

Section III. Bid Data Sheet

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ITB Clause	
1.1	The PROCURING ENTITY is <i>Department of National Defense /Armed Forces of the Philippines</i>
1.2	The lot and reference is: Procurement of 7,381 rds Ctg, 105mm, HE with Fuze. The Project is one (1) Lot
2	The Funding Source is: The Government of the Philippines (GOP) General Appropriations through the Philippine Army Appropriation CY 2016 under ASA # 0103 dtd 01 March 2016, with an ABC of Two Hundred Twenty-One Million Four Hundred Thirty Thousand Pesos (PhP221,430,000.00) only. Funds for this project will expire on 31 Dec 2017. The name of the project is: Procurement of 7,381 rds Ctg, 105mm, HE with Fuze for 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 Bidders must have completed, within five (5) years from the date of submission and receipt of bids, a single contract that is similar to this Project, whose value is equivalent to at least twenty-five percent (25%) of the ABC. For this purpose, similar Contract shall refer to “Supply and Delivery of Ammunition and/or Explosives”
5.5	In case of Joint Venture, the NFCC computation shall be based on the Audited Financial Statements and Income Tax Returns of the partner submitting the Statement of Ongoing Contracts.
6.3	The Bidder is expected to examine all instructions, forms, terms, and specifications in the Bidding Documents.
7	Origin of the goods must be from NATO or Sponsored non-NATO Countries.
8.1	No further instructions.
8.2	No further instructions.
9.1	The Procuring Entity will hold a pre-bid conference for this Project on <u>February 07, 2017</u> at 10:00 AM,

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	DND BAC Conference Room, Basement Right Wing, DND Bldg, Camp Gen. Emilio Aguinaldo, Quezon City						
10.1	<p>The PROCURING ENTITY's address is:</p> <p style="text-align: center;">DND Bids and Awards Committee Department of National Defense Basement Right Wing, DND Bldg. Camp General Emilio Aguinaldo Quezon City, Philippines, 1110 Tel No/ Fax: (632) 421-3531 Telephone Number (PABX) : (632) 982-5626 Contact Person : Ms Amelia Garrero DND-BAC Secretariat</p>						
11	<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>						
12.1	<p>Note: Clause 19.4 of the Instruction to bidders: The bid, except for unamended printed literature, shall be signed, and each and every page thereof shall be initialed, by the duly authorized representative/s of the Bidder.</p> <p>Below is the complete list of Eligibility and Technical Proposal documents to be submitted Properly TABBED as indicated. Please refer to Section VIII for the prescribed sample forms.</p> <table border="1" data-bbox="450 1751 1460 1845"> <thead> <tr> <th data-bbox="450 1751 555 1845">TAB</th> <th data-bbox="555 1751 1318 1845">ELIGIBILITY DOCUMENTS CLASS "A"</th> <th data-bbox="1318 1751 1460 1845">Form</th> </tr> </thead> <tbody> <tr> <td colspan="3" data-bbox="450 1845 1460 2038"> <p>I. LEGAL DOCUMENTS: <i>(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</i></p> </td> </tr> </tbody> </table>	TAB	ELIGIBILITY DOCUMENTS CLASS "A"	Form	<p>I. LEGAL DOCUMENTS: <i>(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</i></p>		
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	<i>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.)</i>	
A	Registration Certificate From:	
	Securities and Exchange Commission, for Corporation; or Partnership or its equivalent.	1
	Department of Trade and Industry (DTI), for sole proprietorship; or its equivalent. Cooperative Development Authority, for Cooperatives or its equivalent.	2
B	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 Zones or Areas. In cases 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	3
C	Tax Clearance per Executive Order 398, Series of 2005, as finally reviewed and approved by the BIR.	6
II. TECHNICAL DOCUMENTS:		
D	Duly signed Statement of all on-going 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. 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.	4A
E	Duly signed Statement of single largest completed contract similar to the contract to be bid within a period of five (5) years from the date of	4B

