

### INSTRUCTIONS TO BIDDERS

Purchase Request No : 2021-12-00170  
 Purpose : VARIOUS CHEMICALS FOR FY2022

Date : 20-Dec-2021

PLACE, DATE AND TIME OF OPENING : BAWAD Office, Villareal, Bayawan City  
 : JANUARY 10, 2021; 2:00 P.M.  
 DATE AND TIME OF DEADLINE OF BID DOCS : JANUARY 10, 2021; 12:00 NN

| Item No. | DESCRIPTION OF BID           | AMOUNT OF CONTRACT | BID SECURITY        |
|----------|------------------------------|--------------------|---------------------|
|          |                              |                    | Cash<br>(2% of ABC) |
| 1        | VARIOUS CHEMICALS FOR FY2022 | 1,375,500.00       | 27,510.00           |

### TERMS AND CONDITIONS

- As prescribed in Sec. 25 of RA 9184, eligible bidders shall submit their bids in 3 sets, 1 set of original documents and 2 sets of certified true copy of the original documents. Each set should contain two (2) separate sealed bid envelopes, one (1) envelope containing the technical component of the bid, and one (1) envelope containing the financial component of the bid, with the name of the contract to be bid and the name of the bidder in capital letters, addressed to the BAC. The bidders shall mark the two envelopes: "DO NOT OPEN BEFORE (Date and Time of Opening of Bids)". Eligible bidder shall submit a soft copy of their bidding documents in a flashdrive (1 for the Technical Bid, and 1 for the Financial Bid).
- All Bids shall be accompanied by BID SECURITY in the form of Cash only which is two percent (2%) of the total ABC.
- Secure bidding documents from the Bayawan Water District Office at a non-refundable fee of 5,000.00 for walk-in only. Additional of Php50.00 per page for postage and deliveries as per BAC Res. No. 2017-01-004, series of 2017
- Whenever circumstances require, price quotations without indication of the brand/model will not be considered.
- Sample of Brochures of the materials (if required) shall be attached to the bid documents.
- Award will be made to the Lowest Calculated Responsive Bid (LCRB) that is the most advantageous to the government subject to post evaluation by the BAC.
- BREAKING OF TIES. A non-discretionary method of breaking ties will be used, i.e. tossing of coin (for two bidders) or draw lots (for three or more bidders).
- ALTERNATIVE BIDS. Alternative Bids shall be rejected. For this purpose, alternative bid is an offer made by a Bidder in addition or as a substitute to its original bid which may be included as part of its original bid or submitted separately therewith for purposes of bidding. A Bid with options is considered an alternative bid regardless of whether said Bid proposal is contained in a single envelope or submitted in two (2) or more separate bid envelopes.
- All bids and Bids Securities shall be valid for sixty (60) calendar days from the date of the opening of bids.
- MODIFICATION AND WITHDRAWAL OF BIDS. A bidder may be allowed to modify/withdraw in writing his tender or offer before the opening of bids. Withdrawals of bids after the applicable deadline shall be subject to appropriate sanctions as prescribed in RA 9184.
- Award will be made per item to the Lowest Calculated Responsive Bid (LCRB) that is the most advantageous to the government subject to post evaluation by the BAC.
- DELIVERY should be FOB-Bayawan City (BAWAD). The delivery schedule should be within 25 days upon receipt of Notice of award.
- PERFORMANCE BOND. The winning bidder shall guarantee the fulfillment of its obligation by posting a five percent (5%) performance security in cash of the total contract price within ten (10) days from receipt of the Notice Of Award and enter into contract with Bayawan Water District. If for unjustifiable reason the winning bidder is unable to enter into contract with the Bayawan Water District or post the required Performance Security within the stipulated period, the bid security shall be forfeited in favor of the District and the appropriate sanctions will be imposed.
- WARRANTY. To assure that manufacturing defects are corrected by supplier, a warranty period of three (3) months for supplies, and one (1) year in the case of equipments, is required. Retention money equivalent to ten percent (10%) of the contract price must be deposited and shall be released only after the lapse of the warranty period. In the case of infrastructure projects, the contractor shall assume full responsibility for the contract work from the time project construction commenced up to completion, and shall be held responsible for any damage or destruction of the works except those occasioned by force majeure.
- Payment term should be payable in 60 days upon complete delivery.

- 16 LIQUIDATED DAMAGES. Upon failure of the supplier or contractor to make the delivery of goods within the specified delivery schedule:
- The supplier shall be liable for damages for the delay and shall pay liquidated damages an amount equal to one-tenth (1/10) of one percent (1%) of the cost of the delayed goods scheduled for delivery for every day of delay until such goods are finally delivered and accepted by the Water District.
  - The Bayawan Water District shall automatically terminate the contract in case the total sum of liquidated damages exceeds ten percent (10%) of the total contract price.
- Errors in price quotation shall be exclusively the supplier's responsibility.
- 17 COMPETITION BETWEEN LOCAL AND FOREIGN PRODUCTS. In case of competition between local product and foreign product, preference should be given to the Philippine product, except, when the price of product exceeds the price of foreign product by more than fifteen percent (15%).
- 18 All particulars relative to eligibility process, bidding, evaluation of bids, post-qualification and award of contract shall be governed by the applicable provisions of Republic Act No. 9184, otherwise known as the Government Procurement Reform Act, and its implementing rules and regulations and other pertinent laws.
- 19 The Bayawan Water District Bids and Awards Committee reserves the right to accept or reject any prospective bidder/s due to possible conflict of interest, any bids, to annul the bidding process and reject all Bids at any time prior to contract award, without thereby incurring any liability to the affected Bidder or Bidders.
- 20 COURT ACTION: All court action must be initiated in the Courts of Bayawan City, Negros Oriental.
- 21 Other details will be discussed during the BAC Pre-Bid Conference on DECEMBER 29, 2021, 10:00 am at the Bayawan Water District Office, Block N, Lot 1 GV Subdivision, Bayawan City Negros Oriental.



ENGR. RENO JOHN S. TUALE  
BAC Chairperson