



**Philippine International Trading Corporation
BIDS & AWARDS COMMITTEE I**

**MINUTES OF THE PRE-BID CONFERENCE
SUPPLY, DELIVERY, TESTING AND COMMISSIONING OF MOBILE VEHICLE
INSPECTION FACILITY (MVIF) (CONTAINERIZED AND TRUCK MOUNTED) FOR
THE DEPARTMENT OF TRANSPORTATION (DOTR)
BID REF. NO. GPG-B1-2018-256
19 July 2018 12th Floor Conference Room**

There being a quorum, Chair convened the meeting at 9:00 A.M.

In attendance are:

FOR PITC BAC-I	FOR PROPONENT – DOTr
Atty. Ma. Victoria C. Magcase, Chairperson	As per attached attendance sheet
Atty. Ma. Gudelia C. Guese, Vice-Chair	
Christabelle P. Ebriega, Member	
Myra T. Alvarez, Member	
David A. Inocencio, Member	
PITC TWG/BAC Secretariat (as per attached attendance Sheet)	
BIDDERS	
As per attached attendance sheet	

HIGHLIGHTS OF PROCEEDINGS

- Chair welcomed everyone to the pre-bid conference for the Supply, Delivery, Testing and Commissioning of Mobile Vehicle Inspection Facility (Containerized and Truck Mounted) requirement of the DOTr.
- Chair briefed the prospective bidders that PITC is a government corporation attached to the Department of Trade and Industry who have been tasked by the DOTr to undertake this procurement project for them.
- Chair acknowledged the presence of the prospective bidders present in this pre-bid conference; namely:
 1. Vehicle Inspection Management Solution
 2. OFF Road Adventures Inc.
 3. EMB Spain (For VTEQ)
 4. MCX International Inc.
 5. ACTIA Automotive/ France
 6. MAHA/ Germany
 7. Power-Chek Inc.
 8. TUV Rheinland
 9. Trojan Computer Forms Manufacturing Corporation
 10. AARCON Builders Construction
 11. SCAG Automotive
 12. Computest Ltd.
 13. Boston Home Inc.
 14. Greenfros IT Inc.

- Chair informed that to be able to participate in this bid project, prospective Bidder should have completed within the last five (5) years from the date of submission and receipt of bids at least a single contract similar to the contract to be bid amounting to at least fifty (50%) of the ABC of the project.

“Similar” contract shall refer to contracts for the “Supply and Delivery of Vehicle Inspection Equipment”.

- At the same time, this bid project is open to authorized local and foreign manufacturers. The manufacturer must have been in the business of manufacturing Vehicle Inspection Equipment for the past ten (10) years.
- In the Invitation to Bid, foreign manufacturer is required to be represented by a Philippine Based Company who must have nationwide after-sales service centers. However, this early the prospective bidders were advised that this will be revised through a Supplemental/Bid Bulletin (SBB). Bidders will only have to issue an Undertaking that once awarded the contract, they undertake to establish after-sales service centers nationwide. A sample form of the Undertaking shall also be provided by the BAC through the SBB.
- Chair explained that the first part of the Bidding Documents is the Instructions to Bidders. What will be discussed in this pre-bid conference are the documents that are required to be submitted Bid Opening Day;
- Chair started to discuss the Envelope System:
 - **Envelope System:** The system of submission is a two envelope system wherein **Envelope 1** will contain the eligibility and technical documents and **Envelope 2** will only contain the Financial Bid.
 - **Number of Copies:** All documentary submission must come in three sets. These will be placed in 3 folders marked: “original”, “duplicate” and “triplicate”.
 - **Sealing/Markings** The three sets of folders will then be placed in a master envelope. The master envelope will then be sealed and marked in accordance with the instructions stated in the Bidding Documents.

