



BIDS AND AWARDS COMMITTEE I

Supplemental/Bid Bulletin No. 2

**SUPPLY, DELIVERY, INSTALLATION, TESTING AND COMMISSIONING OF ONE
(1) LOT BRAND NEW AIR-CONDITIONING UNITS FOR THE
NATIONAL BUREAU OF INVESTIGATION (NBI)**

Bid Reference No. GPG-B1-2020-220 3RD REBID

(Previous Bid Ref. Nos. GPG-B1-2018-236, GPG-B1-2019-451 Rebid and GPG-B1-2019-569 2nd Rebid)

This **Supplemental/Bid Bulletin No. 2** is being issued to further clarify, modify and amend the provisions in the Bidding Documents.

A) AMENDMENT TO BIDDING DOCUMENTS:

FROM	TO
12.1 (a) ELIGIBILITY DOCUMENTS	
a.1 Eligibility Documents	
(iv) Copy of each of the following Audited Financial Statements for <u>2018 and 2017</u> (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.	(iv) Copy of each of the following Audited Financial Statements for <u>2019 and 2018</u> (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.
Class “B” Document: (For Joint Venture)	
Local JV Partner ...xxx... (iv) Copy of each of the following Audited Financial Statements for <u>2018 and 2017</u> (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.	Local JV Partner ...xxx... (iv) Copy of each of the following Audited Financial Statements for <u>2019 and 2018</u> (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.

<p>Foreign JV Partner ...xxx... (iii) Corporate Financial Statement or Annual Report for <u>2018 or 2017</u>. ...xxx...</p> <p>C. Copy of each of the following Audited Financial Statements for <u>2018 and 2017</u> (in comparative form or separate reports):</p> <ol 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) <p>Each of the above statements must have stamped "received" by the Bureau of Internal Revenue (BIR) or its duly accredited and authorized institutions.</p>	<p>Foreign JV Partner ...xxx... (iii) Corporate Financial Statement or Annual Report for <u>2019 or 2018</u>. ...xxx...</p> <p>C. Copy of each of the following Audited Financial Statements for <u>2019 and 2018</u> (in comparative form or separate reports):</p> <ol 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) <p>Each of the above statements must have stamped "received" by the Bureau of Internal Revenue (BIR) or its duly accredited and authorized institutions.</p>
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The Bid Opening on **03 September 2020, Thursday, 10:00 AM.** Please use the Revised Checklist of Requirements as 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 25th of August 2020 in Makati City.

Reviewed and Approved by:

(SGD)CHRISTABELLE P. EBRIEGA
Chair, Bids and Awards Committee - I

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

(SGD)MYRA CHITELLA T. ALVAREZ
Member

DAVID A. INOCENCIO
Member

(SGD)JOEL S. RODRIGUEZ
Member

ATTY. MITZELL ARTHUR R. MAGDAONG
Alternate Member

Concurred by:

(SGD)ATTY. DENNIS S. SIYHIAN
BAC Provisional Member – NBI

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

Name of Company: _____

Project: **SUPPLY, DELIVERY, INSTALLATION, TESTING AND COMMISSIONING OF ONE (1) LOT BRAND NEW AIR-CONDITIONING UNITS FOR THE NATIONAL BUREAU OF INVESTIGATION (NBI)**

Bid Ref. No. **Bid Reference No.: GPG-B1-2020-220 3RD REBID**
(Previous Bid Ref. Nos. GPG-B1-2018-236, GPG-B1-2019-451 Rebid and GPG-B1-2019-569 2nd Rebid)

APPROVED BUDGET FOR THE CONTRACT: ₱ 4,401,855.00

Ref. No.	Particulars	
ENVELOPE 1: ELIGIBILITY AND TECHNICAL DOCUMENTS		
12.1 (a)	ELIGIBILITY DOCUMENTS	
	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 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 prior to payment.	
(iii)	Valid and Current Tax Clearance per Executive Order 398, Series of 2005 and Revenue Memorandum Order No. 46-2018.	
(iv)	Copy of each of the following Audited Financial Statements for 2019 and 2018 (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.	
(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) ;	
(vi)	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 (50%) of the total ABC of the item being bid (Annex I-A). "Similar" contract shall mean Supply and Delivery of Air-conditioning Units <u>Any of the following documents must be submitted/attached corresponding to listed completed largest contracts per Annex I-A:</u> (a) Copy of End User's Acceptance; or (b) Copy of Official Receipt/s; or (c) Copy of Sales Invoice with Collection Receipt/s	

(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 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.</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>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>	
	CLASS "A" DOCUMENTS	
12.1 (a.2)	<p><u>FOR JOINT VENTURE</u></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><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> <p>a) <u>For Joint Ventures</u>, Bidder to submit either:</p> <ol style="list-style-type: none"> a.1. Copy of the JOINT VENTURE AGREEMENT (JVA) in case the joint venture is already in existence, or a.2. 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)]</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</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 renewal within the period prescribed by the concerned local government UNITS, provided that the renewed permit shall be submitted as a post-qualification requirement.

