



01 October 2020

ASTI - BIDS AND AWARDS COMMITTEE

SUPPLEMENTAL BULLETIN NO. BAC-2020-10-030

SUPPLY AND DELIVERY OF ONE (1) LOT SMALL SATELLITE TECHNOLOGY PLATFORMS WITH KNOW-HOW TRANSFER AND TRAINING

The ASTI Bids and Awards Committee (BAC) issues this Supplemental/Bid Bulletin to clarify, modify or amend items in the Bidding Documents and to reply to queries raised by the potential bidders through letters/emails for the information of all bidders for the procurement of:

Item: **Supply and Delivery of One (1) Lot Small Satellite Technology Platforms with Know-How Transfer and Training**
 Approved Budget for the Contract: **Three Hundred Seventy Million Pesos Only (₱370,000,000.00)**
 Invitation to Bid No.: **20-09-3216 dd. 18 September 2020**
 Purchase Request No.: **STAMINA-20-09-10238 dd 03 September 2020**
 Published Date (PhilGEPS): **22 September 2020 | Bid ID No. 43427 (Temporary Platform)**
30 September 2020 | 7182445 (PhilGEPS New Website)

A. AMENDMENT TO PROCUREMENT DETAILS AND FORMS

REFERENCE	AMENDMENT/CHANGE/CLARIFICATION
Section I. Invitation to Bid, Page 7	<p>FROM:</p> <p>7. Bids must be duly received by the BAC Secretariat at the address below on or before 12 October 2020, 12:00 PM. Likewise, as there are limited access to government offices, as well as restrictions on transport and travel are implemented due to the Coronavirus Disease 2019 pandemic in the country, the payment of applicable fee for the Bidding Documents shall be made on the same day of submission, from 7:00 AM to 12:00 NN only. All Bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in ITB Clause 18.</p> <p>Bid opening shall be on 13 October 2020, 1:30 PM at DOST- ASTI Bldg., CP Garcia Ave., UP Technopark, UP Campus, Diliman, Quezon City and thru videoconferencing. Bids will be opened in the presence of the bidders' representatives who choose to attend at the address below. Late bids shall not be accepted.</p> <p>TO:</p> <p>7. Bids must be duly received by the BAC Secretariat at the address below on or before 12 October 2020, 12:00 PM. Likewise, as there are limited access to government offices, as well as restrictions on transport and travel are implemented due to the Coronavirus Disease 2019 pandemic in the country, the payment of applicable fee for the Bidding Documents shall be made on the same day of submission, from 7:00 AM to 12:00 NN only. All Bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in ITB Clause 18.</p> <p>Bid opening shall be on 13 October 2020, 3:30 PM at DOST- ASTI Bldg., CP Garcia Ave., UP Technopark, UP Campus, Diliman, Quezon City and thru videoconferencing. Bids will be opened in the presence of the bidders' representatives who choose to attend at the address below. Late bids shall not be accepted.</p>
Section III. Bid Data Sheet, Clause 24.1, Page 43	<p>FROM:</p> <p>24.1 The place of bid opening is:</p> <p>ADVANCED SCIENCE AND TECHNOLOGY INSTITUTE Department of Science and Technology DOST-ASTI Bldg., CP Garcia Ave., UP Technopark UP Campus, Diliman, Quezon City 1101, Philippines</p> <p>The date and time of bid opening is 13 October 2020, 1:30 PM.</p>

Postal Address : ASTI Bldg., U.P. Technology Park Complex,
CP Garcia Ave., Diliman, Quezon City 1101

Tel No. : +632 8249-8500
+632 8426-9755;

