

**INVITATION FOR NEGOTIATED PROCUREMENT
DUE TO TWO-FAILED BIDDINGS**

**PROCUREMENT OF DESKTOP COMPUTERS
RFQ No. 202109056**

1. The **NATIONAL COUNCIL ON DISABILITY AFFAIRS (NCDA)**, through its Bids and Awards Committee (BAC), General Appropriations Act for FY 2021, intends to apply the sum of **FORTY - FIVE MILLION PESOS ONLY (PHP 45,000,000.00)** being the Approved Budget for the Contract (ABC) to payments under the contract for the Procurement of Desktop Computer (the "Project").
2. The BAC, now invites technically, legally, and financially capable suppliers for the said Project.
3. The procurement procedure for this requirement is Negotiated Procurement pursuant to Section 53.1 of the Revised Implementing Rules and Regulations (IRR) of the RA No. 9184, otherwise known as the "Government Procurement Reform Act", including Annex H thereof.

The BAC will engage in negotiations with a sufficient number of suppliers to ensure effective competition. The selection of the successful offer shall be based on the best and final offer that will be submitted on the specified date shown below, and which would meet the minimum technical specifications required.

4. Interested Bidders may obtain further information from the BAC Secretariat on the Negotiation Documents through the contact information below on October 6 to 10, 2021 from 8:00 AM to 5:00 PM.
5. The schedule of bidding activities is as follows:

BAC ACTIVITIES	SCHEDULE
Posting of Invitation for Negotiated Procurement	October 5, 2021
Availability of Negotiation Documents	October 6, 2021
Deadline of Submission of Negotiation Documents (Proposal)	October 11, 2021; 11:30 AM
Opening of Negotiation Documents (Proposal)	October 11, 2021; 1:30 PM
Post Qualification	October 12-14, 2021
Approval of Resolution / Issuance of Notice of Award	October 18, 2021

Contract preparation & Signing	October 19, 2021
Issuance of Notice to Proceed	October 20, 2021

6. Interested bidders shall submit the following documents in sealed envelopes, labeled as “Negotiated Documents”, with the title of the procurement project, name, address and contact details of the bidder, addressed to the undersigned:

ELIGIBILITY DOCUMENTS

- a. Valid PhilGEPS Registration Certificate (Platinum Membership);
- b. Registration certificate from Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives or its equivalent document;
- c. Mayor’s or Business permit issued by the city or municipality where the principal place of business of the prospective bidder is located, or the equivalent document for Exclusive Economic Zones or Areas;
- d. Tax clearance per E.O. No. 398, s. 2005, as finally reviewed and approved by the Bureau of Internal Revenue (BIR).
- e. Conformity with the Schedule of Requirements; (*Annex A*)
- f. Conformity with the Technical Specifications; (*Annex B*)
- g. Statement of the prospective bidder 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; (*Annex C*)
 - The statement shall be supported by the following documents:
 1. Copies of the Contracts; and (If there is no contract, the purchase order (P.O.) may be submitted as long as the terms and conditions are included therein.)
 2. Copies of the Notice of Award (NOA) or Notice to Proceed (NTP) (*For private contracts, NOA or NTP shall not be required.*)
- h. Original of duly signed and accomplished Financial Bid Form; (*Annex D*)
- i. Original of duly signed and accomplished Price Schedule(s); (*Annex E*)
- j. Original duly signed Omnibus Sworn Statement (OSS); (*Annex F*)
and
if applicable, 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.
- k. Original copy of Bid Security. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission; (*Annex H*)
 - The bid security shall be in the form of a Bid Securing Declaration, or any of the following forms and amounts:
 1. The amount of not less than Php 900,000.00 (2%) of ABC, if bid security is in cash, cashier’s/manager’s check, bank draft/guarantee or irrevocable letter of credit; or
 2. The amount of not less than Php 2,250,000.00 (5%) of ABC if bid security is in Surety Bond.

Or

Original copy of Notarized Bid Securing Declaration; (*Annex G*)

- l. The prospective bidder's computation of Net Financial Contracting Capacity (NFCC); (*Annex I*)
 - m. Company profile which shall include information on the number of years in the business and the list of its officers.

