



REPUBLIC OF THE PHILIPPINES
PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE
Tanggapang Pampanguluhan sa Operasyong Pangkomunikasyon
Malacañang, Manila

SUPPLEMENTAL BID BULLETIN No. 3

07 March 2019

PROJECT: PROCUREMENT FOR JANITORIAL SERVICES (PROCUREMENT CONTRACT NO. 2019-PCOO-I-001)

1. The **Deadline of Submission and Bid Opening** schedules shall be moved to **15 MAR 2019** at 9:00 AM and 10:00 AM, respectively, at the Conference Room, 4th floor, New Executive Building, Malacañang Complex, Manila.

2. 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 relevant labor rules and regulations.

3. The Government Procurement Policy Board (GPPB), in GPPB Resolution No. 14-2012,¹ expressed the position that –

the GPPB could NOT support the dissemination of DOLE DO No. 18-A in its entirety as its **Section 9(b)(ii) is violative of Article IX, Section 31 of RA 9184 and its IRR.** (Emphasis supplied)

Notably, this refers to DOLE Department Order No. 18-A dated 14 November 2011, Section 9(b)(ii) of which provides that –

in the Service Agreement between the principal and the contractor, the terms and conditions governing the contracting arrangement shall include the agreed amount of the services to be rendered and that, the standard administrative fee of not less than ten percent (10%) of the total contract cost shall be imposed.”²

4. The GPPB reiterated this in GPPB NPM No. 120-2016³ stating that –

xxx 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 xxx 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 of Section 31 of Republic Act No. 9184 and its 2016 Revised Implementing Rules and Regulations.**

5. Thus, DOLE Department Order No. 174-17⁴ which requires the inclusion of “the standard administrative fee of not less than ten percent (10%) of the total contract cost”⁵ is covered

¹ <https://www.gppb.gov.ph/issuances/Resolutions/14-2012.pdf> (last visited on 7 March 2019).

² Ibid.

³ https://www.gppb.gov.ph/opinions/GPPBTSO_Non-Policy/1474 (last visited on 7 March 2019).

⁴ <https://blr.dole.gov.ph/news/department-order-no-174-series-of-2017-rules-implementing-articles-106-to-109-of-the-labor-code-as-amended/> (last visited on 7 March 2019).

⁵ Section 11, par. (b)(ii).

by the foregoing GPPB issuances finding such requirement contrary to the provision of Section 31 of Republic Act No. 9184 and its 2016 Revised Implementing Rules and Regulations, inasmuch as the imposition of a minimum amount to be offered in the bid is not valid.⁶

6. This shall amend all inconsistent provisions of the **Bid Documents** issued on **8 February 2019**, and subsequent **Supplemental Bid Bulletins**.

7. Pursuant to Section 22.5 of the 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184, this Supplemental/Bid Bulletin is issued for the information and guidance of all prospective bidders and shall form an integral part of the Bidding Documents issued for said project.

(Original Signed)
Atty. MARVIN R. GATPAYAT
Chairperson
Bids and Awards Committee-I

(Original Signed)
Atty. OMAR V. ROMERO
Vice Chairperson
Bids and Awards Committee-I

⁶ Philippine Sports Commission, et. al. vs. Dear John Services, Inc., G.R. No. 183260, 4 July 2012.