

Section III. BID DATA SHEET

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ITB CLAUSE	PARTICULARS
1.1	The PROCURING ENTITY is the <i>Department of National Defense (DND) / Armed Forces of the Philippines (AFP)</i>
1.2	The lot and reference is: Procurement of One (1) Lot Spare Parts for the Repair and Maintenance of Harris Handheld and Manpack Radios of the Philippine Army; The Project is One (1) Lot
2	The Funding Source is: The Government of the Philippines (GOP) through General Appropriation Act (GAA) RA 10717: PHILIPPINE ARMY (PA) Appropriation for Fiscal Year 2016 with ASA NR 2600-2016-0025 dated 24 February 2016 with the sum of One Hundred Million, Six Hundred Ten Thousand, Nine Hundred Ninety One Pesos (PHP 100,610,991.00). Funds for this project will expire on 31 December 2017 The name of the Project is: Procurement of One (1) Lot Spare Parts for the Repair and Maintenance of Harris Handheld and Manpack Radios of the Philippine Army
3.1	No further instructions.
5.1	Bidders must be local or foreign manufacturers.
5.2	No further instructions.
5.4	The Bidder must have completed, within the period specified in the Invitation to Bid and ITB Clause 12.1(a)(iii), any of the following contract that is similar to this Project : <ul style="list-style-type: none"> a. A single contract which must be at least Twenty-Five Percent (25%) of the Approved Budget for the Contract (ABC); OR b. At least two (2) similar contracts and the aggregate contract amounts should be equivalent to at least Fifty Percent (50%) of the ABC. The largest of these similar contracts must be equivalent to at least Twenty-Five percent (25%) of the ABC. “Completed Contract/s similar to the Project” pertains to Contract/s for the Supply and Delivery of Spare Parts for the Repair and Maintenance of Harris RF5800H-MP 20 Watts, HF/SSB Radio, and Harris RF5800V-HH 2-5 Watts, VHF/FM Radio.
5.5	No further instructions.
6.2	No further instructions.
7	No further instructions.
8.1	Subcontracting is not allowed. However, integrators/assemblers may be allowed to participate and are considered as manufacturers as defined under the IRR of AFP Modernization Act.
9.1	The DND/AFP will hold a pre-bid conference for this Project on January 24, 2017 at 10:00 A.M. at <i>DND BAC Conference Room, Basement Right Wing, DND Bldg, Camp General Emilio Aguinaldo, Quezon City.</i>

