BIDS AND AWARDS COMMITTEE I

Supplemental/Bid Bulletin No. 2

SUPPLY, DELIVERY, INSTALLATION AND COMMISSIONING OF ONE HUNDRED FORTY (140) UNITS BRAND NEW HEMODIALYSIS EQUIPMENT WITH VARIOUS ACCESSORIES AND CONSUMABLE MEDICAL DEVICES FOR THE DEPARTMENT OF HEALTH (DOH)

Bid Reference No.: GPG-B1-2018-268 Rebid
(Previous Bid Ref No.: GPG-B1-2018-012)

Approved Budget for the Contract: ~~P~~ 273,000,000.00

This **Supplemental/Bid Bulletin No. 2** is being issued to amend some provisions of the Bidding Documents and response to queries raised by suppliers through letters/email for the aforecited project.

A) AMENDMENT TO BIDDING DOCUMENTS

FROM	TO
SECTION III. BID DATA SHEET b. Technical Documents.	
(xiii) Bidder's valid License to Operate (LTO) as a *Medical Device Distributor* issued by the Philippine Food and Drug Administration	(xiii) Bidder's valid License to Operate (LTO) as a **Medical Device Importer / Distributor** issued by the Philippine Food and Drug Administration

B) REPLY TO QUERIES

Queries from Fresenius Medical Care	
QUERY 1	Can the term "similar contract" also include contracts of lease and not only contracts of sale, otherwise, the definition would become very narrow, resulting in the exclusion of a qualified bidder like Fresenius which is the world's leading provider of products and services for people with chronic kidney failure?
REPLY 1	Similar contract shall mean supply/sale of medical equipment only. It is the committee's position that the requirement of a single largest completed contract of similar nature relates to the experience and track record of the bidder of having completed within a certain period a single contract that is similar to the contract to be bid. A contract is similar to the contract to be bid if it involves goods of the same nature and complexity as those which are the subject to the public bidding concerned.

	The present procurement project is SUPPLY, DELIVERY, INSTALLATION AND COMMISSIONING of hemodialysis equipment. The major component of the project is the SUPPLY of goods and the services of the installation are merely incidental services. Applying the definition of a "similar contract", the SLCC requirement would mean contracts which involved the SALE of the goods and not lease as the latter is considered SERVICES and not supply of goods. In addition, the SLCC requirement also involves the element of the amount of the contract that it should be equivalent to the prescribed percentage of the value of the contract for the sale or supply of goods. Hence, the contract amount for the LEASE of an equipment is not the same as the amount for the sale of the goods/equipment. This is consistent with GPPB Opinion No. NPM-030-2005, the dispositive portion of which reads "The nature or complexity of lease or rental services necessarily differs from sale or purchase in as much as the objects of both contracts are not the same."
QUERY 2	Does Medical Equipment include "consumable medical devices"? It should be noted that the subject tender includes the supply of "consumable medical devices".
REPLY 2	No. Medical equipment is different from consumable medical devices. Although there are consumable medical devices included in the items to be purchased, the main item to be procured is the hemodialysis equipment which is a medical equipment.
QUERY 3	Can Fresenius Medical Care Philippine Inc. be considered as Local First Tier Distributor of the principal manufacturer Fresenius Medical Care AG & Co, KGaA? Fresenius Medical Care Philippines Inc. is authorized by Fresenius Medical Care AG & Co, KGaA to carry out the registration, distribution, marketing and all other matters pertaining to registration of all Fresenius Medical Care products and be the holder of the respective registration certificate in the Philippines. A copy of the letter of authorization from Fresenius Medical Care AG & Co, KGaA is attached here to as Annex A. As such authorized distributor, we humbly submit that Fresenius Medical Care Philippines Inc. be classified as Local First Tier Distributor.
REPLY 3	Fresenius Medical Care Philippines Inc. may be considered as local first tier distributor as long as there is a valid and current distributorship agreement between Fresenius Medical Care Philippines Inc. and the manufacturer of the hemodialysis equipment.
QUERY 4	How would Fresenius Medical Care Philippines Inc., the Philippine-registered corporation, be classified in case it intends to enter into a Joint Venture? We note that in the bidding documents that, in case of Joint Ventures, the parties may only be either a Local JV Partner or Foreign JV Partner.
REPLY 4	Based on the above representations, Fresenius Medical Care Philippines Inc. is classified as Local JV Partner.

