

**BIDS AND AWARDS COMMITTEE I****SUPPLEMENTAL BID BULLETIN NO. 1****SUPPLY AND DELIVERY OF SPARE PARTS FOR THE REPAIR OF ARMORED VEHICLE UTS25 AND FSV FOR THE PHILIPPINE ARMY (PA)**

Bid Reference No. MPG-BI-2019-558

Approved Budget for the Contract – ₱10,919,860.06

This **Supplemental Bid Bulletin No. 1** is being issued to further clarify, modify and amend the provisions in the Bidding Documents.

**A. AMENDMENT TO THE BIDDING DOCUMENTS**

| FROM                                     |  | TO         |  |
|--|--|------------|--|
| <b>Section III. Bid Data Sheet (BDS)</b> |  |            |  |
| ITB Clause                               |  | ITB Clause |  |
| 12.1                                     | <p><b>ELIGIBILITY DOCUMENTS</b></p> <p>(Class "A" Documents)</p> <p>a.1 ELIGIBILITY DOCUMENTS FOR LOCAL MANUFACTURERS</p> <p>xxx..</p> <p>(vii) 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</p> <p>xxx..</p> <p>(b) 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 <b>MUST BE MACHINE VALIDATED</b> (Annex II-B)</p> <p>xxx..</p> | 12.1       | <p><b>ELIGIBILITY DOCUMENTS</b></p> <p>(Class "A" Documents)</p> <p>a.1 ELIGIBILITY DOCUMENTS FOR LOCAL MANUFACTURERS</p> <p>xxx..</p> <p>(vii) 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</p> <p>xxx..</p> <p>(b) 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 <b>MUST BE MACHINE VALIDATED</b> (Annex II-B)</p> <p><b>Provided, that if the same is issued by a Foreign Universal or Commercial Bank, it shall be confirmed or authenticated by a Local Universal or Commercial Bank.</b></p> <p>xxx..</p> |



|             |  |  |
|-------------|--|--|
|             | <p>a.2 ELIGIBILITY DOCUMENTS FOR FOREIGN MANUFACTURERS</p> <p>xxx..</p> <p>(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</p> <p>xxx..</p> <p>(b) 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 <b>MUST BE MACHINE VALIDATED</b> (Annex II-B)</p> <p>xxx..</p> | <p>a.2 ELIGIBILITY DOCUMENTS FOR FOREIGN MANUFACTURERS</p> <p>xxx..</p> <p>(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</p> <p>xxx..</p> <p>(b) 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 <b>MUST BE MACHINE VALIDATED</b> (Annex II-B)</p> <p><b>Provided, that if the same is issued by a Foreign Universal or Commercial Bank, it shall be confirmed or authenticated by a Local Universal or Commercial Bank.</b></p> <p>xxx..</p> |
| <p>29.2</p> | <p>Post Qualification: Within a non-extendible period of five (5) calendar days from receipt by the supplier of the Notice from the BAC that the supplier has the Single/Lowest Calculated Bid (S/LCB), the Supplier shall submit and/or present the following requirements for post qualification:</p> <p>1. Present original copy and submit copy of the following:</p> <p>a. xxx..</p> <p>b. xxx..</p> <p>c. <u>PO's or Contracts for all Ongoing Contracts as listed per submitted Annex I.</u></p> <p>xxx..</p>   | <p>29.2</p> <p>Post Qualification: Within a non-extendible period of five (5) calendar days from receipt by the supplier of the Notice from the BAC that the supplier has the Single/Lowest Calculated Bid (S/LCB), the Supplier shall submit and/or present the following requirements for post qualification:</p> <p>1. Present original copy and submit copy of the following:</p> <p>a. xxx..</p> <p>b. xxx..</p> <p>c. <b>Deleted.</b></p> <p>xxx..</p>   |

**B. REPLIES TO QUERIES OF BIDDER:**

Below are the queries/concerns and request for considerations by the prospective bidder, which have been answered by the PITC Bids and Awards Committee I.

