

**BID BULLETIN NO. 2
For ITB-GS-20170206-01**

PROJECT : **Three Domain (3D) Secure Payment Platform Solution**
IMPLEMENTOR : **Procurement Department**
DATE : **May 4, 2017**

This Bid Bulletin is issued to modify, amend or clarify items in the Bid Documents. This shall form an integral part of the Bid Documents.


The modifications, amendments or clarifications are as follows:

- 1) Per GPPB Circular No. 03-2016, bidders are required to submit PhilGEPS Certificate of Registration of Membership under Platinum category during bid submission starting May 1, 2017, in lieu of their Class "A" Documents.
- 2) The Terms of Reference (Annex A), ITB Clause 12.1 and 20.3 of the Bid Data Sheet (BDS), Section VII (Specifications) and the Checklist of the Bidding Documents have been revised. Please see attached revised Annex A-1 to A-6 and the specified sections of the Bidding Documents.
- 3) Clarifications on bidder's queries:

BIDDER'S QUERIES	LANDBANK'S RESPONSES
<ul style="list-style-type: none"> • Can the Bid and Performance Securities be waived? • Can the bid amount be exclusive of taxes? • Who will shoulder the costs that will be incurred during the conduct of site inspection by LANDBANK representatives? • Can the warranty security be waived? 	<ul style="list-style-type: none"> • No. Posting of Bid & Performance Securities are required as provided under Sections 27.1 and 40.3 of the Revised Implementing Rules and Regulations (IRR) of RA 9184. • No. Under Section 32.2.2 of the Revised IRR of RA 9184, the supplier, whether local or government, shall be entirely responsible for all the necessary taxes. Hence, the bid amount to be submitted should be inclusive of all applicable taxes. • LANDBANK will shoulder the expenses that will be incurred by its representatives in the conduct of site inspection. • No waiver needed. Posting of warranty security does not apply to procurement of services.

<ul style="list-style-type: none"> • Can the liquidated damages be waived? • Will LANDBANK pay the monthly committed fees for the remainder of the term of the contract upon termination for convenience? • Can UAT be done on a separate environment using LANDBANK's test cards? Will this not require test licenses? • Is a reference call with the provider's customers in the Philippines acceptable instead of submitting a Certificate of Satisfactory Performance? • Can the provider arrange for a call between LANDBANK and the former's reference customers since direct contact with the former's customers is prohibited? • It is suggested that the term "Active Card" be defined as follows: <i>"Active Card is a unique 'PAN', i.e., 'Card' that has been used at the Hosted Service for the purpose of authentication, risk evaluation, purchase or enrollment of a 3-D Secure transaction."</i> 	<ul style="list-style-type: none"> • Yes. Liquidated damages may be waived if the default is not attributable to the vendor, subject to the approval of the Head Office Bids and Awards Committee. • No. The Procuring Entity may elect to cancel the remainder of the term of the contract and pay the supplier an agreed amount for partially completed and/or performed goods and for materials and parts previously procured by the supplier as stated in Section IV.25.2.b of the bidding documents. • Yes. UAT can be done on a separate environment using LANDBANK's test cards as long as the temporary license will be active for the whole duration of the UAT. • No. Only a Certificate of Satisfactory Performance or a copy of any existing contract of 3D Secure from at least one (1) bank in the Philippines is acceptable. • Yes. • The Bank will adopt the suggested definition.
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- 4) The deadline of submission and the schedule of opening of eligibility/technical and financial documents/proposals for the above project is re-scheduled to **May 11, 2017, 11:00 A.M.** at the Procurement Department, 25th Floor, LANDBANK Plaza Building, 1598 M. H. Del Pilar corner Dr. Quintos Streets, Malate, Manila.



ALWIN I. REYES
Assistant Vice President
Procurement Department and
HOBAC Secretariat

