

MINUTES OF THE PRE-BID CONFERENCE OF THE PUBLIC BIDDING OF THE CONTRACT FOR THE CONSTRUCTION OF PPMC OFFICE/ MULTI-PURPOSE ROOMS HELD ON OCTOBER 3, 2023 AT 10:00 AM

I. CALL TO ORDER

The Pre-Bid Conference was called to order by Atty. Marlou P. Pacleb, Chairperson of the Bids and Awards Committee (BAC) for the Procurement of Infrastructure Projects at 10:00 a.m.

II. PRAYER

The prayer was led by Ms. Lastina L. Baguya, Member of the Bids and Awards Committee.

III. DETERMINATION OF QUORUM AND ACKNOWLEDGMENT OF PARTICIPANTS

Atty. Pacleb requested Ms. Charlotte C. Bandolin, Head of the BAC Secretariat, to determine the existence of a quorum. She declared the existence of a quorum.

Ms. Bandolin acknowledged the presence of the following:

Bids and Awards Committee for the Procurement of Infrastructure Projects

Chairperson : Atty. Marlou P. Pacleb
Vice Chairperson : Arch. Marc Lawrence P. Aquino
Members : Ms. Eliza M. Maconocido
Ms. Lastina L. Baguya
Engr. Mennen C. Mendoza
Mr. Franklin C. Villareal
Engr. Epifanio C. Balangue

Technical Working Group

Members : Engr. Saturnino L. Buccat, Jr.
Mr. Anthony C. Hidalgo
Ms. Abigail Q. Peralta

BAC Secretariat

Head : Ms. Charlotte C. Bandolin
Members : Mr. Carlo S. Escalona
Mr. Ifnigo T. Balagot
Ms. Michelle A. Subala

Observers:

PPMC Internal Auditor
Bases Conversion and Development Authority

Ms. Rubilyn P. Cabiles
Mr. Antonio Bautista

Atty. Pacleb asked Ms. Bandolin if appropriate notices were sent to the observers. Ms. Bandolin answered in the affirmative.

Atty. Pacleb asked Ms. Bandolin to enumerate the observers who were invited. Ms. Bandolin stated that the following observers were invited:

- Commission on Audit Regional Office I
- Philippine Institute of Certified Public Accountants, Inc. – La Union Chapter
- Philippine Institute of Civil Engineers
- Chamber of Commerce and Industry of La Union
- Bases Conversion and Development Authority

Atty. Pacleb asked Ms. Bandolin to enumerate the company names of contractors who were invited for the Negotiated Procurement After Two Failed Biddings of the Contract for the Construction of PPMC Office/ Multi-purpose Rooms. Ms. Bandolin enumerated the following:

- Armerad Cornerstone Construction Corporation
- Sapitola Construction
- JASHV Construction and Supply

Atty. Pacleb requested Ms. Bandolin to acknowledge the prospective bidders present in the Pre-bid Conference.

Ms. Bandolin stated that no prospective bidder attended the pre-bid conference

IV. DISCUSSION

Atty. Pacleb presented the agenda to the body.

After the presentation of the Agenda, Atty. Pacleb asked for a motion for the approval of the agenda. Upon motion made by Arch. Aquino and which was duly seconded by Mr. Villareal, the Agenda was approved.

Atty. Pacleb stated that what is being conducted is a Negotiated Procurement After Two Failed Biddings for the Contract for the Construction of PPMC Office/ Multi-purpose Rooms with an Approved Budget for the Contract (ABC) of One Million Five Hundred Thousand Pesos (Php 1,500,000.00). The project duration is seventy five (75) calendar days from the issuance of the Notice to Proceed.

4.1 Bidding Documents

Atty. Pacleb asked Ms. Bandolin to discuss the provisions under the Invitation for Negotiations. Ms. Bandolin read out the following from the Invitation for Negotiations:

In view of the two (2) failed biddings, Poro Point Management Corporation (PPMC), through the approved PPMC Corporate Budget for CY 2023, intends to apply the sum of One Million Five Hundred Thousand Pesos (Php 1,500,000.00) being the Approved Budget for the Contract (ABC) to payments under the Contract for the Construction of PPMC Office/Multi-Purpose Rooms/ PPMC2023-041. Quotations received in excess of the ABC shall be automatically rejected/disqualified at opening of quotations.