**ELBIT SYSTEMS LAND AND C4I, LTD.** in its letter dated 02 December 2019 duly received by this Office on the same day.

|                      |   |
|----------------------|---|
| <p><b>Query:</b></p> | <p>This is to formally and most respectfully submit for the honorable PITC BAC 1's early resolution, the following pervading concern relative to the condition on the matter of the submission of the Ongoing Contracts as declared in our "Statement of Ongoing and Awarded But not Yet Started Contract", being one of the Post-Qualification requirement for the "SUPPLY AND DELIVERY OF ONE (1) LOT MAINTENANCE PARTS FOR 12.7MM REMOTE CONTROLLED WEAPON STATION (RCWS) FOR THE PHILIPPINE ARMY (PA), Bid Reference No. MPG-BI-2019-557 2<sup>nd</sup> Rebid (Previous Bid Ref. Nos. MPG-BI-2018-370 &amp; MPG-BI-2019-137 Rebid)" and "SUPPLY AND DELIVERY OF SPARE PARTS FOR THE REPAIR OR ARMORED VEHICLE UTS25 AND FSV OF THE PHILIPPINE ARMY (PA), Bid Reference No. MPG-BI-2019-558"</p> |
|----------------------|---|



As a backgrounder, Elbit Systems Land and C<sup>4</sup>I, Ltd. (Elbit), the Original Equipment Manufacturer (OEM) and exclusive supplier and distributor of the components for this Remote Control Weapon Station (RCWS) and Unmanned Turret 25mm (UT-25), has already participated and was declared as eligible during the first Submission and Opening of Bids of MPG-BI-2019-137 Rebid, last April, 2019. Unfortunately however, Elbit was declared as “post disqualified,” when it failed to submit any of the contracts listed in its “Statement of Ongoing and Awarded But not Yet Started Contracts,” during the local post qualification stage, formally justifying its non-compliance to this requirement as being due to existing Non-Disclosure Agreements with either the Government and/or military branch who are the primary parties to these defense contracts. And moreover, these ongoing defense contracts, deemed as highly confidential documents involving the national security of Elbit’s clients, are barred from being taken out or reproduced outside of the premises of Elbit.

At the onset, Elbit Systems Land and C<sup>4</sup>I, Ltd., herein conveys that it is more than willing to participate and supply these parts/components of the RCWS and UT-25 systems, were it not that there exists legal constraints in doing so. This quandary as discussed with the PITC-BAC during the Pre-Bid Conference held last September 2019, was thought to have found a resolution, as then suggested by the honorable Chair at the time, for Elbit to consider submitting instead a Credit Line Certificate (CLC), as an alternative to the NFCC, since the submission of a CLC, in lieu of the NFCC, will in effect void the need to present the Ongoing Contracts.

Elbit on its part, as already earlier signified, being more than willing to participate and supply these parts/components of the RCWS and UT-25 systems, thus opted to go for the option of submitting the CLC instead of the NFCC, even at a cost. But as luck may have it, it now appears that even this option of submitting a CLC, is a non-existing alternative for Elbit, as the condition for submitting this CLC is stated thus in the Bid Document:

“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)”

Inquiries made with Land Bank of the Philippines and United Coconut Planter’s Bank, two the government depository banks accredited for government public tenders, revealed that the only way for Elbit to avail or secure a Credit Line Certificate from them, is if and only if, Elbit maintains a bank account with them. A condition, of which is an impossibility for Elbit to comply, since it does not have a branch or office here in the Philippines. As such, the local corporate documentary requirements in order to open a Corporate Account with any of these banks cannot therefore be complied with. Both Land Bank of the Philippines and United Coconut Planters Bank said that for this purpose and intent, they can only authenticate a Credit Line Certificate, issued by the Foreign Bank of the account holder.

