

Section III. Bid Data Sheet

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ITB Clause	BID DATA SHEET	
1.1	The PROCURING ENTITY is the Department of National Defense.	
1.2	The lot and reference is:	
	LOT	PARTICULARS FOR CY 2017
	ABC	
	1	DND-Wide Petroleum Requirements for CY 2017
	2	DND-Wide Oil and Lubricant Requirements for CY 2017
	3	DND-Wide e-POL Card Requirements for CY 2017
	TOTAL	
		₱ 4,743,222,263.78
		₱ 217,377,291.99
		₱ 1,032,412,546.95
		₱ 5,993,012,102.72
2.	The Funding Source is the Government of the Philippines (GOP) with reference to the General Appropriations Act(GAA)in the total amount of <i>Five Billion Nine Hundred Ninety Three Million Twelve Thousand One Hundred Two and 72/100 Pesos (₱5,993,012,102.72)</i> for CY 2017 POL requirements.	
5.2	Foreign bidders are eligible to participate.	
5.4	<p>The value of prospective Bidder’s single largest similar contract/sales, adjusted to current prices using the wholesale consumer price index, completed within the last five (5) years, prior to submission and opening of bids,must be at least twenty five percent (25%) of the approved budget for the contract to be bid.</p> <p>In the absence of a single largest contract, the Bidder will submit at least two (2) similar contracts and the aggregate contract amounts should be equivalent to at least the percentage of the ABC as required above; provided further that the largest of these similar contracts is equivalent to at least half of the percentage of the ABC as required.</p> <p>For this purpose, the similar contracts mentioned must have been completed within the period specified in the Invitation to Bid.</p> <p>Similar contract shall refer to <i>“Supply and Delivery of anyPOL product to any private company or government agency provided that the primary purpose of the said company or agency does not involve selling, reproduction, trade, etc. of POL products.”</i></p>	
6.3	<p>The Bidder is expected to examine all instructions, forms, terms, and specifications in the Bidding Documents. Failure to furnish all information or documentation required in the Bidding Documents shall result in the rejection of the bid and the disqualification of the Bidder.</p> <p>The prepared sample contract, which is a summary of the SCC, shall form part of these bidding documents. As such, during the Contract Signing, the same shall be lifted and used as the Final Contract with necessary corrections as to the Contract Price.</p>	

