SPECIAL BIDS AND AWARDS COMMITTEE FOR THE IGOVPHIL PROJECT (BAC4IGOV)

Supplemental Bid Bulletin No. 2

SUPPLY AND DELIVERY OF PKI SOFTWARE LICENSE AND TECHNICAL SUPPORT

Bid Reference No. BAC4IGOV-2016-10-011 (NEGO)

After considering the queries, clarifications, recommendations and suggestions, the BAC4IGOV hereby decides to include, revise, amend, delete and/or adapt the following provisions:

ITEM NO.	QUERY		BAC4IGOV'S RESPONSE
1	Schedule of requirement is under Section V on Bid Documents but stated on the checklist is under Section (Technical Specification). Please clarify which to follow, Title or Section Number?		Please follow what is stated in B.2 (b) of Section II. Instruction to Invited Suppliers (IIS) / Proposal Data Sheet (PDS). Schedule of Requirements is Section V.
2	Technical Specification is under Section VI on Bid Documents but stated on the checklist is under Section VII (Proposal Form). Please clarify which to follow, Title or Section number.		Please follow what is stated in B.2 (b) of Section II. Instruction to Invited Suppliers (IIS) / Proposal Data Sheet (PDS). Technical Specifications is Section VI.
3	Financial Bid Form and Detailed Financial Breakdown use same Annex VI but on the checklist Financial Bid Form should be Annex V. Please clarify which to follow.		Financial Bid Form and Detailed Financial Breakdown are Annex V and Annex VI, respectively. Please see table below for the changes in provisions.
4	We hope to clarify that we shall be submitting "Malaysia Equivalent or no equivalent" business documents, if available. Based on the Eligibility requirements here are our documents that we can provide and non-equivalent thereof for SecureMetric Technology Sdn Bhd:		Per Section 23.2 of the IRR of RA 9184, and we quote *"Subject to Section 37.1. of this IRR, in the case of foreign bidders, the foregoing eligibility requirements under Class 'A' Documents may be substituted by the appropriate equivalent documents, if any, issued by the country of the foreign bidder concerned.*
	SecureMetric Technology Inc (PH)	**"Equivalent" Document of SecureMetric Technology Sdn Bhd (MY)**	

ITEM NO.	QUERY		BAC4IGOV'S RESPONSE
	SEC Registration Certificate	Certificate of Incorporation of Private Company (Suruhanjaya Syarikat Malaysia or SSM – Companies Commission of Malaysia)	*The eligibility requirements or statements, the bids, and all other documents to be submitted to the BAC must be in 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."* Verification and validation of the submitted Class 'A' Documents of the foreign JV partner will be done during post qualification.
	Articles of Incorporation	Memorandum and Articles of Association	
	Business / Mayor's Permit	1. Letter of exception dated 17 July 2013 from the Local Council of Kuala Lumpur (DBKL) that SecureMetric Technology Sdn Bhd is exempted from having a business permit. 2. "Form 9" from the Malaysia Registra of Companies (Proof that SecureMetric Technology Sdn Bhd is legally incorporate in Malaysia under Company Act 1965 which is the same as the SSM equivalent to Philippine SEC)	
	2015 Annual Income Tax Return (with EFPS submission with received stamp by BIR)	"Form C" – 2015 Annual Tax Return (Online submission for the Tax Government of Malaysia 1st page is in English and the 2nd page onwards are formatted in Malay and no translation in English can be downloaded. "Form C" is issued annually and now quarterly document is issued. Does this require authentication?	
	VAT Returns	GST is issued monthly which can issue the	

ITEM NO.	QUERY		BAC4IGOV'S RESPONSE
		latest 6 months. Does this require authentication? If so, can we compile as set under one file of authentication?	