With this situation, Elbit is left but no other option, if only to be able to supply these much needed parts by the Armor Division, but to propose, either for a Post Qualification to be undertaken in its offices in Israel, where these ongoing contracts can be presented/shown (but not submitted) to the PQ Team, or amend the condition for the submission of the CLC to allow for the Local Universal or Local Commercial Bank to simply authenticate the Credit Line Certificate opened by Elbit through its bank in Israel. Or, the only alternative left is through Direct Negotiation of procurement, considering Elbit Systems Land C<sup>4</sup>I, Ltd., afterall, is the only sole source supplier of these components sought to be procured in these tenders, apart from these parts being proprietary in nature in favor of Elbit.



|                          |   |
|--------------------------|---|
|                          | <p>For and behalf of Elbit Systems Land and C4I, Ltd. the undersigned most respectfully asks for your considerations to amend the above mentioned condition, or provide us with other legal options by which Elbit can comply to, without violating its commitment to its other customers and the laws of Israel, and at the same time respectfully requesting for a deferment of the submission of bids for Bid Reference No. MPG-BI-2019-557 2<sup>nd</sup> Rebid, for the same to be undertaken simultaneously with Bid Reference No. MPG-BI-2019-558, on December 16, 2019, if and when any of the above proposed solutions are favorably considered.</p> |
| <p><b>PITC reply</b></p> | <p><b>If the prospective bidder submits a Committed Line of Credit, it must be equal to at least ten percent (10%) of the ABC of the project to be bid: Provided, that if the same is issued by a Foreign Universal or Commercial Bank, it shall be confirmed or authenticated by a Local Universal or Commercial Bank. However, the submission of Committed Line of Credit (CLC) does not do away with the request to submit the Statement of On-going Contracts.</b></p>  |

Bidders are advised to use the **Revised Checklist of Requirements** together with the other required documents for the Bid Opening on **09 January 2019, 11:00 AM**.

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 02<sup>nd</sup> day of January 2020 in Makati City.

Reviewed and Approved by:

**(SGD)CHRISTABELLE P. EBRIEGA**  
Chairperson, Bids and Awards Committee – I

**(SGD)ATTY. MA. GUDELIA C. GUESE**  
Vice Chairperson

**(SGD)MYRA CHITELLA T. ALVAREZ**  
Member

**(SGD)DAVID A. INOCENCIO**  
Member

**(SGD)JOEL S. RODRIGUEZ**  
Member

**IRENE G. ALAYON**  
Alternate Member

**Concurred by:**

**MGEN BYRON H CALIMAG AFP**  
Provisional Member

**(SGD)BGEN GLENN E CRUZ AFP**  
Alternate Provisional Member



**PITC BIDS AND AWARDS COMMITTEE I**

**REVISED CHECKLIST OF REQUIREMENTS**

Name of Company : \_\_\_\_\_

Project: **SUPPLY AND DELIVERY OF SPARE PARTS FOR THE REPAIR OF ARMORED VEHICLE UTS25 AND FSV FOR THE PHILIPPINE ARMY (PA)**

Ref No. **MPG-BI-2019-558**

Approved Budget for the Contract – **₱10,919,860.06**

|                       |                              |
|-----------------------|------------------------------|
| Per Bid Docs Item No. | <b>Particulars</b>           |
|                       | CERTIFICATION ON ELIGIBILITY |

**ENVELOPE 1: ELIGIBILITY AND TECHNICAL DOCUMENTS**

**(a.) ELIGIBILITY (CLASS “A” DOCUMENTS)**

**a.1 ELIGIBILITY DOCUMENTS FOR LOCAL MANUFACTURERS**

|                |  |  |
|----------------|--|--|
| 12.1 a.1 (i)   | Registration Certificate from the Securities and Exchange Commission (SEC) for corporation, or from Department of Trade and Industry (DTI) for sole proprietorship, or from Cooperative Development Authority (CDA) for cooperatives.  |  |
| 12.1 a.1 (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;<br><br>In cases 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; |  |
| 12.1 a.1 (iii) | Valid and Current Tax Clearance per Executive Order 398, Series of 2005 and Revenue Memorandum Order No. 46-2018;  |  |
| 12.1 a.1 (iv)  | Copy of Audited Financial Statements for <b>2018</b> and <b>2017</b> (in comparative form or separate reports):<br>(a) Independent Auditor’s Report;<br>(b) Balance Sheet (Statement of Financial Position); and<br>(c) Income Statement (Statement of Comprehensive Income).<br><br>Each of the above statements must have stamped “received” by the Bureau of Internal Revenue (BIR) or its duly accredited and authorized institutions.   |  |



