



BIDS AND AWARDS COMMITTEE I

SUPPLEMENTAL/BID BULLETIN NO. 1

SUPPLY AND DELIVERY OF ONE (1) LOT BRAND NEW AIRWORTHY TRAINER AIRCRAFT FOR THE PHILIPPINE STATE COLLEGE OF AERONAUTICS – FLYING SCHOOL (PHILSCA)

Bid Reference No. GPG-B1-2020-341

Approved Budget for the Contract: ₱56,678,214.01

This **Supplemental/Bid Bulletin No. 1** is being issued to reschedule the Submission and Opening of Bids, to further clarify, modify and amend the provision of the Bidding Documents for the aforementioned project.

A) SCHEDULE FOR THE SUBMISSION AND OPENING OF BIDS:

FROM	TO
<u>10 NOVEMBER 2020, TUESDAY,</u> <u>10:00AM</u>	<u>19 NOVEMBER 2020, THURSDAY,</u> <u>11:00AM</u>

B) AMENDMENT TO BIDDING DOCUMENTS:

FROM	TO
SECTION III. BID DATA SHEET (BDS)	
<p>Clause 10</p> <p>Prospective bidders may request for clarifications on any part of the Bidding Documents. Such a request must be in writing and submitted to the Procuring Entity <u>at the following address</u> at least ten (10) days before the deadline for the submission and receipt of bids:</p> <p>CHAIR Bids and Awards Committee I Philippine International Trading Corporation (PITC)</p> <p><u>5th Floor, NDC Building, 116 Tordesillas St., Salcedo Village, 1227 Makati City</u></p> <p>Email: chairbac1@pitc.gov.ph</p> <p>Telefax: 8892-2149</p> <p>Note: Maximum size of email with attachment is six (6) MB only.</p>	<p>Clause 10</p> <p>Prospective bidders may request for clarifications on any part of the Bidding Documents. Such a request must be in writing and submitted to the Procuring Entity <u>via email</u> at least ten (10) days before the deadline for the submission and receipt of bids:</p> <p>CHAIR Bids and Awards Committee I Philippine International Trading Corporation (PITC)</p> <p><u>DELETED</u></p> <p>Email: chairbac1@pitc.gov.ph</p> <p><u>DELETED</u></p> <p>Note: Maximum size of email with attachment is six (6) MB only.</p>

FROM	TO
<p>Clause 12.1 Class "B" Document: (For Joint Venture) ...XXX...</p> <p>(ii) Copy of Protocol/Undertaking of Agreement to Enter into Joint Venture signed by all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful. (Annex III)</p> <p>In case the joint venture is not yet in existence, the submission of a valid JVA shall be within ten (10) calendar days from receipt by the bidder of the <u>notice from the BAC that the bidder is the Lowest Calculated and Responsive Bid [Sec 37.1.4 (a) (i) of the 2016 Revised IRR of RA 9184]</u>.</p> <p>...XXX...</p>	<p>Clause 12.1 Class "B" Document: (For Joint Venture) ...XXX...</p> <p>(iii) Copy of Protocol/Undertaking of Agreement to Enter into Joint Venture signed by all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful. (Revised Annex III)</p> <p>In case the joint venture is not yet in existence, the submission of a valid JVA shall be within ten (10) calendar days from receipt by the bidder of the <u>Notice of Award (NOA)</u>.</p> <p>...XXX...</p>
<p>...XXX...</p> <p>(viii) Proof of Authority of the bidder's authorized representative/s:</p> <p>1. FOR SOLE PROPRIETORSHIP (IF OWNER OPTS TO APPOINT A REPRESENTATIVE): Duly notarized Special Power of Attorney.</p> <p>2. FOR CORPORATIONS, COOPERATIVE OR THE MEMBERS OF THE JOINT VENTURE: Duly notarized Secretary's Certificate evidencing the authority of the designated representative/s.</p> <p>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 representative/s.</p> <p>...XXX...</p>	<p>...XXX...</p> <p>(viii) <u>Proof of Authority of the designated representative/s for purposes of the bidding.</u></p> <p>a) <u>Duly notarized Special Power of Attorney – For sole proprietorship if owner opts to designate a representative/s; or</u></p> <p>b) <u>Duly notarized Secretary's Certificate evidencing the authority of the designated representative/s, issued by the corporation, cooperative or the partners of the joint venture.</u></p> <p><u>Provided that in the case of joint venture, each partner shall submit a separate Secretary's Certificate evidencing the authority of the designated representative/s 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.</u></p> <p>...</p> <p>...XXX...</p>

FROM	TO
SECTION VI. BIDDING FORMS	
<u>Annex III</u> – Protocol /Undertaking of Agreement to Enter into Joint Venture	<u>Revised Annex III</u> – Protocol /Undertaking of Agreement to Enter into Joint Venture

Bidders must use the **Revised Annex III** together with all other required documents for the Submission and Opening of Bids on **19 November 2020, Thursday 11:00AM**. Please use the **Revised Checklist of Requirements** as reference.

