

BIDS AND AWARDS COMMITTEE FOR FREE WI-FI INTERNET ACCESS IN PUBLIC PLACES PROJECT (BAC4FREEWIFI)

Supplemental Bid Bulletin No. 4

Procurement of Site IP Transport Services Phase 1C (IPTS)

Bid Reference No. BAC4FREEWIFI-2016-02-004

After considering the queries, clarifications, recommendations and suggestions, the BAC4FREEWIFI hereby decides to include, revise, amend, delete and/or adapt the following provisions:

In **ITB 24.5** it is stated: *"In the case of an eligible foreign Bidder as described in ITB Clause 5, the Class "A" Documents described in ITB Clause 12.1(a) may be substituted with the appropriate equivalent documents if any, issued by the country of the foreign Bidder concerned"*. The BAC4FREEWIFI would like to further clarify that eligible foreign Bidders can submit the following equivalent Class "A" Documents:

For Local Bidders	For Foreign Bidders
(i) 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;	(i) Current and valid certificate / license / authority to conduct business and operate as service provider of IP or IPVPN connectivity issued by the regulatory authority in the country where the bidder is based.
(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;	(ii) Delinquency Verification Certificates for Non-Resident Foreign Corporations (NRFC) / Non-Resident Aliens Not Engaged in Trade or Business (NRANETB) attesting to the fact that the taxpayer has no outstanding Final Assessment Notice and/or delinquent account.

<p>(iv) Statement of all its Ongoing (including awarded contract/s not yet started, if any) within the last three (3) Years, (Annex I);</p>	<p>(iv) Statement of all its Ongoing (including awarded contract/s not yet started, if any) within the last three (3) Years, (Annex I);</p>
<p>(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 of the Lot being Bid. Annex II;</p>	<p>(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 of the Lot being Bid. Annex II;</p>
<p>(vi) Copy of 2014 Annual Income Tax Return submitted through BIR's Electronic Filing and Payment System (EFPS) together with the following Audited Financial Statements for 2014 and 2013 (in comparative form or separate reports):</p> <ol style="list-style-type: none"> Independent Auditor's Report; Balance Sheet (Statement of Financial Position); Income Statement (Statement of Comprehensive Income); <p>Each of the above statements must have stamped "received" by the Bureau of Internal Revenue (BIR) or its duly accredited and authorized institutions</p>	<p>(vi) Corporate Financial Statements or Annual Report for 2014 or 2013.</p>
<p>(vii) Duly signed Net Financial Contracting Capacity Computation (NFCC) per Annex III, in accordance with ITB Clause 5.5</p> <p>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.</p> <p>Where: K: 10 for a contract duration of one year or less, 15 for a contract duration of more than one year</p>	<p>(vii) Duly signed Net Financial Contracting Capacity Computation (NFCC) per Annex III, in accordance with ITB Clause 5.5</p> <p>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.</p> <p>Where: K: 10 for a contract duration of one year or less, 15 for a contract duration of more than one year</p>



<p>up to two years, and 20 for a contract duration of more than two years.</p> <p>Notes:</p> <ol style="list-style-type: none">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.Value of all outstanding or uncompleted contracts refers those listed in Annex-I.The detailed computation using the required formula must be shown as provided above.The NFCC computation must at least be equal to the total ABC of the project.	<p>up to two years, and 20 for a contract duration of more than two years.</p> <p>Notes:</p> <ol style="list-style-type: none">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.Value of all outstanding or uncompleted contracts refers those listed in Annex-I.The detailed computation using the required formula must be shown as provided above.The NFCC computation must at least be equal to the total ABC of the project.
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All documentary submission or statement to the BAC4FREEWIFI must be in English. If not in English, these must be accompanied by an accurate translation in English certified/authenticated by the appropriate embassy or consulate in the Philippines.

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

For information and guidance of all concerned.

Issued this 30th day of March 2016.

(Original Signed)

MARIA LOURDES P. AQUILIZAN
Vice Chairperson, BAC4FREEWIFI



ICT OFFICE BAC4FREEWIFI REVISED CHECKLIST OF REQUIREMENTS FOR BIDDERS 30 MARCH 2016

Name of Company : _____
Project : **PROCUREMENT OF SITE IP TRANSPORT SERVICE PHASE 1C (IPTS)**
Bid Ref No. : **BAC4FREEWIFI-2016-02-004**

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 (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 2010 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 or Statement of At Least Two (2) Completed Contracts of Similar Nature Within the Last Five Years From the Date of Submission and Receipt of Bids, the Aggregate of Which Should be Equivalent to at least Fifty Percent (50%) of the ABC, and the Largest of These Similar Contract Must be Equivalent to at Least Twenty Five Percent (25%) of the ABC for this Project. Revised Annex II as of 22 March 2016	



