



**MINISTRY OF DEFENSE
BRAZILIAN ARMY
BRAZILIAN ARMY COMMISSION IN WASHINGTON
ADMINISTRATIVE SECTION
Phone: (202) 244-5010**

**REQUEST FOR QUOTATION (RFQ)
(Online Reverse Bid Auction)
Terms and Conditions**

RFQ-0009/2018

Issue Date: 16 JULY 2018

1. OBJECT

- a. This request is for the Price Registration of hiring a company to provide supplies materials for the Brazilian Army Commission (food and cleaning material). The technical specifications of all attachments must be complied with. Please read all instructions below.

Note:

- **This RFQ is for Price Registration purposes only and no acquisition/contract is guaranteed.**
Purchase Orders (PO) may be issued as a result of it.

2. ACCEPTANCE OF TERMS AND CONDITIONS

- a. The Bidder's submission of a Proposal for this RFQ indicates:
- (i) **The Bidder's acceptance** of all terms and conditions included in this RFQ, and
 - (ii) **The Bidder's acceptance** of the terms and conditions will be in the contract to be awarded should the Bidder win this bidding process.
- b. The BAC reserves the right to reject, totally or partially, any proposal that does not comply with the requirements and/or terms and conditions of this RFQ and its Annexes.
- c. The cost of preparing and submitting bidder proposals is the sole responsibility of the Bidders; under no circumstance will the BAC be responsible for these costs.
- d. All of the bidders must to follow the rules from this document and its annexes.

3. SUPPLIER REGISTRATION

- a. In order to participate in the bidding process, the Bidding company must be duly registered in the BAC Suppliers Database, with all required documents on file and all data updated. The registration process must be completed at least three business days before submitting proposal for any bidding process.
- b. The BAC is constantly updating its Suppliers Database, and companies receiving this RFQ are currently registered. However, if it has been more than six months since a company has done business with the BAC or has been invited to quote in an RFQ, that company should log in to BAC's International Contracts System and update its information as necessary.
- c. If a company has received this RFQ but has not yet completed the registration process, the company should send an email to registration@cebw.org requesting a user name and password. The company will then enter its information into the Suppliers Database, and will be required to submit a few documents by email in order to complete the registration process.

- d. The Bidder is responsible for maintaining the confidentiality of its password and is fully responsible for all activities that occur in its account, including any transaction executed directly by the Bidder or its representative. The Bidder agrees to immediately notify the BAC of any unauthorized use of the Bidder's password or any other breach of security. The BAC is not liable for any loss or damage arising from the Bidder's failure to comply with this clause.

4. PARTICIPATION IN THE ONLINE REVERSE BID AUCTION

- a. All businesses whose area of activity is compatible with the Object of this RFQ and who have completed all registration steps may participate in the online reverse bid auction.
- b. All business wishing to participate in this RFQ must also possess the following in order to be considered qualified for participation:
- (i) Installation shelving

5. PRESENTATION OF PROPOSALS AND DEADLINES

Phase 1 – Presentation of Initial Proposal and Deadlines:

- a. The deadline for submitting a proposal is JULY, 26th, 2018 at 23:59, Washington, DC time. Proposals submitted after the deadline **will not be accepted**.
- b. The Bidder's initial proposal **must** be submitted either via the BAC's International Contracts System (PRIORITY) or via email to the address administrative@cebw.org. The reference RFQ-0009/2018 must be included in the subject line of your email. Proposals submitted after the deadline **will not be accepted**.
- c. If submitting via BAC's International Contracts System, the Bidder shall follow the instructions that Brazilian Army Commission will send via email. When completing the quotation online, BAC's International Contracts System allows the Bidder:

- (i) to modify the description of the item as it would appear from the Bidder's database/files on its pro forma invoice;

to write a remark for each line item

to correct or include the P/N and/or NSN; and

- (iv) to write remarks (field description has a limit of 800 characters) as well as, attach up to five documents in *.pdf (which cannot exceed 1 MB in size each) containing the technical specifications of the product(s)/service(s) the Bidder is offering.

