

BIDS AND AWARDS COMMITTEE-TESDA Central Office

**PRE-BID CONFERENCE
FOR THE PROCUREMENT OF STARTER TOOLKITS FOR THE IMPLEMENTATION
OF FY 2020 UNIVERSAL ACCESS TO QUALITY TERTIARY EDUCATION ACT
(UAQTEA)**

28 October 2020, Wednesday, 2:00 p.m.
Video Conferencing via Zoom Application

Present:

Bids and Awards Committee:

DDG Lina C. Sarmiento
Dir. David B. Bungallon
Dir. Ma. Magdalena P. Butad
Atty. Marichelle D. De Guzman
Mr. Rizal S. Bautista

Chairperson (ODDG for TESDO)
Vice-Chairperson (NITESD)
Member (IAS)
Member (ODG-TBS)
Provisional Member - Technical Expert
(RTC-NCR)

BAC Secretariat:

Ms. Maria Gracia P. Dela Rama
Ms. Arcadia Creselda P. Balinas
Ms. Jela Mae A. Arcano

Head (PD-AS)
Member (PD-AS)
Member (PD-AS)

Prospective Bidders:

Ms. Rosemarie Dela Cruz
Ms. Ann Margaret Ngui
Ms. Janice R. Castillo
Ms. Rojean Zamodio
Mr. Alvin Saulog
Ms. Rona Bugausan
Mr. Willy Flores
Ms. Abigail Villa Garcia-Co
Mr. Arthur Gil
Mr. Rhessan Mamoransing
Ms. Rheyman Fulgar
Ms. Elah B. Martinez
Ms. Belinda I. Narnola
Ms. Abegail Petargue

ACMI Office Systems Philippines, Inc.
ACMI Office Systems Philippines, Inc.
Dominion Intertrade Corp.
Dominion Intertrade Corp.
Emmantech Enterprises
Giriteki, Inc.
Goldtech International
Goldtech International
Humil International Corporation
Hytec Power Inc.
Reddot Imaging Philippines Inc.
Welcome Export Inc.
Welcome Export Inc.
Wealthmore Construction and Supply
Corporation
Wealthmore Construction and Supply
Corporation

Ms. Jerielyn Entera

Others:

Ms. Daisy Salmero
Ms. Rosa M. Ponce
Melisande Centeno
Vince Lorenz B. Cuya

SMD-ROMO
Minutes Officer (PD-AS)
Administrative Officer (PD-AS)
Administrative Assistant (PD-AS)

Absent:

Bids and Awards Committee:

Dir. Melanie Grace T. Romero

Provisional Member–End-user (ROMO)

BAC Secretariat:

Atty. Jan Michael P. Jaro
Mr. Alric G. Subido
Mr. Joseph Allen L. Simon

Member (ODG)
Member (GSD-AS)
Member (PD-AS)

MINUTES OF THE MEETING

A. CALL TO ORDER

There being a quorum with four (4) out of six (6) members of the BAC in attendance, DDG Lina Sarmiento, the BAC Chairperson, called the meeting to order at 2:03 pm.

DDG Sarmiento requested the Secretariat to let the prospective bidders get in the virtual meeting room.

The Chair greeted everyone, including the prospective bidders' authorized representatives of this *Pre-bid conference for the Procurement of Starter Toolkits for the implementation of FY 2020 Universal Access to Quality Tertiary Education Act (UAQTEA) Single/Bundled Programs for the remaining eight (8) sectors, namely: 1) Garments and Textiles Sector; (2) General Infrastructure; (3) Health, Social and Other Community Development Services Sector; (4) Heating, Ventilation, Air-conditioning, and Refrigeration Sector; (5) Information and Communication Technology Sector; (6) Metals and Engineering Sector; (7) Processed Food and Beverage Sector; and (8) Tourism Sector.*

The BAC Vice-Chairperson, Dir. Dave Bungallon, who just joined the meeting, was designated to continue to preside the Pre-bid Conference proceedings as the Chair has to attend an important meeting.

Ms. Arcadia Creselda Balinas, Member of the BAC Secretariat, informed the members of the BAC that there were ten (10) potential bidders, namely: (1) Wealthmore Construction and Supply Corporation ; (2) Goldtech International; (3) Humil International Corporation; (4) ACMI Office Systems Philippines, Inc.; (5) Emmantech Enterprises; (6) Hytec Power Inc.; (7) Dominion Intertrade Corp; (8) Welcome Export Inc.;(9) Girlteki, Inc.;(10) Reddot Imaging Philipines Inc. who signified their intention to participate in this pre-bid activity.

