



SUPPLEMENTAL/BID BULLETIN

Supply and Delivery of One (1) Lot Coated One Side (C1S) Paper: Optical Brightener Additives (OBA) Free
(PB-28-22)
7 September 2022

This Supplemental/Bid Bulletin is issued to all prospective bidders to clarify, modify and/or amend items in the Bidding Documents as discussed during the Pre-Bid Conference held on 2 September 2022. Accordingly, this shall form an integral part of the Bid Documents:

1. Section I. Invitation to Bid, Page 9

FROM ORIGINAL PROVISION	TO AMENDED PROVISION
Invitation to Bid, Clause No. 7 Printed/physical and soft/scan copies must be duly received by the BAC Secretariat at BAC Secretariat Office, APO Production Unit, Inc., 2/F PIA Building, Visayas Avenue, Brgy. Vasra, Quezon City (i) manual submission at the office address, (ii) online or electronic via email to bac@apo.gov.ph, or (iii) both, on or before 14 September 2022, 11:00 A.M. Late bids shall not be accepted.	Invitation to Bid, Clause No. 7 Printed/physical and soft/scan copies <i>of the bids</i> must be duly received by the BAC Secretariat at BAC Secretariat Office, APO Production Unit, Inc., 2/F PIA Building, Visayas Avenue, Brgy. Vasra, Quezon City <i>through</i> (i) manual submission at the office address, (ii) online or electronic via email to bac@apo.gov.ph, or (iii) both, on or before 14 September 2022, 11:00 A.M. Late bids shall not be accepted.

2. Section IV. General Conditions of Contract, Page 22

FROM ORIGINAL PROVISION	TO AMENDED PROVISION
GCC, Clause No. 4 Inspection and Tests The Procuring Entity or its representative shall have the right to inspect and/or to test the Goods to confirm their conformity to the Project. All reasonable facilities and assistance for the inspection and testing of Goods,	GCC, Clause No. 4 Inspection and Tests The Procuring Entity or its representative shall have the right to inspect and/or to test the Goods to confirm their conformity to the Project. <i><u>In addition to tests in the SCC, Section VII (Technical Specifications) shall specify what inspections and/or tests the Procuring Entity</u></i>



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<p>including access to drawings and production data, shall be provided by the Supplier to the authorized inspectors at no charge to the Procuring Entity.</p>	<p><u>requires, and where they are to be conducted. The Procuring Entity shall notify the Supplier in writing, in a timely manner, of the identity of any representatives retained for these purposes.</u></p> <p>All reasonable facilities and assistance for the inspection and testing of Goods, including access to drawings and production data, shall be provided by the Supplier to the authorized inspectors at no charge to the Procuring Entity.</p>
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3. Section V, Special Conditions of Contract, Page 25

FROM ORIGINAL PROVISION	TO AMENDED PROVISION
<p>GCC No. 1, Incidental Services</p> <p>The Supplier is required to provide all of the following services, including additional services, if any, specified in Section VI. Schedule of Requirements</p> <ul style="list-style-type: none"> a) performance or supervision of on-site assembly and/or start-up of the supplied Goods; b) furnishing of tools required for assembly and/or maintenance of the supplied Goods; c) furnishing of a detailed operations and maintenance manual for each appropriate unit of the supplied Goods; d) performance or supervision or maintenance and/or repair of the supplied Goods, for a period of time agreed by the parties, provided that this service shall not relieve the Supplier of any warranty obligations under this Contract; and e) training of the Procuring Entity's personnel, at the Supplier's plant and/or on-site, in assembly, start-up, 	<p>GCC No. 1, Incidental Services</p> <p>The Supplier is required to provide all of the following services, including additional services, if any, specified in Section VI. Schedule of Requirements</p> <ul style="list-style-type: none"> a) performance or supervision of on-site assembly and/or start-up of the supplied Goods; b) furnishing of tools required for assembly and/or maintenance of the supplied Goods; c) furnishing of a detailed operations and maintenance manual for each appropriate unit of the supplied Goods; d) performance or supervision or maintenance and/or repair of the supplied Goods, for a period of time agreed by the parties, provided that this service shall not relieve the Supplier of any warranty obligations under this Contract; and e) training of the Procuring Entity's personnel, at the Supplier's plant and/or on-site, in assembly, start-up, operation, maintenance, and/or repair of the supplied Goods.



