



The BACW's Bidding Commission hereby presents question made by companies with their respective answers.

**REMARK:** The questions presented in this "Questions and Answers" are numbered as they are answered by the Bidding Commission and may not match the numbering provided by the companies.

1. **Origin:** IFB **Question:** Is the participation of Consortium or Joint Venture allowed

**Answer:** *Please refer to the Republishing of the Invitation For Bid, Item 4*

2. **Origin:** IFB **Question:** "Uma empresa constituída nos EUA que não atende o requisito acima, porem contem em sua participação societária uma empresa brasileira do mesmo grupo econômico, a qual cumpre o requisito do item 6.5.1, 'e permitida participar do processo dessa licitação? "

**Answer:** *Please refer to the Republishing of the Invitation For Bid, Item 4*

3. **Origin:** 3.2.6. Companies participating in a Consortium or Joint Venture while also participating separately in a bid, or companies controlling- or controlled by another entity participating in a bidding process. **Question:** It is our understanding that the participation of Consortiums is authorized in this Bidding Process, since the parties of the Consortium does not participate separately in this Solicitation. Is our understanding correct?

**Answer:** *Please refer to the Republishing of the Invitation For Bid, Item 4*

4. **Origin:** 23 ATTACHMENT 26.1 Attachment A – Consumable Item Table per Project **Question:** It is observed for the projects C/P-95, T-27 and G-19, the Annex IV presented a list of part numbers, "DAF", "DCN" and "DLS", that were designed by the Brazilian Air Force itself, not being originally provided/registered in the technical publications of the aircraft and its components, and not having the companies access to them. In order to allow isonomy competition, it is requested that the original PN associated with each of these PN be informed for a adequated quotation.

**Answer:** *All items DAF, DCN and DLS shall be removed*

5. **Origin:** 6.5.1 of the IFB **Question:** Since the [COMPANY] is a SURPLUS INVENTORY supplier, not MRO company, and this BID is for buying consumables and not repairing it, would be accepted our ASA – Aviation Supplier's Association membership certification enough as a bidder credential?

**Answer:** *The FAA-AC00-56 shall be accepted (<https://www.aviationsuppliers.org/faa-ac00-56>)*

6. **Origin:** Basic Project, Annex I **Question:** Please find the list of materials NOT RECOGNIZED by the OEM, Cessna Aircraft / Textron Aviation. Please verify the attached list, and forward us any updated or an alternate part number for these items.

**Answer:** *This Bidding Commission requests the company to present the PNs that are exclusive from CESNNA and demonstrate that the PNs are not for common aeronautical use and for other aircrafts and*



*they were never commercialized for other companies in the market. The mentioned demonstration shall be via documents.*

7. **Origin: Question:** Linked to answer 3 from “Questions and Answers 2” from CABW in connection for the delivery dates: “The deadline foreseen on the Basic Project shall prevail. In case the deadline of 30 days cannot be fulfilled for a specific item due to a longer lead time, the BIDDER shall present the rationale that precludes the delivery of the item, which shall be analyzed by the Administration for the extension of the delivery time of the items and their consequences.” It is not possible to ensure stock availability for all the references included in the Basic Project during the contract duration without a commitment from the Customer to procure all the referenced items in the Bid. We therefore propose the following: 1. Deadline foreseen in the Basic Project applies only if the reference is in stock at the moment it is requested, i.e. delivery lead time 30 days (as per Basic Project requirement) / 96h for AOG cases. 2. In case the part is not in stock, the Supplier shall propose a supply lead-time for each reference to be included in the Contract and that will supersede the Basic Project lead time requirement.

*Answer: The deadline of 30 days and the stock shall be maintained with the estimated demand for 3 years. Exceptional cases shall be presented by the CONTRACTED PARTY with its rationale to be analyzed. The objective is the contractual efficiency for the Administration*

8. **Origin: Question:** From Annex IV (List of references to be quoted), we need further information (IPC reference, CMM...) for some PNRs of C-295 Project (C-105 Amazonas).

*Answer: This Bidding Commission requests the company to present the PNs that are exclusive for C-105 and demonstrate that the PNs are not for common aeronautical use and for other aircrafts and they were never commercialized for other companies in the market. The mentioned demonstration shall be via documents.*

9. **Origin: Question:** Could you please clarify the revision price clauses as per Article 14 of the Annex III “Contract Draft”? Are the prices the bidder are proposing Firm and Fix over the period of the Contract or is there a specific revision/escalation formula to be applied on a yearly basis?

*Answer: The prices are fixed during the contract performance. However, as provided by the Clause 14.1 of the Contract Draft, Annex III of the IFB, "14.1. As per Art. 65, of 1993 Law, the contract may be changed in order to reestablish the relation initially stipulated by the parties between the contracted party's efforts and the compensation received from the administration as just payment for the work, service or supply, for the purpose of maintaining the contract's initial economic-financial equilibrium, should unforeseen facts arise, or foreseen facts of unforeseeable consequences, or in case majeure events, factum principis or fortuitous events, which present extraordinary and extracontractual risk" No escalation shall be considered.*

10. **Origin: Question:** Referring to Article 6.2 of Annex III “ Contract Draft”: Will the taxes due in Brazil (VAT...) or after delivery as per applicable Incoterm (FCA) be borne by the Contracting Party?

