

**Summary per Lot and Technical Specification
Procurement of Learning Systems for Three (3) Existing Innovation Centers of TESDA**

ANNEX K

Lot/ Item No.	Code	Technology Area/ Learning System	Agency Specification	Classification	Test Parameters (Post Evaluation)	Test Parameters (Inspection and Acceptance)	Onsite Warranty (Parts and Service)	with Training	with Manual	Qty per Lot	Unit
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)
8	14-000	Fabrication Machines/Equipment									
1	14-001	Hydraulic Press Brake Machine	*Technology Transfer/Training *English Manual *Bending length: 3000-3500mm *Pressure: 1600kn *Throat depth: 300-350mm *Stroke adjustment range: 100-150mm/sec. *Idle stroke speed: 40-80 mm/sec. *Working Stroke Speed: 6-10mm/s *Return stroke speed: 40-50mm/s *Input power: 220VAC 60Hz *Main motor: 10-11Kw *with following accessories: controller system, main motor, main electric, hydraulic valve, cylinder, oil pump, servo motor, pipe connector, sealings, grating ruler, ball screw and linear guide, foot pedal, fast clamping, punch and die, hydraulic compensation, side and back safeguard, and standard axis	Equipment	Brochure with picture and data sheet	- Checking the conformity with the quantity including parts and accessories - Checking the conformity of hardware vis-a-vis offered specifications - Functionality testing -Installation, Commissioning and Training	1 Year	Yes	Yes	1	unit
2	14-002	Hydraulic Shearing Machine	*Max. shearing Thickness: 3-4mm *Max. shearing Width: 1000-1500mm *No. of stoke: 20-30/minute *Motor power: 3-4kw *Shear angle 2-2.4 degreasing *Power source: 220VAC, 60 Hz *with following accessories: valve, cylinder, oil pump connector, main electric, main motor, inverter, sealings, mounds and die, ball screw and linear guide, and NC controller *Technology Transfer/Training *English Manual	Equipment	Brochure with picture and data sheet	- Checking the conformity with the quantity including parts and accessories - Checking the conformity of hardware vis-a-vis offered specifications - Functionality testing -Installation, Commissioning and Training	1 Year	Yes	Yes	1	unit
3	14-003	Lock Forming Machine	*Technology Transfer/Training *English Manual *Motor 1.5kw. 3 Phase *Plate thickness: 1-2mm *5-7 rolls shape *Weight 100- 250kg *Size at least 1120X550X950mm:LxWxH *Power source: 220VAC, 60 Hz	Equipment	Brochure with picture and data sheet	- Checking the conformity with the quantity including parts and accessories - Checking the conformity of hardware vis-a-vis offered specifications - Functionality testing -Installation, Commissioning and Training	1 Year	Yes	Yes	1	unit

I hereby commit to comply and deliver all the above requirements in accordance with the above schedule.

