



Republic of the Philippines  
 Department of Budget and Management  
**PROCUREMENT SERVICE**  
**BIDS AND AWARDS COMMITTEE**



**Bid Bulletin No. 2**

20 July 2018

**Public Bidding No. 18-031-8**

**ESTABLISHMENT AND OPERATION OF A FUEL MARKING AND FIELD TESTING SYSTEM FOR THE BUREAU OF CUSTOMS (BOC)**

Issued pursuant to Sec. 22.5 of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) 9184 to clarify and/or amend certain provisions in the Bidding Documents issued for this project, considering the issues raised and clarifications made by prospective bidders during the Pre-Bid Conference held on **06 July 2018** likewise, respond to bidders' written queries received within the prescriptive period for filing.

**A. AMENDMENTS/INCLUSIONS**

**I. SECTION III. BID DATA SHEET**

<u>AMENDMENTS/INCLUSION</u>	<u>BASES FOR AMENDMENT/INCLUSION</u>
ITB Clause 11.2 Page 37  FPF 3, <del>FPF 4</del> , FPF 5, and FPF 6 are not applicable for this project.	To amend the requirement.
ITB Clause 25.3 Page 39  xxx <del>The attention of the Consultant is drawn to Technical Proposal Forms. Bids must adhere to the maximum number of pages outlined in Clause 10.2(b).</del>	To amend the requirement.

**II. SECTION IV. GENERAL CONDITIONS OF CONTRACT**

<u>AMENDMENTS/INCLUSION</u>			<u>BASES FOR AMENDMENT/INCLUSION</u>
			To correct the following:
<b>Section</b>	<b>Page</b>	<b>Original Text</b>	<b>Revised Text</b>
IV. 14	48	xxx GCC Clause 0 xxx	xxx GCC Clause 34 xxx
IV. 25. 10	51	xxx GCC Clause 0 xxx	xxx GCC Clause 34 xxx
IV. 28 (b)	53	xxx GCC Clause 0 xxx	xxx GCC Clause 34 xxx
IV. 44	60	xxx GCC Clause 0 xxx	xxx GCC Clause 45 xxx

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**III. SECTION V. SPECIAL CONDITIONS OF CONTRACT**

<b>AMENDMENTS/INCLUSION</b>	<b>BASES FOR AMENDMENT/INCLUSION</b>
<p>GCC Clause 38.1(d) Page 69</p> <p>xxx</p> <p>2. Change of <del>joint venture partner, service providers, and third party providers, if applicable;</del></p> <p>3. Change of its <del>Key Personnel</del> <u>Project Manager and Support Staff Key Personnel.</u></p>	<p>To amend the requirement.</p>
<p>GCC Clause 39.5 Page 69</p> <p>The Consultant may change its <del>Key Personnel</del> <u>Project Manager</u> only for justifiable reasons as may be determined by the Procuring Entity, such as death, serious illness, incapacity of an individual Consultant, resignation, among others, or until after fifty percent (50%) of the <del>Personnel</del> <u>Project Manager's</u> man-months have been served.</p> <p>Violators will be fined an amount equal to the refund of the replaced <del>Personnel</del> <u>Project Manager's</u> basic rate, which should be at least fifty percent (50%) of the total basic rate for the duration of the engagement.</p>	<p>To amend the requirement.</p>

**IV. SECTION VI. TERMS OF REFERENCE**

<b>AMENDMENTS/INCLUSION</b>	<b>BASES FOR AMENDMENT/INCLUSION</b>
<p>Page 2 Section III. BID PARAMETERS</p> <p><del>Project cost is estimated at PHP 0.08 per liter of fuel marked.</del></p> <p><del>DBM-PS shall apply the sum of One Billion Nine Hundred Sixty Million Pesos (P1,960,000,000) coming from the 2017 General Appropriations Act, to implement the 1<sup>st</sup> year of the Contract.</del></p> <p><del>Fuel marking and field testing operations for the 2<sup>nd</sup> to 5<sup>th</sup> years shall be sourced from the Fuel Marking Program</del></p>	<p>To amend the requirement.</p>

<p><del>Trust Funds, to be established pursuant to Sec. 148-A of the NIRC, as amended by the TRAIN law.</del></p>	
<p>The Approved Budget for Contract is estimated at <u>PHP0.08 per liter of fuel marked. The projected fuel volume (Annex A-1) for the first year is 21,980,000,000 liters. Therefore, the offer of the Firm must not exceed the total price cap of One Billion Seven Hundred Fifty-Eight Million Four Hundred Thousand Pesos (PHP1,758,400,000.00).</u></p> <p>However, the Firm is not precluded from marking more than the projected volume of fuel. The details shall be indicated in the Contract.</p>	
<p>Page 3 Section IV. SCOPE OF WORK B. Description of Tasks and Deliverables</p> <p>xxx At present, <del>96.8%</del> of imported oil products <u>proposed for marking</u> enter through the ports and sub-ports of entry listed in Annex A-1. xxx</p> <p>xxx All services provided by the Firm as regards fuel marking should be at international standards of management and competency in laboratory testing and auditing procedures and processes, with International Organization of Standardization (ISO) 17025 and <del>17021</del> <u>17020</u> accreditations.</p>	<p>To amend the requirement.</p>
<p>Page 10 Section IV. SCOPE OF WORK B. Description of Tasks and Deliverables Task 2.4 Provide IT Support and Analytical Service</p> <p>xxx All services provided by the Firm as regards field testing should be at international standards of management and competency in laboratory testing and auditing procedures and processes, with ISO 17025 and <del>17021</del> <u>17020</u> accreditations.</p>	<p>To amend the requirement.</p>
<p>Page 12 Section VIII. DELIVERABLES AND PAYMENT SCHEDULE</p> <p><u>DBM-PS shall apply the funds, coming from the 2017 General Appropriations Act, to implement the 1<sup>st</sup> year of the Contract.</u></p> <p><u>Fuel marking and field testing operations for the succeeding years shall be sourced from the Fuel Marking</u></p>	<p>To amend the requirement.</p>

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Program Trust Funds, to be established pursuant to Sec. 148-A of the NIRC, as amended by the TRAIN law. xxx	
Page 13 Section IX. REPORTING AND WORKING ARRANGEMENTS A. DBM-PS  The DBM-PS shall administer the contract for the First Tranche of the Program and shall ensure payments are made after review, approval and endorsement of the deliverables by BOC. <del>DBM-PS shall monitor performance of the Firm and ensure that deliverables are submitted as scheduled and payments made in accordance with the terms and conditions of the contract.</del>	To amend the requirement.
Page 15 Annex A	Please see revised annex attached as Appendix 1
Page 16 Annex A-1	Please see revised annex attached as Appendix 2
Page 17 Annex B	Missing page attached as Appendix 3
Page 18 Annex C	Missing page attached as Appendix 4

## V. TECHNICAL EVALUATION CRITERIA

<b>AMENDMENTS/INCLUSION</b>	<b>BASES FOR AMENDMENT/INCLUSION</b>
Technical Evaluation Criteria	Please see revised criteria attached as Appendix 6

## B. CLARIFICATIONS

The Department of Budget and Management – Procurement Service – Bids and Awards Committee hereby clarifies bidders' concerns and queries.

