

Section X. Foreign-Assisted Projects

Notes on Foreign-Assisted Projects

This Section is intended to assist the Procuring Entity in providing the specific information for foreign-assisted projects of the Asian Development Bank (ADB), the Japan International Cooperation Agency (JICA), and the World Bank.

- (a) If the Funding Source is ADB, the Procuring Entity should use the ADB Bid Data Sheet and ADB Special Conditions of Contract.
- (b) If the Funding Source is JICA, the Procuring Entity should use Section III. Bid Data Sheet and Section V. Special Conditions of Contract, both of the GoP.
- (c) If the Funding Source is World Bank, the Procuring Entity should use the World Bank Bid Data Sheet and the World Bank Special Conditions of Contract.

The Procuring Entity shall use these PBDs with minimum changes as necessary to address project-specific conditions. Any such changes shall be introduced only through the Bid Data Sheet or through the Special Conditions of Contract, and not by introducing changes in the standard wording of the Instructions to Bidders and the General Conditions of Contract.

The Procuring Entity shall allow the Bidders sufficient time to study the Bidding Documents, prepare and complete responsive bids, and submit their bids. A period of at least twenty (20) days for bid preparation shall be required.

Notes on the Invitation to Bid

The Invitation to Bid provides information that enables potential Bidders to decide whether to participate in the procurement at hand. The Invitation to Bid shall be:

- (a) Advertised at least once in a newspaper of general nationwide circulation which has been regularly published for at least two (2) years before the date of issue of the advertisement, subject to Sections 21.2.1(c) of the IRR of R.A. 9184¹;
- (b) Posted continuously in the Philippine Government Electronic Procurement System (PhilGEPS) website, the website of the Procuring Entity concerned, if available, and the website prescribed by the foreign government/foreign or international financing institution, if applicable, from the time the Invitation to Bid is advertised until the deadline for the submission and receipt of bids; and

¹ Two years after the effectivity of the 2016 Revised IRR of RA 9184 on _____, advertisement in a newspaper of general circulation shall no longer be required. However, a Procuring Entity that cannot post its opportunities in the PhilGEPS for justifiable reasons shall continue to publish its advertisements in a newspaper of general nationwide circulation.

- (c) Posted at any conspicuous place reserved for this purpose in the premises of the Procuring Entity concerned from the time the Invitation to Bid is advertised until the deadline for the submission and receipt of bids, as certified by the head of the Bids and Awards Committee (BAC) Secretariat of the Procuring Entity concerned.

Apart from the essential items listed in the Bidding Documents, the Invitation to Bid should also indicate the following:

- (a) The date of availability of the Bidding Documents, which shall be from the time the Invitation to Bid is first advertised/posted until the deadline for the submission and receipt of bids.
- (b) The place where the Bidding Documents may be acquired or the website where it may be downloaded.
- (c) The deadline for the submission and receipt of bids; and
- (d) Any important bid evaluation criteria.

The Invitation to Bid should be incorporated into the Bidding Documents. The information contained in the Invitation to Bid must conform to the Bidding Documents and in particular to the relevant information in the BDS.

Notes on the Bid Data Sheet

This Section is intended to assist the Procuring Entity in providing the specific information in relation to the corresponding clauses in the ITB, and has to be prepared for each specific procurement.

The Procuring Entity should specify in the BDS information and requirements specific to the circumstances of the Procuring Entity, the processing of the procurement, the applicable rules regarding Bid price and currency, and the Bid evaluation criteria that will apply to the Bids. In preparing this Section, the following aspects should be checked:

- (a) Information that specifies and complements provisions of Section II. Instructions to Bidders must be incorporated.
- (b) Amendments and/or supplements, if any, to provisions of Section II. Instructions to Bidders as necessitated by the circumstances of the specific procurement, must also be incorporated.

