



Bids and Awards Committee

Republic of the Philippines
Professional Regulation Commission
P. Paredes St., Sampaloc, Metro Manila
Facsimile: 5 310-0037 / email: bac@prc.gov.ph



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Chairman

OMAIMAH E. GANDAMRA
Vice-Chairperson

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Provisional Member, Non-IT Projects

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Provisional Member, IT Projects

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Member

LIEZEL F. BURAGA
Member

JOEL P. IGNACIO
Member

Section V. Special Conditions of Contract

GCC Clause	
1	<p>Delivery and Documents –</p> <p>Delivery of the goods and services shall be made by the Supplier in accordance with the terms specified in Section VI. Schedule of Requirement.</p> <p>For purposes of this Clause the Procuring Entity’s Representative at the Project Site is <i>[indicate name(s)]</i>.</p> <p>For the given scope of work in this Contract as awarded, all bid prices are considered fixed prices, and not subject to price escalation during contract implementation, except under extraordinary circumstances and upon prior approval of the GPPB in accordance with Section 61 of R.A. 9184 and its IRR-</p> <p>In the case of a dispute between the Procuring Entity and the Supplier, it shall be resolved in accordance with Republic Act 9285, otherwise known as the “Alternative Dispute Resolution Act of 2004.”</p>
3	<p>Performance Securing Declaration (PSD), if used as alternative Performance Security</p> <p>i. Winning bidder shall submit a PSD within a maximum period of ten (10) calendar days from the receipt of Notice of Award prior to the signing of the Contract; and</p> <p>ii. Winning bidder accepts that it will be automatically disqualified from the bidding for any procurement contract with any PE for a period of one (1) year for the first offense, or two (2) years for the second offense, upon receipt of Blacklisting Order if it has violated its obligations under the Contract; and</p> <p>iii. Winning bidder understand that the PSD shall cease to be valid upon:</p> <p>1. issuance by the PE of the Certificate of Final Acceptance, subject to the following conditions:</p> <p>a. PE has no claims filed against the contract</p>



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	awardee; b. PE has no claims for labor and materials filed against the contractor, and c. Other terms of the contract; or 2. replacement by the winning bidder of the submitted PSD with a performance security in any of the prescribed forms under Section 39.2 of the 2016 revised IRR of RA No. 9184 as required by the end-user.
	<u>OVER-PAYMENT and OVER-PRICING</u> <u>In the event a finding of overpricing and/or overpayment has been made by the appropriate authority, the contractor shall reimburse the Procuring Entity the amount declared as overpriced or overpaid.</u>

ACKNOWLEDGMENT AND COMPLIANCE
WITH THE TERMS OF REFERENCE FOR THE
PROCUREMENT OF MANPOWER SERVICE PROVIDER FOR CY 2021

SIGNATURE OVER PRINTED NAME
OF AUTHORIZED REPRESENTATIVE,
DESIGNATION AND PRINTED NAME OF COMPANY