Names, addresses and location sketches of main office and branch office/s if any, and warehouse and service facilities with their respective telephone numbers including photo showing the company's business name.
 - n. Authority of the representative/signatory.
7. The NCDA reserves the right to accept or reject any and all bids, declare a failure of bidding, or not to award the contract at any time prior to contract award in accordance with Section 35.6 and 41 of the 2016 revised IRR of RA No. 9184, without thereby incurring any liability to the affected bidder or bidders.
8. For further information, please refer to:
Ms. Madeline Hilario - Icot and Mr. Alberto R. Villa, Jr.,
BAC Secretariat
Finance and Administrative Division, 2nd Floor NCDA Building,
Isidora St., Brgy. Holy Spirit, Quezon City
Cell Phone No.: 09685441451; Email Address: supply.ncda@gmail.com

You may visit the NCDA website for downloading of the Negotiation Documents:

<https://www.ncda.gov.ph/invitation-to-bid/>

Original Signed

DANDY C. VICTA
BAC Chairperson

Schedule of Requirements

The delivery schedule expressed as a specific month period stipulates hereafter a delivery date which is the date of delivery of services to the procuring entity.

Procurement of Desktop Computers			
Item No.	Description	Quantity	Delivered, Weeks/Months
		TOTAL	
I	Desktop Computers	1,000	The supplier shall, within the non-extendible period of ninety (90) calendar days.

I hereby certify to comply and deliver all the above requirements:

Name of Company
/ Bidder

Signature over Printed Name of Bidder

Date

Technical Specifications

Bidders must state either “**Comply**” or “**Not Comply**” in each of the individual parameters of each Specification stating the corresponding performance parameter of the item offered. Statements of “Comply” or “Not Comply” must be supported by evidence and cross-referenced to that evidence or may copy the specification stated in verbatim if applicable. A statement of “Comply” or “Not Comply” that is not supported by evidence or is subsequently found to be contradicted by the evidence presented will render the Bid under evaluation liable for rejection. A statement either in the Bidder's statement of compliance or the supporting evidence that is found to be false either during Bid evaluation, post-qualification or the execution of the Contract may be regarded as fraudulent and render the Bidder or supplier liable for prosecution subject to the applicable laws and issuances.]

This form itself must be submitted.

Recopying is not allowed and may be a ground for disqualification.

Procurement of Desktop Computers			
BRANDED AND BRAND - NEW DESKTOP COMPUTER			
Item	Minimum Specifications	Supporting Documents to be Submitted (Please indicate the page no. and paragraph no. in your proposal)	Statement of Compliance
ISO Certification	Manufactured by an ISO 9001 or ISO 9002 certified Personal Computer Factory as to where it is manufactured	Certified true copy of ISO certification	
Quality Assurance	<ul style="list-style-type: none"> Any globally recognized brand that supplies to internationally known Desktop and Laptop manufacturers such as but not limited to HP, Samsung, 	Certification	

	<p>Apple, Lenovo, Dell, Acer, Asus, etc.; and has been marketed in the Philippines for the last 10 years.</p> <ul style="list-style-type: none"> • Each major part or component (i.e. motherboard, hard drive, optical drive, memory, power supply, casing, monitor, keyboard, mouse, etc.) must be identified by a manufacturer part number clearly printed on a label firmly placed on the part or component. • The manufacturer must have a website for its parts or components where the part numbers and descriptions can be viewed by the service provider and end-user. • The equipment shall be brand new and free from defects • The unit shall be a derived model that is available in the Philippine market and not a cloned unit. • The equipment shall not be an End-of Life (EOL) model at the time of the bidding and the service provider shall ensure availability of the model's spare parts and components for a period of five (5) years from the start of this contract. 	<p>from the manufacturer</p>	
<p>Microprocessor</p>	<p>Intel Core i3 9100 - 9th Generation</p> <p>Base Frequency: 3.6GHz</p> <p>Turbo Frequency: 4.2GHz</p> <p>Cache: 6MB</p> <p>No of Cores: 4</p> <p>Lithography: 14 nm</p> <p>Threads: 4</p>	<p>Brochure and/or certification from the manufacturer</p>	

	Thermal Design Power: 65W		
Chipset	Intel B365 Express Chipset		
Graphics	Intel UHD Graphics 630 - built -in 1920 x 1080 pixel		
Form Factor	Extra Small Form factor		
Motherboard	Compatible motherboard		
Memory	16GB DDR4, upgradable to 32GB, 2 x memory slots		
Hard Disk	SATA3 <ul style="list-style-type: none"> • 1TB Capacity • 7200 RPM speed 		
Optical Drive	None		
Monitor	19.5 in LED Monitor with VGA/HDMI cable		
Network Interface	Ethernet 10/100/1000 Wireless LAN 802.11 AC + Bluetooth 5.0		
Standard I/O Ports	Front: Four (4) USB 3.1 ports and audio jack Rear: VGA, HDMI, Display Port, RJ45, PS/2, Audio Jack, 4-USB 2.0 ports		
Keyboard	Standard full-sized USB keyboard with numeric keypad		
Pointing Device	USB Optical Mouse bundled with Mouse Pad		
Expansion Slots	2 - Pcle x 16, 1 - Pcle x 1 M.2 for SSD M.2 for WLAN		
Bundled Software/System	Windows 10 Pro		