The Poro Point Management Corporation (PPMC) now invites interested contractors for the above Procurement Project. Completion of the Works is required within Seventy-Five (75) calendar days from the issuance of Notice to Proceed. Contractors should have completed a contract similar to the Project. The description of an eligible contractor is contained in this Negotiated Procurement Documents, particularly, in Section II. Instructions to Contractors. The SLCC for this project is Construction of vertical structures/buildings.

Interested contractors may obtain further information from Poro Point Management Corporation thru the BAC Secretariat and inspect the Negotiated Procurement After Two Failed Biddings Documents at the address given below from 8:00 a.m. to 5:00 p.m.

A complete set of the Negotiated Procurement After Two Failed Biddings Documents may be acquired by interested contractors from the address indicated in the Negotiated Procurement After Two Failed Biddings Documents

It may also be downloaded free of charge from the websites of the Philippine Government Electronic Procurement System (www.philgeps.gov.ph) and the PPMC Website (www.poropointfreeport.gov.ph).

The Pre-bid conference is currently being conducted to be followed by the Negotiations later at 11:00 am.

Quotations must be duly received by the BAC Secretariat through manual submission at the office address as indicated below or electronic submission at ppmcbacsecretariat@gmail.com on or before October 13, 2023 at 10:00 a.m. Philippine Standard Time.

Each contractor shall submit one (1) original and two (2) copies of the first and second components of its quotation.

Late quotations shall not be accepted.

Opening of quotations shall immediately follow after the deadline for submission of quotations at the given address below. The opening of quotations will also be available through video conferencing using Zoom platform which details are provided for under the Invitation for Negotiations.

Representatives of the contractors may attend in person or online via Zoom Conferencing who shall be prepared to login and are advised to be on standby at least twenty (20) minutes before the scheduled deadline and opening of quotations to ensure connection to

the Zoom Meeting Room. Failure to join on the set date and time shall be marked as late and shall constitute as waiver to be present for the activities that have lapsed until he/she joined the meeting. The contractor cannot question activities that were conducted in his/her absence.

To facilitate monitoring of participants entering the Zoom Meeting Room, participants must enter their Company/Agency Name and their Complete Name. Example: [Poro Point Management Corporation- Juan Dela Cruz].

The BAC-Secretariat shall proceed with the roll call to record the attendance and determine the presence of a quorum and the name of the contractors who submitted quotations. Thereafter, the BAC Secretariat shall officially announce the start of the opening of quotations.

Quotations will be opened in the presence of the contractors' representatives who choose to attend the activity.

The Poro Point Management Corporation reserves the right to reject any and all quotations, declare a failure of Negotiated Procurement After Two Failed Biddings, or not award the contract at any time prior to contract award in accordance with Sections 35.6 and 41 of the 2016 revised IRR of RA No. 9184, without thereby incurring any liability to the affected supplier.

For further information, please refer to:

MS. CHARLOTTE C. BANDOLIN
Head, BAC Secretariat
Poro Point Management Corporation Gov. Joaquin L. Ortega Avenue
Poro Point Freeport Zone
Poro, City of San Fernando 2500, La Union
Mobile Number: 09458222033
Email Address: ppmcbacsecretariat@gmail.com
Website: www.poropointfreeport.gov.ph

You may visit the following website:

For downloading of Documents for Negotiated Procurement After Two Failed Biddings:
www.poropointfreeport.gov.ph

4.2 Documents to be Submitted

Atty. Pacleb requested Arch. Aquino, Vice Chairperson of the BAC, to discuss the Documents to be Submitted. Arch. Aquino discussed the required documents to be submitted.

