 |                        |         |  |   |            |  |   |            |                   |   |           |       |   |                 |          |   |                  |                   |   |                           |                            |   |
| 12                        | No further instructions.   |  |                  |                 |                        |         |  |   |            |  |   |            |                   |   |           |       |   |                 |          |   |                  |                   |   |                           |                            |   |
| 15.1                      | <p>The bid security shall be in the form of a Bid Securing Declaration or any of the following forms and amounts:</p> <ol style="list-style-type: none"> <li>a. The amount of not less than 2% of the ABC, if bid security is in cash, cashier's/manager's check, bank draft/guarantee or irrevocable letter of credit;</li> <li>b. The amount of not less than 5% of the ABC, if bid security is in Surety Bond.</li> </ol>   |  |                  |                 |                        |         |  |   |            |  |   |            |                   |   |           |       |   |                 |          |   |                  |                   |   |                           |                            |   |
| 19.2                      | No further instructions.   |  |                  |                 |                        |         |  |   |            |  |   |            |                   |   |           |       |   |                 |          |   |                  |                   |   |                           |                            |   |
| 20                        | <p>Within a non-extendible period of five (5) calendar days from receipt by the Bidder of the notice from the BAC that it submitted the Lowest Calculated Bid, the Bidder shall submit its;</p> <ol style="list-style-type: none"> <li>1. Latest income and business tax returns filed and paid through the BIR Electronic Filing and Payment System (eFPS)</li> </ol>   |  |                  |                 |                        |         |  |   |            |  |   |            |                   |   |           |       |   |                 |          |   |                  |                   |   |                           |                            |   |

|    |  |
|----|--|
|    | <ol style="list-style-type: none"> <li>2. Supporting Documents for the SLCC (Notice of Award and/or Notice to Proceed and Project Owner’s Certificate of Final Acceptance issued by the Owner other than the Contractor or the Constructors Performance Evaluation System (CPES) Final Rating, which must be at least satisfactory. In case of contracts with the private sector, an equivalent document shall be submitted)</li> <li>3. Valid and Current Registration Certificate (SEC Certificate of Registration for Corporation or DTI Certificate of Registration for Sole Proprietorship or CDA Certificate of Registration for Cooperative)</li> <li>4. Valid and Current Mayor’s or Business Permit</li> <li>5. Valid and Current Tax Clearance</li> <li>6. Valid and Current PCAB License and Registration</li> <li>7. Audited Financial Statement</li> <li>8. Three (3) sets photocopy of Eligibility and Financial Envelope duly marked as “Copy No.1”, “Copy No.2” and “Copy No.3”</li> </ol> |
| 21 | No further instructions.   |

## ***Section IV. General Conditions of Contract***

## 1. **Scope of Contract**

This Contract shall include all such items, although not specifically mentioned, that can be reasonably inferred as being required for its completion as if such items were expressly mentioned herein. All the provisions of RA No. 9184 and its 2016 revised IRR, including the Generic Procurement Manual, and associated issuances, constitute the primary source for the terms and conditions of the Contract, and thus, applicable in contract implementation. Herein clauses shall serve as the secondary source for the terms and conditions of the Contract.

This is without prejudice to Sections 74.1 and 74.2 of the 2016 revised IRR of RA No. 9184 allowing the GPPB to amend the IRR, which shall be applied to all procurement activities, the advertisement, posting, or invitation of which were issued after the effectivity of the said amendment.

## 2. **Sectional Completion of Works**

If sectional completion is specified in the **Special Conditions of Contract (SCC)**, references in the Conditions of Contract to the Works, the Completion Date, and the Intended Completion Date shall apply to any Section of the Works (other than references to the Completion Date and Intended Completion Date for the whole of the Works).

## 3. **Possession of Site**

3.1 The Procuring Entity shall give possession of all or parts of the Site to the Contractor based on the schedule of delivery indicated in the **SCC**, which corresponds to the execution of the Works. If the Contractor suffers delay or incurs cost from failure on the part of the Procuring Entity to give possession in accordance with the terms of this clause, the Procuring Entity's Representative shall give the Contractor a Contract Time Extension and certify such sum as fair to cover the cost incurred, which sum shall be paid by Procuring Entity.

3.2 If possession of a portion is not given by the above date, the Procuring Entity will be deemed to have delayed the start of the relevant activities. The resulting adjustments in contract time to address such delay may be addressed through contract extension provided under Annex "E" of the 2016 revised IRR of RA No. 9184.

## 4. **The Contractor's Obligations**

The Contractor shall employ the key personnel named in the Schedule of Key Personnel indicating their designation, in accordance with **ITB** Clause 10.3 and specified in the **BDS**, to carry out the supervision of the Works.

The Procuring Entity will approve any proposed replacement of key personnel only if their relevant qualifications and abilities are equal to or better than those of the personnel listed in the Schedule.

## 5. **Performance Security**

- 5.1. Within ten (10) calendar days from receipt of the Notice of Award from the Procuring Entity but in no case later than the signing of the contract by both parties, the successful Bidder shall furnish the performance security in any of the forms prescribed in Section 39 of the 2016 revised IRR.
- 5.2. The Contractor, by entering into the Contract with the Procuring Entity, acknowledges the right of the Procuring Entity to institute action pursuant to RA No. 3688 against any subcontractor be they an individual, firm, partnership, corporation, or association supplying the Contractor with labor, materials and/or equipment for the performance of this Contract.

## **6. Site Investigation Reports**

The Contractor, in preparing the Bid, shall rely on any Site Investigation Reports referred to in the SCC supplemented by any information obtained by the Contractor.

## **7. Warranty**

- 7.1. In case the Contractor fails to undertake the repair works under Section 62.2.2 of the 2016 revised IRR, the Procuring Entity shall forfeit its performance security, subject its property (ies) to attachment or garnishment proceedings, and perpetually disqualify it from participating in any public bidding. All payables of the GOP in his favor shall be offset to recover the costs.
- 7.2. The warranty against Structural Defects/Failures, except that occasioned-on force majeure, shall cover the period from the date of issuance of the Certificate of Final Acceptance by the Procuring Entity. Specific duration of the warranty is found in the SCC.

## **8. Liability of the Contractor**

Subject to additional provisions, if any, set forth in the SCC, the Contractor's liability under this Contract shall be as provided by the laws of the Republic of the Philippines.

If the Contractor is a joint venture, all partners to the joint venture shall be jointly and severally liable to the Procuring Entity.

## **9. Termination for Other Causes**

Contract termination shall be initiated in case it is determined *prima facie* by the Procuring Entity that the Contractor has engaged, before, or during the implementation of the contract, in unlawful deeds and behaviors relative to contract acquisition and implementation, such as, but not limited to corrupt, fraudulent, collusive, coercive, and obstructive practices as stated in ITB Clause 4.

## **10. Dayworks**

Subject to the guidelines on Variation Order in Annex “E” of the 2016 revised IRR of RA No. 9184, and if applicable as indicated in the SCC, the Dayworks rates in the Contractor’s Bid shall be used for small additional amounts of work only when the Procuring Entity’s Representative has given written instructions in advance for additional work to be paid for in that way.

## **11. Program of Work**

11.1. The Contractor shall submit to the Procuring Entity’s Representative for approval the said Program of Work showing the general methods, arrangements, order, and timing for all the activities in the Works. The submissions of the Program of Work are indicated in the SCC.

11.2. The Contractor shall submit to the Procuring Entity’s Representative for approval an updated Program of Work at intervals no longer than the period stated in the SCC. If the Contractor does not submit an updated Program of Work within this period, the Procuring Entity’s Representative may withhold the amount stated in the SCC from the next payment certificate and continue to withhold this amount until the next payment after the date on which the overdue Program of Work has been submitted.

## **12. Instructions, Inspections and Audits**

The Contractor shall permit the GOP or the Procuring Entity to inspect the Contractor’s accounts and records relating to the performance of the Contractor and to have them audited by auditors of the GOP or the Procuring Entity, as may be required.

