



**Request for Quotations  
RFQ No. 2020-12486-016**

**Education Development Center, Inc.  
(Hereafter referred to as "EDC")  
Request for Quotations for Procurement, Delivery, and Distribution of Laptop Computers  
for  
DepEd ALS Implementers  
USAID Opportunity 2.0 Program, Philippines**

Date of Issuance:

September 20, 2020

Education Development Center (EDC) is a global nonprofit that advances lasting solutions to improve education, promote health, and expand economic opportunity, with a focus on vulnerable and underserved populations.

Opportunity 2.0, funded by USAID, will strengthen second-chance education programs for vulnerable out-of-school youth in the Philippines. Opportunity 2.0 will collaborate and work with national and local systems to provide 180,000 youth with the skills and opportunities to improve their education, employment, and livelihood outcomes.

Achieving this vision will require a multi-faceted, systems-strengthening approach that aligns the formal education system, markets, and youth “sub-systems” at the regional levels. This will be achieved by providing experienced project personnel embedded in government departments; further aligning the input of technical assistance; and maximizing opportunities to bring together the respective stakeholders to identify and refine synergies and transition pathways for youth, particularly between Department of Education (DepEd)’s Alternative Learning System (ALS) program and the Technical Education and Skills Development Authority (TESDA).

Organizations submitting quotations in response to this RFQ have no relationship with USAID under the terms of this RFQ or any resultant contract. All communications regarding this RFQ must be directed to EDC.

## ***1. Purpose and Eligibility***

### **1.1 Purpose**

The purpose of the RFQ is to invite prospective Offerors to submit quotations for procurement, delivery, and distribution of 371 units of laptop computers, carrying bags and mice. The laptop computers are intended for DepEd ALS implementers in the Philippines in the following locations: 1) Quezon City, 2) Valenzuela City, 3) Angeles City – Pampanga, 4) Legazpi City, 5) Cebu City, 6) Tagbilaran City, 7) Zamboanga City, 8) Isabela City - Basilan, 9) Cagayan De Oro City, 10) Davao City, 11) General Santos City, and 12) Cotabato City.

### **1.2 Eligibility**

This procurement is open to offers from organizations (authorized distributors/resellers), which are incorporated or legally organized under the laws of any country, which is not sanctioned by the US Government. Offers from organizations which are incorporated or legally organized under the laws of any country, which is sanctioned by the US Government shall not be considered.

## ***2. General Information***

### **2.1 Original RFQ Document**

EDC shall retain the RFQ, and all related terms and conditions, exhibits and other attachments, in original form in an archival copy. Any modification of these, in the offeror’s submission or subsequent contract, is grounds for immediate disqualification.

### **2.2 RFQ Provisions**

1. All information provided by EDC in this RFQ is offered in good faith. EDC makes no certification that any item is without error. EDC is not responsible or liable for any use of the information or for any claims asserted there from.
2. This RFQ does not under any circumstances commit EDC to pay any costs incurred by the Offeror in the submission of a quotation. This is the Offeror's responsibility.
3. All materials submitted in response to this RFQ shall become the property of EDC upon delivery to EDC.
4. Additional documentation may be required prior to selection.
5. All quoted prices must be VAT and customs free. In accordance with USAID's agreement with the Government of Philippines, EDC, as the implementing agency for USAID/Philippines Opportunity 2.0 is exempt from VAT.
6. The Offerors registered in the Philippines should provide a detailed breakdown of costs associated with shipping and customs clearance of imported laptop computers and accessories.

### 2.3 Schedule of Events

The following schedule applies to this RFQ but may change in accordance with EDC's needs or unforeseen circumstances. Changes in this timeline will be announced as formal modifications to the RFQ.

LINE	TIME	DATE	TIMETABLE
A	5:00 PM Manila Time	October 2, 2020	Deadline for submission of questions to EDC
B	9:00 AM Manila Time	October 8, 2020	Date for issuance of responses by EDC
C	9:00 AM Manila Time	October 16, 2020	Deadline for submission of quotations

### 2.4 Inspection and Acceptance

Under any contract awarded in response to this RFQ, EDC reserves the right to inspect and test the proposed laptop computers and accessories to determine whether such items conform to the terms of the contract and its attachments. Unless otherwise agreed to in writing by EDC, EDC shall have a right to inspect the laptop computers and accessories before payment or acceptance of such laptop computers and accessories, in accordance with Section 2-513(1) of the Uniform Commercial Code (UCC). Payment made before inspection for conformity shall not constitute an acceptance of such laptop computers and accessories or impair EDC's right to inspect such laptop computers and accessories or any of EDC's remedies, in accordance with Section 2-512(2) of the UCC. Laptop computers rejected or in excess of the quantities ordered may be returned to the selected Offeror at the selected Offeror's expense.

## 3. Quotation Submission and Selection

### 3.1 Offeror's Understanding of the RFQ

In responding to this RFQ, the Offeror fully understands the RFQ in its entirety and in details, including making any inquiries to EDC as necessary to gain such understanding. Clarification questions must be

submitted by potential Offerors—in writing—by the date and time designated in **Line A** of the Chart in Section 2.3. Responses will be published in writing. EDC reserves the right to disqualify at its sole discretion any Offeror who submits a quotation that is not responsive or that demonstrates less than such understanding. That right extends to cancellation of the contract if a contract has been made. Such disqualification and/or cancellation shall be at no fault, cost, or liability whatsoever to EDC.

### 3.2 Communication

Verbal communication shall not be effective unless formally confirmed in writing by the EDC Contact Person in charge of managing this RFQ process. In no case shall verbal communication govern over written communications.

Offerors' inquiries, questions, and requests for clarification related to this RFQ are to be directed in writing before the date and time designated in **Line A** of the Chart in Section 2.3 to:

Education Development Center, Inc.  
 Attention: RFQ #2020-12486-016 Laptop Computers, Opportunity 2.0 Activity, Philippines  
 E-mail: [ProcurementPH@edc.org](mailto:ProcurementPH@edc.org)

In order for the inquiries, questions and requests to be responded to, Offerors must indicate the following as the subject of the email: *"Questions on RFQ 2020-12486-016 Laptop Computers"*

### 3.3 Quotation Submission

All quotations must include a cover letter provided on the Offeror's letterhead or stationery and be signed in writing by the Authorized Officer of the Offeror. It is not acceptable to only provide the typed name of the Offeror's representative. Quotations submitted without a written signature will not be considered. The Authorized Officer of the Offeror who signs the cover letter must also sign all other components of the quotation, which require a signature.

Quotation must be delivered via email to:

Education Development Center, Inc.  
 Attention: RFQ 2020-12486-016 Laptop Computers, Opportunity 2.0 Activity, Philippines  
 E-mail: [ProcurementPH@edc.org](mailto:ProcurementPH@edc.org)

It is the responsibility of the Offeror to ensure that the quotation is delivered to EDC by the deadline date listed in this RFQ.