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	There shall be no reason for delay during the signing of contract (review of contract) by the other party since it is the responsibility of the bidder to read the contents of this Bid Docs, which shall be made as part of the Contract after award, prior to submission of its bid.																					
8.1	Sub contracting is not allowed.																					
8.2	Not applicable.																					
9.1	The Date and Venue of the Pre-Bid Conference is: _____ at _____ A.M. DND BAC Conference Room, Right Wing Basement, DND Bldg, Camp General Emilio Aguinaldo, Quezon City																					
10.1	The PROCURING ENTITY's address is: DND BAC, Department of National Defense, Right Wing Basement, DND Bldg, Camp General Emilio Aguinaldo, Quezon City Contact person: Head, DND BAC Secretariat Telefax number: (02) 421-3531 E-mail address : bacsecretariat@dnd.gov.ph Attention: Chairperson, TWG for DND-Wide POL <i>Supply and Delivery of DND-Wide POL Requirements for CY 2017</i>																					
12.1	<p>All bidders shall upload and maintain in PhilGEPS a current and updated file of the following Class "A" eligibility documents. Bidders must submit their PhilGEPS Certificate of Registration of Membership under Platinum Category during eligibility check or bid submission in lieu of the Class "A" documents.</p> <p>Below is the complete list of Class "A" and "B" Eligibility and Technical documents to be submitted properly TABBED as indicated. Please refer to Section VIII for the prescribed sample forms.</p> <table border="1"> <thead> <tr> <th>TAB</th> <th>ELIGIBILITY DOCUMENTS CLASS "A"</th> <th>Form</th> </tr> </thead> <tbody> <tr> <td></td> <td colspan="2">I. Legal Documents:</td> </tr> <tr> <td></td> <td colspan="2">a. In case of a Joint Venture, each member of the JV shall submit the required Legal Documents as provided below.</td> </tr> <tr> <td></td> <td colspan="2">b. For foreign bidders, the equivalent document/s issued by the appropriate authority in the country of origin of the bidder concerned must be presented.</td> </tr> <tr> <td></td> <td colspan="2">c. If said document has no appropriate equivalent, a <i>Certificate of Inexistence of Appropriate Foreign Equivalent</i> may be submitted.</td> </tr> <tr> <td></td> <td colspan="2">d. Indicate "Not Applicable" on the identified Tab if the required document is not applicable to the Supplier.</td> </tr> <tr> <td>A</td> <td>PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 of the 2016 Revised IRR, RA 9184</td> <td>1</td> </tr> </tbody> </table>	TAB	ELIGIBILITY DOCUMENTS CLASS "A"	Form		I. Legal Documents:			a. In case of a Joint Venture, each member of the JV shall submit the required Legal Documents as provided below.			b. For foreign bidders, the equivalent document/s issued by the appropriate authority in the country of origin of the bidder concerned must be presented.			c. If said document has no appropriate equivalent, a <i>Certificate of Inexistence of Appropriate Foreign Equivalent</i> may be submitted.			d. Indicate "Not Applicable" on the identified Tab if the required document is not applicable to the Supplier.		A	PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 of the 2016 Revised IRR, RA 9184	1
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II. Technical Documents:		
B	Duly signed Statement of all ongoing government and private contracts including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid	
C	<p>Duly signed Statement of Completed Single Largest Contract equivalent to at least twenty-five percent (25%) of the ABC.</p> <p>In the absence of a single largest contract, the Bidder should have completed at least two (2) similar contracts and the aggregate contract amounts should be equivalent to at least 25% of the ABC as required above and the largest of these similar contracts must be equivalent to at 12.5% of the ABC as required above.</p> <p>SLCC shall be supported by the Notice of Award/Notice to Proceed/Contract and Satisfactory Completion/Acceptance Report by the End User; and, Proof of Payment.</p>	2
III. Financial Documents:		
D	NFCC Computation based on the Income Tax Return filed thru EFPS. Re-computation of the NFCC is allowed pursuant to GPPB Resolution No. 11-2014 dated 23 May 2014.	3
TAB	ELIGIBILITY DOCUMENTS CLASS "B"	Form
E	<p>Valid Joint Venture Agreement (JVA), in case the joint venture is already in existence, or duly notarized statements from all potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bids is successful. Failure to enter a joint venture in the event of a contract award shall be a ground for the forfeiture of the bid security.</p> <p>In case JVA is not applicable, the bidder must submit a statement stating that JVA is not applicable in lieu of the foregoing.</p>	4
TAB	TECHNICAL DOCUMENTS	Form
F	<p>Bid Security as to form, amount and validity period stated in ITB Clause 18 of the BDS, using any of the following forms:</p> <ul style="list-style-type: none"> • Cash, cashier's check/manager's check, bank 	5 & 6

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		<ul style="list-style-type: none"> draft/guarantee confirmed by a Universal or Commercial bank; • Irrevocable letter of credit issued by a Universal or Commercial Bank confirmed or authenticated by a Universal or Commercial Bank, if issued by a foreign bank; • Surety bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security. • Notarized Bid Securing Declaration in the form prescribed in Section VIII hereof. 	7											
	G	Conformity with the delivery point and technical specifications, as enumerated and specified in Sections VI and VII of the Bidding Documents.	8											
	H	Omnibus Sworn Statement	9											
	<p>For Foreign Bidders, the foregoing documents may be substituted by the appropriate equivalent documents in English, if any, issued by the country of the bidder concerned. Otherwise, it must be accompanied by a translation of the documents in English issued by the relevant government agency, the foreign government agency authorized to translate documents, or a registered translator in the foreign bidder's country; and shall be authenticated by the appropriate Philippine foreign service establishment/post or the equivalent office having jurisdiction over the foreign bidder's affairs in the Philippines.</p>													
12.1	No other acceptable proof of registration is recognized.													
12.1c	The statement of ongoing government and private contracts shall include all continuing contracts (unpaid) including awarded but not yet started contracts; while the single (or two, as applicable) largest completed contract equivalent to at least 25% of the ABC shall have been completed within <i>the last five (5) years</i> prior to the deadline for the submission and receipt of bids. Proof of these contracts shall be validated during post-qualification.													
13.1	<p>The <u>Financial Proposal Envelope</u> shall contain the following documents:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%; text-align: center;">TAB</th> <th style="width: 70%; text-align: center;">FINANCIAL PROPOSAL DOCUMENTS</th> <th style="width: 20%; text-align: center;">Sample Form</th> </tr> </thead> <tbody> <tr> <td align="center">A.</td> <td>Price Proposal. Bid Prices and Bill of Quantities and the applicable Price Schedules, and other Maintenance and recurring expenses;</td> <td align="center">10</td> </tr> <tr> <td align="center" rowspan="2">B.</td> <td>Price Proposal for Goods Offered from Abroad.</td> <td align="center">10A</td> </tr> <tr> <td>Price Proposal for Goods Offered Locally.</td> <td align="center">10B</td> </tr> </tbody> </table> <p>The proposal for e-POL cards shall be based on the offered rebate percentage based on its money value in relation to the fixed ABC, provided that it shall not be less than 5.5%. What is bid out is the larger rebate percentage and the corresponding total percentage of the rebates.</p>			TAB	FINANCIAL PROPOSAL DOCUMENTS	Sample Form	A.	Price Proposal. Bid Prices and Bill of Quantities and the applicable Price Schedules, and other Maintenance and recurring expenses;	10	B.	Price Proposal for Goods Offered from Abroad.	10A	Price Proposal for Goods Offered Locally.	10B
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B.	Price Proposal for Goods Offered from Abroad.	10A												
	Price Proposal for Goods Offered Locally.	10B												
13.2	Any bid with a financial component exceeding the ABC shall not be accepted.													