### AUTHENTIX INC.<sup>1</sup>

<b>ITEM</b>	<b>CONCERN</b>	<b>REFERENCE</b>	<b>CLARIFICATION/ RESOLUTION</b>
1	Is the prohibition against subcontracting by the Consultant (Firm) absolute given the following background of Authentix Inc. and if not absolute, whether any of certain	Bidding Documents (Part 1), Page 11, Section 2.3  Bidding Documents Part 2, Page 14,	Only the following Items are allowed for subcontracting:  (a) The installation of the Automatic Fuel Injection System through local

<sup>1</sup>Letter received through e-mail last 10 July 2018 (1:10 AM). An updated version was submitted on the same day at 10:06 PM.

ITEM	CONCERN	REFERENCE	CLARIFICATION/ RESOLUTION
	vital services listed below may be subcontracted by Authentix Inc. and included in its Technical Proposal and Masterplan?	Section 6, and BDS 6.1	<p>partners, which is also one of the deliverables as required by the Terms of Reference for the Philippine requirement.</p> <p>(b) Philippine based Customs Brokerage services for importation of Markers, the Field Testing Hand Analyzers, GCMS Gold Standard Test Machines and Warehousing Facility</p> <p>(c) Security of Assets and its Chain of Custody of Asset and Evidence of "Positive findings" using Philippine sub-contractors</p> <p>(d) Security services and its technology gadgets to Specialist Companies</p> <p>(g) The Laboratory Confirmatory Testing for "positive findings" from the Field Testing using the LSX3000 of Authentix, we would subcontract the Laboratory work for Confirmatory findings with accredited company that they are to only use the special Authentix GC-MS Gold Standard equipment for forensics findings with we train them using our laboratory methodology, and we do QA/QC to ensure of the operational integrity.</p> <p>While items (e) and (f) are disallowed on the basis that bidders are selected based on their expertise and competence on how they implement the whole program and not just their technology:</p> <p>(e) Marking the fuel using the unique nano-technology fuel marker uniquely designed for the Philippines, and the team</p>

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			<p>will be trained by Authentix guided by the formulation methodology, and Authentix performs QA/QC to ensure of the operational integrity.</p> <p>(f) Field testing but they are to use the Authentix Field Test Equipment called LSX3000 and apply the Authentix Fuel Marking Test methodologies. In some of our country clients, where Authentix is the Prime Contractor with Government contracts, we subcontract this work to local subcontractors.</p> <p>NOTE: Only a maximum of twenty percent (20%) of the Contract may be subcontracted.</p> <p>The eligibility criteria that subconsultants must comply with are the legal and technical documents.</p>
2	<p>The Bids and Awards Committee (BAC) and/or the Bureau of Customs (BOC), particularly its Technical Working Group (TWG), is thus requested to clarify which services listed above may or may not be subcontracted for the Fuel Marking Program and included in the Technical Proposal and Masterplan in the Establishment and Operation of a Fuel Marking and Field Testing System for the Philippine Government.</p>		<p>Please refer to Item No. 1.</p>
3	<p>We note TPF6 (CVs) are to be notarized by a notary public. For proposed team members who will be expatriate status or deployed in the Philippines, is the notarization required in the Philippine Embassy or Consulate Office abroad?</p>		<p>Yes, Section 24.2 of the 2016 Revised IRR of RA 9184 shall prevail as mandated by GPPB. Also, please refer to Section 25.3 (c) of the same Act.</p>

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4	Is the .08/liter inclusive of VAT or plus VAT? And inclusive of all Capex Cost?		The 0.08/liter is inclusive of duties, VAT, and other applicable taxes.  All CAPEX costs shall be borne by the prospective Firm.
5	In the revised REI, on page 2, item 10, the Government shall pay the contract cost for the first year at Php 1.9 bio, in case of over performance of actual volume of fuel marked. May we kindly request for clarification on what is meant by over-performance with respect to the use of the budget of 1.9bio?		In case of over performance on actual volume of fuel marked, it can be charged to the Fuel Marking Trust Fund.
6	Clarification acquired from the BAC that with reference to FPF2, Page 91, Summary Costs, the form is to be strictly used but the Consultant (Firm) can add new line items to represent additional cost items not indicated in the template form.		Yes.
7	With reference to TOR page 2, III, we wish to request for clarification of year of Appropriation Budget Approved of the Php1.9mio, as the copy we received states year 201_. Maybe a typo error. We assume that it is to read 2018? Your kind advise is most appreciated.		Please refer to amendment of Section VI. Terms of Reference (Section III. BID PARAMETERS).
8	We wish to confirm of the Beneficiary Name to be placed in the Letter of Credit for Security Bond is Procurement Service?		For purposes of Bid Security, yes.
9	Can the Firm (shortlisted Consultant for the Fuel Marking Program, PB No.18-031-8) subcontract some of the elements in the establishment and operation of a Fuel Marking and Field Testing System?	Bidding Documents (Part 1), Page 11, Section 2.3  Bidding Documents (Part 2), Page 14, Section 6, and BDS 6.1	Please refer to Item No. 1.
10	In Part 2, Section V special conditions of contract section 38.1 (d) allows for change in joint venture partner and third-		Please refer to amendment of Section V. Special Conditions of Contract (GCC Clause 38.1(d)) and Item No. 1.

