



INVITATION FOR NEGOTIATED PROCUREMENT DUE TO TWO-FAILED BIDDINGS

SUPPLY AND DELIVERY TO CONSIGNEES OF NUTRIBUN FOR THE NNC'S "TUTOK KAINAN" DIETARY SUPPLEMENTATION PROGRAM FOR PREGNANT WOMEN IN THE MUNICIPALITIES OF PROVINCE OF SULU - PHASE 5

1. The **NATIONAL NUTRITION COUNCIL (NNC)**, through the General Appropriations Act (GAA)-Early Childhood Care and Development in the First 1000 days intends to apply the sum of **One Million One Hundred One Thousand Two Hundred Pesos only (Php 1,101,240.00)** being the total Approved Budget for the Contract (ABC) to payments under the contract for the Supply and delivery to consignees of Nutribun for "Tutok Kainan" Dietary Supplementation Program for Pregnant Woman in the Municipalities of province of Sulu - Phase 5. Bids received in excess of the ABC shall be automatically rejected at bid opening.
2. The National Nutrition Council now invites bids for the Supply and delivery to consignees of Nutribun for "Tutok Kainan" Dietary Supplementation Program for Pregnant Woman in the Municipalities of province of Sulu - Phase 5. Bidders should have completed, within three (3) years from the date of submission and receipt of bids, a contract similar to the project. The description of an eligible bidder is contained in the Bidding Documents, particularly, in Section II (Instructions to Bidders).

Bidding is restricted to Filipino citizens/sole proprietorships, partnerships, or organizations with at least sixty percent (60%) interest or outstanding capital stock belonging to citizens of the Philippines, and to citizens or organizations of a country the laws or regulations of which grant similar rights or privileges to Filipino citizens, pursuant to R.A. No. 5183.

3. The procurement procedure for this requirement is Negotiated Procurement pursuant to Section 53.1 of the 2016 Revised Implementing Rules and Regulations (IRR) of R.A. 9184, otherwise known as the "Government Procurement Reform Act", including Annex "H" thereof.

The NNC-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 at the address given below on November 25 – December 7, 2022 at 8:00 a.m. to 4:00 p.m.

"Malnutrisyon patuloy na labanan, First 1000 days tutukan!"

5. The schedule of bidding activities is herein stated below:

Activities	Schedule	Venue
Issuance and availability of Negotiation Documents	25 November – 07 December from 8:00 a.m. – 5:00 p.m.	National Nutrition Council 2332 Chino Roces Avenue Extension, Taguig City
Conduct of Pre-Bid/Negotiation Conference	01 December 2021 at 11:00 p.m.	NNC Board Room National Nutrition Council 2332 Chino Roces Avenue Extension, Taguig City
Deadline for submission and opening of Negotiation Documents	09 December 2022 at 1:00 p.m.	NNC Board Room National Nutrition Council 2332 Chino Roces Avenue Extension, Taguig City

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

Eligibility and Technical Component Envelope:

Class “A” Documents

1. Legal Documents:

- a. PhilGEPS Certificate of Registration and Membership (Platinum Membership) or, in lieu of the Platinum PhilGEPS Certificate:

Class “A” Documents (per GPPB Resolution No. 26-2017 and GPPB Circular No. 07-2017), labeled as follows:

- Registration Certificate issued by the (a) Securities and Exchange Commission (SEC) including Articles of Incorporation, for a corporation; (b) Department of trade and Industry (DTI), for a sole proprietorship; or (c) Cooperative Development Authority (CDA), for a cooperative.
- Valid and subsisting Mayor’s permit or license issued by the city or municipality where the principal place of business of the prospective bidder is located.
- Tax Clearance per Executive Order No. 398, Series of 2005, as finally reviewed and approved by the BIR. (A Provisionary Tax Clearance is not acceptable pursuant to GPPB Resolution No. 01-2014, dated February 4, 2014.

2. Technical Documents

- 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, within three (3) years prior to the date of bid submission. (*Annex "1"*)
- 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 of three (3) years prior to the date of bid submission, and whose value must be at least fifty (50%) percent of the approved budget for the contract (ABC). (*Annex "2"*)
- d. DOST-FNRI Certificate of Technology Adopter;
- e. FDA License to Operate (**LTO**) and Certificate of Product Registration (**CPR**);
- f. Original copy of Bid Security. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission; **or** Original Notarized Bid Securing Declaration. (*Annex "3"*)
- g. Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements; (*Annex "4"*)
- h. Conformity with the Schedule of Requirements; (*Annex "5"*)
- i. Original duly signed Omnibus Sworn Statement (OSS); (*Annex "6"*)
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.
- j. Three (3) copies of certification from previous clients printed in their stationery certifying that the bidder has rendered satisfactory performance.
- k. Sample product.