## **13. Advance Payment**

The Procuring Entity shall, upon a written request of the Contractor which shall be submitted as a Contract document, make an advance payment to the Contractor in an amount not exceeding fifteen percent (15%) of the total contract price, to be made in lump sum, or at the most two installments according to a schedule specified in the SCC, subject to the requirements in Annex “E” of the 2016 revised IRR of RA No. 9184.

## **14. Progress Payments**

The Contractor may submit a request for payment for Work accomplished. Such requests for payment shall be verified and certified by the Procuring Entity’s Representative/Project Engineer. Except as otherwise stipulated in the SCC, materials and equipment delivered on the site but not completely put in place shall not be included for payment.

## **15. Operating and Maintenance Manuals**

15.1. If required, the Contractor will provide “as built” Drawings and/or operating and maintenance manuals as specified in the SCC.

- 15.2. If the Contractor does not provide the Drawings and/or manuals by the dates stated above, or they do not receive the Procuring Entity's Representative's approval, the Procuring Entity's Representative may withhold the amount stated in the SCC from payments due to the Contractor.



## ***Section V. Special Conditions of Contract***

# Special Conditions of Contract

| GCC Clause |  |
|------------|--|
| 2          | Sectional completion is not applicable<br>The <b>Intended Completion Date</b> is <b>Five Hundred Forty (540) Calendar Days</b> from the date of receipt of the NTP.  |
| 4.1        | The <b>Procuring Entity</b> shall give possession of all parts of the Site to the Contractor from the date of the receipt of Notice to Proceed (NTP).  |
| 6          | No further instructions.   |
| 7.2        | Fifteen (15) years.  |
| 10         | No Dayworks are applicable to the contract.  |
| 11.1       | The Contractor shall submit the Program of Work to the Procuring Entity's Representative within fourteen (14) calendar days after the issuance of the Notice to Proceed (NTP)  |
| 11.2       | The amount to be withheld for late submission of an updated Program of Work is [ <i>insert amount</i> ].   |
| 13         | The amount of the <b>advance payment is Five Percent (5%) of the contract price to be split in two installments (2.5% upon issuance of Notice to Proceed and 2.5% upon issuance of Notice to Construct)</b> upon submission to and acceptance by the Bureau of Corrections of an irrevocable standby letter of credit of equivalent value from a commercial bank, a bank guarantee or a surety bond callable upon demand issued by a surety or insurance company duly licensed by the insurance commission and confirmed by the Bureau of Corrections. |
| 14         | The Contractor may submit a request for payment for Work accomplished. Such requests for payment shall be verified and certified by the Procuring Entity's Representative/Project Engineer.<br><br><b>Payment for work accomplishment shall be made in two billings only first billing is at fifty percent (50%) and the last and final billing of one hundred percent (100%) work accomplishment.</b><br><br>Materials and equipment delivered on the site but not completely put in place shall not be included for payment.                         |
| 15.1       | The date by which "as built" drawings are required is upon actual completion of the project.   |
| 15.2       | The amount to be withheld for failing to produce "as built" drawings and/or operating and maintenance manuals by the date required is equivalent to five percent (5%) of the contract price.   |

## ***Section VI. Specifications***

**TERMS OF REFERENCE**  
**DESIGN AND BUILD OF BUREAU OF CORRECTIONS SUPERMAXIMUM**  
**(SUPERMAX) PRISON FACILITY**

Sablayan Prison and Penal Farm, Sablayan, Occidental Mindoro

**1. PROJECT INFORMATION**

**1.1 Project Description**

The mission of the BuCor is to protect society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient, and appropriately secure, and that provide self-improvement opportunities to assist offenders in becoming law-abiding citizens. The proposed construction of the BuCor Supermax Prison Facility shall be conducive to the reformation and rehabilitation of inmates that will bring them back into the mainstream of society as useful citizens of the country.

The contract will involve the Design and Build Scheme leading to the construction of the Bureau of Corrections Supermaximum Prison Facility at Sablayan Prison and Penal Farm, Sablayan, Occidental Mindoro.

The plans and designs shall be in accordance with the plan of the said structures as conceptualized by the BuCor Civil Engineering Section or as conceptualized by the winning bidder if the latter is found to be superior (as defined in Section 3.1.1 of this TOR).

The Bureau of Corrections Supermax Prison Facility project is of paramount importance in strengthening the nation's correctional infrastructure and enhancing public safety. As approved in SARO No. SARO-BMB-D-23-0017387. The funding source for this project, under the DOJ's 2023 GAA amounting to **Php200,000,000.00** which was transferred to the BuCor by the DOJ. This aims to provide a secure, technologically advanced, and state-of-the-art facility to safely house and manage 500 high-risk PDLs. The project will be conducted in strict adherence to approved specifications, timelines, and budgets to fulfill its mission effectively.

Contractors shall be required to conduct a BUCOR led site inspection and evaluation to enable the Contractors to develop their proposals accordingly. The Bureau of Corrections shall not assume any responsibility regarding erroneous interpretations out of any data presented by the Contractor.

The BUCOR Supermax Facility shall be constructed as per approved drawings, specifications, bill of materials, scope of works and the general contract conditions following the guidelines as per Annex G of IRR of RA 9184.

The project shall have the following basic components:

- a. Complete Detailed Architectural and Engineering Design Plans, technical specifications, and design calculations for the construction of the Project.

Such plans, designs, and technical specifications shall be subject for review and approval by the BuCor Planning and Design Unit under General Services Division (BUCOR GSD-PDU). The Design Development and the Contract Documents phases of the design shall continue after the bid is awarded. It shall likewise be subject for review and approval by the BuCor GSD.

- b. The bid shall be based on the conceptual/schematic design drawings prepared by the Planning and Design Unit or that submitted by the winning bidder as defined in Section 3.1.1 of this TOR.

- c. The Contractor shall complete the construction of the following facility component:

- i. One (1) Unit Two Storey + Roof Deck "Type B" Dormitory designed for 500 PDLs
- ii. Two (2) layered Reinforced Concrete Reservoir located at Roof Deck
- iii. Three (3) Chamber Septic Vault
- iv. Reinforced Concrete Cistern Tank
- v. Fire Fighting System equipped with Jockey Pump
- vi. Fire Alarm System
- vii. Main Perimeter walls with catwalk and guard towers in compliance with RA 10575 and RA 11928
- viii. Recreation and Sunning Area
- ix. Guard Post
- x. Inmate Visitation Facility
- xi. Administrative and Operations Building
- xii. Electrical System
- xiii. Water Treatment System
- xiv. Sewage System
- xv. Drainage System

## **1.2 Contractual Framework**

The contractual arrangement to be used for the project is the Design-and-Build (DB) scheme. Under this scheme the procuring entity awards a single contract for the architectural/engineering design and construction to a single firm, partnership, corporation, joint venture or consortium.

The winning contractor shall consult and collaborate with the BuCor Architect for the preparation of the Detailed Architectural Design of the Project. The Detailed Architectural and Engineering Design shall be subject for the review and approval by the BUCOR GSD-PDU.

Contractors shall be required to conduct a BUCOR led site inspection and evaluation to enable the Contractors to develop their proposals accordingly. The BuCor shall not assume any responsibility regarding erroneous interpretations out of any data presented by the Contractor.

The obligations and liabilities of the contractor and its Architect shall be joint and solidary for purposes of the Detailed Architectural Design of the Project in accordance with Article 1723 of the Civil Code of the Philippines and other pertinent laws.

The DB Scheme of procurement was recommended, endorsed, and adopted pursuant to the Annex G of IRR of RA 9184.

