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A. Commencement of Procurement Process

- a. The unit concerned/end-user shall initiate its request through a Procurement Request Form (PRF) per attached **Exhibit 3.1**.
- b. Specifications for the procurement of goods shall be based on relevant characteristics and/or performance requirements. Reference to brand names shall not be allowed.
- c. One PRF for each item classification shall be prepared to facilitate processing.
- d. The PRF shall contain, among others, the following information:
 - i. Schedule and place of delivery
 - ii. Purpose
 - iii. Complete description/specifications of the item to be procured
 - iv. Approved Budget Cost
 - v. Ultimate end-user/s and their designations
 - vi. Justification and endorsement from the Head of the requesting unit if goods and services are not within the asset entitlement policies and/or APP
 - vii. Approval by authorized officers in accordance with the Codified Approving/Signing Authority (CASA)
- e. Procurement shall, in all instances, be subject to the availability of funds.

B. Preparation of the Bidding Documents

- a. The BAC Secretariat, in coordination with the TWG, shall prepare the bidding documents.
- b. Bidding documents cannot be modified. The Government Procurement Policy Board has prescribed the Philippine Bidding Documents.
- c. The bidding documents shall consist of the following:

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- i. Approved Budget for the Contract (ABC);
 - ii. Invitation to Bid/Request for Expression of Interest;
 - iii. Eligibility Requirements;
 - iv. Instruction to Bidders, including scope of bid, documents comprising the bid, criteria for eligibility, bid evaluation methodology/criteria in accordance with the act, and post-qualification, as well as the date, time and place of the pre-bid conference (where applicable), submission of bids and opening
 - v. Terms of reference, for consulting services;
 - vi. Scope of works, where applicable;
 - vii. Plans/Drawings and Technical Specifications;
 - viii. Form of bid, price form, and list of Goods or Bill of Quantities;
 - ix. Delivery Time or Completion Schedule;
 - x. Form Amount, and Validity Period of Bid Security
 - xi. Form Amount, and Validity of Performance Security and Warranty; and
 - xii. Form of Contract and General and Special Conditions of Contract.
- d. BAC shall issue the bidding documents for the contract to be bid at the time the IAEB is first advertised in order for the prospective bidders to examine the bidding documents and to prepare their respective bids.
- e. Bidders shall be required to pay for the cost of the bidding documents. BAC shall issue the bidding documents only upon payment of the corresponding cost.
- f. LBRDC may require additional documentary requirements or specifications such as summary of data, facilities and/or services where applicable and necessary to complete the information required for the bidders to prepare and submit their respective bids.

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g. Bidding documents must clearly and adequately define, among other, the following:

- i. Objectives, scope and expected outputs and/or results of the proposed contract
- ii. Expected contract duration, estimated quantity delivery schedule and/or time frame
- iii. Obligations, duties and/or functions of the winning bidder
- iv. Minimum eligibility requirements of bidders, such as track record, to be determined by the Head of the Procuring Unit

h. Any modifications to the bidding documents shall be identified as an amendment.

Bidding documents, as may be amended, shall subsequently form an integral part of the contract.

i. Specifications and other terms in the bidding documents shall reflect the minimum requirements or specification required to meet the needs of the company in clear and unambiguous terms. Reference to brand names shall not be allowed.

The bidder may submit an offer that provides for superior specifications and/or better terms and conditions to the company at no extra cost. However, these shall not be given any bonus, credit or premium in the bid evaluation.

j. A prospective/eligible bidder shall be responsible for having:

- i. Taken steps to carefully examine all the bidding documents
- ii. Acknowledged all conditions, local or otherwise, affecting the implementation of the contract
- iii. Made an estimate of the facilities available and needed for the contract to be bid, if any
- iv. Complied with the responsibility on inquiring and securing Supplemental/Bid Bulletins that may be issued by the BAC

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- k. Failure to observe any of the above responsibilities shall be at the risk of the prospective/eligible bidder concerned. For this purpose, a bidder shall execute a sworn statement attesting to the foregoing responsibilities which shall be submitted as annex to the technical proposal.
- l. Prospective bidder shall have the sole responsibility to determine and to satisfy itself by such means as it considers necessary or desirable as to all matters pertaining to the contract to be bid, including:
- i. Location and nature of the contract, project or work
 - ii. Climatic conditions
 - iii. Transportation facilities
 - iv. 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
 - v. Other factors that may affect the cost, duration and execution or implementation of the contract, project or work
- Note: The bidder, by the act of submitting his/her bid, shall be deemed to have inspected the site and determined the general characteristics of the contract works and the conditions indicated above. The BAC shall require an affidavit of such site inspection from the eligible bidder.*
- m. LBRDC shall not assume any responsibility regarding erroneous interpretations or conclusions made by the prospective or eligible bidder from the data furnished to them.
- n. LBRDC shall ensure equal access to information in all stages of the preparation of the bidding documents. Any aspect in the bidding documents shall not be divulged before its official release to any prospective bidder or to those with direct or indirect interest in the project to be procured.