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	<p>party providers. Question Does this allow the shortlist bidder to declare at Bid Stage its partner or third party providers or subcontracting arrangements or individual consultants or declaring a JV partner that was not declared at EoI or ReI stage? And subject to approval of Procuring Entity with submission of the Eligibility Requirements of the partners, or subcontractors, or JV partner?</p>		
11	<p>Conflict of Interest, page8, item 2.1" ...Consultants shall not be hired for any project that would be in conflict with their prior or current obligations to other entities, or that may place them in a position of not being able to carry out the Project in the best interest of the Procuring Entity. " Is there is list of certain projects with the Procuring Entity or other entities that are considered a conflict of interest with the Project of Establishment and Operation of a Fuel Marking and Field Testing System?</p>		<p>The BAC requests both shortlisted Bidders to issue a Declaration of Potential Conflict of Interest (COI). A primary focus is made to having Oil Companies as current or past clients of the two (2) Shortlisted Bidders. Bidders should also declare other Programs that maybe existing with the Procurement Entity (Bureau of Customs) for evaluation and/or clearance on COI.</p>
12	<p>May we kindly request for document reference we have to be aware of regarding to blacklisting rules have been recognized by the GPPB as stated in Bid Part 2, Page 12, item 4.2(e) states that "Ensuring that it is not "blacklisted" or "barred" from bidding by the GoP or any of its agencies, offices, corporations, or LGUs, including foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the GPPB.</p>		<p>For reference, these are:</p> <ol style="list-style-type: none"> <li>1. GPPB</li> <li>2. World Bank</li> <li>3. Asian Development Bank</li> <li>4. Other international institutions.</li> </ol>
13	<p>The Technical Evaluation Criteria of A. Qualification of Key Personnel is referring only to 1</p>		<p>Yes, the 25% weight only refers to the Project Manager, not to a Project Management Team. As</p>



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	(one) Personnel which is the Project Manager, covers the qualifications of A1, A2, A3, and A4, that is to generate 25% weight / 100%?		an example, the Project Manager is only one person with at least 10 years of experience on projects of similar scope and complexity; with at least 5 years of experience as project manager in a Fuel Marking Program, who has implemented fuel marking programs in at least 2 (two) countries, with preference to developing countries, and with relevant educational degree in project management, industrial, chemical engineering or any related fields. Any additional CVs submitted is not part of the technical evaluation of the A. Qualification of Project Manager.
14	On Part 2 Section 11.3, page 18 (Remuneration is divided in to billing rate estimates for international and domestic consultants) whilst the form FPF 4 has been classified by BAC as "Not Applicable". Request for Clarification please.		Please refer to amendment of Section III. BID DATA SHEET (ITB Clause 11.2).
15	Part 2 Section 11.4 page19: (The list of experts identified in the Financial Proposal must match the list of experts in the Technical Proposal) whilst the Form states the non-applicability of form FPF 4. Request for Clarification please.		Please refer to amendment of Section III. BID DATA SHEET (ITB Clause 11.2).
16	On Page 39 of BDS item 25.3 indicates a maximum number of pages to be submitted?		There is no specific limit of pages. Please also refer to amendment of Section III. Bid Data Sheet (ITB Clause 25.3). However, bidders are requested not to submit too voluminous pages. Ideally, 25 to 30 pages is sufficient and recommended.
17	On Page 39, BDS 25.1 (b) states that the corresponding financial proposal maybe given a minimum of 15 percent up to a maximum of 40%...and the weight of		For clarification, please refer to BDS, ITB Clause 25.1 b) which states, "Technical Proposal shall be given a weight of 70% and

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	<p>technical criteria will be adjusted accordingly, such that their total weight given shall total 100%. And that the Technical Proposal shall be given a weight of 70%, and weight of financial at Proposal at 30%. Question: Please kindly clarify the flexible weight of 15 to 40%, in relation to the scoring of the technical to be at 60 to 85%, and in relation to the 70% of technical weight, and the 30% financial weight score.</p>		<p>the weight for the Financial Proposal is 30%."</p>
18	<p>ToR 1.3.1, page 5: 4th from the last paragraph, requirement for samples of proposed markers to be delivered to BOC within one month from approval of MasterPlan. We kindly request if this requirement could be brought forward such that samples could be submitted as part of the Bid Evaluation.</p>		<p>Not necessary to submit sample as part of the Technical Proposal. The Firm shall instead provide discussion/data in the approach and methodology. However, the prospective Firms may be requested to demonstrate their technology during the Oral Presentation.</p>
19	<p>May we kindly ask if the ABC regulation is required in the Bid ?</p>		<p>ABC regulation is not allowed; Bids exceeding the recommended ABC as evaluated and corrected shall not be considered.</p>
20	<p>Does the Performance Bond draw down over the duration of the contract (i.e. will the contractor maintain the Performance Bond for the remaining TCV each year)?</p>		<p>Yes.</p>
21	<p>May we kindly request the Procuring Entity to confirm that (i) the use of "other techniques/systems" allows for the field testing unit to be equipped with a hand portable analyser and transported by hand and/or multiple other means that includes boats as well as vehicles and (ii) the installation of the unit in the vehicle is not a mandatory requirement</p>		<p>Reference is made to page 8, 2.3.1 of the TOR:</p> <p>It is envisaged that due to the nature of the markers deployed, some form of Gas Chromatography system or a similar system with the same technology or sensitivity will be required as a mobile analyzer and this specification has been prepared on that basis.</p>

ITEM	CONCERN	REFERENCE	CLARIFICATION/ RESOLUTION
			However, other techniques/systems are not excluded from consideration provided that they can demonstrate that they can meet the testing requirements (e.g. minimal false positive)
22	Please kindly confirm if the Procuring Entity prohibits marker elements that are commonly available from commercial sources and not unique to the offering entity.		No, as long as the formulation of the marker is, to the greatest degree possible, impossible to imitate or replicate.
23	Please advise what is the low levels of dilution?	Task 1.1, item 2, p.3 of TOR	On the master plan, the Firm is requested to describe the technology and recommend the list of chemical additives and corresponding quantitative ratio to be used as fuel markers per finished product. The minimum dilution level is 5%.
24	Please kindly confirm if the Procuring Entity specifies that the markers should only include those elements that are naturally occurring in the fuel products including carbon, hydrogen, oxygen, nitrogen, and/or sulphur and prohibits "atypical" elements"		Please refer to Bullet No. 13 of Task 1.3: Produce and Develop Fuel Marker of the TOR (page 5).
25	Please kindly confirm if the Procuring Entity prohibits markers that comprise restricted substances including organo-halogens (chlorine, fluorine or bromine) and toxic metals and their compounds.		Please refer to Bullet No. 13 of Task 1.3: Produce and Develop Fuel Marker of the TOR (page 5).
26	Will the test of the samples be using the ASTM D (Presence of metals); and Total Halogens, by ASTM D808M (for presence of Total Halogens). Can you kindly confirm the Procuring Entity shall include in the testing of halogenated elements, and the testing shall be for the marker concentrate for such metals and halogenated compounds		Please refer to Bullet No. 13 of Task 1.3: Produce and Develop Fuel Marker of the TOR (page 5).
27	Please kindly confirm Philippines's government is a signatory to the	Task 1.3 of the TOR, 10 <sup>th</sup> bullet:	Yes, Philippines is a signatory to the Stockholm Convention.

