



MARITIME INDUSTRY AUTHORITY

**PROCUREMENT OF 2019 JANITORIAL SERVICES FOR THE
MARINA CENTRAL OFFICE**

Public Bidding No. 2019-01

SUPPLEMENTAL/BID BULLETIN NO. 1

The MARINA Bids and Awards Committee (BAC) hereby amends/clarifies/modifies the following provisions of the bidding documents relative to the above-mentioned project:

REFERENCE	AMENDMENT/CLARIFICATION/ MODIFICATION
<p>TERMS OF REFERENCE, Page 4</p> <p>4. CONDITIONS OF THE CONTRACT</p> <p>4.5 The service provider/contractor must submit, in addition to the bidding documents and in separate envelopes the following:</p> <p>a) a certification, under oath, certifying that they have no pending case(s) against the government.</p>	<p><i>For guidance of the bidders on the requirement per item no. 4.5..a., page 4 of the TOR.</i></p> <p><i>Please refer to the attached DOTr Memorandum dated 15 November 2018, Clarification on DOTr Memorandum dated 26 June 2018 with the subject "Disqualification of Prospective Bidders with pending Cases against the Government in the Procurement Activities of the DOTr".</i></p>
<p>Section VI. Schedule of Requirements Page 62 of the bidding documents Item 3. Period of Contract</p> <p>"January to December 2018 effective upon receipt of the Notice to Proceed."</p>	<p><i>To amend the period of the contract, item 3 of Sec. VI, page 62 of the bidding documents.</i></p> <p>"January to December 2019 effective upon receipt of the Notice to Proceed."</p>
<p>Section VIII. Bid Forms & Annexes Annex A, Page 66</p> <p>Statement of ongoing and completed government & private contracts</p>	<p><i>To amend the title of Annex A of Sec. VIII, page 66 of the bidding documents.</i></p> <p>Statement of ongoing government & private contracts.</p>



REFERENCE	AMENDMENT/CLARIFICATION/ MODIFICATION
<p>Section VIII. Bid Forms & Annexes Annex A, Page 66</p> <p>Statement of ongoing government & private contracts</p>	<p><i>To clarify the query of the bidder on whether to attach the supporting documents for Annex A of Sec. VIII, page 66 of the bidding documents.</i></p> <p>The bidders are required to attach supporting documents of all of its ongoing government & private contracts in the bid proposal,</p>

Amendments/clarifications/modifications made herein shall be considered as amending the other parts of the Bidding Documents referring to or relating to the same matter and shall be considered integral part of the Bidding Documents.

Sgd.

EMMANUEL B. CARPIO

Chairperson, MARINA Bids and Awards Committee



Republic of the Philippines

DEPARTMENT OF TRANSPORTATION

MEMORANDUM

**FOR : UNDERSECRETARIES
ASSISTANT SECRETARIES
HEADS OF AGENCIES
ALL CONCERNED**

FROM : UNDERSECRETARY FOR LEGAL AFFAIRS
This Department

**SUBJECT : CLARIFICATION ON DOTr MEMORANDUM
DATED 26 JUNE 2018 WITH THE SUBJECT
"DISQUALIFICATION OF PROSPECTIVE
BIDDERS WITH PENDING CASES AGAINST THE
GOVERNMENT IN THE PROCUREMENT
ACTIVITIES OF THE DOTr"**

DATE : 15 NOVEMBER 2018

Following the directive of the Secretary of Transportation, this Office issued a Memorandum dated 26 June 2018 with the subject "Disqualification of Prospective Bidders with Pending Cases against the Government in the Procurement Activities of the DOTr."

The purpose of the issuance is to ensure that all prospective bidders are properly screened towards the goal of preventing opportunities for corruption in the government. Thus, the Memorandum generally bars prospective bidders with pending cases against the government from participating in all bidding activities of the Department (the "Disqualification Rule"), to cite:

"xxx all prospective bidders with pending cases against the Government shall be disqualified from participating in all bidding activities undertaken by this Department.

Accordingly, all prospective bidders are required to submit a Certification, under oath, certifying that they have no pending case(s) against the Government.

xxx

Failure by a bidder to comply with said requirement and/or submission of a false Certification shall constitute a ground for automatic disqualification."

In order to fully attain the objective and intent of the Disqualification Rule, in furtherance of the mandate of Republic Act No. 9184 (Government Procurement Reform Act) and its Implementing Rules and Regulations, there is a need to **QUALIFY** the cases covered by the Rule. Furthermore, to achieve uniformity and fairness in the application of the Disqualification Rule in the conduct of all bidding activities undertaken by this Department and its attached agencies, a **CLARIFICATION** hereof is made.

HENCEFORTH, the disqualification of prospective bidders with pending cases against the government shall **NOT APPLY** to: (1) bidders who have filed a case against the government to properly enforce its rights; (2) bidders who have filed a case against DOTr Officials and members of Bids and Awards Committee for allegations of corruption and related offenses; and (3) other similar cases whereby the prospective bidder reinforces his rights under the law.

For proper guidance.



REINIER PAUL R. YEBRA

cc: Office of the Secretary
This Department



Republic of the Philippines
DEPARTMENT OF TRANSPORTATION

MEMORANDUM

FOR : UNDERSECRETARIES
ASSISTANT SECRETARIES
HEADS OF AGENCIES
ALL CONCERNED

FROM : UNDERSECRETARY FOR LEGAL AFFAIRS AND
PROCUREMENT

SUBJECT : DISQUALIFICATION OF PROSPECTIVE BIDDERS WITH
PENDING CASES AGAINST THE GOVERNMENT IN THE
PROCUREMENT ACTIVITIES OF THE DOTr

DATE : 26 JUNE 2018

In line with the procurement principles under Republic Act 9184 (Government Procurement Reform Act) for a streamlined bidding process, the DOTr is duty-bound to ensure that all prospective bidders are properly screened towards the goal of preventing opportunities for corruption in government.

In light of the foregoing, and in addition to the eligibility requirements prescribed under the 2016 Revised Implementing Rules and Regulations (RIRR) of Republic Act 9184 (RA 9184), all prospective bidders with pending cases against the Government shall be disqualified from participating in all bidding activities undertaken by this Department.

Accordingly, all prospective bidders are required to submit a Certification, under oath, certifying that they have no pending case(s) against the Government.

Henceforth, the Bid Data Sheet of Bidding Documents for all projects of the Department shall require the submission of the aforesaid Certification.

Failure by a bidder to comply with said requirement and/or submission of a false Certification shall constitute a ground for automatic disqualification.

For your information and compliance.

REINIER PAUL R. YEBRA
*Undersecretary for Legal Affairs
and Procurement*

cc: Office of the Secretary

RA 9184-3459