



SUPPLEMENTAL BID BULLETIN NO. 1
to the
BID DOCUMENTS
for the
Supply and Delivery of One (1) Year Subscription to Advanced Weather
Forecasting Solutions (Smart Farming Programme)
ITB No. NIACOEMD-S-1

- A. Please be advised of the following revisions in the Procurement Schedule for the above-captioned project:

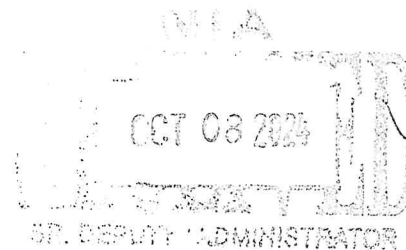
Deadline of Submission of Bids : October 28, 2024; 1:00 P.M.
BAC-A Secretariat Office
6th Floor, BIA Building A
EDSA, Quezon City

Opening of Bids : October 28, 2024; 1:30 P.M.
BAC-A Conference Room
6th Floor, BIA Building A
EDSA, Quezon City

- B. The Minutes of Pre-bidding Conference is attached as Annex "A" for reference.
- C. Receipt of this Notice must be acknowledged by the Bidders at the Office of the BAC-A Secretariat, 6th Floor, NIA Building "A", EDSA, Diliman, Quezon City.
- D. This Notice shall form part of the Bidding Documents.


ENGR. ROBERT C. SUGUITAN
BAC-A Chairperson





BIDS AND AWARDS COMMITTEE-A (BAC-A)

**PRE-BIDDING CONFERENCE
MINUTES OF THE MEETING**

**DIGITAL AGRICULTURE PROJECT - INTEGRATION OF THE ADVANCED WEATHER
FORECASTING SOLUTIONS
(Smart Farming Programme)**

October 2, 2024; 10:00 AM
BAC-A Conference Rm. 6th Floor, Bldg. A
NIA Bldg. A, NIA Complex

ROBERT C. SUGUITAN	-	Chairperson BAC-A
AILYNE C. AGTUCA-SELDA	-	Vice-Chairperson
REYNE B. UGAY	-	Member, BAC-A
LLOYD ALLAIN A. CUDAL	-	Member, BAC-A
EUSEBIO S. VILLAMANTO	-	Member, BAC-A
MARCIAL G. GEALONE, JR.	-	Provisional Member
CHRISTIAN C. CABREGA	-	Head, TWG
RALPH JAZAEL M. BABAC	-	Member, TWG
AIRAH KRISTINA ENCONADO	-	Member, TWG
RANSEY CATARAN	-	Member, TWG

PROSPECTIVE BIDDERS	REPRESENTATIVE/S
SKYMAP GLOBAL PHILIPPINES INC.	JUSTIN CONRAD M. BENIER JOHN BENEDICT G. ROSALES
AGRI I.O/AGRILEVER	DWAYNE SALAZAR KATRINA PETILLA EFREN DOMINIQUE CHATTO
KOMUNIDAD	KEVIN CARAVANA JONG LEQUIRON JEWELSON ANTONIO

I. CONFIRMATION OF QUORUM

The BAC Secretariat acknowledged the presence of the following BAC-A members: (1) Engr. Robert C. Suguitan (2) Atty. Ailyne C. Agtuca-Selda (3) Engr. Reyne B. Ugay (4) Atty. Lloyd Allain A. Cudal and (5) Engr. Eusebio S. Villamanto, and (6) Engr. Marcial G. Gealone, Jr., hence, there was an en banc.

II. CALL TO ORDER

Having a quorum, for the above-mentioned proposed contract was called to order at 10:15 A.M. by the Chairperson, Engr. Robert C. Suguitan.

III. BUSINESS MATTERS

The Chairperson welcomed and acknowledged the presence of the BAC-A members, the members of the Technical Working Group, and the BAC Secretariat. He then instructed the Secretariat to proceed with the presentation for the above-mentioned project.

