



Republic of the Philippines
COURT OF TAX APPEALS
Quezon City

Bids and Awards Committee 2

BIDDING DOCUMENTS

PART 1

**Bid Project No. CTA BAC2-2015-01
Procurement of Consultancy Services
to Undertake Detailed Architectural and
Engineering Design for the Proposed Construction
of Covered Parking Space, Pathwalk, Perimeter
Fence, Main and Pedestrian Gates and Guardhouse**

April 1, 2015

Court of Tax Appeals
National Government Center, Agham Road, Diliman Quezon City 1104

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***Section I. Request for Expression of
Interest***



Republic of the Philippines
COURT OF TAX APPEALS
Quezon City

**REQUEST FOR EXPRESSION OF INTEREST FOR
BID PROJECT NO. CTA BAC2-2015-01
Procurement of Consultancy Services to Undertake Detailed Architectural
and Engineering Design for the Proposed Construction of Covered Parking
Space, Pathwalk, Perimeter Fence, Main and Pedestrian Gates and
Guardhouse**


1. The Court of Tax Appeals (CTA), through the Continuing Appropriations, intends to apply the sum of **FOUR HUNDRED THIRTEEN THOUSAND PESOS (Php413,000.00)** being the Approved Budget for the Contract (ABC) to payments under the contract for the above mentioned project. Bids received in excess of the ABC shall be automatically rejected at the opening of the financial proposals.
2. The CTA now calls for the submission of Expression of Interest for the procurement of consultancy services to undertake detailed architectural and engineering design (DAED) for the proposed construction of covered parking space, pathwalk, perimeter fence, main and pedestrian gates and guardhouse. The Consultant who will undertake the DAED for this Project shall perform the following scope of services:
 - a) Pre-Design Phase;
 - b) Basic Design Phase;
 - c) Support Services; and
 - d) Other services.
3. Interested consultants must submit their Expression of Interest and Eligibility Documents **not later than April 7, 2015 at 10:00 a.m.** at the address given below. Applications for eligibility will be evaluated based on a non-discretionary “pass/fail” criterion. Eligibility Documents shall be opened on **April 7, 2015 at 11:00 a.m.**
4. The CTA Bids and Awards Committee 2 (BAC 2) shall draw up the short list of consultants from those who have submitted eligibility documents and have been determined as eligible in accordance with the provisions of Republic Act 9184 (RA 9184), otherwise known as the “Government Procurement Reform Act,” and its Implementing Rules and Regulations (IRR). The short list shall consist of five (5) prospective bidders who will be entitled to submit bids upon purchase of bidding

documents in the amount of Five Hundred Pesos (Php500.00). The criteria and rating system for short listing are:

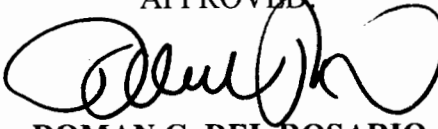
CRITERIA	RATING
a.) Applicable experience of the consultant and members in case of joint venture, considering both the experiences of the firm or, in the case of new firms, the individual experiences of the principal and key staff, including the times when employed by other consultants.	50%
b.) Qualification of key personnel who may be assigned to the job <i>vis-à-vis</i> extent and complexity of the undertaking; and	30%
c.) Current workload relative to capacity.	20%
5. Bidding will be conducted through open competitive bidding procedures using non-discretionary “pass/fail” criterion as specified in the IRR of RA 9184. Bidding is restricted to Filipino citizens/sole proprietorships, partnerships, or organizations with at least sixty percent (60%) interest or outstanding capital stock belonging to citizens of the Philippines.	
6. The Procuring Entity shall evaluate bids using the Quality-Cost Based Evaluation/Selection (QCBE/QCBS) procedure. The Procuring Entity shall set the Technical Proposal at 70% rate weight and the Financial Proposal at 30% rate weight. The criteria and rating system for the evaluation of bids shall be provided in the Instructions to Bidders.	
7. Performance Period shall be as follows:	
a.) Twenty-Eight (28) days for Pre-Design Phase;	
b.) Twenty-Eight (28) days for Basic Design Phase; and	
c.) From procurement process until completion of the project for the Support and Other Services.	
8. The CTA reserves the right to reject any and all bids, annul the bidding process, or not award the contract at any time prior to contract award, without thereby incurring any liability to the affected bidder or bidders.	
9. For further information, please contact:	

*Ms. Soledad R. Ho
 CTA BAC 2 Secretariat
 Court of Tax Appeals
 Second Floor, CTA Building I,
 National Government Center,
 Agham Road, Diliman, Quezon City, 1104
 Telephone Number: (632) 920-4249*

April 1, 2015, Quezon City.



