



DEPARTMENT OF AGRARIAN REFORM  
**SUPPORT TO PARCELIZATION OF LANDS  
 FOR INDIVIDUAL TITLING (SPLIT) PROJECT**



**CLARIFICATION/SUPPLEMENTAL BID BULLETIN NO. 2**

August 30, 2022

**CLARIFICATIONS ON THE BIDDING DOCUMENTS (DATED JUNE 15, 2022) FOR THE  
 PROCUREMENT OF 820 UNITS MOTORCYCLES (SPLIT-REF-057-PBD-22-05)**

This Supplemental Bid Bulletin No. 2 is issued to clarify and address queries of the prospective bidders that were raised during the Pre-Bid Conference on July 1, 2022 and the succeeding written queries on the Bid Data Sheet, Special Conditions of Contract, Schedule of Requirements, and Technical Specifications relative to the above-mentioned procurement.

SECTIONS/ CLAUSES AFFECTED	PROSPECTIVE BIDDERS' QUERIES	DAR'S CLARIFICATIONS/RESPONSES
<p>A. <b>Section III. Bid Data Sheet</b></p> <ul style="list-style-type: none"> <li>• ITB Clause 12.1</li> </ul>	<p>Can the Audited Financial Statements without stamp "Received" by the BIR be accepted?</p> <p>How many years or what is the year covered for the assets relative to the NFCC computation?</p> <p>Is it required for the NFCC to be signed by the Accountant?</p> <p>On Page 13 of the Philippine Bidding Documents (PBD) Section 5.5 of the Invitation to Bid, states that the Bidder must submit a computation of its Net Financial Contracting Capacity (NFCC), in lieu of which the Bidder may opt to submit a committed or confirmed line of credit from a universal or commercial bank.</p>	<p>The Audited Financial Statements should be for the last two (2) years, i.e., for 2020 and 2021 which has been filed to the BIR accordingly either through the RDO with or without stamp "Received" or through the online payment system.</p> <p>Refer to Section II. Instructions to Bidders Clause 5.5 –</p> <p>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.</p> <p>Current Assets shall be from the year 2021</p> <p>The NFCC should be signed by the authorized signatory/representative as manifested in the Authorization of Signatory.</p> <p>The Bidder can submit the NFCC computation or a committed Line of Credit.</p> <p>If the NFCC computation cannot meet the required threshold, a committed line of credit can complement the same.</p>

	<p>However, on page 39 of the PBD, Section 12.1 of the Bid Data Sheet (BDS), listed only the latter as among the “Eligibility Requirements” and make no mention of the NFCC. Please clarify and/or confirm that if a Bidder will submit its NFCC, then there is no need to submit a Line of Credit from a Universal or Commercial bank.</p> <p>We would like to request that the authorization be issued by the Authorized Dealer of the manufacturer. The same provisions as stated in the certificate will be complied and extended to DAR. It will be beneficial to the government if the bid participation is not limited to dealers only for more competitive pricing with same services and provisions.</p>	<p>Refer to the requirements as stated in the “Manufacturer’s Authorization” Form, page 86, Section VIII. Bidding Forms</p>
<ul style="list-style-type: none"> <li>ITB Clause 13.2</li> </ul>	<p>During the Pre-Bid Conference, a question was raised as to the difference between the usual “Approved Budget for the Contract (ABC) in government tenders and the “Estimated Cost” stated in the subject World Bank-funded DAR procurement project. The BAC responded by saying that a bidder may bid a price higher than the Estimated Cost but not too much higher. May we request the DAR’s BAC or its Procurement Division if it is possible for them to specify if say a bid price of 20% higher than the Estimated Cost stated in the ITB is acceptable.</p>	<p>Refer to <b>Amendment/Supplemental Bid Bulletin No. 1</b></p> <p><b><u>“ABC and estimated cost do not apply as a ceiling for bid prices.”</u></b></p>
<ul style="list-style-type: none"> <li>ITB Clause 20.3</li> </ul>	<p>Are we going to submit original documents?</p>	<p>Refer to ITB Clause 20.3 “Each Bidder shall manually submit one (1) original and two (2) copies of the first and second components of its bid.</p>
<p><b>B. Section V. Special Conditions of Contract</b></p> <ul style="list-style-type: none"> <li>GCC Clause 16.1</li> </ul>	<p>Engine performance and other technical specifications of the offered vehicle shall be checked at the nearest Philippine Motor Vehicle Inspectorate Center (PMVIC) accredited by the Land Transportation Office (LTO) from the warehouse/point of origin, to determine compliance of the same vis-à-vis the prescribed technical specifications indicated in the PBD. The cost of inspection and testing of at least ten percent (10%) of the total quantity</p>	<p><b>Refer to Amendment/Supplemental Bid Bulletin No. 1</b></p>