The following is the Summary of Documents to be submitted:

Checklist of Technical and Financial Documents

I. LETTER OF INTENT TO PARTICIPATE		Use Form 1 on Page 41
II. TECHNICAL COMPONENT ENVELOPE		
<i>Class "A" Documents</i>		
<u>Legal Documents</u>		
<input type="checkbox"/>	(a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages)	
<u>Technical Documents</u>		
<input type="checkbox"/>	(b) Philippine Contractors Accreditation Board (PCAB) License; or Special PCAB License in case of Joint Ventures; and registration for the type and cost of the contract to be bid; and	
<input type="checkbox"/>	(c) 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.	Use Applicable Form 2 on pages 42-47
III. FINANCIAL COMPONENT ENVELOPE		
<input type="checkbox"/>	(d) Original of duly signed and accomplished Financial Bid Form; and	Use Form 3 on Pages 48-49
<u>Other documentary requirements under RA No. 9184</u>		
<input type="checkbox"/>	(e) Original of duly signed Bid Prices in the Bill of Quantities; and	Use Form 4 on page 50 and Form 5 on page 51
<input type="checkbox"/>	(f) Duly accomplished Detailed Estimates Form, including a summary sheet indicating the unit prices of construction materials, labor rates, and equipment rentals used in coming up with the Bid; and	
<input type="checkbox"/>	(g) Cash Flow by Quarter.	

Discussion of Specifications and Drawings

Arch. Aquino discussed the specifications and drawings.

Arch. Aquino discussed that the following are included in the specifications for the Contract for the Construction of PPMC Office/ Multi-purpose Rooms:

- Site Works
- Earthworks, Excavation and Fills
- Concrete Works
- Masonry Works

- Rebars and Steel Works
- Plastering Works
- Roof Framing Works
- Tinsmithry Works
- Ceiling Works
- Painting Works
- Tileworks
- Formworks and Scaffolds
- Doors and Window Works
- Electrical
- Plumbing, Sanitary Work and Water Line
- Safety

Arch. Aquino proceeded to discuss the drawings.

The drawings are composed of seven sheets as follows:

1st Sheet includes the Perspective, Vicinity Map and Site Development Plan.

2nd Sheet includes the Floor Plan, Left Elevation, Front Elevation, Reflected Ceiling Plan, Right Elevation and Rear Elevation.

3rd Sheet includes the Section Thru “A-A”, Section Thru “B-B”, Doors and Windows Schedule, Finishing Details, Toilet and Bath Details, Kitchen Details

4th Sheet includes the Foundation Plan, Beam Details, Column Footing Details

5th Sheet includes the Grade Beam Plan, Roof Framing Plan, Roof Beam Plan and Roof Details

6th Sheet includes the Lighting Layout, Power Layout, Load Computation, Electrical Legend, Riser Diagram and Electrical Notes

7th Sheet includes the Water Layout, Sewer Layout, Septic Tank Details, Plumbing Legend and Plumbing Notes

Further, Atty. Pacleb discussed the Bid Data Sheet, as follows:

ITB Clause	
5.2	For this purpose, contracts similar to the project refer to contracts which have the same major categories of work, which shall be: Construction of vertical structures/buildings.
7.1	Subcontracting is not allowed.
10.1	For the requirement, Valid Philippine Contractors Accreditation Board (PCAB) license, the size and range must be at least Small B.
19	Within a non-extendible period of five (5) calendar days from receipt of the notice for post-qualification, contractor shall submit its latest income and business tax returns filed and paid through the BIR Electronic Filing and Payment System (EFPS).

The following documents shall also be submitted during post-qualification:

- Statement of the contractor’s Single Largest Completed Contract (SLCC)
- Organizational Chart of the Contract to be bid
- List of Contractor’s Key Personnel. The requirements for this project are as follows:

The key personnel must meet the required minimum years of experience set below:

<u>Key Personnel</u>	<u>General Experience</u>	<u>Relevant Experience</u>
Project Manager	5 years	2 years
Project Engineer	2 years	1 year
Materials Engineer	2 years	1 year
Safety Officer	2 years	1 year
Foreman	2 years	1 year

General experience pertains to over all work experience as key personnel.

Relevant experience pertains to work experience as a key personnel similar to the contract to be bid.

There shall be separate individuals who will occupy the aforesaid positions.

