



BIDS AND AWARDS COMMITTEE I

SUPPLEMENTAL BID BULLETIN NO. 1

SUPPLY AND DELIVERY OF BRAND NEW 2,031 PIECES MILITARY BINOCULAR, COMPACT, MODEL 1 FOR THE PHILIPPINE ARMY (PA)

Bid Reference No. MPG-BI 2019-025 3rd Rebid

(Previous Bid Ref. Nos. MPG-BI-2018-113, MPG-BI-2018-264 Rebid and MPG-BI-2018-421 2nd Rebid)

This **Supplemental Bid Bulletin No. 1** is being issued to modify and amend the provisions in the Bidding Documents as discussed during the Pre-Bid Conference held last 08 February 2019 and in response to clarification from prospective bidders for the aforementioned project.

FROM		TO	
Section III. Bid Data Sheet (BDS)			
12. 1	xxx.. (a) ELIGIBILITY DOCUMENTS Class "A" Documents: (i) xxx.. (ii) xxx.. (iii) <u>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;</u> (iv) xxx.. xxx.. (a.2) ELIGIBILITY DOCUMENTS FOR FOREIGN MANUFACTURER <u>Class "A" Documents:</u> (i) xxx.. (ii) xxx.. (iii) <u>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;</u> (iv) xxx.. xxx..	12.1	xxx.. (a) ELIGIBILITY DOCUMENTS Class "A" Documents: (i) xxx.. (ii) xxx.. (iii) Valid and Current Tax Clearance per Executive Order 398, Series of 2005 and Revenue Memorandum Order No. 46-2018; (iv) xxx.. xxx.. (a.2) ELIGIBILITY DOCUMENTS FOR FOREIGN MANUFACTURER <u>Class "A" Documents:</u> (i) xxx.. (ii) xxx.. (iii) Valid and Current Tax Clearance per Executive Order 398, Series of 2005 and Revenue Memorandum Order No. 46-2018; (iv) xxx.. xxx..



<p>xxx..</p> <p>Class "B" Documents (For Joint Venture)</p> <p>1. xxx..</p> <p>2. Each JV Partner, must also submit the following:</p> <p>Local JV Partner</p> <p>(i) xxx..</p> <p>(ii) xxx..</p> <p>(iii) <u>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;</u></p> <p>(iv) xxx..</p> <p>Foreign JV Partner</p> <p>(i) xxx..</p> <p>(ii) <u>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.</u></p> <p>xxx..</p>	<p>xxx..</p> <p>Class "B" Documents (For Joint Venture)</p> <p>1. xxx..</p> <p>2. Each JV Partner, must also submit the following:</p> <p>Local JV Partner</p> <p>(i) xxx..</p> <p>(ii) xxx..</p> <p>(iii) Valid and Current Tax Clearance per Executive Order 398, Series of 2005 and Revenue Memorandum Order No. 46-2018;</p> <p>(iv) xxx..</p> <p>Foreign JV Partner</p> <p>(iv) xxx..</p> <p>(v) Valid and Current Tax Clearance per Executive Order 398, Series of 2005 and Revenue Memorandum Order No. 46-2018;</p> <p>xxx..</p>
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Bidders are advised to use and submit the required documents for the **Bid Opening on 01 March 2019, 9:00 AM**. Also, please use the **Revised Checklist of Requirements** as reference.

This **Supplemental Bid Bulletin No. 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 19th day of February 2019 in Makati City.



Reviewed and Approved by:

ATTY. MA. VICTORIA C. MAGCASE
Chairperson

ATTY. MARIA GUDELIA C. GUESE
Vice Chairperson

CHRISTABELLE P. EBRIEGA
Member

DAVID A. INOCENCIO
Member

MYRA T. ALVAREZ
Member

Concurred by:

MGEN BYRON H CALIMAG AFP
PA Provisional Member

COL GLENN E CRUZ GSC (QMS) PA
PA-Alternate Provisional Member

(PLEASE RETURN OR FAX THIS PORTION ONLY TO THE PITC BAC-I)

Received by : (PLS SIGN) _____

Bidder's Name: (PLS PRINT) _____

Date : _____



PITC BIDS AND AWARDS COMMITTEE I

REVISED CHECKLIST OF REQUIREMENTS

Name of Company : _____

Project : **SUPPLY AND DELIVERY OF BRAND NEW 2,031 PIECES MILITARY BINOCULAR, COMPACT, MODEL 1 FOR THE PHILIPPINE ARMY (PA)**