Bid Data Sheet

ITB Clause	
1.1	The Procuring Entity is LAND BANK OF THE PHILIPPINES (LANDBANK).
1.2	The lot and reference is: Three Domain (3D) Secure Payment Platform Solution. ITB No. LBP-HOBAC-ITB-GS-20170206-01
2	The Funding Source is: The Government of the Philippines (GOP) through the Corporate Budget for the contract approved by the LANDBANK Board of Directors for 2017 in the amount Twenty Million Three Hundred Sixty Eight Thousand Pesos Only (P20,368,000.00). The name of the Project is Three Domain (3D) Secure Payment Platform Solution
3.1	No further instructions.
5.1	No further instructions.
5.2	Foreign bidders, falling under ITB Clause 5.2 (b) and/or doing business in the Philippines may participate in this Project.
5.4	The Bidder must have completed, within the period specified in the Invitation to Bid and ITB Clause 12.1(a)(iv), a single contract that is similar to this Project, equivalent to at least fifty percent (50%) of the ABC. For this purpose, similar contracts shall refer to contracts involving Information Technology hardware or software. Bidders must submit proof of their respective Single Largest Completed Contract. Proofs shall be: <ul style="list-style-type: none">• Copy of the contract or purchase order; or• Copy of official receipt/collection receipt or certificate of satisfactory performance from bidder's client.
7	No further instructions.
8.1	As a general rule, subcontracting is not allowed.
8.2	Not applicable.

9.1	The Procuring Entity will hold a pre-bid conference for this Project on _____ at Bidding Room, 25 th Floor, LANDBANK Plaza Building, 1598 M.H. Del Pilar corner Dr. J. Quintos Streets, Malate, Manila.
10.1	<p>The Procuring Entity's address is:</p> <p>Land Bank of the Philippines 25th Floor, LANDBANK Plaza Building 1598 M.H. Del Pilar corner Dr. J. Quintos Streets 1004 Malate, Manila www.landbank.com</p> <p>Contact person :</p> <p>Mr. Alwin I. Reyes Assistant Vice President Procurement Department 1598 M.H. Del Pilar cor. Dr. J. Quintos Sts. 1004 Malate, Manila Tel. (+632) 522-0000 or 551-2200 local 7370 Fax (+632) 528-8587 lbphobac@mail.landbank.com</p>
12.1	No further instructions.
12.1(a)(ii)	The statement of all ongoing government and private contracts (use Form No. 3) and single largest completed contract (use Form No. 4) similar to the contract to be bid shall include all such contracts within five (5) years prior to the deadline for the submission and receipt of bids.
13.1	Bidders are required to use the Bid Form provided in Section VIII. Bid Form (use Form Nos.1 and 2).
13.1(b)	No further instructions.
13.1(c)	Not applicable.
13.2 (a)	<p>The Approved Budget for the Contract (ABC) is Twenty Million Three Hundred Sixty Eight Thousand Pesos Only (P20,368,000.00).</p> <p>Any bid with a financial component exceeding this amount shall not be accepted.</p>
13.2(b)	Not applicable.
15.4(a)(iii)	Please refer to Clause 6.2 of the Special Conditions of the Contract for the incidental services required.
15.4(b)(i)	The price of the Goods shall be quoted DDP specified delivery site/s.
15.4(b)(ii)	Please refer to Clause 6.2 of the Special Conditions of the Contract