3. Financial Documents:

- a. The bidder's Audited Financial Statement, showing among other's, the bidder's total and current assets and liabilities stamped "received" by the BIR or its duly accredited and authorized institutions, for the preceding calendar year which should not be earlier than two (2) years from the date of bid submission; and
- b. 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 the NFCC computation.

Class “B” Documents

c. 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.

II. Financial Component Envelope:

- a. Original of duly signed and accomplished Financial Bid Form; (**Annex “7”**)
- b. Original of duly signed and accomplished Price Schedule. (**Annex “8”**)

7. Within five (5) calendar days from notice, the bidder whose submission is determined as the Lowest Calculated and Responsive Bidder shall submit the following documents:

- a. The latest income tax returns and business tax returns filed and paid through the BIR Electronic Filing and Payment System (EFPS).

Note: The latest income tax returns and business tax returns are those within the last six (6) months preceding the date of bid submission.

- b. Valid and subsisting Platinum Certificate of PhilGEPS Registration.

8. The National Nutrition Council reserves the right to accept or reject any bid, 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 or bidders.

For further information, please refer to:

Ms. Imelda M. Catapang
Administrative Officer I
Head, BAC Secretariat
National Nutrition Council
2332 Chino Roces Avenue Extension, Taguig City
Telefax No. 8816-4239
imc_nnc@yahoo.com

(Sgd.)

CHONA M. FERNANDEZ
Chair, Bids and Awards Committee

Annex "1"

**STATEMENT OF ONGOING GOVERNMENT & PRIVATE CONTRACTS
INCLUDING CONTRACTS AWARDED BUT NOT YET STARTED**

Business Name : _____

Business Address : _____

Name of Contract/Location Project Cost	a. Owner Name b. Address c. Telephone Nos.	Nature of Work	Contractor's Role		a. Date Awarded b. Date Started c. Date of Completion	% of Accomplishment		Value of Outstanding Works/
			Description	%		Planned	Actual	
<u>Government</u>								
<u>Private</u>								
*Continue in a separate sheet, if necessary.							Total Cost	

Submitted by : _____
(Printed Name and Signature)

Designation : _____

Date : _____

**STATEMENT OF BIDDER'S SINGLE LARGEST COMPLETED
CONTRACT (SLCC)**

Business Name: _____

Business Address: _____

Name of Contract	a. Date of the Contract b. Date Started c. Date of completion	a. Owner's Name b. Address c. Tel. Nos.	Kinds of Goods	Amount of Completed Contract	Date of Delivery	End' user's acceptance/ Official Receipt/ Sales Invoice issued

Submitted by: _____
(Print Name and Signature)

Designation: _____

Date: _____

Bid Securing Declaration Form

[shall be submitted with the Bid if bidder opts to provide this form of bid security]

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

BID SECURING DECLARATION
Project Identification No.: *[Insert number]*

To: *[Insert name and address of the Procuring Entity]*

I/We, 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 procurement 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 No. 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; and
 - c. I am/we are declared the bidder with the Lowest Calculated Responsive Bid, 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 *[month]*
[year] at *[place of execution]*.

*[Insert NAME OF BIDDER OR ITS AUTHORIZED
REPRESENTATIVE]*
[Insert signatory's legal capacity]
Affiant

[Jurat]
[Format shall be based on the latest Rules on Notarial Practice]

Technical Specifications

Item	Specification	Statement of Compliance
1	<p>Supply and delivery to consignees of Nutribun for the NNC's "Tutok Kainan" Dietary Supplementation Program for Pregnant Women in the Municipalities of the Province of Sulu (Phase 5) with the following:</p> <p>SPECIFICATIONS: 36,708 pieces Nutritious bun or Nutribun using either of the options below in the province for 42 days distribution at once a week or more shipment schedule</p> <p>Option 1: 160 grams per piece nutribun with at least 500 calories and at least 18 grams protein</p> <p>Option 2: Single serve 2 pcs nutribun with 80 grams per piece with at least 250 calories and at least 9 grams protein</p> <ul style="list-style-type: none"> • Individually packed in sealed food-grade plastic; packed in bundle of 20 pcs per handling in box • With at least 2 variety of flavors such as Ube, Carrots, Squash, Chocolate and other variants • Shelf life of at least 5 days upon receipt of end-user and with certificates of shelf- life/shelf-life declaration • With License to Operate and Certificate of Product Registration (CPR) from FDA • Properly labelled in accordance with FDA regulations (to include manufacturing date and expiration date) • With written instructions on use in every pack • With technical product specifications on the formulation and packaging standards, sensory properties, ingredients, storage conditions, etc. 	<p><i>[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. Statements of "Comply" or "Not Comply" must be supported by evidence in a Bidders Bid and cross-referenced to that evidence. Evidence shall be in the form of manufacturer's unamended 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.]</i></p>

