



Republic of the Philippines
NATIONAL POWER CORPORATION

**TERMS OF REFERENCE
ALTERNATIVE MODE OF PROCUREMENT
(NOGOTIATED PROCUREMENT)**

1. **Scope of Works (REF: PR NO. MG-A7M22-049, MG-A7022-004 & MG-A7M22-107)**

For the supply and delivery of *Supply and delivery of Generator Cleaners for Agus 6&7 HPPC*

Note: This portion must include the complete technical specifications and the quantity of the requirement.

2. **Delivery Period**

Delivery Period shall be not later than *on or before December 10, 2022* upon receipt of the Purchase Order.

3. **Delivery Point**

Items shall be delivered at Agus 6&7 HEPC, Sitio Fuentes, Maria Cristina, Iligan City.

4. **Documents to be submitted together with the bid proposal during the bidding:**

Legal and Technical Envelope which shall contain the following:

- a) Valid Mayor's Permit
- b) DTI/SEC Registration
- c) Completed contracts/Purchase Orders similar in nature for the items to be Bid.
- d) Certificate of PhilGEPS Registration

Bidders may submit earlier (7 days before the bid submission) the above legal and technical documents for issuance of a "Certificate of Class A Document".

- e) Other documents as may be required (i.e. Manuals/Brochures, Samples, etc.)

To be submitted during Post-qualification. (The Bidder however may opt to submit the following documents during bid Submission)

- f) Latest Income Tax Returns (ITR) or Business Tax Returns (BTR)

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5. Bid Submission

The Bidder shall submit their bids through their authorized representative at the BAC Secretariat or by fax/email 063-223-4604/ebingjarales@yahoo.com not later than 9:30 A.M. of _____.

6. Late Bids

Any Bid submitted after the deadline for submission and receipt of Bids shall not be accepted by NPC.

7. Bid Prices

The bid price as indicated in the Bid Proposal form shall be fixed during the Bidder's performance of the Contract and not subject to variation or price escalation on any account. A Bid submitted with an adjustable price quotation shall be treated as non-responsive.

8. Bid Price Validity

Price Validity shall be not less than One Hundred Twenty (120) calendar days from date of bid submission.

9. Eligibility Criteria

- a. Bids shall be checked using the PASS / FAIL Criteria for Legal, Technical and Financial components.
- b. From the bids that were rated PASSED, the same shall be ranked and corrected for computational errors to identify the Lowest Calculated Bid (LCB).

10. Detailed Evaluation and Comparison of Bids

The LCB shall be subjected to detailed evaluation against the Technical Specifications including arithmetical computations. Documents which are deemed not to comply with the requirements of the tender shall be considered non-complying.

11. Post qualification

Submitted documents of the LCB shall be subjected to post qualification evaluation.

The bid that PASSED the post-qualification shall be declared as the Lowest Complying Responsive Bid (LCRB).

12. Notice to Supplier

- a. The supplier shall pick-up the Purchase Order (PO) from NPC and sign the CONFORME portion within two (2) calendar days from receipt of the Notice of Award;

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- b. Failure to secure the PO by the supplier within the said period will mean cancellation of the same and imposition of penalties as prescribed by law.

13. Notice to Proceed

Notice to Proceed (NTP) shall be issued to supplier within three (3) days upon approval of the PO/Contract.

14. Total Contract Price

The Total Contract Price shall be inclusive of all taxes and other related expenses/charges,

15. Terms of Payment

Terms of Payment shall be thirty (30) days after submission of complete supporting documents.

16. Warranty

Unless otherwise provided, warranty shall be for a minimum period of three (3) months, in the case of Expendable Supplies, or a minimum period of one (1) year, in the case of Non-expendable Supplies, after final acceptance by end-user of the delivered items.

17. Liquidated Damages

Where the supplier refuses or fails to satisfactorily complete the work within the specified contract time, plus any time of extension duly granted and is hereby in default under the contract, the supplier shall pay NPC for liquidated damages, and not by way of penalty, an amount equal to at least one tenth (1/10) of one percent(1%) of the cost of the undelivered/unperformed portion of the items/works for every day of delay but not to exceed ten percent (10%) of the total contract price. Once the cumulative amount of liquidated damages reaches ten percent (10%) of the amount of the contract, the procuring entity shall rescind the contract, without prejudice to other courses of action and remedies open to it (Section 68 of the Revised IRR of RA 9184).

18. Liability of the Supplier

If after signing and accepting the Purchase Order, the supplier fails to deliver the goods, appropriate sanctions will be imposed as prescribed under Republic Act (RA) 9184 and its Revised Implementing Rules and Regulations (IRR).

19. Reservation Clause

NPC reserves the right to accept or reject any bid, to annul the bidding process, and to reject all bids at any time prior to contract award, without thereby incurring any liability to the affected bidder/s.

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**BID PROPOSAL
(NEGOTIATED PROCUREMENT)**

To : The BAC Chairman:

Having examined the Terms of Reference for Purchase Requisition No. PR NOs. MG-A7M22-049, MG-A7022-004 & MG-A7M22-107. I agree with the conditions of the TOR and offer the following supplies with specific description.