	for the incidental services required.							
16.1(b)	The Bid Prices for the Goods supplied from outside of the Philippines shall be quoted in Philippine Pesos.							
16.3	Not applicable.							
17.1	Bids will be valid until 120 calendar days from date of opening of bids.							
18.1	<p>The bid security shall be limited to Bid Securing Declaration or any other form in accordance with the following minimum amount:</p> <table border="1" data-bbox="470 571 1364 1198"> <thead> <tr> <th>Form of Bid Security</th> <th>Minimum Amount of Bid Security</th> </tr> </thead> <tbody> <tr> <td>(a) Cash or cashier's/ manager's check issued by a Universal or Commercial Bank</td> <td rowspan="2">P 407,360.00</td> </tr> <tr> <td>(b) Bank draft/guarantee or irrevocable letter of credit issued by a Universal or Commercial Bank; Provided, however, that it shall be confirmed or authenticated by a Universal or Commercial Bank, if issued by a foreign bank; and</td> </tr> <tr> <td>(c) Surety bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security.</td> <td>P 1,018,400.00</td> </tr> </tbody> </table> <ol style="list-style-type: none"> 1. If bid security is in the form of cash, a bidder is required to secure a Payment Acceptance Order (PAO) from LANDBANK Procurement Department. The PAO shall then be presented to any of the Tellers at the Cash Department (Ground Floor, LANDBANK Plaza Building) together with the corresponding cash. The Cash Department Teller shall issue a machine validated Official Receipt (OR) evidencing payment of the bid security. The original and/or certified true copy of the Official Receipt shall be enclosed in Bid Envelope No. 1 (Eligibility and Technical Proposal/Documents). The original official receipt shall be returned by the BAC Secretariat to the bidder immediately after the opening of bids. 2. If bid security is in the form of cashier's/manager's check, the check should be payable to LAND BANK OF THE PHILIPPINES. 3. If in the form of bank draft/guarantee, the bidder may use the standard format of the issuing Bank, provided the ITB No. and Name of the Project are indicated. 4. If in the form of surety bond, it should be issued by a surety or insurance company duly accredited by the Insurance Commission (IC) and has not been issued a cease and desist order by the IC 	Form of Bid Security	Minimum Amount of Bid Security	(a) Cash or cashier's/ manager's check issued by a Universal or Commercial Bank	P 407,360.00	(b) Bank draft/guarantee or irrevocable letter of credit issued by a Universal or Commercial Bank; Provided, however, that it shall be confirmed or authenticated by a Universal or Commercial Bank, if issued by a foreign bank; and	(c) Surety bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security.	P 1,018,400.00
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	<p>or is currently not included in the list of blacklisted firms.</p> <p>The surety bond may be secured through LANDBANK Insurance Brokerage, Inc. (LIBI) with the following contact details:</p> <p>(a) LIBI-Forex 14th Floor, LANDBANK Plaza Building Telephone 710-7114 (Every Tuesday and Thursday)</p> <p>(b) 12th Floor, SSHG Law Center Bldg. 105 Paseo de Roxas, Legaspi Village Makati City Telephones 812-4911 and 867-1064</p> <p>Surety bonds with the following or similar conditions/phrases shall not be accepted:</p> <p>(a) "In case of default by the Principal, this bond shall only answer for the difference in the bid price of the winning bidder and that of the next lowest complying bidder or that of the new winning bidder in case of re-bidding plus necessary expenses incurred by the Obligee in the re-bidding which liability shall in no case exceed the amount of the bond"; or</p> <p>(b) "That the amount of liability of the Surety under this bond is limited to the actual loss or damage sustained and duly proven by the Obligee."</p> <p>5. If in the form of Bid Securing Declaration, the attached form (Form No. 8) must be used.</p>
18.2	The bid security shall be valid until 120 calendar days from date of opening bids.
20.3	Each Bidder shall submit one (1) original copy and one (1) photocopy of the Technical Component (First Envelope) and Financial Component (Second Envelope) of its bid.
21	<p>The address for submission of bids is:</p> <p>Procurement Department Land Bank of the Philippines 25th Floor, LANDBANK Plaza Building 1598 M.H. Del Pilar corner Dr. J. Quintos Streets 1004 Malate, Manila</p> <p>The deadline for submission of bids is 11:00 A.M.,</p> <p>_____</p>
24.1	The place of bid opening is:

	<p>25th Floor Bidding Room Procurement Department Land Bank of the Philippines LANDBANK Plaza Building 1598 M.H. Del Pilar corner Dr. J. Quintos Streets 1004 Malate, Manila</p> <p>The date and time of bid opening is 11:00 A.M., _____</p>
24.2	No further instructions.
27.1	No further instructions.
28.3	The goods are grouped in a single lot and the lot shall not be divided further into sub-lots for the purpose of bidding, evaluation and contract award.
28.3(b)	Bid modification is not allowed.
28.4	No further instructions.
29.2(a)	Certified true copy of Value Added Tax (VAT) or Percentage Tax (PT) Returns for 3 rd and 4 th Quarters of 2016 filed through the BIR Electronic Filing and Payments System (EFPS). Only tax returns filed and taxes paid through the BIR EFPS shall be accepted.
29.2(c)	No further instructions.
32.4(f)	No further instructions.