- d. Proposals submitted to any other e-mail address other than administrative@cebw.org or sent by fax will not be accepted, and therefore may not be allowed to participate in the bidding process.
- e. The Bidders may withdraw or modify proposals until the opening of the session. Should a Bidder withdraw, it must submit a request through the Chat in BAC's International Contracts System.
- f. The BAC may postpone the submission deadline for the initial proposals at any time; participants will be notified via email and Chat in BAC's International Contracts System.

NOTE: All days referred to above are **business days** observed in Washington, DC. Federal holidays observed in Washington do not count as business days.

Phase 2 – BAC Internal Procedures:

- a. The initial proposals will be submitted for evaluation by the Brazilian Army Commission immediately after the deadline stipulated in Sub-clause 5.a.
- b. The date and time scheduled to start Phase 3 can be postponed pending further evaluation of the initial proposals. In this case, the BAC will release a notification via Chat and e-mail indicating the new date and time.



Phase 3 – Presentation of Lowest Bid:

- a. After reviewing the initial proposals, the BAC will disclose in the SICOI Procurement System the lowest initial proposal received. A notification will be posted online inviting all Bidders to present an offer lower than the lowest initial price received.
- b. Each Bidder's lower bid must be submitted in the SICOI System, beginning **JULY, 27TH, 2018 at 09:00 AM**, Washington, DC time. At that time, a notification will be released via Chat with the opening and closing times to receive each participant's lower bids, after which the System will enter a random phase, closing at any time within a maximum period of 30 minutes.
- c. Lower bids by fax or email will not be accepted.
- d. The Bidder's company name will not be disclosed.
- e. Companies that did not present an initial proposal will not be allowed to participate in this Phase.
- f. If a participant decides not to present a lower bid, the BAC will consider that participant's initial proposal as its lower bid for price comparison purposes.
- g. The SICOI System will not accept two or more bids of equal value. The System will maintain the price for the Bidder that presented the offer first.
- h. During the online public session, the lowest price received will always be posted online on real-time.
- i. Should the BAC lose its Chat connection in the SICOI System during the public session and the System remains accessible to the Bidders, bids will continue to be received and will count as valid bids. If the SICOI System remains offline or disconnected from the BAC for more than ten minutes, the bidding process will be suspended and restarted from the beginning (Phase 3). The BAC will inform all participants via Chat and email of the date and time for a new session.
- j. During the random closing time (between 1 and 30 minutes after the initial bidding process has ended), the SICOI System will only accept lower bids. During this random closing time, lower bids by fax or email will not be accepted.
- k. The BAC will verify all proposals submitted, and reserves the right to disqualify those that do not comply with the requirements established in this RFQ, including proposals which contain errors or mistakes which cannot be fixed, or which do not include the technical specifications and/or parameters of quality and performance required in this RFQ and its attachment(s).
 - (i) all disqualifications will be justified by the BAC and recorded in the System, with real-time monitoring by all participants.
 - (ii) a disqualification does not necessarily preclude a later reversal, which could take place in Phase 4.
- l. **The Winner Company must send the documents from item 7 in 4 (four) hours after the Procurement advise at chat. After that time, the winner company which doesn't send the documents or send it incomplete will be disqualified.**

Phase 4 – BAC Internal Procedures and Bidding Results:

- a. The BAC will evaluate each bid based on the lowest price for each item. A single company may win the bid for one item, multiple items, or all items in the RFQ. Furthermore, the BAC will be permitted to enter into negotiation (via Chat) with the Bidder that presented the lowest bid in order to secure a lower price, as well as to make a decision about the acceptance of the offer.
- b. All technical evaluations will be performed by the appropriate Department/Directorate of the Brazilian Army.