This **Supplemental/Bid Bulletin 1** shall form part of the Bidding Documents. Any provisions in the Bidding Documents inconsistent herewith is hereby amended, modified and superseded accordingly.

For guidance and information of all concerned.

Issued this **26th 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 Chairman

(SGD)JOEL S. RODRIGUEZ
Member

(SGD)ATTY. MITZELL ARTHUR R. MAGDAONG
Member

(SGD)ATTY. ROXANNE MARIE Q. CRUZ
Member

ATTY. MARK BRIAN A. DELA CRUZ
Alternate - Member

Concurred by:

(SGD)LUCIO S. MATA, JR.
BAC Provisional Member – PhilSCA

SUPPLY AND DELIVERY OF ONE (1) LOT BRAND NEW AIRWORTHY TRAINING AIRCRAFT FOR THE PHILIPPINE STATE COLLEGE OF AERONAUTICS – FLYING SCHOOL (PhilSCA)

Bid Reference No.: GPG-B1-2020-341

Approved Budget for the Contract: ₱56,678,214.01

PROTOCOL/UNDERTAKING OF AGREEMENT TO ENTER INTO JOINT VENTURE

This **PROTOCOL/UNDERTAKING OF AGREEMENT TO ENTER INTO JOINT VENTURE**, executed by:

..... a sole proprietorship/partnership/corporation duly organized and existing under and by virtue of the laws of the Philippines, with offices located at,, represented herein by its,, hereinafter referred to as “.....”;

-and-

..... a sole proprietorship/partnership/corporation duly organized and existing under and by virtue of the laws of the Philippines, with offices located at,, represented herein by its,, hereinafter referred to as “.....”;

For submission to the **Bids and Awards Committee** of the **Philippine International Trading Corporation**, pursuant to **Section 23.1 (b)** of the Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184.

WITNESSETH That:

WHEREAS, the Parties desire to participate as a joint venture in the public bidding that will be conducted by the **Philippine International Trading Corporation** pursuant to Republic Act No. 9184 and its implementing rules and regulations, with the following particulars:

Bid Reference No.	
Name/Title of Procurement Project	
Approved Budget for the Contract	

NOW THEREFORE, in consideration of the foregoing, the Parties undertake to enter into a **JOINT VENTURE** and sign a **Joint Venture Agreement** relative to their joint cooperation for this bid project, in the event that their bid is successful, furnishing the **PITC BAC** a duly signed and notarized copy thereof within **ten (10) calendar days** from receipt of **Notice of Award (NOA)**.

For purposes of this bid project, and unless modified by the terms of the Joint Venture Agreement, the following party shall be the authorized representative of the JV:

JV Partner (Name of Company):

Authorized Representative of the JV Partner: (Per attached Secretary's Certificate)

Name

Designation

That furthermore, the parties agree to be bound jointly and severally under the said Joint Venture Agreement;

THAT Finally, failure on our part of enter into the Joint Venture and/or sign the Joint Venture Agreement for any reason after the Notice of Award has been issued by shall be a ground for non-issuance by PITC of the Notice to Proceed, forfeiture of our bid security and such other administrative and/or civil liabilities as may be imposed by PITC under the provisions of R.A. 9184 and its Revised IRR, without any liability on the part of PITC.

This Undertaking shall form an integral part of our Eligibility documents for the above-cited project.

IN WITNESS WHEREOF, the parties have signed this Protocol/Undertaking on the date first above-written.

JV Partner 1's Representative/Authorized Signatory

JV Partner 2's Representative/Authorized Signatory

[JURAT]

SUBSCRIBED AND SWORN TO BEFORE ME this _____ day of _____ at _____, Philippines. Affiant exhibited to me his/her competent Evidence of Identity (as defined by 2004 Rules on Notarial Practice issued _____ at _____, Philippines.

