



**MINISTRY OF DEFENSE
BRAZILIAN NAVY
BRAZILIAN NAVAL COMMISSION IN WASHINGTON**

BID PROCESS N° 03/2024

Online Reverse Bid Auction

NOTICE N° 03/2024

Object: Hiring qualified company to provide janitorial and relates services

Annexes:

- A) Terms de Reference and Appendix;**
- B) Contract Draft;**
- C) Price proposal; and**
- D) Online Reverse Bid Auction Information.**

PROCESS N° 63150.000406/2024-74

Online Reverse Bid Auction – Bid Process n° 03/2024

NOTICE

The Brazilian Naval Commission in Washington, headquartered at 5130 MacArthur Blvd, NW, Washington, DC, 20016-3316, informs all interested parties, the opening of the Bidding Process N°. 03/2024, in the form of a Online Reverse Bid Auction, according to Regulation GM-MD n°. 5.175, of December 15, 2021, and Law n° 14.133/2022, rules adapted to local peculiarities.

Date of the Online Reverse Bid Auction: June 21st, 2024

Time: 10:00 (Washington Local Time – EDT)

IMPORTANT NOTES REGARDING THE ONLINE REVERSE BID AUCTION

The **Online Reverse Bid Auction** is the type of bidding intended for the acquisition of common goods and services, in which the competition among bidders is carried out utilizing distance bidding through a chat room designated for this purpose.

It is essential to legitimate participation in the bidding process, read the Bid Notice and Annexes, taking notice of the process schedule and requirements for participation.

The BNCW will disqualify any proposal that does not follow the requirements of this process.

The following rules must be observed in accordance with Brazilian law:

1 - Participants are requested to send two e-mails, **separately**, when submitting their initial proposals: one with the **Qualification Documents** and another with the **Price Proposals**, according to the schedule established in this Bidding Notice , to the mailbox: cnbw.bid@marinha.mil.br.

2 - Proposals and documents sent to any e-mail address other than cnbw.bid@marinha.mil.br, or sent by mail, will not be accepted, and, therefore, the bidder will be disqualified from this bidding process.

3 - Bids and documents received after the closing date and time provided in the schedule or that do not meet the requirements of this Bidding Process will not be considered valid.

4 - The winning bid will be the **LOWEST PRICE OF SERVICE**.

5 - The schedule established in this Bidding Notice follows the United States Eastern Daylight Time – Washington DC local time.

PUBLICATION DATE: June 6th, 2024.

1 - OBJECT:

The object regarding this process is the hiring of qualified company to provide janitorial and relates services, to be carried out with exclusive staff allocation, according to the conditions established in this Notice and its annexes.

1.1 The bidding will be in one item.

1.2 The decision of the Auctioneer will be based on the lowest price for the service.

1.3 The specifications and descriptions that comprise the object of this bidding are detailed in the terms of reference, as per Annex A.

2 - PARTICIPATION IN THE BIDDING

2.1 Companies participating in this bidding process must be previously registered as an approved supplier with the BNCW.

2.2 The guidelines for registering suppliers are available on the BNCW's website.

2.3 The following may not participate in this process:

- a) One that does not meet the conditions of this Bidding Notice and its attachment(s);
- b) Individual or legal person who is, at the time of the bidding, unable to participate in the bidding due to a sanction imposed on him;
- c) Anyone who maintains a technical, commercial, economic, financial, labor, or civil relationship with a leader of the contracting body or entity or with a public agent who plays a role in the bidding process or acts in the inspection or management of the contract, or who is their spouse, partner or relative in a straight line, collateral or by affinity, up to the third degree;
- d) Public agent of the bidding body or entity;
- e) Auctioneer, staff, or leader of the BNCW;
- f) The third party that helps conduct the contract as a member of the support team, specialized professional or employee, or representative of a company that provides technical advice; and
- g) The author of the term of reference, individual or legal entity.

3 - SUBMISSIONS OF PROPOSALS AND QUALIFICATION DOCUMENTS

3.1 The deadline for submitting bids will be **eight (8)** working days from the publication date of this Bidding Notice on the BNCW website.