The authorized representatives of the prospective bidders were given a Zoom meeting ID and password upon validating their proof of identity. Upon entry to the meeting room, the BAC Vice-Chairperson requested the BAC Secretariat to introduce the prospective bidders.

Dir. Bungallon welcomed all the potential bidders and requested the Secretariat to proceed with the presentation.

B. DISCUSSION

ISSUES/ CONCERNS	PRESENTATION/DISCUSSION/ AGREEMENTS
a. Letter to Observers	Ms. Balinas showed the proof that invitation letters were emailed to the following Observers on October 22, 2020:

	<ol style="list-style-type: none"> 1. Transparency and Accountability Network 2. Real Life Foundation Inc. 3. Commission on Audit 4. Philippine Institute for Supply Management 5. Philippine Jesuit Prison Service 6. Philippine Chamber of Commerce and Industry <p>However, the Secretariat said that none of the abovementioned observers signified their attendance to this Prebid Conference.</p> <p>The Vice-Chair noted the absence of the Observers in the Pre-bid Conference.</p>
<p>b. Publication of the Invitation to Bid</p>	<p>Ms. Dela Rama informed the Committee that posting of the Invitation to Bid (ITB) at the PhilGEPS website and TESDA official website was on October 20, 2020.</p> <p>Likewise, the BAC Secretariat posted the ITB on the bulletin board near the TESDA Gate 1, the place reserved for the posting of notices and information on procurement activities.</p>
<p>c. Presentation of the General Requirements for Government Procurement</p>	<p>Dir. Bungallon called the BAC Secretariat for the presentation of the General Requirements for Government Procurement.</p> <p>Ms. Dela Rama proceeded with the presentation of the General Requirements for Government Procurement.</p> <p>✓ PURPOSE:</p> <p>She explained that the purpose of the meeting was to allow the prospective bidders to seek clarifications should they have concerns regarding the whole bidding process, including the bidding documents. Then she emphasized that any discussion/agreement during the pre-bid conference shall not modify the terms in the Bidding Documents unless in writing and issued through a Supplemental Bid Bulletin.</p> <p>✓ BIDDER'S ELIGIBILITY (Legal, Financial, and Technical):</p> <p>a. Legal Documents</p> <ul style="list-style-type: none"> ➤ Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages); or ➤ Registration certificate from Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives or its equivalent document; and ➤ Mayor's or Business Permit issued by the city or municipality where the principal place of business of the prospective bidder is located, or the equivalent document for Exclusive Economic Zones or Areas; and ➤ Tax Clearance per E.O. No. 398, s. 2005, as finally reviewed and approved by the Bureau of Internal Revenue (BIR).

b. Technical Documents

- Statement of all on-going 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; and
- Statement of Single Largest Completed Contracts (SLCC) similar to the contract to be bid except under conditions provided for in Sections 23.4.1.3 and 23.4.2.4 of the 2016 revised IRR of RA No. 9184, within the relevant period as provided in the Bidding Documents;

Bid Data Sheet – ITB Clause 5.3. Pursuant to Section 23.4.1.3 of the 2016 revised IRR of RA No.9184, the Bidder shall have an SLCC that is at least one (1) contract similar to the Project the value of which, adjusted to current prices using the PSA’s Consumer Price Index (CPI), must be at least equivalent to fifty percent (50%) of the ABC.

For this purpose, contracts similar to the Project shall be:

- a. *any contract on supply and delivery of basic tools/training tools, and must be at least equivalent to fifty percent (50%) of the ABC of the bid lot/s; and*
 - b. *completed within five (5) years prior to the deadline for the submission and receipt of bids.*
- Original copy of Bid Security. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission, or an Original copy of Notarized Bid Securing Declaration;

Bid Data Sheet Section – ITB Clause 14.1. The bid security shall be in the form of a Bid Securing Declaration (Please see Section VIII of the Bid Documents), or any of the following forms and amounts:

1. *The amount of not less than **2% of ABC** (please refer to bid documents), if bid security is in **cash, cashier’s/manager’s check, bank draft/guarantee or irrevocable letter of credit**; or*
2. *The amount of not less than **5% of ABC** (please refer to bid documents), if bid security is in **Surety Bond** callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission.*

The bid security in the form of cashier’s/manager’s check shall be payable to TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY.

- Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or aftersales/parts, if applicable; (Section VI and Section VII of the Bid Documents);
- Original duly signed Omnibus Sworn Statement (OSS); and if applicable, Original Notarized Secretary’s Certificate in case

of a corporation, partnership, or cooperative; or Original Special Power of Attorney of all members of the joint venture giving full power and authority to its officer to sign the OSS and do acts to represent the Bidder.

