



## REQUEST FOR PROPOSAL (RFP)

1. The National Housing Authority (NHA), through its Central Bids and Awards Committee invites PhilGEPS registered and professionally regulated External Real Estate Appraisal Service Providers (EREASPs) to undertake the Appraisal on the **Market Value and Market Rent Determination** of the below-described property, to wit:

Ref. No.	Name of Project	Mode of Procurement	Item Description	ABC
NCRES-CONS-2022-10-012	Procurement of Two (2) EREASPs	53.9. Small Value Procurement under Negotiated Procurement	Commercial Strip Comprising of 3 Contiguous Properties Stretching from IBP Road, (BATODA Site) to Road Lot 1 located along Commonwealth Ave., Brgy. Batasan Hills, National Government Center-Eastside, Quezon City	Php65,000.00 or (Php32,500.00each)

2. Interested EREASPs may obtain further information at the Office of East Sector Regional Office BAC Secretariat, Ground Floor, Elliptical Road Diliman Quezon City upon submission of a Letter of Intent (LOI) addressed to Engr. Maura D. Aggarao, Officer-In-Charge, East Sector Office starting on **October 28, 2022 to November 4, 2022** from 8:00 AM – 5:00 PM, Monday to Friday excluding Saturday, Sunday and Holidays.
3. Interested EREASPs are required to submit **three (3) sets** of their Valid/Current Mayor's Permit for the CY 2022, Professional License/Curriculum Vitae, PhilGEPS Registration Number, Income/ Business Tax Return for FY 2021 and duly signed **Proposals** in a properly sealed and marked envelope.
4. Proposals must be delivered at the East Sector Regional Office, Ground Floor NHA Main Building, Elliptical Road, Diliman Quezon City on **November 4, 2022 not later than 10:00 AM**. All Proposals must be accompanied by eligibility documents as required. Late submission of proposals shall not be accepted.
5. **Proposals** shall be evaluated using the Quality-Cost Based Evaluation/Selection (QCBE/S) procedure (**See Terms of Reference (TOR)**).
6. The NHA 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, without thereby incurring any liability to the affected bidder or bidders.

7. For any clarifications/Inquiries, please refer to:

**BONIFACIO C. FOLLERO JR.**

Head Secretariat,

East Sector Regional Office Bids and Awards Committee (ESROBAC)

8790-0800 local 132

nhaeastrobac2019@gmail.com

ncr.east@nha.gov.ph

  
**MONN ALEXANDER ONG**

Chairperson, East Sector Regional Office

Bids and Awards Committee (ESROBAC)

Office-In-Charge

Pasig/Marikina/Manggahan District Office



## TERMS OF REFERENCE

**PROCUREMENT OF TWO (2) EXTERNAL REAL ESTATE APPRAISAL SERVICE PROVIDERS FOR THE APPRAISAL OF THE COMMERCIAL STRIP COMPRISING OF THREE (3) CONTIGUOUS PROPERTIES STRETCHING FROM IBP ROAD, (BATODA SITE) TO ROAD LOT 1 LOCATED ALONG COMMONWEALTH AVE., BRGY. BATASAN HILLS, NATIONAL GOVERNMENT CENTER-EASTSIDE, QUEZON CITY, FOR MARKET VALUE AND MARKET RENT DETERMINATION**

### I. BACKGROUND/ RATIONALE

Pursuant to Presidential Decree No. 757 dated July 31, 1975, the National Housing Authority was created the mandate to develop and implement a comprehensive and integrated housing program which shall embrace, among others, housing development and resettlement, sources and schemes of financing, and delineation of government and private sector participation. The same was mandated under Executive Order No. 90 dated December 17, 1986 as the sole government agency engaged in direct shelter production for the lowest 30<sup>th</sup> percentile of Filipino income earners alongside the provision of technical assistance for private developers undertaking low-cost housing projects. Under Republic Act No. 7279 dated May 24, 1992, the local government units in coordination with the NHA, among others, was tasked to identify lands for socialized housing and resettlement areas for the immediate and future needs of the underprivileged and homeless Filipino families, as well as the proper disposition thereof being acquired government-owned lands. Under the present administration, the NHA continues to address its mandate and ensure that the comprehensive and integrated housing development is complied with through the provision of socio-economic opportunities by way of generating commercial, industrial, and institutional lots. Some of these properties have evolved over time for potential mixed-use development and the subject property is among them.

