BIDS AND AWARDS COMMITTEE I

Supplemental/Bid Bulletin No. 1

SUPPLY AND DELIVERY OF TWO (2) UNITS BRAND NEW ULTRASOUND MACHINE FOR THE PHILIPPINE ARMY (PA)

Bid Reference No. MPG-BI-2019-171
Approved Budget for the Contract – ₱9,615,384.60

This **Supplemental/Bid Bulletin No. 1** is being issued to amend some provisions of the Bidding Documents and response to queries raised by suppliers during the Pre-Bid Conference on 30 May 2019 and through letters/email for the aforecited project.

A) NEW SCHEDULE FOR THE SUBMISSION AND OPENING OF BIDS

17 July 2019, 3:00PM

B) AMENDMENT TO BIDDING DOCUMENTS

FROM	TO
SECTION III. Bid Data Sheet	
Under Clause 12.1 (b) TECHNICAL DOCUMENTS	
(v) Valid and Current License to Operate as Medical Device Importer / Distributor from the Food and Drug Administration (FDA) – Philippines issued in the name of the Bidder	(v) Valid and Current License to Operate as Medical Device Importer / Distributor from the Food and Drug Administration (FDA) – Philippines issued in the name of the Bidder **OR** Copy of the Application Form for Renewal of the LTO with Copy of the Official Receipt issued by FDA-Philippines However, a copy of the renewed valid and current License to Operate as Medical Device Importer / Distributor from the Food and Drug Administration in the name of the Bidder must be submitted and the original LTO must be presented as a requirement for post qualification.
(vi) Valid and Current Certificate of Product Registration (CPR) or Certificate of Exemption from the Food and Drug Administration (FDA) – Philippines	(vi) Valid and Current Certificate of Product Registration (CPR) or Certificate of Exemption from the Food and Drug Administration (FDA) – Philippines OR Copy of the Application Form with Copy of the Official Receipt issued by FDA-Philippines However, a copy of the valid and current Certificate of Product Registration (CPR) or Certificate of Exemption from the Food and Drug Administration in the name of the Bidder must be submitted and the original CPR or COE must be presented as a requirement for post qualification.

Under Clause 29.2 Post Qualification	
… xxx … 1. Present original copy and submit copy of the following: a) … b) … c) … d) … … xxx …	… xxx … a) Present original copy and submit copy of the following: b) … c) … d) … e) Valid and Current License to Operate as Medical Device Importer / Distributor from the Food and Drug Administration (FDA) – Philippines issued in the name of the Bidder f) Valid and Current Certificate of Product Registration (CPR) or Certificate of Exemption from the Food and Drug Administration (FDA) – Philippines … xxx …

C) REPLY TO QUERIES

Queries from Zafire Distributors Inc.		
Technical Specification	**Concerns / Clarifications**	**Response from PA**
External Storage: Hard Drive minimum of 500GB	Is this a separate HDD aside from the one installed inside the system? Can we recommend to also include in the specification HDD/SSD to make the tender more open to other brands. Also, SSD is faster than the HDD.	Yes, this is a separate HDD aside from the one installed. This is just a back-up storage, no need for high speed storage device.
One (1) box needle guide (9') with cleaning brush	Is this a needle guide for the Endocavity probe?	Yes, this is for Endocavity probe.
Five (5) sets disposable ECG electrodes and Cardiac Probe	Is the system for basic cardiac use or with full cardiac option?	It is for basic cardiac use only.
Spatio-temporal image correlation (STIC)	Does the system need the 4D probe? Because this technology works only on a 4D probe. The required probe in the technical specification is just "convex probe".	This is just a standby application for future upgrade of the machine.

