



**BIDS AND AWARDS COMMITTEE I**

**Supplemental Bid Bulletin No. 1**

**SUPPLY AND DELIVERY OF 2,088 ROUNDS BRAND NEW CTG 90MM HE-T FOR THE PHILIPPINE NAVY (PN)**

**Bid Reference No. MPG-B1-2020-393 2<sup>nd</sup> Rebid**  
 (Previous Bid Ref. Nos. MPG-B1-2019-326; MPG-B1-2019-437 Rebid)

**Approved Budget for the Contract - ₱ 199,619,314.56**

**This Supplemental Bid Bulletin No. 1** is being issued in response to the queries/requests for consideration/clarification from prospective bidders which have been answered by the PITC Bids and Awards Committee I and Philippine Navy as Supplemental Bid Bulletin for the information of all prospective bidders.

<b>SECTION III. Bid Data Sheet (BDS)</b>			
<b>FROM</b>		<b>TO</b>	
12.1.b	(viii) 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	(viii) 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.  <b>Provided that in the case of joint venture, each partner shall submit a separate Secretary’s Certificate evidencing the authority of the designated representatives for purposes of this bidding. If one of the partners is a sole proprietorship, the owner as reflected in the DTI Registration Certificate must sign personally.</b>
13.1	Financial Bid Form per Annex VII-A	13.1	<b>Financial Bid Form per Annex VII (To correct typographical error made in the BDS)</b>



**SECTION V. Special Conditions of the Contract**

FROM		TO	
10.2	<p>...XXX</p> <p>Documentary Requirements for L/C Payments Made Directly to Foreign Supplier (pursuant to GPPB Circular No. 05-2019 dated 22 April 2019):</p> <p>The supplier's Proforma Invoice for LC opening must be issued/made to PITC within seven (7) calendar days from receipt of Notice of Award and payment of the L/C opening charges within seven (7) calendar days from receipt of the advise to pay said charges. Also, Single Administrative Document (SAD) must be submitted within seven (7) calendar days upon receipt of the Notice to Submit SAD. Otherwise, the period for delivery shall be reckoned from date of receipt of the Notice to Proceed.</p> <p>US\$ L/C payments shall be based on the dollar exchange rate at the time of L/C opening. All bank charges within and outside the Philippines including opening charges shall be for the account of the beneficiary/supplier.</p>	10.2	<p>...XXX</p> <p>Documentary Requirements for L/C Payments Made Directly to Foreign Supplier (pursuant to GPPB Circular No. 05-2019 dated 22 April 2019):</p> <p>The supplier's Proforma Invoice for LC opening must be issued/made to PITC within seven (7) calendar days from receipt of Notice of Award and payment of the L/C opening charges within seven (7) calendar days from receipt of the advise to pay said charges. Also, Single Administrative Document (SAD) must be submitted within seven (7) calendar days upon receipt of the Notice to Submit SAD. Otherwise, the period for delivery shall be reckoned from date of receipt of the Notice to Proceed.</p> <p><b>US\$ / Euro€</b> L/C payments shall be based on the <u>dollar/euro</u> exchange rate at the time of L/C opening. All bank charges within and outside the Philippines including opening charges shall be for the account of the beneficiary/supplier.</p>

**Letters from Simmel Difesa dated 07 and 09 October 2020**

<b>Query No. 1</b>	On the light of the restrictions due to the Covid-19, the opening of a local office could take more time that the one concedes by the resolution no. 25-2019. At this end and in the same interest of the end user, please kindly clarify if bidders shall present the SEC Certificate after the contract signature.
<b>PITC BAC Reply</b>	<b>As per the Notarized Affidavit of Undertaking Annex V-C of the Bidding Documents, the Affiant undertakes that in the event that the contract for the Project is awarded, the SEC Certificate of Registration will be submitted within ten (10) calendar days from receipt of the Notice of Award. It is also stated in the Notice of Award that the Contract must be signed within ten (10) calendar days from receipt thereof.</b>
<b>Query No. 2</b>	Please kindly clarify if the contract can be priced in Euro
<b>PITC BAC Reply</b>	<b>The Contract will be in Peso. However, during the processing of the Letter of Credit the Contract Price may be converted to Euro at the current foreign exchange rate on opening of LC.</b>
<b>Query No. 3</b>	With reference to the article 11 of the General Conditions of the Contract, please kindly clarify if the bidder can demand for an Advance Payment of 15%
<b>PITC BAC Reply</b>	<b>As have been explained by the BAC Chair during the Pre-Bid Conference, Clause 11.1 states that Advance payment shall be made only after prior approval of the President of the Republic of the Philippines, and shall not exceed fifteen percent (15%) of the Contract amount, unless otherwise directed by the President of the Republic of the Philippines or in cases allowed under Annex "D" of R.A. 9184.</b>



