



DEFENSE MINISTRY
AERONAUTICAL COMMAND
BRAZILIAN AERONAUTICAL COMMISSION IN EUROPE

MEETING MINUTES OF THE PRESENTIAL BIDDING SESSION
PROCESS No. 67103.220094/2022-78
PRESENTIAL AUCTION No. 13/BACE/2022

Object: Contracting of an insurance company with the capacity to promote full coverage, on demand, in the door-to-door mode, against all risks and damages for materials and equipment of military and aeronautical nature, in accordance with the conditions, quantities and requirements established in this Bidding Process and its attachments.

On the 16th of November 2022 at 12:00 pm, at 16 Great James Street, London, WC 1N 3DP, the Auctioneer Letícia Mota de Souza Lt Col together with the Support Team composed by Mauro Nunes de Souza WO and Paulo Cezar Ferreira WO, designated by the Ordinance / Internal Bulletin nº 20, of 14th of October 2022, in order to carry out the procedures of the aforementioned Auction Session, in accordance with the Bidding Process and its respective annexes, published on the 04th of October 2022.


After the analysis of BACE's competent department about the adequacy of Bannerman Rendel Limited's proposal to the requirements of the Reference Term 01/SM/2022 it was decided not to accept the price proposal and its annexes, as attached to these minutes.

Regarding the item CONDITIONS of the Proposal – Service of Suite Clause (USA) CL355 1.11.92 it cannot be accepted as it contradicts our draft Contract (Attachment to the Bidding process) and our Legislation (Ordinance nº 5.175, of 15/12/21), which establish exclusive jurisdiction in London.

Thus, the qualification envelope will be sent back to the company.

Without further consideration, the Session was closed at 1:00 pm by the Auctioneer, and these minutes were written and after being read, understood and agreed with, have been signed by all present.

ANNEX: Opinion nº 14/1417/2022, of the 10th of November 2022 - free translation.



Letícia Mota de Souza Lt Col
Auctioneer



Mauro Nunes de Souza WO
Member



Paulo Cezar Ferreira WO
Member



**MINISTRY OF DEFENCE
AERONAUTICAL COMMAND
BRAZILIAN AERONAUTICAL COMMISSION IN EUROPE**

Opinion nº 14/1417/2022

London 10th November 2022

Subject: Proposal Analysis

Reference: 1. Internal letter OM No. 1/DLC, dated Nov. 08, 2022, from the Contract Inspector to the Procurement and Contracts Department.

1. OBJECTIVE:

Verify whether Bannerman Rendell's price proposal presented in the Bidding Process No. 13/BACE/2022 complies with the requirements contained in the Term of Reference No. 01/SM/2022.

2. PRESENTED CONDITIONS:

2.1. REGARDING THE PERIOD:

The period presented in the proposal is in accordance with item 2.1.5. of the Term of Reference.

2.2. REGARDING THE CANCELLATION CLAUSES:

In the Term of Reference, there are no requirements to establish termination clauses or cancellation of the Contract.

2.3. REGARDING THE MODAL TRANSPORT:

In item 7.3.1 of the Term of Reference the operations and sample spaces were detailed for insurance coverage, however these actions were not associated with the use of modes of transport.

2.4. REGARDING THE OBJECT:

The object of the Term of Reference provides full insurance coverage for cargoes moving within countries in Europe, Asia, Africa or Oceania, but makes no distinction when a country has an economic sanction or trade embargo. Thus, the proposal presented by the company is not in accordance with the Term of Reference nº 01/SM/2022.

2.5. REGARDING THE COVERAGE LIMIT:

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The Term of Reference did not establish limits for insurance coverage per shipment.

2.6. REGARDING THE CLAIM COMPENSATION:

Item 7.5.1.2 of the Term of Reference informs that there will be no declaration of the cost of freight in the open insurance policy, however both in coverage item 6.2.2 and in item 6.3.6.2 inform the need for the cost of freight. The requirement presented by the bidder aims to support this issue which is not duly clarified in the Term of Reference.

