

**BIDS AND AWARDS COMMITTEE I**

**SUPPLEMENTAL BID BULLETIN NO. 1
SUPPLY AND DELIVERY OF 11,500 ROUNDS BRAND NEW CTG 40MM HEDP
FOR THE PHILIPPINE ARMY (PA)
Bid Reference No. MPG-BI-2020-353**

This **Supplemental Bid Bulletin No. 1** is being issued to further clarify, modify and amend the provisions in the Bidding Documents as discussed during the Pre-Bid Conference held last 08 October 2020 and in response to clarification from prospective bidder for the aforementioned project.

SECTION VI. Bidding Forms

<u>FROM</u>	<u>TO</u>
Annex V-A3 (4 pages) <u>SAMPLING PLANS FOR THE TEST AND ACCEPTANCE OF AMMUNITION</u>	<u>See attached Revised Annex V-A3 (4 Pages)</u> <u>SAMPLING PLANS FOR THE TEST AND ACCEPTANCE OF AMMUNITION</u>

REPLIES TO QUERIES OF BIDDER:

Below is the requests for consideration by FIREPOWER DEFENSE CONTRACTORS INCORPORATED (FDCI) Local Representative of EXPAL SYSTEMS in its letter/e-mail dated and received by BAC dated 08 October 2020:

Clause	As Stated in the Bid Documents	FDCI/EXPAL SYSTEMS Request	PITC Response
1. BDS Section 12.1 (b) Technical Documents (vi) For Foreign Manufacturers (c) xxx	Notarized Affidavit of Undertaking to submit the SEC Certificate of Registration and/or authorization or license issued by the appropriate government agency per GPPB Resolution No. 25-2019, dated 30 October 2019 within ten (10) calendar days from receipt of the Notice of Award as per Annex V-C.	Request on the Review and Holding in Abeyance the Implementation of the Requirements for Registration of Foreign Defense Contractors with the Securities and Exchange Commission (SEC).	<p>We are requiring SEC Registration from Foreign supplier via the directive of the GPPB in NPM No. 007-2018-02-05 where it stated that:</p> <p>“Although the registration requirement in the SEC by foreign firms is only expressly provided in the procurement of consulting services, it would still apply to foreign suppliers and contractors in the procurement of goods and services, and infrastructure projects, respectively.</p> <p>In the case of Hutchison Ports Philippines Limited v. Subic Bay Metropolitan Authority, the Supreme Court held that:</p> <p>Participating in the bidding process constitutes doing business because it shows the foreign corporation’s intention to engage in business here. The bidding for the concession contract is but an exercise of the corporation’s reason for creation or existence. Thus, it has been held that a foreign company invited to bid for IBRD and ADB international projects in the Philippines will be considered as doing business in the Philippines for which a license is required. In this regard, it is the performance by a foreign corporation of the acts for which it was created, regardless of volume of business, that determines whether a foreign corporation needs a license or not.</p> <p>Thus, even though 2016 IRR of RA 9184 does not expressly provide for this requirement, for the procurement of goods, foreign bidders are still required to register with the SEC as mandated by the Corporation Code and jurisprudence. This license shall be required as a post-qualification requirement under Section 34.2 of the IRR where the bidder is mandated to submit “other appropriate licenses and permits required by law and stated in the Bidding Documents”.</p>



Bidders are advised to use and submit the attached **Revised Annex V-A3**, together with the other required documents for the Submission and Opening of Bid Documents on **06 November 2020, 10:00AM**. Also, please use the Revised Checklist of Requirements as reference.

This Supplemental Bid Bulletin No. 1 shall form part of the Bidding Documents. Any provision in the Bidding Documents inconsistent herewith is hereby amended, modified and suspended accordingly.

For guidance and information of all concerned.

Issued this 23rd day of October 2020 in Makati City.

