



BIDS AND AWARDS COMMITTEE I

**Supplemental/Bid Bulletin No. 1
SUPPLY AND DELIVERY OF BRAND NEW PASSENGER VANS FOR THE
BUREAU OF CUSTOMS (BOC)
Bid Ref. No. GPG-B1-2019-243**

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.

FROM	TO
SECTION III. BID DATA SHEET (BDS)	
...XXX... 12.1 b) TECHNICAL DOCUMENTS (viii) Omnibus Sworn Statements using the form prescribed (Annex VIII) ...XXX...	... 12.1 b) TECHNICAL DOCUMENTS (viii) Omnibus Sworn Statements using the form prescribed (Annex VII) ...XXX...
SECTION IX. CHECKLIST OF REQUIREMENTS	
xxx... 12.1 b) TECHNICAL DOCUMENTS (viii) Omnibus Sworn Statements using the form prescribed (Annex VIII) ...XXX...	xxx... 12.1 b) TECHNICAL DOCUMENTS (viii) Omnibus Sworn Statements using the form prescribed (Annex VII) ...XXX...

Please use the **Revised Checklist of Requirements** as reference.

This **Supplemental/Bid Bulletin 1** 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 Any provisions in the Bidding Documents inconsistent herewith is hereby amended, modified and superseded accordingly.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 **26th June 2019** in Makati City.

Reviewed and Approved by:

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PITC BIDS AND AWARDS COMMITTEE I

REVISED CHECKLIST OF REQUIREMENTS FOR BIDDERS

Name of Company: _____
Project: **SUPPLY AND DELIVERY OF BRAND NEW PASSENGER VANS FOR THE BUREAU OF CUSTOMS (BOC)**
Bid Ref. No. **Bid Reference No.: GPG-B1-2019-243**

Ref. No.	Particulars	
ENVELOPE 1: ELIGIBILITY AND TECHNICAL DOCUMENTS		
12.1 (a.1)	ELIGIBILITY DOCUMENTS	
	CLASS "A" DOCUMENTS	
(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 equivalent document for Exclusive Economic Zones or Areas; In case or 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 per Executive Order 398 and Revenue Memorandum Order No. 46-2018.	
(iv)	Copy of each of the following 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.	
OR	<u>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) Eligibility Documents.</u> *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 2016 and 2015 (stamped received by the BIR or its duly accredited and authorized institution) together with the Platinum Registration.	
	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.	
(v)	Statement of the prospective bidder's 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) ;	

<p>(vi)</p>	<p>Statement of Single Largest Completed Contract of Similar Nature 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 (Annex I-A).</p> <p>“Similar contract” shall mean Motor Vehicle.</p> <p>Any of the following documents must be submitted/attached corresponding to listed completed largest contracts per Annex I-A:</p> <ul style="list-style-type: none"> (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>	<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 Annex II-A.</p> <p>a) Should the bidder opts to submit NFCC, computation must be equal to the total ABC of the project. The detailed computation using the required formula must be shown as provided for in Annex II. $NFCC = [(Current\ assets\ minus\ current\ liabilities)\ (15)]\ minus\ the\ value\ of\ all\ outstanding\ or\ uncompleted\ portions\ of\ the\ projects\ under\ ongoing\ contracts,\ including\ awarded\ contracts\ yet\ to\ be\ started,\ coinciding\ with\ the\ contract\ to\ be\ bid.$</p> <p>Notes:</p> <ol style="list-style-type: none"> 1. <i>The values of the bidder’s current assets and current liabilities shall be based on the latest Audited Financial Statements submitted to the BIR.</i> 2. <i>The value of all outstanding or uncompleted contracts refers to those listed in Annex I.</i> 3. <i>The detailed computation must be shown using the required formula provided above.</i> 4. <i>The NFCC computation must at least be equal to the ABC of the project.</i> <p>OR</p> <p>b) Should the bidder opts to submit a committed Line of Credit, it must be at least equal to ten percent (10%) of the total ABC of the project issued by a Local Universal or Local Commercial Bank. (See sample Bank Form per Annex II-A).</p>	
	<p>CLASS “B” DOCUMENT: FOR JOINT VENTURE</p> <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>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.</p> <p>a) For Joint Ventures, Bidder to submit either:</p> <ul style="list-style-type: none"> (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) <p>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]</p> <p><u>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.</u></p>	

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;

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 2019 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 each of the following Audited Financial Statements for 2018 and 2017 (in comparative form or separate reports):
 - 1) Independent Auditor's Report;
 - 2) Balance Sheet (Statement of Financial Position); and
 - 3) 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 Statements or Annual Report for 2018-2017

NOTE:

* The following Eligibility – Technical and Eligibility – Financial Documents may be submitted by only ONE of the parties to the JV:

- i) 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);
- ii) 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 (Annex I-A)

"Similar contract" shall mean **Motor Vehicle**.

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

- iii) 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.