Specifications

Specifications	Statement of Compliance
<p data-bbox="379 1077 743 1137">Three Domain (3D) Secure Payment Platform Solution</p> <p data-bbox="288 1173 831 1261">Minimum specifications and other requirements per Revised Terms of Reference (Annexes A-1 to A-6).</p> <p data-bbox="288 1292 836 1348">The following documents shall be submitted inside the eligibility/technical envelope:</p> <ul data-bbox="336 1379 842 1939" style="list-style-type: none"><li data-bbox="336 1379 842 1462">▪ Revised Terms of Reference signed in all pages by authorized representative/s.<li data-bbox="336 1494 842 1576">▪ Notarized self-certification as required under Section 7.7.1 of the Terms of Reference<li data-bbox="336 1608 842 1691">▪ Current and valid Certificate of Accreditation issued by VISA and MasterCard<li data-bbox="336 1722 842 1805">▪ Current and valid Payment Card Industry-Data Security Standard (PCI-DSS) Certificate<li data-bbox="336 1836 842 1939">▪ Certificate of Satisfactory Performance from at least one (1) bank client in the Philippines for the last two (2) years (2014 to 2016) where the 3D Secure	<p data-bbox="868 389 1385 521">Bidders must state below either “Comply” or “Not Comply” against each of the individual parameters of each specification.</p> <p data-bbox="858 566 1396 1037">Statements of “Comply” or “Not Comply” must be supported by evidence in a Bidders Bid. Evidence shall be in the form of manufacturer’s un-amended sales literature, unconditional statements of specification and compliance issued by the manufacturer, samples, independent test data etc., as appropriate. A statement that is not supported by evidence or is subsequently found to be contradicted by the evidence presented will render the Bid under evaluation liable for rejection. A statement either in the Bidders statement of compliance or the supporting evidence that is found to be false either during Bid evaluation, post-qualification or the execution of the Contract may be regarded as fraudulent and render the Bidder or supplier liable for prosecution subject to the provisions of ITB Clause 3.1(a)(ii) and/or GCC Clause 2.1(a)(ii)</p> <p data-bbox="951 1077 1305 1137">Please state here either “Comply” or “Not Comply”</p>

<p>Solution was implemented or copy of contract for ongoing project/s</p> <ul style="list-style-type: none">▪ List of clients with addresses and contact details▪ Company Profile	
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Conforme:

Name of Bidder

Signature over Printed Name of
Authorized Representative

Position

Checklist of Bidding Documents for Procurement of Goods and Services

Documents should be arranged as per this Checklist. Kindly provide folders or guides, dividers and ear tags with appropriate labels.

The Technical Component (First Envelope) shall contain the following:

1. Duly notarized Secretary's Certificate attesting that the signatory is the duly authorized representative of the prospective bidder, and granted full power and authority to do, execute and perform any and all acts necessary and/or to represent the prospective bidder in the bidding, if the prospective bidder is a corporation, partnership, cooperative, or joint venture (sample form - Form No.7).

2. Duly notarized Omnibus sworn statement (sample form - Form No.6).

3. Eligibility requirements

- **Legal Documents**

- 3.a **PhilGEPS Certificate of Registration – Platinum Membership**

- **Technical / Financial Documents**

- 3.b Statement of the prospective bidder of all its ongoing government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid, within the relevant period as provided in the Bidding Documents. The statement shall include all information required in the PBDs prescribed by the GPPB. (sample form - Form No. 3). The duly signed form shall still be submitted even if the bidder has no on-going contract.

- 3.c Statement of the prospective bidder identifying its single largest completed contract similar to the contract to be bid, equivalent to at least fifty percent (50%) of the ABC supported with contract/purchase order, end-user's acceptance or official receipt(s) issued for the contract, within the relevant period as provided in the Bidding Documents. The statement shall include all information required in the PBDs prescribed by the GPPB. (sample form - Form No. 4).


- 3.d The prospective bidder's audited financial statements, showing, among others, the prospective bidder's total and current assets and liabilities, stamped "received" by the BIR or its duly accredited and authorized institutions, for the preceding calendar year which should not be earlier than two (2) years from the date of bid submission.

- 3.e The prospective bidder's computation for its Net Financial Contracting Capacity (sample form - Form No. 5).

- 3.f Valid joint venture agreement (JVA), in case the joint venture is already in existence. In the absence of a JVA, duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful shall be included in the bid. Failure to enter into a joint venture in the event of a contract award shall be ground for the forfeiture of the bid security. Each partner of the joint venture shall submit the legal eligibility documents. The submission of technical and financial eligibility documents by any of the joint venture partners constitutes compliance.
- 3.g Revised Terms of Reference signed in all pages by authorized representative/s.**
- 3.h Notarized self-certification as required under Section 7.7.1 of the Terms of Reference
- 3.i Current and valid Certificate of Accreditation issued by VISA and MasterCard
- 3.j Current and valid Payment Card Industry-Data Security Standard (PCI-DSS) Certificate
- 3.k Certificate of Satisfactory Performance from at least one (1) bank client in the Philippines for the last two (2) years (2014 to 2016) where the 3D Secure Solution was implemented or copy of contract for ongoing project/s
- 3.l List of clients with addresses and contact details
- 3.m Company Profile
4. Bid security in the prescribed form, amount and validity period (ITB Clause 18.1 of the Bid Data Sheet);
5. Schedule VI - Schedule of Requirements with signature of bidder's authorized representative.
- 6. Revised Section VII - Specifications with response on compliance and signature of bidder's authorized representative.**
7. Post-Qualification Documents – (Non-submission of these documents during the bid opening shall not be a ground for the disqualification of the bidder):
- 7.a Business Tax Returns per Revenue Regulations 3-2005 (BIR No. 2550 Q) VAT or Percentage Tax Returns for 3rd and 4th Quarters of 2016;
- 7.b Valid and current PhilGEPS Registration Certificate or PhilGEPS Registration Number [if the bidder will not submit a PhilGEPS Registration certificate (Platinum Membership)]; and
- 7.c Income Tax Return for 2015


