

BIDS AND AWARDS COMMITTEE-TESDA Central Office

**PRE-BID CONFERENCE
FOR THE PROCUREMENT OF FUEL AND LUBRICANTS (GASOLINE AND
DIESEL) THROUGH FUEL CARD SYSTEM FOR THE TESDA CENTRAL OFFICE
SERVICE VEHICLES FOR FY 2021**

19 January 2021, Tuesday, 1:00 p.m.
Video Conferencing via Zoom Application

Present:

Bids and Awards Committee:

Dir. David B. Bungallon	Vice-Chairperson (NITESD)
Dir. Ma. Magdalena P. Butad	Member (IAS)
Atty. Marichelle D. De Guzman	Member (ODG-TBS)
Mr. Mark Angelo M. Gervacio	Member (TESDA ACE-NCR)
Ms. Armela B. Gutierrez	Provisional Member – Technical Expert (GSD-AS)

BAC Secretariat:

Ms. Arcadia Creselda P. Balinas	Head (PD-AS)
Ms. Jela Mae A. Arcano	Member (PD-AS)

Technical Working Group (TWG):

Mr. Samir S. Aceveda	Chairman (GSD-AS)
Ms. Rachel Grace D. Ochoa	Member (AD-FMS)
Mr. Bienvenido I. Teoco, Jr.	Member (BD-FMS)

Prospective Bidders:

Ms. Jacqueline Tolentino	Petron Corporation
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Others:

Ms. Rosa M. Ponce	Minutes Officer (PD-AS)
Melisande Centeno	Administrative Officer (PD-AS)
Vince Lorenz B. Cuya	Technical Support Staff (PD-AS)

Absent:

Bids and Awards Committee:

DDG Lina C. Sarmiento	Chairperson (ODDG-TESDO)
Dir. Adzhar A. Albani	Provisional Member-End-User (AS)

BAC Secretariat:

Atty. Jan Michael P. Jaro	Member (ODG)
Mr. Alric G. Subido	Member (GSD-AS)
Mr. Joseph Allen L. Simon	Member (PD-AS)

MINUTES OF THE MEETING

A. CALL TO ORDER

Upon determination of a quorum, the meeting was called to order by Dir. David B. Bungallon, the BAC Vice-Chairperson, at 1:19 pm.

Dir. Bungallon welcomed everyone for this *Pre-bid Conference for the Procurement of Fuel and Lubricants (Gasoline and Diesel) through Fuel Card System for the TESDA Central Office Service Vehicles for FY 2021.*

Ms. Arcadia Creselda P. Balinas, Head BAC Secretariat, announced the lone prospective bidder, Petron Corporation who signified its intention to participate in this pre-bid activity.

B. DISCUSSION

ISSUES/ CONCERNS	DISCUSSION/ AGREEMENTS
a. Letter to Observers	<p>Ms. Balinas showed proof that invitation letters were emailed to the following Observers on 7 January 2021.</p> <ol style="list-style-type: none">1. Transparency and Accountability Network2. Reallife Foundation Inc.3. Commission on Audit4. Philippine Institute for Supply Management5. Philippine Jesuit Prison Service6. Philippine Chamber of Commerce and Industry <p>However, the BAC Secretariat confirmed that none of the aforementioned observers signified their attendance.</p> <p>The Chairperson noted the absence of the Observers in the Pre-bid Conference.</p>
b. Publication of the Invitation to Bid	<p>Ms. Balinas informed that the Invitation to Bid (ITB) was posted at the PhilGEPS website and TESDA official website on 7 January 2021.</p> <p>The ITB was also posted by the BAC Secretariat on the bulletin board near the TESDA Gate 1, which is the place reserved for the posting of notices and information on procurement activities.</p> <p>Furthermore, in line with the precautionary health measures being adopted by the agency. Potential bidders were duly informed that this Pre-bid conference will be held via video-conference through Zoom application.</p>
c. Presentation of the General Requirements for Government Procurement	<p>Dir. Bungallon requested the BAC Secretariat to present the General Requirements for Government Procurement.</p> <p>Ms. Balinas proceeded with the presentation of the General Requirements for Government Procurement.</p>

✓ **PURPOSE:**

She explained that the purpose of the meeting was to give an opportunity to 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.

✓ **BIDDER'S ELIGIBILITY (Legal, Financial and Technical):**

a. Legal Documents

- 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 the Procurement of Fuel and Lubricants (Gasoline and Diesel) Through Fuel Card System, 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 Original copy of Notarized Bid Securing Declaration;

Bid Data Sheet 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); and
- 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. Balinas advised the bidder to use the respective prescribed forms attached in the Bidding 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

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 Performance Evaluation (template of which is attached as Annex A of the Bidding Documents);*
- *Proof of Ongoing/Outstanding Contracts as identified in the Statement of Ongoing Contracts Awarded but not yet Started Contracts, which shall include any verifiable document(s) such as but not limited to the following:*
 - *Notice of Award;*
 - *Contract/s or Purchase Orders;*
 - *Notice to Proceed*
- *Brochures, 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.