- Engr. Zosimo R. Baira of the BAC- Secretariat presented the agenda slides for the meeting, the latter presented the following:

BACKGROUND INFORMATION

Approved Budget for the Contract (ABC)	PhP 450,000,000.00
Delivery Site	NIA Central Office
Delivery Period	Within sixty (60) calendar days from receipt of Notice to Proceed

PROCUREMENT SCHEDULE

Deadline for the Submission of Bids	On or before October 22, 2024, 1:00 PM
Venue	Office of the BAC-A Secretariat, 6 th Floor NIA Building-A, EDSA, Quezon City
Opening of Bids	October 22, 2024; 01:30 P.M.
Venue	Office of the BAC-A Secretariat, 6 th Floor NIA Building-A, EDSA, Quezon City

For Envelope 1 –

Class “A” Documents

Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages) in accordance with Section 8.5.2 of the IRR;

Technical Documents:

Statement of All its ongoing 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; and

Statement of the Bidder’s Single Largest Completed Contract (SLCC) similar to the contract to be bid, in accordance with ITB Clause 5.3.

The Bidder must have completed a single contract similar to the Project, equivalent to fifty percent (50%) of the ABC for each lot.

The similar contract must have been completed within three (3) years from the deadline of submission and receipt of bids.

Similar contract shall refer to Procurement / Supply and Delivery of Annual Software Subscription for Advanced Weather Forecasting Solutions.

Bid Security - The bid security shall be limited to Bid Securing Declaration or one (other form in accordance with the following amount):

Form of Bid Security	Amount of Bid Security (Not less than the Percentage of the ABC)
Cash or cashier's/manager's check Bank draft/guarantee or irrevocable letter of credit issued by a Universal or Commercial Bank; or	Two percent (2%) = PhP9,000,000.00
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%) = PhP22,500,000.00

- Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or after-sales/parts, if applicable;
- Proof of Offers for manufacturer's supplied items containing all the technical information about the product, i.e., product brochures, unamended product literature, etc.;
- Proof of Warranty (Access to version upgrades, new releases, bug fixes, and critical security patches, if any, must be made available during the duration of the subscription);
- Proof of track record of delivering Advance Meteorological Services for other government and/or military entities;
- Proof of expertise in utilizing cloud-based high-performance computing in the context of weather forecasting;
- Certification that the Bidder is an authorized service provider of the product; and
- Valid and current Licenses applicable.
- Duly signed and notarized Sworn statement in accordance with Section 25.3 of the IRR of RA 9184 and using the form prescribed in Section VIII-A. Bidding Forms - Omnibus Sworn Statement, and
- Original Notarized Secretary's Certificate in case of a corporation, partnership, or cooperative; or Original Special Power of Attorney of all members of the joint venture giving full power and authority to its officer to sign the OSS and do acts to represent the Bidder.

2. *[Select one, delete the other:]*

[If a sole proprietorship:] As the owner and sole proprietor, or authorized representative of [Name of Bidder], I have full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached duly notarized Special Power of Attorney:

[If a partnership, corporation, cooperative, or joint venture:] I am granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract for [Name of the Project] of the [Name of the Procuring Entity], as shown in the attached [state title of attached document showing proof of authorization (e.g., duly notarized Secretary's Certificate, Board/Partnership Resolution, or Special Power of Attorney, whichever is applicable:)]:

[Jurat]

SUBSCRIBED AND SWORN to before me this ____ day of [month] [year] at [place of execution], Philippines. Affiant/s is/are personally known to me and was/were identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant/s exhibited to me his/her [insert type of government identification card used], with his/her photograph and signature appearing thereon, with no. _____ at _____.

Witness my hand and seal this ____ day of [month] [year].

Financial Documents

Net Financial Contracting Capacity (NFCC) computation or a committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation.

Class "B" Documents

If applicable, a duly signed and notarized Joint Venture Agreement (JVA) in case the joint venture is already in existence, or duly notarized statements from all the potential joint venture partners stating that they will enter and abide by the provisions of the JVA in the instance that the bid is successful.