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	Stockholm Convention for "Protecting human health and the environment from persistent organic pollutants, and if this will also be our reference for compliance in addition to the Philippine National Standards?	They should be compliant with Philippine motor engines emissions and environmental/health regulations currently implemented and expected to be implemented	
28	May we also ask if the Petroleum Companies are to witness the testing for assurance of safety and suitability when placed in their fuel?		Yes, as provided under Section 171, paragraph 3, subsection (a) of the NIRC, as amended by the TRAIN Law.
29	If products are U.S. EPA registered, will the Philippines EPA take the US EPA registration as an equivalent?		Yes, it shall be accepted for bidding purposes but markers are still subject to DENR-EMB and DOE test. Please refer to Bullet No. 13 of Task 1.3: Produce and Develop Fuel Marker of the TOR (page 5).
30	If not, do marker blends need to be registered or subcomponents (markers, solvents)?		Please refer to Item No. 29.
31	ToR 1.3.1, page 5: 4th from the last paragraph, requirement for samples of proposed markers to be delivered to BOC within one month from approval of MasterPlan. We kindly request if this requirement could be brought forward such that samples could be submitted as part of the Bid Evaluation.		Please refer to Item No. 18.
32	We wish to seek clarification if ISO 17021 required? We are of the understanding that 17021 is for certifying bodies such as TUV and the likes who has the authority to perform audit and certify an organization against specific ISO standard that an organization aims to be certified. Perhaps a typo error to read as		Please refer to amendment of Section IV. SCOPE OF WORK (B. Description of Tasks and Deliverables and Task 2.4 Provide IT Support and Analytical Service; pages 3 and 10) of the TOR.

ITEM	CONCERN	REFERENCE	CLARIFICATION/ RESOLUTION
	ISO 17020 (instead of ISO17021) which is the standard for Inspection Process. We look forward for clarification and guidance.		
33	May we request the volumes of each fuel type imported into the Philippines?		Please see Appendix 5.
34	Do the statistics shown in the TOR (Annex A-1) for import volume include the Jet Fuel and Fuel Oil, or are they just the products to be marked?		Please refer to Appendix 2.
35	Will imported fuel for storage for US military use in Subic and Chevron Batangas be subject to marking.	Article VII, Section 1 of the Visiting Force Agreement between US and Philippines signed on February 10, 1998.	No. Pursuant to Article VII, Section 1 of the Visiting Forces Agreement between the US and Philippines, to wit:  "United States Government equipment, materials, <b>supplies</b> , and other property imported into or acquired in the Philippines by or on behalf of the United States armed forces in connection with activities to which this agreement applies, shall be free of all Philippine duties, taxes and other similar charges".
36	May we kindly ask to re-verify if this is an international imports tankage for oil company with a projected volume of 300,000KL as per Annex A-1?		The volume indicated on Annex A-1 of the TOR (Appendix 2) is the projected fuel consumption of a port based on its historical volume share of imported petroleum products and does not include the tankage consideration for oil companies.
37	Is ethanol only a component of gasoline? If so, do contractors need to plan to mark neat ethanol?	Annex B, p.17 of TOR	Please refer to RA 9367 (Biofuels Act of 2006).
38	Should kerosene be marked with a separate marker for detection as an adulterant in domestic diesel and/or Jet 1A?		Please refer to Task 1.1, Item (ii.) of the TOR.
39	ToR, IV A.1 (page 2): request for clarification on whether Heavy Residual Fuel Oil should be		Please refer to Task 1.1, Item (ii.) of the TOR.

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	included in the list of products exempted from marking.		
40	The fuel marker is classified "dangerous cargo" and expected to have challenges in transporting in various locations if not accessible by land. We kindly request for the Procurement Entity assistance at the time of implementation of the Program, or assistance to acquire authorization to enable us to do domestic transport of the marker efficiently in various ports and subports, as applicable.		Noted.
41	It is our understanding that Importation of the Marker and other machines necessary for the Project will be subject to Import Duties and Taxes? Is there a provision of tax exemption or special rate of duty on the merit of Government Project?		Pursuant to Section 406 of Republic Act 10863, all government importation, except those enumerated in Sec. 800, are subject to duties, taxes, fees and other charges.
42	Is the Importer on Record in the importation of the Marker and our equipment has to be the Firm, or can this be consigned to a third party?		The Importer on Record must be the Consultant (The Firm) awarded of the Contract.
43	May we request for clarification on the Invoicing. We understand that the payment on the Second Year will be sourced from the Petroleum Companies, and payment put in the trust fund. May we request clarification if we do the invoicing to the Government and not to Fuel Companies? And will there be a reconciliation process of what is marked and what is invoiced before payment is cleared for payment?		Invoicing is issued to the Government:  1 <sup>st</sup> – PS/BOC 2 <sup>nd</sup> to 5 <sup>th</sup> – BOC/BIR  Yes, part of the deliverable of the firm (see Table 2, Task 1.4, p.12 of the TOR) is to submit a Monthly Report on Fuel Marking.
44	To be in conformance with TOR Task 1.2 in "Table 2: Deliverable and Payment Schedule", page 12,		Original requirements retained. See Annex C of TOR (Appendix



ITEM	CONCERN	REFERENCE	CLARIFICATION/ RESOLUTION
	<p>we kindly suggest that the following revisions as follows:-</p> <p>a. Task 1.2, para. 2, page 4, second sentence: should read "It shall submit a Mobilization Report, which includes an inventory of equipment delivered and deployment schedule, within five (5) months from the approval of the Master Plan"</p> <p>b. Task 1,2, para. 4, page 4, last sentence: should read "The Firm shall submit the Maintenance Plan within five (5) months from approval of the Master Plan"</p> <p>c. Task 1.3: "Approval of Fuel Marker..." should read "Delivery of samples of proposed fuel marker with relevant documents..." (as per Task 1.3, para. 3, page 5)</p>		4) for presentation of the timelines on the deliverables.