- c. If the proposal with the lowest item price is not accepted, or if the Bidder who submitted that proposal does not comply with the registration requirements, the BAC will disqualify that Bidder and examine the proposal of the next-lowest bid, verifying its acceptability and its registration qualifications. This process, if necessary, will continue, following the order of each participant's classification until a proposal or lower bid price complies with the all RFQ requirements and is accepted.
- d. The BAC reserves the right to disqualify the proposals that do not meet the all requirements contained in this RFQ, as well as proposals that:
 - (i) are missing information requested;
 - (ii) have irregularities or defects that impede their evaluation;
 - (iii) do not accept the existing legal provisions;
 - (iv) offer prices higher than those estimated by the BAC;
 - (v) offer prices that are clearly unfeasible;
 - (vi) have not demonstrated their feasibility through documentation or through any process requested by the BAC (when it deems necessary) to demonstrate that the prices are consistent with the going market rate, and that the productivity coefficient is compatible with the implementation of the Object of this RFQ.
- e. After analyzing the lower bids received, the BAC will issue an Awarding Decision and will post the bidding results ("Winner's Report") online in the SICOI Procurement System. This notification will also include the time period for presenting an Intention to File an Appeal, according to Clause of Awarding Decision.

6. VALIDITY:

The quotation must be valid for a period of at least 60 (sixty) days from the date the quotation is submitted to the BAC.

7. QUALIFICATION OF THE WINNING COMPANY

- a. **Right After the bidding process** and before issuing any contract, the BAC may request the winning company's Business/Credit Information Report issued by a first-class market information and research company (usually **Dun & Bradstreet of the Company – printed in the last 06 months**) to verify the company's current financial condition. The BAC reserves the right to disqualify any bid winner based on the financial report evaluation.
- b. The BAC will also consult the Suppliers Database in order to verify the company's registration status. If the company is not appropriately or completely registered, the BAC reserves the right to disqualify the winning company.
- c. The winning company, upon the BAC's request, may have to demonstrate its capability to successfully deliver products to several recipients in varied locations. **In this case, the company must provide corroborating documents (certificates, for example) from clients/users affirming that such products were accepted and fully operational.** The BAC reserves the right to disqualify any company based on the evaluation of the presented documents.
- d. The winning company, upon the BAC's request, may also have to demonstrate the company has never provided a bad service to a client in such a way that resulted in nonpayment or litigation from the client. The BAC reserves the right to disqualify any company that refuses to provide this information.
- e. If all documents mentioned above is not presented right after the bidding process, the company that got the lowest price may be disqualified. Also, the company classified in the second position will ask to negotiate its price and then send the documents related to item 7.

8. REGIME OF EXECUTION

8.1 - REVIEW OF PRICES

Prices may be reviewed due to a possible reduction of prices charged in the market place or raise in cost of goods and/or manufacture and/or service. The BAC will enter into negotiation with the Bidder that presented the lowest price.

8.2 - CANCELLING REGISTRATION OF BIDDERS'S PRICE

- a. A Bidder will have its price registration canceled when: (i) the Bidder does not comply with the Terms and Conditions; (ii) the Bidder does not accept the Purchase Order neither equivalent instrument, within the time period specified on the Terms and Conditions, without valid reasons; and (iii) the Bidder does not reduce its registered price when it becomes higher than those prices prevailing in the market.
- b. If the above circumstances come into play, and only after the proper due process, a cancellation notice will be formalized the BAC's Chief.
- c. A supplier may request the cancelation of its registered prices due to unforeseeable circumstances or force majeure, which can compromise the full execution of the contract.