Since its creation, the NHA has judiciously managed its finite resources with the objective that it shall generate external revenue sources for the furtherance of the government's socialized housing program without overly relying on national government subsidies. In pursuance to the NHA's mandate, harnessing private sector participation is being encouraged to be tapped in order to raise the much-needed resources to turn around its non-performing assets into sources of long-term revenue streams thereby sustaining the socialized housing delivery.

Consistent with existing policies, the NHA procures external appraisal services in accordance with Republic Act No. 9184 and its 2016 Revised Implementing Rules and Regulations. The opinion rendered by the hired External Real Estate Appraisal Providers, who shall render an independent and unbiased opinion on the market/rental values of the subject lots are made as bases for establishing the selling prices and/or lease rates of the subject lots when offered for disposition. Valuation of these lots are market related such that at least two (2) third party appraisals shall be procured in accordance with Memorandum Circular

No. 2018-035 dated November 29, 2018, as amended by Memorandum Circular No. 2020-075 dated December 15, 2020 and its supplemental Memorandum Circular No. 2021-008 dated February 18, 2021.

## II. PROJECT PROFILE

### **BATODA Site, Brgy. Batasan Hills, Quezon City**

Project Proposal	Land Appraisal of 3 parcels of land being described herein through the Procurement of External Real Estate Appraisal-Service-Providers in accordance with the 2016 Revised implementing Rules and Regulations (IRR) of R.A. 9184 as amended by Memorandum Circular No. 2020-075 and its supplemental Memorandum Circular No. 2021-008 dated 18 February 2021
Mode of Procurement	Small Value Procurement
Property Identification	BATODA site, Block Nos. 121 and 122, Brgy. Batasan Hills, Quezon City
No. of Lots	Three (3) lots
Total Area (in sq.m.)	11,213.84 square meters, more or less
Title No./Nos.	TCT No. RT-34366 (portion) (LRC) Psd-11984, Lot Descriptions – Survey No. Pcs-00-015861 for Block 121 and Block 122
Registered Owner	Republic of the Philippines
Land Use	For Mixed-use Development

## III. OBJECTIVE

The objective of this undertaking is to secure consulting services from competent and professionally regulated Real Estate Appraisal Service Providers who shall render an objective, independent and unbiased opinion on the **market value** and **market rent** of the subject property on (a) "As is, where is" basis and (b) "As vacant" for two (2) consecutive years (or an opinion for the first year and another on the second year reckoned from Date of Valuation).

## IV. SCOPE OF WORK

The scope of work of the appraisal consulting services to be procured shall cover the market value and market rent determination of the following:

Lot Identification	Survey No.	TCT No./s	Lot Area (sq. m.)
BATODA Site (corner lot)	(LRC) Psd-11984	RT-34366 (portion)	3,259.84
Block 121 (corner lot)	Pcs-00-015861	Lot Description	2,075.00
Block 122	Pcs-00-015861	Lot Description	5,879.00
		<b>TOTAL:</b>	<b>11,213.84</b>

The external appraisers, who will qualify and be selected through the **Small Value Procurement (SVP)** process in accordance with the 2016 Revised IRR of R.A. 9184, Memorandum Circular No. 2018-035, as amended by Memorandum Circular No. 2020-075 and its supplemental Memorandum Circular No. 2021-008 shall be required to comply with the following:

