



# Invitation for Bids

Invitation No.  
EFE-0103

**August 1, 2019**

## 1. Subject Project

### a. General Information

Commodity	P.R. No.	NSN	End User	Qty (SET)	Type of Bid
HYDRAULIC POWER UNIT- ELECTRIC TYPE	BAA99346 WAA99346	Refer to the Purchase Order.	ROK Army Marine Corp	6 3	Two-Step Sealed (Simultaneous)

b. Registration Deadline: [14:00 September 16, 2019](#) (Korean Standard Time)

c. Place of Registration: Government Complex Gwacheon Building No.4, DAPA, Meeting Room.  
(To gain access to the building, temporary pass should be obtained at the Customer Support Center in the Government Complex in Gwacheon)

d. Examination of Registration Documents : [14:00 September 16 ~ 10:00 September 17, 2019](#)

e. Submission of bidding documents : [10:00 September 17, 2019](#) (Korean Standard Time)  
(Bidding Documents to be received only when competition is formed)

f. Opening of bids : Notification to be made to the companies who have passed technical evaluation

## 2. Applicable Laws and Regulations

a. 「Act on Contracts to which the State is a Party」 (Legislation No. 15219, enforced 20 March 2018)

b. 「Enforcement Decree of the Act on Contract to which the State is a Party」 (Presidential Decree No. 29318. enforced 4 Dec 2018)

c. 「Enforcement Rules of the Act on Contract to which the State is a Party」 (MOSF Decree No. 699. Enforced 4 Dec 2018)

### **3. Method of Contracting : Type of Bid, Bidding Price**

- a. Subject to Article 18, Paragraph 3 of 「The Enforcement Decree of the Act on Contracts to which the State is Party, the bidding shall be conducted as Open Competition based on bid documents and two-step sealed bidding with the price offer made for the total price of the program.
- b. All Bidders shall submit bidding price based on DAP in INCOTERMS 2010 unless stated otherwise.

### **4. Qualification of Bidder**

- a. Any foreign manufacturer or domestic/foreign supplier who specializes in dealing with the item(s) subject to this bidding and is registered with the following system.
  - (1) Foreign company: Korea Defense On-line E-Procurement System([www.d2b.go.kr](http://www.d2b.go.kr))
  - (2) Domestic supplier: Korea On-line E-Procurement System([www.g2b.go.kr](http://www.g2b.go.kr)) and Korea Defense On-line E-Procurement System([www.d2b.go.kr](http://www.d2b.go.kr))
- b. Bidders must also be registered with DAPA at least five (5) days prior to the bidding date (in the event a bidder wishes to participate in the bidding by hiring a commissioned agent, the same applies)
- c. Any bidders who have not been restricted from participating in biddings in accordance with Article 27 of 「Act on Contracts to which the State is a Party」 and Article 76 of 「Enforcement Decree of the Act on Contracts to which the State is a Party」
- d. For other details please refer to No.1 of the General Instructions to Bidders(GIB)

### **5. Bid Bond and confiscation to National Treasury**

- a. Bidder (including commissioned agent) shall establish a bid bond by P.R.No. in an amount not less than five (5) percent of the bid value in the form of Cash, Stand-by Letter of Credit, or Surety Bond.
- b. Any bidder exempted from providing a Bid bond shall submit a Letter of Guarantee for Payment of Bid Bond (GIB Annex 7 or Annex 7-1)
- c. In case a foreign bidder hired a domestic commissioned agent, the commissioned

agent shall submit a letter of collective guarantee for the foreign company as well. (GIB Annex 8)

- d. The aforementioned bid bond shall be confiscated and reverted to the national treasury in the event the company awarded with the contract fails to (1) sign the contract within the period set forth by DAPA, or (2) establish the performance bond within the period set forth by DAPA.

## **6. Invalidation of Bid**

A bid shall be considered invalid in the event a bidder is found unqualified as stipulated in Paragraph 4 Article 39 of the Enforcement Decree of the Act on Contracts to Which the State is a Party.

## **7. Delivery Requirement**

Refer to the Purchase Order.

