



Republic of the Philippines
Sandiganbayan
Quezon City

BIDS AND AWARDS COMMITTEE

INVITATION FOR NEGOTIATION

(Negotiated Procurement - Two-Failed Biddings)

Procurement of Fourteen (14) Units of Brand New Motorcycles for the Sandiganbayan

1. Pursuant to Section 53.1 of the 2016 Revised Implementing Rules and Regulations of Republic Act (R.A.) No. 9184, we invite legally, technically, and financially capable suppliers to negotiate with the Sandiganbayan on following procurement project:

<i>Project/Description</i>	One (1) Lot Procurement of Fourteen (14) Units of Brand New Motorcycles for the Sandiganbayan (Reference: <i>SB-BID04.1-2022-NP1</i>)
<i>Approved Budget for the Contract (ABC)</i>	One Million Four Hundred Thousand Pesos (PhP1,400,000.00) , inclusive of all applicable taxes and other charges. Offers received in excess of the ABC shall be automatically rejected.
<i>Source of Fund</i>	Continuing Appropriations
<i>Delivery period</i>	Within thirty (30) days from the issuance and receipt of the Notice to Proceed.

2. The following schedule of activities shall be observed:

Activity	Date / Time
	Venue: Sandiganbayan Centennial Building or via zoom
<i>Posting/ Issuance of Invitation</i>	June 2, 2022
<i>Submission and Opening of Eligibility Documents</i>	June 8, 2022/2:00 P.M. Eligibility documents submitted after 2:00 P.M. shall no longer be accepted.

<i>Negotiation Meeting</i>	<p>June 8, 2022/2:15 P.M.</p> <p>Join Zoom Meeting https://us06web.zoom.us/j/82453178928?pwd=UEp3RGdsVHlzNVg5VEVva2tQelJwQT09</p> <p>Meeting ID: 824 5317 8928 Passcode: 036057</p>
<i>Submission and Opening of Best Offer</i>	<p>June 20, 2022/2:00 P.M.</p> <p>The sealed envelope containing the supplier's best offer must be submitted to any member of the BAC Secretariat, 2nd Floor, Library Section, Sandiganbayan Centennial Building. Late offer/s shall not be accepted.</p>

3. Negotiations are open to all interested and qualified bidders.

4. Interested bidders shall submit the following *eligibility documents* in sealed envelopes, labeled as “**NEGOTIATED DOCUMENTS**,” with: (a) the title of the project, (b) name of the bidder, (c) address of the bidder, and (d) contact details of the bidder, addressed to the undersigned:

Class “A” Documents:

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

(b) 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; and

(c) Statement of the bidder's Single Largest Completed Contract (SLCC) similar to the contract to be bid, except under conditions provided for in Sections 23.4.1.3 and 23.4.2.4 of the 2016 revised IRR of RA No. 9184, within the relevant period as provided in the Bidding Documents; and

(d) Original copy of Bid Security. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission;

or

Original copy of Notarized Bid Securing Declaration; and

(e) Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or after-sales/parts, if applicable; and

- (f) Original duly signed Omnibus Sworn Statement (OSS);

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.

- (g) The prospective bidder's computation of Net Financial Contracting Capacity (NFCC);

or

A committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation.

Class "B" Documents:

- (h) *If applicable*, a duly signed 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 into and abide by the provisions of the JVA in the instance that the bid is successful.

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

- (i) [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.

- (j) Certification from the DTI if the Bidder claims preference as a Domestic Bidder or Domestic Entity.

5. The **BEST OFFER** of the supplier shall be submitted in a sealed envelope marked:

“NEGOTIATED PROCUREMENT- TWO FAILED BIDDINGS
BEST OFFER FOR ONE (1) LOT
One (1) Lot Procurement of Fourteen (14) Units of Brand New
Motorcycles for the Sandiganbayan
(REFERENCE: SB-BID04.1-2022-NP1)

The envelope shall:

- a. Bear the name, address and contact number of the Supplier;
- b. Addressed to the “**Sandiganbayan Bids and Awards Committee**”; and
- c. Bear a warning “**DO NOT OPEN BEFORE June 20, 2022, at 2:00 P.M.**”
- d. Shall contain the duly accomplished **Price Quotation Form (Annex B)**.

6. The winning bidder shall post a performance security and a warranty security, conformably with Item IV (M), Annex “H” of the 2016 Revised IRR of R.A. No. 9184.

7. Pursuant to the Sandiganbayan Administrative Order No. 21-2022, all court users shall be allowed entry into the Sandiganbayan Centennial Building provided that they are able to show physical or electronic copies of their duly issued vaccination and/or booster cards upon entry into the Building. All court users who are not fully vaccinated or are unable to adequately present copies of their vaccination cards shall be required to present a laboratory confirmed or professionally conducted negative Antigen or RT-PCR test result taken within a maximum of forty-eight (48) hours before entry into the Sandiganbayan Centennial Building.