## **2. SCOPE OF CONTRACT**

### **2.1 OBLIGATIONS OF THE WINNING BIDDER/CONTRACTOR**

- a. Render architectural and allied engineering design services including final schematic design necessary for the implementation of the Project. The allied engineering design services shall include, but shall not be limited to, design for architectural, civil, structural, electrical, mechanical/fire protection, sanitary/plumbing, electronics, and security systems works. All drawings shall be generated using licensed AutoCAD or Revit software and printed on High Quality 20" x 30" blue print paper.
- b. Undertake Detailed Architectural and Engineering Designs (DAEDs) using the given data such as topographic, hydrographic and cross-section surveys, geotechnical and geological investigation, and hydrologic investigation and initial schematic design or design concept provided by the BUCOR GSD-PDU which conforms with the Minimum Performance Specifications and Standards (MPSS);
- c. The project shall be constructed according to the DAEDs prepared by the Winning Bidder and approved by the BuCor and in compliance with the MPSS as well as provided in Rule VII, Section 7 of the IRR of RA 10575. Likewise, construction includes conformance to the provisions pertaining to buildings under the latest edition of the DPWH Standard Specifications for Public Works Structures, Volumes II and III (Blue Book). The Blue Book prescribes, among other things, the material requirements and construction requirements for different items of work, including the tests to be conducted during construction by the DPWH-accredited testing laboratory. The Blue Book incorporates pertinent provisions of the American Society for Testing and Materials (ASTM) and American Concrete Institute (ACI), among other standards, pertaining to construction. Attention shall be given to the relevant items of work in the following Parts of the Blue Book:

#### Volume II

- Part A – Facilities for the Engineer
- Part B – Other General Requirements

#### Volume III

- Part A – Earthwork
- Part B – Plain and Reinforced Concrete Works

- Part C – Finishing
- Part D – Electrical
- Part E – Mechanical/Fire Protection
- Sanitary/Plumbing Works (under Part E – Mechanical/Fire Protection)

For materials and technologies not covered by the Blue Book, or if the Proponent intends to use any new material/technology which is not accredited by the DPWH Bureau of Research and Standards (BRS), the Proponent shall submit a certification from a recognized foreign or international institution to the effect that the new materials or technology meets the MPSS for this Project and has been successfully used in existing structures with proven integrity.

The Winning Bidder or Contractor shall be held liable for design and structural defects and/or failure of the completed project within the warranty period specified in Section 62.2 of the IRR of RA 9184; and,

## **2.2 OBLIGATIONS OF THE BUCOR**

- a. Provide full information on all requirements for the Project;
- b. Approve the Winning Bidder or Contractor’s design without diminishing their full and sole responsibility for the quality and integrity thereof;
- c. Give prompt written notice thereof to Winning Bidder or Contractor, if it observes or becomes aware of any defect in the Project;
- d. Designate when necessary, representatives authorized to act on its behalf. It shall examine documents submitted by the Winning Bidder or Contractor and render decisions pertaining thereto promptly, to avoid unreasonable delay in the progress of their work. It shall observe the procedure of issuing orders to the Winning Bidder or Contractor;
- e. If applicable, secure environmental clearance or an “Environmental Compliance Certificate (ECC)”. If the proposed project is considered outside the purview of the Philippine Environmental Impact Statement (EIS) System, a Certificate of Non- Coverage or Certificate of Exemption shall be secured.
- f. Supervise and monitor the implementation of the project; and,
- g. Pay the accomplishment accepted in the conformance with the MPSS included under the Design and Build Contract.

## **2.3 BIDDING DOCUMENTS**

The Bidding Documents for the Project shall govern the conduct of the procurement of the Project.

## **3. SCOPE OF WORKS**

### **3.1 PLANNING AND DESIGN PHASE**

#### **3.1.1 Preliminary Architectural Plan (PAP) by Bidder**

The approved concept design shall adopt the provisions indicated in Rule VII, Section 7 of the IRR of RA 10575 and RA 11928

Bidders shall submit also an alternative design concept with respect to the actual site condition. This alternative design by the winning bidder shall be adopted should the same be found to be superior than the one conceptualized by the BuCOR GSD-PDU

#### **3.1.2 Detailed Architectural and Engineering Design (DAED) by the Winning Bidder**

During the implementation of the Project, the Winning Bidder shall prepare the DAED of the Project and submit the same to the BuCOR for approval prior to the execution of the construction works.

The Winning Bidder shall prepare the DAED based on its PAP as reviewed and accepted by the DPWH and in accordance with the Minimum Performance Standards and Specifications (MPSS). The DAED shall be undertaken with a degree of accuracy that will allow estimates to be made within approximately plus or minus five percent (+/-5%) of the final quantities.

Once approved by the BUCOR, the Winning Bidder's DAED shall form part of the MPSS. The BUCOR-approved DAED, together with the MPSS provisions on Construction under Section 2.0 hereof, shall govern the actual Construction undertaken by the Winning Bidder.

The Winning Bidder shall undertake the necessary field surveys and investigation in accordance with the DPWH Design Guidelines, Criteria and Standards in the preparation of detailed engineering plans in accordance with the requirements of the Bureau of Design (BOD). In carrying out these works, the Winning Bidder shall ensure that the engineering, environmental, particularly during field investigations and the development of the preliminary and final detailed engineering designs. The Winning Bidder shall ensure that all designs submitted for approval have fully taken into account key findings from the engineering, environmental, and that negative environmental impacts have been minimized or eliminated to the fullest extent possible.

#### **3.1.3 Architectural and Engineering Design Submittals**

##### **i. Architectural Design**

- a. The building should be designed with structural, electrical, natural or combine ventilation following building design standards.
- b. The prospective bidder shall prepare the Preliminary Architectural Plans in accordance with the requirements of the National Building Code of the



Philippines, Accessibility Law (BP 344) including all other applicable laws and local ordinances.

SUBMITTALS: (at suitable scale on high quality 20" x 30" blue print paper minimum size)

1. Site Development Plan
2. Vicinity Map
3. Perspective
4. Floor Plans
5. Elevations
  - a. Front Elevation
  - b. Rear Elevation
  - c. Right Elevation
  - d. Left Elevation
6. Sections
  - a. Longitudinal Section
  - b. Cross Section
7. Doors & Window Schedule
8. Plans and details of stairs and ramps
9. Schedule of Finishes for floors, walls and ceiling

**ii. Structural Design**

- a. The proponent shall prepare the necessary structural analysis/calculation and design of the structural members of the building component in accordance with the National Building Code of the Philippines with its referral codes such as the latest National Structural Code of the Philippines. The design for the structure shall take into account, among other things, the seismic requirements of the area to determine the optimum safety of the whole structure and to minimize possible earthquake damage.
- b. On the basis of the data obtained from the detailed site investigations, topographical/soil and survey, geotechnical engineering, foundation investigation, material testing, survey of existing site conditions, the seismic requirements of the area, the load requirements of the building and other investigation required to obtain the data necessary to ensure the safety of the structure, the proposal shall prepare the preliminary structural design plans of the structure.

SUBMITTALS: (at suitable scale on high quality 20" x 30" blue print paper minimum size)

1. Structural Design Criteria and Design Notes
2. Foundation Plan
3. Floor framing plans
4. Schedule of slab, beams and girders
5. Schedule of columns

6. Schedule of footings
7. Structural details of stairs/ramp, if applicable
8. Roof framing plan
9. Schedule and details of trusses

### **iii. Sanitary/Plumbing Design**

#### **a. General**

- The detailed design shall conform to the general standards adopted by the Sanitary & Plumbing Code of the Philippines and other pertinent laws and ordinances.
- All design considerations/assumptions shall be based on the results of the technical studies, detailed analyses, and design computations.
- The technical drawings and specifications shall clearly indicate all the details required to ascertain the care and thoroughness devoted in the preparation of the drawings.

#### **b. Drainage and Sewerage**

- The drainage layout shall show all the required information such as direction of flow, manhole-to-manhole distances, and sizes of lines, manholes/canals, location of outfalls, etc.