LOVELL R. BAUTISTA
Associate Justice and Chairperson
CTA Bids and Awards Committee 2

APPROVED:

ROMAN G. DEL ROSARIO
Presiding Justice

Section II. Eligibility Documents

Notes on the Eligibility Documents

This Section provides the information necessary for prospective bidders to prepare responsive Eligibility Documents in accordance with the requirement of the Procuring Entity.

The provisions contained in this Section are to be used unchanged. Additional information or requirements specific to each procurement shall be specified in the EDS.

1. Eligibility Criteria

- 1.1. The following persons/entities shall be allowed to participate in the bidding for Consulting Services:
 - (a) Duly licensed Filipino citizens/sole proprietorships;
 - (b) Partnerships duly organized under the laws of the Philippines and of which at least sixty percent (60%) of the interest belongs to citizens of the Philippines;
 - (c) Corporations duly organized under the laws of the Philippines and of which at least sixty percent (60%) of the outstanding capital stock belongs to citizens of the Philippines;
 - (d) Cooperatives duly organized under the laws of the Philippines, and of which at least sixty percent (60%) interest belongs to citizens of the Philippines; or
 - (e) Persons/entities forming themselves into a joint venture, *i.e.*, a group of two (2) or more persons/entities that intend to be jointly and severally responsible or liable for a particular contract: Provided, however, That Filipino ownership or interest thereof shall be at least sixty percent (60%). For this purpose, Filipino ownership or interest shall be based on the contributions of each of the members of the joint venture as specified in their JVA.
- 1.2. When the types and fields of Consulting Services involve the practice of professions regulated by law, those who will actually perform the services shall be Filipino citizens and registered professionals authorized by the appropriate regulatory body to practice those professions and allied professions specified in the **EDS**.
- 1.3. If the Request for Expression of Interest allows participation of foreign consultants, prospective foreign bidders may be eligible subject to the qualifications stated in the **EDS**.
- 1.4. Government corporate entities may be eligible to participate only if they can establish that they (a) are legally and financially autonomous, (b) operate under commercial law, and (c) are not dependent agencies of the GOP or the Procuring Entity.

2. Eligibility Requirements

- 2.1. The following eligibility requirements shall be submitted on or before the date of the eligibility check specified in the Request for Expression of Interest and Clause 5 for purposes of determining eligibility of prospective bidders:
 - (a) Class "A" Documents –

Legal Documents

- (i) Registration certificate from Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives, or any proof of such registration as stated in the **EDS**;
- (ii) Mayor's permit issued by the city or municipality where the principal place of business of the prospective bidder is located; and
- (iii) Tax clearance per Executive Order 398, Series of 2005, as finally reviewed and approved by the BIR.

Technical Documents

- (iv) Statement of the prospective bidder of all its ongoing and completed 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, within the relevant period provided in the **EDS**. The statement shall include, for each contract, the following:
 - (iv.1) the name and location of the contract;
 - (iv.2) date of award of the contract;
 - (iv.3) type and brief description of consulting services;
 - (iv.4) consultant's role (whether main consultant, subcontractor, or partner in a JV);
 - (iv.5) amount of contract;
 - (iv.6) contract duration; and
 - (iv.7) certificate of satisfactory completion or equivalent document specified in the **EDS** issued by the client, in the case of a completed contract.
- (v) Statement of the consultant specifying its nationality and confirming that those who will actually perform the service are registered professionals authorized by the appropriate regulatory body to practice those professions and allied professions in accordance with Clause 1.2.