QUERY 5	In case Fresenius Medical Care Philippines Inc., the Philippine-registered corporation, enters into a Joint Venture, would the following Technical Documentary Requirements be still required from Fresenius Medical Care AG & Co, KGaA? Further, for the Technical Documentary Requirements, Fresenius Medical Care AG & Co. KGaA, must submit the following: (i) Certificate as Manufacturer. (ii) Valid and Current Written Appointment of the Philippine-Based company (as local representative of foreign Manufacturer of First Tier Distributor) issued by the foreign Manufacturer of First Tier Distributor. (iii) Duly notarized authorization of the Company's representative (e.g. Secretary's Certificate for Corporation, Special Power of Attorney for Sole Proprietor) with Specimen signature of the authorized representative/s of the Philippine company who shall transact with PITC (as Philippine Based representative company) including address, telephone number, fax number and email address. TO ADD: (xx) FOR FOREIGN MANUFACTURER WITH PHILIPPINE-BASED REPRESENTATIVE: To submit the following: a) Valid and Current Written Appointment of the Philippine-Based company (as local representative of foreign Manufacturer of First Tier Distributor) issued by the foreign Manufacturer of First Tier Distributor. The written appointment must include the detailed scope of responsibility of the representative company. In case the foreign manufacturer allow payment to be received on their behalf by their local representative company, the Written Appointment shall include an express provision authorizing said local representative company to receive/accept such payment. b) Secretary's Certificate of the Philippine company indicating the name and specimen signature of the authorized representative/s of the Philippine company who shall transact with PITC (as Philippine Based representative company) including address, telephone number, fax number and email address. We respectfully believe that since Fresenius Medical Care Philippines Inc. and not Fresenius Medical Care AG & Co, KGaA which will be the JV partner, the aforesaid documents are no longer required. Please note that requirements from Fresenius Medical Care AG & Co, KGaA would make participation of Fresenius Medical Care Philippines Inc. in the bidding extremely difficult, if not impossible, and would likely result in another failure of bidding or monopoly.
REPLY 5	Assuming Fresenius Medical Care Philippines Inc. (a Philippine-registered corporation) has a valid and current distributorship agreement with a manufacturer of a hemodialysis equipment AND enters into a Joint Venture with another local company, the Class "A" Eligibility Documents [under Clause 12.1 (a.1) of the Bid Data Sheet] and the Class "B" (For Joint Ventures) Eligibility Documents should be submitted. As regards the Technical Documents, the Joint Venture must submit the Technical Documents under Clause 12.1 (b) of the Bid Data Sheet. Please note that the determination on what capacity a certain supplier will participate in for this procurement project lies on the bidder/s or joint venture/s. Upon determination, it shall be able to determine what documents it needs to submit as the Bidding Documents is couched in clear and simple terms as what is required particularly from a bidder participating as a manufacturer of the hemodialysis equipment and from a bidder participating as a first tier distributor.

QUERY 6	Can bidder submit a License to Operate as Medical Device Importer which already implied included registered activity as Distributor?
REPLY 6	Yes, the bidder may submit a License to Operate as Medical Device Importer. In FDA regulation of medical device, the word "Distributor" is used as a general term. If the term indicated in a License is Importer, the company is therefore compliant to this requirement. As included in this Supplemental Bid Bulletin 2, Bid Data Sheet Section 12.1 (b.xiii) has been revised to: "Bidder's valid License to Operate (LTO) as a Medical Device Importer/Distributor issued by the Philippine Food and Drug Administration"

Please submit all required documents for the Submission and Opening of Bids scheduled on 09 August 2018, 2:00 PM. Also please use the 2nd Revised Checklist of Requirements as guide/reference.