SUBMITTALS: (at suitable scale on high quality 20" x 30" blue print paper minimum size)

1. General Notes
2. Legend & Symbols
3. Sewer, vent and storm drainage layout
4. Enlarged toilet plan for common and PWD toilets
5. Isometric Diagram
6. Miscellaneous details
7. Drainage and sewerage System
8. Three Chamber Septic Tank plans and details

#### **c. Water Supply and Distribution System**

- The Proponent shall carry out a preliminary detailed design for the water supply of the project. The design should be on the basis of the source and volume of water supply, water consumption, piping network, and conveyance in accordance with the applicable laws, rules and regulations governing health, safety and sanitation.
- The Contractor shall install 2 units reinforced concrete water reservoir per unit located at the roof deck of the prison dormitories.

SUBMITTALS: (at suitable scale on high quality 20" x 30" blue print paper minimum size)

1. General Notes
2. Legend & Symbols
3. Water Line layout
4. Water Line Isometric Diagram
5. Sprinkler System
6. Sprinkler System Isometric Diagram
7. Water Reservoir plans and details
8. Miscellaneous details

#### **iv. Electrical Design**

- a. The prospective bidder shall prepare a preliminary design plans for the electrical and power supply system of the building in accordance with the Electrical Code of the Philippines, Fire Code of the Philippines, National Building Code of the Philippines and other relevant laws and ordinances.
- b. The prospective bidder shall prepare a design for the electrical and power supply system considering ease of maintenance and prevention of illegal connections including electrical supply for ceiling fans.
- c. Electrical supply shall be sourced from the local electrical utility.

SUBMITTALS: (at suitable scale on high quality 20" x 30" blue print paper minimum size)

1. Power Riser Diagram
2. Power Layout System
3. Lighting Layout System
4. Local Area Network System, if applicable
5. CCTV System
6. Grounding System
7. Load Schedules
8. Others as applicable

#### **v. Other Requirements**

- Technical Specifications
- Structural Design and Analysis and computation
- FINAL DESIGN AND CONSTRUCTION PLANS
- Upon award of contract, the Contractor shall comply the following:

- Prepare final draft of Architectural and Engineering Design Plans incorporating all design refinements and revisions based on project requirement or as may be required by the Bureau of Corrections Design and Build Committee (BuCor-DBC) within the scope of design.
- Submit to the Bureau of Corrections Design and Build Committee (BuCor-DBC) the Final Architectural and Engineering Design Plans and Specifications duly signed and sealed by the concerned Professional Architect and Engineers incorporating all the necessary revisions and refinements for approval by the Head of Procuring Entity.

### **3.2 CONSTRUCTION PHASE**

The following works shall comprise this phase:

- I. Permits and Clearances, the Contractor shall upon authorization of the Head of the Procuring Entity (HOPE), make representations with the government agencies concerned to expedite the processing of the necessary permits and certificates such as the following:
  - a. Zoning Certification and Locational Clearance
  - b. Building /Electrical/Sanitary Permits
  - c. Certificate of Occupancy
  - d. Environmental Clearance Certificate
  - e. All other permits/clearances as may be required for the construction.
- II. Mobilization, The Contractor shall mobilize all the required project team personnel, equipment, tools, and manpower with the required skills and in sufficient number as may be necessary for his efficient undertaking of the project.
- III. Clearing, Grubbing and hauling/disposal of debris
- IV. Boring test
- V. Construction Stage as a rule, contract implementation guidelines for procurement of infrastructure projects shall comply with Annex "E" of the Revised IRR of RA 9184. The following provisions shall supplement these procedures:
  - i. No works shall commence unless the Contractor has submitted the prescribed documentary requirements and implementing unit has given written approval. Work execution shall be in accordance with reviewed and approved documents.
  - ii. The Contractor shall be responsible for obtaining all necessary information as to risks, contingencies and other circumstances which may affect the works and shall prepare and submit all necessary documents specified by

the Implementing Unit to meet all regulatory approvals as specified in the contract documents.

- iii. The Contractor shall submit a detailed program of works within seven (7) calendar days after the issuance of the Notice to Proceed (NTP) for approval by the Head of the Procuring Entity (HOPE) that shall include, among others:
  - a. The order in which it tends to carry out the work including anticipated timing for each stage or design/detailed engineering and construction;
  - b. Periods for review of specific outputs and any other submissions and approvals;
  - c. Sequence of timing for inspection and tests;
  - d. General description of the design and construction methods to be adopted;
  - e. Number of personnel to be assigned for each stage of the work;
  - f. List of equipment required on site for each stage of the work; and
  - g. Description of the quality control system to be utilized for the project.
- iv. Any errors, omissions, inconsistencies, inadequate or failure submitted by the Contractor that do not comply with the requirements shall be rectified, resubmitted and reviewed at the Contractor's cost. If the Contractor wishes to modify any design or document which has been previously submitted, reviewed and approved, the Contractor shall notify the Implementing Unit within a reasonable period of time and shall shoulder the cost of such changes.
- v. As a rule, changes in design and construction requirements shall be limited only to those that have not been anticipated in the contract signing and approval. The following guidelines shall govern approval for change or variation order:
  - a. Change Orders resulting from design errors, omissions or non-conformance with the performance specifications and parameters and the contract documents by the Contractor shall be implemented by the Contractor at no additional cost to the Bureau of Corrections.
  - b. Provided that the Contractor suffers delay and/or incurs costs due to changes or errors in the preparation of Performance specification and parameters, the Contractor shall be entitled to either one of the following:
    - An extension of time for any such delays under Section 10 of Annex "E" of IRR-A (RA9184); or
    - Payments for such cost as specified in the contract documents, provided that the cumulative amount of the variation order does

not exceed ten percent (10%) of the original project cost.

- c. The contract documents shall include the manner and schedule of payment specifying the estimated contract amount and installments in which the contract will be paid.
- d. The Contractor shall be entitled to advance payment subject to the provisions of Section 4 of Annex "E" of the Revised IRR of RA 9184.
- e. The Implementing Unit shall monitor the quality control procedures for the design and construction in accordance with the Government Guidelines and shall issue the proper certificates of acceptance for sections of the works or whole of the works as provided for in the contract documents.
- f. The Contractor shall provide all necessary equipment, personnel, instruments, documents and others to carry out specified tests.
- g. This design and build project shall have minimum Defects Liability period of one (1) year contract completion or as provided in the contract documents. This is without prejudice to the liabilities imposed upon the engineer/architect who drew up the plans and specification for a building sanctioned under Section 1723 of the New Civil Code of the Philippines.
- h. The Contractor shall be held liable for design and structural defects and/or failure of the completed project within the warranty period of 15 years for permanent structures/buildings and 5 years for roads as specified in Section 62.2.2 of the Revised IRR of RA 9184

VI. As-built plans. The Contractor shall cause the preparation and submission of as-built plans duly signed and sealed by all concerned parties involved in the construction in the same sheet size and scale as the original drawings in one (1) blue print copy and one (1) reproducible copy.

VII. General requirements:

- 1. Service Vehicles for the Engineer and Engineer's Representative
- 2. Temporary facilities such as field offices for the engineers and quarters for laborers; bodega for the construction material.
- 3. Office furniture and equipment, survey equipment and consumables
- 4. Photographs: This item consists of the supply of equipment and materials, i.e., album, necessary to undertake photographic progress activities of the project and of all costs incidental to the preparation and submission of photographs (at least 12 photographs per day). The quantities for photographs shall be one (1) set of photographs per month.
- 5. Health and Safety Program including Personal Protective Equipment (PPE)

- a. All standard safety measures and precautions shall be exercised by the Contractor in the course of the project for the protection of the public and its workers and in conformity with DOLE Department Order No. 13, Series of 1998.
  - b. All workers shall be equipped with proper working uniform and identification at all times. They must be registered with the Bureau of Corrections Security Officials and must comply with the Bureau of Corrections' Rules and Regulations.
  - c. The Contractor shall secure his/her own equipment and materials on site. The Bureau of Corrections shall not be liable to any losses incurred during the progress of the work.
- 6. Environmental compliance
  - 7. Communication equipment: This item consists of the provision of communication equipment.
  - 8. Billboard
  - 9. Traffic management