Financial Document

- (vi) The consultant's audited financial statements, showing, among others, the consultant's total and current assets and liabilities, stamped "received" by the BIR or its duly accredited and authorized institutions, for the preceding calendar year which

should not be earlier than two (2) years from the date of bid submission.

(b) Class “B” Document –

Valid joint venture agreement (JVA), in case a joint venture is already in existence. In the absence of a JVA, 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, shall be included in the bid. Failure to enter into a joint venture in the event of a contract award shall be ground for the forfeiture of the bid security. Each partner of the joint venture shall submit the legal eligibility documents. The submission of technical and financial documents by any of the joint venture partners constitutes compliance.

- 2.2. In the case of foreign consultants, the foregoing eligibility requirements under Class “A” Documents may be substituted by the appropriate equivalent documents, if any, issued by the foreign consultant’s country.
- 2.3. The eligibility requirements or statements and all other documents to be submitted to the BAC 2 must be in English. A translation of the documents in English certified by the appropriate embassy or consulate in the Philippines must accompany the eligibility requirements under Classes “A” and “B” Documents if they are in other foreign language.
- 2.4. Prospective bidders may obtain a full range of expertise by associating with individual consultant(s) and/or other consultants or entities through a JV or subcontracting arrangements, as appropriate. However, subcontractors may only participate in the bid of one short listed consultant. Foreign Consultants shall seek the participation of Filipino Consultants by entering into a JV with, or subcontracting part of the project to, Filipino Consultants.
- 2.5. If a prospective bidder has previously secured a certification from the Procuring Entity to the effect that it has previously submitted the above-enumerated Class “A” Documents, the said certification may be submitted in lieu of the requirements enumerated in Clause 2.1 above.

3. Format and Signing of Eligibility Documents

- 3.1. Prospective bidders shall submit their eligibility documents through their duly authorized representative on or before the deadline specified in Clause 5.
- 3.2. Prospective bidders shall prepare an original and copies of the eligibility documents. In the event of any discrepancy between the original and the copies, the original shall prevail.
- 3.3. The eligibility documents, except for unamended printed literature, shall be signed, and each and every page thereof shall be initialed, by the duly authorized representative/s of the prospective bidder.

- 3.4. Any interlineations, erasures, or overwriting shall be valid only if they are signed or initialed by the duly authorized representative/s of the prospective bidder.

4. Sealing and Marking of Eligibility Documents

- 4.1. Unless otherwise indicated in the **EDS**, prospective bidders shall enclose their original eligibility documents described in Clause 2.1, in a sealed envelope marked “ORIGINAL – ELIGIBILITY DOCUMENTS.” Each copy shall be similarly sealed duly marking the envelopes as “COPY NO. ___ - ELIGIBILITY DOCUMENTS.” These envelopes containing the original and the copies shall then be enclosed in one single envelope.
- 4.2. The original and the number of copies of the eligibility documents as indicated in the **EDS** shall be typed or written in indelible ink and shall be signed by the prospective bidder or its duly authorized representative/s.
- 4.3. All envelopes shall:
- (a) contain the name of the contract to be bid in capital letters;
 - (b) bear the name and address of the prospective bidder in capital letters;
 - (c) be addressed to the Procuring Entity’s BAC 2 specified in the **EDS**;
 - (d) bear the specific identification of this Project indicated in the **EDS**; and
 - (e) bear a warning “DO NOT OPEN BEFORE...” the date and time for the opening of eligibility documents, in accordance with Clause 5.
- 4.4. If the eligibility documents are not sealed and marked as required, the Procuring Entity will assume no responsibility for its misplacement or premature opening.

5. Deadline for Submission of Eligibility Documents

Eligibility documents must be received by the Procuring Entity’s BAC 2 at the address and on or before the date and time indicated in the Request for Expression of Interest and the **EDS**.

6. Late Submission of Eligibility Documents

Any eligibility documents submitted after the deadline for submission and receipt prescribed in Clause 5 shall be declared “Late” and shall not be accepted by the Procuring Entity.

