

PCC BIDS AND AWARDS COMMITTEE (PBAC)

PBAC Resolution No. 2020-07-0085

ALLOWING THE ONLINE OR ELECTRONIC SUBMISSION AND RECEIPT OF BIDS IN THE PHILIPPINE COMPETITION COMMISSION

WHEREAS, on 8 March 2020, the President signed Proclamation No. 922 declaring a State of Public Health Emergency throughout the Philippines following the confirmed local transmission of the novel coronavirus disease (COVID-19). Consequently, a Memorandum from the Office of the Executive Secretary was issued implementing community quarantine over the entire National Capital Region and implementing alternative work arrangements, among others;

WHEREAS, the Government Procurement Policy Board (GPPB) issued Resolution No. 09-2020 dated 7 May 2020 titled “Approving Measures for the Efficient Conduct of Procurement Activities during a State of Calamity, or Implementation of Community Quarantine or Similar Restrictions”;

WHEREAS, Item 4 of the said Resolution enjoins the Bids and Awards Committee (BAC) of the Procuring Entities (PEs) to authorize the online or electronic submission and receipt of bids for procurement modalities where a two-envelope procedure or sealed price quotation is required;

WHEREAS, the GPPB issued Resolution No. 12-2020 dated 20 May 2020 prescribing the form of the certification required for the Conduct of electronic submission and receipt of bids by the procuring entities.

NOW THEREFORE, the PBAC has **RESOLVED**, as it hereby **RESOLVES** to recommend to the Head of Procuring Entity the approval to allow the online or electronic submission and receipt of bids in the Philippine Competition Commission (PCC), *viz*:

1.0 Scope and Coverage

These guidelines shall apply to the submission and receipt of electronic bids for all on-going and upcoming projects of the PCC, as may be required by the PCC BAC, during a State of Calamity, or implementation of community quarantine or similar restrictions.

The use of the electronic submission and receipt of bids shall be allowed until such time as the online facility under the Philippine Government Electronic Procurement System (PhilGEPs) becomes fully operational.

2.0. Guidelines on the Electronic Submission and Receipt of Bids

- 2.1 The PBAC allows the electronic submission of bids. However, Bidders may still opt to submit the hard copies of their Bids at the PCC Office. The physical and electronic submission of bids shall be made alternatively, at the option of the Bidder.
- 2.2 The Bidder must be eligible to submit the Bidding Documents prior to its submission (e.g. purchase of bidding documents, shortlisted bidder for the project, if applicable);
- 2.3 In view of the limitation as regards the online payment facility, the Bidders, although submitting the Bidding Documents electronically, still need to proceed to the PCC office for the purchase of bidding documents prior to the electronic submission;
- 2.4 The Invitation to Bid, including the Bidding Documents shall clearly state whether the PE shall allow the submission and receipt of bids through electronic means. For projects advertised prior to the issuance of these guidelines, a supplemental bid bulletin shall be issued for the purpose;
- 2.5 Bidders who opted to submit their Bids through electronic submission shall use the PCC Electronic Bid (E-Bid) Submission System accessible through the PCC website;
- 2.6 All files uploaded in the E-Bid Submission System shall be password protected. The password-protected files shall be contained in one compressed folder together with a text file containing its password. The compressed folder shall likewise be password protected. The Bidder shall disclose the password of the compressed folder to the PE during the schedule of opening of bids.
- 2.7 For the submission of technical and financial proposals, the technical and financial component shall be placed in a separate compressed folders and shall be secured in the same manner stated in the preceding paragraph. The passwords for the compressed technical and financial proposals should vary.
- 2.8 Bids submitted without password shall be treated as bids improperly marked and sealed.
- 2.9 Upon grant of request to access the E-Bid Submission System, the bidder has to complete uploading his/her bid submissions within twenty-four (24) hours. Failure to complete uploading, the bidder may request another grant of access, however, the bidder has to re-upload all files in the new folder provided. The latest bid submission within the deadline shall be considered as the final bid submission.
- 2.10 A certification indicating that the bidder has completed uploading his/her bid submission shall be uploaded last. The time of upload of the said certification shall be the date and time generated for the submission of bids.
- 2.11 Upon receipt of the complete bid submission, the PBAC shall generate a Bid receipt page for the official time of submission which can be saved or printed by the bidder.

- 2.12 For manual and electronic submission, Bidders may modify or withdraw their Bid at any time before the deadline for the submission and receipt of bids. Where a bidder modifies its Bid, it shall not be allowed to retrieve its original Bid and shall only be allowed to submit another bid equally sealed (manual) or secured (electronic submission), properly identified, linked to its original bid and marked as a “modification,” thereof. For electronic bid submission, the time indicated in the latest Bid receipt page generated shall be the official time of submission. Bids submitted after the deadline shall not be accepted.

3.0 Responsibilities of the Procuring Entity

- 3.1 The PE shall ensure that the electronic bid submission system complies with the following requirements:
- a. Use of two-factor security procedure consisting of an archive format compression and password protection to ensure the security, integrity and confidentiality of the bids submitted;
 - b. Allow access to a password-protected Bidding documents on opening date and time.
 - c. Capable of generating an audit trail of transactions to ensure the security, integrity and authenticity of bid submissions.
- 3.2 Pursuant to GPPB Resolution Nos. 09-2020 and 12-2020, supra, the Division Chief of the PCC Information and Communication Technology (ICT) shall issue a Certification describing the electronic system or procedure to be used by the PE for the electronic submission and receipt of bids and a statement that the same is compliant with the above requirements.

4.0 Effectivity

These guidelines shall take effect immediately upon approval and shall remain in force unless revoked or amended accordingly.

DONE this 1st day of July 2020 in Quezon City, Philippines.


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Approved:


KENNETH V. TANATE, PhD
Head of Procuring Entity

Date: _____