Notes on the Special Conditions of the Contract

Similar to the Section III. Bid Data Sheet, the clauses in this Section are intended to assist the Procuring Entity in providing contract-specific information in relation to corresponding clauses in the GCC.

The provisions of this Section complement the GCC, specifying contractual requirements linked to the special circumstances of the Procuring Entity, the Procuring Entity's country, the sector, and the Works procured. In preparing this Section, the following aspects should

be checked:

- (a) Information that complements provisions of Section IV. General Conditions of Contract must be incorporated.
- (b) Amendments and/or supplements to provisions of Section IV. General Conditions of Contract, as necessitated by the circumstances of the specific project, must also be incorporated.

However, no special condition which defeats or negates the general intent and purpose of the provisions of Section IV. General Conditions of Contract should be incorporated herein.

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Invitation to Bid for Foreign-Assisted Projects

[Letterhead of the Procuring Entity]

INVITATION TO BID FOR *[Insert name of Project]*

1. The Government of the Philippines (GoP) *[has received/has applied for/intends to apply for]* a *[Loan//Grant]* from the *[state the foreign government/foreign or international financing institution (e.g., Asian Development Bank, Japan International Cooperation Agency, or World Bank)]* toward the cost of *[insert name of project]*, and it intends to apply part of the proceeds of this *[loan//grant]* to payments under the contract for *[insert name/no. of contract]*.
2. The *[insert name of Procuring Entity]* now invites bids for *[insert brief description of Works to be procured]*.² Completion of the Works is required *[insert the required completion date or expected contract duration]*. Bidders should have completed, within _____ (___), a contract similar to the Project. The description of an eligible bidder is contained in the Bidding Documents, particularly, in Sub-section 5, Section II. Instructions to Bidders and the corresponding *[[insert Asian Development Bank or World Bank, as appropriate]]* Bid Data Sheet.
3. Bidding will be conducted in accordance with relevant procedures for open competitive bidding as specified in the IRR of RA 9184 (R.A. 9184), with some amendments, as stated in these bidding documents and is open to all bidders from eligible source countries as defined in the applicable procurement guidelines of the *[state the foreign government/foreign international financing institution concerned]*. The contract shall be awarded to the Lowest Calculated Responsive Bidder (LCRB) who was determined as such during post-qualification. The approved budget for the contract (ABC) is *[insert here the amount of the ABC]*.

[If ADB-funded project, ABC may be published, but it shall not be stated or implied that bid prices may not exceed ABC.]
4. Interested bidders may obtain further information from *[insert name of the Procuring Entity]* and inspect the Bidding Documents at the address given below from *[insert office hours]*.
5. A complete set of Bidding Documents may be acquired by the interested bidders on *[insert date of availability of Bidding Documents]* from the address below *[[insert if necessary and upon payment of the applicable fee for the bidding documents, pursuant*

² A brief description of the scope of Works should be provided, including quantities, location of project, and other information necessary to enable potential bidders to decide whether or not to respond to the invitation.

to the latest Guidelines issued by the GPPB, in the amount of [*insert amount in pesos*]³.}

It may also be downloaded free of charge from the website of the Philippine Government Electronic Procurement System (PhilGEPS) {[*insert* and the website of the Procuring Entity, *as applicable*,]} provided that bidders shall pay the applicable fee for the Bidding Documents not later than the submission of their bids.

6. The [*insert name of the Procuring Entity*] will hold a Pre-Bid Conference⁴ on [*insert time and date*] at [*insert address for Pre-Bid Conference, if applicable*], which shall be open to prospective bidders.
7. Bids must be duly received by the BAC Secretariat at the address below on or before [*insert date and time*]. All bids must be accompanied by a bid security in the amount of _____ in [*insert the acceptable form*].

Bids will be opened in the presence of the bidders' representatives who choose to attend at the address below. Late bids shall not be accepted.