#### VIII. Building Construction

|                          |  |
|--------------------------|--|
| 1 unit                   | Two (2) Storey Type 'B' PDL Dormitory Building with 500 PDL Capacity. 60 square meters per cell per 16 PDL excluding hallways, porch, exits, stairways, etc.<br>Provide two (2) Layered Reinforced Concrete Water Reservoir per dormitory located approximately at mid part (recommended location) of the roof deck area (refer to BUCOR's conceptual design). Elevate the bottom slab of the 2 <sup>nd</sup> deck tank at least 3.00 meters from finish roof deck purposely to attain the required head for the 2 units flush valve water closet and 1 unit flush valve urinal to be installed every cell at Second Floor. The bottom Reservoir resting at the top of the Roof Deck for fixture installed at Ground Floor. Additional fixtures per cell: 1 unit lavatory and 3 units shower head. Provide Enhanced Natural Ventilation, if necessary. The location of the water reservoir may be revised or re-orient by the Architects and Civil Engineers of the prospective Bidders/Contractors for Structural, Architectural reasons or based on their crafted plans and perspective view of the Dormitory Buildings. |
| 1 unit                   | One (1) Storey Administrative and Operations Building  |
| 500 In.m., more or less, | Main Perimeter Concrete Fence with Catwalk, Post Towers, Main Sliding Steel Gate and Pedestrian Steel Gate (refer to Rule VII, Section 7 of the Revised IRR of RA 10575)   |
| 300 In.m                 | Property Fence   |
| 250 sq.m.                | IVSU and Entrance Gate   |
| 400 sq.m.                | Recreation/ Sunning Area   |
| 34 units                 | Solar Street Lights  |
| 20 units                 | CCTV Cameras, complete system  |
| 950 In.m., more or less, | Drainage System  |
| 8 units                  | Post Towers located along the ridge of the Main Concrete Perimeter Fence (refer to BUCORS's conceptual design)   |

|       |  |
|-------|--|
| 1 lot | Site Development (includes dozing and site grading, provision of access roads, resurfacing and compaction surrounding and adjoining the newly built facilities.  |
| 1 lot | Spring Sourced Water System (Gravity Driven) approximately 3000 meters from the service area. A Well Designed Reinforced Concrete Intake Box and Reservoir shall also be included, placed in an area relatively high to provide sufficient head to fill the water reservoir of the dormitories. Pipes sizes for transmission and distribution lines and the accessories needed for the system shall be designed and determined by the winning Contractor upon conduct of study. Install Chlorinator with tank and Accessories such as blow-off valve, air release valve, fittings, etc. including jockey pump and fire pump that will pump water at a desired pressure to operate the sprinkler system of the PDL Dormitories. |
| 1 lot | Single Phase Power Supply for the proposed project site. An approximate total distance of 400 meters from tapping point of Primary Lines going to its endpoint @ the New Maximum Security Camp. Provide appropriate and sufficient transformers for the proposed and existing facilities within the area. Use Steel Tapered Electrical Posts spaced @ 50 meters on center or the standard spacing of the local electric company. Employ Automatic Transfer Switch for Power Generator Set.   |

## **A. Material Specifications:**

### **a. Floor Finishes**

- .60 X .60 non-skid – homogenous floor tiles branded in good quality for all dormitories and other facilities.
- Plain Cement finish - Parking Area, Roads and Pathways.

Note : Use heavy duty tile adhesive for all tile works

### **b. Wall Finishes**

- .30 X .30 glazed wall tiles - For Toilet (floor to ceiling)
- Plain cement plaster finish - For all Buildings and Facilities

### **c. Ceiling Finishes**

- Concrete Steel Decking (water proof) – For Prison Dormitories.

### **d. Painting**



- d. Semi-gloss solvent paint top coat (high-end quality) for interior and exterior walls in two to three coats application. Apply concrete neutralizer for newly finished concrete surfaces. Use solvent primer.
- e. Varnish Paint finish with weather proof coating – For doors and jambs branded, high-end quality (Offices, etc.)
- f. Use Epoxy paint primer. Epoxy paint finish – For Structural steel branded, high-end quality

**e. Doors and Windows**

- g. Solid Wood panel door and jambs – For Offices and Office Comfort Rooms well-seasoned, good quality lumber, treated, kiln-dried.
- h. No doors For Prison facility Comfort Rooms with 1.20 meter finish wall height (See Rule VII, Section 7 R-IRR of RA 10575).
- i. Concrete finished Sliding window in analok – For office windows brown glass high-end quality.
- j. Steel doors and grills – For Dormitories, gates and other security areas. Sliding Doors for all Cells(See Rule VII, Section 7 R-IRR of RA 10575)
- Aluminum awning window with 6mm thick smoke glass – For Office Comfort Rooms.

**f. Waterproofing**

- k. Polyurethane Liquid Membrane Waterproofing – For all roof deck with topping works provided with welded wire mesh.
- l. Cementitious Waterproofing, high-end quality with Epoxy Tank Lining – for all Concrete Reservoir

**g. Plumbing Works**

- m. uPVC Pipe series 1000 – For all soil, sewer, waste, dry and wet vent piping high-end quality
- n. PPRC Fusion Type – For all water lines high-end quality
- o. Sprinkler system to all prison dormitories in accordance with the provisions of Revised Plumbing Code of the Philippines.

**4. APPROVED BUDGET FOR THE CONTRACT (ABC)**

The Approved Budget for the Contract (ABC) is **PhP200,000,000.00**. This is the ceiling for acceptable bids. Bids higher than ABC shall be automatically rejected.

**5. PROPOSED IMPLEMENTATION SCHEDULE (Example):**

| No. of Months | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 |
|---------------|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|
| Design Phase  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |

|                    |  |  |  |  |
|--------------------|--|--|--|--|
| Construction Phase |  |  |  |  |
|--------------------|--|--|--|--|

**6. ELIGIBILITY CRITERIA FOR BIDDERS**

**6.1 General**

The Eligibility Requirements for this DB Project shall adopt the provisions of Annex “G” of the Implementing Rules and Regulations of RA 9184 (e.g. Eligibility Requirement). However, a prospective bidder who has no experience in DB Project on its own may opt to enter a subcontracting agreement with a design or engineering firm for the design portion of the project.

**6.2 Legal Requirements**

- a. Valid Contractor’s License issued by the Philippine Contractor’s Accreditation Board
- b. Valid license of the Contractor’s designer issued by the Professional Regulation Commission.

**6.3 Technical Requirements**

- a. The Contractor’s designer must have designed one structure similar to the project at hand with a construction cost of at least 50 % of the ABC.

**6.4 Financial Requirements**

The Contractor must have a Net Financial Contracting Capacity (NFCC) at least equal to the ABC to be bid or equivalent to **PPhP200,000,000.00**

**7. CONTENTS OF THE BID**

**7.1 IN THE FIRST ENVELOPE**

**Class “A” Documents**

Legal Documents

- i. PhilGEPS Certificate of Registration and membership in accordance with Section 8.5.2 of this IRR. For procurement to be performed overseas, it

shall be subject to the Guidelines to be issued by the GPPB. (a)

- ii. PCAB License and Registration, in case of JV; 57
- iii. Statement of all Ongoing Government and Private Contracts;
- iv. Statement of SLCC;
- v. NFCC Computation;
- vi. JVA, if applicable;
- vii. Bid security in the prescribed form, amount and validity period;
- viii. Project Requirements, which shall include the following:
  1. Organizational Chart for the contract to be bid;
  2. List of Contractor's Personnel (Design and Construction), to be assigned to the contract to be bid, with their complete qualification and experience data;
  3. List of Contractor's Equipment Units which are owned, leased and/or under purchase agreements, supported by certification of availability of equipment from lessor/vendor for the duration of the project.
- ix. Omnibus Sworn Statement by the prospective bidder or its authorized representative in the prescribed format;
- x. Submission of Preliminary Conceptual Design Plans:
  - 1. Preliminary Conceptual Architectural Design Plans in accordance with the degree of details specified by the procuring entity:**
    - a. Location plan/vicinity map
    - b. Perspective
    - c. Floor plans
    - d. Front view elevation
    - e. Rear view elevation
    - f. Left side view elevation
    - g. Right side view elevation
    - h. Longitudinal section
    - i. Transverse section
  - 2. Design and Construction Method**
  - 3. List of contractor's personnel** to be assigned to the contract to be bid with their complete qualification and experience data and photocopy of their valid licenses issued by the professional regulatory Commission (PRC), Curriculum vitae of key staff, partners or principal officers with a minimum work experience requirements set in the **BDS**;

## **For Design**

The key professionals and the respective qualifications of the DESIGN PERSONNEL shall be as follows:

- **Principal Architect**

The Principal Architect must be duly-licensed with at least ten (10) years' experience in the design of residential, government offices or institutional facilities, and shall preferably be knowledgeable in the application of rapid construction technologies.