8. The Sandiganbayan reserves the right to reject any and all sealed offers, declare a failure of negotiation, or not award the contract at any time prior to contract award in accordance with Section 41 of R.A. No. 9184 and its IRR, without thereby incurring any liability to the affected bidder or bidders.

For further information, please contact:

ATTY. DASHELL C. YANCHA-PO
Head, BAC Secretariat
c/o Legal Research and Technical Staff
Tel No. 89514587
sbbacsecretariat@gmail.com

ATTY. MA. TERESA S. PABULAYAN
Chairperson
Bids and Awards Committee



Republic of the Philippines
Sandiganbayan
 Quezon City

Annex A

TECHNICAL SPECIFICATIONS
AND TERMS OF REFERENCE

**One (1) Lot Procurement of Fourteen (14)
 Units of Brand New Motorcycles**

Approved Budget for the Contract: One Million Four Hundred Thousand Pesos (Php1,400,000.00)

Particulars	Description
Average Weight of the Motorcycle	Dry weight: Not less than 106.0kg. (233.7 lbs.)
Engine and Performance	Displacement: At least 125cc but not to exceed 200cc Valve configuration: SOHC Exhaust pipes: Single exhaust Engine type: Liquid cooled Number of strokes: 4-strokes Number of cylinders: 1
Dimension	Category: Scooter Seating capacity: 2
Fuel and ignition	Start option: electric Fuel supply system: Fuel injection Fuel type: Gasoline
Wheels and tires	Tire type: Tubeless radial
Gear and transmission	Gear box: Variable speed Transmission type: CVT
Accessories <i>All items to be offered should be branded or of premium quality</i>	<ul style="list-style-type: none"> ▪ <i>Standard protective motorcycle helmet (Republic Act 10054)</i> <ul style="list-style-type: none"> ○ <i>Compliant with the specification prescribed by the Department of Trade and Industry (DTI) and which bear the Philippine Standard (PS) mark or Import Commodity Clearance (ICC) of the Bureau of Product Standards (BPS)</i> ○ <i>Full face visor helmet (MMDA requirement against COVID-19)</i> ○ <i>Single visor system</i>

	<ul style="list-style-type: none"> ○ <i>Removable and washable liner</i> ○ <i>Active flow three stage ventilation system</i> ○ <i>Quick release visor</i> ▪ <i>Poncho</i> ▪ <i>Alloy top box</i> <ul style="list-style-type: none"> ○ <i>At least 45-liter Aluminum material</i> ○ <i>Dimension: 14x17x14 inches</i> ○ <i>Weight: Approx. 6kg</i>
Inclusions	<ol style="list-style-type: none"> 1. LTO registration 2. Motorcycle insurance 3. Twelve (12) months warranty or 12,000 kilometers whichever comes first 4. Sandiganbayan decal
Other Requirements	<ol style="list-style-type: none"> 1. Availability of spare parts all over the Philippines; 2. Unit brand/model must have been existing and sold in the Philippine market for at least ten (10) years; 3. Dealer/Supplier must have at least two (2) service centers within ten (10) kilometer radius of the Sandiganbayan Centennial Building; 4. Dealer/Supplier must have at least ten (10) authorized service centers in Metro Manila; 5. AFTER SALES SERVICE – Submission of Certificate of After Sales Service and availability of spare parts within the warranty period with the list of accredited service centers in the Philippines, indicating the address, telephone, fax numbers and contact persons; 6. MANUALS – Bidder shall provide maintenance manuals in English language (2 copies); 7. Original Warranty/Guarantee Certificates shall be issued in the name of the Sandiganbayan; 8. Sandiganbayan reserves the right to inspect or tests the commodities and/or materials and accept or reject any or all of the items delivered not in accordance with the specifications. All cost of testing shall be for the account of the supplier; 9. The winning bidder shall warrant that the goods subject to the Purchase Order is free from latent defects which are not apparent during the inspection and testing periods; 10. In case of three or more repairs within the next six (6) months from the delivery and acceptance of motorcycles, due to factory defects or related quality concerns, supplier shall be required to replace the motorcycle with another new motorcycle with the same brand and model; and, 11. Unit offered should be presented during the Post-Qualification.