- List of Contractor’s major equipment units. The requirements for this project are as follows:

The minimum major equipment requirements are the following:

<u>Equipment</u>	<u>Capacity</u>	<u>Number of Units</u>
Service Truck/ Cargo Truck	at least 1.80 T	1
Water Truck	at least 1000 gals	1
Concrete Vibrator	at least 5.5 Hp	1
Plate Compactor	at least 5 Hp	1
Concrete mixer	one (1) bagger	1
Welding machine	at least 300 Amps	1
Bar cutting machine	at least 1500 watts	1
Electric grinder	at least 600 watts	1

16	<p>Each Bidder shall submit one (1) original and two (2) copies of the first and second components of its quotation.</p> <p>For Electronic submission of quotations, submission may be done through electronic mail and quotations must be duly received by the BAC Secretariat through the email address, ppmcbacsecretariat@gmail.com on or before October 13, 2023 at 10:00 a.m., provided that the following will be observed:</p> <ol style="list-style-type: none"> a. Use of a two-factor security procedure consisting of an archive format compression and password protection to ensure the security, integrity and confidentiality of the submitted quotation. <p>Contractors may use the following for archiving and password protection of the quotations. (Example: WinRar, WinZip) For the security of quotations submitted, the Contractors may use the following to encrypt their files. (Example: MS Word, Adobe Acrobat)</p> <ol style="list-style-type: none"> b. Allow access to a password-protected Technical Proposal and password-protected Financial Quotation on opening date and time. <p>The passwords for accessing the file for the Technical Quotation and the Financial Quotation will be disclosed by the Contractors only during the actual opening of quotations which will be on October 13, 2023, at the time of the opening of the submitted quotation.</p>
	<p>Submission of the following additional contract documents:</p> <p>Construction schedule and S-curve Manpower schedule Construction methods Equipment utilization schedule Construction safety and health program approved by the Department of Labor and Employment PERT/CPM or other acceptable tools of project scheduling. Affidavit of No Sub-Contracting Statement under oath that that the contractor is free from any tax liabilities</p>

Atty. Pacleb requested Ms. Maconocido to discuss the forms to be used.

Form 1, Letter of Intent to Participate

The form can be found on page 41 of the Negotiated Procurement After Two Failed Biddings Documents. Bidders may re-encode the form provided that all the information required are included. There were instances when bidders re-encode the forms and inadvertently omitted some of the phrases or some of the sentences in the form and this will change the meaning of the document being submitted. Bidders must make sure that once the form will be re-encoded, the same content must be reflected on the submission.

On Form 2, Omnibus Sworn Statement

Ms. Maconocido stated that the bidders may choose among the Omnibus Sworn Statement that are classified for Sole Proprietorship, Partnership or Cooperative and Corporation or Joint Venture whichever is applicable as provided in the Negotiated Procurement After Two Failed Biddings Documents.

Ms. Maconocido stated to use the applicable form depending on the type of organization.

Ms. Maconocido emphasized that the jurat should be properly notarized and should indicate the notarial commission number of the notary public.

Bidders shall also attach in the Omnibus Sworn Statement the proof of appointment of bidders authorized representative. For Corporation/ Cooperative/ Joint Venture, please attach a Notarized Secretary's Certificate and Notarized Special Power of Attorney, for Sole Proprietorship

On Form 3, Financial Bid Form

The form is the standard form and bidders need to use the standard form. The bidders must supply the required data. The required information are the following: the number of the Bid Bulletin issued must be supplied, if applicable; the total price of bidder's price quotation, both in figures and in words; the discounts offered and the methodology of their application, if any; the applicable taxes and the percentage amount of performance security. Supply also the necessary information for the Name, In the capacity of, Signature, Duly authorized to sign the bid for and on behalf of and date the document signed.

On Form 4, Summary of Bid Prices in the Bill of Quantities and Form 5, Bill of Quantities

These forms must be submitted together with the Financial Bid Form. Please provide the necessary information needed and please submit with the necessary information for the Name, In the capacity of, Signature, Duly authorized to sign the bid for and on behalf of and date the document signed.

Ms. Maconocido reiterated that bidders shall submit also together with their bid a duly accomplished Detailed Estimates Form, including a summary sheet indicating the unit prices of construction materials, labor rates, and equipment rentals used in coming up with the Bid

Atty. Pacleb reminded the bidders to follow the prescribed forms and to follow the instructions as explained by Ms. Maconocido.