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<p>10.1</p>	<p>The PROCURING ENTITY's address is:</p> <p><i>DND-Bids and Awards Committee, Department of National Defense Right Wing, Basement, DND Bldg., Camp General Emilio Aguinaldo, Quezon City, Philippines, 1110 Contact Person: Head, DND-BAC Secretariat Telefax Number: (632) 421-353/982-5626 Email Address: bacsecretariat@dnd.gov.ph Attention: Team Leader- Procurement of One (1) Lot Spare Parts for the Repair and Maintenance of Harris Handheld and Manpack Radios</i></p>					
<p>11</p>	<p>The eligibility requirements or statements, the bids, and all other documents to be submitted to the BAC must be in English. If the eligibility requirements or statements, the bids, and all other documents submitted to the BAC are in foreign language other than English, it must be accompanied by a translation of the documents in English. The documents shall be translated by the relevant foreign 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. The English translation shall govern, for purposes of interpretation of the bid.</p> <p>For this purpose, the term "the equivalent office" shall refer to the Philippine Consulate Office in the country of origin of goods and/or the Department of Foreign Affairs in the Philippines.</p>					
<p>12.1</p>	<p>Below is the complete list of Eligibility and Technical Documents to be submitted Properly TABBED as indicated hereunder. Sample forms are provided in Section VIII of the Bidding Documents. For foreign bidders, please refer to Section 23.2 of the Revised Implementing Rules and Regulations (IRR) of RA 9184 for further guidance on the appropriate equivalent documents.</p> <p>Note: Clause 19.4 of the Instruction to bidders: The bid, except for un-amended printed literature, shall be signed, and each and every page thereof shall be initialed, by the duly authorized representative/s of the Bidder.</p> <table border="1" data-bbox="363 1630 1524 1704"> <thead> <tr> <th data-bbox="363 1630 496 1704">TAB</th> <th data-bbox="496 1630 1347 1704">FIRST ENVELOPE CLASS "A" ELIGIBILITY REQUIREMENTS</th> <th data-bbox="1347 1630 1524 1704">SAMPLE FORM</th> </tr> </thead> </table> <p>I. LEGAL DOCUMENTS: (In case of a Joint Venture, each member of the JV shall submit the required Legal Documents as provided in TAB A, B, and C as provided below or its appropriate equivalent documents. For foreign bidders, the equivalent document/s issued by the appropriate authority in the country of origin of the bidder concerned must be presented. If said document has no appropriate equivalent, a Certificate of Inexistence of Appropriate Foreign Equivalent may be submitted.)</p>			TAB	FIRST ENVELOPE CLASS "A" ELIGIBILITY REQUIREMENTS	SAMPLE FORM
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	A	<p>Registration Certificate From: Securities and Exchange Commission (SEC) for Corporation/ Partnership or its equivalent; Department of Trade and Industry (DTI) for sole proprietorship or its equivalent, or Cooperative Development Authority (CDA) for cooperatives or any proof of such registration or its equivalent.</p> <p><i>Note: In case of foreign bidders, the appropriate equivalent document issued by the country of the foreign manufacturer concerned must be presented. If said document has no appropriate equivalent, a Certificate of Non-existence of Appropriate Foreign Equivalent may be submitted.</i></p>	
	B	<p>Valid and current Mayor’s Permit or its equivalent 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 Zone or Areas.</p> <p>In case of recently expired Mayor’s/Business Permits, it shall be accepted together with the official receipt as proof that the bidder has applied for renewal within the period prescribed by the concerned local government unit, provided that the renewed permit shall be submitted as a Post Qualification requirement in accordance with Section 34.2 of the 2016 Revised IRR of RA 9184.</p> <p><i>Note: In case of foreign bidders, the appropriate equivalent document issued by the country of the foreign manufacturer concerned may be issued. If said document has no appropriate equivalent, a Certificate of Non-existence of Appropriate Foreign Equivalent may be provided.</i></p>	
	C	<p>Tax Clearance Certificate per Executive Order 398, series of 2005, as finally reviewed and approved by the BIR</p> <p><i>In case of Joint Ventures, all partners shall submit their respective tax clearance certificates.</i></p>	
II. TECHNICAL DOCUMENTS			
	D	<p>Duly Signed Statement of all Ongoing Government and Private Contracts Including Contracts Awarded</p>	

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		<p>but not yet Started, if any, whether similar or not similar in nature and complexity to the contract to be bid.</p> <p>The Bidder may make a reservation under oath in a notarized document not to disclose the name of its client on the ground of an existing confidentiality agreement but must disclose the amount, status and name of the project for purposes of validating the NFCC, subject to the full disclosure during Post Qualification. In this connection, the bidder may keep the name of the client from the Statement of Ongoing Contracts.</p>	
	<p>E</p>	<p>Duly Signed Statement of a Single Largest Completed Contract (SLCC) Similar to the Contract to be Bid within a period of five (5) years from the date of submission and opening of bids, the value of which must be equivalent to at least Twenty-Five (25%) of the ABC. Or at least two (2) Similar Completed Contracts, the aggregate contract amount of which should be equivalent to at least Fifty Percent (50%) of the ABC; provided, the largest of the similar completed contract must be equivalent to at least Twenty-Five Percent (25%) of the ABC.</p> <p>The bidder may make a reservation under oath in a notarized document not to disclose the name of its client on the ground of an existing confidentiality agreement but must disclose the amount, status, and name of the project for purposes of validating the contents of the statement of single largest similar completed contract, subject to the full disclosure during post-qualification. In this connection, the bidder may keep the name of the client from the statement of single largest similar completed contract.</p> <p>“Completed Contract/s similar to the Project” pertains to Contract/s for the Supply and Delivery of Spare Parts for the Repair and Maintenance of Harris RF5800H-MP 20 Watts, HF/SSB Radio, and Harris RF5800V-HH 2-5 Watts, VHF/FM Radio.</p>	
<p>III. FINANCIAL DOCUMENTS</p>			