	MS Office Home edition		
Warranty	Three (3) years on all parts and service Three (3) years on-site next business day service warranty		
Additional Features:	<ul style="list-style-type: none"> • The ICT Supplier shall embed the NCDA logo in all desktop computer, the logo should be visible during boot-up of the computer • The ICT Supplier shall also install other software and upload/save files to be provided by NCDA • The ICT Supplier shall have a 24/7 Telephone Call Support to ensure technical support availability to minimize downtime. 		

I hereby certify that all statements indicated under the **Statement of Compliance** are true and correct, otherwise, if found untrue and incorrect either during bid evaluation or post-qualification, the same shall give rise to automatic disqualification of our bid.

Name of Company/Bidder

Bidder's Signature over Printed Name

Date: _____

Annex C

**Statement of all Ongoing Government and Private Contracts
Including Contracts Awarded but not yet Started**

Name of Contract	Date of the Contract	Contract Duration	Owner's Name and Address	Kinds of Goods	Amount of Contract	Value of Outstanding Contract

Name of Company : _____

Signature over Printed Name of Representative : _____

Date : _____

Annex D

Date: _____

Project Identification N^o: _____

To: The Bids and Awards Committee

National Council on Disability Affairs (NCDA)

NCDA Building, Isidora St., Brgy. Holy Spirit, Quezon City

Gentlemen and/or Ladies:

Having examined the Philippine Bidding Documents (PBDs) including the Supplemental or Bid Bulletin Numbers *[insert numbers]*, the receipt of which is hereby duly acknowledged, we, the undersigned, offer to *[supply/deliver/perform]* *[description of the Goods]* in conformity with the said PBDs for the sum of *[total Bid amount in words and figures]* or the total calculated bid price, as evaluated and corrected for computational errors, and other bid modifications in accordance with the Price Schedules attached herewith and made part of this Bid. The total bid price includes the cost of all taxes, such as, but not limited to: *[specify the applicable taxes, e.g. (i) value added tax (VAT), (ii) income tax, (iii) local taxes, and (iv) other fiscal levies and duties]*, which are itemized herein or in the Price Schedules,

If our Bid is accepted, we undertake:

- a. to deliver the goods in accordance with the delivery schedule specified in the Schedule of Requirements of the Philippine Bidding Documents (PBDs);
- b. to provide a performance security in the form, amounts, and within the times prescribed in the PBDs;
- c. to abide by the Bid Validity Period specified in the PBDs and it shall remain binding upon us at any time before the expiration of that period.

[Insert this paragraph if Foreign-Assisted Project with the Development Partner:

Commissions or gratuities, if any, paid or to be paid by us to agents relating to this Bid, and to contract execution if we are awarded the contract, are listed below:

Name and address of agent	Amount and Purpose of Commission or gratuity
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(if none, state "None")]

Until a formal Contract is prepared and executed, this Bid, together with your written acceptance thereof and your Notice of Award, shall be binding upon us.

We understand that you are not bound to accept the Lowest Calculated Bid or any Bid you may receive.

We certify/confirm that we comply with the eligibility requirements pursuant to the PBDs.

The undersigned is authorized to submit the bid on behalf of *[name of the bidder]* as evidenced by the attached *[state the written authority]*.

We acknowledge that failure to sign each and every page of this Bid Form, including the attached Schedule of Prices, shall be a ground for the rejection of our bid.

Dated this _____ day of _____
20__.

Name: _____

Legal capacity: _____

Signature: _____

Duly authorized to sign the Bid for and behalf of:

Date: _____

Annex E

Bid Price Schedule

Procurement of Desktop Computers ABC = ₱ 45, 000,000.00				
ITEM SPECIFICATION	UOM	QTY	Unit Price	Total Amount
Desktop Computer Brand and Model Offered:	Unit	1,000	P	P
GRAND TOTAL: (inclusive of VAT)				P
Amount in Words:				

Name:

Legal Capacity:

Signature:

Duly authorized to sign the Bid for and in behalf of :

Annex F

OMNIBUS SWORN STATEMENT

REPUBLIC OF THE PHILIPPINES)
CITY/MUNICIPALITY OF _____) S.S.