ORIGINAL PROVISION	AMENDED PROVISION
Section II. Instruction to Invited Suppliers (IIS) / Proposal Data Sheet (PDS) B.2.(a)(v)	
Statement of Completed Single Largest Contract of Similar Nature within the last five (5) years from the date of submission and receipt of bids equivalent to at least Fifty Percent (50%) of the ABC. (Annex I-A)	Statement of Completed Single Largest Contract of Similar Nature within the last five (5) years from the date of submission and receipt of bids equivalent to at least Fifty Percent (50%) of the ABC. (Annex I-A) **For this project, "similar in nature" shall mean "Technical Support, Software Licenses, or Server Equipment Warranty"**
Section IV. Special Conditions of the Contract (SCC) 6.2.	
Delivery of the Goods shall be made by the Supplier in accordance with the terms specified in Section VI. Schedule of Requirements. The details of shipping and/or other documents to be furnished by the Supplier are as follows:	Delivery of the Goods shall be made by the Supplier in accordance with the terms specified in **Section V. Schedule of Requirements.** The details of shipping and/or other documents to be furnished by the Supplier are as follows:
The Supplier is required to provide all of the following services, including additional services, if any, specified in Section VI. Schedule of Requirements. The following items are required:	The Supplier is required to provide all of the following services, including additional services, if any, specified in **Section V. Schedule of Requirements**. The following items are required:
Section VII. Proposal Forms	
Annex VI Financial Bid Form	**Annex V Financial Bid Form**
Section X. Checklist of Requirements	
Compliance with the Schedule of Requirements (Section VI)	Compliance with the Schedule of Requirements **(Section V)**
Compliance with the Technical Specifications (Section VII)	Compliance with the Technical Specifications **(Section VI)**

All terms, conditions and instructions to bidders specified in the Bidding Documents inconsistent with this Bid Bulletin are hereby superseded and modified accordingly.

Please use the following forms attached in this Supplemental Bid Bulletin No. 2:

- Revised Detailed Financial Breakdown as of 10 November 2016

For information and guidance of all concerned.

Issued this 10th day of November.

JOHN HENRY D. NAGA
Chairperson, BAC4IGOV

Annex V as of 10 November 2016

PLEASE USE THIS BID FORM. DO NOT RETYPE OR ALTER.

DEPARTMENT OF INFORMATION AND COMMUNICATIONS TECHNOLOGY

FINANCIAL BID FORM

(PRICES MUST BE INCLUSIVE OF VAT AND DELIVERED DUTIES PAID)

SUPPLY AND DELIVERY OF PKI SOFTWARE LICENSE AND TECHNICAL SUPPORT
BAC4IGOV-2016-10-011 (NEGO)

Description	Quantity	ABC (₱) Total Price	Financial Bid (₱) Total Price
Supply and Delivery of PKI Software License and Technical Support	1 Lot	8,000,000.00	

TOTAL BID PRICE (Amount in Words):

_____

_____

Notes:

- The financial bid is inclusive of all taxes, duties, transportation costs, delivery charges and all costs relative to the project requirements including installation, testing, commissioning and training.
- The bidder shall assume all risks until the goods have been delivered at the site and accepted by DICT

BIDDER'S UNDERTAKING

I/We, the undersigned bidder, having examined the Bidding Documents including Bid Bulletins, as applicable hereby OFFER to (supply/deliver/perform) the above described items.

I/We undertake, if our bid is accepted, to deliver the items in accordance with the terms and conditions contained in the bid documents, including the posting of the required performance security **within ten (10) calendar days** from receipt of the Notice of Award.

Until a formal contract/order confirmation is prepared and signed, this Bid is binding on us.

Name of Company (in print)
Signature of Company Authorized Representative
Name and Designation (in print)
Date

BAC4IGOV
REVISED CHECKLIST OF REQUIREMENTS FOR BIDDERS
AS OF 10 NOVEMBER 2016

Name of Company : _____
Project Name : **SUPPLY AND DELIVERY OF PKI SOFTWARE LICENSE AND TECHNICAL SUPPORT**
Bid Reference No. : **BAC4IGOV-2016-10-011 (NEGO)**
ABC : **PHP8,000,000.00**

Ref. No.	Particulars	
ENVELOPE A: ELIGIBILITY AND TECHNICAL DOCUMENTS		
ELIGIBILITY DOCUMENTS		
CLASS "A" DOCUMENTS		
12.1	**(a.1.) ELIGIBILITY DOCUMENTS**	
	i. Registration certificate from the Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives	
	ii. Business/Mayor's permit for 2016 issued by the city or municipality where the principal place of business of the prospective bidder is located	
	iii. Valid and Current Tax Clearance per Executive Order 398, Series of 2005, as finally reviewed and approved by the BIR.	
	iv. Statement of all its Ongoing Contract (including awarded contract/s not yet started, if any) within the last three (3) Years, (**Annex I)**	
	v. Statement of Completed Single Largest Contract from January 2011 up to the day before the deadline for the submission bids of similar in nature equivalent to at least fifty percent (50%) of the ABC (**Annex I-A)**	
	vi. **Copy of 2015 Annual Income Tax Return** submitted through **BIR's Electronic Filing and Payment System (EFPS)** together with the following Audited Financial Statements for 2015 and 2014 (in comparative form or separate reports): a) Copy of Independent Auditor's Report; b) Balance Sheet (Statement of Financial Position); 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	