- **Structural Engineer**

The Structural Engineer must be a duly-licensed Civil Engineer with at least ten (10) years' experience in structural design and shall preferably be knowledgeable in the application of rapid construction technologies.

- **Professional Electrical Engineer**

The Electrical Engineer must be a registered Professional Electrical Engineer with at least five (5) years' experience in the design of lighting, power distribution, communication systems (specifically structured and local area network cabling, PABX), building management systems and preferably knowledgeable in developments in emergent efficient lighting technologies and energy management.

- **Professional Mechanical Engineer**

The Mechanical Engineer must be a Professional Mechanical Engineer with at least five (5) years in HVAC and fire Protection systems and preferably knowledgeable in emergent, alternative energy- efficient HVAC technologies.

- **Electronics and Communications Engineer**

The Electronics and Communications Engineer must be duly-licensed with at least ten (10) years' experience in the design of communications systems, and preferably knowledgeable in the application of building automation and surveillance systems.

- **Sanitary Engineer**

The Sanitary Engineer must be duly-licensed with at least five (5) years' experience in the design of building water supply and distribution, plumbing, and preferably knowledgeable in waste water management/treatment, and emergent, alternative effluent collection and treatment system.

The DESIGN & BUILD CONTRACTOR may, as needed and at its own expense, add additional professionals and/or support personnel for the optimal performance of all Architectural and Engineering Design Services, as stipulated

in these Terms of Reference, for the PROJECT. Prospective bidders shall attach each individual's resume and PRC license of the (professional) staff.

Design personnel may also be utilized for the construction phase provided that the same meet the minimum number of years of experience in the construction of similar projects.

### **For Construction Personnel**

The key professionals and the respective qualifications of the CONSTRUCTION PERSONNEL shall be as follows:

- **Project Manager**

The Project Manager shall be a licensed architect or engineer with at least eight (8) years relevant experience on similar and comparable projects in different locations. The Project Manager should have a proven record or managerial capability through the directing/managing of major civil engineering works, including projects of a similar magnitude.

- **Project Architect/Engineer**

The Project Architect/Engineer shall be a licensed architect or engineer with at least five (5) years' experience in similar and comparable projects and shall preferably be knowledgeable in the application of rapid construction technologies.

- **Materials Engineer (M.E. I)**

The Materials Engineer must be duly accredited with the DPWH and with at least five (5) years' experience in similar and comparable projects and shall preferably be knowledgeable in the application of rapid construction technologies.

- **Electrical Engineer**

The Electrical Engineer must be duly-licensed with at least five (5) years' experience in similar and comparable projects in the installation of lighting, power distribution, communication systems (specifically structured and local area network cabling, PABX), building management systems.

- **Mechanical Engineer**

The Mechanical Engineer must be duly-licensed with at least five (5) years' experience in similar and comparable projects in the installation of HVAC and fire protection.

- **Sanitary Engineer**

The Sanitary Engineer must be duly-licensed with at least five (5) years' experience in similar and comparable projects in the installation of building water supply and distribution, plumbing.

- **Foreman**

The Foreman must have at least five (5) years' experience in similar and comparable projects and shall preferably be knowledgeable in the application of rapid construction technologies.

#### **4. Value Engineering Analysis of design and construction.**

The second envelope (Financial Proposal) shall contain all the required documents for infrastructure projects under Section 25.38 of the IRR of R.A 9184.

### **7.2 IN THE SECOND ENVELOPE – FINANCIAL PROPOSAL**

The contents of Financial Proposal – In the Second Envelope shall be governed by Section 6.1 Design and Build Scheme of the DPWH Procurement Manual Volume II - Infrastructure Main Guidelines (2016).

- a. Lump sum bid prices, which shall include the detailed engineering cost, in the prescribed Bid Form inclusive of VAT
- b. 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 for the following:
  - i Detailed Architectural and Engineering Design;
  - ii Demolition Works; and
  - iii Building Construction/Civil Works.
- c. Bill of Quantities
- d. Cash flow and payments schedule.

## **8. PROCEDURE AND CRITERIA FOR BIDS EVALUATION**

For the detailed evaluation of the design and build proposals a two-step procedure shall be adopted by the BAC, which may be undertaken with the assistance of the DBC.

### **First-Step Procedure:**

With the assistance of the Bureau of Corrections Design and Build Committee (BuCor-DBC), the BAC shall conduct the opening, preliminary examination and detailed evaluation of the design and build proposals, as follows:

- (1) The first step of the evaluation shall involve the review of the preliminary conceptual designs and track record submitted by the contract as indicated in the Bidding Documents using a nondiscretionary "pass/fail" criteria that involve compliance with the following requirements:

- a. performance specifications and parameters and degree of details;
- b. Adherence of preliminary design plans to the required Concept of approach and methodology for detailed engineering, design and construction with emphasis on the clarity, feasibility, innovativeness and comprehensiveness of the plan approach, and the quality of interpretation of project problems, risks, and suggested solutions; and
- c. Quality of personnel to be assigned to the project which covers suitability of key staff to perform the duties of the particular assignments and general qualifications and competence including education and training of the key staff.

**Second-Step Procedure:**

Only those bids that passed the above criteria shall be subjected to the second step of evaluation.

The BAC shall open the financial proposal of each "passed" bidder and shall evaluate it using non-discretionary criteria – including arithmetical Corrections for computational errors – as stated in the Bidding Documents, and thus determine the correct total calculated prices. The BAC shall automatically disqualify any total calculated bid price which exceeds the ABC

**9. DATA TO BE PROVIDED BY THE BUCOR**

These data are for reference only and does not guarantee the Contractor that the data provided are correct, free from error, and applicable to the project at hand. The Contractor is responsible for the accuracy or applicability of any data that he will use in his design– build proposal and services.

Sample Data for Buildings:

- a. Conceptual Plans

**10. DOCUMENTS TO BE PROVIDED BY THE CONTRACTOR DURING CONTRACT IMPLEMENTATION**

- a. Detailed Architectural and Engineering Plans
- b. Design Analysis
- c. Survey Data
- d. Quantity Calculation
- e. Detailed Geotechnical Investigation Report
- f. Design Report.
- g. As-Built Plans, (Printed including CAD Files and BIM files (LOD 500)
- h. Other relevant documents

**11. DESIGN AND BUILD PERIOD**

The Winning Bidder shall commence actual works upon the issuance by the BUCOR of the Notice to Proceed (NTP).

The Winning Bidder shall complete the DAED and submit within the ninety (90) calendar days (CDs) period to the BUCOR for review and approval. The contractor shall complete the construction of the building within 450 CDs for the total contract duration of 540 CDs.

**CONFORME:**

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Name of Company in Print

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## ***Section VII. Drawings***

The Conceptual Drawings should be attached to this section or annexed in a separate folder as part of the first envelope (Technical Component Envelope)).

Preliminary Conceptual Architectural Design Plans in accordance with the degree of details specified by the procuring entity:

- a. Location plan/vicinity map
- b. Perspective
- c. Floor plans
- d. Front view elevation
- e. Rear view elevation
- f. Left side view elevation
- g. Right side view elevation
- h. Longitudinal section
- i. Transverse section

## ***Section VIII. Bill of Quantities***

The Bill of Quantities should be attached to this section as part of the second envelope (Financial Component Envelope).