✓ **COMMON REASONS FOR DISQUALIFICATION OBSERVED DURING THE VARIOUS STAGES OF PROCUREMENT PROCESS**

Ms. Balinas reminded the prospective bidders of the common reasons for disqualification such as:

DURING BID OPENING

- Late Submission;
- Incomplete Submission;
- Non-compliance with Notarial Rules (use of Cedula is not allowed); and
- Failure to sign relevant documents.

DURING SUBMISSION OF ADDITIONAL REQUIREMENTS BY THE LCB

- Failure to submit the required additional documents;
- Late submission of additional documents;

DURING POST-QUALIFICATION

- Failure to pass sample testing criteria;
- Expired license/permits; and
- False information.

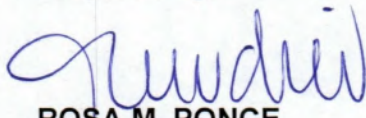
	<p>At the end of the presentation, the following contact details of the BAC Secretariat were provided if ever prospective bidders have questions:</p> <ul style="list-style-type: none"> - email address: bacsecretariat@tesda.gov.ph - Telephone Number: (02) 8893-8296 		
<p>d. Submission of Request for Clarification e. Issuance of Bid Bulletin f. Submission of Bids and Bid Opening</p>	<p>Likewise, she reminded the prospective bidders on important dates to remember:</p>		
	Particulars		Date
	Last Day of Submission of Written Clarification		January 23, 2021
	Last Day of the issuance of Supplemental Bid Bulletin		January 26, 2021
	Submission and Opening of Bids		February 2, 2021 at 1:00 p.m.
g. Question and Answer	Dir. Bungallon opened the table for the bidder's questions and clarifications		
	Prospective Bidder	Issues and Concerns	BAC Response
	Petron Corporation	<p>Q1: On the Statement of Single Largest Completed Contracts similar to the contract to be bid and Statement of All On-Going contracts including Awarded but not yet Started Contracts;</p>	<p>BAC replied as stated in BDS ITB Clause 20.1, Section III of the Bid Data Sheet:</p> <ul style="list-style-type: none"> • <i>Proof of ongoing/outstanding contract/s as identified in the Statement of Ongoing Contracts Awarded but Not Yet Started Contracts, which shall include a copy of any verifiable document(s) such as but not limited to the following: (a) Notice of Award;(b) Contract/s or Purchase Order/s; and (c) Notice to Proceed.</i> • <i>Proof of completion of the single largest contract as identified in the Statement of Single Largest Completed Contract, 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/s; Official Receipt/Cash Receipt/Collection Receipt; and (d) Certificate of Performance Evaluation (template of which is hereto attached as Annex "A").</i>
		<p>Q2: On the submission of Certificate of Performance Evaluation using the indicated template under Annex A of the Bidding Documents, if possible, to submit the available Certificate of Performance Evaluation issued format by their client.</p>	<p>Bidders shall submit the Certificate of Performance Evaluation as prescribed under Annex "A" of the Bidding Documents.</p>

		<p>Q3: On Section VI Schedule of Requirements, second paragraph if possible, to amend the provision of <i>Additional fuel Cards if there is any, shall be provided within seven (7) calendar days from receipt of the formal request from TESDA through the Administrative Service at no additional cost, to make it 7-10 Working days</i> to provide the Additional Fuel Cards.</p>	<p>BAC granted to amend the provision of <i>Additional fuel Cards</i> to 7 Working Days only.</p> <p>A supplemental bid bulletin on this request shall be issued.</p>
		<p>Q4: On Section VII Technical Specification: <i>Item 4 - Provide the type of fuel card required by TESDA based on its submitted list with corresponding authorized allotment to contain the following: Plate Number of Vehicle, Card Number, Name of Card Holder based on authority approved.</i></p>	<p>Ms. Gutierrez replied that the requirement is unnecessary to be changed since it is a general Requirement.</p> <p>The BAC shall issue a supplemental bid bulletin on this clarification.</p>
		<p>Q5: On the required number of copies of the first and second component of its bid.</p>	<p>The BAC replied as stated in ITB Clause 15, Section III of the Bid Data Sheet:</p> <p><i>Each bidder shall submit one copy of the first and second components of its bid.</i></p> <p><i>The Procuring Entity requests for two (2) additional hard copies of the Bid. However, failure of the bidders to comply with the said request shall not be ground for disqualification.</i></p>
		<p>Dir. Bungallon stated that in case of any request for clarifications after this Pre-bid Conference, said request should be done in writing and submitted to the BAC at least ten (10) calendar days before Bid Opening.</p>	

ADJOURNMENT

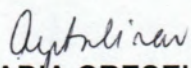
There being no other matters to be discussed, the meeting adjourned at 2:17 p.m.

Prepared by:



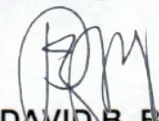
ROSA M. PONCE
Minutes Officer

Reviewed by:



ARCADIA CRESELDA P. BALINAS
Head, BAC Secretariat

Approved by:



DIR. DAVID B. BUNGALLON
BAC Vice Chairperson