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	<p>submission and opening of bids, the value of which must be equivalent to at least twenty five percent (25%) of the ABC.</p> <p>For this project, “similar contract or projects” shall pertain only to “Supply and Delivery of Ammunition and/ or Explosives.”</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>	
III. FINANCIAL DOCUMENTS		
F	<p>Audited financial statements, showing, among others, the prospective bidder’s total and current assets and liabilities, stamped “received” by the BIR or its duly accredited and authorized institutions, for the preceding calendar year which should not be earlier than two (2) years from the date of bid submission.</p> <p>For foreign bidders, the audited financial statements shall be prepared in accordance with International Financial Reporting Standards.</p>	
G	<p>Duly signed NFCC Computation in accordance with ITB Clause 5.5.</p> <p>A bidder may submit a committed Line of Credit from a local Universal or Commercial Bank, in lieu of its NFCC computation.</p>	5
TAB	ELIGIBILITY REQUIREMENTS CLASS “B”	Form
H	<p>Valid Joint Venture Agreement (JVA), in case the joint venture is already in existence,</p> <p>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</p>	7

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	<p>be ground for the forfeiture of the bid security. In case JVA is not applicable, the bidder must submit a statement stating that JVA is not applicable in lieu of the foregoing.</p>	
	<p>TAB TECHNICAL DOCUMENTS</p>	<p>Form</p>
	<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 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>8</p>
	<p>J Duly signed Statement of Conformity with the Schedule of Requirements and Technical Specifications, as enumerated and specified in Section VI and Section VII of the Bidding Documents, with the following attachments:</p> <ol style="list-style-type: none"> a. PA Test and Acceptance Procedures bearing the conformity of the bidder; b. Manufacturer's Brochures/Literature of product being offered; and c. Manufacturer's Test and Acceptance Procedures (TAP) indicating the acceptance and rejection parameters. 	<p>9</p>
	<p>K 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).</p>	<p>11</p>
	<p>L Duly notarized Secretary's Certificate or Board</p>	

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		Resolution or Special Power of Attorney of the authorized Representative of the Bidder.										
	M	Current and Valid ISO or AQAP Certificate under the name of the manufacturer. The validity or scope of the ISO or AQAP Certificate must cover any of the following: the production/ design/ manufacturing/ inspection or other related services of the items subject of the bidding.										
	N	Manufacturer's Warranty Certificate covering a period of at least one (1) year from the date of final acceptance.										
	O	Duly signed Certification from the Manufacturer's Technical Department or Production Department or Quality Assurance Department or its equivalent that the ammunition will be manufactured in accordance with the PA Technical Specifications and the acceptance testing will be based on the PA Test and Acceptance Procedures as stipulated in the Bidding Documents.										
12.1(a)(i)	No further instructions.											
12.1 (a) (iv)	The statement of all ongoing government and private contracts shall include all such contracts from the deadline of the submission and receipt of bids. In case there are several ongoing contracts, the aggregate amount should be indicated...											
13.1	<p>The Financial Proposal Envelope shall contain the following complete list of documents:</p> <p>One (1) copy of original and nine (9) copies of photocopies shall be submitted.</p> <table border="1" data-bbox="450 1534 1445 1865"> <thead> <tr> <th data-bbox="450 1534 582 1585">TAB</th> <th data-bbox="582 1534 1318 1585">FINANCIAL PROPOSAL DOCUMENTS</th> <th data-bbox="1318 1534 1445 1585">Form</th> </tr> </thead> <tbody> <tr> <td data-bbox="450 1585 582 1780">A.</td> <td data-bbox="582 1585 1318 1780">Duly signed Financial Bid Form. Price Proposal. Bid Prices and Schedule of Requirements/Bill of Quantities with corresponding price for each item and the applicable Price Schedules, and other Maintenance and recurring expenses.</td> <td data-bbox="1318 1585 1445 1780">12A</td> </tr> <tr> <td data-bbox="450 1780 582 1865">B.</td> <td data-bbox="582 1780 1318 1865">Duly signed itemized Price Proposal for Goods offered.</td> <td data-bbox="1318 1780 1445 1865">12B</td> </tr> </tbody> </table>			TAB	FINANCIAL PROPOSAL DOCUMENTS	Form	A.	Duly signed Financial Bid Form. Price Proposal. Bid Prices and Schedule of Requirements/Bill of Quantities with corresponding price for each item and the applicable Price Schedules, and other Maintenance and recurring expenses.	12A	B.	Duly signed itemized Price Proposal for Goods offered.	12B
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B.	Duly signed itemized Price Proposal for Goods offered.	12B										
13.2	The ABC is Two Hundred Twenty-One Million Four Hundred Thirty Thousand Pesos (PhP221,430,000.00) only . Any Bid with a financial proposal exceeding this amount shall not be accepted.											
15.4(a)(iii)	Incidental services are those which were provided under Clause 6.2 of											