This Supplemental/Bid Bulletin 2 shall form part of the Bidding Documents. Any provisions in the Bidding Documents inconsistent herewith is hereby amended, modified and superseded accordingly.

For guidance and information of all concerned.

Issued this 1st day of August 2018 in Makati City.

Reviewed and Approved by:

ATTY. MA. VICTORIA C. MAGCASE
Chairperson, Bids and Awards Committee – I

(SGD)ATTY. MA. GUDELIA C. GUESE
Vice Chairman

(SGD)CHRISTABELLE P. EBRIEGA
Member

(SGD)MYRA CHITELLA T. ALVAREZ
Member

(SGD)DAVID A. INOCENCIO
Member

Concurred by:

(SGD)AR. MARIA REBECCA M. PENAFIEL, CES
Provisional Member – DOH

Received by:	
_____	_____
(SIGNATURE OVER PRINTED NAME & DATE)	**NAME OF COMPANY**
(PLEASE RETURN OR FAX THIS PAGE ONLY TO THE PITC BAC-I)	

PITC BIDS AND AWARDS COMMITTEE I
2nd REVISED CHECKLIST OF REQUIREMENTS FOR BIDDERS

Name of Company: _____

Project: **SUPPLY, DELIVERY, INSTALLATION AND COMMISSIONING OF ONE HUNDRED FORTY (140) UNITS BRAND NEW HEMODIALYSIS EQUIPMENT WITH VARIOUS ACCESSORIES AND CONSUMABLE MEDICAL DEVICES FOR THE DEPARTMENT OF HEALTH (DOH)**

Bid Ref. No. **Bid Reference No.: GPG-B1-2018-268 Rebid**
(Previous Bid Ref No.: GPG-B1-2018-012)

APPROVED BUDGET FOR THE CONTRACT: ₱ 273,000.000.00

Ref. No.	Particulars	
ENVELOPE 1: ELIGIBILITY AND TECHNICAL DOCUMENTS		
In accordance with Clause 19.4 of the Instructions to Bidders, the bid, except for the unamended printed literature, shall be signed, and each and every page thereof shall be initialed, by the duly authorized representative/s of the Bidder.		
12.1	***ELIGIBILITY DOCUMENTS***	
	CLASS "A" DOCUMENTS	
12.1 (a.1.)	**ELIGIBILITY DOCUMENTS FOR LOCAL BIDDERS**	
(i)	Registration Certificate from the Securities and Exchange Commission (SEC) for corporations, or from Department of Trade and Industry (DTI) for sole proprietorship, or from Cooperative Development Authority (CDA) for cooperatives;	
(ii)	Valid and current Business/Mayor's Permit issued by the city or municipality where the principal place of business of the prospective bidder is located OR the equivalent document for Exclusive Economic Zones or Areas; In cases of recently expired Mayor's/ Business permits, said permit shall be submitted together with the official receipt as proof that the bidder has applied for renewal within the period prescribed by the concerned local government unit, provided that the renewed permit shall be submitted as a post-qualification requirement	
(iii)	Valid and Current Tax Clearance issued by Accounts Receivable Monitoring Division per Executive Order 398, Series of 2005, as finally reviewed and approved by the BIR;	
(iv)	Copy of Audited Financial Statements for 2017 and 2016 (in comparative form or separate reports): (a) Independent Auditor's Report; (b) Balance Sheet (Statement of Financial Position); and (c) Income Statement (Statement of Comprehensive Income). Each of the above statements must have stamped "received" by the Bureau of Internal Revenue (BIR) or its duly accredited and authorized institutions.	