ENVELOPE I – ELIGIBILITY & TECHNICAL DOCUMENTS

<u>Eligibility Documents for Foreign Bidders</u>	<u>Chair's Instructions</u>
Certificate/license/authority to conduct business	Bidders to submit its valid and current Certificate/ license/ authority to conduct business issued by the regulatory authority in the country where he is based.
Valid and Current Tax Clearance	<p>Bidders must submit their valid and current Tax Clearance issued by Philippines' Bureau of Internal Revenue (BIR) Accounts Receivable Monitoring Division per Executive Order 398, Series of 2005</p> <p>Chair informed the bidders that PITC does not accept any provisional Tax Clearance, renewal certificate or claim stub because the GPPB has already issued a ruling that nobody can bid in any government bidding unless they have Tax Clearance.</p> <p>Chair advised Bidders to only transact with legitimate</p>

	employees of BIR.
Corporate Financial Statement or Annual Report for the 2017 or 2016.	Submission will be the 2016-2017 Corporate Financial Statement or Annual Report.
Valid and Current PhilGEPS Certificate of Registration and Membership (Platinum Registration).	<p>If a Bidder is already a PhilGEPS Platinum Member, he can submit the Platinum Membership Certificate together with the Annex "A". The Platinum Membership will substitute for the three (3) eligibility documents enumerated earlier.</p> <p>However, if any of the documents listed in Annex A of the certificate has expired Bidders must have to submit the current one.</p> <p>Chair emphasized that any documents that have expired, the valid and current document together with the PhilGEPS Certificate must be submitted.</p>
Annex I Statement of all Ongoing government and private contracts including contracts awarded but not yet started.	<p>Chair's instructions to the Bidders with respect to this document are as follows:</p> <ul style="list-style-type: none"> • Form Annex I is already provided in the Bidding Documents, The Bidders have to use Annex I • Bidder to transpose the forms in the letterhead; • Bidder's to provide the information called for; • Additional sheets can be used for as long as the authorized representative sign the last page.
Annex I-A Statement of Single Largest Contract similar to the contract being bid within the last 5 yrs. equivalent to at least 50% of the ABC.	<ul style="list-style-type: none"> • A form is again provided; • Bidder to transpose the form in their letterhead; • Bidder to supply the data or information required in the form and to attach either of the following documents: <ol style="list-style-type: none"> 1. Certificate of Acceptance issued by the end-user's; or 2. Official Receipt of payment

<p>Annex II NFCC or a Credit Line Certificate</p> <p>Annex II-A Committed Line of Credit</p>	<p>Under the 2016 Revised IRR, Bidders are now given the choice of submitting either an NFCC or a Credit Line Certificate.</p> <p>For NFCC</p> <ul style="list-style-type: none"> A form is provided for as Annex II As the sample form was flashed on the screen, Chair's instructions is for the Bidder to supply the necessary details as required. A formula is already provided for the bidder to come up with the NFCC. <p>The NFCC must at least be equal to the ABC of the project.</p> <p>In case the Bidder opt to submit a Committed Line of Credit, it must be at least equal to ten percent (10%) of the ABC of the project. Bidders are advised to show the form to their bank so that the bank will know the wordings. The Committed Line of Credit must be issued by a Local Universal or Commercial Bank. The amount of the committed Line of Credit must be machine validated.</p>
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Class "B" Documents (For Joint Ventures)	Chair Instruction's
Joint Venture Agreement (JVA)	<ul style="list-style-type: none"> Bidders to submit a copy of Joint Venture Agreement in case joint venture is already in existence; If not submission will be a copy of Protocol/ Undertaking of Agreement to enter into Joint Venture signed by all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful. <p>Submission shall be within (10) calendar days from receipt by the bidder of the notice from the BAC that the bidder is the Lowest Calculated and Responsive Bid [Sec 37.1.4 (a) (i) of the 2016 Revised IRR of RA 9184].</p>
For Local JV Partner	<p>Aside from the JVA or JVP, the local partner shall also submit the four (4) mandatory documents as follows:</p> <ol style="list-style-type: none"> 1. Registration Certificate from the Securities and Exchange Commission (SEC) for corporation, or from Department Trade of Industry (DTI) for Sole Proprietorship, or from Cooperative Development Authority (CDA) for cooperatives. 2. Business Permit issued by the city or municipality where the place of business is located OR the equivalent document for Exclusive Economic Zones or Areas.