3.2 The conditions for submitting proposals are as follows:

3.2.1 Participants are requested to send two e-mails, separately, to the mailbox cnbw.bid@marinha.mil.br as follows:

- a) An e-mail for the price proposal, when submitting their initial proposals, titled: **Price Proposal**; and
- b) An e-mail for the qualification documents, titled: **Qualification Documents**.

3.2.2 The e-mails should be addressed to:

Brazilian Naval Commission in Washington

BID process n° 03/2024

E-mail: cnbw.bid@marinha.mil.br

Sent by: _____

3.2.3 Proposals sent to any e-mail address other than cnbw.bid@marinha.mil.br, or sent by post, will not be accepted.

3.2.4 The BNCW will not accept proposals after the date specified in Phase 2 of the Schedule **(June 18, 2024)**.

3.2.5 A member appointed by this Naval Commission will be responsible for opening e-mails on the day and time defined in this Notice, of which a detailed log will be drawn up.

3.2.6 All documents must be up to date and valid.

3.2.7 Expired documents will not be accepted.

3.2.8 Bidders must carefully observe the limit outlined in this Bidding Notice's schedule for submitting Qualification Documents and Price Proposals. The bids will be opened by the auctioneer on the date established in the Bidding Notice, and the lowest price will be the reference for the online reverse bid auction.

3.3 The **Qualification Documents** and the initial **Price Proposals** must be presented on paper, preferably with letterhead, containing all the bidder's contact information.

3.4 The Price Proposal should be sent electronically, within the term and conditions established in item 3 of this Bidding Notice, observing the following:

3.4.1 All prices must be in US Dollars;

3.4.2 The information must be clear, without amendments or erasures;

3.4.3 All quotations must be valid for over **40 days** from the date the proposal is submitted to the BNCW.

4 - OPENING OF THE BIDDING SESSION

4.1 The public bidding session is considered open, including counting the deadline for protest, **on June 21st, 2024.**

4.2 All time references in the Bid Notice and during the public bidding session will be in **Eastern Daylight Time (EDT) - Washington DC local time.**

4.3 The bidding will be carried out by an Auctioneer, assisted by a support team, as per the designation act of the President of this Naval Commission.

4.4 SCHEDULE

Item	Date	Time	Events
1	June 6, 2024	15:00h	Phase 1: Bidding Notice for Process No. 03/2024 (Online Reverse Bidding Auction) publication.
2	June 18, 2024	16:00h	Phase 2: Last day for submission of proposals containing the "Qualification Documents" and the initial "Price Proposal".(Please send both documents <u>separately</u> to cnbw.bid@marinha.mil.br).
3	June 20, 2024	09:00h	Phase 3: Opening of the initial price proposals.
4	June 21, 2024	10h -	Phase 4: The session will be divided as follows:

		10h15	10:00 - 10:04 - Opening of the Online Reverse Bid Auction. 10:05 - 10:15 - Bids
5	TBD	TBD	Phase 5: The Auctioneer announces the winning bidder.
6	TBD	TBD	Phase 6: Intention to protest according to item 10.2.1 of this Notice.
7	TBD	TBD	Phase 7: Signature of the contract.

5 - PRESENTATION OF QUALIFICATION DOCUMENTS

5.1 The qualification documents indicated in this Bidding Notice will be forwarded in accordance with item 3.

5.2 The documents required to prove the qualification are:

5.2.1 Legal Qualification

- a) Identity Card and complete identification of the bidder, with the respective title of its representative, complete address, e-mails, and telephone numbers for contact;
- b) Copy of the company's articles of incorporation if available, business license or permit and certificates of registration if available;
- c) Government-issued authorization document for the exercise of the bid object (sales tax permit or resale certificate);
- d) Company tax identification number (TIN) and tax clearance certificate; and
- e) Certificate of good standing and certificate of liability insurance (proof of insurance).

5.2.2 Technical Qualification

- a) Proof, provided by the bidder, that it received the documents and that it became aware of all the information for the fulfillment of the obligations object of the bidding;
- b) Letters of recommendation, good performance, or guarantees provided by authorities or entities that regulate the related commercial activity.

