

Section III. Bid Data Sheet

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ITB Clause	
1.1	The PROCURING ENTITY is Department of National Defense / Armed Forces of the Philippines
1.2	The lot and reference is/are: Frigate Acquisition Project Lot2C Sublot-2 (30mm Ammunition) AFPMP-PN-_____
2	The Funding Source is: The Government of the Philippines (GOP) through the Revised AFP Modernization Program with SARO Nr.: _____ in the amount of ONE HUNDRED FOURTEEN MILLION ONE HUNDRED FORTY SEVEN THOUSAND TWO HUNDRED FIFTY SIX PESOS (PHP114,147,256.00) . The name of the Project is: Frigate Acquisition Project Lot2C Sublot-2 (30mm Ammunition)
3.1	No further instructions
5.1	No further instructions
5.2	Foreign bidders may participate in this Project in view of the following circumstances: When the Goods sought to be procured are not available from local suppliers;
5.4	The Bidder must have completed within the last ten (10) years, a single contract that is similar to this Project, equivalent to at least fifty percent (50%) of the ABC. For this purpose, similar contracts shall refer to the Manufacture and Delivery of 30mm naval ammunition.
7	No further instructions
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: _____ A.M. DND-BAC Conference Room Basement, Left Wing, DND Building Camp General Emilio Aguinaldo, Quezon

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10.1	<p>The PROCURING ENTITY's address is:</p> <p>DND Bids and Awards Committee Department of National Defense Basement Left Wing, DND Building Camp General Emilio Aguinaldo, Quezon City, Philippines 1110 Tel Nr: 911-6001 Loc 8481 Fax Nr: (632)421-3531 Email Address: dndbacsecretariat5626@yahoo.com Attention: Project Manager FAP Lot2C Sublot-2 (30mm Ammunition)</p>									
11	<p><i>In case of foreign bidders, 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.</i></p>									
12	<p>Eligibility Components</p> <p>Ten (10) copies of original/certified true copy/photocopies.</p>									
12.1	<p>Below is the complete list of Eligibility and Technical Proposal documents to be submitted during the bidding procedure and Properly TABBED as indicated. Please refer to Section VIII for the prescribed sample forms.</p> <p><i>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.</i></p> <p><i>In case of a Joint Venture, each member of the JV shall submit the required Legal Document as provided in TAB A as provided below or its appropriate equivalent documents.</i></p> <table border="1" data-bbox="375 1742 1433 1915"> <thead> <tr> <th colspan="3" style="background-color: #e0e0e0;">ELIGIBILITY REQUIREMENTS</th> </tr> <tr> <th style="background-color: #e0e0e0;">TAB</th> <th style="background-color: #e0e0e0;">CLASS "A" DOCUMENTS</th> <th style="background-color: #e0e0e0;">Form</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	ELIGIBILITY REQUIREMENTS			TAB	CLASS "A" DOCUMENTS	Form			
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I. LEGAL DOCUMENTS:		
A	<p>PhilGEPS Certificate of Registration and Membership (Platinum) in accordance with Section 8.5.2 of the IRR, RA 9184 or in lieu thereof, the following may be submitted:</p> <ol style="list-style-type: none"> 1. Registration Certificate or its equivalent from: <ul style="list-style-type: none"> • Securities and Exchange Commission, for Corporation and Partnership; or • Department of Trade and Industry (DTI), for sole proprietorship; or • Cooperative Development Authority, for cooperatives 2. 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 3. Tax clearance per Executive Order 398, Series of 2005, as finally reviewed and approved by BIR. 4. 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>For foreign bidders, the audited financial statements shall be prepared in accordance with International Financial Reporting Standards</p>	1
II. TECHNICAL DOCUMENTS:		
B	<p>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. (Projects with Notice of Awards are considered on-going projects)</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,</p>	2

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	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.	
C	<p>Duly signed Statement of Single Largest Completed Contract (SLCC) similar to the contract to be bid, the value of which must be equivalent to at least fifty (50%) of the ABC.</p> <p>For this purpose, similar contracts shall refer to the Manufacture and Delivery of 30mm naval ammunition.</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>	3
III. FINANCIAL DOCUMENTS		
D	<p>Duly signed NFCC Computation in accordance with ITB Clause 5.5; <i>or</i></p> <p>A bidder may submit a committed Line of Credit from a Universal or Commercial Bank, in lieu of its NFCC computation which must be at least equal to 10% of the ABC to be bid. Provided, that if the same is issued by a foreign Universal or Commercial Bank, it shall be confirmed or authenticated by a local Universal or Commercial Bank.</p>	4
CLASS "B" DOCUMENT		
E	<p>Valid Joint Venture Agreement (JVA), in case the joint venture is already in existence, if applicable.</p> <p><i>or</i></p>	5