	<p>3. Valid and Current Tax Clearance issued by Philippines' Bureau of Internal Revenue (BIR) Accounts Receivable Monitoring Division per Executive Order 398, Series of 2005.</p>
For Foreign JV Partner	<ul style="list-style-type: none"> ➤ Valid and Current Certificate/ license/ authority to conduct business issued by the regulatory authority in the country where bidder is based. ➤ Valid and Current Tax Clearance issued by Philippines' Bureau of Internal Revenue (BIR) Accounts Receivable Monitoring Division per Executive Order 398, Series of 2005.
PhilGEPS Certificate of Registration and Membership (Platinum Registration).	<p>The PhilGEPS Certificate of Registration as discussed earlier shall apply.</p> <p>Chair emphasized that any documents that have expired, the valid and current document together with the PhilGEPS Certificate must be submitted.</p> <p>Chair reminded the Bidders that in case the JV Partners opt to submit their eligibility documents, the Certificate of PhilGEPS Registration (Platinum Membership) shall be a post-qualification requirement to be submitted in accordance with Section 34.2 of the 2016 Revised IRR of RA 9184. "GPPB Circular 07-2017 dated 31 July 2017"</p>
	<p>For the rest of the Eligibility and Technical Documents, any of the JV partners can submit and it will be considered as collective compliance, i.e.</p> <ul style="list-style-type: none"> • To submit a copy of Audited and Financial Statement or annual Report 2017 and 2016 (in comparative form or separate reports): <ul style="list-style-type: none"> a) Independent Auditor's Report; b) Balance Sheet (Statement of Financial Position); and c) Income Statement (Statement of Comprehensive Income) • Duly filled up and signed form Annex I; • Duly filled up and signed form Annex I-A, completed all the required attachment; • NFCC or CLC.

<u>Technical Documents</u>	<u>Chair's Instructions</u>
Annex IV Bid Security	<p>Chair enumerated the types of Bid Security acceptable to PITC. These are:</p> <p style="padding-left: 40px;">a. <u>Bid Securing Declaration.</u></p> <p>Chair mentioned that a form is provided for in Annex IV.</p> <p>Bidders should use the form provided by PITC because it is complete in contents.</p>

	<p>In order not to miss out on anything, Chair advised Bidders to photocopy the form or scan it, and then have the authorized representative sign the form and submit it notarized.</p> <p>The other forms of Bid Security are:</p> <ul style="list-style-type: none"> b. <u>Cash or Manager's Check</u> issued by the local commercial/universal bank equivalent to at least 2% of the ABC; c. <u>A Bank Guaranty or Letter of Credit</u> issued by a local commercial/universal bank equivalent to 2% of the ABC. Issued by a local commercial or Universal Bank. d. <u>Surety Bond</u> issued by a bonding company authorized by the Insurance Commission. <p>In case Bidders will opt for a Surety Bond, The Bidder has to submit a Certification from the Insurance Commission that the bonding company is authorized to issue Surety Bond. In addition to this, the Surety Bond should contain all the 14 grounds for the forfeiture of the Bid Security and it be written on Bond Itself.</p> <p>Chair advised the Bidders to show the 14 grounds to their bonding company so that the latter can include or type them on the bond.</p> <p>Chair reminded the Bidder to specify the grounds for forfeiture of bid security as stated in Section II, ITB Clause 18.5.</p>
<p>Annex V Technical Bid Form</p>	<p>As the Technical Bid Form was flashed on the screen, Chair's Instructions are as follows:</p> <ul style="list-style-type: none"> • There is an instruction on the top most part of the form that states "Please use the Bid Form. Do not retype or alter"; • The left side is project requirements; • The right side is the Bidder's Statement of Compliance. • Bidder to put the word "Comply" on all the line item on the column "Bidder's Statement of Compliance"; • Bidders must indicate the Brand and Model Number of the MVIF they are offering. • All pages must be sign by the authorized representative of the Bidder. <p>Chair reminded the Bidder that if there are any blanks left out unfilled, the TBF will fail because it will mean that the Bidder cannot comply with the technical specifications.</p>