	ITEM DESCRIPTION	QUANTITY	ABC/Unit (Php)	UNIT PRICE (Php)	TOTAL PRICE (Php)
1	GENERATOR CLEANER, SLOW DRY	31 PAIL	PHP1,611,800.00		
2.	GENERATOR CLEANER, FAST DRY	36 PAIL			

NOTE: please see attached Section VI & VII of Philippine Bidding Documents (PBD)

Delivery Period : _____
Delivery Point : _____
Terms of Payment : _____
Price Validity : _____
Warranty Period : _____

Company Name : _____
Business Address : _____
Telephone No/s. : _____
Facsimile : _____

Name and Signature of Authorized Representative
Date _____

Note: In case of discrepancy between the prices in words and in figures, the price in words shall prevail.

Section VI. 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.

Item Number	Description	Quantity	Total	Delivered, Weeks/Months
1	Generator Cleaner, Slow Dry	31 pail	Php 1,611,800.00	On or before 10 December 2022
2	Generator Cleaner, Fast Dry	36 pail		On or before 10 December 2022

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Section VII
Technical Specifications

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**Conformity with the Technical Specifications - 1
(Scope of Works)**

Items	Scope of Works	Supplier's Data and Statement of Compliance
1.	Supply and delivery of Thirty One (31) pails of Slow Drying Generator Cleaner. One pail = 20 liters	
2.	Supply and delivery of Thirty Six (36) pails of Fast Drying Generator Cleaner. One pail = 20 liters	
3.	Submission of manufacturer's test certificate	

Name of Bidder: _____

Signature(s) of Bidder: _____

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(Handwritten marks and signatures)

**Conformity with the Technical Specifications - 2
(Administrative and Documentary Requirements)**

Item	Description	NPC Requirements	Supplier's Data and Statement of Compliance
1	Warranty	One (1) year reckoned from the date of final acceptance	
2	After-sales support on spare parts	Five (5) years after the warranty period	
3	Delivery/completion date	On or before 10 December 2022	
4	Delivery point	Agus 6/7 HPPC, Maria Cristina, Fuentes, Iligan City	
5	Authority to Bid or Letter of confirmation from the manufacturer of GENERATOR CLEANER that a local agent or representative is available to provide "After Sales Service" to the supplied Components /parts / accessories during and after the warranty period. Name, address and contact number shall be provided.	<p>Submit the authority to bid or letter of confirmation as part of the eligibility requirements(To be included in Envelope 1)coming from:</p> <ol style="list-style-type: none"> 1. The Original Equipment Manufacturer (OEM) or its Philippine Subsidiary, or 2. Authorized Product Distributor. In this case, the bidder shall also submit the Distributorship Agreement (DA) between the manufacturer and the said authorized distributor. The DA must also indicate that the distributor is vested with authority to distribute the product in the Philippines. 3. If the bidder is an Authorized Distributor in the Philippines, submission of its DA with OEM in lieu of the required authority to bid will suffice. <p>The submitted Authority to Bid and Distributorship Agreements should indicate the validity period and must still be valid during the opening of bids.</p>	

Item	Description	NPC Requirements	Supplier's Data and Statement of Compliance
6	Manpower requirements: Not applicable	Not applicable	
7	Safety Data Sheet	Generator Cleaner slow dry and Generator Cleaner fast dry (To be included in Envelope 1)	
8	Evidence to support Conformity with the Technical Specifications	Submit of Manufacturer's un-amended sales literature, unconditional statements of specification and compliance issued by the manufacturer, samples, independent test data etc., as appropriate of 1. Generator cleaner slow dry 2. Generator cleaner fast dry as evidence of the compliance to the required Technical Specifications (To be included in Envelope 1)	

Name of Bidder: _____

Signature(s) of Bidder: _____





Conformity with the Technical Specifications - 3

1. Bidders must state here either "Comply" or "Not Comply" against each of the individual parameters of each Specification stating the corresponding performance parameter of the equipment offered.
2. Statements of "Comply" or "Not Comply" must be supported by evidence in a Bidders Bid and cross-referenced to that evidence (Under Supplier's Data and Statement of Compliance and after each specification statement, provide guide for the evaluation, such as page number and/or part number, model number where declared specification(s) is found as evidence). 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. A statement 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.

Item	Description	NPC Required Specifications	Supplier's Data and Statement of Compliance
1	Generator Cleaner, Slow Drying	Quantity: Thirty One (31) Pails, One (1) Pail = Twenty (20) Liters	
	Brand name	By supplier	
	Ordering information	By supplier	
	Specifications :	Low Toxicity, Maximum Allowable Concentration (MAC): 500 ppm	
		High effective cleaning cleaning power, deep penetration	
		Economical due to the controlled evaporation rate that allows flushing to be completed before the product evaporates.	
		Non-flammable, non-conductive, corrosive inhibitors	
		High dielectric strength (over 30,000volts)	
		Produces no cumulative toxic effects	

Handwritten signature and initials in blue ink, including a large stylized signature and the letters 'C' and 'D'.

2	Generator Cleaner, Fast Drying	Quantity: Thirty Six (36) Pails, One (1) Pail = Twenty (20) Liters	
	Brand Name	By Supplier	
	Ordering Information	By Supplier	
	Specifications :	No fire flashpoint	
		Excellent evaporation without leaving any oil residue	
		High MAC rating and lower toxicity when compared to gasoline and carbon tetra chloride	
		Excellent cleaning and degreasing properties not only oil and grease but also soils not soluble in water	
		Non corrosive to metal including Aluminum	
		High dielectric strength (over 30,000volts)	

Name of Bidder: _____

Signature(s) of Bidder: _____

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