Name of Company/Bidder

Signature over Printed Name of Authorized Representative

Date

Lot/ Item No.	Code	Technology Area/ Learning System	Agency Specification	Classification	Test Parameters (Post Evaluation)	Test Parameters (Inspection and Acceptance)	Onsite Warranty (Parts and Service)	with Training	with Manual	Qty per Lot	Unit
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)
4	14-004	Hydraulic Plate Bending Roller Machine	<ul style="list-style-type: none"> *Technology Transfer/Training *English Manual *Machine type: synchronize *Length of Working Table: 1500-1600mm *Motor power: 5-6kw, Voltage: 220V. *Key selling points: high accuracy *Slide stroke: 150-200mm *Automatic level: fully automatic *Throat depth: 300-350mm *Width of working Table: 50-60 mm *Nominal Pressure: 500-650 kN *Power source: 220VAC, 60 Hz *with following accessories: valve, cylinder, oil pump connector, main electric, main motor, inverter, sealings, moulds and die, ball screw and linear guide, and NC controller 	Equipment	Brochure with picture and data sheet	<ul style="list-style-type: none"> - Checking the conformity with the quantity including parts and accessories - Checking the conformity of hardware vis-a-vis offered specifications - Functionality testing - Installation, Commissioning and Training 	1 Year	Yes	Yes	1	unit
5	14-005	Hydraulic Iron Worker Machine	<ul style="list-style-type: none"> *Technology Transfer/Training *English Manual *Machine type: synchronize *Length of Working Table: 1500-1600mm *Motor power: 5-6kw, Voltage: 220V. *Key selling points: high accuracy *Slide stroke: 150-200mm *Automatic level: fully automatic *Throat depth: 300-350mm *Width of working Table: 50-60 mm *Nominal Pressure: 500-650 kN *Power source: 220VAC, 60 Hz 	Equipment	Brochure with picture and data sheet	<ul style="list-style-type: none"> - Checking the conformity with the quantity including parts and accessories - Checking the conformity of hardware vis-a-vis offered specifications - Functionality testing - Installation, Commissioning and Training 	1 Year	Yes	Yes	1	unit
6	14-006	Automatic Sheet and Plate Rolling Machine	<ul style="list-style-type: none"> *Technology Transfer/Training *English Manual *4 roller bending roll machine *Rolling services at up to 10mm thick *Can roll different kinds of metal into round or conical shapes. *Width size minimum: 2000mm *Power source: 6-7.5 kw, Voltage 220VAC, 60Hz *Accessories: <ul style="list-style-type: none"> - Digital Read Out (DRO) .001 inch/ .01 mm reading - Forward/Reverse Foot Pedal - Cone Bending Device - Cable Type Emergency Stop Device 	Equipment	Brochure with picture and data sheet	<ul style="list-style-type: none"> - Checking the conformity with the quantity including parts and accessories - Checking the conformity of hardware vis-a-vis offered specifications - Functionality testing - Installation, Commissioning and Training 	1 Year	Yes	Yes	1	unit

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(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)
7	14-009	Multi-function Pipe Bending Machine	<ul style="list-style-type: none"> • Circular pipe mould (mm): 16, 19, 22, 25, 32, 38, 51, 63, 76 • Square pipe mould (mm): 16, 19, 22, 25, 30, 38, 40, 50 • Bending pipe wall thickness: 0.5-2 • Motor power: 220V/60Hz/1Ph or 220V/60Hz/3Ph • With English manual 	Equipment	Brochure with picture and data sheet	<ul style="list-style-type: none"> - Checking the conformity with the quantity including parts and accessories - Checking the conformity of hardware vis-a-vis offered specifications - Functionality testing - Installation, Commissioning and Training 	1 Year	Yes	Yes	2	unit
8	14-010	Power Hacksaw	<ul style="list-style-type: none"> • Horizontal Hack Saw Machine 18" • Cutting Scope: Round Bar (mm) Ø 250 • Shape Bar (mm) 220x220 • Oblique Bar 45 degrees • Frequency of Sawing Bow Reciprocation 75 ; 90 ; 108 • Stroke of Sawing Bow Cutting (mm) 135 • Hack Saw Blade Size (mm) 450 x 45 x 2.25 (18inches) • Input Voltage (kW/V/Hz/Ph) 1.5 / 220 / 50 / 1 • Dimensions (LxWxH)(M) 1262x863x967mm • Weight (Kg) 600 	Equipment	Brochure with picture and data sheet	<ul style="list-style-type: none"> - Checking the conformity with the quantity including parts and accessories - Checking the conformity of hardware vis-a-vis offered specifications - Functionality testing - Installation, Commissioning and Training 	1 Year	Yes	Yes	2	unit
9	14-011	Horizontal Bandsaw	<p>Drive Motor: 2 Hp (1.5kw) 230/460v 3 phase Hydraulic Motor: 0.25 Hp (.19kw) Coolant Pump: 0.125 Hp (.1kw) Band Wheel Dia.: 15.4" (391mm) Blade Size: 1" x .035" x 11'-4.5" (25 x .9 x 3467mm) Bed Height: 21.75" (552mm) Vise Opening: 18" (457mm) Blade Speeds: 80-360 fpm (24-110 m/min) Variable Speed - 45° Cutting Capacity Round: 8" (203mm) Square: 8" x 8" (203 x 203mm) Rectangular: 8" x 12" - with English manual</p>	Equipment	Brochure with picture and data sheet	<ul style="list-style-type: none"> - Checking the conformity with the quantity including parts and accessories - Checking the conformity of hardware vis-a-vis offered specifications - Functionality testing - Installation, Commissioning and Training 	1 Year	Yes	Yes	1	unit