9. AWARDING DECISION

- a. Each item in this RFQ will be awarded to the Bidder that offers **the lowest price for that item**, provided that the proposal complies with the company's registration qualifications and the terms and conditions of this RFQ and its Annexes
- b. Once the BAC issues an Awarding Decision and posts the bidding results in the SICOI System, unsuccessful Bidders will be informed of the deadline for filing an Intention to File an Appeal. The appealing Bidder must present, either in writing via the SICOI System or through email, its Intention to File an Appeal concerning the results of the bidding process.
- c. The BAC will evaluate the Intention to File an Appeal under the following conditions:
 - (i) If the Intention to File an Appeal is accepted, the company will have at least 3 (three) business days to file a complete set of documents to support its appeal. During this time, the other bidding companies will have the opportunity to dispute the Intention to Appeal.
 - (ii) The BAC will have a maximum of 5 (five) business days to respond to the Intention to File an Appeal.
 - (iii) If the Intention to File an Appeal is rejected, the BAC will notify the company either via the SICOI System or email, and the company will not be allowed to file further documents arguing for an appeal.

10. TERMS OF PAYMENT

Payment will be made against invoice (through Wire Transfer or check). The invoice will have a period of 30 (thirty) days, from date of final delivery, for corresponding payment. The account and routing numbers for wire transfer must be included by the Bidder, as well as all the informations needed for the full payment.

11. ADJUDICATION AND RATIFICATION

- a. The Object of the RFQ will be awarded to the winning Bidder by the BAC if no appeal has been filed by any participant; in the case of appeal, the final decision will be made by the competent authority after all evaluations have been completed.
- b. The results of the Online Reverse Bid Auction will be disclosed in the Winners Report in the SICOI System.
- c. The competent authority will ratify the bidding process after the legality of all documents and actions involved in the process (including those in any appeal phase) has been confirmed.

12. GOVERNING LAW

- a. This RFQ and subsequent bidding process are conducted under Brazilian Law No. 10520 of July 17, 2002; Decree No. 3555 of August 8, 2000; Decree 7892 of Jan 23, 2013; Law 8.666 of June 21, 1993, and the Normative Instruction No. 1 of MARE of May 17, 2001.



13. ANNEXES

- a. Screenshot of Proposal Submission Page
- b. Description of services

14. POINT OF CONTACT:

Should you have any questions regarding to this RFQ, please contact Major Dirceu Gomes de Oliveira (phone # 202-895-6299, fax # 202-895-6397, email: administrativa@cebw.org).