Ref No. **MPG-BI 2019-025 3rd Rebid (Previous Bid Ref. No. MPG-BI-2018-113, MPG-B1- 2018-264 Rebid and MPG-BI-2018-421 2nd Rebid)**

Per Bid Docs Item No.	Particulars
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CERTIFICATION ON ELIGIBILITY

ENVELOPE 1: ELIGIBILITY AND TECHNICAL DOCUMENTS

ELIGIBILITY (CLASS "A" DOCUMENTS)

12.1 a (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;
12.1 a (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 case 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;
12.1 a (iii)	Valid and Current Tax Clearance per Executive Order 398, Series of 2005 and Revenue Memorandum Order No. 46-2018.
12.1 a (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]



12.1 a (v)	Statement of all ongoing government and private contracts including contract awarded but not yet started (Annex I)									
12.1 a (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 Fifty percent (50%) of the ABC of the lot being bid. (Annex I-A).</p> <p>“Similar contract” shall optical instruments/devices.</p> <p>Any of the following documents must be attached in Annex I-A:</p> <ul style="list-style-type: none"> ▪ Copy of End User’s Acceptance; or ▪ Copy of Official Receipt/s; or ▪ Copy of Sales Invoice with Collection Receipt/s 									
12.1 a (vii)	<p>Duly signed Certificate of Net Financial Contracting Capacity (NFCC) per Annex II-A, OR Committed Line of Credit per Annex II-B</p> <table border="1" data-bbox="272 752 1366 965"> <thead> <tr> <th data-bbox="272 752 619 887"><u>Description</u></th> <th data-bbox="619 752 855 887"><u>ABC (₱)</u></th> <th data-bbox="855 752 1123 887"><u>NFCC must at least equal to (₱)</u></th> <th data-bbox="1123 752 1366 887"><u>Committed Line of Credit (₱)</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="272 887 619 965">MILITARY Binocular Compact, Model 1</td> <td data-bbox="619 887 855 965">39,192,410.10</td> <td data-bbox="855 887 1123 965">39,192,410.10</td> <td data-bbox="1123 887 1366 965">3,919,241.00</td> </tr> </tbody> </table>	<u>Description</u>	<u>ABC (₱)</u>	<u>NFCC must at least equal to (₱)</u>	<u>Committed Line of Credit (₱)</u>	MILITARY Binocular Compact, Model 1	39,192,410.10	39,192,410.10	3,919,241.00	
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MILITARY Binocular Compact, Model 1	39,192,410.10	39,192,410.10	3,919,241.00							

(a.2) ELIGIBILITY DOCUMENTS FOR FOREIGN MANUFACTURER

	<p>Class “A” Documents:</p> <p>The following eligibility requirements or statements must be submitted to the BAC:</p> <ul style="list-style-type: none"> (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. (iii) Corporate Financial Statement or Annual Report for 2017 or 2016. <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 Corporate Financial Statement or Annual Report for 2017 or 2016.</p> <p>*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]</p>	
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(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 of 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)**.

Any of the following documents must be attached in Annex I-A:

- Certificate of Acceptance issued by the end user; OR
- Official Receipt of payment

“Similar contract” shall mean optical instruments/devices.

(vi) Duly signed Certificate of Net Financial Contracting Capacity (NFCC) per Annex II-A in accordance with ITB Clause 5.5 OR Committed Line of Credit per **Annex II-B**.

Should the bidder opt to submit NFCC, computation must be at least be equal to the ABC of the project. The detailed computation using the required formula must be shown as provided for in **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 Corporate Financial Statements or Annual Report.
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-B)**.



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.

1) 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

2) 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 case of recently expired Mayor’s/Business Permits, it shall be accepted 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, Series of 2005 and Revenue Memorandum Order No. 46-2018.**
- (iv) Copy of Audited Financial Statements for 2017 or 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.