5.2.3 Economic-Financial Qualification

- a) Balance sheet and income statements for the last fiscal year, or equivalent documents, that prove the good financial situation of the company, their replacement by trial balances or provisional balance sheets being prohibited, and may be updated by official indices when closed for more than 3 (three) months from the date of proposal submission; and

b) A declaration that it is not in bankruptcy, in the case of a legal entity, or of asset execution, in the case of an individual.

5.3 All documents must be up to date and valid and may be submitted in original or by copy.

5.4 Expired documents will not be accepted.

5.5 After the delivery of the documents for qualification, no substitution or submission of new documents will be allowed, except in the case of diligence, for:

5.5.1 Complementation of information about the documents already presented and provided that it is necessary to verify existing facts at the time of the opening of the bidding process; and

5.5.2 Update of documents whose validity has expired after the date of receipt of proposal.

5.6 In the analysis of the qualification documents, errors or failures that do not alter the substance of the documents and their legal validity may be remedied, through a reasoned order registered and accessible to all, being assigned effectiveness for qualification and classification.

5.7 After judging the proposals, the Contracting Party will verify the documentation demonstrating the financial capacity of the provisionally winning bidder on an official website of notorious specialization. The bidder will be considered qualified if it has a risk indicator of 1 (low) or 2 (low to medium).

6- PROPOSALS AND SUBMISSION OF BIDS

6.1 The bidding phase will begin after the phase of classification/declassification of proposals.

6.2 The bidding phase will begin following the opening the Online Reverse Bid Session.

6.3 Started the bidding phase; the Bidders shall submit bids exclusively through the electronic system.

6.4 The bidding mode shall be open bid, subject to the following conditions:

6.4.1 Bidders will receive a unique user code and password, informed by e-mail, to participate in the Online Reverse Bid Auction session;

6.4.2 The identity of the participants **should not** be disclosed before or during the Online Reverse Bid Auction session, under penalty of being disqualified.

6.4.3 The Auctioneer will make the initial instructions and open the bidding section;

6.4.4 Bidders will have 10 minutes to apply their bids;

6.4.5 A bidding session will be held in ONE session;

6.4.6 Bidders can monitor their bids via chat;

6.4.7 The Auctioneer will inform the final minute before the respective bid session is closed;

6.4.8 Bidders may offer successive bids, observing the time fixed for opening the session and the rules established in this Bidding Notice; and

6.4.9 The minimum bid decrement between the bids during the Online Reverse Bid Session must be USD 50.00.

6.5 After closing the bidding sessions, the Auctioneer will consolidate the result of the lowest bid and disclose it to the participants, by e-mail.

6.6 Two or more bids of the same value will not be accepted; the one received and recorded first will prevail.

6.7 If the chat remains offline or disconnected for more than 10 minutes, the Online Reverse Bid Auction will be suspended, and a new session will be scheduled. A notification will be sent to all Bidders.

6.8 If the Bidder does not submit bids during the bidding session, it will compete with the value of its Price Proposal.

6.9 No additional information to the Price Proposals will be accepted after the date set in the schedule of this Notice, unless the auctioneer requests necessary additional information.

6.10 If no bids are made, it will be verified whether the lowest price proposal does not exceed the estimated value for the contract.

6.11 BNCW will not accept joint proposals from two or more companies.

7 - NEGOTIATION

7.1 Once the bid submission stage of the public session is over, whether the first placed bid remains above the maximum price or below the discount defined for the contract, the auctioneer will be able to negotiate more advantageous conditions, after defining the result of the judgment.

7.2 Negotiations may be carried out with the other bidders, according to the classification order initially established, when the first placed, even after negotiation, is disqualified due to its proposal remaining above the maximum price defined in the bidding.

7.3 After the negotiation is concluded, its result will be disclosed to all bidders and attached to the bidding process records.

7.4 The auctioneer will ask the best-ranked bidder to, within 4 hours, send the proposal appropriate to the last bid offered after the negotiation is carried out, accompanied, if applicable, by complementary documents, when necessary to confirm those required in this Notice and already presented.



7.5 If the winning proposal or bid is disqualified, the Auctioneer will examine the subsequent proposal or bid, and so on, in order of classification.

7.6 Once the analysis regarding the acceptance of the proposal has concluded, the auctioneer will verify the bidder's qualifications, observing the provisions of this Notice and its annexes.