Reviewed and Approved by:

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

MYRA CHITELLA T. ALVAREZ
Vice Chairperson

JOEL S. RODRIGUEZ
Member

ATTY. MITZELL ARTHUR R. MAGDAONG
Member

ATTY ROXANNE MARIE Q. CRUZ
Member

ATTY. MARK BRIAN A. DELA CRUZ
Alternate Member

Concurred by:

MGEN GLENN E CRUZ AFP
Provisional Member- PA

Received by:	
_____	_____
<small>(SIGNATURE OVER PRINTED NAME & DATE)</small>	<small>NAME OF COMPANY</small>
(PLEASE RETURN OR FAX THIS PAGE ONLY TO THE PITC BAC-I)	

PLEASE EMAIL THIS PORTION ONLY TO chairbac1@pitc.gov.ph



By 2028, a world-class Army that is a source of national pride.

SAMPLING PLAN FOR THE TEST AND ACCEPTANCE OF AMMUNITION
(For Hand/Rifle/Special Grenades, Mortar Ammunition, Artillery Ammunition)



HEADQUARTERS
PHILIPPINE ARMY
OFFICE OF THE ARMY CHIEF ORDNANCE AND CHEMICAL SERVICE
Fort Andres Bonifacio, Metro Manila

NOV 23 2018

SAMPLING PLANS FOR THE TEST AND ACCEPTANCE OF AMMUNITION
(For Hand/Rifle/Special Grenades; Mortar Ammunition; Artillery Ammunition)

I. REFERENCES:

- a. ANZI/ASQ Z1.4-2003: Sampling Procedures and Tables for Inspection by Attributes.
- b. Military Standard 105E dtd 10 May 89, Subject: Sampling Procedures and Tables for Inspection by Attributes.

II. ACCEPTANCE AND REJECTION:

Acceptability of lot/s shall be determined by using the Acceptance Quality Limit (AQL) indicated in the following Sampling Plan Tables for Visual Inspection, Dimensional Inspection, Performance Test, and Functional Test.

If the number of defects found in the first sample is equal to or less than the first Acceptance (Ac) number, the lot or batch shall be accepted. If the number of defects found in the first sample is equal to or greater than the first Rejection (Re) number, the lot or batch shall be rejected.

If the number of defects found in the first sample is between the first Acceptance (Ac) and Rejection (Re) numbers, second samples shall be inspected. The number of defects found in the first and second samples shall be accumulated. If the cumulative number of defects is equal to or less than the second acceptance number, the lot or batch shall be accepted. If the cumulative number of defects is equal to or greater than the second rejection number, the lot or batch shall be rejected.

A. For Visual Inspection of Packaging: Double Sampling Plan for Normal Inspection of General Inspection Level II

Table 1

Lot Size	Sample Size Code	Sampling	Nr of Samples	Classification of Defects (AQL)			
				Major (6.5)		Minor (10.0)	
				Ac	Re	Ac	Re
2 - 8	A	1	2	0	1	0	2
		2	2	-	-	1	2



Honor. Patriotism. Duty

Conforme:

Bidder's Company Name

Signature of Authorized Representative

Designation

Date



By 2028, a world-class Army that is a source of national pride.

SAMPLING PLAN FOR THE TEST AND ACCEPTANCE OF AMMUNITION
(For Hand/Rifle/Special Grenades, Mortar Ammunitions, Artillery Ammunitions)