Ms. Dela Rama advised the bidders to use the respective prescribed forms attached in the Bid Document and ensure to fill-out and sign the forms by the authorized bidder's representative.

c. Financial Documents

- The Supplier's audited financial statements, showing, among others, the Supplier'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; and
- The prospective bidder's computation of Net Financial Contracting Capacity (NFCC); or

Computation of NFCC:

NFCC = [(Current assets minus current liabilities) (15)] minus the value of all outstanding or uncompleted portions of the projects under ongoing contracts, including awarded contracts yet to be started coinciding with the contract to be bid

The values of the domestic bidder's current assets and current liabilities shall be based on the latest Audited Financial Statements submitted to the BIR.

*Net Financial Contracting Capacity (NFCC), calculated as follows:
[(Current Assets–Current Liabilities) x 15] – [Value of all outstanding contracts]*

- A committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation.

If the prospective bidder opts to submit a committed Line of Credit, it must be at least equal to ten percent (10%) of the ABC to be bid. If issued by a foreign universal or commercial bank, it shall be confirmed or authenticated by a local universal or commercial bank.

- “CLASS B” DOCUMENT - **Joint Venture Agreement** *if applicable*

✓ **Amended RULE II, SECTION 12(a) of 2004 Rules of Notarial Practice:**

“Competent Evidence of Identity – The phrase “competent evidence of identity” refers to the identification of an individual based on:

“(a) At least one current identification document issued by an official agency bearing the photograph and signature of the individual, such as but not limited to passport, driver's license, Professional Regulations Commission ID, National Bureau of Investigation clearance, police clearance... and all other IDs issued by the government agencies

✓ **DOCUMENTS REQUIRED DURING THE BID OPENING:**

a. First envelope shall contain the following:

1. Authority of Signatory
2. Valid PhilGEPS Registration Certificate or SEC/DTI/CDA Registration Certificate, Mayor's or Business Permit and Tax Clearance;
3. Statement of All On-Going contracts including Awarded but not yet Started Contracts;

4. Statement of Single Largest Completed Contracts similar to the contract to be bid;
5. Bid Security;
6. Statement of Compliance with the Delivery Schedule;
7. Statement of Compliance with the Technical Specifications;
8. Bidder's Omnibus Sworn Statement;
9. Audited Financial Statement stamped "received" by the BIR;
10. NFCC or Committed Line of Credit; and
11. JVA if applicable.

b. Second envelope shall contain the Financial Component

1. Original of duly signed and accomplished Financial Bid Form
2. Original of duly signed and accomplished Price Schedule(s).

✓ **DOCUMENTS TO BE SUBMITTED BY THE LOWEST CALCULATED BIDDER FOR POST QUALIFICATION PURPOSES:**

- *Proof of Completion of Single Largest Completed Contract, which shall be a copy of any verifiable document(s) such as but not limited to the following:*
 - *Contract/s or Purchase Order/s;*
 - *corresponding Sales Invoice/s;*
 - *Official Receipt/Cash Receipt/Collection Receipt; and*
 - *Certificate of Satisfactory Completion;*
 - *Brochures, if Required;*
 - *Samples, if Required;*
 - *Other Appropriate Licenses & Permits*
 - *Latest Annual Income Tax Returns (BIR Form 1701 or 1702) as filed through the Electronic Filing and Payment System (eFPS)*
 - *Either of the following:*
 - *Value Added Tax Returns (Forms 2550M and 2550Q) covering the previous six (6) months as filed thru eFPS; or*
 - *Percentage Tax Returns (Form 2551M) covering the previous six (6) months as filed thru eFPS,*
- Pursuant to BIR Revenue Regulations No. 03-2005 dated 16 February 2005.*
- *Valid and updated PhilGEPS Certificate of Registration (Platinum Membership) including the updated list of eligibility documents as stated in Annex "A" of said Certificate of Registration.*

Documents submitted during post-qualification as part of post-qualification documents must be certified by the authorized representative to be true copy/ies of the original.