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	F	<p>Latest Audited Financial Statements, showing, among others, the prospective Bidders' total and current assets and liabilities, stamped "Received" by the Bureau of Internal Revenue (BIR) or its duly accredited and authorized institutions, for the preceding calendar year, which should not be earlier than two (2) years from bid submission; or</p> <p>Its equivalent documents in case of a foreign bidder, provided that the same shall be in accordance with International Financial Reporting Standards. If said document has no equivalent thereat, a Certificate of Inexistence of Appropriate Foreign Equivalent shall be submitted.</p>	
	G	<p>Duly Signed NFCC Computation in accordance with ITB Clause 5.5. - Computation of prospective bidder's Net Financial Contracting Capacity (NFCC) signed by its authorized representative (with a variable at 15). OR</p> <p>A Committed Line of Credit (CLC) from a Universal or Commercial Bank, extended in the Bidders favor. Sec 23.1(a)(viii), 2016 Revised IRR, RA 9184.</p>	
	TAB	CLASS "B" ELIGIBILITY REQUIREMENTS	SAMPLE FORM
	H	<p>Valid Joint Venture Agreement (JVA), in case the joint venture is already in existence, OR</p> <p>Duly notarized undertaking or agreement from all potential joint venture partners to enter and abide by the provisions of the JVA in the instance that the bid is successful. Failure to enter into a joint venture in the event of a contract award shall be 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>	
	I	<p>Bid Securing Declaration, or any form of Bid Security, in an amount not less than the required percentage of the ABC in accordance with the following schedule:</p> <ol style="list-style-type: none"> 1) Cash, or cashier's / manager's check issued by a Universal or Commercial Bank equivalent to two percent (2%) of the ABC; OR 2) Bank draft/guarantee or irrevocable letter of credit issued by a Universal or Commercial Bank: Provided, however, that it shall be confirmed or 	

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		<p>authenticated by a Universal or Commercial Bank, if issued by a foreign bank equivalent to two percent (2%) of the ABC; OR</p> <p>3) Surety bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security equivalent to five percent (5%) of the ABC.</p> <p>Bid security in the form of a cash, cashier's or manager's Check, it shall be payable to the appropriate Collection Officer / Treasurer, DND BAC</p>	
	<p>J</p>	<p>Duly Signed Statement of Compliance to the Schedule of Requirements and Technical Specifications, as enumerated and specified in Sections VI and VII of the Bidding Documents.</p> <p>In the column "Bidder's Compliance", the bidder must state either "comply" or "not comply" against each of the individual parameters of each specification corresponding to performance parameter. Statement of "comply" or "not comply" must be supported by evidence in a bidder's bid and cross-referenced to that evidence.</p>	
	<p>K</p>	<p>Duly Notarized Omnibus Sworn Statement in accordance with Section 25.2(a)(viii) and Section 25.3 of the 2016 Revised IRR of RA 9184, and using the form prescribed in Section VIII (Bidding Forms). WITH</p> <p>Duly Notarized Secretary's Certificate, OR Special Power of Attorney, OR Board Resolution OR any proof of authority, as applicable, of the Authorized Representative of the Bidder.</p>	
	<p>L</p>	<p>Other Project Requirements</p>	
		<p>L.1 Current and valid ISO Certificate under the name of the manufacturer. The validity or scope of the ISO must cover the production or design or manufacturing or inspection or other related services of the items subject of the bidding.</p> <p>L.2 Certificate from the end-user, the Philippine Army through the Philippine Army Procurement Center, that the Bidder has no overdue delivery/deliveries of previously awarded contract or contracts.</p> <p>NOTE: For this purpose, "Overdue Delivery" is the delivery of goods to the Philippine Army beyond the</p>	