7.7 The winning bidder who presents the lowest price and meets all the requirements described in this Notice will be considered qualified.

7.8 After negotiating the price, the Auctioneer will begin the acceptance and judgment phase of the proposal.

8 - DISQUALIFICATION OF PROPOSALS

8.1 Once the negotiation stage is over, the auctioneer will check whether the bidder provisionally ranked first meets the participation conditions in terms of suitability for the object and price compatibility concerning the Notice.

8.1.1 Verification of proposal compliance will be carried out exclusively to the best-ranked proposal.

8.2 The winning proposal will be disqualified if:

8.2.1 contains irremediable defects;

8.2.2 does not comply with the technical specifications contained in the Terms of Reference;

8.2.3 With prices that are unfeasible, considering those that do not have their viability demonstrated through documentation that proves that the input costs are consistent with market costs and that the productivity coefficients are compatible with the execution of the object of the contract ;

8.2.4 Presents non-compliance with any other requirements of the notice, as long as it cannot be remedied; and

8.2.5 Bids in any currency other than US Dollars.

8.3 Steps may be taken to assess the proposal's feasibility, and the bidder may be required to demonstrate it.

9- QUALIFICATION

9.1 The documents listed in the Terms of Reference, necessary and sufficient to demonstrate the bidder's ability to carry out the object of the bidding, will be required for qualification purposes.

9.2 It is the bidder's responsibility to check the accuracy of their registration data and keep them updated with the organization responsible for the information, and must immediately correct or change the records as soon as they identify an inaccuracy or they become outdated.

9.3 After delivery of the qualification documents, replacement or presentation of new documents will not be permitted, except as part of due diligence to:

9.3.1 Supplementation of information about the documents already presented and provided that it is necessary to verify existing facts at the time of the opening of the bidding process;

9.3.2 Update of documents whose validity has expired after the date of receipt of proposal.

9.4 In the analysis of the qualification documents, errors or failures that do not alter the substance of the documents and their legal validity may be remedied, through a reasoned order registered and accessible to all, being assigned effectiveness for qualification and classification.

9.5 In the event that the bidder does not meet the requirements for qualification, the auctioneer will examine the subsequent proposal and so on, in the order of classification, until the determination of a proposal that meets this notice.

10 – PROTEST

10.1 Bidders may file a protest regarding the acts resulting from this Bidding Process against:

10.1.1 Judgment of the proposals;

10.1.2 Qualification or non-qualification of Bidders;

10.1.3 Cancellation or revocation of the bid.

10.2 The following provisions shall be observed concerning protests presented regarding the judgment of the proposals and the qualification or disqualification of Bidders:

10.2.1 The intention to protest must be made by e-mail to "cnbw.bid@marinha.mil.br" and manifested within 1 (one) workday, as of the winning Bidder's publicity, under penalty of loss of the right to protest, and the deadline for the presentation of the reasons for the protest, of 3 (three) workdays, will be initiated on the date of receipt of the intention to protest by the Auctioneer.

10.2.2 The examination of the protest will be done in a single phase.

10.3 The protest will be directed to the Auctioneer, who will present his decision within 5 (five) workdays.

10.4 Acceptance of the protest will imply invalidation only of the act that cannot be used.

10.5 The deadline for filing counterarguments will be the same as for the protest and will start on the date of the request filing.

10.6 The Bidder will be assured of the essential elements to defend its interests.

10.7 After the protest phase verifies the acts' regularity, the competent authority shall approve the bidding procedure.

11 - HIRING GUARANTEE

11.1 There will be no requirement for a Contract guarantee.

12 - CONTRACT

12.1 After the qualification phase, the winning Bidder per each lot will be summoned to sign the Contract, whose draft can be found in Annex "B" of this Bidding Notice.

12.2 Within the term of the Contract, prices cannot be adjusted, except in the case of item 11.5.

12.3 As obrigações da Contratante e contratada se encontram no Anexo B (minuta do contrato).

12.4 The Buyer's and the Seller's obligations are presented in Annex "B" of this Bidding Notice (Contract Draft).

12.5 The Buyer is authorized to promote, under the same contractual conditions, the additions or deletions that may be necessary up to the limit of 25% (twenty-five percent) of the updated initial value of the Contract.