8. [*Insert such other necessary information deemed relevant by the Procuring Entity*]
9. The [*insert name of the Procuring Entity*] reserves the right to accept or reject any bid, to annul the bidding process, and to reject all bids at any time prior to contract award, in accordance with Section 41 of RA 9184 and its IRR, without thereby incurring any liability to the affected bidder or bidders.
10. For further information, please refer to:

[*Insert name of officer*]
[*Insert name of office*]
[*Insert postal address*] and/or [*Insert street address*]
[*Insert telephone number, indicate city code*]
[*Insert contact's email address*]
[*Insert facsimile number*]
[*Insert website address, if applicable*]

[*Insert Name and Signature of the BAC Chairperson or the Authorized Representative of the BAC Chairperson*]

³ For ADB-funded projects, the bidding documents fee should only cover reproduction and mailing/courier costs, and may not be in accordance with the GPPB Guidelines. As such, the text “, pursuant to the latest Guidelines issued by the GPPB,” shall be deleted.

⁴ May be deleted in case the ABC is less than One Million Pesos (P1,000,000) where the Procuring Entity may not hold a pre-bid conference.

Asian Development Bank Bid Data Sheet

ITB Clause	
1.1	<p>The Procuring Entity is <i>[insert name of Procuring Entity]</i>.</p> <p>The name of the Contract is <i>[insert the name of the contract]</i>.</p> <p>The identification number of the Contract is <i>[insert identification number of the contract]</i>.</p>
2	<p>The Funding Source is the Asian Development Bank (ADB) through <i>[indicate the Loan/Grant/Financing No.]</i> in the amount of <i>[insert amount of funds]</i>.</p> <p>The name of the Project is <i>[Insert the name of the project]</i></p> <p>Payments by the Foreign Funding Source will be made only at the request of the Procuring Entity and upon approval by the Funding Source in accordance with the terms and conditions of the Loan <i>{[or Grant, or Financing]}</i> Agreement No. _____ (hereinafter called the "Financing Agreement") and</p> <p>will be subject in all respect to the terms and conditions of that Financing Agreement and the applicable law. No party other than the Procuring Entity shall derive any rights from the Financing Agreement or have any claim to the funds.</p>
3.1	<p>ADB's Anticorruption Policy requires Borrowers (including beneficiaries of ADB-financed activity), as well as Bidders, Suppliers, and Contractors under ADB-financed contracts, observe the highest standard of ethics during the procurement and execution of such contracts. In pursuance of this policy, ADB</p> <p>(a) defines, for the purposes of this provision, the terms set forth below as follows:</p> <p>(i) "corrupt practice" means the offering, giving, receiving, or soliciting, directly or indirectly, anything of value to influence improperly the actions of another party;</p> <p>(ii) "fraudulent practice" means any act or omission, including a misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain a financial or other benefit or to avoid an obligation;</p>

