



BIDS AND AWARDS COMMITTEE I

Supplemental/Bid Bulletin No. 1

SUPPLY, DELIVERY AND TESTING OF ONE (1) UNIT BRAND NEW MILLING MACHINE AND ONE (1) UNIT BRAND NEW CLIMATE CONTROL CHAMBER FOR THE COMMISSION ON HIGHER EDUCATION – PHILIPPINES-CALIFORNIA ADVANCED RESEARCH INSTITUTES (CHED – PCARI)

Bid Reference No.: GPG-B1-2019-182

This **Supplemental/Bid Bulletin No. 1** is being issued to further clarify, modify and amend the provisions in the Bidding Documents for the aforementioned project.

A. AMENDMENTS TO THE BIDDING DOCUMENTS:

FROM	TO
Section IX. Checklist of Requirements	
Under Clause 12.1 (a.1) Eligibility Documents for Local Bidders	
(ii) Business/Mayor’s Permit for 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 <u>2016</u> Mayor’s/ Business permits, said permit shall be submitted together with the official receipt for as proof that the bidder has applied for <u>2017</u> renewal within the period prescribed by the concerned local government unit, provided that the renewed <u>2017</u> permit shall be submitted as a post-qualification requirement;	(ii) Valid and current Business/Mayor’s Permit for 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 for 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;
(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.	(iv) 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.

	<p><u>Notes:</u></p> <ol style="list-style-type: none"> 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. <p><u>OR</u></p> <p>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. (See Sample Bank Form per Annex II-A)</p>
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Under Clause 12.1 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)**

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.

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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.

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]

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:

(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 for 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 for 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 per Executive Order 398 and Revenue Memorandum Order No. 46-2018;

(iv) Copy of Audited Financial Statements for 2018 and 2017 (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 per Executive Order 398 and Revenue Memorandum Order No. 46-2018;
- (iii) Corporate Financial Statement or Annual Report for 2018 or 2017.

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 2018 and 2017 (stamped received by the BIR or its duly accredited authorized institutions) together with the Platinum Registration

	<p>For Foreign JV Partner: Corporate Financial Statement or Annual Report for 2018 or 2017.</p> <p>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 IRR of RA 9184. “GPPB Circular 07-2017 dated 31 July 2017”</p> <p><i>For other required Class “A” Eligibility Documents, submission by any of the partner(s) constitutes collective compliance.</i></p>
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Bidders are advised to use **Revised Checklist of Requirements** as reference, together with other required documents for the bid opening on **23 August 2019, Friday, 10:00 AM.**

This **Supplemental/Bid Bulletin No. 1** shall form part of the Bidding Documents. Any provision in the Bidding Documents inconsistent herewith is hereby amended, modified and superseded accordingly.

For the guidance and information of all concerned.

Issued this **13th day of August 2019** in Makati City.

Reviewed and approved by:

(Sgd)CHRISTABELLE P. EBRIEGA
Chairperson, Bids and Awards Committee I

(Sgd)ATTY. MARIA GUDELIA C. GUESE
Vice Chair

(Sgd)MYRA CHITELLA T. ALVAREZ
Member

(Sgd)DAVID A. INOCENCIO
Member

(Sgd)JOEL S. RODRIGUEZ
Member

Concurred by:

(Sgd)ENGR. ARTEMIO S. CAPELLAN
Provisional Member – CHED

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
CHECKLIST OF REQUIREMENTS FOR BIDDERS**

Name of Company:

SUPPLY, DELIVERY AND TESTING OF ONE (1) UNIT BRAND NEW MILLING MACHINE AND ONE (1) UNIT CLIMATE CONTROL CHAMBER FOR THE COMMISSION ON HIGHER EDUCATION - PHILIPPINES-CALIFORNIA ADVANCED RESEARCH INSTITUTES (CHED-PCARI)

Project:

Bid Ref. No.