OR	Submission of valid and current **PHILGEPS Certificate of Registration and Membership (Platinum Registration*) together with Annex A** in lieu of items (i), (ii), (iii) and (iv) above. *Note: Bidder must ensure that all Class "A" Eligibility Documents are valid and current at the time of submission of PhilGEPS Certificate of Registration and Membership (Platinum Registration). In case any of the submitted Eligibility Documents are not valid and current at the time of submission of Platinum Registration, bidders are required to submit the valid and current documents including the Audited Financial Statements for 2017 and 2016 (stamped received by the BIR or its duly accredited and authorized institution) together with the Platinum Registration. In case the bidder opts to submit their Class "A" Documents, the Certificate of PhilGEPS Registration (Platinum Membership) shall remain as 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*	
(v)	Statement of all ongoing government and private contracts (including contracts awarded but not yet started), if any whether similar or not in nature and complexity to the contract to be bid. (Annex I);	
(vi)	Statement of Single Largest Completed Contract similar to the contract to be bid within the last five (5) years from the date of submission and receipt of bids equivalent to at least fifty percent (50%) of the ABC (Revised Annex I-A) OR At least two (2) completed contracts of similar nature within the last five (5) years from date of submission and receipt of bids and the aggregate contract amounts should be equivalent to at least fifty percent (50%) of the ABC. The largest of these similar contracts must be equivalent to at least twenty-five percent (25%) of the ABC. *Similar contract shall mean "Medical Equipment".* Any of the following documents must be submitted / attached corresponding to the listed completed largest contracts per Revised Annex I-A: (a)Copy of End User's Acceptance; or (b) Copy of Official Receipt/s (c) Sales Invoice and Collection Receipt	
(vii)	Duly signed Certificate of Net Financial Contracting Capacity (NFCC) per **Annex II**, in accordance with ITB Clause 5.5 OR Committed Line of Credit per **Annex II-A.** NFCC = [(Current assets minus current liabilities) (15)] minus the value of all outstanding or uncompleted portions of the projects under ongoing contracts, including awarded contracts yet to be started, coinciding with the contract to be bid. ***Notes:*** 1. The phrase "the values of the bidder's current assets and current liabilities" shall be based on the data submitted to the BIR, which refers to the values of the current assets and current liabilities reflected in the Audited Financial Statements. 2. The value of all outstanding or uncompleted contracts refers to those listed in Annex I. 3. The detailed computation must be shown using the required formula provided above. 4. The NFCC computation must at least be equal to the ABC of the project. **OR** Should 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 issued by a Local Universal or Local Commercial Bank. The amount of the committed Line of Credit MUST BE MACHINE VALIDATED. **(Annex II-A)**	

(a.2)	**ELIGIBILITY DOCUMENTS FOR FOREIGN MANUFACTURERS** **Class "A" Documents:** **a.2.1 <u>For Foreign Manufacturers</u>** (i) Valid and current certificate /license/ authority to conduct business issued by the regulatory authority in the country where the company is based. (ii) Valid and Current Tax Clearance issued by Accounts Receivable Monitoring Division per Executive Order 398, Series of 2005, as finally reviewed and approved by the BIR. (iii) Corporate Financial Statement or Annual Report for 2017 or 2016. **OR** Submission of valid and current **PHILGEPS Certificate of Registration and Membership (Platinum Registration*) together with Annex A**. *Note: Bidder must ensure that all Class "A" Eligibility Documents are valid and current at the time of submission of PhilGEPS Certificate of Registration and Membership (Platinum Registration). In case any of the submitted Eligibility Documents are not valid and current at the time of submission of Platinum Registration, bidders are required to submit the valid and current documents including: **In case the bidder opt to submit their Class "A" Documents, the Certificate of PhilGEPS Registration (Platinum Membership) shall remain as 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.** (iv) Statement of all ongoing government and private contracts (including contracts awarded but not yet started), if any whether similar or not in nature and complexity to the contract to be bid. **(Annex I)**; (v) Statement of Single Largest Completed Contract similar to the contract to be bid within the last five (5) years from date of submission and receipt of bids equivalent to at least fifty percent (50%) of the total ABC of the lot being bid (Annex I-A) *"Similar contract" shall mean Supply of Medical Equipment.* Any of the following documents must be submitted/attached corresponding to listed completed largest contracts per Annex I-A: (a) Copy of End User's Acceptance; or (b) Copy of Official Receipt/s; or (c) Copy of Official Receipt/s or an equivalent document for foreign manufacturer/supplier not doing business in the Philippines. (vi) Duly signed Net Financial Contracting Capacity (NFCC) per **Annex II**, in accordance with ITB Clause 5.5. Should the bidder opt to submit NFCC, computation must be equal to the ABC of the project. The detailed computation using the required formula must be shown as provided for in Annex II.	