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		contracted period of delivery and an approved extension of the delivery period. L.3 Warranty Certificate for the Period of at least One (1) Year from the final acceptance for all Spare Parts L.4 Duly signed Certification from the Manufacturer's Technical Department or Production Department or Quality Assurance Department or its equivalent that the Spare Parts will be manufactured in accordance with the PA Technical Specifications and must be compatible and original/brand-new parts of the existing Harris RF5800H-MP 20 Watts, HF/SSB Radio, and Harris RF5800V-HH 2-5 Watts, VHF/FM Radio of the Philippine Army.	
12.1(a)	No further instruction.		
12.1(a)(iv)	Statement of at least one (1) similar completed contract shall include such contract within five (5) years prior to the deadline for the submission.		
13.1	The Financial Proposal Envelope shall contain the following documents:		
	TAB	FINANCIAL PROPOSAL DOCUMENTS	SAMPLE FORM
	A	Duly signed Bid Form/Price Proposal	
	B	Bill of Quantities / Price Schedules, and other Maintenance and recurring expenses;	
	C	Price of Goods Offered from Abroad	
	D	Price of Goods Offered from within the Philippines	
13.2	The ABC is One Hundred Million, Six Hundred Ten Thousand, Nine Hundred Ninety One Pesos (PHP 100,610,991.00) . Any bid with a financial component exceeding this amount shall not be accepted		
15.4(a)iii	Incidental services are those which were provided under Clause 6.2 of Section V (Special Conditions of Contract)		
15.4(b.i)	The price of the goods from foreign sources shall be quoted DDP to be delivered to: Signal Warehouse, ASCOM, PA, Fort Bonifacio, Metro Manila, Philippines		
15.4(b.ii)	Incidental services are required from goods offered from foreign sources. (See GCC Clause 6.2 & 7.2)		
15.5	Bid Prices shall be fixed. Adjustable price proposals shall be treated as non-responsive and shall be rejected.		
15.6	Extraordinary circumstances refer to events that may be determined by the National Economic and Development Authority in accordance with the Civil		

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	Code of the Philippines, and upon the recommendation of the Procuring Entity
16.1b	The Bid prices for Goods supplied from outside of the Philippines can be quoted in Philippine Pesos or in foreign currencies which shall be converted at the current exchange rate at the time of Bid Opening. Current exchange rate shall mean those published by the Bangko Sentral ng Pilipinas.
16.3	No further instructions.
17.1	Bids will be valid for a period of One Hundred Twenty (120) calendar days after bid opening.
Error! Reference source not found.	<p>Bid Securing Declaration, or any form of Bid Security, in an amount at least equal to the required percentage of the ABC in accordance with the following schedule:</p> <ol style="list-style-type: none"> 1) Cash, or cashier's / manager's check issued by a Universal or Commercial Bank equivalent to two percent (2%) of the ABC; OR 2) Bank draft/guarantee or irrevocable letter of credit issued by a Universal or Commercial Bank: Provided, however, that it shall be confirmed or authenticated by a Universal or Commercial Bank, if issued by a foreign bank equivalent to two percent (2%) of the ABC; OR 3) Surety bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security equivalent to five percent (5%) of the ABC. <p>Bid security in the form of a cash, cashier's or manager's check, it shall be payable to the appropriate Collection Officer / Treasurer, DND BAC</p>
18.3	The bid security shall be valid for a period of One Hundred Twenty (120) calendar days after bid opening.
18.4	No further instructions.
18.5(b)	<p>The following are additional grounds for forfeiture of Bid Security:</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. 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.