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Name of Company/Bidder

Signature over Printed Name of Authorized Representative

Date

Lot/ Item No.	Code	Technology Area/ Learning System	Agency Specification	Classification	Test Parameters (Post Evaluation)	Test Parameters (Inspection and Acceptance)	Onsite Warranty (Parts and Service)	with Training	with Manual	Qty per Lot	Unit
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)
10	14-015	Shaper Machine	*English Manual *Heavy duty *Machine size: 36" *Maximum stroke: 38" *Length of ram: 66" *Max. Distance of Table to ram: 2" *Max. vertical travel to tool slide: 7" *Len and width to table top: 36"x18" *Len of crossslide: 48 *Width of ram: 13" *No. of speeds: 4 *Electrical: 220-380VAC 50-60Hz *Accessories: - Shaper vise 10" jaw opening - Tool holder, 3/8 High Speed tool bit - Tool holder, 1/2 High Speed tool bit - Allen bolt and nut M12 x 1.75 (100 pcs) - HSS tool bit, 3/8 (20 box) - HSS tool bit, 1/2 (20 box)	Equipment	Brochure with picture and data sheet	- Checking the conformity with the quantity including parts and accessories - Checking the conformity of hardware vis-a-vis offered specifications - Functionality testing - Installation, Commissioning and Training	1 Year	Yes	Yes	1	unit

I hereby commit to comply and deliver all the above requirements in accordance with the above schedule.

Name of Company/Bidder

Signature over Printed Name of Authorized Representative

Date

Lot 9 : Computers

APPROVED BUDGET FOR THE CONTRACT : Eight Million Two Hundred Twenty-Seven Thousand Eight Hundred Sixty Pesos and 57/100 (P8,227,860.57)

No.	Item	Agency Specifications	Qty	Unit	Statement of Compliance*	Make Brand / Model	Reference
1	Laptop	Kindly refer to the technical specifications attached as Annex L.	37	set			

* Bidders must state here either "Comply" or "Not Comply" against each of the individual parameters of each Specification stating the corresponding performance parameter of the equipment offered. Statements of "Comply" or "Not Comply" must be supported by evidence in a Bidders Bid and cross-referenced to that evidence. Evidence shall be in the form of manufacturer's un-amended sales literature, unconditional statements of specification and compliance issued by the manufacturer, samples, independent test data etc., as appropriate. A statement that is not supported by evidence or is subsequently found to be contradicted by the evidence presented will render the Bid under evaluation liable for rejection. A statement either in the Bidder's statement of compliance or the supporting evidence that is found to be false either during Bid evaluation, post-qualification or the execution of the Contract may be regarded as fraudulent and render the Bidder or supplier liable for prosecution subject to the applicable laws and issuances.

I hereby commit to comply and deliver all the above requirements in accordance with the above schedule.

Name of Company/Bidder

Signature over Printed Name of
Authorized Representative

Date



**Summary per Lot and Technical Specification
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ANNEX L

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(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)
9	19-000	Computers									
1	19-001	Laptop	<ul style="list-style-type: none"> • Intel® Core i7 8th Generation, 8MB cache, 4 cores (higher generation, cache size and/or core number is better) • 8Gb RAM DDR4-2400 SD RAM (higher RAM size is better) • Dual storage 1TB 5400rpm SATA and 128 GB SSD (higher rpm and/or storage size is better) • 4GB DDR5 Dedicated video (higher video memory size is better) • 15.6" diagonal FHD IPS BrightView micro-edge WLED-backlit • Resolution 1920 x 1080 higher resolution is better • Wired and wireless Ethernet connection • At least two (2) USB 3.0 Port • Includes Mouse • Windows 10 or latest OS • Microsoft Office 2019 (Full Installation) 	Equipment	Brochure with picture and data sheet	<ul style="list-style-type: none"> - Measurement of monitor - Functionality test - Checking of specification (offered vs. actual) - Check package completeness - 24 Burn-in test using PassMark 	1 Year	Yes	Yes	37	set

I hereby commit to comply and deliver all the above requirements in accordance with the above schedule.