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<p>operation, maintenance, and/or repair of the supplied Goods.</p> <p>The Contract price for the Goods shall include the prices charged by the Supplier for incidental services and shall not exceed the prevailing rates charged to other parties by the Supplier for similar services.</p> <p>Spare Parts</p> <p>The Supplier is required to provide all of the following materials, notifications, and information pertaining to spare parts manufactured or distributed by the Supplier:</p> <ol style="list-style-type: none">such spare parts as the Procuring Entity may elect to purchase from the Supplier, provided that this election shall not relieve the Supplier of any warranty obligations under this Contract; andin the event of termination of production of the spare parts:advance notification to the Procuring Entity of the pending termination, in sufficient time to permit the Procuring Entity to procure needed requirements; and following such termination, furnishing at no cost to the Procuring Entity, the blueprints, drawings, and specifications of the spare parts, if requested. <p>The spare parts and other components required are listed in Section VI (Schedule of Requirements) and the cost thereof are included in the contract price.</p> <p>The Supplier shall carry sufficient inventories to assure ex-stock supply of consumable spare parts or components</p>	<p>The Contract price for the Goods shall include the prices charged by the Supplier for incidental services and shall not exceed the prevailing rates charged to other parties by the Supplier for similar services.</p> <p>Spare Parts</p> <p>The Supplier is required to provide all of the following materials, notifications, and information pertaining to spare parts manufactured or distributed by the Supplier:</p> <ol style="list-style-type: none">such spare parts as the Procuring Entity may elect to purchase from the Supplier, provided that this election shall not relieve the Supplier of any warranty obligations under this Contract; andin the event of termination of production of the spare parts:advance notification to the Procuring Entity of the pending termination, in sufficient time to permit the Procuring Entity to procure needed requirements; and following such termination, furnishing at no cost to the Procuring Entity, the blueprints, drawings, and specifications of the spare parts, if requested. <p>The spare parts and other components required are listed in Section VI (Schedule of Requirements) and the cost thereof are included in the contract price.</p> <p>The Supplier shall carry sufficient inventories to assure ex-stock supply of consumable spare parts or components for the Goods for a period of [NOT APPLICABLE].</p>
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for the Goods for a period of [NOT APPLICABLE]. Spare parts or components shall be supplied as promptly as possible, but in any case, within [NOT APPLICABLE].	<i>Spare parts or components shall be supplied as promptly as possible, but in any case, within [NOT APPLICABLE].</i> <u><i>Omitted</i></u>
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4. Section VII. Technical Specifications, Page 34

FROM ORIGINAL PROVISION	TO AMENDED PROVISION
Other Requirements, Item No. 3 Supplier shall provide the following on the date of delivery – Certificate of Analysis (COA); – Technical Data Sheet (TDS); and – Material Safety Data Sheet (MSDS)	Other Requirements, Item No. 3 Supplier shall <u><i>submit and provide</i></u> the following <u><i>on the submission and opening of bids and during the actual date of delivery</i></u> – Certificate of Analysis (COA); – Technical Data Sheet (TDS); and – Material Safety Data Sheet (MSDS)

Reference/Queries	Clarifications
1) The bidder shall submit Certificate of Sample Testing issued by the Department of Science and Technology (DOST), or any equivalent Testing Agency, simultaneous to the submission of bids.	<p><u>During the Submission and Opening of Bids</u></p> <p>a. The bidder shall submit Certificate of Sample Testing issued by the Department of Science and Technology (DOST), or any equivalent Testing Agency, simultaneous to the submission of bids.</p> <p>If the certification is not yet available, the submission of <u>Official Receipt</u> as proof that samples have been submitted for testing shall be accepted.</p> <p>b. Ten (10) sheets of 8 ½ x 11 of C1S Paper.</p>