1. Submission of a written Appraisal Bid Proposal disclosing the proposed professional fee and work duration of the project for conformity by the NCR-East Sector Officer-in-Charge;
2. Conduct of ocular inspection and investigation of the physical condition/ characteristics of the property (topography, contour, size, status of occupancy, physical issues, geohazards, existing improvements, accessibility to existing roads, and others);
3. Secure land data such as lot plan, subdivision plan, location/vicinity plan, and muniments of the property (e.g. TCT, approved technical description) from the Quezon City District Office with office address at Elliptical Road, Diliman, Quezon City;
4. Tax declaration; **but appraisers shall be required to secure/verify data from the NHA Regional/District Office, regarding the land use classification of the lots per NHA Lot Inventory System or land use/subdivision plan of the properties;**
5. Investigation of local market conditions –
  - Neighborhood characteristics (zoning, general information of the dominant or prevalent land uses, present use of the property subject of appraisal, development activities within the vicinity, social environment, known landmarks, site and community services such as existing facilities, utilities and other community services, accessibility to transport, and other relevant market forces influencing the property);
  - Current **'Market Value'** and **'Market Rent'** using at least five (5) market data within the vicinity, or if the same cannot be gathered, the use of Income Approach for 'Market Rent' determination is suggested;
  - Inquiries from local sources conversant with land valuation within the vicinity;
  - Schedule of the latest declared Zonal Value(s);
  - Schedule of Fair Market Value(s) of the property/ies or comparable properties within the same vicinity as gathered from the Assessors' Office;
  - Other relevant data.
6. Declaration of Highest and Best Use;

7. Preparation and submission of the Appraisal Report in narrative form with declaration of the identification and location of the properties, neighborhood data, land data, highest and best use, Valuation Approach, listing of Market Data, appraisal considerations, conclusion of value/s - current **Market Value** and **Market Rent**, neighborhood characteristic, Zonal Value, land use classification and market value per Tax Declaration, and Annexes thereto such as lot plan, vicinity/location plan, building plan, photocopy of the title/technical description and tax declaration, photo-documentation of each of appraised properties, and declaration of the limiting conditions;
8. Preparation and submission of accompanying 'Summary of Important Facts and Conclusion of Value/s' (e.g. Location of the Property, Registered Owner, Lot identification/s, lot size/s, Improvement/s existing on the lot, Highest and Best Use, Conclusion of current Market Value and Market Rent, and Date of Valuation); and
9. Preparation and submission of a covering letter containing therein a declaration that the valuation/appraisal is undertaken in accordance with the 2018 Philippine Valuation Standards (PVS) as prescribed by the Department of Finance - Bureau of Local Government Finance.

## **V. TIMELINES AND DELIVERABLES**

The engagement with the responsive, shortlisted Real Estate Appraisal Service Providers shall commence on the day following the receipt of the Notice of Award, as well as the completeness of the documentary requirements/references for the conduct of the appraisal to be secured from the **NHA East Sector Regional Office or its Quezon City District Office**, both with office address at **NHA Main Office Compound, Elliptical Road, Diliman, Quezon City**.

The Appraisal Report shall be submitted within **ten (10) working days** upon receipt of Purchase Order. The penalty charge being imposed for delayed submission of the Appraisal Reports is equivalent to 1/10<sup>th</sup> of 2% per working day. The Appraisal Fee to be paid to each of the two (2) hired appraisers shall be net of penalty.

## **VI. MECHANICS ON THE SUBMISSION AND ACCEPTANCE OF THE APPRAISAL PROPOSALS IN COMPLIANCE WITH RA 9184**

1. Participation of professionally regulated Real Estate Appraisal Service Providers who are registered in the PhilGEPS under "red" or "platinum" membership.
2. The Real Estate Appraisal Service Providers shall submit their respective Appraisal Proposal quoting the 'Professional Fee' and 'Work Duration', to be addressed to **Engr. Maura D. Aggarao, Officer-in-Charge, NHA East Sector Regional Office** with office address at the **Ground Floor, National Housing Authority, Elliptical Road, Diliman, Quezon City**.

3. Evaluation for short listing of External Appraisal Service Providers shall be done by the Regional Office Bids and Awards Committee (ROBAC) as assisted by its Technical Working Group (TWG) and Secretariat;
4. The ROBAC shall select and recommend the first two Real Estate Appraisal Service Providers with the Highest Rated Responsive Bids;
5. The **Notice of Award (NOA)** shall be issued by the **NCR-East Sector Officer-in-Charge**. The ROBAC with its Secretariat shall ensure that all the documents/ reference materials to be furnished to the hired External Appraisal Service Providers as mentioned herein, shall be fully complied with. These documents shall be sourced out from NCR-East Sector Quezon City District Office.
6. Upon receipt of NOA by the hired External Appraisal Service Provider, the ROBAC shall issue the **Purchase Order (P.O.)** indicating the 'Professional Fee' and 'Work Duration'. The Real Estate Appraisal Service Provider shall conform to the Purchase Order, and the same shall constitute as an Agreement/ Contract.