	NFCC= [(Current Assets minus Current Liabilities) (K)] minus the value of all outstanding or uncompleted portions of the projects under ongoing contracts, including awarded contracts yet to be started coinciding with the contract to be bid. Where: K= 10 for a contract duration of one year or less, 15 for a contract duration of more than one year up to two years, and 20 for a contract duration of more than two years. ***Notes:*** *1) The values of the current assets and current liabilities must be based on the submitted Latest (2017 or 2016) Corporate Financial Statements or Annual Report.* *2) The value of all outstanding or uncompleted contracts refers those listed in Annex I.* *3) The detailed computation must be shown using the formula provided above.* *4) The NFCC computation must at least be equal to the sum/total of ABC of this project.*	
	Class "B" Document: (For Joint Venture)	
	The participating entities entering a Joint Venture Agreement (JVA) are to be treated as a single entity and shall be jointly and severally responsible or liable for the obligations and liabilities incurred by any partner to the JV pertinent to the project requirements. ***Hence, any Blacklisting Order and/or overdue deliveries intended for end-user or PITC shall apply to the JVA as the JV is deemed as one bidder.*** **a) For Joint Ventures, Bidder to submit either:** (i) Copy of the JOINT VENTURE AGREEMENT (JVA) in case the joint venture is already in existence, or (ii) 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. (**Annex III**) In case the joint venture is not yet in existence, the submission of a valid JVA shall be within ten (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**]	

The JVA or the Protocol/Undertaking of Agreement to Enter into Joint Venture (Annex III) must include/specify the company/partner and the name of the office designated as authorized representative of the Joint Venture.

b) Each JV Partner, must also submit the following:

Local JV Partner

(i) Registration Certificate from the Securities and Exchange Commission (SEC) for corporations or from Department of Trade and Industry (DTI) for sole proprietorship, or from Cooperative Development Authority (CDA) for cooperatives;

(ii) Valid and Current Business/Mayor's permit issued by the city or municipality where the principal place of business of the prospective bidder is located **OR** the equivalent document for Exclusive Economic Zones or Areas;

(iii) Valid and Current Tax Clearance issued by Accounts Receivable Monitoring Division per Executive Order 398, Series of 2005, as finally reviewed and approved by the BIR.

(iv) Copy of Audited Financial Statements for 2016 and 2015 (in comparative form or separate reports):
   (a) Independent Auditor's Report;
   (b) Balance Sheet (Statement of Financial Position); and
   (c) Income Statement (Statement of Comprehensive Income).

Each of the above statements must have stamped "received" by the Bureau of Internal Revenue (BIR) or its duly accredited and authorized institutions.

Foreign JV Partner

(i) Valid and current certificate/license/authority to conduct/operate business issued by the regulatory authority in the country where the bidder is based;

(ii) Valid and Current Tax Clearance issued by Accounts Receivable Monitoring Division per Executive Order 398, Series of 2005, as finally reviewed and approved by the BIR.

(iii) Corporate Financial Statement or Annual Report for 2016 or 2015.