## **8. Award Determination**

- a. Award will be made to the qualified and responsible bidder with the lowest bid conforming to the terms and conditions of the IFB by taking into account the price, delivery date, quantity, specifications and terms most favorable to the Korean Government.
- b. DAPA will open the price bidding envelope when there are two or more bidders and at least one of the bidders have been determined appropriate as a result of technical review. The company whose bidding price is within DAPA's target price will be selected.
- c. If there are two or more companies that have passed the technical review but none have come within the target price, there shall be additional price bids until a company meets the target price.

## **9. Criteria for Specification Bidding**

- a. Criteria for specification bidding shall be in compliance with the Purchase Order and/or attached evaluation criteria matrix.

## 10. Documents for Bid Registration

- a. One(1) Original Bid Application (GIB Annex 6)
- b. One(1) Original Certificate of Bid Bond or Guarantee Letter for the bidder exempted from a Bid Bond (GIB Annex 7 or Annex 7-1)
  - If a foreign bidder exempted from providing a Bid Bond has hired a commissioned agent, the foreign bidder shall also submit a copy of Letter of Collective Guarantee provided by the said commissioned agent. (GIB Annex 8)
- c. One(1) Original Manufacturer's Certificate (Notarized) and One(1) Original Manufacturer's Information
  - If the manufacturer directly participates in the bid, Annex 3-1 and Annex 13 shall be submitted, and if the supplier participates in the bid, Annex 3-2 and Annex 13 shall be submitted.
  - In case of fax submission, the original documents shall be presented within ten (10) days, with DAPA being the recipient and the sender's information (name, address, telephone and e-mail, etc.) shall be displayed on the documents.
- d. One(1) Original Supplier's Certificate (Notarized) and Supplier's Information GIB Annex 4 and Annex 14)
  - If the Manufacturer directly attends the bidding, it may omit the submission of these documents.
  - In case of fax submission, the original documents must be presented within ten(10) days, with DAPA being the recipient and the sender's information (name, address, telephone and e-mail, etc.) shall be displayed on the documents.
- e. One(1) Original Power of Attorney (notarization required, format provided in GIB Annex 5) if a commissioned agent participates on behalf of a foreign bidder.
  - If the CEO of the commissioned agent delegates this responsibility to his/her employees, an original copy of Power of Attorney attesting such delegation. (GIB Annex 9)
- f. One(1) signed original "A Pledge of Integrity" (Annex 12-1).
  - Including the commissioned agent
  - In principle, the Pledge of Integrity is to be signed by the CEO and VP/Director level person(s) of the company stipulated in the company's information registered with DAPA as a source of foreign procurement, and if a company is unable to meet this requirement a written explanation (including substantiating documents) must be provided.
- g. Other required documents are as listed in the Commodity Specification (Purchase Order)

## 11. Documents for Bid

- a. One (1) Original Price List (Sealed and Stamped) (GIB Annex 2)
- b. Specification bidding documents: One (1) Original, One (1) Duplicate and One (1) CD
  - b-1. Commodity Description: Submit with the bid price left blank in the document
  - b-2. Comparative Table of Specifications for Equipment: Submit with comparison by item between specification of IFB and of the bidder's
  - b-3. Specifications for Equipment: technical data, drawings, catalogue etc.
- c. Two (2) Original Contract Cover Sheet and Terms & Conditions  
(Format provided in Annex 1 of GIB)
- d. Certification and Assurance Documents in accordance with Commodity Specification
- e. Quotation to support calculation of target price: One (1) Original (submit info on a CD using Excel format attached to the IFB)
- f. One (1) original copy of Agent Commissioned Fee Report (if a Commissioned Agent is hired for a project that has a budget of USD 2million or higher)
- g. Refer to Purchase Order for any other required documents. If there is no change in documents required between the first and second request for bids, submission is not mandatory. In such case, the company shall submit a confirmation sheet that states there has been no changes to the previously submitted information.
- h. All documents being submitted as part of the bid shall be written in both Korean and English.