All quotations must be received by EDC before the date and time designated in **Line C** of the Chart in Section 2.3.

### 3.4 Eligibility of Quotations

#### 3.4.1 Complete Quotations

Offerors must submit **ALL** components required by this RFQ, including annexes for their quotation to be complete; please refer to Annex C for a list of required components. Upon EDC's request, Offerors must be able to submit a sample of each item/items proposed. Samples will be returned to Offerors after the EDC bid evaluation process is completed.

EDC will determine which quotations include the components required by the RFQ and are to be considered a complete quotation; only complete quotations will be evaluated and considered for award. Please note that although EDC will determine certain quotations to be complete, this determination does not signify that an award will be made to one or any of the Offerors with complete quotations.

### **3.4.2 Compliance with Technical Specifications & Requirements**

Offerors may be disqualified if the quotation does not demonstrate compliance with Section 4, *Technical Specifications & Requirements*.

### **3.4.3 Past Performance**

Offerors may be disqualified if a check of past performance demonstrates that the Offeror has not been able to deliver similar commodities on time and in a satisfactory manner.

### **3.5 Evaluation Criteria**

EDC shall evaluate all eligible quotations based on price.

### **3.6 Selection**

EDC may award one or more contracts resulting from this RFQ to the Offeror(s) whose quotation(s) conforming to this RFQ offer(s) the greatest value. EDC may also (a) reject any or all quotations, (b) accept other than the lowest quotation, or (c) accept more than one quotation. Contracts may be issued for some or all of the Lots. Preference will be given to Offerors that offer an eligible quotation for all lots. Preference may be given to Offerors that provide a delivery schedule which exceeds the minimum requirements stated in Section 4.1.5. EDC, at its sole discretion, may waive informalities and minor irregularities in quotations received.

EDC may award a contract without discussions with Offerors. As such, Offerors are strongly encouraged to submit their best quotations with their original submissions. EDC reserves the right to conduct site visits and/or to conduct discussions, which may result in revisions to quotations, with one or more than one or all Offeror(s) if EDC determines, at its sole discretion, discussions to be necessary. Discussions may include oral presentations provided by the Offeror.

## **4. Technical Specifications & Requirements**

### **4.1 Specifications for Laptop Computers and Accessories**

All the specifications listed in Section 4.1 must be met.

#### **4.1.1 Laptop Computers and Accessories**


Quotations are requested for the following laptop computers and accessories:

**Laptop Computers must meet minimum technical specifications:**


Operating System	Windows 10 Pro (64bit) English
Display	14-inch FHD (1920x1080) or better
CPU	Intel Core i5 or greater
CPU Speed	1.5Ghz or faster
Battery	3-cell 45Wh battery or alternative
Storage	512GB Solid State Drive or greater

Memory	8GB or better
Connectivity	Wi-Fi (801.11AC or alternative), Bluetooth, Webcam (720p HD or better)
Accessories	Power Adapter (suitable for Philippines), carrying bag and a wireless mouse
Packaging	Individually boxed

#### Wireless mice for laptops – minimum specifications:

Sample Picture	
Type	2.4 GHz optical or better
Compatibility	Fully compatible with the proposed laptop computer, with nano receiver
Connection	Wireless connection, minimum 10-15 meters or better
Color	Black, grey, or equivalent preferred

#### Carrying bags for laptops – minimum specifications:

Sample Picture	
Type	Messenger bag. Adjustable, non-slip shoulder strap - preferred. Exterior zipper will use a heavy-duty slider and teeth made of metal.
Compatibility	Fully compatible with the proposed laptop computer and a power adapter, with at least one interior padded compartment for the laptop computer.
Material	<b>Exterior:</b> durable nylon or equivalent, water-resistant. <b>Interior:</b> durable nylon, neoprene or equivalent.
Color	Black, grey, or equivalent preferred

#### 4.1.2 Quantities

Quotations are requested for the following quantities:

**Offerors can bid on Lot 1, Lot 2, Lot 3, Lot 4 or any or all Lots.**

Lots	Item Description		Quantity (Number of items)
Lot 1. Luzon	Operating System	Windows 10 Pro (64bit) English	Angeles City: 16 laptops Legazpi City: 28 laptops Valenzuela City: 9 laptops Quezon City: 25 laptops
	Display	14-inch FHD (1920x1080) or better	
	CPU	Intel Core i5 or greater	