2.7. REGARDING THE COVERAGE:

The proposal presented is supported by item 7.3 of the Terms of Reference.

2.8. REGARDING THE CONDITIONS:

The proposed conditions were not included in the Terms of Reference.

2.9. REGARDING THE REPLACEMENT OF RECOVERABLE MATERIAL:

Item 6.3.6.2 of the Term of Reference mentions the payment for the acquisition of the material, however, in situations of importing materials for repair abroad, these items are subject to their depreciated values and they are different from the acquisition price.

2.10. REGARDING THE OVERALL AVERAGE:

The Term of Reference did not establish conditions for this proposal item.

2.11. REGARDING THE SHIPMENT IN CONTAINERS AND MOVEMENT SERVICES:

The proposed conditions were not included in the Terms of Reference.

2.12. REGARDING THE CHANGE OF DESTINATION AND ROUTE DEVIATION:

The proposed conditions were not included in the Terms of Reference.

2.13. REGARDING THE PACKAGING DAMAGE PROCEDURES:

Item 6.3.1 of the Term of Reference defines packaging damage with a claim and is subject to claim verification.

2.14. REGARDING THE PROTECTION OF GOODS:

Item 6.3 of the Term of Reference establishes all the procedures for determining the insurance claim, however it does not define the issues of waiver or abandonment. Item 9.8 establishes the contracted's responsibilities in case of expenses of its warehouses for the insurance claim settlement.

2.15. REGARDING THE FREIGHT REPLACEMENT:

The proposed conditions were not included in the Terms of Reference.

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2.16. REGARDING THE UNDISCLOSED DAMAGES:

Item 6.3.1 of the Term of Reference defines packaging damage with a claim and is subject to claim verification.

2.17 REGARDING THE APPOINTMENT OF REPRESENTATIVES:

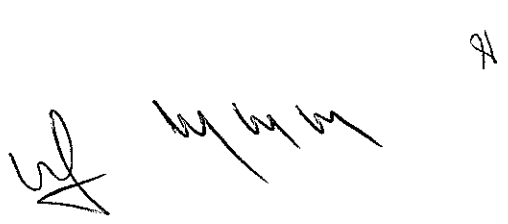
Item 9.14 of the Term of Reference establishes that the Contractor must present its representatives.

3. INSPECTION OPINION:

This Opinion is exempt from personal judgment and was based solely on the Term of Reference No.01/SM/2022 presented by the Procurement and Contracts Division for contracting the service.

Therefore, based on the facts presented it is possible to state that the price proposal presented by the company Bannerman Rendell in the Bidding Process No. 13/BACE/2022 is not in compliance with the requirements contained in the Term of Reference No. 01/SM/2022.

ALEXANDRE ANTUNES FERNANDES Maj QOESUP
Head of the Material Section

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MINISTÉRIO DA DEFESA
COMANDO DA AERONÁUTICA
COMISSÃO AERONÁUTICA BRASILEIRA NA EUROPA

Parecer nº 14/1417/2022

Londres, 10 de novembro de 2022.

Assunto: Análise de proposta.

Referência: 1. Ofício interno OM nº 1/DLC, de 08 nov. 2022, do Fiscal do Contrato à Divisão de Licitações e Contratos.

1. OBJETIVO:

Verificar se a proposta de preços da empresa Bannerman Rendell, apresentada no *Bidding Process* nº 13/BACE/2022, está em conformidade com os requisitos constantes do Termo de Referência nº 01/SM/2022.

2. CONDIÇÕES APRESENTADAS:

2.1. QUANTO AO PERÍODO:

O período apresentado na proposta está em conformidade com o item 2.1.5. do Termo de Referência.

2.2. QUANTO ÀS CLÁUSULAS DE CANCELAMENTO:

No Termo de Referência, não existem requisitos para estabelecer as cláusulas de rescisão ou cancelamento do Contrato.