The Financial Component (Second Envelope) shall contain the following:

1. Duly filled out Bid Form signed by the bidder's authorized representative (sample form - Form No.1)
2. Duly filled out Schedule of Prices signed by the bidder's authorized representative (sample form - Form No.2)

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Procurement of Three Domain (3D) Secure Payment Platform

Version Number : 1.0
Final as of : April 17, 2017
Printed on : April 17, 2017
Author : 3D Secure Technical Working Group

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1. BACKGROUND

The commercial transactions conducted electronically on the Internet or eCommerce continue to grow. Increasing shopping online is being transacted on smartphones, tablets and other mobile devices. According to eMarketer, the transactions made via eCommerce in the Asia Pacific are expected to reach \$1,052 Billion for 2017.

Card Not Present (CNP) Fraud/Online Fraud is growing faster than the counterfeit fraud (e.g., ATM Skimming) in a Card Present (CP) scenario. With the implementation of Europay, MasterCard and VISA (EMV) chip cards where transactions using the physical card will be more secured, fraud losses will likely shift to CNP.

At present, there are 18,042 active eCommerce cardholders of LANDBANK VISA Debit Card (LVDC) which represent 21% of the total active LVDC accountholders. On the other hand, LANDBANK has a total of 20,310 VISA Credit Card accountholders as of June 2016. Upon EMV card conversion, the number of proprietary ATM cards converted to LVDC EMV Chip Card is estimated at around 4.5 Million.

The 3D Secure is applicable for both VISA (Verified by Visa) and MasterCard (Secure Code) Card Brands. The 3D Secure Protocol is an authentication process that ensures an eCommerce (online) transaction is initiated by the cardholder.

Using the 3D Secure, the Bank will send an authentication option (e.g. One Time PIN) for online transactions either thru SMS or email to authenticate the transaction. This is one way to verify that the cardholder is actually the one performing the online transactions.


Through Verified by VISA/Secure Code, the Bank may facilitate chargeback request to online merchants for disputed online transactions.

2 OBJECTIVES

- 2.1 To minimize card not present fraudulent transactions; and
- 2.2 To enhance customer experience in performing eCommerce (online) transactions.

3 PRODUCT SPECIFICATIONS AND SERVICE REQUIREMENTS

- 3.1 The solution shall support Verified by VISA (VbV) for VISA and Secure Code for MasterCard;

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3.2 The 3D Secure shall be configured in a hosted solution which shall consist of the following at the minimum:

- Access Control Server
- Enrolment Server

3.3 The solution shall support Multifactor Authentication options (e.g., Dynamic One Time PIN, Push Notification and Mobile OTP, Question and Answer, etc.);

3.4 The solution shall support various data upload options (e.g., Mass Enrolment/Batch Upload, Secure File Transfer Protocol (SFTP), Data Upload Client, etc.);

3.5 The solution is capable to interface with the Bank’s SMS Gateway;


3.6 The solution is capable of performing Risk-Based Authentication and analytics (e.g., location of the user, device used, action being taken, consistency of the transaction vs. historical transaction, etc.); and

3.7 The effectivity of the license shall commence after the implementation of the project. It shall provide a temporary license for User Acceptance Testing.

4. OTHER REQUIREMENTS

The Service Provider shall:

- 4.1 be an accredited vendor of 3D Secure by VISA and MasterCard;
- 4.2 be a Payment Card Industry – Data Security Standard (PCI-DSS) Certified;
- 4.3 support 3D Secure version 2.0;
- 4.4 have implemented the 3D Secure Solution to at least one (1) bank in the Philippines with satisfactory performance for the last 2 years (2014-2016) or has an on-going project (evidenced by a contract) of a 3D Secure Solution with at least one (1) bank in the Philippines;
- 4.5 have a local office or a local partner in the Philippines. The address/location of the office in the Philippines shall be included in the Self-Certification. LANDBANK reserves the right to conduct scheduled and surprise onsite inspection (expenses to be shouldered by LANDBANK) at the Office of the Service Provider or its local partner;
- 4.6 have 24x7 Customer Service Support (local and international). Must be able to provide onsite technical support; and

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4.7 provide a designated server/hardware for LANDBANK maintained at the office of the Service Provider or its local partner.