| <b>OR</b>  |  |               |                                   |                                |                                   |                                |   |                   |               |               |            |
|--|--|---------------|-----------------------------------|--------------------------------|-----------------------------------|--------------------------------|---|-------------------|---------------|---------------|------------|
| <p>Submission of valid and current <b>PhilGEPS Certificate of Registration and Membership (Platinum Registration*) together with Annex A</b> in lieu of items (i), (ii), (iii) and (iv) above.</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 the Audited Financial Statements for <b>2018</b> and <b>2017</b> (stamped received by the BIR or its duly accredited and authorized institution) together with the Platinum Registration.</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. <i>“GPPB Circular 07-2017 dated 31 July 2017”</i></p> |  |               |                                   |                                |                                   |                                |   |                   |               |               |            |
| 12.1<br>a.1 (v)  | Statement of all ongoing government and private contracts including contract awarded but not yet started, if any whether similar or not in nature and complexity to the contract to be bid. <b>(Annex I)</b>   |               |                                   |                                |                                   |                                |   |                   |               |               |            |
| 12.1<br>a.1 (vi)   | <p>Statement of Single Largest Completed Contract similar to the contract to be bid within the last five (5) years from the date of submission and receipt of bids amounting to at least twenty five percent (25%) of the ABC of the lot being bid. <b>(Annex I-A)</b></p> <p>“Similar contract” shall mean <b>Spare Parts for Armored Vehicle</b></p> <p>Any of the following documents must be attached/submitted corresponding to listed completed largest contracts per <b>Annex I-A</b>:</p> <ul style="list-style-type: none"> <li>• Copy of End User’s Acceptance; or</li> <li>• Copy of Official Receipt/s; or</li> <li>• Copy of Sales Invoice with Collection Receipt/s</li> </ul>   |               |                                   |                                |                                   |                                |   |                   |               |               |            |
| 12.1<br>a.1 (vii)  | <p>Duly signed Certificate of NFCC per <b>Annex II-A</b> in accordance with ITB Clause 5.5 OR committed Line of Credit per <b>Annex II-B</b>.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Description</th> <th style="width: 10%;">Qty</th> <th style="width: 20%;">ABC (Php)</th> <th style="width: 20%;">NFCC must at least equal to (Php)</th> <th style="width: 20%;">Committed Line of Credit (Php)</th> </tr> </thead> <tbody> <tr> <td>Spare Parts for the Repair of Armored Vehicle UTS25 and FSV</td> <td style="text-align: center;">One<br/>(1)<br/>Lot</td> <td style="text-align: right;">10,919,860.06</td> <td style="text-align: right;">10,919,860.06</td> <td style="text-align: right;">109,918.60</td> </tr> </tbody> </table> <p>a) Should the bidder opt to submit NFCC, computation must be equal to the ABC of the project. The detailed computation using the required formula must be shown as provided for in <b>Annex II-A</b>.</p> <p style="text-align: center;"><b>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</b></p> | Description   | Qty                               | ABC (Php)                      | NFCC must at least equal to (Php) | Committed Line of Credit (Php) | Spare Parts for the Repair of Armored Vehicle UTS25 and FSV | One<br>(1)<br>Lot | 10,919,860.06 | 10,919,860.06 | 109,918.60 |
| Description  | Qty  | ABC (Php)     | NFCC must at least equal to (Php) | Committed Line of Credit (Php) |                                   |                                |   |                   |               |               |            |
| Spare Parts for the Repair of Armored Vehicle UTS25 and FSV  | One<br>(1)<br>Lot  | 10,919,860.06 | 10,919,860.06                     | 109,918.60                     |                                   |                                |   |                   |               |               |            |