4.3 Evaluation of Quotations

For the Detailed Evaluation of Quotations, the BAC will check the correctness and completeness of the data provided by the bidders. The BAC will determine the ranking of the quotations and determine the Lowest Calculated Quotation.

4.4 Post Qualification

Atty. Pacleb stated the bidder which submitted the Lowest Calculated Quotation (LCQ) will be notified for the conduct of a Post-qualification. If the bidder which submitted the LCQ passed the post-qualification, contract award and implementation will follow.

4.5 Contract Award and Implementation

Atty. Pacleb stated that the BAC will be recommending the Lowest Calculated and Responsive Quotation for the award of the contract if the bidder passed all the requirements during post-qualification. Attached to the Notice of Award is the contract.

4.6 Warranties

Atty. Pacleb stated that bidders shall abide to the warranties as specified under Section 62 of the 2016 Revised IRR of RA 9184.

4.7 Offenses and Penalties

Atty. Pacleb requested Ms. Maconocido to discuss the Offenses and Penalties. Ms. Maconocido read out the offenses and penalties as follows:

65.1. Without prejudice to the provisions of R.A. 3019 and other penal laws, public officers who commit any of the following acts shall suffer the penalty of imprisonment of not less than six (6) years and one (1) day, but not more than fifteen (15) years:

- a) Opening any sealed bid including but not limited to Bids that may have been submitted through the electronic system and any and all documents required to be sealed or divulging their contents, prior to the appointed time for the public opening of Bids or other documents.
- b) Delaying, without justifiable cause, the screening for eligibility, opening of bids, evaluation and post evaluation of bids, and awarding of contracts beyond the prescribed periods of action provided for in this IRR.
- c) Unduly influencing or exerting undue pressure on any member of the BAC or any officer or employee of the Procuring Entity to take a particular action which favors, or tends to favor a particular bidder.
- d) Splitting of contracts which exceed procedural purchase limits to avoid competitive bidding or to circumvent the limits of approving or procurement authority.
- e) Abuse by the HoPE of his power to reject any and all bids as mentioned under Section 41 of the Act and this IRR, with manifest preference to any bidder who is closely related to him in accordance with Section 47 of the Act and this IRR.

When any of the foregoing acts is done in collusion with private individuals, the private individuals shall likewise be liable for the offense.

In addition, the public officer involved shall also suffer the penalty of temporary disqualification from public office, while the private individual shall be permanently disqualified from transacting business with the Government.

65.2. Private individuals who commit any of the following acts, and any public officer who conspires with them, shall upon conviction, suffer the penalty of imprisonment of not less than six (6) years and one (1) day but not more than fifteen (15) years:

- a) When two or more bidders agree and submit different bids as bona fide bidders, all the while knowing that the bid(s) of one or more of them was so much higher than the other that the latter could not be honestly accepted and that the contract will surely be awarded to the pre-arranged lowest bid.
- b) When a bidder maliciously submits different bids through two or more persons, corporations, partnerships or any other business entity in which he has an interest, to create the appearance of competition that does not in fact exist so as to be adjudged as the winning bidder.
- c) When two or more bidders enter into an agreement which calls upon one or more of them to refrain from bidding for procurement contracts, or which requires one or more of them to withdraw Bids already submitted, in order to secure an undue advantage to any one of them.
- d) When a bidder, by himself or in connivance with others, employs schemes which tend to restrain the natural rivalry of the parties or operates to stifle or suppress competition and thus produce a result disadvantageous to the public.

In addition, the public officer persons involved shall also suffer the penalty of temporary or perpetual disqualification from public office and the private individual shall be permanently disqualified from transacting business with the Government.