	<p>Foreign JV Partner</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, Series of 2005 and Revenue Memorandum Order No. 46-2018.</p> <p>(iii) Corporate Financial Statement or Annual Report for 2017 or 2016.</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 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 2017 and 2016 (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 of Annual Report for 2017 or 2016.</p> <p>For other required Class “A” Eligibility Documents, submission by any of the partner(s) constitutes collective compliance. Provided, That the partner responsible to submit the NFCC shall likewise submit the Statement of All its Ongoing Contracts (Annex I)</p>	
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TECHNICAL DOCUMENTS

12.1. b (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" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th rowspan="2">Description</th> <th rowspan="2">Qty</th> <th rowspan="2">ABC (₱)</th> <th colspan="2">Bid Security ₱</th> </tr> <tr> <th>2% of ABC</th> <th>5% of ABC</th> </tr> </thead> <tbody> <tr> <td>MILITARY Binocular , Compact, Model 1</td> <td>2,031 pieces</td> <td>39,192,410.10 (19,297.10/piece)</td> <td>783,848.20</td> <td>1,959,620.51</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: 	Description	Qty	ABC (₱)	Bid Security ₱		2% of ABC	5% of ABC	MILITARY Binocular , Compact, Model 1	2,031 pieces	39,192,410.10 (19,297.10/piece)	783,848.20	1,959,620.51	
Description	Qty				ABC (₱)	Bid Security ₱								
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MILITARY Binocular , Compact, Model 1	2,031 pieces	39,192,410.10 (19,297.10/piece)	783,848.20	1,959,620.51										



- (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 28.3 (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 in 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



12.1. b (ii)	<p>Completed and signed Technical Bid Form and other Technical Documents:</p> <table border="1" data-bbox="357 331 1230 562"> <tr> <td>Annex V-A</td> <td>Technical Bid Form</td> </tr> <tr> <td>Annex V-A1</td> <td>Technical Specifications</td> </tr> <tr> <td>Annex V-A2</td> <td>Test Parameter</td> </tr> <tr> <td>Annex V-A3</td> <td>Test and Evaluation Procedure</td> </tr> <tr> <td>Annex V-A4</td> <td>Test Criteria</td> </tr> <tr> <td>Annex V-A5</td> <td>Command Sanction</td> </tr> </table>	Annex V-A	Technical Bid Form	Annex V-A1	Technical Specifications	Annex V-A2	Test Parameter	Annex V-A3	Test and Evaluation Procedure	Annex V-A4	Test Criteria	Annex V-A5	Command Sanction	
Annex V-A	Technical Bid Form													
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Annex V-A5	Command Sanction													
12.1. b (iii)	<p>Brochure or Technical Data Sheet or equivalent showing compliance to the required Technical specifications.</p> <p>Internet downloads may be included to supplement the information contained in the original brochures.</p>													
12.1. b (iv)	<p>Valid and current ISO Registration Certificate No ISO 9001:2015 for manufacturing issued by an independent certifying body in the name of the manufacturer.</p>													
12.1. b (v)	<p>For Local Suppliers, Distributors or Dealers: Valid and Current Certificate of Distributorship/Dealership 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>													
12.1. b (vi)	<p>Certification from one (1) NATO country buyer that they have procured binoculars from bidder's manufacturer OR Sales Invoice or similar document evidencing sale of manufacturer's binoculars to any one (1) NATO country within the last five (5) years.</p>													
12.1. b (viii.a)	<p>For Foreign Manufacturers: Valid and Current Written Appointment of the Philippine based company (as local representative of foreign manufacturer) issued by the foreign bidder.</p> <p>The written appointment must include detailed scope of responsibility of the local representative</p>													
12.1. b (vii.b)	<p>For Foreign Manufacturers: Duly Notarized authorization of the Philippine Based Company's representative (e.g. Secretary's Certificate for Corporation, Special Power of Attorney for Sole Proprietor) with specimen signature of the authorized representative to transact with PITC including address, telephone number, fax number and email address;</p>													
12.1. b (vi)	<p>Proof of Authority of the designated representative/s for purposes of the bidding.</p> <p>a. Duly notarized Special Power of Attorney – For Sole Proprietorship if owner opts to designate a representative/s;</p> <p>OR</p> <p>b. Duly Notarized Secretary's Certificate evidencing the authority of the designated representative/s, issued by the corporation , cooperative or the members of the joint venture</p> <p>Provided that 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 representatives for purposes of this bidding.</p>													



12.1. b (vii)	Omnibus Sworn Statement (Annex VI)	
a.	Authority of the Designated representative corresponding with above proof of authority	
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 COMPONENT		
13.1 (a)	Completed and signed Financial Bid Forms per Annex VII	

Notes:

1. In case of inconsistency between the Checklist of Requirements for bidders and the provisions in the Instructions to Bidders and Bid Data Sheet, the Instructions to Bidders and Bid Data Sheet prevail.
2. In order to facilitate efficiency in evaluating all the documents submitted by the prospective bidder/supplier, we encourage all prospective bidder to put tabs in all documents to be submitted with the same number as indicated in the Eligibility, Technical and Financial Documents checklist.