Website : www.asti.dost.gov.ph
Email : info@asti.dost.gov.ph

Fax No. : +632 8426-9764

	<p>TO:</p> <p>24.1 The place of bid opening is:</p> <p>ADVANCED SCIENCE AND TECHNOLOGY INSTITUTE Department of Science and Technology DOST-ASTI Bldg., CP Garcia Ave., UP Technopark UP Campus, Diliman, Quezon City 1101, Philippines</p> <p>The date and time of bid opening is 13 October 2020, 3:30 PM.</p> <p>The bid opening will likewise be available thru videoconferencing.</p>
<p>Section III. Bid Data Sheet, Clause 32.4(f), Page 44</p>	<p>FROM:</p> <p>32.4(f) Additional documents relevant to the procurement project required by existing laws or the Procuring Entity, which must be submitted as part of the Eligibility and Technical Documents:</p> <ol style="list-style-type: none"> a. Proof of Authority of the Bidder's authorized representative/s, i.e., Secretary's Certificate or Special Power of Attorney; b. Proof of Offers for manufacturer's supplied items containing all the technical information about the product, i.e., product brochures, unamended product literature, etc.; c. Statement of Aftersales Technical Support including trained technician, engineers or personnel, who are competent and qualified to provide aftersales service; d. Troubleshooting Escalation Procedure, which must reflect escalation plans or measures to be implemented when unexpected issues or problems arise. Include contact details of personnel in charge of technical support; e. Any documentation of having a proven track record in satellite manufacturing and delivering know-how transfer programs, which shall include: <ul style="list-style-type: none"> - Completion of at least three (3) training programs for small satellite development in the last decade; and - Production of at least one microsatellite in the past three (3) years. f. Proof of Warranty for parts, labor and/or repair (only for applicable components). <p>TO:</p> <p>32.4(f) Additional documents relevant to the procurement project required by existing laws or the Procuring Entity, which must be submitted as part of the Eligibility and Technical Documents:</p> <ol style="list-style-type: none"> a. Proof of Authority of the Bidder's authorized representative/s, i.e., Secretary's Certificate or Special Power of Attorney; b. Proof of Offers for manufacturer's supplied items containing all the technical information about the product, i.e., product brochures, unamended product literature, etc.; c. Statement of Aftersales Technical Support including trained technician, engineers or personnel, who are competent and qualified to provide aftersales service; d. Troubleshooting Escalation Procedure, which must reflect escalation plans or measures to be implemented when unexpected issues or problems arise. Include contact details of personnel in charge of technical support; e. Any documentation of having a proven track record in satellite manufacturing and delivering know-how transfer programs, which shall include: <ul style="list-style-type: none"> - Completion of at least three (3) training programs for small satellite development in the last decade - Production of at least one microsatellite in the past three (3) years. f. Proof of Warranty for parts, labor and/or repair for the period of six (6) months (only for applicable components); and g. For foreign bidders, certification from a relevant government agency in their country that Filipinos are allowed to participate in government procurement in their country for the same product/item pursuant to Government Procurement Policy Board (GPPB) Resolution No. 34-2014 dated 16 December 2014. Certification must be an Apostilled or authenticated document. (Additional Requirement)
<p>Section V. Special Conditions of Contract, Clause 6.1</p>	<p>ADDITIONAL CLAUSE</p> <p>6.1 The Goods and Related Services to be provided shall be as specified in Section VI. Section of Requirements. It is understood, however, that the contract duration or the delivery completion of goods and services is only until the project implementation of Satellite Development and Know-How Transfer for the Philippines (Project 5) of the Space Technology and Application Mastery, Innovation and Advancement (STAMINA4Space) Project.</p>

<p>Section V. Special Conditions of Contract, Clause 17.3, Pages 70-71</p>	<p>FROM:</p> <p>17.3 The obligation for the warranty shall be covered by, at the Supplier's preference, either retention money in an amount equivalent to five percent (5%) of every progress payment, or a special bank guarantee equivalent to at least five percent (5%) of the total contract price. The said amounts shall only be released after the lapse of the warranty period or, in the case of Expendable Supplies, after consumption thereof: Provided, however, that the supplies delivered are free from patent and latent defects and all the conditions imposed under the contract have been fully met.</p> <p>It is understood that the contract validity is until 31 December 2020; hence, the warranty security shall be released upon conclusion of contract and/or complete delivery of goods/services.</p> <p>The Warranty Security will be released upon submission of a letter of request addressed to:</p> <p>Ms. JOANNA G. SYJUCO Officer-in-Charge Advanced Science and Technology Institute Department of Science and Technology</p> <p>The Contact Person is:</p> <p>Ms. MARY DROL DEE Q. GILLA Head, Property and Supply Section Finance and Administrative Division Telephone No.: +63 2 249-8500 local 1208/2007 Fax No.: +63 2 426-7423 Email Address: propertyandsupplysection@asti.dost.gov.ph</p> <p>TO:</p> <p>17.3 The obligation for the warranty shall be covered by, at the Supplier's preference, either retention money in an amount equivalent to one percent (1%) of every progress payment, or a special bank guarantee equivalent to at least one percent (1%) of the total contract price. The said amounts shall only be released after the lapse of the warranty period or, in the case of Expendable Supplies, after consumption thereof: Provided, however, that the supplies delivered are free from patent and latent defects and all the conditions imposed under the contract have been fully met.</p> <p>The Warranty Security will be released upon submission of a letter of request addressed to:</p> <p>Ms. JOANNA G. SYJUCO Officer-in-Charge Advanced Science and Technology Institute Department of Science and Technology</p> <p>The Contact Person is:</p> <p>Ms. MARY DROL DEE Q. GILLA Head, Property and Supply Section Finance and Administrative Division Telephone No.: +63 2 249-8500 local 1208/2007 Fax No.: +63 2 426-7423 Email Address: propertyandsupplysection@asti.dost.gov.ph</p>
<p>Section V. Special Conditions of Contract, Clause 17.4, Page 71</p>	<p>FROM:</p> <p>17.4 The period of correction of defects in the warranty period are provided for in Section VII. Technical Specifications.</p> <p>TO:</p> <p>17.4 The Supplier shall repair or replace defective Goods or parts thereof, at no cost to the Procuring Entity, within thirty (30) calendar days upon receipt of notice.</p>