|  |  |  |
|--|--|--|
|  | <p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>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 Annual Income Tax Return and Audited Financial Statements.</li> <li>2. The value of all outstanding or uncompleted contracts refers to those listed in Annex I.</li> <li>3. The detailed computation must be shown using the required formula provided above.</li> <li>4. The NFCC computation must at least be equal to the ABC of the project</li> </ol> <p><b>OR</b></p> <p>b) If the prospective bidder submits a Committed Line of Credit, it must be equal to ten percent (10%) of the ABC to be bid: Provided, that if the same is issued by a Foreign Universal or Commercial Bank, it shall be confirmed or authenticated by a Local Universal or Commercial Bank. The amount of the committed Line of Credit <b>MUST BE MACHINE VALIDATED (Annex II-B)</b><br/><b>Provided, that if the same is issued by a Foreign Universal or Commercial Bank, it shall be confirmed or authenticated by a Local Universal or Commercial Bank.</b></p> |  |
| <b>a.2 ELIGIBILITY DOCUMENTS FOR FOREIGN MANUFACTURERS</b>   |  |  |
| 12.1<br>a.2.1 (i)  | Valid and current certificate/license/authority to conduct/operate business issued by the regulatory authority in the country where the bidder is based;   |  |
| 12.1<br>a.2.1 (ii)   | Valid and current Tax Clearance per Executive Order 398, Series of 2005 and Revenue Memorandum Order No. 46-2018;  |  |
| 12.1<br>a.2.1<br>(iii)   | Corporate Financial Statements or Annual Report for <b>2018 or 2017</b> .  |  |
| <p><b>OR</b></p> <p>Submission of valid and current <b>PhilGEPS Certificate of Registration and Membership (Platinum Registration*) together with Annex A</b> in lieu of items (i), (ii) and (iii) above.</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 the Audited Financial Statements for <b>2018 and 2017</b> (stamped received by the BIR or its duly accredited and authorized institution) together with the Platinum Registration.</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. <i>"GPPB Circular 07-2017 dated 31 July 2017"</i></p> |  |  |
| 12.1<br>a.2.1<br>(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. <b>(Annex I)</b>  |  |