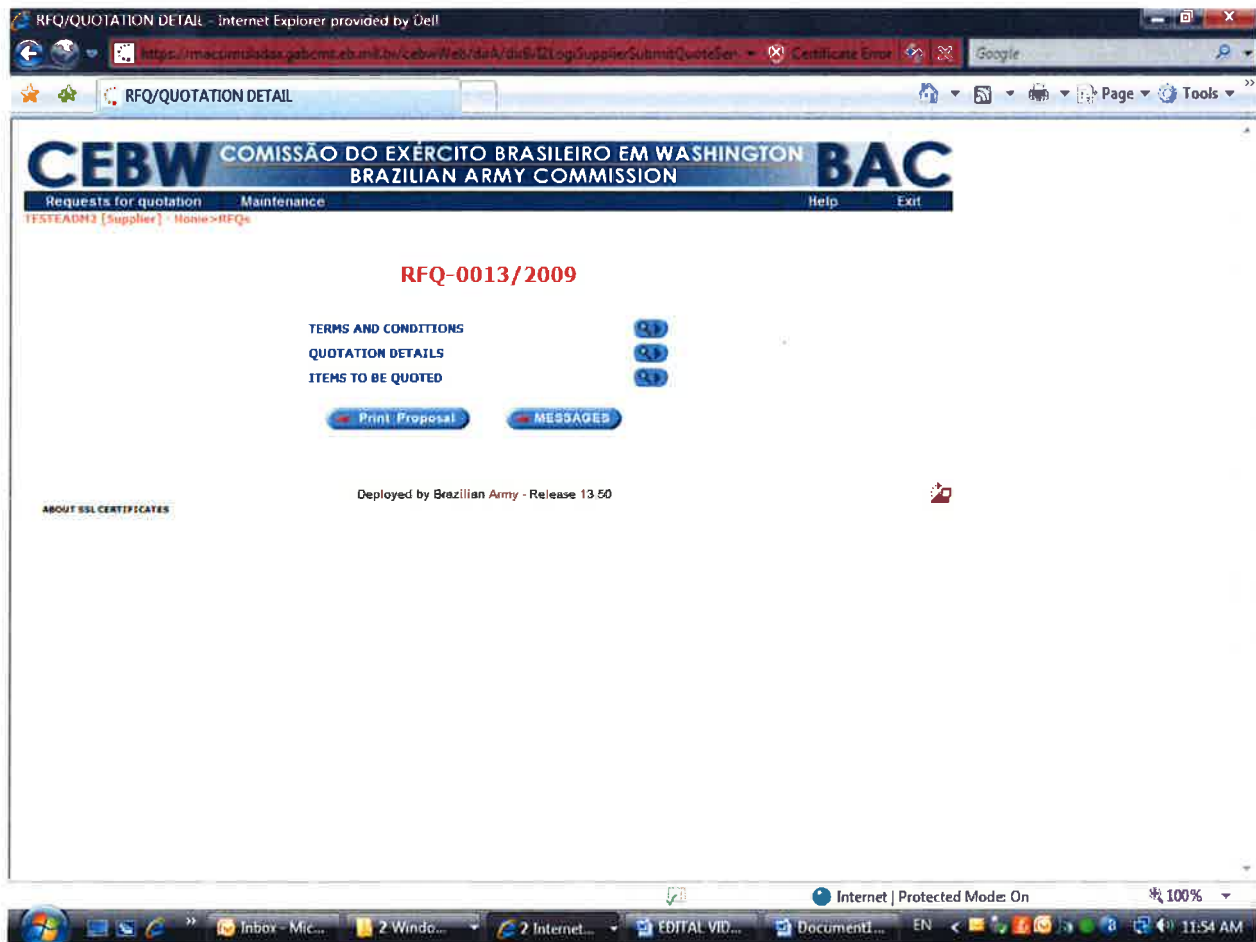
Sincerely,



RODRIGO FERRAZ SILVA- Col.
Chief, Brazilian Army Commission

ANNEX A
SCREENSHOT OF PROPOSAL SUBMISSION PAGE

All information submitted by the Bidder must be entered in the appropriate area.