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<p>2) Bidder identified as the Single Calculated Bid (SCB), or Lowest Calculated Bid (LCB) shall submit at least half a roll of C1S Paper "OBA Free" five (5) calendar days upon receipt of Notice, which is subject for runnability testing by the End user at Project Site, APO Lima Plant.</p>	<p><u>During Post Qualification Stage</u></p> <p>a. Submission of at least half a roll of C1S Paper "OBA Free".</p> <p>b. Submission of Certificate of Sample Testing issued by the Department of Science and Technology (DOST), or any equivalent Testing Agency, in case O.R. was submitted during the submission and opening of bids.</p>
	<p>As required by the end user, Runnability Testing is necessary to ensure that the sample submitted is compliant to the test method reference set by the end user as regards its compatibility with the existing printing machines, raw materials, and printing methods.</p> <p><u>During Contract Implementation</u></p> <p>On the other hand, the Inspection and Acceptance mentioned after the delivery of goods is intended to ensure their conformity with the technical specifications and schedule of requirements.</p>
<p>1) The bid opening of printed/physical copy shall be on 14 September 2022, 11:15 A.M. at APO Conference Room, APO Production Unit, Inc., 2/F PIA Building, Visayas Avenue, Brgy. Vasra, Quezon City and/or via Microsoft Teams App. Bids will be opened in the presence of the bidders' representatives who choose to attend the activity.</p> <p>Schedule of Submission and Opening of Bids</p> <p>Actual/On-site bid opening of printed/physical copy shall be on 14 September 2022, 11:15 A.M</p>	<p>For detailed instructions, the BAC reiterates the existing APUI General House Rules On the conduct of E-Bidding.</p> <p>A copy of which is attached here as Annex "A".</p> <p>Retained</p>



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<p>2) Statement of Compliance</p> <p>Evidence to be submitted to prove compliance to each of the individual parameters, for items nos. 1, 3, 4, 5, 6, and 7</p>	<p>Bidder should submit Certificate of Analysis (COA) indicating all the technical specifications.</p> <p><i>Evidence shall be in the form of manufacturer's un-amended sales literature, unconditional statements of specification and compliance issued by the manufacturer, samples, independent test data etc., as appropriate</i></p>
<p>3) Is the bidder required to submit the same samples (showing the same manufacturing date) that must be delivered to APO?</p>	<p>Yes, and the manufacturing date must be reflected in Certificate of Analysis (COA).</p>
<p>4) Acceptable manufacturing date that must be reflected in the outer packaging of the delivered item</p>	<p>The acceptable manufacturing date shall be from April 2022 onwards.</p>
<p>5) Accomplished Financial Bid Form and Price Schedules with attached supporting documents</p>	<p><u>For Envelope 2 ("Financial Component")</u></p> <ol style="list-style-type: none">1. The prospective bidder shall ensure that the submitted Bid Form and Price Schedule are completely and fully accomplished.2. The prospective bidder shall also be required to attach supporting documents required to the financial component envelope.
<p>6) INVITATION TO BID CLAUSE 3, IN RELATION TO ITB CLAUSE 5.2</p> <p>Whether or not the BAC followed the conditions for eligibility provided in the 2016 revised IRR of RA No. 9184, and the requirements set forth in Appendix 9, regarding participation of foreign bidders.</p>	<p>APUI has meticulously and judiciously planned the procurement of the project mentioned above.</p> <p>Prior to the start of the procurement process, the end user conducted diligent market research /survey to determine the availability of goods (C1S Paper OBA Free) from local suppliers.</p>



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	<p>As a result, the end user prepared the market research /survey report which provided the following:</p> <ol style="list-style-type: none">The goods sought to be procured is available from several local suppliers.There are several local suppliers interested to participate in the procurement process. <p>Based on the foregoing, the conditions for eligibility provided in the 2016 revised IRR of RA No. 9184, and the requirements set forth in Appendix 9, regarding participation of foreign bidders are not applicable in the project at hand.</p>
<p>7) Whether or not the date and time for the submission and opening bids on 14 September 2022, 11:00 A.M. may still be moved and extended in relation to Clauses 6,7, and 9 of the Invitation to Bid.</p> <p><u>INVITATION TO BID CLAUSE 6, 7, and 9</u></p> <p>Printed/physical and soft/scan copies must be duly received by the BAC Secretariat at BAC Secretariat Office, APO Production Unit, Inc., 2/F PIA Building, Visayas Avenue, Brgy. Vasra, Quezon City (i) manual submission at the office address, (ii) online or electronic via email to bac@apo.gov.ph, or (iii) both, on or before 14 September 2022, 11:00 A.M. Late bids shall not be accepted.</p> <p>Actual/On-site bid opening of printed/physical copy shall be on 14 September 2022, 11:15 A.M. at APO Conference Room, APO Production Unit,</p>	<p>The BAC reiterates and maintains the date and time for the submission and opening bids on 14 September 2022, 11:00 A.M.</p> <p>For detailed instructions, the BAC reiterates the existing APUI General House Rules on the conduct of E-Bidding.</p> <p>A copy of which is attached here as Annex "A".</p>



Inc., 2/F PIA Building, Visayas Avenue, Brgy. Vasra, Quezon City and/or via Microsoft Teams App. Bids will be opened in the presence of the bidders' representatives who choose to attend the activity.