## VII. MECHANICS ON THE SHORTLISTING OF REAL ESTATE APPRAISAL SERVICE PROVIDERS

### LEGAL REQUIREMENTS

Real Estate Appraisal Service Providers, who shall participate in the competitive bidding for short listing and eventual selection, shall comprise of those who are duly registered with the PhilGEPS to ensure that the service to be procured shall come from the most reliable, competent, experienced and professionally regulated external Appraisal Service Providers in the Real Estate Appraisal industry. The checklist of the legal documents for submission is shown in **Annex "A"**. The Bid Quotation Form to be accomplished by the prospective bidder-appraisal service provider is shown in **Annex "B"**.

## VIII. EVALUATION CRITERIA APPLYING THE QUALITY - COST BASED EVALUATION (QCBE) PROCEDURE (TOTAL MAXIMUM POSSIBLE WEIGHT = 100%)

### A. TECHNICAL PROPOSAL (Maximum possible weight of 80%)

CRITERIA	Weights	Assigned Weights
<b>A.1 Qualification of Organic/Permanent Personnel</b>	30%	
<ul style="list-style-type: none"> <li>• No. of PRC Licensed Real Estate Appraiser</li> </ul>	20%	
<ul style="list-style-type: none"> <li>• 11 and above</li> </ul>		20%
<ul style="list-style-type: none"> <li>• 6 to 10</li> </ul>		15%
<ul style="list-style-type: none"> <li>• 1 to 5</li> </ul>		10%
<ul style="list-style-type: none"> <li>• Education (minimum of Bachelor's Degree)</li> </ul>	5%	5%
<ul style="list-style-type: none"> <li>• Latest Continuing Professional Development Program Certificate (not over 3 years)</li> </ul>	5%	5%
<b>A.2 Applicable Experience of the Firm or Individual</b>	30%	

<ul style="list-style-type: none"> <li>No. of years in the practice of real estate appraisal and fully compliant in the exercise of the profession pursuant to RA 9646 series of 2009 (Real Estate Service Act or RESA Law)           <ul style="list-style-type: none"> <li>Above 5 years</li> <li>5 years and below</li> </ul> </li> </ul>	10%	
<ul style="list-style-type: none"> <li>Similar and relevant experience           <ul style="list-style-type: none"> <li>Appraisal of residential, commercial, industrial, and or institutional lots with attestation of the reliability and competence of the appraisal service provider through a certification issued by at least 2 clients from the private sector and at least 2 clients from public sector</li> <li>Geographical distribution of offices and projects               <ul style="list-style-type: none"> <li>Luzon, Visayas and Mindanao</li> <li>Within [either one of Luzon, Visayas or Mindanao] only</li> </ul> </li> <li>Records of clients or engagements in the past               <ul style="list-style-type: none"> <li>25 clients and above</li> <li>Below 25 clients</li> </ul> </li> <li>Overall work commitment to the appraisal requirements               <ul style="list-style-type: none"> <li>Full compliance</li> <li>With deficiency</li> </ul> </li> </ul> </li> </ul>	20%	
<b>A.3 Plan of Approach and Methodology</b>	20%	
<ul style="list-style-type: none"> <li>Quality of interpretation of land data, neighborhood data, elements of value, market data, highest and best use, application of Grid Analysis, among others.</li> </ul>	5%	5%
<ul style="list-style-type: none"> <li>Method of Valuation consistent with the Philippine Valuation Standards of 2009, as amended under PVS 2017, and analysis of comparable properties</li> </ul>	10%	10%
<ul style="list-style-type: none"> <li>Conclusion of values</li> </ul>	5%	5%

#### B. FINANCIAL PROPOSAL (Maximum possible weights is 20%)

Ranking from the Lowest Financial Proposal	Maximum possible weight of 20%
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The lowest Financial Proposal shall be given 100 points with an equivalent weight of 20%.