ANNEX B
DESCRIPTION OF MATERIALS

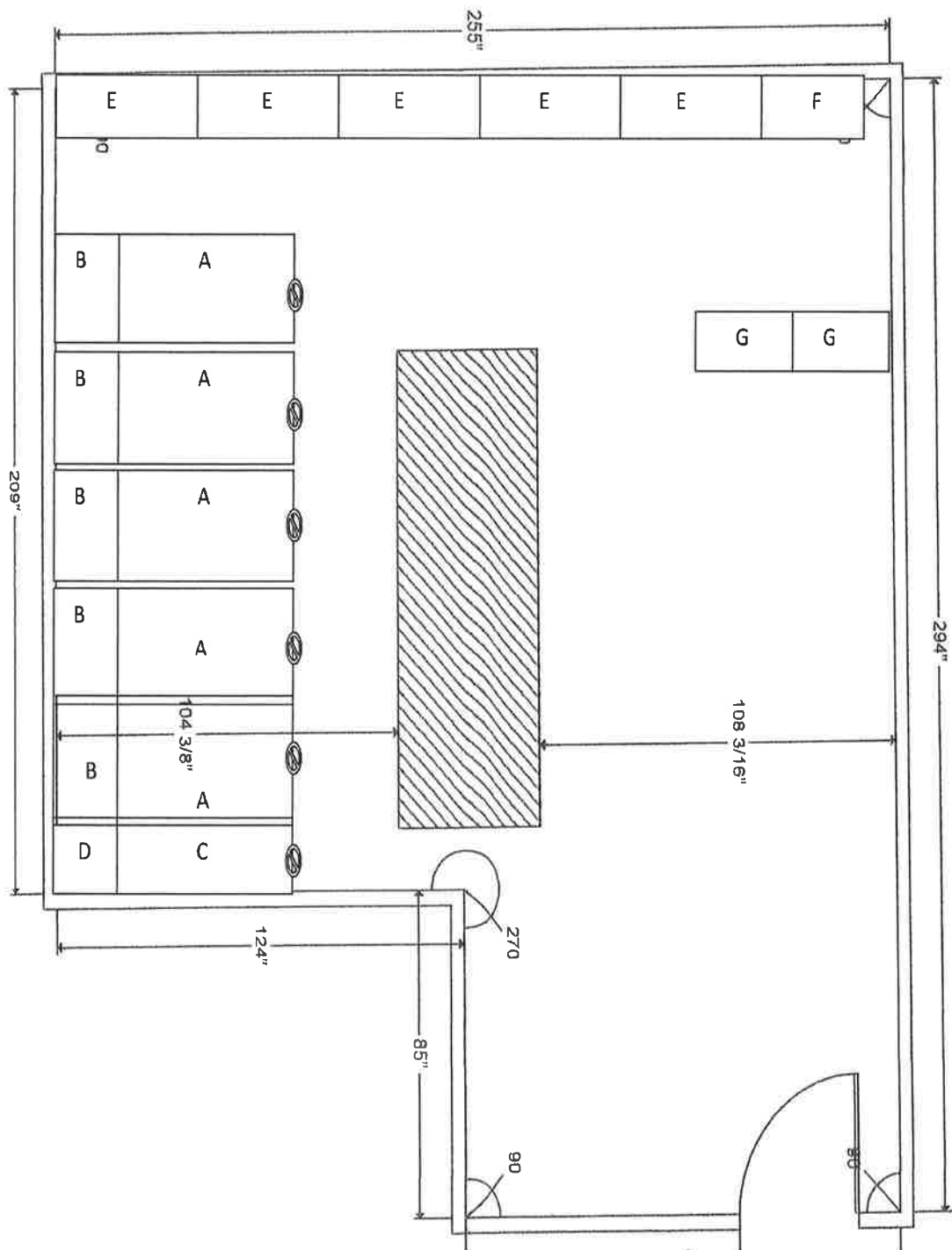
Group	ITEM	Description	Price	Quantity	TOTAL
1	01	Compact shelving	22,042.46	1	22,042.46
	02	Installation Compact shelving	7,819.25	1	7,819.25

TOTAL 29,861.71

Item 01 – compact shelving are composed of:

- 05 (five) Units A:** 42"Wx32"D, H=61 1/4" SysH=68 1/2", 05 shelves, capacity of 30 boxes each, carriage will roll to the right and lock to secure the boxes.
- 05 (five) Units B:** 30"Wx32"D, H=61 1/4" SysH=68 1/2", 05 shelves, capacity of 20 boxes each, carriage will roll to the right and lock to secure the boxes.
- 01 (one) Unit C:** 42"Wx16"D, H=61 1/4" SysH=68 1/2", 05 shelves, capacity of 15 boxes each, carriage will roll to the right and lock to secure the boxes.
- 01 (one) Unit D:** 42"Wx32"D, H=61 1/4" SysH=68 1/2", 05 shelves, capacity of 10 boxes each, carriage will roll to the right and lock to secure the boxes.
- 05 (five) Units E:** 42"Wx15"D, H=60, 100 Series, one shelf and three drawers each.
- 01 (one) Unit F:** 36"Wx15"D, H=60, 100 Series, one shelf and three drawers each.
- 02 (two) Unit G:** 30"Wx16"D, H=61 1/4", 05 shelves, capacity of 10 boxes each.
- 01 (one) rail system:** able to move the units A,B, C and D concern Layout (Anexo A),





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