ITB CLAUSE 16

The Bidders shall submit on the specified date and time and either at its physical address or through online submission as indicated in paragraph 7 of the IB.

Section 22.2 of the revised IRR of RA No. 9184.

22.2. The pre-bid conference shall be held at least twelve (12) calendar days before the deadline for the submission and receipt of bids, but not earlier than seven (7) calendar days from the PhilGEPS posting of the Invitation to Bid or Bidding Documents and in the case of Consulting Services, from the determination of the shortlisted consultants. If the Procuring Entity determines that, by reason of the method, nature, or complexity of the contract to be bid **or when international participation will be more advantageous to the GoP, a longer period for the preparation of bids is necessary, the pre-bid conference shall be held at least thirty (30) calendar days before the deadline for the submission and receipt of bids.**

8) Whether the requirement stated in the BDS Clause 5.3 defeats competition by

The BAC maintains the requirement stated in the BDS Clause 5.3.



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which effectively bars previous suppliers of APO and only favors its recent suppliers.

BID DATA SHEET (BDS) CLAUSE 5.3

For this purpose, contracts similar to the Project shall be:

- a. Supply and Delivery of any printing paper.
- b. Completed within a period of two (2) years prior to the deadline for the submission and receipt of bids.

For establishing a tangible gauge for the bidder's track record and capacity to perform contractual obligations, SLCC requirement under Section 23.5.1.3 of the revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. RA 9184,

The procuring entity is given the discretion to further define the word "similar" in SLCC requirement because it is in the best position to do so as it knows the technical components needed in the contract.

However, the definition or description should not unreasonably limit competition and inequitably bar participation of capable suppliers. Hence, similarity of contract should be interpreted liberally in the sense that it should not refer to an exact parallel, but only to analogous one of similar category. xxx. The word "similar" only refers to the contract to be bid or the object of the contract and does not include the parties to the contract. If the word "similar" will extend to the parties of the contract, the requirement will unreasonably limit competition and restrict participation of capable suppliers, which is not the intention of the law.

Thus, the requirement stated in the BDS Clause 5.3. does not unreasonably limit competition and restrict participation of capable suppliers.

- a. The definition or description of contracts similar to the project is not limited on the submission of track record on the supply and delivery of C1S Paper (OBA) Free.

Thus, the BAC provided a definition or description of contracts similar (**any**



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	<p><u>printing paper</u>”) to the project to ensure wider competition and participation of capable suppliers.</p> <p>b. The requirement of providing contracts similar to the Project should be completed within two (2) years prior to the deadline and receipt of bids.</p>
<p>9) PRICE SCHEDULES</p> <p>Whether or not the bidders shall be required to include the cost of all taxes in the preparation of its financial bid form and price schedules.</p>	<p>YES.</p> <p>The BAC reiterates that pursuant to <u>Section 32.2.2 of the 2016 Revised IRR of RA 9184</u>, the bidders are required to include in total bid price the cost of all taxes, such as but not limited to, VAT, income tax, local taxes and other fiscal levies and duties which shall be itemized in the bid form and reflected in the detailed estimates (Price Schedule/s).</p> <p>Note:</p> <p>Indicating zero (0) or dash (-) for required items would mean that it is being offered for free to the government, except those required by law or regulations to be provided for pursuant to Section 32.2.1 of the 2016 Revised IRR of RA 9184.</p>



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Bids and Awards Committee (BAC) GENERAL HOUSE RULES ON E-BIDDING

Digital Bidding Process

In regard with the new IATF Alert Level 1 guidelines, Metro Manila and other areas enters 'new normal' as Covid restrictions ease, all activities are allowed at total on-site for fully vaccinated individuals, provided that minimum public health standards shall be complied with at all times.