9 - 15	B	1	2	0	1	0	2
		2	2	-	-	1	2
16 - 25	C	1	3	0	2	0	2
		2	3	1	2	1	2
26 - 50	D	1	5	0	2	0	3
		2	5	1	2	3	4
51 - 90	E	1	8	0	3	1	4
		2	8	3	4	4	5
91 - 150	F	1	13	1	4	2	5
		2	13	4	5	6	7
151 - 280	G	1	20	2	5	3	7
		2	20	6	7	8	9
281 - 500	H	1	32	3	7	5	9
		2	32	8	9	12	13
501 - 1,200	J	1	50	5	9	7	11
		2	50	12	13	18	19
1,201 - 3,200	K	1	80	7	11	11	16
		2	80	18	19	26	27
3,201 - 10,000	L	1	125	11	16	11	16
		2	125	26	27	26	27
10,001 - 35,000	M	1	200	11	16	11	16
		2	200	26	27	26	27
35,001 - 150,000	N	1	315	11	16	11	16
		2	315	26	27	26	27
150,001 - 500,000	P	1	500	11	16	11	16
		2	500	26	27	26	27
500,001 and over	Q	1	800	11	16	11	16
		2	800	26	27	26	27

B. For Visual and Dimensional Inspection of Ammunition: Double Sampling Plan for Normal Inspection of General Inspection Level II

Table 2

Lot Size	Sample Size Code	Sampling	Nr of Samples	Classification of Defects (AQL)					
				Critical (.04)		Major (2.5)		Minor (4.0)	
				Ac	Re	Ac	Re	Ac	Re
2 - 8	A	1	2	0	1	0	1	0	1
		2	-	-	-	-	-	-	-
9 - 15	B	1	2	0	1	0	1	0	1
		2	-	-	-	-	-	-	-
16 - 25	C	1	3	0	1	0	1	0	1
		2	-	-	-	-	-	-	-
26 - 50	D	1	5	0	1	0	1	1	2
		2	5	-	-	-	-	2	3



Honor, Patriotism, Duty

Conforme:

Bidder's Company Name

Signature of Authorized Representative

Designation

Date



By 2028, a world-class Army that is a source of national pride.

SAMPLING PLAN FOR THE TEST AND ACCEPTANCE OF AMMUNITION
(For Hand/Rifle/Special Grenades; Mortar Ammunitions; Artillery Ammunitions)

51 - 90	E	1	8	0	1	0	2	0	2
		2	8	-	-	1	2	1	2
91 - 150	F	1	13	0	1	0	2	0	3
		2	13	-	-	1	2	3	4
151 - 280	G	1	20	0	1	0	3	1	4
		2	20	-	-	3	4	4	5
281 - 500	H	1	32	0	1	1	4	2	5
		2	32	-	-	4	5	6	7
501 - 1,200	J	1	50	0	1	2	5	3	7
		2	50	-	-	6	7	8	9
1,201 - 3,200	K	1	80	0	1	3	7	5	9
		2	80	-	-	8	9	12	13
3,201 - 10,000	L	1	125	0	1	5	9	7	11
		2	125	-	-	12	13	18	19
10,001 - 35000	M	1	200	0	1	7	11	11	16
		2	200	-	-	18	19	26	27
35,001 - 150,000	N	1	315	0	1	11	16	11	16
		2	315	-	-	26	27	26	27
150,001 - 500,000	P	1	500	0	2	11	16	11	16
		2	500	1	2	26	27	26	27
500,001 and over	Q	1	800	0	2	11	16	11	16
		2	800	1	2	26	27	26	27

C. For Performance and Functional Tests of Ammunition: Double Sampling Plan for Normal Inspection of Special Inspection Level S3

Table 3

Lot Size	Sample Size Code	Sampling	Nr of Samples	Classification of Defects (AQL)					
				Critical (.04)		Major (2.5)		Minor (4.0)	
				Ac	Re	Ac	Re	Ac	Re
2 - 15	A	1	2	0	1	0	1	0	1
		2	-	-	-	-	-	-	-
16 - 50	B	1	2	0	1	0	1	0	1
		2	-	-	-	-	-	-	-
51 - 150	C	1	3	0	1	0	1	0	1
		2	-	-	-	-	-	-	-
151 - 500	D	1	5	0	1	0	1	1	2
		2	5	-	-	-	-	2	3
501 - 3,200	E	1	8	0	1	0	2	0	2
		2	8	-	-	1	2	1	2
3,201 - 35,000	F	1	13	0	1	0	2	0	3
		2	13	-	-	1	2	3	4
35,001 - 500,000	G	1	20	0	1	0	3	1	4
		2	20	-	-	3	4	4	5



Honor. Patriotism. Duty

Conforme:

Bidder's Company Name

Signature of Authorized Representative

Designation

Date



Revised Annex V-A3
Page 4 of 4

By 2026, a world-class Army that is a source of national pride.