**AUTHENTIX INC.<sup>2</sup>**

ITEM	CONCERN	REFERENCE	CLARIFICATION/ RESOLUTION
45	<p>During the Pre-Bid meeting both shortlisted bidders have been required to submit Disclosure Statement of Conflict of Interest. May I kindly ask when is this due for us to submit? Or is this due also on the date of Bid submission?</p>		This is due on the date of bid submission.
46	<p>May I ask one more question for clarification. For Project team members or key personnel that will work in the Project in the Philippines, their CV will be presented using the attached template. For those currently living in another country but will be working in Manila in the event of the award of contract to</p>		Please refer to Item No. 3.

<sup>2</sup>Letter received through e-mail last 17 July 2018 (10:13 PM)

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	Authentix, is their CV need to be notarized in the Philippine Embassy in the country where they are presently, or can it be the notary public of the foreign country sufficient? Please advise.		

**SICPA SA AND SGS PHILIPPINES INC. JOINT VENTURE<sup>3</sup>**

ITEM	CONCERN	REFERENCE	CLARIFICATION/ RESOLUTION
47	Based on the foregoing, it is our understanding that for a document issued outside the Philippines to be considered authentic, it must be acknowledged and authenticated in accordance with the Act, regardless of the language of the document.		Please refer to Item No. 3.
48	Therefore, even if Section 24.2, Rule VII of the IRR of the GPRA has a specific rule for documents with an English translation, the acknowledgement and authentication requirements of the Act must be complied with for any foreign-issued document submitted to the BAC if that document, even if it is written in English, satisfies two criteria, namely: 1. the document is issued outside the Philippines; and 2. the document must be sworn or notarized.		Please refer to Item No. 3.
49	Is subcontracting prohibited?		Please refer to Item No. 1.
50	Is unincorporated JVs permitted?		Yes. Please refer to 2016 Revised IRR of RA 9184, Section 24 (Eligibility Requirements and Shortlisting for Consulting Services).
51	Clarification on Certificate of No COI.		Please refer to Item No. 45.

<sup>3</sup>Letter received through e-mail last 10 July 2018 (3:08 PM).



ITEM	CONCERN	REFERENCE	CLARIFICATION/ RESOLUTION
52	<p>We write to confirm this honorable BAC's clarification at the Pre-Bid Conference on 6 July 2018 that:</p> <ol style="list-style-type: none"> <li>1. the latest income and business tax returns filed and paid through the eFPS falls within the coverage of a financial or technical document and, as such, the submission by any of the joint venture partners constitutes compliance; and</li> <li>2. the submission by SGS Philippines, Inc. of its latest income and business tax returns filed and paid through the eFPS constitutes compliance by the joint venture with this post-qualification requirement.</li> </ol>		Please refer to Section 24.1.B of the 2016 Revised IRR of RA 9184.
53	<p>Task 1 of the TOR states that the Philippine government requires a fuel marking system with capacity to mark and monitor imported and locally-refined finish oil products for purposes of ensuring correct payment of corresponding excise taxes and Value-Added Tax.</p> <p>It is our recommendation that only taxable finished oil products for domestic consumption as per table in Annex 6 of the TOR should be marked.</p>		Noted.
54	Both ISO 17021 and 17025 are essential and beneficial requirements for the proper implementation of the fuel marking program.		Noted. Please refer to amendment of Section IV. SCOPE OF WORK (B. Description of Tasks and Deliverables and Task 2.4 Provide IT Support and Analytical Service; pages 3 and 10) of the TOR.
55	Detectability as Low Levels of Dilution		Please refer to Item No. 23.

All provisions of the bidding document that are affected by newly issued bidding documents templates are deemed modified / amended / revised.

*For the purpose of this Bulletin and for better understanding of its contents, the following rules shall apply: (a) ~~Double-Strike-out~~ – denotes deletion; (b) Underline – denotes inclusion or new item/requirement; and "xxx" – denotes separation of phrase/s being amended from the rest of the main text.*

By Rules, all other related provisions in the Bidding Documents correspondingly affected by these amendments are likewise deemed amended to conform to this Bid Bulletin.

Amendments made herein shall be considered an integral part of the Bidding Documents.