	<table><tr><td>CPU Speed</td><td>1.5Ghz or faster</td></tr><tr><td>Battery</td><td>3-cell 45Wh battery or alternative</td></tr><tr><td>Storage</td><td>512GB Solid State Drive or greater</td></tr><tr><td>Memory</td><td>8GB or better</td></tr><tr><td>Connectivity</td><td>Wi-Fi (801.11AC or alternative), Bluetooth, Webcam (720p HD or better)</td></tr><tr><td>Accessories</td><td>Power Adapter (suitable for Philippines), carrying bag and a wireless mouse</td></tr></table>	CPU Speed	1.5Ghz or faster	Battery	3-cell 45Wh battery or alternative	Storage	512GB Solid State Drive or greater	Memory	8GB or better	Connectivity	Wi-Fi (801.11AC or alternative), Bluetooth, Webcam (720p HD or better)	Accessories	Power Adapter (suitable for Philippines), carrying bag and a wireless mouse	<b>Subtotal: 78 laptops with accessories</b>						
CPU Speed	1.5Ghz or faster																			
Battery	3-cell 45Wh battery or alternative																			
Storage	512GB Solid State Drive or greater																			
Memory	8GB or better																			
Connectivity	Wi-Fi (801.11AC or alternative), Bluetooth, Webcam (720p HD or better)																			
Accessories	Power Adapter (suitable for Philippines), carrying bag and a wireless mouse																			
<b>Lot 2. Visayas</b>	<table><tr><td>Operating System</td><td>Windows 10 Pro (64bit) English</td></tr><tr><td>Display</td><td>14-inch FHD (1920x1080) or better</td></tr><tr><td>CPU</td><td>Intel Core i5 or greater</td></tr><tr><td>CPU Speed</td><td>1.5Ghz or faster</td></tr><tr><td>Battery</td><td>3-cell 45Wh battery or alternative</td></tr><tr><td>Storage</td><td>512GB Solid State Drive or greater</td></tr><tr><td>Memory</td><td>8GB or better</td></tr><tr><td>Connectivity</td><td>Wi-Fi (801.11AC or alternative), Bluetooth, Webcam (720p HD or better)</td></tr><tr><td>Accessories</td><td>Power Adapter (suitable for Philippines), carrying bag and a wireless mouse</td></tr></table>	Operating System	Windows 10 Pro (64bit) English	Display	14-inch FHD (1920x1080) or better	CPU	Intel Core i5 or greater	CPU Speed	1.5Ghz or faster	Battery	3-cell 45Wh battery or alternative	Storage	512GB Solid State Drive or greater	Memory	8GB or better	Connectivity	Wi-Fi (801.11AC or alternative), Bluetooth, Webcam (720p HD or better)	Accessories	Power Adapter (suitable for Philippines), carrying bag and a wireless mouse	Cebu City: 44 laptops Tagbilaran City: 9 laptops <b>Subtotal: 53 laptops with accessories</b>
Operating System	Windows 10 Pro (64bit) English																			
Display	14-inch FHD (1920x1080) or better																			
CPU	Intel Core i5 or greater																			
CPU Speed	1.5Ghz or faster																			
Battery	3-cell 45Wh battery or alternative																			
Storage	512GB Solid State Drive or greater																			
Memory	8GB or better																			
Connectivity	Wi-Fi (801.11AC or alternative), Bluetooth, Webcam (720p HD or better)																			
Accessories	Power Adapter (suitable for Philippines), carrying bag and a wireless mouse																			
<b>Lot 3. Mindanao (Regions IX and X)</b>	<table><tr><td>Operating System</td><td>Windows 10 Pro (64bit) English</td></tr><tr><td>Display</td><td>14-inch FHD (1920x1080) or better</td></tr><tr><td>CPU</td><td>Intel Core i5 or greater</td></tr><tr><td>CPU Speed</td><td>1.5Ghz or faster</td></tr><tr><td>Battery</td><td>3-cell 45Wh battery or alternative</td></tr><tr><td>Storage</td><td>512GB Solid State Drive or greater</td></tr><tr><td>Memory</td><td>8GB or better</td></tr><tr><td>Connectivity</td><td>Wi-Fi (801.11AC or alternative), Bluetooth, Webcam (720p HD or better)</td></tr><tr><td>Accessories</td><td>Power Adapter (suitable for Philippines), carrying bag and a wireless mouse</td></tr></table>	Operating System	Windows 10 Pro (64bit) English	Display	14-inch FHD (1920x1080) or better	CPU	Intel Core i5 or greater	CPU Speed	1.5Ghz or faster	Battery	3-cell 45Wh battery or alternative	Storage	512GB Solid State Drive or greater	Memory	8GB or better	Connectivity	Wi-Fi (801.11AC or alternative), Bluetooth, Webcam (720p HD or better)	Accessories	Power Adapter (suitable for Philippines), carrying bag and a wireless mouse	Zamboanga City: 29 laptops Isabela City: 24 laptops Cagayan De Oro City: 37 laptops <b>Subtotal for Lot 3: 90 laptops with accessories</b>
Operating System	Windows 10 Pro (64bit) English																			
Display	14-inch FHD (1920x1080) or better																			
CPU	Intel Core i5 or greater																			
CPU Speed	1.5Ghz or faster																			
Battery	3-cell 45Wh battery or alternative																			
Storage	512GB Solid State Drive or greater																			
Memory	8GB or better																			
Connectivity	Wi-Fi (801.11AC or alternative), Bluetooth, Webcam (720p HD or better)																			
Accessories	Power Adapter (suitable for Philippines), carrying bag and a wireless mouse																			
<b>Lot 4. Mindanao (Regions XI and XII)</b>	<table><tr><td>Operating System</td><td>Windows 10 Pro (64bit) English</td></tr><tr><td>Display</td><td>14-inch FHD (1920x1080) or better</td></tr><tr><td>CPU</td><td>Intel Core i5 or greater</td></tr><tr><td>CPU Speed</td><td>1.5Ghz or faster</td></tr><tr><td>Battery</td><td>3-cell 45Wh battery or alternative</td></tr><tr><td>Storage</td><td>512GB Solid State Drive or greater</td></tr><tr><td>Memory</td><td>8GB or better</td></tr><tr><td>Connectivity</td><td>Wi-Fi (801.11AC or alternative), Bluetooth, Webcam (720p HD or better)</td></tr></table>	Operating System	Windows 10 Pro (64bit) English	Display	14-inch FHD (1920x1080) or better	CPU	Intel Core i5 or greater	CPU Speed	1.5Ghz or faster	Battery	3-cell 45Wh battery or alternative	Storage	512GB Solid State Drive or greater	Memory	8GB or better	Connectivity	Wi-Fi (801.11AC or alternative), Bluetooth, Webcam (720p HD or better)	Davao City: 60 laptops General Santos City: 47 laptops Cotabato City: 43 laptops <b>Subtotal for Lot 4: 150 laptops with accessories</b>		
Operating System	Windows 10 Pro (64bit) English																			
Display	14-inch FHD (1920x1080) or better																			
CPU	Intel Core i5 or greater																			
CPU Speed	1.5Ghz or faster																			
Battery	3-cell 45Wh battery or alternative																			
Storage	512GB Solid State Drive or greater																			
Memory	8GB or better																			
Connectivity	Wi-Fi (801.11AC or alternative), Bluetooth, Webcam (720p HD or better)																			

	Accessories	Power Adapter (suitable for Philippines), carrying bag and a wireless mouse	
	<b>TOTAL</b>		<b>371 laptops with accessories</b>

#### 4.1.3 Inspection of Laptop Computers with Accessories

EDC reserves the right to inspect and test the laptop computers with accessories to determine whether they conform to the specifications in Section 4.1.1. Any payments made before inspection for conformity shall not constitute an acceptance of such goods/services or impair EDC's right to inspect the laptop computers and accessories. Laptop computers rejected may be returned to selected Vendor at the selected Vendor's expense, subject to the following:

EDC may reject any or all of the deliverables or any part thereof that fail to pass any test and/or inspection, or do not conform to EDC's specifications and standards, subject to test or inspection that shall be carried out by an EDC representative. The decision of the EDC representative will be final with regards to technical specifications as well as the intended purposes and will be binding on the Parties. The selected Vendor shall either rectify or replace such rejected materials or parts thereof or make alterations necessary to meet the specifications at no cost to EDC.

#### 4.1.4 Pick and Pack

The selected Offeror shall sort and pack the laptop computers and accessories based on delivery location specified in 4.1.5.

The laptops and accessories shall be packed in sets based on the packing list per recipient to be provided by EDC.

##### Packaging per laptop set:

- Each laptop and power adapter – packed in a manufacturer's box
- Each wireless mouse should be placed inside the carrying case
- Each box with the laptop and power adapter and one (1) carrying case with the wireless mouse should be wrapped into a set with bubble wrap and sealed

##### Packaging for distribution:

- **Five (5) laptop sets** (laptop computer, power adapter, carrying case and a wireless mouse) should be placed in unused corrugated carton and sealed to withstand rough handling.
- Each carton should be sealed with a packaging tape and wrapped outside with a plastic film to protect from weather elements. Each carton should be reinforced with wide plastic strap.

