



REPUBLIC OF THE PHILIPPINES  
 DEPARTMENT OF JUSTICE  
**OFFICE OF THE GOVERNMENT CORPORATE COUNSEL**  
 3rd Floor MWSS Administration Building, Katipunan Avenue  
 Balara, Quezon City  
 Tel. Nos. 927-0030 / 920-7477 • Fax No. 436-4405  
 www.ogcc.gov.ph

**INVITATION FOR NEGOTIATED PROCUREMENT**  
**Negotiated Procurement – Two Failed Biddings**  
 Reference No: OGCC-IFNP-2019-11-001

Dear Sir/Madam:

In view of the two (2) failed public biddings conducted for the project entitled: **“Supply and Delivery of ICT Equipment and MS Office Application Software”**, the Office of the Government Corporate Counsel (OGCC), through the Bids and Awards Committee (OGCC - BAC), intends to apply the sum of **Three Million Three Hundred Eighty Nine Thousand Seventy One Pesos and  $\frac{9}{100}$  Only (Php 3,389,071.09)** being the Approved Budget for the Contract (ABC) for the project, broken down as follows:

| ITEMS   | Unit price | Quantity | Total               |
|---|------------|----------|---------------------|
| <b>ICT Equipment and MS Office Application Software</b> |            |          |                     |
| <b>A. Desktop Computer</b>                              | 39,208.00  | 30       | 1,176,240.00        |
| <b>B. Laptop Computer</b>                               | 45,197.89  | 19       | 858,759.91          |
| <b>C. MS Office Application Software</b>                |            |          |                     |
| 1) MS Office 2019 Professional                          |            | 20       |                     |
| 2) MS Office 2019 Home & Business                       |            | 29       | 1,239,132.58        |
| 3) MS Office 365 Home                                   |            | 20       | 114,938.60          |
| <b>ABC</b>  |            |          | <b>3,389,071.09</b> |

The procurement of the project will be conducted through **Negotiated Procurement – Two Failed Biddings**, an Alternative Method of Procurement, in accordance with Section 53.1 of the 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184.

In view thereof, the OGCC invites your good office to participate on the bidding activities as scheduled below:

| Activities  | Schedule/Place   |
|---|--|
| 1) Issuance and availability of Negotiation Documents | 06 November 2019 to 11 November 2019 (8:00am to 5:00pm) at the Office of the Government Corporate Counsel, 3 <sup>rd</sup> Floor, MWSS Building, Katipunan Avenue, Quezon City |

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|  |   |
|--|---|
| 2) Negotiation with Prospective Bidders  | 12 November 2019 (9:00AM) at the Office of the Government Corporate Counsel, 3 <sup>rd</sup> Floor, MWSS Building, Katipunan Avenue, Quezon City  |
| 3) Deadline for the submission of the best and final offer, and Opening of Negotiation Documents | 13 November 2019 (9:00AM) at the Office of the Government Corporate Counsel, 3 <sup>rd</sup> Floor, MWSS Building, Katipunan Avenue, Quezon City  |
| 4) Delivery of Goods   | Within three (3) calendar days from receipt of Notice to Proceed at the Office of the Government Corporate Counsel, 3 <sup>rd</sup> Floor, MWSS Building, Katipunan Avenue, Quezon City |

Please submit the copies of the following eligibility, technical and financial documents along with your quotation/proposal:

#### I. ELIGIBILITY DOCUMENTS

##### 1) PhilGEPS Certificate of Registration and Membership (Platinum Registration)

*NOTE:* Pursuant to *GPPB Resolution No. 26-2017 dated 31 July 2017* and *GPPB Circular 07-2017 of even date*, bidders, in lieu of the PhilGEPS Certificate of Registration and Membership (Platinum Registration) pursuant to Section 8.5.2, may submit their valid and current Class "A" Eligibility Documents, or a combination thereof:

i) Registration certificate from SEC, DTI for sole proprietorship, or CDA for cooperatives;

ii) Mayor's/ Business permit issued by the city of municipality where the principal place of business of the prospective bidder is located, or the equivalent documents for Exclusive Economic Zones or Areas.

