



BIDS AND AWARDS COMMITTEE I

**SUPPLEMENTAL BID BULLETIN NO. 2
SUPPLY AND DELIVERY OF 1,160,500 ROUNDS
BRAND NEW CTG CAL .50 BALL, LINKED
FOR THE PHILIPPINE ARMY (PA)
Bid Reference No. MPG-BI-2019-368
Approved Budget for the Contract - ₱ 238,854,110.00**

This **Supplemental Bid Bulletin No. 2** is being issued to clarify, modify and amend Bidding Documents in response to the clarification from prospective bidders for the aforesaid project.

A. AMENDMENT TO THE BIDDING DOCUMENTS:

FROM	TO
Section II. Instruction to Bidders (ITB)	
<p>Section II. Instructions to Bidders, C. Preparation of Bids</p> <p>11. Language of Bids</p> <p>The eligibility requirements or statements, the bids, and all other documents to be submitted to the BAC must be in English. If the eligibility requirements or statements, the bids, and all other documents submitted to the BAC are in foreign language other than English, it must be accompanied by a translation of the documents 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 service establishment/post or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines. The English translation shall govern, for purposes of interpretation of the bid.</p>	<p>Section II. Instructions to Bidders, C. Preparation of Bids</p> <p>11. Language of Bids</p> <p>The eligibility requirements or statements, the bids, and all other documents to be submitted to the BAC must be in English. If the eligibility requirements or statements, the bids, and all other documents submitted to the BAC are in foreign language other than English, it must be accompanied by a translation of the documents 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 service establishment/post or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines.</p> <p>However, for Contracting Parties to the Apostille Convention, the documents shall be authenticated through an apostille by the Competent Authority, except for countries identified by the Department of Foreign Affairs (DFA) that will still require legalization (red ribbon) by the relevant Embassy or Consulate.</p> <p>A Contracting Party refers to a State that has joined the Apostille Convention, whether or not the Convention has entered into force for that State.</p> <p>A Competent Authority refers to the authority designated by a Contracting Party that is competent to issue an apostille. A Contracting Party may designate one or more Competent Authorities and may designate Competent Authorities that are competent to issue an apostille for certain categories of public documents. Information about designated Competent Authorities may be found on the Apostille Section of the Hague Conference website under "Competent Authorities".</p>



B. REPLIES TO QUERIES OF BIDDERS:

Below are the queries/requests for consideration by the prospective bidders, which have been answered by the PITC Bids and Awards Committee I and Philippine Army (PA).

FIREPOWER DEFENSE CONTRACTORS in its letter dated 09 September 2019 and received by BAC on the same date.

Query 1:	<p>Clarification is sought concerning the wordings of the Credit Line Commitment required in the Bid Document for the above referred Bid Reference.</p> <p>As stated under the Committed Line of Credit (CLC), Bidding Forms (Sample Format) Annex II-B page 69 we quote <i>“The credit line shall be available from (date of bid submission) and such line of credit shall be maintained until issuance of certificate of acceptance of the goods/services subject of the contract /project by the joint PITC and PA representatives” end of quote.</i></p> <p>However, the aforementioned condition is not stated under the Bid Data Sheet page 34 of 121 under a.2 Eligibility Documents for Foreign Manufacturers.</p> <p>Our interpretation of the purpose of the CLC is to prove that the Foreign Manufacturer will have access to funds to support the production of the items, if awarded a contract.</p> <p>We are requesting that the highlighted paragraph mentioned above be deleted and allow the foreign manufacturer to make use of the funds after the bid submission and/or after the submission of the PQ documents.</p>
BAC1/PA:	<p>Request Denied: The required submission of committed Line of Credit (CLC), in lieu of NFCC computation, is for the purpose of establishing the bidder’s liquidity, its capacity to absorb the additional obligations in connection with the contract submitted for bids, and to finance its implementation or completion.</p> <p>Moreover, the CLC must be effective or available on the date of the bid submission. In other words, the Line of Credit must have been granted by the bank to the bidder at the time of submission of bids. Stated differently, a Line of Credit that shall be effective only at some future time other than on the date of bid submission or has no indicative date when the same shall be available is not compliant with the requirements under Section 23.1 (a)(xviii) of the 2016 IRR of RA No. 9184.</p> <p>The provision in the sample form of the Certificate CLC that -</p> <p style="text-align: center;">“The credit line shall be available from <u>_(date of bid submission)_</u> and such line of credit shall be maintained until issuance of Certificate of Acceptance of the goods/services subject of the Contract/project by the joint PITC and <u>____</u> Representatives.”</p>



	<p>is consistent with the above-stated purpose of the CLC. What is required to be maintained is the credit line with the bank to ensure that at any time during the contract implementation (until issuance of the Certificate of Final Acceptance), the supplier can draw from the credit line to finance its performance of its obligation or implementations/completion of the contract. Thus, during contract implementation, the bank cannot close or terminate the line of credit granted to the winning bidder/supplier.</p> <p>As an aside, if the committed Line of Credit is issued by a foreign universal or commercial bank, it shall be confirmed or authenticated by a local universal or commercial bank.</p>
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This **Supplemental Bid Bulletin No. 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 12th day of September 2019 in Makati City.

Sgd.
CHRISTABELLE P. EBRIEGA
Chairperson

ATTY. MARIA GUEDELIA C. GUESE
Vice-Chairperson

Sgd.
MYRA CHITELLA T. ALVAREZ
Member

Sgd.
DAVID A. INOCENCIO
Member

Sgd.
JOEL S. RODRIGUEZ
Member

Concurred by:

BGEN GLENN CRUZ AFP
PA Alternate Provisional Member

IRENE S. ALAYON
Alternate Member

Received by :	(PLS SIGN) _____
Bidder's Name :	(PLS PRINT) _____
Date :	_____
(PLEASE RETURN OR FAX THIS PORTION ONLY TO THE PITC BAC-1)	