	<p>delivered shall be to the account of the Supplier.</p> <p>As experienced in our past transactions with the Philippine National Police, they require smoke emission test for the brand new motorcycles which are not yet registered. All the smoke emission test centers from NCR, Region 1, Region 2 and Region 3 did not allow us to do the smoke emission test since the motorcycle is not yet registered, and the system of LTO will not accept the data. Same with your requirement that the offered motorcycles will undergo testing from PMVIC, this condition may cause us delays if the PMVIC will not allow us.</p> <p>May we request from your good office to kindly amend 16.1 of the Special Conditions of Contract and clarify the testing that the motorcycle will undergo. May we suggest rather an endurance and functionality test, and at least one motorcycle will undergo such testing rather than 10% of the lot?</p>	<p><b>Refer to Amendment/Supplemental Bid Bulletin No. 1</b></p>
<ul style="list-style-type: none"> <li>• GCC Clause 17.3</li> </ul>	<p>Warranty required three (3) years after acceptance by the Procuring Entity of the delivery of Goods. Warranty security either in the form of retention money or a special bank guarantee in the amount specified in the GCC Clause shall only be effective for a period of one (1) year.</p> <p>The standard Manufacturer's warranty for the motorcycle is 12 months or 12,000 kms whichever comes first.</p> <p>May we request from your good office to kindly amend the warranty retention from 3 years to 1 year to comply with the Manufacturer's standard warranty claim.</p> <p>In the template provided in the PBD for the required Manufacturer's Authorization (page 86), stated that: "We hereby extend our full guarantee and warranty in accordance with Clause 17.3 of the General Conditions of Contract, with respect to the Goods offered by the above firm."</p>	<p><b>Refer to Amendment/Supplemental Bid Bulletin No. 1</b></p>

	<p>The afore-cited clause 17.3 of the GCC states that:</p> <p>In order to assure that manufacturing defects shall be corrected by the Supplier, a warranty shall be required from the Supplier for a minimum period specified in the <b>SCC</b>. The obligation for the warranty shall be covered by, at the Supplier’s option, either retention money in an amount equivalent to at least one percent (1%) of every progress payment, or a special bank guarantee equivalent to at least one percent (1%) of the total Contract Price or other such amount of so specified in the <b>SCC</b>. The said amounts shall only be released after the lapse of the warranty period specified in the <b>SCC</b>; provided, however, that the Supplies delivered are free from patent and latent defects and all the conditions imposed under this Co9ntract have been fully met.”</p> <p>Whereas, the minimum Warranty Period stated in the SCC is three (3) years, to quote:</p> <p>GCC Clause 17.3 – Warranty required: three (3) years after acceptance by the Procuring Entity of the delivery of Goods. Warranty security either in the form of retention money or a special bank guarantee in the amount specified in the GCC Clause shall only be effective for a period of one (1) year.</p> <p>As we understood from the foregoing, the Warranty security cited above is clearly the responsibility of the Supplier/Bidder. Furthermore, such Warranty security is automatically provided by the Supplier/Bidder when the Procuring Entity (DAR) deducts the 1% retention money for every payment made by it to the Supplier/Bidder. There is therefore no need for the Manufacturer to issue a special bank guarantee as Warranty security. Please confirm if this understanding of ours is correct.</p>	
<p><b>C. Section VI. Schedule of Requirements</b></p>	<p>The issue as to whether the Delivery Period can be lengthened due to the big quantity of 820 units required in the bid and owing also to shortage of raw materials (semiconductor chips) and delays in shipping and logistics these days due to the pandemic (especially in China), we hereby request for the BAC to consider</p>	<p><b>See Amendment/Supplemental Bid Bulletin No. 1, Annex “C ” which replaces the previously issued Schedule of Requirements.</b></p>