Adherence to the following prescribed formula in ranking the Highest Rated Responsive Bid for the other Financial Proposals must be observed:

$$SF = 100 \times (FP_{\text{lowest}}/FP_n) \times 0.20$$

Where, **SF** is the Financial Score

**FP lowest** is the lowest Financial Proposal

**FP<sub>n</sub>** is the Financial Proposal under consideration

The passing rate is seventy five percent (75%).



## **IX. PROJECT COST**

The total estimated Project Cost herein is **Php 65,000.00 (or Php 32,500.00 each)**, inclusive of Value Added Tax (VAT) of the External Appraisal Service Provider to be hired. The maximum possible bid amount of **Php 32,500.00** shall constitute as the Approved Budget for the Contract (ABC) for each of the Service Providers. The Purchase Order bearing the conformé of the Officer-in-Charge, NHA East Sector, shall be a **fixed price contract**. Should there be an extension of the work schedule beyond the agreed contract period, the same shall not involve any additional cost to NHA.

## **X. RIGHT TO REJECT**

The NHA has the right to reject the Appraisal Report submitted by the hired appraisal service provider if the same is found to be deficient in content or information such that the NHA shall communicate said observation to the appraiser who shall resubmit a revised comprehensive report within seven (7) working days from receipt of the said notice at no extra cost to the NHA. In case of failure to comply within the said prescribed period, the NHA shall notify the appraiser of the rejection of the appraisal report and shall inform the latter without the need of paying the latter's services. This condition shall be indicated in the Request for Proposal (RFP) and in the Purchase Order.


## **XI. COMPLIANCE REVIEW**

The external Appraisal Reports to be submitted by the hired Appraisal Service Providers shall be subject to the conduct of Compliance Review by the Commercial and Industrial Estates Department (CIED).



**XII. CONTACT PERSON:**

<p><b>ENGR. MAURA D. AGGARAO</b> Officer-in-Charge NCR-East Sector</p>	<p>8790-0800 local 132 *8243-8344 <a href="mailto:ncr.east@nha.gov.ph">ncr.east@nha.gov.ph</a> <a href="mailto:maggarao@yahoo.com">maggarao@yahoo.com</a> National Housing Authority Ground Floor, NHA Main Bldg. Elliptical Road, Diliman, Quezon City</p>
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**Prepared by:**

  
**ENGR. JEAN V. PELICANO-SORIANO**  
Senior Engineer A, Quezon City District Office  
Date: 09-16-2022

**Recommending Approval:**

  
**ENGR. ROSE MICHELLE PADRE-MAHAMUD**  
Officer-in-Charge, Quezon City District Office  
Date: SEP 16 2022 

**APPROVED:**

  
**ENGR. MAURA D. AGGARAO**  
Officer-in-Charge, NCR-East Sector  
10-4-2022   
Date Approved

ANNEX "B"



Office of the President  
**NATIONAL HOUSING AUTHORITY**  
Elliptical Road, Diliman, Quezon City



### PRICE QUOTATION FORM

Date: \_\_\_\_\_

\_\_\_\_\_  
Chairperson  
Regional Office Bids and Awards Committee  
National Housing Authority  
Elliptical Road, Diliman, Quezon City

Sir/Madam:

After having carefully read and accepted the terms and conditions in the Request for Quotation, hereunder is/are our quotation/s for the item/s, as follows:

No.	Description	Total Price
1.	Procurement of Two (2) External Real Estate Appraisal Service Providers for the Appraisal of BATODA Site and the adjoining commercial strip, all comprising three (3) lots located in Brgy. Batasan Hills, Quezon City	
	<b>Total (inclusive of 12% VAT)</b>	

(Amount in Words)