	<p>(iii) “coercive practice” means impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party;</p> <p>(iv) “collusive practice” means an arrangement between two or more parties designed to achieve an improper purpose, including influencing improperly the actions of another party;</p> <p>(v) “obstructive practice” means (a) deliberately destroying, falsifying, altering, or concealing of evidence material to an ADB investigation; (b) making false statements to investigators in order to materially impede an ADB investigation; (c) failing to comply with requests to provide information, documents or records in connection with an Office of Anticorruption and Integrity (OAI) investigation; (d) threatening, harassing, or intimidating any party to prevent it from disclosing its knowledge of matters relevant to the investigation or from pursuing the investigation; or (e) materially impeding ADB’s contractual rights of audit or access to information; and</p> <p>(vi) “integrity violation” is any act which violates ADB’s Anticorruption Policy, including (i) to (v) above and the following: abuse, conflict of interest, violations of ADB sanctions, retaliation against whistleblowers or witnesses, and other violations of ADB’s Anticorruption Policy, including failure to adhere to the highest ethical standard.</p> <p>(b) will reject a proposal for award if it determines that the Bidder recommended for award has, directly or through an agent, engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices or other integrity violations in competing for the Contract;</p> <p>(c) will cancel the portion of the financing allocated to a contract if it determines at any time that representatives of the Borrower or of a beneficiary of ADB financing engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices or other integrity violations during the procurement or the execution of that contract, without the Borrower having taken timely and appropriate action satisfactory to ADB to remedy the situation;</p> <p>(d) will impose remedial actions on a firm or an individual, at any time, in accordance with ADB’s Anticorruption Policy and Integrity Principles and Guidelines (both as amended from time to time), including declaring ineligible, either indefinitely or for a stated period of time, to participate in ADB-financed, administered, or supported activities or to benefit from an ADB-financed, administered, or supported contract, financially or otherwise, if it at</p>
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	<p>any time determines that the firm or individual has, directly or through an agent, engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices or other integrity violations; and</p> <p>(e) will have the right to require that a provision be included in bidding documents and in contracts financed by ADB, requiring Bidders, suppliers, and contractors to permit ADB or its representative to inspect their accounts and records and other documents relating to the bid submission and contract performance and to have them audited by auditors appointed by ADB.</p>
5.1	<p>Eligible Bidders are as described in ADB Procurement Guidelines as stated in the Financing Agreement and as described on ADB's web page www.adb.org</p> <p>An Eligible Bidder shall be deemed to have the nationality of a country if it is a citizen or constituted or incorporated, and operates in conformity with the provisions of the laws of that country.</p>
5.2	<p>Eligible Bidders are as described in ADB Procurement Guidelines as stated in the Financing Agreement and as described on ADB's web page www.adb.org.</p>
5.4	<p>Instruction is the same as the GoP Bid Data Sheet</p>
8.1	<p>Instruction is the same as the GoP Bid Data Sheet</p>
8.2	<p>Instruction is the same as the GoP Bid Data Sheet</p>
9.1	<p>Instruction is the same as the GoP Bid Data Sheet</p>
10.1	<p>Instruction is the same as the GoP Bid Data Sheet</p>
10.4	<p>Instruction is the same as the GoP Bid Data Sheet</p>
12.1	<p>The first envelope shall contain the following eligibility and technical documents:</p> <p>a. Eligibility Requirements</p> <ul style="list-style-type: none"> i. Registration Certification of the Company; ii. List of relevant contracts that comply to the experience requirement as specified in ITB Clause 5.4; iii. Audited financial statement for the past two years; iv. In case of Joint Venture, the JV Agreement, if existing, or a signed statement from the partner companies that they will enter into a JV in case of award of contract; <p>b. Technical Documents</p> <p><i>(To Be Revisited)</i></p>

	<p>v. Project Requirements, which shall include the following:</p> <p>(v.1) List of contractor's personnel (e.g., Project Manager, Project Engineers, Materials Engineers, and Foremen), to be assigned to the contract to be bid, with their complete qualification and experience data; and</p> <p>(v.2) List of contractor's major equipment units, which are owned, leased, and/or under purchase agreements, supported by proof of ownership, certification of availability of equipment from the equipment lessor/vendor for the duration of the project;</p> <p>vi. Bid Security or a Bid Securing Declaration as required in the ITB 18;</p> <p>vii. Sworn statement in accordance with Section 25.3 of the IRR of RA 9184 and using the form prescribed in Section VIII. Bidding Forms; and</p> <p>viii. Credit line from a Universal or Commercial Bank extended in favor of the bidder if awarded the contract for the project.</p> <p>Foreign bidders may submit the equivalent documents, if any, issued by the country of the foreign bidder.</p>
12.1(a)(iii)	Foreign bidders may submit their valid Philippine Contractors Accreditation Board (PCAB) license or special PCAB License in case of joint ventures, and registration for the type and cost of the contract for this Project as a pre-condition for award as provided in the Financing Agreement.
13.1	Instruction is the same as the GoP Bid Data Sheet
13.1(b)	<p>This shall include the following document:</p> <p>1) Priced Bill of Quantities</p> <p><i>(To Be Revisited- the GOP's requirements of detailed estimates and cashflow/payment schedule)</i></p>
13.2(a) and (b)	ABC does not apply as ceiling for bid prices
14.2	Instruction is the same as the GoP Bid Data Sheet
15.4	Instruction is the same as the GoP Bid Data Sheet
16.1	Instruction is the same as the GoP Bid Data Sheet
16.3	Instruction is the same as the GoP Bid Data Sheet