B. RESPONSE TO QUERIES

QUERY/ISSUE	BAC/END-USER RESPONSE/CLARIFICATION
<p>Can dost confirm that for SSTL as a foreign Bidder, the latest income tax return filled by the Bidder under the Philippine BIR eFPS is not required if the foreign bidder is not tax payer in the Philippines (as supported by the tax Clearance certificate available through PhilGEPS)? For foreign bidders, is it required that the business and income tax returns must be six (6) months prior to the date of submission of bids?</p>	<p>GPPB Resolution No. 11-2014 dated 23 May 2014 provides that <i>“Non-Resident Foreign Corporations (NRFC) or Non-resident Aliens Not Engaged in Trade or Business (NRANETB) are not required to file tax returns through eFPS as they are not considered as “doing” business in the Philippines”</i>. This was discussed and clarified in a GPPB meeting held on 15 May 2014.</p> <p>For foreign bidders, said document may be substituted by the appropriate equivalent documents in English, if any, issued by the country of the bidder concerned pursuant to Section 8.5.2 of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184.</p>
<p>Can DOST provide a list of required documents for the post-qualification stage and whether scans sent by email would be accepted? Due to the pandemic and Government restrictions, the Bidder is not allowed to travel to Manila and sending originals by post can take longer than five (5) calendar days. So, the Bidder kindly request ability to send the documents by the means of electronic mail.</p>	<p>The required post qualification documents are only the latest income and business tax returns, as reflected in Section III., Clause 29.2 of the DOST-ASTI bidding documents.</p>
<p>Can DOST confirm that in case of successful bidding and Notice of Award, signature of the Contract can happen by post?</p>	<p>In case of successful bidding, the Supplier may issue a Special Power of Attorney or authority of the signatory from the foreign bidder.</p>
<p>May we omit information in the Statement of All Ongoing Government and Private Contracts due to confidentiality of our Contracts?</p>	<p>GPPB Non-Policy Opinion (NPM No. 105-2016) provides:</p> <p><i>“The Statement of ongoing and completed contracts prescribed in the Philippine Bidding Documents is part and parcel of the bidder’s bid, and being a standard form under existing rules, it should then conform to the template provided by the GPPB. This is in accord with the requirement under Section 6.2 of the IRR of RA 9184 that the use of standard forms, once issued by the GPPB, shall be mandatory upon all procuring entities.</i></p> <p><i>Failure of the bidder to comply with the prescribed template despite this being included in the Philippine Bidding Documents is a cause for the bidder’s ineligibility or disqualification. In this case, the bidder’s non-compliance with form of Statement of ongoing and completed contracts as prescribed in the Bidding Documents is a ground for its post disqualification”</i>.</p>
<p>Since we are a foreign bidder, will the PhilGEPS Platinum Certificate, with validity until 2021, suffice for submission of Class “A” eligibility documents or do we need to submit the equivalent Apostilled documents from our government agency?</p>	<p>Valid PhilGEPS Certificate of Registration (Platinum Membership) is acceptable in lieu of Class “A” Documents.</p>
<p>Due to the pandemic, do we need to issue an authorization letter to the courier or person submitting the bids on our behalf?</p>	<p>An authorization letter is required and once received, an Acknowledgement and Notice of Receipt of Bids will be issued via email.</p>
<p>Does the bidder need to initial every page of the bid submission or just the Financial Bid Form?</p>	<p>It is highly recommended that bidders affix their signature in each and every page of the bid.</p>
<p>Since we can only input “Comply” or “Not Comply” in the Technical Specifications parameter, how will we conduct or present the relevant documents for cross reference? Do we also need to put “Comply” in every parameter or just the box with requirement?</p>	<p>The cross referencing will be done during the post qualification period thru the submitted unamended sales literature, unconditional statements of specification and compliance issued by the manufacturer, samples, independent test data etc. Statement of compliance must be stated against each and every parameter of specification.</p>

Please be guided accordingly.

Prepared by:

KATHERINE B. RAMOS
Head, BAC Secretariat

Approved by:

REYNALDO JOSEPH A. CALLAO, JR.
Chairperson, Bids and Awards Committee