SAMPLING PLAN FOR THE TEST AND ACCEPTANCE OF AMMUNITION
(For Hand/Rifle/Special Grenades; Mortar Ammunitions; Artillery Ammunitions)

500,001 and over	H	1	32	0	1	1	4	2	5
		2	32	-	-	4	5	6	7

iii. RESULT:

The result of the test based on the above criteria shall be the basis of the Philippine Army Technical Inspection and Acceptance Committee (PA-TIAC) for Ordnance-Firepower/Pre-Delivery Inspection (PDI) Team in the acceptance or rejection of the goods/items.

PREPARED BY:


DARREL P MARIANO
 Major, (OS) PA
 Chief, PRB

APPROVED BY:


FLORENTE P SISON
 Colonel, MNSA PA
 Chief



Honor. Patriotism. Duty.

Conforme:

Bidder's Company Name

Signature of Authorized Representative

Designation

Date



PITC BIDS AND AWARDS COMMITTEE I
REVISED CHECKLIST OF REQUIREMENTS

Name of Company

:

Project : **SUPPLY AND DELIVERY OF 11,500 ROUNDS BRAND NEW CTG 40MM, HEDP FOR THE PHILIPPINE ARMY(PA)**

Ref No. **MPG-BI-2020-353**Approved Budget for the Contract (ABC): **₱49,999,930.00**

Per Bid Docs Item No.	Particulars	
	CERTIFICATION ON ELIGIBILITY	

ENVELOPE 1: ELIGIBILITY AND TECHNICAL DOCUMENTS**(a.1) ELIGIBILITY DOCUMENTS FOR LOCAL MANUFACTURER (CLASS "A" DOCUMENTS)**

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; In cases of recently expired Mayor's/Business permits, said permit shall be submitted together with the official receipt as proof that the bidder has applied for renewal within the period prescribed by the concerned local government 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 and Revenue Memorandum Order No. 46-2018 reviewed and approved by the BIR;	
12.1 a.1 (iv)	Copy of Audited Financial Statements for 2019 and 2018 (in comparative form or separate reports): (a) Independent Auditor's Report; (b) Balance Sheet (Statement of Financial Position); and (c) Income Statement (Statement of Comprehensive Income). Each of the above statements must have stamped "received" by the Bureau of Internal Revenue (BIR) or its duly accredited and authorized institutions.	

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 2019 and 2018 (stamped received by the BIR or its duly accredited and authorized institution) together with the Platinum Registration.