Name of Company/Bidder

Signature over Printed Name of Authorized Representative

Date

Section VIII. Checklist of Technical and Financial Documents

Checklist of Technical and Financial Documents

I. TECHNICAL COMPONENT ENVELOPE

Class "A" Documents

Legal Documents

- (a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages);
or
- (b) 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 its equivalent document,
and
- (c) Mayor's or Business permit issued by the city or municipality where the principal place of business of the prospective bidder is located, or the equivalent document for Exclusive Economic Zones or Areas;
and
- (d) Tax clearance per E.O. No. 398, s. 2005, as finally reviewed and approved by the Bureau of Internal Revenue (BIR).

Technical Documents

- (f) Statement of the prospective bidder of all its ongoing 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; (Annex M) **and**
- (g) Statement of the bidder's Single Largest Completed Contract (SLCC) similar to the contract to be bid, except under conditions provided for in Sections 23.4.1.3 and 23.4.2.4 of the 2016 revised IRR of RA No. 9184, within the relevant period as provided in the Bidding Documents (Annex N) **and**
- (h) Original copy of Bid Security. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission;
or
Original copy of Notarized Bid Securing Declaration; (Annex O) **and**
- (i) Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or after-sales/parts, if applicable; **and**
- (j) Original duly signed Omnibus Sworn Statement (OSS) (Annex P); **and** if applicable, Original Notarized Secretary's Certificate in case of a corporation, partnership, or cooperative; or Original Special Power of Attorney of all members of the joint venture giving full power and authority to its officer to sign the OSS and do acts to represent the Bidder.

Financial Documents

- (k) The Supplier's audited financial statements, showing, among others, the Supplier'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; **and**

- (l) The prospective bidder’s computation of Net Financial Contracting Capacity (NFCC);
or
A committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation.

Class “B” Documents

- (m) If applicable, a duly signed joint venture agreement (JVA) in case the joint venture is already in existence (Annex Q);
or
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.

Other documentary requirements under RA No. 9184 (as applicable)

- (n) *[For foreign bidders claiming by reason of their country’s extension of reciprocal rights to Filipinos]* Certification from the relevant government office of their country stating that Filipinos are allowed to participate in government procurement activities for the same item or product.
- (o) Certification from the DTI if the Bidder claims preference as a Domestic Bidder or Domestic Entity.

II. FINANCIAL COMPONENT ENVELOPE

- (a) Original of duly signed and accomplished Financial Bid Form; (Annex R) **and**
- (b) Original of duly signed and accomplished Price Schedule(s). (Annexes S and T)

STATEMENT OF (i) ONGOING CONTRACTS (ii) AWARDED BUT NOT YET STARTED CONTRACTS

This is to certify that _____ (company) has the following ongoing and awarded but not yet started contracts:

Date of the Contract	Contracting Party	Name of Contract	Kind of Goods Sold	Amount of Contract	Value of Outstanding Contracts	Bidder is A) Manufacturer B) Supplier C) Distributor

Name and Signature of
Authorized Representative

Date

***Instructions:**

- a) State all ongoing contracts including those awarded but not yet started (government and private contracts which may be similar or not similar to the project called for bidding) as of:
 - i. The day before the deadline of submission of bids.
- b) If there is no ongoing contract including awarded but not yet started as of the aforementioned period, state none or equivalent term.
- c) The total amount of the ongoing and awarded but not yet started contracts should be consistent with those used in the Net Financial Contracting Capacity (NFCC) in case an NFCC is submitted as an eligibility document.
- d) "Name of Contract". Indicate here the Nature/ Scope of the Contract for easier tracking of the entries/ representations

STATEMENT OF SINGLE LARGEST COMPLETED CONTRACT SIMILAR TO THE CONTRACT TO BE BID

This is to certify that _____ (company) has the following completed contracts within five (5) years prior to the date of submission and receipt of bids, a contract similar to the Project

Date of the Contract	Contracting Party	Name of Contract	Kind of Goods Sold	Amount of Contract	Date of Delivery/ End-user's Acceptance	Date of Official Receipt	Bidder is A) Manufacturer B) Supplier C) Distributor

Name and Signature of Authorized Representative

Date

- * Instructions:*
- a) *Cut-off date as of:*
 - (i) *Up to the day before the deadline of submission of bids.*
 - b) *In the column under "Dates" indicate the dates of Delivery/ End-user's Acceptance and Official Receipt.*
 - c) *"Name of Contract". Indicate here the Nature/ Scope of the Contract for the Procuring Entity to determine the relevance of the entry with the Procurement at hand.*

Bid Securing Declaration Form*[shall be submitted with the Bid if bidder opts to provide this form of bid security]*

REPUBLIC OF THE PHILIPPINES)
 CITY OF _____) S.S.