- iv) Duly signed Net Financial Contracting Capacity (NFCC) per Annex II, in accordance with ITB Clause 5.5

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 Commercial Bank (Annex II-B)

**** The determination as to (i) whose Audited Financial Statement should be used / submitted; and (ii) who submits the Statement of All-Ongoing Contracts – lies with the Partners Contracting the Joint Venture since the audited Financial Statements and the Ongoing Contracts of that JV partners should be the basis for the Computation of the NFCC.**

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.

For Foreign JV Partner: Corporate Financial Statement or Annual Report for **2018 or 2017**.

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"*

For other required Class "A" Eligibility Documents, submission by any of the partner(s) constitutes collective compliance.

12.1(b) TECHNICAL DOCUMENTS

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

Lot	Description	Qty	TOTAL ABC (₱) (VAT Inclusive)	Bid Security ₱	
				2% of ABC	5% of ABC
1	Brand New Passenger Van – Automatic Transmission	8 units	17,480,000.00	349,600.00	874,000.00
2	Brand New Passenger Van – Manual Transmission	36 units	54,000,000.00	1,080,000.00	2,700,000.00

Only those issued and confirmed by a Local Universal or Local Commercial Bank
 **Must be callable upon demand issued by a Surety or Insurance Company duly certified by the Insurance Commission as authorized to issue bond.

(i)

- Notes:**
- (a) Separate Bid Security per lot being bid
 - (b) The Cashier's/Manager's Check shall be issued by a Local Universal or Commercial Bank.
 - (c) The Bank Draft/Guarantee or Irrevocable Letter of Credit shall be issued by a Local Universal or Local Commercial Bank.
 - (d) 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.

Duly signed and completed Technical Bid Form and Terms of Reference of BOC. Bidder must use, accomplish and submit the Technical Bid Form and Terms of Reference attached as follows;

(ii)

Lot 1 – Brand New 8 units Passenger Van – Automatic Transmission	
Annex V-A	Technical Bid Form
Annex V-A1	Terms of Reference
Lot 2– Brand New 36 units Passenger Van – Manual Transmission	
Annex V-B	Technical Bid Form
Annex V-B1	Terms of Reference
Annex V-B2	Distribution List

(iii)	<p>Brochures (original or internet download) or Technical Data Sheet or equivalent documents of the brand/model of the vehicles being offered showing compliance to required technical specifications</p> <table border="1" data-bbox="301 219 1327 387"> <thead> <tr> <th data-bbox="301 219 667 275">Lot No.</th> <th data-bbox="667 219 1327 275">Description</th> </tr> </thead> <tbody> <tr> <td data-bbox="301 275 667 331">1</td> <td data-bbox="667 275 1327 331">Passenger Van – Automatic Transmission</td> </tr> <tr> <td data-bbox="301 331 667 387">2</td> <td data-bbox="667 331 1327 387">Passenger Van – Manual Transmission</td> </tr> </tbody> </table>	Lot No.	Description	1	Passenger Van – Automatic Transmission	2	Passenger Van – Manual Transmission
Lot No.	Description						
1	Passenger Van – Automatic Transmission						
2	Passenger Van – Manual Transmission						
(iv)	<p>For Distributors or Dealers:</p> <p>For both Lot 1 and Lot 2</p> <ul style="list-style-type: none"> • Certification that the brand of the vehicle offered has been in the Philippine Market for the last fifteen (15 years) per Annex V-C • Valid and current Certificate of Distributorship/Dealership of the motor vehicle being offered, issued by the principal or manufacturer of the product (if Bidder is not the manufacturer). <p>If not issued by manufacturer, must also submit certification/document linking bidder to the manufacturer.</p> <p>Note: If not in English, must be subject to requirement per Clause 11 of the Instructions to Bidders</p>						
(v)	<p>For Lot 1- List of Authorized Service Center/s in Metro (with available spare parts, indicating address, telephone & fax numbers, email address and contact person).</p> <p>For Lot 2 -Supplier must have service centers in all Major Cities of the Country, and List of Authorized Service Center/s in Luzon, Visayas, and Mindanao (with available spare parts, indicating address, telephone & fax numbers, email address and contact person).</p> <p>In the event of closure of business, termination of franchisee/service center, the supplier shall notify the BOC and PITC accordingly of the new service centers with telephone numbers and address who can provide the needed parts, supplies and service;</p>						
(vi)	<p>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 (For both Lot 1 and Lot 2).</p>						
(vii)	<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>						

(viii)	<p>Omnibus Sworn Statements using the form prescribed (Annex VII).</p> <ul style="list-style-type: none"> (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 (a)	<p>Completed and signed Financial Bid Form. Bidder must use, accomplish and submit Financial Bid Form hereto attached Annex IX-A, Annex IX-B. The ABC is inclusive of VAT. Any proposal with a financial component exceeding the ABC shall not be accepted.</p>	
<p>Note:</p> <ol style="list-style-type: none"> 1. 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. 2. In order to facilitate efficiency in evaluating all the documents submitted by the prospective bidder/supplier, we encourage all prospective bidders to put tabs in all documents to be submitted with the same number as indicated in this Eligibility, Technical and Financial Documents checklist. 		