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ANNEX B

PRICE QUOTATION FORM

NEGOTIATED PROCUREMENT- TWO FAILED BIDDINGS

One (1) Lot Procurement of Fourteen (14) Units of Brand New Motorcycles for the Sandiganbayan

(Reference: *SB-BID04.1-2022-NP1*)

Date: _____

To: THE SANDIGANBAYAN

Gentlemen:

After having carefully read and accepted the terms and conditions stated in the *Invitation for Negotiation*, hereunder is our best offer for the above stated procurement project:

1) STATEMENT OF COMPLIANCE

Particulars	Description	Statement of Compliance
Average Weight of the Motorcycle	Dry weight: Not less than 106.0kg. (233.7 lbs.)	
Engine and Performance	Displacement: At least 125cc but not to exceed 200cc Valve configuration: SOHC Exhaust pipes: Single exhaust Engine type: Liquid cooled Number of strokes: 4-strokes Number of cylinders: 1	
Dimension	Category: Scooter Seating capacity: 2	
Fuel and ignition	Start option: electric Fuel supply system: Fuel injection Fuel type: Gasoline	
Wheels and tires	Tire type: Tubeless radial	

Gear and transmission	Gear box: Variable speed Transmission type: CVT	
Accessories <i>All items to be offered should be branded or of premium quality</i>	<ul style="list-style-type: none"> ▪ <i>Standard protective motorcycle helmet (Republic Act 10054)</i> <ul style="list-style-type: none"> ○ <i>Compliant with the specification prescribed by the Department of Trade and Industry (DTI) and which bear the Philippine Standard (PS) mark or Import Commodity Clearance (ICC) of the Bureau of Product Standards (BPS)</i> ○ <i>Full face visor helmet (MMDA requirement against COVID-19)</i> ○ <i>Single visor system</i> ○ <i>Removable and washable liner</i> ○ <i>Active flow three stage ventilation system</i> ○ <i>Quick release visor</i> ▪ <i>Poncho</i> ▪ <i>Alloy top box</i> <ul style="list-style-type: none"> ○ <i>At least 45-liter Aluminum material</i> ○ <i>Dimension: 14x17x14 inches</i> ○ <i>Weight: Approx. 6kg</i> 	
Inclusions	<ol style="list-style-type: none"> 1. LTO registration 2. Motorcycle insurance 3. Twelve (12) months warranty or 12,000 kilometers whichever comes first 4. Sandiganbayan decal 	
Other Requirements	<ol style="list-style-type: none"> 1. Availability of spare parts all over the Philippines; 2. Unit brand/model must have been existing and sold in the Philippine market for at least ten (10) years; 3. Dealer/Supplier must have at least two (2) service centers within ten (10) kilometer radius of the Sandiganbayan Centennial Building; 4. Dealer/Supplier must have at least ten (10) authorized service centers in Metro Manila; 5. AFTER SALES SERVICE – Submission of Certificate of After Sales Service and availability of spare parts 	

	<p>within the warranty period with the list of accredited service centers in the Philippines, indicating the address, telephone, fax numbers and contact persons;</p> <p>6. MANUALS – Bidder shall provide maintenance manuals in English language (2 copies);</p> <p>7. Original Warranty/Guarantee Certificates shall be issued in the name of the Sandiganbayan;</p> <p>8. Sandiganbayan reserves the right to inspect or tests the commodities and/or materials and accept or reject any or all of the items delivered not in accordance with the specifications. All cost of testing shall be for the account of the supplier;</p> <p>9. The winning bidder shall warrant that the goods subject to the Purchase Order is free from latent defects which are not apparent during the inspection and testing periods;</p> <p>10. In case of three or more repairs within the next six (6) months from the delivery and acceptance of motorcycles, due to factory defects or related quality concerns, supplier shall be required to replace the motorcycle with another new motorcycle with the same brand and model; and,</p> <p>11. Unit offered should be presented during the Post-Qualification.</p>	
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2) SUPPLIER'S OFFER

Item No.	Quantity	Item Description	Unit Cost	Total Cost
1	1 Lot	Fourteen (14) Units of Brand New Motorcycles which are compliant with the above-stated Technical Specifications and Terms of Reference		
Supplier's Offer				

Until a formal Contract/ Purchase Order (PO) is prepared and executed, this Offer, together with your written acceptance thereof and the Notice of Award, shall be binding upon us.

We understand that you are not bound to accept the Lowest Offer which you may receive.

We likewise certify/confirm that the undersigned, is granted full power and authority by the _____ to participate, [name of supplier] submit the offer, and to sign and execute the ensuing contract/PO on the latter's behalf for the procurement of fourteen (14) units of brand new motorcycles for the Sandiganbayan. Attached herewith is the written authority issued by the _____ [name of supplier].

Dated this _____ day of _____ 2022.

(name and signature)
(in the capacity of)

Duly authorized to sign Bid for and on behalf of

_____.



Republic of the Philippines
Sandiganbayan
Quezon City

Annex C

SCHEDULE OF REQUIREMENTS

The delivery schedule expressed as weeks/months stipulates hereafter a delivery date which is the date of delivery to the project site.

Description	Quantity	Delivery Schedule
One Lot Fourteen (14) Units of Brand New Motorcycles	One Lot of Fourteen (14) units	Within thirty (30) days from the issuance and receipt of the Notice to Proceed

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

[name of company]

signature over printed name]

[date]