✓ **SAMPLES TO BE SUBMITTED BY THE LCB FOR POST-QUALIFICATION PURPOSES**

	<ul style="list-style-type: none"> • <i>To determine the compliance of the items with the requirements of the agency, the actual sample of each item being offered by the bidder together with the Technical Data Sheet will be submitted for purposes of post-qualification. The bidder will have one (1) chance to present such items.</i> • <i>For common items found in different lots, the bidders may present one (1) sample for all the lots. For this purpose, the term "common items" excludes items which have the same description but with different technical specification.</i> • <i>Products covered by BPS Mandatory Product Certification Schemes, whether locally manufactured or imported or required to bear ICC and PS marks before being distributed in the Philippine market, as applicable</i> • <i>Imported products (for electronic products) should pass international quality control product standards and have international quality control product markings such as CE, ISO, ASTM, ASQC, AFCIQ, ASQ, DGQ, EOQC, IQA, and the like.</i> <p>✓ COMMON REASONS FOR DISQUALIFICATION OBSERVED DURING THE VARIOUS STAGE OF PROCUREMENT PROCESS</p> <p>Ms. Dela Rama reminded the prospective bidders of the common reasons for disqualification such as:</p> <p style="padding-left: 40px;">DURING BID OPENING</p> <ul style="list-style-type: none"> • Late Submission; • Incomplete Submission; • Non-compliance with Notarial Rules (use of Cedula is not allowed); and • Failure to sign relevant documents. <p style="padding-left: 40px;">DURING SUBMISSION OF ADDITIONAL REQUIREMENTS BY THE LCB</p> <ul style="list-style-type: none"> • Failure to submit the required additional documents; • Late submission of additional documents; • Failure to present the required sample during the scheduled date of presentation; and • Different samples are presented for the same item; <p style="padding-left: 40px;">DURING POST-QUALIFICATION</p> <ul style="list-style-type: none"> • Failure to pass sample testing criteria; • Expired license/permits; and • False information. <p>At the end of the presentation, the following contact details of the BAC Secretariat were provided if ever prospective bidders have questions and clarifications:</p> <ul style="list-style-type: none"> – email address: bacsecretariat@tesda.gov.ph – Telephone Number: (02) 8893-8296
<p>d. Submission of Request for Clarification</p>	<p>Likewise, the prospective bidders were reminded on important dates to remember:</p>

<p>e. Issuance of Bid Bulletin</p> <p>f. Submission of Bids and Bid Opening</p>	<table border="1"> <thead> <tr> <th>Sectors</th> <th>Last Day of Submission of Written Clarification</th> <th>Last Day of Issuance of Supplemental Bid Bulletin</th> <th>Deadline for Submission and Opening of Bids</th> </tr> </thead> <tbody> <tr> <td>Garments and Textiles Sector</td> <td>November 1, 2020</td> <td>November 4, 2020</td> <td>November 11, 2020; 3:00 p.m.</td> </tr> <tr> <td>Processed Food and Beverages Sector</td> <td>November 1, 2020</td> <td>November 4, 2020</td> <td>November 11, 2020; 4:30 p.m.</td> </tr> <tr> <td>General Infrastructure</td> <td>November 2, 2020</td> <td>November 5, 2020</td> <td>November 12, 2020; 8:00 a.m.</td> </tr> <tr> <td>Metals and Engineering</td> <td>November 2, 2020</td> <td>November 5, 2020</td> <td>November 12, 2020; 10:00 a.m.</td> </tr> <tr> <td>Health, Social and Other Community Development Services</td> <td>November 2, 2020</td> <td>November 5, 2020</td> <td>November 12, 2020; 12:30 p.m.</td> </tr> <tr> <td>Heating, Ventilation, Air Conditioning and Refrigeration</td> <td>November 2, 2020</td> <td>November 5, 2020</td> <td>November 12, 2020; 2:00 p.m.</td> </tr> <tr> <td>Information and Communication Technology</td> <td>November 2, 2020</td> <td>November 5, 2020</td> <td>November 12, 2020; 3:30 p.m.</td> </tr> <tr> <td>Tourism</td> <td>November 2, 2020</td> <td>November 5, 2020</td> <td>November 12, 2020; 5:00 p.m.</td> </tr> </tbody> </table>	Sectors	Last Day of Submission of Written Clarification	Last Day of Issuance of Supplemental Bid Bulletin	Deadline for Submission and Opening of Bids	Garments and Textiles Sector	November 1, 2020	November 4, 2020	November 11, 2020; 3:00 p.m.	Processed Food and Beverages Sector	November 1, 2020	November 4, 2020	November 11, 2020; 4:30 p.m.	General Infrastructure	November 2, 2020	November 5, 2020	November 12, 2020; 8:00 a.m.	Metals and Engineering	November 2, 2020	November 5, 2020	November 12, 2020; 10:00 a.m.	Health, Social and Other Community Development Services	November 2, 2020	November 5, 2020	November 12, 2020; 12:30 p.m.	Heating, Ventilation, Air Conditioning and Refrigeration	November 2, 2020	November 5, 2020	November 12, 2020; 2:00 p.m.	Information and Communication Technology	November 2, 2020	November 5, 2020	November 12, 2020; 3:30 p.m.	Tourism	November 2, 2020	November 5, 2020	November 12, 2020; 5:00 p.m.
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<p>Bid Opening will be held 15 minutes after the abovementioned schedule of bid submission.</p>																																					
<p>g. Venue of the Submission and Opening of Bids</p> <p>The venue of the submission and opening of bids will be at the Tandang Sora Hall, TESDA Women's Center, Gate 1, TESDA Complex, Building 2, East Service Road, South Luzon Expressway (SLEX), Fort Bonifacio, Taguig City.</p> <p>Due to community quarantine measures, only one (1) representative is allowed to attend personally in the bid opening and will be required to follow the TESDA protocol for visitors specifically on compliance with social distancing, wearing of face masks and face shields, body temperature screening, filling up of self-screening form which must be filled-up prior to the arrival at TESDA.</p>																																					
<p>h. Question and Answer</p> <p>Dir. Bungallon opens the table for the bidders' questions and clarifications.</p> <p>As advised earlier, the clarification will be limited only to the eligibility and technical documents to facilitate the proceedings. Dir. Bungallon emphasized that any queries with regards to Section VII-Technical Specifications shall be in written form.</p> <p>He informed the Authorized Representatives and Prospective Bidders that a Supplemental Bid Bulletin would be issued with regards to the clarifications to be raised by the bidders:</p>																																					