<b>Query No. 4</b>	With reference to article 29.1 of the Bid Data Sheet re Post-Qualification, please clarify if the bidder can waive to disclose the POs/Contract of the SLCC and of all the Ongoing contract since they are covered by a Non-Disclosure agreement.
<b>PITC BAC Reply</b>	<b>The Committee CANNOT waive the requirement to disclose the POs/Contract of the SLCC and of all Ongoing contracts.</b>
<b>Query No. 5</b>	With reference to the article 30.1 of the BDS please kindly clarify if the Performance Security can be opened after the contract signature, since it is a document required by our bank.
<b>PITC BAC Reply</b>	<b>The Performance Security CANNOT BE OPENED OR SUBMITTED after the contract signature. Per Clause 33.1 under Performance Security of the Instructions to Bidders, which reads: “To guarantee faithful performance of the winning Bidder of its obligations under the contract, it shall post a performance security within a maximum period of ten (10) calendar days from the receipt of the Notice of Award from the Procuring Entity and in no case later than the signing of the contract.”</b>
<b>Query No. 6</b>	We, Simmel Difesa s.p.a., having started to prepare the documentation demanded in order to participate to the tender in subject, kindly require to the Bids and Awards Committee to postpone the deadline for the submission of the bid to next December the 11 <sup>th</sup> 2020; such request is due to the restrictions caused by the Covid-19 which have extended the timing to obtain notarizations and apostilles.
<b>PITC BAC Reply</b>	<b>Request DENIED. The requested postponement date of Submission and Opening of Bids is beyond the required timelines as prescribed under R.A. 9184 and its 2016 IRR for public bidding.</b>
<b>Letter from Astrid Defense, Inc. dated 08 October 2020</b>	
<b>Query No. 1</b>	<p>We would like to request your attention with reference to GPPB Resolution No. 25-2019 dated 30 October 2019 requiring foreign bidders to comply with the submission of Securities and Exchange Commission (SEC) Certificate of Registration.</p> <p>According to the resolution, under Section 37.1.4., the winning Foreign Bidder should submit a SECURITIES AND EXCHANGE (SEC) Certificate of Registration within (10) days from receipt of the NOTICE OF AWARD before the Contract shall be awarded.</p> <p>The said resolution should be clarified by the SEC or by the Department of Trade as to who are the Foreign Companies being referred to in this resolution. It must be noted that there are two (2) kinds of Foreign Companies doing business in the Philippines as follows:</p> <ol style="list-style-type: none"> <li>Foreign Companies who are doing business in the Philippines who are registered with the Securities and Exchange Commission (SEC) as resident Companies of the country.</li> </ol> <p>Foreign resident Companies that fall under the category are companies who shall have long business projects in the Philippines and therefore they should be registered with the SEC. Example: Projects for ADB, IBRD Projects, PPP Projects, BPO's, Ports Facilities and others.</p> <p>In this Category, the Foreign Company registered as a resident in the country has to pay for taxes due in the Philippines.</p>



	<p>2. Foreign Companies who are doing business in the Philippines who are registered with the Securities and Exchange Commission (SEC) as Non-Resident Companies of the Country.</p> <p>Foreign Companies that fall under this category are companies who are only exporting their products to the Philippines. They are only EXPORTERS to the Philippines.</p> <p>In this Category, Foreign Companies (Exporters) registered as Non-Resident in the Philippines do not pay for taxes in the Philippines. The one buying their products (Importers) are the one paying for the taxes in the Philippines.</p> <p>The best example for this is the PITC. The PITC is an Exporter of Philippine Products to other countries and as Exporters they do not pay taxes for what they export and they are not required to register with the SEC equivalent of the importing country.</p> <p>We firmly believe that the resolution no. 25-2019 issued by the GPPB requiring all Suppliers in the procurement of Defense products with the Armed Forces of the Philippines and the Department of National Defense be carefully reviewed and clarified to avoid confusion to interested bidders.</p> <p>Our Company ASTRID DEFENSE a company that is duly registered under the laws of the Philippines representing many Defense Companies worldwide is very much willing and interested to participate in the bidding or negotiation on the needed requirements of the Armed forces of the Philippines and of the Department of National Defense.</p> <p>In this regard, we pray and request that said requirement be waived to invite more interested foreign Manufacturers/Suppliers to participate in the Modernization Program of the AFP/DND which will be very advantageous to the government.</p> <p>We hope and pray for your understanding and rest assured of our Professional commitment to serve</p>
PITC BAC Reply	<p><b>Request DENIED. We are requiring SEC Registration from Foreign supplier via the directive of the GPPB in NPM No. 007-2018 2018-02-05 where it stated that:</b></p> <p><b>“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.</b></p> <p><b>In the case of Hutchison Ports Philippines Limited v. Subic Bay Metropolitan Authority, the Supreme Court held that:</b></p> <p><b>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.</b></p> <p><b>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.”</b></p>