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	<p>7. Any documented unsolicited attempt by a bidder to unduly influence the outcome of the bidding in his favor.</p> <p>8. Failure of the potential joint venture partners to enter into the joint venture after the bid is declared as successful.</p> <p>9. 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 one (1) copy marked as original and Ten (10) copies of the first and second components of its bid. The bidder shall enclose in an outer envelope the Class A Legal Eligibility Documents and Technical Eligibility Documents. The outer envelope must be marked TECHNICAL DOCUMENTS. (Properly Tabbed)</p> <p>Note: Failure to comply shall be a ground for disqualification.</p>
21	<p>The Address for Submission of Bids is:</p> <p style="padding-left: 40px;"><i>DND Bids and Awards Committee Department of National Defense Right Wing, Basement, DND Building Camp General Emilio Aguinaldo, Quezon City Philippines 1110 Contact person: Head, DND BAC Secretariat Telefax number: (02) 421-3531 E-mail address : bacsecretariat@dnd.gov.ph</i></p> <p>The deadline for Submission of Bids is:</p> <p style="text-align: center;"><u>February 16, 2017 at 10:00 A.M.</u></p>
24.1	<p>The place of Bid Opening is:</p> <p style="padding-left: 40px;"><i>DND BAC Conference Room, Right Wing, Basement, DND Bldg Camp General Emilio Aguinaldo, Quezon City Philippines</i></p> <p>The date and time of Bid Opening is:</p> <p style="text-align: center;"><u>February 16, 2017 at 10:00 A.M.</u></p>
28.3b	Bid modification is allowed provided it is confined to arithmetical corrections and omissions to enable proper comparison of all eligible bids.
28.5	No further instructions.
29.2	<p>Within Five (5) Calendar Days from receipt by the bidder of the notice from the BAC that the bidder has the Lowest Calculated Bid, the bidder shall submit to the BAC the following documentary requirements:</p> <p>a. Latest Income and Business Tax Returns in accordance with ITB Clause 29.2 (a) - electronically filed Income Tax Return and Proof of Payment</p>

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	<p>such as the Electronic Filing and Payment System (EFPS) of the BIR or its equivalent in case of foreign tax authorities; AND</p> <p>b. Certificate of PhilGEPS Registration in accordance with Section 8.5.2 of the 2016 Revised IRR, RA 9184; AND</p> <p>c. Company Profile.</p> <p><i>NOTE: The latest income and business tax returns are those issued within the last six months preceding the date of bid submission.</i></p>
29.3	<p>The determination shall be based upon an examination of the documentary evidence of the Bidder's qualifications submitted pursuant to ITB Clauses 12 and 13, as well as the criteria stated in Section 34.3 (b) (iii) and (iv) of the 2016 Revised IRR of RA 9184 and other information as the Procuring Entity deems necessary and appropriate, using a non-discretionary "pass/fail" criterion.</p>
32.4g	<p>No additional documents required.</p>
34.2	<p>The Effective Date of the Contract shall be upon receipt/acknowledgement of the Notice to Proceed (NTP) by the Supplier which date shall not later than seven (7) calendar days from the issuance of NTP; AND</p> <p>Winning bidder shall submit within seven (7) days from receipt of Notice to Proceed (NTP), a list of items requiring an End User's Certificate.</p>
34.3	<p>Failure of the supplier/bidder to acknowledge receipt of the NTP within seven (7) calendar days from issuance shall be considered as implied acceptance or, at the option of the Procuring Entity, shall constitute sufficient ground for the rescission of the Contract and forfeiture of the bid security. In addition, the defaulting supplier/bidder shall be blacklisted in accordance with appendix II of the Revised IRR of RA 9184 (Uniform Guidelines for Blacklisting of Manufacturers, Suppliers, Distributors, Contractors and Consultants)</p>
35	<p>Protest Mechanism:</p> <p>The decision of the Procuring Entity at any stage of the procurement process may be questioned in accordance with Section 55 of the Revised Implementing Rules and Regulations of the Republic Act 9184.</p>