	Prospective Bidder	Issues and Concerns	BAC Response
	ACMI Office Systems Philippines, Inc.	<p>Ms. Gigi Ngui reiterated their concern on the reference of a similar contract to be declared under the SLCC, which only requires <i>Basic Tools and Training Tools</i>. She asked if they will be allowed to join other qualifications, if for instance, in the Agriculture Sector, their similar contract is related to the basic tools for the IT Sector.</p> <p>Moreover, Ms. Ngui asked to clarify the attachments on the SLCC.</p>	<p>Dir. Bungallon replied that it is allowed by definition of the Similar Contract.</p> <p>Ms. Dela Rama showed the requirements for SLCC specified under ITB clause <i>20.1 of the Bid Data Sheet</i>, which shall include a copy of any verifiable document(s) such as but not limited to the following: (a) Contract/s or Purchase Order/s; (b) corresponding Sales Invoice;(c) Official Receipt/ Cash Receipt/Collection Receipt; and (d) Certificate of Satisfactory Completion.</p>
	Humil International Corporation	<p>The bidder's representative reiterated their concern to ITB clause <i>20.1 of the Bid Data Sheet</i>, item (d) of the proof of completion of SLCC -Certificate of Satisfactory Completion. He asked if there is a prescribed format from TESDA for the Certificate of Performance Evaluation.</p>	<p>Ms. Dela Rama said that as agreed upon by the BAC, a prescribed format will be issued through a Supplemental Bid Bulletin.</p>


	Prospective Bidder	Issues and Concerns	BAC Response
		The bidder's representative reiterated their concern as they noticed the required documents to be submitted by the Lowest Calculated Bidder for post-qualification purposes mentioned only in the attachments for the SLCC. They asked if the same proof, as stated in the SLCC, shall be required for the On-going Contracts.	Dir. Bungallon confirmed that the <i>Statement of all on-going government and private contracts, including contracts awarded but not yet started</i> , does not require attachments as the provision provides that only the contracts declared under SLCC require all the supporting documents as proof of its completion.
	Welcome Export Inc.	<p>The bidder's representative asked if it is allowed to indicate three (3) brands or generic name under the Reference Column of Section VII- Technical Specification Form, <i>Make/ Brand or Model</i>.</p> <p>The bidder expressed their understanding that the number of required copies is only one for each bidding. However, TESDA is requesting an additional three (3) copies of said documents.</p> <p>In line with this, they asked if they can only submit two (2) extra copies of the bid documents.</p>	<p>Dir. Bungallon noted the concern and said that it would be taken as part of the supplemental bid bulletin.</p> <p>Ms. Dela Rama clarified that the said additional copies are just a request, and the bidder has the option to do so and is not subject to disqualification.</p>

Since there are no more queries, Director Bungallon thanked all the prospective bidders for participating in this pre-bid conference. He said that even the dates on the submission of clarifications fall on weekends and holidays, the prospective bidders can send their clarifications thru email at bacsecretariat@tesda.gov.ph.

ADJOURNMENT

There being no other matters to be discussed, the meeting adjourned at 4:05 pm.


Prepared by:


ROSA M. PONCE
Minutes Officer

Reviewed by:


MARIA GRACIA P. DELA RAMA
Head, BAC Secretariat

Approved by:


DIR. DAVID B. BUNGALLON
BAC Vice-Chairperson