Envelope 2-

Financial Component:

Original of duly signed and accomplished Financial Bid Form

Original of duly signed and accomplished Price Schedule(s)

Other documentary requirements under RA No. 9184 (as applicable)

[For foreign bidders claiming by reason of their country's extension of reciprocal rights to Filipinos] Certification from the relevant government office of their country stating that Filipinos are allowed to participate in government procurement activities for the same item or product.

Certification from the DTI if the Bidder claims preference as a Domestic Bidder or Domestic Entity.

REMINDERS

For the submission of bids, Original, copies 1 and 2 of the first and second component of the bid must reflect the following:

1. Table of contents;

2. Sequential order of documents in line with Section VIII "Checklist of Technical and Financial Documents";
3. Proper tabbing and binding of documents; and
4. Copies 1 and 2 must be certified true copy of the original document.

Indicate the official address, contact numbers, and e-mail address in your Letter of Intent.

Use the NIA Prescribed Forms attached in Section VIII-A of the Bidding Documents. Electronic copy of said Forms are readily available upon purchase of Bidding Documents at the Office of the BAC-A Secretariat, 6th Floor, NIA Bldg. A, Diliman, Quezon City.

Bidders must completely and properly fill-out all required details in the NIA Prescribed Forms, and notarize all necessary documents accordingly.

Written requests and/or clarifications may be submitted until October 7, 2024.

Supplemental Bid Bulletin/s will be posted on or before October 15, 2024.

IV. INQUIRIES:

AGRI.IO (formerly, Agrilever Philippines Corp.) and The TOMMORROW COMPANIES, INC.

Q1- Form of Bid Security- Please confirm that, in order to satisfy the Bid Security Requirement, a bidder may opt to submit only an original copy of a notarized Bid Securing Declaration, in the form provided under the Bid Documents (p.43), in lieu of other security in the form cash, manager's check, bank guarantee, irrevocable letter of credit, or surety bond.

A1: The bidder has the option to choose among the prescribed forms of bid security. In case of Bid Securing Declaration, the bidders should ensure that the same is properly filled up and notarized.

Q2-Bid Price- the Bid Form requires that the total bid price should include and itemize the cost of all taxes, such as VAT, income tax, local taxes, and other fiscal levies and duties. We note, however that the tables under the Price Schedule do not provide columns for setting out the cost of taxes. Please confirm whether the bidders should add appropriate columns or create an additional table setting out the cost of applicable taxes.

A2: Column number. 7 (For Goods Offered from Abroad) of the form where the bidder should indicate tax related information.

Q3-Payment Terms- Section VI. (Schedule of Requirements), item 5 (Payment Terms) of the Bid Documents (p.27) states that the payment shall be made 30 days after issuance of Certificate of Final Acceptance by the Procuring Entity subject to the submission of complete supporting documents. However, Part XI (Terms of Payment), item 2 (Payment to the Supplier) of the document entitled Terms of Reference provides for 50% -25% -15%-10% milestone payments. Please confirm that the payment terms to the winning bidder under this project will be implemented in accordance with the milestone payments table under the Terms of Reference.

A3: That the supplier/contractor will be paid within thirty (30) calendar days after his/her submission of complete requirements per progress billing period.

Q4-*Performance Security*-Please confirm whether the Performance Security requirement is already satisfied by the NIA's retention of 10% of the project price under the milestone payments table in the Terms of Reference or whether the winning Bidder should post a separate performance security.

A4: Separate Performance Security should be posted.

Q5-*Post-Qualification Requirements*- For bidders who are unincorporated joint ventures composed of a Filipino corporation (60%) and a non-resident foreign corporation (40%), please confirm that it is sufficient for the bidder to submit only the latest income and business tax return filed and paid through the BIR eFPS of the Filipino corporation in order to satisfy this post-qualification requirement.

A5: BAC-A Provisional Member, Engr. Marcial G. Gealone, Jr. stated that there is an on-going discussion on the matter and the question will be answered with accordingly.

Q6-*Warranty*- Please confirm whether the Warranty requirement is already satisfied by the NIA's retention of 10% of the project price under the milestone payments table in the Terms of Reference or whether the winning Bidder should post a separate warranty. We note that 62.1 of the GPRA allows the Warranty to be in the form of retention money; "The obligation for the warranty shall be covered by either retention money in an amount equivalent to at least one percent (1%) but not to exceed five percent (5%) of every progress payment, or a special bank guarantee equivalent to at least one percent (1%) but not to exceed five percent of the total contract price.