BID SECURING DECLARATION
Project Identification No.: *[Insert number]*

To: *[Insert name and address of the Procuring Entity]*

I/We, the undersigned, declare that:

1. I/We understand that, according to your conditions, bids must be supported by a Bid Security, which may be in the form of a Bid Securing Declaration.
2. I/We accept that: (a) I/we will be automatically disqualified from bidding for any procurement contract with any procuring entity for a period of two (2) years upon receipt of your Blacklisting Order; and, (b) I/we will pay the applicable fine provided under Section 6 of the Guidelines on the Use of Bid Securing Declaration, within fifteen (15) days from receipt of the written demand by the procuring entity for the commission of acts resulting to the enforcement of the bid securing declaration under Sections 23.1(b), 34.2, 40.1 and 69.1, except 69.1(f), of the IRR of RA No. 9184; without prejudice to other legal action the government may undertake.
3. I/We understand that this Bid Securing Declaration shall cease to be valid on the following circumstances:
 - a. Upon expiration of the bid validity period, or any extension thereof pursuant to your request;
 - b. I am/we are declared ineligible or post-disqualified upon receipt of your notice to such effect, and (i) I/we failed to timely file a request for reconsideration or (ii) I/we filed a waiver to avail of said right; and
 - c. I am/we are declared the bidder with the Lowest Calculated Responsive Bid, and I/we have furnished the performance security and signed the Contract.

IN WITNESS WHEREOF, I/We have hereunto set my/our hand/s this ____ day of *[month]* *[year]* at *[place of execution]*.

*[Insert NAME OF BIDDER OR ITS
 AUTHORIZED REPRESENTATIVE]*
[Insert signatory's legal capacity]
 Affiant

[Jurat]

[Format shall be based on the latest Rules on Notarial Practice]

Omnibus Sworn Statement (Revised)

[shall be submitted with the Bid]

REPUBLIC OF THE PHILIPPINES)
CITY/MUNICIPALITY OF _____) S.S.

AFFIDAVIT

I, [Name of Affiant], of legal age, [Civil Status], [Nationality], and residing at [Address of Affiant], after having been duly sworn in accordance with law, do hereby depose and state that:

1. [Select one, delete the other:]

[If a sole proprietorship:] I am the sole proprietor or authorized representative of [Name of Bidder] with office address at [address of Bidder];

[If a partnership, corporation, cooperative, or joint venture:] I am the duly authorized and designated representative of [Name of Bidder] with office address at [address of Bidder];

2. [Select one, delete the other:]

[If a sole proprietorship:] As the owner and sole proprietor, or authorized representative of [Name of Bidder], I have full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached duly notarized Special Power of Attorney;

[If a partnership, corporation, cooperative, or joint venture:] I am granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached [state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate, Board/Partnership Resolution, or Special Power of Attorney, whichever is applicable)];

3. [Name of Bidder] is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board, **by itself or by relation, membership, association, affiliation, or controlling interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on Blacklisting;**

4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;

5. [Name of Bidder] is authorizing the Head of the Procuring Entity or its duly authorized representative(s) to verify all the documents submitted;

6. [Select one, delete the rest:]

[If a sole proprietorship:] The owner or sole proprietor is not related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

[If a partnership or cooperative:] None of the officers and members of *[Name of Bidder]* is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

[If a corporation or joint venture:] None of the officers, directors, and controlling stockholders of *[Name of Bidder]* is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