| <p>12.1<br/>a.2.1<br/>(v)</p>                               | <p>Statement of Single Largest Completed Contract similar to the contract to be bid within the last five (5) years from the date of submission and receipt of bids amounting to at least twenty five percent (25%) of the ABC of the lot being bid.<br/><b>(Annex I-A)</b><br/>“Similar contract” shall mean <b>Spare Parts for Armored Vehicle</b><br/>Any of the following documents must be attached/submitted corresponding to listed completed largest contracts per <b>Annex I-A</b>:</p> <ul style="list-style-type: none"> <li>• Copy of End User’s Acceptance; or</li> <li>• Copy of Official Receipt/s; or</li> <li>• Copy of Sales Invoice with Collection Receipt/s</li> </ul>   |               |                                   |                                |                                   |                                |   |             |               |               |            |  |
|---|--|---------------|-----------------------------------|--------------------------------|-----------------------------------|--------------------------------|---|-------------|---------------|---------------|------------|--|
| <p>12.1<br/>a.2.1<br/>(vi)</p>                              | <p>Duly signed Certificate of NFCC per <b>Annex II-A</b> in accordance with ITB Clause 5.5 OR committed Line of Credit per <b>Annex II-B</b>.</p> <table border="1" data-bbox="263 745 1289 974"> <thead> <tr> <th>Description</th> <th>Qty</th> <th>ABC (Php)</th> <th>NFCC must at least equal to (Php)</th> <th>Committed Line of Credit (Php)</th> </tr> </thead> <tbody> <tr> <td>Spare Parts for the Repair of Armored Vehicle UTS25 and FSV</td> <td>One (1) Lot</td> <td>10,919,860.06</td> <td>10,919,860.06</td> <td>109,918.60</td> </tr> </tbody> </table> <p>a) Should the bidder opt to submit NFCC, computation must be equal to the ABC of the project. The detailed computation using the required formula must be shown as provided for in <b>Annex II-A</b>.</p> <p style="text-align: center;"><b>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</b></p> <p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>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 Annual Income Tax Return and Audited Financial Statements.</li> <li>2. The value of all outstanding or uncompleted contracts refers to those listed in Annex I.</li> <li>3. The detailed computation must be shown using the required formula provided above.</li> <li>4. The NFCC computation must at least be equal to the ABC of the project</li> </ol> <p><b>OR</b></p> <p>b) If the prospective bidder submits a Committed Line of Credit, it must be equal to ten percent (10%) of the ABC to be bid: Provided, that if the same is issued by a Foreign Universal or Commercial Bank, it shall be confirmed or authenticated by a Local Universal or Commercial Bank. The amount of the committed Line of Credit MUST BE MACHINE VALIDATED (<b>Annex II-B</b>)<br/>Provided, that if the same is issued by a Foreign Universal or Commercial Bank, it shall be confirmed or authenticated by a Local Universal or Commercial Bank.</p> | Description   | Qty                               | ABC (Php)                      | NFCC must at least equal to (Php) | Committed Line of Credit (Php) | Spare Parts for the Repair of Armored Vehicle UTS25 and FSV | One (1) Lot | 10,919,860.06 | 10,919,860.06 | 109,918.60 |  |
| Description   | Qty  | ABC (Php)     | NFCC must at least equal to (Php) | Committed Line of Credit (Php) |                                   |                                |   |             |               |               |            |  |
| Spare Parts for the Repair of Armored Vehicle UTS25 and FSV | One (1) Lot  | 10,919,860.06 | 10,919,860.06                     | 109,918.60                     |                                   |                                |   |             |               |               |            |  |





| <b>CLASS "B" DOCUMENTS (For Joint Venture)</b>                 |  |
|--|--|
| <b>a) For Joint Ventures, Bidder to submit either:</b>         |  |
|  | (i) <b>Joint Venture Agreement (JVA)</b> in case the joint venture is already in existence; <b>OR</b>  |
|  | (ii) <b>Protocol/Undertaking of Agreement to Enter into Joint Venture (Annex III)</b> in case the joint venture is not yet in existence.<br><br>In case bidder submits a Protocol/Undertaking of Agreement, the submission of a valid JVA shall be within ten (10) calendar days from receipt by the bidder of the notice from the BAC I that the bidder is the Lowest Calculated and Responsive Bid [Sec 37.1.4 (a) (i)] of Revised Implementing Rules and Regulation (IRR) of Republic Act (RA) 9184.<br><br><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>   |
| <b>b) For Joint Venture partner must submit the following:</b> |  |
|  | <p><b><u>Local JV Partner</u></b></p> <p>(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;</p> <p>(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;<br/><br/>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;</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) Copy of Audited Financial Statements for <b>2018</b> and <b>2017</b> (in comparative form or separate reports):</p> <p style="padding-left: 40px;">(a) Independent Auditor's Report;</p> <p style="padding-left: 40px;">(a) Balance Sheet (Statement of Financial Position); and</p> <p style="padding-left: 40px;">(b) Income Statement (Statement of Comprehensive Income).</p> <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><b><u>Foreign JV Partner</u></b></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 <b>2018</b> or <b>2017</b>.</p> |



**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 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”*

**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 of the following 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;
- (4) Surety bond callable upon demand equivalent to at least 5% of the ABC

| Description   | Qty         | ABC (₱) (DAP)** | Bid Security ₱* |            |
|---|-------------|-----------------|-----------------|------------|
|   |             |                 | 2% of ABC       | 5% of ABC  |
| Spare Parts for the Repair of Armored Vehicle UTS25 and FSV | One (1) Lot | 10,919,860.06   | 218,397.20      | 545,993.00 |