	<p>vi. Copy of 2014 Annual Income Tax Return submitted through BIR's Electronic Filing and Payment System (EFPS) together with the following Audited Financial Statements for 2014 and 2013 (in comparative form or separate reports):</p> <ul style="list-style-type: none"> a) Copy of Independent Auditor's Report; b) Balance Sheet (Statement of Financial Position); c) Income Statement (Statement of Comprehensive Income); <p>Each of the above statements must have stamped "received" by the Bureau of Internal Revenue (BIR) or its duly accredited and authorized institutions</p>	
	<p>vii. Duly signed Net Financial Contracting Capacity Computation (NFCC) per Annex III, in accordance with ITB Clause 5.5</p> <p>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.</p> <p>Where:</p> <p>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.</p>	
	<p>Notes:</p> <ul style="list-style-type: none"> 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. 	
	<p>(a.1.) ELIGIBILITY DOCUMENTS FOREIGN BIDDERS</p>	
	<p>i. Current and valid certificate / license / authority to conduct business and operate as service provider of IP or IPVPN connectivity issued by the regulatory authority in the country where the bidder is based.</p>	
	<p>ii. valid certificate / license / authority to conduct business and operate as service provider of IP or IPVPN connectivity issued by the regulatory authority in the country where the bidder is based.</p>	
	<p>iii. Delinquency Verification Certificates for Non-Resident Foreign Corporations (NRFC) / Non-Resident Aliens Not Engaged in Trade or Business (NRANETB) attesting to the fact that the taxpayer has no outstanding Final Assessment Notice and/or delinquent account for.</p>	
	<p>iv. Statement of all its Ongoing (including awarded contract/s not yet started, if any) within the last three (3) Years, (Annex I)</p>	



	<p>v. Statement of Completed Single Largest Contract from January 2010 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 OR Statement of At Least Two (2) Completed Contracts of Similar Nature Within the Last Five Years From the Date of Submission and Receipt of Bids, the Aggregate of Which Should be Equivalent to at least Fifty Percent (50%) of the ABC, and the Largest of These Similar Contract Must be Equivalent to at Least Twenty Five Percent (25%) of the ABC for this Project. Revised Annex II as of 22 March 2015</p>	
	<p>vi. Corporate Financial Statements or Annual Report for 2014 or 2013.</p>	
	<p>vii. Duly signed Net Financial Contracting Capacity Computation (NFCC) per Annex III, in accordance with ITB Clause 5.5 $\text{NFCC} = [(\text{Current Assets minus Current Liabilities}) (K)] \text{ minus the value of all outstanding or uncompleted portions of the projects under ongoing contracts, including awarded contracts yet to be started coinciding with the contract to be bid.}$ <p>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.</p> <p>Notes:</p> <ol style="list-style-type: none"> 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. </p>	



CLASS "B" DOCUMENTS (FOR JOINT VENTURE)

	<p>i. For Joint Ventures, Bidder to submit either:</p> <ol style="list-style-type: none"> 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 joint 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 IV) <p><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></p> <p>For Joint Venture, the following documents must likewise be submitted:</p> <p>For Joint Venture, each partner should submit:</p> <ol style="list-style-type: none"> 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. 	
<p>For item (iv) to (vii) of the required eligibility documents, submission by any of the Joint Venture partner constitutes compliance.</p>		
<p>TECHNICAL DOCUMENTS</p>		
<p>12.1 (b)(i)</p>	<p>Bid security shall be issued in favor of the INFORMATION AND COMMUNICATIONS TECHNOLOGY OFFICE (ICT Office) valid at least one hundred twenty (120) days after date of bid opening in any of the following forms:</p> <ol style="list-style-type: none"> a) BID SECURING DECLARATION per Annex V; or b) Cashier's / Manager's Check equivalent to at least 2% of ABC issued by a Local or Universal or Local Commercial Bank. <p>Please refer to Annex A2.</p> <p>** Separate Bid Security for each lot being bid.</p>	
<p>12.1 (b)(x)</p>	<p>Proof of Authority of the Bidder's authorized representative/s:</p> <ol style="list-style-type: none"> 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. <p>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.</p>	



12.1 (b)(xi)	Omnibus Sworn Statements using the form prescribed. Annex VI	
	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	
	Revised Schedule of Requirements as of 22 March 2016	
ENVELOPE B: FINANCIAL DOCUMENTS		
13.1 (a)	Completed and signed Bid Form. Bidder must use, accomplish and submit Bid Form hereto attached Annex 1. 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 Bid Summary per Annex A1 and Consolidated Bid Detail Form per Annex A2.	
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 Bidders/Bid Data Sheet, the Instruction to Bidders/Bid Data Sheet shall prevail	