All carton labels shall include the intended allocation and include the following information: **quantity of laptop sets in a carton, Purchaser's name and address, Supplier's name, USAID logo sticker – provided by EDC, destination, volume, and gross weight.**

The selected Offeror(s) will certify that all services furnished comply with all applicable local laws and regulations concerning health, safety and environmental standards and requirements. At its sole discretion, the selected Offeror(s) agrees to obtain all licenses, permits and other authorization as may be required to do the sort and pack. The Offeror shall propose the type of box/container that will be used to pack the laptop computers and accessories.



**4.1.5 Delivery Schedule and Locations**

The quotation must be based on the following delivery schedule:

<b>DELIVERY – LAPTOP COMPUTERS AND ACCESSORIES</b> <b><u>DELIVERY SCHEDULE FOR ALL LOTS: NOT LATER THAN 60 CALENDAR DAYS FROM THE SIGNING OF THE PURCHASE ORDER.</u></b> Offerors that are not able to meet the delivery schedule can propose an alternative delivery schedule, but preference will be given to those quotations that meet the stated delivery schedule.		
<b>Delivery Location</b>	<b>Number of DepEd ALS Implementers</b>	<b>Quantity of Laptops with accessories per Delivery Location</b>
<b>Lot 1. Luzon</b>		
DepEd – Division of Angeles City, Jesus St., Brgy. Pulungbulu, Angeles City	16	16
ALS Pilot Center, Bagumbayan Central School Compound, Washington Drive, Legazpi City, 4500	28	28
DepEd Quezon City Schools Division Office-Quezon City, Nueva Ecija St., Bago Bantay Quezon City	25	25
DepEd Valenzuela Schools Division Office Pio Valenzuela St. Marulas, Valenzuela City	9	9
<i>Sub-total (Lot 1)</i>	<i>78</i>	<i>78</i>
<b>Lot 2. Visayas</b>		
DepEd Cebu City, New Imus Road, Brgy. Day-as, Cebu City 6000	44	44
DepEd Tagbilaran City Division Dampas District, Tagbilaran City 6300 Bohol	9	9
<i>Sub-total (Lot 2)</i>	<i>53</i>	<i>53</i>
<b>Lot 3. Mindanao (Regions IX and X)</b>		
DepEd Zamboanga City Division, Baliwasan Chico, Zamboanga City	29	29
DepEd Isabela City Division, Tugung St. East Side, Isabela City, Basilan	24	24
DepEd Cagayan de Oro City Division, Fr. Masterson Ave., Upper Balulang Cagayan de Oro City	37	37
<i>Sub-total (Lot 3)</i>	<i>90</i>	<i>90</i>
<b>Lot 4. Mindanao (Regions XI and XII)</b>		
DepEd, Division of Davao City, E. Quirino Avenue, Davao City	60	60

DepEd, Division of General Santos City, Villareal St, General Santos City, South Cotabato	47	47
DepEd Cotabato City Division, ND Village RH 8, Cotabato City	43	43
<i>Sub-total (Lot 4)</i>	<i>150</i>	<i>150</i>
<b>Total for all Lots</b>	<b>371</b>	<b>371</b>

The selected Offeror(s) must ensure that the boxes/containers are delivered in an enclosed delivery vehicle or are covered by material that will protect the boxes from rain, moisture, dust, dirt, or other elements that could damage the laptop computers and accessories.

The selected Offeror(s) must apply USAID and EDC stickers onto the back of the laptop computers and place the laptops back into the original manufacturer's box. The stickers will be provided to the selected Offeror(s) within **5 business days** after award of a contract resulting from this RFQ.

On arrival at the delivery locations, the selected Offeror(s) must have the EDC Representative to check the contents of the box, sign, and stamp two original delivery receipts approving the quantity and contents. The selected Offeror(s) must provide one original signed and stamped delivery note to the EDC Representative and return one signed and stamped original delivery note to the designated EDC Employee.

#### 4.1.6 Warranty

All Offerors must provide a document with proposed or applicable warranty for each laptop computers and accessories. In addition to any other express or implied warranties, Offerors must expressly warrant that:

- All technology delivered under any contract resulting from this RFQ will be merchantable, new, suitable for the uses intended, of the grade and quality specified, free from all defects in design, material and workmanship, conform to all samples, drawings, descriptions and specifications furnished, and be free of liens and encumbrances and that the use, distribution or resale of commodities by EDC will not infringe any third party's patent, trademark, trade secret, copyright, or any other proprietary, intellectual property or other right held by any third party.
- None of the commodities delivered under any contract resulting from this RFQ will be counterfeit.
- The selected Offeror(s) shall replace any defective commodities with new ones without charge to EDC.
- Selected Offeror(s) will perform the services in accordance with industry standards;
- Selected Offeror(s) will be solely responsible for any loss or damage of the goods during shipping; and
- Selected Offeror(s) will carry reasonable insurance and provide proof of insurance upon request.

The warranties set forth shall not be waived by reason of the acceptance of any items or payment therefore by EDC.

#### 4.1.7 Other specifications

Offerors may not provide any items which were manufactured or produced in or shipped from countries sanctioned by the US government. Quotations that include items from countries sanctioned by the US government shall not be considered.

Branding of packaging and commodities must be in accordance with USAID branding and marking guidelines, to be provided to selected offeror.

#### **4.2 Shipment**

If the selected Offeror will need to air or ocean-ship any items, air or ocean shipping must be in compliance with USAID and U.S. Government regulations which require shipment via US flag carrier. If US flag carrier is not available for all or some of the shipment, Offeror must provide specific information why US flag carrier is not available for which sections of the shipping, what percentage will be shipped by US carrier and what percentage will be shipped by foreign carrier. The Offeror must be able to initiate the shipment of the laptop computers and accessories so that they are delivered by the date specified in Section 4.1.5.

**All Offerors must provide a timeline for shipment in order for their quotation to be considered; the timeline should indicate the country of origin of the shipment, if known.**

#### **5. Quotation Requirements**

**Upon EDC's request, Offerors must be able to submit a sample of all items proposed. EDC reserves the right to test the samples as part of the review of the quotations.**

The price quotation must include the costs for the items including any necessary components to meet the specifications in Section 4 and any sorting/packing, shipping, and/or in-country transport costs. The quotation must include costs on:

- 1) A per unit basis;
- 2) Sorting and Packing fees, if applicable;
- 3) Shipping and/or in-country transportation costs;
- 4) Local offerors must quote fees for retrieval of international shipment from Philippines Customs as a separate line;
- 5) Other applicable fees;
- 6) The total price.