<p>Annex V-A Term of Reference</p>	<ul style="list-style-type: none"> • Authorized Representative to sign in all “conforme” box on all the 13 pages. <p>Please note that the last 2 pages of the TOR were inadvertently omitted thus an SBB will be issued to provide the complete set of the TOR.</p> <p>The pages omitted contained the last two delivery sites and the signature page.</p>
<p>Brochure or Technical Data Sheet</p>	<ul style="list-style-type: none"> • Bidders must make sure that the brochure is complete enough to show compliance to the Technical Specification of the item subject of the bidding. • Internet Downloads may be included to supplement the information contained in the original brochures of the Item. <p><i>Note: If not in English, must be subject to requirement per Clause 11 of the Instruction to Bidders.</i></p>
<p>Annex V-B Certification from the Manufacturer</p>	<ul style="list-style-type: none"> ➤ Submission will be a Manufacturer Certificate that he has Manufactured the Vehicle Inspection Facility being offered for the last ten (10) years; ➤ Supplied and sold MVIF: <ul style="list-style-type: none"> a) One (1) in Europe or United States of America/Canada; and b) Asia ➤ Sold Item being bid in the country of origin.
<p>ISO/CE Certification</p>	<p>Bidders to submit valid and current ISO/CE certification of the manufacturer of the Vehicle Inspection Facility being offered issued by and Independent Certifying Agency.</p> <p><i>Note: If not in English, must be subject to requirement per Clause 11 of the Instruction to Bidders.</i></p>
<p>Authorized Service Center/s in the Philippines</p>	<p>Bidders to submit its List of Authorized Service Center/s in the Philippines (with available spare parts, indicating address, telephone and fax numbers, email address and contact person).</p> <p>If the office of the Bidder is the Service Center itself, then they still have to submit the information.</p>
<p>Manufacturer/s Branch Certificate/ Sales Office</p>	<p>Bidders to submit a List of Manufacturer/s Branch Certificate/ Sales Office in Europe or United States of America/Canada and Asia.</p>
<p>Annex VI Certificate of Performance Evaluation</p>	<p>The Committee wants to make sure that the Bidder has a good record with his client. As such, Bidders has to go back to the client which he identified in Annex I-A as the single largest contract client.</p> <p>Bidders to present this form to their client and request them to transpose the form in their letterhead and then rate the Bidder. The rating should not be less than Very Satisfactory.</p>