OR

Submission of valid and current **PHILGEPS Certificate of Registration and Membership (Platinum Registration*) together with Annex A**.

*Note: Bidder must ensure that all Class "A" Eligibility Documents are valid and current at the time of submission of PhilGEPS Certificate of Registration and Membership (Platinum Registration). In case any of the submitted Eligibility Documents are not valid and current at the time of submission of Platinum Registration, bidders are required to submit the valid and current documents including:

For Local JV Partner: Audited Financial Statements for 2017 and 2016 (stamped received by the BIR or its duly accredited authorized institutions) together with the Platinum Registration

For Foreign JV Partner: Corporate Financial Statement or Annual Report for 2017 or 2016.

In case the JV Partners opt to submit their Class "A" Documents, the Certificate of PhilGEPS Registration (Platinum Membership) shall remain as a post-qualification requirement to be submitted in accordance with Section 34.2 of the 2016 Revised

b)	***TECHNICAL DOCUMENTS***	
(i)	**Bid security must be issued in favor of the** PHILIPPINE INTERNATIONAL TRADING CORPORATION (PITC) **in any of the following forms:** 1) Bid Securing Declaration per **Annex IV**; 2) Cash or Cashier's/ Manager's Check equivalent to at least 2% of the ABC**;** 3) Bank Guarantee/ Bank draft or Irrevocable LC equivalent to at least 2% of the ABC**; OR** 4) Surety bond callable upon demand equivalent to at least 5% of the ABC	

Description	Qty.	Total ABC (~~P~~) (VAT Inclusive)	Bid Security:	
			2% of ABC	5% of ABC
One Hundred Forty (140) Units Brand New Hemodialysis Equipment with Various Accessories and Consumable Medical Devices	1 lot	273,000.000.00	5,460,000.00	13,650,000.00

Notes:

(a) The Cashier's/Manager's check shall be issued by a Local Universal or Commercial Bank.

(b) The Bank Draft/Guarantee or Irrevocable Letter of Credit shall be issued by a Local Universal or Local Commercial Bank.

(c) Should bidder opt to submit a Surety Bond as Bid Security, the surety bond must conform with the following:

(1) Issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such bond. Together with the surety bond, a copy of a valid Certification from Insurance Commission must be submitted by the bidder which must state that the surety or insurance company is specifically authorized to issue surety bonds.

(2) Callable upon demand

(3) **Must specify the grounds for forfeiture of bid security as stated in Section II, ITB Clause 18.5, to wit:**

- **IF A BIDDER:**
  - (i) withdraws its bid during the period of bid validity specified in ITB Clause17;
  - (ii) does not accept the correction of errors pursuant to ITB Clause (b);
  - (iii) has a finding against their veracity as stated in ITB Clause 29.2; or
  - (iv) submission of eligibility requirements containing false information or falsified documents;
  - (v) submits bids that contain false information or falsified documents, or the concealment of such information in the bids in order to influence the outcome of eligibility screening or any other stage of the public bidding;
  - (vi) allowing the use of one's name, or using the name of another for purposes of public bidding;
  - (vii) withdrawal of a bid, or refusal to accept an award, or enter into contract with the Government without justifiable cause, after the Bidder had been adjudged as having submitted the Lowest Calculated and Responsive Bid;
  - (viii) refusal or failure to post the required performance security within the prescribed time;