**The country of manufacture** for each item must be specified and included in the price quotation. US companies must quote in USD\$, all others must quote in Philippine Pesos (PHP). All Offerors must provide a price guarantee that the quotation price remains valid for 90 calendar days. A bid security must be included as part of the quotation, see **Annex E** for a Bid Security Template.

#### **6. Contract Type and Payment**

One or more firm-fixed price contracts may be awarded in response to this RFQ. The payment schedule for any resultant contract for all lots is anticipated to be as follows:

<b>Deliverable</b>	<b>Payment Amount</b>
Upon execution of a contract resulting from this RFQ	15% of the total amount of the contract

Upon delivery, inspection, and acceptance of laptop computers and accessories.	The balance of total amount of the contract
The total payment amount shall be reduced by 0.1% per calendar day for per late delivery. Late shall be defined as any deliveries that occur after the date listed on the delivery schedule submitted by the Offeror and incorporated into any contract resulting from this RFQ.	

EDC reserves the right, at its sole discretion, to revise the payment schedule before issuance of a contract. EDC further reserves the right to require the Offeror to provide a performance security or a bank guarantee.

**7. Organizational Information and Certification Form**

In order for their quotation to be considered, the Offeror must complete and submit the Organizational Information and Certification Form, which is included as **Annex A** to this RFQ, and submit all the attachments required by the form.

### Annex A: Organizational Information Form

The Offeror must ensure that this form is duly completed and correctly executed by an authorized officer of the Offeror's company.

#### A1. Organizational Information

Full legal name of the Offeror's company: \_\_\_\_\_

Year the Offeror's company was established: \_\_\_\_\_

Contact information regarding the quotation:

- (a) Individual's full name and title: \_\_\_\_\_
- (b) Full office address: \_\_\_\_\_
- (c) Telephone number: \_\_\_\_\_
- (d) Fax number: \_\_\_\_\_
- (e) Email address: \_\_\_\_\_

Offeror's Dun & Bradstreet Number<sup>1</sup>: \_\_\_\_\_

The Offeror certifies, by checking the applicable box(es), that:

- ☐ The Offeror is a **non-U.S. entity** and it operates as:
- ☐ a corporation organized under the laws of \_\_\_\_\_ (country name),
  - ☐ an individual,
  - ☐ a partnership,
  - ☐ a nongovernmental nonprofit organization,
  - ☐ a nongovernmental educational institution,
  - ☐ a governmental organization,
  - ☐ an international organization, or
  - ☐ a joint venture.
- ☐ The Offeror is a **U.S. entity** and:
1. it operates as:
    - ☐ a corporation incorporated under the laws of the State of \_\_\_\_\_ (state name),
    - ☐ an individual,
    - ☐ a partnership,
    - ☐ a nongovernmental nonprofit organization,
    - ☐ a state or local governmental organization,
    - ☐ a private college or university,
    - ☐ a public college or university,
    - ☐ an international organization, or
    - ☐ a joint venture.

2. its status is (check all that apply; the NAICS codes for this procurement are **423430**):

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<sup>1</sup> Offerors that currently have a Dun & Bradstreet Number are requested to provide this information. Offerors who are not registered with Dun & Bradstreet may do so at <http://fedgov.dnb.com/webform>. There is no charge for this registration. A Dun & Bradstreet Number is not required for submission of a quotation, but may be required before a contract is issued. Whether or not an Offeror currently has a Dun & Bradstreet number will not affect the evaluation of the Offeror's quotation.

- ☐ Small Business (SB) (self-certification)<sup>2</sup>  
☐ Small Disadvantaged Business (SDB) (self-certification)  
☐ HUBZone Small Business (self-certification not available), certification issued by \_\_\_\_\_  
☐ Woman Owned Small Business (WOSB) (self-certification)  
☐ Veteran Owned Small Business (VOSB) (self-certification)  
☐ Service-Disabled Veteran Owned Small Business Concern (SDVOSP) (self-certification)  
☐ Large Business (LB)  
☐ Other Certification, certification: \_\_\_\_\_

In addition to the above, the Offeror complies with the Small Business Administration's Table of Size Standards. (See [www.sba.gov](http://www.sba.gov) for additional information.)

## A2. References

Names, email addresses, telephone numbers and contact people at three organizations (preferably in Philippines ) to which the Offeror has provided laptop computers of a similar type and in similar or larger quantities during the last **24 months**, whom EDC can call on as references, and a description of the type of commodities provided to each organization. It is recommended that the Offeror alert the contacts that their names have been submitted and that they are authorized to provide performance information if requested by EDC.

### **Reference #1:**

Organization Name: \_\_\_\_\_  
 Contact Person: \_\_\_\_\_  
 Email Address: \_\_\_\_\_  
 Telephone Number: \_\_\_\_\_  
 Type of commodities Provided: \_\_\_\_\_  
 Value of the commodities Provided: \_\_\_\_\_  
 Month and Year During Which commodities were Provided: \_\_\_\_\_

### **Reference #2:**

Organization Name: \_\_\_\_\_  
 Contact Person: \_\_\_\_\_  
 Email Address: \_\_\_\_\_  
 Telephone Number: \_\_\_\_\_  
 Type of commodities Provided: \_\_\_\_\_  
 Value of the commodities Provided: \_\_\_\_\_  
 Month and Year During Which commodities were Provided: \_\_\_\_\_

### **Reference #3:**

Organization Name: \_\_\_\_\_  
 Contact Person: \_\_\_\_\_

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<sup>2</sup> Please refer to Annex B for standard definitions of "small business," "small disadvantaged business," etc. Notification: Under 15 U.S.C. 645(d), any person who misrepresents its firm's size status shall (1) be punished by a fine, imprisonment, or both; (2) be subject to administrative remedies; and (3) be ineligible for participation in programs conducted under the authority of the Small Business Act. If you are certified or a member of one of the qualifying groups, please register with Dun & Bradstreet at [http://www.dnb.com/us/duns\\_update/](http://www.dnb.com/us/duns_update/). There is no charge for this registration.

Email Address: \_\_\_\_\_  
 Telephone Number: \_\_\_\_\_  
 Type of commodities Provided: \_\_\_\_\_  
 Value of the commodities Provided: \_\_\_\_\_  
 Month and Year During Which commodities were Provided: \_\_\_\_\_

### **A3. Incorporation, Registration, and Litigation**

The following documents must be included in your quotation.

Documentation showing the Offeror's current legal incorporation in the country in which it is incorporated:

☐ Attached

A copy of the Offeror's currently active registration in Philippines, demonstrating that the organization can legally operate in Philippines, *if the Offeror will complete any work under a contract resulting from this RFQ in Philippines.*

☐ Attached

Information regarding any current lawsuits, legal proceedings, court cases, or other litigation in which the Offeror, or any of the entities in the collaboration, are involved, regardless of jurisdiction where the litigation resides.