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15.1	<p>1.a Pursuant to <i>GPPB Resolution No 11-2007 dated 31 May 2007</i>, Discounts/Premium and Delivery Cost quoted by the Bidder shall be fixed from the time of the bidding through the contract for purposes of payment. A Bid submitted with an adjustable price quotation shall be treated as non-responsive and shall be rejected, pursuant to ITB Clause 28.</p> <p>1.b The Bid Price shall be based on the following computation:</p> <p style="padding-left: 40px;">(a) Petroleum</p> <p style="padding-left: 80px;">For procurement of petroleum products using the individual suppliers' WPP price index, the Bid and Unit Contract Price shall be determined based on the following formula:</p> <p style="padding-left: 80px;">Wholesale Posted Price (WPP) less Discount (D), if any plus Delivery Cost (DC) (WPP – D + DC)</p> <p style="padding-left: 80px;">WPP – is the reference fuel prices individually set by local refiners and traders subject to periodic changes based on the movement in crude oil prices, foreign exchange and other costs as verified and confirmed by the Department of Energy (DOE). In determining the bid price, reference shall be made to the WPP of the individual prospective supplier ten (10) days prior to the date of the bid opening as verified with the DOE.</p> <p style="padding-left: 80px;">Discounts - refer to the total deductions from the WPP, Percentage of WPP given to be deducted per liter. The given amount will be converted to percentage which will be FIXED for the entire duration of the contract.</p> <p style="padding-left: 80px;">Delivery Cost – refers to Cost of Freight incurred by the supplier from the source to the delivery point i.e., refinery to the delivery point for deliveries ex-refinery, or oil terminal/depots to delivery points. Declared delivery cost shall be FIXED for the entire duration of the contract.</p> <p style="padding-left: 80px;">The Cost for E-VAT and other governmental cost which fall equally on all prospective suppliers are presumed to be included in the computation of the bid price.</p> <p style="padding-left: 80px;">All numerical figures for computation must be in four (4) decimal places. (Ex. WPP=45.1234, Discount=9.0247 or 20%, DC=0.1234)</p> <p style="padding-left: 80px;">Bidders are advised to bid on the specified volume per delivery point.</p> <p style="padding-left: 40px;">(b) Oil & Lubricant</p> <p style="padding-left: 80px;">For procurement of oil & lubricant, the bid shall include the cost of the lubricant & packaging which shall be fixed for the duration of the contract.</p> <p style="padding-left: 40px;">(c) e-POL</p> <p style="padding-left: 80px;">c.1. Fore-POL cards, the bid shall include the rebate percentage, which shall not be less than 5.5%, shall be</p>
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	<p>fixed for the duration of the contract.</p> <p>c.2. The bidder with the Highest Rebate Percentage as translated to its Money Value shall be considered the winning bidder.</p>
15.5	<p>For Petroleum products, bid prices shall be based on GPPB Resolution Nr 11-2007 specifically on pricing using WPP index, wherein <i>Bid Price</i> equals the <i>proponent's WPP</i>ten (10) days before bid opening less <i>Discounts</i> if any, plus <i>Delivery Cost</i> and other premiums. The price components shall have definite values during Bid Evaluation for the purpose of determining the Lowest Calculated Bid (LCB). However, the actual payment of POL deliveries during contract implementation shall be based on the Supplier's WPP on the date of delivery of POL requirements as further clarified in 10.2 of the SCC.</p> <p>For e-POL cards, the rebate percentage as translated to its money value shall be fixed for the duration of the contract.</p>
15.6	<p>Extraordinary circumstances refer to events that may be determined by the National Economic and Development Authority in accordance with the Civil Code of the Philippines, and upon the recommendation of the Procuring Entity.</p>
16.1(b)	<p>The Bid prices shall be quoted in Philippine Pesos only.</p>
17.1	<p>Bids will be valid for 120 days after bid opening.</p>
18.1	<p>The amount of the bid security shall be computed based on the approved budget of the contract (ABC) for CY2017. In lieu of Bid Security mentioned in Sec 18.1 of the ITB the bidder may submit a Bid Securing Declaration in the form prescribed under GPPB Resolution 03-2012 dtd 27 Jan 2012.</p>
18.2	<p>The bid security shall be valid for <u>120</u> days from the date of bid opening</p>
18.5(a)(iv)	<p><i>Additional grounds for forfeiture of bid security:</i></p> <ol style="list-style-type: none"> 1. Submission of eligibility requirements containing false information or falsified documents. 2. Submission of 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. 3. Allowing the use of one's name, or using the name of another for purposes of public bidding. 4. 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. 5. Refusal or failure to post the required performance security within the prescribed time.