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. Please use the **Revised Checklist of Requirements**.

For guidance and information of all concerned.

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

Reviewed and Approved by:

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

**(SGD) MYRA CHITELLA T. ALVAREZ**  
Vice Chairperson

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

**(SGD) ATTY. MITZELL ARTHUR R. MAGDAONG**  
Member

**(SGD) ATTY ROXANNE MARIE Q. CRUZ**  
Member

**Concurred by:**

**CDR LILY ROSE LASTIMADO**  
Provisional Member- PN



**PITC BIDS AND AWARDS COMMITTEE I**  
**REVISED CHECKLIST OF REQUIREMENTS**

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

Project : **SUPPLY AND DELIVERY OF 2,088 ROUNDS BRAND NEW CTG 90 MM HE-T FOR THE PHILIPPINE NAVY (PN)**

**Bid Ref. No. : Bid Ref. No. MPG-B1-2020-393 2nd Rebid**  
**(Previous Bid Ref. Nos. MPG-B1-2019-326; MPG-B1-2019-437 Rebid)**

**Approved Budget for the Contract - ₱ 199,619,314.56**

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, as finally 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.

In case the bidder opts to submit their Class "A" Documents, the Certificate of PhilGEPS Registration (Platinum Membership) shall remain as a post-qualification requirement to be submitted in accordance with Section 34.2 of the 2016 Revised IRR of RA 9184. *"GPPB Circular 07-2017 dated 31 July 2017"*

12.1 a.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 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 Ammunition.

Any of the following documents must be submitted/attached corresponding to listed completed largest contracts per **Annex I-A**:

- Copy of End User’s Acceptance; or
- Copy of Official Receipt/s; or
- Copy of Sales Invoice with Collection Receipt/s

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**.

Description	Qty	ABC (₱) (DAP)*	NFCC must at least equal to (₱)	Committed Line of Credit (₱)
Ctg 90 MM HE-T	2,088 rounds	₱199,619,314.56 (₱95,603.12/round)	₱199,619,314.56	₱19,961,931.46

*\*Customs Duties and Taxes for the account of PN.*

**(a.2) ELIGIBILITY DOCUMENTS FOR FOREIGN MANUFACTURER**

**a.2 For Foreign Manufacturers**

**Class “A” Documents:**

The following eligibility requirements or statements must be submitted to the BAC:

- Valid and current certificate/license/authority to conduct/operate business issued by the regulatory authority in the country where the bidder is based;
- 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.
- Corporate Financial Statement or Annual Report for 2019 or 2018

**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 Corporate Financial Statement or Annual Report for 2019 or 2018.

**\*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]**

- 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)**;
- 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 Ammunition.



	<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 <b>Annex II-B</b>.</p> <p>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 <b>Annex II-A</b>.</p> <p>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.</p> <p><b>Notes:</b></p> <ol style="list-style-type: none"> <li><b>For Local Manufacturers:</b> 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. <b>For Foreign Manufacturers:</b> 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.</li> <li>The value of all outstanding or uncompleted contracts refers to those listed in Annex I.</li> <li>The detailed computation must be shown using the required formula provided above.</li> <li>The NFCC computation must at least be equal to the ABC of the project.</li> </ol> <p><b>OR</b></p> <p>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. (Annex II-B)</b> The written appointment must include detailed scope of responsibility of the local representative.</p>	
<b>CLASS "B" DOCUMENTS (For Joint Venture)</b>		
	<p><b><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></b></p> <p><b><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></b></p> <p><b>a) For Joint Ventures, Bidder to submit either:</b></p> <ol style="list-style-type: none"> <li><b>Joint Venture Agreement (JVA)</b> in case the joint venture is already in existence; <b>OR</b></li> <li><b>Copy of Protocol/Undertaking of Agreement to Enter into Joint Venture (Annex III)</b> in case the joint venture is not yet in existence.</li> </ol> <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><b><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></p>	
	<p><b>b) For Joint Venture partner must submit the following:</b></p> <p><b><u>Local JV Partner:</u></b></p> <ol style="list-style-type: none"> <li>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;</li> </ol>	