	<ul style="list-style-type: none"> • With technical documents on proper handling and storage conditions • Weekly delivery in municipalities in the province per attached distribution list. Delivery date to start 10 days after receipt of Notice to Proceed and weekly thereafter. • Contract duration: 42 days • Local supplier(s) preferred, e.g. supplier's office preferably located in adjacent municipality or province or region. <p>Distribution List (please see attached)</p> <p>DELIVERY SCHEDULE: weekly delivery in municipalities in the province per attached distribution list. Delivery date to start 10 days from issuance of Notice to Proceed and weekly thereafter</p> <p>TERMS OF PAYMENT: Full payment after issuance of NNC's Certificate of Inspection and Acceptance and submission of Billing Invoice and Invoice Receipt for Property (IRP) and Delivery Confirmation Receipt (DCR)</p> <p>Approved Budget for the Contract (ABC) – Php 1,101,240.00</p>	
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I hereby certify to comply with all the above Technical Specifications.

Name of Company/Bidder

Printed Name, Position and Signature of
Bidder's Authorized Representative

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	Unit	Delivered, Weeks/Months
1	Supply and delivery to consignees of Nutribun for the NNC's "Tutok Kainan" Dietary Supplementation Program for Pregnant Women in the Municipalities of province of Sulu (Phase 5)	36,708	pieces	<ul style="list-style-type: none">• Weekly delivery in municipalities in the province per attached distribution list. Delivery date to start 10 days after receipt of Notice to Proceed and weekly thereafter.

I hereby certify to comply with all the above Specifications.

Name of Company/Bidder

Printed Name, Position and Signature of
Bidder's Authorized Representative

Omnibus Sworn Statement (Revised)

[shall be submitted with the Bid]

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:

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

[If a sole proprietorship:] I am the sole proprietor or authorized representative of [Name of Bidder] with office address at [address of Bidder];

[If a partnership, corporation, cooperative, or joint venture:] I am the duly authorized and designated representative of [Name of Bidder] with office address at [address of 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)];

3. [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;**

4. 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;
5. [Name of Bidder] is authorizing the Head of the Procuring Entity or its duly authorized representative(s) to verify all the documents submitted;
6. *[Select one, delete the rest:]*

[If a sole proprietorship:] The owner or 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, 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;

[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;

[If a corporation or 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;

7. [Name of Bidder] complies with existing labor laws and standards; and
8. [Name of Bidder] is aware of and has undertaken the 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. Making 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 [Name of the Project].
9. [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.
10. **In case advance payment was made or given, failure to perform or deliver any of the obligations and undertakings 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. 3815 s. 1930, as amended, or the Revised Penal Code.

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

[Insert NAME OF BIDDER OR ITS AUTHORIZED REPRESENTATIVE]

[Insert signatory's legal capacity]

Affiant

[Jurat]

[Format shall be based on the latest Rules on Notarial Practice]

BID FORM

Date : _____
Project Identification No. : _____

To: *[name and address of Procuring Entity]*

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	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.

Name: _____

Legal capacity: _____

Signature: _____

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

Date: _____

Tutok Kainan Dietary Supplementation Program
for Pregnant Women (Phase 5)

Region	Province	Municipality	No. Of Beneficiaries	Nutribun Quantity
	Lanao del Norte	9	923	38,766
Region 10	Lanao del Norte	Kauswagan	133	5,586
Region 10	Lanao del Norte	Linamon	102	4,284
Region 10	Lanao del Norte	Magsaysay	96	4,032
Region 10	Lanao del Norte	Matungao	71	2,982
Region 10	Lanao del Norte	Pantar	110	4,620
Region 10	Lanao del Norte	Salvador	160	6,720
Region 10	Lanao del Norte	Sapad	107	4,494
Region 10	Lanao del Norte	Tagoloan	67	2,814
Region 10	Lanao del Norte	Tangcal	77	3,234
	Lanao del Sur	10	970	40,740
BARMIM	Lanao del Sur	Bayang	114	4,788
BARMIM	Lanao del Sur	Butig	99	4,158
BARMIM	Lanao del Sur	Calanogas	71	2,982
BARMIM	Lanao del Sur	Lumbatan	85	3,570
BARMIM	Lanao del Sur	Masiu	150	6,300
BARMIM	Lanao del Sur	Pagayawan	68	2,856
BARMIM	Lanao del Sur	Pualas	67	2,814
BARMIM	Lanao del Sur	Sultan Dumalandong	59	2,478
BARMIM	Lanao del Sur	Tamparan	134	5,628
BARMIM	Lanao del Sur	Tugaya	123	5,166
TOTAL		19	1,893	79,506