*NOTE:* In case of recently expired Mayor's/ Business permits, it shall be accepted together with the official receipt as proof that the bidder has applied for renewal within the period prescribe by the concerned local government unit, provided that the renewed permit shall be submitted as a post-qualification requirement in accordance with Section 34.1 of the 2016 Revised IRR of RA 9184.

iii. Tax clearance per EO 398, s. 2005, as finally reviewed and approved by the BIR.

##### 2) **Statement of all ongoing government and private contracts** (including contracts awarded but not yet started), if any, whether similar or not in nature and complexity to the contract to be bid.

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- 3) **Statement of the bidder's Single Largest Complete Contract (SLCC)** of similar nature within the last 5 years from the date of submission and receipt of bids equivalent to at least 50% of the total ABC.

## II. TECHNICAL DOCUMENTS

- 1) **Compliance with Bid Security** which must be issued in favor of the Office of the Government Corporate Counsel in any of the allowable forms.
- 2) **Compliance with Omnibus Sworn Statement** in accordance with Section 25.3 of the 2016 Revised IRR of RA 9184 and using the form prescribed.
- 3) **Conformity with the Technical Specifications and Schedule of Requirements** as enumerated and specified in the Terms of Reference attached as Annex "A" hereof.

## III. FINANCIAL DOCUMENTS

- 1) Duly accomplished Financial Proposal Form.
- 2) Duly accomplished detailed Financial Breakdown.
- 3) **Net Financial Contracting Capacity (NFCC)** in accordance with ITB Clause 5.5 OR Committed Line of Credit.

- a) Should the bidder opt to submit NFCC, computation must be equal to the ABC of the project. The detailed computation using the required formula must be shown.

NFCC = [(Current assets minus current liabilities) (15)] minus the value of all outstanding or uncompleted portions of the projects under ongoing contracts, including awarded contracts yet to be started, coinciding with the contract to be bid.

OR

- b) Should the bidder opt to submit a Committed Line of Credit, it must be at least equal to ten percent (10%) of the ABC of the project issued by a Local Universal or Local Commercial Bank. The amount of the committed Line of Credit **MUST BE MACHINE VALIDATED**.
- 4) **Audited Financial Statements for the past two (2) years** (in comparative form and separate reports):
- a) Independent Auditor's Report;
  - b) Balance Sheet (Statement of Financial Position); and
  - c) Income Statement (Statement of Comprehensive Income).

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Each of the above statements must have stamped "received" by the Bureau of Internal Revenue (BIR) or its duly accredited and authorized institutions.

In case the bidder opted to submit their Class "A" Documents, the Certificate of PhilGEPS Registration (Platinum Membership) shall remain as a post-qualification requirement to be submitted in accordance with Section 34.2 of the 2016 IRR of RA No. 9184.

For your concerns or clarifications, please contact **Atty. Diane Camilla Borja**, BAC Secretariat at Telephone nos. **3436-3779** or **3434-0598** or email address at **borjacamilla@gmail.com**.

Respectfully yours,

  
**ATTY. DOMINADOR R. ISIDORO, JR.**  
OGCC-BAC, *Chairman*

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## TERMS OF REFERENCE

### I. OBJECTIVE:

This project aims to provide a functional and working ICT equipment (laptop and desktop computers) and upgraded office application software to aid the OGCC and its team units in the performance of its functions, and more importantly, to provide an efficient and reliable delivery of legal service to the clientele.

### II. PROJECT TITLE

Supply and Delivery of ICT Equipment and MS Office Application Software.