☐ Attached

☐ Offeror certifies that it is not currently involved in any lawsuits, legal proceedings, court cases, or other litigation.

### **A4. Key Individuals**

The names and titles of the Offeror's key individuals are:

(a) the principal officers of the organization's governing body (e.g., chairman, vice chairman, treasurer and secretary of the board of directors or board of trustees): \_\_\_\_\_

(b) the principal officer and deputy principal officer of the organization (e.g., executive director, deputy director, president, vice president): \_\_\_\_\_

(c) the program manager(s) for the proposed contract: \_\_\_\_\_

(d) any other person who will have significant responsibilities for administration of the US Government-financed activities or resources under the proposed delivery of the services: \_\_\_\_\_

### **A5. Awareness and Agreement to the Content of this RFQ**

By signing this form, the Offeror attests to its awareness and agreement to the content of this RFQ and all accompanying calendar schedules and terms and provisions contained herein, including but not limited to the payment terms in Section 6.

### **A6. Compliance with Applicable Laws and Regulations**

By signing this form, the Offeror agrees to comply with all applicable U.S. federal laws and regulations including those governing affirmative action, E-Verify, equal employment opportunity, use of human participants in research, disabilities, prohibitions against supporting terrorism, prohibitions on human trafficking and prohibitions against discrimination, and, if the value of the contract resulting from this RFQ is \$10,000 or more, Executive Order 13496, Notification of Employee Rights Under Federal Labor Laws, see 29 CFR Part 471, Appendix A to Subpart A. Offeror hereby certifies that it is not delinquent on any

State or Federal tax. Offeror will cooperate with EDC in its efforts to comply with all laws, regulations and any award terms and conditions imposed by EDC by the sponsor(s) of this project.

#### **A7. Debarment and Suspension**

The Offeror further certifies that their firm (check one):

- ☐ IS  
☐ IS NOT

currently debarred, suspended, or proposed for debarment by any United States federal entity. The undersigned agree to notify EDC of any change in this status, should one occur, until such time as an award has been made under this procurement action.

#### **A8. Quotation Validity**

This quotation is submitted in response to an RFQ issued by EDC. The undersigned is a duly Authorized Officer and hereby certifies that:

\_\_\_\_\_  
 Offeror's Name

agrees to be bound by the content of this Quotation and agrees to comply with the terms, conditions, and provisions of the referenced RFQ. The Quotation shall remain in effect for a period of **90 calendar days** as of the Due Date of the RFQ.

#### **A9. Authorized Negotiators**

Person(s) authorized to negotiate on behalf of this firm for purposes of this RFQ are:

Name: _____	Title: _____
Signature: _____	Date: _____
Name: _____	Title: _____
Signature: _____	Date: _____

#### **A10. Signature**

***Signature of Authorized Officer:***

Name: _____	Title: _____
Signature: _____	Date: _____



## **Annex B: Definitions (U.S. Entities Only)**

### ***Small Business (SB)***

The Small Business Administration (SBA), for most industries, defines a "small business" either in terms of the **average number of employees** over the past 12 months, or **average annual receipts** over the past three years. In addition, SBA defines a U.S. small business as a concern that: is organized for profit; has a place of business in the US; operates primarily within the U.S. or makes a significant contribution to the U.S. economy through payment of taxes or use of American products, materials or labor; is independently owned and operated; and is not dominant in its field on a national basis. The business may be a **sole proprietorship**, partnership, corporation, or any other legal form. In determining what constitutes a small business, the definition will vary to reflect industry differences, such as size standards (reference NAICS ([www.census.gov/eos/www/naics/](http://www.census.gov/eos/www/naics/))).

### ***Small Disadvantaged Business (SDB)***

A Small Disadvantaged Business (SDB) is a small business that is at least 51 percent owned by one or more individuals who are both socially and economically disadvantaged.

The SBA defines socially disadvantaged groups as those who have been, historically, subjected to "racial or ethnic prejudice or cultural bias" within the larger American culture. Identified groups include: African Americans, Asian Pacific Americans, Hispanic Americans, Native Americans and Subcontinent Asian Americans. Members of other groups may qualify if they can satisfactorily demonstrate that they meet established criteria.

Economically disadvantaged individuals are defined as those for whom impaired access to financial opportunities has hampered the ability to compete in the free enterprise system, in contrast to people in similar businesses who are not identified as socially disadvantaged.

### ***HUBZone Small Business - Historically Underutilized Business Zone***

A small business concern that appears on the list of Qualified HUBZones Small Businesses maintained by the US Small Business Administration. To determine if your business is located in a HUBZone, or to apply online, go to The Small Business Administration's HUBZone website <https://eweb1sp.sba.gov/hubzone/internet/index.cfm>.

### ***Woman-owned Small Business (WOSB)***

A small business that is at least 51 percent owned and actively managed by one or more women with either U.S. citizenship or U.S. resident alien status. Learn more at SBA's Office of Women's Business Ownership at <http://www.sba.gov/aboutsba/sbaprograms/onlinewbc/index.html>.

### ***Veteran-Owned Small Business (VOSB)***

A small business concern that is:

- i. At least 51% unconditionally owned by one or more veterans as defined at 38 U.S.C. 101(2) or, in the case of any publicly owned business, at least 51% of the stock of which is unconditionally owned by one or more veterans; and
- ii. The management and daily business operations of which are controlled by one or more veterans.

Learn more at SBA's Office of Veterans Business Development  
<http://www.sba.gov/aboutsba/sbaprograms/ovbd/index.html>.

***Service Disabled Veteran-Owned Small Business Concern (SDVOSB)***

A small business concern that is:

- i. At least 51% unconditionally owned by one or more service-disabled veterans or, in the case of any publicly owned business, at least 51% of the stock of which is unconditionally owned by one or more service-disabled veterans, and;
- ii. The management and daily business operations of which are controlled by one or more service disabled veterans, or in the case of a service disabled veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

"Service Disabled Veteran" means a veteran, as defined in 38 U.S.C. 101(2), with a disability that is service connected as defined in 38 U.S.C. 101(16). Learn more at the US Dept. of Veteran Affairs  
<http://vabenefits.vba.va.gov/vonapp/main.asp>.

***NAICS***

The North American Industry Classification System (NAICS) is the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy. For more information go to NAICS at  
<http://www.census.gov/eos/www/naics/>.