Queries from NPK Medical Trading Inc.	
QUERY 1	This is with regards to the documentary requirement No. 12.1b (v) Valid and current License to Operate as Medical Device Importer / Distributor from the Food and Drug Administration (FDA) – Philippines issued in the name of the Bidder. Please be informed that renewal of LTO is already done but we are still awaiting for the release of the certificate. In this regard we would like to request your good office to accept the official receipt issue by the Food and Drugs Administration in lieu of the LTO License.
REPLY 1	Request granted. However, a copy of the renewed valid and current License to Operate as Medical Device Importer / Distributor from the Food and Drug Administration in the name of the Bidder must be submitted and the original LTO must be presented as a requirement for post qualification. As indicated in this Supplemental Bid Bulletin No. 1, Clause 12.1 (b) (v) has been revised to: "(v) Valid and Current License to Operate as Medical Device Importer / Distributor from the Food and Drug Administration (FDA) – Philippines issued in the name of the Bidder OR Copy of the Application Form for Renewal of the LTO with Copy of the Official Receipt issued by FDA-Philippines" And Clause 29.2 of the Bid Data Sheet – Requirements for Post Qualification has been revised to: " … xxx … 1. Present original copy and submit copy of the following: a) … b) … c) … d) … e) Valid and Current License to Operate as Medical Device Importer / Distributor from the Food and Drug Administration (FDA) – Philippines issued in the name of the Bidder f) Valid and Current Certificate of Product Registration (CPR) or Certificate of Exemption from the Food and Drug Administration (FDA) – Philippines … xxx …"

Queries from Chemvalley	
QUERY 1	For the FDA Exemption for the ultrasound machine, can we use and insert the Original Receipt of the said application for exemption?
REPLY 1	Request granted. However, a copy of the valid and current Certificate of Product Registration (CPR) or Certificate of Exemption from the Food and Drug Administration in the name of the Bidder must be submitted and the original CPR or COE must be presented as a requirement for post qualification. As indicated in this Supplemental Bid Bulletin No. 1, 12.1 (b) (vi) has been revised to: "(vi) Valid and Current Certificate of Product Registration (CPR) or Certificate of Exemption from the Food and Drug Administration (FDA) – Philippines OR Copy of the Application Form for Certificate of Exemption with Copy of the Official Receipt issued by FDA-Philippines" And Clause 29.2 of the Bid Data Sheet – Requirements for Post Qualification has been revised to: " … xxx … 1. Present original copy and submit copy of the following: a) … b) … c) … d) … e) Valid and Current License to Operate as Medical Device Importer / Distributor from the Food and Drug Administration (FDA) – Philippines issued in the name of the Bidder f) Valid and Current Certificate of Product Registration (CPR) or Certificate of Exemption from the Food and Drug Administration (FDA) – Philippines … xxx …"
QUERY 2	In minimum technical specification in Annex V-A, in the application of the control panel as indicated in letter C. 10-12' touchscreen. Chemvalley specification: No touchscreen, we have control console keyboard type.
REPLY 2	Request denied.
QUERY 3	In the minimum specification of Monitor 20-22 inch is indicated Chemvalley specification: may we offer 15 inch monitor
REPLY 3	Request denied.
Queries from Inter-continental Food and Pharmaceuticals Inc.	
QUERY 1	We would like to humbly inquire from your good office if the respective date of documents shall be dated according to the original date of opening (14 June 2019) or on the resumed opening including Notarial dates?
REPLY 1	Bidder may use the documents intended for the postponed submission and opening of bids for as long as they are still valid on the new date of submission and opening of bids.

Please submit all other required documents for the Submission and Opening of Bids scheduled on 17 July 2019, 3:00PM. Also please use the Revised Checklist of Requirements as guide/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 2nd day of July 2019 in Makati City.