## 12. For Further Information

- a. Address: Defense Acquisition Program Administration (DAPA) Government Complex Gwacheon Building No.4, Room No. 401, Gwanmun-ro 47 Gwacheon-si Gyeonggi-do
- b. POC
  - Bidding and Contracting: International Weapon Systems Contract Team  
(Tel : +82-2-2079-4364)
  - Commodity Specification: ROK Army (Tel : +82-42-616-4723), Navy (Tel : +82-42-553-4321)  
Air Force (Tel : +82-42-552-4162), Marine Corp (Tel : +82-31-8012-3425)
  - Company Registration etc. : Integrated Counseling Office (Tel : +82-1577-1118 ex:2)
- c. DAPA Homepage: [http://www.dapa.go.kr/dapa\\_en/main.do](http://www.dapa.go.kr/dapa_en/main.do)
  - Bid content: Bid announcement → Electronic bid → Competitive bid

### 13. Other Information on the bid

- a. This bid shall be conducted as two-step document bid which requires submission of both specification bidding documents and price bidding documents at the time of bid registration. Please refer to the GIB for details.
- b. To support estimating a target price, the bidder shall submit a price quotation in a separate envelope and submit it along with bid documents at the time of bid registration.
- c. Any bid currency other than U.S. Dollar will be converted to USD.
  - Exchange rate for conversion: DAPA trade rate on the date of bid registration deadline (E-Procurement System)
    - \* [www.dapa.go.kr/dapa\\_en/main.do](http://www.dapa.go.kr/dapa_en/main.do) ⇒ Bid Announcement ⇒ Electronic Bid ⇒ Competitive Bid ⇒ Exchange Rate (Search Date: the last day of bid registration)
- d. Quantity may be adjusted due to changes to the budget and the End User's circumstances.
- e. Even after a contractor has been selected, the contract may not be signed or the program may be cancelled due to unforeseeable circumstances of DAPA or if critical error is found in the bidding process.
- f. In the event the value of a contract between the bidder and its subcontractor or between a subcontractor and its sub-subcontractor exceeds one billion won, the bidder shall inform its subcontractor or sub-subcontractor in advance that the head or executive officer of such subcontractor or sub-subcontractor shall submit "a Pledge of Integrity"(Annex 12-2) to DAPA within 15 days from the date of signing such subcontract or sub-subcontract.
- g. Companies may register for bid at any time before the registration deadline. Documents submitted for bid registration will be evaluated after the deadline, and companies found unqualified during such process shall be excluded from the bid and their bid shall not be opened. Therefore, please register for bid in advance in case submitted documents need to be supplemented
- h. The stock number (NSN) is for reference purpose only, intended to better companies' understanding of the desired commodity. Any commodity that satisfies the requirements of the Purchase Specification may be proposed.

- i. Specification Bid documents must be initialed at the bottom left of each page for submission. If such initialing is omitted, the documents shall not be accepted as valid documents for bidding registration.
  - In particular, print and use the Contract Cover Sheet, General Terms & Conditions and Special Terms & Conditions of the Contract from the attached file (file name: Contract Coversheet(Terms&Conditions).doc). For other documents, use the format included in the General Instruction to Bidders(GIB).
  - The Cover Sheet must be duly signed and bottom left corner of each page must be initialized for General Ts&Cs and Special Ts&Cs. Blanks for contract price and unit price in the table of Ts&Cs may remain unfilled.
- j. If a company submits faxed copies of Manufacturer's Certificate/Manufacturer's Information or Supplier's Certificate/Supplier's Information, the notarized originals must be submitted within ten days from submission. The bidding registration will be automatically cancelled if the originals are not submitted.
- k. It is the bidders' responsibility to submit Pledge of Integrity signed by the CEO and VP/Director level person(s) of the company stipulated in the company's information registered with DAPA as a source of foreign procurement. Therefore, please be advised that the bidder will be held responsible in case of failure to submit or submission of an invalid document.
- l. In the event there are any information discrepancies between this document and the website for electronic defense procurement (d2b.go.kr), this document shall take precedence.
- m. It is the bidder's sole responsibility to acquire all the export licenses required to execute this program from the government of its own country or any other third countries.
- n. For multi-year contracts with period of performance being two years or longer, the bidder may be required to sign an yearly amendment to the contract to confirm or adjust the payment for each year.
- o. Bidders are required to have a full understanding of the GIB, Terms & Conditions available and all other related materials available on DAPA website. Bidders shall take full responsibility in the event they fail to do so.
- p. With regard to this IFB(including attachments such as specifications), should there be any conflict between Korean and English, Korean shall take precedence.
- q. For matters not stipulated in this IFB, GIB will prevail.

## **MINISTER OF DEFENSE ACQUISITION PROGRAM ADMINISTRATION**