**ENGR. JAIME M. NAVARRETE, JR.**  
*Chairperson, Bids and Awards Committee VIII*

# APPENDIX 1

IMPORT VOLUME FOR 2013-2017 OF PETROLEUM PRODUCTS SUBJECT TO MARKING		PROJECTED VOLUME (in liters)								
		YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5				
PORT	FUEL SUBJECT TO MARKING	VOLUME PER PRODUCT, PER PORT (in liters)	% SHARE	TOTAL VOLUME PER PORT (in liters)	% SHARE	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
<b>FIRST TRANCHE</b>										
Port of Batangas	Diesel Fuel Oil	5,509,716,441.00	68.11%	8,089,811,956.93	21.99%	4,834,103,808.90	5,111,218,039.99	5,403,727,506.13	5,713,831,526.63	6,041,530,101.48
	Gasoline	2,218,020,174.93	27.42%							
	Kerosene	188,789,251.00	2.33%							
	Denatured Alcohol	173,286,090.00	2.14%							
Sub-port of Bauan, Batangas	Diesel Fuel Oil	2,401,455,878.10	73.87%	3,250,830,597.10	8.84%	1,942,548,560.49	2,053,904,847.39	2,171,447,594.68	2,296,060,582.41	2,427,743,810.58
	Gasoline	711,044,073.00	21.87%							
	Kerosene	28,861,356.00	0.89%							
	Denatured Alcohol	109,469,290.00	3.37%							
Port of Subic	Diesel Fuel Oil	5,506,267,455.22	70.92%	7,764,366,652.00	21.11%	4,639,632,491.58	4,905,598,685.36	5,186,340,778.80	5,483,969,614.71	5,798,485,193.07
	Gasoline	1,641,388,081.48	21.14%							
	Denatured Alcohol	616,711,115.30	7.94%							
	Diesel Fuel Oil	3,812,627,182.00	90.53%	4,211,511,299.00	11.45%	2,516,607,669.02	2,660,871,802.91	2,813,150,610.91	2,974,589,046.46	3,145,187,109.55
Port of Limay	Gasoline	379,736,366.00	9.02%							
	Kerosene	19,147,751.00	0.45%							
	Diesel Fuel Oil	3,252,444,906.64	68.64%	4,738,198,635.53	12.88%	2,831,332,074.63	2,993,637,734.95	3,164,960,376.41	3,346,588,139.16	3,538,521,023.20
	Gasoline	1,372,242,218.40	28.96%							
Sub-port of Mariveles	Denatured Alcohol	113,511,510.49	2.40%	535,588,767.00	1.46%	320,043,495.74	338,389,938.17	357,755,627.40	378,286,170.12	399,981,566.33
	Diesel Fuel Oil	483,516,235.00	90.28%							
	Gasoline	52,072,532.00	9.72%							
	Diesel Fuel Oil	2,380,230,281.40	78.26%	3,041,578,163.49	8.27%	1,817,508,820.17	1,921,697,223.87	2,031,673,872.22	2,148,265,657.32	2,271,472,579.16
Mindanao Container Terminal	Gasoline	640,796,790.09	21.07%							
	Denatured Alcohol	20,551,092.00	0.68%							
	Diesel Fuel Oil	1,752,404,620.00	60.66%	2,888,776,244.30	7.85%	1,726,201,340.65	1,825,155,557.63	1,929,607,231.11	2,040,341,712.01	2,157,359,000.34
	Gasoline	997,825,806.30	34.54%							
Port of Davao	Denatured Alcohol	138,545,818.00	4.80%	676,567,983.00	1.84%	404,286,265.37	427,461,911.15	451,925,092.82	477,859,744.05	505,265,864.86
	Diesel Fuel Oil	331,379,246.00	48.98%							
	Gasoline	345,188,737.00	51.02%							
	Diesel Fuel Oil	299,135,473.13	49.72%	601,610,557.39	1.64%	359,495,115.89	380,103,116.16	401,856,005.34	424,917,338.98	449,287,117.08
Port of Cebu	Gasoline	298,310,770.93	49.59%	542,586,876.60	1.48%	324,225,247.85	342,811,408.56	362,430,133.75	383,228,932.63	405,207,805.21
	Denatured Alcohol	4,164,313.33	0.69%							
	Diesel Fuel Oil	392,936,857.00	72.42%							
	Gasoline	149,650,019.60	27.58%							
Sub-port of Dumaguete				36,341,427,732.34	98.80%	21,715,994,890.27	22,960,850,266.15	24,274,874,829.57	25,667,938,464.48	27,140,041,170.87
	<b>SUBTOTAL</b>	<b>36,341,427,732.34</b>								
<b>SECOND TRANCHE</b>										
Port of Iloilo	Diesel Fuel Oil	349,149,842.00	100.00%	349,149,842.00	0.95%	208,636,070.91	220,596,100.45	233,220,576.08	246,604,418.66	260,747,628.20
	Diesel Fuel Oil	43,798,155.14	88.01%							
	Kerosene	1,040,120.00	2.09%	49,763,644.09	0.14%	29,736,491.12	31,441,130.74	33,240,472.56	35,148,045.47	37,163,849.46
	Denatured Alcohol	4,925,368.95	9.90%							

PORT	FUEL SUBJECT TO MARKING	VOLUME PER PRODUCT, PER PORT (in liters)	% SHARE	TOTAL VOLUME PER PORT (in liters)	% SHARE	21,980,000,000	23,240,000,000	24,570,000,000	25,980,000,000	27,470,000,000
Port of Tacloban	Diesel Fuel Oil	15,239,542.00	41.68%	36,560,077.00	0.10%	21,846,639.75	23,098,994.90	24,420,925.33	25,822,370.37	27,303,330.03
	Gasoline	21,320,535.00	58.32%							
MICP	Diesel Fuel Oil	1,406,179.43	24.29%	5,788,030.76	0.02%	3,458,664.02	3,656,931.38	3,866,213.60	4,088,084.22	4,322,543.25
	Gasoline	460,212.21	7.95%							
	Kerosene	1,570,876.78	27.14%							
	Denatured Alcohol	2,350,762.34	40.61%							
Port of Zamboanga	Diesel Fuel Oil	500,000.00	100.00%	500,000.00	0.00%	298,777.27	315,904.63	333,983.51	353,149.84	373,403.62
	Diesel Fuel Oil	1,326.71	3.69%							
NAIA	Gasoline	3,273.59	9.11%	35,921.14	0.00%	21,464.84	22,695.31	23,994.14	25,371.09	26,826.17
	Kerosene	79.01	0.22%							
	Denatured Alcohol	31,241.83	86.97%							
Harbour Centre	Diesel Fuel Oil	28,200.00	100.00%	28,200.00	0.00%	16,851.04	17,817.02	18,836.67	19,917.65	21,059.96
Port of Clark	Gasoline	235.32	100.00%	235.32	0.00%	140.62	148.68	157.19	166.21	175.74
	Gasoline	12.08	100.00%	12.08	0.00%	7.22	7.63	8.07	8.53	9.02
Sub-port of Mactan	Diesel Fuel Oil	3.77	76.47%	4.93	0.00%	2.95	3.11	3.29	3.48	3.68
	Gasoline	1.16	23.53%							
SUBTOTAL		441,825,967.32		441,825,967.32	1.20%	264,015,109.73	279,149,733.85	295,125,170.43	312,061,535.52	329,958,829.13
TOTAL		36,783,253,699.66		36,783,253,699.66	100.00%	21,980,000,000.00	23,240,000,000.00	24,570,000,000.00	25,980,000,000.00	27,470,000,000.00

