

**NEGOTIATED PROCUREMENT: AFTER TWO FAILED BIDDINGS REQUIREMENTS
CHECKLIST**

	Documentary Requirements	Remarks
1	Approved Procurement Plan (<i>Sec. 7.2, R-IRR of RA No. 9184; 9.2, COA Cir. 2012-001</i>)	
2	Purchase Request duly approved by proper authorities (<i>9.2 COA Cir. 2012-001</i>)	
3	Technical Specifications/Terms of Reference (<i>Sec. 17.2, R-IRR of RA No. 9184</i>)	
4	Report on the mandatory review of the terms, conditions, and specifications in the Bid Documents, including cost estimates. The ABC cannot be increased by more than twenty percent (20%) of the ABC for the last failed bidding. (<i>Sec.35 and 53.1.1, R-IRR of RA No. 9184</i>)	
5	Copy of letter/document inviting manufacturers/suppliers/distributors to engage in negotiation. (<i>53.1.1, R-IRR of RA No. 9184</i>)	
6	Price quotations/bids/final offers from at least three (3) invited manufacturers/suppliers/distributors. (<i>COA Cir. No. 2009-001 dated February 12, 2009; 9.2.5, COA Cir. 2012-001</i>)	
7	<p>Proof that responding manufacturers/suppliers/distributors are technically, legally and financially capable to enter into a contract with the government. (<i>Sec. 53, R-IRR of RA No. 9184; Reiterated in 9.2.5, COA Cir. 2012-001</i>)</p> <p>Minimum Requirements:</p> <ol style="list-style-type: none"> a. SEC/DTI/CDA Registration b. Mayor's Permit/Business License c. Tax Clearance (per Executive Order 398, Series of 2005, as finally reviewed and approved by the BIR) d. Latest Annual Income Tax Return and Audited Financial Statement stamped "Received" by the Bureau of Internal Revenue (BIR) e. Statement of all ongoing and completed government and private contracts for the last two (2) years 	
8	Statement of the prospective manufacturer/supplier/distributor that it is not blacklisted or barred from bidding by the Government or any of its agencies, offices, corporations or LGU (<i>Sec. 25.2.iv.1, R-IRR of RA No. 9184; 9.2, COA Cir. 2012-001</i>)	
9	Sworn affidavit of the manufacturer/supplier/distributor that it is not related to the Head of Procuring Entity (HOPE) by consanguinity or affinity up to the third civil degree (<i>Sec. 47, R-IRR of RA 9184; 9.2, COA Cir. 2012-001</i>)	
10	Certificate of PhilGEPS Registration of supplier (<i>Sec. 8.2 a and b; 8.2.2 f; 54.3, R-IRR of RA No. 9184</i>)	
11	In case of negotiated procurement with a foreign supplier, a certification that the goods are not available from Local Suppliers. Goods are not available from a local supplier when, any time before advertisement for their procurement, it is determined that no Local Supplier is capable to supply the required goods to the Government, in which case, foreign suppliers, manufacturers and/or distributors may be invited to participate in the bidding. (<i>Annex "A" of GPPB Resolution No.018-2005, dated 12 September 2005</i>)	
12	Other documents peculiar to the contract and/or the mode of procurement and considered necessary in the auditorial review and in the technical evaluation (<i>9.2.2, COA Cir. 2012-001</i>)	