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	<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 both instances, authority of the representative for each partner shall be submitted during bid opening.</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>	
TECHNICAL COMPONENTS		
F	<p>Duly notarized Affidavit of 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. 	6
G	<p>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 a copy of Manufacturer's Test and Acceptance Procedure (MTAP)</p>	
H	<p>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</p>	7

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		using the form prescribed in Section VIII (Bidding Forms).										
	I	Duly notarized Secretary’s Certificate or Board Resolution or Special Power of Attorney of the authorized Representative of the Bidder or other appropriate forms of authority.										
	J	Certification that the bidder is the Original Equipment Manufacturer (OEM) of the 30mm naval ammunition and that it is compatible with MK-44 Bushmaster II Automatic Canon or Smash 30mm Gun system made by Aselsan of Turkey.										
	K	Certification from bidder that the 30mm naval ammunition being offered is being used by the Armed Forces of the country of origin or at least two (2) other Armed Forces										
	L	Certification from bidder that the goods delivered are brand new										
	M	For foreign bidders, they shall have a local representative with Indentor’s License or License to Operate or Deal in Ammunitions issued by PNP.										
12.1(a)i	No other acceptable proof of registration is recognized.											
12.1(a)ii	The Statement of all similar completed government and private contracts shall include all such contracts within ten (10) years prior to the deadline for the submission and receipt of bids.											
13.1	The Financial Proposal Envelope shall contain the following documents: Ten (10) copies of original/certified true copy/photocopies. <table border="1" data-bbox="395 1653 1412 1930"> <thead> <tr> <th>TAB</th> <th>FINANCIAL PROPOSAL DOCUMENTS (Second Stage)</th> <th>Sample Form</th> </tr> </thead> <tbody> <tr> <td>A.</td> <td>Price Proposal. Bid Prices and Bill of Quantities with corresponding price for each item and the applicable Price Schedules, and other Maintenance and recurring expenses;</td> <td></td> </tr> <tr> <td>B.</td> <td>Duly signed itemized Price Proposal for Goods Offered from abroad.</td> <td></td> </tr> </tbody> </table>			TAB	FINANCIAL PROPOSAL DOCUMENTS (Second Stage)	Sample Form	A.	Price Proposal. Bid Prices and Bill of Quantities with corresponding price for each item and the applicable Price Schedules, and other Maintenance and recurring expenses;		B.	Duly signed itemized Price Proposal for Goods Offered from abroad.	
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13.1(b)	No further instructions
123.1(c)	No additional requirements
13.2	The ABC is ONE HUNDRED FOURTEEN MILLION ONE HUNDRED FORTY SEVEN THOUSAND TWO HUNDRED FIFTY SIX PESOS (PHP114,147,256.00) Any bid with a financial component exceeding this amount shall not be accepted.
15.4(b)	The price of the Goods shall be quoted <i>DAP</i> , and the place of destination is Naval Ordnance Depot, Naval Logistics Center, Philippine Navy, Naval Base Cavite, Sangley Point, Cavite City, <i>Philippines</i>
15.5	Bid Prices shall be fixed. Adjustable price proposal shall be treated as non-responsive and shall be rejected.
16.1(b)	For Goods that the Bidder will supply from outside the Philippines, the prices may be quoted in a freely convertible currency. However, for purposes of bid evaluation, bids denominated in foreign currencies shall be converted to Philippine currency based on the exchange rate as published in the <i>Bangko Sentral ng Pilipinas</i> (BSP) reference rate bulletin on the day of the bid opening.
16.3	No further instructions
17.1	Bids will be valid until one hundred twenty (120) calendar days after bid opening.

