TERMS OF REFERENCE
SUPPLY AND DELIVERY OF
ONE (1) UNIT BRAND NEW AIR-CONDITIONED BUS
FOR THE OFFICE OF THE SOLICITOR GENERAL

I. Background

In compliance with Republic Act (R.A.) No. 12009, otherwise known as the *"New Government Procurement Act"*, the Office of the Solicitor General (OSG) will be conducting a public bidding for the supply and delivery of one (1) unit brand new air-conditioned bus.

Under Department of Budget and Management Circular No. 2022-1 issued on 11 February 2022, the maximum seating capacity that may be acquisitioned is limited to buses with a maximum seating capacity of 47 passengers. Thus, the bus that will be procured by the OSG shall have a maximum seating capacity of 47 passengers, including the driver.

II. Objective

The procurement of the new bus is in line with the OSG's re-fleeting program. The new bus will allow the office to transport employees to and from the OSG office in Makati and/or in other locations where the OSG will relocate by establishing a new bus route. The bus is also intended to be used as transport of OSG employees for out-of-town official activities which cannot be accomplished by the existing bus fleet due to their city-oriented design and operation, and for office-wide events.

III. Approved Budget for the Contract

The approved budget for the contract is Ten Million Pesos (PhP10,000,000.00).[1]

IV. Bidder's Qualifications

1. Bidder must have an ISO 9001:2015 & ISO 14001:2015[2] certification;
2. Manufacturer's experience in diesel engine must be a minimum of fifteen (15) years **or** an authorized distributor of diesel buses in the Philippines with substantial amount of capital; and
3. For manufacturers, bidder must have own assembly plant in the Philippines.
4. For distributors, the following must concur:
    a. Must have substantial capital;
    b. Must have partner repair shops;
    c. Can easily obtain spare parts.
5. The Bidder must present a Single Largest Completed Contract that is at least one (1) contract similar to the Project, the value of which, adjusted to current prices using the Philippine Statistics Authority's Consumer Price Index, must be equivalent to at least fifty percent (50%) of the Approved

[1] APMV No. D4-26-00028 dated June 30, 2025. A copy is attached for ready reference.
[2] May be dispensed with if the winning bidder is only a distributor of motor vehicles.

Budget of the Contract, completed within five (5) years prior to the deadline for the submission and receipt of bids.

V. Deliverables

One (1) unit brand new airconditioned bus with a maximum capacity of 47 passengers, including the driver.[3] The bus should be able to travel to places within and outside Metro Manila with relative ease at full passenger capacity.

VI. Technical Specifications

1. Body:
   - 1.1 six (6) wheel heavy and long bodied motor vehicle with locally assembled or fully imported chassis and body; and
   - 1.2 Single deck.
   - 1.3 Dimension: (minimum)
     Length = 11,000 (mm)
     Width = 2,400 (mm)
     Height = 3,400 (mm)

2. Engine and brake system:
   - 2.1 Diesel fed, direct injection, turbo-charged and intercooled, electronic control common rail type, with exhaust gas recirculation system (EGR);
   - 2.2 Water cooled engine;
   - 2.3 Emission compliant – EURO IV (Minimum);
   - 2.4 Rear mounted engine;
   - 2.5 Engine displacement: minimum 8,000 cc but not to exceed 10000 cc, diesel; and
   - 2.6 Antilock Braking System.

3. Transmission:
   - 3.1 Speed: Minimum 5-Forward and 1-Reverse;
   - 3.2 Mechanical control with power shift.

4. Air-conditioning system and ventilation:
   - 4.1 Roof mounted aircon unit;
   - 4.2 R134a type refrigerant; and
   - 4.3 Adequate air vents for equal distribution of cool air.

5. Seating (for 47 passengers, including driver):
   - 5.1 Individual seats (1 seat for driver);
   - 5.2 One (1) back seat for multiple passengers;
   - 5.3 Reclining backrest for individual seats; and
   - 5.4 Leatherette seat upholstery.

6. Accessories and peripherals:
   - 6.1 A/V Accessories, (Min. 24" LED TV);
   - 6.2 Standard set of tools, including one (1) hydraulic jack 10-tons, tire wrench, early warning device;
   - 6.3 One (1) 10-pound fire extinguisher;
   - 6.4 Side view mirror;
   - 6.5 Driver's sun visor;
   - 6.6 Inside rear view mirror;

[3] Annex "A", p. 4, Department of Budget and Management Circular No. 2022-1 dated 11 February 2022.

6.7 Digital clock;
6.8 USB Charging port in each passenger seats;
6.9 CCTV cameras (1-front view, 1-rear view & 2 inside view; and
6.10 Driver Airbag.

7. Paint/Design: White with OSG-approved design decals.

8. Other requirements:
   8.1 Warranty over the bus, including its peripherals, accessories for a period of one (1) year;
   8.2 Free preventive maintenance for the first 120,000 kms or one (1) year, whichever comes first;
   8.3 Free LTO registration for the first three (3) years; and
   8.4 Free Third Party Insurance Liability Insurance for the first year.

VII. Delivery Schedule

1. The winning bidder must deliver the bus within one hundred twenty (120) calendar days from its receipt of the Notice to Proceed (NTP).

2. The delivery must be made within office hours and on a regular working day on or before the stipulated date in the contract. If there should be delay in the delivery of the bus, the winning bidder must notify and secure the approval of the Solicitor General.

3. Unless the Solicitor General is notified and approves the delay as stated in the immediately preceding paragraph, the OSG shall impose a penalty of 1/10 of 1% of the value of the bus for each day of delay as liquidated damages.

4. Non-availability of the unit shall be made known to the OSG before the acceptance of the NTP.

VIII. Inspection, Testing, and Acceptance

1. The winning bidder warrants full after-sales service and support during the warranty period. The winning bidder endeavors to repair/replace all reported defects within seventy-two (72) hours from receipt of notice from the OSG.

2. The OSG shall have the right to reject and return the unit as well cancel the contract if, upon inspection and testing, the unit delivered is defective, incomplete, or non-compliant with the specifications herein provided.

IX. Terms of Payment

The OSG shall pay the winning bidder within thirty (30) calendar days upon submission and delivery by the latter of the bus, complete documents relative to the sale **and** certification by the proper OSG Committee of the Inspection and Acceptance Report.

Additionally, the OSG shall retain from the payment the amount equivalent of 1% of the accepted contract price to cover the winning bidder's warranty against manufacturing defects. The warranty over manufacturing defects shall be for a period of one (1) year starting from the sale and certification stated in the immediately preceding paragraph.

Upon the expiration of the warranty period, the OSG shall release the retained amount to the winning bidder.

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