	<p>Chair emphasized that the form must be in the letterhead of the client.</p>
<p>For Foreign Bidders</p>	<ul style="list-style-type: none"> ➤ Valid and Current Written Appointment of the Philippine based Company (As local representative of foreign bidder) issued by the foreign bidder. <p>The written appointment must include detailed scope or responsibility of the local representative.</p> <ul style="list-style-type: none"> ➤ Secretary's Certificate (for corporation) or Special Power or Attorney (for sole proprietor) of the Philippine Company indicating the name and specimen signature of the authorized representative/s of the Philippine company who transact with PITC (as Philippine based Representative) including address, telephone number, fax number and email address.
<p>Proof of Authority of the Designated Representative</p>	<p>Submission of a Proof of Authority of the Bidder's Authorized Representative:</p> <ul style="list-style-type: none"> a) <u>For Sole Proprietorship</u> submission of Duly Notarized Special Power of Attorney. b) <u>For Corporation, Cooperative, or the Members of the Joint Venture</u> submission of Duly Notarized Secretary's Certificate evidencing the authority of the designated representative/s. <p>In the case of Unincorporated Joint Venture each member shall submit a separate Special Power of Attorney and/or Secretary's Certificate evidencing the authority of the designated representative/s.</p> <p>Once again, Chair advised Bidders to check the wordings. In case the Board appoints more than one person, it is safe that it be worded "any of the following" or "or" so that even only one person can bind the company.</p> <p>However, if not stated this way, then the Committee will look for all the names and signatures of the persons named in the Secretary's Certificate. And if one signature is missing, the submission is non-compliant and will fail.</p>
<p>Annex IX Omnibus Sworn Statement (OSS)</p>	<p>Chair informed that the OSS is standard in all government biddings.</p> <p>Chair advised Bidders to use the form that PITC provided in this Bidding Document.</p> <p>The form must be copied verbatim. But to be sure that nothing is missed out, Chair suggested that the form just be scanned or photocopied and then filled up.</p> <p>On the "I/We", the name of the authorized representative named in the Secretary's Certificate will appear on the line.</p>

	<p>All blanks must be filled up, appropriate boxes must be ticked off.</p> <p>On the Authority of the Designated Representative, the portion: Name, Title and Specimen Signature must be filled up.</p> <p>All statements from "a" to "h" must be complete.</p> <p>The last page must be signed by the authorized representative and submitted notarized.</p>
<p>ENVELOPE 2: FINANCIAL ENVELOPE</p>	<p>Envelope 2 will contain the Financial Bid of bidder where he will indicate the Total Bid price which should not exceed the ABC in words and in figures.</p> <ul style="list-style-type: none"> • Bidders will just have to indicate their total bid price, in figures and in words. • Submit in Three (3) copies. • Do not leave any blank/s <p>Chair explained that similar to the TBF, the FBF cannot be retyped. But it can be scanned or photocopied.</p>

- Chair informed the Bidders that the Committee will issue a Bid Bulletin to clear that there is an additional requirement for the Bidder who will be declared as the LCB (during Post-Qualification Stage) which is a Proof of Concept (with submission of technical drawings) that their facility is working.
- The Committee would like the prospective bidders to take special note on the requirement - for whoever will be awarded the contract - of a presentation of a "Prototype" of the MVIF that will be approved first prior to mass production.
- The Chair opened the floor for questions/clarifications. Hereunder are the details:

Bidder's Query/Clarification/s	Committee's Reply
<p>EMB SPAIN: Thank you ma'am for the very clear presentation, just a clarification about the Delivery Period of the prototype... Technically the production of prototypes Exceeds 30days....</p>	
	<p>We cannot tell you right now but we'll take that in consideration... Just a reminder that every change in the bidding requirements will be posted in PhilGEPS.</p>
<p>In the Delivery period... It will take up 60 to 90 days of production and will take 45 days to ship with a total 150 days and the addition of 130 days delivery for the 1st tranche...</p>	
	<p>Sir, can you just put it in writing and we'll refer the matter to the DOTr.</p>
<p>MAHA: I think the delivery is 200 days, the 1st prototype will be at least 4</p>	