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

PITC BIDS AND AWARDS COMMITTEE I
REVISED CHECKLIST OF REQUIREMENTS FOR BIDDERS

Name of Company: _____

Project: **SUPPLY AND DELIVERY OF ONE (1) LOT BRAND NEW AIRWORTHY TRAINER AIRCRAFT FOR THE PHILIPPINE STATE COLLEGE OF AERONAUTICS – FLYING SCHOOL (PHILSCA)**

Bid Ref. No. **Bid Reference No.: GPG-B1-2020-341**

APPROVED BUDGET FOR THE CONTRACT: ₱56,678,214.01

Ref. No.	Particulars
ENVELOPE 1: ELIGIBILITY AND TECHNICAL DOCUMENTS	
12.1	<u>ELIGIBILITY DOCUMENTS FOR LOCAL BIDDERS / FIRST TIER DISTRIBUTORS</u>
	CLASS "A" DOCUMENTS
(i)	Registration Certificate from the Securities and Exchange Commission (SEC) for corporations, or from Department of Trade and Industry (DTI) for sole proprietorship, or from Cooperative Development Authority (CDA) for cooperatives;
(ii)	Valid and current Business/Mayor’s Permit issued by the city or municipality where the principal place of business of the prospective bidder is located OR the equivalent document for Exclusive Economic Zones or Areas; In 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.
(iii)	Valid and Current Tax Clearance per Executive Order 398 and Revenue Memorandum Order No. 46-2018.
(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 2016 and 2015 (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. <i>“GPPB Circular 07-2017 dated 31 July 2017”</i>

(v)	Statement of all ongoing government and private contracts (including contracts awarded but not yet started), if any whether similar or not in nature and complexity to the contract to be bid. (Annex I) ;	
(vi)	<p>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 equivalent to at least fifty percent (50%) of the total ABC (Annex I-A)</p> <p>“Similar contract” shall mean Aircraft.</p> <p>Any of the following documents must be submitted/attached corresponding to listed completed largest contracts per Annex I-A: (a) Copy of End User’s Acceptance; or (b) Copy of Official Receipt/s; or (c) Copy of Sales Invoice with Collection Receipt/s</p>	
(vii)	<p>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-A.</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>Notes:</p> <ol style="list-style-type: none"> 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 Audited Financial Statements. 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. <p>OR</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. (Annex II-A)</p>	
<p>(a.2.) ELIGIBILITY DOCUMENTS FOR FOREIGN BIDDER Class “A” Documents: a.2.1 For Foreign Bidders</p>		
(i)	Valid and current certificate/license/authority to conduct/operate business issued by the regulatory authority in the country where the Manufacturer is based. (If not in English, must be translated to English pursuant to Clause 11 of the Instructions to Bidders).	
(ii)	Valid and Current Tax Clearance per Executive Order 398 and Revenue Memorandum Order No. 46-2018 as finally reviewed and approved by the BIR of the Philippines.	
(iii)	<p>Corporate Financial Statements or Annual Report for 2019 or 2018.</p> <p>OR</p> <p>Submission of valid and current PHILGEPS Certificate of Registration and Membership (Platinum Registration*) together with Annex A.</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 together with the Platinum Registration.</p> <p>In case the bidder opt 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)	<p>Statement of Single Largest Completed Contract of Similar Nature within the last five (5) years from date of submission and receipt of bids equivalent to at least fifty percent (50%) of the total ABC (Annex I-A).</p> <p>“Similar Contract” shall mean Aircraft. Any of the following documents must be submitted/attached corresponding to the listed completed largest contracts per Annex I-A:</p> <p>(a) Copy of End User’s Acceptance; or (b) Copy of Official Receipt/s; (c) Sales Invoice and Collection Receipt</p>
(vi)	<p>Duly signed Certificate of Net Financial Contracting Capacity (NFCC) per Annex-II, in accordance with ITB Clause 5.5 OR Committed Line of Credit per Annex II-A.</p> <p>(a) Should the bidder opt to submit NFCC, computation must be equal to the Total ABC of the project. The detailed computation using the required formula must be shown as provided for in Annex-II.</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</p>
OR	<p>(a) 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. (See sample Bank Form per Annex II-A).</p>