Bid Reference No.: GPG-B1-2019-182

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 (a)	<i>ELIGIBILITY DOCUMENTS</i>
	CLASS "A" DOCUMENTS
12.1 (a.1.)	<u>ELIGIBILITY DOCUMENTS FOR LOCAL BIDDERS</u>
(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 for 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 for 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 per Executive Order 398 and Revenue Memorandum Order No. 46-2018
(iv)	Copy of Audited Financial Statements for 2018 and 2017 (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). Each of the above statements must have stamped "received" by the Bureau of Internal Revenue (BIR) or its duly accredited and authorized institutions.
(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)	<p>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 twenty five percent (25%) of the total ABC of the lot being bid (Annex I-A)</p> <p>“Similar contract” shall mean Laboratory/Scientific Equipment.</p> <p>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 Sales Invoice with Collection Receipt/s</p>	
(vii)	<p>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.</p> <p>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.</p> <p><u>Notes:</u></p> <ol style="list-style-type: none"> 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. <p><u>OR</u></p> <p>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. (See Sample Bank Form per Annex II-A)</p>	
12.1	Class “B” Document: (For Joint Venture)	
	<p><i>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.</i></p> <p><i>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.</i></p>	

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- (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:

- (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 for 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 for 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 per Executive Order 398 and Revenue Memorandum Order No. 46-2018;**
- (iv) **Copy of Audited Financial Statements for 2018 and 2017 (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.

	<p><u>Foreign JV Partner</u></p> <p>(i) Valid and current certificate/license/authority to conduct/operate business issued by the regulatory authority in the country where the bidder is based;</p> <p>(ii) Valid and Current Tax Clearance per Executive Order 398 and Revenue Memorandum Order No. 46-2018;</p> <p>(iii) Corporate Financial Statement or Annual Report for 2018 or 2017.</p> <p>OR</p> <p>Submission of valid and current PHILGEPS Certificate of Registration and Membership (Platinum Registration*) together with Annex A.</p> <p>*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:</p> <p>For Local JV Partner: Audited Financial Statements for 2018 and 2017 (stamped received by the BIR or its duly accredited authorized institutions) together with the Platinum Registration</p> <p>For Foreign JV Partner: Corporate Financial Statement or Annual Report for 2018 or 2017.</p> <p>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 IRR of RA 9184. “GPPB Circular 07-2017 dated 31 July 2017”</p> <p><i>For other required Class “A” Eligibility Documents, submission by any of the partner(s) constitutes collective compliance.</i></p>	
12.1 (b)	TECHNICAL DOCUMENTS	
(i)	<p>Bid security must be issued in favor of the PHILIPPINE INTERNATIONAL TRADING CORPORATION (PITC) in any of the following forms:</p> <ol style="list-style-type: none"> 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 	

Item No	Description	Total ABC (₱) (VAT Inclusive)	Bid Security:	
			2%	5%
1	Milling Machine	1,100,000.00	22,000.00	55,000.00
2	Climate Control Chamber	1,320,000.00	26,400.00	66,000.00

Notes:

- (a) The Cashier's/Manager's Check shall be issued by a Local Universal or Commercial Bank. Separate checks for each lot being bid.
- (b) The Bank Draft/Guarantee or Irrevocable Letter of Credit shall be issued by a Local Universal or Local Commercial Bank. Separate draft guarantee for each lot being bid.
- (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 Clause 17;
 - (ii) does not accept the correction of errors pursuant to ITB Clause (b);
 - (iii) has a finding against the veracity of any of the documents submitted 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 Clause 32; 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 Annex V-A for Item 1 and Annex V-B for Item 2	
(iii)	Duly signed/conformed Terms of Reference of CHED-PCARI attached as Annex V-A1 for Item 1 and Annex V-B2 for Item 2	
(iv)	Product Brochure and/or Technical Data Sheet of the item being offered showing compliance to the technical specifications: <u>For Item 1:</u> Milling Machine <u>For Item 2:</u> Climate Control Chamber <i>Note: If not in English, must be subject to requirement per Clause 11 of the Instructions to Bidders</i>	
(v)	Valid and Current Certificate of Distributorship/Dealership/Resellership of the item being offered, issued by the principal manufacturer of product (if Bidder is not the manufacturer). If not issued by manufacturer, must also submit certification/document linking bidder to the manufacturer. <u>For Item 1:</u> Milling Machine <u>For Item 2:</u> Climate Control Chamber <i>Note: If not in English, must be subject to requirement per Clause 11 of the Instructions to Bidders</i>	
(vi)	Valid and current ISO certification of the manufacturer issued by an independent Certifying Agency. The ISO Certificate (or equivalent documents) must cover the manufacture/design or production of the item offered. <u>For Item 1:</u> Milling Machine <u>For Item 2:</u> Climate Control Chamber <i>Note: If not in English, must be subject to requirement per Clause 11 of the Instructions to Bidders</i>	
(vii)	List of the manufacturer's branch/sales/distribution office in the following: Any country in Western Europe, US/Canada AND Japan. <u>For Item 1:</u> Milling Machine <u>For Item 2:</u> Climate Control Chamber	
(viii)	List of Authorized Service Center/s in the Philippines (with available spare parts, indicating address, telephone & fax numbers, email address and contact person). In the event of closure of business, termination of franchisee/ service center, the supplier shall notify the CHED and PITC accordingly of the new service centers with telephone numbers and address who can provide the needed parts, supplies and service;	
(ix)	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;	

(x)	<p>Proof of Authority of the bidder's authorized representative/s:</p> <p>(a) FOR SOLE PROPRIETORSHIP (IF OWNER OPTS TO APPOINT A REPRESENTATIVE): Duly notarized Special Power of Attorney.</p> <p>(b) FOR CORPORATIONS, COOPERATIVE OR THE MEMBERS OF THE JOINT VENTURE: Duly notarized Secretary's Certificate evidencing the authority of the designated representative/s.</p> <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>													
(xi)	<p>Omnibus Sworn Statements using the form prescribed. (Annex VII)</p> <p>(a) Authority of the designated representative</p> <p>(b) Non-inclusion in blacklist or under suspension status</p> <p>(c) Authenticity of Submitted Documents</p> <p>(d) Authority to validate Submitted Documents</p> <p>(e) Disclosure of Relations</p> <p>(f) Compliance with existing labor laws and standards</p> <p>(g) Bidders Responsibilities</p> <p>(h) Did not pay any form of consideration</p>													
ENVELOPE 2: FINANCIAL DOCUMENTS														
13.1	<p>Completed and signed Financial Bid Form. Bidder must use, accomplish and submit Financial Bid Form hereto attached as follows:</p> <table border="1" data-bbox="256 943 1377 1128"> <thead> <tr> <th>ANNEX</th> <th>Item No</th> <th>Description</th> <th>ABC (₱) (VAT Inclusive)</th> </tr> </thead> <tbody> <tr> <td>Annex VIII - A</td> <td>1.</td> <td>Milling Machine</td> <td>1,100,000.00</td> </tr> <tr> <td>Annex VIII- B</td> <td>2.</td> <td>Climate Control Chamber</td> <td>1,320,000.00</td> </tr> </tbody> </table> <p>The ABC is inclusive of VAT. Any proposal with a financial component exceeding the ABC shall not be accepted.</p>	ANNEX	Item No	Description	ABC (₱) (VAT Inclusive)	Annex VIII - A	1.	Milling Machine	1,100,000.00	Annex VIII- B	2.	Climate Control Chamber	1,320,000.00	
ANNEX	Item No	Description	ABC (₱) (VAT Inclusive)											
Annex VIII - A	1.	Milling Machine	1,100,000.00											
Annex VIII- B	2.	Climate Control Chamber	1,320,000.00											
<p>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.</p>														