### **Annex C: RFQ Checklist for Procurement, Delivery and Distribution of Laptop Computers to DepEd ALS Implementers for USAID Opportunity 2.0 Program, Philippines**

*Please check the boxes in the column entitled "Submitted" to ensure inclusion of all items in your submission.*

	<b><i>Items to be included with quotation</i></b>	<b><i>Submitted</i></b>
1.	Annex A – Completed and Signed. NOTE: Incomplete Annex A documentation may not be accepted by EDC and therefore quotations may not qualify for further EDC review.	<input type="checkbox"/>
2.	Annex C – RFQ Checklist	<input type="checkbox"/>
3.	Complete technical specifications for each type of technology and accessories proposed	<input type="checkbox"/>
4.	Technology Warranty Information – as per RFQ section 4.1.6 Warranty	<input type="checkbox"/>
5.	Copy of valid business registrations – business permit, BIR, DTI/SEC or as applicable	<input type="checkbox"/>
6.	Timeline for Delivery	<input type="checkbox"/>
7.	Price Guarantee (90 days)	<input type="checkbox"/>
8.	Annex D – Sample Price Quotation Template for US and Non-US Offerors <b>*Contact EDC at ProcurementPH@edc.org for Excel copy of the form</b>	<input type="checkbox"/>
9.	Annex E – Template for bid security required by ALL Offerors. <b>*Contact EDC at ProcurementPH@edc.org for Word copy of the form</b>	<input type="checkbox"/>
10.	Annex F – Vendor Representations	<input type="checkbox"/>

USAID Opportunity 2.0 Program										
RFQ #	2020-12486-016 Procurement, Delivery and Distribution of Laptop Computers for DepEd ALS Implementers									
Annex D	Price Quotation Template for Non-US Offerors									
Name of Organization: _____										
Lot Number	Item Description (please refer to <u>RFQ Section 4.1.1</u> for detailed technical specifications)	Delivery Location	Quantity Needed	Unit Price for Laptop and Power Adapter including applicable fees (Php)	Unit Price for Wireless Mouse including applicable fees (Php)	Unit Price for Carrying Bag including applicable fees (Php)	Total Cost for Laptop Set	International Shipping or Transportation Cost per laptop set to Philippines (Php)	Cost for packing materials, sorting/packing, and distribution in the Philippines (Php)	Grand Total (Php)
			A	B	C	D	A*(B+C+D)=E	F	G	(E+F+G)
Lot 1 - Luzon	Laptop Computers: O/S - Windows 10 Pro (64bit) Eng; Display - 14" FHD (1920x1080); CPU - IntelCore i5; CPU Speed - 1.5Ghz; Battery - 3-cell 45Wh; Storage: 512GB SSD; Memory: 8GB or better; A/C power adapter; wireless mouse and a carrying case	Angeles City	16	-						-
		Legazpi City	28				-			-
		Valenzuela City	9				-			-
		Quezon City	25				-			-
		<b>Subtotal Lot 1</b>	<b>78</b>				-			-
Lot 2 - Visayas	Laptop Computers: O/S - Windows 10 Pro (64bit) Eng; Display - 14" FHD (1920x1080); CPU - IntelCore i5; CPU Speed - 1.5Ghz; Battery - 3-cell 45Wh; Storage: 512GB SSD; Memory: 8GB or better; A/C power adapter; wireless mouse and a carrying case	Cebu City	44				-			-
		Tagbilaran City	9				-			-
		<b>Subtotal Lot 2</b>	<b>53</b>				-			-
Lot 3 - Mindanao (Region IX & X)	Laptop Computers: O/S - Windows 10 Pro (64bit) Eng; Display - 14" FHD (1920x1080); CPU - IntelCore i5; CPU Speed - 1.5Ghz; Battery - 3-cell 45Wh; Storage: 512GB SSD; Memory: 8GB or better; A/C power adapter; wireless mouse and a carrying case	Zamboanga City	29				-			-
		Isabela City	24				-			-
		Cagayan De Oro	37				-			-
		<b>Subtotal Lot 3</b>	<b>90</b>				-			-
Lot 4 - Mindanao (Region XI & XII)	Laptop Computers: O/S - Windows 10 Pro (64bit) Eng; Display - 14" FHD (1920x1080); CPU - IntelCore i5; CPU Speed - 1.5Ghz; Battery - 3-cell 45Wh; Storage: 512GB SSD; Memory: 8GB or better; A/C power adapter; wireless mouse and a carrying case	Davao City	60				-			-
		General Santos	47				-			-
		Cotabato City	43				-			-
		<b>Subtotal Lot 4</b>	<b>150</b>				-			-
		<b>GRAND TOTAL</b>	<b>371</b>				-			-
<b>Note: All quotes must be Value Added Tax (VAT) free. EDC is exempted from 12% VAT in the Philippines</b>										
Name of Authorized Representative: _____										
Signature of Authorized Representative: _____										
Date: _____										

USAID Opportunity 2.0 Program										
RFQ #	2020-12486-016 Procurement, Delivery and Distribution of Laptop Computers for DepEd ALS Implementers									
Annex D	Price Quotation Template for US Offerors									
Name of Organization: _____										
Lot Number	Item Description (please refer to <b>RFQ Section 4.1.1</b> for detailed technical specifications)	Delivery Location	Quantity Needed	Unit Price for Laptop and Power Adapter including applicable fees (USD\$)	Unit Price for Wireless Mouse including applicable fees (USD\$)	Unit Price for Carrying Bag including applicable fees (USD\$)	Total Cost for Laptop Set	International Shipping or Transportation Cost per laptop set to Philippines (USD\$)	Cost for packing materials, sorting/packing, and distribution in the Philippines (USD\$)	Grand Total(USD\$)
			A	B	C	D	A*(B+C+D)=E	F	G	(E+F+G)
Lot 1 - Luzon	Laptop Computers: O/S - Windows 10 Pro (64bit) Eng; Display - 14" FHD (1920x1080); CPU - IntelCore i5; CPU Speed - 1.5Ghz; Battery - 3-cell 45Wh; Storage: 512GB SSD; Memory: 8GB or better; A/C power adapter; wireless mouse and a carrying case	Angeles City	16	-						-
		Legazpi City	28				-			-
		Valenzuela City	9				-			-
		Quezon City	25				-			-
		<b>Subtotal Lot 1</b>	<b>78</b>				-			-
Lot 2 - Visayas	Laptop Computers: O/S - Windows 10 Pro (64bit) Eng; Display - 14" FHD (1920x1080); CPU - IntelCore i5; CPU Speed - 1.5Ghz; Battery - 3-cell 45Wh; Storage: 512GB SSD; Memory: 8GB or better; A/C power adapter; wireless mouse and a carrying case	Cebu City	44				-			-
		Tagbilaran City	9				-			-
		<b>Subtotal Lot 2</b>	<b>53</b>				-			-
Lot 3 - Mindanao (Region IX & X)	Laptop Computers: O/S - Windows 10 Pro (64bit) Eng; Display - 14" FHD (1920x1080); CPU - IntelCore i5; CPU Speed - 1.5Ghz; Battery - 3-cell 45Wh; Storage: 512GB SSD; Memory: 8GB or better; A/C power adapter; wireless mouse and a carrying case	Zamboanga City	29				-			-
		Isabela City	24				-			-
		Cagayan De Oro	37				-			-
		<b>Subtotal Lot 3</b>	<b>90</b>				-			-
Lot 4 - Mindanao (Region XI & XII)	Laptop Computers: O/S - Windows 10 Pro (64bit) Eng; Display - 14" FHD (1920x1080); CPU - IntelCore i5; CPU Speed - 1.5Ghz; Battery - 3-cell 45Wh; Storage: 512GB SSD; Memory: 8GB or better; A/C power adapter; wireless mouse and a carrying case	Davao City	60				-			-
		General Santos	47				-			-
		Cotabato City	43				-			-
		<b>Subtotal Lot 4</b>	<b>150</b>				-			-
		<b>GRAND TOTAL</b>	<b>371</b>				-			-
<b>Note: All quotes must be Value Added Tax (VAT) free. EDC is exempted from 12% VAT in the Philippines</b>										
Name of Authorized Representative: _____										
Signature of Authorized Representative: _____										
Date: _____										