	vii. Duly signed Net Financial Contracting Capacity Computation (NFCC) per **Annex II,** in accordance with ITB Clause 5.5 NFCC = [(Current Assets minus Current Liabilities) (K)] 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. Where: K: 10 for a contract duration of one year or less, 15 for a contract duration of more than one year up to two years, and 20 for a contract duration of more than two years. Notes: 1. The values of the bidder's current assets and current liabilities shall be based on the data submitted to BIR through its Electronic Filing and Payment System. 2. Value of all outstanding or uncompleted contracts refers those listed in Annex-I. 3. The detailed computation using the required formula must be shown as provided above.	
CLASS "B" DOCUMENTS (FOR JOINT VENTURE)		
	i. For Joint Ventures, Bidder to submit either: 1. Copy of the JOINT VENTURE AGREEMENT (JVA) in case the joint venture is already in existence, or 2. Copy of Protocol / Undertaking of Agreement to Enter into Joint Venture signed by all the potential join 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)** **<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>** **For Joint Venture, the following documents must likewise be submitted:** For Joint Venture, each partner should submit: 1. Registration Certificate from the Securities and Exchange Commission (SEC) for corporations, Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives; 2. Business/Mayor's permit for 2015 issued by the city or municipality where the principal place of business of the prospective bidder is located; 3. Valid and Current Tax Clearance per Executive Order 398, Series of 2005, as finally reviewed and approved by the BIR.	
	For item (iv) to (vii) of the required eligibility documents, submission by any of the Joint Venture **partner constitutes compliance.**	

TECHNICAL DOCUMENTS		
12.1 (b)(x)	Proof of Authority of the Bidder's authorized representative/s: **a)** FOR SOLE PROPRIETORSHIP (IF OWNER OPTS TO APPOINT A REPRESENTATIVE): Duly notarized Special Power of Attorney **b)** FOR CORPORATIONS, COOPERATIVE OR THE MEMBERS OF THE JOINT VENTURE: Duly notarized Secretary's Certificate evidencing the authority of the designated representative/s. **c)** 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.	
12.1 (b)(xi)	Omnibus Sworn Statements using the form prescribed. Annex IV	
	a) Authority of the designated representative	
	b) Non-inclusion of blacklist or under suspension status	
	c) Authenticity of Submitted Documents	
	d) Authority to validate Submitted Documents	
	e) Disclosure of Relations	
	f) Compliance with existing labor laws and standards	
	g) Bidder's Responsibilities	
	h) Did not pay any form of consideration	
	i) Company Official Contact Reference	
	Compliance with the Schedule of Requirements **(Section V)**	
	Compliance with the Technical Specifications **(Section VI)**	
ENVELOPE B: FINANCIAL DOCUMENTS		
13.1 (a)	Completed and signed Bid Form. Bidder must use, accomplish and submit Bid Form hereto attached as Annex V. The ABC is inclusive of VAT. Any proposal with a financial component exceeding the ABC of the Lot being bid shall not be accepted.	
	Completed and signed Detailed Financial Breakdown per Annex VI	
15.4 (a)(i) & 15.4 (b)(ii)	Completed **"For Goods Offered from Abroad"** and/or **"For Goods Offered From Within the Philippine"** Forms per **Annex VII-A** and **Annex VII-B, whichever is applicable.**	
13.1 (b)	If the Bidder claims preference as a Domestic Bidder or Domestic Entity, a Certification from the DTI, SEC or CDA to be enclosed pursuant to the Revised IRR of R.A. 9184.	
NOTE:	**In case of inconsistency between the Checklist of Requirements for Bidders and the provisions in the Instruction to Invited Suppliers (IIS) / Proposal Data Sheet (PDS), the Instruction to Invited Suppliers (IIS) / Proposal Data Sheet (PDS), shall prevail**	