7. Modification and Withdrawal of Eligibility Documents

- 7.1. The prospective bidder may modify its eligibility documents after it has been submitted; provided that the modification is received by the Procuring Entity prior to the deadline specified in Clause 5. The prospective bidder shall not be

allowed to retrieve its original eligibility documents, but shall be allowed to submit another set equally sealed, properly identified, linked to its original bid marked as "ELIGIBILITY MODIFICATION" and stamped "received" by the BAC 2. Modifications received after the applicable deadline shall not be considered and shall be returned to the prospective bidder unopened.

- 7.2. A prospective bidder may, through a letter of withdrawal, withdraw its eligibility documents after it has been submitted, for valid and justifiable reason; provided that the letter of withdrawal is received by the Procuring Entity prior to the deadline prescribed for submission and receipt of eligibility documents.
- 7.3. Eligibility documents requested to be withdrawn in accordance with this Clause shall be returned unopened to the prospective bidder concerned. A prospective bidder may also express its intention not to participate in the bidding through a letter which should reach and be stamped by the BAC 2 before the deadline for submission and receipt of eligibility documents. A prospective bidder that withdraws its eligibility documents shall not be permitted to submit another set, directly or indirectly, for the same project.

8. Opening and Preliminary Examination of Eligibility Documents

- 8.1. The Procuring Entity's BAC 2 will open the envelopes containing the eligibility documents in the presence of the prospective bidders' representatives who choose to attend, at the time, on the date, and at the place specified in the **EDS**. The prospective bidders' representatives who are present shall sign a register evidencing their attendance.
- 8.2. Letters of withdrawal shall be read out and recorded during the opening of eligibility documents and the envelope containing the corresponding withdrawn eligibility documents shall be returned unopened to the withdrawing prospective bidder. If the withdrawing prospective bidder's representative is present during the opening, the original eligibility documents and all copies thereof shall be returned to the representative during the opening of eligibility documents. If no representative is present, the eligibility documents shall be returned unopened by registered mail.
- 8.3. A prospective bidder determined as "ineligible" has seven (7) calendar days upon written notice or, if present at the time of the opening of eligibility documents, upon verbal notification, within which to file a request for reconsideration with the BAC 2: Provided, however, that the request for reconsideration shall not be granted if it is established that the finding of failure is due to the fault of the prospective bidder concerned: Provided, further, that the BAC 2 shall decide on the request for reconsideration within seven (7) calendar days from receipt thereof. If a failed prospective bidder signifies his intent to file a request for reconsideration, in the case of a prospective bidder who is declared ineligible, the BAC 2 shall hold the eligibility documents until such time that the request for reconsideration or protest has been resolved.

- 8.4. The eligibility documents envelopes and modifications, if any, shall be opened one at a time, and the following read out and recorded:
- (a) the name of the prospective bidder;
 - (b) whether there is a modification or substitution; and
 - (c) the presence or absence of each document comprising the eligibility documents vis-à-vis a checklist of the required documents.
- 8.5. The eligibility of each prospective bidder shall be determined by examining each bidder's eligibility requirements or statements against a checklist of requirements, using non-discretionary "pass/fail" criterion, as stated in the Request for Expression of Interest, and shall be determined as either "eligible" or "ineligible." If a prospective bidder submits the specific eligibility document required, he shall be rated "passed" for that particular requirement. In this regard, failure to submit a requirement, or an incomplete or patently insufficient submission, shall be considered "failed" for the particular eligibility requirement concerned. If a prospective bidder is rated "passed" for all the eligibility requirements, he shall be considered eligible to participate in the bidding, and the BAC 2 shall mark the set of eligibility documents of the prospective bidder concerned as "eligible." If a prospective bidder is rated "failed" in any of the eligibility requirements, he shall be considered ineligible to participate in the bidding, and the BAC 2 shall mark the set of eligibility documents of the prospective bidder concerned as "ineligible." In either case, the BAC 2 chairperson or his duly designated authority shall countersign the markings.