AFFIDAVIT

I, _____ [Name of Affiant], of legal age,
_____ [Civil Status], _____ [Nationality], and
residing _____ at

_____ [Address of Affiant], after having been duly sworn in
accordance with law, do hereby depose and state that:

I am the [1. sole proprietor; 2. duly authorized and designated representative]
of _____ [Name of Bidder] with office address at
_____ [Address of Bidder].

As the [1. owner and sole proprietor, I have full power and authority to do,
execute and perform any and all acts necessary;][2. duly authorized and designated
representative, I am granted full power and authority to do, execute, and perform any
and all acts necessary as shown in the attached document showing proof of
authorization (e.g., duly notarized Secretary's Certificate issued by the corporation or
the members of the joint venture), or Special Power of Attorney, whichever is
applicable] to represent _____ [Name of Bidder] in
the bidding for the Procurement of Desktop Computers;

_____ [Name of Bidder] is not
"blacklisted" or barred from bidding by the Government of the Philippines or any of its
agencies, offices, corporations, or Local Government Units, foreign
government/foreign or international financing institution whose blacklisting rules have
been recognized by the Government Procurement Policy Board, by itself or by relation,
membership, association, affiliation, or controlling interest with another blacklisted
person or entity as defined and provided for in the Uniform Guidelines on Blacklisting;

Each of the documents submitted in satisfaction of the bidding requirements is
an authentic copy of the original, complete, and all statements and information
provided therein are true and correct;

_____ [Name of Bidder] is authorizing the Head of
the Procuring Entity or his duly authorized representative(s) to verify all the documents
submitted;

*(In the following three paragraphs, please choose and answer only one that is
applicable to the bidder)*

(1) *If a sole proprietorship:* The owner or the sole proprietor is not related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, or the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

(2) *If a partnership or cooperative:* None of the officers and members of _____ *[Name of Bidder]* is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

(3) *If a corporation or a joint venture:* None of the officers, directors, and controlling stockholders of _____ *[Name of Bidder]* is related to the Head of the Procuring Entity, members of the Bids and Awards Committee (BAC), the Technical Working Group, and the BAC Secretariat, the head of the Project Management Office or the end-user unit, and the project consultants by consanguinity or affinity up to the third civil degree;

_____ *[Name of Bidder]* complies with existing labor laws and standards;

_____ *[Name of Bidder]* is aware of and has undertaken the following responsibilities as a Bidder in compliance with the Philippine Bidding Documents, which includes:

- a) Carefully examining all of the Bidding Documents;
- b) Acknowledging all conditions, local or otherwise, affecting the implementation of the Contract;
- c) Made an estimate of the facilities available and needed for the contract to be bid, if any; and
- d) Inquiring or securing Supplemental/Bid Bulletin(s) issued for the **Procurement of Desktop Computers.**

_____ *[Name of Bidder]* did not give or pay, directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel, or representative of the government in relation to any procurement project or activity.

In case advance payment was made or given, failure to perform or deliver any of the obligations and undertaking in the contract shall be sufficient grounds to constitute criminal liability for Swindling (Estafa) or the commission of fraud with unfaithfulness or abuse of confidence through misappropriating or converting any payment received by a person or entity under an obligation involving the duty to deliver certain goods or services, to the prejudice of the public and the government of the Philippines pursuant to Article 315 of Act No. 3185 s. 1930, as amended, or the Revised Penal Code.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____,
20__ at _____, Philippines.

AFFIANT/S
Bidder's Representative/Authorized
Signatory

SUBSCRIBED AND SWORN to before me this _____ day of _____, 20__,
affiant/s exhibiting to me his/her/their Competent Evidence of Identity.

Name	ID No.	Issued At	Issued On
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

NOTARY PUBLIC

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of 20__.

Annex G

REPUBLIC OF THE PHILIPPINES)
CITY OF _____) S.S.