Prepared by:


HANNAH FAITH E. BUSTAMANTE, RND
 PDO I, NPPD

Endorsed by:


ARLENE R. REARIO, RND, MPS, MINSA
 NPC and OIC, NPPD

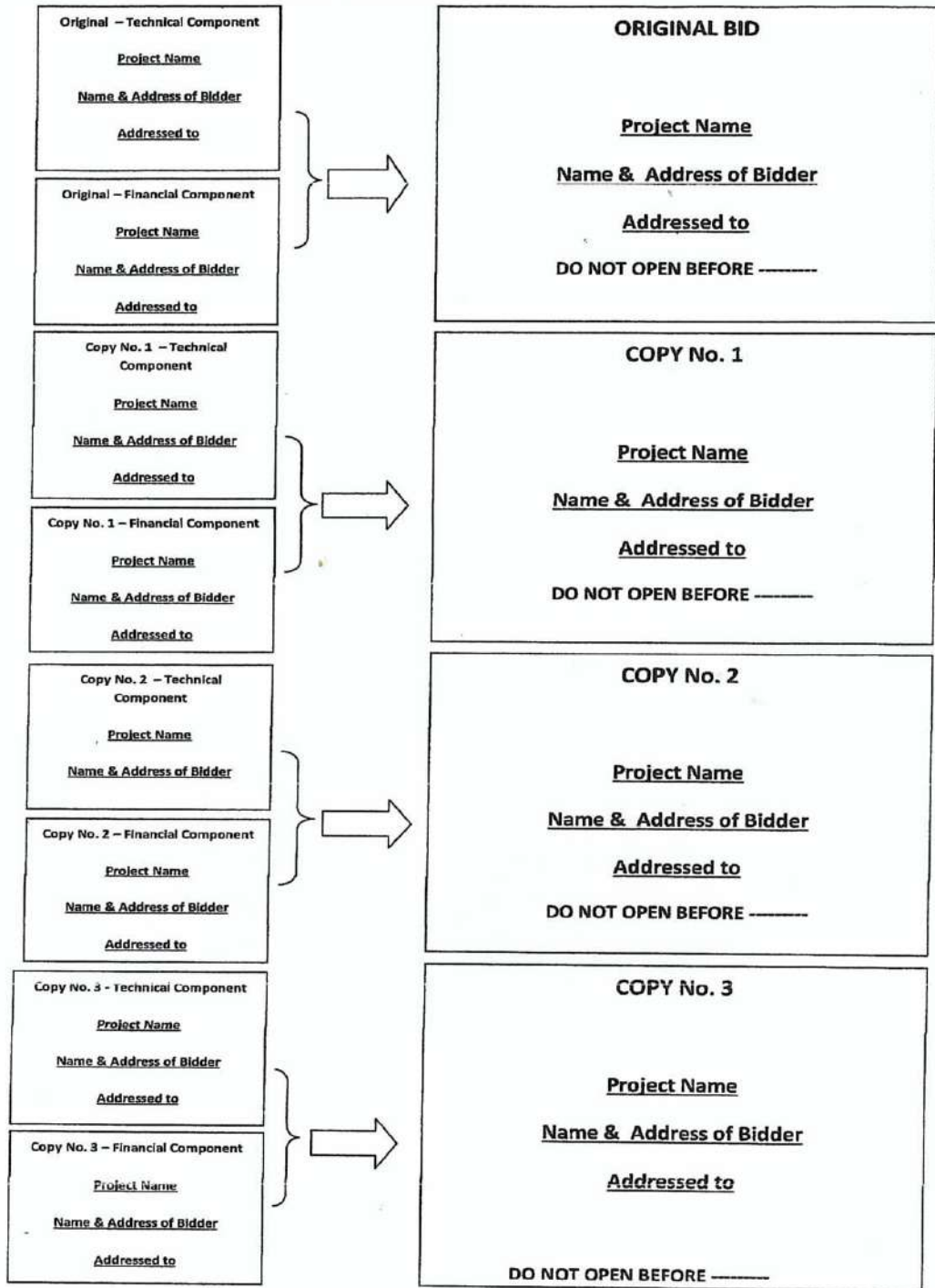
Reviewed by:


ALEXANDER-MARI E. CENA, RND
 PO II, NPPD

Approved by:


AZUCENA M. DAYANGHIRANG, MD, MCH, CESO III
 Assistant Secretary and Executive Director IV

SEALING AND MARKING OF BIDS



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PROJECT NAME:

NAME OF BIDDER:

THE CHAIRPERSON
 NATIONAL NUTRITION COUNCIL
 NNC BIDS AND AWARDS COMMITTEE
 2332 Chino Roces Avenue Extension, Taguig City