9. Short Listing of Consultants

- 9.1. Only prospective bidders whose submitted contracts are similar in nature and complexity to the contract to be bid as provided in the **EDS** shall be considered for short listing.
- 9.2. The BAC 2 of the Procuring Entity shall draw up the short list of prospective bidders from those declared eligible using the detailed set of criteria and rating system to be used specified in the **EDS**.
- 9.3. Short listed consultants shall be invited to participate in the bidding for this project through a Letter of Invitation to Bid issued by the BAC 2 of the Procuring Entity.
- 9.4. Only bids from short listed bidders shall be opened and considered for award of contract. These short listed bidders, whether single entities or JVs, should confirm in their bids that the information contained in the submitted eligibility documents remains correct as of the date of bid submission.

Section III. Eligibility Data Sheet

Notes on the Eligibility Data Sheet

This Section is intended to assist the Procuring Entity in providing the specific information and requirements in relation to corresponding clauses in the Eligibility Documents, and has to be prepared for each specific procurement.

The Procuring Entity should specify in this Section the information and requirements specific to the circumstances of the Procuring Entity, the processing of the eligibility, and the rules that will apply in the determination and evaluation of eligibility.

In preparing this Section, the following aspects should be checked:

- (a) Information that specifies and complements provisions of the Eligibility Documents must be incorporated.
- (b) Amendments and/or supplements, if any, to provisions of the Eligibility Documents as necessitated by the circumstances of the specific procurement, must also be incorporated.

Eligibility Data Sheet

ED Clause	
1.2	<p>The Consulting Services that will be performed in relation to the Project are design service, procurement advisory services, impact monitoring, and post-evaluation services. The fields of Consulting Services that will be performed in relation to the Project will need the services of an Architect, Civil Engineer, Professional Electrical Engineer and Sanitary Engineer, among others. The Principal and Key Staff must be licensed by the Professional Regulation Commission (PRC).</p> <p>Submission of Key Personnel's Curriculum Vitae is required.</p>
1.3	No further instructions.
2.1(a)(i)	No additional Requirements.
2.1(a)(iv)	The statement of all ongoing and completed government and private contracts shall include all such contracts within five (5) years prior to the deadline for the submission and receipt of eligibility documents.
2.1(a)(iv)(iv.7)	The Certificate of Acceptance or Satisfactory Performance is acceptable proof of satisfactory completion of completed contracts.
4.1	No further instructions.
4.2	Each prospective bidder shall submit one (1) original and one (1) copy of its eligibility documents.
4.3(c)	All envelopes shall be addressed to the CTA Bids and Awards Committee 2 (CTA BAC 2) thru the BAC 2 Secretariat.
4.3(d)	The Bid Project No. is CTA BAC2-2015-01. The Project Title is "The Procurement of Consultancy Services to Undertake Detailed Architectural and Engineering Design (DAED) for the Proposed Construction of Covered Parking Space, Pathwalk, Perimeter Fence, Main and Pedestrian Gates and Guardhouse."
5	<p>The address for submission of eligibility documents is at</p> <p style="text-align: center;">CTA BAC 2 Secretariat, Court of Tax Appeals, Second Floor, CTA Building I, National Government Center, Agham Road, Diliman Quezon City, 1104</p> <p>The deadline for submission of eligibility documents is at 10:00 a.m., on April 7, 2015.</p>