7. *[Name of Bidder]* complies with existing labor laws and standards; and
8. *[Name of Bidder]* is aware of and has undertaken the responsibilities as a Bidder in compliance with the Philippine Bidding Documents, which includes:
 - a. Carefully examining all of the Bidding Documents;
 - b. Acknowledging all conditions, local or otherwise, affecting the implementation of the Contract;
 - c. Making an estimate of the facilities available and needed for the contract to be bid, if any; and
 - d. Inquiring or securing Supplemental/Bid Bulletin(s) issued for the *[Name of the Project]*.
9. *[Name of Bidder]* did not give or pay directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel or representative of the government in relation to any procurement project or activity.
10. **In case advance payment was made or given, failure to perform or deliver any of the obligations and undertakings in the contract shall be sufficient grounds to constitute criminal liability for Swindling (Estafa) or the commission of fraud with unfaithfulness or abuse of confidence through misappropriating or converting any payment received by a person or entity under an obligation involving the duty to deliver certain goods or services, to the prejudice of the public and the government of the Philippines pursuant to Article 315 of Act No. 3815 s. 1930, as amended, or the Revised Penal Code.**

IN WITNESS WHEREOF, I have hereunto set my hand this ___ day of ___, 20__ at _____, Philippines.

[Insert NAME OF BIDDER OR ITS AUTHORIZED REPRESENTATIVE]
[Insert signatory's legal capacity]
Affiant

[Jurat]
[Format shall be based on the latest Rules on Notarial Practice]

JOINT VENTURE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This JOINT VENTURE AGREEMENT (hereinafter referred to as the "Agreement"), entered into this _____ day _____ of 20__ at _____ City, Philippines by and among:

_____, a domestic corporation duly organized, registered and existing under and by virtue of the laws of the Republic of the Philippines, with office address at _____, represented by its _____, _____, hereinafter referred to as "_____";

- and -

_____, a domestic corporation duly organized, registered and existing under and by virtue of the laws of the Republic of the Philippines, with office address at _____, represented by its _____, _____, hereinafter referred to as "_____";

- and -

_____ a foreign corporation organized and existing under and by virtue of the laws of _____, represented by its _____, _____, hereinafter referred to as "_____";

(Henceforth collectively referred to as the "**Parties**")

WITNESSETH: That

WHEREAS, the Technical Education and Skills Development Authority (TESDA) has recently published an Invitation to Apply for Eligibility and to Bid for the Supply and Delivery of _____ for the _____;

WHEREAS, the parties have agreed to pool their resources together to form the "_____ Joint Venture", hereinafter referred to as the Joint Venture, under the laws of the Philippines, for the purpose of participating in the abovementioned procurement of TESDA-CO;

NOW, THEREFORE, for and in consideration of the foregoing premises and the

covenants hereto set forth, the Parties have agreed as follows:

**ARTICLE I
ORGANIZATION OF THE JOINT VENTURE**

SECTION 1. Formation — The Parties do hereby agree and bind themselves to establish, form and organize a Joint Venture pursuant to the laws of the Republic of the Philippines, in order for the JV to carry on the purposes and objectives for which it is created;

SECTION 2. Name — The name and style under which the JV shall be conducted is
“ _____ ”;

SECTION 3. Principal Place of Business — The JV shall maintain its principal place of business at _____;

SECTION 4. Preparation and Documentation — The Parties shall secure and/or execute such certifications, documents, deeds and instruments as may be required by the laws of the Republic of the Philippines for the realization of the JV and in compliance with the Project. Further, they shall do all other acts and things requisite for the continuation of the JV pursuant to applicable laws;

SECTION 5. The Joint Venture shall be represented by the _____ in all biddings, related procurement transactions and other official dealings that it shall enter into with the TESDA-CO and third parties, such transactions to include, among others, the submission of eligibility documents, bids, registration documents obtaining bonds, performing the principal contract in the event that the contract is awarded in favor of the Joint Venture, receipt of payment for goods delivered, and similar and related activities.

SECTION 6. The period of the Joint Venture shall begin upon execution of this Agreement and shall continue until the complete performance of its contractual obligations to TESDA-CO, as described in Article II hereof, or upon its termination for material breach of any term or condition of this Agreement, by service of a written statement in English on the other Party, not less than 90 days prior to the intended date termination

**ARTICLE II
PURPOSE**

SECTION 1. The primary purpose of the Joint Venture is to participate in the public bidding to be conducted by the TESDA-CO Bids and Awards Committee for the supply and delivery of _____ for the _____.