	(ix) refusal to clarify or validate in writing its bid during post-qualification within a period of seven (7) calendar days from receipt of the request for clarification; (x) any documented attempt by a bidder to unduly influence the outcome of the bidding in his favor; (xi) failure of the potential joint venture partners to enter into the joint venture after the bid is declared successful; or (xii) all other acts that tend to defeat the purpose of the competitive bidding, such as habitually withdrawing from bidding, submitting late Bids or patently insufficient bid, for at least three (3) times within a year, except for valid reason. ▪ **IF THE SUCCESSFUL BIDDER:** (xiii) fails to sign the contract in accordance with ITB Clause32; or (xiv) fails to furnish performance security in accordance with ITB Clause 33	
(ii)	Duly signed and completed Technical Bid Form. Bidder must use, accomplish and submit the Technical Bid Form attached as **Revised Annex V**	
(iii)	Duly signed/conformed Terms of Reference attached as **Revised Annex V-A**	
(iv)	Accomplished and signed Bidder's Statement of Reference of Technical Specification/s attached as **Revised Annex V-A1**	
(v)	Duly signed/ conformed DOH List of Recipients attached as Annex V-A2	
(vi)	Duly signed/ conformed DOH Allocation / Distribution List attached as **Revised Annex V-A3**	
(vii)	Product brochure(s) or technical data sheet(s) showing the technical specifications of the offered brand/model of each equipment, accessories and consumable medical device in English language of the following: 1. Hemodialysis Equipment 2. Dialyzer Reprocessing System 3. Body Composition Analyzer 4. Cardiac Defibrillator 5. Electrocardiograph Machine 6. Pulse Oximeter 7. Medical Suction Equipment 8. Biological Refrigerator *Note: If not in English, must be subject to requirement per Clause 11 of the Instructions to Bidders*	

(viii)	**For the Hemodialysis Machine** **<u>For Manufacturers:</u>** Certification that the manufacturer has been in the business of manufacturing the **equipment being offered for at least twenty (20) years**, sample per **Annex V-B**, **OR** **<u>For First Tier Distributors:</u>** Copy of Valid and Current Certificate of Distributorship (as First Tier Distributor) issued by the principal manufacturer authorizing the bidder to sell/distribute the items subject of this bidding. The Certificate MUST INDICATE/INCLUDE the following: a) That the manufacturer has been in business relationship with the bidder over the last five (5) years b) That the bidder has the engineer(s) and/or technician(s) trained and capable of conducting preventive and corrective maintenance to the offered models. The engineer(s) and/or technician(s) must be presently employed by the bidder or authorized by the manufacturer. c) That the Hemodialysis Equipment being offered is brand new, unused, not discontinued model and was not subjected to a product recall. d) That the parts and accessories of the Hemodialysis Equipment and other equipment are available for the next five (5) years after the expiration of the warranty period. e) That the terms and conditions stated in the contract shall be honored by the manufacturer in the event that a change of distributorship occur during the duration of the said contract.	
(ix)	**Certification from the bidder** which MUST INDICATE/INCLUDE the following: a) That a preventive maintenance on each equipment shall be conducted at least every six (6) months during the warranty period. b) That the bidder has no current engagement and/or partnership, joint sponsorship or any other activity with a member of the tobacco industry pursuant to DOH Department Memorandum No. 2010-0126 dated 06 May 2010. "current" means one (1) year from the date of submission of bids.	
(x)	Valid and current Certificate of Compliance with ISO 13485: Quality Management System – Requirements for regulatory purposes in the name of the manufacturer of the following equipment. The Certificates must be issued by independent Certifying Agencies: 1. Hemodialysis Equipment 2. Body Composition Analyzer 3. Cardiac Defibrillator 4. Electrocardiograph Machine 5. Pulse Oximeter 6. Biological Refrigerator 7. Sphygmomanometer 8. Medical Suction Machine 9. Weighing Scale (Wheelchair Accessible)	