### III. ITEMS AND APPROVED BUDGET FOR THE CONTRACT

| ITEMS   | Unit price | Quantity | Total               |
|---|------------|----------|---------------------|
| <b>ICT Equipment and MS Office Application Software</b> |            |          |                     |
| <b>A. Desktop Computer</b>                              |            | 30       | 1,176,240.00        |
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| Total   |            |          | <b>3,389,071.09</b> |

**NOTE: The financial bid of the bidders shall be inclusive of the 12% Value Added Tax. The VAT and other applicable taxes should be clearly and separately indicated and/or itemized in the bidder's financial proposal.**

### IV. TECHNICAL SPECIFICATIONS

#### 1. Desktop Computers

|   |
|---|
| <p><b>Specifications:</b></p> <p><b>Branded</b></p> <p><b>Processor:</b> Intel Core i5, 8th or latest generation processor (minimum)</p> <p><b>Memory:</b> Minimum of 8GB upgradable to 32G</p> <p><b>Storage / Hard Disk:</b> Minimum of 1TB SATA Hard Disk Drive upgradable to 2TB</p> <p><b>Optical Drive:</b> DVDWriter SATA</p> <p><b>Graphics / Video Processor:</b> Integrated/Built-in graphics</p> <p><b>Network Interface:</b> 10/100/1000 Ethernet</p> <p><b>Wireless Connectivity:</b> IEEE 802.11ac/a/b/g/n 2.4 &amp; 5 GHz Gigabit wireless LAN</p> <p><b>Standard I/O Ports:</b> Manufacturer's standard with at least basic I/O ports:</p> <p><b>Front I/O Connectors:</b><br/>Audio jack</p> |
|---|

**USB 2.0 port(s): 1**  
**USB 3.0 port(s): 1**

**Rear I/O Connectors:**

**Display port: 1**  
**Ethernet (LAN) port: 1**  
**USB 2.0 port(s): 1**  
**USB 3.0 port(s): 1**

**Display Screen:** LED Monitor 21.5" Full HD

**Pointing Device:** USB Optical Mouse with Pad

**Input Device:** Standard full-sized USB Keyboard with numeric keypad

**Pre-loaded Operating System:** Windows 10 Professional 64 bit (Licensed)

**UPS:** 650VA, 230V, AVR, Universal Sockets

**Warranty:** One (1) year on parts and labor with on-site service repair

**Others:** With product manual

## **2. Laptop computers**

**Specifications:**

**Branded**

**Processor:** Intel Core i5, 8th or latest generation processor (minimum)

**Memory:** Minimum of 8GB DDR4 2400 SDRAM Upgradable up to 32GB 2 SODIMM Slots

**Storage / Hard Disk:** Minimum of 1TB SATA Hard Disk Drive

**Display Screen:** 14" diagonal HD (1366 x 768 Pixels minimum)

**Keyboard:** Manufacturer's standard

**Graphics / Video Processor:** Integrated/Built-in Graphics

**Video Camera:** Built-in Webcam

**Weight:** Manufacturer's standard

**Audio:** (2) Integrated audio speakers, Integrated dual array microphone

**Network Interface:** Gigabit Ethernet 802.11 a/b/g/n/ac (1x1) Wifi and Bluetooth® 4.2 Combo (minimum)

**Standard I/O Ports:** Manufacturer's standard with at least basic ports:

**USB 3.1:** 1  
**USB 2.0 (powered ports):** 1  
**Ethernet port:** 1  
**Display port:** 1  
**Headphone/microphone combo jack:** 1

**Pointing Device:** Click pad with Multi-touch gesture

**Battery Life:** Manufacturer's standard

**Pre-loaded Operating System:** Windows 10 Professional 64bit (Licensed)

**Card reader:** Supports multi-format media cards

**Power Supply:** Power Adaptor (Manufacturer's Standard)

**Battery:** 3-Cell 48 WHr Li-ion Battery

**Dimension:** Manufacturer's standard

**Warranty:**

-One(1) year warranty on both parts and labor form authorized service centers with global repair coverage