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18.1	<p>1. The bid security shall be in the form of a Duly Notarized Affidavit of Bid Securing Declaration, or any of the following forms and amount:</p> <table border="1" data-bbox="480 344 1386 1093"> <thead> <tr> <th data-bbox="480 344 987 450">Form of Bid Security</th> <th data-bbox="987 344 1386 450">Amount of Bid Security (Not Less than the Percentage of the ABC)</th> </tr> </thead> <tbody> <tr> <td data-bbox="480 450 987 573">(a) Cash or cashier's/manager's check issued by a Universal or Commercial Bank.</td> <td data-bbox="987 450 1386 884" rowspan="2">Two percent (2%)</td> </tr> <tr> <td data-bbox="480 573 987 884">(b) 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.</td> </tr> <tr> <td data-bbox="480 884 987 1093">(c) Surety bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security.</td> <td data-bbox="987 884 1386 1093">Five percent (5%)</td> </tr> </tbody> </table>	Form of Bid Security	Amount of Bid Security (Not Less than the Percentage of the ABC)	(a) Cash or cashier's/manager's check issued by a Universal or Commercial Bank.	Two percent (2%)	(b) 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.	(c) Surety bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security.	Five percent (5%)
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(c) Surety bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security.	Five percent (5%)							
18.2	<p>The Bids Security shall be valid for a period of one hundred twenty (120) calendar days after the Bid Opening date.</p>							
18.5(a)(iv)	<p><i>Additional grounds for forfeiture of the 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 Responsive Bid or Highest Rated 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 							

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	<p>receipt of the request for clarification.</p> <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>
19.4	Each and every page of the Bid Form, including the Schedule of Prices, under Section VIII hereof, shall be signed by the duly authorized representative/s of the Bidder. Failure to do so shall be a ground for the rejection of the bid.
20.1	The original of the Bid Security, Omnibus Sworn Statement and Joint Venture Agreement, Subcontracting Agreement and related certificates, if any, and duly notarized Secretary's Certificate of Board Resolution or Special Power of Attorney of the authorized Representative of the Bidder or other appropriate forms of authority must be submitted and included in the folder marked "Original". Original or Certified True Copy of 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 original/certified true copy/photocopies of all the first and second components of its bid, one (1) copy of which shall be marked "Original".
21	<p>The address for submission of bids is:</p> <p>Office of the DND Bids and Awards Committee 1 Basement Left Wing, Department of National Defense Building Camp General Emilio Aguinaldo, Quezon City, Philippines Contact Person: Head, DND-BAC1 Secretariat Tel Nr / Fax Nr: (632) 421-3531 Telephone No: (632) 911-6001 local 8414</p> <p>The date and time of bid opening for the first stage bidding is on _____, 2019 at ____ a.m.</p>
24.1	<p>The place of bid opening is:</p> <p>DND-BAC Conference Room Basement Left Wing, Department of National Defense Building Camp General Emilio Aguinaldo, Quezon City, Philippines</p> <p>The date and time of bid opening for the first stage bidding is on _____, 2019 at ____ a.m.</p>
24.2	No further instructions

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24.3	No further instructions												
27.1	No further instructions												
28.3(a)	No further instructions												
28.4	No further instruction.												
29.2	<p><i>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:</i></p> <table border="1"> <thead> <tr> <th>TAB</th> <th>POST-QUALIFICATION DOCUMENTS</th> <th>Form No.</th> </tr> </thead> <tbody> <tr> <td>A</td> <td> <p>Latest income and business tax returns per Revenue Regulations 3-2005 filed through the Electronic Filing and Payments System (EFPS).</p> <p><i>Only tax returns filed and taxes paid through the BIR Electronic Filing and Payments System (EFPS) or its equivalent in case of foreign bidders shall be accepted.</i></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> </td> <td></td> </tr> <tr> <td>B</td> <td>Company Profile;</td> <td></td> </tr> <tr> <td>C</td> <td>Other appropriate licenses and permits necessary in the manufacture and delivery of FAP Lot 2C Sublot-2 (30mm Ammunition)</td> <td></td> </tr> </tbody> </table> <p><i>Note: When, during the opening of bids, the bidder submitted the PhilGEPS Certificate of Registration, all eligibility documents shall form part of the Post Qualification Documents, and vice versa.</i></p>	TAB	POST-QUALIFICATION DOCUMENTS	Form No.	A	<p>Latest income and business tax returns per Revenue Regulations 3-2005 filed through the Electronic Filing and Payments System (EFPS).</p> <p><i>Only tax returns filed and taxes paid through the BIR Electronic Filing and Payments System (EFPS) or its equivalent in case of foreign bidders shall be accepted.</i></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>		B	Company Profile;		C	Other appropriate licenses and permits necessary in the manufacture and delivery of FAP Lot 2C Sublot-2 (30mm Ammunition)	
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	B	Company Profile;											
C	Other appropriate licenses and permits necessary in the manufacture and delivery of FAP Lot 2C Sublot-2 (30mm Ammunition)												
32.4(f)	No further instructions												
34	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.												