***Section IX. Checklist of Technical and Financial Documents***

# Checklist of Technical and Financial Documents

## I. TECHNICAL COMPONENT ENVELOPE

### *Class "A" Documents*

#### Legal Documents

- (a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages); **and**

#### Technical Documents

- (b) Statement of the prospective bidder of all its ongoing government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid; **and**
- (c) Statement of the bidder's Single Largest Completed Contract (SLCC) similar to the contract to be bid, except under conditions provided under the rules; **and**
- (d) Original copy of Bid Security. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission;  
**or**  
Original copy of Notarized Bid Securing Declaration; **and**
- (e) Project Requirements, which shall include the following:
- a. Organizational chart for the contract to be bid;
- b. List of contractor's key personnel (*e.g.*, Project Manager, Project Engineers, Materials Engineers, and Foremen), to be assigned to the contract to be bid with their complete qualification and experience data and photocopy of their valid licenses issued by the professional regulatory Commission (PRC) and Curriculum vitae of key staff, partners or principal officers with a minimum work experience requirements set in the **BDS**;
- c. List of contractor's major equipment units, which are owned, leased, and/or under purchase agreements, supported by proof of ownership or certification of availability of equipment from the equipment lessor/vendor for the duration of the project, as the case may be; **and**
- (f) Original duly signed Omnibus Sworn Statement (OSS); **and** if applicable, Original Notarized Secretary's Certificate or Board Resolution or Partnership Resolution in case of a corporation, partnership, or cooperative; or Original Special Power of Attorney of all members of the joint venture giving full power and authority to its officer to sign the OSS and do acts to represent the Bidder. **and**
- (g) Conformity with the Technical Specifications (Scope of Work); **and**
- (h) Preliminary Conceptual Architectural Design Plans in accordance with the degree of details specified by the procuring entity:
1. Location plan/vicinity map
  2. Perspective

3. Floor plans
4. Front view elevation
5. Rear view elevation
6. Left side view elevation
7. Right side view elevation
8. Longitudinal section
9. Transverse section

- (i) Design and Construction Method **and**
- (j) Value Engineering Analysis of the design and construction Method.  
**and**

**Financial Documents**

- (k) The prospective bidder's computation of Net Financial Contracting Capacity (NFCC). **and**

***Class "B" Documents***

- (l) If applicable, duly signed joint venture agreement (JVA) in accordance with RA No. 4566 and its IRR in case the joint venture is already in existence;  
**or**  
duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful.

**II. FINANCIAL COMPONENT ENVELOPE**

- (m) Original of duly signed and accomplished Financial Bid Form; **and**

**Other documentary requirements under RA No. 9184**

- (n) Original of duly signed Bid Prices in the Bill of Quantities; **and**
- (o) Duly accomplished Detailed Estimates Form, including a summary sheet indicating the unit prices of construction materials, labor rates, and equipment rentals used in coming up with the Bid; **and**
- (p) Cash Flow and Payment schedule.

## ***Bidding Form***

COMPANY LETTERHEAD

**Statement of ongoing government & private contracts**

***Design and Build of Bureau of Corrections Supermaximum (Supermax)  
Prison Facility***

Statement of all its ongoing government and or private contracts including contracts awarded but not yet started, if any whether similar or not similar in nature.

| Name of Contract | Date of contract | Contract Duration | Owner's Name and Address | Nature of work | contractor's role (whether sole contractor, subcontractor, or partner in a JV) and percentage of participation | total contract value at award | date of completion or estimated completion time | value of outstanding works |
|------------------|------------------|-------------------|--------------------------|----------------|--|-------------------------------|---|----------------------------|
|                  |                  |                   |                          |                |  |                               |   |                            |
|                  |                  |                   |                          |                |  |                               |   |                            |
|                  |                  |                   |                          |                |  |                               |   |                            |
|                  |                  |                   |                          |                |  |                               |   |                            |
|                  |                  |                   |                          |                |  |                               |   |                            |
|                  |                  |                   |                          |                |  |                               |   |                            |
|                  |                  |                   |                          |                |  |                               |   |                            |
|                  |                  |                   |                          |                |  |                               |   |                            |
|                  |                  |                   |                          |                |  |                               |   |                            |

**CERTIFIED CORRECT:**

\_\_\_\_\_  
Name and Signature of Authorized Representative

\_\_\_\_\_  
Position

\_\_\_\_\_  
Date

COMPANY LETTERHEAD

**Statement of Single Largest Completed Contract**

***Design and Build of Bureau of Corrections Supermaximum (Supermax)  
Prison Facility***

Statement of Single (1) Largest Completed Contract of Similar in nature within the last six (6) years from the date of submission and receipt of bids amounting to at least fifty percent (50%) of the Approved Budget of the Contract (ABC)

| Name of Contract | Date of contract | Contract Duration | Owner's Name and Address | Nature of work | contractor's role (whether sole contractor, subcontractor, or partner in a JV) and percentage of participation | total contract value at award | date of completion or estimated completion time |
|------------------|------------------|-------------------|--------------------------|----------------|--|-------------------------------|---|
|                  |                  |                   |                          |                |  |                               |   |

**CERTIFIED CORRECT:**

\_\_\_\_\_  
Name and Signature of Authorized Representative

\_\_\_\_\_  
Position

\_\_\_\_\_  
Date



COMPANY LETTERHEAD

***Design and Build of Bureau of Corrections Supermaximum (Supermax)  
Prison Facility***

REPUBLIC OF THE PHILIPPINES)  
CITY OF \_\_\_\_\_) S.S.

x-----x

**BID SECURING DECLARATION**  
**Invitation to Bid:** *[Insert Reference number]*

To: **Bureau of Corrections**

I/We, the undersigned, declare that:

1. I/We understand that, according to your conditions, bids must be supported by a Bid Security, which may be in the form of a Bid-Securing Declaration.
2. I/We accept that: (a) I/we will be automatically disqualified from bidding for any contract with any procuring entity for a period of two (2) years upon receipt of your Blacklisting order; and, (b) I/we will pay the applicable fine provided under Section 6 of the Guidelines on the Use of Bid Securing Declaration, within fifteen (15) days from receipt of the written demand by the procuring entity for the commission of acts resulting to the enforcement of the bid securing declaration under Sections 23.1(b), 34.2, 40.1 and 69.1, except 69.1(f), of the IRR of RA 9184; without prejudice to other legal action the government may undertake.
3. I/We understand that this Bid Securing Declaration shall cease to be valid on the following circumstances:
  - (a) Upon expiration of the bid validity period, or any extension thereof pursuant to your request;
  - (b) I am/we are declared ineligible or post-disqualified upon receipt of your notice to such effect, and (i) I/we failed to timely file a request for reconsideration or (ii) I/we filed a waiver to avail of said right;
  - (c) I am/we are declared the bidder with the Lowest Calculated Responsive Bid, and I/we have furnished the performance security and signed the Contract.

IN WITNESS WHEREOF, I/We have hereunto set my/our hand/s this \_\_\_\_ day of [month] [year] at [place of execution].

\_\_\_\_\_  
*[Insert NAME OF BIDDER'S AUTHORIZED REPRESENTATIVE]*

\_\_\_\_\_  
*[Insert Signatory's Legal Capacity]*  
Affiant

**SUBSCRIBED AND SWORN** to before me this \_\_\_ day of *[month]* *[year]* at *[place of execution]*, Philippines. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant/s exhibited to me his/her *[insert type of government identification card used]*, with his/her photograph and signature appearing thereon, with no. \_\_\_\_\_ issued on \_\_\_\_\_ at \_\_\_\_\_.

Witness my hand and seal this \_\_\_ day of *[month]* *[year]*.

