



BIDS AND AWARDS COMMITTEE
RESOLUTION No. 20-0038-SBB
21 MAY 2021

BID BULLETIN

**CLARIFICATIONS AND REVISION IN THE TERMS OF REFERENCE ON THE
 PROCUREMENT OF SECURITY SERVICES FOR 01 JANUARY 2021 TO 31
 DECEMBER 2021**

PROVISIONS WITH CONCERNS/CLARIFICATION DURING THE PRE-BID CONFERENCE	REMARKS
CLARIFICATIONS	
<p>Inquiry on the percentage to use for agency fee (i.e. if bidders are limited to a minimum of 20% or can go beyond the limit)</p>	<p>There is no requirement for a minimum (percentage) for administrative fee as a component of the total contract cost. Prospective bidders, however, are reminded to strictly comply with all the relevant labor rules and regulation.</p> <p>The Government Procurement Policy Board (GPPB), in NPM No. 120-2016 clarified that “similar to the 10% administrative fee imposed under Section 9(b)(ii) of DOLE DO No. 18-A, the 20% administrative fee provided for under Section 4 of DOLE DO No. 150-16 is also a percentage rate that has for its effect the fixing of a floor price on Service Agreements. In this regard and following the position of the Government Procurement Policy Board (GPPB) as stated and explained in the following GPPB issuances, namely: GPPB Resolution (Res.) No.14-2012 dated 1 June 2012; GPPB Res. No. 14-2015 and GPPB Circular No. 04-2015, both dated 30 April 2015; and Policy Matter Opinion Nos. 03-2012 dated 30 November 2012 and 02-2013 dated 11 April 2014, as well as the case of <i>Philippine Sports Commission, et. al. vs. Dear John Services, Inc.</i> (G.R. No. 183260 dated 4 July 2012), [GPPB is] of the opinion that Section 4 of DOLE DO No. 150-16, insofar as it imposes a minimum administrative fee of 20% of the total contract cost for Service Agreement for security services, likewise runs counter to the provision</p>

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PROVISIONS WITH CONCERNS/CLARIFICATION DURING THE PRE-BID CONFERENCE	REMARKS
	of Section 31 of Republic Act No. 9184 and its 2016 Revised Implementing Rules and Regulations".
Whether there is a need to include the mandatory provident fund required by SSS starting January 2021 in the computation for the bidder's financial proposal.	Yes, the mandatory provident fund required by SSS starting January 2021 is to be included in the computation for the bidder's financial proposal.
Whether the proof of payment of remittances of statutory contributions to SSS, Pag-IBIG, and PhilHealth to be submitted covers the past one (1) or two (2) preceding year/s.	See revision to the Terms of Reference below
TERMS OF REFERENCE	
PROVISIONS WITH CONCERNS/ CLARIFICATION DURING PRE-BID CONFERENCE	REVISED PROVISION
III. Particulars	
Must submit proof of payment of remittances of statutory contributions to SSS, Pag-IBIG, and PhilHealth for the preceding year.	Must submit proof of payment of remittances of statutory contributions to SSS, Pag-IBIG, and PhilHealth for the last two (2) preceding years.

(NON-VOTING)
 DIR. JOHANN CARLOS S. BARCENA
 BAC Chairman

DIR. GENE CARL L. TUPAS
 Member

(NOT PRESENT)
 DIR. IRVING V. OCCEÑA
 Member

DIR. JAYPEE O. ABESAMIS
 Member

DIR. MICHAEL D. PABALINAS
 Vice-Chairman

(NOT PRESENT)
 DIR. ANNABELLE B. DUKA
 Member

ATTY. JULIET MARIE M. GUEVARA
 Member