	<p>a Delivery Period of one hundred eighty (180) calendar days from the date of receipt of the Notice to Proceed (NTP)</p> <p>From: MCX International, Inc.</p> <p>Delivery Period: 60 days as required, can it be changed to 180 calendar days?</p>	
<p><b>D. Section VII. Technical Specifications</b></p> <ul style="list-style-type: none"> <li>Item 2 - Type: Off-road</li> </ul>	<p>Requesting to change this to: "Manufacturer's Standard" - All terrain (Paved and Rough Road)</p>	<p>See Amendment/Supplemental Bid Bulletin No. 1, Annex "D" which replaces the previously issued Technical Specifications.</p>
<ul style="list-style-type: none"> <li>Item 4 – Displacement: at least 149 cc</li> </ul>	<p>Requesting to change this to "Manufacturer's Standard"</p>	<p>See Amendment/Supplemental Bid Bulletin No. 1, Annex "D" which replaces the previously issued Technical Specifications.</p>
<ul style="list-style-type: none"> <li>Item 8 – Bore and Stroke: at least 57.3 x 57.9 mm</li> </ul>	<p>The motorcycle model we will bid has 57.8 mm stroke which is short of a negligible 0.1 mm. We humbly request the BAC to accept 57.8 mm stroke minimum.</p> <p>The existing technical specifications of Off Road motorcycle in the Philippine Market today has an average bore and stroke of at least 57 x 57 mm.</p> <p>May we request that the Technical Specifications for bore and stroke be changed from 57.3 x 57.9 mm to 57.3 x 57.8 mm.</p>	<p>See Amendment/Supplemental Bid Bulletin No. 1, Annex "D" which replaces the previously issued Technical Specifications.</p>
<ul style="list-style-type: none"> <li>Item 9 – Transmission type: 5-speed manual</li> </ul>	<p>Requesting to change to "Manufacturer's Standard"</p>	<p>See Amendment/Supplemental Bid Bulletin No. 1, Annex "D" which replaces the previously issued Technical Specifications.</p>
<ul style="list-style-type: none"> <li>Item 11 – Rear suspension: swing arm mono shock</li> </ul>	<p>Requesting to change to "Manufacturer's Standard"</p>	<p>See Amendment/Supplemental Bid Bulletin No. 1, Annex "D" which replaces the previously issued Technical Specifications.</p>
<ul style="list-style-type: none"> <li>Item 12 – Front Tire: 90/90-19</li> </ul>	<p>Requesting to change to "Manufacturer's Standard"</p>	<p>See Amendment/Supplemental Bid Bulletin No. 1, Annex "D" which replaces the previously issued Technical Specifications.</p>