**NAME OF NOTARY PUBLIC**

Serial No. of Commission \_\_\_\_\_

Notary Public for \_\_\_\_\_ until \_\_\_\_\_

Roll of Attorneys No. \_\_\_\_\_

PTR No. \_\_\_\_\_ *[date issued]*, *[place issued]*

IBP No. \_\_\_\_\_ *[date issued]*, *[place issued]*

Doc. No. \_\_\_\_\_

Page No. \_\_\_\_\_

Book No. \_\_\_\_\_

Series of \_\_\_\_\_

COMPANY LETTERHEAD

***Design and Build of Bureau of Corrections Supermaximum  
(Supermax) Prison Facility  
Omnibus Sworn Statement***

REPUBLIC OF THE PHILIPPINES )  
CITY/MUNICIPALITY OF \_\_\_\_\_ ) S.S.

**AFFIDAVIT**

I, *[Name of Affiant]*, of legal age, *[Civil Status]*, *[Nationality]*, and residing at *[Address of Affiant]*, after having been duly sworn in accordance with law, do hereby depose and state that:

1. ***Select one, delete the other:***

*If a sole proprietorship:* I am the sole proprietor or authorized representative of *[Name of Bidder]* with office address at *[address of Bidder]*;

*If a partnership, corporation, cooperative, or joint venture:* I am the duly authorized and designated representative of *[Name of Bidder]* with office address at *[address of Bidder]*;

2. ***Select one, delete the other:***

a) *If a sole proprietorship:* As the owner and sole proprietor, or authorized representative of *[Name of Bidder]*, I have full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for ***Design and Build of Bureau of Corrections Supermaximum (Supermax) Prison Facility*** of the **Bureau of Corrections**, as shown in the attached duly notarized *Special Power of Attorney*;

b) *If a partnership, corporation, cooperative, or joint venture:* I am granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for ***Design and Build of Bureau of Corrections Supermaximum (Supermax) Prison Facility*** of the **Bureau of Corrections**, as shown in the attached *[state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate, Board/Partnership Resolution, or Special Power of Attorney, whichever is applicable);]*;

3. *[Name of Bidder]* is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board by itself or by relation, membership, association, affiliation, or controlling interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on Blacklisting ;

4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;
5. *[Name of Bidder]* is authorizing the Head of the Procuring Entity or its duly authorized representative(s) to verify all the documents submitted;

6. ***Select one, delete the rest:***

*If a sole proprietorship:* The owner or sole proprietor is not related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

*If a partnership or cooperative:* None of the officers and members of *[Name of Bidder]* is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

*If a corporation or joint venture:* None of the officers, directors, and controlling stockholders of *[Name of Bidder]* is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

7. *[Name of Bidder]* complies with existing labor laws and standards; and
8. *[Name of Bidder]* is aware of and has undertaken the following responsibilities as a Bidder:
  - a) Carefully examine all of the Bidding Documents;
  - b) Acknowledge all conditions, local or otherwise, affecting the implementation of the Contract;
  - c) Made an estimate of the facilities available and needed for the contract to be bid, if any; and
  - d) Inquire or secure Supplemental/Bid Bulletin(s) issued for the ***Design and Build of Bureau of Corrections Supermaximum (Supermax) Prison Facility.*** .
9. *[Name of Bidder]* did not give or pay directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel or representative of the government in relation to any procurement project or activity.
10. In case advance payment was made or given, failure to perform or deliver any of the obligations and undertakings in the contract shall be sufficient grounds to constitute

criminal liability for Swindling (Estafa) or the commission of fraud with unfaithfulness or abuse of confidence through misappropriating or converting any payment received by a person or entity under an obligation involving the duty to deliver certain goods or services, to the prejudice of the public and the government of the Philippines pursuant to Article 315 of Act No. 3815 s. 1930, as amended, or the Revised Penal Code.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_ day of \_\_\_, 2023 at \_\_\_\_\_, Philippines.

\_\_\_\_\_  
Bidder's Representative/Authorized Signatory

**SUBSCRIBED AND SWORN** to before me this \_\_\_ day of [month] [year] at [place of execution], Philippines. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant/s exhibited to me his/her [insert type of government identification card used], with his/her photograph and signature appearing thereon, with no. \_\_\_\_\_ and issued on \_\_\_\_\_ at \_\_\_\_\_.

Witness my hand and seal this \_\_\_ day of [month] [year].

**NAME OF NOTARY PUBLIC**

Serial No. of Commission \_\_\_\_\_

Notary Public for \_\_\_\_\_ until \_\_\_\_\_

Roll of Attorneys No. \_\_\_\_\_

PTR No. \_\_\_\_\_ [date issued], [place issued]

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Doc. No. \_\_\_\_\_

Page No. \_\_\_\_\_

Book No. \_\_\_\_\_

Series of \_\_\_\_\_

COMPANY LETTERHEAD

**Certificate of Net Financial Contracting Capacity**

***Design and Build of Bureau of Corrections Supermaximum (Supermax)  
Prison Facility***

(Please show figures at how you arrived at the NFCC)

This is to certify that our Net Financial Contracting Capacity (NFCC) is \_\_\_\_\_ (P\_\_\_\_\_ ) which is at least equal to the total ceiling price we are bidding. The amount is computed as follows: (Please show computation of NFCC)

$$\text{NFCC} = (\text{CA} - \text{CL}) (15) - \text{C}$$

Where:

CA = Current Assets

CL = Current Liabilities

C = value of all outstanding or uncompleted portions of the  
Projects under going contracts, including awarded contracts  
Yet to be started coinciding with the contract for this Project

**NOTE:**

**The values of the bidder's current assets and current liabilities shall be based on the Audited Financial Statement submitted to the BIR.**

Issued this \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
Name & Signature of Authorized Representative

\_\_\_\_\_  
Position

\_\_\_\_\_  
Date

COMPANY LETTERHEAD

**Bid Form**

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Date: \_\_\_\_\_

IB N<sup>o</sup>: \_\_\_\_\_

To **Bids and Awards committee**  
**Bureau of Corrections**  
NBP Reservation Muntinlupa City

We, the undersigned, declare that:

- (a) We have examined and have no reservation to the Bidding Documents, including Addenda, for the Contract **Design and Build of Bureau of Corrections Supermaximum (Supermax) Prison Facility**;
- (b) We offer to execute the Works for this Contract in accordance with the Bid and Bid Data Sheet, General and Special Conditions of Contract accompanying this Bid;

The total price of our Bid, excluding any discounts offered below is:  
\_\_\_\_\_ ₱ \_\_\_\_\_;

The discounts offered and the methodology for their application are: *[insert information]*;

- (c) Our Bid shall be valid for a period of 120 calendar days from the date fixed for the Bid submission deadline in accordance with the Bidding Documents, and it shall remain binding upon us and may be accepted at any time before the expiration of that period;
- (d) If our Bid is accepted, we commit to obtain a Performance Security in the amount of 30% percent of the Contract Price for the due performance of the Contract;
- (e) Our firm, including any subcontractors or suppliers for any part of the Contract, have nationalities from the following eligible countries;
- (f) We are not participating, as Bidders, in more than one Bid in this bidding process, other than alternative offers in accordance with the Bidding Documents;
- (g) Our firm, its affiliates or subsidiaries, including any subcontractors or suppliers for any part of the Contract, has not been declared ineligible by the Funding Source;
- (h) We understand that this Bid, together with your written acceptance thereof included in your notification of award, shall constitute a binding contract between us, until a formal Contract is prepared and executed; and

- (i) We understand that you are not bound to accept the Lowest Calculated Bid or any other Bid that you may receive.
- (j) **We likewise certify/confirm that the undersigned, is the duly authorized representative of the bidder, and granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for the Design and Build of Bureau of Corrections Supermaximum (Supermax) Prison Facility of the Bureau of Corrections.**
- (k) **We acknowledge that failure to sign each and every page of this Bid Form, including the Bill of Quantities, shall be a ground for the rejection of our bid.**

Name: \_\_\_\_\_

In the capacity of: \_\_\_\_\_

Signed: \_\_\_\_\_

Duly authorized to sign the Bid for and on behalf of: \_\_\_\_\_

Date: \_\_\_\_\_