X-----X

BID-SECURING DECLARATION

RFQ No. _____ PROCUREMENT OF DESKTOP COMPUTERS

To: **NATIONAL COUNCIL ON DISABILITY AFFAIRS (NCDA)**
NCDA Bldg., Isidora St., Brgy. Holy Spirit, Quezon City

I/We2, the undersigned, declare that:

1. I/We understand that, according to your conditions, bids must be supported by a Bid Security, which may be in the form of a Bid-Securing Declaration.
2. I/We accept that: (a) I/we will be automatically disqualified from bidding for any contract with any procuring entity for a period of two (2) years upon receipt of your Blacklisting Order; and, (b) I/we will pay the applicable fine provided under Section 6 of the Guidelines on the Use of Bid Securing Declaration, within fifteen (15) days from receipt of the written demand by the Procuring Entity for the commission of acts resulting to the enforcement of the bid securing declaration under Sections 23.1(b), 34.2, 40.1, and 69.1, except 69.1(f), of the IRR of RA 9184; without prejudice to other legal action the government may undertake.
3. I/We understand that this Bid-Securing Declaration shall cease to be valid on the following circumstances:
 - (a) Upon expiration of the bid validity period, or any extension thereof pursuant to your request;
 - (b) I am/we are declared ineligible or post-disqualified upon receipt of your notice to such effect, and (i) I/we failed to timely file a request for reconsideration or (ii) I/we filed a waiver to avail of said right;
 - (c) I am/we are declared as the bidder with the Lowest Calculated and Responsive Bid/Highest Rated and Responsive Bid4, and I/we have furnished the performance security and signed the Contract.

IN WITNESS WHEREOF, I/We have hereunto set my/our hand/s this ____ day of _____, 2021 at Quezon City.

Affiant/s
[Name/s and Signature/s of the Bidder's Authorized Representative and his/her/their legal capacity/ies]

Name of Bidder Represented

SUBSCRIBED AND SWORN to before me this ___ day of June 2021 at Quezon City., 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/their Competent Evidence of Identity.

Name	ID No.	Issued At	Issued On
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

NAME OF NOTARY PUBLIC

Doc. No. ____
Page No. ____
Book No. ____
Series of ____.

Annex H

Form of Bid Security (Bank Guarantee)

WHEREAS, *[insert name of Bidder]* (hereinafter called the "Bidder") has submitted his bid dated *[insert date]* for the *[insert name of contract]* (hereinafter called the "Bid").

KNOW ALL MEN by these presents that We *[insert name of Bank]* of *[insert name of Country]* having our registered office at *[insert address]* (hereinafter called the "Bank" are bound unto *[insert name of PROCURING ENTITY]* (hereinafter called the "Entity") in the sum of *[insert amount]* for which payment well and truly to be made to the said Entity the Bank binds himself, his successors and assigns by these presents.

SEALED with the Common Seal of the said Bank this ____ day of ____ 20__.

THE CONDITIONS of this obligation are:

1. If the Bidder:
 1. withdraws his Bid during the period of bid validity specified in the Form of Bid; or
 2. does not accept the correction of arithmetical errors of his bid price in accordance with the Instructions to Bidder; or
2. If the Bidder having been notified of the acceptance of his bid by the Employer during the period of bid validity:
 1. fails or refuses to execute the Contract Form in accordance with the Instructions to Bidders, if required; or
 2. fails or refuses to furnish the Performance Security in accordance with the Instructions to Bidders.

We undertake to pay to the Entity up to the above amount upon receipt of his first written demand, without the Entity having to substantiate his demand, provided that in his demand the Entity will note that the amount claimed by him is due to him owing to the occurrence of one or both of the two (2) conditions, specifying the occurred condition or conditions.

The Guarantee will remain in force up to and including the date *[insert days]* days after the deadline for submission of Bids as such deadline is stated in the Instructions to Bidders or as it may be extended by the Entity, notice of which extension(s) to the Bank is hereby waived. Any demand in respect of this Guarantee should reach the Bank not later than the above date.

DATE SIGNATURE OF THE BANK

WITNESS SEAL

(Signature, Name and Address)

Annex I

Net Financial Contracting Capacity (NFCC) Form

a. Summary of the Bidder-Supplier's/Distributor's/Manufacturer's assets and liabilities on the basis of the attached audited financial statements, stamped "RECEIVED" by the Bureau

of Internal Revenue (BIR) or its duly accredited and authorized institutions, for the preceding calendar/tax year which should not be earlier than two (2) years from the date of bid submission.

		Year 20__
1.	Total Assets	
2.	Current Assets	
3.	Total Liabilities	
4.	Current Liabilities	
5.	Net Worth (1-3)	
6.	Net Working Capital (2-4)	

b. The Net Financial Contracting Capacity (NFCC) based on the above data is computed as follows:

NFCC = [(Current assets minus current liabilities) (15)] 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.

The values of the domestic bidder's current assets and current liabilities shall be based on the latest Audited Financial Statements (AFS) submitted to the BIR.

NFCC = ₱ _____

Submitted by:

Signature over Printed Name of Authorized Representative

Business Name of Bidder

Date: _____