17.1	Instruction is the same as the GoP Bid Data Sheet
18.1	Instruction is the same as the GoP Bid Data Sheet
18.2	Instruction is the same as the GoP Bid Data Sheet
20.3	Instruction is the same as the GoP Bid Data Sheet
21	Instruction is the same as the GoP Bid Data Sheet
24.1	<p>The BAC shall open the bids in public on <i>[insert date and time of bid opening]</i>, at <i>[insert place of bid opening]</i>.</p> <p>The time for the bid opening shall be the same as the deadline for receipt of bids or promptly thereafter. Rescheduling the date of the opening of bids shall not be considered except for force majeure, such as natural calamities. In re-scheduling the opening of bids, the BAC shall issue a Notice of Postponement to be posted at the PhilGEPS' and the Procuring Entity's websites.</p>
24.2	During bid opening, if the first envelope lacks any of the documents listed in the ADB BDS 12.1, the bid shall be declared non-responsive but the documents shall be kept by the Procuring Entity. Only the unopened second envelope shall be returned to the Bidder.
24.3	The BAC shall immediately open the financial proposals in the second envelope of the responsive bids. The bid price shall be read and recorded.
27.4	ABC does not apply as ceiling for bid prices.
28.2	Instruction is the same as the GoP Bid Data Sheet
31.4(f)	<p>Instruction is the same as the GoP Bid Data Sheet</p> <p><i>(To Be Revisited together with the Technical Documents)</i></p>

Asian Development Bank Special Conditions of Contract

(Maybe subject to further changes)

GCC Clause	
1.17	Instruction is the same as the GoP Special Condition of Contract
1.22	Instruction is the same as the GoP Special Condition of Contract
1.23	Instruction is the same as the GoP Special Condition of Contract
1.24	Instruction is the same as the GoP Special Condition of Contract
1.28	Instruction is the same as the GoP Special Condition of Contract
1.31	Instruction is the same as the GoP Special Condition of Contract
2.2	Instruction is the same as the GoP Special Condition of Contract
5.1	Instruction is the same as the GoP Special Condition of Contract
6.5	Instruction is the same as the GoP Special Condition of Contract
7.4(c)	Instruction is the same as the GoP Special Condition of Contract
7.7	The Contractor shall be primarily and solely responsible for the acts, defaults, and negligence of any subcontractor.
8.1	Instruction is the same as the GoP Special Condition of Contract
10	Instruction is the same as the GoP Special Condition of Contract
12.3	In case the Contractor fails to comply with the preceding paragraph, the Procuring Entity shall forfeit its performance security. All payables of the GoP in the Contractor's favor shall be offset to recover the costs.
12.5	Instruction is the same as the GoP Special Condition of Contract
13	Instruction is the same as the GoP Special Condition of Contract
18.3 (h) (i)	In case it is determined prima facie by the Procuring Entity that the Contractor has engaged, before or during the implementation of the