Reviewed and Approved by:

CHRISTABELLE P. EBRIEGA
Chairperson, Bids and Awards Committee – I

ATTY. MARIA GUDELIA C. GUESE
Vice Chairperson

MYRA CHITELLA T. ALVAREZ
Member

DAVID A. INOCENCIO
Member

JOEL S. RODRIGUEZ
Member

Concurred by:

BGEN GLENN CRUZ AFP
Alternate Provisional Member- PA

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

Name of Company :_____

Project: **Supply and Delivery of Two (2) units Brand New Ultrasound Machine for the Philippine Army (PA)**

Bid Ref No.: **MPG-BI-2019-171**

Approved Budget (ABC): **₱9,615,384.60**

Per Bid Docs Item No.	**Particulars**	
	CERTIFICATION ON ELIGIBILITY	
ENVELOPE 1: ELIGIBILITY AND TECHNICAL DOCUMENTS		
ELIGIBILTY (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 (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; (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. **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**	
12.1 a (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)**;	
12.1 a (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 percent (50%) of the total ABC of the item being bid (Annex I-A). "Similar" contract shall mean Medical Equipment. Any of the following documents must be attached in **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	

12.1 a (vii)	Duly signed Certificate of NFCC **(Annex II-A) or** Committed Line of Credit **(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, 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 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 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 of Annual Report for 2018 or 2017.

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

TECHNICAL DOCUMENTS

12.1. b (i)

Bid security must be issued in favor of the **PHILIPPINE INTERNATIONAL TRADING CORPORATION (PITC)** in any forms:

1) Bid Securing Declaration per **Annex IV;**
2) Cash or Cashier's/Manager's Check equivalent to at least 2% of the ABC;
3) Bank Guarantee/Bank draft or Irrevocable LC equivalent to at least 2% of the ABC; **OR**
4) Surety bond callable upon demand equivalent to at least 5% of the ABC

Description	Qty	ABC (₱) (VAT Inclusive)		ABC (₱) (VAT Inclusive)	
		Unit Price	Total Price	2% ABC	5% ABC
Brand New Ultrasound Machine	2 units	4,807,692.30	9,615,384.60	192,307.69	480,769.23

Notes:

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

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

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

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

	(2) Callable upon demand (3) **<u>Must specify the grounds for forfeiture of bid security as stated in Section II, ITB Clause 18.5, to wit:</u>** (d) **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. (e) **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)	Completed and signed **Technical Bid Form and other Technical Documents**: Brand New Ultrasound Machine Annex V – Technical Bid Form Annex V-A – Technical Specification	
12.1. b (iii)	Product Brochure and/or Technical Data Sheet showing compliance to the required Technical Specifications	

12.1. b (iv)	Copy of Valid and Current Certificate of Distributorship authorizing the bidder to sell/distribute the equipment. Note: If not directly issued by the manufacturer to the bidder, bidder must submit the certificate of distributorship / dealership that will link bidder to the manufacturer.	
12.1.b (v)	Valid and Current License to Operate as Medical Device Importer / Distributor from the Food and Drug Administration (FDA) – Philippines issued in the name of the Bidder **OR** Copy of the Application Form for Renewal of the LTO with Copy of the Official Receipt issued by FDA-Philippines	
12.1.b (vi)	Valid and Current Certificate of Product Registration (CPR) or Certificate of Exemption from the Food and Drug Administration (FDA) – Philippines **OR** Copy of the Application Form for Certificate of Exemption with Copy of the Official Receipt issued by FDA-Philippines	
12.1.b (vii)	Valid and Current ISO Certification in the name of the manufacturer. The ISO Certification must cover the manufacture/design and/or production	
12.1.b (viii)	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;	
12.1.b (ix)	**Proof of Authority of the designated representative/s for purposes of the bidding.** a. Duly notarized Special Power of Attorney – For Sole Proprietorship if owner opts to designate a representative/s; OR 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 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.	
12.1.b (x)	Omnibus Sworn Statement **(Annex VII)**	
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 Form. Bidder must use, accomplish and submit Financial Bid Form hereto attached Annex VIII. The ABC is inclusive of VAT. Any proposal with a financial component exceeding the ABC shall not be accepted.	

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.**