	<p>Class “B” Document: (For Joint Venture)</p>	
	<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. 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> <ul style="list-style-type: none"> (i) Copy of the JOINT VENTURE AGREEMENT (JVA) in case the joint venture is already in existence, or (ii) Copy of Protocol/Undertaking of Agreement to Enter into Joint Venture signed by all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful. <u>(Revised Annex III)</u> <p>In case the joint venture is not yet in existence, the submission of a valid JVA shall be within ten (10) calendar days from receipt by the bidder of the Notice of Award [Sec 37.1.4 (a) (i) of the 2016 Revised IRR of 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) Each JV Partner, must also submit the following:</p> <p><u>Local JV Partner</u></p> <ul style="list-style-type: none"> (i) Registration Certificate from the Securities and Exchange Commission (SEC) for corporations or from Department of Trade and Industry (DTI) for sole proprietorship, or from Cooperative Development Authority (CDA) for cooperatives; (ii) Valid and Current Business/Mayor’s permit issued by the city or municipality where the principal place of business of the prospective bidder is located OR the equivalent document for Exclusive Economic Zones or Areas; (iii) Valid and Current Tax Clearance per Executive Order 398 and Revenue Memorandum Order No. 46-2018. 	
	<p><u>Foreign JV Partner</u></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) Latest (2019 or 2018) Corporate Financial Statements or Annual Report 	

NOTE:

* **The following Eligibility – Technical and Eligibility – Financial Documents may be submitted by only ONE of the parties to the JV:**

1. 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);
2. 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 equivalent to at least **fifty percent (50%)** of the total ABC (Annex I-A)

“Similar contract” shall mean **Aircraft**.

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

- (a) Copy of End User’s Acceptance; or
 - (b) Copy of Official Receipt/s; or
 - (c) Copy of Sales Invoice with Collection Receipt/s
3. Copy of Audited Financial Statements for 2017 and 2016 (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.

4. Duly signed Net Financial Contracting Capacity (NFCC) per **Annex II**, in accordance with ITB Clause 5.5.

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. (Annex II-A)

**** The determination as to (i) whose Audited Financial Statement should be used / submitted; and (ii) who submits the Statement of All-Ongoing Contracts – lies with the Partners Contracting the Joint Venture since the audited Financial Statements and the Ongoing Contracts of that JV partners should be the basis for the Computation of the NFCC.**

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 2019 and 2018 (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 2019 or 2018.

In case the JV Partners opt 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”

b)

TECHNICAL DOCUMENTS

(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	UNIT ABC (P) (VAT Inclusive)	TOTAL ABC (P) (VAT Inclusive)	Bid Security P	
				2% of ABC	5% of ABC
Supply and Delivery of One (1) Lot Brand New Airworthy Training Aircraft consisting of the following:					
Airworthy Trainer Aircraft	2 units	18,283,249.84	36,566,589.68	731,331.79	1,828,329.48
Airworthy Trainer Aircraft with Air-Conditioning Units	1 unit	20,111,624.33	20,111,624.33	402,232.49	20,111.62
TOTAL			56,678,214.01	1,133,564.28	1,848,441.11

Notes:

- A. The Cashier’s/Manager’s Check shall be issued by a Local Universal or Commercial Bank.
- B. The Bank Draft/Guarantee or Irrevocable Letter of Credit shall be issued by a Local Universal or Local Commercial Bank.
- C. Should bidder opt to submit a Surety Bond as Bid Security, the surety bond must conform with the following:
 1. Issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such bond. Together with the surety bond, a copy of a valid Certification from Insurance Commission must be submitted by the bidder which must state that the surety or insurance company is specifically authorized to issue surety bonds.

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 (b);
- (iii) has a finding against their veracity 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

(ii) **Completed and signed Technical Bid Form and Other Technical Documents:**

ANNEX	BIDDING FORM
Annex V	Technical Bid Form
Annex V-A	PhilSCA Terms of Reference (TOR)
Annex V-A1	Pre-Delivery Inspection and Acceptance Checklist

(iii) Brochure/Product Catalogue/Technical Data Sheet/Manual showing compliance to the required Technical Specifications for the following. Internet downloads may be included to supplement the information contained in the original brochures.