<ul style="list-style-type: none"> <li>Item 13 – Rear Tire: 110/90-17</li> </ul>	<p>Requesting to change to “Manufacturer’s Standard”</p>	<p>See Amendment/Supplemental Bid Bulletin No. 1, Annex “D” which replaces the previously issued Technical Specifications.</p>
<ul style="list-style-type: none"> <li>Item 14 – Front Brake: Disc Brake</li> </ul>	<p>Requesting to change to “Manufacturer’s Standard”</p>	<p>See Amendment/Supplemental Bid Bulletin No. 1, Annex “D” which replaces the previously issued Technical Specifications.</p>
<ul style="list-style-type: none"> <li>Item 15 – Rear Brake: Drum</li> </ul>	<p>Requesting to change to “Manufacturer’s Standard”</p>	<p>See Amendment/Supplemental Bid Bulletin No. 1, Annex “D” which replaces the previously issued Technical Specifications.</p>
<ul style="list-style-type: none"> <li>Item 17 – Dimensions: L x W x H mm (min.) 2091 x 811 x 1125 mm</li> </ul>	<p>Requesting to change to “Manufacturer’s Standard”</p>	<p>See Amendment/Supplemental Bid Bulletin No. 1, Annex “D” which replaces the previously issued Technical Specifications.</p>
<ul style="list-style-type: none"> <li>Item 19 – Wheel base: at least 1340 mm</li> </ul>	<p>Requesting to change to “Manufacturer’s Standard”</p>	<p>See Amendment/Supplemental Bid Bulletin No. 1, Annex “D” which replaces the previously issued Technical Specifications.</p>
<ul style="list-style-type: none"> <li>Item 20 – Minimum ground clearance: 234 mm</li> </ul>	<p>Requesting to change to “Manufacturer’s Standard”</p>	<p>See Amendment/Supplemental Bid Bulletin No. 1, Annex “D” which replaces the previously issued Technical Specifications.</p>
<p><b>Other Requirements:</b></p> <ul style="list-style-type: none"> <li>Item 22 – Complete with all standard tools, manual, accessories such as Early Warning Device (EWD) and security alarm</li> </ul>	<p>Installing a Security Alarm in the motorcycle will cause some warranty issue, the warranty will be void.</p> <p>Can you remove the security alarm since it may void the warrant of the motorcycle?</p> <p>As expressed by the bidders during the Pre-Bid Conference, we respectfully request the BAC to reconsider if these tools/features can be deleted.</p>	<p>See Amendment/Supplemental Bid Bulletin No. 1, Annex “D” which replaces the previously issued Technical Specifications.</p>
<ul style="list-style-type: none"> <li>Item 24 – Free three (3) years LTO registration</li> </ul>	<p>Based on the standard process of the LTO, the motorcycle models with 201CC and above displacement can be registered for 3 years while those with 200CC and below can be registered for one (1) year.</p>	<p>See Amendment/Supplemental Bid Bulletin No. 1, Annex “D” which replaces the previously issued Technical Specifications.</p>

	<p>May we request that the registration of these would be 1 year LTO registration?</p> <p>As we know in the motorcycle industry, the LTO limits the registration of motorcycle with 400cc and below engines to only one (1) year.</p>	
<ul style="list-style-type: none"> <li>Item 26 – At least three (3) years warranty or 100,000 kms. Whichever comes first</li> </ul>	<p>The bidders commented that the required Warranty Period of three (3) years or 100,000 kms is more applicable to four-wheeled motor vehicles, and that the common Warranty Period for motorcycles is one (1) year or 12,000 kms whichever comes first. May we respectfully request the BAC to consider adopting a Warranty Period of Two (2) years or 24,000 kms, whichever comes first?</p> <p>The standard Manufacturer’s warranty for motorcycles is 12 months or 12,000 kms whichever comes first. On the other hand, the 3 years and 100,000 kms warranty is applicable for four (4) wheeled vehicles.</p> <p>May we request from your good office to kindly amend the warranty period from 3 years and 100,000 kms to 12 months and 12,000 kms whichever comes first?</p>	<p><b>See Amendment/Supplemental Bid Bulletin No. 1, Annex “D ” which replaces the previously issued Technical Specifications.</b></p>
<p><b>E. Other Concerns</b></p> <ul style="list-style-type: none"> <li>Omnibus Sworn Statement</li> </ul>	<p>We would like to clarify that there’s no Omnibus Sworn Statement included in the bid documents for the Procurement of 820 units motorcycles.</p>	<p><b>Not required</b></p>
<ul style="list-style-type: none"> <li>Facebook Live Coverage</li> </ul>	<p>We respectfully request the DAR BAC to kindly have a Facebook Live Coverage at the Bid Opening proceedings on 26 July 2022. This is behind practiced by government procuring entities during these pandemic days to enable the officers of the Suppliers/Bidders who cannot be physically present at the DAR’s bid opening venue to attend and watch the proceedings online and live.</p>	<p><b>Refer to 2<sup>nd</sup> paragraph of item 6 in the Invitation to Bid which states that “Bid opening shall be conducted face-to-face ...xxx</b></p>

**APPROVED BY:**  
**(For the BAC-Primary)**

**MARIA CELESTINA M. TAM**

Assistant Secretary, Legal Affairs Office and  
Chairperson, Bids and Awards Committee-Primary