*\*Must be issued by a Local Universal or Local Commercial Bank*

**Notes:**

- (a) The Cashier’s/Manager’s Check shall be issued by a Local Universal or Local Commercial Bank.
- (b) The Bank Draft/Guarantee or Irrevocable Letter of Credit shall be issued by a Local Universal or Local Commercial Bank. Provided, however, that it shall be confirmed or authenticated by a Universal or Commercial Bank, if issued by a foreign bank.



|  |   |  |
|--|---|--|
|  | <p>(c) Should bidder opt to submit a Surety Bond as Bid Security, the surety bond must conform with the following:</p> <ol style="list-style-type: none"> <li>(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></li> <li>(2) Callable upon demand</li> <li>(3) <b><u>Must specify the grounds for forfeiture of bid security as stated in Section II, ITB Clause 18.5, to wit:</u></b> <ul style="list-style-type: none"> <li>▪ <b>IF A BIDDER:</b> <ol style="list-style-type: none"> <li>(i) withdraws its bid during the period of bid validity specified in ITB 17;</li> <li>(ii) does not accept the correction of errors pursuant to ITB Clause 28.3(b);</li> <li>(iii) has finding against the veracity of any of the documents submitted as stated in ITB Clause 29.2; or</li> <li>(iv) submission of eligibility requirements containing false information or falsified documents;</li> <li>(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;</li> <li>(vi) allowing the use of one's name, or using the name of another for purposes of public bidding;</li> <li>(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;</li> <li>(viii) refusal or failure to post the required performance security within the prescribed time;</li> <li>(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;</li> <li>(x) any documented attempt by a bidder to unduly influence the outcome of the bidding in his favor;</li> <li>(xi) failure of the potential joint venture partners to enter into the joint venture after the bid is declared successful; or</li> <li>(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.</li> </ol> </li> <li>▪ <b>IF THE SUCCESSFUL BIDDER:</b> <ol style="list-style-type: none"> <li>(xiii) fails to sign the contract in accordance with ITB Clause 32; or</li> <li>(xiv) fails to furnish performance security in accordance with ITB Clause 33</li> </ol> </li> </ul> </li> </ol> |  |
|--|---|--|



|                  |   |                                   |
|------------------|---|-----------------------------------|
| 12.1. b<br>(ii)  | Completed and signed <b>Technical Bid Form</b> and other <b>Technical Documents</b> :   |                                   |
|                  | <b>Annex V-A</b>  | Technical Bid Form (3 pages)      |
|                  | <b>Annex V-A1</b>   | Technical Specifications (1 page) |
| 12.1. b<br>(iii) | <b>Brochure or Part List/ Catalogue indicating the Part Number of the Spare Parts</b> showing compliance to the required Technical specifications for all the items. All other pages of the catalogue may be submitted in electronic copy.  |                                   |
| 12.1.b<br>(iv)   | <b>Valid and current ISO Registration Certificate (or equivalent)</b> issued by an independent certifying agency in the name of the Manufacturer of the item. The certificate shall cover the design, manufacture and production, as applicable   |                                   |
| 12.1.b<br>(v)    | <b>For Foreign Manufacturers:</b>   |                                   |
| a.               | Valid and Current Written Appointment of the Philippine based company (as local representative of foreign manufacturer) issued by the foreign bidder. The written appointment must include detailed scope of responsibility of the local representative.  |                                   |
| b.               | 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. |                                   |
| 12.1.b<br>(vi)   | 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.   |                                   |
| 12.1. b<br>(vii) | <b>Omnibus Sworn Statement (Annex VI)</b>   |                                   |
| a.               | Authority of the Designated representative corresponding with above proof of authority  |                                   |
| b.               | Non-inclusion in blacklist nor 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   |                                   |



| <b>ENVELOPE 2: FINANCIAL COMPONENT</b> |  |  |
|--|--|--|
| 13.1                                   | Completed and signed Financial Bid Form per <b>Annex VII</b> and Detailed Financial Bid Form per <b>Annex VII-A.</b> |  |

**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.