SECTION 2. If the above-described contract/s is/are awarded to the Joint Venture, the Joint Venture shall undertake the performance thereof to TESDA-CO, and such other incidental activities necessary for the completion of its contractual obligations.

**ARTICLE III
SOLIDARY LIABILITY OF THE PARTIES**

SECTION 1. In the performance of the contract/s that may be awarded to the Joint Venture by the TESDA-CO, and all other related activities/obligations, as described in Article II hereof, - the Parties bind themselves jointly and solidarily, in the concept of solidarily debtors, subject to the right of reimbursement, as provided in the relevant provisions of the Civil Code of the Philippines.

**ARTICLE IV
CONTRIBUTION AND OTHER ARRANGEMENTS**

SECTION I. Contribution — The Parties shall contribute the amount of _____ (Php _____) to support the financial requirements of the Joint Venture, in the following proportion:

A.	-	P .00
B.	-	<u>P .00</u>
TOTAL		P .00

Additional contributions to the Joint Venture shall be made as may be required for contract implementation. In addition, shall contribute any labor and contract management requirements.

SECTION 2. Profit Sharing — The share of the Parties to the JV from any profit derived or obtained from the implementation and execution of the Project shall be distributed pro rata to each, in accordance with the contribution and resources each has provided to the JV;

SECTION 3. Liquidation and Distributions — Any sum remaining after deducting from the total of all moneys or benefits received for the performance of the contract, all costs incurred by the JV after award of the contract for the Project pursuant to the accounting practices established for the JV, shall be distributed in accordance with the relative balances in the accounts of each Party pursuant to Sec.1 of this Article upon completion, final accounting, termination and liquidation of the JV. In the event of liquidation and termination of JV, and after taking into account the shares of the Parties in all income, gain, deductions, expenses, and losses, should the account of a Party contain a negative balance, such Party shall contribute cash to the JV sufficient to restore the said balance to zero;

SECTION 4. Sharing of Burden of a Net Loss — In case a net loss is incurred, additional contributions shall be made by the Parties in accordance with their respective shares.

**ARTICLE V
MISCELLANEOUS PROVISIONS**

SECTION 1. The provisions of the Instructions to Bidders, Supplemental Bid Bulletin, and other bidding documents issued by the TESDA-CO in relation to the contract described in Article II hereof, shall be deemed incorporated in this Agreement and made an integral part thereof.

SECTION 2. This Agreement shall be binding upon and inure to the benefit of the Parties and their respective-successors and assigns.

SECTION 3. The Parties herein are duly represented by their authorized officers.

SECTION 4. Governing Law - This Agreement shall be governed by and construed according to the laws of the Republic of the Philippines. Venue of any court action arising from this Agreement shall be exclusively laid before the proper court of the Philippines.

IN WITNESS WHEREOF, the parties have set their hands and affixed their signatures on the date and place first above-stated.

Signed in the Presence of:

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
CITY/MUNICIPALITY OF _____) S.S.
PROVINCE OF (in the case of Municipality)

BEFORE ME, a Notary Public for and in the City/Municipality of _____ (indicate also the Province in the case of Municipality), this _____ day of _____ month & year) personally appeared the following:

Name ID Name, Number and Validity Date

Known to me and to me known to be the same persons who executed the foregoing instrument and they acknowledge to me that the same is their free and voluntary act and deed and that of the corporation(s) they represent.

This instrument refers to a Joint Venture Agreement consisting of _____ pages, including the page on which this Acknowledgement is written, and signed by the parties and their instrumental witnesses.

WITNESS MY HAND AND NOTARIAL SEAL on the place and on the date first above written.

NAME OF NOTARY PUBLIC

Serial No. of Commission _____
Notary Public for _____ until _____
Roll of Attorneys No. _____
PTR No. _____ [date issued], [place issued]
IBP No. _____, [date issued], [place issued]

Doc. No. _____
Page No. _____
Book No. _____
Series of _____.

Note:

"Sec. 12. Competent Evidence of Identity — The phrase "competent evidence of identity" refers to the identification of an individual based on:

At least one current identification document issued by an official agency bearing the photograph and signature of the individual such as but not limited to, passport, driver's license, Professional Regulations Commission ID, National Bureau of Investigation clearance, police clearance, postal ID, voter's ID, Barangay certification, Government Service and Insurance System (GSIS) e-card, Social Security System (SSS) card, Philhealth card, senior citizen card, Overseas Workers Welfare Administration (OWWA) ID, OFW ID, seaman's book, alien certificate of registration/immigrant certificate of registration, government office ID, certification from the National Council for the Welfare of Disabled Persons (NCWDP), Department of Social Welfare and Development (DSWD) certification.