*Answer: The taxes and fees applicable to the Buyers for the Incoterms FCA shall be applied to the Contracting Party. Moreover, the Price Proposal of the Bidders shall include all expenses associated with the performance of services, directly or indirectly, including, but not limited to- the following: all costs in*



*accordance with the BASIC PROJECT PLAN, such as fees and/or taxes, social contributions, expenses, insurance, workers compensation, labor, social security contributions, fiscal, administrative tax, equipment, materials and any other fees associated with the Execution of the CONTRACT Object, as per item 6.2 of the Contract Draft, Annex III of the IFB.*

11. **Origin: Question:** Is there a cap for delay penalties detailed in Article 19 of Annex III “Contract Draft”? What happens in the exceptional case of having a delay of more than 60 days?

*Answer: As per item 19.2.3.2 of the Contract Draft, Annex III of the IFB, 19.2.3.2. A delay greater than 60 (sixty) calendar days shall be considered total non-execution of the contract. Exceptional cases shall be analyzed by the Administration in a case-by-case based on due diligence.*

12. **Origin:** Due to the complexity of the supply chain associated with this tender, which includes multiple sources for the manufacturing and supply of the 1487 lines listed on 188733/CABW/2018, the time allotted to respond by 19 February 2019 is deemed insufficient, as it prevents a diligent research to ensure optimal price and lead times are offered. Additionally, the requested date for a response does not allow sufficient time to verify obsolescence issues and to confirm full ability to supply. **Question:** An extension that would allow bid submission by 19 March 2019, so a proper research to validate price, lead time and ability to supply is conducted.

*Answer: The solicitation shall not be postponed.*

13. **Origin:** It is Sikorsky understanding that the bid requirement under reference 12. Bid Award and Ratification that mandates that bidders must supply quotes for 100% of the items, while observing the maximum reference price in order to prevent from being disqualified from the tender. Such requirement imposes a significant constraint as many parts listed are non OEM alternates that do not follow the original OEM nomenclature. In addition to utilizing alternate PNs that are not recognized per the OEM, the reference price is not consistent, containing different reference prices for the same PN. For example, PN 2233 has duplicate records with distinct reference prices of \$0.51 and \$34.81. **Question:** Change technical requirement to allow bidding of less than 100% of the line items included in the tender

*Answer: As per item 13 of the IFB, the bidding process shall be awarded based on the Lowest Global Price Per Project. Based on that, all items for a project shall be priced in order to achieve the Global Price Per Project.*

14. **Origin:** Despite the requirement for quoting 100% of the items, it is understood that the award will follow a “per line” criteria and may include multiple sources of supply. Such approach is inconsistent with the bidding methodology described under item 2. **Question:** Change technical requirement that prevents tender disqualification for prices above reference price.

*Answer: At this point the requirements shall not be changed*

15. **Question:** The BID 18733 is entirely based in the Price’s Referral on the Bid’s Annex 4. Most of the prices in the annex are below the current prices in the international markets or the price is correct but only for higher number of units ( it is a consolidated concept that the higher is the number of an item to be manufactured the lower are the prices). In order to better explain and as a sample of the



facts described above please find attached a spreadsheet named (CABW discrepancies.xls). In there you will see some examples of price discrepancies and also some remarks related to it. In order to demonstrate the evidences of the spreadsheet ,please find also attached several files showing the “marketing behave ” of each item as found at the ILS Inventory Locator Service,®

*Answer: The estimated prices were obtained as presented on item 17 of Basic Project, Annex I of the IFB.*

16. **Question:** 2) Tipo de fornecedor. Fornecedores de material de consumo para uso na manutenção de aeronaves são Distribuidores/Brokers, empresas não homologadas e/ou certificadas pelas autoridades aeronáuticas. Para fornecer peças de aeronaves não é necessário possuir o Certificado emitido pela ANAC/EASA ou FAA. As oficinas de manutenção também adquirem esses materiais de Distribuidores/Brokers.

*Answer: The FAA-AC00-56 shall be accepted (<https://www.aviationsuppliers.org/faa-ac00-56>)*

17. **Question:** 3) Aeronaves suportadas: Os materiais a serem adquiridos são para aplicação em aeronaves militares (H-60, F-5, T-27, T-25, C105 e P-3), a exigência do certificado FAA/EASA ou ANAC não trará nenhum benefício, só limitará a participação das empresas interessadas. Face ao exposto, solicito uma análise para efetuar as alterações necessárias no Edital e seus anexos, no intuito de permitir a participação de empresas distribuidoras/brokers de materiais e peças aeronáuticas, beneficiando assim a FAB.

*Answer: The FAA-AC00-56 shall be accepted (<https://www.aviationsuppliers.org/faa-ac00-56>)*

18. **Origin:** IFB **Question:** No parágrafo 18.5 diz que qualquer peça que faça parte do Manual da Aeronave pode ser solicitada mesmo não fazendo parte da relação de peças cotadas. Como será esse processo? Haverá um pedido de cotação para este item? Como será escolhido? Que preço será praticado?