<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>											
<p>12.1 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. (Annex I);</p>											
<p>12.1 a.1 (vi) 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 amounting to at least twenty five percent (25%) of the ABC of this project. (Annex I-A) “Similar” contract shall mean Small Arms Ammunition. Any of the following documents must be submitted/attached corresponding to listed completed largest contracts per Annex I-A:</p> <ul style="list-style-type: none"> a. Copy of End User’s Acceptance; or b. Copy of Official Receipt/s; or c. Copy of Sales Invoice with Collection Receipt/s 											
<p>12.1 a.1 (vii) Duly signed Certificate of NFCC per Annex II-A in accordance with ITB Clause 5.5 OR committed Line of Credit per Annex II-B.</p> <table border="1" data-bbox="172 864 1284 1057"> <thead> <tr> <th>Description</th> <th>Qty</th> <th>ABC (Php) (DAP)*</th> <th>NFCC must at least equal to (Php)</th> <th>Committed Line of Credit</th> </tr> </thead> <tbody> <tr> <td>Ctg. 40mm HEDP</td> <td>11,500 rounds</td> <td>₱49,999,930.00 (₱4,347.82/round)</td> <td>₱49,999,930.00</td> <td>₱4,999,993.00</td> </tr> </tbody> </table> <p><i>*Customs Duties and Taxes for the account of PA.</i></p>	Description	Qty	ABC (Php) (DAP)*	NFCC must at least equal to (Php)	Committed Line of Credit	Ctg. 40mm HEDP	11,500 rounds	₱49,999,930.00 (₱4,347.82/round)	₱49,999,930.00	₱4,999,993.00	
Description	Qty	ABC (Php) (DAP)*	NFCC must at least equal to (Php)	Committed Line of Credit							
Ctg. 40mm HEDP	11,500 rounds	₱49,999,930.00 (₱4,347.82/round)	₱49,999,930.00	₱4,999,993.00							

(a.2) ELIGIBILITY DOCUMENTS FOR FOREIGN MANUFACTURER

<p>a.2 For Foreign Manufacturers</p> <p><u>Class “A” Documents:</u></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 issued by Accounts Receivable Monitoring Division per Executive Order 398, Series of 2005, as finally reviewed and approved by the BIR. (iii) Corporate Financial Statement or Annual Report for 2019 or 2018 <p><u>OR</u></p> <p>Submission of valid and current PHILGEPS Certificate of Registration and Membership (Platinum Registration*) together with Annex A.</p> <p><i>*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 2019 or 2018.</i></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>	
--	--



(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 similar to the contract to be bid within the last five (5) years from date of submission and receipt of bids, amounting to at least twenty five percent (25%) of the ABC.

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 Small Arms Ammunition.

(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. **For Local Manufacturers:** 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 Audited Financial Statements.
For Foreign Manufacturers: The phrase “the values of the bidders’ current assets and liabilities shall be based on the Corporate Financial Statements or Annual Report for 2019 or 2018.
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)**

The written appointment must include detailed scope of responsibility of the local representative.



CLASS "B" DOCUMENTS (For Joint Venture)	
	<p><i>The participating entities entering a Joint Venture Agreement (JVA) are to be treated as a single entity and shall be jointly and severally responsible or liable for the obligations and liabilities incurred by any partner to the JV pertinent to the project requirements.</i></p> <p><i>Hence, any Blacklisting Order and/or overdue deliveries intended for end-user or PITC shall apply to the JVA as the JV is deemed as one bidder.</i></p>
	<p>a) For Joint Ventures, Bidder to submit either:</p> <p>(i) Joint Venture Agreement (JVA) in case the joint venture is already in existence; OR</p> <p>(ii) Copy of Protocol/Undertaking of Agreement to Enter into Joint Venture (Annex III) in case the joint venture is not yet in existence.</p> <p>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].</p> <p><u>The JVA or the Protocol/Undertaking of Agreement to Enter into Joint Venture (Annex III) must include/specify the company/partner and the name of the office designated as authorized representative of the Joint Venture.</u></p>
	<p>b) For Joint Venture partner must submit the following:</p> <p><u>Local JV Partner:</u></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;</p> <p>In cases of recently expired Mayor's/Business permits, said permit shall be submitted together with the official receipt as proof that the bidder has applied for renewal within the period prescribed by the concerned local government unit, provided that the renewed permit shall be submitted as a post-qualification requirement;</p> <p>(iii) 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.</p> <p>(iv) Copy of Audited Financial Statements for 2019 and 2018 (in comparative form or separate reports):</p> <p>(a) Independent Auditor's Report;</p> <p>(b) Balance Sheet (Statement of Financial Position); and</p> <p>(c) 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>



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 issued by Accounts Receivable Monitoring Division per Executive Order 398, Series of 2005, as finally reviewed and approved by the BIR;
- (iii) Corporate Financial Statement or Annual Report for **2019** or **2018**.