A6: : BAC-A Provisional Member, Engr. Marcial G. Gealone, Jr. replied that the bidder can opt to submit a bank guarantee or opt for the 10% retention of the project price, whichever is convenient to the interested party.

Q7-*Post-Qual Requirements*- For bidders who are unincorporated joint ventures composed of a Filipino corporation (60%) and a non-resident foreign corporation (40%), please confirm that the joint venture members do not need to incorporate a joint venture entity with the SEC if the joint venture is selected as the winning bidder.

A7: BAC-A Provisional Member, Engr. Marcial G. Gealone, Jr. stated that there is an on-going discussion on the matter and the question will be answered in writing.

Q8-*Post-Qual Requirements*- For bidders who are unincorporated joint ventures composed of a Filipino corporation (60%) and a non-resident foreign corporation (40%), please confirm whether the non-resident foreign member must obtain SEC registration for purposes of postqualification.

A8: BAC-A Provisional Member, Engr. Marcial G. Gealone, Jr. stated that there is an on-going discussion on the matter and the question will be answered in writing.

Q9-*Contract Implementation*-For bidders who are unincorporated joint ventures composed of a Filipino corporation (60%) and a non-resident foreign

corporation (40%), please confirm that all the contract payments can be made to the Filipino joint venture member.

A9: : BAC-A Provisional Member, Engr. Marcial G. Gealone, Jr. stated that there is an on-going discussion on the matter and the question will be answered in writing.

Q10-*Performance Security*-Please confirm whether there is a specific language that the Procuring Entity requires.

A10: The BAC requires the winning bidder to submit a PS after the issuance of NOA.

Q11-*Terms of Reference*- Please confirm that the Terms of Reference forms part of the Bidding Documents—relevant to the milestone payments to the supplier.

Bidder's Qualification: Please confirm whether the bidder would have to comply with this list in addition to the technical specifications. If so, where do we place it? Do we add it to the Comparative Specifications List or do we make a separate table for it?

A11: no reply. (assumed that the same will be answered formally in writing).

Q12: What are the *valid and current licenses* applicable/required for the undertaking as per Section 10 a.6 of the Bid Data Sheet, also if foreign issued licenses accepted?

A12: All licenses which are applicable and required in the ordinary course of business, while for foreign licenses, the BSWM representative stated that the same can be managed.

Q13: The representative inquired whether there is a *specific template for letter of credit* required by NIA.

A13: The BSWM representative replied that he is not aware if there is a required template but added that a Supplemental Bid Bulletin if there will be prescribed changes.

KOMUNIDAD

The representative inquired on the NIA mandatory specifications particularly:

1. Weather Satellites & Forecasting Capabilities "*Owned and operate their own weather satellites (not contracted) that provide radar and microwave capabilities with the following specifications*"

Also, inquired on the following whether the procuring entity is expecting "international bidder," as to how and who will process the satellite information for web/mobile application or is it just the satellite output that will be utilized.

The TWG replied that the satellite output will be utilized.

The representative then stated that they have already a system in placed all over Metro Manila and being used by several LGUs/municipalities he likewise stated they can provide services at a lower cost which is good for a six-year subscription.

He also informed the TWG that the accuracy rate of their weather forecasting is 80-85%.

The TWG informed the representative that the need is for a weather forecasting which is highly specific and accurate for 0-6 hours and capable the accuracy of prediction is good for fourteen (14) days.

The representative expressed his hope that a Filipino company will be given consideration or priority in a public bidding.

The TWG informed the representative that he is free to join the bidding if he possesses all the minimum qualifications.

V. ADJOURNMENT

Having no other matters for discussion the meeting ended at 11:40 AM.

Prepared by:


GERARD E. GUZMAN
Member, BAC-A Secretariat

Noted:


ENGR. ROBERT C. SUGUITAN
Chairperson, BAC-A