# APPENDIX 2


IMPORT VOLUME FOR 2013-2017 OF PETROLEUM PRODUCTS SUBJECT TO MARKING		PROJECTED VOLUME (in liters)								
		YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5				
PORT	FUEL SUBJECT TO MARKING	VOLUME PER PRODUCT, PER PORT (in liters)	% SHARE	TOTAL VOLUME PER PORT (in liters)	% SHARE	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
<b>FIRST TRANCHE</b>										
Port of Batangas	Diesel Fuel Oil	5,509,716,441.00	68.11%	8,089,811,956.93	21.99%	4,834,103,808.90	5,111,218,039.99	5,403,727,506.13		
	Gasoline	2,218,020,174.93	27.42%							
	Kerosene	188,789,251.00	2.33%							5,713,831,526.63
	Denatured Alcohol	173,286,090.00	2.14%							
Sub-port of Bauan, Batangas	Diesel Fuel Oil	2,401,455,878.10	73.87%							
	Gasoline	711,044,073.00	21.87%	3,250,830,597.10	8.84%	1,942,548,560.49	2,053,904,847.39	2,171,447,594.68		2,427,743,810.58
	Kerosene	28,861,356.00	0.89%							
	Denatured Alcohol	109,469,290.00	3.37%							
Port of Subic	Diesel Fuel Oil	5,506,267,455.22	70.92%	7,764,366,652.00	21.11%	4,639,632,491.58	4,905,598,685.36	5,186,340,778.80		5,798,485,193.07
	Gasoline	1,641,388,081.48	21.14%							
	Denatured Alcohol	616,711,115.30	7.94%							
	Diesel Fuel Oil	3,812,627,182.00	90.53%	4,211,511,299.00	11.45%	2,516,607,669.02	2,660,871,802.91	2,813,150,610.91		3,145,187,109.55
Port of Limay	Gasoline	379,736,366.00	9.02%							
	Kerosene	19,147,751.00	0.45%							
	Diesel Fuel Oil	3,252,444,906.64	68.64%	4,738,198,635.53	12.88%	2,831,332,074.63	2,993,637,734.95	3,164,960,376.41		3,538,521,023.20
	Gasoline	1,372,242,218.40	28.96%							
Sub-port of Mariveles	Denatured Alcohol	113,511,510.49	2.40%							
	Diesel Fuel Oil	483,516,235.00	90.28%	535,588,767.00	1.46%	320,043,495.74	338,389,938.17	357,755,627.40		399,981,566.33
	Gasoline	52,072,532.00	9.72%							
	Diesel Fuel Oil	2,380,230,281.40	78.26%	3,041,578,163.49	8.27%	1,817,508,820.17	1,921,697,223.87	2,031,673,872.22		2,271,472,579.16
Mindanao Container Terminal	Gasoline	640,796,790.09	21.07%							
	Denatured Alcohol	20,551,092.00	0.68%							
	Diesel Fuel Oil	1,752,404,620.00	60.66%	2,888,776,244.30	7.85%	1,726,201,340.65	1,825,155,557.63	1,929,607,231.11		2,157,359,000.34
	Gasoline	997,825,806.30	34.54%							
Port of Davao	Denatured Alcohol	138,545,818.00	4.80%	676,567,983.00	1.84%	404,286,265.37	427,461,911.15	451,925,092.82		505,265,864.86
	Diesel Fuel Oil	331,379,246.00	48.98%	601,610,557.39	1.64%	359,495,115.89	380,103,116.16	401,856,005.34		449,287,117.08
	Gasoline	345,188,737.00	51.02%							
	Diesel Fuel Oil	299,135,473.13	49.72%	542,586,876.60	1.48%	324,225,247.85	342,811,408.56	362,430,133.75		405,207,805.21
Sub-port of Pulupandan	Gasoline	298,310,770.93	49.59%							
	Denatured Alcohol	4,164,313.33	0.69%							
	Diesel Fuel Oil	392,936,857.00	72.42%							
	Gasoline	149,650,019.60	27.58%							
Sub-port of Dumaguete	Diesel Fuel Oil	36,341,427,732.34	98.80%	36,341,427,732.34	98.80%	21,715,994,890.27	22,960,850,266.15	24,274,874,829.57		27,140,041,170.87
	Gasoline									
<b>SUBTOTAL</b>		<b>36,341,427,732.34</b>		<b>36,341,427,732.34</b>		<b>21,715,994,890.27</b>	<b>22,960,850,266.15</b>	<b>24,274,874,829.57</b>	<b>25,667,938,464.48</b>	<b>27,140,041,170.87</b>