(xi)	Valid and current Certificate of Compliance and/or Test Report on IEC 60601-2-16 Part 2-16: Particular Requirements for the basic safety and essential performance of haemodialysis, haemodiafiltration and haemofiltration equipment for the brand and model of the Hemodialysis Equipment being offered.	
(xii)	Valid Marketing Authorization, Registration Approval or Free Sale Certificate issued by the Health Authority from the country of origin for the following equipment: 1. Hemodialysis Equipment 2. Body Composition Analyzer 3. Cardiac Defibrillator 4. Electrocardiograph Machine 5. Pulse Oximeter	
(xiii)	Bidder's valid License to Operate (LTO) as a Medical Device Importer / Distributor issued by the Philippine Food and Drug Administration	
(xiv)	Valid and current Certificate of Product Registration issued by the Philippine Food and Drug Administration for each of the following: 1. Hi Flux Dialyzer 2. Bloodlines 3. AV Fistula Needles (Gauge 15, 16, 17) 4. Bicarbonate powder 5. Acid concentrate 6. Sterile adhesive absorbent pad 7. Micropore tape 8. Examination gloves 9. Surface disinfectant 10. Povidone Iodine Solution 11. Syringes (10 ml , 20 ml) 12. Oropharyngeal airways 13. Nasopharyngeal airways 14. Bag-valve-mask device for adult 15. Endotracheal tube: size 7.5, 8	
(xv)	Affidavit of Sites Inspection signed by bidder attesting that he has visited all delivery/project sites. The affidavit must include bidder's findings on site readiness. Per Annex V-C	
(xvi)	At least one (1) Sales Invoice or Certification of the Health Facility as proof that the Brand of the Hemodialysis Equipment has been in the Philippine market for at least twenty (20) years.	
(xvii)	List and complete address of Authorized Service Engineer(s) and/or Technician(s) of the bidder in Luzon, Visayas and Mindanao (indicating address, contact numbers and email address).	
(xviii)	List and address of the Hemodialysis Equipment Manufacturer's branch office, sales office and/or distributor's office in the following: a) Any country in Western Europe b) USA or Canada; and c) Japan	
(xix)	Certificate of Performance Evaluation **(Annex VI)** with a rating of at least Very Satisfactory, issued by the Single Largest Completed Contract Client of the bidder per Annex I-A;	

(xx)	**FOR FOREIGN MANUFACTURER**: To submit the following: a) Valid and Current Written Appointment of the Philippine-Based company (as local representative of foreign Manufacturer of First Tier Distributor) issued by the foreign Manufacturer of First Tier Distributor. The written appointment must include the detailed scope of responsibility of the representative company. In case the foreign manufacturer allow payment to be received on their behalf by their local representative company, the Written Appointment shall include an express provision authorizing said local representative company to receive/accept such payment. b) Secretary's Certificate of the Philippine company indicating the name and specimen signature of the authorized representative/s of the Philippine company who shall transact with PITC (as Philippine Based representative company) including address, telephone number, fax number and email address.	
(xxi)	Proof of Authority of the bidder's authorized representative/s: **(a) FOR SOLE PROPRIETORSHIP (IF OWNER OPTS TO APPOINT A REPRESENTATIVE):** Duly notarized Special Power of Attorney. **(b) FOR CORPORATIONS, COOPERATIVE OR THE MEMBERS OF THE JOINT VENTURE:** Duly notarized Secretary's Certificate evidencing the authority of the designated representative/s. **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.	
(xxii)	**Omnibus Sworn Statements using the form prescribed. (Annex VIII)** (a) Authority of the designated representative (b) Non-inclusion in blacklist or under suspension status (c) Authenticity of Submitted Documents (d) Authority to validate Submitted Documents (e) Disclosure of Relations (f) Compliance with existing labor laws and standards (g) Bidders Responsibilities (h) Did not pay any form of consideration	
	ENVELOPE 2: FINANCIAL DOCUMENTS	
13.1	Completed and signed Financial Bid Form. Bidder must use, accomplish and submit Financial Bid Form hereto attached Annex IX and Detailed Financial Bid hereto attached as Annex IX-A. The ABC is inclusive of VAT. Any proposal with a financial component exceeding the ABC shall not be accepted.	
Note: In case of inconsistency between the Checklist of Requirements for Bidders and the provisions in the Instruction to Bidders/Bid Data Sheet, the Instruction to Bidders/Bid Data Sheet shall prevail.		