-With on-site service repair

-Supplier shall respond within 24 hours for any technical assistance/ support either telephone call, email or site visit (for NCR) upon verbal/ written notification by the End User Agency

**Others:** With Free USB (wired) Optical Mouse, Laptop Bag, Product Manual

### 3. MS Office Application Software

| Specifications:        |  |  |   |
|------------------------|--|--|---|
|                        | MS Office 2019   |  | MS Office 365 Home  |
| <b>Applications</b>    | <b>Professional</b><br>Word, Excel,<br>PowerPoint, Outlook,<br>Publisher, Access   | <b>Home &amp; Business</b><br>Word, Excel,<br>PowerPoint,<br>Outlook,  | Word, Excel,<br>PowerPoint, Outlook,<br>Publisher, Access   |
| <b>Subscription</b>    | One-time purchase  |  | Yearly  |
| <b>No. of Device</b>   | 1<br>(1 key code for 1 computer)   |  | 5<br>(1 key code for 5 computers)   |
| <b>Quantity</b>        | 20   | 29   | 20  |
| <b>To be used for:</b> | For management.<br><br>For brand new computers (to be procured for 2019) with Windows 10 Operating System: <ul style="list-style-type: none"><li>• 20 Desktops</li></ul> | For brand new computers (to be procured for 2019) with Windows 10 Operating System: <ul style="list-style-type: none"><li>• 10 Desktops</li><li>• 19 Laptops</li></ul> | For existing and working computers with Windows 8, 8.1, 7 and lower version of Operating System in the office: <ul style="list-style-type: none"><li>• 96 computers</li></ul> |
| <b>Compatibility</b>   | Compatible with Windows 10 operating system  |  | Compatible with Windows 8, 8.1, 7 and lower version of Windows operating systems  |

## V. REQUIREMENTS FOR BIDDERS

Bidders are strongly advised to comply with eligibility documents and financial documents listed in the Philippine Bidding Documents (if applicable) and they should be registered with PhilGEPS as Platinum Member.

## VI. SCOPE OF WORK

- a. The winning bidder/supplier shall deliver the items at the given office address below:

**Property and Supply Office**  
**OFFICE OF THE GOVERNMENT CORPORATE COUNSEL**  
3<sup>rd</sup> Flr MWSS Administration Building, Katipunan Ave., Balara,  
Quezon City

- b. The winning bidder/supplier shall deliver the items within **3 calendar days** from receipt of the Notice of Award.
- c. The winning bidder/supplier shall ensure that all items to be delivered must be equipped with operating manual (if applicable) and accessories.
- d. The items shall be inspected by the supply officer upon delivery.
- e. The winning bidder/supplier guarantees the availability of the items within 15 days upon receipt of the Notice to Award.
- f. The winning bidder/supplier shall replace all items with apparent defects and damage within seven (7) days from the date of discovery by the supply officer during the actual inspection.
- g. In case of non-apparent defect or damage on the items, the supply officer shall promptly report this matter to the supplier within three (3) days from the date of discovery thereof.

## VII. TERMS OF PAYMENT

- a. Advance payment is not allowed.
- b. The OGCC shall pay the Service Contractor within **30** working days upon receipt of the original signed Statement of Account, or billing statement, supported by an Inspection and Acceptance Report (IAR), Certificate of Completion and/or Certificate of Satisfactory Service Rendered to be issued by the end-user, and upon completion of all the deliverables/documentary requirements.

## VIII. WARRANTY

- a. The Supplier warrants that the items to be delivered are free from latent and patent defects.
- b. The warranty period shall be three (3) years from the date of acceptance of delivered items.



- c. The warranty shall include on-site service repair, replacement of parts, and free service during official business hours (8am-5pm) on call basis from the supplier within Metro Manila or any of its authorized repair centers with global repair coverage.

#### **IX. AFTER SALES SUPPORT**

- a. Within the Warranty Period.
- b. After the Warranty Period, there must be at-least authorized service center within Metro Manila.