8.1	<p>The place of opening of eligibility documents is at</p> <p style="text-align: center;">Third Division Courtroom, Court of Tax Appeals, Second Floor, CTA Building II, National Government Center, Agham Road, Diliman Quezon City, 1104</p> <p>The time and date of opening of eligibility documents is at 11:00 a.m., on April 7, 2015.</p>								
9.1	<p>Similar contracts shall refer to the design of Site Development Project over ground area of at least 500 sq.m.</p>								
9.2	<table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center; width: 80%;">CRITERIA</th> <th style="text-align: center; width: 20%;">RATING</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;">a.) Applicable experience of the consultant and members in case of joint venture, considering both the experiences of the firm or, in the case of new firms, the individual experiences of the principal and key staff, including the times when employed by other consultants.</td> <td style="text-align: center; vertical-align: top;">50%</td> </tr> <tr> <td style="vertical-align: top;">b.) Qualification of key personnel who may be assigned to the job <i>vis-à-vis</i> extent and complexity of the undertaking; and</td> <td style="text-align: center; vertical-align: top;">30%</td> </tr> <tr> <td style="vertical-align: top;">c.) Current workload relative to capacity.</td> <td style="text-align: center; vertical-align: top;">20%</td> </tr> </tbody> </table> <p>In order to be short listed, an eligible consultant must earn a total score of at least sixty percent (60%). The number of short listed consultants shall consist of five (5) consultants. The first top five (5) eligible consultants shall be considered in the short list. Should less than the required number apply for eligibility and short listing, pass the eligibility check, and/or pass the minimum score required in the short listing, the BAC 2 shall consider the same.</p>	CRITERIA	RATING	a.) Applicable experience of the consultant and members in case of joint venture, considering both the experiences of the firm or, in the case of new firms, the individual experiences of the principal and key staff, including the times when employed by other consultants.	50%	b.) Qualification of key personnel who may be assigned to the job <i>vis-à-vis</i> extent and complexity of the undertaking; and	30%	c.) Current workload relative to capacity.	20%
CRITERIA	RATING								
a.) Applicable experience of the consultant and members in case of joint venture, considering both the experiences of the firm or, in the case of new firms, the individual experiences of the principal and key staff, including the times when employed by other consultants.	50%								
b.) Qualification of key personnel who may be assigned to the job <i>vis-à-vis</i> extent and complexity of the undertaking; and	30%								
c.) Current workload relative to capacity.	20%								

ELIGIBILITY DOCUMENTS SUBMISSION FORM

[Date]

Court of Tax Appeals
2nd Floor, CTA Building I
National Government Center,
Agham Road, Diliman,
Quezon City, 1104

Ladies/Gentlemen:

In connection with your Request for Expression of Interest dated *[insert date]* for Bid Project No. CTA BAC2-2015-01 or the Procurement of Consultancy Services to Undertake Detailed Architectural and Engineering Design for the Proposed Construction of Covered Parking Space, Pathwalk, Perimeter Fence, Main and Pedestrian Gates and Guardhouse, *[Name of Consultant]* hereby expresses interest in participating in the eligibility and short listing for said Project and submits the attached eligibility documents in compliance with the Eligibility Documents therefor.

In line with this submission, we certify that:

- a) *[Name of Consultant]* is not blacklisted or barred from bidding by the GOP or any of its agencies, offices, corporations, or LGUs, including foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board, and that each of the documents submit; and
- b) Each of the documents submitted herewith is an authentic copy of the original, complete, and all statements and information provided therein are true and correct.

We acknowledge and accept the Procuring Entity's right to inspect and audit all records relating to our submission irrespective of whether we are declared eligible and short listed or not.

Yours sincerely,

Signature
Name and Title of Authorized Signatory
Name of Consultant
Address

ELIGIBILITY DOCUMENTS SUBMISSION FORM

[Date]

Court of Tax Appeals
2nd Floor, CTA Building I
National Government Center,
Agham Road, Diliman,
Quezon City, 1104

Ladies/Gentlemen:

In connection with your Request for Expression of Interest dated *[insert date]* for Bid Project No. CTA BAC2-2015-01 or the Procurement of Consultancy Services to Undertake Detailed Architectural and Engineering Design for the Proposed Construction of Covered Parking Space, Pathwalk, Perimeter Fence, Main and Pedestrian Gates and Guardhouse, *[Name of Consultant]* hereby expresses interest in participating in the eligibility and short listing for said Project and submits the attached eligibility documents in compliance with the Eligibility Documents therefor.

In line with this submission, we certify that:

- a) *[Name of Consultant]* is not blacklisted or barred from bidding by the GOP or any of its agencies, offices, corporations, or LGUs, including foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board, and that each of the documents submit; and
- b) Each of the documents submitted herewith is an authentic copy of the original, complete, and all statements and information provided therein are true and correct.

We acknowledge and accept the Procuring Entity's right to inspect and audit all records relating to our submission irrespective of whether we are declared eligible and short listed or not.

Yours sincerely,

Signature
Name and Title of Authorized Signatory
Name of Consultant
Address