	<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 <b>OR</b> 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 <b>2019</b> and <b>2018</b> (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> <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 issued by Accounts Receivable Monitoring Division per Executive Order 398, Series of 2005, as finally reviewed and approved by the BIR;</p> <p>(iii) Corporate Financial Statement or Annual Report for <b>2019</b> or <b>2018</b>.</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>OR</u></b></p> <p>Submission of valid and current <b>PHILGEPS Certificate of Registration and Membership (Platinum Registration*) together with Annex A.</b></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:</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. <i>"GPPB Circular 07-2017 dated 31 July 2017"</i></p> <p><b><i>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.</i></b></p>	
<b>TECHNICAL DOCUMENTS</b>		
12.1. b (i)	<p>(i) Bid security must be issued in favor of the <b>PHILIPPINE INTERNATIONAL TRADING CORPORATION (PITC)</b> in any of the following forms:</p> <p>(1) Bid Securing Declaration per <b>Annex IV</b>;</p> <p>(2) Cash or Cashier's/ Manager's Check equivalent to at least 2% of the ABC;</p> <p>(3) Bank Guarantee/ Bank draft or Irrevocable LC equivalent to at least 2% of the ABC; <b>OR</b></p>	



(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 90 MM HE-T	2,088 rounds	₱199,619,314.56 (₱95,603.12/round)	₱3,500,740.00	₱8,751,850.00

\*Customs Duties and Taxes for the account of PN.

\*\* 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



	<p>(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.</p> <p><b>• IF THE SUCCESSFUL BIDDER:</b></p> <p>(xiii) fails to sign the contract in accordance with ITB Clause 32; or</p> <p>(xiv) fails to furnish performance security in accordance with ITB Clause 33</p>							
	<p>Completed and signed Technical Bid Form and other Technical Documents:</p> <table border="1"> <tr> <td><b>Annex V-A</b></td> <td>Technical Bid Form (9 Pages)</td> </tr> <tr> <td><b>Annex V-A1</b></td> <td>Technical Specifications (3 Pages)</td> </tr> <tr> <td><b>Annex V-A2</b></td> <td>Test and Acceptance Procedure (13 Pages)</td> </tr> </table>	<b>Annex V-A</b>	Technical Bid Form (9 Pages)	<b>Annex V-A1</b>	Technical Specifications (3 Pages)	<b>Annex V-A2</b>	Test and Acceptance Procedure (13 Pages)	
<b>Annex V-A</b>	Technical Bid Form (9 Pages)							
<b>Annex V-A1</b>	Technical Specifications (3 Pages)							
<b>Annex V-A2</b>	Test and Acceptance Procedure (13 Pages)							
12.1. b (iii)	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.							
12.1. b (iv)	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.							
12.1. b (vi)	<p><b>Required Ammunition License/s</b></p> <p>(vi.a) <b>For Local Manufacturers:</b></p> <ul style="list-style-type: none"> <li>Valid and current License to Manufacture the items to be bid issued by the Philippine National Police (PNP) Camp Crame, Quezon City.</li> </ul> <p>(vi.b) <b>For Foreign Manufacturers:</b></p> <ul style="list-style-type: none"> <li>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.</li> <li><b>OR</b></li> <li>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.</li> </ul> <p><b>Note: Required ammunition license(s) presented during opening of bids shall be used for the importation of the item being bid.</b></p>							
12.1. b (vii)	<p><b>For Foreign Manufacturers</b></p> <p>(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.</p> <p>(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;</p> <p>(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.</p>							
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 joint venture, each partner shall submit a separate Secretary’s Certificate evidencing the authority of the designated representatives for purposes of this bidding. If one of the partners is a sole proprietorship, the owner as reflected in the DTI Registration Certificate must sign personally.</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	
<b>ENVELOPE 2: FINANCIAL COMPONENT</b>		
13.1 (a)	<b>Completed and signed Financial Bid Form per Annex VII</b>	

**Notes:**

- 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.**
- 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.**