BAC Meetings, whenever scheduled, shall be conducted through video conferencing at the stated date, time and online platform, or through face-to-face meeting, with prior approval.

A. Attendance of the BAC and TWG Members

- For the purpose of constituting a quorum, both the physical and virtual presence of the BAC and TWG members shall be considered.
- The decision of at least the majority of those present at the meeting, either the decision rendered is through actual presence or through videoconferencing, at which there is a quorum, shall be valid.

B. Procedure in the Pre-Registration for Bidders

An invitation to the meeting will then be issued which will require the bidders (**physically present or via videoconferencing**) to register prior to obtaining permission to join/attend the meeting.

The conduct of Pre-Bid Conference shall be through video conferencing using the online platform or through face-to-face meeting. All prospective bidders shall be guided by the following:

- Interested Bidder/s must register through forms provided by the BAC Secretariat **at least one (1) day** before the scheduled Pre-bid Conference/Submission of Bids:

For **Google (Gmail)** user, Fill-out the form and complete the information required which can be accessed here:

Pre-Bid Conference

https://docs.google.com/forms/d/e/1FAIpQLSe7UH7oad68YWCCCh1k7IXIZvA9CtABpuDITbAyUfiMu1caimg/viewform?usp=pp_url



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Submission and Opening of Bids

https://docs.google.com/forms/d/e/1FAIpQLSdsJElt5tpezkfkca9S5BMHXhYWDACqGNX7nMV1ndA4g8LgSw/viewform?usp=pp_url

For **Microsoft Office 365** user, form can be accessed here:

Pre-Bid Conference

<https://forms.office.com/r/zbre7eWn36>

Submission and Opening of Bids

<https://forms.office.com/r/T86MH3E3Wk>

- a) The pre-registration is required to monitor the persons allowed to enter in the video conference and/or in APO's conference room and for records purposes.
- b) For the attendees on video meetings, only those suppliers/lessors duly registered shall be allowed to attend. In case there will be more than one (1) representative for each bidder, each representative shall fill out the pre-registration form.

➤ **Attendance**

- a) Once registration is complete, an invitation link for the meeting shall be sent by the BAC Secretariat to the respective email account of the participants or authorized representatives.
- b) Join the scheduled pre bid conference by clicking "Click here to join the meeting" in the email invitation.
- c) Participating Bidders are advised to enter the conference meeting 15 minutes before the scheduled meeting, to resolve technical issues, if any.

C. Pre-Bid Conference/Submission of Bids Proper

- The BAC Secretariat will be the sole administrator in the prescribed video conferencing platform and only the appointed person from the BAC Secretariat can allow the entry of the participants in the pre-bid conference.
- Cameras of participants should not be switched off so that participants are known to remain present at the meeting.
- Bidders are allowed to unmute audio only when it is turn to speak, when required or upon being acknowledged by the BAC Chairperson.



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- Bidders who have questions/queries should click/use the **"raise hand button"** to be acknowledged, advance written queries sent through BAC's email address will also be entertained.
- If a bidder loses connection, then they may use the link previously sent to access the meeting. If the bidder cannot be re-admitted due to technical difficulties, then provided the meeting remains having quorum the BAC may precede with the meeting.
- Bidder is enjoined to be fully present for the whole duration of the pre-bid conference/submission of bids.
- The video conference via the prescribed conferencing platform will be recorded and minutes will also be prepared.
- Any additional matters for inclusion or clarification and queries made during pre-bid conference, the BAC will be issuing a Supplemental/Bid Bulletin, to be made available to all those who have properly secured the Bidding Documents, at least seven (7) calendar days before the deadline for the submission and receipt of Bids.

D. Face-to-Face Meeting

- 1) For interested bidder who intent to physically attend, the bidder(s)/representative(s) shall present their Vaccination Card (fully vaccinated individuals) (sgd)
- 2)
- 3) Representative is advice to be in APO Premises, 1 hour or 30 minutes earlier before the scheduled meeting/conference.
- 4) **Only one (1) representative** for each bidder will be allowed during Pre-Bid Conference/Submission and Opening of Bids. (sgd)
- 5) Representatives attending the Pre-Bid Conference/Submission and Opening of Bids will require the mandatory wearing of facemasks within APO premises and shall observe health protocol at all times.

SGD

DOMINIC F. TAJON

Chairperson, BAC

6 September 2022