**Annex E. BID SECURITY TEMPLATE****BANK LETTERHEAD****BID SECURITY (Bid Guarantee) TEMPLATE**

Whereas [Name of the Bidder] (hereinafter referred to as "The Bidder") has deposited his/her/its bid on [date of submission of bid] for the supply of [name and/or description of supplies] (herein after referred to as "The Bid").

WE, [name of bank or insurance company or mutual guarantee organization, of [name of country], with our registered office at [address of bank, insurance company or mutual guarantee organization] (hereinafter referred to as "the Bank, insurance company or mutual guarantee organization"), are bound, with respect to [name of the Contracting Authority] (hereinafter referred to as the Contracting Authority, for the sum of **Fifty Thousand Philippine Peso (Php 50,000.00)** pursuant to Education Development Center's Request for Quotations which the (Bank, insurance company or mutual guarantee organization) undertakes to pay to the Buyer in full, binding himself/Herself/itself, successors and cashier.

Signed and authenticated by (the said bank, insurance company or mutual guarantee organization) on \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

THE CONDITIONS that govern this obligation are as follows:

1. If the Bidders withdraws his/her/its bid, within the validity period stated by the Bidder in his/her/its bid; or
2. If the Bidder, having been notified by the Contracting Authority of approval of his/her/its bid within the validity period:
  - (a) fails to sign or refuses to sign the contract, while required to do so;
  - (B) fails to provide or refuses to provide the Performance Bond, as provided for in the Bidding Document;

We undertake to pay the Contracting Authority, up to the maximum sum stated above, upon receipt of its written request, without the Contracting Authority having to justify its request, provided, however, that in its request, the Contracting Authority notes that the amount declared is what he/she/its is entitled to, because one or both of the above conditions has or have been fulfilled and shall specify which condition (s) has (have) been taken into consideration.

This Guarantee shall remain valid up to the thirtieth calendar day (30) following the end of validity of the tender; any request made by the Contracting Authority on this basis shall be sent to the *Bank, insurance company or mutual guarantee organization*

SIGNATURE and authentication of the signature \_\_\_\_\_

Name of the (Bank, insurance company or the mutual guarantee organization) \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

Stamp of the (Bank, insurance company or mutual guarantee organization) within this thirty-day deadline.

## Annex F. VENDOR REPRESENTATIONS

### Covered Telecommunications Equipment or Services-Representation (Dec 2019) (FAR 52.204-26)

(a) *Definitions.* As used in this provision, “covered telecommunications equipment or services” has the meaning provided in the FAR clause 52.204-25 Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment (or, *Annex D to this RFQ – EDC General Terms and Conditions, paragraph 31*).

(b) *Procedures.* The Offeror shall review the list of excluded parties in the System for Award Management (SAM) (<https://www.sam.gov>) for entities excluded from receiving federal awards for “covered telecommunications equipment or services”.

(c) *Representation.* The Offeror represents that it ☐ does, ☐ does not provide covered telecommunications equipment or services as a part of its offered products or services to the Government in the performance of any contract, subcontract, or other contractual instrument.

### A8. Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment (Dec 2019) (FAR 52.204-24)

The Offeror shall not complete the representation in this provision if the Offeror has represented that it “does not provide covered telecommunications equipment or services as a part of its offered products or services to the Government in the performance of any contract, subcontract, or other contractual instrument” in the provision at 52.204-26, Covered Telecommunications Equipment or Services-Representation, or in paragraph (v) of the provision at 52.212-3, Offeror Representations and Certifications-Commercial Items.

#### (a) **Definitions. As used in this provision (reference FAR 52.204-25) —**

Covered freeing country means *The People’s Republic of China*”

Covered telecommunications equipment or services means—

- (1) Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities);
- (2) For the purpose of public safety, security of Government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities);
- (3) Telecommunications or video surveillance services provided by such entities or using such equipment; or
- (4) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

**(b) Prohibition.** Section 889(a)(1)(A) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115-232) prohibits the head of an executive agency on or after August 13, 2019, from procuring or obtaining, or extending or renewing a contract to procure or obtain, any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. Contractors are not prohibited from providing—

- (1) A service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or
- (2) Telecommunications equipment that cannot route or redirect user data traffic or permit visibility into any user data or packets that such equipment transmits or otherwise handles.

(c) Procedures. The Offeror shall review the list of excluded parties in the System for Award Management (SAM) (<https://www.sam.gov>) for entities excluded from receiving federal awards for “covered telecommunications equipment or services”.

(d) Representation. The Offeror represents that it ☐ will ☐ will not provide covered telecommunications equipment or services to the Government in the performance of any contract, subcontract or other contractual instrument resulting from this solicitation.

(e) Disclosures. If the Offeror has represented in paragraph (d) of this provision that it “will” provide covered telecommunications equipment or services”, the Offeror shall provide the following information as part of the offer—

(1) A description of all covered telecommunications equipment and services offered (include brand; model number, such as original equipment manufacturer (OEM) number, manufacturer part number, or wholesaler number; and item description, as applicable);

(2) Explanation of the proposed use of covered telecommunications equipment and services and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b) of this provision;

(3) For services, the entity providing the covered telecommunications services (include entity name, unique entity identifier, and Commercial and Government Entity (CAGE) code, if known); and

(4) For equipment, the entity that produced the covered telecommunications equipment (include entity name, unique entity identifier, CAGE code, and whether the entity was the OEM or a distributor, if known).

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*Authorized Vendor Representative Name and Title*

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*Signature and Date*