	contract, in unlawful deeds and behaviors relative to contract acquisition and implementation, such as, but not limited to, corrupt, fraudulent, collusive, coercive and obstructive practices as defined in ITB Clause 3.1 Error! Reference source not found.
21.2	Instruction is the same as the GoP Special Condition of Contract
29.1	Instruction is the same as the GoP Special Condition of Contract
31.1	Instruction is the same as the GoP Special Condition of Contract
31.3	Instruction is the same as the GoP Special Condition of Contract
34.3	The Funding Source is the Asian Development Bank through <i>[indicate the Loan/Grant/Financing No.]</i> in the amount of <i>[insert amount of funds]</i> .
39.1	Instruction is the same as the GoP Special Condition of Contract
40.1	Materials and equipment delivered on the site but not completely put in place shall be included for payment.
40.3	If the Procuring Entity delays payment, the Contractor shall be paid interest on such payment. Interest shall be calculated from the date by which the payment should have been made up to the date when the late payment is made at the annual rate of <i>[insert percentage rate]</i> .
51.1	Instruction is the same as the GoP Special Condition of Contract
51.2	Instruction is the same as the GoP Special Condition of Contract

World Bank Bid Data Sheet

ITB Clause	
1.1	<p>The Procuring Entity is <i>[insert name]</i>.</p> <p>The name of the Contract is <i>[insert the name of the contract]</i>.</p> <p>The identification number of the Contract is <i>[insert identification number of the contract]</i>.</p>
2	<p>The Funding Source is World Bank through <i>[indicate the Financing Agreement No.]</i> in the amount of <i>[insert amount of funds]</i>.</p> <p>The name of the Project is <i>[Insert the name of the project]</i></p>
3.1	The World Bank Guidelines on Anti-Corruption, as stated in the Financing Agreement and as annexed to the World Bank Standard Conditions of Contract, shall be adopted.
5.1	The Financing Agreement provides that procurement shall follow the Bank's Procurement Guidelines and Section 1.8 thereof permits the participation of firm from all countries except for those mentioned in Section 1.10 thereof.
5.2	The Financing Agreement provides that procurement shall follow the Bank's Procurement Guidelines and Section 1.8 thereof permits the participation of firm from all countries except for those mentioned in Section 1.10 thereof.
5.4	Instruction is the same as the GoP Bid Data Sheet
8.1	Instruction is the same as the GoP Bid Data Sheet
8.2	Instruction is the same as the GoP Bid Data Sheet
9.1	Instruction is the same as the GoP Bid Data Sheet
10.1	Instruction is the same as the GoP Bid Data Sheet
10.4	Instruction is the same as the GoP Bid Data Sheet

12.1	<p>During Bid opening, if the first bid envelope lacks any of the following documents, the bid shall be declared non-responsive.</p> <p>The first envelope shall contain the following eligibility and technical documents:</p> <p>a. Eligibility Requirements</p> <p>i. Registration Certification of the Company;</p> <p>ii. List of relevant contracts that comply to experience requirement as specified in ITB Clause 5.4;</p> <p>iii. Audited financial statement for the past 2 years;</p> <p>iv. In case of Joint Venture, the JV Agreement, if existing, or a signed Statement from the partner companies that they will enter into a JV in case of award of contract.</p> <p>b. Technical Documents</p> <p>v. Project Requirements, to include:</p> <p>(v.1) List of contractor's personnel (e.g. Project Manager, Project Engineers, Materials Engineers, and Foremen). To be assigned to the contract to be bid, with their complete qualification and experience data; and</p> <p>(v.2) List of contractor's major equipment units, which are owned, leased and/or under purchase agreements, supported by proof of ownership, certification of availability of equipment from equipment lessor/vendor for the duration of the project;</p> <p>vi. Bid Security or Bid Securing Declaration as required in ITB 18;</p> <p>vii. Sworn statement in accordance with Section 25.3 of the IRR of RA 9184 and using the form prescribed in Section VIII. Bidding Forms.</p> <p>viii. Credit line from a universal or commercial bank extended in favor of the bidder is awarded the contract for the project.</p> <p>Foreign bidders may submit the equivalent documents, if any, issued by the country of the foreign bidder.</p>
12.1(a)(iii)	Foreign bidders may submit their valid Philippine Contractors Accreditation Board (PCAB) license or special PCAB License in case of joint ventures,