12.6 The winning Bidder shall sign the Contract within 5 (five) days, counting from the receipt of the Contract, under penalty of forfeiting the right to the Contract.

12.6.1 The deadline may be extended 1 (one) for the same period at the request of the successful Bidder during its duration, duly justified, and provided that the reason given is accepted.

12.6.2 When the term of the Contract is sent to the winning Bidder for signature, by mail or e-mail, it will have a period of 5 (five) days for its return, counting from the receipt, under penalty of loss of the right to contract, without prejudice to the application of the sanctions provided for in this notice.

12.7 The non-signature of the term of the Contract translates into the total non-performance of the object, whose applicable sanctions are those provided for in art. 65 of Regulation GM-MD No. 5.175, of December 15, 2021.

13 - CHALLENGES AND REQUESTS FOR CLARIFICATION

13.1 Anyone may challenge the terms of this Notice up to 3 (three) business days before the date set for the opening of the Online Reverse Bid Auction, subject to the following conditions:

13.2 The challenge must be made by e-mail to "cnbw.bid@marinha.mil.br".

13.3 The challenge does not have a suspensive effect, and it will be up to the Auctioneer, assisted by those responsible for preparing the Notice and annexes, for deciding on the challenge within 2 (two) business days, counted from the date of receipt of the challenge.

13.4 The granting of suspensive effect to the challenge is exceptional and must be motivated by the Auctioneer in the bidding process records.

13.5 Once the challenge is accepted, a new date for the bidding process will be defined and published.

13.6 Any modifications to the Bidding Notice will imply a new disclosure in the same way as its initial disclosure, in addition to compliance with the same deadlines as the original acts and procedures, except when the alteration does not compromise the formulation of proposals.

14 - FORWARDING TO THE SUPERIOR AUTHORITY

14.1 Once the judging and qualification phases are closed and the administrative appeals are exhausted, the bidding process will be forwarded to the superior authority, which may:

14.1.1 Order the case records to be returned for correction of irregularities.

14.1.2 Revoke the bid for reasons of convenience and opportunity.

14.1.3 Annul the bidding, *ex officio*, or upon instigation by third parties, whenever there is irreconcilable illegality.

14.1.4 Award the object and ratify the bid.

15- MISCELLANEOUS PROVISIONS

15.1 The deadlines outlined in this Bidding Notice will be counted excluding the starting day and including the due date and will observe the following provisions:

15.1.1 Deadlines expressed in calendar days will be computed continuously;

15.1.2 Deadlines expressed in months or years will be computed from date to date;

15.1.3 Deadlines expressed in working days, only the days on which administrative work occurs in this Naval Commission will be computed.

15.1.4 It is considered the day of the beginning of the term:

15.1.5 The first business day following the information being made available on the internet;

15.1.6 The date on which the acknowledgment of receipt is added to the records when the notification is by mail.

15.2 The deadline is considered extended until the first following business day if the due date falls on a day when there are no business hours, if the business hours are closed before the usual time, or if there is the unavailability of electronic communication.

15.3 In terms expressed in months or years, if the month of maturity does not have the day equivalent to the beginning of the term, the last day of the month shall be considered the term.

15.4 The non-complying with merely formal requirements that do not compromise the assessment of the bidder's qualification or the understanding of the content of its proposal will not imply its withdrawal from the bidding process or the invalidation of the process.

16- ENVIRONMENTAL SUSTAINABILITY CRITERIA

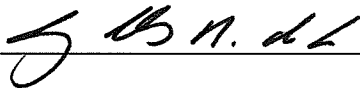
16.1 This acquisition must be informed by the environmental sustainability criteria, based on Law n° 12.187/2009, combined with the international commitments assumed by the Brazilian government, so that the **SELLER**, if possible, prioritizes recycled and recyclable products compatible with consumption standards socially and environmentally sustainable.

17 -ANNEXES

17.1 The following Annexes are part of this Bidding Notice:

- A) Terms of Reference and Appendix;
- B) Contract Draft;
- C) Price Proposal;
- D) Online Reverse Bid Auction Information.

Washington, DC, June 5th, 2024.



LUIZ CARLOS REIS DE LIMA
CDR, Brazilian Navy
Head of Purchasing Department