- a. Engine
- b. Propeller
- c. Flight Instruments
- d. Airframe

Note: *If not in English, must be subject to requirement per Clause 11 of the Instructions to Bidders*

(iv)	<p>FOR MANUFACTURERS: Certification that the Bidder is a Manufacturer of Training Aircraft (per Annex V-B) including the following:</p> <ol style="list-style-type: none"> a. Proof that the bidder is a Manufacturer of the aircraft such as Production Certificate issued by Federal Aviation Administration (FAA) or European Aviation Safety Agency (EASA); b. Proof showing that the manufacturer has been in the business of manufacturing Trainer Aircraft for at least 15 years. <p>FOR FIRST TIER DISTRIBUTORS: Please submit the following.</p> <ol style="list-style-type: none"> a. Valid Appointment of the bidder as First Tier Distributor issued by the manufacturer of the Aircraft ; b. Certification that the Bidder has been engaged in the sale of Aircraft for a period of at least two (2) years. <p><i>Note: If not in English, must be subject to requirement per Clause 11 of the Instructions to Bidders.</i></p>	
(v)	List of Aircraft Registered to Federal Aviation Administration (FAA) for the last Five (5) years to verify the existence of the Foreign Manufacturer.	
(vi)	Manufacturer's Certification on Conformance to the project's Technical Specifications and PDI & Acceptance Procedures for Airworthy Training Aircraft signed by the Production Engineer or designated personnel of the Manufacturer as per Annex V-C .	
(vii)	<p>List of Accredited Service Center/s (leased or owned) with Approved Maintenance Organization (AMO) Certificate in the Philippines (with available spare parts, indicating address, telephone & fax numbers, email address and contact person).</p> <p>In the event of closure of business, termination of franchisee/ service center, the supplier shall notify the PHILSCA and PITC accordingly of the new service centers with telephone numbers and address who can provide the needed parts, supplies and service.</p>	
(viii)	<p>List and address of the Training Aircraft Manufacturer's branch office, sales office and/or distributor's in the following:</p> <ol style="list-style-type: none"> a. USA; b. Any Country in Western Europe; and c. Any Country in South East Asia 	
(ix)	Certificate of Performance Evaluation (Annex VI) with a rating of at least Very Satisfactory, issued by the Single Largest Completed Contract Client of the bidder per Annex I-A .	
(x)	<p>FOR FOREIGN MANUFACTURER'S/BIDDER LOCAL REPRESENTATIVE.</p> <ol style="list-style-type: none"> a. Valid and Current Written Appointment of the Philippine Based Company (as local representative of Foreign Manufacturer) issued by the foreign Manufacturer. The written appointment must include detailed scope of responsibility of the local representative. b. Secretary's Certificate (for Corporation) or Special Power of Attorney (for Sole Proprietor) of the Philippine Company indicating the name and specimen signature of the authorized representative/s of the Philippine Company who transact with PITC (as Philippine based Representative) including address, telephone number, fax number and email address. 	
(xi)	<p>FOR FOREIGN MANUFACTURERS/BIDDER:</p> <p>Notarized Affidavit of Undertaking to submit the SEC Certificate of Registration and/or the 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 VII.</p>	

(xii)	<p><u>Proof of Authority of the designated representative/s for purposes of the bidding.</u></p> <p>a) <u>Duly notarized Special Power of Attorney – For sole proprietorship if owner opts to designate a representative/s; or</u></p> <p>b) <u>Duly notarized Secretary’s Certificate evidencing the authority of the designated representative/s, issued by the corporation, cooperative or the partners of the joint venture.</u></p> <p><u>Provided that in the case of joint venture, each partner shall submit a separate Secretary’s Certificate evidencing the authority of the designated representative/s 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.</u></p>	
(xiii)	<p>Omnibus Sworn Statements using the form prescribed. (Annex VIII)</p> <p>(a) Authority of the designated representative</p> <p>(b) Non-inclusion in blacklist or under suspension status</p> <p>(c) Authenticity of Submitted Documents</p> <p>(d) Authority to validate Submitted Documents</p> <p>(e) Disclosure of Relations</p> <p>(f) Compliance with existing labor laws and standards</p> <p>(g) Bidders Responsibilities</p> <p>(h) Did not pay any form of consideration</p>	
	<p>ENVELOPE 2: FINANCIAL DOCUMENTS</p>	
13.1	<p>Completed and signed Financial Bid Form. Bidder must use, accomplish and submit Financial Bid Form hereto attached Annex IX. The ABC is inclusive of VAT. Any proposal with a financial component exceeding the ABC shall not be accepted.</p>	
<p>Note:</p> <p>1. In case of inconsistency between the Checklist of Requirements for Bidders and the provisions in the Instruction to Bidders/Bid Data Sheet, the Instruction to Bidders/Bid Data Sheet shall prevail.</p> <p>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 this Eligibility, Technical and Financial Documents checklist.</p>		