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	<p>6. 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. Any documented unsolicited attempt by a bidder to unduly influence the outcome of the bidding in his favor.</p> <p>7. Failure of the potential joint venture partners to enter into the joint venture after the bid is declared as successful.</p> <p>8. 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 reasons.</p>
20.3	<p>Each Bidder shall submit ten (10) copies of the first and second components of its bid with the first copy marked as “Original”. The “Original” shall contain the original copy/originally signed copy of the Omnibus Sworn Statement, Secretary’s Certificate/Special Power of Attorney, Bid Security, NFCC, Statement of Single Largest Contract, Statement of Ongoing Contracts and Compliance to Technical Requirements.</p>
21	<p>The address for submission of bids is :</p> <p align="center">The Chairperson, DND BAC Department of National Defense, Camp General Emilio Aguinaldo (CGEA), Quezon City</p> <p>The deadline for Submission of Bids is: _____ at _____ A.M.</p>
24.1	<p>The place of bid opening is :</p> <p align="center">DND BAC Conference Room, Right Wing Basement, DND Bldg, CGEA, Quezon City</p> <p>The date and time of Bid opening is _____ at _____ A.M.</p>
28.3	<p>For the purposes of bidding, evaluation and award, the goods are grouped into three (3) lots– Petroleum, Oil and Lubricants, and e-POL Cards. Bid shall be per lot.</p>
28.3(b)	<p>Bid modification is confined to arithmetical corrections and omissions to enable proper comparison of all eligible bids.</p>
28.5	<p>For purpose of bid evaluation and/or comparison of bids, regardless of index used, the Lowest Calculated Bid shall be determined by identifying the bidder who offered the lowest bid prices for Lots 1 and 2 (Petroleum and Oil & Lubricant Requirements) and the highest rebate percentage for Lot 3 (e-POL Card Requirements).</p>

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29.2	<p>Within a non-extendable period of five (5) calendar days from receipt by the bidder of the notice from the BAC that it is the Lowest Calculated Bid, the Bidder shall submit the following documentary requirements:</p>	
	TAB	POST-QUALIFICATION DOCUMENTS
	A	<p>Latest income and business tax returns filed through the Electronic Filing and Payments System (EFPS) NOTE: The latest income and business tax returns are those within the last six months preceding the date of bid submission; For foreign Suppliers, the equivalent foreign tax returns during applicablefiscal/tax period shall be submitted.</p>
	C	<p>Manufacturer’s/Distributor’s/Contractor’s Profile</p>
Sample Form No.	11	
D	<p>ISO certification pertains to Quality Management System (ISO 9001:2008) and Environmental Management System (ISO 14001:2004).</p>	
<p>In addition to the above, the Post-qualification shall include validation and verification of the original documents submitted (the eligibility, technical and financial) to determine the legal, technical and financial capability of the Supplier. If doubts should arise as to the authenticity and truthfulness of the said documents and/or capability of the bidder, additional documents related to such may be required. Among other documentary requirements for Post-qualifications, the Supplier should be able to deliver the POL Products in all the delivery points as stipulated in Section VI: Schedule of Requirements.</p>		
33	<p>For a single contract, Performance Security shall be computed based on the table of schedule on 33.2 of the Instruction to Bidders</p>	
34.2	<p>The Supplier shall commence with the delivery of POL ten (10) days after receipt by the Supplier or his duly authorized representative of the Notice to Proceed (NTP) as indicated in the Acceptance/Acknowledgment portion of the NTP and the posting of the performance security.</p>	