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**.

*Note: Bidder must ensure that all Class “A” Eligibility Documents are valid and current at the time of submission of PhilGEPS Certificate of Registration and Membership (Platinum Registration). In case any of the submitted Eligibility Documents are not valid and current at the time of submission of Platinum Registration, bidders are required to submit the valid and current documents including:

In case the 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. Provided, that the partner responsible to submit the NFCC shall likewise submit the Statement of all its Ongoing Contracts.

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

Description	Qty	ABC (PhP) (DAP)*	Bid Security** ₱	
			2% of ABC	5% of ABC
Ctg. 40mm HEDP	11,500 rounds	₱49,999,930.00 (₱4,347.82/round)	₱999,998.60	₱2,499,996.50

*Customs Duties and Taxes for the account of PA.

** 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.



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) **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 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 its bid during post-qualification within a period of seven (7) calendar days from receipt of the request for clarification;
- (x) any documented attempt by a bidder to unduly influence the outcome of the bidding in his favor;
- (xi) failure of the potential joint venture partners to enter into the joint venture after the bid is declared successful; or
- (xii) all other acts that tend to defeat the purpose of the competitive bidding, such as habitually withdrawing from bidding, submitting late Bids or patently insufficient bid, for at least three (3) times within a year, except for valid reason.

▪ **IF THE SUCCESSFUL BIDDER:**

- (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



Completed and signed Technical Bid Form and other Technical Documents:

Annex V-A	Technical Bid Form (7 Pages)
Annex V-A1	Technical Specifications (2 Pages)
Annex V-A2	Test and Acceptance Procedure (8 Pages)
Revised Annex V-A3	Sampling Plan (4 Pages)
Annex V-A4	Packaging Markings (2 Pages)

Brochure or Technical Data Sheet showing compliance to the required Technical specifications. Internet downloads may be included to supplement the information contained in the original brochures.

Manufacturer's Certification on Conformance to the project's Technical Specifications, Test and Acceptance Procedures and Sampling Plans to be signed by their Production Engineer or designated Technical Personnel as per Annex V-B.

Required Ammunition License/s

(vi.a) **For Local Manufacturers:** Valid and current License to Manufacture the items to be bid issued by the Philippine National Police (PNP) Camp Crame, Quezon City.

(vi.b) **For Foreign Manufacturers:**

- Valid and Current Indent License to Deal in Firearms and Ammunition (for sale to the AFP) pertinent to the items to be bid issued by the Philippine National Police (PNP), Camp Crame, Quezon City.

OR

- Philippine Representative Company's Valid and Current Indent License to Deal in Firearms and Ammunition (for sale to the AFP) pertinent to the items to be bid issued by the Philippine National Police (PNP), Camp Crame, Quezon City.

Note: Required ammunition license(s) presented during opening of bids shall be used for the importation of the item being bid.

For Foreign Manufacturers

- (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;
- (c) Notarized Affidavit of Undertaking to submit the SEC Certificate of Registration and/or authorization or license issued by the appropriate government agency per GPPB Resolution No. 25-2019, dated 30 October within ten (10) calendar days from receipt of the Notice of Award as per **Annex V-C**.



112.1. b (viii)	Valid and current ISO Registration Certificate (or equivalent) issued by an independent certifying agency in the name of the Manufacturer of the item. The certificate shall cover the design, manufacture and/or production, as applicable.	
12.1. b (ix)	<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; 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 (x)	Omnibus Sworn Statement (Annex VI)	
a.	Authority of the Designated representative corresponding with above proof of authority	
b.	Non-inclusion in the Blacklist nor Under Suspension Status by Any Agency or Government Instrumentality	
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 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 bidders to put tabs in all documents to be submitted with the same number as indicated in the Eligibility, Technical and Financial Documents checklist.