65.3. Private individuals who commit any of the following acts, and any public officer conspiring with them, shall upon conviction, suffer the penalty of imprisonment of not less than six (6) years and one (1) day but not more than fifteen (15) years:

- a) Submitting eligibility requirements of whatever kind and nature that contain false information or falsified documents calculated to influence the outcome of the eligibility screening process or conceal such information in the eligibility requirements when the information will lead to a declaration of ineligibility from participating in competitive bidding.
- b) Submitting Bidding Documents of whatever kind and nature that contain false information or falsified documents or conceal such information in the Bidding Documents, in order to influence the outcome of the competitive bidding.
- c) Participating in a competitive bidding using the name of another or allowing another to use one's name for the purpose of participating in a competitive bidding.

d) Withdrawing a bid, after it shall have qualified as the Lowest Calculated Bid/Highest Rated Bid, or refusing to accept an award, without just cause or for the purpose of forcing the Procuring Entity to award the contract to another bidder. This shall include the non-submission within the prescribed time, or delaying the submission of requirements such as, but not limited to, performance security, preparatory to the final award of the contract.

65.4. It is understood that the above penalties and offenses shall cover all types of procurement whether done manually or electronically.

65.5. When the bidder is a juridical entity, criminal liability and the accessory penalties shall be imposed on its directors, officers or employees who actually commit any of the foregoing acts. If a person previously held liable or found guilty under the provisions of the Act and this IRR has a controlling interest in a prospective bidder-entity, the said bidder-entity shall be disqualified to participate in any procurement activity being conducted by the Government.

4.8 Supplemental Bid/Bulletin

Atty. Pacleb stated that if there will be queries, this can be put in writing and this will be answered through the issuance of a Supplemental/Bid Bulletin. Atty. Pacleb stated that bidders are given until October 4, 2023 to request for clarification. The issuance of Supplemental/Bid Bulletin will be until October 6, 2023.

4.9 No Contact Rule

Atty. Pacleb stated that if bidders will have clarifications or request for information, these shall be done in writing through the official e-mail address of PPMC. All communications shall be done in writing through the BAC Secretariat through the official e-mail address of PPMC.

4.10 GPPB Resolutions No. 03-2018, GPPB Circular No. 02-2018, GPPB Resolution No. 09-2020

Atty. Pacleb reiterated that for the submission of quotations, quotations shall be submitted on or before the deadline because late submission of quotations shall not be accepted. Quotations can be submitted either manually or electronically provided that instructions indicated in the Negotiated Procurement After Two Failed Biddings Documents will be followed.

Bidders shall also follow strictly the form as provided in Negotiated Procurement After Two Failed Biddings Documents and do not leave blank spaces.

V. REQUEST FOR CLARIFICATIONS/QUESTIONS AND ANSWERS

Atty. Pacleb asked the bidders and BAC for any clarifications/ questions, comments or suggestions.

Mr. Bautista asked if there were at least three (3) suppliers who were invited for the Negotiated Procurement After Two Failed Biddings. Ms. Bandolin answered in the affirmative and enumerated that the following suppliers were invited:

- Armerad Cornerstone Construction Corporation
- Sapitola Construction
- JASHV Construction and Supply

Ms. Peralta pointed out that in order for bidders to comply with PPMC's requirements for the submission of Duly accomplished Detailed Estimates Form, including a summary sheet indicating the unit prices of construction materials, labor rates, and equipment rentals used in coming up with the Bid, the BAC-TWG shall prepare a format for them to use.

Atty. Pacleb stated that this will be requested from the end-user and a Supplemental/Bid Bulletin will be issued.

Atty. Pacleb reminded the bidders that they are given October 4, 2023 to request for clarification. The issuance of Supplemental/Bid Bulletin will be until October 6, 2023.

VI. ADJOURNMENT

There being no other matters to be discussed the meeting was adjourned at 11:10 am.

Prepared by:



Ms. Charlotte C. Bandolin
Head, BAC Secretariat

**BIDS AND AWARDS COMMITTEE FOR THE PROCUREMENT OF
INFRASTRUCTURE PROJECTS:**



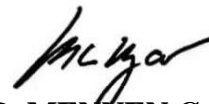
ARCH. MARC LAWRENCE P. AQUINO
Vice Chairperson



MS. ELIZA M. MACONCIDO
Member, BAC



MS. LASTINA L. BAGUYA
Member, BAC



ENGR. MEMMEN C. MENDOZA
Member, BAC



MR. FRANKLIN C. VILLAREAL
Member, BAC



ENGR. EPIFANIO C. BALANGUE
Member, BAC



ATTY. MARLOU P. PACLEB
Chairperson