2.3. QUANTO AO MODAL DE TRANSPORTE:

No item 7.3.1 do Termo de Referência, foram detalhadas as operações e os espaços amostrais para a cobertura de seguro, contudo estas ações não foram associadas à utilização dos modais de transporte.

2.4. QUANTO AO OBJETO:

O objeto do Termo de Referência prevê uma cobertura de seguro plena para as cargas movimentadas nos países da Europa, Ásia, África ou Oceânia, porém não fez qualquer ressalva, quando um país possui sanção econômica ou embargo comercial.

2.5. QUANTO AO LIMITE DE COBERTURA:

O Termo de Referência não estabeleceu limites para cobertura de seguro por embarque.

2.6. QUANTO À INDENIZAÇÃO DO SINISTRO:

O item 7.5.1.2 do Termo de Referência informa que não haverá declaração do custo do frete na apólice de seguro aberta, no entanto tanto no item cobertura 6.2.2 quanto no item 6.3.6.2 informam a necessidade do custo de frete. O requisito apresentado pela licitante visa amparar esta questão que não está devidamente esclarecida no Termo de Referência.

2.7. QUANTO À COBERTURA:

A proposta apresentada possui amparo no item 7.3 do Termo de Referência.

2.8. QUANTO ÀS CONDIÇÕES:

As condições propostas não foram inseridas no Termo de Referência.

2.9. QUANTO À SUBSTITUIÇÃO DE MATERIAL RECUPERÁVEL:

O item 6.3.6.2 do Termo de Referência faz menção ao pagamento de aquisição do material, contudo, nas situações de importação de materiais para reparo no exterior, estes itens estão com seus valores depreciados e diferentes do preço de aquisição.

2.10. QUANTO À MÉDIA GERAL:

O Termo de Referência não estabeleceu condições para este item da proposta.

2.11. QUANTO AO EMBARQUE EM CONTAINERS E AO SERVIÇOS DE MOVIMENTAÇÃO:

As condições propostas não foram inseridas no Termo de Referência.

2.12. QUANTO À MUDANÇA DE DESTINO E DESVIO DE ROTA:

Não foram inseridas estas condições no Termo de Referência.

2.13. QUANTO AO PROCEDIMENTOS DE DANOS DE EMBALAGEM:

O item 6.3.1 do Termo de Referência define os danos de embalagem com sinistro e estão sujeitos a apuração de sinistro.

2.14. QUANTO À PROTEÇÃO DE BENS:

O item 6.3 do Termo de Referência estabelece todos os procedimentos para apuração do sinistro de seguro, contudo não define as questões de renúncia ou abandono. O item 9.8 estabelece apenas as responsabilidades da contratada em caso de despesas de seus entrepostos para apuração do sinistro de seguros.

2.15. QUANTO À SUBSTITUIÇÃO DO FRETE:

As condições propostas não foram inseridas no Termo de Referência.



2.16. QUANTO AOS DANOS NÃO DIVULGADOS:

O item 6.3.1 do Termo de Referência define os danos de embalagem com sinistro e estão sujeitos a apuração de sinistro.

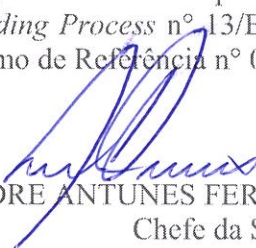
2.17. QUANTO À DESIGNAÇÃO DE REPRESENTANTES:

O item 9.14 do Termo de Referência estabelece que a Contratada deverá apresentar seus representantes.

3. PARECER DA FISCALIZAÇÃO:

Este Parecer está isento de juízo pessoal e baseou-se apenas no Termo de Referência nº 01/SM/2022 apresentado na Divisão de Licitações e Contratos para contratação do seu objeto.

Sendo assim, mediante os fatos apresentados, é possível afirmar que a proposta da preços da empresa Bannerman Rendell, apresentada no *Bidding Process* nº 13/BACE/2022, não está em conformidade com os requisitos constantes do Termo de Referência nº 01/SM/2022.


ALEXANDRE ANTUNES FERNANDES Maj QOESUP
Chefe da SM