- (iii) Valid and Current Tax Clearance per Executive Order 398, Series of 2005 and Revenue Memorandum Order No. 46-2018.
- (iv) Copy of Audited Financial Statements for 2019 and 2018 (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, Series of 2005 and Revenue Memorandum Order No. 46-2018, as finally reviewed and approved by the BIR.
- (iii) Corporate Financial Statement or Annual Report for 2019 or 2018.

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 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.

NOTE:

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

- A. 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);
- B. 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 (50%) of the total ABC of the item being bid (Annex I-A).

“Similar” contract shall mean Supply and Delivery of Air-conditioning Units

Any of the following documents must be submitted/attached corresponding to listed completed largest contracts per Annex I-A:

- i. Copy of End User’s Acceptance; or
- ii. Copy of Official Receipt/s; or
- iii. Copy of Sales Invoice with Collection Receipt/s

- C. Copy of Audited Financial Statements for 2019 and 2018 (in comparative form or separate reports):
 - i. Independent Auditor’s Report;
 - ii. Balance Sheet (Statement of Financial Position); and
 - iii. 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.

- D. 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 Local Commercial Bank. The amount of the committed Line of Credit MUST BE MACHINE VALIDATED. (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*)**

*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:

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 <table border="1" data-bbox="264 353 1396 526"> <thead> <tr> <th rowspan="2">Description</th> <th rowspan="2">Qty.</th> <th rowspan="2">TOTAL ABC (P) (VAT Inclusive)</th> <th colspan="2">Bid Security: (P)</th> </tr> <tr> <th>2% of ABC</th> <th>5% of ABC</th> </tr> </thead> <tbody> <tr> <td>One (1) Lot Brand New Air-Conditioning Units</td> <td>1 lot</td> <td>4,401,855.00</td> <td>88,037.10</td> <td>220,092.75</td> </tr> </tbody> </table> <p>Notes:</p> <ol style="list-style-type: none"> (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: <ol style="list-style-type: none"> (1) Issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such bond. <u>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.</u> (2) Callable upon demand (3) <u>Must specify the grounds for forfeiture of bid security as stated in Section II, ITB Clause 18.5, to wit:</u> <ul style="list-style-type: none"> ▪ IF A BIDDER: <ol style="list-style-type: none"> (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 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: <ol style="list-style-type: none"> (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. 	Description	Qty.	TOTAL ABC (P) (VAT Inclusive)	Bid Security: (P)		2% of ABC	5% of ABC	One (1) Lot Brand New Air-Conditioning Units	1 lot	4,401,855.00	88,037.10	220,092.75	
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One (1) Lot Brand New Air-Conditioning Units	1 lot	4,401,855.00	88,037.10	220,092.75										

(ii)	Duly signed and completed Technical Bid Form. Bidder must use, accomplish and submit the Technical Bid Form attached as Annex V .	
(iii)	Duly signed/conformed Terms of Reference attached as Annex V-A .	
(iv)	Original complete set of brochures of the equipment. <i>Note: If not in English, must be subject to requirement per Clause 11 of the Instructions to Bidders</i>	
(v)	<p>For Manufacturers: Certification that the bidder is a manufacturer.</p> <p>For Suppliers, Reseller, Distributors or Dealers:</p> <ul style="list-style-type: none"> Valid and current Certificate of Distributorship/Dealership/Reseller ship of the item offered, issued by the principal or manufacturer of the product (if Bidder is not the manufacturer). If the certificate is not issued by the manufacturer, bidder must also present an appropriate document showing the relationship between the manufacturer and the issuing company. <p>If the certificate is in foreign language other than English, it must be accompanied by a translation of the document in English. The documents shall be translated by the relevant foreign government agency, the foreign government agency authorized to translate documents, or a registered translator in the foreign bidder's country; and shall be authenticated by the appropriate Philippine foreign services establishment/post or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines.</p>	
(vi)	<p>List of Authorized Service Center/s within Metro Manila (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 NBI and PITC accordingly of the new service centers with telephone numbers and address who can provide the needed parts, supplies and service;</p>	
(vii)	Copy of valid and current ISO Certification of the Manufacturer issued by an independent certifying agency.	
(viii)	Duly Signed and Notarized Affidavit of Site Inspection (Annex VI)	
(ix)	Certificate of Performance Evaluation (Annex VII) with a rating of at least Very Satisfactory, issued by the Single Largest Completed Contract Clients 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 VIII).</p> <ol style="list-style-type: none"> Authority of the designated representative Non-inclusion in blacklist or under suspension status Authenticity of Submitted Documents Authority to validate Submitted Documents Disclosure of Relations Compliance with existing labor laws and standards Bidders Responsibilities 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.</p> <p>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"> 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. 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. 	