# APPENDIX 3

As of 7 May 2018

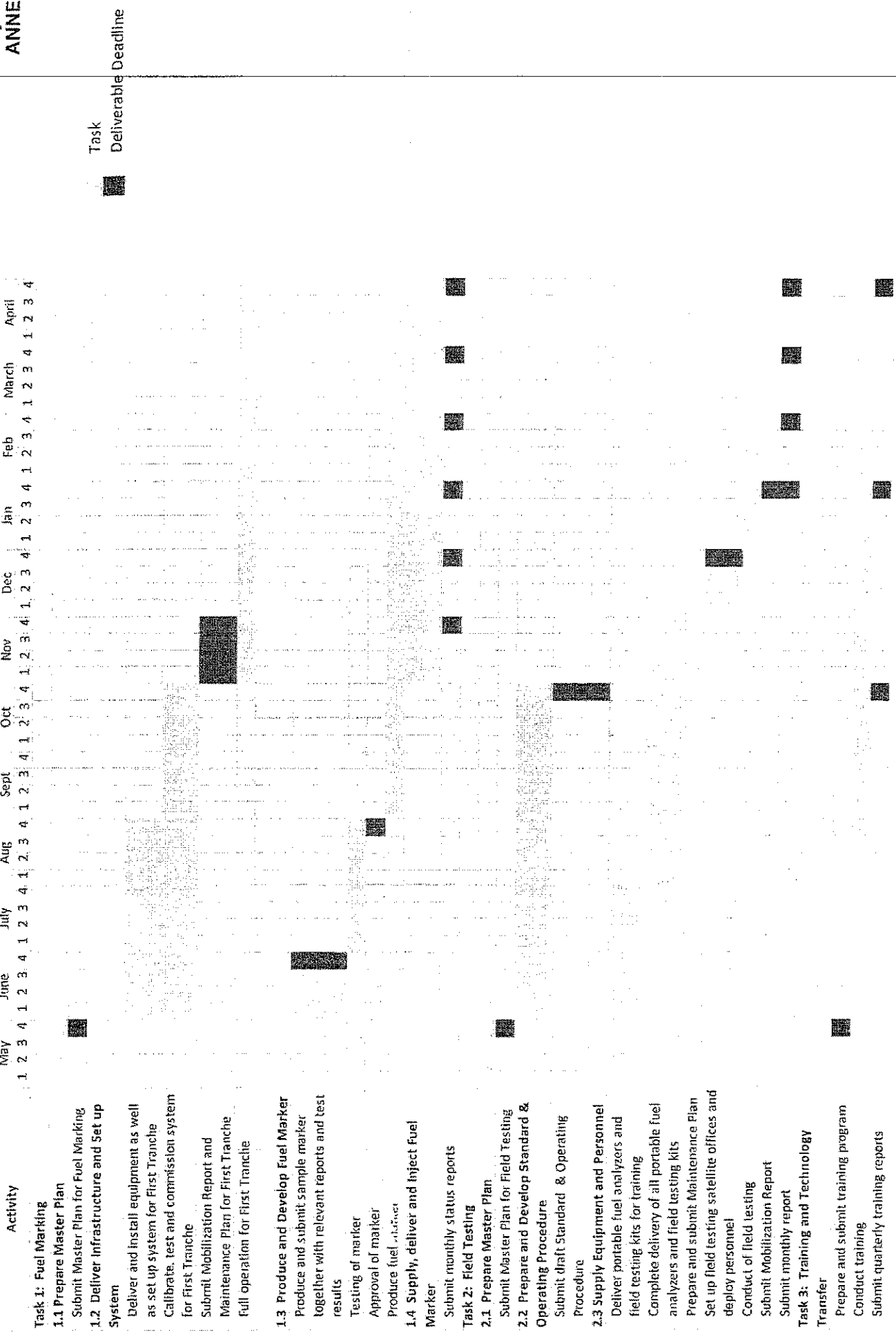
## ANNEX B

Fuel product subject to excise (based on National Internal Revenue Code)	Common variants	Notes
Gasoline	Regular 91RON Premium 95RON Premium Plus 97RON	As product : E10 gasoline
Denatured alcohol to be used for motive power	at 96.9% purity with gasoline as denaturant. Initial purity is at 99.3% minimum (prior to denaturing)	Denatured bioethanol for blending to gasoline in the production of E10.
Kerosene	kerosene, used for domestic heating purposes or industrial blending component.	
Diesel fuel oil, and on similar fuel oils having more or less the same generating power	Automotive Diesel (referred to as B2) Industrial Diesel  however if not meeting the B2 specification of the PNS, then said product may be considered as base diesel. base diesel shall be blended to BIODIESEL to become PNS-compliant Diesel (B2).	As finished product, must meet the PNS specifications for ADO or IDO


  
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As of 7 May 2018  
ANNEX C

*addi for mtdm bull*



Task  
Deliverable Deadline

**APPENDIX 5**

<b>IMPORTED EXCISEABLE PETROLEUM PRODUCTS 2013-2017</b>	
<b>VOLUME PER COMMODITY</b>	
<b>PETROLEUM PRODUCTS</b>	<b>% SHARE</b>
Crude Oil	47.11236%
Diesel Fuel Oil	26.37106%
Gasoline	8.77443%
LPG	4.59291%
Aviation Gas and Aviation Turbo Jet Fuel	4.44366%
Naphtha	4.02278%
Lubricating Oil	1.68844%
Denatured Alcohol	1.17636%
Petroleum coke	0.46849%
Asphalts	0.33492%
Bitumen & mixtures	0.30463%
Light Oil and preparations	0.24627%
Kerosene	0.23796%
Waxes and Petrolatum	0.11941%
Bunker Fuel	0.09257%
Solvent	0.00943%
White Oil	0.00423%
Coal	0.00007%
Processed Gas	0.00003%
<b>TOTAL</b>	<b>100.00000%</b>



# APPENDIX 6

## TECHNICAL EVALUATION CRITERIA

ESTABLISHMENT AND OPERATION OF A FUEL MARKING  
AND FIELD TESTING SYSTEM  
FOR THE BUREAU OF CUSTOMS

Reference: PB No. 18-031-8

Date of Opening: 27 July 2018

Bidder: \_\_\_\_\_

Criteria	Score	%	Score
<b>A. Qualification of Project Manager</b>		<b>25</b>	
<b>1. At least ten (10) years of experience for projects of similar scope and complexity;</b>		25	
- Fifteen (15) years of experience or more	100		
- Eleven (11) to Fourteen (14) years of experience	85		
- Ten (10) years of experience	70		
- Five (5) to Nine (9) years of experience	55		
- Four (4) years of experience and below	40		
<b>2. At least five (5) years of experience as a project manager in a Fuel Marking Program;</b>		25	
- Ten (10) years of experience or more	100		
- Six (6) to Nine (9) years of experience	85		
- Five (5) years of experience	70		
- Three (3) to Four (4) years of experience	55		
- Two (2) years of experience and below	40		
<b>3. Has implemented Fuel Marking Programs in at least two (2) countries, with preference for developing countries</b>		25	
- Implemented four (4) or more Fuel Marking Programs	100		
- Implemented three (3) Fuel Marking Programs	85		
- Implemented two (2) Fuel Marking Programs	70		
- Implemented one (1) Fuel Marking Program	55		
<b>4. Relevant educational degree in project management, industrial, chemical engineering or any related fields.</b>		25	
- Master's Degree holder	100		
- College Degree holder	85		
- Non-College Degree holder/Certification	70		
<b>B. Experience and Capability of the Consultant</b>		<b>25</b>	
<b>1. Proven track record, of at least ten (10) years in delivering government sponsored/funded Fuel Marking Programs.</b>		50	
- Fifteen (15) years or more	100		
- Eleven (11) to Fourteen (14) years	85		
- Ten (10) years	70		
- Five (5) to Nine (9) years	55		
- Four (4) years and below	40		

<b>2. Implementation of Fuel Marking Programs in at least two (2) countries, with preference for developing countries</b>		50	
- Implemented four (4) or more Fuel Marking Programs	100		
- Implemented three (3) Fuel Marking Programs	85		
- Implemented two (2) Fuel Marking Programs	70		
- Implemented one (1) Fuel Marking Program	40		
<b>C. Plan of Approach and Methodology</b>		<b>50</b>	
<b>1. Clarity</b>		20	
Well defined approach and procedure			
<b>2. Feasibility</b>		20	
Realistic, Implementable, Measurable, Practical			
<b>3. Comprehensiveness</b>		20	
Responsiveness to the engagement			
<b>4. Preciseness</b>		20	
Accurate interpretation of project problems and risks			
<b>5. Innovativeness</b>		20	
Advancement in technology			
<b>Total</b>		<b>100</b>	
<b>Total Points</b>			

**NOTES:**

1. Based on the above criteria, the bidders shall be ranked according to their total equivalent points.
2. Only the Financial Proposal of those who will meet the minimum Technical Score of **seventy (70) points** shall be considered for opening.