	and registration for the type and cost of the contract for this Project as a pre-condition for award as provided in the Financing Agreement, and ITB Nos. 12.1(b)(ii.2) and 12.1(b)(iii.3)
13.1	Instruction is the same as the GoP Bid Data Sheet
13.2 (a) & (b)	<p>ABC does not generally apply as a ceiling for bid prices.</p> <p><i>However, subject to prior concurrence by the World Bank, a ceiling may be applied to bid prices provided the following conditions are met:</i></p> <p><i>a) Bidding Documents are obtainable free of charge on a freely accessible website. If payment of Bidding Documents is required by the procuring entity, payment could be made upon the submission of bids.</i></p> <p><i>b) The procuring entity has procedures in place to ensure that the ABC is based on recent estimates made by the engineer or the responsible unit of the procuring entity and that the estimates are based on adequate detailed engineering (in the case of works) and reflect the quality, supervision and risk and inflationary factors, as well as prevailing market prices, associated with the types of works or goods to be procured.</i></p> <p><i>c) The procuring entity has trained cost estimators on estimating prices and analyzing bid variances. In the case of infrastructure projects, the procuring entity must also have trained quantity surveyors.</i></p> <p><i>d) The procuring entity has established a system to monitor and report bid prices relative to ABC and engineer's/procuring entity's estimate.</i></p> <p><i>e) The procuring entity has established a monitoring and evaluation system for contract implementation to provide a feedback on actual total costs of goods and works.</i></p>
14.2	Instruction is the same as the GoP Bid Data Sheet
15.4	Instruction is the same as the GoP Bid Data Sheet
16.1	Instruction is the same as the GoP Bid Data Sheet
16.3	Instruction is the same as the GoP Bid Data Sheet
17.1	Instruction is the same as the GoP Bid Data Sheet

18.1	Instruction is the same as the GoP Bid Data Sheet
18.2	Instruction is the same as the GoP Bid Data Sheet
20.3	Instruction is the same as the GoP Bid Data Sheet
21	Instruction is the same as the GoP Bid Data Sheet
24.1	<p>The BAC shall open the bids in public on <i>{insert date and time of bid opening}</i>, at <i>{insert place of bid opening}</i>.</p> <p>The time for the bid opening shall be the same as the deadline for receipt of bids or promptly thereafter. Rescheduling the date of the opening of bids shall not be considered except for force majeure, such as natural calamities. In re-scheduling the opening of bids, the BAC shall issue a Notice of Postponement to be posted at the PhilGEPS' and the Procuring Entity's websites.</p>
24.2	During Bid opening, if the first envelope lacks any of the documents listed in World Bank BDS 12.1, the bid shall be declared non-responsive but the documents shall be kept by the Procuring Entity.
24.3	The financial proposals in the second envelope of all the bidders shall be read for record purposes. The first and second envelopes shall not be returned to the bidders.
27.4	<i>ABC does not generally apply as a ceiling for bid prices; unless the conditions mentioned in ITB No. 13.2 are obtaining and that there is prior World Bank concurrence.</i>
28.2	Instruction is the same as the GoP Bid Data Sheet
31.4(f)	Instruction is the same as the GoP Bid Data Sheet

World Bank Special Conditions of Contract

The World Bank adopts the provisions of the Special Conditions of Contract of the GOP as contained in the Harmonized Philippine Bidding Documents dated _____, except GCC Clauses 18.3(h)(i) and 18.4, 34.3 as follows:

GCC Clause	
18.3 (h) (i)	The World Bank's Guidelines On Preventing and Combating Fraud and Corruption in Projects Financed by IBRD Loans and IDA Credits and Grants as annex herein shall be applied.
18.4	The World Bank is the Funding Source through Loan Agreement No.____.
34.3	The Funding Source is the World Bank.