5 COST

5.1 Monthly Fees (minimum of 3 year term) based on number of active cards*

** Active Card- is defined as an 'Unique 'PAN'i.e. 'Card' that has been used at the Hosted Service for the purpose of authentication, risk evaluation, purchase or enrollment for a 3-D Secure transaction.*


6 APPROVED BUDGET FOR THE CONTRACT

The Approved Budget for the Contract (ABC) is as follows:

- Php10,456,000.00 – Year 1
- Php4,956,000.00 – Year 2
- Php4,956,000.00 – Year 3

7 DOCUMENTARY REQUIREMENTS

- 7.1 The Service Provider shall provide the Bank with a Notarized Self-Certificate of the following:
 - 7.1.1 For the items mentioned in Sections 3.1, 3.3, 3.4, 3.5, 3.6, 4.6;
 - 7.1.2 On the 24x7 Customer Service Support; and
 - 7.1.3 Capability to provide onsite Technical Support.
- 7.2 Current and Valid Certificate of Accreditation issued by Visa and MasterCard;
- 7.3 Current and Valid PCI DSS Certificate;
- 7.4 Certificate of satisfactory performance for the implemented 3D Secure from at least one (1) bank in the Philippines from 2014 to 2016 or a copy of any existing contract of 3D Secure from at least one (1) bank in the Philippines;
- 7.5 List of Clients with name of contact person and contact number for each client;
- 7.6 Company Profile; and
- 7.7 Terms of Reference signed in all pages by the authorized representatives of the supplier.

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8 MILESTONE

- 8.1. For VISA Debit Card – It shall coincide with the implementation of the ATM Host Replacement Project Phase 3.
- 8.2. For MasterCard Credit Card - It shall commence after 60 days upon receipt of the purchase order.

9 COMPLIANCE WITH LAWS, POLICIES, PROCESSES, REGULATIONS AND STANDARDS


Bidder must, in performance of work under this contract, fully comply with all applicable national or local laws and executive orders, policies, processes, regulations and standards required by law.

10 CONTRACT CONTENTS

This TOR and any addenda, bidder's responses including any amendments, any best and final offers, and any negotiations shall be included in any resulting contract. *Section 8 – Documentary Requirements*, enumerates all the required information and documents that the bidder must submit as part of its proposal to qualify for further consideration, and will serve as basis for any contract between LANDBANK and the bidder.

11 GENERAL TERMS AND CONDITIONS

- 11.1 The Service Provider must provide categorical and factual replies to specific questions. Correct and current technical details must be completely provided. The Bank may, at its discretion, waive any minor non-conformity in the proposal. The waiver shall be binding on all other Service Providers.
- 11.2 An official authorized to commit the Service Provider to the terms and conditions of the proposal must sign the proposal. The signatory should submit a copy of the Power of Attorney/Board Resolution/Letter from Director(s) authorizing him to sign the proposal documents on behalf of the Service Provider.
- 11.3 The Service Provider shall indemnify, protect and defend the Bank against all claims, losses, costs, damages, expenses action suits and other proceedings, resulting from infringement of any patent, trademark, copyrights, etc., or any other statutory infringement in respect of all the material/services supplied by them.
- 11.4 Any publicity by the Service Provider in which the name of the Bank is to be used, written permission should be obtained only with the explicit agreement of the Bank.

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12 OTHER TERMS AND CONDITIONS

- 12.1 Bidders shall be required to make an oral presentation and product demonstration, at their own expense, to clarify their responses or to further define their proposals. Only Bidders who have working procurement management systems shall qualify for the award.

- 12.2 All proposal materials become property of LANDBANK and are to be appended to any formal documentation, which would further define or expand any contractual relationship between the Bank and the bidder resulting from this procurement process.

- 12.3 The approved budget for the contract shall be the ceiling for acceptable bid prices, and shall cover all project costs and all applicable taxes.

- 12.4 Although bidder's proposal may be accepted and a contract awarded without discussions, LANDBANK may initiate discussions with the bidder as it deems necessary. Bidder should be prepared to send qualified personnel to the LANDBANK office to discuss the technical, commercial and other contractual aspects of its proposal.