



# PHILIPPINE CHARITY SWEEPSTAKES OFFICE

Sun Plaza Building, 1507 Shaw Boulevard corner Princeton St., Mandaluyong City 1552

www.pcsso.gov.ph

## SUPPLEMENTAL BID BULLETIN (SBB) NO. 8

SBAC Contract No. 2019-01

Re: Five (5) Years Lease of the PCSO Lottery System (PLS)

This Bid Bulletin is issued to **CLARIFY** queries/requests to the Special Bids and Awards Committee and other matters for the information and guidance of interested bidders:

### A. QUERIES/REQUESTS OF INTERESTED BIDDERS (AS OF JUNE 27, 2019)

NAME	QUERY/REQUEST	CLARIFICATIONS
<b>Philippine Gaming Management Corporation (PGMC)</b>  *Letter query to SBAC from its local counsel (Bernas Law Offices); officially received on June 26, 2019.	<p>"x x x, We refer to the clarification to the query raised by ZEENET/Kerberos Corp. found on page 11 of SBB No. 3 whether "gaming" should be included in the primary purpose or secondary purposes of the JV member corporation. The SBAC clarified that "(s)upply or delivery or lease of online gaming and/or online lottery equipment/system <u>for PCSO must</u> be the primary purpose of the Joint Venture (JV) or Consortium".</p> <p>We request clarification on whether the requirement refers to the joint venture or consortium and not to the JV member corporation, which is the subject of the query.</p> <p>We would also like to seek clarification on whether the "supply or delivery or lease of online gaming and/or online lottery equipment/ system for PCSO" should also be the primary purpose of existing corporations that are interested to submit their bids because if so, bidder corporations have to amend their articles of incorporation prior to the submission of bids.</p> <p>We respectfully submit that an amendment of a corporation's primary purpose to specifically mention PCSO is unnecessary and outside of government or private</p>	<p>It applies to the JV/ consortium.</p> <p>It is sufficient that the bidder (like a corporation or JV) have the said required experience as stated in the BDS. Primary purpose refers to the JV bidder not the JV partners comprising it.</p> <p>Please also see Section 37.1.4 of the 2016 Revised IRR of RA 9184 on the obligation of winning bidder, if a JV, to submit a SEC registered JV identifying that the primary purpose is "(s)upply or delivery or lease of online gaming and/or online lottery equipment/system for PCSO".</p>

	<p><i>practice. It also imposes a burden on the bidders, as all such bidders would have to amend their respective articles of incorporation in a short period of one week prior to submission of bids.</i></p> <p><i>In view thereof, we respectfully suggest that the requirement of having "supply or delivery or lease of online gaming and/or online lottery equipment/system for PCSO" as the primary purpose of either the existing corporations or potential joint venture be dropped or removed, or be required only after an award is issued.</i></p>	
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## **B. OTHER MATTERS FOR THE INFORMATION AND GUIDANCE OF INTERESTED BIDDERS**

### **1. WITHDRAWAL AND MODIFICATION OF BIDS:**

Bidders shall observe Section 26 (1)(2), 2016 Revised IRR of Republic Act No. 9184 in case of withdrawal and/or modification of bids, as follows:

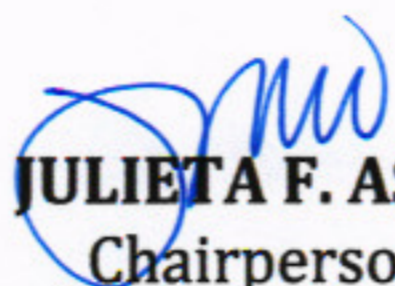
#### ***"Section 26. Modification and Withdrawal of Bids***

- 26.1. *A bidder may modify its bid, provided that this is done before the deadline for the submission and receipt of bids. Where a bidder modifies its bid, it shall not be allowed to retrieve its original bid, but shall only be allowed to send another bid equally sealed, properly identified, linked to its original bid and marked as a "modification," thereof, and stamped "received" by the BAC. Bid modifications received after the applicable deadline shall not be considered and shall be returned to the bidder unopened.*
- 26.2. *A bidder may, through a letter, withdraw its bid before the deadline for the receipt of bids. Withdrawal of bids after the applicable deadline shall be subject to appropriate sanctions as prescribed in this IRR. A bidder may also express its intention not to participate in the bidding through a letter which should reach and be stamped received by the BAC before the deadline for the receipt of bids. A bidder that withdraws its bid shall not be permitted to submit another bid, directly or indirectly, for the same contract."*

Let a copy of this CLARIFICATORY Supplemental Bid Bulletin No. 8 dated **June 27, 2019** (Thursday) be published in [www.philgeps.gov.ph](http://www.philgeps.gov.ph) and [www.pcsso.gov.ph](http://www.pcsso.gov.ph), to include conspicuous areas within the PCSO Head Office in Mandaluyong City, Metro Manila.

**ALL OTHER MATTERS IN PUBLISHED BID DOCUMENTS NOT REVISED/AMENDED OR NOT OTHERWISE INCONSISTENT WITH THIS SUPPLEMENTAL BID BULLETIN ARE HEREBY MAINTAINED BY THIS COMMITTEE.**

For the information and guidance of all concerned.

  
**JULIETA F. ASEO**  
Chairperson

Special Bids and Awards Committee

SBAC Contract No. 2019-01  
RE: Supplemental Bid Bulletin No. 7  
June 27, 2019