Bid Form for the Procurement of Goods
[shall be submitted with the Bid]

BID FORM

Date : _____
 Project Identification No. : _____

To: *[name and address of Procuring Entity]*

Having examined the Philippine Bidding Documents (PBDs) including the Supplemental or Bid Bulletin Numbers *[insert numbers]*, the receipt of which is hereby duly acknowledged, we, the undersigned, offer to *[supply/deliver/perform]* *[description of the Goods]* in conformity with the said PBDs for the sum of *[total Bid amount in words and figures]* or the total calculated bid price, as evaluated and corrected for computational errors, and other bid modifications in accordance with the Price Schedules attached herewith and made part of this Bid. The total bid price includes the cost of all taxes, such as, but not limited to: *[specify the applicable taxes, e.g. (i) value added tax (VAT), (ii) income tax, (iii) local taxes, and (iv) other fiscal levies and duties]*, which are itemized herein or in the Price Schedules,

If our Bid is accepted, we undertake:

- a. to deliver the goods in accordance with the delivery schedule specified in the Schedule of Requirements of the Philippine Bidding Documents (PBDs);
- b. to provide a performance security in the form, amounts, and within the times prescribed in the PBDs;
- c. to abide by the Bid Validity Period specified in the PBDs and it shall remain binding upon us at any time before the expiration of that period.

[Insert this paragraph if Foreign-Assisted Project with the Development Partner:

Commissions or gratuities, if any, paid or to be paid by us to agents relating to this Bid, and to contract execution if we are awarded the contract, are listed below:

Name and address of agent	Amount and Purpose of Commission or gratuity
---------------------------	--

(if none, state "None")]

Until a formal Contract is prepared and executed, this Bid, together with your written acceptance thereof and your Notice of Award, shall be binding upon us.

We understand that you are not bound to accept the Lowest Calculated Bid or any Bid you may receive.

We certify/confirm that we comply with the eligibility requirements pursuant to the PBDs.

The undersigned is authorized to submit the bid on behalf of *[name of the bidder]* as evidenced by the attached *[state the written authority]*.

We acknowledge that failure to sign each and every page of this Bid Form, including the attached Schedule of Prices, shall be a ground for the rejection of our bid.

Name: _____

Legal capacity: _____

Signature: _____

Duly authorized to sign the Bid for and behalf of: _____

Date: _____

Price Schedule for Goods Offered from Abroad
[shall be submitted with the Bid if bidder is offering goods from Abroad]

For Goods Offered from Abroad

Name of Bidder _____ Project ID No. _____ Page ___ of ___

1	2	3	4	5	6	7	8	9
Item	Description	Country of origin	Quantity	Unit price CIF port of entry (specify port) or CIP named place (specify border point or place of destination)	Total CIF or CIP price per item (col. 4 x 5)	Unit Price Delivered Duty Unpaid (DDU)	Unit price Delivered Duty Paid (DDP)	Total Price delivered DDP (col 4 x 8)

Name: _____

Legal Capacity: _____

Signature: _____

Duly authorized to sign the Bid for and behalf of: _____

Price Schedule for Goods Offered from Within the Philippines
[shall be submitted with the Bid if bidder is offering goods from within the Philippines]

For Goods Offered from Within the Philippines

Name of Bidder _____ Project ID No. _____ Page ___ of ___

1	2	3	4	5	6	7	8	9	10
Item	Description	Country of origin	Quantity	Unit price EXW per item	Transportation and all other costs incidental to delivery, per item	Sales and other taxes payable if Contract is awarded, per item	Cost of Incidental Services, if applicable, per item	Total Price, per unit (col 5+6+7+8)	Total Price delivered Final Destination (col 9) x (col 4)

Name: _____

Legal Capacity: _____

Signature: _____

Duly authorized to sign the Bid for and behalf of: _____

Republic of the Philippines



Government Procurement Policy Board