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o. Disclosure of Relations

- i. In addition to the proposed contents of the IAEB, all bids shall be accompanied by a Sworn Affidavit of the bidder that it is not related to the Head of LBRDC/Purchasing Unit by consanguinity or affinity up to the third civil degree.
- ii. Failure to comply with the aforementioned provision shall be ground for the automatic disqualification of the bid.
- iii. For this reason, relation to the Head of LBPRDC/Procuring Unit within the third civil degree of consanguinity or affinity shall automatically disqualify the bidder from participating in the procurement of contracts of the Purchasing Unit.
- iv. On the part of LBRDC/Purchasing Unit, this provision shall also apply to any of its officers or employees having direct access to information that may substantially affect the result of the bidding, such as, but not limited to the following:
 - Members of the BAC
 - Members of the TWG
 - BAC Secretariat
 - Members of the project
 - Designers of the project
- v. On the part of the bidder, this provision shall apply to the following persons:
 - Individual or a sole proprietorship – to the bidder itself
 - Partnership – to all officers and members
 - Corporation – to all officers, directors and controlling stockholders
 - Joint Venture – the provisions above shall correspondingly apply to each of the members of the joint venture, as may be appropriate

C. Reference to Brand Names

Specifications for the procurement of Goods shall be based on relevant characteristics, functionality and/or performance requirements. Reference to brand names shall not be allowed except for items or parts that are compatible with the existing fleet or equipment of the

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same make and brand, and to maintain the performance, functionality and useful life of the equipment.

This section shall apply to the goods component of infrastructure Projects and Consulting Services

D. Access to information

In all stages of the preparation of the Bidding Documents, LBRDC shall ensure equal access to information. Prior to their official release to prospective bidders, no aspect or part of the Bidding Documents shall divulged or released to any prospective bidder or person having direct or indirect interest in the project to be procured, or to any party, except those officially authorized in the handling of the documents.

E. Pre-Procurement Conference

- a. Prior to the advertisement or issuance of the Invitation to Bid/Request for Expression of Interest for each procurement undertaken through a competitive bidding, the BAC, through its secretariat, shall call a pre-procurement conference.
- b. The pre-procurement conference shall be attended by the following:
 - i. BAC
 - ii. Secretariat
 - iii. End-user unit or Technical Working Group, including consultants who prepared the technical description/specifications, terms of reference (TOR), bidding documents and the draft advertisement, as the case may be, and those who separately reviewed these documents prior to final approval, if any
 - iv. Officials who reviewed the above enumerated documents prior to final approval, if any
 - v. Other officials concerned, as may be required
- c. A pre procurement conference may not be required or small procurement, i.e., procurement of Goods costing Two Million Pesos (₱2,000,000.00) and below procurement of Infrastructure Projects costing Five Million Pesos (₱5,000,000.00) and below, and

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procurement of Consulting Services costing One Million Pesos (₱1,000,000.00) and below.

- d. Participants for pre-procurement conference, as led by the BAC concerned, shall –
- i. Ensure that the procurement is in accordance with the PPMP and APP
 - ii. Determine the readiness of LBPRDC to adhere to relevant general procurement guidelines, including, among other aspects, availability of appropriations and programmed budget for contract and adherence of bidding documents, technical description/specifications, TORs, scope of work and/or other related matters.
 - iii. Determine the procurement mode to be used by LBPRDC.
 - iv. Review, modify and agree on the criteria for eligibility screening to ensure their fairness, reasonableness and that they are of the “pass/fail” type and are written in such manner.
 - v. Review, modify and agree on the criteria for evaluation of the bids/proposals to ensure fairness, reasonableness and applicability to the procurement at hand.
 - vi. Clarify that the specifications and other terms in the bidding documents are the minimum requirements and that the bidder may submit an offer which provides for superior specifications and/or better terms and conditions to LBPRDC at no extra cost, without any bonus, credit or premium in the bid evaluation.
 - vii. Reiterate and emphasize the importance of confidentiality during the bid evaluation process and the applicable sanctions and penalties, as well as agree on measures to ensure compliance with the foregoing.

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F. Detailed Procedures

Person/Unit Responsible	Activity	Timeframe
	<u>Procurement Planning</u>	
Unit Head	1. Prepares Project Procurement Management Plan (PPMP) for each individual project (if applicable) and Annual Procurement Plan (APP) for the unit; Ensures that the APP and PPMP are within the approved budget; Prepares the Unit's proposed Annual Budget. 2. Submits the proposed APP/PPMP to the Head, Administrative Group for consolidation.	October of the preceding year October of the preceding year
Head, Administrative Group	3. Consolidates the units APP. 4. Submits the consolidated APP/PPMP to the LBPRDC President for approval.	November of the preceding year
Unit Head	5. Updates the APP and PPMP every 6 months or when necessary.	
End-User	<u>Commencement of the Procurement Process</u>	
	6. Prepares the PRF and ensures its completeness 7. If the item being requisitioned is not within the APP, secures approval of the LBRDC President or the authorized officer. 8. Forwards the PRF to the Purchasing Unit.	
Purchasing Unit	9. Acknowledges receipt of PRF.	



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BAC Secretariat	<p>10. Assigns control number to the PRF and records in the PRF Registry logbook.</p> <p>11. Evaluates PRF as to completeness of the required information.</p> <p>12. If the item requisitioned is not within APP, present to the Cost Estimating Unit for adjustment/amendment.</p> <p>13. Determines which procurement mode will be utilized (i.e. public bidding or alternative mode) and creates TWG, if necessary.</p> <p>14. In case of public bidding,</p> <p>a. Requests the Secretariat to prepare the bidding documents.</p> <p>b. Prepares the bidding documents.</p> <p>c. Ensures completeness of IAEB.</p>	
BAC	<p>15. Conducts pre-procurement conference, if necessary.</p> <p>16. Approves the IAEB.</p> <p>17. In case of alternative mode,</p> <p>a. Endorses the memo-recommendation to the LBRDC President.</p>	
President	<p>b. Approves/disapproves the memo-recommendation of BAC</p>	
BAC Secretariat	<p>c. Proceeds to Chapter 6 (Alternative Methods) of this Manual for the succeeding procedures.</p>	
BAC	<p>18. Issues the bidding documents simultaneous with the initial posting/advertisement of the IAEB</p>	

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Cashier	19. Accepts payment from bidder the cost of the bidding documents.	
BAC Secretariat	19. Releases the bidding documents upon presentation of the OR.	