months of production... I think it is not possible...	
	We will deliberate with DOTr about that, and just put it in writing sir.
I recommend the solution of Pre Delivery Inspection (PDI)...	
	We'll take that in consideration. Actually that's one option for us that there will be a Pre Delivery Inspection. In the country of origin... But unless we issue a Bid Bulletin there will be no changes.
ACTIA: On the mobile you required... we're looking in something that actually transforms...	
	DOTr: Yes, we are also looking for something that transforms and ready to go.
There seems to be a conflict on the definition of the similar contract between Clause 5.4 and Clause 12.1 (a) (vi) of the BDS because in the latter clause it states "supply and delivery of <u>Mobile Vehicle Inspection Equipment</u> " and in Clause 5.4, there is no "Mobile" word.	
	We have to clarify that Sir. The Invitation to Bid and Clause 5.4 is correct – only "Vehicle Inspection Equipment". Hence, we will correct Section 12.1 (a) (vi) through a Bid Bulletin.
On the Single Largest Completed Contract (SLCC) required to be within the last (5) years from date of submission and receipt of bids versus the requirement of the manufacturer required to be in the business of manufacturing Vehicle Inspection Equipment for the past ten (10) years. Can the SLCC be for the last 10 years also?	
	We require that the manufacturer that it has been doing this for 10 years but please put it in writing Sir your request that the SLCC be for the last 10 years also and we will refer that to DOTr.
To enhance competition it is difficult to find only 1 contract for vehicle inspection equipment with amount equivalent to at least 50% of the ABC	
	If you wish to invoke the exception to this requirement – which is two or more contracts the aggregate value of which is equivalent to at least 50% of the ABC and the largest of the contracts is equivalent to at least 25% of the ABC, please raise it in writing it to the Committee and we will deliberate on it with the DOTr.

The ITB states that the Bid Opening is scheduled on August 13 and today is July 19 - it will take time to have the documents authenticated, so we are asking to extend the bid opening to 45 days.	
	Just to put that in writing.
Regarding the consularized documents	
	Nothing, We are not asking for any consularization except for the English translation as explained earlier.
Some contracts are with confidentiality agreement. Can we erase some portions of the contracts and just leave the information that the BAC requires to see.	
	Yes. We've done that before. Also, those contracts will only be submitted during post-qualification.
On the subcontracting not being allowed, what does this refer to...	
	It's the manufacturing of the facility itself.
For the warranty... the usual is 2 years	
	Sir, just have to write us about that, because those are the requirement of the LTO.
Technical Specification...	
	DOTr: We wanted everything in the island to be tested in 1 day. As long as we could test everything in the island...
Do you require a Mono Speed or Bi-Speed?	
	DOTr: It's Mono speed.
What do you mean by Register pass/fail result... what do you mean about the register pass/fail result and PC interface...	
	DOTr: We wanted it to be able to recognize whether it is a pass or failed result. As much as possible, we do not want any human intervention.
The Scanner... what transaction you want to get...	
	DOTr: Sir, can you just write us about that... but the bottom line is we do not want the technicians to input the result... as much as possible we want an automated result also.
If we offer you a Tractor bed instead of Flatbed trucks...	
	As you can see the Terms of Reference was prepared by the DOTr, we will appreciate if you could just send your queries. We might also consider to extend the extension of the Bid Opening date.
On the TOR, it cannot be without human intervention...	
	Sir, I recommend to put that in writing.
Another clarification about the Annex IV... they must have supplied 1 in Europe and America and 1 in Asia	
	No, only one in Europe or USA/Canada and Asia.

And the one that they sold in the country of origin...	
	<p>There is no period here, as long as they supplied...</p> <p>May I suggest that put everything on writing we scheduled it until July 27, 2018 (Friday) to send the queries/concerns.</p>

- Chair suggest that they can put everything in writing and don't wait for the last minute to ask/raise questions. Address it to the BAC Chair and be sent by email or fax. The details can be found in Bid Data Sheet on page 33.
- Chair informed the Bidders that those who are having difficulty in PhilGEPS can visit the PITC website www.pitc.gov.ph.
- Chair also informed the bidders that if declared Lowest Calculated Bidder there is an additional requirement for the Counter Trade. For those interested a briefing will be conducted in the 5th floor conference room.

The Bid Opening is scheduled on August 7 2018 (Tuesday) 3:00 P.M.

Adjourned at 10:40 A.M.

MINUTES TAKEN BY:

MA. VERONICA A. MORALES
 Head, BAC-I Secretariat
 LMC

APPROVED BY:

ATTY. MA. VICTORIA C. MAGCASE
 Chairperson, BAC-I