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	Section V. Special Conditions of Contract.
15.4(b)	The price of the goods from foreign sources shall be quoted DAP to be delivered to: Ammunition Company, Armament and Ammunition Battalion, Logistics Support Group, Army Support Command, Philippine Army, Camp Aquino, Tarlac City.
15.4(b)(ii)	Incidental services are those which were provided under Clause 6.2 of Section V. Special Conditions of Contract.
15.6	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.
16.1 (b)	Prices shall be quoted in Philippine Pesos only.
16.3	No further instructions
17.1	The Bids shall be valid for a period of One Hundred Twenty (120) Calendar Days after the Bid Opening date.
18.1	<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 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; or
18.2	The Bid Security shall be valid for a period of One Hundred Twenty (120) Calendar Days after the Bid Opening date.
18.5	No further instructions
18.5(b)(iii)	No further instructions
20.1	The original of the Bid Securing Declaration, Omnibus Sworn Statement and Joint Venture Agreement must be submitted and included in the folder marked "Original". Original or Certified True Copy of the Authorization of Representative/s (Special Power of Attorney or Board Resolution/ Secretary's Certificate or other appropriate forms of authority) must also be submitted and included in the folder marked "Original".
20.3	Each Bidder shall submit ten (10) copies of the first and second components of its bid, one (1) copy of which shall be marked "Original".

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21	<p>The Address for Submission of Bids is:</p> <p>Department of National Defense DND Bids and Awards Committee Basement Right Wing, DND Building Camp General Emilio Aguinaldo, Quezon City Contact Person: Head, DND-BAC Secretariat Telefax Number: (632) 421-3531 Tel No/ (PABX): (632) 982-5626</p> <p>The deadline for Submission of Bids is on February 23, 2017 at 10:00 A.M.</p>
24.1	<p>The place of Bid opening is:</p> <p><i>DND BAC Conference Room, Basemen Right Wing, DND Bldg Camp General Emilio Aguinaldo, Quezon City</i></p> <p>The date and time of Bid opening is on February 23, 2017 at 10:00 A.M.</p>
27.1	No further instructions
28.3	No further instructions.
28.3 (b)	Bid modification is not allowed.
28.4	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> <ul style="list-style-type: none"> a. Latest Income and Business Tax Returns in accordance with ITB Clause 29.2 (a). b. Certificate of PhilGEPS Registration in accordance with Section 8.5.2 of the 2016 Revised IRR, RA 9184; c. Company Profile; and d. Certificate of No Overdue Delivery from PAPC for similar goods subject of the bidding issued within one month prior to the Submission and Opening of Bid Envelopes. <p>For purposes of post-qualification, “overdue delivery” is incurred when the supplier failed to satisfactorily deliver the goods within one hundred calendar days (100CD) after the agreed delivery period or extensions granted.</p>
29.2 (a)	Only tax returns filed and taxes paid through the BIR Electronic Filing and Payment System (EFPS) or its equivalent for the foreign bidders

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	<p>shall be accepted.</p> <p><i>NOTE: The latest income and business tax returns are those within the last six months preceding the date of bid submission.</i></p>
33	<p>To guarantee the faithful performance by the winning bidder of its obligations under the contract, in accordance with the Bidding Documents, it shall post a performance security prior to the signing of the contract.</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 be later than seven (7) calendar days from the issuance of the NTP.</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>
34.4	<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>
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>