\_\_\_\_\_  
\_\_\_\_\_

Very truly yours,

\_\_\_\_\_  
Name & Signature of Representative

\_\_\_\_\_  
Designation

\_\_\_\_\_  
Name of Company

\_\_\_\_\_  
Date



## ANNEX "A"

### CHECKLIST OF LEGAL REQUIREMENTS RE: APPLICATION TO BID AS REAL ESTATE APPRAISAL-SERVICE PROVIDER FOR NHA

1. PHILGEPS Certification of Registration (Red or Platinum)
2. Certified True Copy of the registration with the Department of Trade and Industry for Individual Professional practitioner or sole proprietorship or the Securities and Exchange Commission for partnership and corporation
3. Valid and current Mayor's Permit supported by the Official Receipt evidencing payment of the required fee for the applicable quarter of the year
4. Individual Income Tax Return or Audited Financial Statement stamped "received" by the BIR or its duly accredited and authorized institutions, for year 2020;
5. Certification as member of good standing either from the Institute of the Philippine Real Estate Appraisers (IPREA) or the Philippine Association of Real Estate Appraisers, Inc. (PARA)
6. Certified True Copy of the Official Receipt re: Professional Tax Receipt (PTR) payment
7. Omnibus Sworn Statement

## Omnibus Sworn Statement (Revised)

*[shall be submitted with the Bid]*

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REPUBLIC OF THE PHILIPPINES )  
CITY/MUNICIPALITY OF \_\_\_\_\_ ) S.S.

### AFFIDAVIT

I, [Name of Affiant], of legal age, [Civil Status], [Nationality], and residing at [Address of Affiant], after having been duly sworn in accordance with law, do hereby depose and state that:

1. *[Select one, delete the other:]*

*[If a sole proprietorship:]* I am the sole proprietor or authorized representative of [Name of Bidder] with office address at [address of Bidder];

*[If a partnership, corporation, cooperative, or joint venture:]* I am the duly authorized and designated representative of [Name of Bidder] with office address at [address of Bidder];

2. *[Select one, delete the other:]*

*[If a sole proprietorship:]* As the owner and sole proprietor, or authorized representative of [Name of Bidder], I have full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached duly notarized Special Power of Attorney;

*[If a partnership, corporation, cooperative, or joint venture:]* I am granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached [state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate, Board/Partnership Resolution, or Special Power of Attorney, whichever is applicable)];

3. [Name of Bidder] is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or Local Government Units, foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the Government Procurement Policy Board, **by itself or by relation, membership, association, affiliation, or controlling interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on Blacklisting;**

4. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;

5. [Name of Bidder] is authorizing the Head of the Procuring Entity or its duly authorized representative(s) to verify all the documents submitted;

6. *[Select one, delete the rest:]*

*[If a sole proprietorship:]* The owner or sole proprietor is not related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical

Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

*[If a partnership or cooperative:]* None of the officers and members of *[Name of Bidder]* is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

*[If a corporation or joint venture:]* None of the officers, directors, and controlling stockholders of *[Name of Bidder]* is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

7. *[Name of Bidder]* complies with existing labor laws and standards; and
8. *[Name of Bidder]* is aware of and has undertaken the responsibilities as a Bidder in compliance with the Philippine Bidding Documents, which includes:
  - a. Carefully examining all of the Bidding Documents;
  - b. Acknowledging all conditions, local or otherwise, affecting the implementation of the Contract;
  - c. Making an estimate of the facilities available and needed for the contract to be bid, if any; and
  - d. Inquiring or securing Supplemental/Bid Bulletin(s) issued for the *[Name of the Project]*.
9. *[Name of Bidder]* did not give or pay directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel or representative of the government in relation to any procurement project or activity.
10. **In case advance payment was made or given, failure to perform or deliver any of the obligations and undertakings in the contract shall be sufficient grounds to constitute criminal liability for Swindling (Estafa) or the commission of fraud with unfaithfulness or abuse of confidence through misappropriating or converting any payment received by a person or entity under an obligation involving the duty to deliver certain goods or services, to the prejudice of the public and the government of the Philippines pursuant to Article 315 of Act No. 3815 s. 1930, as amended, or the Revised Penal Code.**

**IN WITNESS WHEREOF**, I have hereunto set my hand this \_\_\_ day of \_\_\_, 20\_\_ at \_\_\_\_\_, Philippines.

*[Insert NAME OF BIDDER OR ITS AUTHORIZED REPRESENTATIVE]*

*[Insert signatory's legal capacity]*

Affiant

**[Jurat]**

*[Format shall be based on the latest Rules on Notarial Practice]*