*Answer: This refer to itens that have no historical acquisition data from the Brazilian Air Force. Based on that, a quote shall be required to the CONTRACTED PARTY.*

19. **Origin:** IFB **Question:** Em vários projetos existem PN'S DCN. Os desenhos dessas peças estarão disponíveis para as empresas licitantes?

*Answer: All items DAF, DCN and DLS shall be removed*

20. **Origin:** IFB **Question:** Temos observado que alguns preços estimativos estão bem abaixo do valor praticado pelo mercado. Seremos desclassificados se cotarmos os valores reais?

*Answer: The estimated prices were obtained as presented on item 17 of Basic Project, Annex I of the IFB.*

21. **Origin:** IFB **Question:** Para itens AOG que não tem disponibilidade em prateleira, mas que podem ser fabricados, qual seria o prazo de entrega?



*Answer: In case of items that are required to be manufactured, the CONTRACTED PARTY shall present a rationale with the necessary information to justify the impossibility to provide items for AOG, The rationale shall be analyzed by the Administration.*

22. **Origin: Question:** We understand that we will be shipping to either BACW or BACE, but there is big difference in the shipping cost associated with each facility. For a small order, this is a big concern. If we are to assume that every line item has the possibility of being shipped to the BACE (we are located in the USA), this will greatly affect the overall price. Will the Contracting Party be sending over an order for a single part, i.e. a bolt or screw? Will the orders be large that will be sent once or twice a year? For example if the Contracting Party sends an order for only 10 ea of PN NAS43DD3-40 at \$0.29 ea, the cost of shipping to the BACE would end up being way more than what would be earned. If we were to account for the possible shipping costs to the BACE for every line, the estimated price per unit would not be competitive. Please advise as to how the ordering will be structured.

*Answer: As per item 5.1.2.2 of the Basic Project (ERRATA), "Transportation and delivery logistics for the GOODS are as follows:*

*a. Supply and delivery of GOODS shall occur at the BACW Warehouse at 4601 Beech Road, Temple Hills MD 20748., United States INCOTERM FCA*

23. **Origin: Question:** We would like to request an additional extension on this project. Please advise if this will be accepted.

*Answer: Please refer to the Republishing of the Invitation For Bid.*

24. **Origin: Question:** If the ATA or Platform List is not bid 100% would that disqualify our company?

*Answer: As per item 13 of the IFB, the bidding process shall be awarded based on the Lowest Global Price Per Project. Based on that, all items for a project shall be priced in order to achieve the Global Price Per Project.*

25. **Origin: Question:** What if no company can bid an ATA fully? Will this project be re-tendered?

*Answer: As per item 13 of the IFB, the bidding process shall be awarded based on the Lowest Global Price Per Project. Based on that, all items for a project shall be priced in order to achieve the Global Price Per Project.*

26. **Origin: Question:** What if no company can bid an Aircraft Project fully? Will this project be re-tendered? Would submitting a partial bid affect our good-standing with the Brazilian Aeronautical Commission?

*Answer: As per item 13 of the IFB, the bidding process shall be awarded based on the Lowest Global Price Per Project. Based on that, all items for a project shall be priced in order to achieve the Global Price Per Project.*



27. **Origin: Question:** If nobody has a 100% price list, will partial proposals then be considered?

*Answer: As per item 13 of the IFB, the bidding process shall be awarded based on the Lowest Global Price Per Project. Based on that, all items for a project shall be priced in order to achieve the Global Price Per Project.*

28. **Origin: Question:** If yes, the items that are object of the solicitation have to be delivered in Brazil or they could be delivered in Brazil, after the nationalization process?

*Answer: As per item 5.1.2.2 of the Basic Project (ERRATA), "Transportation and delivery logistics for the GOODS are as follows:*

*a. Supply and delivery of GOODS shall occur at the BACW Warehouse at 4601 Beech Road, Temple Hills MD 20748., United States INCOTERM FCA – BACW, or at the BACE Warehouse per INCOTERM FCA" Moreover, in case of posterior process of nationalization that it is beneficial to the national industry, it shall be analyzed by the Administration if they fulfill the certification requirements or quality in Brazil.*

Notwithstanding, In accordance with the Invitation For Bid 188733/CABW/2018 item 31.1, *Any doubts arising from the provisions of this Invitation for Bid may be the subject of consultation, in writing, to the **Bidding Commission** in charge of this bidding process, up to 48 hours before the delivery of the proposals.*

Based on that, the BACW's Bidding Commission reinforces that questions shall be submitted to [con@cabw.org](mailto:con@cabw.org). Thus, only answers published in BACW's website are considered official and part of the solicitation file.

Furthermore, the Brazilian Aeronautical Commission appreciates the question, and stands available to clarify and explain any doubts or concerns in order to increase the BID quality. Any questions or concerns must be submitted to [con@cabw.org](mailto:con@cabw.org)

*Note: This information has been made available at BACW website in the publishing for the related Bidding Process. <http://www.cabwnews.com/index.php/solicitations.html>*